

Comments Received Post-Planning Commission Recommendation

#	Commenter	Date	Comment Summary	Staff Response
			Comments provided in their entirety following this summary. The City Council will consider each comment.	
1	Jose Camacho	5/6/2025	Comments related to City homelessness population, lack of affordable housing, disagreement with City actions addressing homelessness, and disagreement with established City public processes.	Comments noted and will be reviewed by the City Council. Many of the comments provided do not pertain to the Comprehensive Plan. The Comprehensive Plan promotes efforts to house vulnerable populations, with policies such as H2(E), which calls for supporting efforts to provide emergency, transitional, and permanent supportive housing. A number of development regulations are proposed to remove barriers limiting construction of housing of all types; please see the short video related to the root causes of homelessness: https://www.seattlechannel.org/misc-video?videoid=x139824 . Per Kitsap Regional Coordinating Council Countywide Planning Policies, of all Kitsap jurisdictions, the City of Bremerton currently has the most existing Emergency Housing beds in Kitsap County. Outreach was performed for the Comprehensive Plan as detailed in the Public Participation Appendix, and included the Kitsap Housing & Homelessness Coalition, Kitsap Health Equity Collaborative, Bremerton Housing Authority, Kitsap Community Resources, Kitsap Mental Health, Saint Vincent de Paul, and others.
2	Robin Weldin	5/7/2025	Commenter is incorporating Comment #1 as their own.	See above.
3	Erik Pedersen	5/7/2025	Comments critiquing the Transportation section of the Comprehensive Plan, including not having more fully developed multimodal and vehicle Level of Service measurements.	Multimodal Level of Service (MMLOS) is addressed in the Transportation Technical Appendix (TTA) Attachment F. After considering public comment, Council directed alternations be made to this document at the 5/14 Study Session. An updated TTA Attachment F is available on Bremerton2044.com for review.
4	Travis Merrigan	5/14/2025	Comments urging changes to the concept of "Level of Service" (LOS) for cars and adding Multimodal Level of Stress (MLOS) for school kids, pedestrians, bikes, strollers, etc.	See comments above. Per Council direction at the 5/14 Study Session, a number of sections of the Comprehensive Plan were updated to emphasize MMLOS/nonvehicular traffic. Please see the 5/28 Study Session packet for more detail provided in the "Comprehensive Plan Revisions Matrix".
5	Travis Merrigan	5/14/2025	Suggests strengthening language for MLoS to be considered on equal footing with Car LOS.	See response to comments 3 & 4.
6	Charlie Michel	5/17/2025	Suggests changes to Pedestrian Level of Traffic Stress (PLTS) on Kitsap Lake Road on the Westside of Kitsap Lake from PLTS-1 to PLTS-3 or -4.	Revisions to the Transportation Technical Appendix (TTA) have been made to address this comment, noting that the Active Transportation Plan will supersede priority networks identified in the TTA.
7	Jose Camacho	5/19/2025	Comments related to Evergreen Point project and Shoreline Management Act,	After considering the recommendation of the Planning Commission, receiving public testimony, and deliberating, the City Council adopted updates to the Shoreline Master Program April 21, 2021 (Ordinance 5417). The Washington State Department of Ecology provided a June 26, 2021 Final Ecology Approval of the City of Bremerton Shoreline Master Program Periodic Review Amendment document, which details how the 2021 Bremerton Shoreline Management Program meets the requirements of the Shoreline Management Act, State Environmental Policy Act (SEPA), and other relevant statutes. The Findings & Conclusions section of the Department of Ecology approval provides a thorough analysis of amendments approved. After review of the Shoreline Master Program, Downtown Subarea Plan, other relevant City regulations, and submitted public comments, Commercial Site Plan Review Permit (file # BP21 00099) was issued October 11, 2022 providing conditional land use approval for the Evergreen Pointe mixed use development. Comments noted and will be reviewed by the City Council.
8	Nishchal Chaudhary	5/19/2025	Supports the removal of parking requirements across the city.	Please see the 5/28 City Council Study Session packet for greater detail on proposed market-based parking zoning code amendments. Comments noted and will be reviewed by the City Council.
9	Travis Merrigan	5/19/2025	Supports citywide elimination of parking minimums, and not to exclude Low Density Residential zone from proposed market-based parking standards.	Please see the 5/28 City Council Study Session packet for greater detail on proposed market-based parking zoning code amendments. Comments noted and will be reviewed by the City Council.
10	Charlie Michel	5/21/2025	Suggests creating a zoning ordinance or moratorium to preclude construction of any further gas stations in Bremerton.	Moratorium or elimination of gas stations as an allowed use are not related to the Comprehensive Plan, and would require separate City Council action. Comments noted and will be reviewed by the City Council.
11	Carol Michel	5/21/2025	Suggests adding language to the Comprehensive Plan to create a zoning ordinance or measure in Bremerton to specifically prohibit further gas station construction.	See response to comment 10. Comments noted and will be reviewed by the City Council.
12	Aiden Wright	5/21/2025	Suggests marketing and outward research to apartment owners, property management companies to learn about what they believe the areas potential for growth is. Supports gross remodels and greater development.	Comments do not appear to be relevant to the Comprehensive Plan. Outreach was performed for the Comprehensive Plan as detailed in the Public Participation Appendix, and included the Kitsap Greater Chamber of Commerce, Kitsap Building Association, Downtown Bremerton Association, Charleston Business District, Manette Business Association, Kitsap Housing & Homelessness Coalition, Kitsap County Association of Realtors, and others. Comments noted and will be reviewed by the City Council.

#	Commenter	Date	Comment Summary	Staff Response
13	Jose Camacho	5/21/2025	Commenter is incorporating comments about gas stations (#10 and #11) as his own. Comments critiquing the City's efforts in the Evergreen Point project and Shoreline Master Program.	See responses to comments 7 & 10. Comments noted and will be reviewed by the City Council.
14	Jacqueline Reed	5/21/2025	Provided information on speeding in her neighborhood along Trenton avenue, Would like enforcement in the area, and looks forward to the traffic study to come in June.	Comments do not appear to be relevant to the Comprehensive Plan. Comments noted and will be reviewed by the City Council.
15	Robin Weldin	5/21/2025	Commenter is incorporating comments #10, #11 and #13 as her own. Provided feedback, suggesting developer favoritism rather than people.	See responses to comments 10, 11, & 13. Comments noted and will be reviewed by the City Council.
16	Travis Merrigan	5/21/2025	Commenter would like to see certain segments of the road go from 3 lanes to 2 lanes. Noting that the current 6th street construction in the reduction of lanes is a good example of how it would be safe and work for the traffic and neighborhood.	Comments may not be relevant to the Comprehensive Plan, and they are specific to a specific capital facility project. See 5/28 City Council Study Session packet for details on additional language supporting Multimodal Level of Service (MMLOS). Comments noted and will be reviewed by the City Council.
17	Deborah Woolston	5/23/2025	Commenter provided feedback on the Comprehensive Plan. Does not support removing building height limits. Supports enhancements and functions of the city with improving pedestrian safety/access and protection of trees.	Proposed amendments to the Downtown Subarea Plan do not include removing building heights. Several zones are proposed to aggregated into a single zone with an 80-foot height limit. Current height limits in these areas range from 40 to 60-feet. Please see Vision, Growth, Policies, and Growth Strategy video on Bremerton2044.com for more information: https://www.youtube.com/watch?v=ivsl2-ig-A . Mineral Resources available in Bremerton include basalt rock and gravel. Comments noted and will be reviewed by the City Council.
18	Jose Camacho	5/23/2025	Commented provided feedback on the Shoreline Management Act and the proposed gas station near Ostrich Bay.	Comments may not be relevant to the Comprehensive Plan. Specific project is currently under review for conformance with City regulatory requirements. Comments noted and will be reviewed by the City Council.
19	Erik Pedersen	5/27/2025	Recommends City Council adopt Multimodal Transportation code requirements similar to the City of Bellingham.	The Comprehensive Plan, and associated Transportation Appendix, are high-level planning documents. Multimodal transportation code regulations will need to be considered separately by the City Council after adoption of the Comprehensive Plan. Comments noted and will be reviewed by the City Council.
20	Travis Merrigan	5/28/2025	Recommends City Council adopt market-based parking standards.	Comments noted and will be reviewed by the City Council.
21	Shane Holman	5/29/2025	Recommends City Council retain minimum parking standards.	Comments noted and will be reviewed by the City Council.
22	Heddy Pugh	5/28/2025	Recommends City Council adopt market-based parking standards.	Comments noted and will be reviewed by the City Council.
23	Chal Martin	5/31/2025	Recommends City Council adopt market-based parking standards.	Comments noted and will be reviewed by the City Council.
24	Marwan Cameron	6/2/2025	Comment against tax exemptions for developers, lack of public toilets for the homeless, inadequate support for homeless & substance disorders, noting the need for additional affordable housing strategies, and the need for a more developed public transportation system.	The Comprehensive Plan is a high-level planning document which includes goals and policies supporting emergency housing for individuals experiencing homelessness, increased affordable housing options, and a multimodal transportation system. Individual housing developments and capital improvements are organized and funded on a case-by-case basis that is outside the comprehensive planning process. Comments noted and will be reviewed by the City Council.
25	Alden Bradford	6/2/2025	Supports a safer transportation model not based on automobiles. Recommend City Council remove minimum parking standards.	Comments noted and will be reviewed by the City Council.
26	Cale Simanskey	6/3/2025	Recommends City Council adopt market-based parking standards and neighborhood business.	Comments noted and will be reviewed by the City Council.
27	Marwan Cameron	6/4/2025	Add to comments made 6/2/25 by stating the Comprehensive Plan fails to meet Growth Management Act requirements related to urban growth, transportation, housing, citizen participation, and climate change.	Please see staff comment response to #24. The City Comprehensive Plan has been reviewed for conformance with the Growth Management Act by the Department of Commerce and Puget Sound Regional Council without reporting deficiencies noted in this comment. Comments noted and will be reviewed by the City Council.
28	Jose Camacho		Comment on the Comprehensive Plan failing to meet Growth Management Act (GMA) requirements for Shoreline Management, view preservation, bluff erosion, and other comments.	The City Comprehensive Plan has been reviewed for conformance with the Growth Management Act by the Department of Commerce and Puget Sound Regional Council without reporting deficiencies noted in this comment. All residents are invited to participate in the Critical Areas Ordinance and Shoreline Management Program update later in 2025. Comments noted and will be reviewed by the City Council.
29	Tina Bryant	6/4/2025	Objects to Freeway Corridor zoning at 5225-5235 Sinclair Way. Promotes increased environmental protections in this area.	City Council directed DCD staff to include review of Freeway Corridor zoning for these properties with the 2026 Comprehensive Plan Amendment docket. At this time, Land Use designations for the site cannot change. Comments noted and will be reviewed by the City Council.
30	Nish Chaudhary	6/4/2025	Recommends City Council adopt market-based parking standards.	Comments noted and will be reviewed by the City Council. Comments noted and will be reviewed by the City Council.
31	Paelina DeStephano	6/4/2025	Recommends City Council adopt market-based parking standards, expanded opportunities for mixed-use zoning, would have preferred upzoning of some LDR neighborhoods.	Comments noted and will be reviewed by the City Council. Comments noted and will be reviewed by the City Council.

Garrett Jackson

From: City Council
Sent: Tuesday, May 6, 2025 1:54 PM
To: Friends of Smith Cove
Cc: Robin Weldin; City Clerk; Public Records; City Council; Greg Wheeler; Kylie Finnell; Andrea Spencer; Garrett Jackson
Subject: RE: May 7 Council Meeting - Comments for Item 7A - GMA Violation As To Homeless Community (Jose Camacho)
Attachments: 5-6-25 Comp Plan Comment - Homeless Community (FOSC).pdf; Persecution Of Homeless_Joslyn Emailed Pub Comment 10-16-24.pdf

Mr. Camacho,

This is to acknowledge receipt of your email and attachments, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record under Item 7A.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Friends of Smith Cove <friendsofsmithcove@gmail.com>
Sent: Tuesday, May 6, 2025 1:20 PM
To: City Council <City.Council@ci.bremerton.wa.us>; Anna Mockler <Anna.Mockler@ci.bremerton.wa.us>; Jane Rebelowski <Jane.Rebelowski@ci.bremerton.wa.us>; City Clerk <City.Clerk@ci.bremerton.wa.us>; Public Records <Public.Records@ci.bremerton.wa.us>
Cc: rdmoley26@gmail.com
Subject: FOSC's Comment for 5-7-25 City Council meeting - GMA Violation As To Homeless Community

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:

As our comment for tomorrow's City Council meeting, please accept the attached Friends Of Smith Cove comment and as its exhibit, the

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attached "Persecution Of The Homeless" comment from Joslyn, which I adopt and incorporate as my own. It uses hyperlinks.

We do ask questions at the end of the comment, and we would like truthful answers.

Public Record Act Request For Inspection

I also take this opportunity to make a Public Records Act request for inspection.

We would like to inspect DCD's and Garrett Jackson's calendar(s) and other materials which show the times and locations of outreach, meetings, and discussions with the public as to comp planning, including as to the homeless community and their advocates, including Kimmy Siebens, Marwan Cameron, Dawn Wilson, and Joslyn Snow, and their respective entities. We also request associated notes and memos as to same.

Similarly, we would like to inspect the same kind of materials as to DCD's outreach, meetings, and discussions with "development community," as to Sound West Group and/or its proxies and joint venturers Ricer Fergus Miller and Waterman Mitigation, the Quincy Square "action group," and including associated notes and memos as to same.

These requests include emails and their respective metadata. Our experience is that the city's pdf emails distort email content so we request native format emails / metadata in this request.

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Friends of Smith Cove in Evergreen Park

Jose Camacho

<https://www.youtube.com/@FriendsofSmithCove>

City Of Bremerton Violates Growth Management Act In Marginalizing The Homeless & Priced-Out Renter, Including In The Planning Process, Then Failing To Substantively Address This Vulnerable And Overburdened Community In its "Bremerton2044" Proposals

The *ostensibly* public processes in Bremerton are "empty ceremony" intended not to meaningfully inform citizens, including as to its planning under the Growth Management Act. Bremerton violates and will be violating the Growth Management Act (GMA), including at [RCW 36.70A.020](#) at Planning Goal No. 11, which requires:

"Planning goals. The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations... The following goals ... shall be used exclusively for the purpose of guiding the development of comprehensive plans, development regulations ... Citizen participation and coordination. Encourage the involvement of citizens in the planning process, including the participation of *vulnerable populations and overburdened communities*, and ensure coordination between communities and jurisdictions to reconcile conflicts."

In abusing its power and legal processes on behalf of wealthy developers, Bremerton, particularly via its Department of Community Development, and City Attorney's Office, deploys deception, obfuscation, and omission of material information is the city's status quo for marginalized and vulnerable. The "Constitution protects the right to receive information and ideas." Stanley v. Georgia, 394 U.S. 557 (1969). The right to receive information is the fundamental counterpart of the right of free speech; it ensures the public's right to receive information in an open society. Fritz v. Gorton, 83 Wash. 2d 275 (1974); Time, Inc. v. Hill, 385 U.S. 374 (1967). The "State may not ... contract the spectrum of available knowledge." Griswold v. Connecticut, 381 U.S. 479 (1965). **The First Amendment "prohibit[s] government from limiting the stock of information from which members of the public may draw."** First National Bank of Boston v. Bellotti, 435 U.S. 765 (1978); Board of Ed., Island Trees Union v. Pico, 457 U.S. 853 (1982). This has resulted in "empty ceremony" hearings and processes:

"The right to be heard implies a reasonable hope of being heeded. The right to be heard in a public hearing contemplates ... the hearing must be conducted as to be free from bias and prejudice; it must not only be open-minded and fair, but must have the appearance of being so. ... [it] must be so conducted as to demonstrate that the relevant opinions of all persons invited to attend will be considered and weighed by the legislative body in the light of all other factors influencing their decision. Otherwise, the call for a public hearing would be an ... an empty ceremony conducted simply to provide evidence of mechanical compliance with the statute requiring the public hearing while concealing the purpose of evading it."

Smith v. Skagit County, 75 Wash.2d 715 (1969).

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The city's comp plan proposals have not addressed its affirmative marginalization of the homeless and priced-out renters, and its disregard for them in planning. Despite years of pleas, the homeless and distressed renter continue to be disregarded. This has taken place while the city – utterly dominated by a realty / developer cartel which includes “public servants” – acts as a servile enabler to developers. After being outsourced by the city, even the “hybrid shelter” ostensibly being worked on by cartel-influenced “non-profits” has been taking place in an opaque manner without monitoring by or input from the public. This shelter has been excluded from being sited in the downtown area, and after years of passing the buck, all city actors including its “planners” continue to refuse to plan for and/or implement a minimal need: 24 / 7 public toilets in derogation of a globally recognized [basic human right](#).



Instead of upholding duties of impartiality under due process principles, our city government aims to help private developers make millions they'd otherwise could not if it actually implemented law and outreach fairly and impartially. The homeless and distressed renter pay

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the price. In Bremerton, only developers seem to matter now to our "public servants. This is covered up with dishonest misleading talking points, spin, and omission. Our city's realty / developer cartel wants priority in all things, and the unhoused and low-income can be exploited to that end.

The Reality Of Bremerton's Marginalized Persecuted Vulnerable Homeless Community

The unhoused have been persecuted by the City of Bremerton and it is discriminated against in order to continue to carry out favoritism towards the realty / developer cartel:

"Robin Records 11-4-23 'Sweep' - Wheeler's Illegal Destruction Of Survival Gear & Personal Property" <https://youtu.be/nBcGh-2fQ1E?si=7Zut2OLF6PAJlo-k>

11-15-23 "Robin re 11-4-23 'Sweep' - I Filmed City's Destruction; Entire Tents With Their Contents Were Dumped" <https://youtu.be/ERhvvEZn2gk?si=2H2LhIWXX9ggF4PI>

12-16-24 "GMA Violated: Developers Control City Which Outlaws Homeless & Ignores Advocates Like Rock The Block" <https://youtu.be/P0XBRjUb1HU?si=DMxDK0D4IFDUSgSG>

12-16-24 "Robin: Adopts Rock The Block Testimony - City Violates Human Right To Sanitation & Survival Property" <https://youtu.be/tRWEkH-bmc?si=tYRRfEO8VSycbdun>

The Growth Management Act, RCW 36.70A.020 also requires as Planning Goals

No. 1:

"Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner."

No. 4:

"Housing. Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock."

No. 10:

"Environment. Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water."

No. 14

"Climate change and resiliency. ... prepare for climate impact scenarios; foster resiliency to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice."

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In 2017, mayoral candidate Greg Wheeler used the homeless and gentrification to prostrate himself before developers with [the promise of developers' Holy Grail – bigger buildings and deregulation](#): *"Greg is deeply concerned about gentrification as it pertains to the affordable housing crisis in Bremerton. ... this crisis is happening in every neighborhood. People are close to losing their homes or are already homeless. ... Some solutions he has in mind are to offer incentives for developing low income housing by allowing for increased height limits and expediting permitting. These are two proven methods that builders pay attention to. ..."*

By 2017-2018, Greg Wheeler, and later his Chief of Police, acknowledged the escalating rise in homelessness, displacement, and gentrification. The mayor, in a version of himself now abandoned, [did make an attempt](#) to effect the *actual* construction of low-income / affordable housing.

From this time to the present, while the homeless, and their advocates, have begged city hall for modest humane assistance, the insiders' club here was acting behind closed doors to steer the Opportunity Zone tax shelter and an initial half million in HUD and other public monies to prop up Opportunity Zone projects of the emerging realty / developer cartel in town, notably headed by top dog developer "Sound West Group" / CEO Wesley Arthur Larson III and his partners and joint venturers including Rice Fergus Miller.

The lavishing of public monies, resources, and the strategizing of city actors such as DCD to advance Larson's Opportunity Zone plans and projects, including Quincy Square, started without the public being informed that such funding and city effort would directly benefit Sound West Group, and it's partners and joint venturers Rice Fergus Miller. Its partisan labor, subsidizing funding, and calculated deception and omission continues to date.

Programs For The Needy Allowed To Be Exploited By Developers & Their City Sycophants – The Opportunity Zone Vehicle For The Wealthy

In the [Genovese Fraud Litigation](#) in which Sound West Group partner Gregory Genovese accused Larson and his partners of securities fraud, one sees the breadth of SWG's Wesley Arthur Larson III's Opportunity Zone development plans and the fundamental error in civics in holding up a private enterprise as a public benefactor selling cities on his *"Master Plan:"*

"3-11-19: Larson Explains Opportunity Zone 'Master Plan' Is A 'Box' In Which SWG Makes The Decisions"

In Genovese's pitch representing Sound West Group, to the public and investors, the homeless community is actually exploited to present this private for-profit combine as a city solution, instead of a cause of Bremerton's putsch into gentrification:

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"... I've actually moved to Bremerton to head up this company and you know I'm actually in an office standing here talking to you right now that's in an Opportunity Zone and I would not have done that had it not been for the fact that we're really going to be focused on what I've called you know positive social impact. I don't want to go so far as to say socially responsible because with that or ESG as you know because there's actually rules and regulations that pertain to programs or projects that you're going to claim socially responsible investing. But as you say right now there is no requirement however it would probably meet the criteria because there is a positive social impact in just about any opportunity zone program whether it's in the most blighted area in the country or the one that's on the periphery which would be let's say an area that is next to you know a middle-income tract that is is butted up against the low income tract which there's a lot of those in the state of Washington where we are and I think they were smart I think the treasury department was smart to keep it out not because the fact it wouldn't have a strong positive social impact but the investment themselves in revitalizing these areas really needs to be looked at as a positive social impact. But that's really at the top of our list. It's in our mission statement, it's on our website, it's in every interview that we do, and every published report on Sound West Group is that everything that we do is we are always putting something into the deals to give back to the community. So over and above the program and the project itself and what it's going to do for the city, we actually are in the process now of working with local government with the mayor of Bremerton and a couple of the Congress people us Congress here in developing a program with not only OZ 1 but our next couple of projects OZ 2, 3, and 4 that part of our returns part of our cash flow - we don't have a completely locked down at this point but it will be a direct monetary investment into the community whether it be to homeless centers or to education at a local junior college but we're in the pro - you happen to be asking the question at a point where I just had a meeting this morning with our CEO on this exact topic to develop as part of our pro forma a cash flow in a monetary benefit that will go directly to needs in in that particular area where the project is. ..."

See [1-2-19 Genovese Statements Re SWG Opportunity Zone Plans & Coordination With City](#) (Jimmy Atkinson Opportunity Zone Podcast, Episode # 5).

These claims of SWG's altruistic "positive social impact" in aid of the homeless and other overburdened communities derives from the Opportunity Zone law's initial talking points that it is intended to help needy communities. However, subsequently, Sound West Group devolved into money-grubbing internal disputes of fraud and embezzlement which the city and Commissioner Jack Paauw would undoubtedly prefer to suppress. That breakup resulted in Genovese's ouster, and the apparent flight of Sound West Group from the capital markets away from SEC and DOJ scrutiny.

Programs For The Needy Allowed To Be Exploited By Developers & Their City Sycophants – HUD’s CDBG Hijacked By Quincy Square Insiders

The Opportunity Zone scheme has not been the sole instance of the exploitation of the homeless to obtain financing. The wealthy connected insiders, with Sound West Group as top dog developer, has been allowed by Bremerton to use a shameful tactic: targeting funding programs meant for the needy, including HUD’s CDBG funding:

“The Community Development Block Grant (CDBG) program is a federal program intended to strengthen communities by providing funds to improve housing, living environments, and economic opportunities, **principally for persons with low and moderate income. At least 70% of CDBG funds received by a jurisdiction must be spent to benefit people with low and moderate income ...”**

See National Coalition For Low Income Housing. [https://nlihc.org/sites/default/files/AG-2024/9-2 Community-Development-Block-Grant-Program.pdf](https://nlihc.org/sites/default/files/AG-2024/9-2%20Community-Development-Block-Grant-Program.pdf) Easily demonstrating how governmental servility to private special interests results in dishonesty, lack of transparency, and misallocation of resources, while distressed citizen after citizen implored the city for help, the insiders club behind the Quincy Square project were able to steer public moneys to their venture within months while the actually needy still, years later, have not been able to stir the city to act with a fraction of a fraction of that intensity to meet basic survival and bodily needs.

The breakdown of Bremerton’s 2018 HUD (CDBG) requested / recommended funding shows the Quincy Square project was granted the greatest allocation - **\$300K** of HUD money - to dress up the setting of Wesley Larson's **“B Flats Apartments”** project which his former partner Gregory Genovese identified in the **Genovese Fraud Litigation** as an Opportunity Zone project.

"2018 Community Development Block Grant Project Review Committee Recommendations" Project Funding Request Funding Recommended

1. Coffee Oasis Funding Request \$77,000 Recommended \$32,500	2. New Life Community Development Agency Funding Request \$65,000 Recommended \$27,500	3. Kitsap Community Resources (Business Education) Funding Request \$65,000 Recommended \$65,000
4. Kitsap Community Resources (Weatherization) Funding Request \$32,000 Recommended \$32,000	5. Bremerton Public Works (Quincy Square) Funding Request \$300,000 Recommended \$300,000	6. Kitsap Childcare & Preschool Funding Request \$90,933 Recommended \$91,000
7. Kitsap Community Resources Funding Request [blank] Recommended \$241,000		

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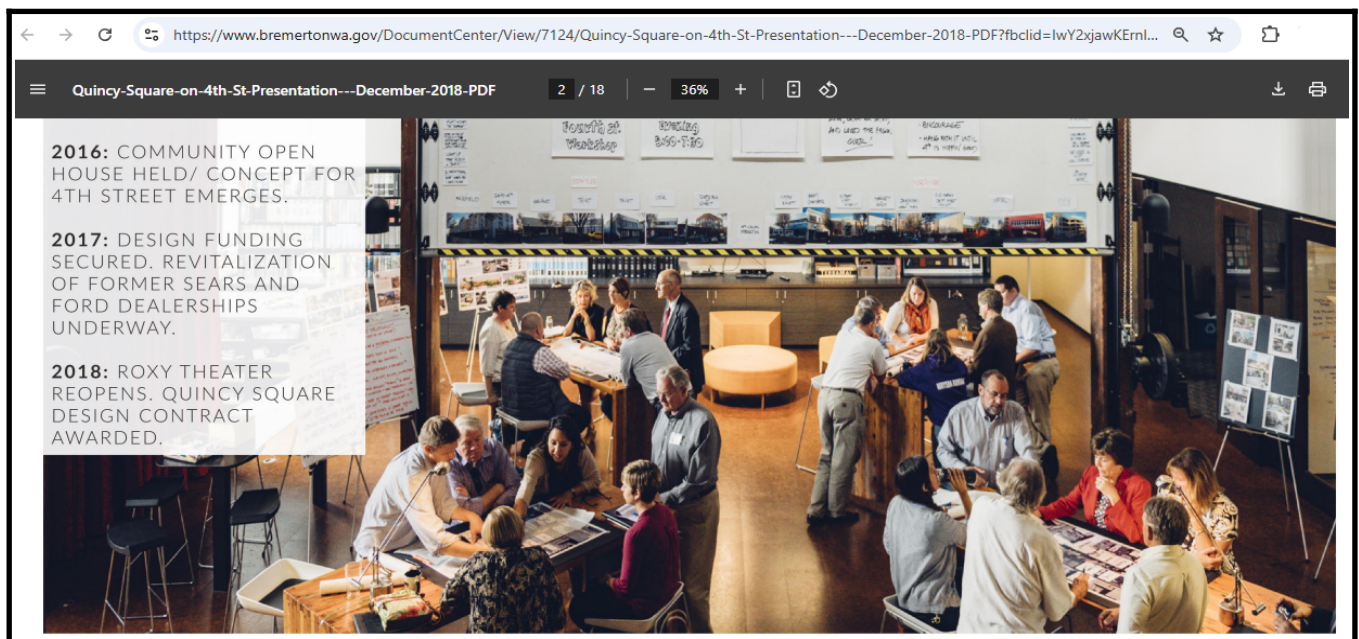
Source: <https://www.bremertonwa.gov/DocumentCenter/View/5244/2018-Project-Review-Committee-Funding-Recommendations-PDF>

In a piece of Rice Fergus Miller commercial "marketing" written by its principal, Dean Kelly, the insiders' club frames this sponge of public monies as "*The public and private effort is coming together to revitalize a downtown Bremerton street*" but left out of such self-interested boosterism are the needs of real and marginalized humans who will be forced out of the city, ghettoized, persecuted and excluded from Quincy Square upon its completion.

The Insiders' Club > <https://rfmarch.com/bremerton-project-has-musical-overtones-as-a-tribute-to-former-resident-quincy-jones/>



"2017: Design Funding Secured" > [December 2018 Presentation – Quincy Square Project](#)



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The CDBG funding should have gone to the homeless.

Dean Kelly is a principal and architect in the Rice Fergus Miller firm familiar to Friends of Smith Cove because he designed the rigged **Evergreen Pointe project**, then participated in prohibited segmentation arguments with the encouragement of Andrea Spencer's DCD. The photo is taken from Dean Kelly's [article](#); I have labeled those known persons in the insiders club because the contention of Friends of Smith Cove includes the interplay and impropriety of the kind of partisanship and "entangled ties" which violates due process. Once the city administration worked to install Jack Paauw and Mike Miller – principals of Sound West Group and Rice Fergus Miller - the insiders club including their prominent place in the Kitsap Economic Development Alliance, Kitsap Builders Association, and other cartel components.

In contrast to the marginalized homeless, this insiders club weaponizes their connections and influence over municipal government. That influence culminated with Jack Paauw and Mike Miller being made Planning Commissioners. Now, it is no longer a matter of influence but of direct active partiality subverting due process in matters of planning. This has been the contention of Friends of Smith Cove as to Andrea Spencer's DCD, and now that partiality has expanded to another quasi-judicial body, the Planning Commission – even to the point of these bodies collaborating to codify the elimination of homeowners' and residents' constitutional due process rights via **Ordinance 5506 and 5508**.

See: "DCD, Sound West Group, Jack Paauw Smother Anti-Corruption & Community Voices By Barring Due Process" https://youtu.be/jS_uL2Q2ynU?si=r5t9_1poBb22EhT

To understand the depth of wrong one must juxtapose the "empty ceremony" hearings of Quincy Square's initial CDBG funding with the contemporaneous pleas of the homeless. The city and its insider's club snatched the biggest share of HUD's CDBG dollars while all but spitting on the homeless as they announced the funding. During which the homeless and struggling renters, unaware this funding could have gone towards their needs, pleaded for humane consideration and simple fair pragmatic enforcement of the 12-year MFTE to no avail:

"1-17-18 Heather: Can't Afford Rent Hike; I'm Afraid For My Family. It's Not Fair" <https://youtu.be/ZBAEeW4oGbU?si=nfm0xbcFf3wzohsD>

"5-16-18 Homeless & Advocates Beg Council To See Their Humanity. Peeved Council Prez: Its Complicated" https://youtu.be/WLyin_Z8Gqk?si=xvE6OZJFKMRzRc-j

"6-20-18 Huddy: (Name-Dropping Larson) Providing Shelter, Food, & Services Worsens Homelessness" <https://youtu.be/Y2ggYgfGSe4?si=c-Ry1Wqgl91EGfnh>

The grossly inequitable disparate treatment by the city towards insider developers and their cronies and the homeless and their advocates has been pointed out repeatedly yet continues

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to persist. See Jane: 10-19-22 "We Give Wealthy Developers Tax Breaks But Deny Homeless 24/7 Public Toilets (cost: \$800/mos)" https://youtu.be/udtnYJD_POQ?si=vjKcvfeFh0ndEz3f
According to Sound West Group's website (<https://soundwestgroup.com/who-we-are/>), its Quincy Square achievements during 2017 – 2018 included:

*"2017 Completed construction on Spyglass Hill, and achieved 100% lease up in 87 days at rents, exceeding pro forma
Purchased former Sears Department Store, Ford Dealership Buildings, and the historic 600-seat art deco Roxy Theater, downtown Bremerton
Completed construction and opened AW Larson Building, Seattle*

2018 Completed repurposement of Sears and Ford Buildings into mixed use, featuring B Flats Apartments, Axe & Arrow Restaurant and Simple Safe Storage"

During Mayor Wheeler's 2017-2018 attempt to impose a moratorium on the 8-year MFTE to allow the 12-year MFTE to activate **actual** construction of low-income / affordable housing, a clash took place in which developers and City Council were allies in concealing months of prior work obtaining public moneys for Quincy Square, including CDBG monies, while this "public-private" collaboration rejected decency and fairness despite cogent informed input from affected residents and the conclusory emptiness of developer whining (which always omit all the other public subsidies they are given):

"6-20-18 Public Works: We Obtained \$550K For Quincy Square (Larson's Opportunity Zone Project)" <https://youtu.be/fVAHUgoFxis?si=plw-zP5b6onYByyk>

6-20-18 "Marianne Weber defends Sound West Group: At Spyglass We Do Wine Tastings, Yoga, Zumba, Taco Tuesday." <https://youtu.be/WVh13W4C0Qw?si=0SOrW8JTHZwcee9q>

6-20-18 "Leslie Daug's re 12 yr MFTE: Spyglass' Yoga Is Great But Homeless, Families Living In Cars Need Help" <https://youtu.be/-AP9okrM2LM?si=NymhjEGYPbCUIoW9>

"6-20-18 Lori Compares Tax: \$1600 For Her 834 Sq Ft House V. \$1400 For Larson's \$20M 80-Unit Spyglass" <https://youtu.be/zfkmOHV4bbg?si=tVbDhkPwCAAC5iqS>

6-20-18 "Eli: Despite Larson's Pitch, I Don't Know Any Workers Who'd Afford His \$1400 Quincy Square Studios" <https://youtu.be/KaTBeENoh78?si=cZy0KIYtGHZMicdc>

"6-20-18 Fred: I can't afford home, but I'd be willing to pay tax if housing for the poor put in." <https://youtu.be/9U4W9EJZ8mM?si=RNb1isx9fK3Vf-VJ>

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"6-20-18 Wheeler (Before His Pogroms): Subsidizing Developers Means Displacing Low-Income Tenants." https://youtu.be/LcBbR_P-xk4?si=aBfKthluaok_x3XQ

"6-20-18: Younger (8-year MFTE) v. Wheeler (12-year MFTE) / Opportunity Zone & SWG cited." <https://youtu.be/MgcRkOpg7MM?si=DnfAzYmtM6hyKGAK>

Sound West Group is seen in Public Records Act materials meeting in its offices with the Mayor, with DCD's Andrea Spencer, and with Public Works' Chal Martin throughout 2017 - 2018. Outside of public scrutiny or input. On September 14, 2018 Larson emailed Mayor Wheeler:

"It was a pleasure to give you a tour of [Quincy Square] Sound West B Flats yesterday. As mentioned, SWG will be launching the nation's first project-specific opportunity zone fund (Sound West OZ Fund I), which will be available starting in October. We've attached some information here for your review as you requested ... We will be raising capital via the wealth advisory and broker dealer communities very soon with Sound West OZ Fund I. This flagship offering will be in the area of qualified opportunity zone funds which will predicate on advantages afforded by the 2017 Tax Act. The tax act allows for deferral and then significant mitigation of capital gains on an invest you may make into an OZ fund from a liquidation of basically any investment you may have which as capital gains and subject to capital gains tax, as well as 100% elimination of capital gains tax in the future of your next investment so long as an investment is made into a government designated Opportunity Zone via a certified Qualified Opportunity Zone Fund, and meets certain time horizon holds of 5, 7, or 10 plus years. ...we believe this area of investment will be a game changer in the industry and we are pioneering the first offering of its kind dedicated to both Opportunity Zones as well as impact investing, to be distributed through the wealth advisory and broker dealers channels. We are currently working with Seyfarth Shaw Capital OZ Fund I (OZ1). We will then have a series of funds in suscession of OZ1. Each will initially be Reg D Private Placement Offerings of approximately \$50 M each. Our first asset in OZ1 will Marinaa Square in Bremerton, WA. You can view the project on the Sound West Group website at www.soundwestgroup.com. Also, please visit us at Sound West Realty Capital at www.soundwestrc.com.

We would also be happy to make a brief presentation for you prior to your conference next week if it is convenient. I'll have Sharon reach out to you. I think your developing expertise on the OZ would help you in promoting investment and jobs in our great city."

COMMENT #1

The span and inter-connectedness of Larson's Opportunity Zone projects and how it fell apart, or at least changed, is detailed in the [Genovese Fraud Litigation](#) but the full ramifications of the fraud litigation are unknown (depositions were taken apparently). But Genovese names the individual OZ projects as including Quincy Square, and this information per Genovese was communicated to the mayor, other city pols, and to business leagues such as the Kitsap Economic Development Alliance., and plans were made "in coordination" with these public governmental officials and representatives.

See:

[1-2-19 Genovese Statements Re SWG Opportunity Zone Plans & Coordination With City](#)
(Jimmy Atkinson Opportunity Zone Podcast, Episode # 5)

[12-11-19 Genovese Statements Re SWG Opportunity Zone Plans & Coordination With City](#)
(Jimmy Atkinson Opportunity Zone Podcast, Episode # 66)

Genovese's Lawsuit:

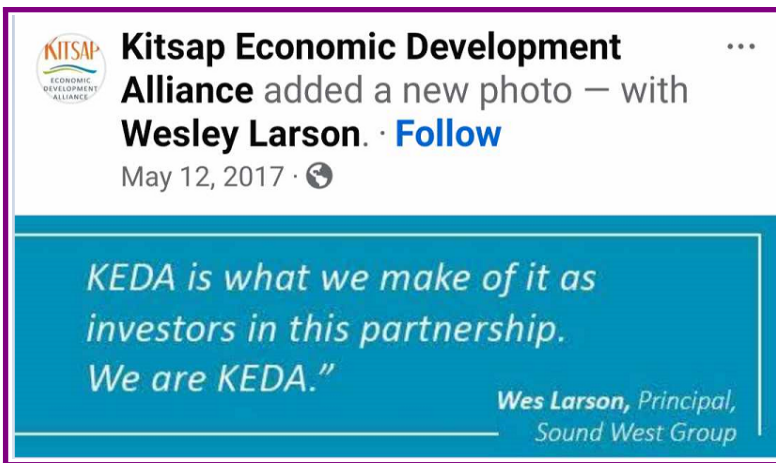
8	C. <u>SWRC Formulates Plans for Two Additional Funds to Develop Multiple Projects</u>
9	45. The Marina Square Project was one of multiple opportunity zone projects that
10	Larson and the other Individual Defendants discussed and promoted with Genovese when they
11	recruited and propositioned him to join SWG and head SWRC.
12	46. A second opportunity zone fund was planned for developments owned or controlled
13	by SWG affiliated entities that included projects for student housing for Olympic College at
14	Evergreen Pointe, multifamily workforce housing at Quincy Square in downtown Bremerton, and
15	a multifamily development project on Spyglass Hill in Bremerton.
16	47. A third opportunity zone fund was planned for a development project in Port
17	Orchard.
18	48. Pro formas were generated for each of the projects in the contemplated second and
19	third opportunity funds, lawyers were retained to prepare a private placement memorandum for
20	each fund, and Genovese began promoting the equity raising efforts with national private equity

With Larson's political influence, and dangling of millions, the mayor who once spoke of the connection between subsidizing developers with the 8-year MFTE having the effect of creating displaced low-income tenants has seemingly disappeared.

COMMENT #1

A few months after **Larson's 9-14-18 email**, Sound West Group and its partners and joint venturers, Rice Fergus Miller, and Steve Segó / Waterman Mitigation presented before various governmental bodies to ask for yet more public funding to buttress its Opportunity Zone project (Port Orchard, Port of Bremerton, Kitsap Public Facilities District) not because it did not have the wherewithal but because it expected a boom via the Opportunity Zone tax shelter which the consortium announced it would deploy for all its Opportunity Zone projects.

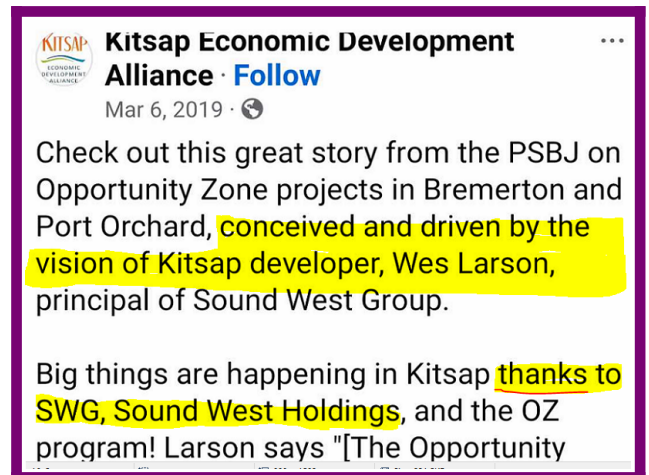
Somehow, taking public monies, even CDBG funds, and depriving needy communities of the same, the SWG-led realty / developer cartel still manages in social media, in the press, and at Norm Dicks, to pose, and to be treated, as an untouchable public benefactor.



Kitsap Economic Development Alliance added a new photo — with **Wesley Larson**. · Follow
May 12, 2017 · 🌐

KEDA is what we make of it as investors in this partnership. We are KEDA."

Wes Larson, Principal, Sound West Group

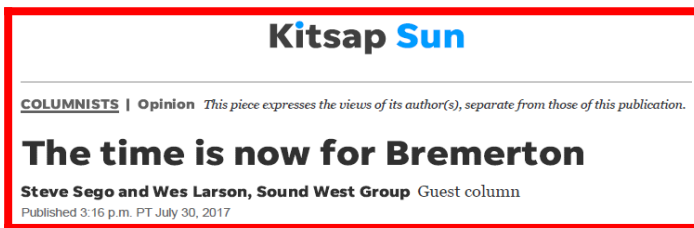


Kitsap Economic Development Alliance · Follow
Mar 6, 2019 · 🌐

Check out this great story from the PSBJ on Opportunity Zone projects in Bremerton and Port Orchard, **conceived and driven by the vision of Kitsap developer, Wes Larson, principal of Sound West Group.**

Big things are happening in Kitsap **thanks to SWG, Sound West Holdings,** and the OZ program! Larson says "[The Opportunity

"The Time Is Now" <https://www.kitsapsun.com/story/opinion/columnists/2017/07/30/time-now-bremerton/524083001/>



Kitsap Sun

COLUMNISTS | Opinion This piece expresses the views of its author(s), separate from those of this publication.

The time is now for Bremerton

Steve Segó and Wes Larson, Sound West Group Guest column
Published 3:16 p.m. PT July 30, 2017

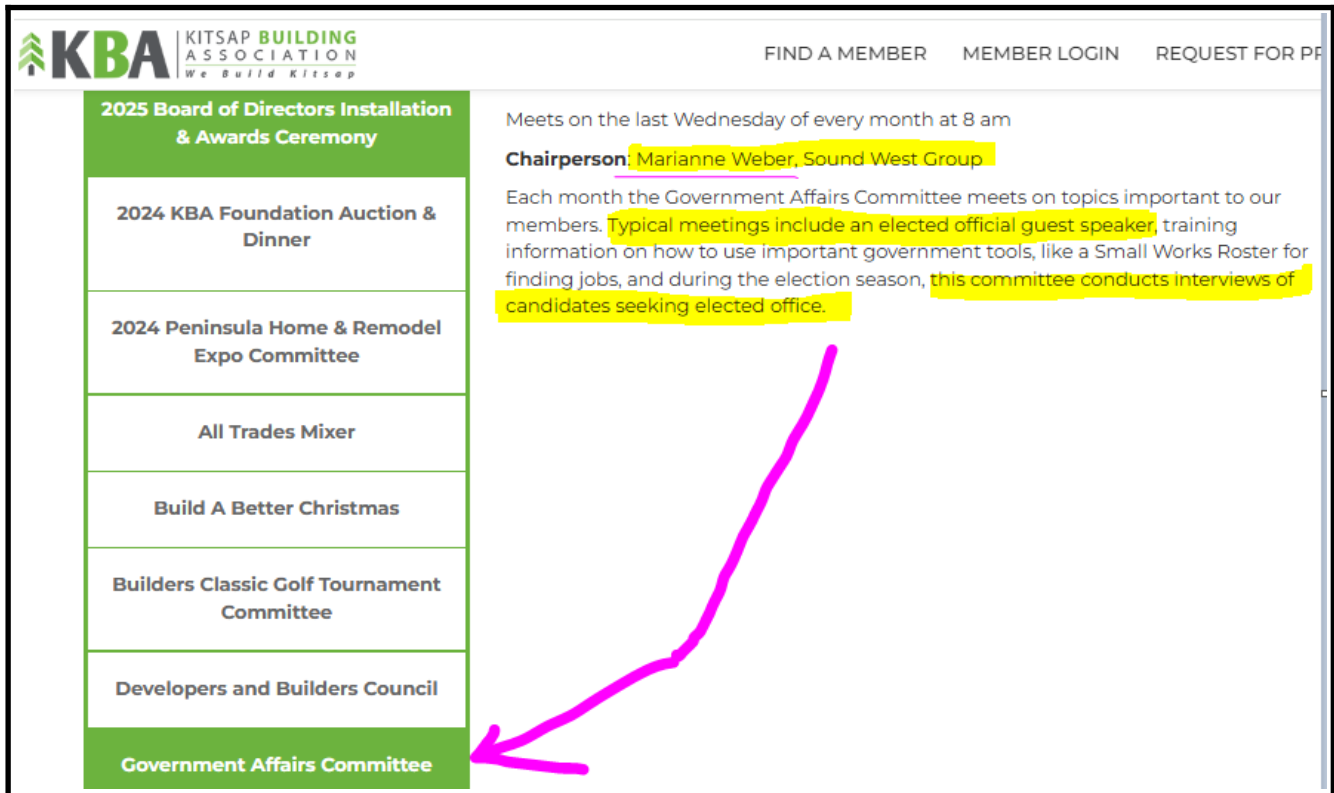
"...Either join us or step aside and allow others to take the lead. Those who have endured the hard times ... deserve as much."

- Wesley Larson "The Time Is Now For Bremerton"

The City of Bremerton posts articles by Larson / Segó to city social media as if SWG pronouncements are the equivalent of governmental study or notice, and not not commercial propaganda. Ian Harkins of the Kitsap Builders Association recently aped what every advocate of the homeless has stated over the last decade. But the KBA does so without the admission that the developer cartel will not lift a finger to actually build low-income housing. Not enough profit. This is PR co-option of the empathy most humans feel for the homeless community. See <https://www.kitsapsun.com/story/opinion/columnists/2025/03/29/the-necessity-of-creating-affordable-housing-in-kitsap-county/82680760007/>

COMMENT #1

The KBA has as its prominent members Sound West Group and Waterman Mitigation. SWG's VP of Development was promoted from KBA's Government Affairs chair to its president. Hence, the KBA, as with KEDA and the Planning Commission, and DCD, is the mouthpiece of Sound West Group.



KBA KITSAP BUILDING ASSOCIATION
We Build Kitsap

FIND A MEMBER MEMBER LOGIN REQUEST FOR P...

2025 Board of Directors Installation & Awards Ceremony	Meets on the last Wednesday of every month at 8 am Chairperson: Marianne Weber, Sound West Group
2024 KBA Foundation Auction & Dinner	Each month the Government Affairs Committee meets on topics important to our members. Typical meetings include an elected official guest speaker, training information on how to use important government tools, like a Small Works Roster for finding jobs, and during the election season, this committee conducts interviews of candidates seeking elected office.
2024 Peninsula Home & Remodel Expo Committee	
All Trades Mixer	
Build A Better Christmas	
Builders Classic Golf Tournament Committee	
Developers and Builders Council	
Government Affairs Committee	

SWG Principal Marianne Weber to Become President of KBA

Marianne Weber, Sound West Group principal, will be appointed the president of Kitsap Building Association (KBA) on November 15. KBA is an association of professional builders, subcontractors, service providers and purveyors representing the construction industry. Everyone is welcome to attend her installation this Friday.

Congratulations, Marianne!



COMMENT #1

There are seemingly two realities. That of the realty / developer cartel which has subsumed city administration, and the Planning Commission, and those Bremertonians dying in or clinging for survival on the streets.

"3-11-19: Larson Explains Opportunity Zone "Master Plan" Is A "Box" In Which SWG Makes The Decisions" <https://youtu.be/EVB82UydU10?si=05mecHI2X5vJimYV>

12-27-19 Wesley Larson talks "Master Plan" for downtown Bremerton here:
<https://www.kitsapsun.com/story/news/2019/12/27/new-development-infrastructure-spurred-bremertons-comeback-2010-s/2752104001/>

Somehow in the last decade, Wesley Larson's "**Master Plan**" and city planners' Comp Plan presentations do not include a pot to piss in for the poorest of the poor.

"12-4-24 Joslyn: Homeless Need Restrooms & Are Being Prevented From Owning Enough To Stay Warm & Dry" <https://youtu.be/9Pa4Qf-l2CU?si=RKy5owhulbxQmWfZ>

Please take heed of Joslyn's many other cogent credible witness-bearing. As with all other Friends of Smith Cove comments, we have placed much of our factual or evidential support, including Joslyn's, and Rock The Block's, in our Friends of Smith Cove youtube channel (unmonetized) as a repository for public transparency.
See <https://www.youtube.com/@FriendsofSmithCove>

Despite actual millions in public funding inuring to Wesley Larson, the homeless and their advocates have yet to impress the city with the need to stop criminalizing their existence and their bodily functions.

Wastewater Planning

Even as the city presented its Wastewater Plan proposals it seemed incapable, and unwilling, to even consider that a Wastewater Plan should actually plan for the human waste – fecal matter - of those who are unhoused.

3-5-25 "Robin re Wastewater Plan: Lack Of Public Toilets Inhumane; Waste Goes Into Smith Cove / Salish Sea" <https://youtu.be/GqmD7MMHcZY?si=Vv-NzR8WVi7U17C1>

3-5-25 "Wastewater Plan With No Public Toilets Cruelly Persecutes Homeless & Bad For Smith Cove / Salish Sea"
<https://youtu.be/c0B8lnZb1Xo?si=BLhnasEvLXFP9W7G>

3-5-25 "Dr. Levine's Question Forces City To Admit Lack Of Planned Public Toilets Is A Policy Choice." <https://youtu.be/BEmZXQz95Jo?si=YK3ZWkj21AeSKoi0>

COMMENT #1

And the city's money spigot for Wesley Larson remains open, DCD and the City Attorney's Office worked to gag our voice:

4-16-25 "We Prop Up Sound West Opportunity Zone Projects Like Quincy Square & We Lose Due Process. (Nice Gig)" <https://youtu.be/PZPsUdBu8ow?si=Qoy80u5P9mwm-2>

After seven years, not only does the spigot remain open, but it becomes clear that just as city hall excludes and disregards the homeless and the low-income, so will the concocted Quincy Square "wave of cultural resurgence "

As an example of the reality-bending nature and disconnect of profit-driven commercial enterprises which obtain public monies through programs intended to help the needy, here is a recent breathless Sound West Group press release in which Larson morphs into a let-them-eat-art impresario:

"Bremerton Launches Quincy Jones Square Arts District with Explosive Opening Concert at The Roxy Theater

BREMERTON, WA – Bremerton is riding a wave of cultural resurgence with the launch of the Quincy Jones Square Arts District — a vibrant new creative hub named in honor of the legendary producer and musician who spent part of his childhood in the city. Personally approved by Quincy Jones himself, this visionary project is ushering in a new era of arts and innovation in the Pacific Northwest.

To kick off the district's inaugural season, a high-voltage night of live music will set the tone ... *'This is more than just a concert -- it's the beginning of something special for Bremerton,' said Wes Larson of World Theater Foundation and the "The Quincy Jones Square Arts District is about celebrating creativity, honoring legacy, and building a future where the arts thrive."*

The forced attempted glitz and cultural "resurgence" highlights the skewed and dumbed down "affordable housing" discourse in general and at city hall which depends on omission, misrepresentation, and opaque insider moves, to hide essential fallacies:

Sound West Group, and other components of the effective realty / developer cartel in town will not support public policy which requires them making less than maximal profit – as determined by them. And they will take all the public funding they can get.

COMMENT #1

1. Sound West Group, the top dog leader of the town's realty / developer cartel, is committed to never actually building low income / affordable housing (although it might sponsor yoga classes and wine tastings).

2. The HUD CDBG, the Opportunity Zone, and the MFTE are predicated on helping distressed citizens and communities. Hence, these funding vehicles, tax shelters and tax breaks - so-called "tools in the toolbox" - are effectively used to extract "market rate" for-profit millions for a select few insiders by invoking the plight of the homeless and priced-out renter / worker while in fact this marginalized segment is relegated to continued misery - with 2-second sympathy noises every now and then from City administration and City Council.

Instead of actual problem-solving and honest interaction with the city's homeless, we get PR stunts and empty lip service:

3-8-23 "BCC No Toilets For the Poor and Needy on ML King Way in Bremerton - Just More Bureaucratic Inaction" https://youtu.be/NK6qaXIWFqs?si=cB6dw5VOT6_tEbbt

"Years Begging For PortAPotty Vs Jeff Coughlin's Fake Concern; His Allocated \$10K Morphs Into Blather" https://youtu.be/v-zm0DW_1A0?si=Hu-gqtcqhpHBY-yw

We have even have to watch in amazement as phantom \$100K "donations" are claimed to be given to "combat homelessness" after the mayor's cruel "sweeps" by his friend, Chris Tibbs of the Arc, when in fact no donation took place. This was non-occurrence was confirmed by Public Records Act request.

This phantom donation before the public was to much applause and emoting from the Council dais, and represents the city's go-to: obfuscating "empty ceremony" hearings which skews informed public participation.

11-1-23 "After Mayor's 'Sweep' Destroyed Belongings Of Homeless, He Receives 100K To 'Combat' Homelessness" <https://youtu.be/Sf8YJ0TohpQ?si=YWYoru28BFiOiYuy>

With all this as a backdrop, I urge those with a sliver of conscience to look back to the City Council hearings in May and June of 2018 and behold what happened – the homeless begged for their humanity and the realty / developer was bestowed the first of many handouts.

May 16, 2018 City Council: <https://bremerton.vod.castus.tv/vod/?video=eda3afaa-e152-4367-a928-d018070c38c7>

June 20, 2018 City Council: <https://bremerton.vod.castus.tv/vod/?video=e2bfb61a-fff5-4ff4-820c-3bfca21d2bfd>

COMMENT #1

The pleas of the homeless and their on-the-street advocates which we see / hear in these hearings has persisted to this day. The anti-camping sweeps, and on-the-street persecution of the homeless, has only worsened their plight because the city keeps the homeless in flight or hiding, which prevents their advocates from finding them or coming to their aid. Zero results despite a decade of begging – not even 24 / 7 public toilets / hand washing stations.

See <https://www.youtube.com/@FriendsofSmithCove>

And yet on June 20, 2018, Wesley Larson and the Quincy Square insiders' club managed to hustle to obtain CDBG funding intended for the needy.

HUD's CDBG program requires the participation of the communities which those funds are intended to help:

"A grantee must develop and follow a detailed plan which provides for, and encourages, citizen participation and which emphasizes participation by persons of low- or moderate-income, particularly residents of predominantly low- and moderate-income neighborhoods, slum or blighted areas, and areas in which the grantee proposes to use CDBG funds. The plan must:

Provide citizens with reasonable and timely access to local meetings, information, and records related to the grantee's proposed and actual use of funds

Provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance

Provide for timely written answers to written complaints and grievances ..."

See <https://www.hud.gov/hud-partners/community-cdbg#:~:text=A%20grantee%20must%20develop%20and,to%20written%20complaints%20and%20grievances>

Watch the hearings. Look at the Quincy Square self-congratulation. The input of the homeless and displace renter was not sought, and did not happen.

The concocted "cultural resurgence" and "arts district" made up by the writers of Sound West Group will not serve the human needs of this known marginalized vulnerable community whose funding was snatched away by the privileged for the "cool vibes" a Quincy Square might give to the privileged. The disdain and disregard continues in comp planning in violation of the Growth Management Act (GMA), including at [RCW 36.70A.020](#) at Planning Goal **No. 11**, which requires: "**Citizen participation and coordination**. Encourage the involvement of citizens in the planning process, including the participation of ***vulnerable populations and overburdened communities***, and ensure ***coordination between communities and jurisdictions to reconcile conflicts.***"

COMMENT #1

Who reached out to the homeless in city planning? Where did the meetings take place? Who has been contacted? What suggestions and data were taken into consideration?

How has the mayor, city council, and planning commission, and city "planners" of DCD managed to utter lobbyist jargon and stare soullessly at the homeless and yet continue to criminalize their existence and bodily functions with not one step towards a 24/7 public restroom?

Do the right thing.

Friends of Smith Cove

Jose Camacho

FriendsOfSmithCove@gmail.com

See <https://www.youtube.com/@FriendsofSmithCove>

**Published for
October 16
Council Meeting**

Item 5A
Public Recognition

10/16/2024

Bremerton City Council:

My name is Joslyn LaMadrid, and I am with the Bremerton Prayer Walk and Rock the Block. I continue to write to the city council and speak to implementation of the anti-camping ordinance and the disproportionate and targeted enforcement thereof. I continue to be concerned about absolutely unconstitutional destruction and disposal of personal property by the city. I again acknowledge the Supreme Court case of *City of Grants Pass v. Johnson, 23-175 (Supreme Court 2024)* that was recently handed down, which only emboldened cities to criminalize homelessness. The stories that I am hearing constitute grave constitutional violations, and put our beautiful city in peril. We are better than this, and I implore you to take action.

I generally try to address this city council from a humanity standpoint, as I believe everyone has value, and everyone is worthy of being treated with dignity and respect. There is not one person I have met in 4.5 years of consistent interaction that would have chosen this route. There is not one homeless person that wants to be homeless even if that is their current choice. There is not one person suffering from addiction or mental illness that sought this lifestyle out and is enthusiastic about maintaining this type of life. This could be anyone of us on the streets. It could be our family. There are so many different facets to this problem, and there is not one solution that will address and correct it.

The Supreme Court clearly pointed out at length the other safeguards in place to protect its citizens from overbearing governments.¹ As identified below, the 8th amendment is NOT the only constitutional constraint being violated. For example, enforcement of the Bremerton ordinance is specifically targeting a select group of people ONLY. Not only are people barred from city property and subjected to criminal trespass charges, the officers are incorrectly taking people's items and disposing of them without an opportunity for a hearing or a way to retrieve their personal belongings. This is in direct violation of the 4th Amendment to the United States Constitution and its Washington counterpart. Furthermore, this emboldened police force is

¹ The Constitution and its Amendments impose a number of limits on what governments in this country may declare to be criminal behavior and how they may go about enforcing their criminal laws. Familiarly, the First Amendment prohibits governments from using their criminal laws to abridge the rights to speak, worship, assemble, petition, and exercise the freedom of the press. The Equal Protection Clause of the Fourteenth Amendment prevents governments from adopting laws that invidiously discriminate between persons. The Due Process Clauses of the Fifth and Fourteenth Amendments ensure that officials may not displace certain rules associated with criminal liability that are "so old and venerable," "so rooted in the traditions and conscience of our people[,] as to be ranked as fundamental." *Kahler v. Kansas*, 589 U. S. 271, 279 (2020) (quoting *Leland v. Oregon*, 343 U. S. 790, 798 (1952)). The Fifth and Sixth Amendments require prosecutors and courts to observe various procedures before denying any person of his liberty and property, promising for example that every person enjoys the right to confront his accusers and have serious criminal charges resolved by a jury of his peers. One could go on. *Martin*, at 8.

COMMENT #1

broadening the ordinance to include any resting on public property will not be allowed, as individuals are constantly having to move according to the police or risk jail. This is NOT at all what the ordinance says. I would direct your attention to the plain language of the ordinance.² It deals specifically with camping paraphernalia, not a person!

While we have not seen widespread litigation in this community as of yet, I assure you that we are not exempt from legal challenges. It is absolutely incomprehensible to me to think there has been so much garbage collected in enforcing this ordinance, and absolutely zero personal property to have been collected. (See Mayor Wheeler's comments at the September 18, 2024, hearing, as well as his information submitted). See also the city's procedures that were given to me in response to my statement last council meeting (October 2, 2024) in which city officials acknowledge there is very little personal property that was left, and this is based upon hearsay of a third party organization. We have taken pictures of people's belongings before and after enforcement, and a whole plethora of personal property including medical supplies and devices, tents, sleeping bags, electronics, phones, clothes and other property has been discarded without a second thought of this administration. This is not in accordance with our very own regulations regarding the same. SEE The City's rules for cleanup in an unauthorized encampment. Photographs are to be taken, inventory of personal property, and an opportunity to retrieve this property MUST be provided.³

On a solution side of this issue, you have a disconnect between the resources available and those being offered. There are simply not enough resources for those on the streets. I have had numerous conversations with people who truly want to come off the streets. There is no detox, there is no treatment, there is no supportive housing available for those after they have gone

² **9.32.020 UNAUTHORIZED CAMPING IN PUBLIC PLACES.**

Except as permitted by permit pursuant to BMC 9.32.040 or as otherwise provided by City Code or ordinance, it shall be unlawful for any person to camp in any park or other public place. This prohibition does not include the use of camping paraphernalia and camping facilities consistent with park rules established by the Parks Director at times parks are open to the public pursuant to BMC 13.04.150. (Ord. 5496 §1, 2024; Ord. 5482 §1, 2023; Ord. 4898 §1, 2004)

9.32.030 UNAUTHORIZED STORAGE IN PUBLIC PLACES.

Except as permitted by permit pursuant to BMC 9.32.040, Chapter 10.10 BMC, or as otherwise provided by City Code or ordinance, it shall be unlawful for any person to store, pitch or park camping facilities or to store or pitch camping paraphernalia in any park or other public place. This prohibition does not include the use of camping paraphernalia and camping facilities consistent with park rules established by the Parks Director at times parks are open to the public pursuant to BMC 13.04.150. (Ord. 5496 §1, 2024; Ord. 5482 §1, 2023; Ord. 4898 §1, 2004)

³ Prior to cleaning up the Unauthorized Encampment, photographs will be taken of the Encampment showing all abandoned property, garbage, waste, and debris in the area to accurately depict the condition of the Encampment at the time of removal. It is recommended that photographs be taken of Personal Property, both collected for storage or disposed of, unless hazards exist, and it would be unsafe to do so at the time the Encampment is removed. All photographs will be sent to Code Enforcement to be uploaded into SmartGov and assigned a case number by Code Enforcement. Page 5 of the City of Bremerton Risk Management, Removal of Unauthorized Encampments, revised 10/26/23.

COMMENT #1

through treatment. I have found so many ending up back on the street after finishing treatment because there are no other options. Nobody wants to relapse and start over, and yet these are the predicaments they are faced with.

There are so many individuals we have lost contact with so many beautiful individuals who have some hope. I have a pregnant woman on the streets currently that I cannot find during the time to get her into a bed. There are several more who have received housing that we are unable to locate after years of waiting on a list. We have individuals getting arrested and rearrested for trespassing that literally are just resting. We are allowed to rest in this country. We are allowed to exist in this country. It is absolutely incredible to me how so many can sit by while there is such atrocity being carried out in our community.

There are significant concerns that should raise red flags for this council. Our solution to this problem is way out of control and I hope and pray we can start to protect our most vulnerable. We don't have the resources and the answer should not be jail. This is public property, and everyone in our community is entitled to utilize it. Our city government holds the property in trust for the entire community. Not just those who own a house. I would continue to encourage you to take some measures, the least of which should be an independent legal inquiry to the constitutionality of this ordinance, both in the plain language of the ordinance and the selected and targeted illegal enforcement by a police department that is not operating within the confines of the law.⁴

Thank you for your time. I continue to pray for this city, and for each of you on this council to hear the potential liabilities and the extreme danger this type of aggressive campaign puts our city in. Most importantly though, this is not how we treat people in a civilized community. The enforcement of this ordinance should shock the conscience of each one of our citizens.

Respectfully submitted,

Joslyn LaMadrid

Bremerton Prayer Walk and Rock the Block

⁴ It is always considered unlawful police action when acting outside the scope of their authority. In this case, the police harassing individuals to prevent them from existing falls outside the scope of the anti-camping ordinance.

COMMENT #2

From: City Council <City.Council@ci.bremerton.wa.us>
Sent: Wednesday, May 7, 2025 4:21 PM
To: Robin Weldin <rdmoley26@gmail.com>
Cc: City Council <City.Council@ci.bremerton.wa.us>; Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>; Kylie Finnell <Kylie.Finnell@ci.bremerton.wa.us>; Andrea Spencer <Andrea.Spencer@ci.bremerton.wa.us>; Garrett Jackson <Garrett.Jackson@ci.bremerton.wa.us>
Subject: RE: May 7 Council Meeting - Comments for Item 7A - GMA Violation As To Homeless Community (Robin Weldin)

Ms. Weldin,

This is to acknowledge receipt of your email and attachments, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record under Item 7A.

Christine Grenier

Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Robin Weldin <rdmoley26@gmail.com>
Sent: Wednesday, May 7, 2025 12:11 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Fwd: FOSC's Comment for 5-7-25 City Council meeting - GMA Violation As To Homeless Community

COMMENT #2

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.

To Bremerton city council members,

I wish to adopt and incorporate all of Mr. Camacho's / Friends of Smith Cove's comments and attached exhibits, sent by email to the May 7 Bremerton city council meeting, as my own.

Thank you,

Robin Weldin
Friends of Smith Cove
Bremerton resident

----- Forwarded message -----

From: Friendsof Smith Cove <friendsofsmithcove@gmail.com>

Date: Tue, May 6, 2025 at 2:20 PM

Subject: FOSC's Comment for 5-7-25 City Council meeting - GMA Violation As To Homeless Community

To: <City.Council@ci.bremerton.wa.us>, <Anna.Mockler@ci.bremerton.wa.us>, <Jane.Rebelowski@ci.bremerton.wa.us>, <city.clerk@ci.bremerton.wa.us>, Public Records <Public.Records@ci.bremerton.wa.us>

CC: <rdmoley26@gmail.com>

Council:

As our comment for tomorrow's City Council meeting, please accept the attached Friends Of Smith Cove comment and as its exhibit, the attached "Persecution Of The Homeless" comment from Joslyn, which I adopt and incorporate as my own. It uses hyperlinks.

We do ask questions at the end of the comment, and we

would like truthful answers.

Public Record Act Request For Inspection

I also take this opportunity to make a Public Records Act request for inspection.

We would like to inspect DCD's and Garrett Jackson's calendar(s) and other materials which show the times and locations of outreach, meetings, and discussions with the public as to comp planning, including as to the homeless community and their advocates, including Kimmy Siebens, Marwan Cameron, Dawn Wilson, and Joslyn Snow, and their respective entities. We also request associated notes and memos as to same.

Similarly, we would like to inspect the same kind of materials as to DCD's outreach, meetings, and discussions with "development community," as to Sound West Group and/or its proxies and joint venturers Ricer Fergus Miller and Waterman Mitigation, the Quincy Square "action group," and including associated notes and memos as to same.

These requests include emails and their respective metadata. Our experience is that the city's pdf emails distort email content so we request native format emails / metadata in this request.

--

Friends of Smith Cove in Evergreen Park

Jose Camacho

<https://www.youtube.com/@FriendsofSmithCove>

COMMENT #3

From: [Andrea Spencer](#)
To: [Sharon Schwartz](#); [Garrett Jackson](#)
Subject: Fw: Multimodal Level of Service (Erik Pedersen)
Date: Thursday, May 8, 2025 6:12:26 AM
Attachments: [image001.png](#)

From: City Council <City.Council@ci.bremerton.wa.us>
Sent: Wednesday, May 7, 2025 7:42 PM
To: Erik Pedersen <erikepedersen@hotmail.com>
Cc: City Council <City.Council@ci.bremerton.wa.us>; Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>; Tom Knuckey <Thomas.Knuckey@ci.bremerton.wa.us>; Andrea Spencer <Andrea.Spencer@ci.bremerton.wa.us>; Garrett Jackson <Garrett.Jackson@ci.bremerton.wa.us>
Subject: RE: Multimodal Level of Service (Erik Pedersen)

Mr. Pedersen,

This is to acknowledge receipt of your emails, which will be provided to Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
[\(360\) 473-5280](tel:(360)473-5280)
www.BremertonWA.gov



From: Erik Pedersen <erikepedersen@hotmail.com>
Sent: Wednesday, May 7, 2025 5:10 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Fw: Multimodal Level of Service

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Bremerton City Council,

COMMENT #3

In re-reading my email from 4:29 this afternoon, I see that a statement I made reads as if I'm saying that planning staff were discouraging us from commenting on transportation issues. That is untrue and I have to apologize for how I phrased that. They've presented us with transportation issues in committee meetings and given us multiple opportunities to discuss these issues. I'm frustrated that Bremerton doesn't have a body, like a transportation commission, for citizens to discuss transportation issues more fully (as cities like Bellingham have). Our Complete Streets Committee does not seem to be empowered to make real progress on the issues they discuss. None of that is the fault of planning staff though, who are quite good at what they do.

Best regards,

Erik Pedersen

From: Erik Pedersen

Sent: Wednesday, May 7, 2025 4:29 PM

To: City Council; Jeff Coughlin; Jane Rebelowski; Denise Frey; Anna Mockler

Subject: Multimodal Level of Service

Bremerton City Council,

As a Bremerton Planning Commissioner, I just voted to pass our Comp Plan, but I have serious criticisms of its Transportation section. Planning staff has explicitly told the commission that transportation issues aren't fully, technically under our purview, but I have recommended that we should build multimodal level of service measurements into our transportation plans more fully in one or more commission meetings. However, without you receiving meaningful meeting minutes, I'm unsure if that criticism has been shared with you, so I'm reaching out to argue that we can and should do better on this issue before passing the Comp Plan.

Our plan currently treats vehicle Level of Service measurements as the highest, governing measurement that solely dictates how we design our roads, and treats multimodal considerations as afterthoughts. Our plan currently hints that we may incorporate multimodal measurements by titling Attachment F "Multimodal LOS and Transportation Concurrency System," but this page is still blank. You'll be asked to pass the Comp Plan in roughly one month, and one of the bedrock concepts the Transportation portion of the plan is supposed to be based on is still blank and hasn't been discussed. This is not how our process is supposed

COMMENT #3

to work.

Furthermore, State House Bill 1181 supposedly requires we include this type of measurement in our plan. Multimodal service measurements should be discussed up in the body paragraphs of the plan along-side vehicle Level of Service measurements. They should not be sequestered in an attachment (that is still blank at this eleventh hour). A concrete goal I hope the City Council has before passing the Comp Plan is for the plan to discuss multimodal service measurements up in body paragraphs of the plan along-side Level of Service measurements. If staff haven't had time to fully bake these concepts into the plan, then we could acknowledge that and state that we're still figuring out how we're going to incorporate those measurements. I know we delayed our work on the Active Transportation Plan, and staff may argue that we'll fully address the issue of multimodal issues when we address that plan. However, I'd argue that we must discuss this up in the main body of the plan, to make it clear that vehicle Level of Service won't necessarily overrule multimodal considerations in every circumstance, as any reader of the current plan would assume.

Lastly, in a recent Public Works Committee meeting (I think it was late 2024?), staff mentioned they were hiring a consultant to develop a system for measuring and incorporating multimodal service levels, and that they were using work the Cities of Port Orchard and Mount Vernon have done as guides for our system. This is inappropriate. According to the Puget Sound Regional Council, the body who will review Bremerton's Comp Plan, we are one of only five Metropolitan cities in our region. This list includes Seattle, Tacoma, Bellevue, Everett, and Bremerton. We should adopt a system similar to our peer cities, as the PSRC defines them, not cities with a clearly more suburban, less walkable, less vibrant, less economically powerful character.

Thank you for your consideration,

Erik Pedersen
Bremerton Planning Commission

Comment #4

Garrett Jackson

From: City Council
Sent: Wednesday, May 14, 2025 4:08 PM
To: Travis Merrigan
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson; Tom Knuckey; Ned Lever; Vicki Grover
Subject: RE: Level of Service vs Traffic Stress : Update the Comp Plan and BMC 11.12.070 (Travis Merrigan)

Mr. Merrigan,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record for tonight's Study Session under Item A5.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Travis Merrigan <bikebremerton@gmail.com>
Sent: Wednesday, May 14, 2025 3:24 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Level of Service vs Traffic Stress : Update the Comp Plan and BMC 11.12.070

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.

Greetings Council,

I'm writing to urge City Council to make changes to the obscure concept of "Level of Service" (LOS) for cars and add Multimodal Level of Stress (MLoS) for school kids, peds, bikes, strollers etc.

Back in January (below) I urged you to change BMC 11.12.070, which - during streets projects - requires the City Engineer to consider car LOS (and only LOS) in making decisions on those streets projects.

Tonight, you'll debate the Comp Plan, including references to LOS and MLoS tonight (Wed, May 14th).

Both LOS and MLoS have value in making good decisions about our roads. But LOS should not be more important than the safety and walkability of our neighborhoods. Please make good choices about these important topics,

Travis Merrigan

Comment #4

Bremerton

----- Forwarded message -----

From: **Travis Merrigan** <bikebremerton@gmail.com>

Date: Sat, Jan 4, 2025 at 10:07 AM

Subject: Update BMC 11.12.070 Traffic Impact Mitigation

To: City Council <City.Council@ci.bremerton.wa.us>

Happy new year.

I believe **Bremerton Municipal Code - 11.12.070 TRAFFIC IMPACT MITIGATION** may be inhibiting the construction of safe streets and requiring the construction of high-throughput streets. The work need to be done quickly, because Public Works is declaring that it's already too late to have any effect on the safety elements of the Naval Ave street project.

Specifically, 11.12.070 states

(a) The City Engineer shall impose conditions necessary to mitigate all impacts of traffic, circulation and parking resulting from a project... For segments... where the present LOS is below the standard ... the mitigation measure shall be sufficient in the estimation of the City Engineer to maintain or exceed the present LOS. (full text [link here](#).)

In the Dec 17th Public Works Committee discussed their requirements for Level of Service Naval Ave and 6th Street multimodal projects. On multiple occasions, Public Works officials including the Director of PW and City Engineer, Ned Lever, stated that municipal code requires PW to build only for car capacity, they have no responsibility to build safe streets.

In particular, the City Manager stated that he was required to maintain Level of Service - which only measures rush-hour car backups. Quoting the City Engineer from Dec 17th, in response to a question about removing turn pockets and making protected bike lanes, *"We don't have a Level of Traffic Stress Policy, we only have a Level of service policy."* later he said *"I think engineering needs policy and standards that Council adopts. And so when all of these questions come in about, why aren't [saying] why aren't you doing what Seattle's doing? Like, Bremerton doesn't have an adopted standard..."*

He continued: *"I'd really like clarity about what you like when we comes to naval Ave... we need to justify turn pockets because we're trying to maximize intersection, right?.... You're saying you'd like to see bike lanes always on the curb line, but that's not our guidance right now, so."*

Public Works lacks guidance. They believe their job is fast rush-hour cars, not safe streets the other 23 hours per day. does not believe safe streets are in their remit. That needs to change. Here's one part of the code that is currently weighted very heavily towards rush hour traffic.

Bremerton Municipal Code - 11.12.070 TRAFFIC IMPACT MITIGATION.

(a) The City Engineer shall impose conditions necessary to mitigate all impacts of traffic, circulation and parking resulting from a project. For segments, intersections or other portions of the street system for which a level of service (LOS) standard has been adopted within the current comprehensive plan of the city, mitigation measures shall be sufficient, in the estimation of the City Engineer, to assure that such segments, intersections or other portions of the street system continue to meet or exceed the adopted LOS standards after full project occupancy and operation. For segments, intersections or other portions of the street system for where the

Comment #4

present LOS is below the standard that has been adopted in the current comprehensive plan, the mitigation measure shall be sufficient in the estimation of the City Engineer to maintain or exceed the present LOS. . Mitigation measures may include, but are not limited to, channelization; intersection modifications; signal installation, modification, or replacement; installation of acceleration/deceleration lanes; turn lanes and medians.

Arguably, the [Bremerton Municipal Code 11.10 Complete Streets](#) contradicts the 'rush-hour only' vision of streets. But Public Works doesn't think so. So the City Council needs to act to prevent more VERY UNSAFE PROJECTS - such as the Manette Roundabout - from being built.

Some examples of better city code:

But 2023 HB 1181, a major overhaul of the state's Growth Management Act, replaces mentions of "level of service" with "multimodal level of service." It updated and improved RCW [36.70A.020](#).

... if the development causes the level of service on a locally owned or locally or regionally operated transportation facility to decline below the standards... unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include ((increased)) active transportation facility improvements, increased or enhanced public transportation service, ride-sharing programs,

It continues:

Priority must be given to inclusion of transportation facilities and services providing the greatest multimodal safety benefit

In other words, LOS must be maintained UNLESS the project improves multimodal level of service via improved pedestrian, cycling or transit improvements.

City of Bellingham measures not 'Level of Service' but 'Multimodal Level of Service' in its [Chapter 13.70 MULTIMODAL TRANSPORTATION CONCURRENCY MANAGEMENT](#). Instead of just measuring how cars flow during the busiest time of day, they look at the capacity for 'person trips'. *B. The purpose of this chapter is to establish a multimodal transportation concurrency management program to ensure that adequate multimodal transportation capacity in the form of "person trips" is available prior to, or concurrent with, final approval of development permits.*

Thank you for working to improve City Code.

Travis Merrigan
Bremerton

Comment #5

Garrett Jackson

From: City Council
Sent: Wednesday, May 14, 2025 5:07 PM
To: Travis Merrigan
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson; Tom Knuckey; Ned Lever; Vicki Grover
Subject: RE: Comp Plan - Level of Service for Car, Bike and Ped (Travis Merrigan)
Attachments: MMLOS and Concurrency Transportation Technical Appendix_20250505 VG-578-608.pdf

Mr. Merrigan,

This is to acknowledge receipt of your email and attachment, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record for tonight's Study Session under Item A5.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Travis Merrigan <bikebremerton@gmail.com>
Sent: Wednesday, May 14, 2025 4:42 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Comp Plan - Level of Service for Car, Bike and Ped

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,

Quick comments on the the [brand new language for Level of Service \(LOS\)](#) (p578) - also attached.

Summary: adding MMLoS to our transportation plan is good, but the devil is in the details. Please strengthen this language to allow MMLOS (safety of people outside of cars) to be considered on equal footing with Car LOS (how long rush hour traffic is stuck in an intersection.)

I am very pleased to see the recommendation that, in addition to LOS for cars:

Comment #5

Intersection Capacity Level of Service

Intersection capacity LOS methods and thresholds are defined by the Transportation Research Board *Highway Capacity Manual*. LOS is typically expressed as a letter score from LOS A, representing free flow conditions with minimal delays, to LOS F, representing breakdown flow with high delays. In urban street networks, intersections typically constitute mobility chokepoints and are the focus of LOS analyses. Intersection LOS delay thresholds and descriptions are provided in Table 1.

Table 1. Level of Service Thresholds

LOS	Intersection Delay (sec/veh)		Description
	Signal and Roundabout	Stop-Controlled	
A	≤10	≤10	Free flow. Low volumes and little or no delays.
B	>10 – 20	>10 – 15	Stable flow. Minimal delays.
C	>20 – 35	>15 – 25	Stable flow. Moderate delays.
D	>35 – 55	>25 – 35	Approaching unstable flow with higher delays.
E	>55 – 80	>35 – 50	Unstable flow with significant delays. Volumes at or near capacity. Longer queues may form.
F	>80	>50	Forced flow. Long delays with stop-and-go traffic. Oversaturated conditions; may involve very long queues.

Bremerton has adopted a minimum LOS E standard for City streets. Minimum LOS standards for State routes are established by the Washington State Department of Transportation (WSDOT). WSDOT designates SR 3, SR 304 (Burwell St), and SR 310 (Kitsap Way) as Highways of Statewide Significance (HSS), with a minimum LOS D standard. The WSDOT designates SR 303 (Warren Ave) as a non-HSS route with a minimum LOS E/Mitigated standard, meaning that congestion should be mitigated when peak hour LOS falls below LOS E.

We now see LOS for Bikes and Peds - that's great:

Pedestrian LOS

Developments will provide for pedestrian safety and mobility, including adequate connections to existing pedestrian facilities. Proximity to nonmotorized trip generators, such as, but not limited to, schools, parks, and commercial establishments shall be considered when evaluating pedestrian LOS. Particular attention shall be given to school walk routes. The following pedestrian LOS standards will apply:

1. **Ultimate Pedestrian LOS.** The ultimate pedestrian facility design includes a minimum six-foot sidewalk with curb and gutter, paved multi-use path, or other approved facility. Specific requirements may identify the need for additional safety precautions.
2. **Minimum Pedestrian LOS.** A minimum pedestrian facility shall include one of the following:
 - a. A minimum five-foot paved shoulder with adequate delineation for safety;
 - b. Other conditions may be considered equivalent to the minimum pedestrian facility at the sole discretion of the City Engineer.

The application of these standards for concurrency is described in the "Concurrency Requirements" section of this memorandum.

Bicycle LOS

Developments will provide for bicycle safety and mobility, including adequate connections to existing bicycle facilities. Proximity to planned bicycle routes shall be considered when evaluating bicycle LOS. The following bicycle LOS standards will apply:

1. **Ultimate Bicycle LOS.** The ultimate bicycle facility design includes a striped bike lane, marked shared-use lane including necessary pavement markings, or paved shared-use path with adequate delineation for safety. Specific requirements may identify the need for additional safety precautions.
2. **Minimum Bicycle LOS.** A minimum bicycle facility shall include one of the following:
 - a. A minimum six-foot paved shoulder and including adequate delineation for safety;
 - b. Other conditions may be considered equivalent to the minimum bicycle facility at the sole discretion of the City Engineer.

The application of these standards for concurrency is described in the "Concurrency Requirements" section of this memorandum.

And I like to see that instead of 'SHALL' language, the document adopts 'SHOULD' language for what to do when Car LOS is below LOS E.

However, the document doesn't deal with the real question: what if the car-capacity adjustments needed to improve Car LOS conflict with the safety elements needed to improve LOS for Peds and Bikes? For instance, on 6th Street, should major intersections include a third turn lane to speed up commuters? Or should it feature protected bike lanes, shortened crosswalks and elements that slow turning cars?

In my opinion, the three standards - Car LOS, Ped LOS and Bike LOS should be considered on equal footing. That way, Council, the Mayor and PW officials can choose a wise balance between the three.

Furthermore, the descriptions of 'ULTIMATE' Pedestrian LOS is pretty weak. Ultimate Ped safety is accomplished through slower cars, protected intersections, shortened crosswalks, etc. I don't see that in their description: "Ultimate Pedestrian LOS. The ultimate pedestrian facility design includes a minimum six-foot sidewalk with curb and gutter, paved multi-use path, or other approved facility."

Same with ULTIMATE Bike LOS. We need protected bike lanes, not "striped bike lane, marked shared-use lane including necessary pavement markings". I'm not sure why we need to define 'Ultimate', but I'm darn sure the language in the document isn't it.

Comment #5

Comment #6

From: michelbike99@gmail.com
To: [compplan](#)
Cc: [City Council](#)
Subject: compplan: Incorrect designation for Kitsap Lake Rd
Date: Saturday, May 17, 2025 8:54:54 PM
Attachments: [Kitsap Lake Rd.pdf](#)

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.

Regarding the Transportation element of the Draft Comprehensive Plan

Transportation Appendix Page 35, Pedestrian Level of Traffic Stress map. See attached two pages.

Kitsap Lake road, on the west side of Kitsap Lake, you have shown as PLTS-1. This is ludicrous. Walking on this road means covering on a 1 ft gravel shoulder when cars and trucks pass. On a separate plot (see attachment), you have this same road shown as T-4, having volumes of trucking traffic using this roadway of 100,000 to 300,000 tons/year. Indeed, many gravel trucks traverse this section rather than going out Werner Rd. This combination of designations on a road with no sidewalk or shoulders is inconsistent.

Kitsap Lake Road should be shown as PLTS-3 or 4, and be corrected in this document.

Charlie Michel

(360) 710-0616 Cell

(360) 830-4984 Home

When it comes to addressing the climate crisis, none of us is off the hook... and we cannot solve a crisis without treating it like a crisis.

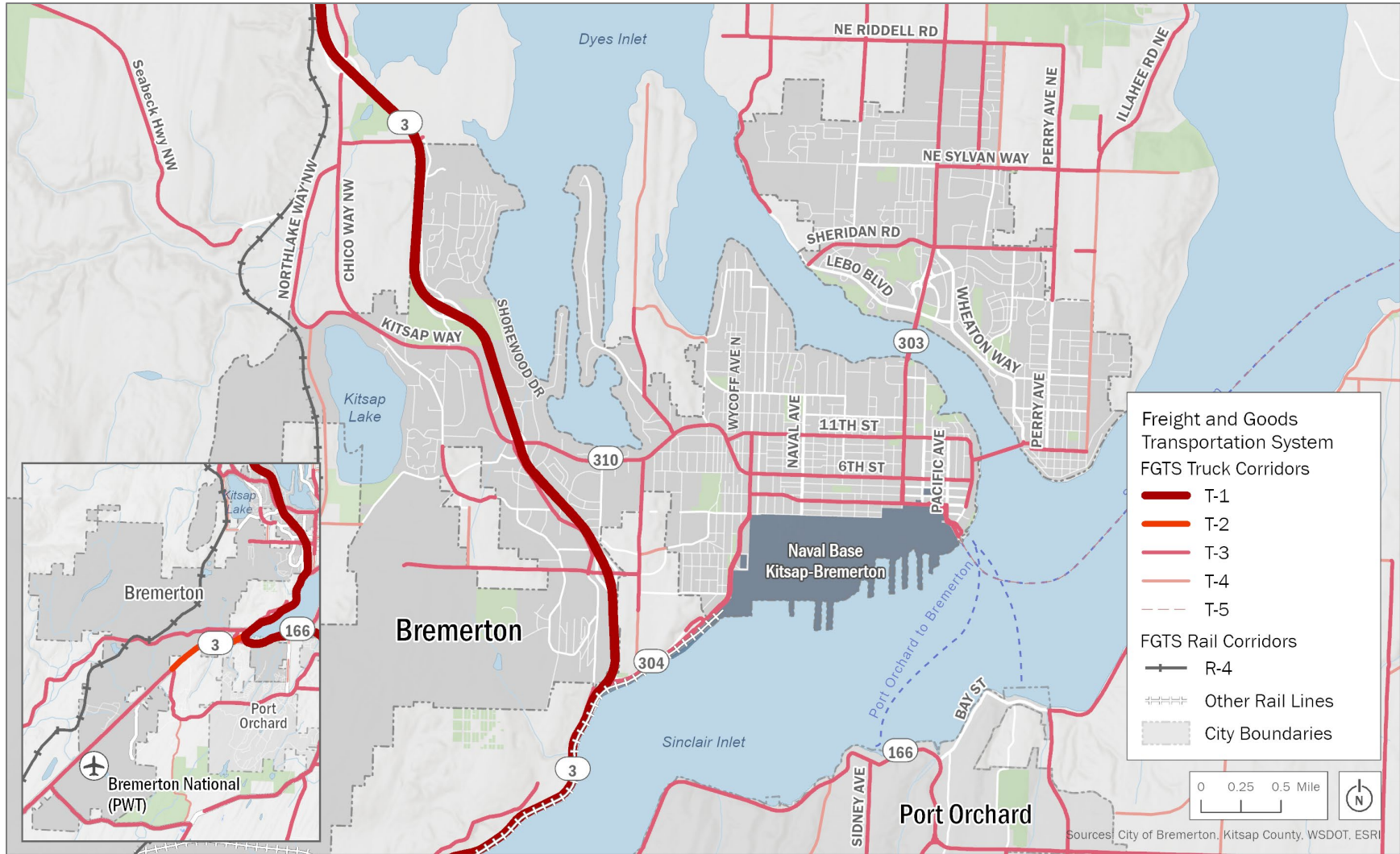


Figure 6. FGTS Classifications



Figure 17. Existing Pedestrian Level of Traffic Stress (PLTS) on Arterial and Collector Roadways

Comment #7

City of Bremerton
Planning Commission
Monday, May 19, 2025

Development Regulations, 2024 Comprehensive Plan Comments Received

Jose Camacho

I'm Jose Camacho, Friends of Smith Cove. I live in the Evergreen Park neighborhood block away from Evergreen Park and Smith Cove, and it's where I and my neighbors discovered Commissioner Paauw's, Evergreen Point Project was rigged. There's a connection between that project and other Sound West Group projects, and this elimination of parking standards, essentially DCD. And other units of the City want to give developers whatever they want. And the problem with that, including with parking, there is a component of analysis missing from DCD because it's very inconvenient. RCW 90.58.020. It's the heart of the Shoreline Management Act, and that has to be factored into all issues of development, because the criteria for that are very distinct and independent from those with municipal zoning, municipal whatever. This derives in the Constitution and the determination of the State to embrace the Public Trust Doctrine. The manifestation of both those things is the Shoreline Management Act. That's been a race for years, actually since Andrea Spencer took over the DCD. If you're going to basically have a free for all for parking and a free for all for height without taking the Shoreline Management Act into consideration, that means the analysis and safeguards of that half century year old law is gone. So, you have a big gaping hole in the Comprehensive Plan. Comp Plan comes from the GMA Growth Management Act. It has a statute which I've cited over a year ago, June of last year. and that statute says you must consider this section the heart of the Shoreline Management Act. That section says a clear and urgent demand for a planned, rational and concerted effort... to prevent the inherent harm in an uncoordinated and piecemeal development of the State's shoreline. If you take this out of analysis, the SMA you're while you are going to have a free for all, and it happens to be illegal. And this free for all is being enabled by misrepresentations from DCD to the public in order to do a special favor for Commissioner Paauw, his partners at Sound West Group, Rice Fergus, the development cartel.

City of Bremerton
Planning Commission
Monday, May 19, 2025

Development Regulations, 2024 Comprehensive Plan Comments Received

Nishchal Chaudhary

Good Evening Commissioners, City Staff. I am Nishchal Chaudhary. I'm a resident of District 3 here, I am very delighted to see this option come in front of the Commissioners to remove parking requirements. The State Bill that was referenced SB5184 kind of showcases that through research and analysis we've seen that having arbitrary parking requirements lead to situations where people are unable to accommodate homes, residences in lots that may not meet those requirements. I am in support of the Option B, which eliminates this requirement across the city, various other cities in Washington, Spokane being an example, and I believe Port Townsend has also eliminated those requirements. And that seems to be that trend. I think there is also research coming out that shows that it doesn't actually, removing these requirements doesn't actually cause any additional traffic issues. I think, right now, it seems like the parking requirements are oversubscribed. These are probably not in line with what people are actually using. I believe about 50% of Bremerton is renters, and of that more than 25% have one car or less per household, and that seems to also indicate that our current minimum requirements are oversubscribed. By removing these requirements, we can give the power back in the hand of people. People can choose to decide whether they want one parking spot in their house, 2, 3, 4, and that is really, I think the ethos that we should pursue like give people a choice in deciding what they need rather than enforcing specific requirements on them. That's all I have to say. I encourage the Commissioners to go for the Option B. Thank you.

City of Bremerton
Planning Commission
Monday, May 19, 2025

Development Regulations, 2024 Comprehensive Plan Comments Received

Travis Merrigan

Greetings Everybody. Travis Merrigan, from Bremerton. I also encourage everyone to vote in favor of the citywide elimination of parking minimums towards market-based parking. One of the largest problems that's facing the State of Washington, Kitsap County, and indeed, the city is the lack of housing, especially lack of affordable housing for our residents and people moving in. We've heard of, you've seen the projections for growth in this county. You've seen the projections for growth at the shipyard. We need more houses in every possible way. What existing rules on parking - 2 per unit. What those do is they create added cost, every park, every new housing structure going to build. And it's a mandate that comes from on high. It's going away due to the wisdom of the State. I urge the city to go even further. And in particular, not to exclude Low Density Residential, Low Density Residential represents 80% of the land currently zoned for housing. If you're going to eliminate 80% of the land, you're going to gut your parking reform. It's simply not going to be as effective as it could be. One example, right by my kid's school at Naval Elementary, there's a small parcel for sale. Reasonable normal size housing parcel might be a 1 bedroom house, but it could easily fit 4 houses, could easily have 4-plex or 3-plex or 2-plex. But if you're going to require 8 parking spots or 6 parking spots or 4 parking spots, it's just not going to work. We could build low-cost housing relatively quickly. I think that'd be very attractive to developers to do so. But those parking minimums stand in the way. Please do not exclude low density housing from this very, very important reform. Let's get the, let's get the City building so that the folks who are in the police department, are in the schools, are in the preschools that we hope to build, and certainly the folks who work at the shipyard can live close to where they work, that will help reduce traffic. It will help reduce sprawl out into the hinterlands and chopping down trees every time we put one of those big developments way on either outside of the city or within the city, out in the, in the forest that adds a ton of extra miles of roads, of sewers, of bus routes that need to be serviced. Adds a lot of cost to the City, because you can build infill housing right in the city. In addition, whatever is going to be built out in the forests, that infill housing doesn't have any of those costs, because the roads are already there. The school bus already goes by. The police force is already serving it. It doesn't expand the city. Increases tax revenues, helps build low-income housing, and it makes more, for more walkable and excellent City. So thank you. Please vote in favor of eliminating all parking requirements Citywide.

City of Bremerton
City Council Study Session
Wednesday, May 21, 2025

Public Recognition

Charlie Michel

My name is Charlie Michel, and I'm a District 7 Resident, former petroleum engineer and a dedicated climate advocate. And I'm speaking today to implore you to put language into the Comprehensive Plan, either this year or next year's update and to create some sort of a zoning ordinance or moratorium to preclude constructing any further gas stations in Bremerton. So this is about gas stations. So our Comp Plan emphasizes sustainable development and environmental stewardship, including climate Action Goals and Washington State is moving towards cleaner transportation. Approving any new future gas stations would directly undermine these policies. Gasoline stations have been described as America's largest carbon spigot, serving as a major source of carbon emissions and local pollution. Every gallon of gasoline burn produces 20 pounds of climate destroying CO₂, and transportation is currently the largest source of CO₂ emissions nationally with gasoline and diesel responsible for 21% of US. Carbon emissions. So local and state leaders are pivoting away from gasoline. California has already ordered an end to new gas car sales by 2035, and States, like New Jersey, have set similar targets. Here in Washington, legislators have introduced proposals to require all new vehicles to be electric by 2030. Gasoline demand is projected to decline sharply. The number of gas stations in the US has steadily decreased from about 250,000 in the seventies to roughly 130,000 by 2018. If we approve new gas stations going forward, we risk investing in outmoded facilities that could eventually become stranded assets. As gasoline use declines, many gas stations will close, leaving behind abandoned and contaminated gas station sites pockmarking the landscape of our City. So Bremerton could be left with more polluted lots, like Premier Rental site was before remediation, and eyesores like the old chevron at 6th and Naval. Experts, such as Cultura, Congress, Beyond Toxics and Stand Earth now explicitly recommend that local governments halt the construction of new gas stations. Beyond climate concerns a new gas station poses serious health and safety risks for nearby residents, and the public. Gasolines emit a variety of toxic pollutants, the most notorious being benzene, a known carcinogen linked to leukemia, lymphoma, and other cancers, and no amount of benzene exposure is truly safe through the World Health Organization. Thank you.

Comment #11

City of Bremerton
City Council Study Session
Wednesday, May 21, 2025

Public Recognition

Carol Michel

Hello. I'm Carol Michel. I'd like to add, I'm a Bremerton resident. I'd like to add a little more to what the previous speaker was saying. People living or working near gas stations are at risk. Benzene and other toxic gasoline vapors do not stay confined to the station property. For example, researchers have found that benzene concentrations around gas stations can exceed safe levels up to 100 meters away. Children living next door to a gas station are found to be 7.7 times more likely to develop acute leukemia compared to those living farther away. Aren't new gas stations better? You might ask. Even brand new gas station systems are prone to leaks and spills. Even state of the art tanks and pipes can leak through faulty seals, cracks, or accidents. A study in California, examined 31 recently reported fuel leaks, and found they came from various parts of the system, not just the tanks, but piping dispensers and unknown sources. Even with modern double walled tanks and leak detection sensors, gasoline still finds its way into the ground due to human error or equipment failure. A busy Costco gas station has been calculated to drip 2,000 gallons per year of fuel if it makes it into the ground. Just 10 gallons of gasoline is enough to foul 12 million gallons of groundwater. As of 2020. There was a backlog of over 63,000 leaking underground storage sites nationwide that still await cleanup. Prevention is better than what would be never perfect remediation. Gas stations pollute far more than previously understood and cause cumulative harms that weren't accounted for when many of our laws were written. please add language to our Comprehensive plan, or next year's update and create a zoning ordinance or such Bremerton City measure to specifically prohibit further gas station construction as 5 cities have done in Sonoma County, California. Thank you.

City of Bremerton
City Council Study Session
Wednesday, May 21, 2025

Public Recognition

Aiden Wright

Aiden Wright, District 2. I'd like to speak to last week's study session, particularly when you address directly to our good man, Mr. Jackson regarding Bremerton development and upgrades. My 2 cents is the demand is here, particularly when we have massive amounts of greenery going down in the county. There's a lot of area around Bremerton that has a potential for growth. And I know this is a nuanced conversation that some places particularly like that may not want development like District 6 and Rocky Point. Nice neighborhoods that probably want tree aligned avenues. You know, versus nuance like downtown, versus Manette, Manette being not wanting more development. But you have a lot of other areas that are growing rapidly, like Ridgeline and other neighborhoods that are old and have a lot of problems such as District 2 and District 4. I know that where I live, I live around a lot of World War 2 era buildings, apartments, and duplex homes, rentals. Some of them have faulty roofs, mold, cockroaches that I've heard, areas of crime, so on, so forth. And listening to some of the conversation, I thought it was. I thought it was a lot of good things going back and forth, but I want to add an extra level. Talk about discussing with a part-time actuary statistics about development. And I was thinking more along the lines of outward marketing, outward research, looking to apartment owners, property management companies, development sites, and what they think about the area and potentials for growth. And kind of my proposals are more along the lines of promoting Bremerton growth, possibly development fairs, creating supply, and looking at possible suppliers from around the region, and greater area from turning old properties in particular, into larger, more spacious units, where we can house a lot more people, not just lower strategies, but working class, middle and upper class, all over, just serving everyone and creating policies not just to give people the you know, a free handout, but also just promoting. Hey, we you know, what about upgrading? What about you know, bringing in new development, attracting more so on, so forth. So, yeah, that's where I stand promoting gross remodels and greater development in our precious City.

City of Bremerton
City Council Study Session
Wednesday, May 21, 2025

Public Recognition

Jose Camacho

Jose Camacho, Friends of Smith Cove. I adopt and incorporate as my own the comments about gas stations earlier. I'm also here in support of Rock The Block. I have accused the City Administration, and particularly DCD of working hand in hand with the City's developer cartel by breaking and subverting law and legal process for them. It is an operative for developers, and in this current Comp Planning it has remained true to character. DCD does dirt for developers. Its go to move is to misrepresent law and facts, even omit and conceal them in order to deliver for the City's realty developer cartel, who has done this and rigged Evergreen Point project and Shoreline Master Program. And now in Comp planning. DCD has intentionally created a landscape while comp planning and regulation meant to nullify environmental and shoreline law in developers favor while being unfair to opponents of this kind of corruption. If you doubt this, look at what it did with the City Attorney's help. As to ordinance 5506 and 5508, a murder of due process. as it keeps doing. The City Attorney's office continues to violate attorney rules of professional conduct with its unethical guidance, malfeasance and or non-feasance. RPC 3.3 and 4.1. They know what that is. Attorneys cannot omit law or feign law does not exist, because that law is adverse to its position or misrepresentations. The murder of due process violates the Growth Management Act, which requires fair permitting. This is overtly unfair. Instead, misrepresenting SB5290 requirements. DCD slipped in the elimination of due process by misrepresenting law and concealing what its intent was by burying the bad face and misleading verbiage like housekeeping. This is how I rigged the SMP 2021, by misrepresentation to the public, obstructing our informed participation. then ducking the consequences of its misconduct with evasive ploys, like stacking the planning commission with members of the realty developer Cartel. But DCD not only violated due process and created unfairness for ordinary citizens, it created additional liability under section 1983 Civil Rights Action on top of what is likely to become an antitrust and or racketeering case. Completely unnecessary, all of it, just had to be honest. I'll leave it at that. Thank you.

City of Bremerton
City Council Study Session
Wednesday, May 21, 2025

Public Recognition

Jacqueline Reid

Good Evening Councilmembers, my name is Jac Reed, and I live in Bremerton. I'd like to give you an update on my review of speeding on Trenton Avenue outside my home and my home has a driveway that backs directly onto Trenton Avenue in the 1100 block. So just after the turn and East 11th. Since I provided input at the May 7th Council Meeting, I've spent an additional 2 and a half hours sitting in my car, recording vehicle speeds captured on my handheld speed radar gun. 52 miles per hour over, twice the speed limit. That was the highest speed I captured in the 2 and a half hours. I'm sure that's not the highest speed of vehicles passing my home on this residential street. Other high speeds captured in that 2 and a half hours, 46 miles per hour, 47 miles per hour, and others in the forties. These are all separate vehicle recordings. I'd say that most of the vehicles making the turn onto Trenton from East 11th during my review of that in that 2 and a half hours were traveling in the high twenties to mid-thirties. Soon after that turn, still too high. Trenton is federally designated as a major collector, and from the City's own materials, collector roadways distribute vehicular traffic between local streets and arterials at lower speeds. And are intended to be a transition between local streets and arterials. And many of the vehicles travelling downhill to the stop sign, this 11th are speeding, too. With far too many hardly even slowing at the sign. From my observations, most, but not all, of the vehicles traveling at or below the speed limits, are either making a turn into a driveway or onto East 13th or stuck behind someone who's trying to make a turn. And how great it is when the speed limit is being respected. Contrary to how this may appear, I get no joy after tracking vehicle speeds, but I know that data is important if there is to be change. My collecting data with my handheld speed. Radar gun is clunky. I look forward to public works completing a traffic study on Trenton, near my home, and I believe this is to happen in June. I hope that as a result there can be engineered traffic calming measures installed in Trenton. In the meantime, please, can there be enforcement? I have not seen any enforcement activity. Thank you for your time listening to me. I will not be leaving you with videos of the speed radar readings this time. Technical difficulties on my part downloading them onto flash drives. Thank you.

City of Bremerton
City Council Study Session
Wednesday, May 21, 2025

Public Recognition

Robin Weldin

Hello. My name is Robin Weldin, and I am District 3 in Bremerton. I live in the Evergreen Park neighborhood. I would like to, I'm also part of Friends of Smith Cove and I would like to adopt and incorporate the 1st 2 speakers on gas stations, and the you know, the harmful effects of them. And Mr. Camacho, who he's also part of Friends of Smith Cove. You know. I bought my home here in 1999 for \$70,000. And yes, it needed a lot of repair, because it was at that time a hundred year old home. Now, it's about 122 years old. It's a very much historical home. We had to do a lot of, we had to replace the electricity and the plumbing and try to bring the home back to what it actually looked like. In fact, a few years afterwards, the person who, the daughter of the person who built the home visited. She was in her eighties, and she wanted to see her home for one last time. I spent a lot of time at the permitting office in Bremerton. And back then it was impartial. It was tough. It followed Washington State law. Sometimes it could be infuriating, but everyone was treated the same. since it became the DCD, the Department of Community Development under the directorship of Andrea Spencer. It has become a developer favoritism rather than the people, supporting the people in our, protecting the people here being impartial toward the people here. I just. I want to say that over the past few years we have been, you know, accumulating evidence trail of just corruption and developer favoritism. It's not just regular developer favoritism. People who want to build actual low-income housing to help people of this community. It is Sound West group.

City of Bremerton
City Council Study Session
Wednesday, May 21, 2025

Public Recognition

Travis Merrigan

Hello, everybody. My name is Travis from Bremerton, and I'm here to comment on a wonderful experiment that's going on right now, as we speak on 6th Street, where this the street has gone from 4 lanes to 2 lanes. That's an experiment that allows us to test a couple of hypotheses. Right? Tests are great. You say you put one hypothesis forward and you see whether it comes true. Put another one forward, you see whether it's true. On 6th Street we have. Here's the context. The advocates for safer 6th Street have been arguing for a long time that what we need to do is slow down the cars, reduce the lane widths, so that we can have space for the things that make people who aren't in cars safe. Kids walk into school, the mom's pushing strollers, people riding bikes. And the City, the administration for months and months has been arguing that these changes would be disastrous. They will lead to all manner of terrible things. Here's from a meeting 2 months ago. If this, the question was, if this, if the road is reduced in certain segments from 3 lanes to 2 lanes in order to enable more street safety, what would be the repercussions of that? And they said, there'll be an increase in crashes. There'll be an increase in aggressive driving, direct quotes from the City Engineer. They'll create enormous traffic backups, including at 1 point a backup all the way from the Naval Gate to 6th Avenue, 7 blocks of backup, and it will contribute to road rage that all from reducing the road in certain segments from 3 lanes to 2. Now the experiment that's going on right now went from 4 lanes to 2 lanes, and what we see and what you don't have to take my word for it, I encourage you to go out and look. The street has never been safer. Cars are driving slow, no longer is that the case where cars on a street that's designated as 25 miles an hour. No longer is it the case that they're driving 40 down that street. There has not been an increase in crashes and by all measurements, the street is functioning just fine for cars, and much, much better for people outside of cars. And all this leads to this point, which is we have an opportunity on 6th Street to make gigantic changes on a street that runs through school zones, on a street that's in the core of the city right, and it's in a street that connects downtown to the entire western side of the city. And the administration is going to argue they have a new whole new set of arguments that cannot do the things that make it safe because it just won't work for the cars. It won't work for the, for the people moving in automobiles. Please go out. The statistical peak of traffic is 4:25 pm. Go out there at 4:25 pm. And you tell me how the street is performing. Thanks.

From: [deborah woolston](#)
To: [compplan](#)
Subject: compplan: Bremerton Citizen comment on 2044 Comp Plan
Date: Friday, May 23, 2025 1:56:27 PM

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After reading the comp plan, I have several comments pro and con.

CON: totally against removing building height limits and depending on :”Market forces” in the downtown and expanding neighbors. A potential forest of tall buildings is totally antithetical to the character of Bremerton, particularly the historic and people-friendly downtown, as well as it would compromise and clutter the beautiful marine setting that the comp plan rightly elevates and supposedly plans to preserve. For example, the existing tall buildings (condos, etc.) on the waterfront completely block off the water view and the single water-facing pedestrian path is a poor replacement for the expansive views albeit from a parking lot.

While Seattle is slowly erasing its historic building heritage, European cities including Paris and some Italian areas use this technique: preserve the charming historic downtowns and build the modern buildings on the outskirts. Like the the Bremerton plan’s proposed highway zone.

PRO: I applaud elements of the plan that enhance/improve the look, people-friendly functions of the city, improve pedestrian safety/access and protects trees:

- * preserve historic, visual, cultural resources, public views, landmarks, archeological sites, historic and cultural landscapes;

- *focus on pedestrian-oriented centers, require (my hope) architectural features, street trees, public plazas;

- *underground parking

- *multi-modal linking between centers and neighborhoods, with emphasis on pedestrians.

Suggestion: make Fourth Street a vehicle-free pedestrian street between Pacific and Washington—now is the perfect time as the segment undergoes drastic improvement and drivers are used to avoiding the street.

- *Economic: upgrading aesthetic quality of existing buildings; have design standards for new commercial buildings

- Transportation: Yes to TR3: serves needs of pedestrians, bicycles etc., add/maintain street trees landscaping, traffic calming and street lighting.

- *Environment: Yes to E1 (C) planting urban forests; E2 E, F, G-tree canopy, requiring developers to preserve existing trees and (L), limit tree clearing.

QUESTION: what mineral resources are in Bremerton?
Deborah Woolston, long-time Bremerton resident on Marine Drive

Comment #18

From: [Friendsof Smith Cove](#)
To: [compplan](#); [Anna Mockler](#); [Jane Rebelowski](#)
Cc: [rmalcom@suquamish.nsn.us](#); [Friendsof Smith Cove](#); [rdmoley26@gmail.com](#); [Kathie J Mcgirr-Lustig](#); [Jack Stanfill](#)
Subject: compplan: City's Continuing Violation Of GMA's RCW 36.70A.480 Subverts Shoreline Management Act & Lessens Environmental Protection
Date: Friday, May 23, 2025 6:00:33 PM
Attachments: [Comp Plan DCD Conceals Toxic Gas Station & FP Project Both In SMA Jurisdiction.pdf](#)

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.

City Council:

The health of Ostrich Bay and our citizens is protected by SEPA and the Shoreline Management Act. Unfortunately, DCD seems mostly concerned with protecting the fattest possible profits for developers.

In commenting on the Ostrich Bay Gas Station, I realized it serves as an example of the city and DCD's failure to honor the Shoreline Management Act and our obligations to be stewards of our environment and water. This failure is great news for developers but life-threatening to us, and degrading to the environment. This affects us city-wide via the infirm "interrupted buffer" provision of the Shoreline Master Program concocted by Andrea Spencer's DCD in 2019-2021, and incorporated into current comp planning and untouched to date.

Friends of Smith Cove submits this and the attached comment as our comment and objection to the city's (DCD's) "Bremerton2044" comp plan which continues to flout the Shoreline Management Act and the Growth Management Act even where toxic carcinogens and a cause of birth defects literally looms over a residential area designated in the Shoreline Master Program as single family residential.

Kindly include all of this as our comment to the "Bremerton2044" comment portal.

--

Friends of Smith Cove in Evergreen Park
Jose Camacho

City-Wide Violations Of Shoreline Management Act Means Comprehensive Plan Violates Growth Management Act, RCW 36.70A.480, & Lessens Environmental Protection

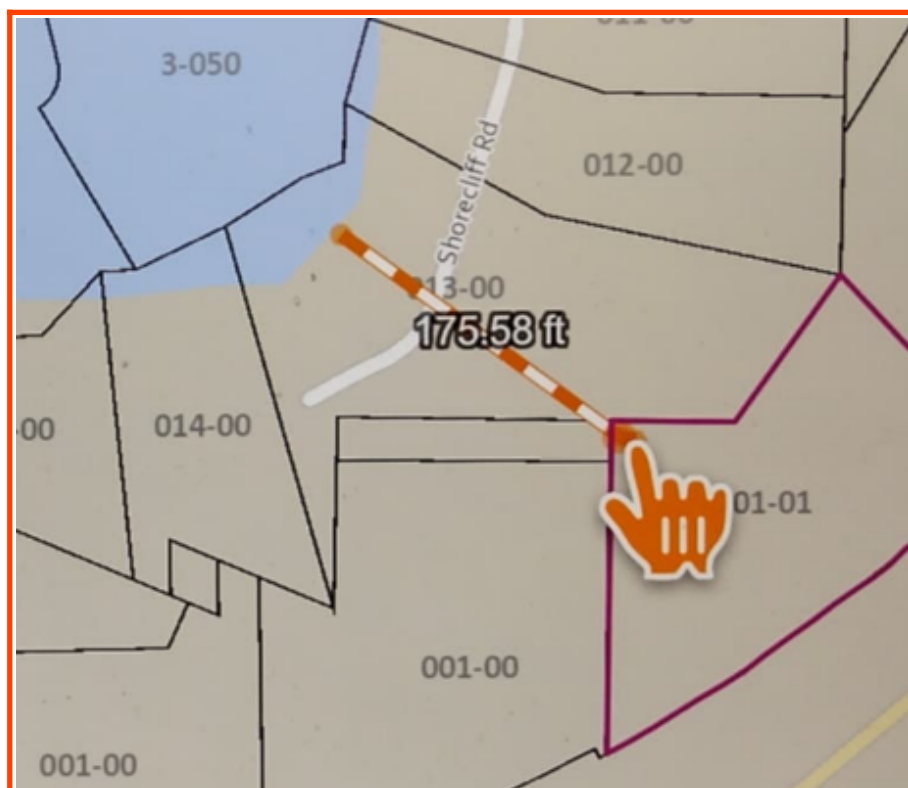
Comment #18

To: compplan@ci.bremerton.wa.us Cc: City Council & DCD

Friends Of Smith Cove objects to the **Ostrich Bay Gas Station** permitting by DCD. We will kill two birds with one stone, and point to this and Commissioner Jack Paauw's and Wesley Larson's rigged **Evergreen Pointe project** as evidence that the proposed "Bremerton2044" Comp Plan violates the Growth Management Act.

DCD continues to abdicate its legal duties to enforce the Shoreline Management Act. City Council should be familiar by now of the rigged shoreline **Evergreen Pointe project** which was per DCD Planner Garrett Jackson within the jurisdiction of the Shoreline Management Act. Right out of the gate, however, our neighborhood was given a truncated comment period. Friends of Smith Cove obtained "notice" in the EP matter via apparent trash on the property of Sound West Group - a placard notice face-down on the ground, with no text visible. But even upon picking up the apparent trash, a reading of the text on the "notice" purported that the EP project was a simple building permit case. The stated comment period was two weeks. Shoreline law requires 30 days. See [WAC 173-27-110\(e\)](#).

The same illegal notice and truncated comment period in the **Evergreen Pointe project** matter is now being foisted on us in the **Ostrich Bay Gas Station** matter. Instead of the required full 30 days in which to comment and object, we are being given two weeks. Andrea Spencer's DCD is THE land use enforcer and environmental protector of the city. On paper. But it is not interested in that job apparently. Because the gas station is within **200 feet** of protected waters, its permitting must be adhere to the policy, requirements, and criteria of the Shoreline Management Act. The Kitsap Parcel Search tool (<https://psearch.kitsap.gov/psearch/>) demonstrates this gas station is within this proximity:



Comment #18

Ostrich Bay's shoreline is designated in our Shoreline Master Program as single family residential. DCD is again cheating communities of their full due process rights. Residents of this single family shoreline neighborhood, and other interested citizens such as those of Friends of Smith Cove are entitled to 30 days in which to comment and object. Shoreline law at [WAC 173-27-110\(e\)](#) mandates:

"A statement of the public comment period, which **shall be not less than thirty days** following the date of notice of application, and statements of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. ..."

We demand compliance with state law under the Shoreline Management Act – even if this means termination of Andrea Spencer's employment. She is instituting a policy of violating the public trust.

Evergreen Pointe "Notice" Dissimulated It Was An Ordinary Building Permit Case Rather Than A Shoreline Permit & Gave Citizens 14 Days To Comment Instead Of Required 30 Days.



DEPARTMENT OF COMMUNITY DEVELOPMENT
NOTICE OF APPLICATION

PROPOSAL: Building permit to construct a 123-unit multifamily structure with ground floor commercial space, at 631 Sheldon Boulevard (parcel 132401-2-084-2007), including 125 parking stalls on two levels of parking within the structure, frontage improvements, and landscaping.

APPLICANT: Rice Fergus Miller
OWNER: Student Housing Owner,
LLC

DATE OF APPLICATION: 6/22/2023
NOTICE OF COMPLETENESS:
8/23/2023

FILE NUMBER: BB23 00621

NOTICE OF APPLICATION: 9/7/2023

EXISTING ENVIRO. DOCUMENTS:
October 11, 2022 MDNS

OTHER PERMITS: Site Development
Permit, Right of Way Permit(s)

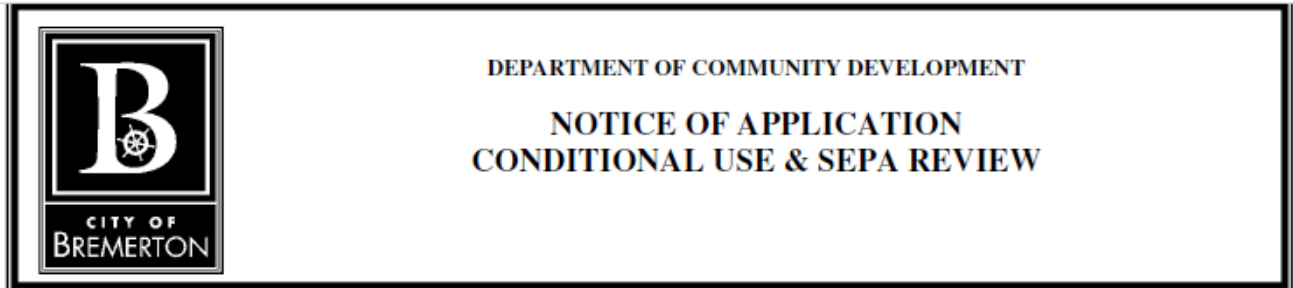
DEADLINE FOR COMMENTS: September 21, 2023 by 5:00 P.M.

The City of Bremerton has received application for the proposal described above. Public notice is required per Bremerton Municipal Code (BMC) 20.02.150(f). Consistent with the provisions of Bremerton Municipal Code, a fourteen (14) day comment period will be utilized to obtain comments on the Notice of Application.

Because this was a basic due process error we repeatedly asked for the comment period to be re-done in the Evergreen Pointe matter. DCD refused. 20 months later, the EP permit matter is still "pending review" as DCD engages in partisan evasion and gaming.

SEPA Register Materials – Gas Station Misleadingly Cast As NOT A Shoreline Permit Case – IT IS AND SHOULD BE PROCESSED AS ONE Under Shoreline Management Act.

<https://apps.ecology.wa.gov/separ/Main/SEPA/Record.aspx?SEPANumber=202501922>



PROPOSAL: Conditional Use Permit and SEPA review for a proposal to establish a convenience store with gas pumps located at 3912/3920 Kitsap Way (Parcel ID number 3783-008-001-0108). The proposal includes a 264-square foot expansion of the existing commercial structure, installation of two 10,000-gallon fuel tanks with associated grading, and landscaping.

APPLICANT:	William Palmer
FILE NUMBER:	BP25 00039
EXISTING ENVIRO. DOCUMENTS:	Conditional Use Permit Application, Environmental Checklist, Site Plan, Critical Aquifer Recharge Area Report, and Geologic Assessment
OTHER PERMITS:	Site Development, Building, Occupancy
DATE OF APPLICATION:	February 3, 2025
DATE OF NOTICE OF COMPLETENESS:	May 1, 2025
DATE OF NOTICE OF APPLICATION:	May 9, 2025
DEADLINE FOR COMMENTS:	<u>May 23, 2025 by 5:00 P.M.</u>

The City of Bremerton has received application for the proposal described above. Consistent with the

DCD represents a continuing institutional and environmental failing. This effectively resulted in the erasure of the "ecological stewardship" element of the SMP Recreational designation protecting Smith Cove in Evergreen Park, which has a pending salmonid restoration plan in place.

The toxicity of gas stations is well-known, and one looming over single family homes and protected waters which the city has recently spent over \$7 million dollars on is a disgrace.

"Washington gas stations are leaking toxins into nearby groundwater: Faulty tanks have caused a \$20 billion environmental disaster across the U.S. Who will pay for the cleanup — the stations, oil companies, or you?" Kate Yoder Grist / June 14, 2023.

Both vapor benzene and liquid fuel products will affect residents, our ground water, and the bay. Benzene is released from gas stations, particularly through vent pipes from underground storage tanks, as well as during refueling and other operational activities. Even in the case of a known carcinogen producer – gasoline stations – DCD cannot be bothered to simply implement standard law and apply our environmental and shoreline protections.

As this is in the jurisdiction of the Shoreline Management Act, a shoreline permit is required. [RCW 90.58.140](#).

Moreover, SEPA is not satisfied with empty boilerplate. Violations of the SMA, are violations of SEPA. The city is charged with enforcing law, including the environmental review process; not gaming it:

"The [Shoreline Management Act], RCW 90.58, though dealing with a limited area of the environment ... is no less vigorous than SEPA in declaring a policy aimed at the preservation of our natural resources. In fact, the permit system of the SMA "is inextricably interrelated with and supplemented by the requirements of SEPA. *Merkel v. Port of Brownsville, 8 Wn. App. 844, 850-51, 509 P.2d 390 (1973)*. The requirements of SEPA clearly overlay the whole SMA permit process. RCW 43.21C.060."

Sisley v. San Juan County, 89 Wash. 2d 78, 569 P. 2d 712 (1977).

Do it over and do it right. Bremertonians deserve public servant who serve the people.

From Shoreline Master Program (Ordinance 5417) – Ostrich Bay Defined As In Shoreline Jurisdiction, page 32

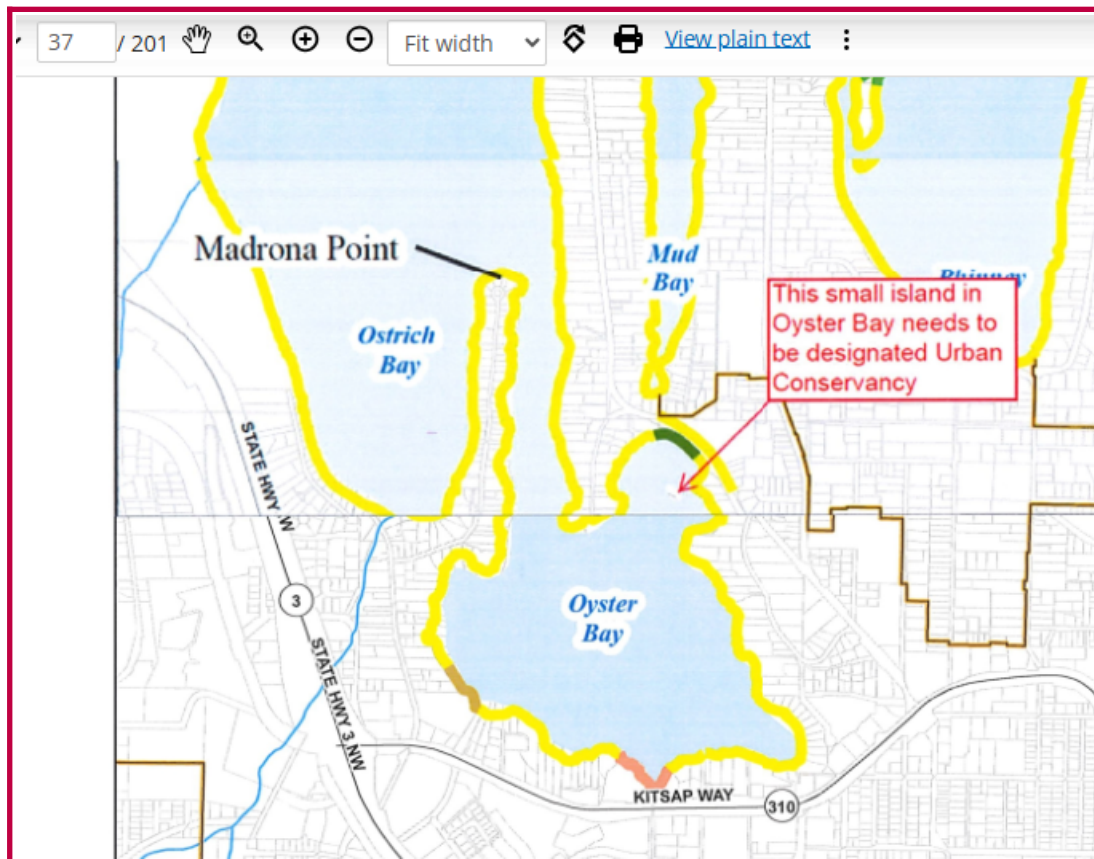
<https://lpublic.bremertonwa.gov/WeblinkPublic/ElectronicFile.aspx?docid=564993>

Shoreline jurisdiction: All shorelines of the state and shorelands as defined in RCW 90.58.030; in Bremerton this includes shorelands and water bodies waterward of OHWM out to the middle of Sinclair Inlet and Port Orchard Bay, all of Port Washington Narrows, Ostrich Bay, Oyster Bay, Phinney Bay and Mud Bay, the portion of Kitsap Lake within the Bremerton City limits, Union Reservoir, Twin Lakes, one mile of Gorst Creek and one mile of Union River.

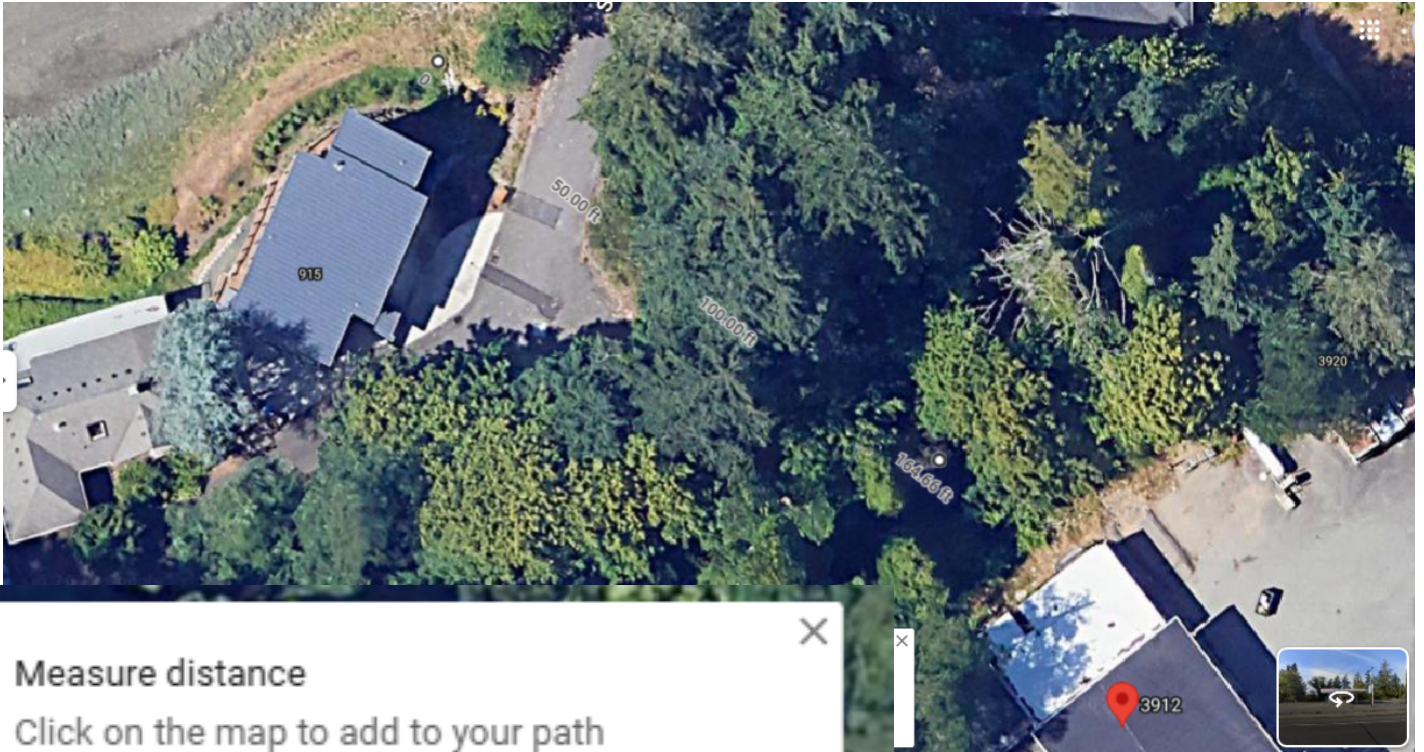
Shoreline Environment Designations: The categories of shorelines established by the City's Master Program in order to provide a uniform basis for applying policies and use regulations within physically distinct shoreline areas. The City's Shoreline Master Program classifies shorelines into the following environment designations: Aquatic, aquatic conservancy, commercial, downtown waterfront, industrial, isolated, multi-family residential, recreation, single family residential and urban conservancy.

From Shoreline Master Program (Ordinance 5417) – Yellow Means Single Family Shoreline Environmental Designation

<https://lpublic.bremertonwa.gov/WeblinkPublic/ElectronicFile.aspx?docid=564993>



Applicant Measurements & Google Maps Shows Proximity Under 200 Feet



Measure distance
 Click on the map to add to your path
 Total distance: 164.66 ft (50.19 m)



Applicant's Misleading SEPA Checklist Answer Creates Invalidity And DCD Is Required To Reject It

<https://apps.ecology.wa.gov/separ/Main/SEPA/Record.aspx?SEPANumber=202501922>

3. Water [Find help answering water questions](#)

a. Surface Water: [Find help answering surface water questions](#)


Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. **Yes, Oyster Bay lies about 200-Ft northwest of the site.**

See Ecology's Permit Manual:

<https://apps.ecology.wa.gov/publications/documents/1706029.pdf>

We reference, attach, and incorporate herein our comp plan Comment # 125, and our oral comment of June 2024: "SMPs 'Map E' & 'Interrupted Buffer' Defective & Violates GMAs RCW36.70A.480; Comp Plan Appealable." <https://youtu.be/6lmnPvJxlnU?si=3J1xQisnASyCdGrT>

Mark Goldberg's Initial Evergreen Pointe Project At Same Location & Height As SWG's

	<p>DEPARTMENT OF COMMUNITY DEVELOPMENT</p> <p>NOTICE OF SHORELINE APPLICATION AND SEPA DETERMINATION</p>
PROPOSAL:	Shoreline Substantial Development Permit for the construction of a 6 story mixed use building to include 103 residential units, ground floor retail, comprising approximately 150,305sf. Site development will include approximately 10,200cy of earthwork, stormwater control facilities, frontage improvements, and associated landscaping.
LOCATION:	Corner of Sheldon Boulevard & McKenzie Avenue
APPLICANT:	<input checked="" type="checkbox"/> Tifert LLC
FILE NUMBER:	BP08 00121
CRITICAL AREAS:	Shorelines
EXISTING ENVIRONMENTAL DOCUMENTS:	Environmental Checklist, Preliminary Drainage Report.
DEADLINE FOR COMMENTS:	<u>APRIL 7TH 2009 by 5:00 P.M.</u>
The City of Bremerton has received application for the proposal described above. Consistent with the provisions of Bremerton Municipal Code and the Shoreline Master Program a thirty (30) day comment period will be utilized to obtain comments on the Notice of Application.	

Thank you.

Friends of Smith Cove
Jose Camacho

EXHIBITS

From: [Robin](#)
To: [Jose Camacho](#)
Cc: [compplan](#); [Kelli Lambert](#); [Rod Malcom](#); [REDACTED] [Jose Camacho](#)
Subject: compplan: Re: Comment re Comp Plan 6-17-24
Date: Tuesday, June 18, 2024 8:39:21 AM
Attachments: [DCDs Idea of what Isolated looks like.PNG](#)

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.



Robin reacted via [Gmail](#)

On Mon, Jun 17, 2024 at 5:07 PM Jose Camacho [REDACTED] wrote:



Attached is my comment regarding the Comp Plan. As long as the SMP is illegal so is the the Comp Plan.

Jose Camacho

Comment #18 Comment # 125 ←

To: Compplan@ci.bremerton.wa.us

Comment #125 from previous 6/17/24 submittal

Commissioners & Neighbors CC: DCD Fwd: Tribes

Comment re Comprehensive Plan - June 17, 2024 Workshop Planning Commission

Comp Plan Includes Illegal "Interrupted Buffer" SMP Provision, Violates [RCW 36.70A.480](#), And City Indicates It Will Continue Illegality Of SMP Including Site-Specific Suspension Of Shoreline Management Act For Over 30 "Interrupted Buffer" Parcels

Part A. DCD Has Created Parcels Spot Zoned To Be Free From The Shoreline Management Act.

The city's current and expected future Comprehensive Plan violates [RCW 36.70A.480](#) by subordinating and subverting the Shoreline Management Act and its Shoreline Master Program (SMP) in matters of shoreline development. The city has signaled it wants this subordination to continue as a feature of the future Comprehensive Plan. This is beyond perversely wrong because [RCW 90.58.020](#) has remained a core part of state law - the Shoreline Management Act and it continues to declare in the public interest that: "There is, therefore, a clear and urgent demand for a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines." DCD's creation of pockets of land free of SMA regulation is precisely the harm of uncoordinated piecemeal shoreline development. Shoreline Master Programs, as the progeny of the Shoreline Management Act, must **effect** the core purpose of the Act which:

"though dealing with a limited area of the environment, is as vigorous as SEPA in declaring a policy aimed at the preservation of our natural resources. ... This act is an acknowledgment that 'the shorelines of the state are among the most valuable and fragile of its natural resources;' **that unrestricted construction upon them is not in the best public interest; and, therefore, there is a need for coordinated planning to prevent the inherent harm occasioned by piecemeal development of the shorelines.** [RCW 90.58.020.](#)"

Merkel v. Port of Brownsville, 8 Wash. App. 844 (Ct. App. 1973).

The two illegal SMP provisions conceptually tied together and pushed by DCD during 2019-2021 were eventually enacted in 2021, codified as Section 7.010(b)(3), "**Interrupted Buffer**" and Section 4.020 Maps, **Map E**. The latter is an example of gross spot zoning partisanship by DCD because it only applies to Wesley Arthur Larson III's \$57 million dollar Evergreen Pointe project; the former, takes Map E and multiplies the spot zoning suspension of state law by over 30 parcels. Exhibit: Interrupted Buffer parcels. Spot zoning and piecemeal shoreline development is anathema to [RCW 90.58.020](#). and the Shoreline Management Act. Each of the two illegal SMP provisions are premised on subordinating and erasing Washington's Shoreline Management Act, and each violates prohibitions against special favors delivered by public

officers (the mayor and DCD Director Andrea Spencer): [RCW 42.23.070\(1\)](#), (adopted into Bremerton's ethics code), as well as prohibition against favoritism in our Constitution, Article 1, Section 12. The latter provides one (of a few applicable) constitutional grounds for voiding the provisions and is reason alone for the city to definitively repeal Ordinance 5417 - the product of the DCD's misconduct during the SMP periodic review of 2019-2021.

Part B. The SMA Trumps GMA But DCD's Comprehensive Plan Implements Subversion Of SMA

Spot zoning is universally condemned. Yet DCD, during 2019-2021, institutionalized illegal spot zoning in shoreline jurisdiction via amendments to the Shoreline Master Program (SMP). This illegality benefits developers only. It is corruption. It destroys the rule of law, the due process rights of neighborhood homeowners and residents, and removes the protection of the Shoreline Management Act from the shoreline environment. Because SMPs are by law ([RCW 36.70A.480](#)) **part of comprehensive plans**, the city's Plan is illegal now and will be illegal in the future unless the SMP is repealed or judicially voided. DCD action into the future will thus be illegal and by definition will injury the public welfare.

The Planning Commission must not be a rubber stamp to a servile corrupt DCD but must insist on questioning it and confronting said illegality. In 2019-2021, DCD succeeded under cover of a statutorily required "periodic review" of its Shoreline Master Program (SMP) in proposing provisions which violate the Shoreline Management Act, [RCW 42.23.070\(1\)](#), and our Constitution. Section 7.010(b)(3), "**Interrupted Buffer**" and Section 4.020 Maps, **Map E** are based on the falsehood that ordinary residential neighborhood roads make a parcel environmentally "Isolated," these SMP amendments serve as a pretext for DCD to NOT enforce the Shoreline Management Act.

In my Evergreen Park neighborhood, this has meant that a **35-foot height limit** triggered by Smith Cove's SMP *recreation* designation is disregarded by DCD in favor of GMA regulations' ("DSAP" / "POMU") maximum height of **61 feet**. This is illegal. A municipality does not have the power to subordinate Constitutionally-based state law via its ordinances. Biggers v. City of Bainbridge, 124 Wash. App. 858, 867 (2004); Biggers v. City of Bainbridge, 162 Wash. 2d at 691 (2007); Biggers I literally found that "**the SMA trumps the GMA in this area.**" This is especially true in matters of the Washington's ownership of and compelling interests in its waters and shores. Biggers II. Analysis of the nuances of judicial opinion in Biggers I and Biggers II shows consonance on one point: the state maintains supremacy as to shoreline regulation. CRSP v. Whatcom County, 172 Wash.2d 384 (2011). These precedents also rely in part on [RCW 36.70A.480](#). City ordinance or policy cannot create a killswitch to erase the Shoreline Management Act. That is what Section 7.010(b)(3) represents and if there is any doubt about that then inquire how the DCD has treated the Evergreen Pointe project using the same premisses.

Comment #18 Comment # 125 ←

Comment #125 from previous 6/17/24 submittal

DCD's solution to Constitutional prohibitions in the way of developers' profits has been to gaslight and deceive the community that only the city's GMA regulation matter or can cancel the SMA. This was the essence of DCD's approach during 2019-2021's statutorily-required periodic review of the city's Shoreline Master Program.

The city's overall and comprehensive approach, continued to the present, comprises Section 1983 Civil Rights Act violation because DCD, and the Mayor's administration generally, is violating the public's right to receive information, as well as to give input which will be meaningfully employed in analyses and decision-making. Skewing and rigging discourse and information exchange to erase the Shoreline Management Act deprives the public of not only information about the Act, and its SMP, but *rights* under the Act, and of due process under the Constitution. This concealment and disinformation campaign is seen in the 2019-2021 log-rolling of the two illegal provisions including by constantly emphasizing how "**minor**" they were, in the tampering with public records, the public utterances of Councilperson Jeff Coughlin, and media attributions of Director Andrea Spencer's plans for development, in the entire continuum of "decision" making as to the Evergreen Pointe project, in the way DCD notices shoreline projects without referencing shoreline law, in allowing shoreline projects baseless exemptions from SSDPs, in DCD's obstruction of requests to inspect its records, in DCD Planner Garrett Jackson's SMP "update" presentations during 2019-2021 where "minor mapping" conceals special favors and erasure of the SMA, in Jackson's Comp Plan presentations where the Evergreen Pointe project is referenced as an exemplar instead of corruption itself, and is seen DCD's responses to objectors and commenters - for example, in email exchanges between DCD and my neighbors. Exhibit: Lambert's DSAP-POMU Deception. Under DCD's strategy, the Shoreline Management Act no longer exists in its analyses, its notices, or its decisions as to shoreline projects such that only GMA regulation is employed as a standard. Because of the enacted Interrupted Buffer and Map E provisions, this illegality is now incorporated into the Comprehensive Plan, and under **RCW 36.70A.480**, public servants cannot just look away to appease the realtor / developer cronies of city pols and the DCD.

It is expected DCD may attempt to frame my comments as merely a permit dispute. There is one. Map E, eventually codified as part of Ordinance 5417, is an illegal "spot zone" for Wesley Arthur Larson III's \$57 million dollar 61 foot tall Evergreen Pointe project which paid off in DCD's 10-11-22 decision and 3-21-23 "decisions." These relied on the pretextual cover of the "Isolated" artifice underlying Map E and the Interrupted Buffer provisions to hide DCD's abdication of enforcement of the Shoreline Management Act. Map E hence serves as a prediction of DCD's intention and partiality in implementing the Interrupted Buffer provision. DCD's misconduct in proposing and recommending enactment of these two provisions has saddled the city with the tainting of the Comprehensive Plan by operation of **RCW 36.70A.480**, and what has transpired and will transpire has implications city-wide and state-wide.

Simply put, corruption is winning. And it is time to fix it.

Part C. 30 + "Interrupted Buffer" Parcels Where DCD Reserves The Option To NOT Enforce The Shoreline Management Act Were Created During DCD's 2019-2021 SMP Periodic Review

Both Mayor Wheeler and DCD Director Andrea Spencer signed a Department of Ecology SMP periodic review grant agreement in 2019 for the use of a \$22,400 to implement the Shoreline Management Act – not subvert it. Both completely fundamentally disregarded its purpose and restrictions in order to deliver a benefit to a private party specifically and immediately, and to prepare for spot zones for future developers who wanted to build without the restrictions of state law. This amounts to *prima facie* misappropriation; pursuant to **RCW 42.20.070**, every public officer receiving money on behalf of the people of the state who appropriates such funds to **the use of any person not entitled thereto** is guilty of a class B felony. Neither illegal provision was necessary under the law, nor under the Ecology grant agreement, but such funding supported DCD's work during 2019-2021 to create Map E for Larson III's benefit.

DCD emails obtained via PRA request prove that Section 7.010(b)(3), "**Interrupted Buffer**" and Section 4.020 Maps, **Map E**, are inseparable in DCD's conception and presentation, and was not generated by the city's "environmental consultant," Watershed Company. Exhibit: DCD/Watershed emails. DCD's testimony supports this; Planner Garret Jackson's testimony held up Map E's suspension of the Shoreline Management Act as the premise for the interrupted buffer provision. Exhibit: Jackson Testimony Re "Isolated" "Designation" Artifice. Moreover, the two provisions are based on both false fact predicates and frivolous legal positions. A mere ordinary road or parcel abutting a shoreline parcel is not by itself the basis to conclude the existence of the "inherent isolation" expressed in the already unconstitutionally vague SMP **Section 4.030(f)**. As vague as Section 4.030(f) is, it is based on facts of "inherent isolation" of parcels from the shoreline; DCD intentionally conflated "inherent isolation" with *mere* "separation" of shoreline parcels by ordinary residential roads or any parcel. See Exhibit: Jackson Testimony Re "Isolated" "Designation" Artifice.

Moreover, there is no trace of findings of fact / conclusions of law in the record specifically as to either provision which addresses the legal dead letter of a municipality reserving for itself the option of not enforcing the Shoreline Management Act. At every turn during 2019-2021, when DCD had an opportunity to be transparent about the import of these two provisions, it chose secrecy, obfuscation, concealment, mischaracterization, or deflection. And at one point, the crucial a/v reading of the 11-16-20 Planning Commission hearing disappeared.

We can ascertain one impact objectively using the county and city's GIS data tools. The public can use the Kitsap Parcel Search and Bremerton's own Camino Permit Guide to see that the city's Section 7.010(b)(3) Interrupted Buffer provision - using DCD's "any road" criteria - creates **over 30 unmapped** shoreline parcels qualifying for the city's *ad hoc* suspension of the Shoreline Management Act's restrictions on shoreline development which boil down to combating the inherent harm of allowing *ad hoc* uncoordinated **piecemeal** shoreline development. RCW 90.58.020; Merkel v. Port of Brownsville, 8 Wash. App. 844 (Ct. App. 1973).

Using GIS tools, the following parcels meet DCD’s concocted “Interrupted Buffer” definition under the current SMP Section 7.010(b)(3) as testified to by DCD Planner Garrett Jackson. Exhibit: Jackson Testimony Re “Isolated” “Designation” Artifice. They represent the city’s undermining and subordination of the Shoreline Management Act by the purported implementation of GMA regulation, and as such, pursuant to **RCW 36.70A.480** the Comprehensive Plan cannot incorporate the violative Interrupted Buffer or Map E provisions.

“Interrupted Buffer” Parcels (In Jurisdiction Of The Shoreline Management Act)

- | | |
|-------------------------|-------------------------|
| 1. - 132401-2-080-2001 | 17. - 142401-2-045-2004 |
| 2. - 132401-2-080-2001 | 18. - 3702-003-001-0008 |
| 3. - 132401-2-006-2002 | 19. - 3702-003-010-0007 |
| 4. - 132401-2-008-2000 | 20. - 3703-004-002-0202 |
| 5. - 132401-2-009-2009 | 21. - 112401-3-058-2009 |
| 6. - 3709-002-005-0009 | 22. - 12401-3-032-2000 |
| 7. - 3709-002-006-0008 | 23. - 102401-4-121-2001 |
| 8. - 132401-2-024-2000 | 24. - 8542-000-001-0007 |
| 9. - 3802-001-004-0008 | 25. - 102401-1-018-2003 |
| 10. - 3802-001-005-0007 | 26. - 132401-2-040-2000 |
| 11. - 3802-001-006-0006 | 27. - 132401-2-039-2003 |
| 12. - 3804-006-001-1006 | 28. - 132401-2-036-2006 |
| 13. - 142401-1-002-2007 | 29. - 132401-2-049-2001 |
| 14. - 3708-002-001-0004 | 30. - 132401-2-040-2000 |
| 15. - 142401-2-002-2005 | 31. - 132401-2-039-2003 |
| 16. - 142401-2-044-2005 | 32. - 132401-2-051-2006 |

The Growth Management Act, at **RCW 36.70A.480**, subtitled “Shorelines of the state.” requires supremacy of the Shoreline Management Act in shoreline jurisdiction by requiring:

“(2) The shoreline master program shall be adopted pursuant to the procedures of chapter 90.58 RCW [Shoreline Management Act] **rather than** the goals, policies, and procedures set forth in this chapter [GMA] for the adoption of a comprehensive plan or development regulations.

(3)(a) The policies, goals, and provisions of chapter 90.58 RCW [Shoreline Management Act] and applicable guidelines **shall be the sole basis** for determining compliance of a shoreline master program with this chapter ...”

The city has turned this mandate topsy turvy, and must now admit DCD’s fundamental miscarriage because it will have to be truthful when faced with the Department of Commerce’s Periodic Update Checklist. Commerce not surprisingly incorporated **RCW 36.70A.480** into its oversight procedure by mandating acknowledgment and demonstration of compliance with **RCW 36.70A.480**. Exhibit: Dept. Commerce Periodic Update Checklist.

Part D. DCD Deception, And Its Results, Should Cease With Commissioners' Scrutiny

Commissioners now have a chance to reject DCD's skewing of our environmental law, and to use skeptical inquiry to challenge a partisan DCD and mayoral administration which has abandoned basic notions of impartiality and the rule of law. Commissioners can start with requesting a legal analysis from the City Attorney, and simply reading the Commerce checklist.

During 2019-2021, DCD succeeded in convincing the Planning Commission and City Council to consider and eventually enact in Ordinance 5417 the two illegal provisions. In particular, Map E was continually referred to as "minor" despite the additional millions it conferred on Larson III's Evergreen Pointe project by gifting a shoreline project limited to 35 feet with double that height under "DSAP," and making the need for an SSDP disappear. In turn, the Interrupted Buffer provision was characterized in presentations as "adding flexibility" to shoreline development so as to be "helpful" to DCD. See attached citations to the record.

In the city's 4-17-23 Planning Commission comprehensive plan presentation focusing on the environmental element of the comprehensive plan, DCD shows it has no intention of fixing its fix. DCD's mind has to be changed. See DCD again obfuscating its 2019-2021 misconduct in this packet: <https://www.bremertonwa.gov/AgendaCenter/ViewFile/Agenda/04172023-305>

- ✓ "As the City completed **updates** to the Shoreline Master Program (SMP) and Critica Area Ordinance (CAO) in 2021, it is not expected that substantive changes to these documents will be necessary." (1st page).
- ✓ "As the SMP and CAO were last **updated** in 2021 to include Best Available Science, as required by RCW 36.70A.172, it is not anticipated that substantive changes will be required." (11th page).
- ✓ "As stated previously, the City Critical Ordinance (CAO) and Shoreline Management Program (SMP) were last **updated** in 2021, and so likely will not need substantial revisions." (13th page)

During 2019-2021, DCD was not engaged in discretionary or casual *updating* of the SMP. Under Ecology's binding SMP "**periodic review**," DCD had no discretion to improvise amendments to usurp State powers, to spot zone, to dole out favors, or create a killswitch to give itself the option to not enforce the Shoreline Management Act as to shoreline development. Of the three types of SMP amendments - Comprehensive, Periodic, Locally-initiated – what Ecology's grant offered and the city accepted in a binding agreement was **restricted** to the "**periodic review**" type under **WAC 173-26-090(2)**.

The Interrupted Buffer and Map E provisions are not and were not unauthorized by any standard, including Ecology's compliance agreement, and this is why by the definition of [RCW 42.20.070](#) misappropriation was committed by the Mayor and DCD Director. They knew better. Unless law no longer matters, the **Interrupted Buffer** and **Map E** provisions will need to be repealed or voided for the Comprehensive Plan to be valid.

Part E. Spot Zoning / Uncoordinated Piecemeal Development Cannot Be Part Of The Plan

A half century after Merkel's holding, this core mission in the public interest remains. "An SMP is a **comprehensive use plan**, 'constitut[ing] use regulations for the various shorelines of the state.'" Fuller Style, Inc. v. City of Seattle, 11 Wn. App. 2d 501 (Wash. Ct. App. 2019). Per [RCW 90.58.030\(3\)\(c\)](#), "Master program" means **the comprehensive use plan** for a described area, and the use regulations together with maps, ... and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in [RCW 90.58.020](#)."

The spot zoning of the two illegal provisions contravenes [RCW 90.58.020](#), and the very idea of comprehensive planning - **zoning for private gain designed to benefit a particular individual or group** and not the welfare of the community as a whole; the vice of a spot zone is its inevitable effect of granting a discriminatory benefit to one or a group to the detriment of the community. Smith v. Skagit County, 75 Wash.2d 715 (1969). Zoning merely for the benefit of one or a few, with no substantial relationship to the public's welfare, in conflict with comprehensive zoning, is arbitrary, capricious, and unlawful. Smith Spot zoning is therefore universally condemned and Skagit County, 75 Wash.2d 715 (1969); Chrobuck v. Snohomish County, 78 Wash.2d 85 (1971); Anderson v. Island County, 81 Wash.2d 312 (1972). Law bestowing special privileges to one or a few are not just local error, but are repugnant to our Constitution. Article I, Section 12 of the Constitution provides heightened state law protections "*when the threat is not of majoritarian tyranny but of a special benefit to a minority.*" Bennett v. United States, No. 101300-1 (Wash. Dec. 7, 2023); Martinez-Cuevas v. Deruyter Brothers Dairy, 196 Wash. 2d 506 (2020).

Section 4.020 Map E and Section 7.010(b)(3) are spot zones and grants of special privilege, under color of law, scream corruption. DCD's Garret Jackson testified at Planning Commission 11-16-20 that "**it doesn't seem appropriate to be having those properties meet shoreline code.**" The Planning Commission then was either deceived or didn't mind the corruption. Our District 3 Councilperson, a commissioner throughout the 2019-2021 SMP periodic review, turned into a cheerleader for the Evergreen Pointe project, now claims he is not authorized to speak to his constituents. Director Spencer has been DCD's head officer since 2006, and has undertaken previous SMP amendments in that span.

complies with applicable law and SMP Guidelines

The Growth Management Act is defined as follows:

RCW 36.70A.010: "Legislative findings. The legislature finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning. Further, the legislature finds that it is in the public interest that economic development programs be shared with communities experiencing insufficient economic growth."

These are consonant with the goals of the Shoreline Management Act except as to shoreline development, the Shoreline Management Act is more specific, more urgent, and more environmentally focused than the GMA. The SMA must be given priority of enforcement and implementation over shorelines and shorelands in the Comprehensive Plan. Because of past obfuscated misconduct by the DCD, the current and future Comp Plan must be cured of the results of that misconduct.

Exhibit: Commerce Checklist

Dept. Commerce Checklist Nov. 2023

Dept. Commerce Checklist Jan. 2024

<https://www.commerce.wa.gov/serving-communities/growth-management/periodic-update/>

a. The policies, goals, and provisions of [RCW 90.58](#) and applicable guidelines shall be the sole basis for determining compliance of a shoreline master program with this chapter except as the shoreline master program is required to comply with the internal consistency provisions of [RCW 36.70A.070](#), [36.70A.040\(4\)](#), [35.63.125](#), [35A.63.105](#), [36.70A.480](#)

b. Shoreline master programs shall provide a level of protection to critical areas located within shorelines of the state that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources as defined by department of ecology guidelines adopted pursuant to [RCW 90.58.060](#).

a. The policies, goals, and provisions of [RCW 90.58](#) and applicable guidelines shall be the sole basis for determining compliance of a shoreline master program with this chapter except as the shoreline master program is required to comply with the internal consistency provisions of [RCW 36.70A.070](#), [36.70A.040\(4\)](#), [35.63.125](#), [35A.63.105](#), [36.70A.480](#)

b. Shoreline master programs shall provide a level of protection to critical areas located within shorelines of the state that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources as defined by WA State

Shoreline Master Program
 Consistent with [RCW 90.58](#) Shoreline Management Act of 1971

a. Zoning designations are consistent with Shoreline Master Program (SMP) environmental designations. [RCW 36.70A.480](#)

b. If updated to meet [RCW 36.70A.480](#) (2010), SMP regulations provide protection to critical areas in shorelines that is at least equal to the protection provided to critical areas by the critical areas ordinance. [RCW 36.70A.480\(4\)](#) and [RCW 90.58.090\(4\)](#)

See [Ecology's shoreline planners' toolbox](#) for the [SMP Checklist](#) and other resources and [Ecology's Shoreline Master Programs Handbook webpage](#)

Shoreline Master Program
 Consistent with [RCW 90.58](#) Shoreline Management Act of 1971

a. Zoning designations are consistent with Shoreline Master Program (SMP) environmental designations. [RCW 36.70A.480](#)

b. If updated to meet [RCW 36.70A.480](#) (2010), SMP regulations provide protection to critical areas in shorelines that is at least equal to the protection provided to critical areas by the critical areas ordinance. [RCW 36.70A.480\(4\)](#) and [RCW 90.58.090\(4\)](#)

Commission Meeting Date: April 17, 2023	Agenda Item: VB.1
CITY OF BREMERTON, WASHINGTON PLANNING COMMISSION AGENDA ITEM	
AGENDA TITLE: Workshop for Comprehensive Plan Update: Environment	
DEPARTMENT: Community Development	
PRESENTED BY: Garrett Jackson, Planning Manager; (360) 473.5289	
MEETING PURPOSE As part of the ongoing 2024 Comprehensive Plan Update, this workshop is intended to gather public input about the Environmental chapter of the City's Comprehensive Plan. As the City completed updates to the Shoreline Master Program (SMP) and Critical Area Ordinance (CAO) in 2021, it is not expected that substantive changes to these documents will be necessary. As such, this report primarily focuses on Climate Change related aspects to the Environmental Chapter.	
PROJECT OVERVIEW "Bremerton2044" is the title of the City of Bremerton's Comprehensive Plan Update, which focuses on evaluating which aspects of the plan are working and what needs to be adjusted.	

11th page, April 17, 2023 Planning Commission Presentation

Background

The Environmental Element of the Comprehensive Plan relays goals and policies intended to protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water. Updates to the Environmental Element of the Comprehensive Plan will inform any needed alterations to the City [Critical Area Ordinance \(CAO\)](#) and [Shoreline Master Program \(SMP\)](#). **As the SMP and CAO were last updated in 2021 to include Best Available Science, as required by RCW 36.70A.172, it is not anticipated that substantive changes will be required.** This Planning Commission meeting will focus on State requirements for the Comprehensive Plan, with formal assessments of the CAO and SMP to be discussed at future workshops. Per pending State legislation, this Comprehensive Plan

WHERE DO OUR EMISSIONS

13th page, April 17, 2023 Planning Commission Presentation

Washington State Requirements

The Growth Management Act (GMA) requires all cities and counties in Washington to adopt regulations protecting "critical areas" in order to preserve the natural environment, wildlife habitats, and sources of fresh drinking water. RCW 36.70A.030(6) defines five types of critical areas: wetlands, critical aquifers used for potable water, fish & wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. Through the [Shoreline Management Act](#), the State also requires jurisdictions to protect the shorelines of the state by regulating development in the shoreline area. **As stated previously, the City Critical Area Ordinance (CAO) and Shoreline Management Program (SMP) were last updated in 2021, and so likely will not need substantial revisions.** New State legislation may require updates, however, future guidance from the Department of Commerce is expected to provide clarity on the issue.



Exhibit: City's Burial Of Salmonid Restoration Project Flaunts Environmental Responsibility

Using Evergreen Park and Smith Cove as a real world example, DCD's 2019-2021 deception created *isolation* where none exists to create a killswitch for developers There is a [pending restoration construction plan](#) for Smith Cove which would bolster ecological functions and marine life, including salmon, buried by DCD's 2019-2021 misconduct. Smith Cove's restoration should be explicitly included in the Comprehensive Plan.



Comprehensive Plan

Environmental Policies

Goal E1: Stewardship: Provide stewardship by considering long-range implications of City policies on the environment, to conduct City operations in a manner that protects the environment, and to provide education on how the City, its businesses, and residents can improve the quality of the environment.

Implementing Policies for Goal E1 – Stewardship: Planning

Goal E3: Water: Protect water resources for present and future generations.

Implementing Policies for Goal E3:

E3(A): Preserve and protect fish and wildlife habitat conservation areas through regulation, acquisitions, incentives, and other techniques, including considering regional initiatives such as the Chico Creek basin project and other salmon recovery plans.

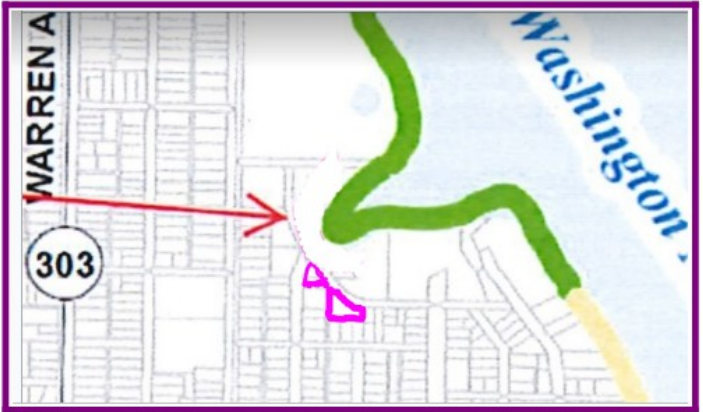
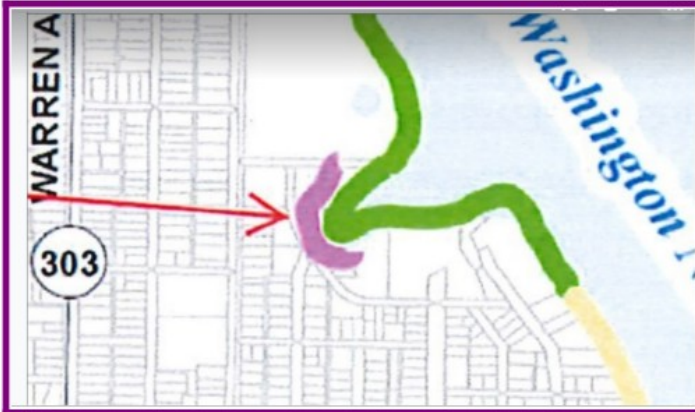
E3(B): Preserve and protect natural surface water storage sites, such as wetlands, aquifers, streams, and water bodies as these are critical features that support hydrological functions, water quality, regulate surface flows and recharge groundwater.

E3(C): Participate in regional species protection efforts, including salmon habitat enhancement and restoration. Identify, prioritize, and eliminate physical barriers (such as fish-blocking culverts) and other impediments to anadromous fish spawning and rearing habitat.

EXHIBIT: Isolated Designation Section & How It Was Misused By DCD 2019-2021

Map E in Ordinance 5417 – Inherently Deceptive
<https://Ifpublic.bremertonwa.gov/WeblinkPublic/0/doc/564993/Page40.aspx>

What Could Have Been A More Honest Map E –
 a purple coding around the EP tract



(f) Isolated

Purpose: The objective of the ~~Shoreline~~-Isolated designation is to recognize that there are areas that are within 200' of the shoreline, but are isolated from the shoreline by intervening elements **such as roads**. In these areas the development standards outlined in the SMP, such as buffers, are not appropriate. This designation is appropriate for lands that are **inherently isolated** from the shoreline, however should the obstruction be removed so that the area is no longer isolated, the designation of ~~isolated~~-Isolated should also be removed.

Policies: In these specific areas, the development standards of the SMP shall not be applied; however mandatory permit requirements of the Shoreline Management Act do apply. It is the intent that this area will be governed by underlying provisions of the zoning code, Critical Area Ordinance, Subdivision standards and stormwater requirements. Local, State and Federal regulations are applicable.

Map E / Interrupted Buffer import per Garret Jackson:

"... In both cases [mapped versus unmapped parcels], there is a road or a property or some similar physical barrier that separates someone from a shoreline. The only difference here is that the isolated designation would be specifically drawn out on a map where the interrupted buffer is a term we will use to describe on-the-ground circumstances like that. So essentially it's an isolated designation but without being mapped."

(3) Interrupted buffer: When a buffer contains an existing legally established public or private road, the Director may allow development on the landward side of the road provided that the development will not have a detrimental impact to the shoreline. The applicant may be required to provide a report to describe the potential impacts. In determining whether a report is necessary, the City shall consider the extent and permanence of the buffer interruption and potential impact on shoreline ecological functions.

(3)(4) Determining Isolated Areas: Areas inundated with water are not included in the

EXHIBIT: Exhibit: Garrett Jackson Testimony Re "Isolated" "Designation" Artifice In Map E & Interrupted Buffer Proposals / Enactments

<p>Garrett Jackson on 10-19-20 Planning Comm. Re Map E – Isolated concept</p>	<p>Garrett Jackson on 10-19-20 Planning Comm. Re Interrupted Buffer – Isolated concept</p>
<p>"... the last of our proposed mapping changes would be to add an isolated designation to the area surrounding Evergreen Park. Currently Sheldon Boulevard separates Evergreen Park and the shoreline from properties landward of that road. The city has a shoreline designation of isolated for properties like these that are essentially divorced from the shoreline by physical barriers like streets and other parcels. So we're recommending the isolated designation be added to this area to recognize existing conditions. ..."</p> <p>Slide #8</p>	<p>"Moving on from that - the iso - the interrupted buffer provision is intended to clarify between what an isolated mapping designation needs. The isolated mapping designation as we had said previously is for properties that are physically separated from the shoreline by a physical barrier. So we have existing provisions for properties that are not mapped as an isolated property that meet the same criteria as isolated in the code. So this has led to some confusion and properties that meet the isolated criteria that for properties that meet the isolated criteria that are not mapped. And all the properties - all properties were never meant to be mapped. Um so [unintelligible] ould qualify as an isolated property without being mapped is the point. That's the way the original SMP was written and our proposal is to separate those two definitions is to keep the isolated map designation and then add interrupted buffer to address properties that are not mapped as isolated but still meet the criteria. That would be helpful for staff and for property owners.</p>
<p>Garrett Jackson on 11-16-20 Planning Comm. Re Map E – Isolated concept</p>	<p>Garrett Jackson on 11-16-20 Planning Comm. Re Interrupted Buffer – Isolated concept</p>
<p>"... at Evergreen Park we're proposing to add an isolated designation. Now an isolated designation is for properties that are really separated from the shoreline by some large physical thing like - like whether that's a separate property that separates your property from the shoreline or in this case a public road. So the public road on Sheldon Boulevard separates Evergreen Park from those landward properties and it doesn't seem appropriate to be having those properties meet shoreline code. So we're recommending that an isolated designation be added there which which seems appropriate to staff. ..."</p> <p>Slide #14</p>	<p>"We're also adding language for an interrupted buffer. Now as I was explaining earlier about the isolated designation for the shoreline maps currently in our code we have a mapping designation of isolated and uh that covers both mapping and also instances now we are preferring to call interrupted buffer. In both cases, there is a road or a property or some similar physical barrier that separates someone from a shoreline. The only difference here is that the isolated designation would be specifically drawn out on a map where the interrupted buffer is a term we will use to describe on-the-ground circumstances like that. So essentially it's an isolated designation but without being mapped."</p>

Comment #18

Comment # 125 ←

Comment #125 from previous 6/17/24 submittal

Continued -

EXHIBIT: Exhibit: Garrett Jackson Testimony Re "Isolated" "Designation" Artifice In Map E & Interrupted Buffer Proposals / Enactments

Garrett Jackson on 4-14-21 Council Study Session Re Map E – Isolated concept	Garrett Jackson on 4-21-21 Council Hearing Re Map E – Isolated concept
<p>"Another shoreline designation that we're proposing is an isolated designation. So an isolated shoreline designation recognizes that your land though it may be within 200 feet of the shoreline, which is the shoreline jurisdiction, per state code, while you may be within that 200 feet, your parcel is divorced from the shoreline essentially. There is no connection there. And uh there are a couple of parcels near Evergreen Park that we're proposing to apply this to. There's a separation of Evergreen Park and then there's additionally the Sheldon Boulevard there that separates these few parcels from the shoreline. And yet they are barely in the shoreline jurisdiction. So we're proposing to add this isolated designation so that the buffers that would normally apply in these situations don't apply to these parcels that are separated by the park, separated by Sheldon Boulevard." - - - "the isolated designation specifically applies to the parcels across the street um Sheldon Boulevard. ... these are within the 200 feet shoreline designation but they're not going to be regulated in the same way as if they were properties fronting on the water."</p>	<p>"This is one of the maps that was shown at the last council study session. It shows the isolated designation that we're proposing near Evergreen Park. The isolated designation is meant to recognize properties that are functionally separated from the shoreline. So Evergreen Park separates the properties that are on the other side of Sheldon Blvd. So that's what this new shoreline designation is in reference to. It's properties that are on landward side of Sheldon Blvd. So they're barely within the 200 feet of the shoreline jurisdiction and so the shoreline jurisdiction applies to them. We're adding these designations to say these properties are functionally separated from the shoreline. We have this mapping designation in a couple different places in the city to recognize the same fact. ..."</p>

Exhibit: "Interrupted Buffer" Extends Map E Artifice To Create Parcels Freed Via "Isolated" Designation From Shoreline Management Act

12-17-19 DCD / Satter email exchange attaching Bullpen / Dream List:

"allow isolated code for nywhere separated by a road"

- options.
- 19. Within Watershed – allow Forestry harvest in certain circumstances
- 20. Allow Isolated code for anywhere separated by a road (NOT only a designation).
- 21. Manette – Boatshed zoning (Commercial designation) should be expanded ONE lot beyond Pitt Avenue to the south (it is SFR and it is part of the apartment).
- 22. Instead of Notice to Title for VMP, maybe a conservation easement (notice to titles can be

9-25-20 Watershed / Nickels email to DCD Garrett Jackson equating Map E effect to interrupted buffer parcels: "proposed amendments we have added regarding lots which are separated from the shoreline by roads."

- 4. Map E
 - a. Add an Isolated designation along the landward side of Evergreen Park, as shown. This was a request, but similar to my previous comments on this SED, I don't think it is entirely necessary given the proposed amendments we have added regarding lots which are separated from the shoreline by roads.
 - b. Change the first parcel south of Evergreen Park to Commercial designation

11-16-20 Planning Commission presentation - "*provides flexibility to development*"

SMP Proposed Amendments, Development Regulations

Shoreline buffer reduction options

- Buffer Averaging - Evaluate structures on neighboring lots
- Buffer Reduction Menu - Provides options based upon unique characteristics of each site

Interrupted buffer

- Provides flexibility to development landward of roads



16

continued -

Exhibit: "Interrupted Buffer" Extends Map E Artifice

4-14-21 Council Packet: *"roadway separates a buffer ... report requirement may be waived"*

- ~~Section 7.010(b)(3)~~
- iv. Interrupted Buffer. Allowing interrupted shoreline buffers when separated by a roadway (Section 7.010(3), Interrupted buffer). When a legally established roadway separates a buffer, development may occur on the landward edge of the road, and the applicant may need to provide a report assessing impacts to shoreline ecological functions. The report requirement may be waived, depending upon the extent and permanence of the buffer interruption and the project's impact to the shoreline.

Enacted and codified as **Section 7.010(b)(3)** - "Director may allow development ..."

(3) Interrupted buffer: When a buffer contains an existing legally established public or private road, the Director may allow development on the landward side of the road provided that the development will not have a detrimental impact to the shoreline. The applicant may be required to provide a report to describe the potential impacts. In determining whether a report is necessary, the City shall consider the extent and permanence of the buffer interruption and potential impact on shoreline ecological functions.

~~(3)(4) Determining Wet Depth: Areas inundated with water are not included in the~~

Citation To Hearings Of 2019-2021 City's SMP Periodic Review

Plan. Comm. **9-21-20** - SMP discussion @08:31

<https://bremerton.vod.castus.tv/vod/?video=062b6a1f-4455-47aa-91f8-45affc46e345>

Plan. Comm. **10-19-20** - SMP discussion @1:57:55

<https://bremerton.vod.castus.tv/vod/?video=deaa1e89-827d-4e59-b8ab-0b0f7eb281e4>

Plan. Comm. **11-16-20** - SMP discussion @07:45

<https://bremerton.vod.castus.tv/vod/?video=3c8bf3e1-5d26-464c-8d54-833183f8c585>

City Council **4-14-21** - SMP discussion @1:56:41

<https://u.pcloud.link/publink/show?code=XZ0wuJ0ZI9aEu1FjNp0UI4k8sqqs4X5b7cdX>

City Council **4-21-21** - SMP discussion @19:33

<https://bremerton.vod.castus.tv/vod/?video=6033e69e-b3de-49ef-adac-5e91031c8efb>

Comment #18 **Comment # 125** ←
Comment #125 from previous 6/17/24 submittal

**EXHIBIT: DCD / WATERSHED EMAILS re Interrupted Buffer & Map E concepts based
"Isolated" claim**

Comment #18

Comment # 125 ←

Comment #125 from previous 6/17/24 submittal

From: Dan Nickel [REDACTED]
Sent: Tuesday, December 17, 2019 9:32 AM
To: Allison Satter <Allison.Satter@ci.bremerton.wa.us>
Subject: RE: Meeting this morning

Hi Allison,
Not a problem. I'll try you at 10am, but if you are still in your meeting, just call me when you are out at the number below my signature line. I'm free this morning until 11am.

DAN NICKEL
Vice President | Environmental Engineer

[REDACTED]

THE WATERSHED COMPANY | WATERSHEDCO.COM
750 SIXTH STREET SOUTH, KIRKLAND, WA 98033

From: Allison Satter <Allison.Satter@ci.bremerton.wa.us>
Sent: Tuesday, December 17, 2019 8:59 AM
To: Dan Nickel [REDACTED]
Subject: Meeting this morning

Dan,

I finally have been able to corner my director at 9am this morning to talk about the SMP list that Staff thinks should be changed (now does the Director feel the same way).

I have all intentions of calling you at 10am, but if I have her attention, I am talking through it while I have it. May be a few minutes late, but this is important to make sure we don't have you focus on items that the Director has justification on not considering. (please try calling at 10am, and what is a number I should call you at if I have to call at 1005 (or do you want me to email you if I am a few late)?

Be in touch soon,

Allison

Critical Area Review (since the Watershed Co said you will be looking at our Critical Area regs) can you please proposed a new code for replacement trees when in a critical area (BMC 20.14.190). Is this code appropriate? Is there something better?

SMP Update:

1. For SMP & CAO, it would be helpful that have a 'GAP' analysis of what is in our code that is not required to be there (we have been told that City of Bremerton is too harsh on some code requirements). Not just a GAP analysis of what we need in the code that isn't there.
2. Short Plat – reduced buffer when subdividing how to handle NNL (do you consider the current buffer BEFORE subdividing? Not always appropriate...)
3. Accessory Structures (such as a small shed):
 - Staff concerned that we exempt sheds under 200SF from getting a permit. What happens if someone wants 20 sheds on their property?
4. On page 72 # (10) it states "Removal of or alteration of native vegetation **within shoreline jurisdiction** is strictly prohibited....."
 - Are we sure that should not be the buffer? Suggestion: "within a jurisdictional buffer"
5. Formatting:
 - Public Access 7.040 Regulations(b)(7) should be (b)(5)
 - Public Access 7.040 Regulations(f) should be (c)
6. Public Access 7.040 Regulations(c)(7): If the property is adjacent to a publicly owned street end, or other City owned property, the applicant may satisfy public access requirements by improving publicly owned property to the standards required by this chapter. The development shall place a notice to title declaring sole responsibility for the maintenance of the improvements to the developer. Approval of this alternative public access method shall be at the sole discretion of the City.
7. 7.040 Public Access, Regulations (h)(5) consider altering this requirement to add director discretion or remove. Too inflexible, prohibitive to development, we're already getting a lot with other public access requirements and through DRB process.
8. Height:
 - Figure 7.090(b) Height Restrictions (a): changed to read heights in the commercial, industrial, and multifamily districts may be increased to the zoning district height limit.
 - Figure 7.090(b) Height Restrictions: We should consider permitting mixed use projects located in the *Commercial* designation to outright build to the height permitted in the zone for all development, OR as a lesser alternative for mixed use residential development. (It should not be a CUP process for more height, as it is not a condition of the use – it is a departure from the development standard)
 - Figure 7.090(b) We should reconsider the height permitted in the Industrial designation (35'). The only place this designation occurs, outside of the shipyard, is off Pennsylvania. If we are going to get any maritime industrial manufacturers, we should check in with the Port of Bremerton to see what types of structure height they may build to.
9. Map changes:
 - Honor Bar/Evergreen Park – should make isolated designation. Add a parallel designation of *commercial* to *recreation* designation along Evergreen Park (for areas outside the park but within the shoreline jurisdiction). Change *multifamily* designation

south of park to *commercial*. General retail and mixed-use uses are currently prohibited in the multifamily shoreline designation, accordingly, we should either change the designation OR uses permitted in multifamily designation. I prefer changing the designation, because what's the point of having two designations if the permitted uses are essentially the same? The DSAP will continue to develop as a high pedestrian area, especially along the shoreline, we should not prohibit someone from having a street level retail presence which would promote pedestrian traffic.



10. We should do a general review of the SMP to make sure it's consistent with industrial development. For instance, we should consider permitting hard shoreline armoring, have a provision to remove public access requirements if the onsite use is dangerous to the public. The only private site with an Industrial shoreline designation is an EPA superfund site with chemicals leaching into the waterbody; no net loss and industrial development should be able to co-exist here.
11. 7.020 Vegetation Management Conservation. We should consider a prescriptive route for SFR developments that are not seeking a buffer reduction. Seems like City and Ecology staff should be able to agree on a prescriptive path which does not require a biologist consultant.
12. SMP 5.040 is dumb.
 - 5.040 Criteria of Approval:
 - (a) Shoreline Substantial Development Permits:
 - (1) A Shoreline Substantial Development Permit shall be granted only when the development proposed is consistent with:
 - (i) The policies and procedures of the Shoreline Management Act RCW 90.58; and the provisions of the Shoreline Guidelines WAC 173-26 and WAC 173-27, and
 - (ii) This Shoreline Master Program, as well as the Comprehensive Plan and Zoning Regulations, to the extent that they are consistent with the Shoreline Master Program.
 - (2) The City may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and this Shoreline Master Program.
 - (3) Any ruling on an application for a Shoreline Substantial Development Permit under authority of this Master Program, whether it is an approval or denial, shall, with the transmittal of the

ruling to the applicant, be filed concurrently with Ecology and the Attorney General by the Director. Filing shall occur in accordance with RCW 90.58.140(6) and WAC 173-27-130.

13. Figure 7.090(b)(a)(1). Having to site this section isn't ideal. B followed by A?
14. What are your thoughts on changing Section 7.020 (Regs)(a)(7) to allow for incremental release of bonds/surety if the planting have been installed and are meeting survival retention rates? Maybe at the 3 year mark? One of the jurisdictions at the planners form in PA who presented say they do this and have seen positive results. Or maybe just get rid of bonds for SFRs?
15. Under 8.040 (regs)(a) it states that forested areas being converted to urban areas needs to implement the mitigation sequencing as specified in Chapter 7, section 040...which is the Public Access section. I am guessing it meant to say section 030.
16. Public Access for 4 or 5 units? Nicole's PowerPoint from Planning Commission says 5 or more requires Public Access.
17. Per 7.040 Regulations(b)(2), and the remainder of the public access section, it's not very clear that we allow any public access beyond a 6 foot permeable access trail. Could we clarify that public access way be provided in other ways that ensure no net loss, and follow mitigation sequencing?
18. Had an interesting chat with Public Works over the requirement for pervious pedestrian surfaces within the buffer. If they are pedestrian surfaces, the run-off is clean, so no need for pervious surface. May consider that pedestrian areas could benefit from more durable surface options.
19. Within Watershed – allow Forestry harvest in certain circumstances
20. Allow Isolated code for anywhere separated by a road (NOT only a designation).
21. Manette – Boatshed zoning (Commercial designation) should be expanded ONE lot beyond Pitt Avenue to the south (it is SFR and it is part of the apartment).
22. Instead of Notice to Title for VMP, maybe a conservation easement (notice to titles can be removed from deed, easements cannot).
23. Page 82 Height – need exception for Height such as bridge to boardwalk. Staff has worked with Misty for a Director's interpretation (Allison can provide this to Watershed Group).
24. Page 111, Regulations section: It starts with (a) and then goes to a second (a), then onto (b).
25. Island needs shoreline designation (Oyster Bay)



Comment #18

Comment # 125 ←

Comment #125 from previous 6/17/24 submittal

26. Section 7.010 (Regulations)(c)(6)

- Current: Stairs, ADA ramps, and walkways not greater than 5 feet in width or 18 inches in height...
- Change to: Stairs, ADA ramps, and walkways no greater than 5 feet in width and 18 inches in height.....

Page 82, Figure 7.090(b) reads as:

(a) Heights in the commercial and industrial **districts** may be increased to the zoning district....

(a) Heights in the commercial and industrial **designations** may be increased to the zoning district...

Section 9.030(Regulations)(i) – Single Family Docks We don't have dimensional standards for the tender dock that I can find. It would be helpful if we could revisit this section to define what a tender dock is and what the size limitations will be.

Add HMP into SMP so the SMP has its OWN way of relieving from buffer setbacks.

Calm down HMP requirements in BMC 20.14.740. Add provision in Habitat Management Plan which permits for alternative to prescriptive standards with approval from Tribe, Ecology, and DFW.

Other thoughts:

- Bring back Fee in lieu
- Bring back Feeder Bluff Map
- Buoy – define better
- 4' VMP – it says 4 should be 4 feet.

Remove Section 6.080 for CUP for nonconforming uses (the City's Zoning Code had this section challenged, and thus we just want to remove it).

Map D – Error. Wwrong because of change in 2016 (didn't grab it on the other map)

Olympia Example that City of Bremerton is interested in:

18.37.070 Nonconforming Structures and Uses Within Critical Area Buffers **Revised 7/18**

A. Existing structures and uses. Existing structures and uses which are located within a critical area or its buffer prior to the effective date of Chapter 18.32, which is June 20, 2005, may continue pursuant to the provisions of this Chapter.

B. Appurtenant structures and related development. If there is no negative impact to critical area buffers, the Department may include as "existing structures and uses," pursuant to OMC 18.37.070(A) appurtenant structures and related development such as but not be limited to: garages, out-buildings, **lawns, landscaping**, gardens, sports fields, sport courts, picnic areas, play equipment, trails and driveways which also existed prior to the effective date of Chapter 18.32.

Comment #18 Comment # 125 ←

Comment #125 from previous 6/17/24 submittal

C. Critical area review. That portion of a parcel which contains existing structure, appurtenant structures, and related development as defined by OMC [18.37.010\(A\)](#) and [18.37.070\(B\)](#), shall be exempt from further review of OMC Chapter [18.32](#), except as provided in OMC [18.32.215](#). Expansion or additions of structures and uses listed in OMC [18.37.070\(A\)](#) and [18.37.070\(B\)](#) into undisturbed parts of the property which are within a critical area or its buffer will require a critical area review per OMC Chapter [18.32](#).


Geologic Critical Areas

Seismic High Hazard Area

 High

Landslide Hazard areas

 High

 Moderate

Erosion Hazard Area

 High

 Moderate

Seismic Moderate Hazard Area

 Moderate

Comment #18

Comment # 125 ←

Comment #125 from previous 6/17/24 submittal

From: Dan Nickel [REDACTED]
Sent: Tuesday, December 31, 2019 10:46 AM
To: Allison Satter [Allison.Satter@ci.bremerton.wa.us]
CC: Sara Stiehl [REDACTED] Garrett Jackson [Garrett.Jackson@ci.bremerton.wa.us]
Subject: RE: Meeting this morning

Fantastic. We will review your attachment and the draft website and get back to you with any comments soon.

For next week, can we have a call on Monday, January 6th instead of Tuesday? I'm out of my office next Tuesday. I'm open Monday except for 9-10am.

Thanks,

DAN NICKEL
Vice President | Environmental Engineer

[REDACTED]

THE WATERSHED COMPANY | WATERSHEDCO.COM
750 SIXTH STREET SOUTH, KIRKLAND, WA 98033

From: Allison Satter <Allison.Satter@ci.bremerton.wa.us>
Sent: Tuesday, December 31, 2019 10:25 AM
To: Dan Nickel [REDACTED]
Cc: Sara Stiehl [REDACTED] Garrett Jackson <Garrett.Jackson@ci.bremerton.wa.us>
Subject: RE: Meeting this morning

Thank you Dan and Sara for your flexibility and Happy New Year.

Attached is the City's Dream list, that I am sure we will talk about in more details in next week's meeting (this has been our brain dump for the last few years).

I like the handouts, and let's talk about who I should be contacting next week. I have thoughts, but let's make sure they mesh with yours.

I have also been working on getting the website template ready, which is updating here: <https://www.bremertonwa.gov/315/Shoreline-Master-Program> with a new sub-bullet for the Shoreline Master Program Update (hopefully that will be done by next Tuesday, so we can talk more about that). I just threw up a few words (taken from your example letter) to get the site active.

Thanks for everything and full steam ahead in January.

Best,
Allison

From: Garrett Jackson [Garrett.Jackson@ci.bremerton.wa.us]

Sent: Tuesday, April 21, 2020 8:38 AM

To: Dan Nickel [REDACTED] Leila Willoughby-Oakes [REDACTED]
[REDACTED]

CC: Allison Satter [Allison.Satter@ci.bremerton.wa.us]

Subject: Bull Pen Doc

Attachments: Bullpen - SMP.DOCX

Dan & Leila,

Happy Tuesday! I hope all is well. Back in December the City had sent a doc (attached) which provided items we were hoping to tackle with this update. There are some items within the attached doc that didn't make their way into the GAP analysis and we were hoping to receive some feedback on that. I know everyone is busy, so could you please just provide a quick response after each item on the list in a **distinguishable font** that lets us know either: 1) It's in the GAP analysis, 2) It's not in the GAP analysis but we'll add it, or 3) it's not in the GAP analysis and we don't recommend adding it for this reason. We put this list together with the Director, so we want to be ready if/when she asks why something isn't included in the GAP analysis.

It would also be ideal if you could consider adding Climate Resiliency as a subject in the GAP analysis. There are local planning efforts currently in motion to strengthen climate resiliency, and we'd like to address it in the smp update. Such as, everyone on Shore Drive is going to request their Bulkhead to be lifted (since sea level rise is increasing). It would be really nice to have a clear process for that (and be able to clearly identify that THIS is NOT a Net Loss of ecological functions or if it is, what should Staff be looking for. The City is currently getting a Kitsap County Climate Resiliency document that helps identify the issues, and we will provide that to them once its completed (I can provide draft if need be).

Thank you for your time, and once again, happy Tuesday!

Garrett Jackson

Senior Planner

(360) 473 - 5289

Mailing Address: 345 6th Street, Suite 100

Physical Address: 345 6th Street, Suite 600

Bremerton, WA 98337

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24. Page 111, Regulations section: It starts with (a) and then goes to a second (a), then onto (b).
25. Island needs shoreline designation (Oyster Bay)



Comment #18 Comment # 125 ←

Comment #125 from previous 6/17/24 submittal

26. Section 7.010 (Regulations)(c)(6)

- Current: Stairs, ADA ramps, and walkways not greater than 5 feet in width or 18 inches in height...
- Change to: Stairs, ADA ramps, and walkways no greater than 5 feet in width and 18 inches in height.....

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(a) Heights in the commercial and industrial **designations** may be increased to the zoning district...

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Add HMP into SMP so the SMP has its OWN way of relieving from buffer setbacks.

Calm down HMP requirements in BMC 20.14.740. Add provision in Habitat Management Plan which permits for alternative to prescriptive standards with approval from Tribe, Ecology, and DFW.

Other thoughts:

- Bring back Fee in lieu
- Bring back Feeder Bluff Map
- Buoy – define better
- 4' VMP – it says 4 should be 4 feet.

Remove Section 6.080 for CUP for nonconforming uses (the City's Zoning Code had this section challenged, and thus we just want to remove it).

Map D – Error. Wwrong because of change in 2016 (didn't grab it on the other map)

Olympia Example that City of Bremerton is interested in:

18.37.070 Nonconforming Structures and Uses Within Critical Area Buffers Revised 7/18

A. Existing structures and uses. Existing structures and uses which are located within a critical area or its buffer prior to the effective date of Chapter 18.32, which is June 20, 2005, may continue pursuant to the provisions of this Chapter.

B. Appurtenant structures and related development. If there is no negative impact to critical area buffers, the Department may include as "existing structures and uses," pursuant to OMC 18.37.070(A) appurtenant structures and related development such as but not be limited to: garages, out-buildings, **lawns, landscaping**, gardens, sports fields, sport courts, picnic areas, play equipment, trails and driveways which also existed prior to the effective date of Chapter 18.32.

C. Critical area review. That portion of a parcel which contains existing structure, appurtenant structures, and related development as defined by OMC [18.37.010\(A\)](#) and [18.37.070\(B\)](#), shall be exempt from further review of OMC Chapter [18.32](#), except as provided in OMC [18.32.215](#). Expansion or additions of structures and uses listed in OMC [18.37.070\(A\)](#) and [18.37.070\(B\)](#) into undisturbed parts of the property which are within a critical area or its buffer will require a critical area review per OMC Chapter [18.32](#).


Geologic Critical Areas

Seismic High Hazard Area

 High


Landslide Hazard areas

 High


 Moderate

Erosion Hazard Area

 High

 Moderate

Seismic Moderate Hazard Area

 Moderate

From: Dan Nickel [REDACTED]
Sent: Wednesday, April 22, 2020 4:13 PM
To: Garrett Jackson [Garrett.Jackson@ci.bremerton.wa.us]
CC: Allison Satter [Allison.Satter@ci.bremerton.wa.us]; Leila Willoughby-Oakes
[REDACTED] Alex Capron [REDACTED]
Subject: RE: Bull Pen Doc
Attachments: Bullpen - SMP TWC.docx

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.

Hi Garrett,
Attached is our responses to the bullpen document. I've color coded these items to correspond with how we would incorporate these into the Gap Analysis. Items in red, we will bring in as additional items specifically. Items in green, would be included together in an overarching general clean up category. Items in blue we would not recommend including at this time.

We will be moving forward on making these edits to the Gap Analysis asap so that we can get this back over to you and Allison. Once again, I apologize that many of these were not captured during our most recent work. I looked back at my emails and this document got lost in my year end shuffle. So glad this was caught now! Thanks!

Holler if you have any questions.

DAN NICKEL
Vice President | Environmental Engineer

[REDACTED]
[REDACTED]
Continuing to serve our clients while working remotely

From: Dan Nickel
Sent: Tuesday, April 21, 2020 12:18 PM
To: Garrett Jackson <Garrett.Jackson@ci.bremerton.wa.us>
Cc: Allison Satter <Allison.Satter@ci.bremerton.wa.us>; Leila Willoughby-Oakes [REDACTED]
[REDACTED]
Subject: RE: Bull Pen Doc

Hi Garrett,
Thanks for bringing this to our attention. We will do a quick cross reference check and let you know what is already in gap analysis vs what will be added that we missed. I doubt there is too much that we simply would not recommend. I hope to have this to you soon. It will be great to add in a Climate Resiliency section. As Leila points out, more and more jurisdictions are moving in this direction.

Thanks,

DAN NICKEL
Vice President | Environmental Engineer

[REDACTED]

[REDACTED]
Continuing to serve our clients while working remotely

From: Leila Willoughby-Oakes [REDACTED]
Sent: Tuesday, April 21, 2020 9:25 AM
To: Garrett Jackson <Garrett.Jackson@ci.bremerton.wa.us>; Dan Nickel [REDACTED]
Cc: Allison Satter <Allison.Satter@ci.bremerton.wa.us>
Subject: RE: Bull Pen Doc

Thanks Garrett! This is excellent. In regards to climate change resiliency we are working on reviewing and incorporating some of Olympia's Sea Level Rise Plan into their SMP update. Hopefully there's some useful best practices that might be incorporated into your gap analysis text.

You also missed a raucous Public Works zoom meeting last week 😊. I kid! I kid!

-Leila

LEILA WILLOUGHBY-OAKES
Associate Planner

[REDACTED]
[REDACTED]
THE WATERSHED COMPANY | WATERSHEDCO.COM
750 SIXTH STREET SOUTH, KIRKLAND, WA 98033

Hello! I'm working remotely. Feel free to call my direct number listed above.

From: Garrett Jackson <Garrett.Jackson@ci.bremerton.wa.us>
Sent: Tuesday, April 21, 2020 8:38 AM
To: Dan Nickel [REDACTED] Leila Willoughby-Oakes [REDACTED]
[REDACTED]
Cc: Allison Satter <Allison.Satter@ci.bremerton.wa.us>
Subject: Bull Pen Doc

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dan & Leila,

Happy Tuesday! I hope all is well. Back in December the City had sent a doc (attached) which provided items we were hoping to tackle with this update. There are some items within the attached doc that didn't make their way into the GAP analysis and we were hoping to receive some feedback on that. I

know everyone is busy, so could you please just provide a quick response after each item on the list in a **distinguishable font** that lets us know either: 1) It's in the GAP analysis, 2) It's not in the GAP analysis but we'll add it, or 3) it's not in the GAP analysis and we don't recommend adding it for this reason. We put this list together with the Director, so we want to be ready if/when she asks why something isn't included in the GAP analysis.

It would also be ideal if you could consider adding Climate Resiliency as a subject in the GAP analysis. There are local planning efforts currently in motion to strengthen climate resiliency, and we'd like to address it in the smp update. Such as, everyone on Shore Drive is going to request their Bulkhead to be lifted (since sea level rise is increasing). It would be really nice to have a clear process for that (and be able to clearly identify that THIS is NOT a Net Loss of ecological functions or if it is, what should Staff be looking for. The City is currently getting a Kitsap County Climate Resiliency document that helps identify the issues, and we will provide that to them once its completed (I can provide draft if need be).

Thank you for your time, and once again, happy Tuesday!

Garrett Jackson

Senior Planner

(360) 473 - 5289

Mailing Address: 345 6th Street, Suite 100Physical Address: 345 6th Street, Suite 600

Bremerton, WA 98337

Red – Watershed will add this item to the Gap Analysis

Green – Watershed will add this under a “general” category in the Gap Analysis

Blue – Watershed does not recommend this to be added to the Gap Analysis

Critical Area Review (since the Watershed Co said you will be looking at our Critical Area regs) can you please proposed a new code for replacement trees when in a critical area (BMC 20.14.190). Is this code appropriate? Is there something better? **Watershed will add this specifically to the Gap Analysis**

SMP Update:

1. For SMP & CAO, it would be helpful that have a ‘GAP’ analysis of what is in our code that is not required to be there (we have been told that City of Bremerton is too harsh on some code requirements). Not just a GAP analysis of what we need in the code that isn’t there. **This is a much more difficult item to put a finger on. Might be best to generally state this in the Gap Analysis rather than be specific at this point. There are many SMP provisions which are spelled out in the WAC (simply cross-reference these sections during code update) and therefore may not be needed if the City wants to focus on streamlining the document overall. However, if the City wants to reduce regulatory burden via this exercise, it will take a bit more time to sort out and may be best to handle while making suggested amendments.**
2. Short Plat – reduced buffer when subdividing how to handle NNL (do you consider the current buffer BEFORE subdividing? Not always appropriate...) **Watershed will add this specifically to the Gap Analysis**
3. Accessory Structures (such as a small shed):
 - Staff concerned that we exempt sheds under 200SF from getting a permit. What happens if someone wants 20 sheds on their property? **Watershed will review this issue but not necessarily include this in the Gap Analysis at this time. Need to review if this is under the building code only. Regardless of shoreline exemption required, all structures need to comply with SMP regulations.**
4. On page 72 # (10) it states “Removal of or alteration of native vegetation **within shoreline jurisdiction** is strictly prohibited.....”
 - Are we sure that should not be the buffer? Suggestion: “within a jurisdictional buffer” **Watershed can add this generally under the notion that we will explore opportunities to reduce burdensome/unnecessary restrictions. The problem here is whether this would be considered a step back in environmental protections and would therefore warrant an in-depth evaluation of no net loss accordingly.**
5. Formatting:
 - Public Access 7.040 Regulations(b)(7) should be (b)(5)
 - Public Access 7.040 Regulations(f) should be (c)**Watershed can add this generally under the notion that we will correct miscellaneous typos and formatting errors**
6. Public Access 7.040 Regulations(c)(7): If the property is adjacent to a publicly owned street end, or other City owned property, the applicant may satisfy public access requirements by improving publicly owned property to the standards required by this chapter. The development shall place

a notice to title declaring sole responsibility for the maintenance of the improvements to the developer. Approval of this alternative public access method shall be at the sole discretion of the City.

7. 7.040 Public Access, Regulations (h)(5) consider altering this requirement to add director discretion or remove. Too inflexible, prohibitive to development, we're already getting a lot with other public access requirements and through DRB process. **Watershed can add this generally under the notion that we will explore opportunities to reduce burdensome/unnecessary restrictions.**
8. Height: **Watershed can add this generally under the notion that we will explore opportunities to reduce burdensome/unnecessary restrictions. However, height restrictions and allowances are fairly narrow in the WAC. City to advise if there are any view corridors Watershed needs to be aware of.**
 - Figure 7.090(b) Height Restrictions (a): changed to read heights in the commercial, industrial, and multifamily districts may be increased to the zoning district height limit.
 - Figure 7.090(b) Height Restrictions: We should consider permitting mixed use projects located in the *Commercial* designation to outright build to the height permitted in the zone for all development, OR as a lesser alternative for mixed use residential development. (It should not be a CUP process for more height, as it is not a condition of the use – it is a departure from the development standard)
 - Figure 7.090(b) We should reconsider the height permitted in the Industrial designation (35'). The only place this designation occurs, outside of the shipyard, is off Pennsylvania. If we are going to get any maritime industrial manufacturers, we should check in with the Port of Bremerton to see what types of structure height they may build to.
9. Map changes: **Several map changes are noted already. Watershed will add this item to the Gap Analysis**
 - Honor Bar/Evergreen Park – should make isolated designation. Add a parallel designation of *commercial* to *recreation* designation along Evergreen Park (for areas outside the park but within the shoreline jurisdiction). Change *multifamily* designation south of park to *commercial*. General retail and mixed-use uses are currently prohibited in the multifamily shoreline designation, accordingly, we should either change the designation OR uses permitted in multifamily designation. I prefer changing the designation, because what's the point of having two designations if the permitted uses are essentially the same? The DSAP will continue to develop as a high pedestrian area, especially along the shoreline, we should not prohibit someone from having a street level retail presence which would promote pedestrian traffic.



10. We should do a general review of the SMP to make sure it's consistent with industrial development. For instance, we should consider permitting hard shoreline armoring, have a provision to remove public access requirements if the onsite use is dangerous to the public. The only private site with an Industrial shoreline designation is an EPA superfund site with chemicals leaching into the waterbody; no net loss and industrial development should be able to co-exist here. **Watershed can add this generally under the notion that we will explore opportunities to ensure consistency with the need for industrial development in certain locations**
11. 7.020 Vegetation Management Conservation. We should consider a prescriptive route for SFR developments that are not seeking a buffer reduction. Seems like City and Ecology staff should be able to agree on a prescriptive path which does not require a biologist consultant. **Watershed will add this item to the Gap Analysis**
12. SMP 5.040 is dumb. **Watershed can add this generally under the notion that we will explore opportunities to reduce unnecessary regulations. Much of this is already in the WAC.**
 5.040 Criteria of Approval:
 (a) Shoreline Substantial Development Permits:
 (1) A Shoreline Substantial Development Permit shall be granted only when the development proposed is consistent with:
 (i) The policies and procedures of the Shoreline Management Act RCW 90.58; and the provisions of the Shoreline Guidelines WAC 173-26 and WAC 173-27, and
 (ii) This Shoreline Master Program, as well as the Comprehensive Plan and Zoning Regulations, to the extent that they are consistent with the Shoreline Master Program.
 (2) The City may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and this Shoreline Master Program.
 (3) Any ruling on an application for a Shoreline Substantial Development Permit under authority of this Master Program, whether it is an approval or denial, shall, with the transmittal of the ruling to the applicant, be filed concurrently with Ecology and the Attorney General by the Director. Filing shall occur in accordance with RCW 90.58.140(6) and WAC 173-27-130.
13. Figure 7.090(b)(a)(1). Having to site this section isn't ideal. B followed by A? **Watershed can add this generally under the notion that we will correct miscellaneous typos and formatting errors**

14. What are your thoughts on changing Section 7.020 (Regs)(a)(7) to allow for incremental release of bonds/surety if the planting have been installed and are meeting survival retention rates? Maybe at the 3 year mark? One of the jurisdictions at the planners form in PA who presented say they do this and have seen positive results. Or maybe just get rid of bonds for SFRs? **Watershed will add this item to the Gap Analysis**
15. Under 8.040 (regs)(a) it states that forested areas being converted to urban areas needs to implement the mitigation sequencing as specified in Chapter 7, section 040...which is the Public Access section. I am guessing it meant to say section 030. **Watershed can add this generally under the notion that we will correct miscellaneous typos and formatting errors**
16. Public Access for 4 or 5 units? Nicole's PowerPoint from Planning Commission says 5 or more requires Public Access. **Watershed can add this generally under the notion that we will correct miscellaneous typos and formatting errors – in the case for public access, the WAC requirement is more than 4 units.**
17. Per 7.040 Regulations(b)(2), and the remainder of the public access section, it's not very clear that we allow any public access beyond a 6 foot permeable access trail. Could we clarify that public access way be provided in other ways that ensure no net loss, and follow mitigation sequencing? **Watershed will add this item to the Gap Analysis; non-treated wood elevated boardwalk etc.**
18. Had an interesting chat with Public Works over the requirement for pervious pedestrian surfaces within the buffer. If they are pedestrian surfaces, the run-off is clean, so no need for pervious surface. May consider that pedestrian areas could benefit from more durable surface options. **Watershed will potentially add this item to the Gap Analysis – needs further review, advise on PW requirements for ADA which will impact potential code update.**
19. Within Watershed – allow Forestry harvest in certain circumstances **Forestry activities, covered under the Forest Practice Act, outside of a forest conversion, do not need shoreline permits.**
20. Allow Isolated code for anywhere separated by a road (NOT only a designation). **Watershed will add the use of disrupted buffer to the Gap Analysis**
21. Manette – Boatshed zoning (Commercial designation) should be expanded ONE lot beyond Pitt Avenue to the south (it is SFR and it is part of the apartment). **Several map changes are noted already. Watershed will add this item to the Gap Analysis**
22. Instead of Notice to Title for VMP, maybe a conservation easement (notice to titles can be removed from deed, easements cannot). **Watershed will add this item to the Gap Analysis – City to confirm that this change is requested as this is a fairly significant change to add burden.**
23. Page 82 Height – need exception for Height such as bridge to boardwalk. Staff has worked with Misty for a Director's interpretation (Allison can provide this to Watershed Group). **Watershed will elaborate further on this item. It is partially capture already.**
24. Page 111, Regulations section: It starts with (a) and then goes to a second (a), then onto (b). **Watershed can add this generally under the notion that we will correct miscellaneous typos and formatting errors – this is evident throughout the SMP**

25. Island needs shoreline designation (Oyster Bay) **Several map changes are noted already. Watershed will add this item to the Gap Analysis**



26. Section 7.010 (Regulations)(c)(6) **Watershed can add this generally under the notion that we will correct miscellaneous typos and formatting errors – this is evident throughout the SMP**
- Current: Stairs, ADA ramps, and walkways not greater than 5 feet in width or 18 inches in height...
 - Change to: Stairs, ADA ramps, and walkways no greater than 5 feet in width and 18 inches in height.....

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Section 9.030(Regulations)(i) – Single Family Docks We don't have dimensional standards for the tender dock that I can find. It would be helpful if we could revisit this section to define what a tender dock is and what the size limitations will be. **Watershed will add this item to the Gap Analysis, adding 'tender dock' definition or 'to tender' versus 'to dock'.**

Add HMP (Habitat management plan) into SMP so the SMP has its OWN way of relieving from buffer setbacks.

Calm down HMP requirements in BMC 20.14.740. Add provision in Habitat Management Plan which permits for alternative to prescriptive standards with approval from Tribe, Ecology, and DFW.

Other thoughts:

- Bring back Fee in lieu
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- Buoy – define better

- 4' VMP – it says 4 should be 4 feet.

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Map D – Error. Wwrong because of change in 2016 (didn’t grab it on the other map) **Several map changes are noted already. Watershed will add this item to the Gap Analysis as noted by Garrett in his response**

Olympia Example that City of Bremerton is interested in: **Watershed will add these items to the Gap Analysis**

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A. Existing structures and uses. Existing structures and uses which are located within a critical area or its buffer prior to the effective date of Chapter 18.32, which is June 20, 2005, may continue pursuant to the provisions of this Chapter.

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Seismic Moderate Hazard Area

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EXHIBITS

Re: Evergreen Pointe project

Verbatim Record of Tedd Walt Comments & DCD Response via Kelli Lambert

From: Tedd Walt <[redacted]>
Date: March 10, 2024 at 12:16:18 PM PDT
To: kelli.lambert@ci.bremerton.wa.us
Subject: Evergreen development

Hi Kelli,

My name is tedd Walt and I live at 1410 Cogean avenue (corner of Cogean and 11th).

The recent development that is approved (across the street from me) is just too large for the neighborhood. On Sundays when Seaside church is in session, or during Thursdays farmers market, or planned festivities at the park, parking is impossible to find. Adding more dwellings will only complicate the growing pains this neighborhood is going through.

The new development will also block my view, from multiple locations in my home. Even with previous homes on plots, I had a view. This development will not only block my views, but create a huge shadow over my home, which will impact habitat and flora growth.

Please reconsider the size of this project and how it just does not fit into our neighborhood.

Best,

Tedd Walt
Resident of Evergreen Park neighborhood, since 2002.
Sent from my iPhone

From: Tedd Walt <tedd.walt@gmail.com>
Date: March 11, 2024 at 9:38:50 AM PDT
To: Kelli Lambert <Kelli.Lambert@ci.bremerton.wa.us>
Subject: Re: Evergreen Pointe Development

Kelli,

So did the study on shadow effect look at my property? You state it would effect Cogean. That is where my house is. No one surveyed my property.

Secondly, when proving public relations work, validation goes a long way with building relationships. Your e mail left me defensive. Perhaps you should look into how to write letters that won't alienate the writer?

I look forward to joining any legal action that challenges this development.

Tedd Walt

On Mar 11, 2024, at 8:38 AM, Kelli Lambert <Kelli.Lambert@ci.bremerton.wa.us> wrote:

Good morning Mr. Walt,

The property where this project is located is with the City's Downtown Subarea Plan (DSAP), in the Pedestrian Oriented Mixed Use (POMU) zone. One of the goals of the City's Comprehensive Plan is to encourage the development of a variety of new housing options and densities, to help accommodate the expected growth projections (population estimate indicate the City will grow to ~64,000 people by the year 2044). *Centers* are where growth is planned to be concentrated. The Downtown Subarea Plan (DSAP) was adopted in 2007, to help the City direct and focus growth within the Regional Growth Center. The Evergreen Pointe project has been in development prior to 2009. There has been much thought given to all of the elements that you bring up in your email, I have provided responses below. The prior version had an approved building permit, but the owner sold the project, and the current property owners (Sound West Group) proposed a revised version. That revised plan underwent Site Plan Review and SEPA environmental review in 2022. Design Review meetings took place in fall 2022 and early 2023. The building permit is now in review.

Scale

While the existing neighborhood may currently contain more single-family uses, this development conforms with planned development patterns within the POMU zone. This latest iteration of Evergreen Pointe was reviewed by the Design Review Board; after some requested changes to the design, the Board recommended approval of the project.

Parking

The proposed development satisfies the minimum parking requirements of the zone. The proximity to the Washington State Ferry terminal, the Puget Sound Naval Shipyard, and downtown amenities, and Kitsap Transit bus routes, makes this area desirable for Bremerton residents who use other means of transportation (such as walking, cycling, or ferry). On-street parking in this neighborhood is only available through residential parking passes via Impark and only allowed on certain streets. Residential parking passes for on-street parking are only allowed for *single-family residential units* and not allowed for multifamily units, therefore, residents of the project will not be eligible for City parking passes. Vehicles without a residential parking pass are subject to the posted two- or three-hour time limit.

Views

City codes do not include view preservation. Any potential development, even a single-family residence, would likely block views to some extent. Existing topography (subject property is lower than affected properties to the south) lessens the impact on surrounding residences.

Shadows

A shadow study was provided by the applicant, which shows the projected shadows cast by the development at various times of the day, during four separate seasons. The most noticeable shadows occur during winter solstice, however surrounding topography already casts significant shadows. Most of the area affected by shadowing from this development is Sheldon Boulevard and Cogean Avenue. A shadow study was provided to the Design Review Board (see attached).

The City is currently working on updates to the Comprehensive Plan, which is the 20-year vision and road map for the City of Bremerton's future. The update is required by the Washington State Growth Management Act (GMA), in order to demonstrate that Bremerton has the capacity to absorb population and employment increases forecast to the year 2044. Planning Commission will discuss the various elements of the plan (land use, parking, housing, City services etc.) at their monthly meetings. The [Comprehensive Plan Update](#) will be adopted by the end of this year. We are actively seeking comments from City residents, to be considered in writing the plan. The link takes you to the City web page with more information about the Comprehensive Plan Update, including upcoming meetings and an email address to send your comments to.

Let me know if I can answer any other questions.

Best regards,

Kelli Lambert

Senior Planner

City of Bremerton | 345 6th Street | Bremerton, WA 98337

Physical Location: Suite 600 | Mailing: Suite 100

360.473.5245

Kelli.Lambert@BremertonWA.gov

Comment #18 Comment # 125 ←

Comment #125 from previous 6/17/24 submittal

From: Tedd Walt <tedd.walt@ci.bremerton.wa.us>
Date: March 23, 2024 at 11:59:56 AM PDT
To: kelli.lambert@ci.bremerton.wa.us
Subject: Evergreen park development

Hi Kelli,

I would like to adopt Michelle Moshey and Josh Thompson concerns regarding the evergreen point development.

Thank you,

Tedd Walt
Sent from my iPhone

EXHIBITS



Friendsof Smith Cove <friendsofsmithcove@gmail.com>

Comment - Gas Station By Ostrich Bay

1 message

Friendsof Smith Cove <friendsofsmithcove@gmail.com>

Fri, May 23, 2025 at 4:58 PM

To: kelli.lambert@ci.bremerton.wa.us

Cc: Friendsof Smith Cove <friendsofsmithcove@gmail.com>, rdmoley26@gmail.com, paralegal312@gmail.com

This is our comment as to the Ostrich Bay Gas Station matter. We do not limit this to whatever your numbering is as I've seen multiple appellations for this gas station project.

This comment is one writing in two attachments.

--
Friends of Smith Cove in Evergreen Park
Jose Camacho

2 attachments

 **Ostrich Bay Gas Station Comment.pdf**
4147K

 **Comment No. 125.pdf**
3985K

COMMENT #19

Garrett Jackson

From: City Council
Sent: Tuesday, May 27, 2025 5:15 PM
To: Erik Pedersen
Cc: City Council; Greg Wheeler; Tom Knuckey; Andrea Spencer; Garrett Jackson
Subject: RE: Bellingham Multimodal Transportation Concurrency Management (Erik Pedersen)

Mr. Pedersen,

This is to acknowledge receipt of your email, which will be provided to Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Erik Pedersen <erikepedersen@hotmail.com>
Sent: Tuesday, May 27, 2025 4:34 PM
To: City Council <City.Council@ci.bremerton.wa.us>; Jane Rebelowski <Jane.Rebelowski@ci.bremerton.wa.us>; Anna Mockler <Anna.Mockler@ci.bremerton.wa.us>; Denise Frey <Denise.Frey@ci.bremerton.wa.us>; Jeff Coughlin <Jeff.Coughlin@ci.bremerton.wa.us>
Subject: Bellingham Multimodal Transportation Concurrency Management

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.

City Council,

As you work on hopefully incorporating language on multimodal level of service measurements into the Level of Service (LOS) sections of our Comp Plan, I thought it might be helpful to see an example of another city that's done what I'm hoping we'll do. Bellingham has incorporated such measurements into their code (Chapter 13.70 - <https://bellingham.municipal.codes/BMC/13.70>), and these measurements are specifically meant to satisfy Growth Management Act (GMA) requirements needed for permitting. Our staff have repeatedly cited LOS-related GMA permitting requirements as reasons we can't lower vehicle LOS to make room for better bike lanes, including in the draft Active Transportation Plan, while Bellingham and other cities also use bike network completeness (and perhaps quality) to meet those same requirements. Perhaps this will give you and staff something to work with.

Best regards,

Erik Pedersen

Ch. 13.70 Multimodal Transportation Concurrency Management - Bellingham Municipal Code

The Bellingham Municipal Code is current through Ordinance 2025-03-004, passed March 10, 2025.
Disclaimer: Users should contact the Deputy City Clerk for ordinances passed subsequent to the ordinance cited above.

bellingham.municipal.codes

From: Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>

Sent: Thursday, January 9, 2025 11:51 AM

To: Erik Pedersen <erikepedersen@hotmail.com>; City Council <City.Council@ci.bremerton.wa.us>

Cc: dianne iverson <diverson1950@gmail.com>; Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>; Thomas Knuckey <Thomas.Knuckey@ci.bremerton.wa.us>; Jennifer Hayes <Jennifer.Hayes@ci.bremerton.wa.us>

Subject: RE: Level of Service, 6th St. and Naval Ave.

Hi Erik,

Good morning and Happy New Year! I just wanted to take a moment to let you know that I received your email, and your comments, questions, and concerns will be taken under consideration and added to the project record. Take care, have a great rest of your week!

Sincerely,

Greg Wheeler

Mayor

City of Bremerton

(360) 473-5266

COMMENT #19

From: Erik Pedersen <erikepedersen@hotmail.com>

Sent: Wednesday, January 8, 2025 1:07 PM

To: City Council <City.Council@ci.bremerton.wa.us>; Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>

Cc: dianne iverson <diverson1950@gmail.com>; Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>; Thomas Knuckey <Thomas.Knuckey@ci.bremerton.wa.us>

Subject: Level of Service, 6th St. and Naval Ave.

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.

City Council and Mayor Wheeler,

You're scheduled to get updates on the 6th Street project shortly. Things I hope you consider for this project and for Naval Avenue:

Level of Service:

You have the ability to choose safety over Level of Service (LOS) on transportation projects. The Council can vote to ignore arbitrary LOS benchmarks on even a project-specific basis. City staff was incorrect in telling you the Growth Management Act (GMA) forces you to meet LOS benchmarks in the Mid-December study session, and should publicly correct themselves on such an important point.

Councilmember Rebelowski was right to express doubt about this point in the study session. Bremerton's own 6th Street and 11th Street Study recommends giving 11th Street a road diet in addition to 6th, in spite of projections showing it would drop our LOS below current goals. Nick Ataie, one of our city's representatives to the GMA-related Puget Sound Regional Council, has also said you can vote to ignore LOS. Other cities around Puget Sound routinely choose safety over LOS, evidenced by the multitude of LOS-constraining safety projects moving forward in areas of Seattle and Tacoma with significantly heavier traffic than Bremerton.

6th Street:

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There appears to be ample room to fit in a "dedicated intersection" at 6th and Naval to eliminate the need for kids from Naval Avenue Elementary to snake in between multiple lanes of traffic in the "turn pockets" designed for both 6th Street and Naval. No-turn-on-red signs and dedicated intersections can likely eliminate the need for them throughout the rest of the two projects. In my email chain with planner Nick Ataie, below, I outline arguments about why there's likely room for a "dedicated intersection" at 6th and Naval, enabling protected bike lanes to serve both routes.

The new AASHTO Guide for the Development of Bicycle Facilities (Fifth Edition, 2024) also says "mixing zones," a.k.a. turn pockets, are not a preferred design feature. AASHTO standards for bike infrastructure are generally less progressive and safety-minded than NACTO standards, so it's notable if we're not even meeting AASHTO recommendations, especially for projects serving two elementary schools.

Naval Ave and Public Feedback:

At the Mid-December study session, Public Works argued forcefully that it was unreasonable to send their design for Naval Avenue back for a redesign. Their design directly serves Naval Avenue Elementary School and asks those kids to make multiple correct merging decisions in "turn pockets," and lacks lane protection. They characterized the community feedback on this as arriving late and coming out of nowhere, which is blatantly false. Dianne Iverson (copied), the bike community's main representative on the Complete Streets Committee, has been calling for protected bike lanes on this project since very early stakeholder feedback opportunities in 2019. The responsible course of action for Public Works, early in this planning process, would have been to correctly inform you of your ability to direct them to consider ignoring LOS benchmarks, rather than moving ahead with such an unsafe design.

Perhaps the upcoming designs for 6th Street and Naval Avenue prioritize safety slightly better than past iterations, but please do not be squeamish about requiring designs to fully meet modern standards and the example set by our peer cities on Puget Sound. Please do not fund either the 6th Street or Naval Avenue projects if they continue to include turn pockets and fail to include protection for bike lanes. Our peer cities are not paying millions of dollars for brand new obsolete bike infrastructure - especially on projects serving elementary schools. Public Works is incorrect in saying LOS benchmarks are tying our hands and that they were unaware the public might want to protect bike lanes for kids.

Thanks for your consideration,

Erik Pedersen

COMMENT #19

Bremerton Planning Commission

District 3 Resident

From: Erik Pedersen <erikepedersen@hotmail.com>
Sent: Friday, December 13, 2024 11:38:26 AM
To: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>
Subject: Fw: 6th Street Presentation

Nick,

I did a little more follow-up work on an argument for a protected/dedicated intersection based on NACTO designs at 6th and Naval (and other intersection with "turn pockets" in your design) I'd like to share with you.

It appears that we might have room for a protected or dedicated intersection at 6th and Naval. The intersection of Dexter and Thomas in Seattle is the local example of a protected intersection I'm aware of. Is that the one you referenced yesterday? My Google Earth Pro mapping program shows it as not significantly wider than the 6th and Naval intersection you propose to create after the right-of-way acquisitions (based on my rough observations of your post right-of-way acquisition maps). The version of the Dexter and Thomas intersection shown in aerial imagery isn't the current protected intersection configuration, but the curb-to-curb measurements diagonally across the intersection are less than 100' in both directions (I do realize the curbs have likely moved back in the current configuration).

However, your proposed 6th and Naval (post right-of-way acquisition) appears slightly larger than this, or at least within just a foot or two in size (more than 100'). Furthermore, the parcels at all four corners of this intersection include landscaping and/or simple surface parking areas where slightly larger right-of-way acquisitions would be unlikely to significantly harm the businesses on those parcels (which should keep costs down per the appraisals you'll do for the acquisitions). To my layman's eyes, it seems like space is not preventing us from installing a protected or dedicated intersection for 6th and Naval. Is that mostly correct? And if the intersection isn't significantly wider, it likely wouldn't cost significantly more than your current proposal, right?

COMMENT #19

That might simply leave bus turn radii as a limiting factor. It sure seems like buses make some awfully tight turns at times (i.e. snaking from the Manette bridge into Manette's business district). Are these bus turn radii requirements truly requirements, or are they simply requests/recommendations? And would size constraints put us far out of whack with recommendations, or would we be pretty close anyway? And might slightly larger right-of-way acquisitions allow us to meet Kitsap Transit's request for bus turn radii in any case?

Thanks for your consideration and, again, thanks a lot for your time yesterday. I'm trying hard to educate myself and other cyclists, so our comments can be better informed and more useful.

Erik

From: Erik Pedersen <erikepedersen@hotmail.com>
Sent: Thursday, December 12, 2024 4:23 PM
To: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>
Subject: Re: 6th Street Presentation

Nick,

Thank you so much for your time today.

I found the photos of Eldridge Ave in Bellingham I was hunting for (attached). It's nothing amazing - just an example of folks fitting plastic bollards in wherever they could, on a street like 6th with lots of driveways.

Also, in a scenario where we can fit in protected lanes on 6th and Naval Ave, (with or without removing the center turn lanes), the intersection of 6th and Naval (and others with turn pockets) could really use NACTO's "Dedicated Intersection." I'd prefer this project (which serves an elementary school) not occur than move forward with turn pockets. It's a nonstarter for an all ages route. I think the early BLTS systems WSDOT's was based on automatically bump a route with turn pockets up to a 3 or 4. Dedicated

COMMENT #19

intersections also provide extra protection with corner wedges, while taking up less space than a full "protected intersection."

<https://nacto.org/publication/dont-give-up-at-the-intersection/dedicated-intersections/>

This website begins describing the dedicated intersection by saying, "(p)eople on bikes can be given a dedicated path through the intersection even where there is not enough space for a full bike setback." It sounds like there might be room to fit something like this in at 6th and Naval.

Thanks again for your time,

Erik

From: Erik Pedersen <erikepedersen@hotmail.com>
Sent: Monday, December 9, 2024 2:24:34 PM
To: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>
Subject: Re: 6th Street Presentation

Thanks.

From: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>
Sent: Monday, December 9, 2024 2:22:22 PM
To: Erik Pedersen <erikepedersen@hotmail.com>
Subject: RE: 6th Street Presentation

COMMENT #19

Sure – That works for me.

Nick Ataie, P.E., Project Manager - Transportation

City of Bremerton Engineering Division

Direct 360.473.2306 | Cell 564.222.0897

From: Erik Pedersen <erikepedersen@hotmail.com>

Sent: Monday, December 9, 2024 2:20 PM

To: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>

Subject: Re: 6th Street Presentation

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.

My boss now wants to meet with me at noon on Thursday. Would 1:30 work?

From: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>

Sent: Monday, December 9, 2024 12:28:12 PM

To: Erik Pedersen <erikepedersen@hotmail.com>

Subject: RE: 6th Street Presentation

Sounds great – It's on my calendar. Just call my cell # when you arrive and I'll let you in from our main door.

Nick Ataie, P.E., Project Manager - Transportation

City of Bremerton Engineering Division

Direct 360.473.2306 | Cell 564.222.0897

COMMENT #19

From: Erik Pedersen <erikepedersen@hotmail.com>
Sent: Monday, December 9, 2024 12:26 PM
To: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>
Subject: Re: 6th Street Presentation

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.

I'd be happy to walk up on Thursday. Your maps and other info would undoubtedly be helpful.

Noon?

From: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>
Sent: Monday, December 9, 2024 11:08:37 AM
To: Erik Pedersen <erikepedersen@hotmail.com>
Subject: RE: 6th Street Presentation

Erik,

That sounds wonderful! This Thursday would work for me around lunchtime. Otherwise I could be available after lunch both this Wednesday and Thursday. Let me know what works for you. Happy to make the journey downstairs or if you wanted to come by my office I could pull some information up on my compute to share.

Nick Ataie, P.E., Project Manager - Transportation

City of Bremerton Engineering Division

Direct 360.473.2306 | Cell 564.222.0897

COMMENT #19

From: Erik Pedersen <erikepedersen@hotmail.com>
Sent: Monday, December 9, 2024 9:23 AM
To: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>
Subject: Re: 6th Street Presentation

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.

Nick,

I'm really looking forward to that presentation. I would absolutely love and appreciate the chance to meet up with you though. I'm clearly not a traffic engineer and have a lot to learn.

I work on the fourth floor of the Norm Dicks Center, and there are always lunch tables available on the fourth floor, so a brown bag lunch meeting would work for me most days. (My office also has a whole conference room that's virtually never used.)

Might something like that work for you?

Many thanks,

Erik

360-961-4678

From: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>
Sent: Monday, December 9, 2024 8:55:42 AM
To: Erik Pedersen <erikepedersen@hotmail.com>
Subject: RE: 6th Street Presentation

COMMENT #19

Erik,

I wanted to let you know that staff will be discussing “Multimodal Level of Service” at the December 17th Public Works Committee Meeting (<https://www.bremertonwa.gov/Calendar.aspx?EID=3298>) and the meeting will be hybrid allowing attendance in-person or virtually. While public comment is not allowed at these meetings, the information to be discussed is very relevant to many of your questions regarding Bicycle Level of Traffic Stress (BLTS).

The intent of this discussion is to determine what sort of policy the City could implement to provide additional clarity on Complete Streets projects (including 6th Street) on how we appropriately measure/define a “level of service” (or level of stress) for road users and how that “level of service” translates to physical improvements. We used the WSDOT methodology as a starting point for BLTS for the 6th Street project, but there are several other methodologies used by other agencies and we are by no means tied to that.

Regarding your questions below, I’d be happy to discuss in more detail with you, but it would be a lot of information to try and package in an email. Let me know if there is a way we could coordinate a phone call or meet in person.

Thanks,

Nick Ataie, P.E., Project Manager - Transportation

City of Bremerton Engineering Division

Direct 360.473.2306 | Cell 564.222.0897

From: Erik Pedersen <erikepedersen@hotmail.com>

Sent: Friday, November 15, 2024 2:13 PM

To: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>

Cc: Jeff Coughlin <Jeff.Coughlin@ci.bremerton.wa.us>; Thomas Knuckey <Thomas.Knuckey@ci.bremerton.wa.us>; City Council <City.Council@ci.bremerton.wa.us>; Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>; Jane Rebelowski <Jane.Rebelowski@ci.bremerton.wa.us>; Denise Frey <Denise.Frey@ci.bremerton.wa.us>; Anna Mockler <Anna.Mockler@ci.bremerton.wa.us>

Subject: Re: 6th Street Presentation

COMMENT #19

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Nick,

Thanks for the quick response. I hit you with a big email just now and we're headed into the holiday season, so I can wait longer than that if you're willing to dig into BLTS methodology. That'd be a significant service to the community that's worth waiting for.

Many thanks,

Erik

From: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>

Sent: Friday, November 15, 2024 2:07 PM

To: Erik Pedersen <erikepedersen@hotmail.com>

Cc: Jeff Coughlin <Jeff.Coughlin@ci.bremerton.wa.us>; Thomas Knuckey <Thomas.Knuckey@ci.bremerton.wa.us>; City Council <City.Council@ci.bremerton.wa.us>; Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>; Jane Rebelowski <Jane.Rebelowski@ci.bremerton.wa.us>; Denise Frey <Denise.Frey@ci.bremerton.wa.us>; Anna Mockler <Anna.Mockler@ci.bremerton.wa.us>

Subject: RE: 6th Street Presentation

Erik,

Great seeing you Tuesday! Thank you for taking the time to dig into some of the previous studies, the WSDOT level of traffic stress methodology, and pass forward some thoughtful requests/questions.

If you could bear with me on responding (likely next week) it would be much appreciated.

COMMENT #19

I hope you have a wonderful weekend.

Nick

Nick Ataie, P.E., Project Manager - Transportation

City of Bremerton Engineering Division

Direct 360.473.2306 | Cell 564.222.0897

From: Erik Pedersen <erikepedersen@hotmail.com>

Sent: Friday, November 15, 2024 12:36 PM

To: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>

Cc: Jeff Coughlin <Jeff.Coughlin@ci.bremerton.wa.us>; Thomas Knuckey <Thomas.Knuckey@ci.bremerton.wa.us>; City Council <City.Council@ci.bremerton.wa.us>; Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>; Jane Rebelowski <Jane.Rebelowski@ci.bremerton.wa.us>; Denise Frey <Denise.Frey@ci.bremerton.wa.us>; Anna Mockler <Anna.Mockler@ci.bremerton.wa.us>

Subject: 6th Street Presentation

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.

Nick,

Thanks for your presentation on the 6th Street project earlier this week. It seems like a step in the right direction, especially with regard to your acknowledgement of WSDOT's Bicycle Level of Traffic Stress (BLTS) evaluation system, which calls for protected or separated bike lanes in many circumstances. Most of our peer cities on Puget Sound go beyond WSDOT's base goal of BLTS 1 and 2 outcomes on their scale (only BLTS 1 is truly kid and novice-safe), but educating the public about this concept is a big step forward.

The presentation brought up five main points in my mind:

1. I saw a BLTS chart shown in the center of the room on Tuesday, but none of the BLTS evaluation outcomes shown along specific road sections. After digging into WSDOT's BLTS guide, I wonder if this recent design consistently meets WSDOT's goal of BLTS 1 and 2 outcomes, since it's such a busy

COMMENT #19

street. I looked at the City's 2020 6th Street and 11th Street Corridor Feasibility Study, and they use a different scale to measure traffic volume than the Annual Average Daily Traffic (AADT) WSDOT's BLTS tables use. Can you please make public the AADT figures for 6th Street and Public Works' own evaluation of where their current design falls on WSDOT's BLTS tables?

2. WSDOT's explanation of how to use its BLTS tables also lists other considerations that might degrade a road's ranking from, say, BLTS 2 to a BLTS 3 (which would then not meet WSDOT standards), such as significant truck traffic or tons of intersecting roads and driveways (which 6th Street has both of in abundance). I think WSDOT's BLTS tables are more of a general guide than a comprehensive ruleset, and they also don't take center turn lanes (as the recent design for 6th includes) into consideration. I'd argue the center turn lane should bump 6th Street half-way down from the "1 thru lane per direction" category to the "2 thru lanes per direction" category. In addition, the original BLTS rating system, which WSDOT's guide is based on, judges that "turn pockets," which sandwich cyclists between two lanes of car traffic and require them to make correct merging decisions, automatically result in a BLTS grade of 3 or 4 and are unacceptable on main bike network routes. No kid or novice cyclist should ever be asked to make correct merging decisions or be sandwiched between lanes of cars and trucks. *WSDOT Design Manual M 22-01.23* shows an example of a "Protected Intersection" (p. 1310-45) that avoids the need for turn pockets and would almost certainly save lives and increase ridership when paired with protected lanes. Even if our new design for 6th technically meets WSDOT's guidelines per their BLTS tables, it likely does not meet them in spirit because of these other considerations.
3. Our evaluation of the 6th Street project should hinge on whether this is Bremerton's main east-west all-ages-and-abilities route. The answer to this question effects every other consideration. I argue that 6th Street should our all-ages route, and if we need to do away with the center turn lane in narrow road sections to provide bike lanes with ample space and ample protection, we must. The city has Burwell and 11th St. as our big vehicle-movers, and there's two elementary schools on or near 6th Street (Naval Ave. and Star of the Sea). Other peer cities of ours around Puget Sound have been willing to cause a small increase in traffic, or remove a row of parking, on selected streets in limited circumstances like this. A "neighborhood greenway" on, say, 8th Street could perhaps remove 6th Street's responsibility to serve all-ages-and-abilities. However, until we see plans for a robust, continuous alternative, most of us will argue that if the center turn lane on 6th needs to go, it needs to go. There would still be space for a center turn lane along most of the route, so the extra traffic shouldn't be bad in relation to the added safety benefits for all road users, including pedestrians and those in vehicles.
4. For the next design presentation, can we please show the public the option of the mini "jersey barriers" Seattle is installing nowadays? The public deserves to at least be made aware of this option, whether we can afford to install them or not. The 2015 *Federal Highway Administration Separated Bike Lane Planning Design Guide* shows that concrete barriers do, in fact, increase protection from crashes (p. 85). That's also intuitively true to us all.

COMMENT #19

5. Lastly, if there are any safety measures we're not including in our designs because of cost alone, can we please make a list of them for future consideration? Budget decisions are always difficult, but this type of transparency about our options and decisions would be helpful for everyone engaged in this process.

Many thanks,

Erik Pedersen

Bremerton Planning Commission

District 3 Resident

360-961-4678

From: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>
Sent: Friday, November 8, 2024 8:00 AM
To: Erik Pedersen <erikepedersen@hotmail.com>
Subject: RE: 6th Street Details

Good morning Erik,

I'm glad you plan on attending the meeting next Tuesday!

I can provide some general information below for your questions, but I want to caveat these by saying these questions are much better discussed in a conversation Tuesday and I don't want to create a situation where information could be taken out of context. I hope you and others can come to the meeting with a collaborative mindset, ask questions, provide perspectives, and most importantly provide feedback.

COMMENT #19

Protected Bike Lanes: We will be including design recommendations for protected bike lanes (unspecified treatment type) at specific locations. We are using WSDOT methodology for Bicycle Level of Traffic Stress (BLTS) as a basis for evaluating needs and also considering site-specific factors. WSDOT refers to protected bike lanes as “separated” bike lanes. I can tell you that what will be presented next week will not depict a fully protected bike lane corridor on 6th Street. The rationale is likely more than I could get in an email so I would be happy to discuss in more depth at the meeting. From a City maintenance standpoint, there has been quite the discussion on considerations/needs for maintenance, but I wouldn’t say that is driving (no pun intended) the decision-making process at this point.

Road Widening / Right Turn Pockets: One of the primary design goals of this project was to avoid any roadway widening; I’m happy to say that we will, indeed, present a design concept which includes no widening of the existing curbs. We will also have an option which shows curb widening at only one intersection (Naval Ave). Both of these options will include some type of vehicle right-turn treatment at that intersection to meet our current operations standards. The only other right-turn lane needed to meet vehicle operation standards is in the WB direction at Warren Ave. Some other existing right-turn lanes will be shown as removed as they were determined to not be necessary for meeting operational requirements. Overall, much less potential anticipated bike lane/turn lane conflict areas than what currently exists on Kitsap Way.

Thanks again for the email and providing some insight into priorities from the bike community; I’ll see you Tuesday.

Nick

Nick Ataie, P.E., Project Manager - Transportation

City of Bremerton Engineering Division

Direct 360.473.2306 | Cell 564.222.0897

From: Erik Pedersen <erikepedersen@hotmail.com>

Sent: Thursday, November 7, 2024 6:14 PM

To: Nick Ataie <Nick.Ataie@ci.bremerton.wa.us>

Subject: 6th Street Details

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.

COMMENT #19

Nick,

I'm very curious about the details on the 6th Street road diet project. I spent my whole childhood growing up on 7th Street, so 6th was always the boogeyman between me and the nearest park. I'll be there on Tuesday.

Do you know if the bike lanes will be protected?

Is there going to be any road widening at intersections? Will the bike lane have to merge through any right turn lanes into "turn pockets"? Those are the things the bike community will be looking for.

Thanks,

Erik Pedersen

District 3 Resident

COMMENT #20

Garrett Jackson

From: City Council
Sent: Wednesday, May 28, 2025 12:51 PM
To: Travis Merrigan
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson
Subject: RE: Parking for the Comp Plan: Support the plan approved unanimously by Planning Commission (Travis Merrigan)

Mr. Merrigan,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record for tonight's Study Session under Item B11.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Travis Merrigan <bikebremerton@gmail.com>
Sent: Tuesday, May 27, 2025 6:16 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Cc: Garrett Jackson <Garrett.Jackson@ci.bremerton.wa.us>
Subject: Parking for the Comp Plan: Support the plan approved unanimously by Planning Commission

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.

Greetings City Council,

I encourage you to support the parking plan that was unanimously approved by the Planning Commission, which you'll discuss at the May 28 Study Session.

The new parking rules are a step towards addressing one of Bremerton's primary opportunities/problems: we need more housing in the city. Removing the onerous parking requirements make low-cost housing easier and less expensive to build. Bremerton's new regulations will go a little bit further than the [new state law requires](#), and that's good.

To be clear, the new rules do NOT limit landowners or developers from making new parking - they can build as much parking as they want. But it eliminates the government mandate that if you build housing or a new business, you must build a minimum amount of parking. Creating parking isn't free, and current parking minimums increase the cost for entrepreneurs and housing developers.

COMMENT #20

Prior to this action, City Council has moved to open our city to new development. You increased height limits in many parts of the city, and already tentatively removed parking minimums from businesses. Congratulations for saying YES to development of all kinds!

Tomorrow, you'll discuss the parking plan that is one of the final pieces of an excellent 2044 Comprehensive Plan. I urge you to approve the recommendations of the Planning Commissions.

Kudos to both Planning Manager Garrett Jackson, who skillfully guided the process. And to Planning Commissioner Erik Pedersen, who has pushed for reductions for his entire time on the Planning Commission.

Thank you,

Travis Merrigan
Bremerton

COMMENT #21

Garrett Jackson

From: City Council
Sent: Monday, June 2, 2025 2:35 PM
To: S H
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson
Subject: Comments RE: Item 7D - Parking Minimums (Shane Holman)

Mr. Holman,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record for the June 4 Council Meeting.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: S H <holman.mba@gmail.com>
Sent: Thursday, May 29, 2025 1:18 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Parking minimums

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.

City council,

I am writing to encourage voting against removing parking minimums.

Virtually everywhere in downtown Bremerton has 2 hour limits on street parking. Removing parking minimums while maintaining 2 hour limits does not work.

The cars that would be displaced from apartments and condos would have nowhere to park unless they wanted to pay several hundred dollars to park in a private garage that would be multiple times the amount a condo or apartment would charge for parking (\$100 apartment parking or \$400 at \$15 a day).

The only way reducing required parking would work in Bremerton is if this parking is made up somewhere else. The two hour parking max could be removed on street parking, or park and ride garages could be publicly built. But this isn't what is being proposed anywhere.

COMMENT #21

Removing parking minimums without a replacement is a failed design from the start. Seattle has some neighborhoods with reduced parking requirements but only in neighborhoods that have ample, unlimited street parking. We do not have this. Removing parking from apartments will not make the cars disappear, even when you go to pike place in the densest area of Seattle the garage is packed. Keep the parking, or expect vacancies.

Shane Holman

COMMENT #22

Garrett Jackson

From: City Council
Sent: Monday, June 2, 2025 2:41 PM
To: Heather Diane Pugh
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson
Subject: Comments RE: Item 7D - Parking Minimums (Heddy Pugh)

Ms. Pugh,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record for the June 4 Council Meeting.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



-----Original Message-----

From: Heather Diane Pugh <pughhd@gmail.com>
Sent: Thursday, May 29, 2025 5:33 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Cc: Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>
Subject: Parking Mins

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.

Hello all,

Just a quick email to express my support for eliminating parking minimum requirements in Bremerton.

Thanks
Heddy Pugh

COMMENT #23

Garrett Jackson

From: City Council
Sent: Monday, June 2, 2025 2:44 PM
To: Chal Martin
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson
Subject: Comments RE: Item 7D - In Favor of Market-Based Parking Downtown (Chal Martin)

Chal,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record for the June 4 Council Meeting.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Chal Martin <chal.arnold.martin@gmail.com>
Sent: Saturday, May 31, 2025 6:11 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: In Favor of Market-Based Parking Downtown

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.

Hi folks, I am very much in favor of removing all parking requirements for downtown development.

Chal A. Martin
320 Washington Avenue #93
Bremerton WA 98337
chal.arnold.martin@gmail.com

Garrett Jackson

From: City Council
Sent: Monday, June 2, 2025 1:21 PM
To: The Conduit
Cc: City Council; Greg Wheeler; Tom Wolfe; Andrea Spencer; Garrett Jackson
Subject: Concerns RE: Urban Growth Management Plan (Marwan Cameron)

Mr. Cameron,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: The Conduit <marwancameron@gmail.com>
Sent: Monday, June 2, 2025 11:57 AM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Public Comment from Marwan Cameron

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.

As a resident and community leader in Bremerton, I have witnessed firsthand the impact of the city's Urban Growth Management Plan—and I am deeply concerned. The policies currently in place reflect priorities that do not align with the lived realities of many Bremertonians, particularly our unhoused neighbors, those with substance use disorders, working families struggling to afford housing, and people who rely on public transportation.

1. Tax Exemptions for Developers

The practice of granting tax exemptions to developers is shortsighted and inequitable. While these incentives are said to promote growth, they have resulted in fewer resources for essential public services. I believe growth must be inclusive—not just profitable for developers. This policy effectively transfers the financial burden to residents while sidelining community needs.

Jose Camacho, a local advocate who's spoken out multiple times at City Council meetings, has made it clear: these exemptions fuel mistrust and reinforce a system that benefits a few at the cost of the many. I stand with him in calling for equitable development policies that prioritize accountability, transparency, and long-term

COMMENT # 24

benefits for the community. I am deeply concerned by his assertions and fully agree with transparency and investigation into the merit of his statements. I have copied and pasted his post from Facebook.

“Every aspect of legal process was being rigged for wealthy politically connected developers and the cartel they effectively belong to, in particular with Sound West Group and Rice Fergus Miller as top dogs, and Andrea Spencer's DCD as their secret rubber stamp.

There was an incestuous insider's club of city pols and bureaucrats and developers. Eventually, this coalesced into a group calling themselves the "4th Street Action Group" which created a mythology about wanting "affordable housing" and needing to "revitalize" the Quincy Square area for that end. Eventually, a marketing gimmick was elevated to talking points, and exploited the virtue-signalling imagery of Black culture to do it. "Affordable Housing" and "blight" was mentioned frequently.

As part of the 4th Street Action Group, Wesley Larson, the CEO of Sound West Group, bought properties there and "developed" them into the B-Flats apartments and Roxy Bremerton Theater. He boasts he invested millions in Quincy Square but snatches as much public money as he can get away with. This is the cartel's M.O. The 4th Street Action Group also included other principals of Sound West Group, Greg Wheeler, Michael Goodnow, Rice Fergus Miller principals, including Dean Kelly, and Andrea Spencer's DCD.

Their first concrete step in funding Quincy Square was to hijack HUD monies meant for the needy. \$300K in CDBG funds plus state funding Kilmer helped with. This hijacking took place while the homeless and their advocates begged the city for help. Meanwhile, Steve Rice and other developers intoned thanks for helping with "affordable housing."

But now no one says nor believes Quincy Square will provide low-income or other housing actually affordable to struggling renters. Quincy Square is no longer associated with the needy citizens of Bremerton. And this is how Sound West Group brags about Quincy Square now on its webpage:

"With a grand vision of revitalizing Fourth Street between Washington & Pacific Avenues in Downtown Bremerton, SWG purchased three old empty commercial buildings and the historic Roxy Theatre in downtown Bremerton with the aim of revitalizing the 1941 local theater.

*After a \$10+ Million dollar investment, the Roxy Theater is now back up and running showing film and live shows. In addition, there are 27 new downtown apartments overlooking Fourth Street along with a public self storage facility with 191 storage units. **SWG sees this area of downtown as a 'funky and hip' location that is ripe for millennials to move into, with the Roxy as a 'critical piece' to enliven Fourth Street come alive again. In addition to other potential uses, local community groups will be able to use the theater for events and get togethers. With this private investment came a public investment by the City to redevelop Fourth Street into Quincy Square, a public square in the center of downtown where art and culture merge.***

Subsequent to the hijacking of HUD funds, the Opportunity Zone tax shelter was steered to the projects of the Sound West Group cartel (or "consortium") for further special favors in Bremerton and in Port Orchard. The promise of private investment into more bright shiny buildings for the wealthy broke what little self-restraint the realty / developer cartel had. I include DCD in this cartel. The greed exploded, law was subverted and misrepresented, and the persecution of the homeless grew fangs in 2023.

This inequity and disparity has never stopped and it is evident in city planning right now. In response to our accusations about DCD's rigging of the Evergreen Pointe project, no accountability ever took place; instead, partners of Sound West Group and Rice Fergus Miller were installed in the Planning Commission, the murder of due process was codified, and DCD's misrepresentations and gaming continued.

My initial issues were very unsexy dry ones - arcane sub-areas even most lawyers would find boring. I'm a professional amateur, a lay researcher, but at one time was an adoring fan of American law as a paralegal given free reign to research and argue law for my attorney bosses. I enjoyed this work because ultimately my bosses helped mostly working class people who needed help. For someone who used to think law was a song, Washington's half century legacy of environmental law - intended to protect the environment and beauty of the Pacific Northwest - was jaw-droppingly ambitious and gave me some hope. But as I was trying to absorb the lofty intent of laws like SEPA and the Shoreline Management Act, the reality of

COMMENT # 24

my life was showing me a deep casual culture of corruption. And Bremerton kept reminding me of those times in my life when I was homeless or otherwise in despair out of poverty: the city was clearly persecuting the homeless here in an unconscionable way even while giving lip service about homelessness - as it does with environmental stewardship.

Gentrification makes developers rich. In the PNW, gentrification will always include attempts to turn the waterfront into their personal ATM. As I was trying to grasp just how thoroughly the city, DCD in particular, had been flouting the state's environmental and shoreline law on behalf of the most wealthy connected developers, it was impossible to ignore that the city was abusing its power in the opposite direction in crushing the homeless. The idolatry of money reflected in all the simping over Sound West Group's Marina Square and Quincy Square, in light of Evergreen Pointe's shining a Klieg spotlight on city corruption, while at the same time treating our unhoused neighbors like vermin - that was the real full picture.

Bremerton's city administration and municipal bodies seem to only exist to make every aspect of developers' greed come true, while criminalizing the presence of the unhoused. Comprehensive Planning is supposed to factor in not only correct law, but it is supposed to include everyone - even the poorest of the poor.

2. Lack of Public Toilets for the Homeless

Basic sanitation is a human right. Many of us arranged for porta potties to be placed downtown to address the public health and dignity crisis facing our homeless population. Unfortunately, those facilities are no longer there, and the city has failed to offer a sustainable replacement.

When individuals are forced to relieve themselves in alleyways and behind buildings, the entire community suffers—from sanitation issues to dehumanization. Jocelyn LaMadrid and others from Rock the Block have consistently spoken on the need for humane solutions, and I couldn't agree more: it is unacceptable that we treat our most vulnerable with such disregard.

3. Inadequate Support for the Homeless & Substance Use Disorders

Our approach to homelessness and addiction remains reactive, punitive, and disconnected from evidence-based best practices. As someone who works directly with unhoused individuals through Gather Together Grow Together, I see the damage caused by a system that criminalizes poverty and addiction.

Kimmy Siebens has rightfully pointed out that meaningful outreach, wraparound services, and peer-led intervention are key. I've led food and transportation programs and connected people to treatment and shelter—yet I constantly run into barriers that only policy reform can remove.

We need city-supported detox options and low-barrier housing. Compassion must be institutionalized, not just left to volunteers and nonprofits to carry alone.

4. Affordable Housing Is Out of Reach

Housing is the foundation for everything—yet in Bremerton, it's increasingly out of reach for working families, seniors, and young adults. Developers build for maximum profit, not for need. "Affordable housing" is often affordable in name only, based on metrics that don't reflect actual incomes in our community.

Jose Camacho has raised the alarm on how our housing strategy fails to protect residents from displacement and exploitation. I echo his call for community land trusts, social housing models, rent stabilization, and requirements for deep affordability in all new developments. We must shift from market-driven to people-centered housing policy.

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Additionally, there seems to be a pattern of using the “usual suspects” in regard to development. We must find unique solutions to our housing issues while not being “bullied” by developers who assert not being able to build unless they receive tax breaks.

5. Transportation Equity and Frequency

Transportation is the lifeline of opportunity—whether it’s for a job, healthcare, or childcare. In Bremerton, too many are left behind. Public transit is infrequent and disconnected. Coupled with the effort of those solely focused on bike lanes, reduced lanes and traffic easement, and developers encouraged to decrease parking by 50% in new construction, disproportionately affects our elderly, disabled, low-income residents, and people of color.

The city’s growth strategy encourages dense development with reduced parking—without improving transit access. That’s not equity; that’s neglect.

Jose Camacho has stressed this time and again: we cannot push development while ignoring the mobility of the people who live here. I advocate for increasing frequency of buses, adding night and weekend service, investing in transportation hubs, and integrating transit into our growth strategy—not treating it as an afterthought.

Conclusion

The Urban Growth Management Plan must be revised to reflect the needs of our most vulnerable, not just the interests of developers. We need transparency in decision-making, accountability in public spending, and inclusive policies that uplift all of Bremerton.

Marwan

COMMENT # 25

Garrett Jackson

From: City Council
Sent: Monday, June 2, 2025 2:15 PM
To: Alden Bradford
Cc: City Council; Greg Wheeler; Tom Wolfe; Tom Knuckey; Andrea Spencer; Garrett Jackson
Subject: Comments RE: Item 7D - Parking Minimums (Alden Bradford)

Mr. Bradford,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record for the June 4 Council Meeting.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Alden Bradford <aldenbradford@gmail.com>
Sent: Monday, June 2, 2025 1:42 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Comment on item 7D for city council meeting on 6/4/2025

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.

Dear City Council,

This last Thursday there was another deadly car crash on Wheaton Way, up by the Goodwill. It was reported by Public Works as an "accident." I am tired of hearing about car collisions described as "accidents." These "accidents" happen every month, sometimes every week. It brings to mind a seven-year-old child setting up their soccer goal right next to a picture window. When the ball eventually breaks the window, you can bet you will hear the refrain: "it was an accident." That's well enough for a child who cannot reasonably be expected to understand the consequences of their actions. It is embarrassing when adults use the same reasoning.

Our roads are too dangerous. People should not die every month just from their commute. People don't have to die like this. These deaths are the predictable outcome of the choices we make when we lay out our city and our roads under the assumption that everyone can and should get around in private cars, at the highest speeds possible. Low density development demands that people drive, and needlessly wide roads encourage people to drive at high speeds. The predictable consequence is that people die.

COMMENT # 25

Wheaton Way is not laid out for people, it is designed for cars. Just look at the physical setbacks of the businesses. If you want to walk from the bus stop into the Goodwill, you have to cross an enormous parking lot, which is never full. That's not good for safety, and it's not good for business either. Many of Goodwill's customers, and the customers of Grocery Outlet across the street, don't drive. Some don't have the financial means to own a car. Some have disabilities which prevent them from driving -- if you are in a wheelchair, a bus is a much more practical way to get around than a ride share service. Heck, some people are just too tired to drive after a long day of work, and they make the responsible choice to use public transit instead.

Making customers cross a needlessly large parking lot is not a choice those businesses made. Those businesses would rather not have to pay to build and maintain parking spaces which are never used. They want to use their space to make money. Why do they build the oversized parking lots? Because our zoning code requires it. This is a choice we made, at the city level, demanding businesses put in way too much parking.

Our low density development patterns are the result of policy decisions that were made in decades past at the city level. When we require housing to come with parking, it becomes less practical to build at a density sufficient to make public transit cost effective. It's a self-fulfilling prophecy: if you decide to build your city at a low density such that the only way to get around is with a car, people will need cars and the space to store them. Fortunately, the converse also holds: if you decide to build your city at a high density such that you can get around without a car, people will not need cars nor the space to store them. These days, fewer and fewer people are choosing to make driving part of their lifestyle. I can personally attest that you can live comfortably in Bremerton without a car. I lived my first year here without a car, mostly getting around by public transit. [Today around 60% of 18-year-olds have a driver's licence, down from 80% in 1983.](#) As we expand our housing in Bremerton, we should accommodate new residents who may not have any interest in owning or storing a car. I am not saying it should be illegal to build or own a parking space -- I am just saying we should let our residents choose for themselves whether they want that. This is the meaning of market-based parking.

The zoning decisions we make have predictable consequences. I am asking you to make a bold choice. We should remove the city's parking minimums outright, as the planning commission recommends. I know this is not an easy choice -- it goes against what had been conventional wisdom for several decades. Conventional wisdom has been getting people killed. When we call car collisions "accidents" we are hiding from the consequences of the systems we have designed. The best research now available shows that denser development with less excess parking leads to less deadly, more resilient, and more financially sustainable communities. Eliminating parking minimums is a small step toward making Bremerton a safer, more welcoming place.

Thank you for your time,
Alden Bradford

COMMENT # 26

Garrett Jackson

From: City Council
Sent: Tuesday, June 3, 2025 1:20 PM
To: Cale Simanskey
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson
Subject: Comments RE: Items 7C & 7D Eliminate parking minimums & promote mixed use zoning (Cale Simanskey)

Cale,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final meeting record for the June 4 Council Meeting.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Cale Simanskey <calesimanskey@gmail.com>
Sent: Tuesday, June 3, 2025 10:58 AM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Eliminate parking minimums & promote mixed use 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.

Hello Jane & Council,

My name is Cale Simanskey, I live in District 4 and work in downtown Bremerton. I'd like to voice strong support for eliminating parking minimums in our city and support market driven parking standards. Eliminating parking minimums is a powerful tool when it comes to combating the housing crisis. It's a great way to make Bremerton more attractive to builders and doesn't require any tax breaks or other government subsidies.

An anecdote from my personal life- The house next to me had to be demolished and the lot has since been purchased by a Bremerton resident who fills his retirement time with small scale building projects. I see him wander the yard with a tape measure trying to plan how to best design housing on this double lot. Like many lots in Bremerton, it is on a steep grade. The strict design constraint of having to provide 2 off street parking spots makes the ground work extremely expensive and complicated. There could easily be 4 more housing units in that space (it should be noted, we have ample street parking). The current

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code mandating parking is delaying and directly harming a small builder's ability to expand Bremerton's housing stock.

I would also like to voice my support for mixed zoning. Neighborhood businesses and public spaces are beloved by the residents of the neighborhoods that patronize them. On any given Saturday morning, I look across the street and see Kiwanis park bustling with folks of all walks of life playing, dog walking, exercising, and socializing in a green space. Everyone, from every neighborhood, deserves this. Bremerton residents should all be able to safely walk or bike to a shop/eatery without having to be exposed to dangerous arterials. This will increase the vibrancy of the city and provide economic opportunity to small businesses.

When these are addressed in tomorrow's meeting I hope you consider the character of our city comes from the people that live here, not the cars that are parked here.

Thank you,
Cale

COMMENT #27

Garrett Jackson

From: City Council
Sent: Tuesday, June 3, 2025 3:48 PM
To: The Conduit
Cc: City Council; Greg Wheeler; Tom Wolfe; Andrea Spencer; Garrett Jackson
Subject: Comments RE: Item 7B - Updated Statement on Bremerton's Urban Growth Management Planning / Bremerton 2044 Comp Plan Proposal (Marwan Cameron)

Mr. Cameron,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final record for the June 4 Council Meeting.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: The Conduit <marwancameron@gmail.com>
Sent: Tuesday, June 3, 2025 3:29 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Updated Statement on Bremerton's Urban Growth Management Planning / Bremerton 2044 Comp Plan Proposal

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.

Statement on Bremerton's Urban Growth Management Planning / "Bremerton2044" Comp Plan Proposal

By Marwan Cameron, Founder and Executive Director of Gather Together Grow Together

As a resident and community leader in Bremerton, I have witnessed firsthand the impact of the city's planning, policies, and allocation of resources — and I am deeply concerned. The policies currently in place and as proposed in comp planning ("Bremerton2044") reflect priorities and biases that do not align with the lived realities of many Bremertonians, particularly our unhoused neighbors, those with substance use disorders, working families struggling to afford housing, and people who rely on public transportation.

1. Tax Exemptions for Developers / CDBG Funding Disregardful Of Low-Income

The practice of granting tax exemptions to developers is shortsighted and inequitable. While these incentives are said to promote growth, they have resulted in fewer resources for essential public services including the unhoused and low-income. I believe growth must be inclusive — not just profitable for developers.

COMMENT #27

This policy of favoring developers in all things effectively transfers the financial burden to residents while sidelining community needs.

Jose Camacho, a local advocate who's spoken out multiple times at City Council meetings, has made it clear: the partisanship and bias towards developers - even while invoking the needy - including reckless exploitation of HUD CDBG funding, and Opportunity Zone development - fuels mistrust and reinforces a system that benefits a few at the cost of the many. I stand with him in calling for equitable development policies that prioritize accountability, transparency, and long-term benefits for the community.

2. Lack of Public Toilets for the Homeless

Basic sanitation is a human right. I personally took point for porta potties to be placed downtown to address the public health and dignity crisis facing our homeless population. Unfortunately, those facilities are no longer there, and the city has failed to offer a sustainable replacement. CDBG funds have been used for public toilets in other cities.

When individuals are forced to relieve themselves in alleyways and behind buildings, the entire community suffers — from sanitation issues to dehumanization. Jocelyn LaMadrid of Rock the Block has consistently spoken on the need for humane solutions, and I couldn't agree more: it is unacceptable that we treat our most vulnerable with such disregard.

3. Inadequate Support for the Homeless & Substance Use Disorders

Our approach to homelessness and addiction remains reactive, punitive, and disconnected from evidence-based best practices. As someone who works directly with unhoused individuals through Gather Together Grow Together, I see the damage caused by a system that criminalizes poverty and addiction.

Kimmy Siebens has rightfully pointed out that meaningful outreach, wraparound services, and peer-led intervention are key. I've led food and transportation programs and connected people to treatment and shelter — yet I constantly run into barriers that only policy reform can remove.

We need city-supported mobile outreach, mental health crisis teams, safe-use zones, detox options, and low-barrier housing. Compassion must be institutionalized, not just left to volunteers and nonprofits to carry alone.

All initiatives and funding for the unhoused and needy must be made fully transparent and informed by these constituents and their advocates.

4. Affordable Housing Is Out of Reach

Housing is the foundation for everything — yet in Bremerton, it's increasingly out of reach for working families, seniors, and young adults. Developers build for maximum profit, not for need. Some wealthy influential developers have disavowed actually building low-income housing even while the city intervenes on their behalf to gift them with HUD CDBG funds, and even while receiving the MFTEs, and asking for other municipal and other subsidies. "Affordable housing" is often affordable in name only, based on metrics that don't reflect actual incomes in our community.

Jose Camacho has raised the alarm on how city partisanship towards developers including in large developments fails to protect residents from displacement and exploitation. In zeroing on the MFTE debate in 2018, Mr. Camacho found this City Council testimony from Mayor Wheeler. Here, he expresses the position that the over-subsidization of developers (8-year MFTEs) with no strings attached leads to displaced low-income tenants. The mayor long ago abandoned this truth because of developer pressure.

"6-20-18 Wheeler (Before His Pogroms): Subsidizing Developers Means Displacing Low-Income Tenants."
https://youtu.be/LcBbR_P-xk4?si=QBvrBIE0LFA4u8qx

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I echo Mr. Camacho's call for reform, transparency, and ethical equitable treatment of residents for the common good.

We need community land trusts, social housing models, rent stabilization, and requirements for deep affordability in all new developments. We must shift from cronyism and improperly unvetted market-driven development to a people-centered housing policy.

5. Transportation Equity and Frequency

Transportation is the lifeline of opportunity — whether it's for a job, healthcare, or childcare. In Bremerton, too many are left behind. Public transit is infrequent, disconnected, and poorly funded. This disproportionately affects our elderly, disabled, low-income residents, and people of color.

The city's growth strategy encourages dense development with reduced parking, or no parking standards — without improving transit access. That's not equity; that's neglect.

Jose Camacho has stressed this time and again: we cannot push development at the expense of all other factors, including simple fairness, while ignoring our low-income, unhoused, and the vulnerable. And this includes the mobility of the people who live here. I advocate for increasing the frequency of buses, adding night and weekend service, investing in transportation hubs, and integrating transit into our growth strategy—not treating it as an afterthought.

The above violates the Growth Management Act.

<https://app.leg.wa.gov/rcw/default.aspx?cite=36.70a.020>

Reviewing the Act shows city planning has side-lined and disregarded too many of us. Bremerton's "Bremerton2044" comp plan violates and/or will interfere with the following planning goals under RCW 36.70A.020:

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(3) Transportation. Encourage efficient multimodal transportation systems that will reduce greenhouse gas emissions and per capita vehicle miles traveled, and are based on regional priorities and coordinated with county and city comprehensive plans.

(4) Housing. Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process, including the participation of vulnerable populations and overburdened communities, and ensure coordination between communities and jurisdictions to reconcile conflicts.

(14) Climate change and resiliency. Ensure that comprehensive plans, development regulations, and regional policies, plans, and strategies under RCW 36.70A.210 and chapter 47.80 RCW adapt to and mitigate the effects of a changing climate; ... prepare for climate impact scenarios; foster resilience to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice.

Conclusion

Our city deserves leadership that listens and acts with integrity. The Comprehensive Plan poised to be enacted, as an urban growth plan for our future, must be revised to reflect the needs of our most vulnerable, not just the interests of developers and others in the for-profit land use industry. We need fairness and transparency in decision-making, accountability in public spending, and inclusive policies that uplift all of Bremerton.

COMMENT #27

I'm not waiting for permission to do this work — I've already been doing it. But policy must catch up with people. I call on our city officials and neighbors to join me in building a Bremerton that works for everyone.

Marwan Cameron

COMMENT #28

Garrett Jackson

From: City Council
Sent: Wednesday, June 4, 2025 1:19 PM
To: Friends of Smith Cove
Cc: paralegal312@gmail.com; rdmoley26@gmail.com; City Council; Greg Wheeler; Kylie Finnell; Andrea Spencer; Garrett Jackson; Tom Knuckey
Subject: Comments RE: Items 7B to 7D - Objections Attached. Comp Plan Hearing, And Related Hearings Should Be Suspended (Jose Camacho)
Attachments: Comp Plan Objection - 6-4-24 FOSC-4.pdf

Mr. Camacho,

This is to acknowledge receipt of your email and attachment, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final record for the June 4 Council Meeting.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Friends of Smith Cove <friendsofsmithcove@gmail.com>
Sent: Wednesday, June 4, 2025 12:53 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Cc: paralegal312@gmail.com; rdmoley26@gmail.com; Friends of Smith Cove <friendsofsmithcove@gmail.com>
Subject: Objections Attached. Comp Plan Hearing, And Related Hearings Should Be Suspended

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.

For City Council 6-4-25

Please convey the attached comp plan objection to the City Council for the record for today's "Bremerton2044" Comprehensive Plan hearing. This contains some of our main points but not the most important ones - which are that DCD, the city, and probably other city officers and representatives, and private businessmen, are part of a

COMMENT #28

corrupt insiders club tampering with the legal process surrounding land use for private gain, and that this implicates criminal conspiracy, antitrust, racketeering, and Section 1983 Civil Rights action.

The attached objection does not have exhibits affixed to allow the size to get through email. The full objection with attached exhibits can be found on the Friends of Smith Cove Bitly link: bit.ly/4b1ZQAO

Please include this email as the front of the attached objection and include all of it in the record for today's hearing.

--

Friends of Smith Cove in Evergreen Park

Jose Camacho

<https://www.youtube.com/@FriendsofSmithCove>

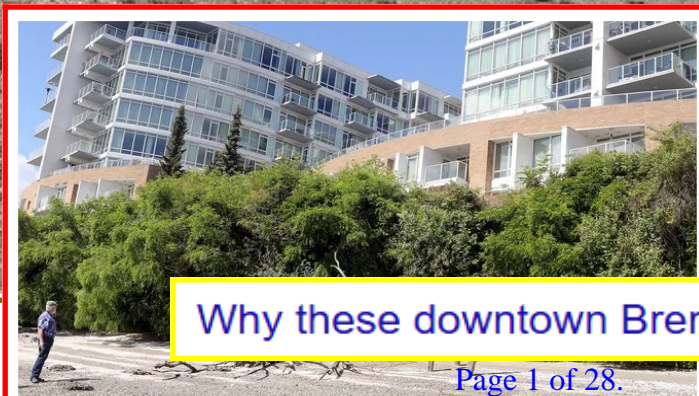
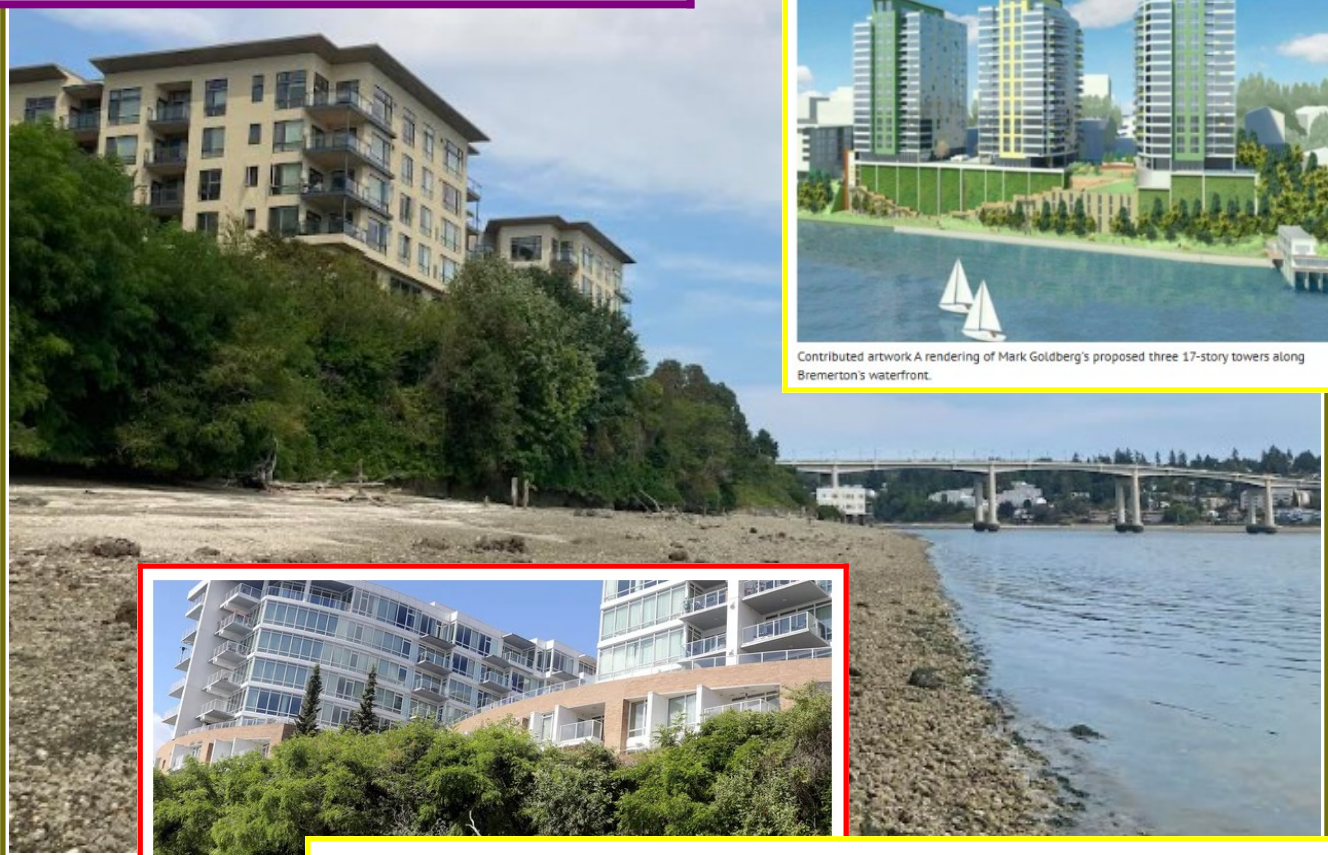
Violation Of RCW 36.70A.480 Institutionalizes DCD's Subversion / Vitiation Of Shoreline Management Act, At Regulatory And Permitting Levels, Resulting In Lessening Of Environmental Protections (RCW 36.70A.020(10) & Unfair Permitting (RCW 36.70A.020(7))

As a repository of the evidence and testimony supporting our contentions see FOSC's Youtube channel: <https://www.youtube.com/@FriendsofSmithCove> and Bitly link therein.

Bremerton's developers' cartel, which includes governmental units and "public servants," including the Department of Community Development (DCD), rigs, misleads, deceives, and conceals law and fact to benefit top dog developers. We uphold transparency, law and justice:

Shoreline Management Act, RCW 90.58.020: "... *There is, therefore, a clear and urgent demand ... to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines. ...The legislature declares that the interest of all of the people shall be paramount in the management of shorelines ... local government ... shall give preference to uses in the following order of ... (1) Recognize and protect the statewide interest over local interest;(2) **Preserve the natural character of the shoreline;** 3) Result in long term over short term benefit ..."*

A skyscraper in Kitsap? It could still happen in Bremerton



Why these downtown Bremerton condos could be at risk?



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Bremerton Violates Washington's Environmental Legacy; A Partisan DCD's Behind Closed Doors Flouting Of State Law Is Trampling Fairness Towards Ordinary Citizens Who Seek Simple Upholding Of Law: Shoreline Management Act & SEPA

The failure of agencies to do their environmental "part" in protecting the resources and aesthetic beauty of our PNW environment means a death by a thousand cuts for our corner of the world. Environmental degradation is taking place while the influential, even rapacious developers, give lip service to environmental stewardship. There are other kinds of degradation taking place which allow this lip service to serve as a weapon against true stewardship: the surrender of intellectual integrity, and the loss of a sense of duty towards maintaining values respecting truth, history, reality, law. Few "hold the line" now as a matter of principle. There is a corruption of our legal and democratic process locally. Bremerton leads the way in this so pervasively that only *epistemic oppression* serves as an adjective.

The Shoreline Management Act does not bar "development." It is a mandate for balancing ecological and environmental health with other interests, including development. Along with the State Environmental Policy Act, and the seminal treaty rights "*Boldt decision*" (United States v. State of Washington, 384 F.Supp. 312 (W.D. Wash. 1974)), the '70s marked a sea change in which the people chose rational honorable caring for our shared home – and in respecting the co-management of Treaty Nations – for the common good.

"... The legislature finds that the shorelines of the state are among the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration, and preservation. ... that unrestricted construction on the privately owned or publicly owned shorelines of the state is not in the best public interest ... There is, therefore, **a clear and urgent demand** for a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, **to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines. ...**"

Shoreline Management Act, RCW 90.58.020. Our environmental sea change like ecological systems is holistic and overarching; SEPA embraces and buttresses the Shoreline Management Act:

"[SMA is] also informed by the State Environmental Policy Act (SEPA), [stating] that '*to the fullest extent possible: (1) [t]he policies, regulations, and laws of the state of Washington shall be interpreted and administered in accordance with the policies set forth in [SEPA].* Among the SEPA policies applicable to the SMA are the recognition of 'the responsibilities of each generation as trustee of the environment for succeeding generations,' RCW 43.21C.020(2)(a), and the recognition that '*each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.*' ...



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Our environmental protections are not vestigial text of a bygone era; it remains part of the fabric of our jurisprudence, our legal culture and values, and our short history of epistemic respect for distinct communities. As summarized by Charles I. Stone Professor of Law, Monte Mills, Director of the Native American Law Center, everyone's interests are served by respect for real environmental stewardship "... recognizing tribal rights is 'not just about justice, but it's about repairing the natural landscape' to protect our nation's lands for everyone." At bottom, the principles are simple yet existential. UW Professor of Law, Sanne Knudsen, frames environmental law as necessary to our survival, but requiring character to implement: "*Environmental law is pragmatic, inevitable, and intentional. In the aggregate, the numerous federal environmental statutes are not simply a patchwork of ad hoc responses or momentary political breakthroughs to isolated public health problems and resource concerns. Together, they are a group of repeated, legislatively-backed commitments to embrace self restraint for self-preservation. Self-restraint and discipline are the essence of environmental law.*"

From Rachel Carson's "Silent Spring," to the Northwest Treaty Tribes' Fish Wars, our collective history has led to rational and values-based changes in our legislated environmental public policies. However, commercial lobbies obstruct this sea change and the results of a half century of environmentalism is equivocal given an imminent climate catastrophe point of no return. Some ambitious legislation has foundered; Puget Sound habitat and wildlife, including salmon, have teetered for decades despite fortunes being spent. Along with innumerable other attempts to staunch persistent ecological degradation, Washington acknowledged the need to halt our ineffectuality in 2007 by involving scientists via the Puget Sound Water Quality Protection Act whose aim was to unite and coordinate the state's far-flung environmental efforts "to oversee the restoration of the environmental health of Puget Sound by 2020." We did not make this deadline; locally, Bremerton's servility to our developer cartel has led to a legally disgraceful Evergreen Pointe project and a disregard of Smith Cove's restoration and the conversion of shoreline, even a feeder bluff, to a cash cow for that cartel.

The privileged of Bremerton manufacture the image of being public benefactors but they have inserted self-interested undermining greed within city decision-making. This is based on our suborned "public servants" embracing DCD's glib expedient lies, misrepresentation, calculated omission. The 5-28-25 Study Session is a perfect example of calculated omission.

DCD's Trojan Horses Are Intentionally Crafted To Be Anti-Shoreline Management Act Provisions Which Will Enrich Shoreline Developers

Ordinance 5417 should be overrule in its entirety as a log-rolling attempt violating the single-subject rule. But minimally, I have argued SMP Section 4.020, **amended "Map E"** (Evergreen Pointe's piecemealed spot zone for Sound West Group); SMP **Section 7.010(b)(3), "Interrupted Buffer,"** and SMP **Section 7.090 "Height Restrictions"** directly contravene the SMA and/or are ultra vires, and are otherwise inconsistent with it. At the last Study Session, Jeff Coughlin pretended Map E – which he voted for as Commissioner – did not exist. The fake SSDP exemption and Map E artifice of the EP project were DCD's direct attempts to subvert mandatory SMA law including RCW 90.58.320 (view preservation, height, public interest). We



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asked Garrett Jackson about these at Coughlin's Comp Plan Town Hall to no effect except his sneering intimation of litigation. Coughlin shushed us away. The 20 month evasion of accountability by DCD and Coughlin for the rigging of the E.P. project is now complete. The side-stepping colloquy between these two in the Study Session of 5-28-25 allowed inexcusable omission of pertinent law inconvenient to this city's realty / developer cartel.

Changes we could make regarding view preservation and/or addressing the concerns of residents regarding view obstruction, in-particular with regards to areas where we are proposing increased heights.

- o Can we include language referring to implementation of sloped height determination or step-backs to mitigate view blocking, e.g., as has happened with certain buildings recently in Manette?

Response: The current and proposed Comprehensive Plan do not contain language for the preservation of private views. Large setback requirements and low maximum building heights are identified by the Department of Commerce as being potential barriers to the creation of additional housing. The policy below calls for the preservation of public views (ie street ends, public parks, and similar) but not private views.

LU4(A): Preserve regional historic, visual and cultural resources including public views, landmarks, archaeological sites, historic and cultural landscapes, culturally significant sites, tribal treaty fishing, hunting and gathering grounds, and areas of special character within Bremerton. Coordinate with proper agencies and tribal governments to ensure preservation.

Our "experts" hide the Shoreline Management Act, RCW 90.58.320 "Height limitation respecting permits" which ties shoreline permitting to compliance with its height requirements, and the impact upon a substantial number of residential views: *"No permit shall be issued pursuant to this chapter for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served."*

DCD's subversion of RCW 90.58.320 resulted in **SMP Section 7.090 "Height Restrictions"** which, like the rest of the SMP, is not addressed in any of the comp planning process despite RCW 36.70A.480, RCW 36.70A.020(15), RCW 90.58.020, and RCW 90.58.320.

(1) Heights in the ~~commercial~~Commercial, ~~& industrial~~Industrial, and Multi-Family designations districts may be increased outright to the to the zoning district height limit through a Conditional Use Permit pursuant to the following provided criteria:

- (i) The increase does not substantially block views from a substantial number of upland residential properties, per RCW 90.58.320.
- (ii) Greater height is demonstrated to be needed for an essential element of an allowed use.
- (iii) The project may be required to include compensating elements that substantially enhance the visual and physical public access to the shoreline.
- (iv) It is demonstrated that No Net Loss of habitat function will be achieved.

As I cited, the Growth Management Act, RCW 36.70A.480, mandates that in SMA shoreline jurisdiction, all policies and criteria for *shoreline* development be consistent with the SMA. SMP Section 7.090 "Height Restrictions" should be invalidated by the GMHB.



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DCD's fake SSDP exemption for the Evergreen Pointe project (violating multiple terms of [WAC 173-27-040](#)) facilitated by DCD Planner Kelli Lambert, and Sound West's Marianne Weber (with an assist from Rice Fergus' Dean Kelly) was a "fix" founded upon prohibited segmentation ([Merkel v. Port of Brownsville](#)). This fix was deployed parallel to the Map E fix for Sound West Group. During these parallel courses of rigging, Planning Commissioner [Jack Paauw](#) was cc'ed in DCD emails and was named in documents as "project representative. So much for "*Developing Community with Vision & Integrity*." This flouting of the SMA is city-wide policy via the "Interrupted Buffer" provision. See also my previously submitted Ostrich Bay Gas Station comment.

Perhaps the Jackson / Coughlin dog and pony show was the hope the fix would be forgotten. It is not. Our local "hear all voices" PhD not only **voted** for Map E as Commissioner, he gave the rigged Evergreen Pointe a **plug for Sound West Group** from his Council chair, and lied it is "*in line with zoning*." He also moved to an "Interrupted Buffer" property across the street from Evergreen Park.

Vitiation And Lessening Of Environmental Protections & Ecological Stewardship Violates And/Or Interferes With GMA Planning Goals 9 and 10

Developers are salivating over the shore segment from Smith Cove in Evergreen Park to the beach in front of the Marina Square development abutting the marina. And DCD is not an ecological steward. RCW 36.70A.020(9) and RCW 36.70A.020(10) respectively require:

(9) "Open space and recreation. Retain open space and green space, enhance recreational opportunities, enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities."

(10) "Environment. Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water."

As stated, DCD exploited, by misrepresentation to the public, the "Isolated" designation of SMP [Section 4.030\(f\)](#) to feign an effective erasure of the "Recreation" designation of SMP [Section 4.030\(h\)](#). This has had real world damaging impact which is unaddressed in comp planning. Section 4.030(h) of the Shoreline Master Program mandates ecological stewardship:

"h) Recreation. Purpose: The Recreation designation is intended to provide recreational and public access opportunities along Bremerton's shorelines. It is an appropriate designation for areas occupied by recreational purposes such as parks and marinas. An additional purpose is to **maintain and restore ecological functions to the area and preserve open space** within the City.

Policies: The following management policies should apply to all shorelines in the Recreation designation:



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- 1) Both to the goal of recreational use and the goal of **ecological stewardship ensuring no net loss of ecological function should be implemented** in all development.
- 2) Development should be related primarily to expanding recreational opportunities in the area. These activities include but are not limited to boating, swimming, walking, hiking, and recreational sports. Priority should be given to those developments related to a water dependent activity such as swimming or boating.
- 3) Recreational opportunities should be accessible to all demographic populations in the City.
- 4) **Park management should encourage ecological stewardship** as outlined in the Restoration Plan. This includes, but is not limited to such measures as setting picnic areas away from the water's edge, planting and maintaining native vegetation buffers along the water, and making floodplain connections where feasible."

See [Ordinance 5229 \(December 2013\)](#). This designation might as well not exist. DCD ignored it, and the city continues to. Certainly, the *ecological stewardship* mandate it embodies has been vitiated and Smith Cove is left to rot away in favor of the EP rig for Sound West Group. This shoreline designation's ecological stewardship focus is uniquely not mentioned in DCD's Environment appendices and in the city's parks and recreation documents.

DCD's presentations to the public deceives by omission of the Shoreline Management Act. DCD destroys more than lawful restrictions imposed on cartel members such as Sound West Group. It has avoided and obstructed valid planning interactions, and has lessened environmental protections and values.

3-19-25 "E.P. Project Site's SMP Recreation Designation's 35-Foot Height Limit Is Vitiating By Map E Artifice" <https://youtu.be/kuNNcgPU0NM?si=NOKuPOAebz7qn3LL>

The result is not excusable, and the city has never bothered to try to explain its abdication including in comp planning. A salmonid restoration plan was effectively erased and/or subordinated. The restoration of Smith Cove has dormant. It contemplates it "*Will benefit Chinook, Chu, Coho, steelhead, and Cutthroat migrating between Dyes and Sinclair Inlets. Project improves over 1,600 linear feet of shoreline to provide feeder fish bedding areas.*" See:

Smith Cove / Evergreen Park Nearshore Restoration Design

<https://secure.rco.wa.gov/prism/search/ProjectSnapshot.aspx?ProjectNumber=14-1949> and

Smith Cove / Evergreen Park Nearshore Construction

<https://srp.rco.wa.gov/Project/210/88520>

Including the vitiation, subversion of the Shoreline Management Act and the city's SMP, and resulting harms, referenced herein and in prior comments, these contribute



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to further harms independently upheld as Planning Goals including the lessening of environmental protections and stewardship, and undermining of Open Space mandates and aspirations. While stormwater and park projects across the city receive millions, Smith Cove – containing Outfall ST17 - currently visibly deteriorating. See "DCD's Fix for Larson Erases Smith Cove's Recreation Designation & Its Salmonid / Restoration Project" <https://youtu.be/isWy-TWo8gQ?si=Lh6CKKhVyt1CE0WI> (compilation).

Councilperson Lori Wheat saw through the city's lessening of the "updated" SMP's environmental protections in 2021 when DCD's subversion took place: "[Lori Wheat Warns Us That City Lessened Environmental Protections Of Shoreline Master Program](#)"

Similarly, ecologist Anna Mockler noted vitiation and deception: "[Anna Mockler Decries Vitiation & Its Labelling As "Minor;" Jackson Then Cites Map E, i.e. Vitiation.](#)"

All comp planning is so intent on turning the waterfront into the cartel's cash cow that our feeder bluff has been disregarded in the comp planning's casual and unstudied "promenade" marketing. This violates **RCW 90.58.020's** mandate to "...Preserve the natural character of the shoreline; [elevate the] long term over short term benefit ..." The depictions (see their hyperlinks) on this brief's front cover demonstrates the history of DCD approvals on sites yet to be developed. Given developers' known use of "reservation of rights" to avoid transparency in parcel ownership, a feeding frenzy upon the shore awaits by the cartel.

My partner and I – in our 60s – walk the shore along and from Smith Cove in Evergreen Park to the beach in front of the Marina Square development abutting the marina. There is a distinction in the SMA made for single-family homes on the shoreline. There is no preference whatsoever for high-rises on top of beaches or on top of bluffs such as the 400 Washington condo building (front cover). We witness the natural erosion which takes place in this feeder bluff, as well as various species on / around this beach, including rare starfish. There are also artificial metal supports against the bluff which presage the inevitable accelerating buttressing and maintenance domino effect which will take place with high-rises upon this bluff and shore segment.

Photos taken by FOSSC: Starfish Under The Bluff



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Photos taken by FOSC:

Active Feeder Bluff Erosion In Our Shoreline (marina to Smith Cove shore)



The history of this segment of the shore includes reported actual cave-ins under waterfront buildings. DCD has approved proposed skyscrapers directly upon the shore including Mark Goldberg's three 17-story "towers," and one 22-story skyscraper. The only question of mine Garrett Jackson ever answered was to admit there are no design studies of the so-called "promenade." Per presentations, this is to be built piecemeal on top of this feeder bluff as "compensation" for high-rises. This is not BAS. Against the SMA mandate, developer's lust for high-rises on this segment of shore will destroy the natural character of this bluff and shoreline which is actually already physically and visibly accessible to the public. The city cartel's profiteering high waterfront views threatens this bluff and shore with piecemeal "coerced" *ad hoc* uncoordinated development - bloated in size for maximum profit as if known seismic risks and liquefaction does not exist in our body of science.

[Lobbies Unconcerned With Truth Now Have A DCD Acting As An Inside Operative / Lobbyist For Developers Complete With Deceit-As-Policy](#)

The power of lobbies corrupts. Even at their best, they are inherently manipulative rather than truth-telling. That is their essential purpose, to overcome individual thoughtful voters holding particular beliefs who attempt to vote their conscience. Per Matthew Desmond in [Poverty, By America:](#) "In 2022, the U.S. Chamber dedicated more than \$35 million to influencing



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government policy ... All but five of the top one hundred organizations that spend the most on lobbying represent business interests. ... That kind of money allows corporate lobbyists to be everywhere at once, stalking not only the halls of Congress but also state legislatures and city council offices ... As to Bremerton's developers' feeding frenzy for housing profits: *"In recent decades, housing has become increasingly commodified and financialized, while tenants in communities across the country are being crushed under unsustainable rent burdens and a shortage of affordable housing. ... [There is a] network of organizations, often backed by corporate landlords, the industry uses to lobby, advocate, and make political contributions. ... Between 2020 and 2022, these trade associations had a total of \$2.5 billion in revenue. In total, the organizations profiled spent over \$402 million between 2020 and 2022 in lobbying at the state and federal level. Associated PACs collected a total of \$167 million from 2019 to 2022."* ["Who Is Behind the Curtain? Breaking Down Trade Associations That Fight Tenants And Hurt Housing Affordability."](#)

In Bremerton, despite open public hearings and proceedings, there is apparent coordination to restrict the information released during such hearings, and every municipal body is infiltrated by the Sound West Group / Rice Fergus Miller realty / developer cartel (which also includes DCD, "KEDA," and chamber of commerce entities), and the "public" comments are also infiltrated by the cartel's mouthpieces. This kind of "empty ceremony" manipulation and even suppression of public deliberation and thought is unchecked, and unfortunately a constant. This lack of integrity and subversion has arisen and metastasized as a sustained *counter movement* of commercial lobbying against the public's rational environmental sea change - from the [Powell Memo to Citizen's United](#), and beyond.

In writings of over a century ago, one can see very clear understandings of the corrupting subversion of American law and democratic process by commercial lobbies. These accounts include the non-radical perspective that lobbies can serve the useful purpose of lending good-faith expertise as long as governmental units remain strong (i.e., functionally independent to vet on behalf of the public):

"... lobbying is as ancient as governing. It is also as legitimate and necessary, since the governing power is in need of the special knowledge which it is the proper office of a lobby to supply. **It is only when the governing power is weak or corrupt** or too transient, **that there is danger of the lobby** laying aside its modest office of supplying information, and **assuming the mastery. As weak kings are governed by favorites and mistresses, so ill-constituted parliaments are governed by lobbies.** ...

["Log-Rolling at Washington"](#) (The Atlantic 1869). Bremerton is overrun, and intimidated by the overwhelming reach of our realty / developer cartel. And unfortunately, our national government has led the way with a history of mendacity, and of itself directly deploying propaganda and "messaging" to turn public opinion or render it numb. ["How the US Government Used Propaganda to Sell Americans on World War I;"](#) ["Manipulating the Masses: Woodrow Wilson and the Birth of American Propaganda."](#) But there is no acceptable



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propaganda or messaging by government which conceals or withholds law from citizens who need or seek such information in formal public processes. This is what is occurring with DCD and the City Attorneys Office. And this has led to the actual obstruction of citizens being obstructed from engaging in public hearings and processes, including comp planning, *in an intelligent and informed manner*.

As ordinary citizens, not in bed with private special for-profit interests in land or "development," we must not accept glib liars as our advisors or land use experts in presentations and testimony about matters of public policy. When we do, we become disarmed and disinformed in an arena where we are already outgunned. Full accurate information, freely given, is the basis for public decision-making for the common good.

Bremerton's public processes, including comp planning are "empty ceremony" affairs because they are crafted to not meaningfully inform citizens. This violates the Growth Management Act, [RCW 36.70A.020](#) at Planning Goal **No. 11**:

"Planning goals. The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations... The following goals ... shall be used exclusively for the purpose of guiding the development of comprehensive plans, development regulations ... Citizen participation and coordination. Encourage the involvement of citizens in the planning process, including the participation of *vulnerable populations and overburdened communities*, and ensure coordination between communities and jurisdictions to reconcile conflicts."

The city, particularly through its DCD and City Attorney Office, has violated the Growth Management Act, [RCW 36.70A.020\(11\)](#) by rank intentional deception of the public. While a private lobbyist can lie for a living, and even suborn citizens, candidates, and governmental bodies, our public servants cannot. This obstruction cuts across and contributes to all other violations / interferences I have cited.

Misleading the public is the expression that meaningful citizen participation is not being encourage. We are being manipulated not informed.

RCW 42.20.040 ("False report") requires: "Every public officer who shall knowingly make any false or misleading statement in any official report or statement, under circumstances not otherwise prohibited by law, shall be guilty of a gross misdemeanor."

RCW 9A.76.175 ("Making a false or misleading statement to a public servant") requires: "A person who knowingly makes a false or misleading material statement to a public servant is guilty of a gross misdemeanor."

The "Constitution protects the right to receive information and ideas." Stanley v. Georgia, 394 U.S. 557 (1969). The right to receive information is the fundamental counterpart of the right of



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free speech; Fritz v. Gorton, 83 Wash. 2d 275 (1974); Time, Inc. v. Hill, 385 U.S. 374 (1967). The "State may not ... contract the spectrum of available knowledge." Griswold v. Connecticut, 381 U.S. 479 (1965). **The First Amendment "prohibit[s] government from limiting the stock of information from which members of the public may draw."** First National Bank of Boston v. Bellotti, 435 U.S. 765 (1978); Board of Ed., Island Trees Union v. Pico, 457 U.S. 853 (1982). Washington has recognized the possibility and unfairness of public hearings so cynically perverted that they are **"empty ceremony:"**

"The right to be heard implies a reasonable hope of being heeded. The right to be heard in a public hearing contemplates ... the hearing must be conducted as to be free from bias and prejudice; it must not only be open-minded and fair, but must have the appearance of being so. ... [it] must be so conducted as to demonstrate that the relevant opinions of all persons invited to attend will be considered and weighed by the legislative body in the light of all other factors influencing their decision. Otherwise, the call for a public hearing would be an ... an empty ceremony conducted simply to provide evidence of mechanical compliance with the statute requiring the public hearing while concealing the purpose of evading it."

Smith v. Skagit County, 75 Wash.2d 715 (1969). Our Courts have also acknowledged that when a citizen walks into a hearing unaware of the calculated ploys and omissions of that body it can be akin to walking into a **"trap."** Glaspey & Sons v. Conrad, 83 Wash.2d 707 (1974)("Under such circumstances, after reading the notice and the proposed ordinance filed in the board's office, one seeking to be an informed opponent or proponent would have been misled. In short, the notice was a trap. No one could have adequately prepared for the hearing under the circumstances before us"). Bremerton's city administration has entered into a *de facto* merger with self-interested profiteering commercial ventures which misdirect public discourse and cuts out the ordinary citizen and the *common good* in such discourse. Destroyed is the right to receive full material information from our municipal government so that we can be **informed participants** in our governance. As declared in the [Public Records Act](#):

"The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created."

DCD's 2019-2021 SMP "periodic review" process was in bad faith and produced bad law inconsistent with the SMA. Its partisan mendacity, woven into Bremerton's public hearings and processes mainly through DCD's assumed role as a fixer, blocks citizens from being informed for meaningful participation in comp planning and other city discourse; it hobbles the public across the board, and this contributes to or is a cause of each violation I object to.



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City Evasion Of Shoreline Management Act, RCW 90.58.020 and Growth Management Act, 36.70A.480 Obstructs GMA 36.70A.020's Citizen Participation Goal

Utterly ignored by DCD, is our citation to Growth Management Act, 36.70A.480 in June 2024. Despite receiving our objection based on **RCW 36.70A.480** in **June 2024**, the City Attorney's Office has submitted a specious "memo" which omits **RCW 36.70A.480** while deflecting to irrelevant permit and SMP appeal deadlines. We cited RCW 36.70A.480 orally here: "**SMPs 'Map E' & 'Interrupted Buffer' Defective & Violates GMAs RCW36.70A.480; Comp Plan Appealable,**" and in written **Comment No. 125**.

With DCD's evasion, developers will extract an illegal fortune from the shoreline segment from the marina to Smith Cove due to partisan rigging. City "leaders," including DCD, continue to participate in manipulation of and concealment of law as a special favor to what can now only be called a developers' cartel. When it became apparent in 2023 that the "**Sound West Group**" six-story (61 feet tall) \$57 million dollar **Evergreen Pointe project** was rigged, we repeatedly requested answers from DCD and city officers including Mayor Wheeler, and Dist. 3 Councilmember Jeff Coughlin. e.g. our March 2024 emails in green below:

March 2024 email

Re: **Community Opposes Unfair Partisan Pre-Determined Evergreen Pointe project**
Meeting: Wedns., 3-6-24, 5 p.m., Evergreen Park, Pavilion near the Berkey Bench

Dear Councilperson Coughlin, Mayor Wheeler, DCD:

We neighbors of the proposed Evergreen Point project, in the spirit of open government and transparency, welcome the Mayor and District 3 Councilperson Jeff Coughlin to meet with us about our grave concerns: Wednesday, March 6, 2024, 5p.m., at Evergreen Park, in front of Smith Cove. The nearby Pavilion will provide shelter if it rains.

We maintain that the comment period for the "Evergreen Pointe" project (EP) *is still open*. My partner and I have previously sent the city our comments, argument and evidence, including video of the failed "notice." A "notice" sign laying face-down on the ground or carried off-site is not good notice. It is disdain. This defective notice inures to to all Bremertonians who are concerned about and oppose the Evergreen Pointe intrusion. The city, through its quasi-judicial DCD, violated its own notice provision, Washington's notice law, the Appearance of Fairness Doctrine, and has not otherwise honored due process law or transparency in this matter. Therefore, with the comment period open, please pay attention to your constituents, include this community protest



DCD SEPA Checklist coverup:

March 2024 email

Demonstrating the essential sham of DCD's SEPA "review" of DCD's "periodic update" of the SMP and DCD's determination to conceal that Map E was engineered specifically for a pending project, one cannot ignore No. 9, page 2 of the SEPA Checklist filled out by Garrett Jackson and approved by Director Andrea Spencer.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

This is a non-project action. Pending property-specific development applications deemed complete by City planning staff are vested to the current policies and regulations of the SMP.

(Checklist for Planning Commission proceedings leading to enactment of Ordinance 5417 ("periodic update of SMP") SEPA # 202006278.

Money talks. But money should not skew our legal process or honest impartial communication from the city to its residents. Mark Goldberg's original 2008-2009 EP proposal went through the shoreline permit process. Other smaller shoreline projects of

The **Evergreen Pointe project** is located in the Evergreen Park neighborhood within a stone's throw from the marine estuary known as Smith Cove. Because this project is within 200 feet of the cove, it is a shoreline development project in the jurisdiction of the Shoreline Management Act (SMA), RCW 90.58.030(d)(2). Thus, the Sound West Group Evergreen Pointe project is restricted to a height no taller than 35 feet via the SMA, and via its progeny, Bremerton's Shoreline Master Program (SMP):

No. 1: The city's SMP Section 4.030(h)'s "Recreation" shoreline environmental designation with its associated height limit of 35 feet in Table 7.090(b) was applied to Smith Cove in Evergreen Park in 2013 (Ordinance 5229).

No. 2: RCW 90.58.320 is a direct requirement in the Shoreline Management Act and its explicit 35-foot height limit is tied to shoreline permit requirements, view protections, and the overriding interests of the public.

Mayor Wheeler and Coughlin cited to the supposed inappropriateness of commenting on the Evergreen Pointe's permit "pending review," then that process was intentionally stalled for 20 months to this date. Yet, Planner Garrett Jackson and Coughlin had already misrepresented to the public that the E.P. project was lawful. It is not. Over 20 months later, the E.P.'s permitting is still stalled, while incorporated into comp planning. 20 months of official gas-lighting and silencing as part of city policy is evident where at Jeff Coughlin's Town Hall for an "open discussion" on comp planning, DCD presenter Planner Garrett Jackson refused to answer our questions about the Evergreen Pointe project's amended **Map E** – the piecemealed spot zone devised to



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benefit only Sound West Group, Map E's corollary city-wide "Interrupted Buffer" parcels, and years of comp planning bereft of Shoreline Management Act consideration or discussion. Amended **Map E**, per DCD Planner Garrett Jackson's testimony on 11-16-20, is the same as the "Interrupted Buffer" provision "without being mapped." And there are over 30 such shoreline parcels as follows:

Jackson's Testimony

Garrett Jackson 11-16-20 Planning Comm.
Re **Interrupted Buffer** – new "Isolated" concept

"We're also adding language for an interrupted buffer. Now as I was explaining earlier about the isolated designation for the shoreline maps currently in our code we have a mapping designation of isolated and uh that covers both mapping and also instances now we are preferring to call interrupted buffer. In both cases, there is a road or a property or some similar physical barrier that separates someone from a shoreline. The only difference here is that the isolated designation would be specifically drawn out on a map where the interrupted buffer is a term we will use to describe on-the-ground circumstances like that. So essentially it's an isolated designation but without being mapped."

"Interrupted Buffer" Parcels (In Jurisdiction Of The Shoreline Management Act)

- | | |
|-------------------------|-------------------------|
| 1. - 132401-2-080-2001 | 17. - 142401-2-045-2004 |
| 2. - 132401-2-080-2001 | 18. - 3702-003-001-0008 |
| 3. - 132401-2-006-2002 | 19. - 3702-003-010-0007 |
| 4. - 132401-2-008-2000 | 20. - 3703-004-002-0202 |
| 5. - 132401-2-009-2009 | 21. - 112401-3-058-2009 |
| 6. - 3709-002-005-0009 | 22. - 12401-3-032-2000 |
| 7. - 3709-002-006-0008 | 23. - 102401-4-121-2001 |
| 8. - 132401-2-024-2000 | 24. - 8542-000-001-0007 |
| 9. - 3802-001-004-0008 | 25. - 102401-1-018-2003 |
| 10. - 3802-001-005-0007 | 26. - 132401-2-040-2000 |
| 11. - 3802-001-006-0006 | 27. - 132401-2-039-2003 |
| 12. - 3804-006-001-1006 | 28. - 132401-2-036-2006 |
| 13. - 142401-1-002-2007 | 29. - 132401-2-049-2001 |
| 14. - 3708-002-001-0004 | 30. - 132401-2-040-2000 |
| 15. - 142401-2-002-2005 | 31. - 132401-2-039-2003 |
| 16. - 142401-2-044-2005 | 32. - 132401-2-051-2006 |

Through DCD's partisan machinations for SWG, Map E's Evergreen Pointe project was "laundered" to appear to the public as if it was an ordinary "building permit" matter – not one requiring shoreline permitting pursuant to the Shoreline Management Act.

March 2024 email

Therein, District 3 Councilperson Jeff Coughlin notes Mayor Wheeler appointed him in 2019 to the Planning Commission, as commissioner he "dived into codes and zones," he interacted with city staff, and alludes to "new planned developments going in" the Evergreen Park neighborhood. In campaigning to be our Councilperson, under the rubric, "Making All Voices Heard," Coughlin emoted "*I believe we can do more to increase communication between the city council and its citizens. With more communication from residents we can make better decisions. I want to make all voices heard and get as much feedback and opinions from residents as possible, so we can make the best decisions together.*" The address of my partner and I has been associated with protesting the EP since 2008-2009. There has been zero contact from Coughlin, the city, or particularly, the DCD. When recently asked to hold a meeting regarding EP-related record tampering in the run up to appealing the EP, and other neighborhood misgivings about the EP, we were given a fake citation by Coughlin. RCW 42.56 is the Chapter citation to the entire Public Records Act, and it has no provisions regarding communication via city email.

Mr. Camacho,

March 2024 email

Thank you for your several e-mails and documents regarding this project, which I have all now read.

In my role as a Councilmember (Legislative branch), I am not involved in, nor have any authority over, any project permitting or review, which is handled by the Administration (Executive branch). A meeting to discuss the permitting of this development would be outside the scope of my authority.



Councilmember Jeff Coughlin · Follow

Thanks for tagging me Jose Camacho. Per WA Public Records Act (RCW 42.56), while I can post updates on my Council FB page, I need to respond to inquiries via city e-mail. Please e-mail me at Jeff.Coughlin@ci.bremerton.wa.us regarding this and I can get you a response, thanks!



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I cite Jeff Coughlin knowing that he is not staff at DCD. But his lending vociferous support of the deceptive DCD narrative that nothing at all is remiss about "Map E" (after voting for it as Commissioner and giving the Evergreen Pointe a plug and false legal opinion) is highly damaging to the public interest but also typical of the overwhelming realty / developer cartel talking points in Bremerton. It is a solid stone wall of suppression of an inconvenient state law restricting the profits of the cartel and its sycophants. The cartel, including DCD, treats the Shoreline Management Act as something which must be suppressed by all of the cartel every day. And one sees this as recently as the Study Session of 5-28-25 in which Coughlin and DCD Planner Garrett Jackson spend 20 minutes speaking of heights, views, and shoreline development as if pertinent existing sections of the SMA had never come into being.

6-17-24 "Map E & Interrupted Buffer = E.P. Project. Each Violates RCW 90.58.020, But DCD Evades On 6-17-24."

5-28-25 "DCD & Council Ignores Feeder Bluff, SMA, RCW 90.58.320, Map E & Interrupted Buffer SMP Provisions"

This suppression of legal information – actual law - cripples our informed participation in SMA and GMA processes including comp planning is city policy. The lay public will not be apprised of full information such that looking at a notice of application will not impart enough information to lead to SMA criteria. This was our experience – nothing on the **Evergreen Pointe project** notice informed community members of state shoreline law because there was no indication such law was implicated on the face of the notice. With "Interrupted Buffer" parcels this basic deception and SMA violation is worsened (no maps) and multiplied across the city.

Notices In Shoreline Permit Case (Same Site/Height): Zero Shoreline Reference In SWG's Evergreen Pointe (Map E) Vs. Goldberg Evergreen Pointe



DEPARTMENT OF COMMUNITY DEVELOPMENT
NOTICE OF APPLICATION

PROPOSAL: Building permit to construct a 123-unit multifamily structure with ground floor commercial space, at 631 Sheldon Boulevard (parcel 132401-2-084-2007), including 125 parking stalls on two levels of parking within the structure, frontage improvements, and landscaping.

APPLICANT: Rice Fergus Miller
OWNER: Student Housing Owner, LLC

DATE OF APPLICATION: 6/22/2023
NOTICE OF COMPLETENESS: 8/23/2023

FILE NUMBER: BB23 00621


NOTICE OF APPLICATION: 9/7/2023

OTHER PERMITS: Site Development Permit, Right of Way Permit(s)

EXISTING ENVIRO. DOCUMENTS: October 11, 2022 MDNS

DEADLINE FOR COMMENTS: September 21, 2023 by 5:00 P.M.

The City of Bremerton has received application for the proposal described above. Public notice is required per Bremerton Municipal Code (BMC) 20.02.150(f). Consistent with the provisions of Bremerton Municipal Code, a fourteen (14) day comment period will be utilized to obtain comments on the Notice of Application.



DEPARTMENT OF COMMUNITY DEVELOPMENT
NOTICE OF SHORELINE APPLICATION AND SEPA DETERMINATION

PROPOSAL: Shoreline Substantial Development Permit for the construction of a 6 story mixed use building to include 103 residential units, ground floor retail, comprising approximately 150,305sf. Site development will include approximately 10,200cy of earthwork, stormwater control facilities, frontage improvements, and associated landscaping.

LOCATION: Corner of Sheldon Boulevard & Mckenzie Avenue

APPLICANT: Tifert LLC

FILE NUMBER: BP08 00121

CRITICAL AREAS: Shorelines

EXISTING ENVIRONMENTAL DOCUMENTS: Environmental Checklist, Preliminary Drainage Report.

DEADLINE FOR COMMENTS: APRIL 7TH 2009 by 5:00 P.M.

The City of Bremerton has received application for the proposal described above. Consistent with the provisions of Bremerton Municipal Code and the Shoreline Master Program a thirty (30) day comment period will be utilized to obtain comments on the Notice of Application.



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Jeff Coughlin, as DCD did, misrepresented the Evergreen Pointe project to the public as legal, and it is not. And hides he voted for the E.P.'s "Map E" as Planning Commissioner. See 11-1-23 plug for Sound West Group: "[Jeff Coughlin Plugs Evergreen Pointe Project \(After Voting For Its Map E Spot Zoning On 11-16-20\).](#)" (This brief uses secure hyperlinks). Similarly, Garrett Jackson misrepresented the Evergreen Pointe project in comp planning as an exemplar of development, not as a product of his agency's rigging. See 2-27-23 "[DCD Cons Us, Erases Shoreline Management Act, & Never Discloses E.P. Project's 35-Foot Height Limit.](#)"

Map E is an "Interrupted Buffer" parcel piecemealed demarcation. As stated, Amended Map E implicates city-wide comprehensive planning because it effects the same thing intended by the Interrupted Buffer provision. Piecemealed spot zoning at DCD's unlawful discretion. That these provisions were conceptually the same was stated not just by Planner Garrett Jackson, but by DCD's "consultant" (Dan Nickel / Watershed Co.) who implemented DCD's directive to insert the Map E and Interrupted Buffer provision's into its "GAP analysis."

From: Dan Nickel [DNickel@watershedco.com]
Sent: Friday, September 25, 2020 2:47 PM
To: Garrett Jackson [Garrett.Jackson@ci.bremerton.wa.us]
CC: Alex Capron [acapron@watershedco.com]; Allison Satter [Allison.Satter@ci.bremerton.wa.us]
Subject: Bremerton SED map changes
Attachments: SED map changes 2020.pdf

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.

Hi Garrett,

Attached is a PDF excerpt of the maps (A through M) contained in the SMP, with annotations denoting where potential changes to the maps have been identified. I have inserted callout boxes in this PDF to locate and describe these changes. There really are not that many, so I quickly summarized them below.

1. Global change noted on Map A – there was a request to change the color of the Commercial designation, since it was very close to the Downtown Waterfront color
2. Map B – designate the small island in NE corner of Oyster Bay. Given its undeveloped condition, we suggest Urban Conservancy
3. Map D
 - a. Extend the Commercial designation to include the parcel at 1917 Wheaton Way
 - b. Extend the Commercial designation one more lot to the south along Shore Drive, near the intersection of Pitt Ave.
 - c. See note regarding the potential to expand Commercial to other areas south of Wheaton Way that currently are MF residential. We have not proposed this, but there clearly was some concern regarding the owners ability to redevelop. I'm not sure if this is a real concern or not. Happy to discuss, if needed.
4. Map E
 - a. Add an Isolated designation along the landward side of Evergreen Park, as shown. This was a request, but similar to my previous comments on this SED, I don't think it is entirely necessary given the proposed amendments we have added regarding lots which are separated from the shoreline by roads.
 - b. Change the first parcel south of Evergreen Park to Commercial designation



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There is a distinction between “inherent isolation” and “separation.” DCD Planner Allison Satter’s emails and DCD’s “Bullpen” / “SMP List” show DCD manipulated SMP Section 4.030(f)’s “**inherent isolation**” language - which arguably invokes a fact-based consideration under SEPA and the SMA – to the performance of a fact-free ritual violating SEPA and the SMA because there will be no actual consideration except of the mere existence of any road. In Garret Jackson’s presentations, any separation is isolation enough for invocation of SMP 4.030(f) to wipe out another designation. In other words, DCD used the “Isolated” designation of SMP [Section 4.030\(f\)](#) to erase the “Recreation” designation of SMP [Section 4.030\(h\)](#) and its 35-foot height limit. This is a tawdry gimmick for Sound West Group, and both Andrea Spencer and Commissioner Paauw have an interest in evading the implications.

- options.
19. Within Watershed – allow Forestry harvest in certain circumstances
 20. Allow Isolated code for anywhere separated by a road (NOT only a designation).
 21. Manette – Boatshed zoning (Commercial designation) should be expanded ONE lot beyond Pitt Avenue to the south (it is SFR and it is part of the apartment).
 22. Instead of Notice to Title for VMP, maybe a conservation easement (notice to titles can be

From 4-14-21 Council Packet: “roadway separates a buffer ... report requirement may be waived”

- iv. Interrupted Buffer. Allowing interrupted shoreline buffers when separated by a roadway (Section 7.010(3), Interrupted buffer). When a legally established roadway separates a buffer, development may occur on the landward edge of the road, and the applicant may need to provide a report assessing impacts to shoreline ecological functions. The report requirement may be waived, depending upon the extent and permanence of the buffer interruption and the project’s impact to the shoreline.

With amended Map E (the illegal laundered Evergreen Pointe project) warning us what DCD has in store, the tautological descent into gobbledygook of equivocal language and undefined terms employed in the final proposal for the the “**Interrupted Buffer**” provision creates further meaninglessness and *ultra vires* discretion on matters controlled by state law very clearly: SEPA and the SMA. This SMP provision represents the kind of *ad hoc* “**uncoordinated and piecemeal development**” which the SMA was created to combat. RCW 90.58.020.

SEPA policies of full disclosure and consideration of environmental values require actual consideration of environmental factors before a determination of no environmental significance can be made.” Gardner v. Pierce County, 27 Wash. App. 241 (1980). The “Interrupted Buffer” provision allows the suspension of deliberative analysis. It intentionally serves as an edict to erase restrictions to allow developers such



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as Sound West Group in the **Evergreen Pointe project** to avoid a height restriction for an illegally increased profitability. The ramifications of this dereliction of duty as policy can be seen in the Ostrich Bay Gas Station case in which DCD is again laundering a shoreline permit matter – a gas station in shoreline jurisdiction – as an ordinary permit case. This despite the known harm of benzene venting from a structure looming over the residences and marine water below and nearby. This is only part of Andrea Spencer’s career-long mission to make the Shoreline Management Act disappear as a substantive mandate for real environmental analysis involving “actual consideration” - not boilerplate perfunctory text on paper without meaning.

After my citation to RCW 36.70A.480 which requires implementation of the SMA including its core mission, RCW 90.58.020, DCD, the City Attorney’s Office, and apparently the rest of the city’s “public servants” imitated an ostrich and simply ignored the fact that the GMA will not allow a defective SMP to continue to undermine the SMA and the SMA’s policies and criteria.

The RCW 36.70A.480, requires comp planning uses the policy and criteria of the Shoreline Management Act as to shoreline analysis, development, and permitting. Despite being given notice by us of this fundamental GMA mandate (and RCW 36.70A.020(15)), DCD and ALL city actors have feigned to the public this law simply does not exist. Although this should thrill Sound West Group, the hiding of law is a betrayal of the public trust and fundamentally unfair.

GMA’s RCW 36.70A.480 Sets Forth A Mandatory Duty In Comp Planning Which The City Flouts In An Intentionally Misleading City Attorney-Authored “Memo”

In a process which is supposed to be truth-based, rational, interactive, and transparent under the Growth Management Act, the city Attorney’s Office and DCD conceals law it violated and subverts – the Shoreline Management Act. This law is hidden from the public because the hiding is intended to bloat the profits of the city’s developer cartel, including Sound West Group. Despite receiving our objection based on [RCW 36.70A.480](#) in **June 2024**, the City Attorney’s Office has submitted an unethical “memo” which omits [RCW 36.70A.480](#) while deflecting to irrelevant permit and SMP appeal deadlines. We cited RCW 36.70A.480 orally here: [“SMPs ‘Map E’ & ‘Interrupted Buffer’ Defective & Violates GMAs RCW36.70A.480; Comp Plan Appealable,”](#) and in written [Comment](#) No. [125](#).

This matter regards *comprehensive planning* under the Growth Management Act. **RCW 36.70A.480** is a GMA mandate. The city cannot ignore it while pretending this process has been “planning.” The side-stepping of a core GMA mandate after being informed of it by lay citizens a year ago is telling; Bremerton is not truly engaging with citizen input. TThe city is engaged in the actual obstruction of informed participation. We should not have to be



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investigators nor to fight an uphill battle towards truth against the full resources and apparatus of a government working to enrich a greed-driven cartel. Moreover, the memo proves the City Attorney is violating attorney Rules of Professional Conduct 3.3, Candor To The Tribunal, and 4.1. Truthfulness In Statements To Others:

Rule 3.3: *"... Legal argument based on a knowingly false representation of law constitutes dishonesty toward the tribunal. A lawyer is not required to make a disinterested exposition of the law, but must recognize the existence of pertinent legal authorities."*

Rule 4.1: *"A lawyer is required to be truthful when dealing with others on a client's behalf, ... Misrepresentations can also occur by partially true but misleading statements or omissions that are the equivalent of affirmative false statements."*

The City Attorney's Office per the testimony of DCD Planner Garrett Jackson was involved in crafting the murder of due process. The deceitful presentation, and enactment of **Ordinances 5506** and **5508**, equals in cynical misrepresentation how the city's 2019-2021 SMP "periodic review" was deployed. When corruption reaches a jurisdiction's governmental attorneys, measures must be taken by other public officials to avoid the taint of complicity and further damage. In Bremerton, the opposite occurs. Easier to go along with the insider's club.

DCD Planner Garrett Jackson's denied wrong-doing and illegality / voidness in the Evergreen Pointe project and in DCD's 2019-2021 SMP "periodic review" by citing to irrelevant appeal deadlines in those processes. And pointing to the approval of the Department of Ecology - "the authority on the subject." However, Ecology is fallible. It can commit error when misled, and simply out of intellectual or ethical failure, and it has been chastised more than once:

"The Department's interpretation of its rules and statutes is also inconsistent with its responsibility under the State Environmental Policy Act (SEPA), chapter 43.21C RCW. SEPA 'directs that, to the fullest extent possible: (1) The policies, regulations, and laws of the state of Washington shall be interpreted and administered in accordance with the policies set forth in this chapter.' RCW 43.21C.030. Among those policies is the recognition of 'the responsibilities of each generation as trustee of the environment for succeeding generations,' RCW 43.21C.020(2)(a), and the recognition that **'each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.'** RCW 43.21C.020(3). Although these policies apply to the State generally, they speak with an insistent voice to the Department of Ecology. See, e.g., 763*763 RCW 43.21A.010. **By condoning violations of its own standards through this permit, the Department has not acted in keeping with this trust."**

Puget Soundkeeper Alliance v. State, 356 P. 3d 753, 189 Wash. App. 127 (2015). DCD is never free of hewing to law or its independent duty to apply the law impartially and correctly.



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Attorneys do not have to be particularly bright. But they must be ethical enough to research it and address adverse authorities. The [Growth Management Hearing Board](#) has remedies available to it which are not concealed: [RCW 36.70A.300](#) and [RCW 36.70A.302](#). These allow for *findings / imposition of invalidity* on already established enactments, regulations, and policies. [RCW 36.70A.480](#) requires a xxx, and [RCW 36.70A.300](#) and [RCW 36.70A.302](#), and will compel a correction. The question has to be why has the city continued to waste the public's time and money, and why is it willing to continue this criminal enterprise into the future?

By disregarding [RCW 36.70A.480](#), the city refuses to use RCW 90.58.020 as a measuring stick for comp planning's consistency with the [Shoreline Management Act](#), and refuses to re-examine the products of its 2019-2021 Shoreline Master Program "periodic review" process. That process was exploited by Andrea Spencer to in bad faith produce unauthorized *ultra vires* and special favor SMP provisions – amended [Map E](#) being the most obvious prohibited piecemeal / spot zoning attempt, unconstitutional on its face. This "periodic review" process should have involved *minor* changes, if at all, in the SMP. But DCD – to deliver favors to Sound West Group, and a class of developers – did something so radical in the "periodic review" process that it created inconsistent anti-[Shoreline Management Act](#) Trojan Horse provisions. This bad faith unauthorized action was funded under a contract with the Dept. of Ecology which relied upon Ecology's regulations and guidance on the limited scope and authority of the SMP periodic review process. What has followed from Spencer's DCD has resulted in a Map E and other provisions uniquely and particularly resulting in pecuniary benefits to Sound West Group, not the common good under law.

City deletion and evasion of the state's mandatory [Shoreline Management Act](#), including [RCW 90.58.020](#), from discussion and analysis means bigger developer profits. Rigged shoreline permitting blocks citizens from objections for SHB and appellate review. Through city deceit, misrepresentation, omission, and subversion of law, our shoreline is being turned into a cash cow by and for its realty / developer cartel featuring "[Sound West Group](#)" as top dog developer.

DCD's History Of Corruption Under Andrea Spencer's Directorship

Well before becoming part of the 4th Street Action Group, Andrea Spencer was promoted to DCD Director under a cloud. DCD had been headed by Chris Hugo. He was terminated suddenly by Mayor Carey Bozeman, and was clear enough that corruption was why he was fired. In 2006, Hugo wrote: "My nearly six years in service to Bremerton's citizens have been the most rewarding in my 32-year planning career. ... I easily accept that the Mayor and I have different perspectives on public service. I hold to the planning profession's Code of Ethics that states that the long-term public interest takes precedence over short-term and special interests. ..."



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"Text of Chris Hugo's Farewell Letter," Kitsap Sun, Sept. 14, 2006. After firing a planner who believed the public interest should not be subordinated to private interests, Mayor Bozeman admitted he "*hoped Spencer would apply for the job. He said she walked into his office the next day ...*" See "Interim Bremerton Planning Manager Given Permanent Job," Kitsap Sun, Oct. 26, 2006. The fix for developers began and continues.

DCD is charged with enforcing and abiding law; this means DCD must engage in *impartial* fair permitting and environmental review. Bodies serving the role of conducting fair and impartial fact finding hearings must be open-minded, objective, impartial, free of entangling influences and "*capable of hearing the weak voices as well as the strong.*" Buell v. Bremerton, 495 P. 2d 1358, 80 Wash. 2d 518 (1972). Instead, DCD acts as an operative for developers, side-stepping state law restricting lucrative "*market-rate*" waterfront development particularly that shoreline segment between the marina and the Smith Cove / Evergreen Park shoreline. I have reviewed Chris Hugo's and Spencer's DCD work through Public Record Act inspections. Under Spencer, there has been a subordination, vitiation, and/or attriting of the State Environmental Policy Act, the Shoreline Management Act, and the Growth Management Act which is legally insupportable but because ordinary citizens cannot afford to have attorneys on retainer, violations of law go unchecked, and the vested rights doctrine then enshrines the violations.

In the process of investigating the rigging of the Sound West Group iteration of the **Evergreen Pointe project**, Friends of Smith Cove obtained and reviewed city DCD records via the Public Records Act for all iterations of the E.P. project. Records show the city has rigged each version of the Evergreen Pointe project. Because the site, height, and bulk of the initial Evergreen Pointe project by **Mark Goldberg** is substantially the same as the current proposed Evergreen Pointe project owned **Wesley Arthur Larson III** it is easy to look for deviation in decision-making by DCD.

Compare DCD documents in the following two Evergreen Pointe iterations:

- 2008-2009 Mark Goldberg / Tiferet EP [project records here](#).
- *Currently pending* Wesley Arthur Larson III / Sound West EP [project records here](#).

In the Goldberg iteration of the E.P. in 2008–2009, DCD's decision admitted a **35-foot height restriction** applied to it, but then simply did not apply the mandatory height variance permit process in gifting Goldberg a height of **61 feet** in violation of [WAC 173-27-040](#) and [WAC 173-27-170](#). This decision had zero explanation for the deviation. The rigging employed for Larson's iteration of the Evergreen Pointe project permit BP21 00099 was a deeper more protracted and multi-faceted commitment to "the fix." For Larson, DCD undertook two courses of misconduct: 1.) proposing a void amended "**Map E**" in a deceitful manner, and 2.) simply flouting multiple aspects of shoreline permitting law to cobble together a stagecrafted ludicrous "decision" that the \$57 million shore project passed the \$5000 dollar threshold test



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of exemption law. This involved violating Merkel v. Port of Browsville and wholesale violations of multiple terms of WAC 173-27-040 and the liberal construction standard of the Shoreline Management Act to feign an exemption "decision" on 10-11-22 (p.6) in the "site plan review" phase of the project. This willfully false exemption was subsequently incorporated in a draft "decision" under permit BB23 00621 – which is still "*pending review*" over 20 months after that project comment period. Under the arbitrary and capricious standard DCD's facile 10-11-22 "decision" is "intolerably mute." WAIT Radio v. FCC, 418 F. 2d 1153 (1969):

ANALYSIS: The shoreline jurisdiction extends 200 feet from the Ordinary High Water Mark (OHWM). The very northwestern tip of the property lies within the shoreline, as shown in the January 12, 2021 Rice Fergus Miller Shoreline Proximity document submittal; this project is exempt from a Shoreline Substantial Development Permit per WAC 173-27-040(2)(a). The → portion within shoreline jurisdiction is an area of approximately 22 square feet, proposed to contain frontage improvements only. This property has the shoreline designation of Isolated, as it is separated from the shoreline by developed area (Evergreen Park and Sheldon Boulevard). In these areas, development standards outlined in the Shoreline Master Program (SMP) are not applicable.

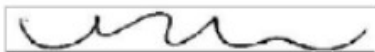
Via the Public Record Act, we requested documents showing the rational bases of DCD mute 10-11-22 "decision." The city responded it had no responsive materials. DCD Planner Allison Satter's 2019 memos and DCD's Bullpen list demonstrates the beginning of DCD's pre-determination for the E.P. project, and its nature as an order for its "consultant" to insert in its "analysis." The city / DCD's corruption in favoring Sound West Group with rigged serial end runs around law is multi-faceted and committed to *over years*.

RE: Evergreen Pointe Shoreline Exemption

Dear Kelli Lambert,

Per WAC 173-27-040(2)(a), development whose fair market value does not exceed a certain dollar amount are exempt from a Shoreline Substantial Development Permit. Effective July 1, 2022, the dollar threshold for substantial development is \$8,504 (per WAC 22-11-036). The area of the project located within the Shoreline Jurisdiction is extremely limited, approximately 22 square feet, and in our estimation the cost of the planned pavement improvement is around \$7,282 based on current sales comp in the immediate area; and will in no case exceed \$8,504 in today's market, September 19, 2022."

Kindest Regards,



Marianne Weber
Development Manager



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The dead letter rationale stage crafted to deceive at first blush as formal process is in fact in complete derogation of the plain language of the SSDP exemption law of [WAC 173-27-040](#) – especially under the required liberal construction standard of the SMA:

“Developments exempt from substantial development permit requirement.

(1) Application and interpretation of exemptions.

(a) **Exemptions shall be construed narrowly.** Only those developments that **meet the precise terms** of one or more of the listed exemptions may be granted exemption from the substantial development permit process. ...

(c) The burden of proof that a development or use is exempt from the permit process is on the applicant.

(d) **If any part of a proposed development is not eligible for exemption, then a substantial development permit is required for the entire proposed development project. ...**

(2) The following developments shall not require substantial development permits:

(a) Any development of which the **total cost** or fair market value, whichever is higher, **does not exceed five thousand dollars**, if such development does not materially interfere with the normal public use of the water or shorelines of the state. The dollar threshold established in this subsection must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2007, based upon changes in the consumer price index during that time period. ...”

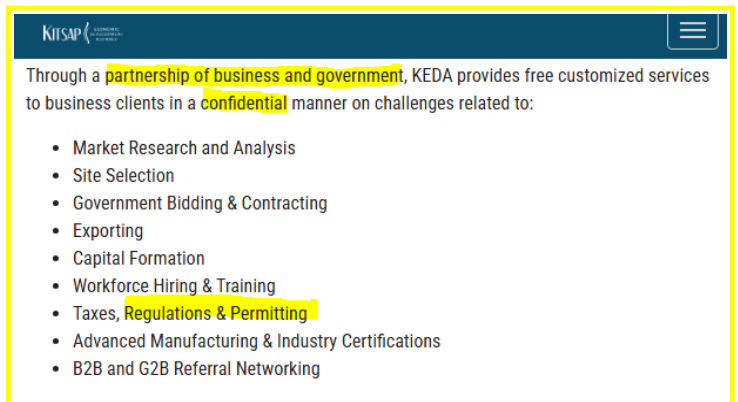
DCD’s surrender is not separate from the seeming idol worship of Mr. Larson by those in the developers’ cartel and by the mercantile cronyism encouraged by the Kitsap Economic Development Alliance (“KEDA”):



Kitsap Economic Development Alliance added a new photo – with Wesley Larson. · Follow
May 12, 2017 · 🌐

KEDA is what we make of it as investors in this partnership. We are KEDA.”

Wes Larson, Principal,
Sound West Group



KITSAP

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- B2B and G2B Referral Networking

On behalf of Sound West Group, DCD rendered a sham exemption to shoreline permitting which rests upon prohibited piecemealing / segmentation, and frivolous dead letter rationales. Their quality of frivolous sophistry is well within the grasp of the City Attorney’s Office, and Sound West Group’s leadership. Wesley Arthur Larson III is an attorney who has retained other attorneys in at least one Shoreline Hearing Board case: Cynthia Baker v. Sound West Holdings, Mike Brown, City of Poulsbo, SHB No. 20-004 (involving *inter alia* a 35-foot



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height limit), and in the Genovese v. Sound West Group Fraud Litigation (allegations of fraud in Larson's Opportunity Zone projects Bremerton).

Friends of Smith Cove began with written objections to the intentional rigging of **Sound West Group (SWG)'s Evergreen Pointe project**. Over time, this led to discovery of the interrelated intentional rigging of the Shoreline Master Program (minimally by Map E / Interrupted Buffer provisions) and comp planning by DCD for the benefit of the prominent names in the same insiders' club as identified in the 4th Street Action Group. Our objections to all this, including the tainting of comp planning, are curated in our FOSC Youtube channel, and have included

We caught on to the partisanship towards SWG via DCD's insupportable amended "Map E." Eventually, we learned Map E went against the very purpose of a seminal bulwark, the Shoreline Management Act. Amended Map E is a sham shoreline "designation" for one man. Map E only ever applied to his SWG **\$57 million Evergreen Pointe project**. This piecemealed hyper-focus violates the SMA's RCW 90.58.020; it is also the exact thing much of American law is against – a special favor. As a blatant special favor, this law should have been shut down by the City Attorney's Office before it ever moved from the legal notepad. Article I, Section 12 of Washington's Constitution is intended to prevent favoritism and special treatment for a few to the disadvantage of others. Ockletree v. Franciscan Health System, 179 Wash.2d 769 (2014); Martinez-Cuevas v. DeRuyter Brothers Dairy, 475 P.3d 164, 196 Wash.2d 506 (2020).

Map E implicates comprehensive planning because per the testimony of DCD Planner Garrett Jackson, the shoreline "designation" underlying **Map E** is the same as that underlying the city-wide shoreline "**Interrupted Buffer**" provision – an *ultra vires* law-suspending "Isolated code" artifice in which "inherent isolation" turned into the mere existence of "any road" in or adjacent to a shoreline parcel was defined as "separation" which triggers the suspension of the Shoreline Management Act. There are over 30 shoreline "Interrupted Buffer" parcels – as unidentified pockets where DCD will exercise options outside of the SMA, these parcels represent uncoordinated piecemeal development in contravention of and inconsistent with RCW 90.58.020.

Quite similarly to the Evergreen Pointe project, DCD continues to abdicate its legal duty to enforce the Shoreline Management Act in other cases. In the SEPA Register is the case of a pending gas station within the jurisdiction of the Shoreline Management Act, the Ostrich Bay Gas Station. This indicates DCD de facto policies flouting the SMA as in the EP project. See SEPA Register here. Since the EP project is based on the Map E artifice, and this is a corollary of the unknown quantity of "Interrupted Buffers," there is a city-wide foundation laid by DCD of uncoordinated piecemeal development which has been underway even as DCD rolled out comp planning proposal side-stepping its SMP misconduct in 2019-2021.

Our neighborhood was given a truncated comment period in the Evergreen Pointe project inviolation of the SMA. Shoreline law requires 30 days. WAC 173-27-110(e) mandates:




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"A statement of the public comment period, which **shall be not less than thirty days** following the date of notice of application, and statements of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. ..."

In addition to DCD's rigging via *ultra vires* void enactments, it also managed to combine a sham SEPA review, prohibited segmentation of shoreline project review, to feign a "decision" that the \$57million dollar Evergreen Pointe project had passed the \$5000 dollar threshold test of the shoreline permitting exemption analysis set forth in [WAC 173-27-040](#).

DCD's Original Notice In Mark Goldberg's Initial Iteration (2008-2009) Of The Evergreen Pointe Project. Unlike Misleading Outlier Treatment Of Larson's EP Project, DCD's Goldberg Notice Did Give Public Basic "Shoreline Application" Information, Did Give Public Proper 30 Days Comment Period (WAC 173-27-110(e)), And Stated It Was Processed As "Shoreline Substantial Development Project"

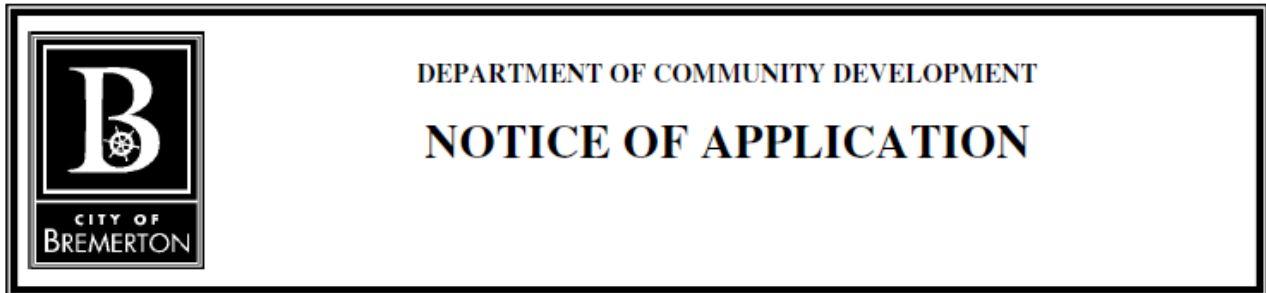
	DEPARTMENT OF COMMUNITY DEVELOPMENT NOTICE OF SHORELINE APPLICATION AND SEPA DETERMINATION
PROPOSAL:	Shoreline Substantial Development Permit for the construction of a 6 story mixed use building to include 103 residential units, ground floor retail, comprising approximately 150,305sf. Site development will include approximately 10,200cy of earthwork, stormwater control facilities, frontage improvements, and associated landscaping.
LOCATION:	Corner of Sheldon Boulevard & Mckenzie Avenue
APPLICANT:	<u>Tifert LLC</u>
FILE NUMBER:	BP08 00121
CRITICAL AREAS:	Shorelines
EXISTING ENVIRONMENTAL DOCUMENTS:	Environmental Checklist, Preliminary Drainage Report.
DEADLINE FOR COMMENTS:	<u>APRIL 7TH 2009 by 5:00 P.M.</u>
The City of Bremerton has received application for the proposal described above. Consistent with the provisions of Bremerton Municipal Code and the Shoreline Master Program a thirty (30) day comment period will be utilized to obtain comments on the Notice of Application.	

Acknowledging applicable 35-foot height limit, DCD's decision did not grant or attempt to use a height variance as explicitly required by the SMA in WAC 173-27-170.



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DCD "Launders" Larson's Iteration Of Evergreen Pointe Which Dissimulates It Was An Ordinary Building Permit Case Rather Than A *Shoreline* Permit & Gave Citizens 14 Days To Comment Instead Of Required 30 Days Pursuant To [WAC 173-27-110\(e\)](#)



PROPOSAL: Building permit to construct a 123-unit multifamily structure with ground floor commercial space, at 631 Sheldon Boulevard (parcel 132401-2-084-2007), including 125 parking stalls on two levels of parking within the structure, frontage improvements, and landscaping.

APPLICANT: Rice Fergus Miller
OWNER: Student Housing Owner,
LLC

DATE OF APPLICATION: 6/22/2023
NOTICE OF COMPLETENESS:
8/23/2023

FILE NUMBER: BB23 00621

NOTICE OF APPLICATION: 9/7/2023

EXISTING ENVIRO. DOCUMENTS:
October 11, 2022 MDNS

OTHER PERMITS: Site Development
Permit, Right of Way Permit(s)

DEADLINE FOR COMMENTS: September 21, 2023 by 5:00 P.M.

The City of Bremerton has received application for the proposal described above. Public notice is required per Bremerton Municipal Code (BMC) 20.02.150(f). Consistent with the provisions of Bremerton Municipal Code, a fourteen (14) day comment period will be utilized to obtain comments on the Notice of Application.

The Evergreen Pointe's false "building permit" deception is still "pending review" **after 20 months** of stalling while Commissioners Paauw and Miller sit on the Planning Commission. Because of the joint disgraceful conniving of DCD and City Attorney's Office, Ordinance 5506 and 5508 (voted on by Commissioner Paauw) purports under color of law to stop opponents of this sham "building permit" case from commenting, objecting to, or appealing this and future laundered shoreline projects.

SWG's Evergreen Pointe project was presented to the public misleadingly as NOT an SSDP case including in [this Garrett Jackson comp plan presentaton](#) to the Planning Commission. This taints the comp plan and is evidence of intentional disinformation not interaction with the public. In other words, this governmental body lied to its residents to deliver a pre-determined "decision" for Wesley Larson and Commissioner Jack Paauw, and other principals of Larson's "Sound West Group" venture. Gaming legal process for the the few against



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legislation of a half century enacted for the common good should not be rewarded with the continuation and deepening of corruption.

Unfair Permitting

Again, implicating unfair permitting, aA shoreline substantial development permit was required pursuant to [RCW 90.58.140](#). SEPA is not satisfied with empty boilerplate. Violations of the SMA, are violations of SEPA. The city is charged with enforcing law, including the environmental review process; not gaming it:

"The [Shoreline Management Act], RCW 90.58, though dealing with a limited area of the environment ... is no less vigorous than SEPA in declaring a policy aimed at the preservation of our natural resources. In fact, the permit system of the SMA "is inextricably interrelated with and supplemented by the requirements of SEPA. *Merkel v. Port of Brownsville, 8 Wn. App. 844, 850-51, 509 P.2d 390 (1973)*. The requirements of SEPA clearly overlay the whole SMA permit process. RCW 43.21C.060."

Sisley v. San Juan County, 89 Wash. 2d 78, 569 P. 2d 712 (1977).

We asked DCD for the comment period to be re-done in the Evergreen Pointe matter. DCD refused. 20 months later, the EP permit matter is still "pending review" as DCD engages in partisan evasion and gaming into further rigs for its favorite private citizen.

DCD represents a continuing institutional and environmental failing. It's concocted Map E effectively resulted in the erasure of the "ecological stewardship" element of the SMP Recreational designation protecting Smith Cove in Evergreen Park, which has a pending salmonid restoration plan in place. And as a final insulting cover-up, the murder of due process in Ordinance 5506 and 5508 demonstrate an irremediable process and agency.

City Council should suspend the comp plan hearing, and related hearings. And the corruption demands the termination of Andrea Spencer before the City tries again.

Failing to meet RCW 36.70A.480, and other law, we will ask the GMHB for all available remedies. And take measures elsewhere as well.

A comp plan incorporating the cited and other SMP provisions would cement years of favoritism towards the realty / developer cartel, and carry inherent inconsistency into the future. We contend the city violates SEPA, SMA, and the GMA, and/or should be adjudged as meriting the imposition of invalidity including but not limited as follows:

- SEPA, including as overlaid on SMA and day-to-day permitting
- Delay and other gaming of law to conceal unfair permitting



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- Amended SMP Section 4.020, Map E
- Interrupted Buffer provision, SMP Section 7.010(b)(3)
- SMP Section 7.090 "Height Restrictions" including deletion of discretionary "may" language, erasure of SMA specificity and criteria, and erasure of overriding public interest language
- Isolated Shoreline Designation, SMP Section 4.030(f)
- Policy of prohibited segmentation / piecemealing per Merkel v. Port of Brownsville
- Policy of not applying variance permitting analyses for excessive height per WAC 173-27-040
- Policy of not applying other terms of WAC 173-27-040 and WAC 173-27-170
- Policy of not applying SMA notice provisions, including 30 day notice comment period
- Fails, pursuant to RCW 90.58.020, to recognize and protect the statewide interest over local interest; fails to preserve the natural character of the shoreline, particularly the shore segment between the downtown marina and up to and including Smith Cove; fails to see to the long term over short term benefit; and, fails to protect the resources and ecology of the shoreline particularly the shore segment between the downtown marina and up to and including Smith Cove.
- Failure to implement RCW 90.58.100(2)(e) regarding uses on land areas adjacent to the shorelines / shorelands for housing, business, industry, transportation, agriculture, natural resources, recreation, education, public buildings and grounds, and other public and private uses of the land.

The above arguments do not exhaust other related arguments nor factual support. We seek the complete overhaul of years of bad faith gaming of shoreline and environmental law by a fraudulent DCD.

Friends of Smith Cove
Jose Camacho

<https://www.youtube.com/@FriendsofSmithCove>
Supporting material here bit.ly/4b1ZQAo



COMMENT #29

Garrett Jackson

From: City Council
Sent: Wednesday, June 4, 2025 2:02 PM
To: complete4all@icloud.com
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson; Tom Knuckey; Tim Barker
Subject: RE: Public comment on Pendergast Park Development (Tina Bryant)
Attachments: REv 1 -Pendergast Park Development.rtf

Ms. Bryant,

This is to acknowledge receipt of your email and attached letter, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: complete4all@icloud.com <complete4all@icloud.com>
Sent: Wednesday, June 4, 2025 12:57 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Public comment

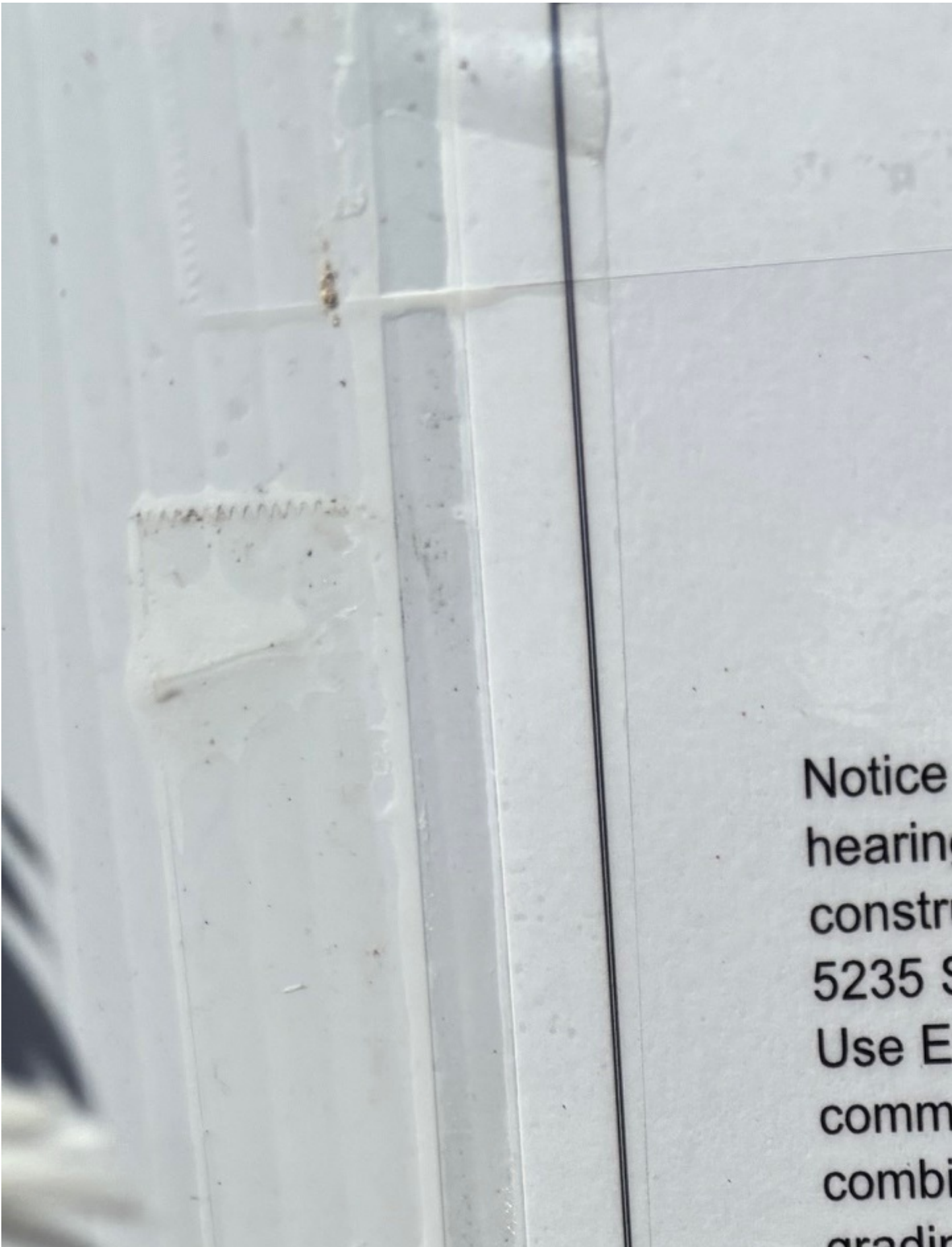
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Please see the attached written comment file and photos.



COMMENT #29





COMMENT #29

To: Bremerton City Council ; 345 6th Street, Suite 100 Bremerton, WA 98337.

Re: Property located 5225 - 5235 Sinclair Way.

My first comment regarding this property development is the fact that the Notice of Public Hearing sign consisted of what appears to be a sheet of 8 1/2 " x 11" paper posted on the property. (Photos attached.) Although I drive past this area on a weekly basis, the printed details are ridiculously small and illegible to vehicle traffic and even to pedestrians, unless they are able to bend down to a level of about 8 to 20 inches from the ground in an attempt to read the actual Notice details. The larger title stating "Public Notice of Land Use Action" should have at least incorporated the address of the property and perhaps a link, in this readable font size, to learn more online about this intended development. Without some identifier in the title, it is ludicrous to expect the general public to research and/or respond to the actions adopted for this site. Why wasn't there a larger board with a drawing of the intended development posted on the site? I only learned of this situation via an offhand discussion with persons at the Pendergast Park. Another public hearing should be held so that the general public and those impacted and/or concerned about this development can respond.

Another concern is that, after discussing the protection of the existing wetlands and wildlife (adjusting the buffer zone from 150 ft to 50 ft), the zoning for this development is now proposed as a "freeway corridor" expected to include "signs and structures that are visible to motorists on nearby freeways, and require parking for high volumes of customers." The stated intent of "environmental protection" is already compromised by these two defined parameters with an implied high volume of traffic to the property being particularly disruptive to the location. Perhaps a third party environmental impact study would conclude that further care and respect should be exercised to preserve the varied habitat at this location and its effect within the Pendergast Park habitat at large. The wildlife is enjoyed by a large number of persons traveling to and from the Park proper by foot, bicycle, or vehicle or walking the undeveloped trails in this area: seeing osprey and bald eagles nest every year, beavers and otters inhabiting the waterways, birds such as goldfinches and migrating swallows, coyotes, etc. comprising this densely packed natural habitat.

The designation of this area as a "freeway corridor" also seems to be quite a stretch as the property appears to lie over 1000 feet away from the freeway. Likely, the residents in the newly built homes at the south end of Sinclair would prefer to avoid such a lenient zoning designation. Many of them and their children walk or bike from their homes down this street (including unaccompanied older children) to access the Pendergast Park and dog park areas.

Bremerton is certainly growing in many modern ways in terms of infrastructure and housing as the population and culture are also changing, although one of the beloved aspects of Bremerton remains its up-close access to nature and open spaces. We should be cautious and conscious in preserving these dwindling resources for future generations and not so quick to discard these jewels. The Pendergast Park itself is a good example of this trend. Its usage has increased substantially with sports enthusiasts of all sorts (baseball, softball, soccer, volleyball, golf, bicycling, jogging, walking), animal lovers (dogpark visitors, observers of bird, snakes, frogs, and insects) and many other varied activities (drones, radio cars, skateboarding, emergency responders practice, cadets marching practice and PT, food fairs, etc.) or just feeling close to nature and collecting blackberries. In essence, we need an expansion of this park

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and it's many offerings, not developments which put all these aspects at risk of immediate damage through the sound, vibrations, dust and debris of construction. This particular undeveloped space could offer a huge addition for Bremerton residents by providing additional, nearly contiguous community-use space to Pendergast Park, or perhaps a community orchard? At the least, any development here should be designed to highly align to environmental preservation. Many aspects of development beyond the construction phase can negatively impact water runoff/pollution, light pollution and circadian rhythms, sound pollution, temperature impact from removing natural heat sinks, etc. I look forward you reopening the public comments for this property and providing a legible public notice posted on the property.

From: Tina Bryant

Email: complete4all@icloud.com

COMMENT #30

Garrett Jackson

From: City Council
Sent: Wednesday, June 4, 2025 2:41 PM
To: Nish Chaudhary
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson
Subject: Comments RE: Item 7D - Eliminating parking minimums in Bremerton (Nish Chaudhary)

Nish,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to City Officials.

Thank you for taking the time to submit your comments, which will be included in the final record for the June 4 Council Meeting.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Nish Chaudhary <nish_c@live.com>
Sent: Wednesday, June 4, 2025 1:48 PM
To: City Council <City.Council@ci.bremerton.wa.us>; Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>
Cc: Garrett Jackson <Garrett.Jackson@ci.bremerton.wa.us>
Subject: Eliminating parking minimums in Bremerton

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.

Honorable City Council Members, Honorable Mayor and Distinguished City Staff,

I am writing in support of eliminating parking requirements across all Bremerton including R-10 residential zoning. Some of the reasons behind supporting this:

1. Our region has housing shortage. Eliminating parking minimums increases housing supply in urban cores. Buffalo New York was among the first cities in US to eliminate parking minimums through its Green Code program. According to researchers, [68%](https://bipartisanpolicy.org/blog/eliminating-parking-minimums-in-buffalo-ny/) of new homes permitted in Buffalo since the Green Code was implemented would be illegal under the previous zoning code. The outcomes are further detailed in the report from bipartisanpolicy.org available at: <https://bipartisanpolicy.org/blog/eliminating-parking-minimums-in-buffalo-ny/>

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2. Eliminating parking requirements improves innovation in land use: When people have flexibility in using their land parcels, they can better design for their needs. They can put ADUs on a lot to allow a care giver or a family member to live instead of having an unused parking space. By mandating a certain minimum number of parking spots, we are putting arbitrary restriction on people's use of their property irrespective of their actual needs. These parking minimums make it near impossible to put an ADU on many of these lots and prevents people from co-living with a senior or aging family member on their lot.

3. The mobility and transportation world are undergoing serious transformation. Newer modes of transport are emerging - small sized EVs, autonomous shuttles, air mobility devices, e-bikes and so on. The concept of a certain size parking space in every home is assuming that automobiles and transportation of today are here to stay in the future. This is akin to some municipality in 1950s requiring every home to have a place for horses and carriages under the assumption that people will always own horses and carriages. This was not true then and we shouldn't make assumptions about future of transportation either. By eliminating these restrictive parking requirements, we will promote innovation, allow people to choose the transportation means of their choice and use their physical space in ways and forms that they deem appropriate. More than 50 cities across US including [Anchorage, Alaska](#), [San Jose, Calif.](#), [Gainesville, Fla.](#) and Duluth, Minn. have already undertaken this step. We should also keep up with changing times.

4. Lastly, eliminating parking minimums doesn't prevent anyone from having one or more parking spaces on their lot. It also doesn't automatically mean that people will start parking on the streets. If people had the desire to park cars on the streets away from their homes, we would already see such behavior throughout the city because we have an abundance of street parking. People prefer to keep their automobiles within their property boundaries for convenience, safety and various other reasons. Elimination of parking minimums will not suddenly change that desire. It only gives people the flexibility to use the space in a way that suits their needs.

I hope these arguments will appeal to your wise judgement and you will agree with the planning commission's recommendation to eliminate parking minimum requirements throughout the city, including the low-density zoning.

With kind regards
Nishchal Chaudhary
Resident - District 3

Garrett Jackson

From: City Council
Sent: Wednesday, June 4, 2025 2:45 PM
To: Paelina DeStephano
Cc: City Council; Greg Wheeler; Andrea Spencer; Garrett Jackson
Subject: Comments RE: Item 7D - Parking Minimum Vote (Paelina DeStephano)

Ms. DeStephano,

This is to acknowledge receipt of your email, which will be provided to the Council Members for their review and consideration. Due to the subject matter, a copy will also be provided to Mayor Wheeler and City Officials.

Thank you for taking the time to submit your comments, which will be included in the final record for the June 4 Council Meeting.

Christine Grenier
Legislative/Auditor Assistant
Bremerton City Council
(360) 473-5280
www.BremertonWA.gov



From: Paelina DeStephano <paolina@gmail.com>
Sent: Wednesday, June 4, 2025 2:01 PM
To: City Council <City.Council@ci.bremerton.wa.us>
Subject: Parking Minimum Vote

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.

Hello City Council,

I am writing to strongly urge the elimination of parking minimums in our zoning code. These outdated requirements inflate construction costs, waste valuable land, and prioritize cars over people. Cities across the country are finding that mandated parking minimums harms housing affordability and discourages walkability. Removing parking minimums gives developers the flexibility to build according to actual demand, ultimately leading to more efficient land use and a more vibrant urban environment. Washington has done an amazing job leading this effort with its backstop law (I can't recommend this [explanation](#) of it enough), but Bremerton has a chance to go further and truly craft a city where people can thrive in walkable neighborhoods.

I would also advocate for expanding mixed-use zoning across the city. Encouraging a blend of residential, commercial, and public spaces fosters walkable neighborhoods, reduces vehicle dependence, and supports local economies. Mixed-use development creates dynamic communities where people can

live, work, and socialize without relying on long commutes. Furthermore, while I appreciate the changes to improve density through the ADU regs, I'm disappointed in the lack of change seen in improving the low density residential zones code or alternatively upzoning key neighborhoods. I see a tremendous benefit in explicitly allowing for sixplexes or stacked flats in low density residential, or upzoning the LDR between downtown and Charleston - all areas that are walkable or bikeable. This also seems increasingly prudent given the potential changes to the parking code. Given our housing crisis and the long lag time for construction, we should expand the potential for density in these walkable neighborhoods.

Thank you,

Paelina (4th and High)