



CITY OF
BAINBRIDGE ISLAND

PLANNING COMMISSION REGULAR MEETING
THURSDAY, MARCH 12, 2020

BAINBRIDGE ISLAND CITY HALL
COUNCIL CHAMBERS
280 MADISON AVENUE N.
BAINBRIDGE ISLAND, WASHINGTON

AGENDA

1. **CALL TO ORDER/ROLL CALL - 7:00 PM**
2. **PLANNING COMMISSION MEETING MINUTES - 7:05 PM**
 - 2.a **(7:05 PM) January 9, 2020 Minutes**
January 23, 2020 Minutes 5 Minutes
[Planning Commission Minutes DRAFT 010920.pdf](#)
[Planning Commission Minutes DRAFT 012320.pdf](#)
3. **PUBLIC COMMENT - 7:10 PM**
Public comment on off-agenda items.
4. **PUBLIC HEARING - 7:20 PM**
 - 4.a **(7:20 PM) Ordinance 2020-02 (formerly 2019-09) related to Accessory Dwelling Units** 45 Minutes
[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](#)
5. **NEW BUSINESS - 8:05 PM**
 - 5.a **(8:05 PM) FAR discussion.** 30 Minutes
[20200227 FAR Memo to PC .pdf](#)
[RES_2001-54_DISTRIBUTION_OF_FUNDS_FROM_PURCHASE_OF_FLOOR_AREA_RATIO_BONUSES.pdf](#)
[RES_2003-25_FULL_CITY_COUNCIL_FOR_DECISION_MAKING_RE_FLOOR_AREA_RATIO_BONUSES.pdf](#)
[BIMC_18.12.030_FAR_BONUS_OPTIONS \(2\).docx](#)
[Comp Plan Goals & Policies Related to FAR.pdf](#)

5.b (8:35 PM) Planning Liaison to the DRB Bi Monthly Update 5 Minutes

6. UNFINISHED BUSINESS - 8:40 PM

6.a (8:40 PM) 2020 Workplan continued discussion. 30 Minutes
Memo to Council post PC Retreat.docx
2020 Workplan memo 3-5-20.pdf
Quitslund Memo 030920.pdf

7. PLANNING DIRECTOR'S REPORT - 9:10 PM

8. ADJOURNMENT - 9:20 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 Regular Meeting Agenda Bill

MEETING DATE: March 12, 2020

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (7:05 PM) January 9, 2020 Minutes
January 23, 2020 Minutes

AGENDA CATEGORY: Minutes

PROPOSED BY: Jane Rasely

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

PREVIOUS COUCIL REVIEW DATE(S):

RECOMMENDED MOTION:

I move approval of the meeting minutes as distributed.

SUMMARY:

BACKGROUND:

ATTACHMENTS:



PLANNING COMMISSION REGULAR MEETING January 9, 2020

Meeting Minutes

1) **CALL TO ORDER/AGENDA REVIEW/CONFLICT DISCLOSURE**

Chair William Chester called the meeting to order at 7:00 PM. Planning Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Lisa Macchio, Kim McCormick Osmond, Don Doman and Joe Paar.

2) **PLANNING COMMISSION MEETING MINUTES**

2.A [Planning Commission Minutes - October 24, 2019](#)

[Cover Page](#)

[PLANNING COMMISSION MINUTES draft 102419.pdf](#)

Motion: I'll move adoption of the meeting minutes for October 24, 2019 as distributed.

Quitslund/Paar: Passed Unanimously

3) **PUBLIC COMMENT**

None.

6) **PLANNING DIRECTOR'S REPORT**

Moved forward in agenda to fill time until Public Hearing start time is met.

4) **PUBLIC HEARING**

4.A [Ordinance 2020-02 \(formerly 2019-09\) related to Accessory Dwelling Units and Tiny Homes](#)

[Cover Page](#)

[20200109 Staff Memo](#)

[20200109 Ordinance 2020-02 DRAFT.docx](#)

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

[Tiny Homes Handout from WA Building Officials WABO.pdf](#)

[Appendix Q.pdf](#)

Senior Planner Jennifer Sutton provided an overview of the ordinance.

Public hearing opened at 7:40 PM.

Terry McGuire spoke against the proposed ordinance.

Colin Baxter spoke against the ordinance citing concerns about water usage.

Bob Russell wondered if the push for tiny homes was to take care of the homeless and thought ADUs were a good idea.

Pascal spoke for ADU's and tiny houses as affordable housing options.

The public hearing was closed at 7:55 PM.

A sub-committee was formed to study the following issues: short term rentals, lot coverage requirements, affordability incentives/disincentives, owner occupancy as opposed to common ownership and zoning. Commissioners, McCormick Osmond, Pearl and Doman were appointed to serve on the sub-committee.

5) NEW BUSINESS

5.A Elect a 2020 chairperson and vice chairperson to serve the Planning Commission

Cover Page

20200103 Planning Commission Roster.pdf

Motion: I wish to nominate Bill Chester knowing that he is still willing to serve and I think he's been a very good manager and a very good person, easy person and engaged person to work with. I'd like to see him continuing for another year.

Quitslund/Paar: Passed Unanimously

7) ADJOURNMENT

William Chester, Chair

Jane Rasely, Administrative Specialist



CITY OF
BAINBRIDGE ISLAND

PLANNING COMMISSION REGULAR MEETING January 23, 2020

Meeting Minutes

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

Chair William Chester called the meeting to order at 7:00 PM. Planning Commissioners in attendance were Jon Quitslund, Lisa Macchio, Don Doman and Joe Paar.

2) **PLANNING COMMISSION MEETING MINUTES**

2.a 7:05 PM - November 7, 2020 Meeting Minutes

[Cover Page](#)

[Planning Commission Minutes DRAFT 110719.pdf](#)

Motion: I'll move adoption of the minutes as distributed.

Quitslund/Par: Passed Unanimously

3) **PUBLIC COMMENT ON OFF AGENDA ITEMS**

None.

4) **UNFINISHED BUSINESS**

4.a [Ordinance No. 2020-04, Adopting Small Wireless Facility Design Standards](#)

[Cover Page](#)

[Ordinance No. 2020-04, Adopting Small Wireless Design Standards - Draft for 1-23-20 PCM](#)

[Memo - Summary of Revisions Following December 12, 2019 PC Meeting](#)

[Small Wireless Facilities - Sample Photos of Actual Deployments](#)

Planning Commission determined they were ready to schedule a public hearing on this ordinance.

4.b [ADU Ordinance Subcommittee Update](#)

[Cover Page](#)

Commissioner Doman provided a brief overview of work the subcommittee would be performing.

6) PLANNING DIRECTOR'S REPORT

Planning Director Heather Wright provided an update of City Council items of interest to the Planning Commission. This was pushed ahead of the public hearing to honor its 8:00 PM start time.

The February 24, 2020 retreat/training to formulate a 2020 work plan was discussed.

Chair Chester introduced Council Member Kirsten Hytopoulos who will act as the Planning Commission liaison in 2020.

5) PUBLIC HEARING

5.a Aveterra Code Amendment Request - Planning
[Cover Page](#)
[Staff Memo to Planning Commission 23JAN2020.pdf](#)

Associate Planner Annie Hillier provided an overview of the process thus far and introduced applicant Molly Bogardus who also made a presentation.

The public hearing was opened at 8:12 PM.

Danielle Bogardus spoke in favor of the code amendment.

Dawn Weber spoke in favor of composting but was concerned that the infrastructure of the neighborhood would not support a composting facility.

Nora McGraw spoke in favor of the compost facility saying the trucks are already going past that property.

Paul Brisson spoke in favor of a composting site but stated this was the wrong location for it.

Sandy Cherin spoke in favor of the composting project but not in that location.

Nick Masla spoke about the current work going on at the proposed project site and asked for time to let the land heal.

Mike Sherry spoke in favor of composting but felt it deserved more study before any code changes were made.

Wendy Tyner spoke about the alleged violations currently going on at the subject property and did not want to see composting on the site although she stated she loved composting.

Phil LeDorze spoke in favor of a composting facility at the subject property.

Walt McGraw spoke in favor of the composting facility on the subject site.

Anthony Flannery spoke of the real opportunity for the Planning Commission and City Council to work with a private partner to work through the financial probabilities of composting.

Brian Ferrell spoke about his skepticism of a composting site without odor being able to operate there. He also spoke of his concern about the current activities occurring on the site.

Dave Breskin spoke about the changes he had seen in the 33 years he had lived on the island and in support of the project.

Zach Chadick spoke against the site being a compost facility.

Jackie Flannery spoke for the equestrian community asking for a solution now and that the project lined up with 5 of the 8 Guiding Principles the City Council works under.

Lisa Brisson spoke as a proponent of the project but not at this site.

Perry Barrett spoke about finding a local solution for compost makes sense.

Marjorie Trudnowski spoke against having a compost facility on this site.

The public hearing was closed at 9:10 PM.

Motion: I move to deny the “Aveterra Code Amendment Request” as presented to us by staff, finding that valid objections have been raised by Planning Commissioners and the public to this site-specific approach to permitting a use of residentially zoned property.

Quitslund/Doman: Passed Unanimously

7) **ADJOURNMENT**

The meeting was adjourned at 9:47 PM.

William Chester, Chair

Jane Rasely, Administrative Specialist



CITY OF
BAINBRIDGE ISLAND

Planning Commission Regular Meeting Agenda Bill

MEETING DATE: March 12, 2020

ESTIMATED TIME: 45 Minutes

AGENDA ITEM: (7:20 PM) Ordinance 2020-02 (formerly 2019-09) related to Accessory Dwelling Units

AGENDA CATEGORY: Ordinance

PROPOSED BY: Jennifer Sutton

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): December 12, 2019 (study session), January 9, 2020 (public hearing), February 13, 2020 (subcommittee report) and February 27, 2020 (study session).

PREVIOUS COUCIL REVIEW DATE(S): October 23, 2018; June 18, July 23, September 10 and October 22, 2019

RECOMMENDED MOTION:

Hold Public Hearing. I move to approve Ordinance 2020-02.

SUMMARY:

Ordinance 2020-02 (formerly 2019-09) revises ADU standards regarding common ownership and adding shops and barns to types of buildings appropriate for second-story ADUs.

BACKGROUND: Beginning in Fall, 2018, the City Council has conducted a review of rules related to Accessory Dwelling Units (ADUs) in response to Recommendation #3 from the Affordable Housing Task Force (2018) to "adopt procedures to encourage Accessory Dwelling Units." The City Council discussed a variety of accessory dwelling unit and small-unit housing topics during 5 meetings over a 12-month period: October 23, 2018, June 18, July 23, September 10 and October 22, 2019. These City Council meetings and materials can be read and viewed from the City's website. The City Council's final policy direction from their October 22, 2019 meeting is captured in Draft Ordinance 2019-09 that makes the following changes to accessory dwelling unit regulations (BIMC Section 18.09.030.I.5) and zoning definitions (BIMC Section 18.36.030), described further in this memo:

- Requires common ownership of new ADUs, such that sale or ownership of an ADU separate from the primary single-family dwelling is prohibited.
- Removes "lot coverage" standard as a barrier to constructing ADUs for properties that are less than 40,000 square feet in size in residential zones.
- Acknowledges that residential subdivisions (and consequently, ADUs) are now permitted in the Mixed Use Town Center and High School Road zoning districts with approval of the new subdivision regulations (Ordinance 2019-03) by removing current BIMC Section 18.09.030.I.5.n.

- Adds new definition for “tiny home”- a dwelling smaller than 400 square feet. A tiny home could be the primary or accessory dwelling unit on a property.

On October 22, the City Council finalized their policy direction on modifications to ADU regulations for the Planning Commission, and Ordinance 2019-09 executes that Council policy direction. The Planning Commission first discussed the ordinance on December 12, 2019 and a public hearing was held on January 9, 2020. After closing the public hearing, the Planning Commission further discussed tiny homes, potential limitations on short-term rentals and the merits of removing the lot coverage barrier for lots smaller than 40,000 square feet.

The Planning Commission ended their discussion on January 9, 2020 by creating a temporary subcommittee to further discuss these topics and other ADU regulations. Commissioners Pearl, McCormick Osmond, and Doman agreed to serve on the subcommittee, which will bring back any recommended changes to Ordinance 2020-02 to the full Planning Commission for further consideration. The subcommittee submitted recommended changes to the ordinance at the February 13 Planning Commission meeting, and the Commission as a whole directed staff to make the recommended changes to Ordinance 2020-02 (see attached subcommittee recommendations).

The ordinance was revised to integrate the changes recommended by the subcommittee, and are substantial enough from the January 9th version that another public hearing is needed, and a public hearing is scheduled March 12. The Commission discussed and revised the ordinance again at a Study Session on February 27, 2020. The revisions recommended by the Planning Commission on February 27 have been integrated into Draft Ordinance 2020-02. Staff recommends an additional revision as provided in the Staff Memo.

ATTACHMENTS:

Memorandum

Date: March 12, 2020
To: Planning Commission
From: Jennifer Sutton, AICP
Senior Planner
Subject: Public Hearing on Ordinance 2020-02: Accessory Dwelling Unit Regulations

I. Council Policy Direction for Accessory Dwelling Unit (ADU) Regulations

The City Council discussed a variety of accessory dwelling unit and small-unit housing topics during 5 meetings over a 12-month period: October 23, 2018, June 18, July 23, September 10 and October 22, 2019. These City Council meetings and materials can be read and viewed from the [City's website](#). Final City Council's final policy direction to the Planning Commission on amending ADU regulations included:

- Require common ownership of new ADUs, such that sale or ownership of an ADU separate from the primary single-family dwelling is prohibited.
- Remove the "lot coverage" standard as a barrier to constructing ADUs for properties that are less than 40,000 square feet in size in residential zones.
- Acknowledge that residential subdivisions (and consequently, ADUs) are now permitted in the Mixed Use Town Center and High School Road zoning districts with approval of the new subdivision regulations (Ordinance 2019-03) by removing current BIMC Section 18.09.030.1.5.n.
- Integrate "tiny homes" into ADU regulations and add a new definition for "tiny home" - a dwelling smaller than 400 square feet.

Additional background information about these topics and why the Council integrated such changes into the initial ordinance that was forwarded to the Planning Commission is in the memorandum prepared for the [January 9, 2020 Planning Commission meeting](#).

II. PLANNING COMMISSION REVIEW

The Planning Commission discussed this ordinance on December 12, 2019 and then held a public hearing on January 9, 2020. After closing the public hearing, the Planning Commission further discussed tiny homes, potential limitations on short-term rentals and the merits of removing the lot coverage barrier for lots smaller than 40,000 square feet.

The Planning Commission ended their discussion on January 9, 2020 by creating a temporary subcommittee to further discuss these topics and other ADU regulations. Commissioners Pearl, McCormick Osmond, and Doman agreed to serve on the subcommittee, which brought back recommended changes to Ordinance 2020-02 to the full Planning Commission for further consideration. The subcommittee submitted recommended changes to the ordinance at the February 13 Planning Commission meeting (see attached subcommittee recommendations), and the Planning Commission as a whole directed staff to make the

changes recommended by the subcommittee to Ordinance 2020-02. Substantive recommended changes are:

- Remove any added reference to tiny homes. There is a separate recommendation that adding tiny homes to the building and zoning codes be considered through a separate ordinance.
- Related to the proposed common ownership regulations: add a sentence that a notice to title must be recorded to ensure ongoing compliance.
- Added "shops" and "barns" as type of buildings that are appropriate to construct an ADU above (current regulations only refer to detached garages).
- Adds back lot coverage requirement for properties less than 40,000 square feet in size. The change had been proposed for properties less than 40,000 square feet in size as a way to promote ADU construction by eliminating a barrier for those smaller lots.
- Adds a regulation to make clear that ADUs must comply with City regulations related to short-term rentals. Separate recommendation that the City Council pursue regulations to limit short-term rental regulations. See new subsection 18.09.030.1.5.o on page 3 of the DRAFT ordinance.

The ordinance was revised to integrate the changes recommended by the subcommittee, and are substantial enough from the January 9th version that another public hearing is needed, and a public hearing is scheduled for March 12. The Commission discussed and revised the ordinance again at a Study Session on February 27, 2020, and made additional non-substantive revisions to the ordinance. The revisions recommended by the Planning Commission on February 27 have been integrated into Draft Ordinance 2020-02.

Subcommittee Recommendation on Related to Potential (Future) Short-term Rental Requirements

See #11 on page 2 of the Subcommittee Recommendations and the last bullet above. Staff would like additional guidance from the Commission about the nature of this recommendation and addition to ADU Use Specific Standards. Is the purpose to prevent ADUs from becoming short-term rentals if the City adopts new regulations to limit short-term rentals? Or to clarify that ADUs should be allowed as short term rentals? Currently, the City does not limit the number or type of short-term rental, but does require that short-term rental business owners obtain a City Business License ([BIMC Chapter 5.04](#)). Residents and property owners of primary dwellings AND ADUs already have to abide by City regulations related to obtaining a business license, and limitations on what qualifies as a minor home occupation ([BIMC Section 18.09.030.1.13](#)).

If the Planning Commission wants to integrate language in the ADU use specific standards about these potentially limiting the use of ADU's as short term rentals, staff suggests the following alternative language for new ADU use specific standard 18.09.030.1.5.o:

ADUs cannot be used as a short-term rental unless they had a business license for short-term rental prior to the effective date of Ordinance 2020-02.

III. NEXT STEPS

The Planning Commission will hold a public hearing on Ordinance 2020-02 on March 12, 2020 prior to making a recommendation on the ordinance to the City Council.

ORDINANCE NO. 2020-02
(formerly 2019-09)

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to accessory dwelling units and amending Section 18.09.030.I.5 and Section 18.36.030 of the Bainbridge Island Municipal Code.

WHEREAS, the City has permitted and regulated accessory dwelling units as an accessory use to single-family residences for many years; and

WHEREAS, accessory dwelling units are recognized as a type of affordable housing; and

WHEREAS, the City is aware of a limited number of property owners who have turned an accessory dwelling unit into a condominium pursuant to Chapter 64.34 RCW, and some of those units may have been sold to a person other than the owner of the single-family residence (primary dwelling unit); and

WHEREAS, given the high real estate prices on Bainbridge Island, the sales price of an accessory dwelling unit sold as a condominium is unlikely to meet the definition of “affordable housing” as it relates to an income qualified household earning a middle-income or below, which is generally defined by Chapter 18.21 BIMC and BIMC 18.36.030.16 as one-hundred and twenty percent (120%) or below of the Department of Housing and Urban Development median income levels for the Bremerton-Silverdale metropolitan statistical area; and

WHEREAS, the City Council desires to increase the affordability of accessory dwelling units by limiting the ability to sell them separately from the primary dwelling unit, and discussed this topic as Draft Ordinance 2019-09 through the summer and fall of 2019, ultimately completing their policy direction to the Planning Commission on October 22, 2019; and

WHEREAS, the City Council approved updated subdivision regulations, via Ordinance 2019-03, on September 24, 2019, and those new regulations now allow new single-family residences in the Mixed Use Town Center and High School Road zones and, therefore, accessory dwelling units will also be allowed in those zones; and

WHEREAS, the Planning Commission discussed Ordinance 2020-02 (formerly Ordinance 2019-09) on December 12, 2019, held a public hearing on January 9, 2020, and after closing the public hearing, the Commission created a temporary subcommittee to further discuss the draft ordinance;

WHEREAS, the subcommittee brought back their recommendations to the full Planning Commission on February 13, 2020 and the Planning Commission agreed to make the changes to the ordinance recommended by the subcommittee; those changes are substantial enough than another public hearing is required; and

WHEREAS, the Planning Commission discussed revised Ordinance 2020-02 on February 27, and made additional revisions to the ordinance prior to holding another public hearing on March 12, 2020; and

WHEREAS, after closing the public hearing on March 12, 2020, the Commission recommended of approval of Ordinance 2020-02 to the City Council; and

WHEREAS, notice was given on ~~XXXX~~, 2020, to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106; and

WHEREAS, the City Council considered Ordinance 2020-02 at its meeting on ~~XXXX~~, 2020; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 18.09.030.I.5 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

Section 18.09.030.I.5 Accessory Dwelling Unit

In addition to all other applicable location and use regulations in Titles 16, 17 and 18, the following regulations apply to accessory dwellings units (ADU).

a. ~~An accessory dwelling unit (ADU)~~ may be created within, or detached from, any single-family dwelling, whether existing or new, as an accessory subordinate use, where permitted (“P”) by this chapter.

e. Sale or ownership of an ADU separate from the primary single-family dwelling is prohibited. This prohibition does not apply to an ADU that is owned in the condominium form of ownership prior to the effective date of this ordinance. Further, this prohibition does not apply to an ADU that was lawfully in existence prior to the effective date of this ordinance, or an ADU for which a complete building permit application has been submitted for that ADU prior to the effective date of this ordinance. The City shall enforce this requirement by recording a Notice to Title prior to issuing a building permit for new ADUs.

ef. One off-street parking space shall be provided in addition to off-street parking that is required for the primary dwelling.

fg. ~~Accessory dwelling units shall be designed to maintain the appearance of the primary dwelling as a single family dwelling, ADUs shall~~

~~containing~~ 900 square feet of floor area or less. However, if the accessory dwelling unit will be located within a building existing as of the approval date of Ordinance No. 2015-16 (for example, in a basement) the city may allow an increased size in order to efficiently use all floor area. If a separate outside entrance is necessary for an accessory dwelling unit located within the primary dwelling, that entrance must be located either on the rear or side of the building.

~~gh.~~ If an ADU ~~accessory dwelling unit~~ is constructed in conjunction with a garage, shop, or barn the square footage of the garage, shop, or barn shall not count towards the 900-square-foot limitation.

~~hi.~~ An ADU ~~accessory dwelling unit~~ not attached to the single-family dwelling may not contain any accessory use other than a garage, shop, or barn.

~~ij.~~ No habitable space on wheels, including recreational vehicles, shall be an accessory dwelling unit.

~~jk.~~ When stairs utilized for the ADU are enclosed within the exterior vertical walls of the building, they shall not count towards the floor area of the ADU.

~~kl.~~ The ADU shall share a single driveway with the primary dwelling.

~~lm.~~ School impact fees and qualified exemptions from those fees as provided in Chapter 15.28 BIMC shall apply.

~~mn.~~ All other applicable standards including, but not limited to, setbacks, parking requirements, and health district or city requirements for water, sewer, and/or septic must be met.

o. Residents and owners of ADUs must comply with all City regulations related to home occupactions, short-term vacation rentals, and business licenses.

~~n. In the Mixed Use Town Center, new accessory dwelling units are only permitted as part of a housing design demonstration project single family subdivision approved pursuant to BIMC 2.16.020.S.~~

Section 2. Section 18.36.030 of the Bainbridge Island Municipal Code is hereby amended to add the following:

18.36.030 Definitions

10. "Accessory dwelling unit" means ~~a dwelling separate living quarters~~ containing kitchen facilities, where the living quarters are contained within or detached from a single-family dwelling on a single lot.

Section 3. This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2020.

APPROVED BY THE MAYOR this _____ day of _____, 2020.

Leslie Schneider, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	October 15, 2019
PASSED BY THE CITY COUNCIL:	
PUBLISHED:	
EFFECTIVE DATE:	
ORDINANCE NUMBER:	2020-02

DRAFT

Planning Commission Preliminary Recommendations Regarding Ordinance No.
2020-02 (formerly 2019-09)

1. Remove all references to “tiny homes.” This ordinance relates to accessory dwelling units (ADUs). A “tiny home” is a dwelling less than 400 square feet and by definition could qualify as an ADU, which is 900 square feet or less, if it meets all other requirements for an ADU. References to “tiny home” throughout the current draft of the ordinance are unnecessary and confusing.
2. Revise the definition of an ADU in 18.36.030(10) as follows: “Accessory dwelling unit” means a dwelling containing 900 square feet of floor area or less that includes kitchen facilities, is an accessory use to a single-family dwelling on a single lot and is contained within or detached from the single-family dwelling on a single lot.”
3. Revise Section 18.09.030.I.5(a) to replace the words “a subordinate use” with “an accessory use.” All ADUs are accessory uses.
4. Revise Section 18.09.030.I.5(e) to require that all ADUs constructed after enactment of this ordinance must remain in common ownership. This requirement should be recorded on the title to the primary residence and the ADU to ensure that the ADU remains in common ownership with the primary residence. The City Council should satisfy itself that this is a legally defensible position in light of existing state laws regarding condominiums and court decisions interpreting those laws.
5. Revise Section 18.09.030.I.5(h) as follows: “If an accessory dwelling unit is constructed in conjunction with a garage, shop or barn, the square footage of the garage, shop or barn shall not count towards the 900-square-foot limitation.” There is no rational reason for limiting this provision to garages.
6. Revise 18.09.030.I.5(i) as follows: “An accessory dwelling unit not attached to the single-family dwelling may not contain an internal connection to any accessory use other than a garage, shop or barn, but must instead use external stairs to access a second-story accessory dwelling unit.” There is no rational reason for limiting this provision to garages.
7. Revise 18.09.030.I.5(j) as follows: “No habitable space on wheels shall be an accessory dwelling unit.” The intent of this change is to make clear that a living space on wheels, by whatever name, is not an ADU.
8. Revise 18.09.030.I.5(n) as follows: “All other applicable standards including, but not limited to, lot coverage, setbacks, parking requirements, and health district or city requirements for water, sewer, and/or septic must be met.” We recommend that ADUs should not be excluded from lot coverage requirements to ensure that they are constructed on lots with adequate space for them.
9. Revise 18.36.030(80) to remove the words “provided a tiny home is considered a dwelling, however, a recreational vehicle or bus is not a dwelling or dwelling unit.”
10. Remove the definition of “tiny home” in 18.36.030(259).

11. Add a provision that all ADUs constructed after enactment of this ordinance must comply with any regulations enacted by the City, either currently or in future, to manage short-term vacation rentals.

Once a revised draft Ordinance No. 2020-02, incorporating these revisions, is brought back to the Planning Commission for its review, the Planning Commission will make a formal recommendation for submission to the City Council.

DRAFT

Planning Commission Recommendations Regarding Two New Ordinances
Addressing Tiny Homes and Vacation Rentals

1. Create a separate ordinance addressing “tiny homes” as a primary use on a lot zoned for single family residential use. This ordinance should be guided by the memorandum dated July 18, 2019 from Todd Cunningham, Building Official, to Heather Wright, PCD Director, and by recent revisions enacted on January 1, 2020 by the state under RCW 19.27 adopting International Residential Code (IRC) Appendix Q addressing “Tiny Homes.” Because Appendix Q does not become effective until July 1, 2020, the City has adequate time to review Appendix Q and determine whether it wants to adopt those provisions wholesale or make changes to address local conditions for tiny homes.
2. Create a separate ordinance to address/regulate short-term vacation rentals on Bainbridge Island, to ensure that the purposes for encouraging the construction of ADUs – to provide more affordable housing , housing for aging in place and housing for relatives and family members – are satisfied. Because ADUs are seen as a form of upzoning, community benefits should be received in exchange for the additional density that results from ADUs.

18.09.030.I.5. Accessory Dwelling Unit.

- a. An accessory dwelling unit (ADU) may be created within, or detached from, any single-family dwelling, whether existing or new, as a subordinate use, where permitted (“P”) by this chapter.
- b. In the shoreline jurisdiction, an accessory dwelling unit may be created within, or detached from, any single-family dwelling, whether existing or new, as a subordinate use, where conditional (“C”) pursuant to this chapter. See Chapter [16.12](#) BIMC for shoreline conditional use process.
- c. Only one accessory dwelling unit may be created per parcel.
- d. No variances shall be granted for an accessory dwelling unit.
- e. One off-street parking space shall be provided in addition to off-street parking that is required for the primary dwelling.
- f. Accessory dwelling units shall be designed to maintain the appearance of the primary dwelling as a single-family dwelling, containing 900 square feet of floor area or less. However, if the accessory dwelling unit will be located within a building existing as of the approval date of Ordinance No. 2015-16 (for example, in a basement) the city may allow an increased size in order to efficiently use all floor area. If a separate outside entrance is necessary for an accessory dwelling unit located within the primary dwelling, that entrance must be located either on the rear or side of the building.
- g. If an accessory dwelling unit is constructed in conjunction with a garage, the square footage of the garage shall not count towards the 900-square-foot limitation.
- h. An accessory dwelling unit not attached to the single-family dwelling may not contain any accessory use other than a garage.
- i. No recreational vehicle shall be an accessory dwelling unit.
- j. When stairs utilized for the ADU are enclosed within the exterior vertical walls of the building, they shall not count towards the floor area of the ADU.
- k. The ADU shall share a single driveway with the primary dwelling.
- l. School impact fees and qualified exemptions from those fees as provided in Chapter [15.28](#) BIMC shall apply.
- m. All other applicable standards including, but not limited to, lot coverage, setbacks, parking requirements, and health district or city requirements for water, sewer, and/or septic must be met.
- n. In the Mixed Use Town Center, new accessory dwelling units are only permitted as part of a housing design demonstration project single-family subdivision approved pursuant to BIMC [2.16.020.S](#).



CITY OF
BAINBRIDGE ISLAND

Planning Commission Regular Meeting Agenda Bill

MEETING DATE: March 12, 2020

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (8:05 PM) FAR discussion.

AGENDA CATEGORY: Discussion

PROPOSED BY: Jennifer Sutton

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): This item was briefly discussed with the Planning Commission on February 27, 2020. The City Council has requested that the Planning Commission

PREVIOUS COUCIL REVIEW DATE(S): 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.

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.

On March 3, 2020, the City Council directed 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.

RECOMMENDED MOTION:

Discussion.

SUMMARY:

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.

ATTACHMENTS:



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, 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.

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

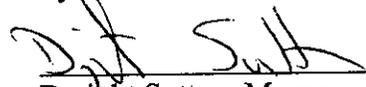
public amenities and/or infrastructure, unless one hundred percent (100%) of the maximum bonus is purchased, in which case all of those funds shall be directed toward the preservation of agricultural land.

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.

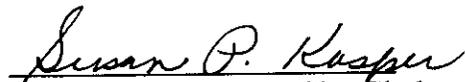
Section 3. For the purposes of this resolution, public amenities are defined as pocket parks, pedestrian connections, traffic calming treatments, street trees, street furniture and other features, which enhance the livability of Winslow.

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

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.

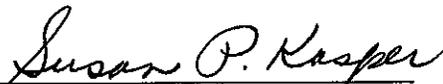
Section 2. Proposals to construct public amenities and/or infrastructure projects for the purpose of obtaining a floor area ratio bonus shall be reviewed and approved by the Public Works and Transportation Committee, upon recommendation of the Director of Public Works, and approved by Resolution of the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

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)



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*.

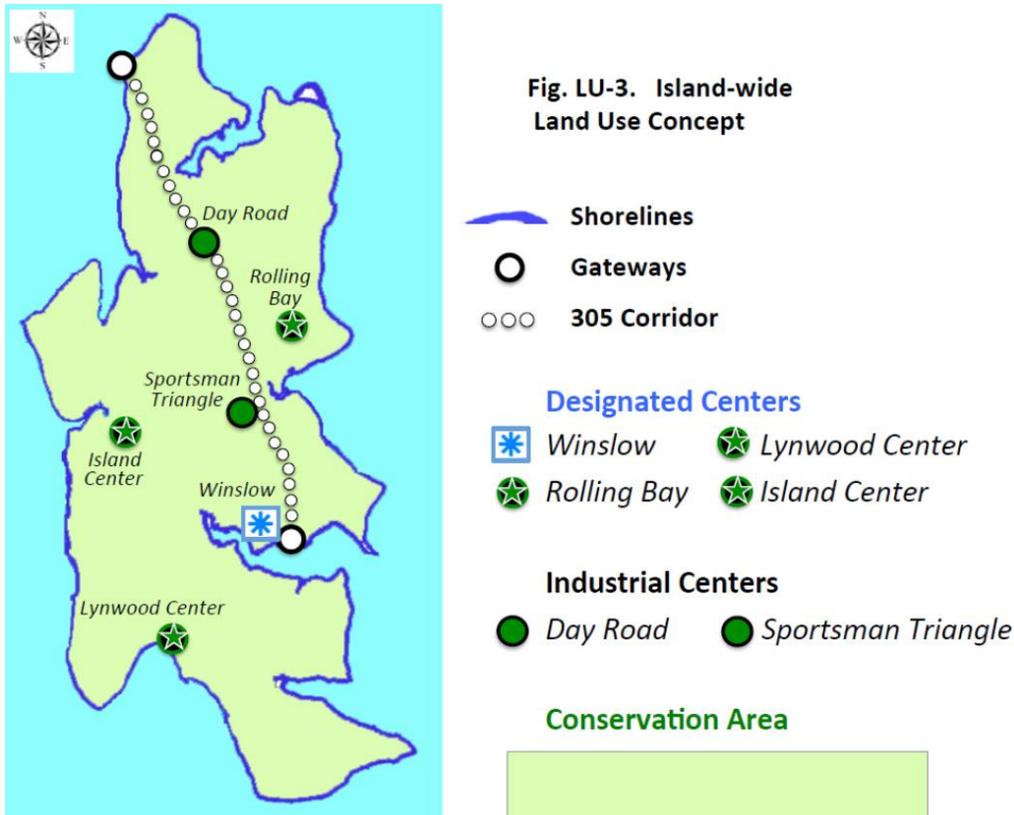
Most of the preceding two decades of growth have been attracted to the high quality of life in the Island's thriving **Designated Centers** where cultural amenities, employment and housing opportunities abound and *public services*, utilities and *infrastructure* are efficiently provided.

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.

WMP CHAPTER 2 LAND USE

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 2-3: 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 Egleddale 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.)

WMP CHAPTER 3 HOUSING

Goal WMP 3-1: Promote and facilitate the provision of diverse and affordable housing choices in a manner that encourages socio-economic diversity.

Policy WMP 3-1.1: Through FAR levels, development standards and incentives, encourage a variety of housing sizes and types that meet the needs of a broad range of households, including smaller units suitable for small families, single individuals and senior citizens.

Policy WMP 3-1.2: The bonus FAR program established for the Mixed Use Town Center and High School Road districts may include a provision that allows bonus FAR to be achieved in exchange for providing for-rental and for-purchase income-qualified housing.

WMP CHAPTER 4 OPEN SPACE AND TRAILS

Goal WMP 4-1: Incorporate open space and green spaces throughout Winslow by:

- enhancing existing parks and developing new parks;
- providing street trees, small gardens and other landscaping that provides visual relief and enhances the character;
- providing a series of green spaces, plazas and corridors that connect the community, define character and protect resources; and
- celebrating and connecting the town to the Harbor and the Ravine.

WMP 4-1.1: Development standards, design guidelines, and incentives should be provided to encourage retention or development of open space, public gathering spaces and parks.

WMP CHAPTER 6 TRANSPORTATION

Goal WMP 6-13: Commuter parking within the Ferry Terminal Overlay District shall be limited and planned to ensure consistency with a new mixed-use neighborhood in the District and limit traffic impacts within the District, Winslow, SR-305, and Island-wide.

Policy WMP 6-13.1: Commuter parking located in the Ferry Terminal Overlay District shall be limited 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 within the Ferry Terminal Overlay District, Winslow, and Island-wide; and

- Encourage transit, non-motorized, and other travel methods as alternatives to low-occupancy vehicles.

Policy WMP 6-13.2: The City should develop an overall parking management strategy that balances the parking needs of downtown residents and visitors, long-term and short-term ferry commuters, and commercial uses. The parking management strategy should include:

- Promoting the availability and use of park & ride lots and transit to reduce the number of vehicle trips and associated parking demand in the downtown.
- Improving parking enforcement.
- Offering incentives for providing parking for non-commuter ferry passengers in off-peak hours (e.g., after 9:00 a.m.).
- Encouraging the owners of existing parking lots to redevelop their properties in a coordinated manner to ensure enhanced pedestrian safety and efficient traffic flow.
- Developing strategies and innovative financing techniques to promote the construction of commuter parking structures by a private entity or public/partnership, in conjunction with mixed-use projects.
- Creating a mechanism to hold funds generated in the Ferry Terminal Overlay District from any future paid parking revenues, including but not limited to a fee-in-lieu program and/or meter revenue.



CITY OF
BAINBRIDGE ISLAND

Planning Commission Regular Meeting Agenda Bill

MEETING DATE: March 12, 2020

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (8:35 PM) Planning Liaison to the DRB Bi Monthly Update

AGENDA CATEGORY: Presentation

PROPOSED BY: Heather Wright

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

PREVIOUS COUCIL REVIEW DATE(S):

RECOMMENDED MOTION:
Discussion.

SUMMARY:
The DRB last met on March 2, 2020.

BACKGROUND: As part of the Workplan/Retreat for the PC and subsequent conversations with the PC and the PC Chair, there was a request to have regular updates from the PC liaisons about the previous meetings and reviews by the Design Review Board. This is an opportunity to inform the PC of future projects and the DRB's review and recommendation to date.

ATTACHMENTS:



CITY OF
BAINBRIDGE ISLAND

Planning Commission Regular Meeting Agenda Bill

MEETING DATE: March 12, 2020

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (8:40 PM) 2020 Workplan continued discussion.

AGENDA CATEGORY: Discussion

PROPOSED BY: Heather Wright

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): February 24, 2020 Workplan/retreat
February 27, 2020 Planning Commission Meeting

PREVIOUS COUCIL REVIEW DATE(S):

RECOMMENDED MOTION:

Continue work and finalize workplan to present to City Council.

SUMMARY:

BACKGROUND:

On February 24, 2020, the Planning Commission (PC) held a workplan/retreat and began the process of identifying the items they would like to add to their work plan for 2020. As part of that meeting, the Planning Commission was provided with the 2020 Citywide Workplan Priorities and the 2019 Year End Comprehensive Plan Implementation Report.

At the retreat, the PC made specific requests and commitments to the Design Review Board, identified legislative items of importance and made requests for additional involvement and clarification from City Council. The attached memo present a staff summary of the items discussed by the PC.

On March 5, 2020, Chair Chester and Commissioners Osmond and Pearl drafted a supplemental memo to the City Council that was provided before and at their retreat.

ATTACHMENTS:



Department of Planning and Community Development

Memorandum

Date: March 7, 2020
To: City Council
Morgan Smith, City Manager
From: Heather Wright, Director of Planning and Community Development
Subject: Planning Commission Workplan and Proposed Legislative Calendar for 2020

On February 24, 2020, the Planning Commission (PC) held a workplan/retreat and began the process of identifying the items they would like to add to their work plan for 2020. As part of that meeting, the Planning Commission was provided with the City's adopted [2020 Citywide Workplan Priorities](#) and the [2019 Year End Comprehensive Plan Implementation Report](#).

At their retreat, the PC made specific requests and commitments to the Design Review Board (DRB), identified legislative items of importance and made requests for additional involvement and clarification from City Council. The following lists present the items discussed by the PC.

At the PC's February 27, 2020 meeting, they requested that I send to Council the workplan/retreat items ahead of your March 6, 2020 retreat.

For context, I have also included the legislative items that are part of our work plan for 2020. To assist in your review of the items requested by the PC, I have created a draft timeline of legislative items for the remainder of the year. This is purely a draft, because to accomplish the items on the work plan and as proposed by the PC, the Council may need to make decisions on reprioritizing some of the departments work.

Please note that the calendar is only depicting the legislative items and does not reflect the land use permits and the public participation meetings that are also held before the PC.

1. 2020 PLANNING COMMISSION WORKPLAN/RETREAT ITEMS:

Request from PC to DRB:

- Liaison to the PC
- Chair and Co-chair meet with the PC Chair and Co-chair
- Include dialogue in the DRB recommendations to the PC

PC Committed to DRB:

- Provide liaisons to the DRB

Legislative Items:

- Land Use Amendments have a public participation meeting
- Sequence of pre-application review
- Public Participation Meeting
- Identify gaps in the Land Use Code to implement the Comp Plan:
 - Amend the use table
 - Amend the specific use regulations

Additional Requests:

- Co-present to the Council with city staff on legislative items
- Input on Suzuki
- Clarification on action expected from the PC on ordinances that are 'half baked' from Council

2. LEGISLATIVE AMENDMENTS:

Again, the three following lists reflect the legislative items that require review from the Planning Commission and that are part of the approved work plan as well the new legislative items recently directed by City Council to the Department and the recent legislative requests from the Planning Commission.

- Approved 2020 Work Plan Priorities (NOTE: this reflects legislative items only):

Sign Code

Wireless Facilities

ADU

FAR

Tree and Veg Management

Tiny Home/RV/TH Communities

Self-Storage Facilities

Green Ordinance

IZ/MFTE/TDR

Island Center

Critical Areas Ordinance – 2 year update

Shoreline Limited Amendment

Shoreline Periodic Update

Parking Standards

Dimensional Standards

SEPA Ordinance

Noise Standards

Winslow Master Plan

- New Items from Council:
 - Self-storage facilities

 - FAR
- New Requests from PC:
 - Land Use Amendments have a public participation meeting
 - Reevaluate the sequence of pre-application review
 - Structure of the Public Participation Meeting
 - Identify gaps in the Land Use Code to implement the Comp Plan:
 - Amend the use table to ensure the uses are consistent with the Comp Plan
 - Amend the use specific standards for each use to ensure they are consistent with the Comp Plan

3. DRAFT 2020 PLANNING COMMISSION CALENDAR FOR APPROVED AND NEW LEGISLATIVE ITEMS (NOT INCLUDING THOSE PROPOSED FROM PC)

To assist in your review of the items requested by the PC to be addressed, I have created a draft timeline of legislative items for the remainder of the year. This is purely a draft, because to accomplish the items on the work plan and as proposed by the PC, the Council may need to make decisions on reprioritizing some of the work.

Please note that the calendar is only depicting the legislative items and does not reflect the land use permit reviews and the public participation meetings that are also held before the PC.

March

Sign Code

Wireless Facilities

ADU

FAR

April

Tree and Veg Management

Self Storage Regulations

May

Self Storage Regulations

Tiny Home/RV/TH Communities

June

Green Building/Solar Ordinance

IZ/MFTE/TDR

Island Center

July

Critical Areas Ordinance

Shoreline Limited Amendment/Periodic Update

August

Critical Areas Ordinance

Shoreline Limited Amendment/Periodic Update

September

Critical Areas Ordinance

Shoreline Limited Amendment/Periodic Update

October

Parking Standards

Dimensional Standards

November

SEPA Ordinance

December

Noise Standards

March 5, 2020

Dear City Council members, Ms. Smith and Ms. Wright,

On March 4, 2020, Heather Wright shared with the Planning Commission a memorandum she sent to Morgan Smith regarding the Planning Commission Workplan and Proposed Legislative Calendar for 2020. We are writing to clarify several aspects of that memorandum, which we did not receive until after it was sent by Ms. Wright, and which arose out of the Planning Commission retreat held on Monday, February 24, 2020.

As an initial point, the five Planning Commission members that were able to attend the retreat felt that it was very inadequate. It was structured in a manner that did not allow us any real time to discuss issues, formulate a workplan or prioritize items on that workplan. Eighty percent of the retreat consisted of a lecture on Planning 101. The goal of this lecture seemed to be to convince us that the Comprehensive Plan is an aspirational document only, and has no place in making land use decisions. According to the lecturer, the Bainbridge Island Municipal Code even states that the Comprehensive Plan is not allowed to be used in any aspect of the review process for projects and can only be used in a general way. If there is not a requirement that Code provisions be consistent with the Comprehensive Plan, then what is the point of having a Comprehensive Plan? Or for that matter, a Planning Commission?

Ms. Wright's memorandum purports to summarize the workplan/retreat items before the City Council's March 6, 2020 retreat. It also includes the legislative items that are part of the Council's 2020 workplan. We would like to clarify some of the issues included in it.

First, we agree that we need a Design Review Board (DRB) liaison to the Planning Commission, including meetings between the chairs. The DRB recommendations to the Planning Commission also need to include a written description of all of the applicable Design Guidelines and the reasons why a project does or does not meet each one. Otherwise, the Planning Commission cannot make an informed recommendation about whether a project does or does not meet the Design Guidelines, as we are required to do under the Code.

Second, with respect to legislative items, we need to work on the timing sequence for project pre-application meetings, to ensure that any potential Comprehensive Plan consistency issues can be identified at the earliest opportunity, rather than waiting until a project is fully framed and the applicant has spent significant money and time on a proposal. Last year the Planning Commission proposed an early preapplication meeting that included the DRB and Planning Staff, but this proposal was not adopted by the City Council. We hope that it will be reconsidered. We also agree that we can co-present with the staff on legislative issues, however we do not want staff edited versions of our PC recommendations presented to council or anyone else. It has happened in the past and is not acceptable. We co-presented on the subdivision work and that was much better than the SMP amendment that was substantially changed by staff and presented by staff only.

Third, the Planning Commission is recommending identification of Code provisions that are either not consistent with the Comprehensive Plan or are applied in a manner that results in inconsistency with the Comprehensive Plan. That is not the same as identifying "gaps in the Land Use Code." Two areas of the Code that are most in need of review and revision are the FAR Bonus provisions and the Conditional Use

Permit decision criteria. In our view, both the tables and specific Code provisions need to be reviewed and revised for Comprehensive Plan consistency.

Fourth, with respect to workplan priorities, we believe that the highest priority issue is revision of the FAR and FAR Bonus Code sections. We believe FAR Bonus should only be available to obtain significant community benefits, such as affordable housing, to be consistent with the Comprehensive Plan and the existing Code sections do not produce those benefits. For the same reason, we believe revision of the CUP Code provisions – both the regulations and the use table – should be a high priority, to ensure that the only projects allowed to be built with a CUP are those projects that are also consistent with the Comprehensive Plan. We feel that the current CUP Code provisions are applied in a manner that results in projects that are inconsistent with the Comprehensive Plan. We would like to propose the following:

1. Conditional Use Permits
 - a. Develop criteria that define if a use or building type needs a CUP, and define what determines the need for a CUP.
 - b. Review the use table and revise, as discussed in prior Planning Commission meetings on Aug. 8 and Aug 22, 2019.
 - c. Develop well defined criteria for issuance of a CUP and clear limits on what will be allowed under the CUP.
 - d. Develop criteria for a CUP that address what the community receives in return for the deviation from what is allowed outright.

2. FAR and FAR Bonus
 - a. FAR needs to be reviewed in general for what the base FAR should be today to accommodate development that balances with community needs.
 - b. Review FAR Bonus. Do we need it? The question here is not whether a proponent can get additional FAR but under what criteria should the additional FAR be granted. Again, what does the community receive in return.
 - c. While FAR effects Commercial, Mixed use and multi-family projects it is an essential tool for incentivized affordable housing. Affordable housing discussion should be included in any discussion of FAR.

Fifth, we would like to be able to finish our work on revisions and clarifications to sections of the Shoreline Master Plan (SMP). No one on the Planning Commission wants further degradation of the shoreline, but we feel the City needs a clean and clear SMP to accomplish the ultimate goal of improving the shoreline. We propose continuing with the amendment process and periodic update, with the goal of shortening and simplifying the SMP, identifying and correcting inconsistencies and looking at fairness in the regulations while balancing environmental issues. This needs to be a high priority as our community has been dealing with this for years and we are simply not there yet. The results may result in disappointing news for some as this is very controversial, but if the result continues to be put off it makes matters worse.

Sixth, we need to address affordable housing and formulate an ordinance for Bainbridge Island that uses incentivized measures that fit the Comprehensive Plan and deliver a greater diversity of housing that not only help those in need of housing that are below 80% of medium income but also help those up to 140% of medium income. The incentivized measures need to address the current housing needs and be flexible enough or require periodic review so they can fit future needs as well. We also need to make sure that what is given to offset the development of affordable housing is fairly balanced with the number of affordable units.

Finally, with respect to Planning Commission consideration of proposed ordinances, we object to Ms. Wright's terminology in describing preliminary ordinances as "half baked." We did not use this term in reference to City Council work, and believe it does not reflect the City Council's actual intent to obtain early Planning Commission input on ordinance ideas that are not yet fully formed. We believe that Planning Commission input at early stages of an ordinance provides useful information to the City Council in its decisionmaking.

Ms. Wright includes a list of Approved 2020 Work Plan Priorities but it is unclear whether these are listed in order of priority. We also note that it does not include affordable housing. From our viewpoint, the initial priority would be as follows:

- FAR Bonus Code provisions
- Conditional Use Permit Code provisions
- ADU and tiny homes
- Sign Code
- Wireless Facilities
- Shoreline Master Plan amendments/revisions
- Affordable housing

We are providing this clarification letter to you as the respective current Chair, Vice Chair and Past Chair of the Planning Commission, because we feel it will assist you in understanding what issues the Planning Commission regards as most important to address in its 2020 Workplan and why those issues are important. We hope you find it helpful in your discussion of the Planning Commission's 2020 Workplan.

Sincerely,

Bill Chester,
Chair

Kim McCormick Osmond
Vice Chair

Mack Pearl,
Past Chair

March 9, 2020

Memo to: Heather Wright, Director of Planning & Community Development

From: Jon Quitslund

Cc: Planning Commissioners; Council Liaison Kirsten Hytopoulos

Thank you for the Memo dated March 4, following up on the Planning Commission's recent meeting and informing both Morgan Smith and the Council of our work plan and a tentative schedule for the rest of 2020.

I have some comments that I would like you to keep in mind as we move on, and I have addressed this memo to the Planning Commission as well, intending it as a contribution to our work plan discussion on March 12. These comments are not, I believe, at odds with the work plan priorities proposed by Commissioners Chester, McKormick Osmond, and Pearl in their message, included in our agenda packet.

One item, important to me, has been left out of the schedule. When we held a public hearing on the request from Aveterra for a Code amendment to allow for the possibility of a composting facility on the Triangle property, we rejected that proposal for a site-specific redefinition of the applicable regulations. Aveterra's proposal, which has now been around Robin Hood's barn more than once, still has merit, and I consider provisions for a composting facility to be an important piece of unfinished business. We have already gone part of the way toward filling a gap in the Code, and I am impatient to get this done. I believe David Greetham and Annie Hillier also want to resolve this issue.

Several weeks ago, I asked for an appointment with Morgan Smith: Aveterra's project was uppermost among the matters on which I wanted her perspective, because Morgan was instrumental in shifting Mollie Bogardus's planning away from the Vincent Road property and on to the Triangle site. She gave me a good reason for not scheduling a meeting prior to the Planning Commission's workplan retreat, and now I think it is time for a meeting that includes Bill Chester and Kim McCormick Osmond.

There are other more substantial items on the agenda; here are my thoughts on some of them.

"FAR" is on the March agenda, and I agree that now is the time to take up FAR policies. In my opinion, the policy issues are inseparable from provisions for Inclusionary Zoning, currently on the schedule for June. I think what is called for is a repeal and replacement of BIMC 18.12 and 18.21. Bill Chester, Joe Paar, and I have worked intermittently with several others on changes to FAR policies, with the ultimate goal of developing a comprehensive Affordable Housing Ordinance.

In short order we will be asked by the Council to review Ordinance No. 2020-10, "imposing a six-month interim zoning control on the use or applicability of certain bonus density options as provided in BIMC 18.12.030.E." It is my hope that, while still dutifully coloring within the lines of that short-range ordinance, we can avoid making Code changes that will be hard to undo later in long-range work on an Affordable Housing Ordinance. Further, I believe that now is the time for the Director and the Council to green-light a sub-committee's work on the A.H.O.

“Tree and Veg Management” is on the April agenda. I talked with the City’s arborist after the recent Council discussion of this matter. It would be useful if he came to a Planning Commission meeting to describe what is in the works. The Council expressed support for Nick Snyder’s ultimate objective, which is to bring tree and vegetation management regulations together in a coherent ordinance, and I agree. However, it may be most effective to combine “tree unit” regulations with “canopy cover” measures. Also, the usefulness of regulations that are now housed in BIMC 18.15.010 is now in question, but dismantling that old regulatory regime is easier said than done.

The “Critical Areas Ordinance” shows on the agenda for July, August, and September, along with the “SMP periodic update.” I’m not aware of big problems in the CAO; the SMP is another matter. I have talked briefly with Peter Best, and I am very pleased that he has been hired: I guess he will be responsible for both the CAO and the SMP. Shoreline property owners are justifiably impatient to see some work being done, or at least being planned, to achieve overdue improvements in the organization and the page-by-page clarity of the SMP. I would like to know how soon we can get started; perhaps Peter Best can come to a Planning Commission meeting in the not too distant future to talk with us.

I see the “Winslow Master Plan” listed on p. 3 of the memo, but not included in the month by month schedule for 2020. That is acceptable, but I firmly believe that we ought to make basic changes in Title 18 (Zoning) before revising the Winslow Master Plan. Let’s have some discussion of that big undertaking, which can be broken down into a series of separate tasks: some are more urgent than others, and some are both urgent and complicated.

In the materials that Joe Tovar prepared for us, “form based zoning” was mentioned. The guidelines and standards in *Design for Bainbridge* take us in that direction. Why not go the rest of the way? I am only beginning to understand these matters, but I believe that our objectives with inclusionary zoning policies can best be achieved within a form based zoning frame of reference.

The City has hired several teams of consultants to contribute to the long and large task of achieving (for the first time in all these years!) a true consistency between the goals and policies of the Comprehensive Plan and the ordinances and regulations of the Municipal Code. For a number of reasons, perhaps having to do with a poorly defined scope of work or a shallow understanding of our community’s needs and the problems to be solved, some of those consultants’ projects have borne little fruit. Bringing our Zoning Code up to date, appropriate to the Island’s present and future mix of constraints and opportunities for community development, is a daunting task, and I think we will need to call upon the best consultants in the business.

I see hard work ahead of us, and several big opportunities to bring the Municipal Code fully in line with the community’s vision and values as expressed in the Comprehensive Plan. I think I can speak for the Planning Commission as a whole when I say that we are ready to do this work, but we can achieve good results only through collaborative efforts and clear communication.

Last but not least, I have a question. Morgan Smith almost always attends City Council meetings and often engages productively in give and take with the Council. I am not aware of any precedent for the City Manager’s presence in Planning Commission meetings. Why is that? Is it because s/he has never been invited?