



CITY OF
BAINBRIDGE ISLAND

**PLANNING COMMISSION SPECIAL MEETING
THURSDAY, MAY 14, 2020**

THE PLANNING COMMISSION WILL HOLD THIS MEETING USING A VIRTUAL, ZOOM WEBINAR PLATFORM, PER GOVERNOR INSLEE'S "STAY HOME, STAY HEALTHY" ORDERS. MEMBERS OF THE PUBLIC WHO DO NOT WISH TO VIEW THE MEETING VIA THE BKAT BROADCAST OR THE CITY'S WEBSITE STREAMING WILL BE ABLE TO CALL IN TO THE ZOOM MEETING.

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AGENDA

1. **CALL TO ORDER/AGENDA REVIEW/CONFLICT DISCLOSURE - 5:00 PM**
2. **PLANNING COMMISSION MEETING MINUTES - 5:05 PM**
 - 2.a **Review and Approve Minutes** 10 Minutes
[Planning Commission Minutes DRAFT 021320.pdf](#)
[Planning Commission Minutes DRAFT 022720.pdf](#)
[Planning Commission Minutes DRAFT 031220.pdf](#)
3. **PUBLIC COMMENT ON OFF AGENDA ITEMS - 5:15 PM**
 - 3.a **Instructions for Providing Public Comment in Remote Meetings** 15 Minutes
[Instructions for Providing Public Comment at Remote Meetings.pdf](#)
4. **UNFINISHED BUSINESS - 5:30 PM**

- 4.a **5:30 PM - Bonus Floor Area Ratio (FAR) Options, BIMC 18.12.030.E.** 60 Minutes
BIMC_1812.030_FAR_BONUS_OPTIONS.pdf
RES_2003-25_FULL_CITY_COUNCIL_FOR_DECISION_MAKING_RE__FLOOR_AREA_RATIO_BONUSES.pdf
RES_2001-54_DISTRIBUTION_OF_FUNDS_FROM_PURCHASE_OF_FLOOR_AREA_RATIO_BONUSES.pdf
MUTC Zoning Districts Map.pdf
Planning Commission Minutes and Addendum DRAFT 031220.pdf
20200424_CC_Staff_Memo (10).docx
FAR_USAGE_BY_PROJECT.pdf
Quitslund request for Info in the PC Packet FAR Discussion 5.12.2020.docx
P C Subcommittee Recommendations on FAR Policies, 4.27.2020.docx
Comp_Plan_Goals__Policies_Related_to_FAR.pdf
Chapter 2 WMP.pdf
Admin Manual .pdf

5. **NEW BUSINESS - 6:30 PM**

- 5.a **6:30 PM - PCD 2020 Work Plan and Upcoming Planning Commission (PC) Meetings** 20 Minutes

6. **PLANNING DIRECTOR'S REPORT - 6:50 PM**

7. **ADJOURNMENT - 7:00 PM**

GUIDING PRINCIPLES

Guiding Principle #1 - Preserve the special character of the Island, which includes downtown Winslow's small town atmosphere and function, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.

Guiding Principle #2 - Manage the water resources of the Island to protect, restore and maintain their ecological and hydrological functions and to ensure clean and sufficient groundwater for future generations.

Guiding Principle #3 - Foster diversity with a holistic approach to meeting the needs of the Island and the human needs of its residents consistent with the stewardship of our finite environmental resources.

Guiding Principle #4 - Consider the costs and benefits to Island residents and property owners in making land use decisions.

Guiding Principle #5 - The use of land on the Island should be based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level.

Guiding Principle #6 - Nurture Bainbridge Island as a sustainable community by meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Guiding Principle #7 - Reduce greenhouse gas emissions and increase the Island's climate resilience.

Guiding Principle #8 - Support the Island's Guiding Principles and Policies through the City's organizational and operating budget decisions.



Planning Commission meetings are wheelchair accessible. Assisted listening devices are available in Council Chambers. If you require additional ADA accommodations, please contact the Planning & Community Development Department at (206) 780-3750 or pcd@bainbridgewa.gov by noon on the day preceding the meeting.

Public comment may be limited to allow time for the Commissioners to deliberate. To provide additional public comment, email your comment to pcd@bainbridgewa.gov or mail it to Planning and Community Development, 280 Madison Avenue North, Bainbridge Island, WA 98110.



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: May 14, 2020

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: Review and Approve Minutes

AGENDA CATEGORY: Minutes

PROPOSED BY: Jane Rasely

**PREVIOUS PLANNING COMMISSION
REVIEW DATE(S):**

PREVIOUS COUCIL REVIEW DATE(S):

RECOMMENDED MOTION:

SUMMARY:

BACKGROUND:

ATTACHMENTS:



Planning Commission Regular Meeting February 13, 2020

Meeting Minutes

1) **CALL TO ORDER/ROLL CALL/CONFLICT DISCLOSURE**

Chair William Chester began the meeting at 7:00 PM. Planning Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Kimberly McCormick Osmond, Don Doman and Joe Paar. The agenda was reviewed. There were not any conflicts noted.

2) **PLANNING COMMISSION MEETING MINUTES**

2.a November 14, 2019 - Public Participation Meeting Minutes
Cover Page
Planning Commission Minutes DRAFT 111419.pdf

Motion: I move approval of the minutes from the November 14, 2019 meeting as distributed.

Quitslund/Paar: Passed Unanimously

3) **PUBLIC COMMENT**

None.

4) **NEW BUSINESS**

4.a 7:15 PM - Police & Court Facility Major Adjustment to Site Plan Review and Conditional Use Permit (PLN51524 SPRA CUPA)

Cover Page

PLN51524 SPRA CUPA Staff Report to Planning Commission.pdf

1. PLN51524 SPRA CUPA Site Plan.pdf

2. PLN51524 SPRA CUPA Floor Plans.pdf

3. PLN51524 SPRA CUPA Renderings and Sketches.pdf

4. PLN51524 SPRA CUPA Planting Plan.pdf

5. PLN51524 SPRA CUPA Parking Space Needs Validation.pdf

6. PLN51524 SPRA CUPA Trip Generation Analysis from Transpo Group.pdf

7. PLN51524 SPRA CUPA Traffic Impact Assessment Memo from Project Manager.pdf

8. PLN51524 SPRA CUPA SEPA Checklist.pdf

9. PLN51524 SPRA CUPA Issued MDNS and Adoption of Existing Document.pdf

10. PLN51524 SPRA CUPA Design Review Board Review and Recommendation Minutes.pdf

Associate Planner Ellen Fairleigh provided an overview of the project. The Planning Commission asked for a wetlands report and a director's code interpretation of BIMC 16.020.040 Exemptions to be applied

across all permit applications similar in nature to this one. Joseph Dunstan spoke about the DRB's role in the review process. Project Manager Barry Loveless spoke about the Sound to Olympics trail and its possible movement based on the City's new transportation plan which was currently being updated.

The Planning Commission requested a new report from the DRB outlining their recommendation and remanded the permit application back to the Design Review Board for a written recommendation.

Commissioners discussed with staff the 2020 Workplan Retreat occurring on February 24, 2020. Joseph Dunstan spoke in support of an overlapping meeting in response to the Planning Commission's question about having a joint meeting with the Design Review Board as opposed to separate workshops.

[4.b Ordinance No. 2020-05, Updating the City's Sign Code](#)

[Cover Page](#)

[Sign Code - Introduction - PowerPoint](#)

[Staff Memo - Sign Code Matrix and Q&A \(2-13-20 PCM\)](#)

[Ordinance No. 2020-05, Updating The City's Sign Code - Chapter 15.08 BIMC - for 2-13-20 PCM](#)

[Reed v. Town of Gilbert Article](#)

Deputy City Attorney Robbie Seplar provided an overview of work that had been performed on this ordinance to date.

Public Comment

Jane Rein spoke against sandwich board signs.

Planning Commission requested another study session on this ordinance.

5) OLD BUSINESS

5.a ADU Subcommittee Report

[Cover Page](#)

Commissioner J. Mack Pearl provided an overview of the ADU subcommittee's work.

Public Comment

Bob Russell spoke against requiring common ownership of ADU's as something that may not be legally defensible and about having standard designs for ADU's to provide a streamlined permit process. He also spoke for eliminating water/sewer hookup fees for ADU's to promote affordable housing.

Discussion of Winslow Hotel by Planning Commission.

Chair Chester spoke about the recommendations of the Design Review Board, Planning Commission and the Director's Recommendation to the Hearing Examiner for the Winslow Hotel.

6) PLANNING DIRECTOR'S REPORT

6.a Puget Sound Regional Council Vision 2050 Update.

[Cover Page](#)

[PC Staff Memo on PSRC Vision 2050 Plan.docx](#)

7) ADJOURNMENT

The meeting was adjourned at 9:38 PM.

William Chester, Chair

Jane Rasely, Administrative Specialist

DRAFT



Planning Commission Regular Meeting February 27, 2020

Meeting Minutes

1) CALL TO ORDER/ROLL CALL

Chair William Chester opened the meeting at 7:00 PM. Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Don Doman and Joe Paar.

The agenda was reviewed. There were not any conflicts disclosed.

2) PLANNING COMMISSION MEETING MINUTES

2.a Review and Approve Meeting Minutes

Cover Page

[Planning Commission Minutes DRAFT 121219.pdf](#)

Motion: I move approval of the minutes from the Planning commission meeting of December 12, 2019 as distributed.

Quitslund/Paar: Passed Unanimously

3) PUBLIC COMMENT

None.

4) UNFINISHED BUSINESS

4.a Ordinance 2020-02 (formerly 2019-09) related to Accessory Dwelling Units

Cover Page

[Staff Memo on ADUs.docx](#)

[Ordinance 2020-02 DRAFT.docx](#)

[Planning Commission Subcommittee Recommendations Regarding ADUs](#)

[ADU Use Specific Standards 18.09.030 Attachment A.pdf](#)

Senior Planner Jennifer Sutton provided a summary introduction. The Planning Commission subcommittee (Commissioners Pearl, McCormick Osmond, and Doman) met and forwarded their recommendation for Ordinance 2020-02 on to the full Planning Commission. Commissioner McCormick Osmond then summarized those recommendations to the full commission.

Public Comment

Pascal Schuback spoke in favor of increasing the lot coverage requirements.

Bob Russell spoke in favor of not counting the ADU as part of the lot coverage and reducing impact fees.

4.b [Ordinance No. 2020-05, Updating the City's Sign Code](#)

[Cover Page](#)

[Staff Memo - Sign Code Matrix and Q&A \(2-13-20 PCM\)](#)

[Ordinance No. 2020-05, Updating The City's Sign Code - Chapter 15.08 BIMC - for 2-13-20 PCM](#)

[Reed v. Town of Gilbert Article](#)

[Model Sign Code .pdf](#)

[Commissioner Quitslund Memo to Planning Commission and Staff.pdf](#)

[Commissioner Quitslund Sign Code Discussion Items.pdf](#)

Deputy City Attorney Robbie Sepler facilitated discussion.

Bob Russell spoke about sandwich signs fading out in the future as people are using wayfinder apps.

Andrew Berg spoke in favor of sandwich boards saying it was a very important part of their marketing strategy.

Commissioners felt they were ready to schedule a public hearing and directed staff to find a time in their schedule.

5) **NEW BUSINESS**

5.a **New Business**

[Cover Page](#)

Chair Chester spoke about important goals for the Planning Commission: prioritizing conflicts within the code to the Comprehensive Plan; defining how CUPs were used; Floor Area Ratio with Affordable Housing; and the Shoreline Management Program Amendment and Periodic Review.

6) **PLANNING DIRECTOR'S REPORT**

7) **ADJOURNMENT**

The meeting was adjourned at 9:55 PM.

William Chester, Chair

Jane Rasely, Administrative Specialist



Planning Commission Regular Meeting March 12, 2020

Meeting Minutes

1) **CALL TO ORDER/ROLL CALL**

Chair William Chester called the meeting to order at 7:01 PM. Planning Commissioners in attendance were Mack Pearl, Jon Quitslund, Lisa Macchio, Kim McCormick-Osmond and Joe Paar. Commissioner Don Doman phoned in to the meeting from home.

The agenda was reviewed. There were not any conflicts of interest reported.

2) **PLANNING COMMISSION MEETING MINUTES**

- 2.a January 9, 2020 Minutes
- January 23, 2020 Minutes

Cover Page

[Planning Commission Minutes DRAFT 010920.pdf](#)

[Planning Commission Minutes DRAFT 012320.pdf](#)

Motion: I move approval of the minutes from the January 9 meeting 2020 as distributed, no corrections.

Quitslund/Paar: Passed Unanimously

Motion: I move approval of the minutes from the January 23 meeting 2020 moving them as distributed, no corrections.

Quitslund/Paar: Passed Unanimously

3) **PUBLIC COMMENT**

None.

4) **PUBLIC HEARING**

- 4.a Ordinance 2020-02 (formerly 2019-09) related to Accessory Dwelling Units

Cover Page

[20200312_Staff_Memo_on_ADUs \(1\).docx](#)

[20200312 Ordinance 2020-02 DRAFT.docx](#)

[Planning Commission Subcommittee Recommendations Regarding ADUs](#)

[ADU Use Specific Standards 18.09.030 Attachment A.pdf](#)

Senior Planner Jennifer Sutton provided an overview of the ordinance.

The public hearing was opened at 7:36 PM.

Ron Peltier spoke about the origins of the ADU ordinance they were working on.

Jane Rein spoke for ADUs as a way to have affordable housing.

Michael Pollock spoke as a citizen and for ADUs as a form of affordable housing and was not sure the ordinance as presented would actually increase the supply of affordable housing.

Bob Russell spoke for agricultural lands/farmers being allowed 2 ADUs for farm workers and the incentive of not having the ADU count toward lot coverage.

Joe Dunstan spoke as a citizen and about solving the problem of affordability and that density and affordability are separate. He stated that affordability needed to be subsidized.

The public hearing was closed at 7:54 PM.

MOTION: We move to recommend that Ordinance number 2020-02 be approved by the City Council with the following changes: Whereas sections number 2 and 4 are deleted; Section 18.09.030.I.5.e is modified to reinstate the language that currently is in strikeout; Section 18.09.030.I.5.o adds the following sentence “ADUs cannot be used as a short-term rental unless they have a business license for short term rental before the effective date of Ordinance 2020-02.

McCormick Osmond/Pearl: Passed Unanimously

MOTION: We move to strongly recommend that the City Council consider and adopt a comprehensive affordable housing ordinance that may include as one of its elements incentivizing ADUs as a type of affordable housing. Incentives might include reducing impact fees and determining that an ADU would not count toward lot coverage as ways to encourage affordable housing. We'd also like to urge Council to move forward with drafting regulations to apply to short term vacation rentals to ensure that ADUs remain available as housing and rental properties.

McCormick Osmond/Pearl: Passed unanimously

5) **NEW BUSINESS**

5.a FAR discussion.

Cover Page

[20200227 FAR Memo to PC .pdf](#)

[RES_2001-](#)

[54_DISTRIBUTION_OF_FUNDS_FROM_PURCHASE_OF_FLOOR_AREA_RATIO_BONUS](#)
[S.pdf](#)

[RES_2003-](#)

[25_FULL_CITY_COUNCIL_FOR_DECISION_MAKING_RE__FLOOR_AREA_RATIO_BONUS](#)
[ES.pdf](#)

[BIMC_18.12.030_FAR_BONUS_OPTIONS \(2\).docx](#)

[Comp Plan Goals & Policies Related to FAR.pdf](#)

[WMP Goals & Policies Related to FAR.pdf](#)

Planning & Community Development Director Heather Wright introduced the interim zoning control ordinance.

Public Comment

Michael Pollock spoke about the Council not intending the table to be a loophole but to facilitate historic preservation.

Ron Peltier spoke about vesting projects and bonus FAR and hoped they recommended to adopt the ordinance without the amendment.

Motion: I move that we recommend agreeance with the approval of Ordinance number 2020-10 with the deletion under section 2.B.3 under exclusions.

Paar/Quitslund: Passed Unanimously

Commissioner McCormick Osmond agreed to write an addendum explaining the rationale for the motion.

[5.b Planning Liaison to the DRB Bimonthly Update Cover Page](#)

Chair Chester briefed Commissioners on the new monthly meeting between the chairs and vice-chairs of the Design Review Board and the Planning Commission.

6) UNFINISHED BUSINESS

6.a 2020 Workplan continued discussion.

[Cover Page](#)

[Memo to Council post PC Retreat.docx](#)

[2020 Workplan memo 3-5-20.pdf](#)

[Quitslund Memo 030920.pdf](#)

Deferred until the next meeting.

7) PLANNING DIRECTOR'S REPORT

8) ADJOURNMENT

The meeting was adjourned at 9:47 PM.

William Chester, Chair

Jane Rasely, Administrative Specialist

Addendum to Planning Commission recommendation to remove Section 2.B.3 from Ordinance No. 2020-10, providing rationale for the recommendation.

The Planning Commission recommends removal of Section 2.B.3 from Ordinance No. 2020-10 because it appears to create a new and somewhat confusing standard for determining whether an ordinance applies to a project by excluding projects “that filed a complete land use application with the City and have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of this ordinance.” Ordinance No. 2020-10 already includes Section C, which clearly states that “nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe on any property owner’s or property leaseholder’s vested development rights as defined by state law and City of Bainbridge Island regulations.” If Section 2.B.3 is intended to benefit a specific project or was included to avoid litigation risk to the City, the language should state that in the interest of transparency or be revised to simply exclude the project or projects for which it is intended and explain why they are being excluded.



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: May 14, 2020

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: Instructions for Providing Public Comment in Remote Meetings

AGENDA CATEGORY: Report

PROPOSED BY: Jane Rasely

**PREVIOUS PLANNING COMMISSION
REVIEW DATE(S):**

PREVIOUS COUCIL REVIEW DATE(S):

RECOMMENDED MOTION:

Instructions for providing public comment during remote meetings are attached.

SUMMARY:

BACKGROUND:

ATTACHMENTS:



CITY OF
BAINBRIDGE ISLAND

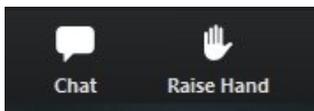
OFFICE OF THE CITY CLERK

April 28, 2020

Members of the public are encouraged to submit written public comment to the City Council at any time by emailing Council at council@bainbridgewa.gov or the City Clerk at cityclerk@bainbridgewa.gov. Members of the public who wish to provide public comment during the remote meeting should follow the instructions outlined below.

INSTRUCTIONS FOR PROVIDING PUBLIC COMMENT IN REMOTE MEETINGS

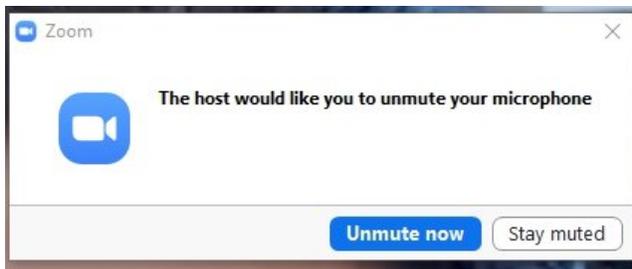
- Attendees who wish to provide public comment sign in to Zoom with their name.
- Attendee opens the Chat screen by clicking on the Chat icon at the bottom of the screen:



- The Chat screen opens on the right-hand side. During public comment, the Clerk will provide notice to speakers through Chat on the amount of time left to speak; attendees will not be able to message Council.
- Meeting Chair will indicate when it is time for public comment.
- Attendee indicates desire to speak by clicking on "Raise Hand" option at the bottom of the screen:



- Attendee clicks button "Unmute now" after they are called to speak by Meeting Chair.



8. Attendee will appear on screen with other panelists, but without video, just name.
9. Attendee provides their comment.
10. Attendee will receive notice in Chat screen ("30 SECONDS") when there are 30 seconds left in the allotted time to speak.
11. Attendee will receive notice in Chat screen ("STOP") when the allotted time is over.
12. Attendee is returned to attendee group, and microphone is muted.
13. As always, public comment is simply received by the Council, with no response.



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: May 14, 2020

ESTIMATED TIME: 60 Minutes

AGENDA ITEM: 5:30 PM - Bonus Floor Area Ratio (FAR) Options, BIMC 18.12.030.E.

AGENDA CATEGORY: Discussion

PROPOSED BY: Heather Wright

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): February 27 & March 12, 2020 (minutes, motion and addendum attached)

PREVIOUS COUCIL REVIEW DATE(S): February 4, 11, 25, March 3, 10, & April 14 & 28, 2020

RECOMMENDED MOTION:

Discuss Bonus FAR options.

SUMMARY:

Prior to the enactment of Ordinance No. 2020-10, the provision of the Bainbridge Island Municipal Code (“BIMC”) that the ordinance primarily impacts, BIMC 18.12.030.E., described various options for achieving bonus density in the Winslow Mixed Use Town Center and High School Road Districts. For example, 100% density could be achieved by providing affordable housing or purchasing development rights, whereas a portion of density could be achieved by providing public amenities and/or infrastructure, and/or by preserving heritage trees on site, and/or via a transfer of development rights. The Ferry Terminal District had two additional options related to providing community open space and ferry related parking.

As a result of the interim zoning control enacted via Ordinance No. 2020-10, Floor Area Ratio (“FAR”) bonus density can only be obtained or used currently under the following circumstances:

- o Providing affordable housing as defined in Chapter 18.36 BIMC in accordance with BIMC 18.12.030.E.1.;
- o Transferring unused FAR from the Islander Mobile Home Park to another parcel or parcels in the Mixed Use Town Center District for residential development in accordance with BIMC 18.12.030.E.1.; or
- o Preserving an historic structure located on a state, local, or federal register in accordance with BIMC 18.12.030.E.6. such that, when an historic structure is preserved, the square footage of that structure will not count toward the FAR calculation.

In addition to the exclusions described above in the bulleted items, Ordinance No. 2020-10 also includes an exclusion recognizing development rights that were purchased from the City or otherwise acquired prior to the effective date of the ordinance, as well as a provision recognizing vested rights. The ordinance also suspends the applicability and use of BIMC 18.27.080 and footnote three to Table 18.12.020-3 because those provisions relate directly to the provisions that are suspended in BIMC 18.12.030.E.

BACKGROUND: The City Council has engaged in multiple discussions regarding bonus FAR density options. The following is a chronological legislative history summary of discussions and decisions made by the Council and the Planning Commission thus far related to Ordinance No. 2020-10, as well as related to consideration of FAR density options more generally. The summary is based on the agenda packet materials and the minutes of the meetings as below described.

At the February 4, 2020 City Council study session, Councilmembers expressed an interest in discussing whether to eliminate the option to purchase bonus FAR. The fees for FAR have been established by resolution (Resolution Nos. 2001-02 & 2006-50) and are included within the City's Fee Schedule. The fees are \$18 per square foot for residential development, \$25 per square foot for mixed use development, and \$34 per square foot for commercial development. The funds are split between public amenities (40%) and farm/agriculture (60%).

Options considered by the Council at the February 4 meeting included pursuing a suspension of the bonus FAR regulations via adoption at a future meeting of an interim control ordinance that would be effective immediately (if adopted on an emergency basis) or five days after passage and publication (if enacted on a non-emergency basis). The Council also discussed the option of seeking to otherwise consider revisions to or elimination of the FAR bonus option by referring the matter to the Planning Commission for review and recommendation, and the Council would then consider that recommendation before taking action.

At the February 11, 2020 City Council business meeting, the Council passed a motion directing the City Manager to pursue an interim zoning control related to BIMC 18.12.030.E. to suspend that section (relating to bonus FAR). A motion to direct the Planning Commission to review Chapter 18.12 BIMC relating to FAR and Chapter 18.21 BIMC relating to affordable housing was tabled. Following further discussion, the Council decided to revisit the first motion and approved a motion to reconsider that motion relating to the development of an interim control ordinance at the Council's February 25, 2020 meeting.

At the February 25, 2020 City Council meeting, the Council reconsidered the motion directing the City Manager to develop an interim control ordinance related to suspending BIMC 18.12.030.E. regarding use of FAR for bonus density. That motion failed. Other motions also failed related to directing the City Manager to pursue an interim zoning control that would suspend BIMC 18.12.030.E. in different ways. However, the Council passed unanimously (6-0, with Councilmember Pollock absent) the following motion:

I move to direct the City Manager to work with the Planning Commission and any other appropriate City committees or commissions to bring back to Council as quickly as possible an ordinance that will reform the City's bonus FAR programs so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights.

At the February 27, 2020 Planning Commission meeting, City staff briefly discussed with the Planning Commission the City Council's action directing the City Manager to work with the Planning Commission to bring back to the Council as quickly as possible an ordinance to reform the City's bonus FAR programs so as to only allow bonus FAR in relation to affordable housing, historic preservation, and transfer of development rights.

At the March 3, 2020 City Council meeting, Councilmember Medina was absent and Councilmember Pollock, who was absent for the February 25 meeting, was present. Councilmember Pollock moved and Councilmember Deets seconded a

motion to add a discussion regarding an interim zoning control related to BIMC 18.12.030.E. to that night's agenda under Unfinished Business. The Council approved the agenda as amended. The Council then unanimously passed a motion to suspend the rules for the purpose of taking up this motion again after having voted on it at the last meeting on February 25. The Council then unanimously passed the following motion:

I move to direct the City Manager to prepare an interim zoning control ordinance for consideration at the Council's March 10 meeting related to BIMC 18.12.030.E. to suspend the applicability and use of that Section E., except that subsections E.1. (related to Optional Affordable Housing) and E.6. (related to Historic Structure Preservation) would not be suspended and waiving any procedural requirements that would otherwise apply to the motion that was passed.

At the March 10, 2020 City Council meeting, the Council considered the interim control ordinance that was prepared as directed by the Council at its March 3, 2020 meeting related to suspending the applicability and use of BIMC 18.12.030.E., except that subsections E.1. (related to Optional Affordable Housing) and E.6. (related to Historic Structure Preservation) would not be suspended. The ordinance was prepared as an emergency ordinance, meaning that it would be effective immediately upon passage. The ordinance also included suspension of the applicability and use of BIMC 18.27.080 and footnote three of Table 18.12.020-3 because those provisions relate directly to the provisions that were being suspended in BIMC 18.12.030.E.

As part of that March 10, 2020 Council meeting, the Council passed various motions to revise the ordinance as drafted. The first such motion was to add an additional exclusion to the interim zoning control as follows:

I move to amend Ordinance No. 2020-10, Section 2.B., to add an exclusion to the interim zoning control for development projects that filed a complete land use permit application with the City and have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of this ordinance.

The Council then adopted motions to remove two recital "Whereas" clauses in the draft ordinance. The Council then voted unanimously to approve Ordinance No. 2020-10 with the following motion:

I move to approve Ordinance No. 2020-10, relating to an interim zoning control to hereby suspend BIMC 18.12.030.E. and related provisions as described in the ordinance regarding floor area ratio bonus density options, except for Sections E.1. and E.6. of BIMC 18.12.030.E. as amended.

At the March 12, 2020 Planning Commission meeting, the Planning Commission ("Commission") had an item on their agenda entitled "FAR Discussion." Included as part of the materials for that agenda item was the February 27, 2020 memorandum written by Planning Director Heather Wright that is referenced above in relation to the Commission's February 27 meeting. Under the "Council Action" section of the memorandum, it states:

On February 25, 2020, the City Council approved a motion that the City Manager work with the Planning Commission and appropriate City Committees or Commissions to bring back to Council as quickly as possible an Ordinance that will reform the City's bonus FAR programs so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation and Transfer of Development Rights.

Based on the draft minutes for this Commission meeting on March 12, 2020 (attached as Attachment B below), Planning Director Heather Wright introduced the interim zoning control ordinance. Following, there was public comment, including from Councilmember Pollock. After the public comment, the Commission unanimously passed a motion (attached):

At the April 14, 2020 City Council meeting, the Council scheduled a public hearing regarding Ordinance No. 2020-10 for April 28, 2020. The Council took action to set the public hearing pursuant to RCW 35A.63.220 and RCW 36.70A.390, which require the Council to hold a public hearing within 60 days of adoption of Ordinance No. 2020-10 (i.e., by May 10, 2020) in order to take public testimony and to consider adopting further findings of fact.

On April 28, 2020, the City Council held a public hearing on Ordinance 2020-10 and no changes to the Ordinance were made.

The Planning Commission formed a subcommittee of 3 members to begin working on a revised FAR ordinance. Prior to this meeting, one member requested for specific policies of the Comprehensive Plan and Winslow Master Plan be included (Attached), as well as the Administrative Manual. For background, those documents are included as well as the Subcommittee's draft recommendation on FAR policies from 4.27.2020.

ATTACHMENTS:

BIMC 18.12.030.E. Bonus Density in Winslow Mixed Use and High School Road Districts. Eligible properties may achieve a maximum level of development above the base FAR, as provided for in Table 18.12.020-3, by using one, or a combination of, the following FAR bonus provisions. The FAR bonus provisions may be combined to achieve the maximum level of development established for each district. In no case shall the total commercial, residential or mixed use FAR exceed the maximum FAR as provided for in Table 18.12.020-3.

1. Optional Affordable Housing.

a. FAR Bonus. Up to 100 percent of the maximum residential FAR bonus may come from providing affordable housing as defined in Chapter [18.36](#) BIMC; provided, that the difference between the base residential FAR and the maximum residential FAR shall be dedicated to affordable housing. A portion of the total floor area that is of common use and benefit to the entire residential development (for example, interior halls, stairwells, laundry rooms, exercise rooms) may be included in the calculation of the affordable housing component. This portion shall be the same percentage as the affordable housing provided. For example, if 20 percent of the living unit floor area is for affordable housing, then 20 percent of the common floor area may be included in the total affordable housing calculation. Development of the optional affordable housing shall be in accordance with Chapter [18.21](#) BIMC and Table 18.12.030.

Table 18.12.030: Optional Affordable Housing Bonus Summary Table

Size of Development	Residential development less than 10,000 sq. ft.	Residential development of 10,000 sq. ft. but less than 60,000 sq. ft.	Residential development more than 60,000 sq. ft.
Affordable Housing FAR Bonus	Must provide 100 percent of bonus square footage for extremely low, very low, or moderate income groups.	Must comply with following ratios: (a) 100 percent of bonus for all moderate; OR (b) 0.2 of bonus for extremely low, very	Must comply with following ratios: 0.1 of bonus for extremely low, very low or low income groups; 0.6 of bonus for moderate income group; and

Table 18.12.030: Optional Affordable Housing Bonus Summary Table

Size of Development	Residential development less than 10,000 sq. ft.	Residential development of 10,000 sq. ft. but less than 60,000 sq. ft.	Residential development more than 60,000 sq. ft.
		low, or low income groups; 0.5 of bonus for moderate income group; and 0.3 of bonus for middle income group.	0.3 of bonus for middle income group.

b. Preservation of the Islander Mobile Home Park. Preservation of the Islander Mobile Home Park as an existing park site for manufactured homes shall be encouraged through the following provisions.

i. Unused FAR from the parcel on which the mobile home park is located may be transferred to another parcel or parcels within the Mixed Use Town Center. For example, the base FAR for the mobile home park would be calculated, less the FAR of the mobile homes. In exchange for permanently preserving the mobile home park, the owner of the property may transfer the unused FAR to another parcel or parcels in the Mixed Use Town Center, where it may be used as bonus FAR above the base FAR for that district.

ii. Permanent preservation of the mobile home park may be used as an affordable housing bonus on another parcel or parcels within the Mixed Use Town Center. For example, in exchange for preserving the mobile home park, the owner of the property would be deemed to have met the affordable housing bonus provisions of subsection A.1 of this section, and could achieve the maximum FAR bonus for residential development on another parcel or parcels in the Mixed Use Town Center. The owner of the mobile home park may either apply the FAR bonus to another parcel(s) he or she owns, or transfer or sell the bonus to another property owner in the Mixed Use Town Center.

2. Purchase of Development Rights. Up to 100 percent of the maximum residential, commercial or mixed use FAR bonus may come from the purchase of development rights as provided for in Chapter [18.27](#) BIMC. The cost of development rights shall be established by resolution of the city council.

3. Public Amenities and/or Infrastructure. At the applicant's option, a portion of the bonus may be earned through the provision of public amenities, infrastructure, and/or preservation of a heritage tree(s) on site, pursuant to an adopted city council resolution clarifying the amount of credit awarded for different provision of different public amenities and/or infrastructure, as follows:

a. Up to 40 percent of the maximum residential, commercial or mixed use FAR bonus may come from monetary contributions toward public amenities and/or infrastructure beyond that required for SEPA mitigation. The amount of the contribution shall be established by resolution of the city council. Funds contributed to the public amenities and/or infrastructure shall be used exclusively in the Mixed Use Town Center or High School Road districts, for projects identified in the six-year capital facilities program, or approved by the city.

b. In lieu of the contribution of funds as provided for in subsection E.3.a of this section, and subject to approval by the director or designee, the public amenities FAR bonus may be achieved by the preservation of a heritage tree(s) on site, construction of public amenities and/or infrastructure beyond that required to mitigate the impacts of development. Public amenities and/or infrastructure projects shall be located in the Mixed Use Town Center or High School Road districts, and shall be chosen from projects identified in the six-year capital facilities program, or approved by the city.

4. Community Open Space. In the ferry terminal district, up to 60 percent of the maximum residential, commercial or mixed use FAR bonus may be achieved by providing community open space of one acre, or 20 percent of the parcel area, whichever is greater. The community open space shall be located in or in the immediate vicinity of locations identified in Figure 4.1 of the Winslow master plan. The open space must be located on the same parcel that is being developed, and must be on land that would be otherwise buildable. Adequate public access to the community open space must be provided. The city shall consider approving the bonus, taking into consideration the configuration, public use and accessibility of the proposed open space. In cases where a development project utilizes the community open space bonus provision in conjunction with the purchase of development rights bonus provision, all funds collected from the purchase of development rights shall go toward the preservation of agricultural lands fund.

5. Winslow Town Center Mixed Use/High School Road FAR Transfers. Up to 20 percent of the maximum residential, commercial or mixed use FAR bonus may come from transfers of FAR from parcels within the Mixed Use Town Center and the High School Road districts. The transfer shall create permanent open space through open space preservation covenants on sending parcels that contain critical areas as defined in Chapter [16.20](#) BIMC. For example, development potential in the ravine of the gateway district may be shifted to the upland area; provided, that the requirements of Chapter [16.20](#) BIMC are satisfied.

6. Historic Structure Preservation. When an historic structure is preserved on site, the FAR of that historic structure shall not be included in the calculation of total FAR for the site. The historic structure must be included on a state, local or federal register.

7. Ferry-Related Parking. In the ferry terminal district, an additional 0.2 FAR may be achieved by relocating existing legal surface ferry commuter parking on site (as shown on Figure 6.2 of the Winslow master plan) to under-building or below-grade parking. The percentage of the additional FAR that is achieved shall be dependent upon the percentage of parking that is relocated. For example, if 50 percent of existing surface ferry commuter parking on site is relocated under-building or below grade, then 50 percent of the total additional FAR (or 0.1 FAR) may be achieved. (Ord. 2017-02 § 1, 2017; Ord. 2015-04 § 1, 2015; Ord. 2014-04 § 6 (Exh. 4 § 1), 2014; Ord. 2011-02 § 2 (Exh. A), 2011)

RESOLUTION NO. 2003-25

A RESOLUTION of the City of Bainbridge Island, Washington, amending Resolution 2001-54, to designate the full City Council as the decision making authority for proposal to construct public amenities in order to achieve floor area ratio bonuses.

WHEREAS, the Winslow Master Plan, adopted May 21, 1998, includes policies that allow for the purchase of bonus floor area ratio, and/or allow bonus floor area ratio to be achieved by constructing public amenities and/or infrastructure in the Mixed Use Town Center and High School Road Districts; and

WHEREAS, the City Council passed Resolution 2001-54 on October 10, 2001, designating the Public Works and Transportation Committee as the decision-making authority for proposals to construct public amenities; and

WHEREAS, the City Council has subsequently determined that the full Council is the appropriate decision-making authority for proposals to construct public amenities, now, therefore

THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND,
WASHINGTON, DOES RESOLVE THAT:

Resolution 2001-54 shall be amended as follows:

Section 1. Funds derived from the purchase of bonus floor area ratio shall be accounted for in a budget subfund, with sixty percent (60%) of the funds directed toward the preservation of agricultural land and forty percent (40%) toward the construction of

public amenities and/or infrastructure, unless one hundred percent (100%) of the maximum bonus is purchased, in which case all of those funds shall be directed toward the preservation of agricultural land.

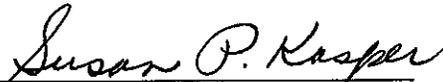
Section 2. Proposals to construct public amenities and/or infrastructure projects for the purpose of obtaining a floor area ratio bonus shall be reviewed and approved by the Public Works and Transportation Committee, upon recommendation of the Director of Public Works, and approved by Resolution of the full City Council.

Section 3. For the purposes of this resolution, public amenities are defined as pocket parks, pedestrian connections, traffic calming treatments, street trees, street furniture and other features, which enhance the livability of Winslow.

PASSED by the City Council this 13th day of August, 2003.


DARLENE KORDONOWY, Mayor

ATTEST/AUTHENTICATE


SUSAN P. KASPER, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO.:

August 6, 2003
August 13, 2003
2003-25

RESOLUTION NO. 2001-54

A RESOLUTION of the City of Bainbridge Island, Washington, establishing the distribution of funds from the purchase of floor area ratio bonuses in the Mixed Use Town Center and High School Road Districts, and designating the decision making authority for proposals to construct public amenities in order to achieve floor area ratio bonuses.

WHEREAS, the City Council passed Ordinance 98-11 on May 21, 1998, adopting the Winslow Master Plan as a sub-area plan of the Comprehensive Plan; and

WHEREAS, the Winslow Master Plan includes policies that allow for the purchase of bonus floor area ratio in the Mixed Use Town Center and High School Road Districts, provided that the resultant funds are used to preserve agricultural land and develop public amenities and/or infrastructure in Winslow; and

WHEREAS, the Winslow Master Plan also includes policies that allow bonus floor area ratio to be achieved by constructing public amenities and/or infrastructure in the Mixed Use Town Center and High School Road Districts; and

WHEREAS, the City Council passed Ordinance 99-17 on September 8, 1999, implementing the Winslow Master Plan; and

WHEREAS, the City Council has determined that appropriate procedures are required to account for funds received from the purchase of bonus floor area ratio and to approve proposals to construct public amenities projects; now, therefore

THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND,
WASHINGTON, DOES RESOLVE THAT:

Section 1. Funds derived from the purchase of bonus floor area ratio shall be accounted for in a budget subfund, with sixty percent (60%) of the funds directed toward the preservation of agricultural land and forty percent (40%) toward the construction of

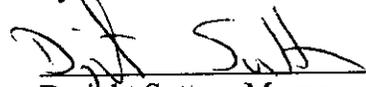
public amenities and/or infrastructure, unless one hundred percent (100%) of the maximum bonus is purchased, in which case all of those funds shall be directed toward the preservation of agricultural land.

Section 2. Proposals to construct public amenities and/or infrastructure projects for the purpose of obtaining a floor area ratio bonus shall be reviewed and approved by the Public Works Committee, upon recommendation of the Director of Public Works.

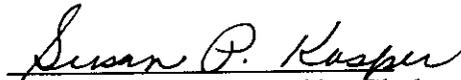
Section 3. For the purposes of this resolution, public amenities are defined as pocket parks, pedestrian connections, traffic calming treatments, street trees, street furniture and other features, which enhance the livability of Winslow.

PASSED by the City Council this 10th day of October, 2001.

APPROVED by the Mayor this 11th day of October, 2001.


Dwight Sutton, Mayor

ATTEST/AUTHENTICATE


SUSAN P. KASPER, City Clerk

FILED WITH THE CITY CLERK:	October 3, 2001
PASSED BY THE CITY COUNCIL:	October 10, 2001
RESOLUTION NO.:	2001-54



Planning Commission Regular Meeting March 12, 2020

Meeting Minutes

1) **CALL TO ORDER/ROLL CALL**

Chair William Chester called the meeting to order at 7:01 PM. Planning Commissioners in attendance were Mack Pearl, Jon Quitslund, Lisa Macchio, Kim McCormick-Osmond and Joe Paar. Commissioner Don Doman phoned in to the meeting from home.

The agenda was reviewed. There were not any conflicts of interest reported.

2) **PLANNING COMMISSION MEETING MINUTES**

- 2.a January 9, 2020 Minutes
- January 23, 2020 Minutes

Cover Page

[Planning Commission Minutes DRAFT 010920.pdf](#)

[Planning Commission Minutes DRAFT 012320.pdf](#)

Motion: I move approval of the minutes from the January 9 meeting 2020 as distributed, no corrections.

Quitslund/Paar: Passed Unanimously

Motion: I move approval of the minutes from the January 23 meeting 2020 moving them as distributed, no corrections.

Quitslund/Paar: Passed Unanimously

3) **PUBLIC COMMENT**

None.

4) **PUBLIC HEARING**

- 4.a Ordinance 2020-02 (formerly 2019-09) related to Accessory Dwelling Units

Cover Page

[20200312_Staff_Memo_on_ADUs \(1\).docx](#)

[20200312 Ordinance 2020-02 DRAFT.docx](#)

[Planning Commission Subcommittee Recommendations Regarding ADUs](#)

[ADU Use Specific Standards 18.09.030 Attachment A.pdf](#)

Senior Planner Jennifer Sutton provided an overview of the ordinance.

The public hearing was opened at 7:36 PM.

Ron Peltier spoke about the origins of the ADU ordinance they were working on.

Jane Rein spoke for ADUs as a way to have affordable housing.

Michael Pollock spoke as a citizen and for ADUs as a form of affordable housing and was not sure the ordinance as presented would actually increase the supply of affordable housing.

Bob Russell spoke for agricultural lands/farmers being allowed 2 ADUs for farm workers and the incentive of not having the ADU count toward lot coverage.

Joe Dunstan spoke as a citizen and about solving the problem of affordability and that density and affordability are separate. He stated that affordability needed to be subsidized.

The public hearing was closed at 7:54 PM.

MOTION: We move to recommend that Ordinance number 2020-02 be approved by the City Council with the following changes: Whereas sections number 2 and 4 are deleted; Section 18.09.030.I.5.e is modified to reinstate the language that currently is in strikeout; Section 18.09.030.I.5.o adds the following sentence “ADUs cannot be used as a short-term rental unless they have a business license for short term rental before the effective date of Ordinance 2020-02.

McCormick Osmond/Pearl: Passed Unanimously

MOTION: We move to strongly recommend that the City Council consider and adopt a comprehensive affordable housing ordinance that may include as one of its elements incentivizing ADUs as a type of affordable housing. Incentives might include reducing impact fees and determining that an ADU would not count toward lot coverage as ways to encourage affordable housing. We'd also like to urge Council to move forward with drafting regulations to apply to short term vacation rentals to ensure that ADUs remain available as housing and rental properties.

McCormick Osmond/Pearl: Passed unanimously

5) **NEW BUSINESS**

5.a FAR discussion.

Cover Page

[20200227 FAR Memo to PC .pdf](#)

[RES_2001-](#)

[54_DISTRIBUTION_OF_FUNDS_FROM_PURCHASE_OF_FLOOR_AREA_RATIO_BONUS](#)
[S.pdf](#)

[RES_2003-](#)

[25_FULL_CITY_COUNCIL_FOR_DECISION_MAKING_RE__FLOOR_AREA_RATIO_BONUS](#)
[ES.pdf](#)

[BIMC_18.12.030_FAR_BONUS_OPTIONS \(2\).docx](#)

[Comp Plan Goals & Policies Related to FAR.pdf](#)

[WMP Goals & Policies Related to FAR.pdf](#)

Planning & Community Development Director Heather Wright introduced the interim zoning control ordinance.

Public Comment

Michael Pollock spoke about the Council not intending the table to be a loophole but to facilitate historic preservation.

Ron Peltier spoke about vesting projects and bonus FAR and hoped they recommended to adopt the ordinance without the amendment.

Motion: I move that we recommend agreeance with the approval of Ordinance number 2020-10 with the deletion under section 2.B.3 under exclusions.

Paar/Quitslund: Passed Unanimously

Commissioner McCormick Osmond agreed to write an addendum explaining the rationale for the motion.

[5.b Planning Liaison to the DRB Bimonthly Update Cover Page](#)

Chair Chester briefed Commissioners on the new monthly meeting between the chairs and vice-chairs of the Design Review Board and the Planning Commission.

6) UNFINISHED BUSINESS

6.a 2020 Workplan continued discussion.

[Cover Page](#)

[Memo to Council post PC Retreat.docx](#)

[2020 Workplan memo 3-5-20.pdf](#)

[Quitslund Memo 030920.pdf](#)

Deferred until the next meeting.

7) PLANNING DIRECTOR'S REPORT

8) ADJOURNMENT

The meeting was adjourned at 9:47 PM.

William Chester, Chair

Jane Rasely, Administrative Specialist

Addendum to Planning Commission recommendation to remove Section 2.B.3 from Ordinance No. 2020-10, providing rationale for the recommendation.

The Planning Commission recommends removal of Section 2.B.3 from Ordinance No. 2020-10 because it appears to create a new and somewhat confusing standard for determining whether an ordinance applies to a project by excluding projects “that filed a complete land use application with the City and have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of this ordinance.” Ordinance No. 2020-10 already includes Section C, which clearly states that “nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe on any property owner’s or property leaseholder’s vested development rights as defined by state law and City of Bainbridge Island regulations.” If Section 2.B.3 is intended to benefit a specific project or was included to avoid litigation risk to the City, the language should state that in the interest of transparency or be revised to simply exclude the project or projects for which it is intended and explain why they are being excluded.

Department of Planning and Community Development

Memorandum

Date: April 24, 2020
To: City Council
From: Heather Wright
Director of Planning and Community Development
Subject: Public Hearing Regarding Ordinance No. 2020-10: Interim Control Ordinance, BIMC 18.12.030.E., Bonus Density

Introduction

The purpose of tonight's agenda item is to hold a public hearing on Ordinance No. 2020-10.

Prior to the enactment of Ordinance No. 2020-10, the provision of the Bainbridge Island Municipal Code ("BIMC") that the ordinance primarily impacts, BIMC 18.12.030.E., described various options for achieving bonus density in the Winslow Mixed Use Town Center and High School Road Districts. For example, 100% density could be achieved by providing affordable housing or purchasing development rights, whereas a portion of density could be achieved by providing public amenities and/or infrastructure, and/or by preserving heritage trees on site, and/or via a transfer of development rights. The Ferry Terminal District had two additional options related to providing community open space and ferry related parking.

As a result of the interim zoning control enacted via Ordinance No. 2020-10, Floor Area Ratio ("FAR") bonus density can only be obtained or used currently under the following circumstances:

- Providing affordable housing as defined in Chapter 18.36 BIMC in accordance with BIMC 18.12.030.E.1.;
- Transferring unused FAR from the Islander Mobile Home Park to another parcel or parcels in the Mixed Use Town Center District for residential development in accordance with BIMC 18.12.030.E.1.; or
- Preserving an historic structure located on a state, local, or federal register in accordance with BIMC 18.12.030.E.6. such that, when an historic structure is preserved, the square footage of that structure will not count toward the FAR calculation.

In addition to the exclusions described above in the bulleted items, Ordinance No. 2020-10 also includes an exclusion recognizing development rights that were purchased from the City or otherwise acquired prior to the effective date of the ordinance, as well as a provision recognizing vested rights. The ordinance also suspends the applicability and use of BIMC 18.27.080 and footnote three to Table 18.12.020-3 because those provisions relate directly to the provisions that are suspended in BIMC 18.12.030.E. The legislative history and analysis below provide additional detail regarding the exclusions.

For illustrative purposes, attached to this agenda packet is a map entitled, "MUTC & HSR Zoning Districts," which displays the overall area at issue in relation to Ordinance No. 2020-10, as well as the location of the specific districts that are included in that area. The map is a helpful reference tool related to Table 18.12.020-3 (which is included as Exhibit A to the ordinance).

Legislative History

The City Council has engaged in multiple discussions regarding bonus FAR density options. The following is a chronological legislative history summary of discussions and decisions made by the Council and the Planning Commission thus far related to Ordinance No. 2020-10, as well as related to consideration of FAR density options more generally. The summary is based on the agenda packet materials and the minutes of the meetings as below described.

At the February 4, 2020 City Council study session, Councilmembers expressed an interest in discussing whether to eliminate the option to purchase bonus FAR. The fees for FAR have been established by resolution (Resolution Nos. 2001-02 & 2006-50) and are included within the City's Fee Schedule. The fees are \$18 per square foot for residential development, \$25 per square foot for mixed use development, and \$34 per square foot for commercial development. The funds are split between public amenities (40%) and farm/agriculture (60%).

Options considered by the Council at the February 4 meeting included pursuing a suspension of the bonus FAR regulations via adoption at a future meeting of an interim control ordinance that would be effective immediately (if adopted on an emergency basis) or five days after passage and publication (if enacted on a non-emergency basis). The Council also discussed the option of seeking to otherwise consider revisions to or elimination of the FAR bonus option by referring the matter to the Planning Commission for review and recommendation, and the Council would then consider that recommendation before taking action.

At the February 11, 2020 City Council business meeting, the Council passed a motion directing the City Manager to pursue an interim zoning control related to BIMC 18.12.030.E. to suspend that section (relating to bonus FAR). A motion to direct the Planning Commission to review Chapter 18.12 BIMC relating to FAR and Chapter 18.21 BIMC relating to affordable housing was tabled. Following further discussion, the Council decided to revisit the first motion and approved a motion to reconsider that motion relating to the development of an interim control ordinance at the Council's February 25, 2020 meeting.

At the February 25, 2020 City Council meeting, the Council reconsidered the motion directing the City Manager to develop an interim control ordinance related to suspending BIMC 18.12.030.E. regarding use of FAR for bonus density. That motion failed. Other motions also failed related to directing the City Manager to pursue an interim zoning control that would suspend BIMC 18.12.030.E. in different ways. However, the Council passed unanimously (6-0, with Councilmember Pollock absent) the following motion:

I move to direct the City Manager to work with the Planning Commission and any other appropriate City committees or commissions to bring back to Council as quickly as possible an ordinance that will reform the City's bonus FAR programs so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights.

At the February 27, 2020 Planning Commission meeting, City staff briefly discussed with the Planning Commission the City Council's action directing the City Manager to work with the Planning Commission to bring back to the Council as quickly as possible an ordinance to reform the City's bonus FAR programs so as to only allow bonus FAR in relation to affordable housing, historic preservation, and transfer of development rights. Included as part of the Director's Update for that Planning Commission meeting was discussion related to a memorandum prepared by Heather Wright, Planning Director, regarding the Council's referral of the matter to the Planning Commission. That memorandum is attached as Attachment A below.

At the March 3, 2020 City Council meeting, Councilmember Medina was absent and Councilmember Pollock, who was absent for the February 25 meeting, was present. Councilmember Pollock moved and Councilmember Deets seconded a motion to add a discussion regarding an interim zoning control related to BIMC 18.12.030.E. to that night's agenda under Unfinished Business. The Council approved the agenda as amended. The Council then unanimously passed a motion to suspend the rules for the purpose of taking up this motion again after having voted on it at the last meeting on February 25. The Council then unanimously passed the following motion:

I move to direct the City Manager to prepare an interim zoning control ordinance for consideration at the Council's March 10 meeting related to BIMC 18.12.030.E. to suspend the applicability and use of that Section E., except that subsections E.1. (related to Optional Affordable Housing) and E.6. (related to Historic Structure Preservation) would not be suspended and waiving any procedural requirements that would otherwise apply to the motion that was passed.

At the March 10, 2020 City Council meeting, the Council considered the interim control ordinance that was prepared as directed by the Council at its March 3, 2020 meeting related to suspending the applicability and use of BIMC 18.12.030.E., except that subsections E.1. (related to Optional Affordable Housing) and E.6. (related to Historic Structure Preservation) would not be suspended. The ordinance was prepared as an emergency ordinance, meaning that it would be effective immediately upon passage. The ordinance also included suspension of the applicability and use of BIMC 18.27.080 and footnote three of Table 18.12.020-3 because those provisions relate directly to the provisions that were being suspended in BIMC 18.12.030.E.

As part of that March 10, 2020 Council meeting, the Council passed various motions to revise the ordinance as drafted. The first such motion was to add an additional exclusion to the interim zoning control as follows:

I move to amend Ordinance No. 2020-10, Section 2.B., to add an exclusion to the interim zoning control for development projects that filed a complete land use permit application with the City and have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of this ordinance.

The Council then adopted motions to remove two recital "Whereas" clauses in the draft ordinance. The Council then voted unanimously to approve Ordinance No. 2020-10 with the following motion:

I move to approve Ordinance No. 2020-10, relating to an interim zoning control to hereby suspend BIMC 18.12.030.E. and related provisions as described in the ordinance regarding floor area ratio bonus density options, except for Sections E.1. and E.6. of BIMC 18.12.030.E. as amended.

At the March 12, 2020 Planning Commission meeting, the Planning Commission (“Commission”) had an item on their agenda entitled “FAR Discussion.” Included as part of the materials for that agenda item was the February 27, 2020 memorandum written by Planning Director Heather Wright that is referenced above in relation to the Commission’s February 27 meeting. Under the “Council Action” section of the memorandum, it states:

On February 25, 2020, the City Council approved a motion that the City Manager work with the Planning Commission and appropriate City Committees or Commissions to bring back to Council as quickly as possible an Ordinance that will reform the City’s bonus FAR programs so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation and Transfer of Development Rights.

Under the “Questions for the Planning Commission” section of the memorandum, it states:

Staff has the following questions of the Commission with the goal to help support their review of this proposed Ordinance:

- What information do you need to foster your conversation?
 - Staff proposes to bring to the Commission a list of projects that have used the bonus FAR, including the type of bonus used.
- Are there are any Committees the Commission would like to collaborate with on this discussion?
- Would the Commission like Staff to bring forth any Comp Plan Goals and Policies that speak to FAR?
- Is there any other additional information the Commission may need?

Staff is proposing to begin this discussion with the Planning Commission at their March 12th meeting.

Based on the draft minutes¹ for this Commission meeting on March 12, 2020 (attached as Attachment B below), Planning Director Heather Wright introduced the interim zoning control ordinance. Following, there was public comment, including from Councilmember Pollock. After the public comment, the Commission unanimously passed this motion:

I move that we recommend agreeance with the approval of Ordinance number 2020-10 with the deletion under section 2.B.3 under exclusions.

¹ Due to the COVID public health emergency and the proclamations and orders issued by Governor Inslee related to the nature and extent of City business that is allowable during the emergency, the Planning Commission has not met since March 12, 2020. As a result, the Commission has not had the opportunity to approve its minutes.

The draft minutes further state:

Commissioner McCormick Osmond agreed to write an addendum explaining the rationale for the motion.

The draft of that addendum written by Commissioner McCormick Osmond is attached as Attachment C below.²

At the April 14, 2020 City Council meeting, the Council scheduled a public hearing regarding Ordinance No. 2020-10 for April 28, 2020. The Council took action to set the public hearing pursuant to RCW 35A.63.220 and RCW 36.70A.390, which require the Council to hold a public hearing within 60 days of adoption of Ordinance No. 2020-10 (i.e., by May 10, 2020) in order to take public testimony and to consider adopting further findings of fact.

Summary Analysis:

As described above, Ordinance No. 2020-10 suspends the applicability and use of bonus floor area ratio as provided in BIMC 18.12.030.E. (dimensional standards) and the related provisions described in the ordinance, except for subsections E.1. (related to Optional Affordable Housing) and E.6 (related to Historic Structure Preservation).

Ordinance No. 2020-10 also excludes development projects that filed a complete land use permit application with the City and which have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of the ordinance (March 10, 2020).

Regarding the suspended option to purchase bonus FAR, the fees for FAR have been established by resolution (Resolution Nos. 2001-02 & 2006-50 – see attached) and are included within the City's Fee Schedule. The fees are \$18 per square foot for residential development, \$25 per square foot for mixed use development, and \$34 per square foot for commercial development. The funds are split between public amenities (40%) and farm/agriculture (60%).

Ordinance No. 2020-10 also suspends the applicability and use of BIMC 18.27.080 and footnote three of Table 18.12.020-3 because those provisions relate directly to the provisions that are being suspended in BIMC 18.12.030.E.

Staff has also included a table (attached to this agenda item) that shows the projects that have been constructed in the MUTC and High School Road Districts since the adoption of the Bonus FAR program. Based on a preliminary analysis, there have been approximately 38 projects total. Of those 38 projects: 18 did not utilize Bonus FAR; 8 would be allowed using the Bonus FAR program as adopted by Ordinance No. 2020-10; 4 would be partially allowed if they utilized some of the remaining Bonus FAR options; and 8 would not be allowed under Ordinance No. 2020-10.

² As referenced in Footnote 1 above, the Planning Commission has not met since March 12, 2020 due to the COVID public health emergency. As a result, the Commission has not had the opportunity to approve Commissioner McCormick Osmond's draft addendum.



Department of Planning and Community Development

Memorandum

Date: February 27, 2020
To: Planning Commission
Cc: City Council
Morgan Smith, City Manager
From: Heather Wright, Planning Director
Subject: Floor Area Ratio

I. BACKGROUND

Pursuant to BIMC 18.12.030.E (attached), there are various options for achieving bonus density in the Winslow Mixed Use Town Center and High School Road Districts, each providing a full or partial option for acquisition. For example, 100% density can be achieved by providing affordable housing or by purchasing development rights. A portion of density can be achieved by providing public amenities and/or infrastructure, and/or by preserving heritage trees on site, and/or via a transfer of development rights. The Ferry Terminal District has two additional options which include providing community open space and ferry related parking.

At the Feb. 4, 2020 study session, councilmembers expressed an interest in discussing whether to eliminate the option to purchase bonus Floor Area Ratio ("FAR"). This item was discussed again on February 11 and February 25, 2020, with a formal recommendation from the City Council on February 25, 2020.

II. COUNCIL ACTION

On February 25, 2020, the City Council approved a motion that the City Manager work with the Planning Commission and appropriate City Committees or Commissions to bring back to Council as quickly as possible an Ordinance that will reform the City's bonus FAR programs so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation and Transfer of Development Rights.

III. QUESTIONS FOR THE PLANNING COMMISSION

Staff has the following questions of the Commission with the goal to help support their review of this proposed Ordinance:

- What information do you need to foster your conversation?
 - Staff proposes to bring to the Commission a list of projects that have used the bonus FAR and the types of bonus they used.
- Are there are any Committees the Commission would like to collaborate with on this discussion?
- Would the Commission like Staff to bring forth any Comp Plan Goals and Policies that speak to FAR?
- Is there any other additional information the Commission may need?

Staff is proposing to begin this discussion with the Planning Commission at their March 12th meeting.

**Planning Commission Regular Meeting
March 12, 2020
Meeting Minutes**

1) CALL TO ORDER/ROLL CALL

Chair William Chester called the meeting to order at 7:01 PM. Planning Commissioners in attendance were Mack Pearl, Jon Quitslund, Lisa Macchio, Kim McCormick-Osmond and Joe Paar. Commissioner Don Doman phoned in to the meeting from home.

The agenda was reviewed. There were not any conflicts of interest reported.

2) PLANNING COMMISSION MEETING MINUTES

2.a January 9, 2020 Minutes

January 23, 2020 Minutes

[Cover Page](#)

[Planning Commission Minutes DRAFT 010920.pdf](#)

[Planning Commission Minutes DRAFT 012320.pdf](#)

Motion: I move approval of the minutes from the January 9 meeting 2020 as distributed, no corrections.

Quitslund/Paar: Passed Unanimously

Motion: I move approval of the minutes from the January 23 meeting 2020 moving them as distributed, no corrections.

Quitslund/Paar: Passed Unanimously

3) PUBLIC COMMENT

None.

4) PUBLIC HEARING

4.a Ordinance 2020-02 (formerly 2019-09) related to Accessory Dwelling Units

[Cover Page](#)

[20200312_Staff_Memo_on_ADUs \(1\).docx](#)

[20200312 Ordinance 2020-02 DRAFT.docx](#)

[Planning Commission Subcommittee Recommendations Regarding ADUs](#)

[ADU Use Specific Standards 18.09.030 Attachment A.pdf](#)

Senior Planner Jennifer Sutton provided an overview of the ordinance.

The public hearing was opened at 7:36 PM.

2

Ron Peltier spoke about the origins of the ADU ordinance they were working on.

Jane Rein spoke for ADUs as a way to have affordable housing.

Michael Pollock spoke as a citizen and for ADUs as a form of affordable housing and was not sure the ordinance as presented would actually increase the supply of affordable housing.

Bob Russell spoke for agricultural lands/farmers being allowed 2 ADUs for farm workers and the incentive of not having the ADU count toward lot coverage.

Joe Dunstan spoke as a citizen and about solving the problem of affordability and that density and affordability are separate. He stated that affordability needed to be subsidized.

The public hearing was closed at 7:54 PM.

MOTION: We move to recommend that Ordinance number 2020-02 be approved by the City Council with the following changes: Whereas sections number 2 and 4 are deleted; Section 18.09.030.1.5.e is modified to reinstate the language that currently is in strikeout; Section 18.09.030.1.5.o adds the following sentence " ADUs cannot be used as a short-term rental unless they have a business license for short term rental before the effective date of Ordinance 2020-02.

McCormick Osmond/Pearl: Passed Unanimously

MOTION: We move to strongly recommend that the City Council consider and adopt a comprehensive affordable housing ordinance that may include as one of its elements incentivizing ADUs as a type of affordable housing. Incentives might include reducing impact fees and determining that an ADU would not count toward lot coverage as ways to encourage affordable housing. We'd also like to urge Council to move forward with drafting regulations to apply to short term vacation rentals to ensure that ADUs remain available as housing and rental properties.

McCormick Osmond/Pearl: Passed unanimously

5) NEW BUSINESS

5.a FAR discussion.

Cover Page

20200227 FAR Memo to PC .pdf

RES_2001-

54_DISTRIBUTION_OF_FUNDS_FROM_PURCHASE_OF_FLOOR_AREA_RATIO_BONUS
S.pdf

RES_2003-

25_FULL_CITY_COUNCIL_FOR_DECISION_MAKING_RE_FLOOR_AREA_RATIO_BONUS
ES.pdf

BIMC_18.12.030_FAR_BONUS_OPTIONS (2).docx

Comp Plan Goals & Policies Related to FAR.pdf

WMP Goals & Policies Related to FAR.pdf

Planning & Community Development Director Heather Wright introduced the interim zoning control ordinance.

3

Public Comment

Michael Pollock spoke about the Council not intending the table to be a loophole but to facilitate historic preservation.

Ron Peltier spoke about vesting projects and bonus FAR and hoped they recommended to adopt the ordinance without the amendment.

Motion: I move that we recommend agreeance with the approval of Ordinance number 2020-10 with the deletion under section 2.B.3 under exclusions.

Paar/Quitslund: Passed Unanimously

Commissioner McCormick Osmond agreed to write an addendum explaining the rationale for the motion.

5.b Planning Liaison to the DRB Bimonthly Update

Cover Page

Chair Chester briefed Commissioners on the new monthly meeting between the chairs and vice-chairs of the Design Review Board and the Planning Commission.

6) UNFINISHED BUSINESS

6.a 2020 Workplan continued discussion.

Cover Page

[Memo to Council post PC Retreat.docx](#)

[2020 Workplan memo 3-5-20.pdf](#)

[Quitslund Memo 030920.pdf](#)

Deferred until the next meeting.

7) PLANNING DIRECTOR'S REPORT

8) ADJOURNMENT

The meeting was adjourned at 9:47 PM.

William Chester, Chair

Jane Rasely, Administrative Specialist

Attachment C

Addendum to Planning Commission recommendation to remove Section 2.B.3 from Ordinance No. 2020-10, providing rationale for the recommendation.

The Planning Commission recommends removal of Section 2.B.3 from Ordinance No. 2020-10 because it appears to create a new and somewhat confusing standard for determining whether an ordinance applies to a project by excluding projects “that filed a complete land use application with the City and have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of this ordinance.” Ordinance No. 2020-10 already includes Section C, which clearly states that “nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe on any property owner’s or property leaseholder’s vested development rights as defined by state law and City of Bainbridge Island regulations.” If Section 2.B.3 is intended to benefit a specific project or was included to avoid litigation risk to the City, the language should state that in the interest of transparency or be revised to simply exclude the project or projects for which it is intended and explain why they are being excluded.

Project	Year Completed	Project Type	Zone	Property Size	Base FAR	Project FAR	Max Bonus FAR	How was Bonus FAR obtained (if applicable)
FAR USED AS ALLOWED UNDER ORDINANCE NO. 2020-10								
Courtyards on Madison	2001	Residential	MUTC/Madison	1.85 acres	0.4	0.51	0.6	Affordable Housing
Camelia Apartments	2003	Residential	MUTC/Madison	1.76 acres	0.4	0.44	0.6	Affordable Housing
Janet West Home	2003	Residential	MUTC/Madison	0.29 acre	0.4	0.52	0.6	Affordable Housing (HRB)
Madison Square North	2007	Mixed-use	High School 1	2.53 acres	0.3	0.51	1	Affordable Housing & FAR Purchase (IMHP)
310 Ericksen	2008	Mixed-use	MUTC/Ericksen	0.26 acre	0.5	0.65	1	FAR Purchase (IMHP)
Ravine Apartments	2019	Mixed-use	MUTC/Ericksen	0.21 acre	0.5	0.58	1	FAR Purchase (IMHP)
Madison Place	NOT COMPLETE	Residential	MUTC/Madison	0.82 acre	0.4	0.6	0.6	FAR Purchase (IMHP)
The Walk at Madrona	NOT COMPLETE	Residential	MUTC/Core	1.52 acres	0.4	0.8	1	FAR Purchase (IMHP)
FAR USED AND PARTIALLY ALLOWED UNDER ORDINANCE NO. 2020-10								
Island Crossing (Best Western Hotel)	2006	Mixed-use	High School 1	3.2 acres	0.3	0.65	1	Affordable Housing Public Infrastructure
Winslow Building	2004	Mixed-use	MUTC/Core	0.67 acre	1	1.11	1.5	Affordable Housing & FAR Purchase

Wood Ave. Townhomes	2004	Residential	MUTC/Core	0.9 acre	0.4	0.56	1	Affordable Housing & FAR Purchase
Harbor Square	2006	Mixed-use	MUTC/FTD	4.33 acres	0.5	1.26	1.5	Public Open Space Affordable Housing FAR Purchase
FAR ACQUIRED WITH THE OPTION NO LONGER AVAILABLE UNDER ORDINANCE NO. 2020-10								
Rosebud	2004	Residential	MUTC/Core	0.18 acre	0.4	0.91	1	FAR Purchase
The Meridian	2005	Mixed-use	MUTC/Ericksen	1.09	0.5	0.95	1	FAR Purchase
Wyatt Way Courtyard Offices	2007	Commercial	MUTC/Core	0.35 acre	0.6	0.64	1	FAR Purchase
Seabreeze	2008	Mixed-use	MUTC/Core	0.34 acre	1	1.45	1.5	FAR Purchase
Island Gateway (BIMA/KiDiMu)	2014	Commercial	MUTC/ Gate & Core	5.31 acres	0.15 Gate & 0.6 Core	0.17 Gate & 0.59 Core	0.3 Gate & 1.0 Core	FAR Purchase
Rosebud 2	2015	Residential	MUTC/Core	0.17 acre	0.4	0.997	1	FAR Purchase
Bainbridge Landing	NOT COMPLETE	Residential	MUTC/FTD	4.87 acres	0.5	0.78	1.1	Public Open Space
Madison Landing	NOT COMPLETE	Residential	MUTC/Madison	1.95 acres	0.4	0.58	0.6	FAR Purchase Pending

NOTE: Base and Max FAR listed for each project depends on the type of project - commercial, residential, or mixed-use.

From: Jon Quitslund <jon.quitslund@cobicommittee.email>
Sent: Sunday, May 3, 2020 9:47 AM
To: William Chester <william.chester@cobicommittee.email>; Kimberly McCormick Osmond <Kimberly.McCormick.Osmond@cobicommittee.email>; Heather Wright <hwright@bainbridgewa.gov>
Subject: re: Agenda Packet for May 14 P C meeting

Hello Bill, Kim, and Heather,

I am writing to suggest that the agenda packet should include, in its entirety, the portion of the current Winslow Master Plan referenced in the DRAFT Recommendations:

That is, Goal WMP 2-5 and the related Policies (2-5.1 to 3) -- portions of pp. 23 to 25 in the text updated in 2006.

In the Comprehensive Plan, the most relevant passages are Goals LU-7 & 8 and the related Policies.

I wonder if there are any portions of the Administrative Manual that would be relevant to our discussion.

Best wishes,

Jon

April 27, 2020

Planning Commission Subcommittee Recommendations
Regarding FAR-Related Policies

Need for a Rationale to Justify Base and Bonus FAR

The Subcommittee finds that within the Municipal Code, the City's policies and procedures for the regulation of development and redevelopment using Floor Area Ratios (FAR) have been in use by COBI for many years, understood by architects and developers, but without a rationale that is well understood by the public. Municipalities of all sorts and sizes employ the FAR methodology to manage development in urban districts. It is adaptable to various circumstances and planning objectives, but the functioning of FAR dimensional standards and related regulations should be monitored, and modified as needed to remain consistent with community needs and goals.

Many years have passed since the dimensional standards and other FAR-related regulations were established. Demographically, the Island has changed in many ways and will continue to change; economic factors affecting development costs have changed radically. Current regulations in the zoning districts where FAR standards are applicable have not been broadly effective in furthering development called for in the goals and policies of the Comprehensive Plan.

The Subcommittee recommends that the dimensional standards in Table 18.12.020-3 be carefully examined, and revised to increase their effectiveness. In BIMC 18.12.030, the "options" available to property owners and developers have been advantageous to some types of development, while other desired development (such as "affordable" and "missing middle" housing) has, for many years, been at a disadvantage – impractical or impossible.

Why an Interim Zoning Control, with Exceptions, is Needed, and What Is To Be Done

The Subcommittee finds that not only is an interim zoning control on the use of certain bonus density options necessary at this time; now is also the time for City staff, the Council, the Planning Commission, the Design Review Board, and concerned citizens to make concerted efforts to reform several parts of Title 18 (Zoning). Achieving consistency with the Guidelines and Standards in *Design for Bainbridge* should be among our objectives. Creating a solid foundation for the overdue update of the *Winslow Master Plan* should be another overarching objective.

Some substantial changes will be non-controversial, and some controversial issues may have relatively simple solutions.

It is generally understood that development in Winslow, for both residential and other uses, ought to be permitted (even 'incentivized'), at higher densities than could be achieved with the units-per-acre system that governs residential districts and establishes a pattern of varying density across the Island. When the Winslow Master Plan was established in 1998, the FAR methodology was adopted for this purpose. Currently, in the Winslow Town Center and High School Road districts, FAR allowances provide for residential development (both single- and multi-family) and for commercial and other nonresidential uses. BIMC Table 18.12.020-3

provides for an array of different “Basic” limits on the floor area allowed in the various districts, and these ratios interact with limits on lot coverage and building height to establish three-dimensional constraints on what can be built.

Currently, the “Basic Maximum” ratios are set at low levels, and there may be no recent development in Winslow that hasn’t required “Bonus” FAR. There is a meaningful distinction between “Base” and “Bonus” FAR: the Base FAR should allow urban development consistent with the Comprehensive Plan and Winslow Master Plan, and additional Bonus FAR could then be allocated to achieve community objectives (e. g., affordable housing) that would otherwise not be feasible.

The Subcommittee finds that the current set of Base and Bonus FAR allowances has not been consistently achieving community objectives. In the present circumstances, economic considerations (how the project will ‘pencil out’; what return on investment can be expected) have much more to do with what gets built in Winslow than the community development objectives articulated in the Comprehensive Plan and the Winslow Master Plan.

Therefore, now is the time for a careful reconsideration of both the “Basic Maximum” and “Maximum with Bonus” ratios in Table 18.12.020-3. There have been calls for eliminating Bonus FAR altogether, but a reform of the way in which Base and Bonus FAR is allocated may be more appropriate. Further discussion will be found below.

With provisions that support affordable housing and historic structure preservation (i. e., BIMC 18.12.030.E.1 & 6) excluded from the interim zoning control, the City may, in this six-month interim, receive proposals for development that could provide test cases for the utility of new FAR standards.

A Proper Place in the BIMC for Justifying FAR-Based Standards

BIMC 18.06 (Zoning Districts) establishes the Residential districts (R-0.4 to R-14), the Mixed Use Town Center districts (Central Core, Madison Avenue, Ericksen Avenue, Gateway, and Ferry overlays), the two High School Road districts, and a few others (NC, B/I, WD-I, & Fort Ward). The purposes of the Residential districts are sketchily defined in 18.06.020; the purposes of the MUTC and HSR districts are defined in 18.06.030 & .040. From a planning perspective, chapter 18.06 as a whole is out of date and not very useful; the Winslow Master Plan (created in 1998 and last updated in 2006) is also out of date.

In the Comprehensive Plan, Goal LU-7 and Policies LU 7.1 through 7.7 establish the foundation for FAR-based development standards in Winslow, and describe the desired characteristics of development in the MUTC overlay districts. Goal LU-8 and Policies LU 8.1 through 8.6 are similarly prescriptive for the High School Road District. Guidelines and Standards in *Design for Bainbridge* build on that foundation. Policy LU 7.1 states, in part, “The use of FAR may result in an increase in the base level of development (density) over the existing zoning, but will provide greater flexibility in type and size of housing units that will further the goals of this Plan.”

In both the MUTC and HSR districts, the combination of Base and Bonus FAR allowances is supposed to regulate density and to achieve other goals as well, in keeping with characteristics of each overlay district. Effective planning would involve not only identifying the uses that are permitted in these districts, but for each district, which uses are entitled to some level of Bonus FAR. Most Islanders would agree that protecting our natural resources and providing for

diverse and affordable types of housing are equally important goals, but our policies and actions in these two areas have been out of balance, not equally effective.

Something should be said in chapter 18.06 to establish a rationale for the FAR methodology. Here is a DRAFT of such language, to be inserted as **18.06.030.C. FAR-Based Standards for Development**:

In the MUTC and HSR districts, Floor Area Ratio (FAR) allowances are used to regulate building dimensions, achieve desired land use patterns, and ensure that the development and redevelopment of property is subject to clear and consistent standards, serves the public interest, and is consistent with goals and policies of the Comprehensive Plan, the Winslow Master Plan, and applicable regulations in the BIMC. A Base FAR is established for each overlay district in accordance with the proposed use(s). Additionally, Bonus FAR allows projects to achieve increased Floor Area in exchange for specific community benefits.

FAR-Based Standards in the Winslow Master Plan

Although we find no rationale within the BIMC for the City's use of FAR standards, the Dimensional Standards in Table 18.12.020-3 can be understood as implementing **Goal WMP 2-5** in the Winslow Master Plan: "Determine density and intensity of development in the Mixed-Use Town Center and High School Road Districts through the Floor Area Ratio (FAR) method."

Several paragraphs of **Discussion** follow this Goal statement, and **Policy WMP 2-5.2** adds a rationale for Bonus FAR "as a means of advancing specific Comprehensive Plan policies and community values." This portion of the Winslow Master Plan should be read with a critical eye. In the light of years of experience, some of the assumptions and assertions made when it was enacted may be found to be inaccurate or out of date.

Here is part of the Winslow Master Plan justification for using the FAR method:

Although density is frequently defined by dwelling units per acre in suburban communities that are comprised of single-use districts, it is less useful in areas where a mixture of uses is desired. Using FARs provides flexibility to design a project to address a particular site. The use of FAR allows the market to determine the number and size of units and the mix in the type of development. (Conventional density limits can discourage affordability since smaller, less expensive units count the same as larger, more expensive ones.)

Some of what is said here is obviously true, but can we assume that "the market" can be relied upon to deliver the type of development that is called for in our Comprehensive Plan, *Design for Bainbridge*, and the project review and permitting process? It is true that flexibility is needed, along with constraints on density and design, but we have seen that sometimes flexibility provides a "loophole." Is it the case that the FAR methodology has produced "smaller, less expensive units" of residential housing? Like it or not, one result has been smaller but more expensive units. Constraints in the form of FAR maximums that are too low can render some types of development impractical or impossible. Although our FAR standards were supposed to incentivize mixed use development, we have seen too little of it.

The Winslow Master Plan goes on to predict levels of residential density that can be expected with different FAR allowances:

It is possible to relate FAR to a range of achievable units per acre, as follows:

0.4 FAR would produce 8-20 units per acre

0.8 FAR would produce 16-40 units per acre

1.5 FAR would produce 24-60 units per acre

The unit range results from the variety of unit sizes that can occur.

In the light of experience, are these estimates credible? The estimate of “achievable units” with 1.5 FAR is disingenuous, since in our Code there is no provision for residential use at 1.5 FAR: perhaps the intent was to provide a cautionary example, showing what could happen if the FAR allowance is too high. What we don’t need is a “let’s pretend” rationale for policies that won’t produce the desired results.

The provisions in **Policy WMP 2-5.2** for achieving Bonus FAR resemble the more elaborate description of options in BIMC 18.12.030.E, but unless “contribution to a land preservation effort” is construed as providing for a cash-on-the-barrelhead purchase of Bonus FAR, there seems to be no basis in the Winslow Master Plan for allowing (indeed, expecting) developers to purchase FAR at a set price per square foot. The Subcommittee finds that the current practice of charging a bargain price for Bonus square footage, without regard for benefits to the public in the development project itself, should either be drastically revised or entirely discontinued.

Policy WMP 2-5.3 says, in part, “The bonus FAR provisions may be changed based on future conditions without amending the Master Plan, . . . provided that changes are made in coordination with a study of the necessary infrastructure, particularly transportation.” The Subcommittee proposes that Bonus FAR provisions can be a valuable planning tool when directly linked to the provision of public benefits that otherwise could not be achieved.

Recent Planning Efforts to Increase the Stock of Affordable Housing

Concerted efforts to meet the housing needs of an economically diverse population date back to the early years of the City; they have been intermittent but persistent. Only the most recent efforts to implement this aspect of the Comprehensive Plan will be mentioned here. The City’s Affordable Housing Task Force submitted their Final Report on July 11, 2018. Subsequently, consultants were hired to provide an assessment of present conditions and potential for policy changes related to Transfer of Development Rights and Inclusionary Zoning. The Final Report from this group was submitted in February 2019. On September 12, 2019, Morgan Shook from ECONorthwest presented to the Council a “Recap of Framework for Inclusionary Housing and MFTE.” These reports provide valuable data, careful analysis, and specific policy recommendations. To date, neither the City Council nor the Planning Commission has undertaken a thorough analysis and discussion of those policy options.

The “Recap” from ECONorthwest provides fundamental facts and recommendations in a summary form. “The current voluntary affordable housing program has been used once since it was approved in 2005. The lack of use indicates that the current density bonus mechanism needs to be revised.” The consultants’ recommendations for changing both the Base and Bonus FAR parameters include: 1) prioritize affordable housing above other public benefits; 2) allow a new maximum height and FAR increases sufficient to allow an additional floor. The recommended maximum FAR increases in the MUTC and HSR districts go to 3.0 in the HSR, Madison, and Ericksen districts, and 4.5 in the Gateway, Ferry Terminal, and Central Core

districts. The recommended height limits are 55 feet in HSR and 85 feet in the other Winslow districts.

Exhibit 2 in the “Recap” provides, on the basis of a study of vacant and under-developed properties, estimates of the remaining capacity for housing within Winslow. It is proposed that with the recommended increases, potential capacity would increase from 1,731 to 10,585 units. However, under the assumptions made regarding set-asides in a voluntary inclusionary housing program, only 844 units would be “affordable”; additional affordable units could come from adoption of an MFTE program.

Possible Next Steps

The Subcommittee finds in the work of ECONorthwest some starting points for discussion but no ideas that respond precisely and persuasively to the issues we face. Next steps in the development of a coherent and functional program of Base and Bonus FAR standards should take into account the realities on the ground from one district to another in the area now subject to FAR-based development standards, and should be guided by concern for optimal development of the different overlay districts.

Members of the Planning Commission have already expressed a resolve to achieve a thorough make-over of BIMC 18.12 (Dimensional Standards), and to coordinate revised FAR standards with a comprehensive Affordable Housing Ordinance, replacing the currently inadequate BIMC 18.21. Some work has already been done toward those goals.

After discussion of the Subcommittee’s findings and recommendations, the Planning Commission may decide to revise this document and send it forward to the City Council. The Subcommittee has identified several parts of BIMC Title 18 that should be revised. Revision of BIMC Table 18.12.020-3 and 18.12.030.E should come first, responding to a request from the Council back in March. What else should be undertaken under the ‘umbrella’ of the Interim Zoning Control, within the time constraints that it imposes?

How should the work be carried forward? What role is Planning staff prepared to play? The Council could be given several options to pursue in further inquiry and policy development. In this document, we have taken pains to analyze the complexity of relationships between FAR-related policies and the past, present, and future of our community.

Respectfully submitted by Commissioners Chester, Paar, and Quitslund



COMPREHENSIVE PLAN INTRODUCTION

Guiding Policy 1.2

Accommodate new growth in *designated centers* that meet the Island’s identified needs for housing, goods, services and jobs while respecting conservation and environmental protection priorities.

Guiding Policy 1.3

The built environment represents an important element of the Island’s special character. Improve the quality of new development through a review process that implements the community *vision* and supports long-term goals for the preservation of the Island’s special character.

Guiding Principle #3

Foster diversity with a holistic approach to meeting the needs of the Island and the human needs of its residents consistent with the stewardship of our finite environmental resources.

Guiding Policy 3.1

Ensure a variety of housing choices to meet the needs of present and future residents in all economic segments and promote plans, projects and proposals to create *affordable housing*.

Guiding Principle #6

Nurture Bainbridge Island as a *sustainable community* by meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Guiding Policy 6.1

Promote environmental *sustainability* by supplementing the State’s mandated 20-year plan horizon with a horizon of one hundred years in order to recognize the longer-term life cycles of natural systems. Tailor *green building* practices and public *infrastructure* investments to be in line with this longer-term perspective.

Guiding Policy 6.2

Promote an equitable social environment on the Island by addressing basic human needs including *affordable housing*, personal health and safety, mobility and increased access to human services, civic and cultural amenities.

Guiding Policy 6.3

Promote economic *sustainability* and work to provide economic opportunities for all community residents.

Fig. IN-6 Sustainable Community



Guiding Policy 8.3

Grow a diversified and vibrant local economy.

Guiding Policy 8.4

Nurture a healthy and attractive community including a focus on the quality of the built environment through progressive *development regulations* and reviews.

Guiding Policy 8.5

Build reliable *infrastructure* and connected mobility that encourages physical activity such as biking and walking while also respecting the Island's scenic qualities.

Guiding Policy 8.6

Grow a green, well-planned, environmentally sustainable community.

LAND USE VISION 2036

The environment, values and culture of our Island community have been protected, conserved and enhanced by managing growth according to the *Comprehensive Plan's Guiding Principles, Goals and Policies*.

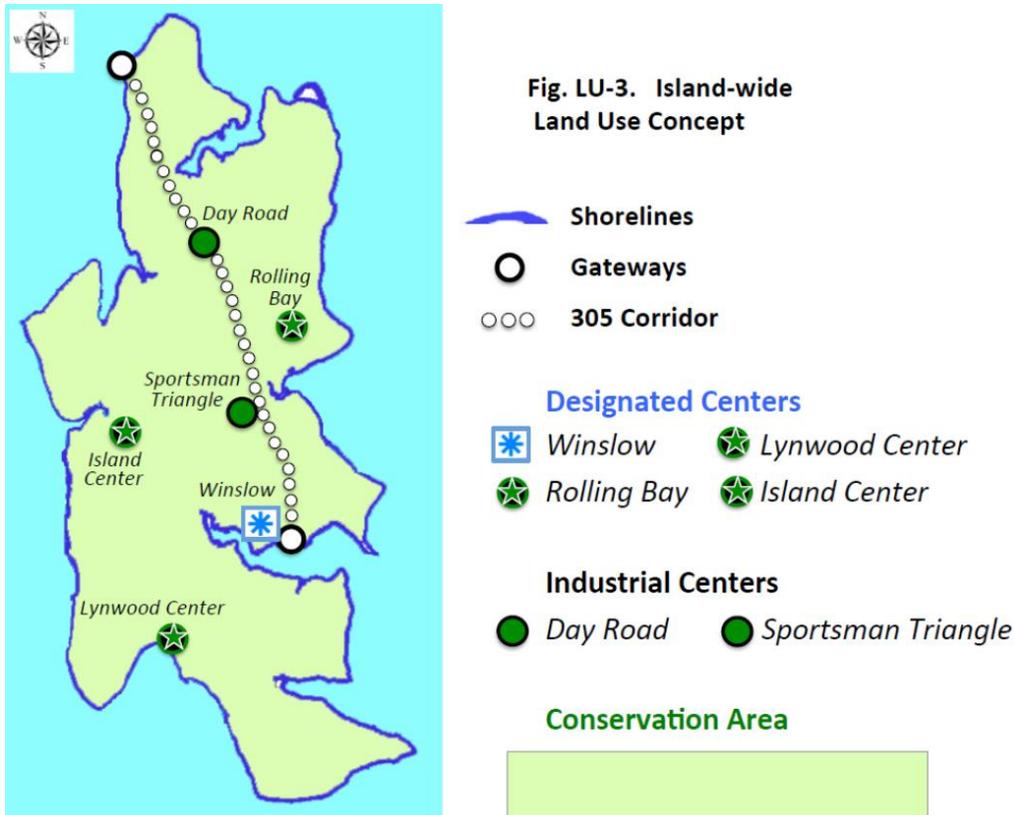
Most of the preceding two decades of growth have been attracted to the high quality of life in the Island's thriving **Designated Centers** where cultural amenities, employment and housing opportunities abound and *public services*, utilities and *infrastructure* are efficiently provided.

These **Designated Centers** are compact, human-scaled and pedestrian-oriented, promoting a healthy lifestyle and are linked to each other and the region by a network of trails and *transit*. (See Fig. LU-1.)

Outside of the **Designated Centers**, almost 90% of the Island is a green and open landscape. The residential *land use* pattern in this **Conservation Area** minimizes the footprint of the built environment and embodies design principles that protect the Island's *aquifers*, surface waters and *fish and wildlife habitat*.

This broad landscape of canopied woodlots, parks and saltwater shorelines is dotted with working *farms*, historic structures, freestanding residences and *conservation villages*. (See Fig. LU-2.)

The evolving **Designated Centers** and **Conservation Areas** on Bainbridge Island embody the successful implementation of the Island Land Use Concept. (See Fig. LU-3.)



LAND USE ELEMENT

ISLAND-WIDE CONSERVATION AND DEVELOPMENT STRATEGY

GOAL LU-4

As part of a long-term Island-wide Conservation and Development Strategy, focus residential and commercial development in *designated centers*, increase a network of conservation lands, maximize public access while protecting the shoreline, minimize impacts from the SR 305 corridor and conserve the Island's ecosystems and the green and open character of its landscape.

Policy LU 4.1

Focus development and redevelopment on the Island over the next fifty years in *designated centers* that have or will have urban levels of services and *infrastructure* while increasing conservation, protection and restoration on the Island, including shorelines, especially where there is interaction between the fresh and saltwater environments.

DESIGNATED CENTERS

GOAL LU-5

Focus Urban Development in *Designated Centers*

The Plan focuses residential, commercial, and industrial growth in Winslow and other *designated centers* with urban services such as the Neighborhood Centers, and the industrial centers at Day Road, and Sportsman Triangle. Collectively, Winslow, the Neighborhood Centers, and the two industrial centers constitute Bainbridge Island's *designated centers*.

This is a change from the 1994 and 2004 Plans both of which specified a numeric growth strategy as follows: accommodate 50% of the population growth in Winslow through the year 2012 and accommodate 5% of population growth in the Neighborhood Centers. The balance of the growth was to be absorbed throughout the remainder of the Island.

Policy LU 5.1

Winslow is the urban core of the Island while the Neighborhood Centers are smaller-scale mixed-use centers. In order to achieve the *goals* of the *GMA* this Plan:

- Encourages development in areas where *public facilities* and services exist or can be provided in an efficient and effective manner.
- Provides a vibrant, pedestrian-oriented core.
- Reduces sprawl.
- Provides choice of housing location and lifestyle.
- Maintains and protects environmentally sensitive and resource lands.
- Encourages the retention of open space.
- Maintains and enhances fish and wildlife habitat.

Policy LU 5.3

Encourage *residential uses* in a variety of forms and *densities* as part of the use mix in Winslow and neighborhood centers.

Policy LU 5.11

Commercial and residential *density* within *designated centers* may be increased through the use of:

- *Affordable housing.*
- *TDRs (transferable development rights).*
- Contributions to public *infrastructure* and public amenities in excess of what is required to mitigate the impacts of development.
- Transfer of residential *density* within the MUTC and the High School Road Districts or within neighborhood centers.
- Preservation of on-site of historic structures eligible for inclusion on a local, state or federal register of historic places.
- Locating ferry-related parking under building.

Policy LU 6.2

Promote dense residential and commercial development and encourage human activity within Winslow, the heart of Bainbridge Island. In order to create a vibrant city center direct growth where *infrastructure* exists, reduce reliance on the automobile, provide opportunities for *affordable housing* and absorb growth that would otherwise be scattered in outlying areas. Plan for adequate parking in Winslow to accommodate residents and visitors who drive downtown for shopping, participation in local government, attendance at cultural events and centers, and to use other resources in Winslow.

GOAL LU-7

The Winslow mixed use and commercial districts are designed to strengthen the vitality of downtown Winslow as a place for people to live, shop and work. The Winslow Mixed Use Town Center (MUTC) is intended to have a strong residential component to encourage a lively community during the day and at night. The high residential *density* of Winslow requires the Central Core Overlay District to provide services and products that meet the needs of residents as well as visitors.

Policy LU 7.1

The Island's major center for new commercial development is the Mixed Use Town Center (MUTC) and the other commercial districts in Winslow.

Development within the MUTC and High School Road Districts shall be consistent with the Winslow Master Plan. The level of development is determined using Floor Area Ratio (FAR) rather than *dwelling units* per acre. The use of FAR may result in an increase in the base level of development (*density*) over the existing zoning, but will provide greater flexibility in type and size of housing units that will further the *goals* of this Plan.

GOAL LU-8

The High School Road District is intended to provide mixed use and commercial development in a pedestrian-friendly retail area.

Policy LU 8.2

Promote *pedestrian-oriented* mixed use and residential development to offer a variety of housing types and sizes.

GOAL LU-16

Prioritize program goals and establish and maintain a *purchase and transfer of development rights* program, to allow transferring development rights from areas intended for conservation and promoting development in areas suitable for denser development.

Policy LU 16.1

Maintain and improve the City's *Purchase of Development Rights* (PDR) and *Transfer of Development Rights* (TDR) programs to enable transferring development rights from the Conservation Areas of the Island into *Designated Centers*. See Fig. LU-3.

GOAL LU-21

Preservation and Enhancement of Historic Resources – An effective *historic preservation* program provides meaningful practical incentives and policies for property owners and developers to preserve historic resources.

Policy LU 21.1

Encourage preservation of existing historic structures and sites as an important tool in building a sustainable and unique community.

ECONOMIC ELEMENT

DIVERSIFIED ECONOMY

GOAL EC-1

Promote economic vitality, growth and stability.

Bainbridge Island has the opportunity to create a robust, resilient and durable economy by demonstrating early leadership and acknowledging the changes that will affect our economy. Planning for these changes and taking actions that support and encourage a local economy will help reduce community vulnerability to issues such as aging demographics, housing availability, transportation constraints, and *climate change*.

By providing enterprises that both serve and employ local residents, Bainbridge Island will be better able to withstand fluctuations in the larger regional economy. In addition, people who live and work in their community are available to invest time and money in their families, organizations, and community life. A key to a healthy, stable and vital economy is to create and undertake business opportunities that anticipate and respond to conditions that affect our community. This would include identifying emerging needs and markets so that Bainbridge Island businesses benefit from being on the leading edge of change.

Policy EC 1.1

Develop and maintain regulations that provide support for our community's businesses.

Policy EC 1.2

The city *should* embrace diverse and innovative business opportunities compatible with community values and develop programs to make Bainbridge Island an attractive location for those businesses.

Bainbridge Island is affected by regional, national, international and global environmental and economic trends and changes in the physical environment. While we cannot control global economic or environmental conditions we can support the local economy by providing *policy* direction and *land use infrastructure* to allow for and encourage robust economic activities that are prepared for and responsive to change.

Policy EC 1.4

Support entrepreneurship by providing adequate *land use* designations in keeping with the character of the Island, while avoiding investment in sectors, activities, or *infrastructure* that will not remain viable in the foreseeable future.

Policy EC 1.5

In order to provide opportunities for business enterprise, adequate space must be provided for efficient use of existing developed areas near public transportation (e.g. ferry, bus service) and for growth that recognizes and protects the Island's valued natural amenities, its limits of land and water and the quality of its residential *neighborhoods*.

INFRASTRUCTURE **GOAL EC-2**

Provide sufficient and resilient infrastructure that is supportive of a healthy economy and environment, particularly telecommunications and electrical reliability.

Policy EC 2.3

Implement infrastructure and technology improvements around *designated centers* to provide enhanced service and to retain and attract business.

JOBS/HOUSING BALANCE **GOAL EC-5**

Provide a variety of *affordable housing* choices so that more people who work on Bainbridge Island can live here.

The Housing Element of the *comprehensive plan* provides several options for the development of *affordable housing* on the Island.

Policy EC 5.1

Continue to monitor the progress in implementing the Housing Element and evaluate new ways of providing *affordable housing*.

Policy EC 5.2

In concert with the Housing Element's Goals and Policies, pursue a housing strategy that seeks to accommodate a wide variety of housing options, both in design and affordability, to meet the demands of the full range of the population including service sector employees, retirees, students, artists, farmers and craftspeople.

DEVELOPMENT IN *DESIGNATED CENTERS*

GOAL EC-6

As the city's *designated centers* evolve, balance their functions as places of commerce and employment with their roles helping to meet housing needs and provide focal points for civic engagement and cultural enrichment.

Policy EC 6.1

Enhance the existing *designated centers* to help the Island economy prosper and provide a high quality of life, creating ancillary benefits such as decreasing pollution (including *greenhouse gas emissions*), protecting *open space*, and creating local family wage jobs.

RETAIL AND SERVICES

GOAL EC-8

Maintain and enhance Winslow as the commercial hub of Bainbridge Island. Position the Neighborhood Centers to provide the opportunities for smaller-scale commercial and service activity.

Policy EC 8.1

Reinforce Winslow as the mixed-use center for commerce and exchange by fully implementing the Winslow Master Plan.

SERVICES SECTOR

GOAL EC-9

Grow a healthy service sector to increase employment opportunities, enhance local revenues, and meet emerging needs of the Island's changing demographics.

Policy EC 9.1

Increase availability of housing to enable service sector employees to live on the Island.

Policy EC 9.2

Increase access to transportation options that better enable service sector employees who live off-Island to work on-Island.

Policy EC 9.3

Promote an emerging professional services sector that recognizes the Island's linkage to the Seattle job market for managerial jobs and information-based industries.

Policy EC 9.4

Promote on-Island access to healthcare facilities and medical services, particularly those addressing the needs of the Island's increasing older population.

ENVIRONMENTAL ELEMENT

AGRICULTURAL LANDS

GOAL EN-15

Conserve and protect the Island's existing agricultural uses and increase the acreage of permanently protected and productive farmland by using preservation methods including incentive-based programs.

Policy EN 15.1

Provide owners of *farms* the option of participating in the *transfer of development rights (TDRs)/purchase of development rights (PDRs) program*.

Policy EN 15.5

Utilize the Floor Area Ratio (FAR) Farmland/Agriculture fund for viable farmland preservation projects.

HOUSING ELEMENT

GOAL HO-1

Make steady progress toward the following aspirational targets for increasing the diversity of *housing types* and the supply of *affordable housing*.

Policy HO 1.1

Decrease to 20% or less the number of cost burdened families living in rental housing (down from 40%).

Policy HO 1.2

Decrease to 18% or less the number of cost burdened families owning homes (down from 34%).

Policy HO 1.3

Increase rental housing units to at least 11% of total housing units (up from 7%).

Policy HO 1.4

Increase the Island's percentage of *multifamily* homes to 18% or more of all homes (up from 16%).

Policy HO 1.5

Increase the number of *senior housing units* to 600 or more (up from 344.)

Policy HO 1.7

Achieve a jobs-housing balance of .8 (up from 0.59).

GOAL HO-4

Increase the supply of permanently affordable *multifamily* housing each year through the year 2036 with goals based on data provided by the Housing Needs Assessment and the City's housing reports.

Policy HO 4.1

Encourage new *multifamily* housing in a variety of sizes and forms in *designated centers*.

Policy HO 4.2

Increase the efficiency of the review process and revise development standards for the High School Road and Ferry Terminal districts and other portions of the Winslow Area Master Plan to encourage the transformation of these areas from auto-oriented, low-rise, homogeneous commercial land use districts into walkable, transit-served, mid-rise, mixed-use areas with *affordable housing*.

GOAL HO-6

Facilitate the provision of a diverse *affordable housing* stock in all geographic areas of the community.

Policy HO 6.2

In order to provide for permanently *affordable housing* pursue effective strategies to reduce the land cost component of *affordable housing* which may include alternative land use zoning, *density bonuses* and other incentives.

CHAPTER 2

LAND USE

EXISTING CONDITIONS

(See Appendix A for a More Detailed Discussion)

General Land Use Pattern

Winslow has the land use pattern of a small-scale town that was established during the early decades of the twentieth century and overlaid with post-war development patterns. The original, tightly configured variety of shops, workplaces, and housing began to be replaced with larger buildings surrounded by parking, structures set back from the street and residential subdivisions. In more recent years, with the development of major convenience retail along High School Road, the role of the original town center along Winslow Way has been altered. Figure 2.1 depicts the arrangement of land uses.

Previously, people who lived in Winslow were concentrated within fairly close proximity to the ferry terminal. Indeed, most of the rest of Bainbridge Island was rural and agricultural. Residents could meet most of their needs in the town's commercial center. Over the years, the center has become as much a social center of the community as an economic one. This role still exists today, as neighbors can run into one another on the streets and in the stores, and enjoy the intimacy, cordiality, and personal relationships of a small town. Fortunately, the land use pattern in the older part of Winslow still reinforces this behavior, although it too has been affected by the amount of space consumed by the moving and parking of autos. Although much of its character remains relatively intact, the town has seen its finely grained arrangement of land uses pulled apart by standards, which govern parking and streets.

The land use portion of this Master Plan focuses on those areas referred to in the 1994 Comprehensive Plan as the Mixed-Use Town Center and High School Road Districts. These areas contain most of the retail and office activities of old Winslow and a relatively dense population. The limits of this area are shown as the Primary Study Area on Figure 2.1. For context and connectivity, the Secondary Study Area — which is targeted to receive 25% of the Island's future growth — is also included in the Master Plan (See Figure 2.2).

Total acreage within the study area is estimated at 1,527, of which approximately 120 acres are currently vacant. Total acreage within the Mixed-Use Town Center portion of the study area is estimated at 258 acres, of which approximately 28 acres are currently vacant.

Within Winslow, there are a number of distinct areas. The original town center, along Winslow Way west of SR 305 and lower Madison Avenue contains numerous small uses — convenience stores, specialty shops, banks, services, and cafes largely located within one-story buildings. The major exception is the Town and Country Supermarket, which has a large footprint building and an expansive parking lot. One of the attributes of the retail uses along Winslow Way West is that there has been some degree of turnover, resulting in occasionally vacant storefronts. However, there is still a strong concentration of retail uses

— both convenience and specialty stores — along Winslow Way and Madison. Parfitt Way is lined with small commercial uses next to the marinas. Surrounding the commercial uses that are concentrated in the core are a number of multi-story buildings containing apartments and condominiums. As the Master Plan process began, there were only two examples of “vertical” mixed-use: the Winslow Green and Wyatt’s Corner. The adoption of the Master Plan in 1998 has encouraged the development of a number of mixed-use projects, which have provided more residential units within walking distance of the downtown.

Ericksen Avenue contains a number of historic houses. These are built almost in the form of a New England village. They are close to the street, close to each other and have front porches and relatively consistent architectural character. Virtually all of the older houses now contain commercial uses. This presents a strong image for lower Ericksen that infuses the rest of the town center with a sense of longevity and stability. Upper Ericksen has seen some development that is more suburban in nature, breaking the previous pattern, although very recent development has begun to reflect the more traditional physical relationships. Certainly, the loss of any of the older structures along Ericksen would damage the image of Winslow as a small town with a distinct heritage.

Madison Avenue, in contrast to Winslow Way West, has a more diverse mix of post-war and pre-war development patterns. Buildings are not set close to the street. There is much more of a pattern of separation between buildings, with trees, yards, and parking areas more prevalent. A number of historic structures have been identified on Madison Avenue. Recent development along Madison Avenue has included the new City Hall, a movie theatre complex and several condominium projects. The intersection of Madison Avenue and High School Road is marked by two very important public buildings: the high school, which has a large campus of structures and spaces, and the public library. The other two corners of this intersection are occupied by churches. A roundabout was constructed in 2001 to facilitate traffic flow in the intersection.

The land use pattern along *High School Road* is not unlike that found in many North American suburban communities. Its pattern is largely the product of contemporary zoning regulations, street design standards, and market trends. Large, linear buildings, set back from the street behind parking lots, dominate the area. Individual developments are also pulled apart from each other, with few obvious connections for people on foot. This is exacerbated by the fact that both blocks and parcels are relatively large and have few intervening streets, none of which go through the blocks. Although actual distances are not very great, they seem so due to expanses of asphalt, fast-moving vehicles, and broad streets. Most of the commercial uses are located between SR 305 and Madison Avenue, which is the same length as the concentration along Winslow Way West. This commercial node is accessed principally by automobile. In 2006, sixty residential units were added to High School Road as part of a mixed-use project that includes a hotel.

The *SR 305* corridor has significant green space, with mature vegetation associated with a steeply sloping ravine meandering along its alignment between High School Road and Winslow Way. Vegetation in this corridor has diminished over the years as a result of adjacent development. A commercial winery located within the vegetated portion of the

corridor has relocated to east Day Road, and the site has been developed with a mixed-use project that includes forty-five condominiums. In the vicinity of High School Road, there is less vegetation; commercial land uses and parking lots are visually prominent. While these uses are visible from the highway, they are accessible only from High School Road. The limited access highway is largely a greenway dividing Winslow rather than tying it together.

The *Ferry Terminal* end of the SR 305 Corridor also divides uses along Winslow Way. Virtually all of the commercial activity is located along Winslow Way west of SR 305. Winslow Way east of SR 305 contains several office structures, but none of these have the pedestrian-oriented characteristics of the uses west of SR 305. A large mixed-use project on a 4.33-acre parcel on the north side of Winslow Way, across from the ferry terminal, is scheduled for completion in 2007. This project includes 180 residential units and small-scale commercial development intended to serve ferry riders. The parking lots associated with the ferry terminal constitute the major use of land east of SR 305. Although there are a number of privately owned lots, they abut one another and present a large expanse of surface area devoted exclusively to ferry commuter parking. Policies in the Comprehensive Plan suggest the desirability of transforming this area into a new, small neighborhood of multiple family housing, office use, retail uses aimed at commuter traffic, and a new street network that would break up the large tracts.

The edges of the town center quickly graduate downward in intensity from medium density multiple-family housing to single-family detached residential. No commercial uses are found around the perimeter. Residents use both the older area around the center of Winslow and the new area along High School Road for goods and services. These two concentrations of commercial land use, while somewhat competitive, offer residents many choices within close proximity to where they live. Moreover, they serve a social function in that people can easily maintain contacts with friends and other residents. For the most part, this social activity occurs during the daytime; only grocery stores and a few restaurants remain open during the evening.

A number of historical structures and sites in Winslow have been identified and, since adoption of the Winslow Master Plan, the City has established a Historic Preservation Commission that is working toward preservation of these sites and buildings.

Finally, Winslow is a waterfront community. A good measure of its history and image has been tied to uses along the waterfront. Although types of uses along the waterfront have changed over the years, for the most part the community is still cut off from its primary amenity. The waterfront park provides some degree of access, but the trees and structures within it cut off visual access from locations upland. There are still some industrial uses such as the ferry maintenance facility that prevent access. The marinas offer some degree of access, but present a largely private enclave along the water.

Population and Market Background

In order for a vibrant mixed-use town center to succeed as envisioned in the Comprehensive Plan, there must be an underlying source of demand for both the residential and commercial uses. The Master Plan process required an understanding of the trends affecting development

of various uses in Winslow, an evaluation of site-specific development opportunities, and an identification of regulatory approaches and incentives that could increase the likelihood of success. To this end, the City contracted with Property Counselors, an economic consulting firm, to prepare a market analysis. The resulting study, “Winslow Master Plan Economic Analysis” (Property Counselors, 1996--Appendix A(1), provided detailed information on local conditions, an analysis and comparison of conditions in other communities in the region, and projections for potential demand by use. In 2005, Property Counselors updated this study as part of the *Winslow Tomorrow* planning process, in order to determine how recent development has compared to the 1996 projections, and whether opportunities identified then still exist. (“*Winslow Tomorrow* Update of Market and Economic Findings,” Property Counselors, January 2005, Appendix A(4). A summary of these updated findings is discussed below:

Regional Context

Winslow is located in Kitsap County in the Central Puget Sound region, which comprises Kitsap, King, Pierce, and Snohomish Counties. King County is the dominant county of the four with 55% of the regional population in 1990 and 67% of the jobs. The region is projected to grow by 46,000 persons per year between 1990 and 2020. Kitsap County’s share of regional population is projected to increase from 7% to 8% by 2020. The county will continue to be a net exporter of residents to jobs. As the major employment center in the area, downtown Seattle represents a daily destination for residents throughout the region.

Winslow can be compared to other communities in the region. Beyond the first tier of areas around the Seattle Central Business District, existing communities are mature and largely built-out; Winslow can compete effectively in terms of commute time with these areas. Winslow has a small and specialized downtown by regional standards, but it is similar to other waterfront communities in terms of level of employment and scope of its businesses. Winslow offers an opportunity to provide a more balanced distribution of incomes than either the close-in Seattle communities or the other waterfront communities in the region.

Residential

There are two obvious segments of potential demand for residential growth in Winslow: households with one or more members working in downtown Seattle (often younger families just getting started), and current residents of the Island looking for smaller, lower maintenance dwelling units (often empty nesters). Within these groups there is a clear need for affordable housing.

The segments described above are the two most obvious ones. In addition, there will be interest by young families attracted to the local schools and Island lifestyle. While many of them will be attracted to single-family units, there will certainly be a percentage that will be interested in higher density alternatives in Winslow prior to starting their families.

In all cases, the demand for housing in Winslow will be related to the area’s ability to maintain and enhance an active and attractive physical setting. In addition, the demand will depend on housing opportunities in the Seattle Central Business District, Denny Regrade and

South Lake Union. If Seattle's proposed urban villages are slow to realize their visions, Winslow will offer a particularly strong alternative.

Multifamily development was strong in Winslow between 1996-2004, with approximately 300 new units built during this period. Close to 400 new units were underway as of mid-2006. Most of the recent multifamily development has been condominiums, many of which are designed to have the appearance of cottages or stand-alone residences. There has not been much apartment development.

Office

Office-type uses on the Island fall into one of two categories: businesses serving Island residents, and businesses serving a larger market area but choosing to locate on the Island, perhaps because the owner lives here. The demand for office space for the former businesses will grow as the Island population grows; the demand for the latter will depend on whether businesses continue to choose Winslow over alternative locations, and also on the impact of home-based businesses. Enhancement of Winslow as an active, pedestrian-oriented district would increase its attractiveness somewhat for such businesses.

Approximately 78,000 square feet of new office space was added to Winslow during the period 1996-2004, most of which was built outside of the Core District. At the time of the 2005 Property Counselors update, office vacancies were high as a result of recent construction and loss of major tenants. However, actual absorption exceeded previous projections.

Retail

Winslow has the potential to serve in three roles as a retail center:

- for residents in the immediate area,
- for residents of the Island-wide market area, and
- as a specialty destination for visitors from elsewhere in the region.

New residents in Winslow will spend relatively more of their income in Winslow than residents elsewhere. Population growth in the rest of the Island over the next 20 years will also result in increased demand for retail trade and services. The potential demand for new retail space to service visitors is somewhat speculative. (The Economic Element of the Comprehensive Plan addresses the role of tourism in the Island's economy.)

Total commercial potential (office and retail) is estimated at 520,000 square feet through the year 2012. The ability to achieve this number may be limited by available vacant parcels and/or parcels with redevelopment potential. A review of land availability and zoning limitations conducted as part of the 1998 Master Plan effort suggests that approximately 440,000 square feet of new commercial use could actually develop.

During the period 1996-2004, almost 66,000 square feet of new retail development was added to Winslow, most of which is located outside of the Core District. The limited amount of new retail in the Core is due in part to the fact that new development in this area requires

the redevelopment of existing improved sites, the economics of which presents special challenges.

COMPREHENSIVE PLAN FRAMEWORK

The Comprehensive Plan policies identify the Mixed-Use Town Center as the commercial and civic core of the community, with a wide variety of residential choices. New development would be encouraged in the Winslow town center as one strategy to preserve the character of the Island. In addition, planning policies seek to create a core that is active, pedestrian-oriented, and filled with new housing choices to reduce sprawl and encourage multi-modal transportation. Furthermore, Winslow would be the focus of new commercial development.

The Plan recognizes that considerable growth will occur simply due to natural market forces but suggests that improvements and strategies will be required to direct the location, intensity, and quality of development. Civic facilities and recreation would be provided within Winslow, while development standards would guide the form and character of new development. There would be more parking available which would be managed more efficiently. A fundamental concept in the Plan is to achieve increased density in the Town Center through three mechanisms: transferring development rights from outlying agricultural and environmentally “sensitive” lands, density bonuses for providing affordable housing, and density bonuses for contributing to public infrastructure or public amenities beyond what might be required to mitigate the impacts of a development.

The Mixed-Use Town Center establishes five overlay districts with policies intended to reflect different existing conditions and goals for each district. (See Figure 2.3)

The Central Core Overlay District is the most intense, with both single purpose commercial development and mixed-use development. Design standards would recognize the more urban character of this area.

The Ericksen Avenue Overlay District is intended to preserve the unique, small-scale historic character provided by the older single-family houses. Conversion to non-residential use is allowed, but any additions would have to be made to the rear. New development would need to maintain the overall character of the street. The portion of this district between Winslow and Wyatt Way would not be eligible to receive bonus density.

The Madison Avenue Overlay District allows for a mix of residential and small-scale nonresidential development. However, single-purpose commercial development is not allowed; the intent is to emphasize higher density residential use in this area.

The Gateway Overlay District principally addresses the desire to protect the ravine through designation of appropriate land uses and/or acquisition of land or easements. The SR 305 corridor is recognized as an important visual gateway to the Island and as a potential passive open space.

The Ferry Terminal Overlay District contains policies that recognize its potential as a new, higher density residential/office neighborhood. Policies indicate the need to accommodate the functional requirements of this regional transportation hub while enhancing it through means such as underground parking, landscaping, signage, and buffers. Language in the plan indicates the need for coordination between the State, the City, Kitsap Transit, and the owners of property both within the Ferry Terminal District and the Gateway District.

The Commercial High School Road Districts contain policies that promote the provision of goods and services for residents. While some uses may be automobile-oriented, the overall pattern of uses should promote pedestrian access and movement. Development standards would address the form, orientation, and bulk of buildings, as well as landscaping, open space, circulation, and signage.

A policy regarding the **Water-Dependent Industrial District** calls for new and expanded development to provide physical and/or visual access to shorelines and visual access to the facilities. This suggests the need for better relationships between activities along the shoreline and those that are upland.

Another policy calls for retaining the current allowable densities for the **Urban Multi-Family District**, but there is a suggestion that this district might be eligible to receive additional density through Transfer of Development Rights (TDRs). Policies for this district also call for landscape buffers between multiple family and single-family development and indicate a list of possible design standards.

Other policies contained within the section addressing Winslow are relevant to the master plan. Policies call for retaining the pattern of single-family development around the edges of Winslow.

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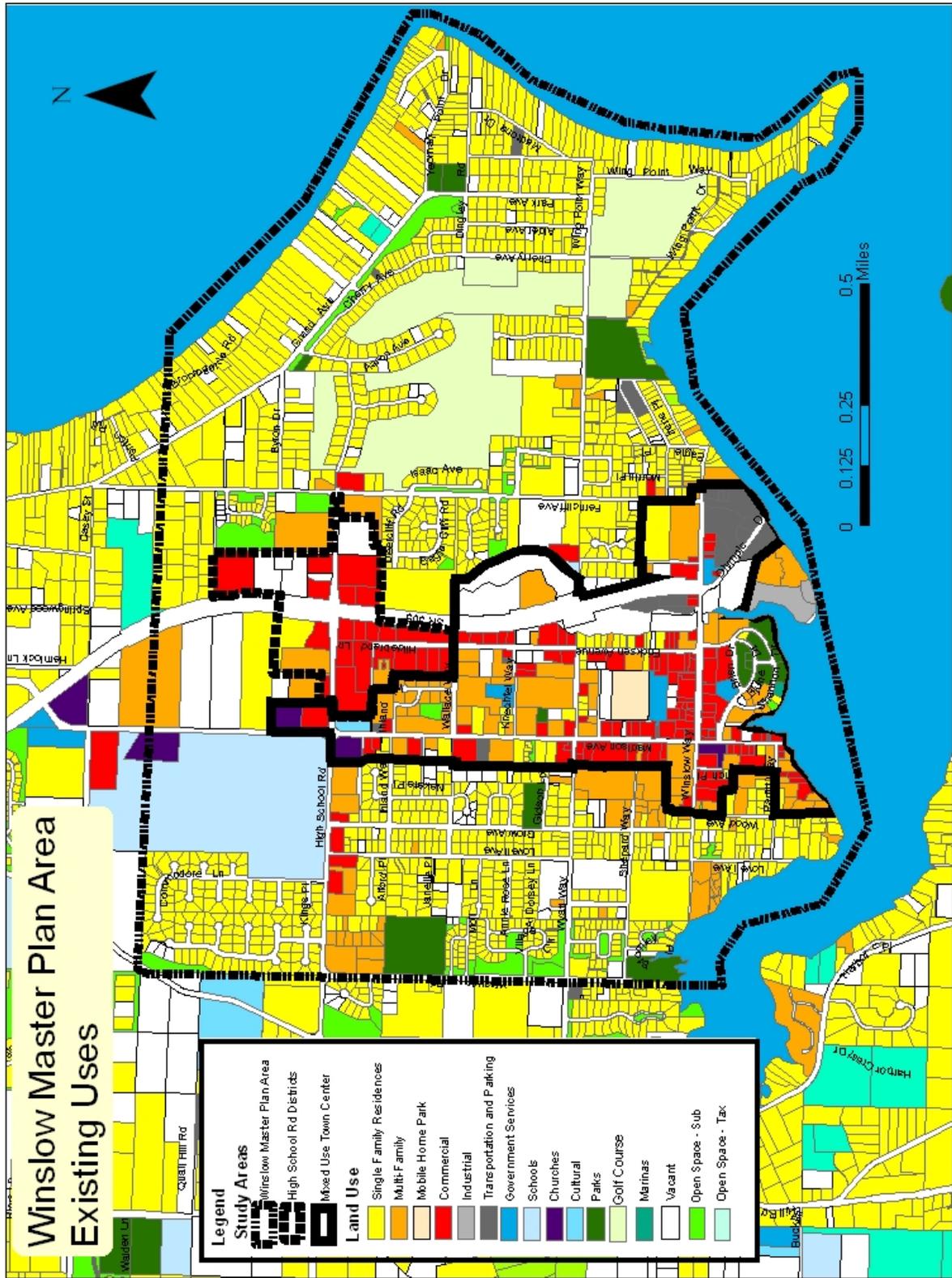


Figure 2.1

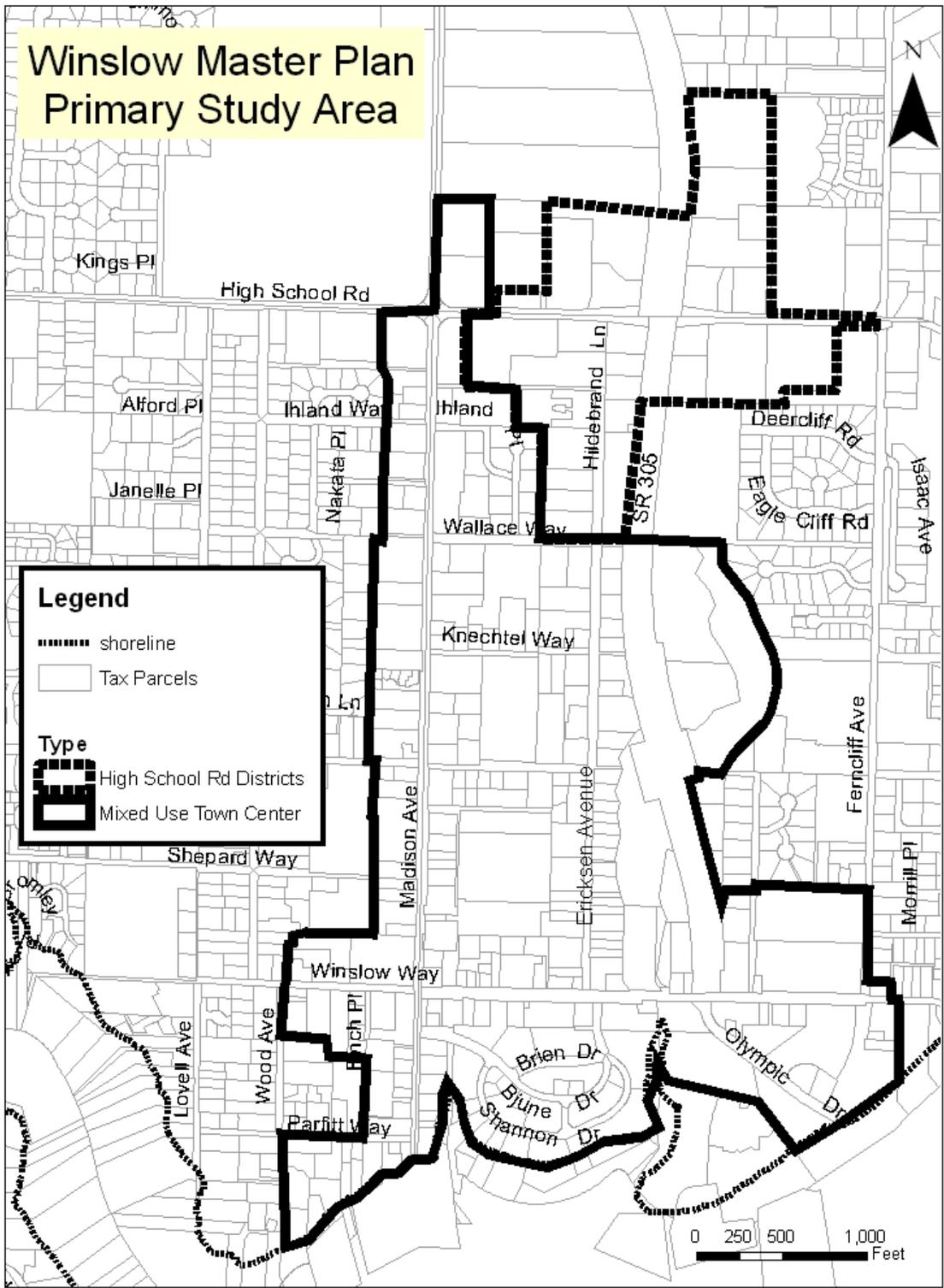


Figure 2.2

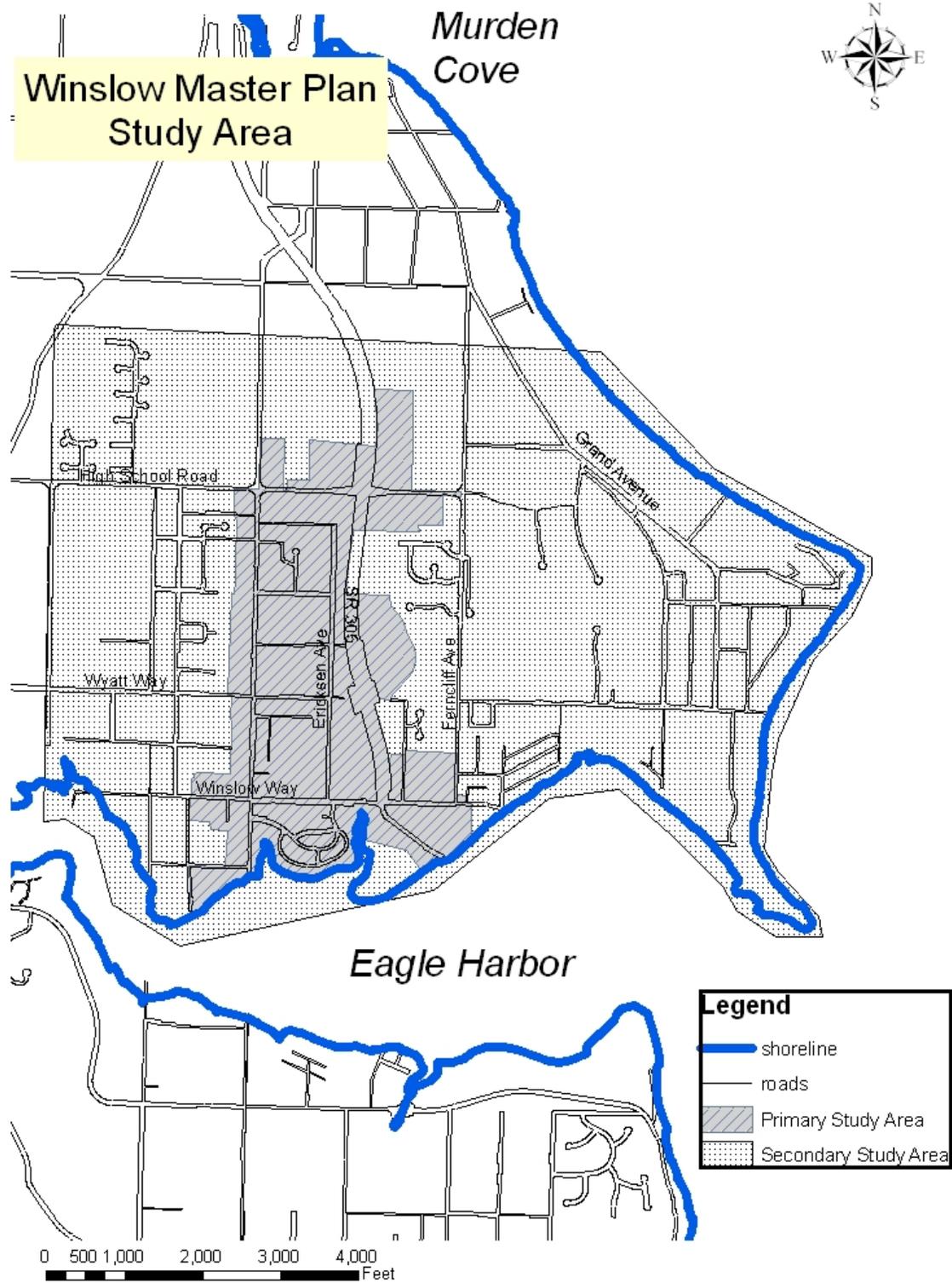


Figure 2.3

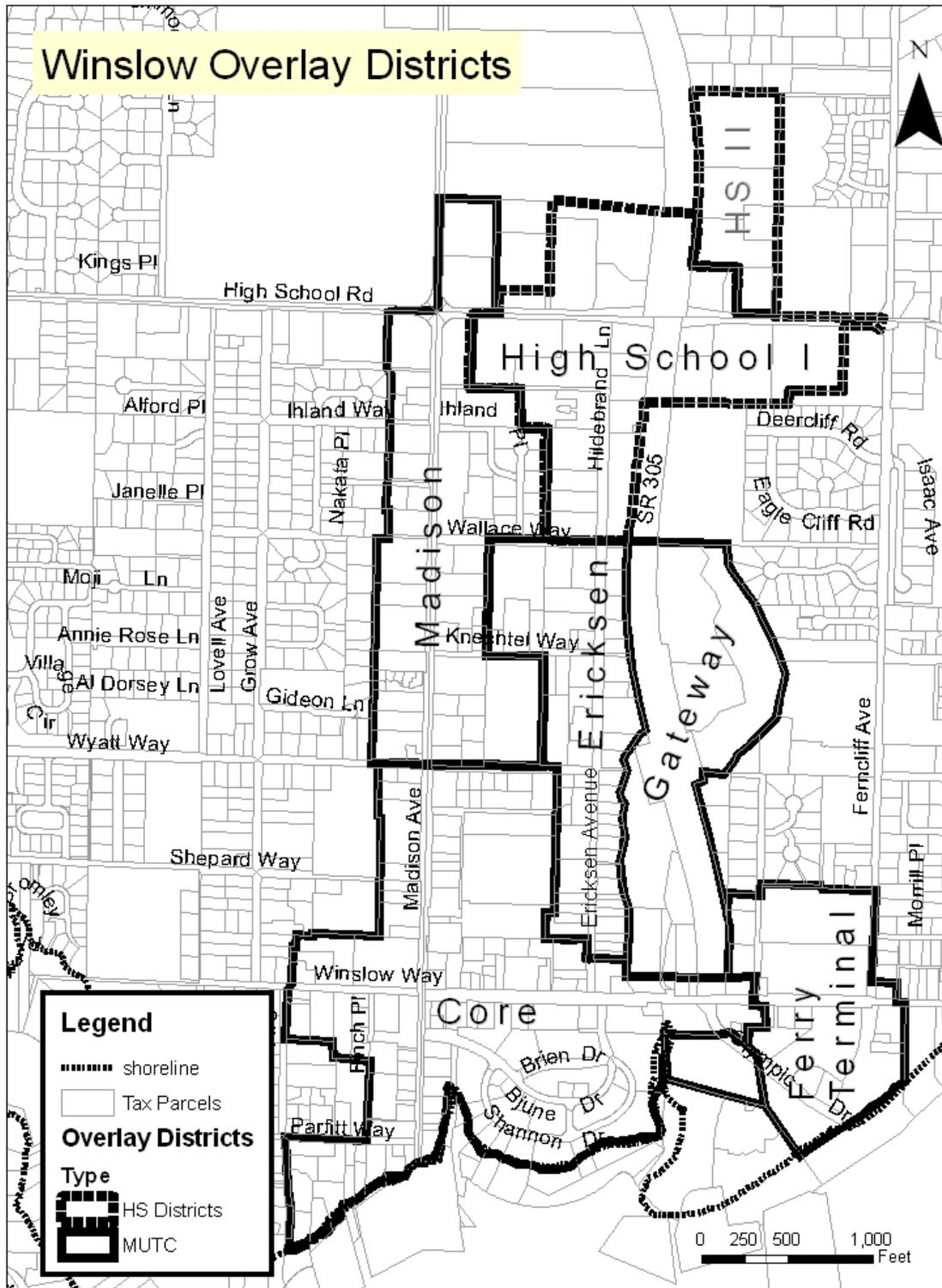


Figure 2.4

MASTER PLAN LAND USE POLICIES

Overview

The Master Plan builds on the goals and policies of the Comprehensive Plan. Producing the effects called for in the Master Plan will require relatively minor adjustments and refinements to the current land use policies and map for Winslow. This is due to the extent of work that was accomplished during the development of the City's Comprehensive Plan. The Comprehensive Plan has defined the parameters into which the Master Plan should fit.

The Plan recognizes and emphasizes the vitality and importance of Winslow and its retail core. The area defined as the Winslow Master Plan study area is designated to receive 50% of the allocation of future growth for the Island. The Master Plan assumes that a sub-target of up to 50% of this new residential development — or 25% of the Island's total growth — will be concentrated within the Mixed-Use Town Center and the High School Road Districts. Based on the City of Bainbridge Island population growth of 7,430 over the period ending 2012, and Winslow's portion thereof at 3,715 people, the associated growth in Winslow housing units would be approximately 1,500 dwelling units.

Discussion: Achieving the population projections, and the associated 1,500 dwelling units, involves some denser single family (on smaller lots) and multiple family developments. This new development, whether in stacked flats, row houses, duplexes, small lot single family or other forms, is expected to be built on both vacant lots and lots that are not developed to the intensity allowed by the existing zoning. The location, intensity, mix and connections between developments would be done in a way that is conducive to walking, biking and transit and that is supported by the availability of public infrastructure — streets, utilities, and public open space.

With the strategies contained in the Master Plan, it should be possible for Winslow to absorb this additional increment without producing a dramatic change in the pattern, intensity or appearance of development. However, the focus and form of development will be somewhat different. The land use policies described below address the issues of focus and form in each of the districts.

Overall Land Use Goal WMP 2-1

Strengthen Winslow—the Island's commercial, cultural and commuter hub—as a sustainable, affordable, diverse, livable and economically vital community, by:

- Encouraging downtown living;
- Providing an enhanced pedestrian experience, with linked access to retail shopping, the ferry, major public facilities, open space and residential areas, and promoting and retaining visual access to Eagle Harbor;
- Promoting the efficient use of land;
- Encouraging the retention and expansion of retail that serves the needs of community members and visitors;
- Providing opportunities for business expansion and private reinvestment;
- Promoting development that is sustainable and supports community values; and

- Developing strategies that result in the creation of less expensive housing and retail space, thereby increasing diversity while minimizing dependence on the automobile.

Goal WMP 2-2: Ensure the Compatibility of New Development in the Mixed-Use Town Center and High School Road Districts

Policy WMP 2-2.1: To promote compatibility between and within districts of the Mixed-Use Town Center and High School Road districts, variations in development standards and design guidelines may be provided within districts.

Policy WMP 2-2.2: Periodically review the City’s adopted design guidelines for the Mixed-Use Town Center and High School Road Districts to ensure that the guidelines remain sensitive to the individual character of the districts.

Policy WMP 2-2.3: Minimize driveways and encourage use of joint driveways.

Policy WMP 2-2.4: A full-screen vegetative buffer shall be maintained along SR 305. A similar screen should be provided within the SR 305 right-of-way. This requirement would not apply to the interior renovation of existing buildings.

Policy WMP 2-2.5: Establish transition standards for other boundaries abutting less intense districts.

Goal WMP 2-3: Maintain and Enhance Community Character in the Mixed-Use Town Center and High School Road Districts

Policy WMP 2-3.1: Promote architecture that encourages green building, natural light, ventilation and rooftop gardens.

Policy WMP 2-3.2: Through the use of design guidelines, development standards and incentives, promote the development of courtyards that create a pattern of linked public and private gardens and gathering places, providing opportunities for pedestrian movement.

Policy WMP 2-3.3: Through the use of design guidelines, development standards and incentives encourage stepped-back buildings that result in a softer street edge, the retention and enhancement of visual connections to Eagle Harbor and the creation and preservation of sun-filled public gathering spaces.

Policy WMP 2-3.4: Preserve, protect, adapt and restore sites, buildings and trees of historic significance.

Policy WMP 2-3.5: Retain and expand the historic pattern of narrow pedestrian passages.

Policy WMP 2-3.6: Enhance the livability of the downtown with trees and small gardens on the streets, along paths and in courtyards.

Policy WMP 2-3.7: Collaborate with the Arts and Humanities Council and downtown organizations to solicit sponsors for public art in the downtown.

Policy WMP 2-3.8: Enhance the experience of Winslow as a waterfront town that is connected to Eagle Harbor by activity, trails, views, lanes and design features:

- Utilize FAR levels, development standards and incentives to encourage development and redevelopment along Bjune Drive.
- Actively work to acquire land, easements and permits needed to extend the Waterfront Trail and develop a ravine trail.
- Develop new facilities for visitors, residents and the community, including public road ends, beaches, concessions, docks, marinas and mooring.
- Plan for a future water taxi connection between the Winslow and Eagledale waterfronts.
- Improve water quality through restoration projects, management practices and environmentally responsible building techniques.
- Retain views of the harbor from public lands and streets.

Goal WMP 2-4: Sustain and Enhance the Economic Vitality of the Mixed-Use Town Center and High School Road Districts

Policy WMP 2-4.1: Establish policies, programs and development standards that facilitate business expansion and private reinvestment.

Policy WMP 2-4.2: To stimulate investment in the downtown, create an organizational and funding structure that encourages partnerships and participation by the property owners, developers, businesses and island residents.

Policy WMP 2-4.3: Develop an organizational structure in city government as needed to implement the long-term vision for Winslow.

Policy WMP 2-4.4: Integrate sustainable solutions that address economic, social and ecological concerns into land use planning and building processes.

Goal WMP 2-5: Determine density and intensity of development in the Mixed-Use Town Center and High School Road Districts through the Floor Area Ratio (FAR) method.

Discussion: Floor area ratio refers to a figure that expresses the total allowable floor area in relation to the total lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area. For example, if a lot is 25,000 square feet and the FAR is 1.0, then the total square footage allowed would be: $25,000 \times 1 = 25,000$ sq. ft. A development of 1 FAR could have up to 25,000 sq. ft. of development that could be commercial or residential.

Although density is frequently defined by dwelling units per acre in suburban communities that are comprised of single-use districts, it is less useful in areas where a mixture of uses is

desired. Using FARs provides flexibility to design a project to address a particular site. The use of FAR allows the market to determine the number and size of units and the mix in the type of development. (Conventional density limits can discourage affordability since smaller, less expensive units count the same as larger, more expensive ones.)

It is possible to relate FAR to a range of achievable units per acre, as follows:

0.4 FAR would produce 8-20 units per acre

0.8 FAR would produce 16-40 units per acre

1.5 FAR would produce 24-60 units per acre

The unit range results from the variety of unit sizes that can occur.

Parking requirements also influence the number of units that a site could accommodate. The form of parking also affects the extent to which a development actually reaches the densities suggested by each range. Surface parking coupled with larger average unit sizes would tend to produce the lower end of the range, while structured parking coupled with smaller average unit sizes would allow the higher end to be possible.

FAR allows uses to be weighted according to the characteristics of a particular district. For example, one district might allow an FAR of 0.4 for commercial and 0.4 for residential, while another might allow 0.4 for commercial and 0.8 for residential. Each development would be a unique blend of uses and unit sizes.

Policy WMP 2-5.1: Establish base floor area ratio levels for commercial, residential and mixed-use development (FAR) for each of the five overlay districts in the MUTC and the High School Road Districts, in coordination with a study of the necessary infrastructure, particularly transportation.

Policy WMP 2-5.2: Establish maximum FAR levels of development beyond the base for each of the districts through the use of bonus FAR provisions. The bonus FAR provisions are a means of advancing specific Comprehensive Plan policies and community values. Bonus FAR may be achieved by:

- Preserving open space, agricultural land and critical areas, through participation in a Transfer of Development Rights (TDR) program or contribution to a land preservation effort;
- Providing public open space that is visibly accessible to the public, with adequate access from a public corridor.
- Contributing toward or providing public amenities (above and beyond what is required to mitigate the impacts of the project itself) that serve the community and enhance the livability and vitality of Winslow. Public amenities may include, but are not limited to, pedestrian connections; on-site places for public gathering; streetscape improvements; public art; and other public benefits as determined by the City;
- Preserving exceptional and/or legacy trees or trees within designated greenways.
- Preserving historic structures;
- Providing affordable housing;
- Utilizing green building and low impact development techniques;

- Creation of permanent open space on parcels that contain critical areas, by transferring development potential from the critical areas to another parcel within the Mixed-Use Town Center or High School Road Districts; and
- Relocating existing surface commuter parking to underbuilding (Ferry Terminal District only).

Priorities among the bonus FAR provisions may be established in the zoning code through the level of bonus that can be achieved through each of the provisions, and by phasing implementation of the provisions.

Policy WMP 2-5.3: The bonus FAR provisions may be changed based on future conditions without amending the Master Plan, as long those changes continue to meet the goals of the Comprehensive Plan and Winslow Master Plan, and provided that changes are made in coordination with a study of the necessary infrastructure, particularly transportation.

Policies for Specific Districts

Specific land use policies in the MUTC and High School Road Districts are as follows:

Central Core Overlay District

Policy WMP 2-6.1: Establish FARs and development standards that support mixed-use development at a level that encourages downtown living with a variety of housing sizes and types, provides commercial and retail services that meet the needs of the community, and enhances the vitality of the downtown.

Policy WMP 2-6.2: Encourage the retention and development of ground floor retail on Winslow Way, Madison Avenue, Bjune Drive and other appropriate areas, and establish the implementing FAR levels and development regulations.

Policy WMP 2-6.3: Increase the vitality of the civic plaza — currently comprised of the Farmers’ Market, BPA and City Hall — by developing better circulation and enhanced pedestrian amenities, providing opportunities for future civic and cultural buildings; and encouraging a greater variety of activities.

Policy WMP 2-6.4: Design Winslow Way as the community’s “living room”-- the stage for community gatherings and a gallery to showcase art and gardens. The central section of Winslow Way should function as a civic plaza, with artistic gathering spaces and unique design features.

Ericksen Overlay District

Policy WMP 2-7.1: Establish FARs and development standards that provide for a mix of residential and small-scale commercial development, while preserving the unique and historical features of the Ericksen Avenue neighborhood.

Madison Overlay District

Policy WMP 2-8.1: Establish FARs and development standards that provide for a mix of residential and small-scale commercial development, with retail located on the ground floor.

Gateway Overlay

Policy WMP 2-9.1: Establish FARs and development standards that provide for commercial, multifamily, and tourist-oriented uses while ensuring protection of the natural character of the Ravine.

Policy WMP 2-9.2: Development within the district should include provisions for pedestrian access to adjoining parcels and neighborhoods, and as part of the pedestrian link to the ferry terminal and waterfront.

Policy WMP 2-9.3: Implement policies to restore and protect the habitat, forest and water resources of the Ravine and provide for non-motorized public access.

Ferry Terminal Overlay District

Discussion: The Ferry Terminal Overlay District — currently dominated by parking — could undergo significant change as it transforms from surface parking lots for commuters to a new pedestrian and transit oriented, mixed-use neighborhood. Although the Core District is designated for the most intense development in the Mixed Use Town Center, new development in the Ferry Terminal District should complement the character and vitality of the Core District. Higher density housing is appropriate for this area because of its proximity to the ferry and downtown and because it is a prime view location. Parking for both commuters and new development may be integrated within (or under) housing or in adjacent garages.

Policy WMP 2-10.1: Establish FARs and development standards that provide for a pedestrian/transit oriented, mixed-use neighborhood with higher density residential development, commercial development, and some retail, while protecting the adjacent residential neighborhoods.

Policy WMP 2-10.2: Enhance the district's status as the "gateway" to Winslow by maximizing opportunities for visual and physical access to the shoreline while protecting, reclaiming and sustaining high quality, native shoreline vegetation. Civic and public uses should be provided along the waterfront.

Policy WMP 2-10.3: The area south of Winslow Way is intended to redevelop as a transit and pedestrian friendly mixed-use neighborhood, with small blocks served by a network of streets, alleys, public open space and pedestrian walkways.

Policy WMP 2-10.4: Allow additional parking spaces in structured parking in the Ferry Terminal District for use by non-commuter ferry passengers in off-peak hours (e.g., after 9:00 a.m.), when constructed in conjunction with placement of an equivalent amount of existing surface ferry parking in structure.

Policy WMP 2-10.5: Any redevelopment of the ferry terminal and/or related transit services should maximize public open space and minimize the development footprint, and should provide shoreline views, a public plaza and a pedestrian accessible waterfront.

Discussion: The transit center should address multimodal users and should integrate access to the public plaza and shoreline. “Stacking” of vehicle holding, transit and terminal activities is preferred.

Policy WMP 2-10.6: Commuter parking located in the Ferry Terminal Overlay District shall be limited in number and/or area to achieve the following objectives:

- Protect the character of the district from being further dominated by parking;
- Encourage the redevelopment of the district;
- Limit traffic impacts; and
- Encourage transit, non-motorized, and other travel methods as alternatives to low-occupancy vehicles.

Policy WMP 2-10.7: North of Winslow Way, the City shall protect adjacent residential neighborhoods from adverse impacts associated with development by establishing transition standards, such as landscaped buffers, lower height limits, small-scale buildings and other appropriate measures.

High School Road I and High School Road II

Policy WMP 2-11.1: Establish FARs and development standards that provide for a variety of commercial uses that complement downtown Winslow and benefit from automobile access near the highway, while creating a pedestrian-friendly retail area. In High School Road II, retail uses shall be limited to 14,400 sq. ft. (See Land Use Element Policy W 5.3.)

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CITY OF
BAINBRIDGE ISLAND

ADMINISTRATIVE MANUAL

PLANNING PERMIT SUBMITTAL REQUIREMENTS

Department of Planning and Community Development
January 1, 2012; Last Updated December 2019

TABLE OF CONTENTS

Introduction 4

Links to Referenced Documents 4

Plan Sheet Requirements

Basic Site Plan 5/6

Utilities Plan 7

Landscape Plan 8/9

Buffer Enhancement Plan 9

Plan Sheet Requirements

Adjustment to an Approved Land Use Permit (Minor and Major) 10

Administrative Code Interpretation 10

Agricultural Retail Plan 10

Boundary Line Adjustment 11

Comprehensive Plan Amendment 11

Conceptual Proposal Review Meeting 12

Conditional Use Permits (Minor and Major) 12

Consultation Meeting 13

Critical Area Permit (Minor and Major) 13

Design Guidance Review Meeting 14

Farm Management Plan 15

Housing Design Demonstration Project 16

Legislative Review of Development Regulation / Rezoning Application 17

Preapplication Conference 18

Reasonable Use Exception 19

Revision to a Land Use Permit 20

Rezoning Application (Site-specific and Area-wide) 17

Shoreline – Clearing Permit 20

Shoreline – Conditional Use, Substantial Development Permit / Exemption, Variance 21/22

Sign Permit 22

Site Plan and Design Review (Major & Minor) 23

Subdivision – Preliminary (Short, Long, Large Lot) 24/25

Subdivision – Alteration 25

Subdivision – Plat Utilities Approval (Short, Long, Large Lot) 26/27

Subdivision – Final (Short, Long, Large Lot) 28

Tree Removal / Vegetation Maintenance Permit 29

Variance - Zoning (Major & Minor) 29

Wireless - Communication Facility Permit (WCF) 30/31

Wireless - Eligible Facilities Request Permit (EFR) 31-33

Wireless – Small Facility Permit (SWF) 34/35

Zoning Verification Letter 35

Introduction

This Administrative Manual is designed to supplement the permit processes described in the land use, zoning, and environmental sections of the City of Bainbridge Island Municipal Code (BIMC). This manual identifies documents that applicants must submit in order to have a complete application for development review and decision. Consistent submissions to the City of Bainbridge Island help the efficiency of the review process as well as clarifying requirements for applicants. The procedures required for review and approval of most applications are detailed in BIMC Title 2: Administration, Personnel and Land Use Procedures of the BIMC.

The [Master Land Use Application](#) is required to be submitted with each of the land use permits discussed herein. Please see the application for the number of copies for specific permits. A land use permit shall not be considered complete until the required application, [fee](#), and all supporting materials are submitted to the Department. The applicant shall submit an electronic copy of all required documents at the time of application submittal. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

Most applications also require a separate fee to the Kitsap Public Health District.

The City's [Fee Schedule](#) can be viewed on the City's website.

Additional links referenced in this document

Link	Website address
City of Bainbridge Island Design and Construction Standards Manual	http://www.ci.bainbridge-isl.wa.us/169
Design for Bainbridge Design Review Manual	https://www.bainbridgewa.gov/DocumentCenter/View/12502
Design for Bainbridge checklist / worksheet	
Island-wide Transportation Plan (IWTP)	https://www.bainbridgewa.gov/708
Landscape Materials Matrix	https://www.bainbridgewa.gov/DocumentCenter/View/12756
Shoreline - Joint Aquatic Resources Permit Application (JARPA)	https://www.epermitting.wa.gov
Shoreline Site Specific Analysis Submittal Requirements	http://www.bainbridgewa.gov/DocumentCenter/View/7306
Shoreline Single-family Residence Mitigation Manual	http://www.bainbridgewa.gov/DocumentCenter/View/5663
Sign Permit Worksheet	http://www.bainbridgewa.gov/DocumentCenter/View/7408
Site Assessment Review (SAR)	http://www.ci.bainbridge-isl.wa.us/882

Basic Site Plan

The site plan must be legible and easily understood by professionals as well as the public. Clearly differentiate between existing and proposed development. The information to help prepare a site plan is readily available to the public through these links:

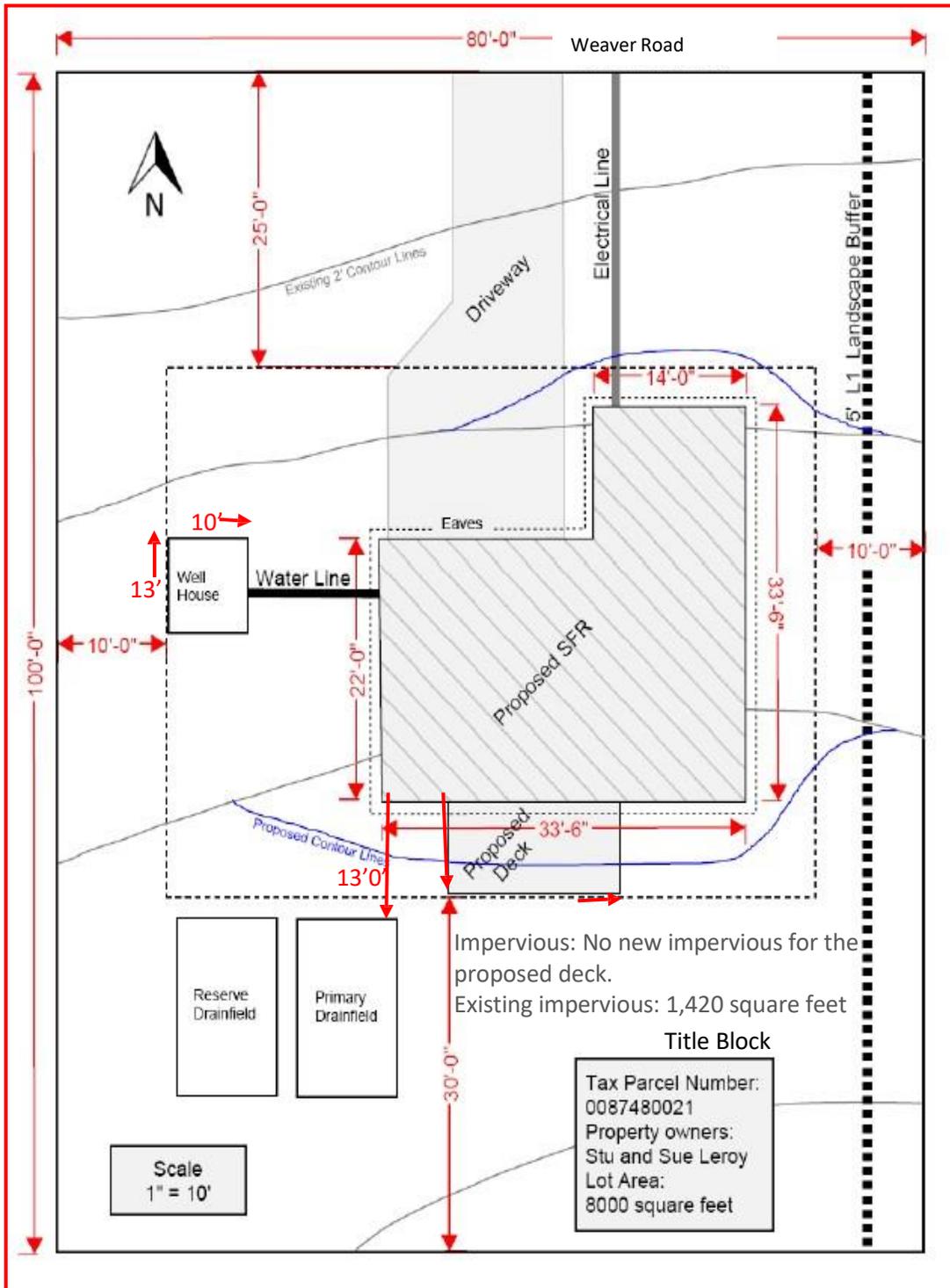
[City Resources](#)

[County Resources](#)

[Public Health District](#)

- Plan sheet 18" * 24" or 24" * 36" in size
- Engineer's scale, for example: 1 inch = 20 feet
- Title block: Project name; owner name; site address, tax parcel number; subdivision name
- North arrow
- Vicinity map
- Quarter section, township and range
- Depict the entire property and the area within a 150-foot radius of the property
- Zoning / Comprehensive Plan designation
- Property boundaries (bold line)
- Lot size and lot area (BIMC 18.12.050)
- Easements: Include access, utility, other (e.g. use easements, conservation easements)
- Zoning setbacks or subdivision setbacks / buffers (as applicable)
- Contour lines at five foot intervals (existing and proposed)
- Shoreline jurisdiction: Include OHWM, shoreline structure and side yard setback, shoreline buffer Zones 1 & 2, areas of native vegetation, location and size of significant trees
- Critical areas and their buffers / setbacks: Dimension required buffers / setbacks and any proposed modifications. Label top/toe of slopes greater than 15 percent and top/toe of slopes 40 percent or greater, floodplain, wetlands, streams
- Delineate and dimension existing areas of native vegetation
- Aquifer Recharge Protection Area (ARPA): Delineate the and show the area calculations. Document the ARPA development standards in BIMC 16.20.100.D.
- Depict vegetation protection areas (e.g. "no-build zones", perimeter and roadside landscape buffers, designated wildlife corridors)
- Depict and dimension the exterior of all existing and proposed structures: Clearly differentiate between existing and proposed. Label each structure by its use (e.g. garage, landscape / retaining wall, eave, fence, mechanical equipment)
- Impervious surface areas (existing and proposed): Label and dimension each area (e.g. building, driveway, parking area, patio)
- Area of disturbance: Separately delineate and dimension earth disturbance areas
- Stormwater facility: Location / management method (e.g. dispersion, infiltration, detention)
- Sewer / septic system facility: Include lines, primary and reserve drainfields and setbacks
- Water / well facility: Include lines, water meters, well house, well protection area
- Other facilities: Include power lines, generators, propane tanks, heat pumps, solar panels
- Historically significant structures on or adjacent to the property (i.e. constructed over 50 years ago or listed on the local or national historic register)

Sample Site Plan



Utilities Plan

- Minor (abbreviated) drainage plan for proposals that do not require engineered plans

OR

- Engineered preliminary drainage plans
- Engineered preliminary drainage report

AND

- Plan sheet 18" * 24" or 24" * 36" in size
 - Engineer's scale, for example: 1 inch = 20 feet
 - Location of stormwater facilities
 - Management method (e.g. dispersion, infiltration, detention)
 - Existing and proposed structures and improvements on the subject property including:
 - Driveways
 - Parking areas
 - Parking space (dimensioned)
 - Solid waste facility (dimensioned)
 - Landscape / retaining walls
 - Fences
 - Mechanical equipment
 - Existing and proposed utilities on the subject property including:
 - Wells / well head protection areas
 - Water / Sewer lines
 - Drainfields (primary and reserve)
 - Septic system setbacks (Health District)
 - Power lines, utility poles, telecommunication facilities
 - Existing and proposed structures / utilities within 150 feet of the property including:
 - Wells / well head protection areas
 - Water / Sewer lines
 - Fire hydrants
 - Adjacent streets
 - Adjacent right-of-way with road classification
 - Existing and proposed right-of-way width
 - Existing driving surface width and type (e.g. gravel, asphalt, pervious concrete)
 - Roadside facilities (e.g. shoulder, ditch)
 - Non-motorized facilities width and type (e.g. sidewalks, trails)

Landscape Plan

A Landscape Plan shall be prepared by a landscape architect licensed in the State of Washington, a Washington certified nursery professional or a Washington certified landscaper and a certified arborist (when required) and include the following information, at a minimum. A helpful [Landscape Materials Matrix](#) is available on the City website.

- Plan sheet 18" * 24" or 24" * 36" in size
 - Engineer's scale, for example: 1 inch = 20 feet
 - North arrow
 - Title block: Project name; site address, tax parcel number;
 - Property boundaries (bold line)
- A. Tree and Vegetation Retention Plan. The applicant shall submit a tree and vegetation retention plan concurrent with applicable permit application in to demonstrate compliance with BIMC Section 18.15.010. If multiple permits are required, the applicant must submit the tree retention plan with the first and all subsequent applications. The tree retention plan may be combined with the planting plan (see section 3 below) and shall consist of:
1. A tree survey or aerial photograph that represents current site conditions and identifies the location of all significant trees, tree stands and their associated canopies. The survey needs to include enough information about existing trees on a property to demonstrate compliance with section BIMC Section 18.15.010.G *Total Site Tree Unit Requirements* (if applicable). New planting may be required to meet these requirements (see section 3 below).
 2. For detailed site plans and grading applications, the tree survey may be conducted by a method that locates individual trees and tree stands, their size(s) and species. These trees shall be marked in the field at the time of permit or approval application and maintained through the construction period; and
 3. A development site plan identifying size and species of the trees and tree stands, as defined in BIMC 18.15.010.C, heritage trees, or other existing vegetation that are proposed to be retained.
 4. The International Society of Arboriculture (ISA) valuation for trees:
 - a. Required to be retained for development projects in the R-2.9, R-3.5, R-4.3, R-8, R-14, Mixed Use Town Center (MUTC), High School Road, and Neighborhood Service Center Districts; and
 - b. In all zones where the critical root zone of a tree required to be retained may be impacted by clearing, grading construction, development, or maintenance; and
 5. An analysis prepared by a certified arborist about long-term health and/or viability for trees that will be on the edge of the developed area and "post development" tree health for trees requested for removal in roadside or perimeter buffers. This analysis should also address protection during construction (see below).
 6. Protection during construction strategies for trees and vegetation to be retained.

- B. Description of how the tree retention plan and planting plan meet the *Total Site Tree Unit Requirements*, pursuant to BIMC 18.15.010.G, if applicable.
- C. Planting Plan. All plans must be prepared or approved, by a landscape architect licensed by the state of Washington, a Washington certified nursery professional or a Washington certified landscaper. The proposed landscape planting plan shall be clearly legible and show the following:
 1. A title that includes the project name, owner's name, designer's name, date and scale of no less than one inch equals 30 feet. All items shall be labeled, and north shall be oriented towards the top or left of the plan
 2. Property boundaries, easements, and ownership as set forth in the legal description;
 3. Existing and proposed grades of at least five-foot intervals
 4. Rights-of-way, setbacks, streets and utilities within the subject property
 5. All proposed construction and planting and any future construction and planting that is not included in the application
 6. Location of all existing and proposed buildings, structures, utilities and improvements within the property
 7. A plant list for all proposed new planting delineating quantities, scientific and common names and sizes. Names of plants are to follow current edition of the Hortus Third, A Concise Dictionary of Plants Cultivated in the U.S. and Canada; and sizes of plants are to follow the current edition of the American Standard for Nursery Stock, American Association of Nurseryman (AAN).
 8. Vegetation clearing strategies
 9. Topsoil protection and reuse strategies, including limiting compaction during construction
 10. Native soil amendment strategies
 11. Planting times and physical limits of construction
 12. Areas that require temporary or permanent irrigation

Buffer Enhancement Plan

- A. Basic Site Plan
- B. Terms, conditions, covenants, and agreements under which the subject property is bound
- C. Buffer Enhancement Plan. A buffer enhancement plan prepared in accordance with applicable state and federal agency standards and the requirements in BIMC 16.20.180
- D. Critical area reports by qualified professionals in the area of concern as provided in BIMC 16.20.190 – Definitions;
- E. Any other relevant information and reports that are necessary, in the opinion of the Director, to process and prepare the decision on the application, such as permit applications to other agencies and special studies;
- F. State Environmental Policy Act (SEPA) checklist (if applicable)

Adjustment to an Approved Land Use Permit (Minor & Major)

NOTE: This section does not apply to subdivisions- see Subdivision Alterations below)

A minor adjustment entails small changes in dimensions or siting of structures or the location of public amenities and does not change the intensity or the character of the use. A major adjustment includes modification to the basic design, intensity, density and / or use.

- A. Basic Site Plan
- B. Utilities Plan (as applicable)
- C. Landscape Plan (as applicable) with proposed landscaping as required by BIMC 18.15.010, including any required retention.
- D. Copy of the approved plan
- E. Written description of the proposed change, including a detailed analysis of how the change complies with decision criteria of the application used in the first instance
- F. Authorization of all owners of all lots involved in the change

Administrative Code Interpretation Request

The Director has the authority to provide interpretations of provisions, uses, or definitions in BIMC Titles 16, 17 and 18 and related provisions in BIMC Title 2, and will make these interpretations available to the public. Any person may apply to the director for an interpretation of any provision in these titles. The Director shall provide the interpretation taking into account consistency with the Comprehensive Plan, the nature of the definition or use, and its relationship to the code and its potential impacts, such as:

- A. Whether it involves dwelling units; sales; processing; type of product, storage and amount;
- B. Enclosed or open storage;
- C. Anticipated employment;
- D. Transportation requirements;
- E. Excessive noise, odor, fumes, dust, toxic material, light, glare, and vibration likely to be generated; and
- F. The general requirements for public utilities such as water and sanitary sewer.

The authority to provide an interpretation does not include the authority to add a new permitted ("P") or conditional ("C") use to the use table in BIMC 18.09.020. The Director's interpretation is subject to appeal pursuant to BIMC 2.16.020.P.1.

Agricultural Retail Plan

- A. Basic Site Plan including a delineation of specific use areas (pasture, heavy use area, etc.).
- B. Farm Management Plan, if required pursuant to BIMC 18.09.030.A.1.
- C. Any other materials the department or the reviewing body determines are required to adequately describe the proposal.

Boundary Line Adjustment

- A. Basic Site Plan
- B. Survey drawing
 1. Conventional scale and prepared by a surveyor licensed in the State of Washington
 2. Separate sheets depicting existing conditions and resultant conditions
 3. Zoning and Comprehensive Plan designation
 4. Shoreline upland and water environment designations
 5. Proposed method to meet fire flow requirements
 6. Names and locations of adjacent subdivisions
 7. Gross lot size (in square feet) of each existing and resultant lot
 8. Lot area of each existing and resultant lot/tract (As calculated in BIMC 18.12.050.J)
 9. Zoning or subdivision setbacks, as applicable
 10. Ordinary High Water Mark
 11. Required critical areas, their buffers and setbacks
 12. Required vegetation buffers
- C. Existing and proposed terms, conditions, covenants, and agreements on the subject property
- D. Perimeter lot closures for each existing and resultant lot
- E. Title report dated not more than six months prior to application
- F. Property legal description
- G. Draft agreements (e.g. use easement, road maintenance agreement)
- H. Water and sewer availability letters (public water/sewer) for each resultant lot
- I. Other technical reports (as applicable): Wetland delineation and report or wetland determination; Geotechnical report/assessment

Comprehensive Plan Amendment

A comprehensive plan amendment application and fee as established by city council resolution must include the following:

- A. A complete and detailed written statement including the nature of and reason for the amendment request, any specific suggested changes to the plan or appendices;
- B. A description of how the amendment request is consistent with all of the decision criteria specified in BIMC 2.16.190.H;
- C. A completed SEPA checklist including supplemental sheet for nonproject actions; and
- D. Any other reports or studies identified during the preapplication conference (Ord. 2006-13 § 4, 2006).

Conceptual Proposal Review Meeting

- A. Statement of Intent – A written narrative about the property, the neighborhood, and proposed use. Identify the objectives of the land use process, the objectives of the Comprehensive Plan goals and policies, and the objectives of the Design for Bainbridge design review manual, as they apply to the proposal.
- B. Context Map - Provide sufficient information to evaluate the neighborhood or community characteristics, including: aerial photo, adjacent recreation, conservation, or other protected land, streetscape photos to illustrate road frontage character/conditions, adjacent and nearby houses or structures, nearby historic or cultural features that contribute to the character of the area, nearby transit routes and stops, and existing or planned transportation facilities as shown in the Island-wide Transportation Plan (IWTP).
- C. Site Analysis – The site analysis shall be a map used to determine the conservation areas, conservation areas of greatest importance, and development areas. The site analysis shall show: general topography, critical areas and their buffers/setbacks, viewsheds on and off site, individual significant trees, extent and location of priority natural area (e.g., forested land, agricultural land, wildlife corridors, etc.), existing infrastructure or other built features, existing easements, existing trails, unique site characteristics, historic resources.

Conditional Use Permit (Minor & Major)

- A. Basic Site Plan
- B. Utilities Plan
- C. Site Assessment Review (SAR) or SAR Exemption
- D. Landscape Plan
- E. State Environmental Policy Act (SEPA) checklist (if applicable)
- F. A complete and detailed written statement of the intended use of the land and the sequence and timing of the proposed development
- G. The terms, conditions, covenants, and agreements under which the subject property is bound, if any
- H. Affidavit of ownership or agreement to work on the owner’s behalf
- I. Land dedicated for park and recreational facilities, if applicable
- J. For installation of outdoor lighting fixtures, evidence of compliance with the requirements of chapter 18.15.040, Outdoor Lighting
- K. Written statement describing how the application meets all applicable decision criteria
- L. Institutional development in residential zones shall submit the following items:
 - 1. A traffic report, showing the effects on level of service (LOS) on affected roads
 - 2. A fencing plan or alternative methods to protect the public health, safety and welfare
 - 3. Vehicular, pedestrian, and bicycle access and site circulation
- M. Design for Bainbridge checklist / worksheet

Consultation

- A. Property location – 14-digit parcel number or site address.
- B. Basic project information.
- C. List of specific questions.
- D. Conceptual site plan (optional).

Critical Area Permit (Minor and Major)

- A. Basic Site Plan
- B. Terms, conditions, covenants, and agreements under which the subject property is bound
- C. A written narrative describing how the proposal meets the critical area permit review criteria as defined in BIMC 16.20.070.B;
- D. Additional submittal requirements vary depending on the type of critical area. Specific submittal requirements are described in each of the following sections of BIMC 16.20:
 - Trees and vegetation – BIMC 16.20.090.G (minor)
 - Critical aquifer recharge areas – BIMC 16.20.090.B.3 (minor)
 - Fish and wildlife habitat conservation areas – BIMC 16.20.110.D and F (minor or major)
 - Geologically hazardous areas – BIMC 16.20.130.C (minor)
 - Wetlands – BIMC 16.20.140.F (minor or major)
 - Winslow Ravine – BIMC 16.20.150.C (major)
- E. Any other relevant information and reports that are necessary, in the opinion of the director, to process and prepare the decision on the application, such as permit applications to other agencies and special studies;
- F. State Environmental Policy Act (SEPA) checklist (if applicable)
- G. Other plans and drawings deemed necessary by the Director for evaluation of the merits of the proposal.

Design Guidance Review Meeting

- A. Schematic Design - This plan is based on the site analysis and context map and shows location, as applicable, of natural area, community space, significant trees to be retained, homesites, vehicle and non-motorized access, location and size of stormwater and septic systems, and lot lines. The proponent is required to bring one or more development concepts or alternatives to indicate possible design options for the site.
- B. Project vision summary
- C. Design for Bainbridge checklist / worksheet
- D. Conceptual floor plan with estimated commercial and residential square footage
- E. Aerial and streetscape photographs with streets and site boundaries labeled
- F. Basic Site Plan with the following additional requirements
 1. Proposed structure footprints and structure entrances
 2. Proposed location and description of mechanical equipment
 3. Proposed location of trash / recycling structures and accessory structures
- G. Preliminary sections: Transverse and longitudinal site sections extending to adjacent buildings within 100 feet of property; section through the most critical area of the structure(s) with property lines, floor to floor heights, overall height, and spot elevations
- H. Preliminary Elevations: Main elevations of each structure and of adjacent structures; material and color selections; mechanical screens and venting locations
- I. Optional but strongly recommended
 1. Renderings: Eye level perspective from major street location; aerial perspective depicting entire project and adjacent buildings in context
 2. Exterior Lighting Plan: Location and indication of light spillage at night.
- J. **Additional requirements for subdivisions**
 1. Document the four-step design process identified in BIMC 17.12.030
 2. Document requested departures from subdivision standards contained in BIMC 17.12.060 and 17.12.070: Address consistency with general purpose of intent of the subdivision chapter, the intent of the four-step design process, and the specific standard from which the departure is requested.
 3. Identify [Island-Wide Transportation Plan](#) and [City of Bainbridge Island Design and Construction Standards](#). Document requested deviations.
 4. Depict views of proposed houses from exterior roads and abutting properties vis-à-vis natural topography and existing vegetation
 5. Additional site plan requirements
 - a. Delineate primary and secondary Natural Areas, provide area calculations for each and proposed form of ownership. Identify the functional characteristics of each Natural Area type in BIMC 17.12.050.A.2.a. i-iii and b. i. – vii.
 - b. Show location of Natural Area fencing and/or signage
 - c. Delineate Community Space, provide area calculation and proposed form of ownership
 - d. Delineate and document Homesite Standards in BIMC 17.12.060 and Table 17.12.060-1, and Subdivision Standards in BIMC 17.12.070 and Table 17.12.070-1

Farm Management Plan

In order to exceed maximum animal density allowances provided for in BIMC 18.09.030, a farm management plan approved by the City, its designee, or a qualified third party must be implemented and maintained. The farm management plan shall contain the following:

- A. Basic site plan, with the following additional information
 - 1. Adjacent residences
 - 2. location and area of all pasture area(s), shelter structure(s), compost and manure storage,
- B. Description of the type of equipment necessary or intended for use in each season and the frequency and duration of anticipated use;
- C. Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;
- D. Emergency response plan and emergency response contacts
- E. Description of the potential impacts of animal agriculture and use of applicable National Resource Conservation Service (NRCS) conservation practice standards or equivalent measures to mitigate impacts, including:
 - 1. Water Quality and Soils. Impacts of irrigation run-off on adjacent properties, water bodies and environmentally critical areas, and proposed sediment and erosion control measures.
 - 2. Noise and Odor. Impacts related to the location on the lot of the animal pasture and shelter, any trash or compost storage areas, any farm stand or additional accessory structure, and any other noise-generating or odor-generating equipment and practices.
 - 3. Agricultural Chemicals. Impacts related to the use of chemicals, including any manure, fertilizer and pesticide.
 - 4. Mechanical Equipment. Impacts related to the operation of equipment, including noise, odors, and vibration.
 - 5. Traffic and Parking. Impacts related to the number of staff onsite during work hours, and the number of potential visitors regularly associated with the site.
 - 6. Visual Impacts and Screening. Visual impacts relating to the proposed nature, location, design, and size of proposed features, structures and activities, including the location of pasture, composting activities and manure storage, and any existing or proposed screening.

Housing Design Demonstration Project

In addition to any submittal requirements from the underlying land use permitting process, the following additional information is required for a Housing Design Demonstration Project:

- A. Survey prepared by a licensed surveyor, including information showing existing conditions and site information including, but not limited to, topography (contour interval not to exceed 5 feet), an elevation benchmark (located on or within 100 feet of the proposed site), adjacent development, vegetation, utilities, critical areas, property lines, and easements. Whenever possible, survey information should be submitted on City of Bainbridge Island vertical and horizontal datums. All plans must be submitted at an easily reproducible engineering or architectural scale. The survey data should be integrated into all site plans and elevation drawings related to the project and the source of the survey information shall be noted.
- B. Plans descriptive of drawings of the proposed innovative housing types including building footprints and building elevations, floor plans, and roof plans.
- C. A description of the proposed unit type, including proposed square footage, unit mix, and number of bedrooms per unit.
- D. A description of the required development standards, compared with the standards that relief is being requested. This includes, but is not limited to, setbacks, density, or parking requirements. The applicant should explain how relief from specific development standards is needed to achieve the desired innovative design and the goals of this chapter.
- E. Photographs of the subject and adjacent properties key to the basic site plan.
- F. Landscape Plan.
- G. A detailed description of any project phasing.
- H. A description of how the proposed development is consistent with the surrounding neighborhood character.
- I. A description of how the proposed development complies with the goals of BIMC 2.16.020.Q, project evaluation criteria as described in BIMC 2.16.020.Q, and all relevant decision criteria.
- J. A completed green building checklist from Evergreen Sustainable Development, Living Building Challenge standard of the International Living Building Institute, LEED or BuiltGreen programs that require third party verification review with the requisite four and five star levels.

Legislative Review of Development Regulations and Rezoning

Legislative Review of Development Regulations

An application and fee as established by city council resolution shall be made on forms prescribed by the department. The application shall contain the following:

- A. A complete and detailed written statement explaining the existing regulations and proposed changes (including specific language, if possible);
- B. A detailed description of how the proposal meets the goals and policies set forth in the Comprehensive Plan; and
- C. A completed SEPA checklist including supplemental sheet for nonproject actions (if applicable); and
- D. Any other materials the department or the reviewing body determines are required to adequately describe the proposal.

Rezoning (Site-specific and Area-wide)

A rezone application and fee as established by city council resolution shall be made on forms prescribed by the department. The application shall contain the following:

- A. A complete and detailed written statement explaining how the subject property is suitable for the proposed rezone and why the rezone would not be detrimental to surrounding land uses.
- B. A map that shows address topography, streets, adjacent land uses, utilities and other pertinent factors that would justify the proposed rezone;
- C. A detailed description of the proposed use for which the rezone is sought and how such action meets the decision criteria in BIMC 2.16.140;
- D. A legal description of the property(ies) and tax lot number(s);
- E. The names and addresses of all property owners; and
- F. Any other materials the department or the reviewing body determines are required to adequately describe the proposal.
- G. A completed SEPA checklist including supplemental sheet for nonproject actions.

Preapplication Conference

- A. Basic Site Plan
- B. Conceptual Landscape Plan (as applicable). Proposed landscaping as required by BIMC 18.15.010, including any required retention.
- C. Conceptual Utilities Plan
- D. Site Assessment Review (SAR) or SAR Exemption
- E. Design for Bainbridge checklist / worksheet
- F. **Additional requirements for subdivisions**
 - 1. Lot area of each existing and resultant lot (BIMC 18.12.050.J)
 - 2. Proposed covenants or restrictions
 - 3. Site plan – additional requirements
 - a. Separate sheets depicting existing and resultant conditions
 - b. Zoning and Comprehensive Plan designation for subject and adjacent properties
 - c. Shoreline upland / water environment for subject and adjacent properties
 - d. Proposed method to meet fire flow requirements
 - e. Names and locations of adjacent subdivisions;
 - f. Delineate primary and secondary Natural Areas, provide area calculations for each and proposed form of ownership. Identify the functional characteristics of each Natural Area type in BIMC 17.12.050.A.2.a. i-iii and b. i. – vii.
 - g. Show location of Natural Area fencing and/or signage
 - h. Delineate Community Space, provide area calculation and proposed form of ownership
 - i. Delineate and document Homesite Standards in BIMC 17.12.060 and Table 17.12.060-1
 - j. Delineate and document Subdivision Standards in BIMC 17.12.070 and Table 17.12.070-1
 - 4. Document the four-step design process identified in BIMC 17.12.030
 - 5. Document requested departures from subdivision standards contained in BIMC 17.12.060 and 17.12.070, including BIMC Tables 17.12.060-1 and 17.12.070-1: Address consistency with general purpose of intent of the subdivision chapter, the intent of the four-step design process, and the specific standard from which the departure is requested.
 - 6. Identify [Island-Wide Transportation Plan](#) and [City of Bainbridge Island Design and Construction Standards](#). Document requested deviations.
 - 7. Depict views of proposed houses from exterior roads and abutting properties vis-à-vis natural topography and existing vegetation

Reasonable Use Exception

- A. Basic Site Plan
- B. The terms, conditions, covenants, and agreements under which the subject property is bound, if any;
- C. Critical Area Report. A critical areas report including mitigation plan, if necessary, prepared in accordance with applicable state and federal agency standards. Such studies shall be prepared in accordance with the requirements in BIMC 16.20.180 – Critical area reports by qualified professionals in the area of concern as provided in BIMC 16.20.190 – Definitions;
- D. Any other relevant information and reports that are necessary, in the opinion of the director, to process and prepare the recommendation on the application, such as permit applications to other agencies and special studies;
- E. State Environmental Policy Act (SEPA) checklist (if applicable)
- F. Other plans and drawings deemed necessary by the director for evaluation of the merits of the proposal; and
- G. A complete and detailed written statement of the reason(s) for requesting the reasonable use exception including a detailed description of how the proposal will meet the reasonable use exception criteria as defined in BIMC 16.20.080:
 - 1. The application of Chapter 16.20 would deny all reasonable use of the property;
 - 2. There is no reasonable alternative to the proposal with less impact to the critical area or its required buffer;
 - 3. The proposal minimizes the impact on critical areas in accordance with mitigation sequencing (BIMC 16.20.030);
 - 4. The proposed impact to the critical area is the minimum necessary to allow reasonable use of the property;
 - 5. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant, or of the applicant's predecessor, that occurred after February 20, 1992;
 - 6. The proposed total lot coverage does not exceed 1,200 square feet for residential development;
 - 7. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the property;
 - 8. Any alterations permitted to the critical area are mitigated in accordance with mitigation requirements applicable to the critical area altered;
 - 9. The proposal protects the critical area functions and values consistent with the best available science and results in no net loss of critical area functions and values;
 - 10. The proposal addresses cumulative impacts of the action; and
 - 11. The proposal is consistent with other applicable regulations and standards.
- H. A copy of the pre-application conference summary letter.

Revision to a Land Use Permit

A revision is required when there are proposed changes to a project after the application has been submitted but has not been approved. This may arise due to differences between the original proposal and application submittals to actual field conditions, or the customer has changed their mind about an aspect of the project. In all cases, a revision to the existing permit must be submitted, reviewed and approved. Please check with your planner prior to submitting revisions: An intake appointment may be required. All submittal requirements applicable to the original application, including number of copies, are required for revisions. Revisions may be subject to additional fees.

- A. Basic Site Plan
- B. Utilities Plan (as applicable)
- C. Landscape Plan (as applicable) with proposed landscaping as required by BIMC 18.15.010, including any required retention.
- D. Revision documents that clearly identify the proposed change, including a description of the proposed change
- E. Written description of the proposed change, including a detailed analysis of how the change complies with decision criteria of the application used in the first instance
- F. Authorization of all owners of all lots involved in the change

Shoreline - Clearing Permit

- A. Basic Site Plan, including:
 - 1. Species and location of trees or other vegetation proposed to be removed
 - 2. Size (dbh) of trees to be removed
 - 3. Area (square feet) of canopy coverage to be removed. Canopy coverage includes trees and shrubs.
 - 4. Erosion control methods, drainage information or plan, pursuant to BIMC 15.20
- B. Supplemental materials, as applicable:
 - 1. Arborist report, for removal of hazard trees, or any vegetation removal within geologically hazardous areas or buffers/setbacks
 - 2. Geotechnical report, for any vegetation removal within geologically hazardous areas or buffers/setbacks
- C. Replanting plan, including:
 - 1. Species, size, quantity, and location of trees or other vegetation proposed to be planted

Shoreline - Substantial Development Permit/Exemption, Variance, Conditional Use

- A. Basic Site Plan, with the following additional information:
1. Location of Ordinary High Water Mark (OHWM);
 2. Location of Shoreline Buffer;
 3. Location of Shoreline Structure View Setback;
 4. Shoreline dimensional setbacks;
 5. Location of native vegetation and significant trees;
 6. If structures have any attachments (e.g. deck, balcony, etc.), include elevation drawings and calculations of grade
 7. For overwater structures or development: littoral boundaries and elevation drawings with tidal elevations development
 8. For mooring buoys the following additional information:
 - a. Location of proposed buoy with latitude and longitude coordinates and swing circle;
 - b. Location of surrounding buoys, floats, or docks;
 - c. Distance measurement of proposed buoy to surrounding buoys, floats, or docks.

B. No Net Loss Documentation

All shoreline development, use and activities, regardless of whether a permit is required, must result in no net loss of ecological functions and processes necessary to sustain shoreline resources. To demonstrate that the no net loss standard is met, and applicant must either submit with application:

1. The [Single-Family Residence Mitigation Manual](#) checklist and supporting documents or
2. A [Site-specific Analysis](#) that is completed by a qualified professional.

C. Narrative explaining how the project meets the decision criteria in BIMC 2.16.165

D. Additional Documents

Depending on existing site conditions and proposed development activities, your application may require additional reports and/or studies to identify and assess potential project impacts. These include:

1. Wetland delineation and categorization (See BIMC 16.12.060.L)
2. Geotechnical Report (See BIMC 16.12.060.K)
3. Bluff Management Plan (See BIMC 16.12.060.K)
4. Utilities Plan
5. Site Assessment Review (SAR) or SAR Exemption
6. State Environmental Policy Act (SEPA) Checklist
7. Shoreline Stabilization Projects have additional submittal requirements listed in the City's Shoreline Master Program Section 6.2.10

8. For Mooring Buoys, the following additional information:
 - a. Cross-Sectional View Worksheet
 - b. Proof of submittal of site plan with latitude and longitude coordinates, vicinity map, and cross-sectional view worksheet to the Suquamish Tribe. A copy of notification e-mail sent to Alison O’Sullivan, Biologist, Suquamish Tribe is acceptable (aosullivan@suquamish.nsn.us).
 - c. Name and contact information of the diver/biologist qualified to install an embedment style anchor
 - i. An aquatic vegetation dive survey is required if a surface style anchor is proposed (Concrete block, Danforth, etc.)
 - d. Signed copy of Attachment E: Aquatic Use Authorization on Department of Natural Resources (DNR)- managed aquatic lands. This form must be submitted to and signed by DNR prior to making application to the City. Please note that Attachment E is not required for buoys that are proposed to be installed on privately held tidelands.
 - e. Attachment E must include DNR signature at time of submittal to the City to verify that DNR has been notified of the proposed buoy location. Attachment E is submitted to DNR along with a Joint Aquatic Resources Permit Application (JARPA). Attachment E and the JARPA form can be found here: https://www.epermitting.wa.gov/site/alias_resourcecenter/9978/default.aspx
Depending on the location of the buoy, your application may require additional submittal documents, including State Environmental Policy Act (SEPA) Checklist (required only if placement location is not on DNR leased land)

Sign Permit

- A. Basic Site Plan
 1. Position of buildings
 2. Landscaped areas
 3. Sign configuration
 4. Sign size
 5. Sign elevation
- B. [Sign Permit Worksheet](#)
- C. Drawing or photo of proposed sign(s) including dimensions and height above ground.
- D. Engineering specifications (if applicable).

Site Plan and Design Review (Major & Minor)

- A. Basic Site Plan
- B. Utilities Plan
- C. Site Assessment Review (SAR) or SAR Exemption
- D. Landscape Plan
- E. Preapplication conference summary (if applicable)
- F. Public participation meeting summary (if applicable)
- G. State Environmental Policy Act (SEPA) checklist (if applicable)
- H. Terms, conditions, covenants, and agreements under which the subject property is bound
- I. Traffic analysis (if applicable)
- J. Design for Bainbridge checklist / worksheet
- K. Narrative: A complete and detailed written statement describing the proposal, including:
 - 1. Intended use of the land
 - 2. Phasing, including the phasing of on- and off-site improvements
 - 3. Sequence and timing of the proposed development
 - 4. Proposed land ownership
 - 5. Commercial and residential components of the project
 - 6. Addressing the decision criteria per BIMC 2.16.040 E
- L. Documentation of Kitsap Public Health District Concurrent Review, if not on public sewer and water;
- M. Non-binding Water and Sewer availability letters (availability and phasing of system extensions)
- N. The terms, conditions, covenants, and agreements under which the subject property is bound, if any;
- O. Architectural drawings, including floor plans, uses, building elevations, building sections, and roof plans;
- P. Description of proposed stormwater management system and maintenance and operation. See also Utilities Plan.
- Q. Description of any facilities planned for public dedication, e.g. sewage disposal system, roads, non-motorized facilities, utility lines and facilities, parks.
- R. Any other graphic materials required to adequately describe how the proposal meets specific regulations and guidelines, such as color palettes, material boards, and computerized models;
- S. For installation of outdoor lighting fixtures, evidence of compliance with the requirements of chapter 18.15.040, Outdoor Lighting, on the architectural elevations or on a form provided by the department of planning and community development.
- T. A survey may be required depending on project complexity

Subdivision – Preliminary (Short/ Long /Large Lot)

- A. Basic Site Plan
- B. Utilities Plan
- C. Site Assessment Review (SAR) or SAR Exemption
- D. Landscape Plan (as applicable). Proposed landscaping as required by BIMC 18.15.010, including any required retention.
- E. Preliminary Plat
 1. Conventional scale and prepared by a surveyor licensed in the State of Washington
 2. Separate sheets depicting existing conditions and resultant conditions
 3. Zoning and Comprehensive Plan designation
 4. Shoreline upland and water environment designations
 5. Proposed method to meet fire flow requirements
 6. Names and locations of adjacent subdivisions
 7. Gross lot size (in square feet) of each existing and resultant lot
 8. Lot area of each existing and resultant lot / tract (BIMC 18.12.050.J)
 9. Delineate required critical areas, their buffers and setbacks along with any proposed modifications
 10. Aquifer Recharge Protection Area: Clearly show the extent of native vegetation areas. Delineate the ARPA, 12,500 square foot development areas, and show the area calculations. Document the ARPA development standards in BIMC 16.20.100.D.
 11. Delineate primary and secondary Natural Areas, provide area calculations for each and proposed form of ownership. Identify the functional characteristics of each Natural Area type in BIMC 17.12.050.A.2.a. i-iii and b. i. – vii.
 12. Show location of Natural Area fencing and/or signage
 13. Delineate Community Space, provide area calculation and proposed form of ownership
 14. Delineate and document Homesite Standards in BIMC 17.12.060 and Table 17.12.060-1
 15. Delineate and document Subdivision Standards in BIMC 17.12.070 and Table 17.12.070-1
- F. Design for Bainbridge checklist/worksheet
- G. Document the four-step design process identified in BIMC 17.12.030
- H. Document requested departures from subdivision standards contained in BIMC 17.12.060 and 17.12.070, including BIMC Tables 17.12.060-1 and 17.12.070-1: Address consistency with general purpose of intent of the subdivision chapter, the intent of the four-step design process, and the specific standard from which the departure is requested.
- I. [Identify Island-Wide Transportation Plan](#) and [City of Bainbridge Island Design and Construction Standards](#). Document requested deviations.
- J. Depict views of proposed houses from exterior roads and abutting properties vis-à-vis

natural topography and existing vegetation

- K. State Environmental Policy Act (SEPA) checklist (if applicable)
- L. Preapplication conference summary letter
- M. Perimeter lot closures for each existing and resultant lot
- N. Title report dated not more than six months prior to application
- O. Property legal description
- P. Draft Natural Area and/or Community Space Management Plan, including maintenance plan and allowed uses for each area type
- Q. Existing and proposed terms, conditions, covenants, and agreements on the subject property (e.g. road maintenance agreement)
- R. Non-binding water and sewer availability letters (for public water / sewer) for each lot
- S. Traffic impact analysis/application for traffic concurrency or concurrency statement
- T. Other technical reports (as applicable):
 - a. Wetland delineation and report or wetland determination
 - b. Geotechnical report/assessment
 - c. Shoreline Site Specific Analysis
 - d. DNR Forestry permit
 - e. Habitat Management Plan
- U. Other special submittal requirements identified in the pre-application conference summary

Subdivision -Alteration (Short/ Long /Large Lot)

- A. Proposed plat alteration
- B. Narrative including a description of the proposed change and a detailed analysis of how the change complies with decision criteria of the application used in the first instance
- C. A copy of the existing final plat
- D. A copy of the natural area / community space / open space management plan, as applicable

Subdivision - Plat Utility Approval (Short/ Long /Large Lot)

Plat utility standards for civil improvements are found in the [City of Bainbridge Island Design and Construction Standards Manual](#). Please review the specific requirements with the assigned City project engineer for large/complex projects.

A. Construction Plans

Plans must be full-scale drawings on 24-inch by 36-inch paper with margins which are set to provide half-scale drawings on 11-inch x 17-inch paper. Two copies of the construction plan set are required. A digital set in PDF or TIFF format must also be submitted with application.

On-site plans for private property improvements must have a vertical scale of one inch equals five feet and a horizontal scale of one inch equals 50 feet. Profiles may be drawn on plan sheets.

Off-site plans for public improvements (i.e. water, sewer, storm drainage, and streets) shall have a vertical scale of one inch equals five feet and a horizontal scale of one inch equals 40 feet. All off-site plans shall have the corresponding plan/profiles on the same sheet.

See also land use standards for plan requirements (e.g. Aquifer Recharge Protection Areas).

General Plan Requirements:

- North must be up or to the left on plans, and north must not be shown in a different orientation on the same or connecting sheets.
- Vicinity map of approximately one square mile with the project site centered scaled one inch = 1000 feet. A scale at least one inch long must be on the map. A north arrow must be on the map and the site address must be below the map.
- City datum with City-established benchmark (BM) number and elevation. BM information is available from the city's right-of-way specialist.
- A detailed description of the site, including lot number, quarter section, township and range, unless otherwise noted by the City Engineer.
- Current zoning of site and of adjacent properties
- Lot size(s) with perimeter distances and bearings of the site shown on the plan
- Project name in the title block
- Owner/developer name, address, and phone number in the title block
- Design engineer's name, address, and phone number in the title block
- Boundary and topographic survey of existing conditions with a contour interval of no less than five feet (no less than 10 feet for Large Lot Subdivisions)
- Clearly identify and dimension existing and proposed rights-of-way and easements. Show Kitsap County recording numbers for all existing easements.
- All pertinent existing and finish elevations
- Existing natural drainage ways (e.g. swales, ditches) and flow path with arrows and elevations
- Lakes, rivers, streams, flood plains, wetlands, sensitive slopes, and other sensitive areas
- Limits and elevations of 100-Year floodplain with floodway and flood fringe delineated
- General plan notes consistent with the Standards shall be shown on the plan

Individual Plan Sheet Requirements:

Plans may be incorporated on the same sheet where clarity is not affected.

- Preliminary conditions of approval
- Grading, Drainage, and Erosion and Sediment Control (GDESC) Plan
- Street plan or plat road plan
- Parking plan
- Utility plan (water, sewer, and dry/franchise utility location and coordination)
- Significant tree/tree retention plan
- Open space management plan, where applicable
- Landscaping plan

B. Reports and Supporting Documentation/Calculations

- Stormwater management report consistent with BIMC 15.20 and the current adopted Stormwater and Low Impact Development manuals.
- Drainage design calculations.
- Soil logs and infiltration rate determination, where applicable.
- Geotechnical report, where applicable.
- Domestic (multi-family), commercial and fire flow calculations.
- Sewer conveyance calculations.

C. Facilities (Water, Sewer, Storm Water and Streets) Extension Agreement Application

The extension agreement application shall be completed by the owner and submitted with the applicable processing fee consistent with BIMC 13.32.

- Application shall indicate whether a latecomer reimbursement will be requested.
- Drawings shall be submitted showing generally the proposed location, type, and size of the utility or street improvements.

Subdivision - Final (Short/ Long /Large Lot)

- A. Plat Utilities Plan (engineered drainage plan / report or minor plan as applicable)
- B. Landscape Plan (as applicable). Proposed landscaping as required by BIMC 18.15.010, including any required retention.
- C. Final terms, conditions, covenants, and agreements (e.g. Natural / Community Space Management Plan, road maintenance agreement)
- D. Statement of compliance listing the plat conditions and how each condition is met
- B. Perimeter lot closures for each existing and resultant lot
- C. Title report dated not more than six months prior to application
- D. Binding water and sewer availability letters (for public water/sewer) for each lot
- E. Final Plat, as modified by conditions of approval
 1. Applicable plat conditions of approval
 2. Ties to permanent monuments
 3. Controlling reference points or monuments
 4. Bearing and length of lines
 5. Origin of meridian or basis of bearings
 6. Surveyor's certificate signed by the surveyor who prepared the final plat:
"I, _____ registered as a professional land surveyor by the State of Washington, certify that this Subdivision is based on an actual survey of the land described herein, conducted by me or under my supervision, during the period of ____, 20__, through ____, 20__ , that the distances, courses, and angles shown hereon correctly; and the lot corners have been staked on the ground as depicted hereon."
 7. Disclaimer regarding road maintenance: *"Responsibility and expense for maintenance of streets serving lots within this short plat/subdivision shall rest with the lot owners unless such roads have been accepted by the City."*
 8. If plat improvements are assured, a prominent note on the face of the final plat: *"The lots created by this plat are subject to conditions of an assurance device held by the City for the completion of certain necessary facilities. Building permits may not be issued and/or occupancy may not be allowed until such necessary facilities are completed and approved by the City. All purchasers shall satisfy themselves as to the status of completion of the necessary facilities."*
 9. Signature and date lines for the City Planning Director
 10. Signature and date lines for the Health District (N/A for short plats)
 11. County Treasurer and Auditor signature blocks
 12. Declaration regarding further subdivision: *"Land in a short subdivision may not be further divided through a short plat within a period of five years recording the final short without meeting the standards of and being reviewed as a long subdivision."*
 13. Estimate approved by the City for financial assurance of plat improvements (if applicable)

Tree Removal/Vegetation Maintenance Permit

- A. Basic Site Plan
- B. Trees and vegetation proposed to be removed (also show on Basic Site Plan)
- C. Size (diameter breast height [dbh]) of trees to be removed (Required only for commercial, institutional, multifamily, and mixed-use development and any properties in Mixed Use Town Center, High School Road, R-2.9, R-3.5 and R-4.3 zones. Also show on Basic Site Plan)
- D. Site Assessment Review (SAR) or Exemption (if applicable)
- E. Erosion control methods, drainage information or plan, pursuant to BIMC 15.20 (if applicable).
- F. Planting plan (see Landscape Plan section above) if tree removal brings a property below applicable tree unit requirements (see BIMC Section 18.15.010.G) or is proposed within required vegetation areas (e.g. landscape buffers, no-cut buffers), or any other trees required to be retained through an approved land use permit. Planting plan should ensure that property continues to meet any applicable tree requirements.

Variance – Zoning (Major & Minor)

- A. Basic Site Plan
- B. State Environmental Policy Act (SEPA) checklist (if applicable)
- C. Terms, conditions, covenants, and agreements under which the subject property is bound
- D. Narrative – A complete and detailed written statement describing the proposal, including:
 - 1. Reason for the variance request
 - 2. Detailed description of how the proposal will meet the decision criteria
 - 3. Visual impacts of proposed structures, including proposed screening

Wireless Communication Facility Permit (WCF)

Permit procedures for wireless communication facility permits are detailed in BIMC 18.10.

- A. Basic Site Plan
 - 1. Additional requirements
 - a. Location, elevation and dimensions of existing facility components
 - b. Location, elevation and dimensions of proposed facility components
 - c. Existing and proposed site grade
 - d. Area of ground disturbance for construction activities
 - e. Primary viewshed of the proposed WCF
 - f. Proposed height
 - g. Coverage area at proposed height (may be inset map or on separate sheet)
 - h. Inventory of WCF sites in or within a one mile radius of the City that are operated by the applicant
- B. Landscape Plan
 - 1. Additional landscape plan information required:
 - a. Type and location of vegetation screen of WCF components in viewshed context
 - b. Height of vegetation screen at maturity (e.g. monopole/tower 2/3 height screening)
 - c. Type and location of topographic or structural screening (e.g. wall, fencing)
 - d. WCF paint/camouflage color scheme in viewshed context
 - e. Security fencing height, vegetation screening and paint/camouflage screening
- C. Detail Drawing
 - 1. Antenna
 - 2. Support structure and any protrusion from the support structure
 - 3. Transmission device
 - 4. Equipment shelter
- D. Photo/visual simulations of the proposal from affected properties and public rights-of-way at varying distances
- E. Narrative
 - 1. An explanation of the need for the proposed WCF
 - 2. Location priority analysis (e.g. co-location vs. commercial building)
 - 3. Height and design of WCF sites in or within one mile of the City
 - 4. Impact of proposal on existing restrictions or requirements (e.g. Conditional Use Permit, Site Plan and Design Review Permit)
 - 5. Feasibility of underground location for equipment facilities
 - 6. Equipment noise evaluation (e.g. dB at nearest property line)
- F. Documentation verifying that the proposed WCF complies with Federal Communications Commission and Federal Aviation Administration regulations

- G. Copy of documentation regarding existing restrictions or requirements (e.g. Conditional Use Permit, Site Plan and Design Review Permit)
- H. Additional information required for:
 - 1. Tower modification
 - a. Structural engineering report demonstrating the modification complies with applicable construction/electrical/safety codes including:
 - i. number and types of antennas the tower can support
 - ii. basis for capacity calculation
 - iii. statement that the proposal complies with applicable FCC guidelines and standards
 - 2. Base station modification
 - a. Structural engineering report demonstrating the modification complies with applicable construction/electrical/safety codes
 - 3. Applications for facilities other than Facility I or II
 - a. Documentation of efforts to co-locate on existing facilities
- I. If all or a portion of the WCF will be located upon a city-owned structure, or upon non-right-of-way property which is either city-owned or city-leased, the applicant shall be required to enter into a lease agreement with the city for the use of the city property.
- J. A Master Permit, consistent with Chapter 19.02 and 19.04 BIMC, if all or a portion of the WCF will be located in the right-of-way.

Wireless Eligible Facilities Request Permit (EFR)

Permit procedures for wireless eligible facilities request permits are detailed in BIMC 18.11.

1. An assertion that the proposed facilities modification is subject to review under Section 6409 of the Spectrum Act.
2. An evaluation of the substantial change criteria as found in BIMC 18.11.010.K.
3. Copies of any environmental documents required by any federal agency. These shall include the environmental assessment required by 47 C.F.R. Part 1 (Part 1 – Practice and Procedure), Section 1.1307, as amended, or, in the event that an FCC environmental assessment is not required, a statement that describes the specific factors that obviate the requirement for an environmental assessment.
4. If the applicant is not the owner or person in control of the eligible support structure and/or site: An attestation that the owner or person in control of the eligible support structure and/or site has consented to the proposed facilities modification. If the eligible support structure is located in a public right-of-way, the applicant must also attest that applicant has authorization to install, maintain and operate transmission equipment in, under, and above the public right-of-way.
5. A request involving co-location of transmission equipment or the replacement of transmission equipment: Complete copies of the underlying land use approvals for siting of the tower or base station proposed to be modified, establishing that, at the time of submittal of the application, such tower or base station constituted an eligible support structure.

6. A request that will result in an increase in height of the eligible support structure: Record drawings, as-built plans, or the equivalent, showing the height of the eligible support structure (a) as originally constructed and granted approval by the city or other applicable local zoning or similar regulatory authority; or (b) as of the most recent modification received by the city, or other local zoning or regulatory approval, prior to the passage of the Spectrum Act, whichever height is greater.
7. A request to an eligible support structure, which structure, or proposed modification of the same, is subject to preexisting restrictions or requirements imposed by a reviewing official or decision-making body pursuant to authority granted under the city code, or an ordinance or a municipal code of another local government authority: A copy of the document (e.g., CUP or SUP) setting forth such preexisting restrictions or requirements together with a certification that the proposed facilities modification conforms to such restrictions or requirements; provided, that such certification shall have no application to the extent the proposed facilities modification relates solely to an increase in height, increase in width, addition of cabinets, or new excavation, that does not result in a substantial change in the physical dimensions of the eligible support structure.
8. A request to an eligible support structure, which structure, or proposed modification of the same, is subject to preexisting concealment restrictions or requirements, or was constructed with concealment elements: Applicant shall set forth the facts and circumstances demonstrating that the proposed modification would not defeat the existing concealment elements of the eligible support structure. If the proposed modification will alter the exterior dimensions or appearance of the eligible support structure, applicant shall include a detailed visual simulation depicting how the eligible support structure will appear after the proposed modification is complete. The visual simulation shall depict to scale the eligible support structure in relation to the trees, landscaping and other structures adjacent to, or in the immediate vicinity of, the eligible support structure.
9. A request that will protrude from the edge of a nontower eligible support structure: Record drawings, as-built plans, or the equivalent, showing at a minimum the edge of the eligible support structure at the location of the proposed modification.
10. A request to an eligible support structure that will (a) include any excavation; (b) would result in a protrusion from the edge of a tower that exceeds an existing protrusion of any transmission equipment attached to a tower; or (c) would protrude from the edge of a nontower eligible support structure: A description of the boundaries of the site together with a scale drawing based on an accurate traverse, with angular and lineal dimensions, depicting the boundaries of the site in relation to the tower or base station proposed to be modified and depicting the proposed location, elevation and dimensions of the new or replacement transmission equipment. The city may require a survey by a land surveyor licensed in the state of Washington when, in the judgment of the approval authority, a survey is reasonably necessary to verify the boundaries of the site to determine if the proposed facilities modification would result in a substantial change in the physical dimensions of the eligible support structure.

11. A request to the eligible support structure that includes hardening through structural enhancement: A technical report by a qualified engineer accredited by the state of Washington, demonstrating that the structural enhancement is performed in connection with and is necessary to support the proposed co-location, removal, or replacement of transmission equipment and conforms to applicable code requirements. The city may retain the services of an independent technical expert to review, evaluate, and provide an opinion regarding the applicant's demonstration of necessity.
12. A request that proposes a modification to a tower: A stamped report by a Washington State-registered professional engineer demonstrating that the tower with the proposed modifications will comply with applicable structural, electrical, and safety codes, including by way of example, and not limitation, EIA/TIA-222-Revision G, published by the American National Standards Institute (as amended), allowable wind speed for the applicable zone in which the tower is located, and describing the general structural capacity of the tower with the proposed modifications, including:
 - a. The number and type of antennas that can be accommodated;
 - b. The basis for the calculation of capacity; and
 - c. A written statement that the proposal complies with all federal guidelines regarding interference and ANSI standards as adopted by the FCC, including but not limited to nonionizing electromagnetic radiation (NIER) standards. The city may retain the services of an independent technical expert to review, evaluate, and provide an opinion regarding the applicant's demonstration of compliance.
13. A request to a base station: A stamped report by a Washington State-registered professional engineer demonstrating that the base station, with the proposed modifications, will comply with applicable structural, electrical, and safety codes.
14. A request requiring alteration to the eligible support structure, excavation, installation of new equipment cabinets, or any other activities impacting or altering the land, existing structures, fencing, or landscaping on the site: A detailed site plan and drawings, showing the true north point, a graphic scale and, drawn to an appropriate decimal scale, indicating and depicting:
 - a. The location, elevation and dimensions of the existing eligible support structure;
 - b. The location, elevation and dimensions of the existing transmission equipment;
 - c. The location, elevation and dimensions of the transmission equipment, if any, proposed to be co-located or that will replace existing transmission equipment;
 - d. The location, elevation and dimensions of any proposed new equipment cabinets and the intended use of each;
 - e. Any proposed modification to the eligible support structure;
 - f. The location of existing structures on the site, including fencing, screening, trees, and other significant site features; and
 - g. The location of any areas where excavation is proposed showing the elevations, depths, and width of the proposed excavation and materials and dimensions of the equipment to be placed in the area excavated.

Small Wireless Facility Permit (SWF)

Permit procedures for small wireless facility permits are detailed in BIMC 19.10.

1. A Master Permit, consistent with Chapter 19.02 and 19.04 BIMC, if the proposed facilities are located in the right-of-way.
2. Associated Permit(s). Applications or check lists required under the Critical Areas, Shoreline, or SEPA ordinances. Applications for deployment of small wireless facilities in Design Zones or for new poles shall comply with the requirements in BIMC 18.10A.060.
3. Specific locational information including GIS coordinates of all proposed small wireless facilities and specify where the small wireless facilities will utilize existing, replacement, or new poles or towers, existing buildings, or other structures. Ground mounted equipment (if authorized pursuant to Chapter 18.10A BIMC), conduit, junction boxes, and fiber and electrical connections necessary for and intended for use in the deployment shall also be specified regardless of whether the additional facilities are to be constructed by the applicant or leased from a third party. Detailed schematics and visual renderings of the small wireless facilities, including engineering and design standards, shall be provided by the applicant. The application shall have sufficient detail to identify:
 - (a) The location of overhead and underground public utility, telecommunication, cable, water, adjacent lighting sewer drainage and other lines and equipment within 50 feet of the proposed project area (which the project area shall include the location of the fiber source and power source). Further, the applicant shall include all existing and proposed improvements related to the proposed location, including but not limited to poles, driveways, ADA ramps, equipment cabinets, street trees and structures within 50 feet from the proposed project area.
 - (b) The specific trees, structures, improvements, facilities, lines and equipment, and obstructions, if any, that applicant proposes to temporarily or permanently remove or relocate and a landscape plan for protecting, trimming, removing, replacing, and restoring any trees or areas to be disturbed during construction.
 - (c) The construction drawings shall also include the applicant's plan for electric and fiber utilities, all conduits, cables, wires, handholes, junctions, meters, disconnect switches and any other ancillary equipment or construction necessary to construct the small wireless facility, to the extent to which the applicant is responsible for installing such electric and fiber utilities, conduits, cables, and related improvements. Where another party is responsible for installing such electric and fiber utilities, conduits, cables, and related improvements, applicant's construction drawings will include such utilities to the extent known at the time of application, but at a minimum applicant must indicate how it expects to obtain fiber and electric service to the small wireless facility.
 - (d) Compliance with the aesthetic requirements of BIMC 18.10A.050.

4. Written approval from the owner of any pole or structure for the installation of its small wireless facilities on such pole or structure. To extent that the pole or structure is not owned by the applicant, the applicant shall demonstrate in writing that they have authority from the pole owner to install the small wireless facility on the pole or structure. Such written approval shall include approval of the specific pole, engineering and design standards, as well as assurances that the specific pole can withstand wind and seismic loads, from the pole owner, unless the pole owner is the City. Submission of the lease agreement between the pole owner and the applicant is not required. If the proposed small wireless facility is not within the rights-of-way, the applicant must provide written approval from the property owner. For city-owned poles or structures, the applicant must obtain a lease from the City prior to or concurrent with the small wireless permit application and must submit as part of the application the information required in the lease for the City to evaluate the usage of a specific pole.
5. Sworn affidavit signed by an RF Engineer with knowledge of the proposed project affirming that the small wireless facilities will be compliant with all FCC and other governmental regulations in connection with human exposure to radio frequency emissions for every frequency at which the small wireless facility will operate. If facilities which generate RF radiation necessary to the small wireless facility are to be provided by a third party, then the small wireless permit shall be conditioned on an RF Certification showing the cumulative impact of the RF emissions on the entire installation. The applicant may provide one emissions report for the entire small wireless deployment if the applicant is using the same small wireless facility configuration for all installations within that batch or may submit one emissions report for each subgroup installation identified in the batch.
6. Proof of FCC and other regulatory approvals required to provide the service(s) or utilize the technologies sought to be installed.
7. A professional engineer licensed by the State of Washington shall certify in writing, over his or her seal, that the construction plans of the small wireless facilities and the antenna support structure or pole and foundation are designed to reasonably withstand typical loading requirements as well as wind and seismic loads.
8. Proof of a valid Bainbridge Island business license.
9. Such other information as the Director, in his/her discretion, shall deem appropriate to effectively evaluate the application based on technical, engineering, and aesthetic considerations.

Zoning Verification Letter

- A. Property location – 14-digit parcel number or site address
- B. Any known previously approved land use applications or permits.
- C. List of specific questions.



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: May 14, 2020

ESTIMATED TIME: 20 Minutes

AGENDA ITEM: 6:30 PM - PCD 2020 Work Plan and Upcoming Planning Commission (PC) Meetings

AGENDA CATEGORY: Presentation

PROPOSED BY: Heather Wright

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): None.

PREVIOUS COUCIL REVIEW DATE(S): May 12, 2020

RECOMMENDED MOTION:

Review and discuss.

SUMMARY:

BACKGROUND: The City’s COVID-19 response along with Governor Inslee’s Stay Home, Stay Healthy Order has necessitated revisions to our previously approved 2020 Work Plan. Subsequent to Council's recent actions on Floor Area Ratio (FAR) Bonuses as well as discussions about potential amendments to the City’s land use review process, adjustments to PCD's 2020 Work Plan were proposed to allow for new timelines and additional tasks. These proposed revisions to the Work Plan were first discussed with City Council on May 12, 2020 and will be shared with the Planning Commission on May 14th, following Council's first discussion.

As Council's decision on these items will directly impact the PC's agendas, our discussion will also include PC agenda topics for the remainder of May and June.

ATTACHMENTS: