



CITY OF  
BAINBRIDGE ISLAND

**PLANNING COMMISSION SPECIAL MEETING  
THURSDAY, FEBRUARY 10, 2022**

THE PLANNING COMMISSION WILL HOLD THIS MEETING USING ZOOM. MEMBERS OF THE PUBLIC WHO DO NOT WISH TO VIEW THE MEETING VIA THE CITY'S WEBSITE STREAMING WILL BE ABLE TO CALL IN TO THE ZOOM MEETING.

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

[HTTPS://BAINBRIDGEWA.ZOOM.US/J/93018453883](https://bainbridgewa.zoom.us/j/93018453883)

OR ONE TAP MOBILE :

US: +12532158782,,93018453883# OR +16699009128,,93018453883#

OR TELEPHONE:

DIAL(FOR HIGHER QUALITY, DIAL A NUMBER BASED ON YOUR CURRENT LOCATION):

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WEBINAR ID: 930 1845 3883

INTERNATIONAL NUMBERS AVAILABLE: [HTTPS://BAINBRIDGEWA.ZOOM.US/U/AC1LEGH2E4](https://bainbridgewa.zoom.us/j/93018453883)

**AGENDA**

**1. CALL TO ORDER/LAND ACKNOWLEDGMENT/AGENDA REVIEW/CONFLICT  
DISCLOSURE - 6:00 PM**

We would like to begin by acknowledging that the land on which we gather is within the ancestral territory of the Suquamish, "People of Clear Salt Water." Expert fishermen, canoe builders and basket weavers, the Suquamish live in harmony with the lands and waterways along Washington's Central Salish Sea as they have for thousands of years. Here, the Suquamish live and protect the land and waters of their ancestors for future generations as promised by the Point Elliot Treaty of 1855.

**2. PLANNING COMMISSION MEETING MINUTES - 6:05 PM**

Review and approve meeting minutes.

**2.a (6:05 PM) Meeting Minutes** 5 Minutes

[PCDraftMinutes01272022.pdf](#)

**3. PUBLIC COMMENT - 6:15 PM**

Public comment is accepted at this time on any topic of municipal interest not already on the agenda. Each commenter will have three minutes to speak. Please refer to the guidelines and instructions for public comment attached below. Public comment related to a specific agenda item will be invited when the agenda item is being discussed.

**3.a (6:15 PM) PUBLIC COMMENT**

[Instructions\\_for\\_Providing\\_Public\\_Comment\\_at\\_Remote\\_Meetings\\_\\_PlanningCommission.pdf](#)

**4. PRESENTATION - 6:30 PM**

Receive University of Washington Livable Cities Program Presentation on Winslow Master Plan Project

**4.a (6:30 PM) Receive University of Washington Livable Cities Program Presentation on Winslow Master Plan Project.** 30 Minutes

[Winslow Master Plan Analysis Final Report.pdf](#)

[Winslow Master Plan - Final Presentation.pdf](#)

**5. UNFINISHED BUSINESS - 7:00 PM**

**5.a (7:00 PM) Review Ordinance No. 2022-02 (formerly 2021-38) to Implement Increased Density Bonus for Affordable Housing Development on Property Owned by Religious Organizations** 45 Minutes

[Staff Memo.docx](#)

[Ordinance No. 2022-02 \(formerly 2021-38\) Relating to Affordable Housing on Religious Properties.docx](#)

[Ordinance No. 2022-02 Exhibit A.pdf](#)

[Alternate Code Change Addition to BIMC 18.21.pdf](#)

[RCW 36.70A.545 Increased density bonus for affordable housing located on property owned by a religious organization.pdf](#)

[Map of Winslow Sewer & WMP areas.pdf](#)

[Bellevue Ordinance 6626.pdf](#)

[Kenmore and Wenatchee Regulations.pdf](#)

[Seattle\\_Ord\\_126384.pdf](#)

**6. NEW BUSINESS - 7:45 PM**

**7. PLANNING DIRECTOR'S REPORT - 7:50 PM**

**7.a (7:50 PM) Interim Planning Director's Report** 10 Minutes

[PCD Director's Report 02102022.pdf](#)

**8. FOR THE GOOD OF THE ORDER - 7:55 PM**

**9. ADJOURNMENT - 8:00 PM**

## **GUIDING PRINCIPLES**

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

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

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

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

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

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

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

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



**Planning Commission meetings are wheelchair accessible. Assisted listening devices are available in Council Chambers. If you require additional ADA accommodations, please contact the Planning & Community Development Department at (206) 780-3750 or [pcd@bainbridgewa.gov](mailto: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](mailto:pcd@bainbridgewa.gov) or mail it to Planning and Community Development, 280 Madison Avenue North, Bainbridge Island, WA 98110.**



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Special Meeting Agenda Bill

**MEETING DATE:** February 10, 2022

**ESTIMATED TIME:** 5 Minutes

**AGENDA ITEM:** (6:05 PM) Meeting Minutes

**SUMMARY:** Draft minutes from January 27, 2022 meeting.

**AGENDA CATEGORY:** Minutes

**PROPOSED BY:** Planning Commission

**RECOMMENDED MOTION:** I move to approve the minutes from the January 27, 2022 meeting.

**STRATEGIC PRIORITY:**

**FISCAL IMPACT:**

<b>Amount:</b>	
<b>Ongoing Cost:</b>	
<b>One-Time Cost:</b>	
<b>Included in Current Budget?</b>	

**BACKGROUND:**

**ATTACHMENTS:**

[PCDraftMinutes01272022.pdf](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



**Planning Commission Special Meeting  
January 27, 2022**

**Meeting Minutes**

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

Chair Sarah Blossom opened the meeting at 6:00 PM. Commissioners in attendance were Vice-chair Ashley Matthews, Yesh Subramanian, William Chester, Lisa Macchio. City Staff present were Interim Planning and Community Development Director Mark Hofman, Associate Planner Ellen Fairleigh, Senior Planner Jennifer Sutton and Administrative Specialist Maria Dozeman who monitored the recording and prepared minutes.

The Land Acknowledgement was read, and the agenda reviewed. There were no conflicts to disclose.

**Motion: I move to approve the January 27 agenda as written  
Matthews/Subramanian  
Motion carried 5 - 0**

**2) PLANNING COMMISSION MEETING MINUTES**

2.a Review and Approve Meeting Minutes

[Cover Page](#)

[DRAFTMinutes011322.pdf](#)

**Motion: I move to approve the meeting minutes for the 1/13/2022 meeting with one correction regarding the 2<sup>nd</sup> motion that appointed Commissioner Matthews Vice Chair.**

**Chester/Ashley**

**Motion carried 5 - 0**

**3) PUBLIC COMMENT**

None.

**4) UNFINISHED BUSINESS**

4.a [Review Ordinance No. 2022-02 \(formerly 2021-38\) to Implement Increased Density Bonus for Affordable Housing Development on Property Owned by Religious Organizations](#)

[Cover Page](#)

[Staff Memo.docx](#)

[Ordinance No. 2022-02 \(formerly 2021-38\) Relating to Affordable Housing on Religious Properties.docx](#)  
[Exhibit A Use Table 18.09.020.pdf](#)  
[RCW 36.70A.545 Increased density bonus for affordable housing located on property owned by a religious organization.pdf](#)  
[Map of Winslow Sewer & WMP areas.pdf](#)

**Public Comment:**

Jim Halbrook opposes the ordinance.  
Ron Peltier opposes the ordinance in current form.  
Lisa Neal opposes the ordinance.  
David Swartling supports the ordinance.  
Jason Wilkinson supports vision but opposes ordinance in current form.  
Talis Abolins commends important policy that led to this ordinance but has concerns about ordinance in current form.  
Maggie Rich representing Housing Resources Bainbridge reiterated support of the ordinance.

Planning Commission Discussion

**Public Comment:**

Jane Rein recommends a different process that includes more of the public.  
Wade Watson encourages commission not to get hung up on process and to remember the objective is to find a way to provide housing to the people needed to support the community.  
Luke (last name not heard clearly) who lives at 7835 Finch Road NE. Not against ordinance but would like to see a more realistic ordinance.

**Motion: I move to cancel the February 10, 2022 public hearing and replace it with additional discussion on Ordinance No. 2022-02 for the Planning Commission meeting on February 10, 2022.**

**Matthews/Chester**

**Motion carried 5 - 0**

5) **NEW BUSINESS**

5.a [PSE Noise Variance- WSDOT SR 305 right-of-way near the intersection of NE Adas Will Ln. \(City file no. PLN52157 VAR PSE Noise Variance\)](#)

[Cover Page](#)

[PLN52157 VAR PSE site plan adjacent to NE Adas Will Ln.pdf](#)

[PLN52157 VAR PSE Parcel Map 300 Feet.pdf](#)

Associate Planner Ellen Fairleigh introduced the project regarding the PSE Noise Variance.

Presentation

Andy Swayne from Puget Sound Energy

**Motion: I move to approve the Noise Variance request.**

**Subramanian/Chester**

**Motion carried 5 - 0**

6) **PLANNING DIRECTOR'S REPORT**

6.a [Director's Report](#)

[Cover Page](#)

[PCD Director's Report\\_01272022.pdf](#)

Planning and Community Development Interim Director Mark Hofman provided an update on items of interest to the Planning Commission.

**7) FOR THE GOOD OF THE ORDER**

Commissioner Matthews liked that some commenters were able to turn their video on. Commissioner Subramanian would like the technical issues that seemed to create a big delay between commenters to be resolved.

**8) ADJOURNMENT**

Meeting Adjourned at 8:35 PM

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Sarah Blossom, Chair

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Maria Dozeman, Administrative Specialist



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Special Meeting Agenda Bill

**MEETING DATE:**

**ESTIMATED TIME:**

**AGENDA ITEM:** (6:15 PM) PUBLIC COMMENT

**SUMMARY:** This time is reserved for public comments not related to items already on the agenda.

**AGENDA CATEGORY:** Review and Recommendation

**PROPOSED BY:** Planning Commission

**RECOMMENDED MOTION:** Public comment is accepted at this time on any topic of municipal interest. Each commenter will have three minutes to speak. Please refer to guidelines and instructions for public comment attached below.

**STRATEGIC PRIORITY:**

**FISCAL IMPACT:**

<b>Amount:</b>	
<b>Ongoing Cost:</b>	
<b>One-Time Cost:</b>	
<b>Included in Current Budget?</b>	

**BACKGROUND:**

**ATTACHMENTS:**

[Instructions for Providing Public Comment at Remote Meetings PlanningCommission.pdf](#)

**FISCAL DETAILS:**

**Fund Name(s):**

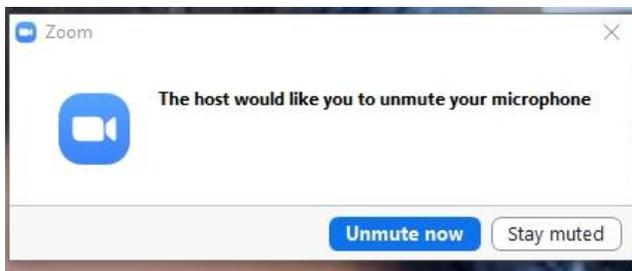
**Coding:**



Members of the public are encouraged to submit written public comment to the **Planning Commission** at any time by emailing **PCD@bainbridgewa.gov**. Members of the public who wish to provide public comment may participate remotely by following the instructions outlined below. Commissioners and staff are panelists, and members of the public are attendees. Webinar attendees do not interact with one another; they join in listen-only mode. Guidelines for public comment are also attached.

### INSTRUCTIONS FOR PROVIDING PUBLIC COMMENT REMOTELY

1. Join the Zoom webinar by following the link posted on the agenda and on the City calendar.
2. Sign in to Zoom with your first and last name in full.
3. The Chair will indicate when it is time for public comment.
4. Attendee indicates desire to speak by clicking on “Raise Hand” option at the bottom of the screen.
5. Attendee clicks button “Unmute now” after they are called to speak by the Chair.



6. Attendee will appear on screen with other panelists, but without video, just name.

**IMPORTANT NOTE:** If you do not have the latest version of Zoom, the meeting facilitator will promote you to panelist. You will then appear with video enabled. Look for the video icon in the bottom left-hand corner of the screen to turn off your video.

7. Attendee provides their comment.
8. Unless indicated otherwise by the Chairperson, the timer on the screen will track your time.
9. Stop speaking when the timer reaches the 3-minute mark.
10. Attendee is returned to attendee group, and microphone is muted.
11. Public comment is received by the Planning Commission, with no response given.





CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Special Meeting Agenda Bill

**MEETING DATE:** February 10, 2022

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** (6:30 PM) Receive University of Washington Livable Cities Program Presentation on Winslow Master Plan Project.

**AGENDA CATEGORY:** Presentation

**PROPOSED BY:** Jennifer Sutton

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

**PREVIOUS COUCIL REVIEW DATE(S):** February 8, 2022

**RECOMMENDED MOTION:**  
Presentation Only.

**SUMMARY:**

In the fall of 2021, the City engaged the University of Washington Livable Cities Program to research certain topics related to future updates to the Winslow Master Plan. Several students who worked on this project will present their findings to the City Council (2/8/22) and Planning Commission. Their final report is also attached.

**BACKGROUND:**

**ATTACHMENTS:**



# WINSLOW MASTER PLAN ANALYSIS

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AN ANALYSIS BY

**BARBS MENDEZ**  
**ZIPEI WANG**  
**TALIA KERTSMAN**  
**FANGNUO TAO**  
**JINFAN HUANG**  
**NOAH NEUBAUER**  
**JEFFERY JOHNSON**

UNIVERSITY OF WASHINGTON  
**COMMUNITY, ENVIRONMENT,  
AND PLANNING (CEP) 460 |  
PLANNING IN CONTEXT**

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# EXECUTIVE SUMMARY

## OVERVIEW

The Winslow master plan analysis critically explored data, maps, and previous research findings to understand the future projections of Winslow's growth. Winslow's population has increased dramatically over the past 5 years, causing a need for growth accommodation. While Winslow's city council and community want to preserve the current state of the low density, small town atmosphere of Winslow, there is a pressing need for development to accustom to the social and economic needs of the town.

## HISTORICAL CONTEXT

The history of Bainbridge Island dates back thousands of years to the Indigenous people that lived on all the lands of the Puget Sound. The Suquamish were the largest tribe in the area when Captain George Vancouver, an English explorer, arrived on the island in 1792. Because of its unique location in the Puget Sound, Bainbridge island soon became a military stronghold. Navy Fort Ward was a former United States Army coastal artillery base, and later, a Navy installation was located on the southwest side of Bainbridge Island. In 1938, the U.S. navy took over Fort Ward as a great access point for listening to Japanese signals. The Japanese Americans, who came to the island around the early 20th century, experienced unjust internment during World War II after decades of struggle as well as their contribution to the island's economic prosperity and cultural diversity. In 1991, a vote passed the proposal of annexation of the whole island into the City of Winslow. The island has grown immensely in the last 10 years with the addition of a few schools, new businesses, and green infrastructure.

## **OBJECTIVES**

The goals of the analysis were to examine sewer and water service boundaries in the town, identify sidewalks pathways, provide calculations for building types and population growth over recent years, and cultivate maps that show development trends. These findings from the analysis will provide the foundation necessary for Winslow's planning department to further build a plan that caters to the current and future growth of the town.

## **METHODS AND FINDINGS**

After months of research, our analysis of Winslow provided us with thorough findings regarding the development and arrangement of the downtown area. With the residential and commercial districts as well as strong environmental landscape, Winslow's unique layout provides a space for land preservation while still being able to accommodate potential growth. The downtown area serves as a pedestrian-centric space, which is where most built sidewalks are found. Moving into the residential areas within the master plan boundaries there is a significant lack of sidewalks on both or one side of the road, especially on major roads near the high school. After identifying historical water and sewer boundaries, findings prove that while most of the boundary aligns there are a few areas in the southeast quadrant that the sewer service is not apparent. Further analysis of Winslow's population trends over the past 5 years provides data that proves the need for growth accommodation in residential and commercial buildings.

# INTRODUCTION

Just west of Seattle is Bainbridge Island, a historic city originally inhabited by indigenous peoples dating back to the 18th century. Once used as an agricultural and logging site in the early 1900's, Bainbridge Island has since transformed into a connected community with Winslow serving as its lively downtown center. Winslow's development can be traced back to Bainbridge's 1960 comprehensive plan, outlining the socioeconomic and environmental goals for the town.

Winslow has since grown significantly, causing a need for an analysis to accommodate future growth of the town. Our objectives for this quarter were to utilize research, mapping, and data analysis strategies to identify development trends and project growth trends that will accommodate the future of Winslow's economic, social, and environmental challenges. We examined sewer and water services through text and maps to understand boundary differences, established sidewalk locations, identified population density of projected growth needs, analyzed data from previous plans to develop a series of maps that reflect development trends.

# PURPOSE AND SCOPE

The Winslow Master Plan Analysis is aimed to provide foundational information for the Planning Department of Winslow and Bainbridge Island to analyze the economic and social development in recent years and understand the needs based on the growth. To further explore and understand the current situation of the Winslow study area, our team is divided into two main parts -- sewer service and connectivity as well as density and growth analysis -- to thoroughly analyze the current social, economic, and environmental condition of the Winslow study area.

By Week 5, our team was working on background research and existing data analysis. We divided the historical research into three-year sections and synthesized it into our Team History and Context Essay. We also researched the sewerage plan and transportation of the Winslow-issued area. After midterm, our team was divided into two subteams -- density and growth analysis team, and a sewer and transportation team. We worked on mapping, calculation, data analysis, and compiled them with our observation and existing plans. For the final deliverables, we synthesized everything in this final report with our observations, findings, and final conclusion.

Basic principles of the relationship between sewer services and urban development have significant implications for a city's comprehensive planning process. High expenses of expanding sewer services mean that places with sewer infrastructure ought to have the highest priority for growth. In Bainbridge Island, the updates of the Winslow Master Plan area are lagging behind the expansion of the sewer system since the annexation in 1991, and it has resulted in the current discrepancy of the Master Plan boundaries and sewer system boundaries. By knowing the evolution of the Winslow Sewer Services boundaries, the City will be able to comprehend the trends and criteria of sewer service expansion and plan for the Master Plan updates accordingly, so that the existing sewer system could achieve their maximum utilization.

Based on the analysis of the population growth, sewer boundary service, as well as the FAR calculation of the existing study area, our team compared our findings to the historical development and assessed the future development that upzoning and the expansion of the Winslow Master Plan study area are required to fit the development trend. To conclude, our whole purpose is to synthesize our findings to analyze the existing development trends, thereby redefining the next iteration of the Winslow Master Plan Study Area.

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# AUDIENCE AND CLIENT

Our client is the City of Bainbridge Island's Planning and Community Development Department. The planning decisions made using our team's findings will impact Winslow residents, business owners, City council, the planning department, and future residents.

These stakeholders define the scope of our work, and each of these stakeholder groups must be included in conversations about future development and increased density in order to foster trusting relationships between community members and government entities.

# PROCESS AND METHODOLOGY

Our project objectives were to use research, mapping, and data analysis strategies to understand development trends in the Winslow area and project growth trends to ensure future development responds to increasing population density and adapting to environmental, social, and economic challenges. Our methods cover two specific issue areas; Sewer Service and Connectivity Analysis and Density and Growth Analysis.

## **RESEARCH: "SITE" VISIT**

We started our project by visiting the Winslow subarea of Bainbridge Island. Our walking tour of the area helped us learn about growth over time, contemporary challenges, and community assets. Our visit gave us valuable context for why our work was important for supporting planners' effort to expand density and adapt the Master Plan to accommodate growth and sustainability efforts specifically outlined in the region's Vision 2050 plan.

## **RESEARCH: HISTORY AND CONTEXT**

The next phase of research consisted of background research of sewer service boundaries and the cultural and economic history of the area. This stage of the process grounded the calculations we did later on and our general analysis of growth because we had foundational knowledge of what trends have occurred over time. For example, understanding how the sewer boundaries have expanded over time contextualises where growth was planned and what stakeholders were accounted for, so moving forward we see potential for the master plan boundary to be expanded to match the sewer boundary to account for the development.

## **COMMUNICATION PROCESS: CLIENT AND TEAM MEETINGS**

Throughout the quarter we met with our client a few times to check in on our progress and get questions answered about our deliverables and their expectations. Overall our work was very self-directed and our client was helpful when we reached out for help. Talia was specifically in close contact with Gretchen, their GIS Specialist, making sure that we had all of our necessary data sources and technical questions answered. We did not need to conduct any outreach or create outward-facing materials, so our communications remained internal and less frequent. One key obstacle we faced was when our main point-of-contact changed halfway through the quarter, so we had to restart communication at that moment.

## **EXECUTING SEWER SERVICE AND CONNECTIVITY ANALYSIS**

Executing the sewer service and connectivity analysis required three different components:

- Use government documents and comprehensive plans to identify various sewer system boundaries since the 1990s.
- Use GIS to show overlays between the sewage system and master plan boundary today and deduce potential options for expanding the master plan boundary to match the sewerage boundary. We also identified various assets in each focus area to determine where the best master plan boundary expansion could be.
- Use Google Earth to illustrate the presence of sidewalks in Winslow. Connectivity is integral to increasing a sense of community and walkability. Google Earth was a useful tool because getting to and from Bainbridge Island takes a large amount of time, so we were able to “walk” the streets instead to observe where sidewalks are or are not present.

All findings and relevant maps are shared in the Results section of the report.

## **EXECUTING DENSITY AND GROWTH ANALYSIS**

Various stakeholders including City Council, the Planning Department, and Winslow residents are at the center of growth management conversations. Balancing competing desires such as wanting to accommodate growth while wanting to preserve a small town charm has caused tension between stakeholders and put many development projects on hold. There are economic and social implications for, for example, increasing the FAR in commercial areas and increasing building heights, so in order to justify these policy changes it’s important to understand growth trends over time and how they are expected to progress.

It’s also important that any development be executed with a long term vision of environmental sustainability. Vision 2050 is a regional plan for promoting environmentally sustainable economic growth and infrastructure development while overall improving quality of life for Puget Sound residents. Growth management must center environmental sustainability in order to have long term relevance, and our work will hopefully allow the city to make development decisions both based on the development potential of currently vacant or underdeveloped lots and a long term environmental vision for sustainability.

**Executing the density and growth analysis required three different components:**

- Use GIS to map development between 1994 and 2021. All of our data came from the City of Bainbridge Island. We created various maps to show both lot vacancies and development trends for various years both within the master plan study area and sewer service area.
- Used excel to create a summary table for lots (both developed and vacant) between 2006 and 2021. The master plan boundary was last updated in 2007, so we wanted to get a general sense for when lots were developed in this time period. This table also allowed us to identify any differences between lots in the master plan and sewer service area and those that are just in the sewer service area. To do this we used the “select by expression” tool in QGIS to document the number of lots that fall onto each general classification category or zoning category.
- Created a formula in excel to calculate the development potential for vacant or underdeveloped lots, specifically those classified as residential. Specifically, we will use population and land data analysis to measure how much population Winslow Community's existing zoning can still carry, i.e., remaining carrying capacity. We will use the result of growth analysis to support our conclusion about whether the scope of the Winslow Master Plan should be expanded.

All findings, tables, and relevant maps are shared in the Results section of the report.

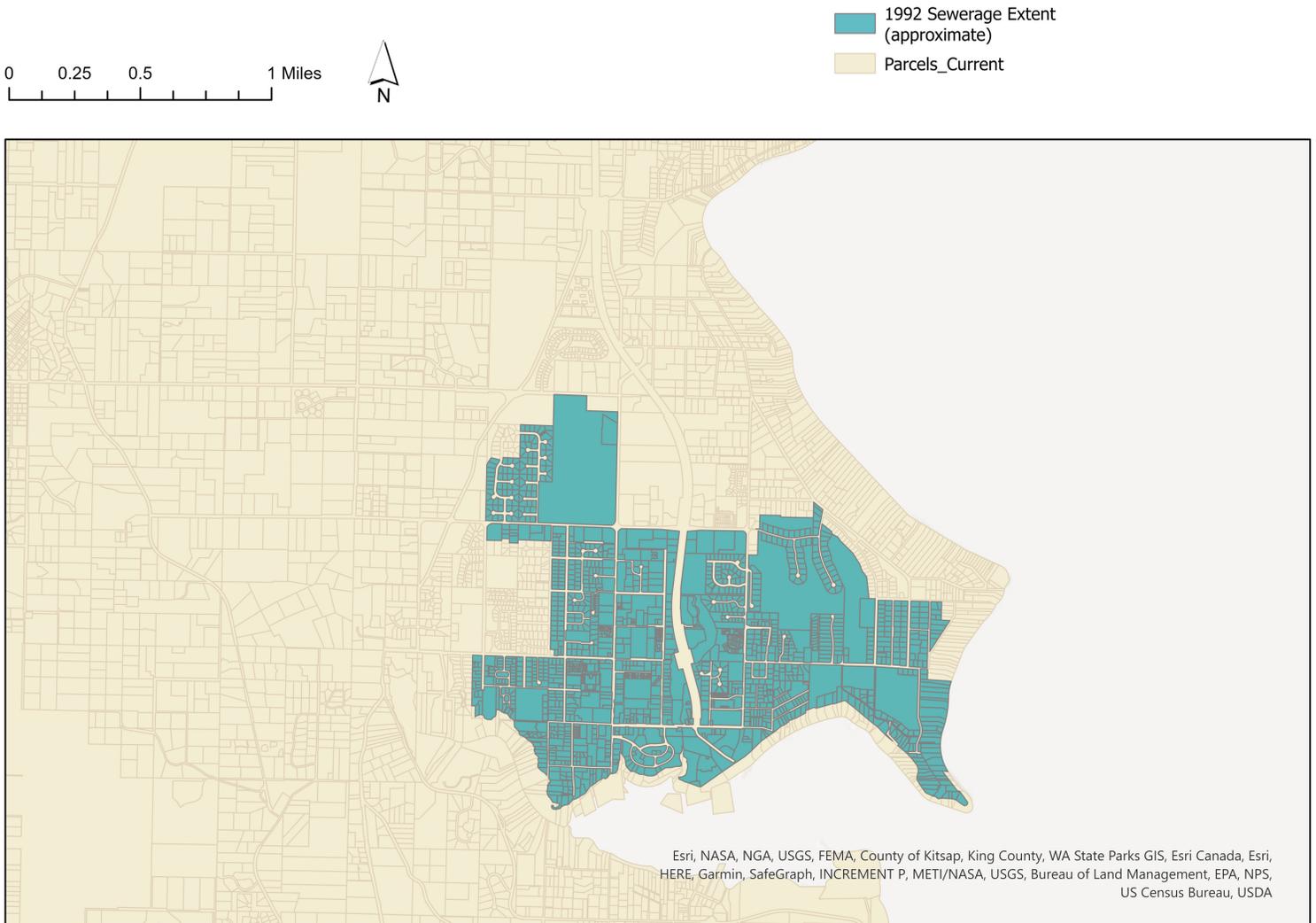
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# **RESULTS AND RECOMMENDATIONS FOR FUTURE DEVELOPMENT**

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# SEWER SERVICE

## 1992 Winslow Sewer Services Extent Map



*Fig. 1. 1992 Winslow Sewer Services Extent Map*

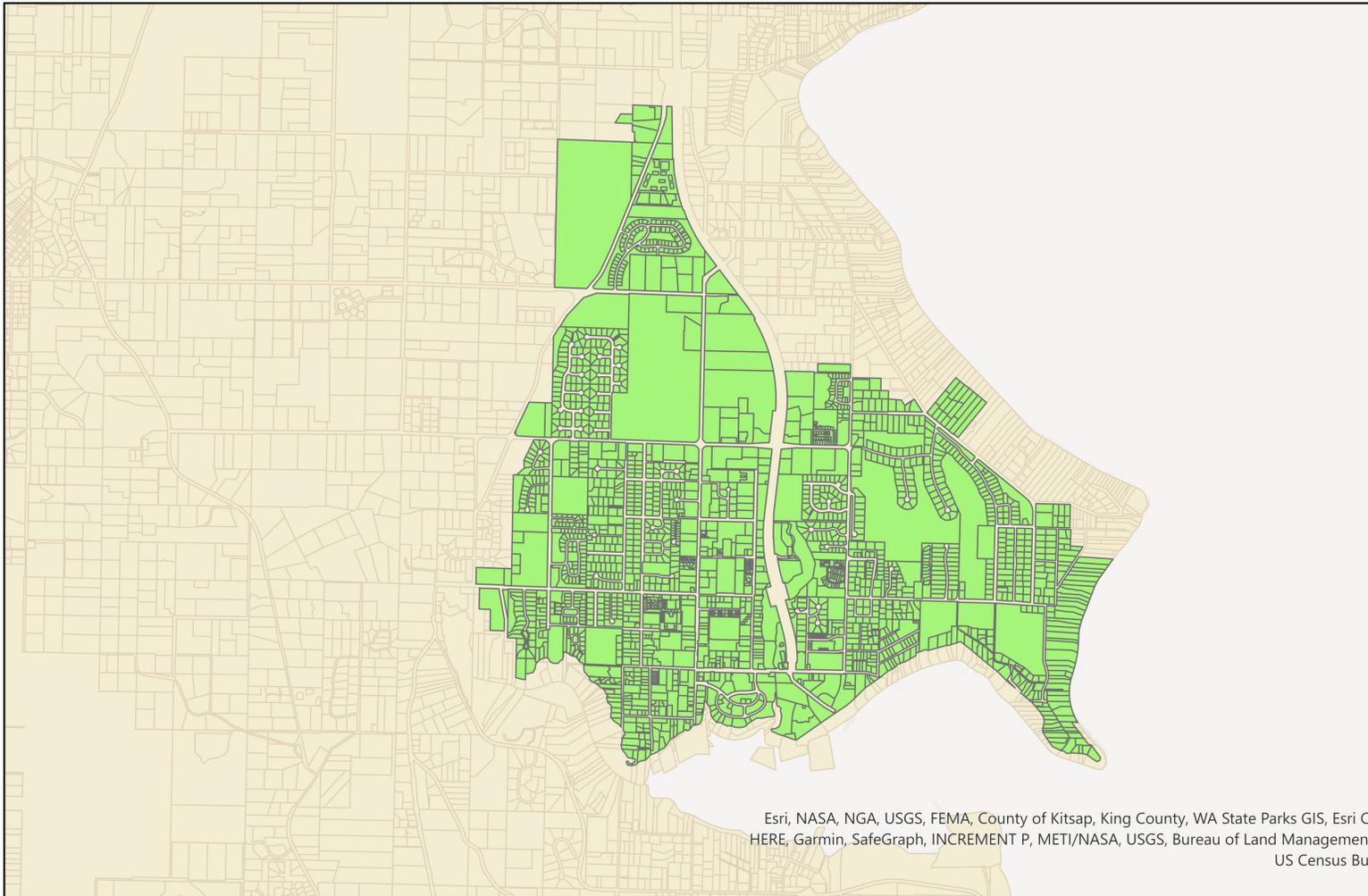
The 1992 Winslow Sewer Services extended basically to the boundaries of the historic Winslow area excluding the Rotary Park and the nearby area, with an addition of the Bainbridge High School.

# 2015 Winslow Sewer Services Extent Map

## Legend

- 2015 Sewerage Extent
- Parcels\_Current

0 0.25 0.5 1 Miles



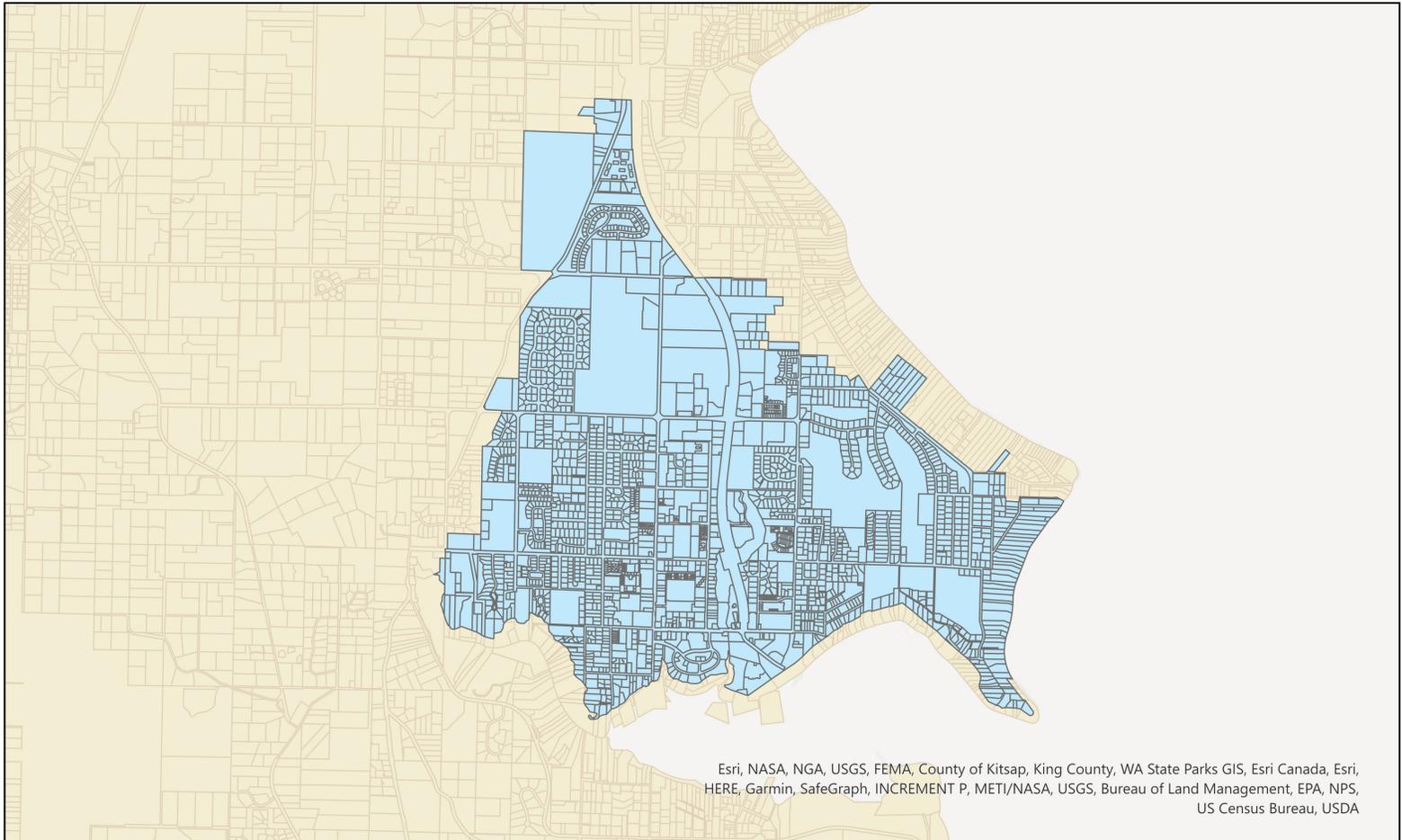
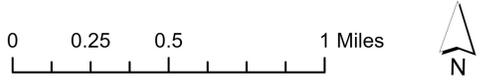
*Fig. 2. 2015 Winslow Sewer Services Extent Map*

The 2015 Winslow Sewer Services expanded northward from High School Road to Woodward Middle School and westward to Sportsman Club Road.

# 2021 Winslow Sewer Services Extent Map

## Legend

- 2021 Sewerage Extent
- Parcels\_Current



Esri, NASA, NGA, USGS, FEMA, County of Kitsap, King County, WA State Parks GIS, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

*Fig. 3. 2021 Winslow Sewer Services Extent Map*

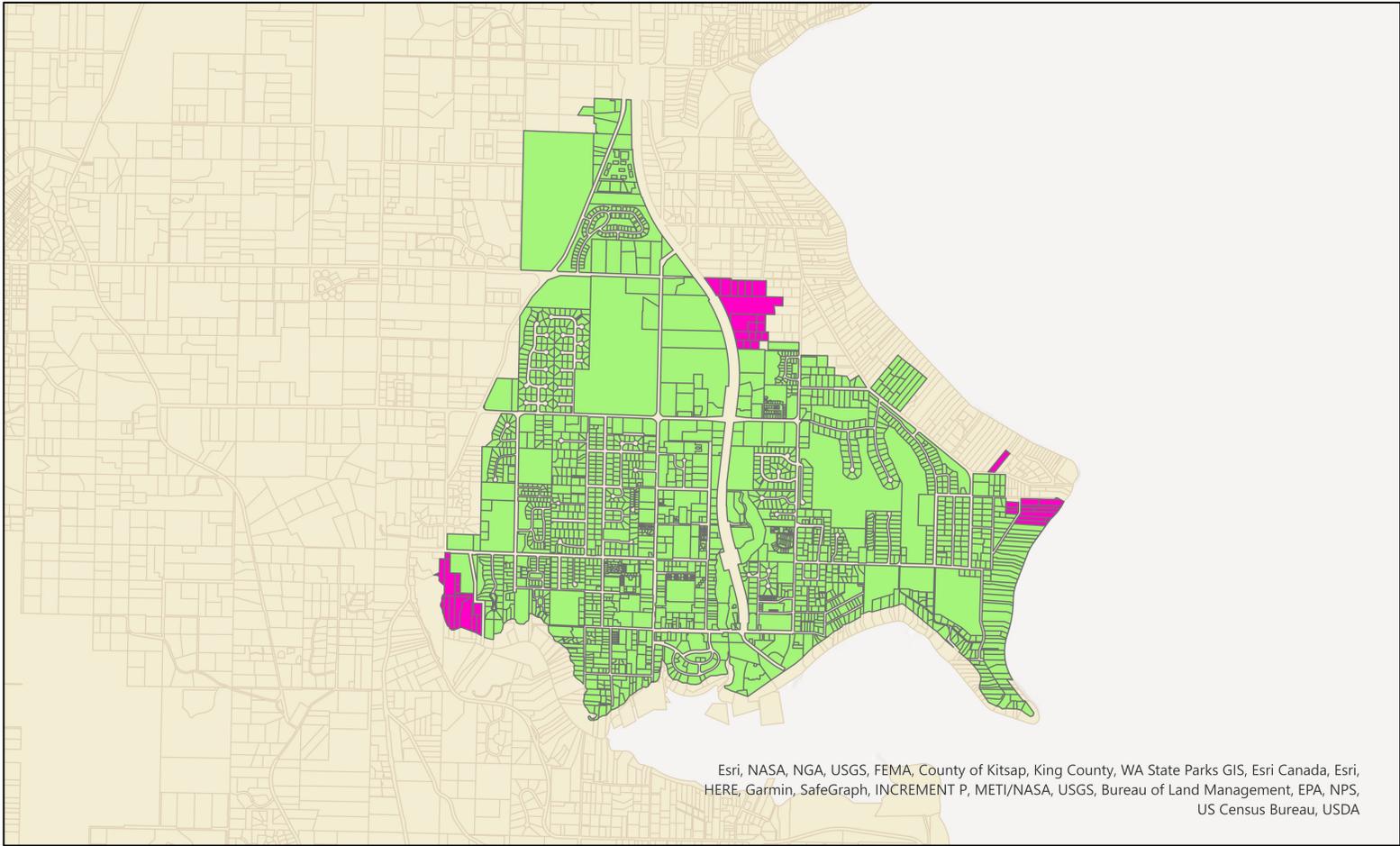
The 2021 Winslow Sewer Services expanded in the northeast, southeast, and southwest corners.

# Winslow Sewer Services Expansion Since 2015

## Legend

- 2015 Sewerage Extent
- Parcels\_Current
- Expansion Since 2015

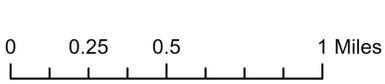
0 0.25 0.5 1 Miles



Esri, NASA, NGA, USGS, FEMA, County of Kitsap, King County, WA State Parks GIS, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

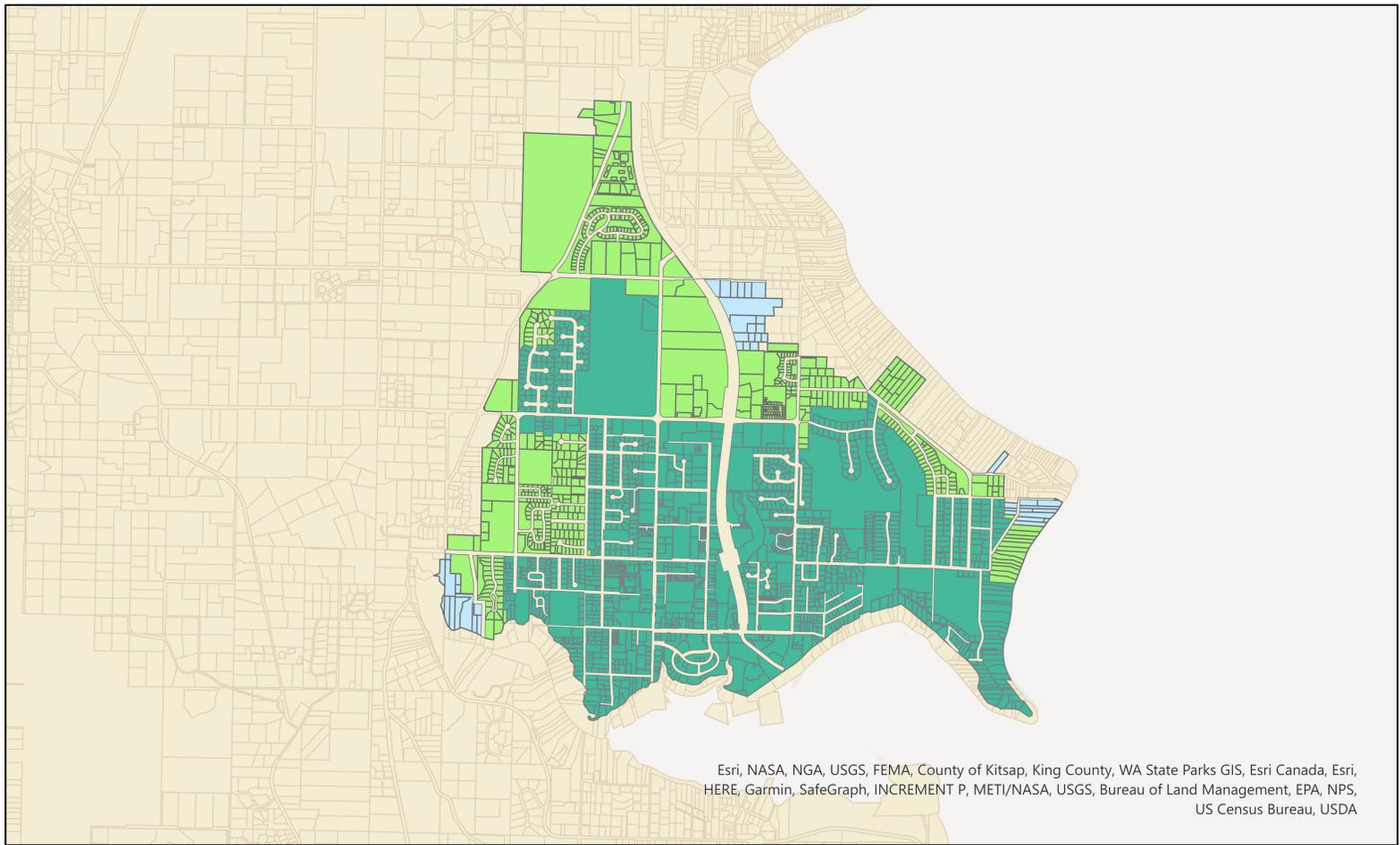
Fig. 4. Winslow Sewer Services Expansion Since 2015

# 1992, 2015 and 2021 Winslow Sewer Services Extents Map



## Legend

- 1992 Sewerage Extent (approximate)
- 2015 Sewerage Extent
- 2021 Sewerage Extent
- Parcels\_Current



Esri, NASA, NGA, USGS, FEMA, County of Kitsap, King County, WA State Parks GIS, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

*Fig. 5. 1992, 2015, and 2021 Winslow Sewer Services Extents Map*

### Evolutions of the Winslow Sewer Services Summary:

1992-2015: expansion to the Ferncliff neighborhood, Woodward Middle School, and Rotary Park along with the nearby residential area.

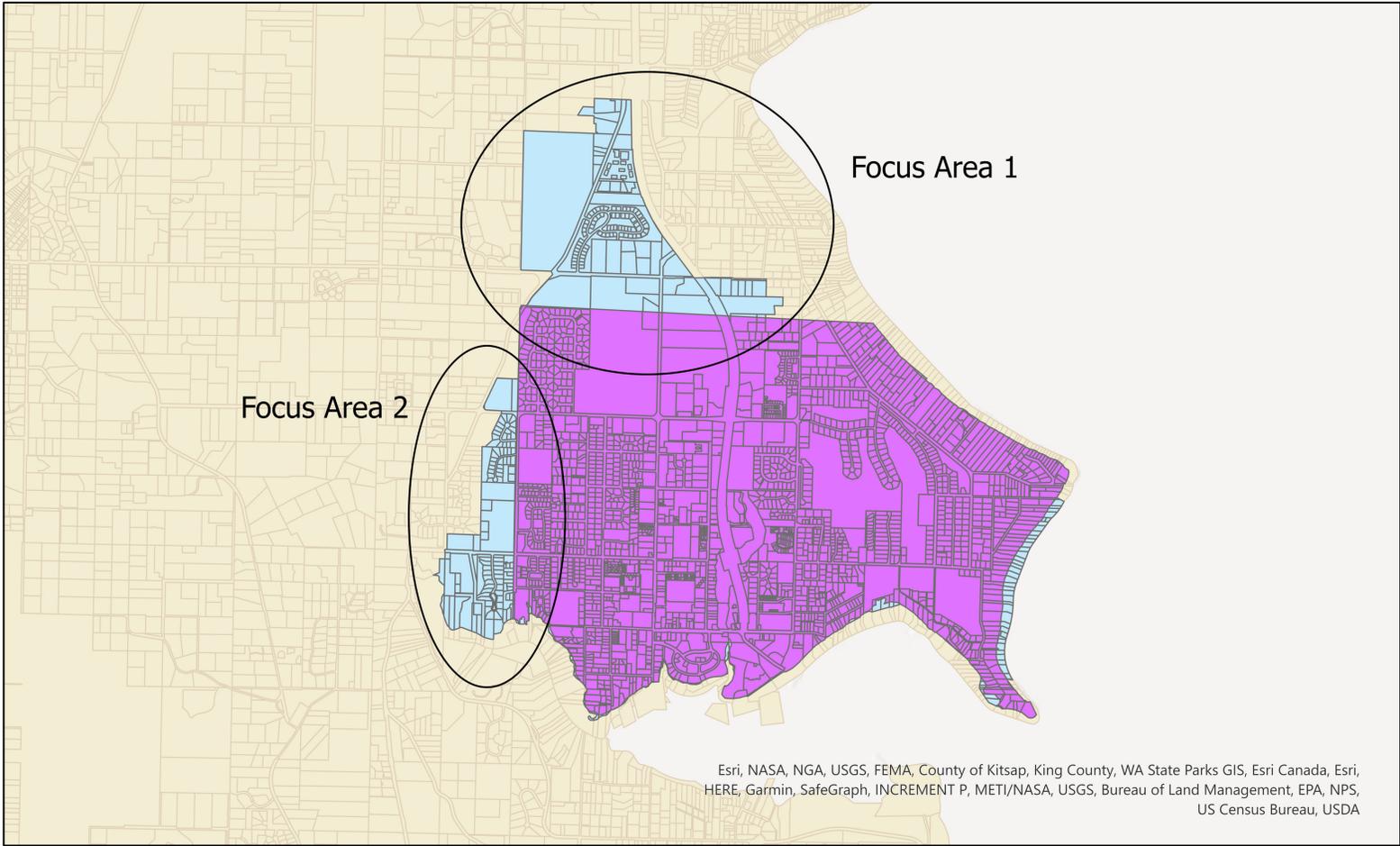
2015-2021: expansion in the northeast, southeast, and southwest corners.

# Winslow Master Plan Area Overlaying 2021 Winslow Sewer Services Extent

## Legend

- Winslow Master Plan Area
- 2021 Sewerage Extent
- Parcels\_Current

0 0.25 0.5 1 Miles



Esri, NASA, NGA, USGS, FEMA, County of Kitsap, King County, WA State Parks GIS, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

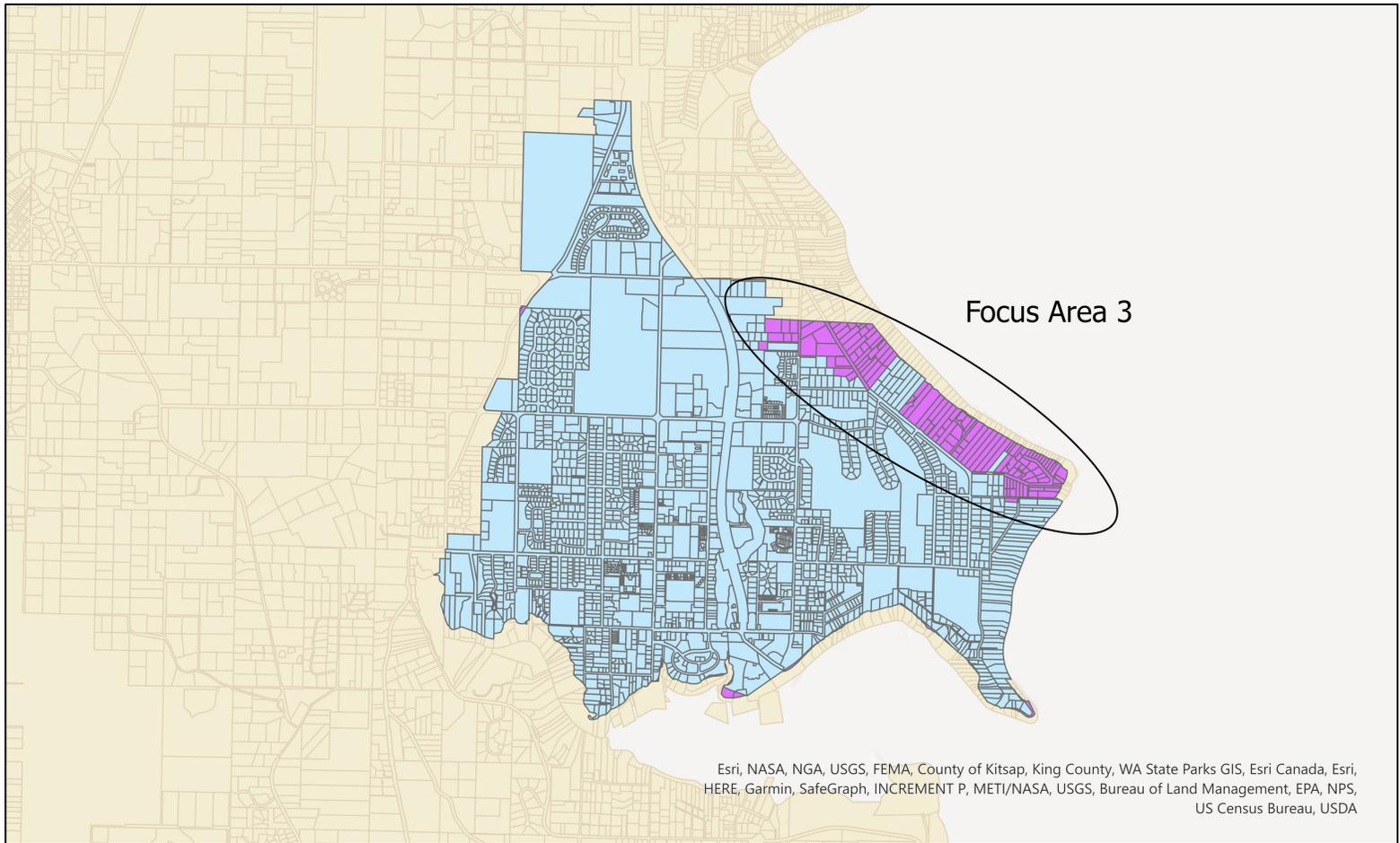
Fig. 6. Winslow Master Plan Area Overlaying 2021 Winslow Sewer Services Extent

# 2021 Winslow Sewer Services Extent Overlaying Winslow Master Plan Area

## Legend

- Winslow Master Plan Area
- 2021 Sewerage Extent
- Parcels\_Current

0 0.25 0.5 1 Miles



Esri, NASA, NGA, USGS, FEMA, County of Kitsap, King County, WA State Parks GIS, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

Fig. 7. 2021 Winslow Sewer Services Extent Overlaying Winslow Master Plan Area

## Focus Area 1 Land Use Classification Map

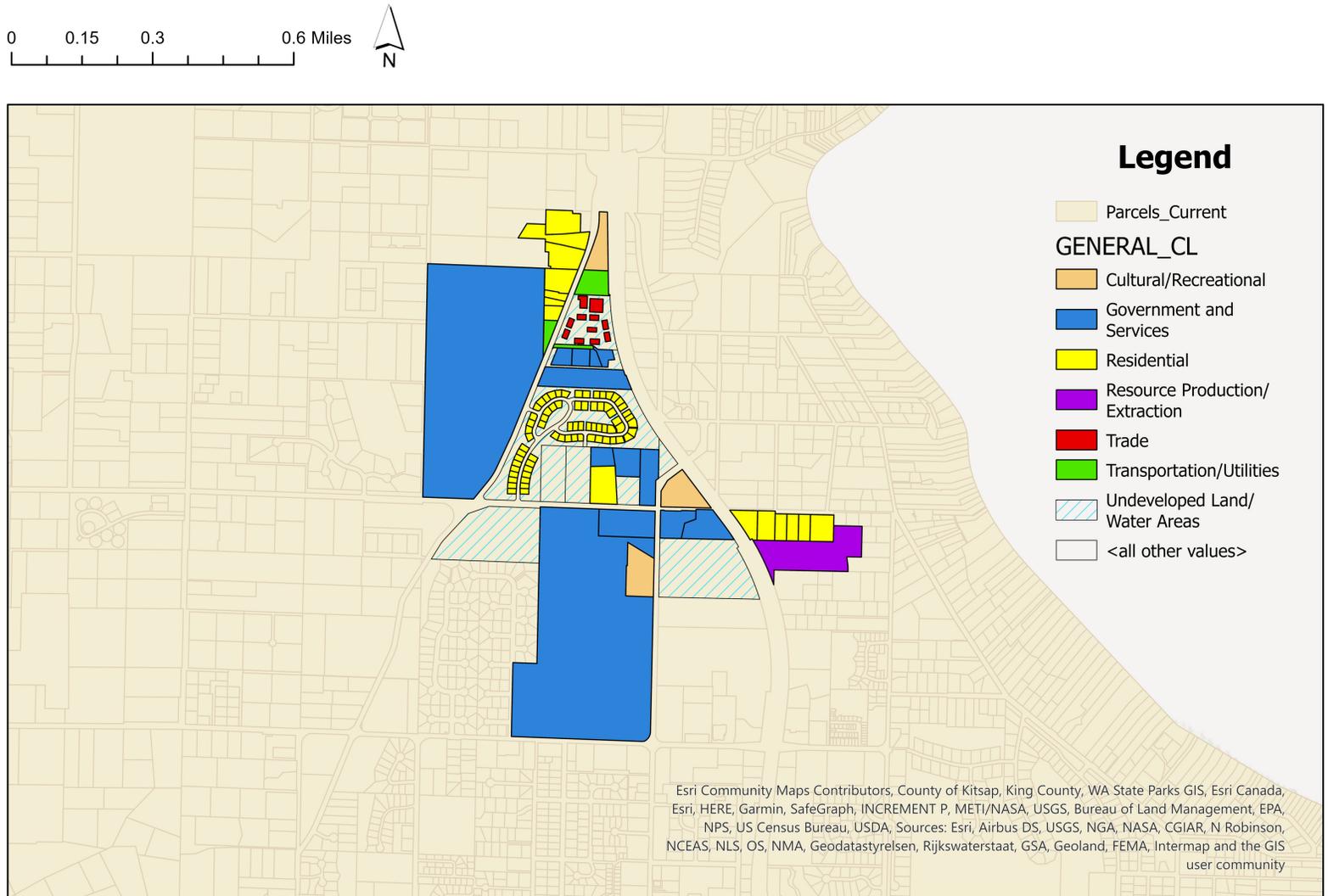


Fig. 8. Focus Area 1 Land Use Classification Map

### MAJOR ASSETS IN FOCUS AREA 1

- Bainbridge High School
- Woodward Middle School
- Coppertop Park Business Complex
- Reliable Storage - Bainbridge Island
- Madrona House (assisted living facility)
- The Church of Jesus Christ of Latter-day Saints
- Bainbridge First Baptist Church
- Kitsap County Fire District 2
- Bainbridge Artisan Resource Network
- Bainbridge Self Storage
- Island Church

## Focus Area 2 Land Use Classification Map

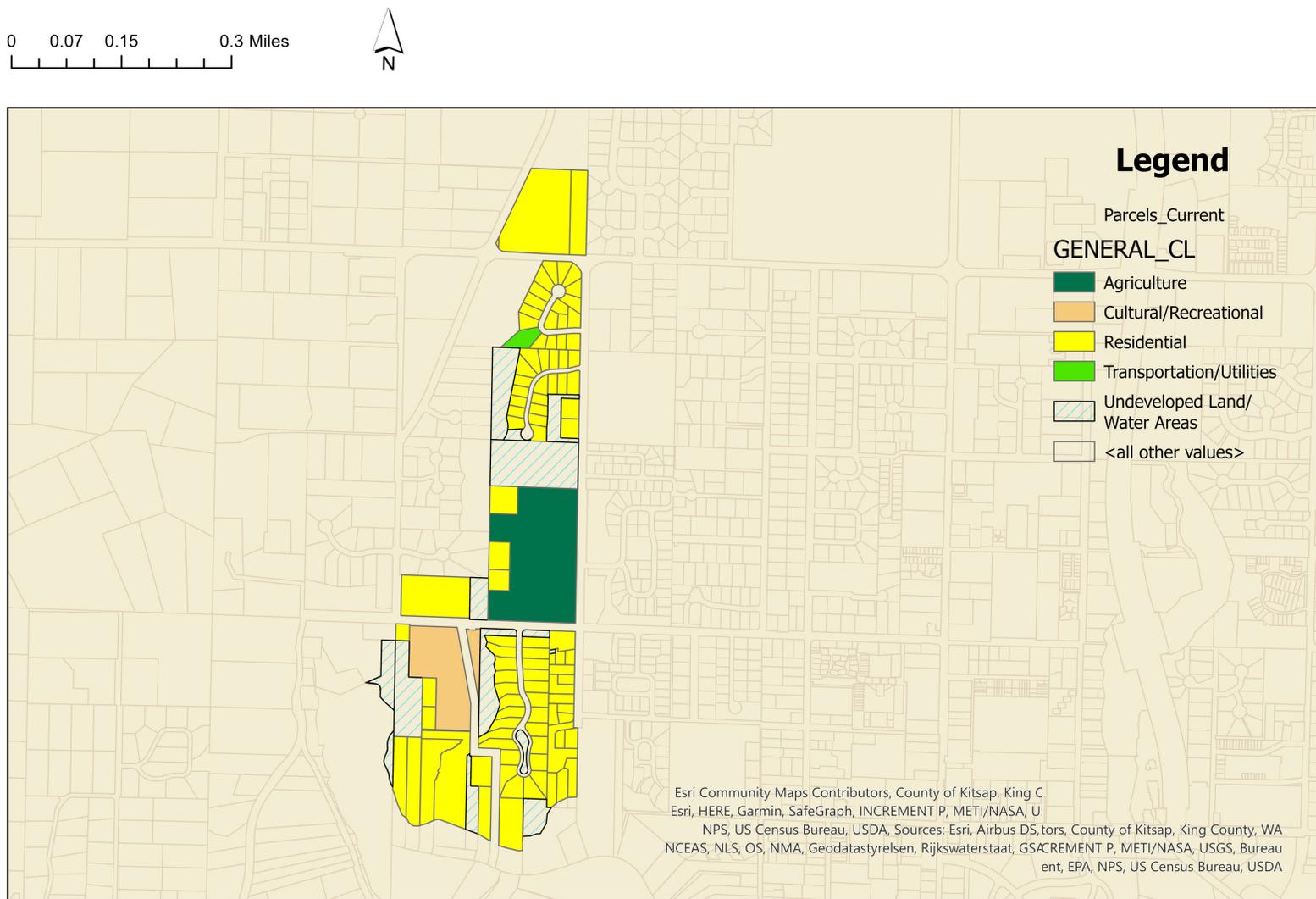


Fig. 9. Focus Area 2 Land Use Classification Map

### MAJOR ASSETS IN FOCUS AREA 2

St. Barnabas Episcopal Church

## Focus Area 3 Land Use Classification Map

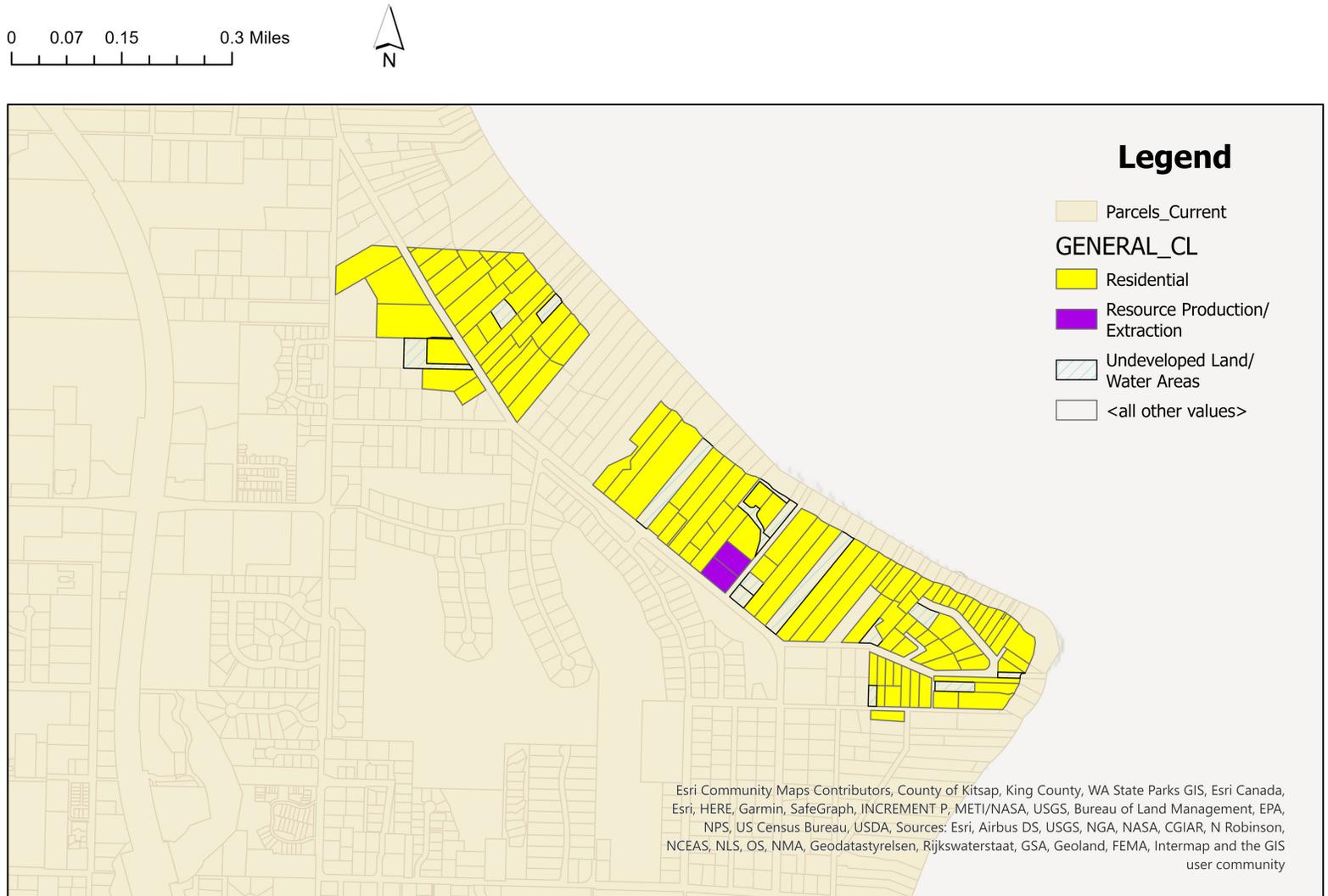


Fig. 10. Focus Area 3 Land Use Classification Map

### MAJOR ASSETS IN FOCUS AREA 3

(Omitted)

# CONNECTIVITY

## Presence of Sidewalks in Winslow, Bainbridge Island



Date: November 8th 2021  
Map Author: UW CEP 460 Team

This map uses 2020 Google Street View imagery to indicate roads in Winslow that either have sidewalks on both sides of the road, one side, or not at all. Google Street View does not have imagery from certain streets that are, for example, long private driveways or within some shopping centers or hotel complexes. Sidewalks have been defined as paved path separate from the road by a curb.

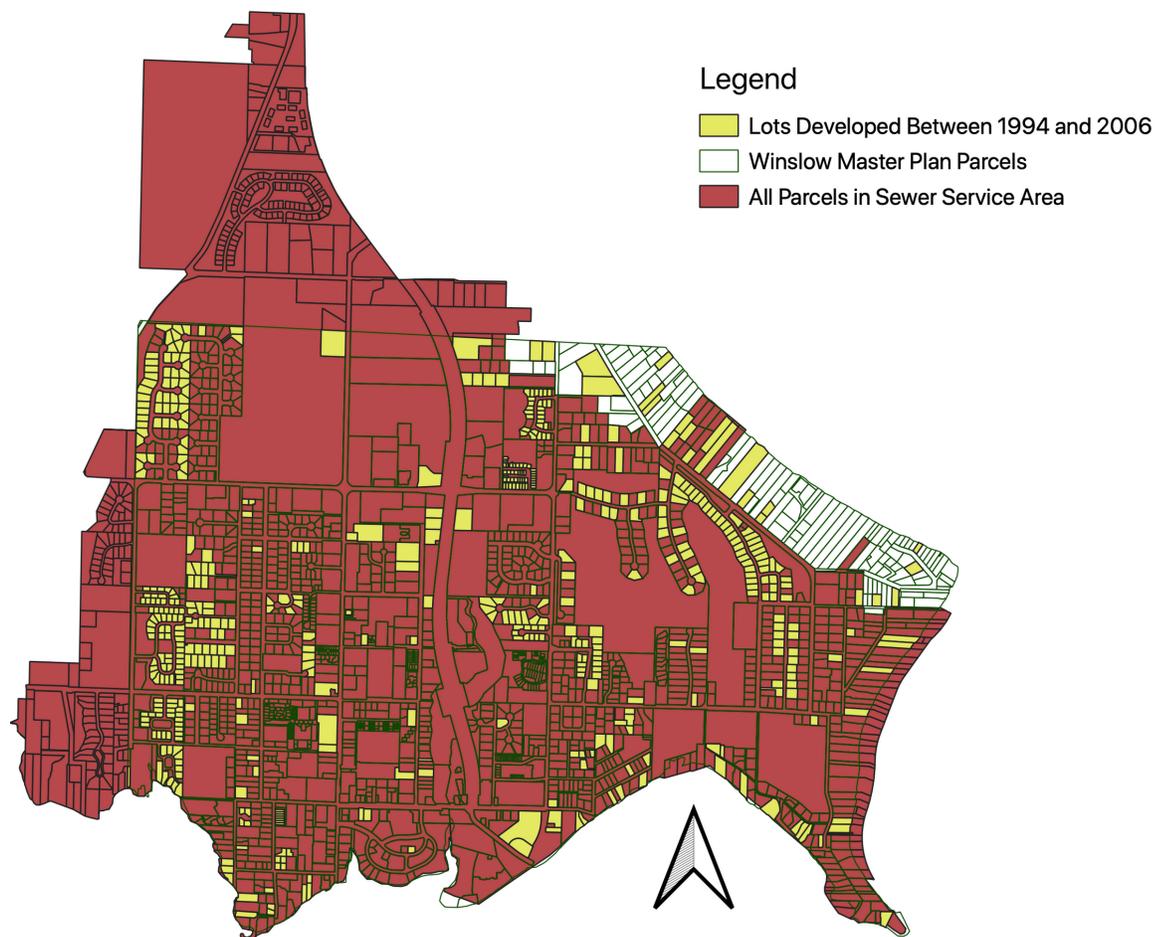
Fig. 11. Presence of Sidewalks in Winslow, Bainbridge Island

According to the City's Comprehensive Plan and Island-Wide Transportation Map, the City has a very diverse transportation system, however, the current transportation system in place is still designed around motor vehicles with SR 305 and the ferry system as the “backbone.” For now, the City is aiming to create a more pedestrian- and bicyclist-friendly transportation system to alleviate existing transportation problems such as traffic congestion. Our team started out at Heather's request to analyze the transportation system of the City of Bainbridge Island, and although this is no longer an important part of our mission at this time, we have since discovered that the transportation system is inextricably linked to the future growth of Winslow Community. First, the roads serve as dividing lines in the city and help us to define the scope of our study in this case. Second, people's travel habits determine the carrying capacity of the existing transportation system. On Bainbridge Island, where public transportation and non-motorized systems are not very well developed, the reliance on automobiles may also hinder the further development of Winslow since the carrying capacity of SR 305 is limited. In conclusion, the study of the transportation system remains extremely meaningful for our project.

From this map (Figure 11) we learn that the Winslow area is a very car-centered environment. Most streets that have sidewalks on both sides are major roads with heavier traffic while side streets or the dead-end streets with homes on them are more likely to have a sidewalk on one side or none at all. This lack of connectivity and accessible sidewalks right outside homes decreases the walkability of the area and incentivizes using a car to go anywhere. The Winslow subarea is overall a very “human scale” environment, and adding more sidewalks in strictly residential areas will make streets safer for pedestrians and also open up conversations about, for example, adding identifiable bike lanes increases safety and promotes other forms of transportation.

# DENSITY AND GROWTH ANALYSIS

Lots Developed Between 1994-2006 Both Within and Outside the Winslow Sewer Service Area



Date Created: November 17 2021  
Map Author: UW CEP 460 Team  
Data Source: City of Bainbridge Island

*Fig. 12. Lots Developed Between 1994-2006 Both Within and Outside the Winslow Sewer Service Area*

Lots Developed from 2006-2021 Both Within and Outside the Winslow Sewer Service Area

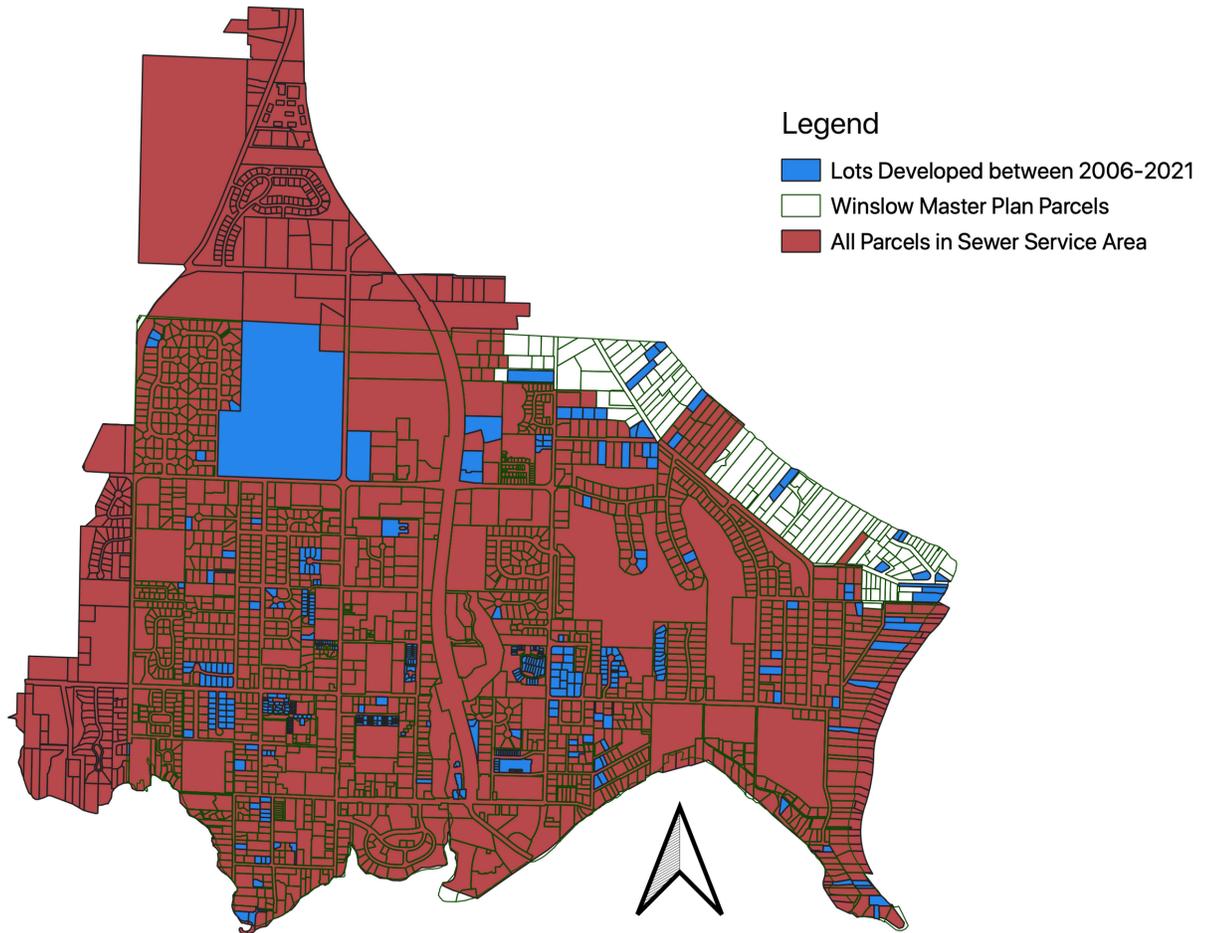
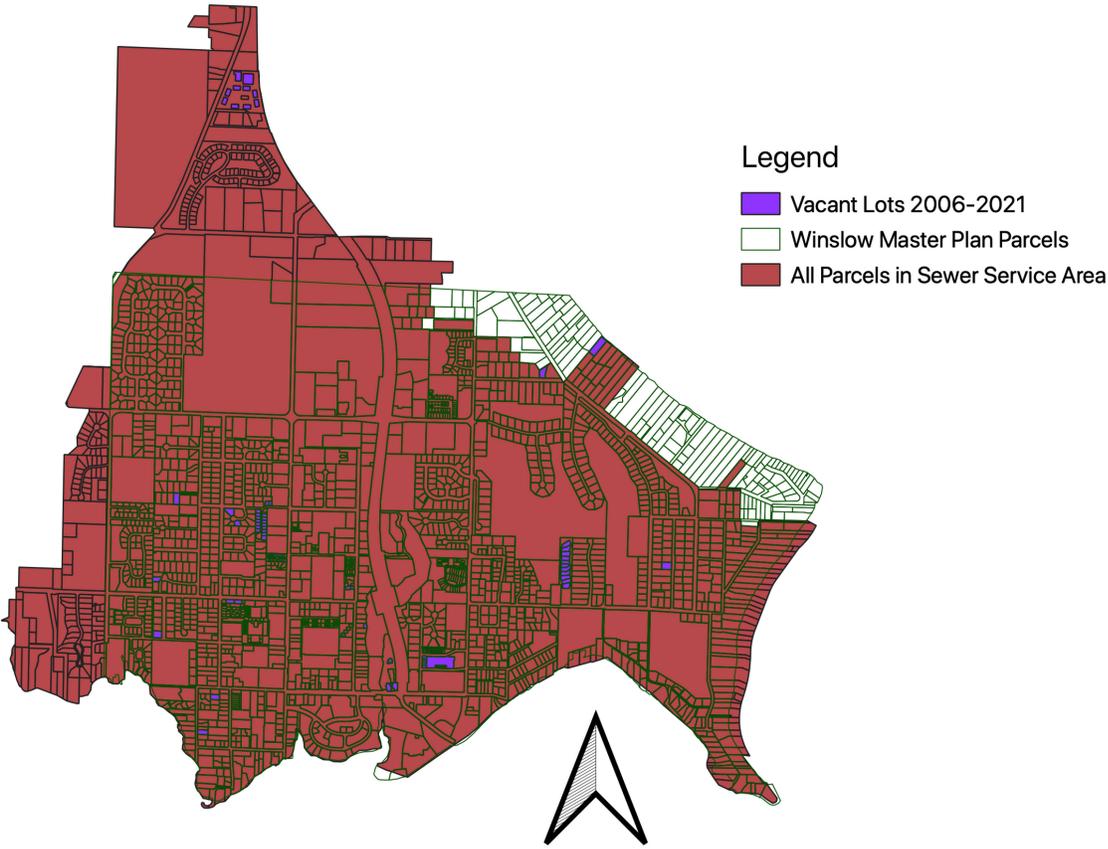


Fig. 13. Lots Developed Between 2006-2021 Both Within and Outside the Winslow Sewer Service Area

Vacant Lots in Winslow Sewer Service Area,  
2006-2021



Date: November 29 2021  
Map Author: UW CEP 460 Team  
Data Source: City of Bainbridge Island

*Fig. 14 Vacant Lots in Winslow Sewer Service Area, 2006-2021*

Figure 9 is a map of vacant lots in both the Winslow Master Plan area and Sewer Service area. We focused on 2006-2021 to look at more recent trends and see if there are patterns if certain zoning areas have more vacancies than others. In the data, both vacant lots and lots currently under development are classified as “vacant,” so some of these lots are already in development. Although most vacancies are already within the Master Plan boundary, expanding the boundary at this time would ensure that any further development and vacancies produce positive economic development practices and preserve community character.

**Through our research these are two areas of tension surrounding development in Winslow, but if the plan boundary is expanded to include the entire sewer service area, the vision for the future can be consistent, preserve or develop community identity, and help existing residences and businesses better predict the future development of an area.**

*\*\*The few clusters of lots in purple are residential and one is an office/trade classification. The orange clusters are also residential and condos and there was only one other lot that was “vacant” in 2005 in the center of the already identified trade/office condo complex in the north. We did a separate analysis of vacant lots between 1994 and 2006 to make sure we didn’t miss any major trends just before 2006.*

# TABLES

Master Plan Study Area Summary Table 2006-2021							
Building Date	Quantity	Land Codes	Quantity	General Classification	Quantity	Zoning	Quantity
2006	22	Church	1	Cultural/Recreational	2	CORE	42
2007	16	Commercial Retail	2	Government/Services	4	Erck	2
2008	7	Commercial Service	3	Residential	393	ERICK	22
2009	11	Common Area	3	Trade	7	FTD	26
2010	9	Facilities	1	Underdeveloped Land/Water Areas	3	GATE	2
2011	5	Schools	1	<b>Total</b>	<b>409</b>	GATE AND *	1
2012	30	Suburban	1			Gate/Core	1
2013	42	Urban_High	134			HS-1	2
2014	9	Urban_Low	44			HS-2	1
2015	17	Urban_Med	35			HS-2 / HS*	1
2016	81	Urban_Standard	106			MAD	13
2017	21	Vacant	78			NC	1
2018	54	<b>Total</b>	<b>409</b>			R-0.4/R-2	1
2019	28					R-14	50
2020	39					R-2	32
2021	18					R-2.9	57
<b>Total Lots</b>	<b>409</b>					R-3.5	65
						R-4.3	68
						R-8	11
						R2.9	11
						<b>Total</b>	<b>409</b>

Fig. 15 Master Plan Area Lot Summary Table

- 96% of lots are residential
- 95% of all residential lots single family classification (374 lots)
- 70% of vacant lots are vacant as of 2020 and 2021 (55/78 lots)
- Summary tables focus on 2006-2021 because the last update of the Master Plan was in 2007

Sewer Service Study Area Summary Table 2006-2021							
Building Date	Quantity	Land Codes	Quantity	General Classification	Quantity	Zoning	Quantity
2006	32	Church	3	Cultural/Recreational	4	B/I	1
2007	15	Commercial Retail	2	Government/Services	8	CORE	42
2008	11	Commercial Service	5	Residential	408	Erck	2
2009	10	Common Area	3	Trade	17	ERICK	22
2010	9	Facilities	2	Underdeveloped Land/Water Areas	3	FTD	26
2011	4	Hospitals	1	<b>Total</b>	<b>440</b>	GATE	2
2012	30	Schools	1			GATE AND *	1
2013	43	Suburban	1			Gate/Core	1
2014	9	Urban_High	132			HS-1	2
2015	17	Urban_Low	47			HS-2	1
2016	81	Urban_Med	35			HS-2 / HS*	1
2017	21	Urban_Standard	120			LM	11
2018	69	Vacant	88			MAD	13
2019	32	<b>Total</b>	<b>440</b>			NC	1
2020	39					R-0.4	1
2021	18					R-14	50
<b>Total</b>	<b>440</b>					R-2	46
						R-2.9	59
						R-3.5	66
						R-4.3	68
						R-8	13
						R2.9	11
						<b>Total</b>	<b>440</b>

Fig. 16 Sewer Service Area Lot Summary Table

- 93% of lots are residential
- 95% of all residential lots are single family classification (390 lots)
- 62.5% of vacant lots are vacant as of 2020 and 2021 (55/88 lots)

## People moving into Bainbridge per year

<b>Year</b>	<b>Population</b>	<b>Growth Percentage</b>
2017	23,689	0.479%
2018	24,060	1.56%
2019	24,486	1.77%
2020	24,825	1.38%
2021	24,930	.42%

*Fig. 17 Yearly Population Growth Over Five Year Course*

- Major growth between 2017 and 2018
- Significant decrease in 2019 to 2020, due to COVID-19 pandemic
- 5.23% Growth from 2017-2021

# FLOOR AREA RATIO (FAR) FINDINGS

In order to calculate how many people Winslow's current zoning can still accommodate, we divided the data we had into four parts. The table below shows our different calculations for each different zone.

	<b>Mixed-Use Town Center</b>	<b>Single-Family Zones</b>
<b>Vacant Lots</b>	$(Mixed-Use FAR \times Lot Area) / (2 \times 832)$	$Household/Acre \times Lot Area \times 2.45$
<b>Non-Vacant Lots</b>	$(Mixed-Use FAR \times Lot Area - Current Floor Area) / (2 \times 832)$	$(Household/Acre \times Lot Area \times 2.45) - (Current Floor Area / 832)$

Fig. 18. Growth Analysis Formula Summary Table

In our calculations, only space with a land code of urban residential, vacant land, or common area is considered a potential residential area. In addition, we made three important assumptions for the purpose of our calculations. First, we assumed that half of the mixed-use FAR was used as residential. Second, we used 832 square feet as the floor area per capita. Third, we used 2.45 as the average household size in Single Family Zones.

Remaining Carrying Capacity A (RCC-A): If Winslow developed all of the vacant land and rebuilt all of the undeveloped buildings according to the base mixed-use FAR or residential density zoning, it could potentially accommodate about 5,000 more people. However, it is highly unlikely that it would allow every lot to be fully developed.

<b>RCC-A</b>	<b>Mixed-Use Town Center</b>	<b>Single-Family Zones</b>	<b>Total</b>
<b>Vacant</b>	1,325	2,664	3,989
<b>Non-Vacant</b>	380	316	696
<b>Total</b>	1,705	2,980	<b><u>4,685</u></b>

*Fig. 19 Remaining Carrying Capacity A Result Table*

Remaining Carrying Capacity B (RCC-B): According to our calculations, buildings in mixed-use town centers account for an average of only 57.3% of the base FAR, while buildings in suburban residential areas account for an average of only 40.7% of the zoning. If all vacant lots were developed at the same intensity as before, and all undeveloped lots were not redeveloped, the Winslow Master Plan area could only accommodate less than 2,000 more people.

<b>RCC-B</b>	<b>Mixed-Use Town Center</b>	<b>Single-Family Zones</b>	<b>Total</b>
<b>Vacant</b>	759	1,084	1,843
<b>Non-Vacant</b>	-	-	-
<b>Total</b>	759	1,084	<b><u>1,843</u></b>

*Fig. 19. Remaining Carrying Capacity B Result Table*

---

# CONCLUSION

Based on the sewer service and growth trends analyses, we found that 1) the Focus Area 1 (page 14) has existing sewer services and various community assets that could benefit from being included in an expanded master plan and 2) the current zoning of the Winslow Master Plan Area does not provide sufficient space for future population growth.

It is necessary to expand the scope of the Winslow Master Plan and it should encompass and even exceed the existing sewer service area. Additionally, in order to increase the carrying capacity of the core area of the Bainbridge Island, Downtown Winslow urgently needs to be up-zoned with its FAR raised.

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# Winslow Master Plan Analysis



# Goals

Use **research, mapping, and data analysis strategies** to understand development trends.

**Project growth trends** to ensure future development **responds to increasing population density and adapting to environmental, social, and economic challenges.**

---

# Student Team



Jinfan  
Huang



Talia  
Kertsman



Jeffrey  
Johnson



Barbs  
Mendez



Noah  
Neubauer



Fangnuo  
Tao



Zipei  
Wang

# Visit to Bainbridge Island



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# Research and Mapping Outcomes

Sewer Service and Connectivity Analysis  
Density and Growth Analysis

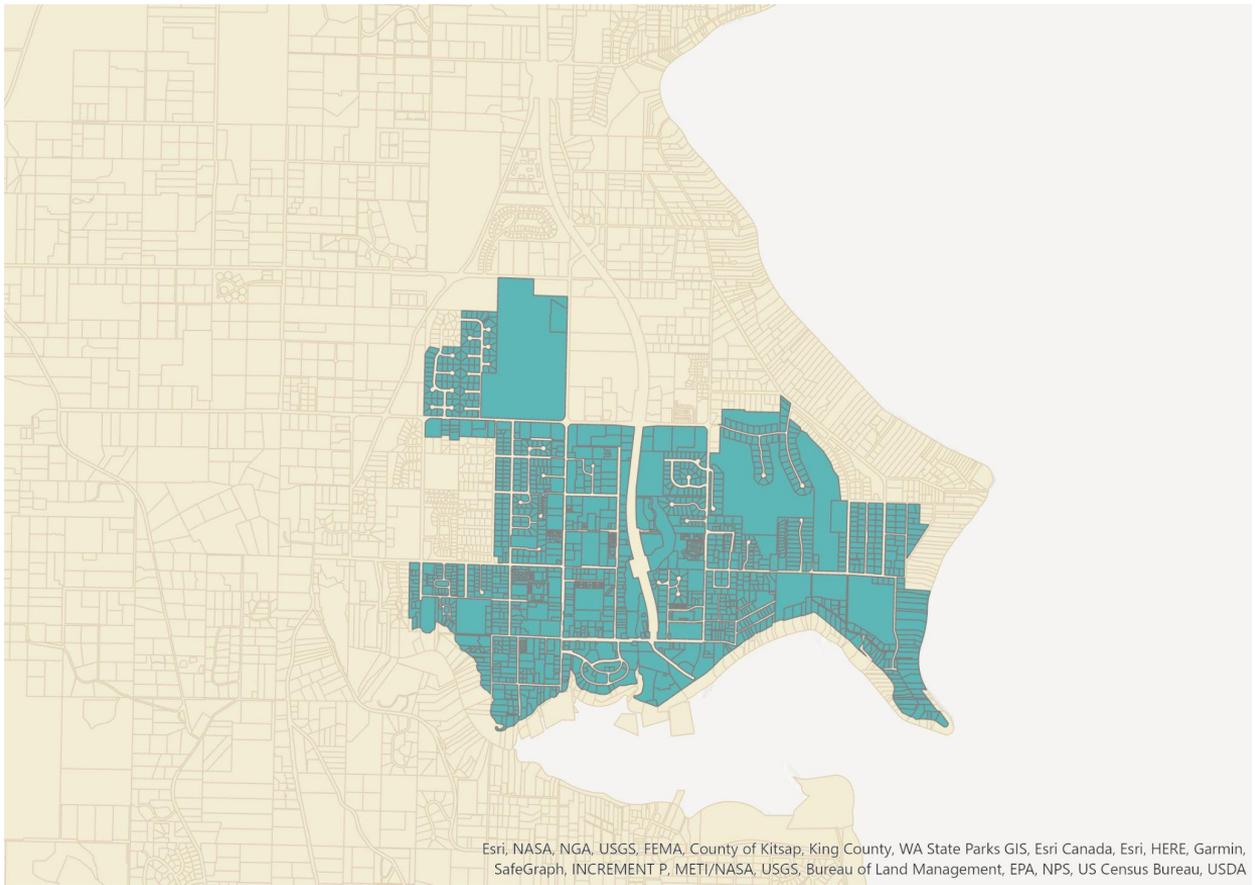


# Outcomes

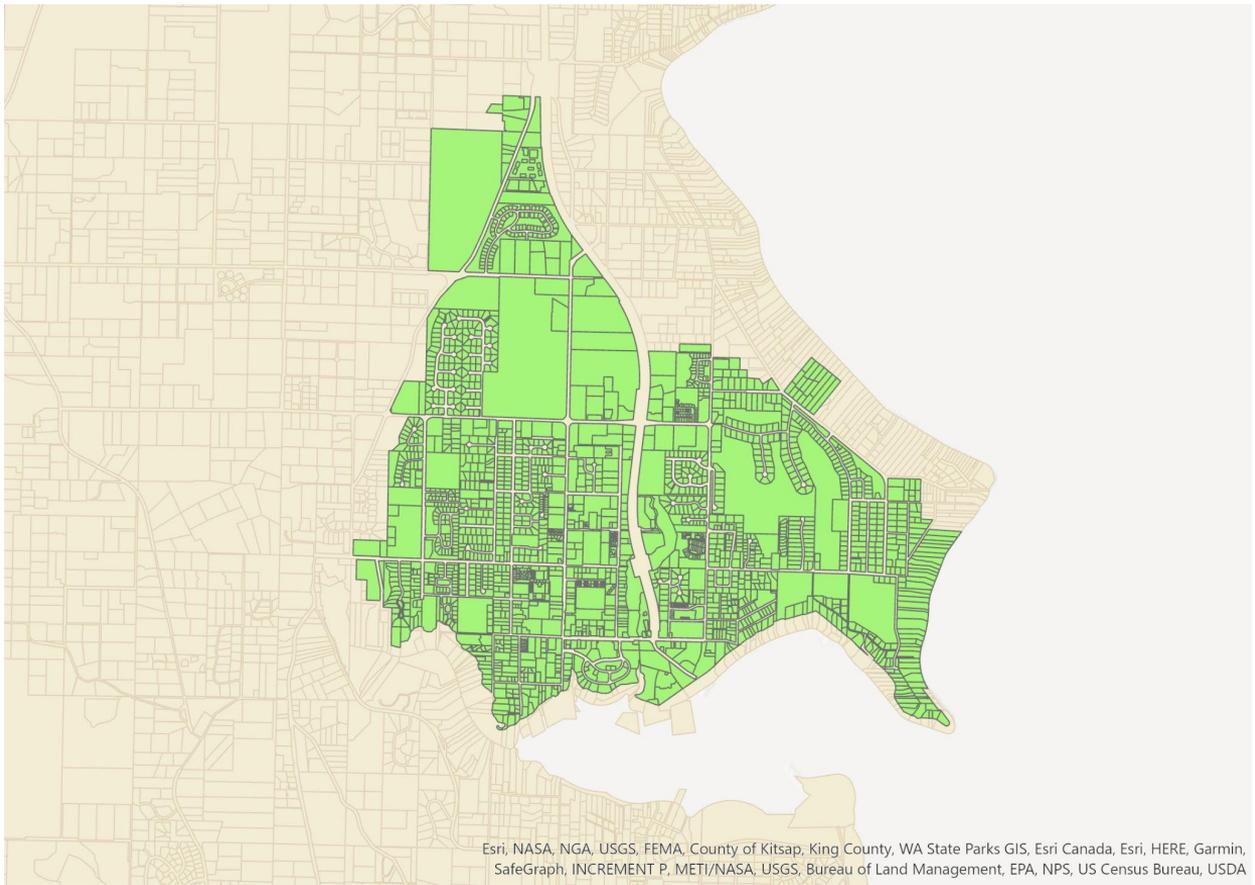
Sewer Service and Connectivity

Evolution of the Winslow sewer service area since 1992

Analysis for discrepancy between sewer service boundaries, master plan area, and water service boundaries

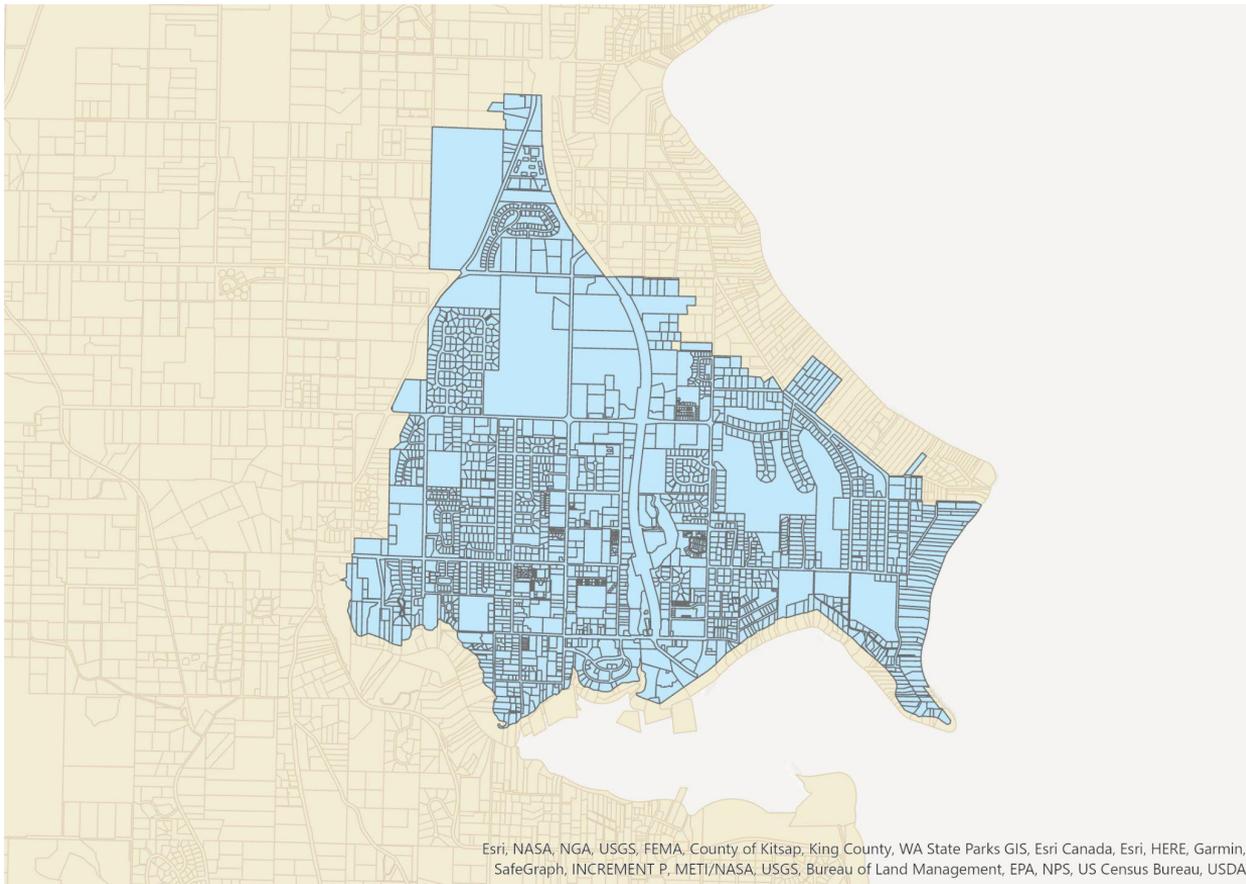


1992 Sewer Services Area Map

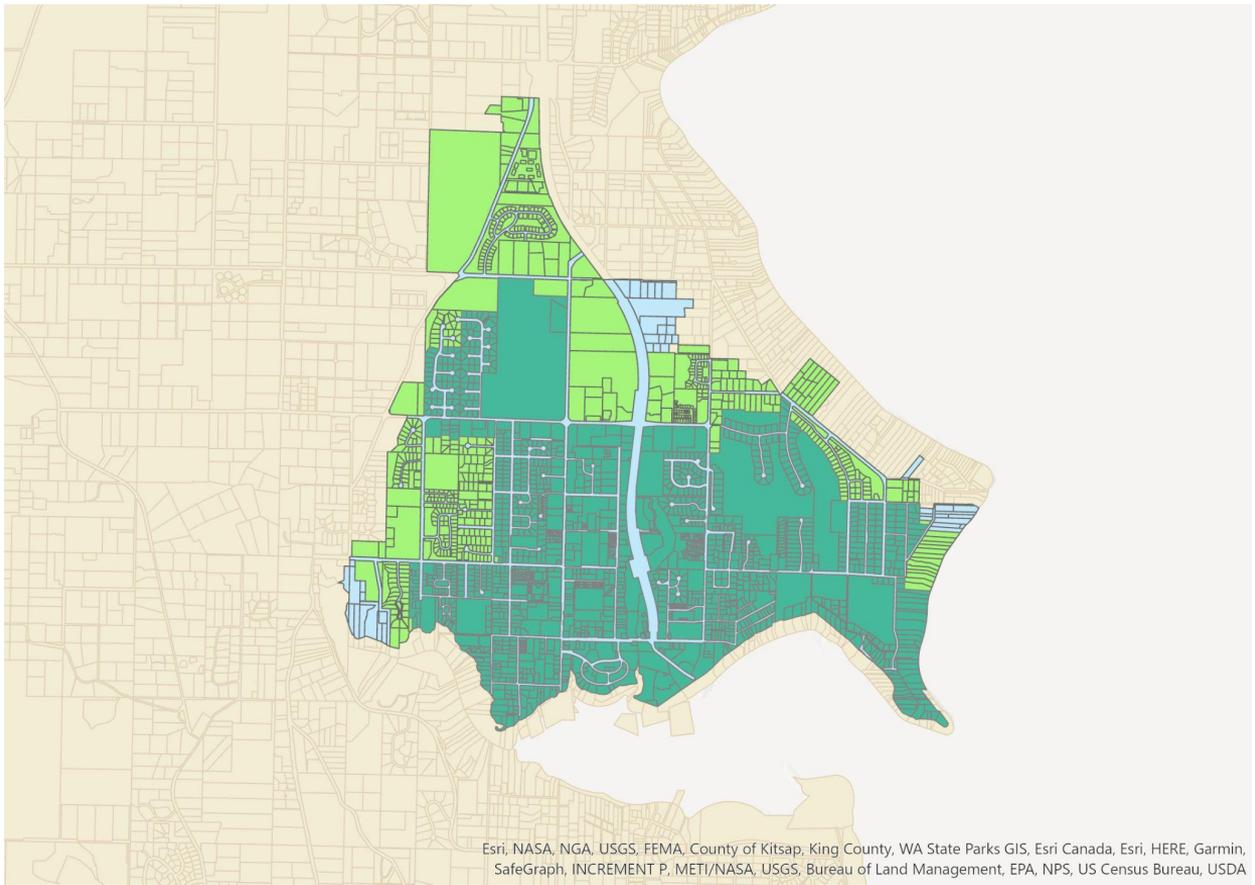


Esri, NASA, NGA, USGS, FEMA, County of Kitsap, King County, WA State Parks GIS, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

## 2015 Sewer Services Area Map



Current Sewer Services Area Map

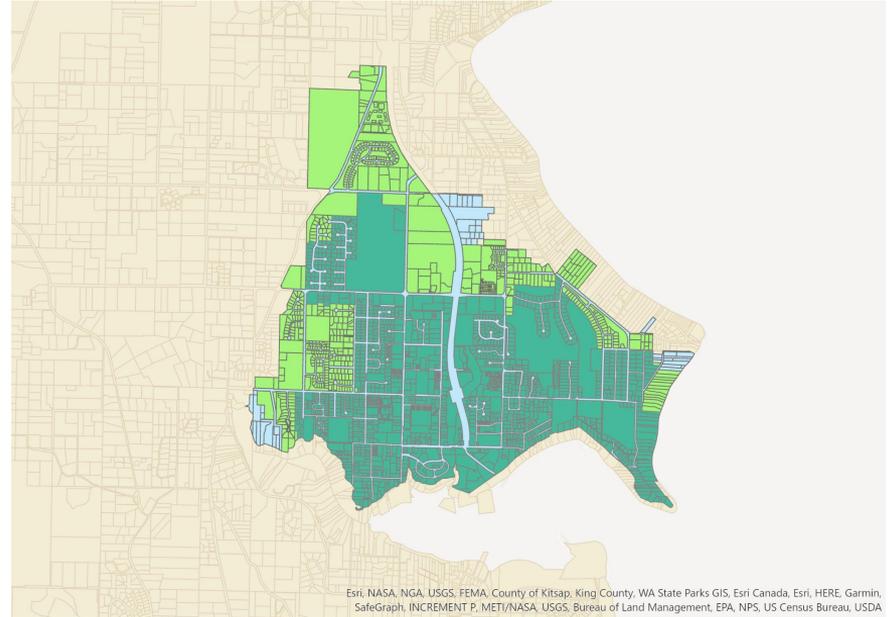


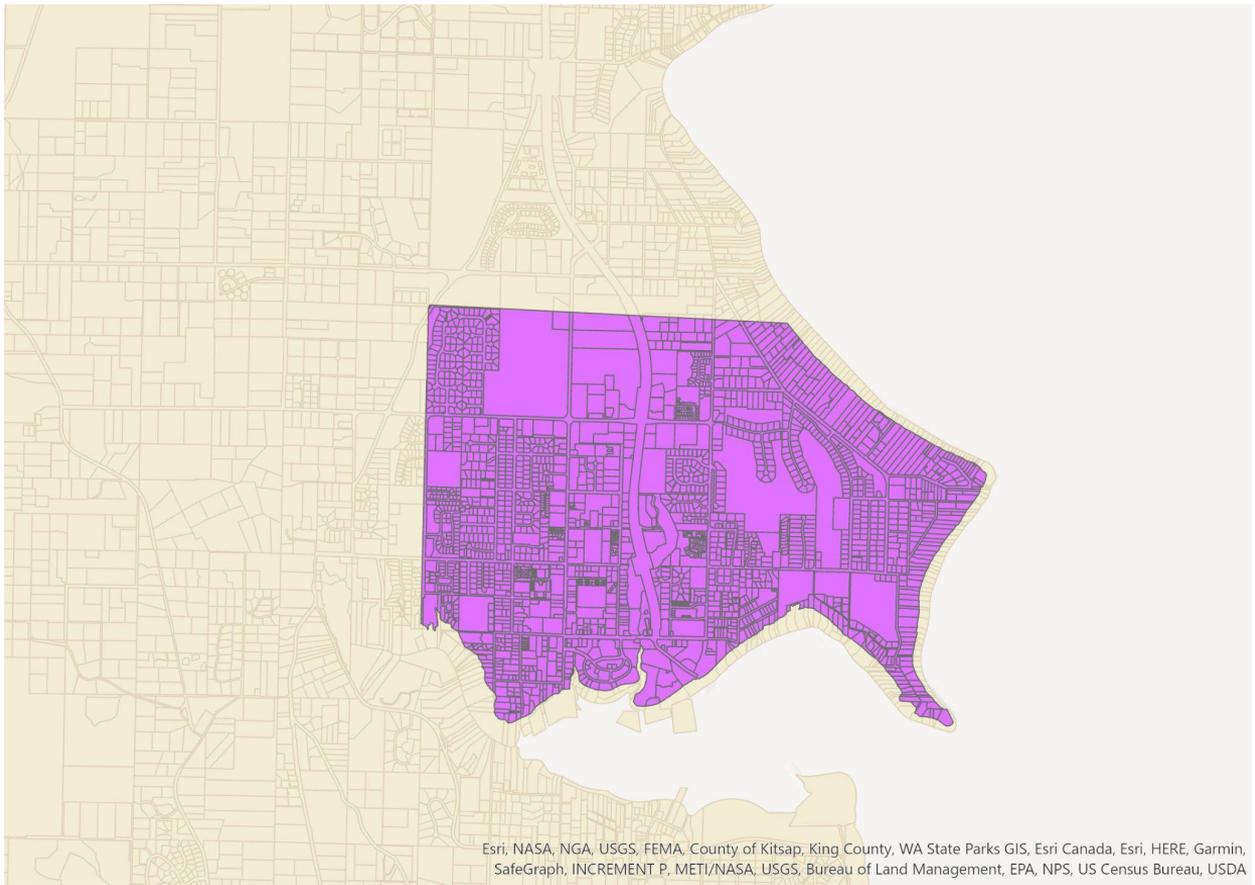
1992, 2015, and Current Sewer Services Area Overlapping Map

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## Sewer Services Evolution Summary

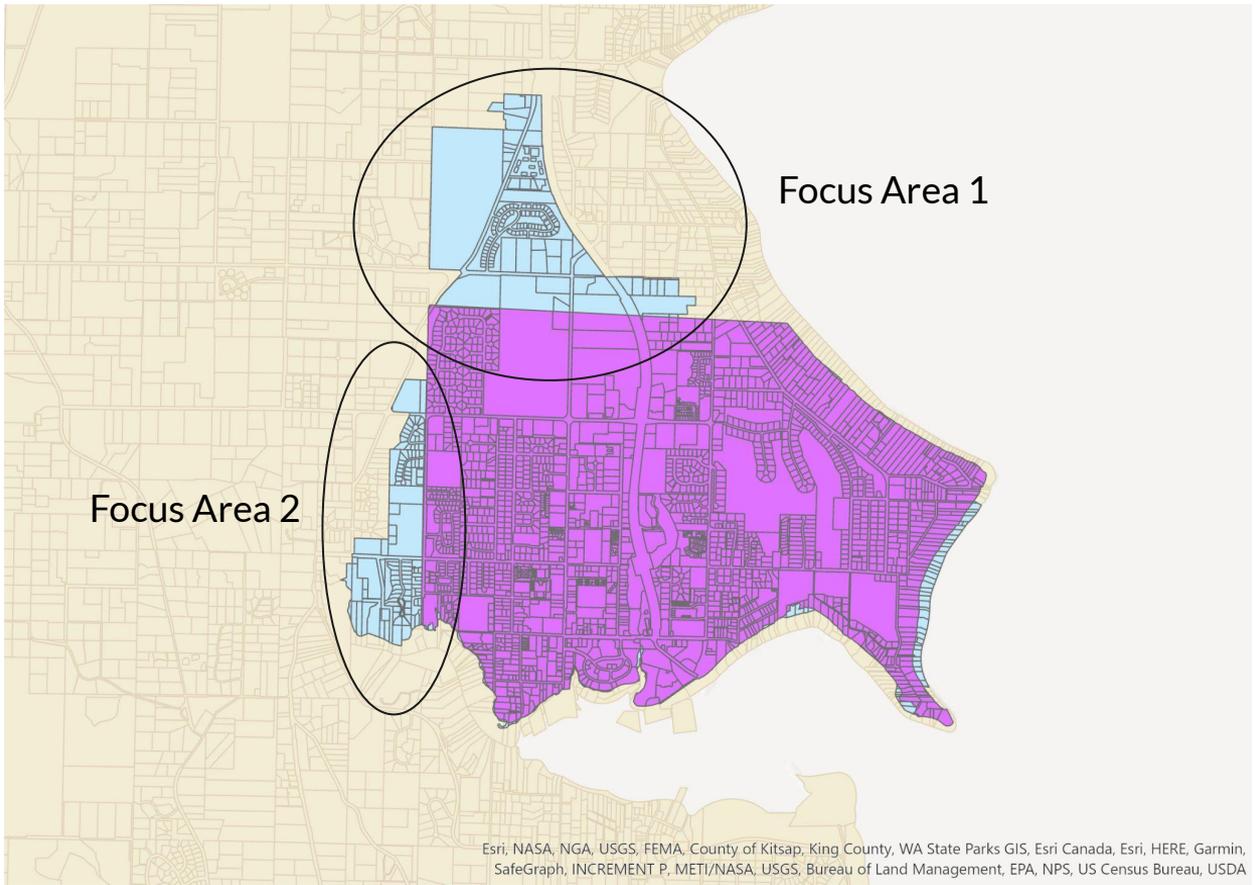
- 1992-2015: expansion to the Ferncliff neighborhood, Woodward Middle School, and Rotary Park along with the nearby residential area.
- 2015-current: expansion in the northeast, southeast, and southwest corners.



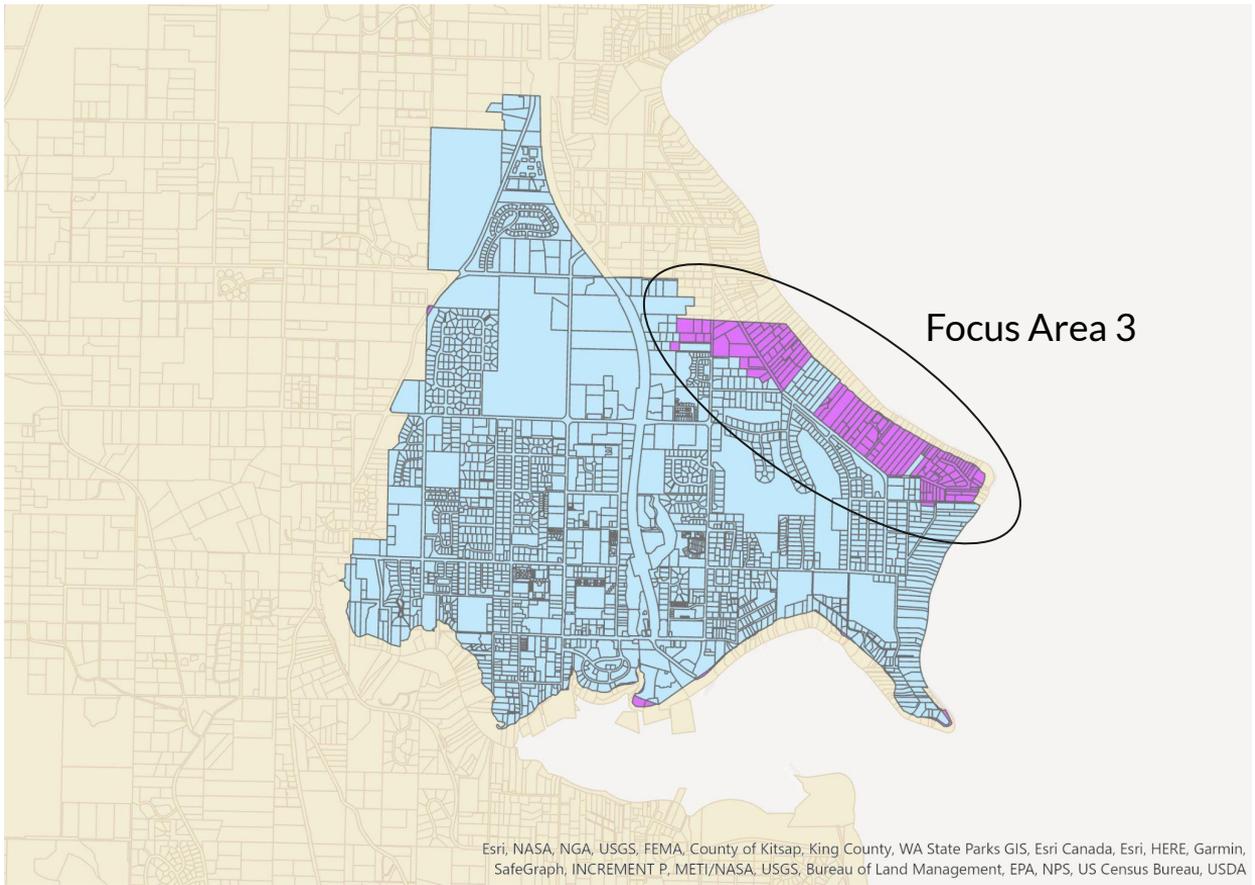


Esri, NASA, NGA, USGS, FEMA, County of Kitsap, King County, WA State Parks GIS, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

Current Master Plan Area



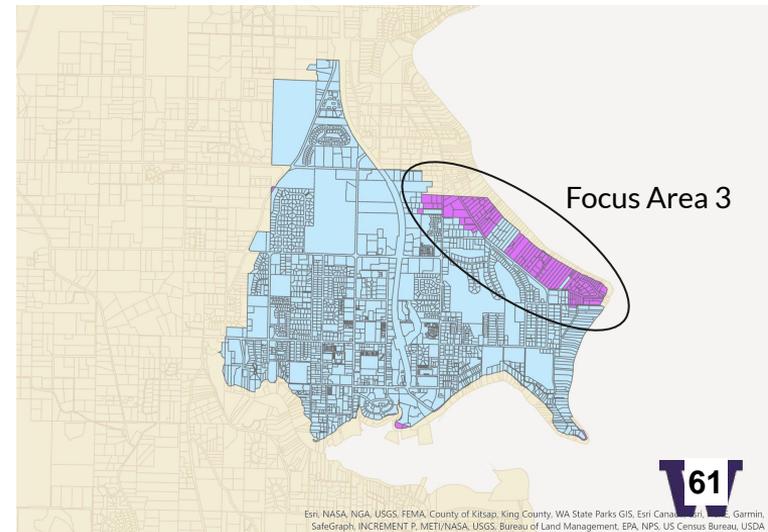
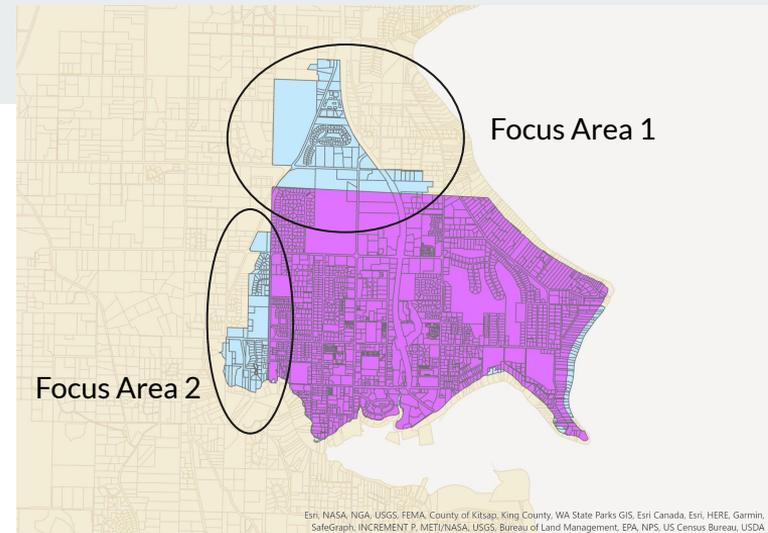
Master Plan Layer over Sewer Services Layer



Sewer Services Layer over Master Plan Layer

# Sewer & Master Plan Summary

- Focus Area 1: the Ferncliff Neighborhood
- Focus Area 2: expansion westward from Weaver Road
- Focus Area 3: the Yeomalt Neighborhood





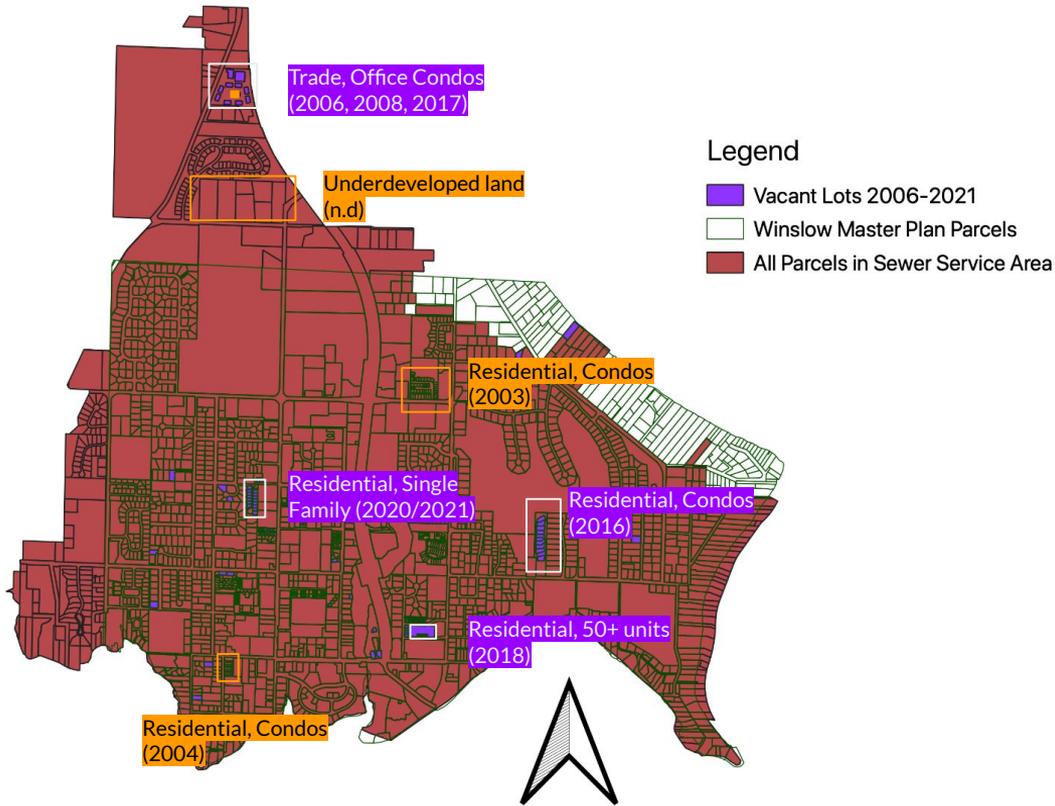
# Outcomes

## Density and Growth Analysis

People moving into Bainbridge per year

Year	Population	Growth Percentage
2017	23,689	0.479%
2018	24,060	1.56%
2019	24,486	1.77%
2020	24,825	1.38%
2021	24,930	.42%

# Vacant Lots in Winslow Sewer Service Area, 2006-2021



Date: November 29 2021  
Map Author: UW CEP 460 Team  
Data Source: City of Bainbridge Island

## Sewer Service Area

93% of lots are residential  
95% of all residential lots are single family classification (390 lots)  
62.5% of vacant lots are vacant as of 2020 and 2021 (55/88 lots)

## Master Plan Area

96% of lots are residential  
95% of all residential lots single family classification (374 lots)  
70% of vacant lots are vacant as of 2020 and 2021 (55/78 lots)



## Growth and Projection Data

- We want to calculate how many more people Winslow's current zoning can still hold.
- In order to do so, we divide the data we have into four parts:

	Mixed-Use Town Center	Residential Suburbs
Vacant	$\frac{(\text{Mixed-Use FAR} \times \text{Lot Area})}{(2 \times 832)}$	$\text{Household/Acre} \times \text{Lot Area} \times 2.53$
Non-Vacant	$\frac{(\text{Mixed-Use FAR} \times \text{Lot Area} - \text{Current Floor Area})}{(2 \times 832)}$	$(\text{Household/Acre} \times \text{Lot Area} \times 2.53) - (\text{Current Floor Area} / 832)$

\*In our calculation, only land with a landcode of urban residential, vacant, or common area is considered as potential residential areas.

### How much space is enough?

Average residential floor space per capita in ft<sup>2</sup>



Note: data for 2009 builds. \* China figures urban only, assumes average national household size

Sources: CommSec, FBA, UN, US Census  
shrinkthatfootprint.com

\*We assume half of the Mixed-Use FAR is used as residential.

	Mixed-Use Town Center	Residential Suburbs
Vacant	$\frac{(\text{Mixed-Use FAR} \times \text{Lot Area})}{(2 \times 832)}$	$\text{Household/Acre} \times \text{Lot Area} \times 2.45$
Non-Vacant	$\frac{(\text{Mixed-Use FAR} \times \text{Lot Area} - \text{Current Floor Area})}{(2 \times 832)}$	$(\text{Household/Acre} \times \text{Lot Area} \times 2.45) - (\text{Current Floor Area} / 832)$



## Remaining Carrying Capacity A

- If Winslow develops all the vacant lots and rebuild all the underdeveloped buildings according to the base mixed-use FAR or the residential density zoning, it may capable to hold around 5,000 more people.
- However, it is extremely unlikely to have every lot to be fully developed.

	Mixed-Use Town Center	Residential Suburbs	Total
Vacant	1,325	2,664	<b>3,989</b>
Non-Vacant	380	316	<b>696</b>
Total	<b>1,705</b>	<b>2,980</b>	<b>4,685</b>



## Remaining Carrying Capacity B

- Based on our calculations, a building in mixed-use town center averagely only takes **57.3%** of the base FAR, while a building in the residential suburban area only averagely take **40.7%** of the zoning.
- If the development intensity for all the vacant lots is consistent with before while all the underdeveloped lots being not rebuilt, Winslow Master Plan Area can only hold **less than 2,000 more people**.

	Mixed-Use Town Center	Residential Suburbs	Total
Vacant	759	1,084	<b>1,843</b>
Non-Vacant	-	-	-
Total	<b>759</b>	<b>1,084</b>	<b>1,843</b>



## Outcomes from an expanded master plan area

- Expansion is parallel to the increasing population of Bainbridge Island
- Reduce discrepancies between sewer boundary and the master plan
- Increased community involvement
- Creating a more equitable and sustainable community through controlled growth and opportunities
- Generates more tax money



## Conclusions

1. The expansion of the Winslow Master Plan Area is lagging behind the expansion of sewer and water services, especially in the northward and westward directions.
2. The current zoning of the Winslow Master Plan Area does not provide sufficient space for future population growth.

It is necessary to expand the scope of the Winslow Master Plan and it should encompass and even exceed the existing sewer service area. In addition, in order to increase the carrying capacity of the core area of the Bainbridge Island, Downtown Winslow needs to be up-zoned with its FAR raised.



## Thank You...

Jennifer Sutton, Mark Epstein, and Chris Munter

Jess Zimbabwe and Katie Cote

UW Livable City Year

Bainbridge Island City Council and the Planning Commission



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Special Meeting Agenda Bill

**MEETING DATE:** February 10, 2022

**ESTIMATED TIME:** 45 Minutes

**AGENDA ITEM:** (7:00 PM) Review Ordinance No. 2022-02 (formerly 2021-38) to Implement Increased Density Bonus for Affordable Housing Development on Property Owned by Religious Organizations

**AGENDA CATEGORY:** Ordinance

**PROPOSED BY:** Jennifer Sutton

### PREVIOUS PLANNING COMMISSION

**REVIEW DATE(S):** November 18, 2021, January 13 and 27, 2022

**PREVIOUS COUCIL REVIEW DATE(S):** October 26, 2021

### RECOMMENDED MOTION:

I move to schedule additional discussion on Ordinance No. 2022-02 for the Planning Commission meeting on February 24, 2022.

AND/OR

I move to schedule a public hearing on Ordinance No. 2022-02 for the Planning Commission meeting on March 10, 2022.

### SUMMARY:

The purpose of this agenda item is for the Planning Commission to continue review of Draft Ordinance No. 2022-02 (attached), which amends several sections of the City's zoning regulations consistent with local needs, as directed in the October 26, 2021 motion. This Draft ordinance implements what is intended by RCW 36.70A.545 (attached) and as directed by the City Council, specifically to focus on the Bethany Lutheran property as a pilot project.

The Planning Commission discussed the draft ordinance at their meeting on January 13, 2022. That discussion concluded with direction to staff to update the ordinance to integrate additional development standard requirements into the draft ordinance and to cap the pilot project density at 24 dwelling units. The draft ordinance has been updated to reflect that Planning Commission direction.

During the January 27, 2022 Planning Commission discussion, the Commission asked whether it would be more logical to add proposed changes to the BIMC Chapter 18.21 Affordable Housing instead of BIMC Section 18.09.030 (that is proposed in the draft Ordinance). See attached document "Alternate Code Change...." which shows how the code changes could be added to the end of BIMC Chapter 18.21 instead of BIMC Section 18.09.030.

**BACKGROUND:** As described in more detail in the staff memorandum attached with this agenda item, in 2019, the Washington State Legislature approved Substitute House Bill (SHB) 1377 which would facilitate affordable housing projects on properties owned or controlled by eligible religious organizations. The law facilitates affordable housing development by requiring a density bonus, subject to certain conditions. Although current City affordable housing regulations allow a certain amount of affordable housing on properties owned or controlled by religious organizations, including via a density bonus (see staff memo), it is recommended that the City enact regulations to implement the purpose and intent of the 2019 legislation. The applicable state law provision is RCW 36.70A.545 (see attached). Such development is supported by the City's Comprehensive Plan, specifically Housing Element Policy HO 3.4.

Policy HO 3.4 Partner with non-profit housing organizations, churches, the development community, local lending institutions, elected officials and the community at large to assist in meeting affordable housing goals and implementing strategies.

On October 26, 2021, the City Council discussed this topic and passed the following motion (6-1) to refer this topic to the Planning Commission:

I move to refer this topic to the Planning Commission to work with City staff to prepare an ordinance to effectuate what is intended by RCW 36.70A.545, including to develop implementing regulations consistent with local needs, specifically to focus on the Bethany Lutheran property and to consider that as a pilot project.

Included in the staff memo as background information: existing City affordable housing regulations, and links to programs that other jurisdictions have developed to implement RCW 36.70A.545.

**ATTACHMENTS:**

## Memorandum

Date: February 3, 2022

To: Planning Commission

From: Jennifer Sutton, AICP, Senior Planner

Subject: Discuss Ordinance No. 2022-02 (formerly 2021-38) Increased Density Bonus for Affordable Housing Development on Property Owned or Controlled by Religious Organizations

### I. MEETING PURPOSE

The purpose of tonight's Planning Commission discussion is to continue review of revised Draft Ordinance No. 2022-02 (attached), which amends several sections of the City's zoning regulations, as directed in the October 26, 2021 motion. The Draft ordinance, which proposes to add a new use and standards, Bethany Lutheran Affordable Housing Pilot Project to Bainbridge Island Municipal Code (BIMC) Chapter 18.09. The ordinance has been revised to reflect January 13 direction from the Planning Commission.

Draft Ordinance No. 2022-02 implements what is intended by (1) [RCW 36.70A.545](#) to provide a density bonus for any affordable housing development located on property owned by a religious organization, and (2) directed by the City Council on October 26, 2021, specifically to focus on the Bethany Lutheran Church property as a pilot project.

Bethany Lutheran Properties Bethany Lutheran Church owns 2 properties totaling 8.43 acres located at the southwest intersection of NE High School Road and Sportsman Club Road NE. The properties are zoned R-0.4, which yields a base density of 4 dwelling units. It is located across Sportsman Club Road NE from the R-2 Zone and Winslow Sewer Service Area. Bethany Lutheran Church currently hosts a Kitsap Transit Park and Ride lot, and there is a separated multiuse path along the eastern portion of the property (Sportsman Club Road NE). Paved shoulders and sidewalks are on NE High School Road, east of the Sportsman Club Road NE intersection.



During the January 27, 2022 Planning Commission meeting, a Commissioner requested additional information on City plans for using its American Rescue Plan Act (ARPA) financial assistance. Information about the ARPA funds can be viewed on the City's website: <https://cityofbainbridgeisland.civilspace.io/en/projects/american-rescue-plan-act-arpa-projects>

## II. Draft Ordinance 2022-02

Ordinance 2022-02 adds a new type of land use, Bethany Lutheran Affordable Housing Pilot Project, to the Permitted Use Table, BIMC Table 18.09.020 (see Exhibit A) and new and updated Use Specific Standards in sections BIMC 18.09.030.B and C. This new use is added only to the R-0.4 zone, which is the zoning designation for the 2 properties that make up the Bethany Lutheran Church (see Exhibit A). The draft regulations describe that projects which are processed pursuant to [RCW 36.70A.545](#) and must meet any applicable land use and environmental procedures and regulations for BIMC Titles 15, 16, 17, and 18, unless modified by the proposed pilot project regulations, see Ordinance No. 2022-02, new BIMC Section 18.09.030.B.6.b.

As requested by the Planning Commission during its discussion on January 27, 2022, attached is an "Alternate" for the addition to the BIMC, showing how the new Bethany Lutheran Affordable Housing Pilot Project regulations could be added to BIMC Chapter 18.21 Affordable Housing instead of BIMC 18.09.030. Should the Planning Commission provide that direction, staff would revise the draft ordinance to add these new regulations to BIMC 18.21 instead of BIMC 18.09.030.

### Other Standards included by Reference

The additional regulations proposed for a Bethany Lutheran Affordable Housing Pilot Project are in addition to underlying land use permitting requirements in BIMC Chapter 2.16 (proposed ordinance new BIMC Section 18.09.030.B.6.a) and any applicable land use regulations for BIMC Titles 15, 16, 17, and 18 (proposed ordinance new BIMC Section 18.09.030.B.6.b). Examples of BIMC development standards that would apply to a future Bethany Lutheran Affordable Housing Pilot Project are:

- Stormwater Management (Chapter 15.20)
- Transportation Concurrency (Chapter 15.32)
- Critical Areas (Chapter 16.20)
- Setbacks, building height (Table 18.12.020.-2)
- Roadside buffers (18.15.010.E)
- Design for Bainbridge design guidelines (18.18)
- Permitting Fees (Fee Schedule)

### Revisions to Draft Ordinance No. 2022-02

As directed by the Planning Commission, City staff collaborated with architect Jonathan Davis to amend the Draft ordinance to require other desired features from other sections of the BIMC. The Draft ordinance has been revised to reflect January 13 direction from the Planning Commission in the following ways (indicates proposed code section in ordinance):

- Clarified project bonus density by adding maximum project density of 24 dwelling units (B.6.c).
- Clarified that the rental or sales price may not exceed 30% of the cost for low-income households. Added provision from RCW 36.70A.545(1)(b) that the units should be affordable for fifty years (B.6.d).
- Clarified language on parking requirements, added bike parking and guest parking requirements (B.6.e).
- Added maximum dwelling unit size of 1600 square feet, same as the HDDP program (B.6.f).
- Added requirement for green building certification (B.6.g).
- Added requirement for 5% of lot area to be designed as integrated community space, similar to community space description in subdivision code. The amount, 5%, is the same requirement for the R-0.4 zone as in subdivision standards (BIMC Table 17.12.070-1) (B.6.h).

### III. Public Comment

The Planning Commission took public comment on the draft ordinance at both the November 18, 2021 and January 13, 2022 meetings. Staff responses to issues identified during by commenters are below.

Is this ordinance “spot zoning”?

The City Attorney has reviewed [RCW 36.70A.545](#) (attached) and other relevant state law, and supported the City Council beginning the development of an ordinance that implements [RCW 36.70A.545](#) to allow an increased density bonus for developing affordable housing on property owned by a religious organization. The City has received a request for such a development from Bethany Lutheran Church (pursuant to [RCW 36.70A.545\(2\)](#)). During that preliminary review, the City Attorney has not raised a concern about spot zoning. The City Attorney will review the version of Ordinance No. 2022-02 that the Planning Commission recommends to the City Council, prior to City Council review.

Although this ordinance is a “Pilot Project” for Bethany Lutheran Church, does this ordinance set a precedent set for other religious entities on BI?

Perhaps a precedent will be set by this ordinance, however staff is unaware of any similar efforts at other religious institutions. Bethany Lutheran Church has been considering this type of project for a long time. The City Council considered moving forward with a general ordinance, but their final motion on October 26, 2021 was to create an ordinance specific to Bethany Lutheran Church at this time. Aside from the Bethany Lutheran specific maximum density, the current draft of the ordinance would otherwise work for these types of projects on other religious-owned projects. In the future, the City Council could direct the ordinance to be amended to apply more broadly or to additional projects.

#### Density Bonus

Draft Ordinance No. 2022-02 implements what is intended by (1) [RCW 36.70A.545](#) to provide a density bonus for any affordable housing development located on property owned by a religious organization. The first draft of the ordinance had left the density bonus provisions open ended. The revised Draft Ordinance No. 2022-02 prepared for the January 27, 2022 Commission meeting clarifies the bonus density allowed for this pilot project and makes clear that a maximum of 24 dwelling units are allowed for the Bethany Lutheran Affordable Housing Pilot Project (Section B.6.c). Given the 8.43 acres property size, 24 dwelling units would equate to one unit per 15,300 square feet, which is approximately the density of the R-2.9 zone (one unit per 15,000 square feet). Adjacent Zoning to the Bethany Lutheran Church property is: East: R-2; West & North: R-0.4; Southwest: R-1 (see attached map of Winslow area).

#### Water

Drinking water must be provided for any future dwelling units. The drinking water requirements for a would not be any different for a Bethany Lutheran Affordable Housing Pilot Project than any other proposed development. Any future project must provide drinking water for future dwelling units (see proposed Code section B.6.b). Bethany Lutheran Church is served by the City’s Drinking Water system.

The Critical Area regulations (BIMC Chapter 16.20) apply to any development proposed through this ordinance (see above list of existing applicable regulations). The Bethany Lutheran Church property does not contain any identified critical areas such as streams, wetlands, geologically hazardous areas or buffers, so the only section of the Critical Area regulations that will apply to a Bethany Lutheran Affordable Housing Pilot Project is the Aquifer Recharge Protection Area (ARPA) provisions of BIMC 16.20.100). Although there are no critical area buffers upon the Bethany Lutheran Church property, across Sportsman Club Road, east of Bethany Lutheran Church, there is a stream and buffer. The stream buffer (see green shaded area at right) does not cross Sportsman Club Road. Stormwater management regulations will address water quality of any stormwater runoff.

#### Traffic

Transportation concurrency and analysis requirements and regulations (BIMC Chapter 15.32) would apply to any development proposed through this ordinance in the same way that regulations would apply to any other development of the same size/ type (see above list of existing applicable regulations).

#### Consistency with [Comprehensive Plan](#)

There was a comment that the nature of the ordinance was inconsistent with the City's [Comprehensive Plan](#) because the church property does not comply with the City's growth strategy because it is in the Conservation Area (see [Land Use Element Figure LU-3](#), and [public comment reference to Policy LU 1.2 below](#)). Staff has previously cited the [Housing Element in general and Policy HO 3.4 \(below\)](#) as explicit support for Draft Ordinance 2022-02.



Although the Bethany Lutheran Church property is within the Conservation Area and zoned R-0.4, it is located on the edge of the greater Winslow area, approximately 730 feet from the Winslow Master Plan Study Area and 425 feet from the Winslow sewer service area boundary. It's location and proximity to businesses and schools is one reason why the City has supported recent improved non-motorized transportation facilities along the Church roadside frontage and nearby. The location and the extent of clearing and existing development at the Church property results in this property not "fitting" the Conservation Area policies of the [Comprehensive Plan](#).

Just like the many goals of the Growth Management Act ([RCW 36.70A.020](#)) are equal in importance, and not prioritized, it must be acknowledged that the City's [Comprehensive Plan](#) is a guiding document, and that there is unlikely to be any property on Bainbridge Island that is able to satisfy the variety of goals and policies of the [Comprehensive Plan](#) at the same time. City staff, the Planning Commission and Council must consider whether this ordinance overall is more consistent than not with the wide-ranging [Comprehensive Plan](#) as a whole, for instance [Guiding Principles # 3 and 6 \(see Introduction\)](#), [Economic Element](#) and [Human Services Element](#)

Additionally, the relatively new state law [RCW 36.70A.545](#) to promote the construction of affordable housing was added to the state [Growth Management Act RCW 36.70A](#). The Act requires that communities that plan

balance environmental protect with development, and state planning law has been amended several times in recent years to better address the now well-established housing crisis.

**Policy HO 3.4** Partner with non-profit housing organizations, churches, the development community, local lending institutions, elected officials and the community at large to assist in meeting affordable housing goals and implementing strategies.

Policy LU 1.2 Outside of Winslow and the Designated Centers, the Island has a rural appearance with forested areas, meadows, farms and winding, narrow, heavily vegetated roadways. These characteristics represent an important part of the Island’s special character that is so highly valued by its residents. As important as preserving Island character is to its residents, of equal importance is the protection of the Island’s environmentally sensitive areas. These outlying areas contain much of the Island’s sensitive areas – the major recharge areas for the Island’s aquifers, wetlands and streams that serve a variety of important functions. Much of the area serves as fish and wildlife habitat. There is strong public support to encourage a pattern of development that preserves and protects this portion of the Island.

#### IV. Background

In 2019, the Washington State Legislature enacted Substitute House Bill (SHB) 1377 to facilitate the development of affordable housing projects on property owned or controlled by religious organizations. As above referenced, the applicable state law provision is [RCW 36.70A.545](#). The law facilitates affordable housing development by requiring a density bonus, subject to certain conditions. Such development is supported by the City’s Comprehensive Plan, specifically [Housing Element Policy HO 3.4](#).

The City Council considered this topic at this time because at least one religious organization (Bethany Lutheran) has expressed interest to the City in potentially pursuing an affordable housing project under this relatively new law. On October 26, 2021 the Council approved the following motion:

I move to refer this topic to the Planning Commission to work with City staff to prepare an ordinance to effectuate what is intended by RCW 36.70A.545, including to develop implementing regulations consistent with local needs, specifically to focus on the Bethany Lutheran property and to consider that as a pilot project.

Although current City affordable housing regulations allow a certain amount of affordable housing on properties owned or controlled by religious organizations, including via a density bonus, [RCW 36.70A.545](#) states, in part, that applicable cities and counties “must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that ...” certain requirements are met.

The law requires an increased density bonus as described, but it does not specify the amount of such an increase, nor in which zoning areas in the City that such an increase must occur. Based on research and analysis conducted by the City Attorney, it is recommended that the City adopt regulations via an ordinance to implement the purpose and intent of [RCW 36.70A.545](#), including to provide clarity on how such development will be “consistent with local needs” as provided for in [RCW 36.70A.545](#).

#### V. Other Cities Respond to SHB 1377

The City asked the [Municipal Research Service Center](#) to research if any other jurisdictions have taken action to adopt regulations in response to SHB 1377. The following is a summary of information that City staff has gathered to date:

**Bellevue:** On Dec. 6, 2021, the council adopted [Ordinance 6626](#) (attached) to establish a density bonus and additional modifications to other standards and requirements for affordable housing developments on certain public, nonprofit, or religious organization-owned properties. Under the new code, eligible affordable housing development may receive a 50 percent density bonus. Base density in Bellevue ranges between 1.2 to 45 units per acre. Bellevue has an existing 15% density bonus for affordable housing.

**Seattle:** In June 2021, the City Council approved [Council Ordinance 126384](#) (attached) with amendments, implementing proposed legislation to provide a development bonus for affordable housing on religious organization property. The legislation became effective in August 2021. (See, <https://www.seattle.gov/opcd/ongoing-initiatives/affordable-housing-on-religious-organization-property>).

**Kenmore:** Kenmore's program ([KMC 18.110.020.C.3](#)) (attached) applies in zones with base density ranging between 4-48 units per acre. In considering a request for an increased density bonus for affordable housing located on property owned or controlled by a religious organization per RCW [36.70A.545](#), a density bonus for a project providing moderate-income affordable housing units shall not exceed the maximum density allowed by the zoning district of the subject property. Kenmore grants between 1-2 bonus density units for every unit of affordable housing. To achieve a greater density bonus, the project shall provide a significant proportion of low- or very-low income affordable housing units. This density bonus projects for units targeted at or below low-income appears flexible.

**Wenatchee:** Wenatchee's program [[WMC 10.46.110\(3\)\(b\)](#)] (attached) is open-ended and appears to apply city-wide. Additional density may be granted for affordable housing pursuant to the new state law requirements when local needs can be demonstrated to be compliant with the comprehensive plan. Base density in residential zones in Wenatchee range between 4-40 units per acre. Base density in mixed use zones ranges between 2.1-9.0 Floor Area Ratio.

## VI. NEXT STEPS:

The Planning Commission is tasked with reviewing Ordinance No. 2022-02, holding a public hearing on the ordinance, and eventually, providing a recommendation to the City Council on the ordinance. The City Council will then take up the ordinance for its own review and decision

At the end of the discussion on February 10, the Planning Commission would either:

1. Schedule additional discussion on Ordinance No. 2022-02 for the Planning Commission meeting on February 24, 2022.  
AND/OR
2. Schedule a public hearing on Ordinance No. 2022-02 for the Planning Commission meeting on March 10, 2022.

To meet public hearing noticing deadlines, staff would need to confirm scheduling a March 10 public hearing on February 10. The February 24, 2022 Planning Commission meeting would be too late to meet noticing deadlines.

**ORDINANCE NO. 2022-02**

(formerly Ordinance No. 2021-38)

**AN ORDINANCE** of the City of Bainbridge Island, Washington, amending BIMC Table 18.09.020 and section 18.09.030, related to affordable housing on property owned by religious organizations.

**WHEREAS**, in February 2017, the City Council approved the periodic update to the City’s Comprehensive Plan, adding Housing Element *Policy HO 3.4 Partner with non-profit housing organizations, churches, the development community, local lending institutions, elected officials and the community at large to assist in meeting affordable housing goals and implementing strategies*; and

**WHEREAS**, in 2019, the Washington State Legislature enacted Substitute House Bill (SHB) 1377 to facilitate the development of affordable housing projects on property owned or controlled by religious organizations; and

**WHEREAS**, the applicable state law provision implementing SHB 1377 is RCW 36.70A.545 and the law facilitates affordable housing development on property owned or controlled by religious organizations by requiring a density bonus; and

**WHEREAS**, the City Council became aware of an ongoing discussion about constructing affordable housing on the Bethany Lutheran Church properties, and on April 20, 2021, the City Council endorsed moving forward with implementing SHB 1377 in advance of completing a Housing Action Plan; and

**WHEREAS**, on October 26, 2021, the City Council approved a motion to direct the Planning Commission to work with staff to prepare an ordinance to develop implementing regulations consistent with local needs, specifically to focus on the Bethany Lutheran property and to consider that as a pilot project to implement RCW 36.70A.545; and

**WHEREAS**, the Planning Commission considered draft Ordinance No. 2022-02 (formerly 2021-38) on November 18, 2021, January 13 and 27, and February 10, 2022; and

**WHEREAS**, the Planning Commission held a public hearing on Ordinance No. 2022-02 (formerly 2021-38), on XXXX, and after closing the public hearing, made a recommendation of XXX of Ordinance No. 2022-02 (formerly 2021-38) to the City Council; and

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

**WHEREAS**, on XXXX, the City Council reviewed Ordinance No. 2022-02; and

WHEREAS, on XXXX, the City Council approved Ordinance No. 2022-02.

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

**Section 1.** Table 18.09.020 of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A.

**Section 2.** Section 18.09.030.B OR **CHAPTER 18.21** of the Bainbridge Island Municipal Code is hereby amended to read as follows:

B.6. Bethany Lutheran Affordable Housing Pilot Project (Pilot Project): In order to implement RCW 36.70A.545, the City will allow affordable housing that exceeds the R-0.4 base density to be planned and constructed on properties collectively known as “Bethany Lutheran Church” located at the southwest intersection of NE High School Road and Sportsman Club Road NE (see Figure 18.09.030-1 below) as a pilot project. This pilot project must meet the requirements listed below and the provisions of RCW 36.70A.545.

- a. The affordable housing proposal shall follow existing land use permit review procedures depending on what type of housing development is proposed. Multifamily housing would be reviewed through the Site Plan and Design Review process of Section 2.16.040 BIMC and subdivision would be reviewed through the short or long subdivision process of Sections 2.16.070 or 2.16.125 BIMC (respectively).
- b. The affordable housing proposal shall be subject to applicable residential development standards for Titles BIMC 15, 16, 17 and 18, unless specifically modified by this section. The affordable housing project must meet all requirements of the City and/or Kitsap Public Health District for providing drinking water or on-site septic to Bethany Lutheran Church and future housing units.
- c. Project bonus density. The maximum residential density is 24 dwelling units.
- d. Affordable Housing. All dwelling units planned and constructed through this Pilot Project is required to be sold or rented to households at or below low-income, 80% Area Median Income (AMI, see BIMC 18.21.020.A) for fifty years, as required by RCW 36.70A.545. The sales price or rent amount (including utilities other than telephone and cable TV) cannot exceed 30% of the income limit for the low-income housing units (RCW 36.70A.545(7)(a), BIMC 18.36.030). The City shall require documentation be signed and recorded through the land use and building permitting process to ensure ongoing compliance with the income requirements.

- e. Parking. One car parking space and two covered bike parking spaces per dwelling unit is required. One guest parking space for every five dwelling units is required. A parking study that analyzes how the existing uses on the site meet parking requirements shall be submitted with the land use permit.
- f. The maximum dwelling unit size is 1600 square feet.
- g. Green building. The dwelling units must be meet a green building certification standard of LEED Silver, BuiltGreen 4, or Evergreen Sustainable Development. The certification program must utilize third-party verification.
- h. Community space. At least 5% of the total lot area shall be provided as community space to provide a place for residents to gather in shared space. Community space should adjoin the largest practicable number of residences within the development. Nonadjoining residences shall be provided with safe and convenient pedestrian access to community space. The community space must be outside of required roadside buffers. The community space must include a neighborhood garden area, and could include other community amenities such as seating, playground or other recreation features.
- i. This affordable housing project may be proposed and constructed on the same property(ies) as the existing church, resulting in a permitted mixed use property.

Figure 18.09.030-1



**Section 3.** Section 18.09.030.C. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

3. Religious Facilities.

- a. In the WD-I district, religious facilities are a conditional (“C”) use. Conference centers with overnight accommodations are not permitted.
- b. In the ferry terminal overlay district, religious facilities are only allowed south of Winslow Way.
- c. Lot coverage for religious facilities in residential zones is reduced by 50 percent of the allowable lot coverage in the zone where the religious facility is located. See Table 18.12.020-2 for lot coverage standards in residential zones. This lot coverage reduction does not apply to the Bethany Lutheran Affordable Housing Pilot Project, as described in Section 18.09.030.B.6 BIMC.

**Section 4. Severability.** Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 5.** 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 XXX.

APPROVED by the Mayor this XXX.

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ATTEST/AUTHENTICATE:

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Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NUMBER:

## Exhibit A to Ordinance No. 2022-02

**EXCERPT Table 18.09.020 Use Table**

“P” = Permitted Use	“A” = Accessory Use										Additional use restrictions for Chapters 16.12 and 16.20 BIMC may apply to shoreline or critical area properties									
“C” = Conditional Use	“CA” = Conditional Accessory Use																			
Blank = Prohibited Use	“T” = Temporary Use																			
ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
<b>RESIDENTIAL</b> Note: Residential uses may be subject to additional requirements in BIMC 16.12.040.I, Residential Development.																				
<b>Household Living</b>																				
Single-Family Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			B-1
Single-Family Dwelling existing on 4/15/96											P	P	P							B-1
Multifamily Dwellings	C	C	C	C	C	C	P	C	P	P	P	P	P	P	P	P	P			B-2
Commercial/Residential Mixed Use Developments									P	P	P	P	P	P	P	P	P			B-3
Live/Work Units																		P		B-4
<b>NEW: Bethany Lutheran Affordable Housing Pilot Project</b>	P																			<b>B-6 OR 18.21.050</b>
<b>PUBLIC AND INSTITUTIONAL</b>																				
<b>Community and Educational Facilities</b>																				
Educational Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	C	P	C		C	C-1
Vocational/Trade Instruction Facilities	C																	P		
Governmental Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	C	P	C		C	C-2
Religious Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	C	P	C		C	C-3, B-6

## Chapter 18.21

### AFFORDABLE HOUSING

#### SEE ALTERNATIVE CODE AMENDMENT PAGES 4-5

Sections:

- 18.21.005 Generally.
- 18.21.010 Purpose.
- 18.21.020 General provisions for optional affordable housing.
- 18.21.030 Optional residential density bonus for affordable housing.
- 18.21.040 Optional fee-in-lieu.

#### **18.21.005 Generally.**

This chapter sets forth optional provisions for density bonuses in return for the construction of new affordable housing units. Residential density bonus proposals will be reviewed concurrently with the primary land use application. A preapplication conference will be required for any land use application that includes a proposal for the affordable housing density bonus. (Ord. 2011-02 § 2 (Exh. A), 2011)

#### **18.21.010 Purpose.**

The purpose of this chapter is to implement the policies contained in the housing element of the comprehensive plan by providing an optional program for the construction of affordable housing in new single-family and multifamily residential developments. The Growth Management Act (GMA) requires the city to make adequate provisions for existing and projected housing needs of all economic segments of the community as determined by the housing needs assessment, contained in the housing element. The housing element reflects the city's goal of dispersing affordable housing throughout all geographic and economic segments of the community, and providing a mixture of housing types to discourage the development of economic enclaves. The city recognizes that the marketplace is the primary supplier of adequate housing for those in the upper economic groups, but that some combination of appropriately zoned land, regulatory incentives and innovative planning techniques will be necessary to make adequate provisions for the needs of households whose incomes are at or below middle income (as those terms are defined in Chapter 18.36 BIMC). (Ord. 2011-02 § 2 (Exh. A), 2011)

#### **18.21.020 General provisions for optional affordable housing.**

A. Siting of Affordable Dwelling Units or Residential Building Lots. The affordable units constructed under the provisions of this chapter shall be included within the parcel of land for which the density bonus is granted. Segregation of affordable housing units within the development from market rate housing units shall be avoided whenever practical.

The department of planning and community development shall calculate and publish annually the maximum purchase prices and maximum rents applicable to each of the following income groups:

1. Extremely low income: less than 30 percent of median household income;
2. Very low income: 31 percent through 50 percent of median household income;
3. Low income: 51 percent through 80 percent of median household income;
4. Moderate income: 81 percent through 95 percent of median household income;
5. Middle income: 96 percent through 120 percent of median household income.

#### B. Duration of Affordability.

##### 1. Rental Units.

- a. Prior to the effective date of Ordinance No. 2021-11 on February 11, 2021, affordable rental housing units created as a result of the provisions of this chapter shall remain affordable for a period of 30 years

from the time of first occupancy and shall be secured by a recorded agreement and covenant running with the land, binding all the assigns, heirs, and successors of the applicant.

b. For development projects that filed a complete land use permit application with the city subsequent to the effective date of Ordinance No. 2021-11 on February 11, 2021, affordable rental housing units created as a result of the provisions of this chapter shall remain affordable for a period of at least 50 years from the time of first occupancy and shall be secured by a recorded agreement and covenant in accordance with subsection C of this section.

## 2. Home Ownership Units.

a. Prior to the effective date of Ordinance No. 2021-11 on February 11, 2021, all affordable home ownership units created as a result of the provisions of this chapter shall be initially sold to income-qualified households and thereafter subject to a mechanism that is specified in an appropriate administrative procedure adopted by resolution by the city council allowing the city to capture a share of the appreciation when the unit is sold at market rate. The city's share of the proceeds shall be placed in its housing trust fund. The affordable housing unit(s) shall be secured by a recorded agreement and covenant in accordance with subsection C of this section.

b. For development projects that filed a complete land use permit application with the city subsequent to the effective date of Ordinance No. 2021-11 on February 11, 2021, affordable home ownership units created as a result of the provisions of this chapter shall be sold to income-qualified households and shall remain affordable for a period of 99 years from the time of first occupancy. The affordable housing unit(s) shall be secured by a recorded agreement and covenant in accordance with subsection C of this section.

3. A unit that is owned or sponsored by a public or private nonprofit agency that already restricts benefit and resale is exempt from the provisions of subsections B.1 and B.2 of this section.

C. Required Documentation. Prior to the final approval of any land use application to which this chapter is applicable, the owner of the affected parcels shall deliver to the city a duly executed covenant running with the land, binding all the assigns, heirs, and successors of the owner of the affected parcels, in a form approved by the city attorney, identifying the units or parcels and acknowledging their obligation under this section. The applicant shall be responsible for the cost and recording of the covenant.

D. Construction of Affordable Units. When dwelling units subject to this chapter will be constructed in phases, or over a period of more than 12 months, a proportional amount of affordable housing units must be completed at or prior to completion of the related market rate dwellings, or as approved by the director.

E. Phased Development. If a project is to be phased, the proportion of affordable units or residential building lots to be completed with each phase shall be determined as part of the phasing plan approved by the director.

F. Unimproved Lots to Be Sold. Where the applicant intends to sell the individual unimproved lots created as a result of the provisions of this chapter, it is the responsibility of the applicant to arrange for the affordable units to be built.

G. Attached Housing. In single-family developments where there are two or more affordable units, side yard setbacks may be waived to allow for attached housing units for affordable units only. The placement and exterior design of the attached units must be such that the units together resemble as closely as possible a single-family dwelling.

H. Definition of Benefit. Where the code limits benefits to households whose incomes are at or below a specified income, the purpose is to include all categories of income, as defined in Chapter 18.36 BIMC, below the category specified. For example, if the benefit limit is, "to those households whose incomes are at or below low-income," households who are extremely low income, very low income and low income may benefit. (Ord. 2021-11 § 2, 2021; Ord. 2018-30 § 1, 2018; Ord. 2011-02 § 2 (Exh. A), 2011)

**18.21.030 Optional residential density bonus for affordable housing.**

A. Applicability. This section applies to all land use applications, except the following: (1) the construction of one single-family dwelling on one lot that can accommodate only one dwelling based upon the underlying zoning designation, (2) the Mixed Use Town Center and the High School Road districts (provisions for these zones are contained in BIMC 18.12.030.E), (3) neighborhood centers (NCs) (provisions for this zone are contained in BIMC 18.12.030.D), and (4) the critical areas overlay districts identified in the comprehensive plan, which are not eligible for density bonuses.

B. Rental Affordable Housing. Density for land subject to the provisions of this section may be increased by up to 50 percent above the underlying base density when each of the additional units is provided for households whose incomes are at or below low income.

C. For-Purchase Affordable Housing. Density for land subject to the provisions of this section may be increased above the base density by the following amounts:

1. Up to a maximum of 50 percent above the underlying base density when each of the additional units or residential building lots is provided for households whose incomes are at or below low income.
2. Up to a maximum of 40 percent above the underlying base density when each of the additional units or residential building lots is provided for households whose incomes are at or below moderate income.
3. Up to a maximum of 20 percent above the underlying base density when the first 10 percent of the housing units are affordable to households with incomes at or below moderate income. The remaining 10 percent may be affordable to households whose incomes are at or below middle income.

D. Summary Table. The provisions of subsections B and C of this section are summarized in Table 18.21.

**Table 18.21: Affordable Housing Density Bonus Provision Summary**

Affordable Housing – Optional For Purchase	For Rent
Up to 50% density bonus if each of the bonus units are affordable to households whose incomes are at or below low income.	Up to 50% density bonus when each of the bonus units is affordable to households with incomes at or below low income.
Up to a 40% density bonus if each of the bonus units are affordable to households whose incomes are at or below moderate income.	
Up to a maximum of 20% above the underlying base density when the first 10% of the housing units are affordable to households with incomes at or below moderate income. The remaining 10% may be affordable to households whose incomes are at or below middle income.	

(Ord. 2017-02 § 1, 2017; Ord. 2011-02 § 2 (Exh. A), 2011)

**18.21.040 Optional fee-in-lieu.**

A. The owner of an affordable residential building lot constructed or created as a result of the provisions of this chapter, as now or previously codified, as part of a land use application approved on or before June 1, 2008, may make a financial contribution, as described in this section, to the city’s housing trust fund instead of complying with the requirements of BIMC 18.21.020, as now or previously codified, to obtain or maintain the bonus density allowed under this chapter, as now or previously codified.

B. The amount of such financial contribution to the city’s housing trust fund shall be set by the city manager, subject to the following restrictions:

1. The amount must be at least 60 percent of the fair market value of the affordable residential building lot at the time of sale. A certified appraiser shall determine the affordable residential building lot's fair market value. The appraisal will assume that sale of the lot will not be restricted to only income-qualified individuals. The owner will pay for the appraisal by a certified appraiser acceptable to the city.
2. The amount must be deposited into the city's housing trust fund within 14 days of the closing of the sale of the affordable residential building lot.
3. In circumstances where development of the affordable residential building lot is restricted by conditions on the face of a plat or short plat, the owner must initiate and pay for a plat amendment to remove or modify such conditions. Approval of such a plat amendment must be obtained before the lot may be sold to an individual who is not income-qualified, and such approval will be conditioned upon a financial contribution to the city's housing trust fund under this section.
4. Prior to initiating a plat amendment, the owner must demonstrate that they attempted, in good faith, to locate an income-qualified buyer interested in purchasing the affordable residential building lot and were unsuccessful. (Ord. 2018-30 § 2, 2018)

**18.21.050 Bethany Lutheran Affordable Housing Pilot Project (Pilot Project):** In order to implement RCW 36.70A.545, the City will allow affordable housing that exceeds the R-0.4 base density to be planned and constructed on properties collectively known as "Bethany Lutheran Church" located at the southwest intersection of NE High School Road and Sportsman Club Road NE (see Figure 18.09.030-1 below) as a pilot project. This pilot project must meet the requirements listed below and the provisions of RCW 36.70A.545.

- A. The affordable housing proposal shall follow existing land use permit review procedures depending on what type of housing development is proposed. Multifamily housing would be reviewed through the Site Plan and Design Review process of Section 2.16.040 BIMC and subdivision would be reviewed through the short or long subdivision process of Sections 2.16.070 or 2.16.125 BIMC (respectively).
- B. The affordable housing proposal shall be subject to applicable residential development standards for Titles BIMC 15, 16, 17 and 18, unless specifically modified by this section. The affordable housing project must meet all requirements of the City and/or Kitsap Public Health District for providing drinking water or on-site septic to Bethany Lutheran Church and future housing units.
- C. Project bonus density. The maximum residential density is 24 dwelling units.
- D. Affordable Housing. All dwelling units planned and constructed through this Pilot Project is required to be sold or rented to households at or below low-income, 80% Area Median Income (AMI, see BIMC 18.21.020.A) for fifty years, as required by RCW 36.70A.545. The sales price or rent amount (including utilities other than telephone and cable TV) cannot exceed 30% of the income limit for the low-income housing units (RCW 36.70A.545(7)(a), BIMC 18.36.030). The City shall require documentation be signed and recorded through the land use and building permitting process to ensure ongoing compliance with the income requirements.

- E. Parking. One car parking space and two covered bike parking spaces per dwelling unit is required. One guest parking space for every five dwelling units is required. A parking study that analyzes how the existing uses on the site meet parking requirements shall be submitted with the land use permit.
- F. The maximum dwelling unit size is 1600 square feet.
- G. Green building. The dwelling units must be meet a green building certification standard of LEED Silver, BuiltGreen 4, or Evergreen Sustainable Development. The certification program must utilize third-party verification.
- H. Community space. At least 5% of the total lot area shall be provided as community space to provide a place for residents to gather in shared space. Community space should adjoin the largest practicable number of residences within the development. Nonadjoining residences shall be provided with safe and convenient pedestrian access to community space. The community space must be outside of required roadside buffers. The community space must include a neighborhood garden area, and could include other community amenities such as seating, playground or other recreation features.
- I. This affordable housing project may be proposed and constructed on the same property(ies) as the existing church, resulting in a permitted mixed use property.

Figure 18.21.050-1



## RCW 36.70A.545

### Increased density bonus for affordable housing located on property owned by a religious organization.

(1) Any city or county fully planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) A city or county may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development.

(3) An affordable housing development created by a religious institution within a city or county fully planning under RCW 36.70A.040 must be located within an urban growth area as defined in RCW 36.70A.110.

(4) The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.

(5) If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

(6) This section applies to any religious organization rehabilitating an existing affordable housing development.

(7) For purposes of this section:

(a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit;

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and

(c) "Religious organization" has the same meaning as in RCW 36.01.290.

[ 2019 c 218 § 3.]



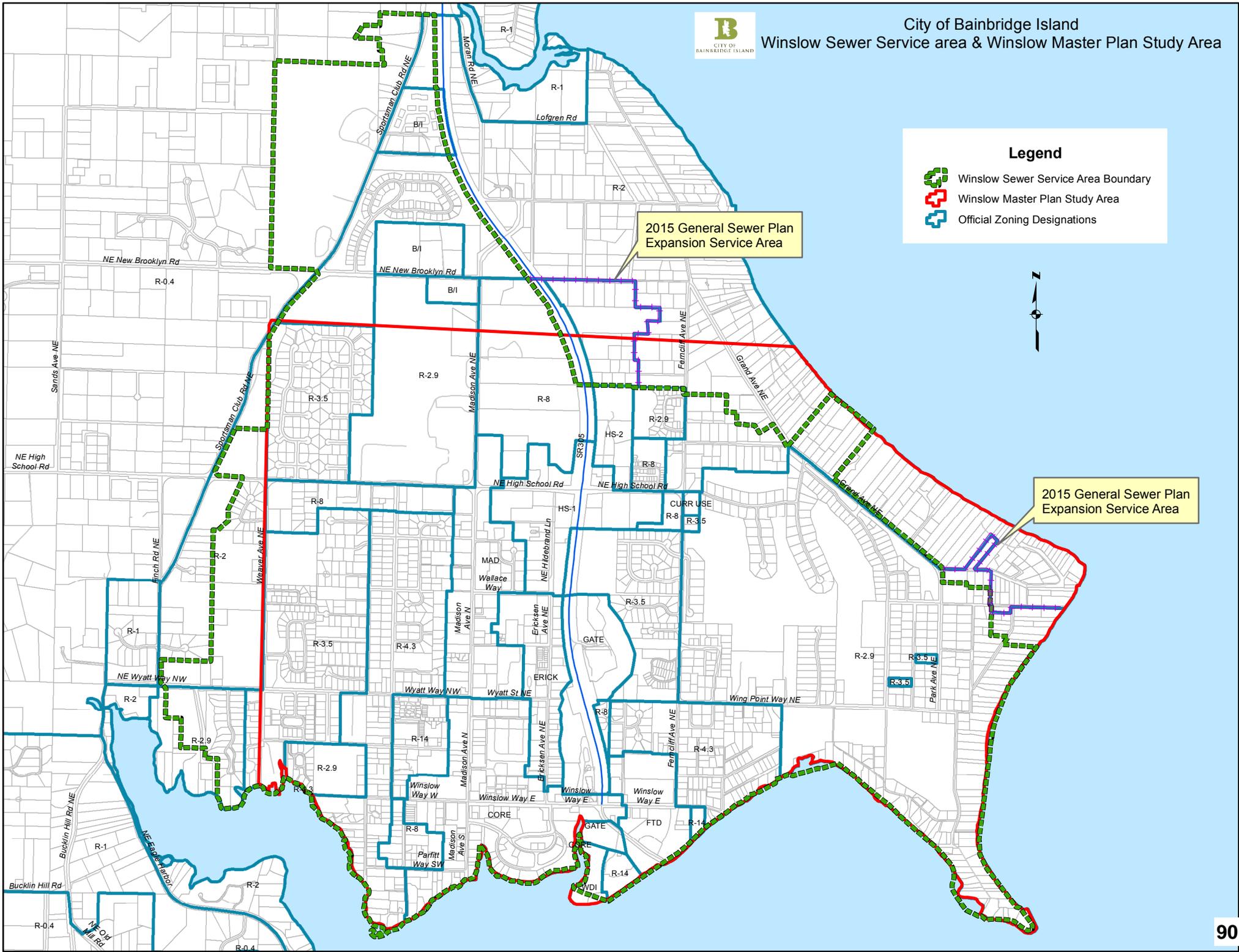
**Legend**

-  Winslow Sewer Service Area Boundary
-  Winslow Master Plan Study Area
-  Official Zoning Designations



2015 General Sewer Plan  
Expansion Service Area

2015 General Sewer Plan  
Expansion Service Area



CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6626

AN ORDINANCE to amend Land Use Code (LUC) Chapter 20.10 Land Use Districts, Chapter 20.20 General Development Requirements, Chapter 20.25 Special and Overlay Districts, and Chapter 20.50 Definitions to establish a density bonus and additional modifications to other standards and requirements for affordable housing developments on certain public, non-profit, or religious organization-owned properties; repealing Section 20.20.128 LUC in its entirety and adopting a new LUC 20.20.128; amending definitions in LUC 20.50.010 for consistency and clarity; providing for severability; and establishing an effective date.

WHEREAS, the City of Bellevue adopted the Affordable Housing Strategy (AHS) in 2017, recognizing the housing crisis in the Puget Sound region and the City; and

WHEREAS, AHS Action C-1 recommends increasing development potential on suitable land owned by public agencies, faith-based and non-profit housing entities for affordable housing; and

WHEREAS, the City of Bellevue Comprehensive Plan Policies HO-17 and LU-15 encourage housing opportunities throughout the City and support a range of housing choices for different household types and income levels; and

WHEREAS, the City of Bellevue Comprehensive Plan Policies HO-7 and HO-26 encourage the development of affordable housing through incentives and other tools; and

WHEREAS, the City of Bellevue Comprehensive Plan Policies HO-33 and HO-34 encourage the implementation of Affordable Housing Strategy C-1 by providing bonuses and incentives to increase permanently affordable housing on any qualifying property outside of the Downtown, BelRed, and Eastgate Transit Oriented Development Land Use Districts; and

WHEREAS, in May 2019 and in order to facilitate affordable housing development on religious organization property, the Washington State Legislature enacted Substitute House Bill 1377, codified as RCW 35A.63.300; and

WHEREAS, RCW 35A.63.300, which became effective on July 28, 2019, requires cities planning under the Growth Management Act, Chapter 36.70A RCW (the GMA), to allow an increased density bonus consistent with local needs for any affordable housing development on any single-family or multifamily residence located on real property owned or controlled by a religious organization, and under certain conditions; and

WHEREAS, Bellevue City Code section 3.64.070, section 20.35.410 of the Land Use Code (LUC), and LUC 20.30J.130 establish the powers and duties of the Planning Commission to act in an advisory capacity to the City Council by holding public hearings, advising, and making recommendations to the City Council on land use ordinances and regulations to implement the comprehensive plan; and

WHEREAS, the Planning Commission held study sessions on April 14, 2021, May 12, 2021, and June 23, 2021 to discuss this LUC amendment to establish a density bonus and additional modifications to other standards and requirements for affordable housing developments on qualifying properties, including real property owned or controlled by a religious organization; and

WHEREAS, after providing legally-required public notice, the Planning Commission held a public hearing for this LUC amendment on September 22, 2021 and considered the LUC amendment under LUC 20.35.410.B and the decision criteria in LUC 20.30J.135; and

WHEREAS, throughout the land use process, the Planning Commission expressed concerns that the density bonus in this LUC amendment is not sufficient to facilitate affordable housing development; and

WHEREAS, consistent with the concerns raised by the Planning Commission during the course of the land use process, the Planning Commission, after holding the required public hearing, did not recommend that the City Council approve this LUC amendment; and

WHEREAS, this LUC amendment provides for an increased density bonus consistent with local needs for any affordable housing development on any single-family or multifamily residence located on real property owned or controlled by a religious organization and is, therefore, consistent with RCW 35A.63.300, the GMA, and the AHS; and

WHEREAS, in addition to the density bonus for certain affordable housing proposals on qualifying properties and in order to provide for consistency and clarity, this LUC amendment repeals LUC 20.20.128 in its entirety and adopts a new LUC 20.20.128, includes revisions to the definition of "Affordable Housing," removes an unused definition of "Affordable Housing – Low Income," and establishes that, unless otherwise stated in the code, affordable housing units must serve households

up to 80% Area Median Income (AMI) and must remain affordable for the life of the project; and

WHEREAS, after providing legally-required public notice, the City Council considered and discussed this LUC amendment during the Council's public meeting on November 15, 2021; and

WHEREAS, the Environmental Coordinator for the City of Bellevue determined that this text amendment to the LUC will not result in any probable significant adverse environmental impact and issued a final threshold determination of non-significance on September 2, 2021; and

WHEREAS, the City Council finds that this LUC amendment meets the decision criteria of LUC 20.30J.135 and is consistent with the Comprehensive Plan, enhances the public safety and welfare, and is not contrary to the best interest of the citizens and property owners of the City of Bellevue, as more completely analyzed in the Staff Report dated August 25, 2021; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Chart 20.10.440 Uses in land use districts Residential – Residential Districts of the Bellevue Land Use Code is hereby amended to add a new reference to note 19 to Land Use Classification Two to Four Dwelling Units per Structure, and to read as follows:

**Chart 20.10.440 Uses in land use districts  
Residential – Residential Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
1	Residential											
	Single-Family Dwelling (3)	P	P	P	P	P	P	P	P	P	P	P
	Two to Four Dwelling Units per Structure (6)	PD (19)	P	P	P	P						
...												

Section 2. Section 20.10.440 Notes: Uses in land use districts Residential – Residential Districts of the Bellevue Land Use Code is hereby amended to add a new note 19 to read as follows:

**(19)** Affordable Housing duplexes and triplexes are permitted within subdivisions when the requirements of LUC 20.20.128 are met.

Section 3. Chart 20.20.010 Uses in land use districts – Dimensional Requirements of the Bellevue Land Use Code is hereby amended to add a new reference to note 52 to all Land Use Classification, and to read as follows:

**Chart 20.20.010 Uses in land use districts – Dimensional Requirements**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential										
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
	<b>DIMENSIONS</b>	(43, 52)	(52)	(52)	(52)	(52)						
...												

...

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
	<b>DIMENSIONS</b>	(21)	(21, 52)	(21, 52)	(21, 52)	(21)	(21)	(21, 52)	(21)	(21, 52)	(28)	(21, 31, 52)	(21, 32, 52)
...													

Section 4. Section 20.20.010 Notes: Uses in land use districts dimensional requirements of the Bellevue Land Use Code is hereby amended to add a new note 52 to read as follows:

**(52)** See LUC 20.20.128.F for modified dimensional requirements for Affordable Housing when the requirements of LUC 20.20.128 are met.

Section 5. Repealer. Section 20.20.128, Affordable Housing, of the Bellevue Land Use Code is hereby repealed in its entirety and replaced by a new section 20.20.128 in the Land Use Code.

Section 6. A new section 20.20.128, Affordable Housing, in the Land Use Code is hereby adopted to read as follows:

**20.20.128 Affordable Housing.**

**A. Purpose**

The purpose of this section is to encourage development of Affordable Housing by providing density bonus, dimensional standard modification, and modification of other requirements for Affordable Housing projects.

**B. Definitions.**

1. "Mixed-Income Multifamily Development" means a multifamily development project that includes both market rate and affordable housing units.
2. "Religious Organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property as defined in RCW 35A.63.300, now or as hereafter amended.

**C. Applicable Procedures.**

An application to utilize the provisions of this section shall be processed through the required land use review for the project. If a land use approval is not required for the project, the application shall be processed through the Building Permit review.

**D. Eligibility.**

The following residential development, including both new development and rehabilitation projects, shall be eligible to receive a density bonus and other modifications as provided in this section:

1. Mixed-Income Multifamily Development. Mixed-Income Multifamily Development in any applicable Land Use District when the development includes Affordable Housing; and
2. Affordable Housing Development. The following ownerships and locations of residential development when all housing units are Affordable Housing:
  - a. Owned by a Religious Organization and located in Single Family Residential Land Use Districts; and

- b. Owned by a Religious Organization, nonprofit organization, or public agency, except for Bellevue Parks Department, Bellevue Community Development Department, or any public utility entity, and located in all Land Use Districts in which multifamily dwellings are permitted.

**E. Density Bonus.**

1. Mixed-Income Multifamily Development as provided in subsection D.1 of this section may exempt one bonus market rate unit for each equivalent-sized affordable unit provided, up to 15 percent above the maximum density allowed in the underlying Land Use District.
2. Affordable Housing Development as provided in subsection D.2 of this section may receive a bonus of 50 percent above the maximum density allowed in the underlying Land Use District.

**F. Dimensional Standard Modification.**

1. Mixed-Income Multifamily Development as provided in subsection D.1 of this section may replace the dimensional requirements in LUC Chart 20.20.010 with Chart 20.20.128.F.1. Applicable dimensional requirements in LUC Chart 20.20.010 but not included in Chart 20.20.128.F.1 shall continue to apply, including applicable footnotes.

**Chart 20.20.128.F.1 Modified Dimensional Requirements for Mixed-Income Multifamily Development**

	Residential										
LAND USE CLASSIFICATION	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5	R-10	R-15	R-20	R-30
<b>DIMENSIONS</b>											
Minimum Lot Area (Thousands of Sq. Ft.)	30.4	17.4	11.7	8.7	7.4	6.3	4.1	8.5	8.5	8.5	8.5
Dwelling Units per Acre	1.2	2.1	2.9	4.0	4.6	5.8	8.6	11.5	17.3	23.0	34.5
Maximum Lot Coverage by Structures (percent)	35	35	35	35	40	40	40	40	40	40	40
Maximum Hard Surface Coverage (percent)	75	75	75	75	80	80	90	90	90	90	90
Maximum Impervious Surface (percent)	45	45	45	45	55	55	55	70	70	70	70

	Residential – Nonresidential Districts						
LAND USE CLASSIFICATION	O	OLB	OLB 2	NB	CB	F2	F3
<b>DIMENSIONS</b>							
Dwelling Units per Acre	23.0	34.5		17.3	34.5	34.5	34.5
Maximum Lot Coverage by Structures (percent)	40%	40%	40%	50%		40%	40%
Maximum Building Height	45	60	75	30	60	75	75/135
Floor Area Ratio			1.15				

- Affordable Housing Development as provided in subsection D.2 of this section may replace the dimensional requirements in LUC Chart 20.20.010 with Chart 20.20.128.F.2. Applicable dimensional requirements in LUC Chart 20.20.010 but not included in Chart 20.20.128.F.2 shall continue to apply, including applicable footnotes.

**Chart 20.20.128.F.2 Modified Dimensional Requirements for Affordable Housing Development**

	Residential										
LAND USE CLASSIFICATION	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5	R-10	R-15	R-20	R-30
<b>DIMENSIONS</b>											
Minimum Lot Area (Thousands of Sq. Ft.)	23.3	13.3	9.0	6.7	5.7	4.8	3.1	8.5	8.5	8.5	8.5
Dwelling Units per Acre	1.5	2.7	3.8	5.3	6.0	7.5	11.3	15.0	22.5	30.0	45.0
Maximum Lot Coverage by Structures (percent)	35	35	35	40	40	40	40	40	40	40	40
Maximum Hard Surface Coverage (percent)	75	75	75	75	80	80	90	90	90	90	90
Maximum Impervious Surface (percent)	45	45	45	55	55	55	65	70	70	70	70

	Residential – Nonresidential Districts						
LAND USE CLASSIFICATION	O	OLB	OLB 2	NB	CB	F2	F3
<b>DIMENSIONS</b>							
Dwelling Units per Acre	30.0	45.0		22.5	45.0	45.0	45.0
Maximum Lot Coverage by Structures (percent)	40%	40%	40%	50%		40%	40%
Maximum Building Height	45	60	75	30	60	75	75/135
Floor Area Ratio			1.5				

**G. Modification of Other Applicable Requirements.**

For eligible residential development as provided in subsection D of this section, the following requirements of the Land Use Code may be modified through the procedures outlined in subsection C of this section, to the extent necessary to accommodate Affordable Housing units on site:

1. **Parking Requirements.** The percent of compact parking stalls may be increased up to 75 percent of the total required parking. Tandem parking stalls are permitted to the extent feasible to satisfy required parking ratios.

2. **Building Height.** Except in Transition Areas and the Shoreline Overlay District, the maximum building height in R-10, R-15, R-20, and R-30 Land Use Districts may be increased by up to 12 feet for those portions of the building(s) at least 20 feet from any property line.
3. **Open Space.** The Open and Recreation Space Requirement within a residential Planned Unit Development may be reduced to 35 percent of gross land area. All other requirements of LUC 20.30D.160 shall continue to apply.

#### **H. Attached Housing within Subdivisions.**

Affordable Housing Development as provided in subsection D.2 may be permitted as attached multifamily dwelling units in single family land use districts when meeting the following criteria:

1. The attached multifamily dwelling units shall be reviewed through a subdivision, Chapter 20.45A LUC, or short subdivision, Chapter 20.45B LUC, process, provided nothing in this subsection shall affect the allowance to build attached multifamily dwelling units through a Planned Unit Development, Part 20.30D LUC;
2. Multifamily dwelling units within a subdivision or short subdivision may be considered as Unit Lot Subdivision, with each lot accommodating attached multifamily dwelling units as a Parent Lot and individual Unit Lots created for the attached multifamily dwelling unit, and shall also be reviewed for compliance with LUC 20.45A.065 for subdivisions or LUC 20.45B.057 for short subdivisions;
3. A proposal to create a Unit Lot Subdivision with a Parent Lot and Unit Lots may be reviewed as part of a single proposal for a subdivision or short subdivision;
4. An attached multifamily dwelling unit shall not be placed on or across any Parent Lot line within the subdivision or short subdivision;
5. The attached multifamily dwelling units may only be duplexes and triplexes;
6. No more than 50 percent of the units within the subdivision or short subdivision shall be attached multifamily dwelling units; and
7. The attached multifamily dwelling structure shall comply with all applicable dimensional requirements.

Section 7. Section 20.25A.070.C.2.a of the Bellevue Land Use Code is hereby amended to read as follows:

2. Affordable Housing Development Flexibility. A maximum of 1.0 FAR of floor area may be exempted to support the provision of Affordable Housing, minimum parking may be reduced, and additional development flexibility allowed, as provided below.
  - a. Up to 1.0 FAR of floor area dedicated to supporting the creation of on-site Affordable Housing shall not be counted for the purposes of calculating the FAR of a project; provided, that:
    - i. For every 1.0 square feet of Affordable Housing provided, 2.5 square feet is allowed for market-rate housing not to exceed a maximum of 1.0 FAR total; and
    - ii. The bedroom mix and exterior finishes shall be comparable to the market rate units, but interior design, unit size, amenities and interior finishes may vary.

....

Section 8. Section 20.25A.080.B Minimum/Maximum Parking Requirement by Use – Specified Uses of the Bellevue Land Use Code at Note 5 is hereby amended, to read as follows:

- (5) The minimum requirement for studio apartment units available to persons earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 stalls per unit.

Section 9. Section 20.25B.040.A.3 of the Bellevue Land Use Code is hereby amended to add a new item g, to read as follows:

3. Allowable Height Increase. Except in an R-10 or R-15 District, the height limitation may be increased up to maximum height with bonuses limitation indicated in subsection A.2 of this section only if one or more of the following items is provided, the decision criteria for Administrative Design Review are met, and the intent of the Transition Area Design District is maintained:

Item	Increase Allowed
a. Underbuilding parking:	5-foot increase
b. Basement parking:	10-foot increase
c. Pitched roof:	5-foot increase
d. Top floor stepback on all sides of at least 10 feet:	5-foot increase
e. No mechanical equipment on the roof:	5-foot increase
f. Existing grade at the proposed building line is at 10 feet below the existing grade at the property line of the property receiving transition:	5-foot increase
g. Affordable housing provided under LUC 20.20.128:	15-foot increase

Section 10. Section 20.25D.090.C.7 of the Bellevue Land Use Code at Chart 20.25D.090.C FAR Amenity Incentive System is hereby amended to read as follows:

AMENITY (1)	APPLICABLE ZONES AND BONUS (2)	DESIGN CRITERIA
	<b>MO-1, OR-1, OR-2, RC-1, RC-2, RC-3, CR, R</b>	
<b>TIER 1</b>		
<b>1. AFFORDABLE HOUSING*</b>  Threshold bonus for residential/mixed-use development.  *Floor area shall not be counted for the purpose of calculating FAR.	Rental: 4.6 sf bonus building area per sf of affordable rental housing at 80% median income. Owner: 7.2 sf bonus building area per sf of ownership affordable housing at 100% median income. Fee-in-lieu for Tier 1 residential: \$18 per sf bonus area.  Fee-in-lieu for nonresidential and Tier 2: \$15 per sf bonus area.	1. May be integrated into the same building as market rate housing, or in a stand-alone building on-site.  2. Design shall be generally consistent with associated market rate housing; provided, that unit size, amenities, and interior finishes may vary from market rate units; and further provided, that the bedroom mix and exterior finishes shall be comparable to the market rate units.
***		

Section 11. Section 20.25D.090.C.7 of the Bellevue Land Use Code at Chart 20.25D.090.C FAR Amenity Incentive System – Notes: Chart 20.25D.C FAR Amenity Incentive System is hereby amended to read as follows:

**Notes: Chart 20.25D.C FAR Amenity Incentive System:**

(1) Measured in square feet of permitted development for each qualifying developed square foot of amenity unless otherwise noted.

(2) Where a bonus is earned by payment of a fee-in-lieu, the fee-in-lieu amount established in Chart 20.25D.090.C as of May 26, 2009, will be reviewed annually, and, effective January 1st of each year, may be administratively increased or decreased by an adjustment to reflect the current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers as needed in order to maintain accurate costs for the region.

Section 12. Section 20.25D.120.B.2 Parking Standards for BelRed – Chart 20.25D.120.B.2 of the Bellevue Land Use Code at Notes applicable to parking standards for BelRed (Chart 20.25D.120.B.2) at Note 5 is hereby amended to read as follows:

(5) The minimum requirement for up to and including one bedroom apartment units available to persons earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 stalls per unit.

Section 13. Section 20.25P.060.B.2.a of the Bellevue Land Use Code is hereby amended to read as follows:

2. Floor Area Ratio. A maximum of 1.0 FAR (floor area ratio) may be exempted for Affordable Housing, public restrooms, open space, and special dedications as provided below. Provided, neither the combination nor the singular use of any of these methods shall exceed an exception of 1.0 FAR. Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating floor area.
  - a. In the EG-TOD land use district, up to 1.0 FAR of floor area dedicated to on-site Affordable Housing shall not be counted for the purposes of calculating the FAR of a project, provided that:
    - i. The Affordable Housing is provided at a ratio of 2.5 market rate units to 1 Affordable Housing unit; and
    - ii. The bedroom mix and exterior finishes shall be comparable to the market rate units, but interior design, unit size, amenities and interior finishes may vary.

Section 14. Section 20.25P.080.B.2 Parking Standards for EG-TOD Land Use District – Chart 20.25P.080.B.2 of the Bellevue Land Use Code at Chart 20.25P.080.B.2 Parking Standards for Eastgate Transit Oriented Development Land Use District at Note 5 of the Notes applicable to parking standards for EG-TOD (Chart 20.25P.080.B.2) is hereby amended to read as follows:

- (5) The minimum requirement for up to and including one bedroom apartment units available to persons earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 stalls per unit.

Section 15. Section 20.50.010 A definitions of the Bellevue Land Use Code is hereby amended to revise the definition of Affordable Housing to read as follows:

**Affordable Housing.** Housing used as the primary residence of an affordable housing qualified household. Unless otherwise specified, the price of affordable units is based on that amount a household can afford to pay for housing, when household income is less than 80 percent of the median annual income, adjusted for household size, as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area, and when the household pays no more than 30 percent of household income for housing expenses. Households with income less than 80 percent of the median annual income, adjusted for household size, may purchase or rent these affordable units. An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Recorder's Office, or its successor organization, requiring the affordable housing to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

Section 16. Section 20.50.010 A definitions of the Bellevue Land Use Code is hereby amended to remove the definition of Affordable Housing – Low Income.

Section 17. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 18. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this 6<sup>th</sup> day of December 2021 and signed in authentication of its passage this 6<sup>th</sup> day of December, 2021.

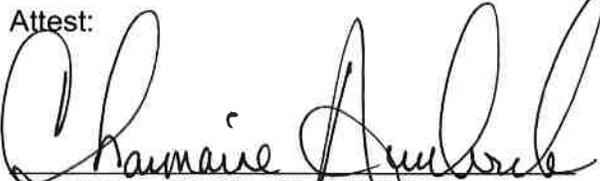
(SEAL)

  
\_\_\_\_\_  
Lynne Robinson, Mayor

Approved as to form:

Kathryn L. Gerla, City Attorney

  
\_\_\_\_\_  
Matthew McFarland, Assistant City Attorney

Attest:  
  
\_\_\_\_\_  
Charmaine Arredondo, City Clerk

Published: 12/9/21

## **City of Kenmore: Density Bonus Regulations for Properties owned by Religious Organization: 18.110.020.C.3**

### **18.110.020 General provisions.**

**3. In considering a request for an increased density bonus for affordable housing located on property owned or controlled by a religious organization per RCW [36.70A.545](#), a density bonus for a project providing *moderate-income affordable housing units* shall not exceed the maximum density allowed by the zoning district of the subject property. To achieve a greater density bonus, the project shall provide a significant proportion of *low-or very-low income affordable housing units*.**

**In no case shall a departure from the development standards be granted if no equivalent benefit to the City is provided.**

## **[City of Wenatchee Density Bonus Regulations for Properties owned by Religious Organization: 10.46.110\(3\)\(b\)](#)**

### **10.46.110 Density calculations and exceptions.**

(3) Exceptions to Density Standards. Exceptions to established density standards shall be granted in the following instances:

(a) When an exception is granted for a particular use described in Chapter [10.47](#) WCC.

**(b) Additional density may be granted for affordable housing pursuant to RCW [35A.63.300](#) when local needs can be demonstrated compliant with the comprehensive plan. (Ord. 2020-35 § 3 (Ex. A); Ord. 2019-35 § 5)**



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**CITY OF SEATTLE**  
**ORDINANCE** 126384  
**COUNCIL BILL** 120081

AN ORDINANCE relating to affordable housing on properties owned or controlled by religious organizations; modifying existing development standards to facilitate creation of affordable housing; amending Section 23.45.504 of the Seattle Municipal Code, renumbering Section 23.44.009 of the Seattle Municipal Code as Section 23.44.007 and Section 23.44.019 as Section 23.44.009; and adding new Sections 23.42.055, 23.44.019, 23.45.550, 23.47A.040, 23.48.100, and 23.49.037 to the Seattle Municipal Code.

WHEREAS, Seattle has an acute shortage of and need for housing affordable to households with low incomes, particularly extremely low-income households; and

WHEREAS, roughly one in seven Seattle households pays more than 30 percent of their income toward housing costs, a phenomenon called housing cost burden, which leaves very little to pay for other basic necessities like food, transportation, healthcare, and child care; and

WHEREAS, housing cost burden is particularly high for Black households, half of which in 2018 paid more than 30 percent of their income toward housing costs; and

WHEREAS, from 2006 to 2018 the share of rental housing in Seattle affordable to low-, very low-, and extremely low-income households fell from more than 80 percent to less than half; and

WHEREAS, in 2019, with support from leaders in Seattle’s religious communities, the Washington State Legislature adopted Substitute House Bill 1377 (SHB 1377), requiring cities and counties to allow additional residential density for long-term affordable housing on property owned or controlled by a religious organization; and



1 WHEREAS, Seattle’s faith institutions have a long history of supporting and creating affordable  
2 housing for low-income families and individuals, with the help of the City’s housing levy  
3 and other public funds; and

4 WHEREAS, religious organizations own property in multifamily, mixed-use, and single-family  
5 zones throughout Seattle, including many underdeveloped sites that could be feasible for  
6 affordable housing, provided adequate development capacity is available; and

7 WHEREAS, the City, through the Office of Housing, has helped finance hundreds of affordable  
8 rental apartments on land availed by faith-based organizations; and

9 WHEREAS, while religious organizations may be motivated, as a matter of mission, to  
10 redevelop their land into affordable housing, their property may not be ideal for  
11 residential development under existing regulations if, among other reasons, it lacks  
12 sufficient development capacity for a financially feasible multifamily project; and

13 WHEREAS, existing land use policy can increase the cost of affordable housing development,  
14 delay project delivery, introduce uncertainty into feasibility calculations, restrict areas of  
15 the city where affordable housing investment is viable, limit the opportunity to leverage  
16 scarce land available for affordable housing, or render a project altogether infeasible,  
17 particularly for projects seeking public funding; and

18 WHEREAS, several faith institutions have expressed interest in redeveloping their property with  
19 long-term affordable housing under the provisions required under SHB 1377; NOW,  
20 THEREFORE,

21 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

22 Section 1. A new Section 23.42.055 is added to the Seattle Municipal Code as follows:

23 **23.42.055 Low-income housing on property owned or controlled by a religious organization**



1           A. This Section 23.42.055 establishes the requirements for developments using  
2 alternative development standards for low-income housing on property owned or controlled by a  
3 religious organization where allowed by the provisions of the zone.

4           B. Eligible property. The property must be owned or controlled by a religious  
5 organization at the date of the permit application.

6           C. Affordability requirements

7                   1. Eligible households. All dwelling units or congregate residence sleeping rooms  
8 permitted pursuant to this Section 23.42.055 shall serve only:

9                           a. For rental units,

10                                   1) In development with a complete Master Use Permit application,  
11 if required, or complete building permit application filed by July 1, 2022, households with  
12 incomes no greater than 80 percent of median income, adjusted by household size, or

13                                   2) In development with a complete Master Use Permit application,  
14 if required, or complete building permit application filed after July 1, 2022, households with  
15 incomes no greater than 80 percent of median income, adjusted by household size, and average  
16 household income across all units in the project no greater than 60 percent of median income.

17                           b. For ownership units, households with incomes no greater than 80  
18 percent of median income, adjusted by household size.

19                   2. Duration. The obligation to provide dwelling units meeting the requirements of  
20 subsection 23.42.055.B shall last for a period of 50 years from the date of the certificate of  
21 occupancy or, if a certificate of occupancy is not required, from the date of the final building  
22 permit inspection for the development to which this Section 23.42.055 applies.



1                   3. Affordable rent. Monthly rent shall not exceed 30 percent of 80 percent of  
2 median income. For purposes of this subsection 23.44.055.C.3, "monthly rent" includes a utility  
3 allowance for heat, gas, electricity, water, sewer, and refuse collection, to the extent such items  
4 are not paid for tenants by the owner, and any recurring fees that are required as a condition of  
5 tenancy.

6                   4. Affordable sale price

7                   a. Affordable price – initial sales. The initial affordable sale price must be  
8 an amount in which total ongoing housing costs do not exceed 30 percent of 80 percent of  
9 median income. The Director of Housing will establish by rule the method for calculating the  
10 initial sale price including standard assumptions for determining upfront housing costs, including  
11 the down payment, and ongoing housing costs, which must include mortgage principal and  
12 interest payments, homeowner's insurance payments, homeowner or condominium association  
13 dues and assessments, and real estate taxes and other charges included in county tax billings. The  
14 Director of Housing may establish by rule a maximum down payment amount.

15                   b. Affordable price – resales. Eligible households for purchase of an  
16 ownership unit subsequent to the initial sale must have incomes no greater than 80 percent of  
17 median income at initial occupancy. The Office of Housing will establish by rule the formula for  
18 calculating maximum affordable prices for sales subsequent to the initial sale to allow modest  
19 growth in homeowner equity while maintaining long-term affordability for future buyers.

20                   D. Agreement. As a condition of building permit issuance for a development according to  
21 this Section 23.42.055, the property owner and the City must enter into an agreement in a form  
22 acceptable to the City that includes housing covenants consistent with this Section 23.42.055 and



1 the final plan set approved by the Department. The agreement must be recorded on the title of the  
 2 property on which the low-income housing development is located.

3 E. Applicability. The alternative development standards for low-income housing on  
 4 property owned or controlled by a religious organization that are available in each zone may be  
 5 applied to projects that vested according to Section 23.76.026, prior to the effective date of this  
 6 ordinance in accordance with subsection 23.76.026.G.

7 Section 2. Section 23.44.009 of the Seattle Municipal Code, enacted by Ordinance  
 8 125791, is renumbered to 23.44.007:

9 **~~((23.44.009))~~ 23.44.007 Mandatory Housing Affordability in RSL zones**

10 RSL zones that have a mandatory housing affordability suffix are subject to the provisions of  
 11 Chapters 23.58B and 23.58C.

12 Section 3. Section 23.44.019 of the Seattle Municipal Code, enacted by Ordinance  
 13 125791, is renumbered to 23.44.009:

14 **~~((23.44.019))~~ 23.44.009 Design standards in RSL zones**

15 In RSL zones, the following provisions apply:

16 A. Pedestrian access at least 3 feet in width shall be provided between each principal  
 17 structure and the street. This access may be over a driveway and may cross any required yards or  
 18 interior separation. The pedestrian access may be part of a driveway, provided that the pathway  
 19 is differentiated from the driveway by pavement color, texture, or similar technique.

20 B. Each dwelling unit with a street-facing facade that is located within 40 feet of a street  
 21 lot line shall have a pedestrian entry on that street-facing facade. The pedestrian entry shall be  
 22 marked with a covered stoop, porch, or other similar architectural entry feature.

23 Section 4. A new Section 23.44.019 is added to the Seattle Municipal Code as follows:



1 **23.44.019 Alternative development standards for low-income housing on property owned**  
2 **or controlled by a religious organization**

3 In lieu of meeting development standards contained in subsection 23.44.010.A (minimum lot  
4 area), subsection 23.44.010.C (maximum lot coverage), subsection 23.44.011.B (floor area),  
5 subsection 23.44.012.A (height), and Section 23.44.017 (density), a proposed development that  
6 meets the requirements of Section 23.42.055 and subsection 23.44.019.A may elect to meet the  
7 alternative development standards in subsection 23.44.019.B through subsection 23.44.019.F.

8 A. Lot requirements

9 1. Development on a lot that meets one of the following criteria, but does not  
10 meet the additional requirements in subsection 23.44.019.A.2, may meet the alternative  
11 development standards in subsection 23.44.019.B and subsection 23.44.019.D through  
12 subsection 23.44.019.F:

13 a. The lot has or abuts a lot with a religious facility or other use accessory  
14 to a religious facility; or

15 b. The lot area is 10,000 square feet or greater; or

16 c. The lot is in an RSL zone.

17 2. Development on a lot that meets the following additional requirements may  
18 meet the alternative development standards in subsection 23.44.019.C and subsection  
19 23.44.019.D through subsection 23.44.019.F:

20 a. The lot area is 10,000 square feet or greater;

21 b. The lot is in an urban village, within 1/4 mile (1,320 feet) of an urban  
22 village, or within 1/4 mile (1,320 feet) of a transit stop or station served by a frequent transit  
23 route on the map required by subsection 23.54.015.B.4; and



1 c. The lot meets one of the following locational criteria:

2 1) The lot abuts, is located on a block front with, or is located  
3 across a right-of-way from a zone not designated a single-family zone; or

4 2) No lot line is located within 50 feet of a single-family dwelling  
5 unit.

6 B. Proposed development on lots meeting the criteria in subsection 23.44.019.A.1 but not  
7 subsection 23.44.019.A.2 may meet the following development standards:

8 1. The minimum lot area per dwelling unit is 1,500 square feet in SF 5000, SF  
9 7200, and SF 9600 zones and 1,200 square feet in RSL zones.

10 2. The maximum lot coverage is 50 percent of lot area in SF 5000, SF 7200, and  
11 SF 9600 zones and 65 percent in RSL zones.

12 3. The maximum FAR limit is 1.0 in SF 5000, SF 7200, and SF 9600 zones and  
13 1.2 in RSL zones. The applicable FAR limit applies to the total chargeable floor area of all  
14 structures on the lot.

15 4. In SF 5000, SF 7200, and SF 9600 zones, the maximum height for a proposed  
16 development that exceeds the maximum lot coverage limit in subsection 23.44.010.C is 22 feet.  
17 The maximum height for all other developments is 30 feet.

18 C. Proposed development on lots meeting the criteria in subsection 23.44.019.A.2 may  
19 meet the following development standards:

20 1. The minimum lot area per dwelling unit is 400 square feet.

21 2. The maximum lot coverage is 50 percent of lot area in SF 5000, SF 7200, and  
22 SF 9600 zones and 65 percent in RSL zones.



1                   3. The maximum height limit is 40 feet in SF 5000, SF 7200, and SF 9600 zones  
2 and 50 feet in RSL zones.

3                   4. The maximum FAR limit is 2.0 in SF 5000, SF 7200, and SF 9600 zones and  
4 3.0 in RSL zones. The applicable FAR limit applies to the total chargeable floor area of all  
5 structures on the lot.

6                   D. Permitted uses. In addition to the uses listed in Section 23.44.006, the following uses  
7 are permitted outright on lots meeting the requirements of this Section 23.44.019: apartments,  
8 cottage housing development, rowhouse development, and townhouse development.

9                   E. Setback requirements. In addition to the yard requirements of Section 23.44.014, the  
10 following standards apply:

11                   1. No structure shall be closer than 10 feet to a side lot line of an abutting single-  
12 family-zoned lot.

13                   2. No structure shall be closer than 20 feet to a rear lot line of an abutting single-  
14 family-zoned lot.

15                   3. No structure shall be closer than 5 feet to any lot line.

16                   F. Maximum facade length. The maximum combined length of all portions of a facade  
17 within 20 feet of a lot line of an abutting single-family-zoned lot may not exceed 40 feet.

18 Maximum facade length shall be measured as described in Section 23.86.015.

19                   Section 5. Section 23.45.504 of the Seattle Municipal Code, last amended by Ordinance  
20 125558, is amended as follows:

21 **23.45.504 Permitted and prohibited uses**

22                   A. All uses are permitted outright, prohibited, or permitted as a conditional use according  
23 to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A for



1 23.45.504 are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A,  
 2 23.51B, or 23.57. Communication utilities and accessory communication devices, except as  
 3 exempted in Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional  
 4 regulations in Chapter 23.57. Public facilities are subject to the regulations in Section  
 5 23.51A.004.

6 B. All permitted uses are allowed as a principal use or as an accessory use, unless  
 7 otherwise indicated in this Chapter 23.45.

<b>Table A for 23.45.504</b>		
<b>Permitted and ((Prohibited Uses)) <u>prohibited uses</u></b>		
	<b>Permitted and prohibited uses by zone</b>	
<b>Uses</b>	<b>LR1, LR2, and LR3</b>	<b>MR and HR</b>
A. Residential use except as listed below	P	P
A.1. Congregate residence	X/P <sup>1</sup>	P/X <sup>2</sup>
B. Institutions	P/CU <sup>3</sup>	P/CU <sup>3</sup>
C. Uses in existing or former public schools		
C.1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly, and similar uses in existing or former public schools	P	P
C.2. Other non-school uses in existing or former public schools	Permitted pursuant to procedures established in Chapter 23.78	Permitted pursuant to procedures established in Chapter 23.78
D. Park and ride facilities		
D.1. Park and ride facilities on surface parking lots	X/CU <sup>4</sup>	X/CU <sup>4</sup>
D.2. Park and ride facilities in parking garages	X/P <sup>5</sup>	X/P <sup>5</sup>
E. Parks and playgrounds including customary uses	P	P
F. Ground-floor commercial uses	RC/P <sup>6</sup>	RC/P <sup>6,7</sup>



**Table A for 23.45.504**  
**Permitted and ~~((Prohibited Uses))~~ prohibited uses**

Uses	Permitted and prohibited uses by zone	
	LR1, LR2, and LR3	MR and HR
G. Medical service uses other than permitted ground-floor commercial uses	P/X (( <sup>7</sup> )) <sup>8</sup>	P/CU/X (( <sup>7</sup> )) <sup>8</sup>
H. Uses not otherwise permitted in <del>((landmark))</del> <u>Landmark</u> structures	CU	CU
I. Cemeteries	P/X (( <sup>8</sup> )) <sup>9</sup>	P/X (( <sup>8</sup> )) <sup>9</sup>
J. Community gardens	P	P
K. Parking, flexible-use	X/P (( <sup>9</sup> )) <sup>10</sup>	P (( <sup>9</sup> )) <sup>10</sup>
L. All other uses	X	X



**Table A for 23.45.504**  
**Permitted and ((Prohibited Uses)) prohibited uses**

Uses	Permitted and prohibited uses by zone	
	LR1, LR2, and LR3	MR and HR

Footnotes to Table A for 23.45.504

<sup>1</sup> Congregate residences that are owned by a college or university; or are a sorority or fraternity; or are owned by a not-for-profit entity or charity; or are licensed by the State and provide on-site supportive services for seniors or persons with disabilities; are permitted outright. All others are prohibited. Supportive services include meal service, cleaning service, health services, or similar.

<sup>2</sup> Congregate residences that are owned by a college or university; or are a sorority or fraternity; or are owned by a not-for-profit entity or charity; or are licensed by the State and provide on-site supportive services for seniors or persons with disabilities; are permitted outright. All others are permitted only in locations within urban villages and urban centers. Supportive services include meal service, cleaning service, health services, or similar.

<sup>3</sup> Institutions meeting development standards are permitted outright; all others are administrative conditional uses pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institution uses as provided in Chapter 23.69.

<sup>4</sup> Prohibited in Station Area Overlay Districts (SAODs); otherwise, permitted as an administrative conditional use pursuant to Section 23.45.506 on surface parking existing as of January 1, 2017.

<sup>5</sup> Prohibited in LR1 and LR2 zones, including LR1/RC and LR2/RC. Permitted outright in LR3, MR, HR, and LR3/RC zones, except prohibited in the SAOD.

<sup>6</sup> Permitted in development that meets the requirements of Section 23.42.055 and Chapter 23.46 even if it is not located in a zone that includes an RC designation.

<sup>7</sup> Subject to subsection 23.45.504.E except in zones that include an RC designation.

((<sup>7</sup>))<sup>8</sup> Subject to subsections 23.45.504.G and 23.45.506.F.

((<sup>8</sup>))<sup>9</sup> Subject to subsection 23.45.504.F.

((<sup>9</sup>))<sup>10</sup> Prohibited in LR1 and LR2 zones. Permitted outright in all other multifamily zones as surface parking on surface parking lots existing as of January 1, 2017; permitted outright in garages; subject to Section 23.54.026.

P = Permitted outright

CU = Permitted as an Administrative Conditional Use

RC = Permitted in areas zoned Residential Commercial (RC), and subject to the provisions of the RC zone, Chapter 23.46

X = Prohibited

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E. Ground-floor commercial use

1. Drive-in businesses are prohibited, as either a principal or accessory use.



1                                    2. The following uses are permitted as ground-floor commercial uses in  
 2 ((Midrise)) MR and ((Highrise)) HR zones pursuant to Section 23.45.532:  
 3                                    a. Business support services;  
 4                                    b. Food processing and craft work;  
 5                                    c. General sales and services;  
 6                                    d. Medical services;  
 7                                    e. Offices;  
 8                                    f. Restaurants; and  
 9                                    g. Live-work with one of the uses permitted in this subsection 23.45.504.E  
 10 as the permitted commercial use.

11                                    F. Existing cemeteries are permitted to continue in use. New cemeteries are prohibited  
 12 and existing cemeteries are prohibited from expanding. For purposes of this ((section)) Section  
 13 23.45.504, a change in a cemetery boundary is not considered an expansion in size and is  
 14 permitted provided that:

- 15                                    1. ((the)) The change does not increase the net land area occupied by the  
 16 cemetery;
- 17                                    2. ((the)) The land being added to the cemetery is contiguous to the existing  
 18 cemetery and is not separated from the existing cemetery by a public street or alley whether or  
 19 not improved; and
- 20                                    3. ((the)) The use of the land being added to the cemetery will not result in the  
 21 loss of housing.

22                                    G. Except as provided in subsections 23.45.504.G.1 and 23.45.504.G.2 below, medical  
 23 service uses other than permitted ground-floor commercial uses are prohibited.



1                   1. Medical service uses in HR zones may be permitted as administrative  
2 conditional uses pursuant to subsection 23.45.506.F.

3                   2. Medical service uses meeting the development standards for institutions are  
4 permitted outright on property conveyed by a deed from the City that, at the time of conveyance,  
5 restricted the property's use to a health care or health-related facility.

6                   H. Fences and free-standing walls of utility services uses shall be set back from the street  
7 lot line by an average of 7 feet((;-)) and be no less than 5 feet from the street lot line at any point.  
8 Landscaping shall be provided between the fence or wall and the street lot line. The Director  
9 may reduce this setback after finding that the reduced setback will not significantly increase  
10 project impacts, including but not limited to noise, odor, and the scale of the structure in relation  
11 to nearby buildings. Acceptable methods to reduce fence or wall impacts include changes in the  
12 height, design or construction of the fence or wall, including the use of materials, architectural  
13 detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual  
14 interest facing the street lot line. Fences and walls may obstruct or allow views to the interior of  
15 a site. Where site dimensions and conditions allow, applicants are encouraged to provide both a  
16 landscaped setback between the fence or wall and the right-of-way, and a fence or wall that  
17 provides visual interest facing the street lot line, through the height, design or construction of the  
18 fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises,  
19 decorative fencing, or similar features.

20                   Section 6. A new Section 23.45.550 is added to the Seattle Municipal Code as follows:

21 **23.45.550 Alternative development standards for low-income housing on property owned**  
22 **or controlled by a religious organization**



1 In lieu of meeting development standards contained in subsections 23.45.510.B and 23.45.510.C  
 2 (floor area), subsections 23.45.512.A and 23.45.512.B (density), and subsections 23.45.514.A  
 3 and 23.45.514.B (height), a proposed development that meets the requirements of Section  
 4 23.42.055 may elect to meet the alternative development standards in this Section 23.45.550.

5 A. Floor area

6 1. Development permitted pursuant to Section 23.42.055 is subject to the FAR  
 7 limits as shown in Table A for 23.45.550.

<b>Table A for 23.45.550</b>		
<b>FAR limits for development permitted pursuant to Section 23.42.055</b>		
<b>Zone</b>	<b>Base FAR</b>	<b>Maximum additional exempt FAR<sup>1</sup></b>
LR1	1.5	0.3
LR2	1.8	0.3
LR3 outside urban centers and urban villages	2.5	0.5
LR3 inside urban centers and urban villages	3.25	0.5
MR	5.0	0.5
HR	16	1.0
Footnote to Table A for 23.45.550 <sup>1</sup> Gross floor area for uses listed in subsection 23.45.550.B.2 are exempt from FAR calculations up to this amount.		

8  
 9 2. In addition to the FAR exemptions in subsection 23.45.510.D, an additional  
 10 FAR exemption up to the total amount specified in Table A for 23.45.550 is allowed for any  
 11 combination of the following floor area:

- 12 a. Floor area in units with two or more bedrooms and a minimum net unit
- 13 area of 850 square feet;
- 14 b. Floor area of a religious facility; and



1 c. Floor area in a structure designated as a Landmark pursuant to Chapter  
 2 25.12; and

3 d. Any floor area in a development located within 1/4 mile (1,320 feet) of  
 4 a transit stop or station served by a frequent transit route as defined in subsection 23.54.015.B.4.

5 3. Split-zoned lots

6 a. On lots located in two or more zones, the FAR limit for the entire lot  
 7 shall be the highest FAR limit of all zones in which the lot is located, provided that:

8 1) At least 65 percent of the total lot area is in the zone with the  
 9 highest FAR limit;

10 2) No portion of the lot is located in a single-family zone; and

11 3) A minimum setback of 10 feet applies for any lot line that abuts  
 12 a lot in a single-family zone.

13 b. For the purposes of this subsection 23.45.550.A.3, the calculation of the  
 14 percentage of a lot or lots located in two or more zones may include lots that abut and are in the  
 15 same ownership at the time of the permit application.

16 B. Maximum height

17 1. Development permitted pursuant to Section 23.42.055 is subject to the height  
 18 limits as shown in Table B for 23.45.550.

<b>Table B for 23.45.550</b>	
<b>Structure height for development permitted pursuant to Section 23.42.055</b>	
<b>Zone</b>	<b>Height limit (in feet)</b>
LR1	40
LR2	50
LR3 outside urban centers and urban villages	55
LR3 inside urban centers and urban villages	65





1                    1. The applicable height limit for development permitted pursuant to Section  
 2 23.42.055 in NC zones and C zones as designated on the Official Land Use Map, Chapter 23.32  
 3 is increased as shown in Table A for 23.47A.040.

<b>Table A for 23.47A.040</b>	
<b>Additional height for development permitted pursuant to Section 23.42.055</b>	
<b>Mapped height limit (in feet)</b>	<b>Height limit (in feet)</b>
30	55
40	75
55	85
65	95
75	95
85	145
95	145
145	200
200	240

4                    2. Split-zoned lots

5                    a. On lots located in two or more zones, the height limit for the entire lot

6 shall be the highest height limit of all zones in which the lot is located, provided that:

7                    1) At least 65 percent of the total lot area is in the zone with the

8 highest height limit;

9                    2) No portion of the lot is located in a single-family zone; and

10                    3) A minimum setback of 10 feet applies for any lot line that abuts

11 a lot in a single-family zone.

12                    b. For the purposes of this subsection 23.47A.040.A.2, the calculation of

13 the percentage of a lot or lots located in two or more zones may include lots that abut and are in

14 the same ownership at the time of the permit application.

15                    B. Floor area



1 1. Development permitted pursuant to Section 23.42.055 is subject to the FAR  
 2 limits as shown in Table B for 23.47A.040.

**Table B for 23.47A.040**

**FAR limits for development permitted pursuant to Section 23.42.055**

<b>Mapped height limit (in feet)</b>	<b>FAR limit for development that does not exceed mapped height limit</b>	<b>FAR limit for development that exceeds mapped height limit</b>	<b>Maximum additional exempt FAR<sup>1</sup></b>
30	2.75	3.25	0.5
40	3.5	4.5	0.5
55	4.25	5.25	0.5
65	5.25	5.75	0.5
75	5.75	5.75	0.5
85	6.25	7.0	1.0
95	6.5	7.0	1.0
145	7.25	8.0	1.0
200	8.5	9.0	1.0

Footnote to Table A for 23.47A.040

<sup>1</sup> Gross floor area for uses listed in subsection 23.47A.040.B.2 are exempt from FAR calculations up to this amount.

3 2. In addition to the FAR exemptions in subsection 23.47A.013.B, an additional  
 4 FAR exemption up to the total amount specified in Table B for 23.47A.040 is allowed for any  
 5 combination of the following floor area:  
 6 a. Floor area in units with two or more bedrooms and a minimum net unit  
 7 area of 850 square feet;  
 8 b. Floor area of a religious facility;  
 9 c. Floor area in a structure designated as a Landmark pursuant to Chapter  
 10 25.12; and  
 11 d. Any floor area in a development located within 1/4 mile (1,320 feet) of  
 12 a transit stop or station served by a frequent transit route as defined in subsection 23.54.015.B.4.



1                   3. Split-zoned lots

2                           a. On lots located in two or more zones, the FAR limit for the entire lot  
3 shall be the highest FAR limit of all zones in which the lot is located, provided that:

4                                   1) At least 65 percent of the total lot area is in the zone with the  
5 highest FAR limit;

6                                   2) No portion of the lot is located in a single-family zone; and

7                                   3) A minimum setback of 10 feet applies for any lot line that abuts  
8 a lot in a single-family zone.

9                           b. For the purposes of this subsection 23.47A.040.B.3, the calculation of  
10 the percentage of a lot or lots located in two or more zones may include lots that abut and are in  
11 the same ownership at the time of the permit application.

12                   C. Upper-level setback. An upper-level setback of 8 feet from the lot line is required for  
13 any street-facing facade for portions of a structure exceeding the mapped height limit designated  
14 on the Official Land Use Map, Chapter 23.32.

15                   Section 8. A new Section 23.48.100 is added to the Seattle Municipal Code as follows:

16 **23.48.100 Alternative development standards for low-income housing on property owned**  
17 **or controlled by a religious organization**

18 A proposed development that meets the requirements of Section 23.42.055 may achieve  
19 additional height and FAR as provided in this Section 23.48.100.

20                   A. Maximum height. The applicable maximum height limit for residential uses in  
21 development permitted pursuant to Section 23.42.055 in Seattle Mixed zones is increased by the  
22 following amounts:

23                           1. For zones with a mapped maximum height limit of 85 feet or less, 20 feet.



1                    2. For zones with a mapped maximum height limit greater than 85 feet, 40 feet.

2                    B. Floor area. The applicable maximum FAR limit for residential uses in development  
3 permitted pursuant to Section 23.42.055 in Seattle Mixed zones is increased by the following  
4 amounts:

5                    1. For zones with a mapped maximum residential height limit of 85 feet or less,  
6 1.5 FAR.

7                    2. For zones with a mapped maximum residential height limit greater than 85 feet,  
8 3.0 FAR.

9                    Section 9. A new Section 23.49.037 is added to the Seattle Municipal Code as follows:

10 **23.49.037 Alternative development standards for low-income housing on property owned**  
11 **or controlled by a religious organization**

12 In lieu of meeting development standards contained in 23.49.008.A (height) and 23.49.011.A.1  
13 (floor area), a proposed development that meets the affordability and eligibility requirements of  
14 Section 23.42.055 may elect to meet the alternative development standards in this Section  
15 23.49.037.

16                    A. Maximum height. The applicable maximum height limit for residential uses in  
17 development permitted pursuant to Section 23.42.055 in Downtown zones is increased by the  
18 following amounts:

19                    1. For zones with a mapped maximum height limit of 85 feet or less, 20 feet.

20                    2. For zones with a mapped maximum height limit greater than 85 feet, 40 feet.

21                    B. Floor area. The applicable maximum FAR limit for residential uses in development  
22 permitted pursuant to Section 23.42.055 in Downtown zones is increased by the following  
23 amounts:



- 1                   1. For zones with a mapped maximum height limit of 85 feet or less, 1.5 FAR.
- 2                   2. For zones with a mapped maximum height limit greater than 85 feet, 3.0 FAR.

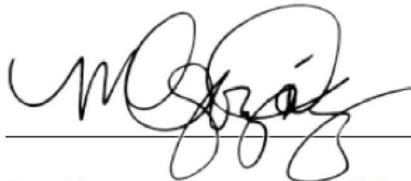
3                   Section 10. The Council requests that the Office of Housing, in coordination with the  
4 Seattle Department of Construction and Inspections, by March 31, 2022, and then annually for  
5 five years thereafter, provide a report to the City Council on all permits issued for developments  
6 that used the provisions provided in subsection 23.42.055 during the prior 12-month period. The  
7 report should include information on the property (such as the size of the lot and the zoning  
8 designations), the affordability levels, whether the project received City funding to support the  
9 development, and the ownership structures of the property at the time the permit application was  
10 filed, and if known, the ownership structure after a certificate of occupancy is issued or the  
11 project passes final inspection.

12



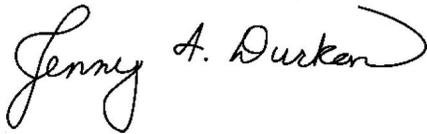
1 Section 11. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 28th day of June, 2021,  
5 and signed by me in open session in authentication of its passage this 28th day of  
6 June, 2021.

7 

8 President \_\_\_\_\_ of the City Council

9  Approved /  returned unsigned /  vetoed this 9th day of July, 2021.

10 

11 Jenny A. Durkan, Mayor

12 Filed by me this 9th day of July, 2021.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Special Meeting Agenda Bill

**MEETING DATE:** February 10, 2022

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (7:50 PM) Interim Planning Director's Report

**SUMMARY:** Review topics of interest to the Planning Commission.

**AGENDA CATEGORY:** Presentation

**PROPOSED BY:** Planning & Community Development

**RECOMMENDED MOTION:** Review topics of interest to the Planning Commission

**STRATEGIC PRIORITY:**

**FISCAL IMPACT:**

<b>Amount:</b>	
<b>Ongoing Cost:</b>	
<b>One-Time Cost:</b>	
<b>Included in Current Budget?</b>	

**BACKGROUND:**

**ATTACHMENTS:**

[PCD Director's Report 02102022.pdf](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



CITY OF  
BAINBRIDGE ISLAND

Planning & Community Development  
Department  
Director's Report to Planning Commission

February 10, 2022

# City Council – February 8 Meeting

February 8, 2022

- Accepted the Housing Action Plan Grant Contract from Dept. of Commerce
- Public Hearing held on Housing Design Demonstration Program Project (Ordinance No. 2022-01)
- Received the University of Washington Presentation on UW Livable Cities Program for the Winslow Master Plan
- Discussed Proposal to Review, Remove, or Substantially Modify BIMC 2.16.210 Subarea Planning Process
- Reviewed the Approach to the Winslow Master Plan Preparation
- Reviewed the Housing Action Plan Scope of Work for Consultant Services

# Planning Commission – Upcoming

- Climate Action Plan Presentation- 2022 Implementation Measures (February 24)
- Public Hearing on Religious Facilities Affordable Housing Pilot Program (March 10)

# Other Planning Commission Updates

- 2022 Planning Commission Appointments Process

Thank you!