



CITY OF
BAINBRIDGE ISLAND

**PLANNING COMMISSION SPECIAL MEETING
THURSDAY, MAY 12, 2022**

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

[HTTPS://BAINBRIDGEWA.ZOOM.US/J/97340072620](https://bainbridgewa.zoom.us/j/97340072620)

OR ONE TAP MOBILE :

US: +12532158782,,97340072620# OR +13462487799,,97340072620#

OR TELEPHONE:

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

US: +1 253 215 8782 OR +1 346 248 7799 OR +1 720 707 2699 OR +1 646 558 8656 OR +1 301 715 8592

OR +1 312 626 6799

WEBINAR ID: 973 4007 2620

INTERNATIONAL NUMBERS AVAILABLE: [HTTPS://BAINBRIDGEWA.ZOOM.US/U/KEH9VIDNVY](https://bainbridgewa.zoom.us/j/97340072620)

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 (6:05PM) Review and approve draft minutes from the April 14, 2022 Planning Commission Special Meeting 10 Minutes

[April14DraftMinuteswithRecordedMotions.pdf](#)

3. PUBLIC COMMENT - 6:10 PM

4. PUBLIC PARTICIPATION MEETING - 6:15 PM

4.a (6:15PM) Public Participation Meeting- Housing Resources Bainbridge PLN52178 PRE 45 Minutes

[HRB Ericksen Context map, site photos, site plan, conceptual landscape.pdf](#)

[HRB Ericksen_Project Narrative](#)

[HRB Ericksen_Zoning Summary](#)

[PLN52178 PRE Housing Resources Bainbridge preapplication summary letter.pdf](#)

5. UNFINISHED BUSINESS - 7:00 PM

- 5.a (7:00 PM) Discuss Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) relating to revising the Housing Design Demonstration Project Program - Planning, 45 Minutes
Staff Memo.pdf
Draft Ordinance No. 2022-01 formerly No. 2021-35_ Revising HDDP Program.docx
Exhibit A to BIMC 2.16.020.S. HDDP.docx
Feb 8 2022 Council Mtg Minutes.pdf

6. PLANNING DIRECTOR'S REPORT - 8:00 PM

7. FOR THE GOOD OF THE ORDER - 8:10 PM

8. ADJOURNMENT - 8:15 PM

GUIDING PRINCIPLES

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

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

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

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

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

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

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

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



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

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



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: May 12, 2022

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (6:05PM) Review and approve draft minutes from the April 14, 2022 Planning Commission Special Meeting

SUMMARY: Review and approve minutes from the April 14, 2022 meeting.

AGENDA CATEGORY: Minutes

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION: I move to approve the April 14, 2022 draft meeting minutes.

STRATEGIC PRIORITY:

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[April14DraftMinuteswithRecordedMotions.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting April 14, 2022 Meeting Minutes

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

Chair Sarah Blossom called the meeting to order and read the Land Acknowledgement at 6:01 PM. Commissioners in attendance were Yesh Subramanian, William Chester, Ashley Mathews, Ben Dienes, Lisa Macchio and Ariel Birtley.

City Council Liaison Jon Quitslund was in attendance as well as the following City Staff: Interim Planning and Community Development Director Mark Hofman, Senior Planner Jennifer Sutton and Climate Adaptation Officer Autumn Salamack. Administrative Specialist Maria Dozeman monitored the recording and prepared minutes.

The agenda was reviewed and Commissioner Deines disclosed that his parents are members of Bethany Lutheran Church. He recused himself from Agenda Item #6.

2) **PLANNING COMMISSION MEETING MINUTES**

2.a March 24, 2022 Planning Commission Special Meeting Draft Minutes

[Cover Page](#)

[MARCH24DRAFTMINUTES.pdf](#)

Motion: I move to approve the minutes from March 24, 2022.

Mathews/Chester

The motion carried 6-0

3) **PUBLIC COMMENT**

3.a Public Comment

[Cover Page](#)

[Instructions_for_Providing_Public_Comment_at_Remote_Meetings__PlanningCommission.pdf](#)

Mr. Jim Halbrook gave public comment regarding the Climate Action Plan.

4) **PRESENTATION -**

4.a Climate Action Plan Update, presented by Autumn Salamack

[Cover Page](#)

CAP Implementation Update - Planning Commission 04.14.22.pdf

5) NEW BUSINESS - Presentation given by Jennifer Sutton

5.a Overview of Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) relating to revising the Housing Design Demonstration Project Program - Planning,

Cover Page

Staff Memo.docx

Draft Ordinance No. 2022-01 formerly No. 2021-35_ Revising HDDP Program.docx

Exhibit A to BIMC 2.16.020.S. HDDP.docx

Feb 8 2022 Council Mtg Minutes.pdf

6) UNFINISHED BUSINESS

6.a Discuss 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

Ordinance No. 2022-02 Exhibit A.pdf

Commissioner Macchio Motions to amend Whereas Section for 4-14-22.pdf

Commissioner Birtley Housing Ordinance Presentation Religious Organization Affordable Housing 4.8.22.pdf

CommissionerSubramanianNote on Alt Proposal Analysis Apr 11 2022 - Revised.pdf

Commissioner Macchio Density Bonus Motions for 4-14-2022.pdf

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

Commissioner Deines left the meeting.

Public Comment:

Maggie Rich spoke in favor of approving a draft ordinance.

Susan Bisnet, does not support this project.

Joseph McMillan, supports the comprehensive plan but does not support this project.

Talis Abolins, does not support the draft ordinance.

Tom Croker, supports the passing of the draft ordinance and would like to see it moved on to City Council

Marla Steinhoff, Supports affordable housing, but not this current proposal.

Jonathan Davis presented a conceptual project site plan.

Motion:

I move to revise 18.21.050.E in the public hearing draft of ordinance 2022-02 to read as follows:
Bonus density. Density may be increased up to 100 percent above the underlying base density for affordable housing on religious owned or controlled properties.

The density bonus provided shall be considered an upper bound. As such, the Planning Commission, city staff and Planning Director shall only allow/provide a project the maximum density bonus if the following conditions are met:

1. Project site is within 1/2 mile of a major grocery store; and
 2. Project site is within 1/2 mile of the ferry terminal; and
 3. Non-motorized facilities and a non-motorized system are within 1/8 mile of the project site.
- If the proposed project site does not meet all of the above conditions, the maximum allowed density bonus shall be reduced by 50%.

In addition, an ecological assessment which evaluates and appraises the likely impacts both beneficial and adverse to wildlife (flora and fauna) of the proposed project by a suitable qualified professional ecologist shall be required. The findings of such an assessment shall be the basis for additional reductions to the maximum density bonus and such reductions shall be commensurate with the likely adverse impacts.

A proposal can earn additional bonus density above the underlying base density, as provided below:

a. An additional density bonus is available for projects that meet green building goals as outlined in the below table. Four levels of density incentives promote increasing levels of green building performance and higher energy efficiencies. The green building rating systems shall be indicated on the plat and confirmed with the individual building permit application.

ADDITIONAL BONUS DENSITY - INCENTIVIZING for GREEN OVER ABOVE

Levels Green Building/Energy Efficiency Density Bonus over Base Bonus FAR

- | | | | |
|---|--|------|-------|
| 1 | WA State Evergreen Sustainable Development | 10% | 2.5% |
| 2 | Leed Silver/Built Green 4 Star (20% improvt) | 20% | 5.0% |
| 3 | Leed Gold/Built Green 5 Star (30% improvt) | 40% | 10.0% |
| 4 | Leed Platinum/Emerald (net 0) | 70% | 17.5% |
| 5 | Living Building Challenge | 100% | 25.0% |

b. An additional density bonus is available for projects that develop on predeveloped land. Previously developed land is defined as the development footprint of any buildings and land alterations (parking lots, driveways) associated with the footprint. Land that is not previously developed and altered landscapes resulting from current or historical clearing or filling, agricultural or forestry use, yard, garden or preserved natural area use are considered undeveloped land.

ADDITIONAL BONUS DENSITY BONUS FOR BUILDING ON PREVIOUSLY DEVELOPED LAND

Building on Previously Developed Land Density Bonus

Levels	% of Land Used	Bonus Given over base units	Bonus FAR
1	10%	10%	2.5%
2	25%	20%	5.0%
3	50%	40%	10.0%
4	75%	70%	17.5%
5	100%	100%	25.0%

Macchio/Subramanian

AYES: Birtley, Subramanian and Macchio

NOES: Blossom, Mathews and Chester

Motion Failed

Motion

I move to amend 18.21.050 so that the first paragraph reads as follows: “Affordable Housing Pilot Project. To implement RCW 36.70A.545, the City shall allow a density bonus consistent with Section 18.21.050.E for affordable housing on the properties collectively known as “Bethany Lutheran Church”

located at the southwest intersection of NE High School Road and Sportsman Club Road NE (see Figure 18.21.050-1) as a pilot project. The pilot project must meet the provisions of RCW 36.70A.545 and the requirements listed below.

Blossom/Chester

AYES: Blossom, Chester and Mathews

NOES: Birtley, Subramanian and Macchio

Motion Failed

Motion:

The following home types are encouraged in affordable housing developments as they naturally fit into the feel and character of the existing residential neighborhoods on Bainbridge Island. When combined with a common space area, these housing types lend themselves to a human-scaled and pedestrian-friendly community design. These houses are smaller in size, fit together in different configurations both attached and detached, and thus naturally achieve a higher site density and allow for a range of options that meet differing income needs and family sizes and configurations. Finally, attached units allow for lower construction costs and lend themselves to achieving green building elements.

1. Cottage Housing– A planned community of detached, single-family dwelling units containing 1,600 square feet or less of gross floor area. A cottage community must have a minimum of 4 homes. Reference already written cottage housing in Affordable Housing Task Force Report, Appendix E. Affordable-Housing-Task-Force-Final-Report-and-Appendices-072018 (bainbridgewa.gov) Site Plan Example:

2. Duplexes, Triplexes, and Fourplexes– Duplexes, Triplexes, and Fourplexes are multi-family homes that have two, three, or four units, respectively, in one building. Units can be side-by-side or stacked on top of each other. Each unit has a separate entrance and complete living spaces. These multi-unit buildings must have the scale, size, feeling and detailing of a single residential home.

3. Townhouse/Rowhouse - Attached single-family homes that generally include a backyard and one-to-three stories of living space. Typically, a minimum of three units are attached sharing a roof and foundation.

4. Courtyard Apartments - Several attached dwelling units are arranged on two or three sides of a central courtyard or lawn area. This type of housing is usually one to three stories in height. Each unit should have access to the courtyard area. These multi-unit buildings must have the scale, size, feeling and detailing of a single residential home.

5. Multifamily Building- In the most dense areas a multifamily building may be proposed which aligns with all other code and development requirements.

Birtley/Macchio

AYES: Birtley, Macchio and Subramanian

NOES: Birtley, Subramanian and Macchio

Motion Failed

See Recorded Motion document attached for additional motions

- 7) **PLANNING DIRECTOR'S REPORT – None given**
- 8) **FOR THE GOOD OF THE ORDER – Chair Blossom recommended a television show on PBS - Independent Lens. Episode: Owned, A Tale of Two Americas.**
- 9) **ADJOURNMENT. The meeting was adjourned at 9:26 PM**

Sarah Blossom, Chair

Maria Dozeman, Administrative Specialist

DRAFT



PLANNING COMMISSION RECORDED MOTION

Planning Commission Meeting Date:	April 14, 2022
Project Proposal Name and Number:	Ordinance 2022-02
Decision Maker:	City Council
NOTE: Commissioner Deines has recused himself from review of this ordinance.	

Planning Commission Role and Responsibility: Pursuant to [BIMC 2.16.180](#), Planning commission review and recommendation is required for amendments to BIMC Chapter 2.16, and BIMC Titles [16](#), [17](#), and [18](#), area-wide rezones initiated by the city, or area-wide rezones associated with a privately initiated amendment to the comprehensive plan.

Planning Commission Action:

1. In making a recommendation, the planning commission shall consider applicable decision criteria of this chapter, all applicable law, the comprehensive plan, public comment, and any necessary documents and approvals.
2. The planning commission shall issue a written recommendation that contains (a) a statement recommending that the proposed amendment be approved, approved as amended, or denied, and (b) a statement of facts upon which the recommendation is based and the conclusions derived from those facts.
3. The planning commission’s written recommendation and other documents upon which its decision is based shall be immediately transmitted to the city council and department director.

Findings of Fact and Reasons for Action

The Planning Commission is at a 3-3 tie on how to calculate the density bonus for the affordable housing projects described in Ordinance 2022-02 (see Ordinance 2022-02 page 3 proposed section BIMC 18.21.050.E.

Recommendation:

I move to recommend approval of amended Ordinance 2022-02 to the City Council.

Mathews/Chester

	3-3 Tie vote on the 4/14/2022 Draft of Ordinance 2022-02
	Approve the ordinance.
	Approve the ordinance as amended.
	Deny the ordinance.

Planning Commission Record of Vote:

Commissioner	Support	Oppose	Absent	Abstain
Blossom	X			
Chester	X			
Macchio		X		
Mathews	X			
Subramanian		X		
Birtley		X		
Total	3	3		



PLANNING COMMISSION RECORDED MOTION

Additional Motion: re Chair Blossom reporting to the Council what the outcome of the April 14-Meeting. Representative from Commissioners that put forward the alternate proposal (Birtley, Subramanian, Macchio) , Commissioner Macchio proposed a motion to amend was approved unanimously.

Recorded motion on April 14, 2022:

I move to refer this back to Council with notes of what happened and where we stand. If City Council sends this back to Planning Commission, direction is needed on the following:

- Island wide vs. pilot.
- Is this precedence setting and if not, do we seek legal counsel?
- Provide direction on level of density.

Mathews/Chester

Amendment to original motion: Allow Commissioners Subramanian, Birtley or Macchio to join Chair Blossom when this is formally referred back to City Council

Macchio/Subramanian

Planning Commission Record of Vote:*

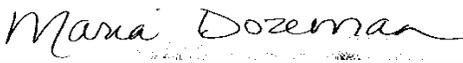
Commissioner	Support	Oppose	Absent	Abstain
Blossom	X			
Chester	X			
Macchio	X			
Mathews	X			
Subramanian	X			
Birtley	X			
Total	6			

*both votes (original and amended) were voted on and supported unanimously.

CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION


Sarah Blossom, Chair

Date: 4/21/2022



Date: 4/21/2022

Administrative Specialist,
Planning and Community Development



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: May 12, 2022

ESTIMATED TIME: 45 Minutes

AGENDA ITEM: (6:15PM) Public Participation Meeting- Housing Resources Bainbridge PLN52178 PRE

AGENDA CATEGORY: Discussion

PROPOSED BY: Ellen Fairleigh

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): None

PREVIOUS COUCIL REVIEW DATE(S): None

RECOMMENDED MOTION:

Presentation and discussion

SUMMARY:

This project proposes a multi-family apartment building with 22 affordable units.

A pre-application conference was held with City staff on March 1, 2022. A Conceptual Review with the Design Review Board was held on April 18, 2022.

BACKGROUND: A public participation meeting (PPM) is a requirement for an application for major site plan review in accordance with the Bainbridge Island Municipal Code (BIMC) 2.16.040.D.

ATTACHMENTS:



PROJECT LOCATION

N  SCALE: NOT TO SCALE

SITE AERIAL

571 ERICKSEN, BAINBRIDGE ISLAND, WA

OWNER: HOUSING RESOURCES BAINBRIDGE

01/28/22

PRE-APP SUBMITTAL



WENZLAU ARCHITECTS



ERICKSEN AVE (LOOKING NORTH)



ERICKSEN AVE (LOOKING SOUTH)



SR 305 (LOOKING NORTH)



SR 305 (LOOKING SOUTH)



KNECHTEL WAY (LOOKING EAST)

STREET VIEWS

01/28/22

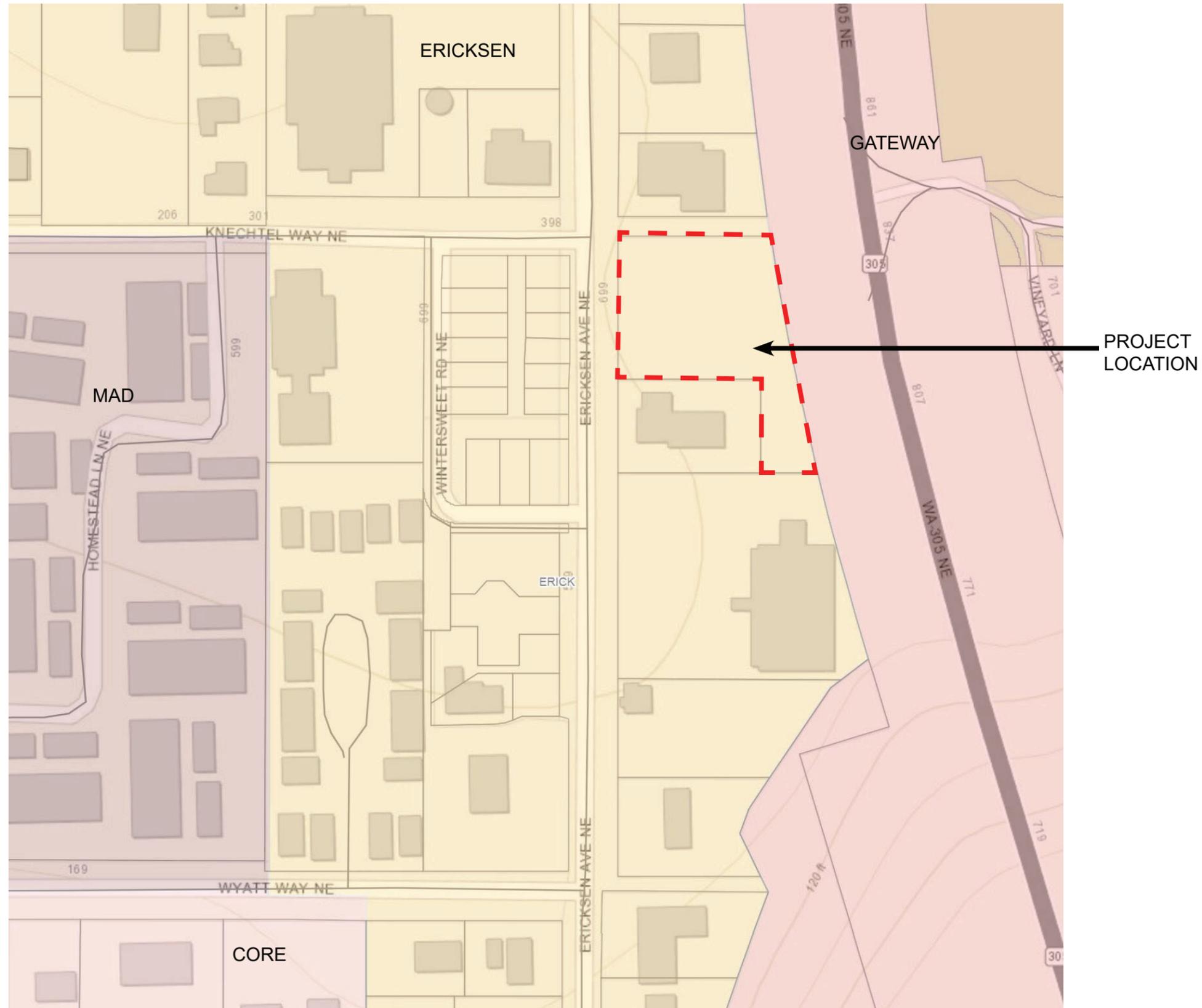
571 ERICKSEN, BAINBRIDGE ISLAND, WA

OWNER: HOUSING RESOURCES BAINBRIDGE



PRE-APP SUBMITTAL

WENZLAU ARCHITECTS



CONTEXT ANALYSIS

571 ERICKSEN, BAINBRIDGE ISLAND, WA

OWNER: HOUSING RESOURCES BAINBRIDGE

01/28/22

PRE-APP SUBMITTAL



WENZLAU ARCHITECTS



PROJECT LOCATION

5 MINUTE WALKING RADIUS

10 MINUTE WALKING RADIUS



SCALE: NOT TO SCALE

5 MINUTE WALK MAP

01/28/22

571 ERICKSEN, BAINBRIDGE ISLAND, WA

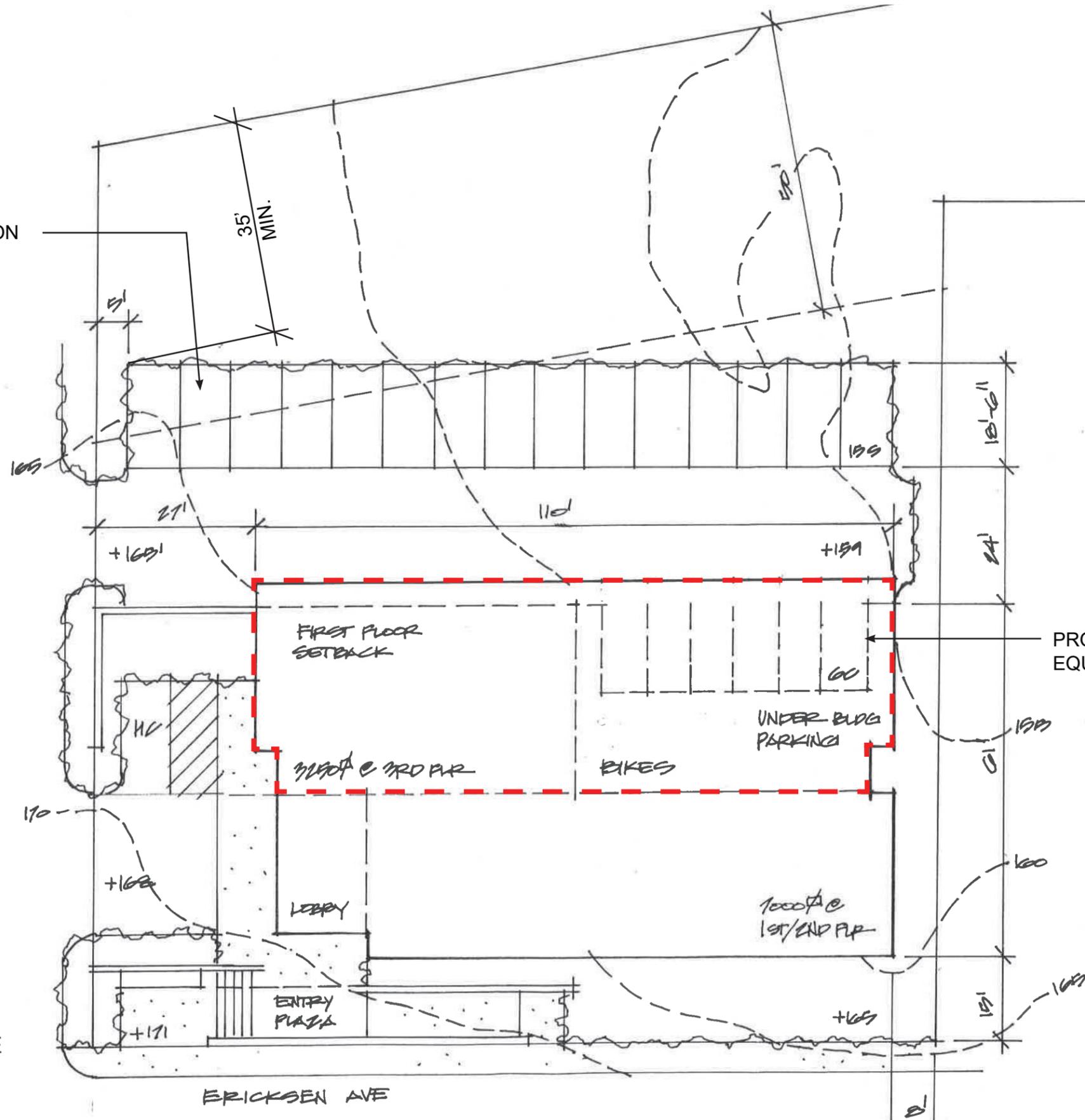
OWNER: HOUSING RESOURCES BAINBRIDGE

PRE-APP SUBMITTAL



WENZLAU ARCHITECTS

AREA OF REDUCTION



PROPOSED 3RD FLOOR
EQUAL 2X GARAGE AREA

ERICKSEN AVE

N  SCALE: NOT TO SCALE

BUILDING HEIGHT

571 ERICKSEN, BAINBRIDGE ISLAND, WA
OWNER: HOUSING RESOURCES BAINBRIDGE

01/28/22



N  SCALE: NOT TO SCALE

SITE ANALYSIS

571 ERICKSEN, BAINBRIDGE ISLAND, WA

OWNER: HOUSING RESOURCES BAINBRIDGE

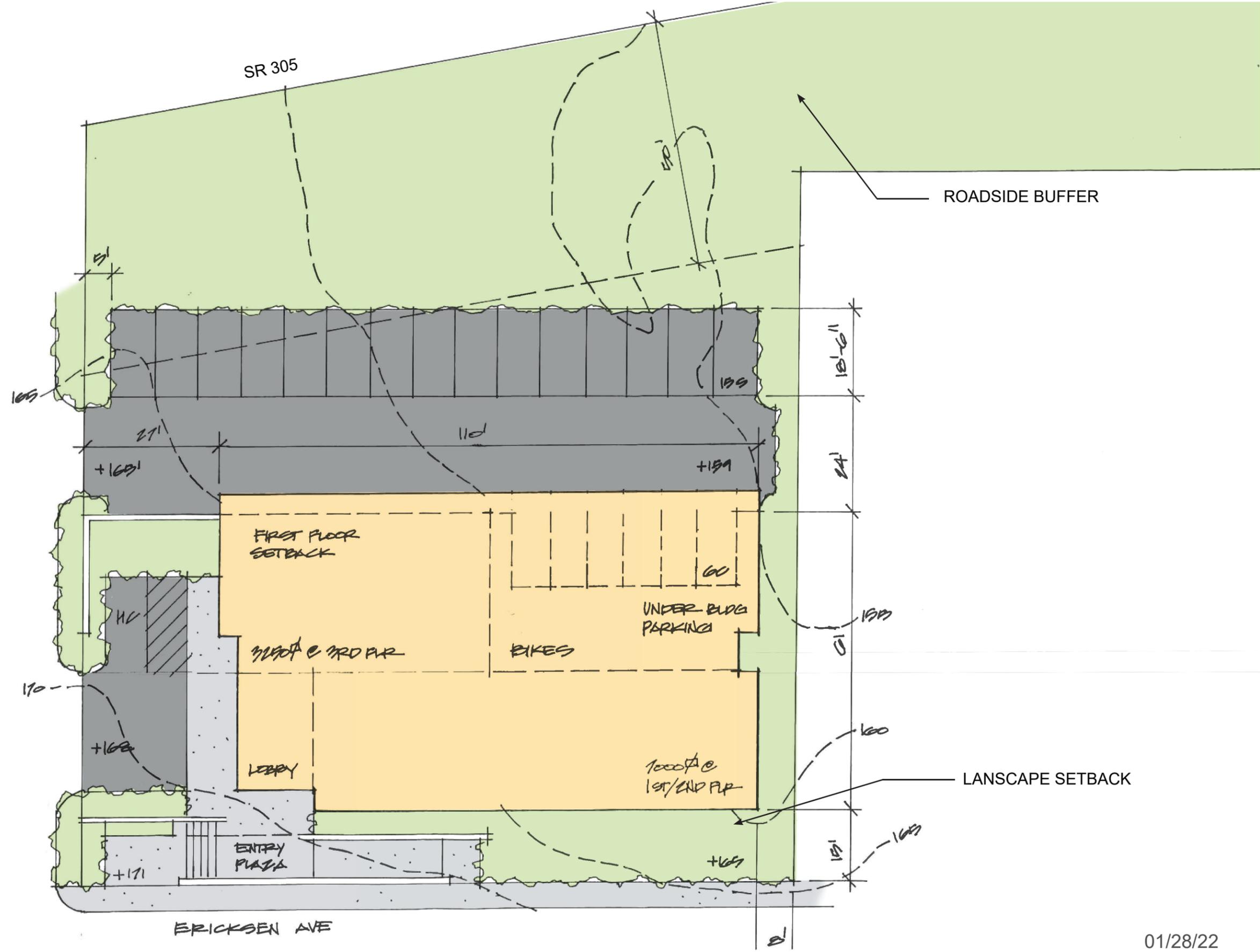
ERICKSEN AVE

01/28/22



PRE-APP SUBMITTAL

WENZLAU ARCHITECTS

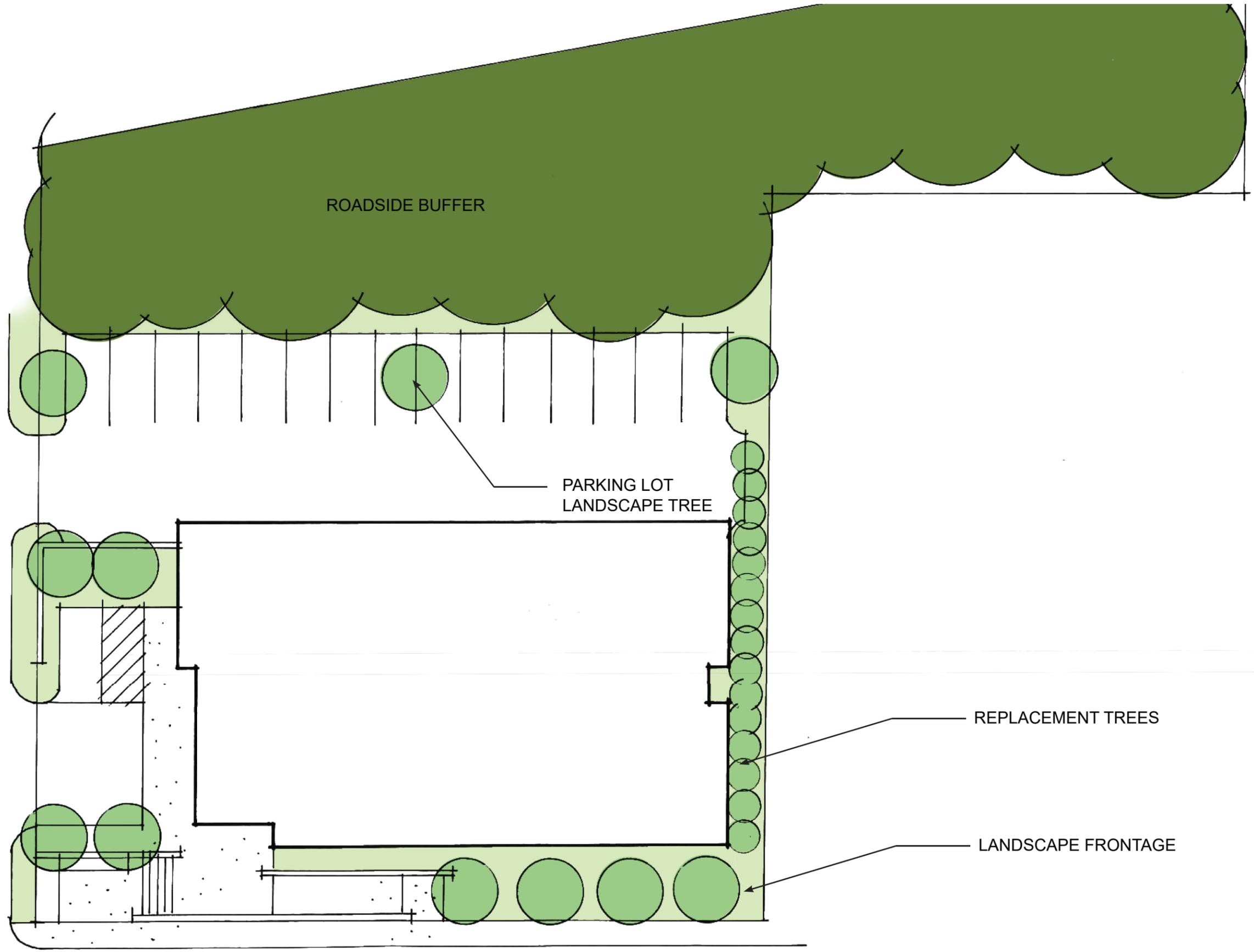


N  SCALE: NOT TO SCALE

CONCEPTUAL SITE PLAN

571 ERICKSEN, BAINBRIDGE ISLAND, WA
 OWNER: HOUSING RESOURCES BAINBRIDGE

01/28/22



N  SCALE: NOT TO SCALE

CONCEPTUAL LANDSCAPE PLAN

01/28/22

571 ERICKSEN, BAINBRIDGE ISLAND, WA
 OWNER: HOUSING RESOURCES BAINBRIDGE

Attn: Planning and Community Development
From: Charles Wenzlau, Wenzlau Architects
Date: March 17, 2022
RE: HRB ERICKSEN – PROJECT NARRATIVE, CONTEXT ANALYSIS
DRB MEETING #1: CONCEPTUAL REVIEW

PROJECT SITE: The project site is located mid-way between Winslow Way and Highschool Road shopping area and within ½ mile of the WSF Ferry Terminal. The site backs onto SR 305 and has Knechtel unopened ROW to the north. The site is heavily wooded with moderate slopes to SE.

PROGRAM: The proposed use is to construct a 22 unit apartment building. All units will be permanently affordable consistent with CoBI affordability requirements. Unit types include 1 and 2 bedroom units. The overall building area is 17,250sf.

SEQUENCE AND TIMING: The project will be constructed in a single phase. No schedule has been established. The initial stage will be to complete entitlements and establish financing.

PROPOSED LAND OWNERSHIP: The building will be owned by Housing Resources Bainbridge.

PLANNING REVIEW: The building will be submitted as a Major Site Plan Review.

BONUS FAR: The project will request bonus residential FAR. This will be obtained by using the Optional Density Bonus for Affordable Housing or HDDP.

PARKING: Parking will be provided on site within a surface parking area located behind the building. The project is eligible for a parking reduction to 1 space/unit since it is within ½ mile of Ferry Terminal. Applicant is requesting parking reduction of .5 spaces per unit. Guest parking is required by HDDP.

BUILDING HEIGHT: The project will request a height increase from 25' to 35' by providing under-building parking. The area of the third floor will be limited to 2x the footprint of the underbuilding parking. The under-building parking area will include 1 bike parking space for each unit. HDDP allows relief from development standards for parking, height, and front setback.

LANDSCAPE: The project will preserve the roadside buffer along SR305. The project proposes to utilize buffer averaging for the northern portion of the buffer to accommodate the proposed parking. The tree retention requirement which will be met with new tree plantings since road buffer cannot be counted toward tree units. A portion of the new trees will be located along the property line to the south to enhance screening between the uses.

DESIGN FOR BAINBRIDGE CONTEXT ANALYSIS

C1 ANALYZE NATURAL SYSTEMS

The site is a small parcel constrained by the built environment on all sides. The site is partially wooded with mixed native/invasive understory and slopes gradually towards the east to SR 305. The natural site drainage is to the Winslow Ravine and to Eagle Harbor. There are no critical areas on the site. The soil is glacial till and will be verified by soils investigation.

C2 IDENTIFY THE EXTENT AND VALUE OF WILDLIFE HABITAT AND CORRIDORS

No known wildlife corridors are present due to proximity of SR305. Observed species include songbirds, deer and other wildlife. Site has no shoreline conditions.

C3 ASSESS UNIQUE AND PROMINENT FEATURES

See comment C1. There are no known human made features, current or historic.

C4 CONSIDER DEFINING ATTRIBUTES OF THE BUILT ENVIRONMENT

The built environment surrounding the site includes older apartment buildings, townhouse development and commercial buildings. Buildings range in height from two to three stories. Setbacks vary by building. The site is served by a sidewalk on the opposite (west) side of the street. The project side of the street has a bike lane where the sidewalk would typically be located.

C5 ANALYZE SYSTEMS OF MOVEMENT AND ACCESS

The site is served by a sidewalk on the opposite (west) side of the street. The project side of the street has a bike lane where the sidewalk would typically be located. The site access is provided by a paved ROW (a continuation of Knechtel Way) along the north side. No curb cuts are proposed for Ericksen Ave.

C6 STUDY HOW THE SITE RELATES TO AND CAN CONTRIBUTE TO THE PUBLIC REALM

The project has its public entry located at the NW corner of the site. This is the likely location for a pedestrian crossing based on input from engineering staff. The crossing would be installed since there are no sidewalks along the east side of Ericksen. A roof terrace for the residents is being considered facing west toward Ericksen to further strengthen the public face of the new building.

HRB ERICKSEN_HDDP ZONING SUMMARY

March 14, 2022

Site Address:	Ericksen Avenue, Bainbridge Island, WA #262502-2-066-2002
Lot Area:	28,750SF (0.66AC)
Zoning:	MUTC / Ericksen District
Surrounding Uses:	East: SR305 West: MUTC-Erickson: Multi-family North: MUTC-Erickson: Multi-family South: MUTC-Erickson: Multi-family
Proposed Uses:	Multi-Family Residential (100% affordable rental)
Lot Coverage:	Allowable: 35% 10,062SF (per BIMC) Proposed: 25% 7,000SF
Allowable FAR:	Mixed-Use: 25,875SF (.90) Equal to maximum Mixed-Use FAR per Table 18.12.030
Proposed FAR:	Residential 17,250SF (.60)
Affordable:	100% affordable proposed 50% minimum (per HDDP) 50% of required affordable house units should serve ≤ 60% AMI (.5 x 11units = 6 units)
Program:	(14) 1 BD units @ 450SF <u>(8) 2 BD units @ 650SF</u> 22 units
Parking:	(22) spaces (1/unit, site is .49mi from Ferry Terminal) (11) spaces (.5/unit pending CC approval)
Height Limit:	35'
Setbacks:	Front: 10' (15'BIMC) Side: 5' Rear: 0'
Landscape:	Roadside Buffers: SR305 50' (35' min. with proposed buffer averaging) Perimeter Landscape: N/A Tree Retention: 40 tree units/acre x .66AC =s 26.4 tree units
Critical Areas:	None per COBI Maps

HDDP CRITERIA

Development Standard Incentives

Zoning Setback reduction: 15' to 10'

Green Building: Evergreen Sustainable Development

Housing Diversity (20 points min): 25 pts (> 25% rental affordable units, < 800sf., 2 unit types)

Innovative Site Development (25 points min): 0 pts

Water Quality & Conservation: Proposed measures include low flow fixtures

Landscaping & Open Space: Proposed measures include roof terrace

Transportation: Proximity to shopping and transit

PROPOSED HDDP ORDINANCE CHANGES (under review by PC/CC)

Waiver from Innovative Site Development if 100% affordable

Parking Reduction of .5 spaces/unit if less than 800sf/unit and within .5mi. Ferry terminal

HDDP APPROVAL CRITERIA

a. The applicant clearly demonstrates evaluation factors listed in subsection S.4 of this section as shown in the housing design demonstration project scoring system as evaluated by the planning department; **APPLICANT COMPLIES WITH HDDP CRITERIA EXCEPT AS FOLLOWS; PARKING AND INNOVATIVE SITE DEVELOPMENT. APPLICANT HAS REQUESTED HDDP ORDINANCE TO BE REVISED TO SUPPORT FEASIBILITY OF 100% AFFORDABILITY WITH REGARD TO PARKING AND INNOVATIVE SITE DEVELOPMENT.**

b. The applicant has demonstrated how relief from specific development standards, including setback reductions, lot coverage and/or design guidelines, is needed to achieve the desired innovative design and the goals of this chapter; **FRONT SETBACK REDUCTION IS ONLY RELIEF REQUESTED TO ALLOW MINIMUM PARKING WIDTH AT REAR OF BUILDING.**

c. The project does not adversely impact existing public service levels for surrounding properties; **CORRECT**

d. The project complies with all other portions of the BIMC, except as modified through this housing design demonstration project process; **YES**

e. If a project will be phased, each phase of a proposed project must contain adequate infrastructure, open space, recreational facilities, landscaping and all other conditions of the project to stand alone if no other subsequent phases are developed; and **NOT APPLICABLE**

f. The applicant is meeting required housing diversity standards. **YES**



March 29, 2022

Charlie Wenzlau
Wenzlau Architects
490 Madison Avenue, Suite 105
Bainbridge Island, WA 98110
Sent via email: charlie@wenzlauarchitects.com

Dear Applicant:

Thank you for meeting with City staff on March 1, 2022 to discuss your proposal to construct a multi-family apartment building with twenty-two affordable units and site improvements including surface parking. The project is proposed to be constructed in a single phase and the building will be owned by Housing Resources Bainbridge (HRB). A summary of the land use review process, applicable Bainbridge Island Municipal Code (BIMC) regulations, comments from reviewers, fees, submittal requirements, and next steps is provided below.

General Information
Pre-Application Conference Date: March 1, 2022
Project Name and Number: Housing Resources Bainbridge PLN52178 PRE
Project Description: Construction of a multi-family apartment building with 22 affordable units
Project Address: Ericksen Avenue NE
Tax Parcel Number(s): 262502-2-066-2002
Tax Parcel Size: Approximately 0.66 acres or 28,750 sq.ft.
Zoning/Comp Plan Designation: Ericksen Avenue Overlay
Planning Contact: Ellen Fairleigh
Development Engineer: Paul Nylund

Land Use Review Process
Applications Required
BIMC 2.16.040.B.1.c: A site plan and design review is required for a change of use, where traffic, parking, noise or other impacts are greater than the impacts for the previously existing use.
The proposal for twenty-two units exceeds the thresholds in BIMC 2.16.040.C.1 and requires a major site plan and design review.
The applicant is considering two potential permitting paths to achieve the required floor area ratio (FAR) needed for this proposal. The applicant is considering either: (1) utilizing the optional affordable housing FAR bonus outlined in BIMC 18.12.030.E.1.a; or (2) utilizing the density incentives available through a Housing Design Demonstration Project (HDDP) as described in BIMC 2.16.020.S.

280 Madison Avenue North
Bainbridge Island, Washington 98110-1812
www.bainbridgewa.gov
206.842.7633

However, the applicant will only use the HDDP density incentive if the HDDP requirements in the Bainbridge Island Municipal Code are changed, as requested by the applicant, to reduce the parking requirement and implement a waiver from the Innovative Site Development scoring requirements for 100% designated affordable housing projects. These changes will be considered by the Planning Commission and City Council at a date to be determined.

Staff and the applicant discussed applicable BIMC requirements for both potential paths to achieve the needed bonus residential FAR at the preapplication conference and at a subsequent conceptual meeting focusing on HDDP applicability, review and approval process, evaluation, and development standard incentives.

The project will require a major site plan review either way, regardless of the method used to achieve bonus residential FAR. If HDDP is utilized, compliance with BIMC 2.16.020.S Housing Design Demonstration Projects will be reviewed through the underlying land use permit (major site plan review).

Staff determined that the method utilized to achieve the needed bonus residential FAR must be identified prior to participating in a Design Guidance Review meeting with the Design Review Board (DRB). The applicant may move forward with a Conceptual Review meeting with the DRB and a Public Participation Meeting (PPM) while considering the two potential paths to achieve bonus residential FAR.

Review and Approval Process:

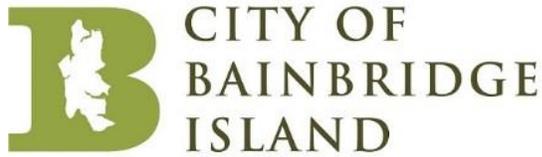
- Preapplication Conference: March 1, 2022
- HDDP Conceptual Proposal Review with City staff (BIMC 2.16.020.S.3.a): March 17, 2022
- Conceptual Review- Design Review Board: TBD
- Public Participation Meeting: TBD
- Design Guidance Review- Design Review Board: TBD
- Final Design Review and Recommendation- Design Review Board: TBD
- Site Plan Review (major) application submittal
- Planning Commission Review and Recommendation
- Director Decision

Fees*:

Site Plan Review (major): \$8586.00

Health Department (separate check): \$145.00

*Please note that Resolution 2022-06 approved increased fees for development permits effective September 1, 2022.



<p>Submittal requirements: Administrative Manual p. 23 Site Plan and Design Review; and p. 16 Housing Design Demonstration Project (if applicable)</p>
<p>Other required permits: Building permits and separate sign permits</p>
<p>Approval Body</p>
<p>Administrative Decision (Director)</p>
<p>Review and Recommendation</p>
<p>Design Review Board Planning Commission Kitsap Public Health District Bainbridge Island Fire Department Planning Division Development Engineer Building Division</p>

<p><i>Bainbridge Island Municipal Code Requirements</i></p>
<p>BIMC 2.16 – Land Use Review Procedures</p>
<p>Review procedures for a Site Plan Review are outlined in BIMC 2.16.040</p> <p>Purpose & Goals, Applicability, Review and Approval Process, Evaluation Method, Approval Criteria, and Development Standard Incentives for HDDP are outlined in BIMC 2.16.020.S</p> <p>As required by BIMC 2.16.020.S.3.a, the agent for the applicant met with City staff on March 17, 2022 to discuss the HDDP process, evaluation criteria, approval criteria, development standard incentives, and submittal requirements. The agent for the applicant confirmed that use of HDDP for the project is contingent upon ordinance changes to waive innovative site development scoring for 100% affordable projects and reduce parking requirements. It was discussed that if utilizing HDDP, the applicant may request modification to the following development standards: residential parking, setbacks, and building height in accordance with BIMC 2.16.020.S.6.</p> <p>Development Standard Incentives for Development Projects in the Mixed-Use Town Center:</p> <ul style="list-style-type: none"> • Maximum Lot coverage can be increased above zoning district requirements with no maximum. • Parking: The parking requirements outlined in BIMC 18.15.020 may be modified to require one parking space for homes under 800 square feet and one and one-half parking spaces for homes between 800 and 1,200 square feet. This reduction may not be combined with any other reductions to result in less than one space per unit, and additional guest parking may be required pursuant to Table 18.15.020-1. A limited number of parking spaces may be designed to accommodate alternative fuel or subcompact vehicles such as Smart™ cars, with parking

stall dimensional standards reduced from the standards outlined in BIMC [18.15.020.J](#). The applicants are encouraged to work with neighboring property owners to ensure street parking is not overburdened. If the project is requesting a reduction in required parking through the housing design demonstration project program, then the development shall integrate at least one guest parking space for every five dwelling units.

- Setbacks may be reduced unless required for public safety purposes such as sight distance:
 - Front setback within project: 10 feet
 - Rear setback within project: minimum of 5 feet
 - Side setback within project: minimum of 5 feet
- Building Height: Buildings within the MUTC may achieve a maximum height of 35 ft.

Under current provisions, HDDP allows a project to achieve a bonus incentive equal to the maximum bonus mixed-use FAR and it can be built as all residential. The maximum with bonus FAR in the Ericksen Avenue Overlay zoning district is 0.9.

BIMC 16.04 – Environmental Policy

The project subject to the State Environmental Policy Act (SEPA) review as provided in Washington Administrative Code (WAC 197-11-800).

- **A complete SEPA checklist is required at the time of application submittal.**

BIMC 18.09 – Use Regulations

“Multifamily Dwellings” is a permitted use in the Ericksen Avenue Overlay District.

BIMC 18.12 – Dimensional Standards

Lot Coverage: 35%

Basic Maximum Floor Area Ratio (FAR):

Commercial and Other Nonresidential Uses: 0.3

Residential: 0.3

Mixed Use: 0.5

Maximum with Bonus FAR:

Residential: 0.6

Mixed Use: 0.9

Front Yard Setback: 15 ft. min., 20 ft. max.

Side Yard Setback: 5 ft.

Rear Yard Setback: N/A

The subject parcel has two front yard setbacks along Ericksen Ave NE and Highway 305. All other setbacks are determined to be side setbacks.

Max Building Height: 25 ft.

Bonus Height 1 if parking under building: 35 ft.

The bonus height is available when parking is located underground or under the occupiable space of the planned building. If parking is located under 50 % or less of the occupiable space, the bonus may only be used for a portion of the building footprint twice as large as the area with parking located beneath.

BIMC 18.12.030.E Bonus Density to Incentivize Affordable Housing in Winslow Mixed Use and High School Road Districts.

Optional Affordable Housing

- a. FAR Bonus: Up to 100 percent of the maximum residential FAR bonus may come from providing affordable housing as defined in Chapter [18.36](#) BIMC; provided, that the difference between the base residential FAR and the maximum residential FAR shall be dedicated to affordable housing.

Table 18.12.030: Optional Affordable Housing Bonus Summary Table: Residential development of 10,000 sq.ft. but less than 60,000 sq.ft. must comply with the following ratios:

- (a) 100 percent of bonus for all moderate; OR
- b) 0.2 of bonus for extremely low, very low-, or low-income groups; 0.5 of bonus for moderate income group; and 0.3 of bonus for middle income group.

This project proposes up to 17,250 sq.ft. of floor area or 0.6 residential FAR. 100% of the units will be permanently affordable. Please reference [BIMC 18.21.020](#) General Provisions for optional affordable housing for information regarding duration of affordability and required documentation.

BIMC 18.15 – Development Standards and Guidelines

BIMC 18.15.010.A.2.f: In the Winslow Mixed Use Town Center, Ericksen Avenue and Madison overlay districts, the intent is to retain the character of landscape front yards; and to provide landscape development to screen uses from single-family residential properties; and to soften the appearance of surface parking areas.

Table 18.15.010-1: Landscape Requirements by Zone District

Significant Tree and Tree Stand Retention:

BIMC 18.15.010.C.1.b: Trees and tree stands located in the perimeter areas required to be landscaped shall be retained and protected.

Perimeter Landscape:

In accordance with BIMC Table 18.15.010-3, no perimeter landscaping requirements are applicable.

Roadside Buffer:

In accordance with BIMC Table 18.15.010-4, no roadside buffer is required along Ericksen Ave. NE and a 50' full screen/35' minimum roadside buffer is required along Highway 305.

Parking Lot Landscaping:

The intent of this section is to soften the appearance of surface parking lots. To provide more intensive landscaping when surface parking lots are exposed to public view.

The Parking Lot standards for parking lots located behind buildings are applicable.

BIMC 18.15.010.F.2:

(d.) Requirements for Parking Lots Located Behind Buildings and Not Adjacent to Public Rights-of-Way.

- i. One tree for every eight parking stalls; and
- ii. One hundred percent of the trees may be deciduous; and
- iii. Deciduous trees minimum two-inch caliper, evergreen trees minimum four feet height at the time of planting; and
- iv. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years; and
- v. A landscaped area at the end of aisles.

(e.) Standards.

- i. Maintain shrubs at a maximum three feet height within parking lots so views between vehicles and pedestrians will not be blocked.
- ii. Landscape in planting islands or strips shall have an area of at least 100 square feet and with a narrow dimension of not less than five feet if wheel stops are provided to prevent vehicle overhang. A narrow dimension of not less than eight feet may be provided if the vehicle overhang area is included in the planting area.
- iii. Provide permanent curbs or wheel stops to protect the plantings from vehicle overhang.
- iv. Significant trees and tree stands may be used in lieu of new landscape requirements if they are in addition to the significant tree and tree stand retention requirements.
- v. Clustering of new plant material within parking lots may be approved or required by the director if the intent of this section is met.
- vi. Refer to the suggested landscape materials matrix in the administrative manual for tree species appropriate for parking lots.

Total Site Tree Unit Requirements:

BIMC 18.15.010.G4.a.ii: In the MUTC Ericksen Avenue district the development parcel shall have at least 40 tree units per acre following the proposed development or redevelopment.

OR

BIMC 18.15.010.G4.a.iii: The development parcel will contain at least the same number of tree units after the proposed development or redevelopment as it had before that development or redevelopment.

Planting Requirements

BIMC 18.15.010.H.2:

Areas not devoted to landscape, parking, structures and other site improvements are encouraged to be planted or remain in existing vegetation.

New tree plantings shall be a minimum of two inches in caliper if deciduous or six feet in height if evergreen.

Irrigation

BIMC 18.15.010.I: Applies to new planting areas that do not have high soil moisture conditions.

Maintenance

BIMC 18.15.010.J: All new landscape plantings and significant trees and tree stands to be retained shall be maintained to preserve the Island’s forested character.

BIMC 18.15.020 Parking and Loading

Table 18.15.00-2:

Residential Uses require 1 space per primary dwelling unit that is a studio or 1 bedroom unit, and 2 spaces for all other primary dwelling units.

The director may require guest parking in excess of the required parking spaces, whether or not the required parking is reduced pursuant to BIMC [18.15.020](#).B.12, up to a maximum additional 0.5 stall per dwelling unit, if there is inadequate guest parking on the subject property.

The project proposes 14 1-bedroom units and 8 2-bedroom units.

14 1-bedroom x 1 parking spaces= 14 spaces required*

8 2-bedroom x 2 spacing spaces= 16 spaces required*

*The number of required residential parking spaces may be reduced by 50% for dwelling units located within a one-half mile radius of the ferry terminal providing scheduled service to Seattle. This provision may not be used in conjunction with senior housing or other parking reduction arrangements, and the required number of parking spaces shall not be reduced below one space per parking unit. This provision does not preclude the authority of the director to require guest parking.

Total parking spaces required: 22 parking spaces

General Requirements:

Unless approved by the director, only a single access to public right-of-way is allowed for an individual lot. More than one access may be allowed by the director if the director determines, based on drawings or other information submitted by the applicant, that (a) the proposed site access includes measures that mitigate any identified negative impacts or effects that would result from the additional access point(s); and (b) the additional access point(s) will improve on-site or off-site traffic flow or is necessary for, or will help facilitate, compliance with other requirements of this chapter.

Location of Spaces:

Parking in the Mixed-Use Town Center shall be located behind, to the side of or under buildings. Parking shall not be located between a building and the front lot line, unless an applicant can demonstrate that locating parking between a building and the front lot line is the only feasible location.

All parking spaces and driving aisles serving adjacent parking spaces shall not be located within required front, rear or side setbacks.

BIMC 18.15.030 Mobility and Access

BIMC 18.15.030.B. Bicycle Facilities. The following requirements apply to multifamily and nonresidential developments.

All parking facilities shall contain bicycle parking facilities that allow secure locking of both the frame and wheels of a bicycle. One bicycle space shall be provided for every five parking spaces with a minimum of four spaces provided for each parking lot.

BIMC 18.15.040 Outdoor Lighting

BIMC 18.15.040.D: All outdoor lighting fixtures and accent lighting shall be designed installed, located and maintained such that there is no light trespass. Outdoor fixtures and accent lighting must be shielded and aimed downward.

BIMC 18.18.030– Design Standards and Guidelines

All development subject to design review shall comply with the requirements of the Bainbridge Island design review standards and guidelines, “Design for Bainbridge.” In the event of a conflict between two or more design standards or regulations, the Bainbridge Island design review standards and guidelines, “Design for Bainbridge,” shall apply.

BIMC 20.04 – City Fire Code

The project shall comply with all applicable provisions of the adopted Fire Code.



Department/Agency Comments
Development Engineer Comment:
Paul Nylund has provided the attached comments and can be reached at (206)780-3783 or pnylund@bainbridgewa.gov .
Survey Comment:
Rob Grant has provided the attached comments and can be reached at (206)780-3742 or rgrant@bainbridgewa.gov . <ul style="list-style-type: none"> • Detailed topo survey of the site, including full street along Ericksen and existing improvements to building fronts north of the project. • Submit separate base map with survey data and surveyor’s stamp. • Plans using the survey base map will reference the source of the survey data. • 10’ right-of-way dedication will be required along the north boundary. • There may be permits associated with opening or improving that section of unopened ROW.
Building Department Comment:
Blake Holmes has provided the following comment and be reached at (206)780-3715 or bholmes@bainbridgewa.gov . The City of Bainbridge Island Building Department is currently reviewing projects under the 2018 International Codes and the 2018 Washington State Energy Code. Your project is subject to meeting these code requirements if the proposed work involves the building department.
Bainbridge Island Fire District Comment:
Deputy Fire Marshal, Jackie Purviance, provided the attached comment and can be reached at (206) 451-2033 or jpurviance@bifd.org .
Kitsap Public Health District Comment:
Richard Bazzell can be reached at (360) 728-2308 or richard.bazzell@kitsappublichealth.org .

The fee for a Site Plan Review (major) is \$8586.00, due at time of submittal. The Health District also requires \$145.00 for review, due at time of submittal.

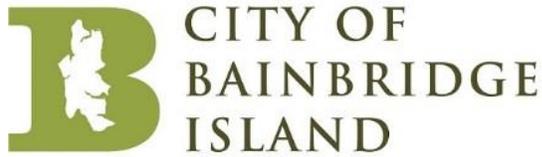
Please review the City’s Administrative Manual (<https://www.bainbridgewa.gov/DocumentCenter/View/12244/Administrative-Manual-Rev-Dec-2019?bidId=>) for all submittal requirements.

Once you are ready to submit an application, please follow the procedures outlined on the City website: [Submitting a Building or Land Use Permit Application](#).

If you have any questions, please contact me at (206) 780-3767 or efairleigh@bainbridgewa.gov.

Sincerely,

280 Madison Avenue North
 Bainbridge Island, Washington 98110-1812
www.bainbridgewa.gov
 206.842.7633



A handwritten signature in blue ink that reads 'E. Fairleigh'.

Ellen Fairleigh
Associate Planner

Please note that information provided at the pre-application conference and in this letter reflects existing codes and standards, currently available information about the site and environs, and the level of detail provided in the pre-application conference submittal. Comments provided pursuant to pre-application review shall not be construed to relieve the applicant of conformance with all applicable fees, codes, policies, and standards in effect at the time of complete land use permit application. The comments on this proposal do not represent or guarantee approval of any project or permit. While we have attempted to cover as many of the Planning, Engineering, Building and Fire related aspects of your proposal as possible during this preliminary review, subsequent review of your land use permit application may reveal issues not identified during the initial review. If the city's pre-application review indicates that the City intends to recommend or impose one or more conditions of permit approval, and if the applicant objects to any of said conditions, the applicant is hereby requested and advised to provide written notice to the City of which conditions the applicant objects to and the reasons for the applicant's objections.



Department of Public Works - Engineering

Memorandum

Date: March 18, 2022
To: Ellen Fairleigh, Planner, Planning and Community Development
From: Paul Nylund, P.E., Engineering Manager 
Subject: PLN52178 PRE PW-DE Comments - HRB Apartments Ericksen (SPR)

Background:

Following the Pre-Application conference held on 1 March 2022 (via Video teleconference), COBI Development Engineering has completed a review of the subject project materials and submits the following comments to be included or attached to the pre-application summary letter generated by Planning and Community Development.

Brief Project Description:

Project proposes to construct a 22-unit apartment building on a single undeveloped, irregularly shaped lot (TPN 262502-2-066-2002) located between Ericksen Ave NE and SR305.

Comments:

1. A traffic study sufficient for the City engineer to perform a concurrency test shall be required per Chapter 15.40 of the Bainbridge Island Municipal Code (BIMC) prior to Land Use review. Based on single-family residential developments in the Institute of Traffic Engineers (ITE) Trip Generation Manual, 7th Edition, projected trip generation will be above the threshold of 50 average daily trips (ADT) or 5 or more AM or PM peak-hour trips. [BIMC §15.40.060]
 - a. Applicant shall select a consultant to perform the traffic impact analysis (TIA) and submit the scope of work for review by COBI engineering prior to executing the actual analysis. Traffic data for the analysis shall be collected during the regular school year/work week. Alternatively, a scaling factor may be applied to data collected outside those time frames. Traffic Engineer to provide detailed methodology and justification in this case.
 - b. All traffic analysis shall address access, parking, vehicular and pedestrian on site circulation in addition to the concurrency review.
2. Project will be subject to evaluation for applicability of Transportation Impact Fees (TIFs) [BIMC 15.30]. TIFs due (if any) shall be payable at the time of building permit issuance. Applicant shall

submit a completed TIF worksheet with land use application for evaluation by COBI Public Works. Any evaluation of trip generation numbers resulting from existing uses combined with proposed trip generation numbers for the purpose of reducing traffic impact analysis requirements shall be completed by a professional traffic engineer licensed to practice in Washington State.

3. No building permit, subdivision, short subdivision, or planned unit development shall be approved or granted until the owner of the affected property dedicates to the city the portion of land designated on the official street map or required by the COBI Design and Construction Standards and Specifications, “the Standards”, as a street right-of-way (ROW) [BIMC 12.30.010].
 - a. Project is fronted to the west by Ericksen Ave NE, which is classified as an urban collector roadway with an existing right-of-way (ROW) width of 50 feet along the frontage, which meets the minimum standard requirement of 50 feet. No ROW dedication along Ericksen is required.
 - b. The project is fronted to the north by unopened ROW which is presumably an extension of Knechtel Way NE ROW and is a remnant of the ROW grid prior to the construction SR305 as a limited access state route. This ROW is 20’ wide and terminates at western edge of WSDOT ROW for SR305 (which also forms the eastern boundary of the subject lot). Twenty feet of ROW width is substandard for a local residential access road. Applicant is requesting to open this ROW and use it as the primary access from the project out to Ericksen Avenue. COBI standards allow that when a project fronts more than one public ROW, primary access shall normally be made to the ROW with the least impact on traffic flow. Opening an unopened ROW may be achieved via the procedures found in BIMC 12.32. An access road that deviates from the standard urban residential access road would be considered for approval due to the dead-end nature of the ROW.
4. Decision criteria considered to recommend project approval include evaluation/consideration for developer provided public improvements where project fronts public ROW. Ericksen Avenue frontage is currently compliant with the Island-Wide Transportation plan as adopted in 2017 with a bike lane facility on the east side of Ericksen. Additional frontage improvements may be proposed at applicant discretion and shall comply with City of Bainbridge Island Design and Construction Standards. Deviations may be considered for approval by COBI engineering.
 - a. Frontage improvements along the unopened ROW would be determined by the proposed plan to open and provide access(es) to the project. Multiple approaches (2) have been proposed to allow for ADA accessibility requirements that are likely approvable.
 - b. The unopened ROW access to Ericksen will likely need to meet COBI standards for a commercial access point.
5. Pre-application documentation indicates new plus replaced impervious surface for the project exceeds 5,000 square feet. The land use application submittal shall demonstrate how the project complies with BIMC Chapter 15.20, Surface and Stormwater Management. Minimum requirements 1 through 9 of the adopted stormwater management manual, shall apply.
 - a. Consistent with BIMC §15.20.060(H), an off-site analysis shall be performed to assess the potential impacts to the storm conveyance downstream from the development to determine if there are concerns with capacity, erosion, water quality threats, localized flooding, etc.

- b. An evaluation of Minimum Requirement #5, On Site Stormwater Management, to the extent feasible shall be required for compliance with Low Impact Design principles.
 - c. This memo satisfies Site Assessment Review requirements. Any additional Low Impact Development review shall be conducted during Land Use/Building permit review.
- 6. The site is located within the COBI water and sanitary sewer service areas. Any utility expansion or improvements shall conform with the COBI Design and Construction Standards and Specifications or other applicable standards.
 - a. One separate and independent side sewer from a public main extension to all building sites shall be provided for each multi-unit building.
 - b. A downstream capacity analysis for conveyance of effluent created because of this project shall be conducted by applicant's civil engineer of record and submitted with the required land use application. Developer provided upgrades or repairs may be required to mitigate for the load increase.
 - c. A lift station may be required to allow for sanitary sewer connection to the gravity main in Ericksen Ave. This would be classified as a domestic sewage facility and per WAC 173-240-104 may not be approved unless ownership and maintenance responsibility are by a public entity (COBI).
 - d. A non-binding water/sewer availability letter for the proposal shall be provided prior to approval of the Site Plan Review. A water/sewer availability worksheet application may be obtained from COBI Public Works and submitted with the preliminary subdivision application. The final WSA letter is independently reviewed and generated separate from the land use review and approval.
- 7. All public improvements required as conditions of a land use approval must be completed prior to any follow-on construction final inspections and issuance of any certificate of occupancy.
- 8. No construction on or to the site may take place until the civil improvement plans have been reviewed/approved/issued by the City as part of a plat utility permit or associated construction permit.
- 9. If necessary, Developer Extension Agreements (DEA) pursuant to BIMC §13.32 shall be executed prior to or in conjunction with the land use application. Separate agreements are required for the road and utility (water/storm) extensions and will include a fee consisting of 3% estimated cost of improvement. Any potential latecomer agreement as desired by the applicant shall be applied for at the time of DEA application.



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: May 12, 2022

ESTIMATED TIME: 45 Minutes

AGENDA ITEM: (7:00 PM) Discuss Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) relating to revising the Housing Design Demonstration Project Program - Planning,

AGENDA CATEGORY: Ordinance

PROPOSED BY: Jennifer Sutton

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): October 28 and November 18, 2021; April 14 and 28, 2022

PREVIOUS COUCIL REVIEW DATE(S): December 7 and 14, 2021; February 8, 2022

RECOMMENDED MOTION:

I move to schedule additional discussion on the proposed additions to Ordinance No. 2022-01 at the May 26th Planning Commission meeting.

AND/OR

I move to schedule a public hearing on Ordinance No. 2022-01 for the June 9th Planning Commission meeting.

SUMMARY:

This agenda item is to discuss on Ordinance No. 2022-01 (formerly Ordinance No. 2021-35). Ordinance No. 2022-01 would revise the City's Housing Design Demonstration Project ("HDDP") program. The ordinance integrates the revisions to the HDDP program recommended by the Planning Commission on November 18, 2021. These revisions to the HDDP program are shown in ~~strikeout~~/underline format in Exhibit A to the ordinance. The Commission had also recommended extended the HDDP program for two additional years.

In December, 2021 when the City Council took up the Planning Commission recommendations on Ordinance No. 2021-35, the Council opted to separate the HDDP extension and program revisions into two separate ordinances. The Council approved Ordinance No. 2021-39, extended the program for one year (expiration December 31, 2022) on December 14, 2021 (see Background section).

On February 8, 2022, the City Council held a public hearing on Ordinance No. 2022-01 which makes the additional HDDP program revisions recommended by the Commission on November 18, 2022:

1. Revise the HDDP program to specify that all required designated affordable housing units serve households at or below low-income (80% Area Median Income), and
2. Revise the HDDP program to replace the Innovative Site Development Scoring Method (Table 2.16.020.S-3) with an "Innovative Site Development" checklist, eliminating the "scoring" and minimum required points for this requirement.

The City Council held a public hearing on Ordinance No. 2022-01 on February 8, 2022. During the public hearing, the City Council heard a comment from Housing Resources Bainbridge (HRB) about the difficulty of meeting innovative site development requirements and parking requirements for projects with 100% affordable housing, without market-rate housing to assist with underwriting costs. The Council also heard a comment to fix the "ADU loophole" related to density

(see staff memo).

The City Council approved a motion to forward the HDDP program revisions back to the Planning Commission for further consideration of the issues raised during City Council comments, and to provide another recommendation to the City Council after considering the comments (see attached February 8, 2022 City Council meeting minutes).

The additional revisions to the HDDP program suggested by HRB have been integrated into Ordinance No. 2022-01 Exhibit A and are highlighted in turquoise blue. See Exhibit A page 3 Table 2.16.020.S-1 re. density bonus, pages 6-7 Exhibit A, Section 2.16.020.S.4.b, Innovative Site Development category. Parking requirements are addressed on pages 8-9 of Exhibit A, Sections 2.16.020.S.6.d and 7.d, respectively.

BACKGROUND: The City's Housing Design Demonstration Projects ("HDDP") program was originally approved in 2009 as a 3-year Pilot Program in the greater Winslow area. Goals of the HDDP program include:• Promotes green building, sustainable site development, and housing diversity & affordability using development standard flexibility & density incentives, including a density incentive. • HDDP projects are limited to a 1,600 square foot maximum dwelling unit size for all HDDP units.

The program was revised in 2013 and again in 2016 to reflect updated low-impact development requirements and extended until 2019. Ordinance No. 2019-32 narrowed the program to only be available for development projects that provide at least 50% of residential units as affordable housing, and extended the HDDP program until December 31, 2021. On October 12, 2021, the City Council directed the Planning Commission to consider an ordinance to extend the HDDP program for two additional years, until December 31, 2023.

The Planning Commission first discussed Ordinance No. 2021-35 at their October 28, 2021 meeting. The Commission then held a public hearing on November 18, 2021 and after closing the public hearing, continued to discuss the HDDP program as a whole, and whether to extend it. The Commission approved a motion to recommend approval of Ordinance No. 2021-35 that would:

1. Extend the HDDP program for two years, and
2. Revise the HDDP program to specify that all required designated affordable housing units serve households at or below low-income (80% Area Median Income), and
3. Revise the HDDP program to replace the Innovative Site Development Scoring Method (Table 2.16.020.S-3) with an "Innovative Site Development" checklist, eliminating the "scoring" and minimum required points for this requirement.

Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) was updated to integrate the Planning Commission's recommended revisions to the HDDP program (see Exhibit A). As recommended by the Commission, Table 2.16.020.S-3, Innovative Site Development Scoring Method, is shown as deleted in the updated ordinance. Staff converted the site development components described in the table to a checklist as recommended by the Commission (Exhibit A Section S.4.b). The table described allocated site development "points," and an HDDP project had to "score" at least 25 points (45% of points available). There are 14 separate innovative site development components moving from the table to a checklist, and staff recommends requiring that an HDDP project include at least 50% or 7 sustainable site components to equate the checklist (Exhibit A Section S.4.b) with the existing Table 2.16.020.S-3 (pages 3-7 of Exhibit A).

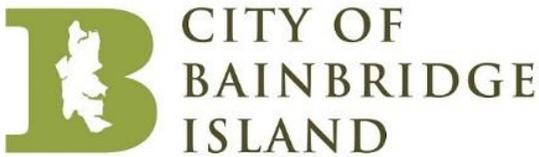
Staff also identified clarifying housekeeping changes that should have been made in 2019 when the program was narrowed, and Exhibit A makes those changes (see Table 2.16.020.S-2, page 4).

On December 7, 2021, the City Council considered the November 18, 2021 Planning Commission recommendation to extend the HDDP program for 2 years and additionally revise the program. At that meeting, the Council approved motions to separate the extension of the HDDP program and the Commission-recommended program revisions into two separate ordinances.

Ordinance No. 2021-39, was approved by the City Council and December 14, 2021, which thereby extended the HDDP program in its current form for one year (until December 31, 2022) to allow time for the Council to consider the revisions and updates included in Ordinance No. 2022-01.

As referenced in the Summary section, on December 7, 2021, the Council began discussion on the Planning Commission recommendation to revise the HDDP program. The program is codified in BIMC 2.16.020.S. (see attached Exhibit A to Ordinance No. 2022-01). Due to the extent of the changes to the program that were recommended by the Planning Commission, it was recommended that the Council hold a public hearing on an ordinance that includes the proposed revisions at a future Council meeting to obtain public comment on what is being recommended and to ensure that the revised ordinance captures what was recommended by the Planning Commission. On December 14, 2021, the Council took action to set a public hearing on this Ordinance No. 2022-01 for February 8, 2022. See attached meeting minutes.

ATTACHMENTS:



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: May 12, 2022
To: Planning Commission
From: Jennifer Sutton, AICP, Senior Planner
Subject: Ordinance No. 2022-01 (formerly 2021-35) Revisions to Housing Design Demonstration Project (HDDP) program, BIMC Section 2.16.020.S

I. MEETING PURPOSE

The purpose of tonight’s Planning Commission agenda item is to review and discuss Draft Ordinance No. 2022-01 which revises the City’s Housing Design Demonstration Project (HDDP) program, BIMC Section 2.16.020.S. The City Council has sent this ordinance back to the Planning Commission for further consideration (see below).

II. DRAFT ORDINANCE 2022-01

Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) would revise the City's Housing Design Demonstration Project ("HDDP") program. The ordinance integrates the revisions to the HDDP program recommended by the Planning Commission on November 18, 2021. These revisions to the HDDP program are shown in ~~strikeout~~/underline format in Exhibit A to the ordinance. The Commission had also recommended extended the HDDP program for two additional years.

In December, 2021 when the City Council took up the Planning Commission recommendations on Ordinance No. 2021-35, the Council opted to separate the HDDP extension and program revisions into two separate ordinances. The Council approved Ordinance No. 2021-39, extended the program for one year (expiration December 31, 2022) on December 14, 2021.

On February 8, 2022, the City Council held a public hearing on Ordinance No. 2022-01 which makes the following additional HDDP program revisions recommended by the Commission on November 18, 2022 shown as ~~strikeout~~/underline format:

- Revise the HDDP program to specify that all required designated affordable housing units serve households at or below low-income (80% Area Median Income), and
- Revise the HDDP program to replace the Innovative Site Development Scoring Method (Table 2.16.020.S-3) with an “Innovative Site Development” checklist, eliminating the “scoring” and minimum required points for this requirement.

The City Council held a public hearing on Ordinance No. 2022-01 on February 8, 2022. During the public hearing, the City Council heard a comment from Housing Resources Bainbridge (HRB) about the difficulty of meeting innovative site development requirements and parking requirements for projects with 100% affordable housing, without market-rate housing to assist with underwriting costs. The City Council also heard a comment that asserted that the HDDP program has an “accessory dwelling unit (ADU) loophole for density bonuses” that was put forward during the 2018-2019 development planning for the City-owned Suzuki property. This comment is explained below.

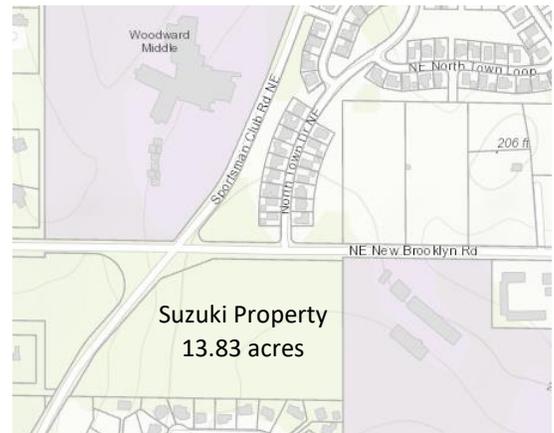
The City Council approved a motion to forward the HDDP program revisions back to the Planning Commission for further consideration of the issues raised during City Council comments, and to provide another recommendation to the City Council after considering the comments (see attached February 8, 2022 City Council meeting minutes).

The additional revisions to the HDDP program that respond to the public hearing comments have been integrated into Ordinance No. 2022-01 Exhibit A and are highlighted in **turquoise blue**. See Exhibit A page 3 Table 2.16.020.S-1 regarding density bonus clarification, page 6 Section 2.16.020.S.4.b, Innovative Site Development category. Parking requirements are addressed on pages 8-9 of Exhibit A, Sections 2.16.020.S.6.d and 7.d, respectively. The Planning Commission should consider whether to make these additional changes to the HDDP program.

ADU Density Comment

Under the City’s existing zoning regulations, ADUs are an allowed accessory use to all single-family residences ([BIMC Table 18.09.020](#)), assuming that an ADU can be served by needed utilities and meet development standards (see [BIMC Section 18.09.030.I.5](#), e.g. maximum 900 square foot ADU size, setbacks, lot coverage). Adding an ADU to a single-family residential property does not alter that properties allowed density, or contribute towards maximum density, only the single-family residence contributes to density limitations in residential zones. In the City’s current HDDP program, the density bonus for eligible projects in residential zones is 2.5 x base density (see BIMC Table 2.16.020.S-1, page 3 of Exhibit A to Ordinance No. 2022-01).

In 2016 the City took steps to begin planning a housing project at a City-owned property known as the *Suzuki Property* (R-2 zone, see map at right). The City Council approved a resolution that set goals for the development project that included building many affordable housing units and different types of units. The *Suzuki Property* is in the Winslow sewer service area, and therefore was eligible to participate in the HDDP program. Over the next few years an ecological assessment was done, and development alternatives reviewed. The development alternatives planned for more than 50% affordable housing units, and to utilize the HDDP program.



Base density for the *Suzuki Property* is 30 units. Utilizing the HDDP program density bonus (2.5x) a HDDP project on the *Suzuki Property* could yield (30 x 2.5) **75** dwelling units. One alternative that was developed for the *Suzuki Property* planned a mixed-income development of multifamily and single-family units, and a variety of unit types- flats, townhomes, duplexes and detached single-family homes, and up to 25 ADUs as accessory to planned single-family homes, planning for a *Suzuki Property* development of up to 100 dwelling units, since ADUs don’t contribute to maximum densities under the City’s zoning code. The commenter at the City Council

meeting had commented at this was a “loophole” in the HDDP program that should be fixed. See Ordinance 2022-01 Exhibit A page 3.

III. BACKGROUND

On October 12, 2021, the City Council directed the Planning Commission to consider an ordinance to extend the HDDP program for two additional years, until December 31, 2023.

The Planning Commission first discussed Ordinance No. 2021-35 at their October 28, 2021 meeting. The Commission then held a public hearing on November 18, 2021 and after closing the public hearing, continued to discuss the HDDP program as a whole, and whether to extend it. The Commission approved a motion to recommend approval of Ordinance No. 2021-35 that would:

- Extend the HDDP program for two years, and
- Revise the HDDP program to specify that all required designated affordable housing units serve households at or below low-income (80% Area Median Income), and
- Revise the HDDP program to replace the Innovative Site Development Scoring Method (Table 2.16.020.S-3) with an “Innovative Site Development” checklist, eliminating the “scoring” and minimum required points for this requirement.

Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) was updated to integrate the Planning Commission's recommended revisions to the HDDP program (see Exhibit A, ~~strikeout~~/underline format). As recommended by the Commission, Table 2.16.020.S-3, Innovative Site Development Scoring Method, is shown as deleted in the updated ordinance. Staff converted the site development components described in the table to a checklist as recommended by the Commission (Exhibit A Section S.4.b). The table described allocated site development "points," and an HDDP project had to "score" at least 25 points (45% of points available). There are 14 separate innovative site development components moving from the table to a checklist, and staff recommends requiring that an HDDP project include at least 50% or 7 sustainable site components to equate the checklist (Exhibit A Section S.4.b) with the existing Table 2.16.020.S-3 (pages 3-7 of Exhibit A). Staff also identified clarifying housekeeping changes that should have been made in 2019 when the program was narrowed, and Exhibit A makes those changes (see Table 2.16.020.S-2, page 4).

On December 7, 2021, the City Council considered the November 18, 2021 Planning Commission recommendation to extend the HDDP program for 2 years and additionally revise the program. At that meeting, the Council approved motions to separate the extension of the HDDP program and the Commission-recommended program revisions into two separate ordinances. The other ordinance, Ordinance No. 2021-39, was approved by the City Council and December 14, 2021, which thereby extended the HDDP program in its current form for one year (until December 31, 2022) to allow time for the Council to consider the revisions and updates included in Ordinance No. 2022-01.

As referenced above, on December 7, 2021, the Council began discussion on the Planning Commission recommendation to revise the HDDP program. The program is codified in BIMC 2.16.020.S. (see attached Exhibit A to Ordinance No. 2022-01). Due to the extent of the changes to the program that were recommended by the Planning Commission, it was recommended that the Council hold a public hearing on an ordinance that includes the proposed revisions at a future Council meeting to obtain public comment on what is being recommended and to ensure that the revised ordinance captures what was recommended by the Planning Commission. On December 14, 2021, the Council took action to set a public hearing on this Ordinance No. 2022-01 for February 8, 2022. See attached meeting minutes.

IV. NEXT STEPS:

The Planning Commission is tasked with reviewing and possibly revising Ordinance No. 2022-01, 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 again for its own review and decision

At the end of the April 28, 2022 discussion, the Commission could take the following actions:

1. Schedule additional discussion on Ordinance No. 2022-01 for a future Planning Commission meeting, such as May 26, 2022.

AND/OR

2. Schedule a public hearing on Ordinance No. 2022-01 for the June 9th Planning Commission meeting. Due to newspaper noticing deadlines, the Commission would need to confirm scheduling a June 9th public hearing at the end of the discussion on May 12th.

ORDINANCE NO. 2022-01
(formerly Ordinance No. 2021-35)

AN ORDINANCE of the City of Bainbridge Island, Washington, amending Bainbridge Island Municipal Code Section 2.16.020.S. to revise the Housing Design Demonstration Project program.

WHEREAS, on August 12, 2009, the City Council adopted Ordinance No. 2009-06, establishing a pilot Housing Design Demonstration Project (“HDDP”) program to allow for the development of projects to increase the variety of housing choices available to residents of all economic segments and to encourage sustainable development through the use of development standard incentives; and

WHEREAS, Ordinance No. 2009-06 established a sunset date of August 26, 2012, for the HDDP program; and

WHEREAS, on July 18, 2012, the City Council approved Ordinance No. 2012-09, extending the HDDP program until December 31, 2013, to allow time for the City to further evaluate the program; and

WHEREAS, the City Council convened an Ad Hoc Committee made up of a Planning Commissioner, three City Councilmembers, a member of the Design Review Board, and a representative from the Housing Resources Board to evaluate and make recommendations on the HDDP program; and

WHEREAS, the Ad Hoc Committee recommended changes to the HDDP program, including extending the HDDP program until the end of 2016 to allow time for the construction of approved projects; and

WHEREAS, on December 11, 2013, the City Council adopted those recommendations with the approval of Ordinance No. 2013-25, extending the HDDP program to December 31, 2016; and

WHEREAS, on September 27, 2016, the City Council adopted Ordinance No. 2016-27, extending the HDDP program until December 31, 2019, to allow time to review the program and compare it to other affordable housing tools the City may choose to utilize, as envisioned by the draft 2016 Comprehensive Plan; and

WHEREAS, on February 28, 2017, the City Council adopted Ordinance No. 2017-01, approving the 2016 Comprehensive Plan; and

WHEREAS, the 2016 Comprehensive Plan includes several policies related to promotion of sustainable development and affordable housing; and

WHEREAS, the purpose of the existing HDDP program is to allow the development of housing design demonstration projects that increase the variety of housing choices available to

residents across underserved portions of the socioeconomic spectrum, promote compact, low-impact development where it is most appropriate, and encourage high quality and innovation in building design, site development, and “green” building practices; and

WHEREAS, the Affordable Housing Task Force was created by the City Council on May 9, 2017, and was instructed to make recommendations for specific actions, programs, and strategies the City of Bainbridge Island and the City Council can take in the near-term to improve access to affordable housing across the economic spectrum; and

WHEREAS, the City’s Affordable Housing Task Force issued a final report in July 2018 with many recommendations on how to increase housing affordability and diversity on Bainbridge Island, which include similar goals as the HDDP program described above; and

WHEREAS, on October 1 and 22, 2019, a majority of the City Council indicated support for extending the HDDP program until December 31, 2021; and

WHEREAS, on December 10, 2019, the City Council approved Ordinance No. 2019-32 which narrowed the program to only apply to projects that provided at least 50% of housing units as affordable housing and extended the HDDP program until December 31, 2021; and

WHEREAS, the City continues to work on accomplishing many of the recommendations made by the Affordable Housing Task Force’s final report and to implement City green building standards, and both affordable housing and green building are required as part of the HDDP program; and

WHEREAS, at the time Ordinance No. 2019-32 was approved, the City was working on preliminary design concepts for the Suzuki Affordable Housing project, which was being planned as an HDDP project with more than 50% affordable housing, however development at the Suzuki property was removed by the City Council from the City’s priority affordable housing work list in 2020; and

WHEREAS, although the City has not received any formal development proposals that plan to utilize the HDDP program since the program was extended and narrowed at the end of 2019, there was public comment at the October 12, 2021 City Council meeting that there is at least one affordable housing project in a conceptual phase that would utilize the HDDP program; and

WHEREAS, on October 12, 2021, the City Council voted 6-0 to support a two-year extension of the HDDP program until December 31, 2023 and referred the issue to the Planning Commission for consideration and a recommendation; and

WHEREAS, on October 28, 2021, the Planning Commission discussed this Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) and held a public hearing on the ordinance on November 18, 2021; and

WHEREAS, after closing the public hearing, the Planning Commission further discussed the HDDP program and voted to recommend approval to the City Council of a revised version of this Ordinance No. 2022-01 (formerly Ordinance No. 2021-35), extending the HDDP program and making other changes; and

WHEREAS, in recommending approval of Ordinance No. 2022-01 (formerly Ordinance No. 2021-35), the Planning Commission additionally recommended revising the HDDP program to require that affordable housing be targeted to low-income (or below) households, and further recommended converting the Innovative Site Development Scoring Method to a simple checklist; and

WHEREAS, notice was given on November 4, 2021 to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106 related to this Ordinance No. 2022-01 (formerly Ordinance No. 2021-35); and

WHEREAS, on December 7, 2021, the City Council considered this Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) related to extending the HDDP program and integrating the additional program changes recommended by the Planning Commission, as well as recommended changes by City staff; and

WHEREAS, during the City Council's discussion on December 7, 2021, the Council passed two motions, and via the first motion the Council directed the City Manager to prepare an ordinance to extend the HDDP program in its current form for one year, and via the second motion the Council directed the City Manager to include an agenda item on the December 14, 2021 Council agenda to set a public hearing for a future date regarding this Ordinance No. 2022-01 (formerly Ordinance No. 2021-35); and

WHEREAS, on December 14, 2021, the City Council set a public hearing for February 8, 2022 for this Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) to further consider the HDDP program changes recommended by the Planning Commission and City staff; and

WHEREAS, on December 14, 2021, the City Council also considered associated Ordinance No. 2021-39, related to extending the HDDP program in its current form for one additional year to allow time for the Council to consider this Ordinance No. 2022-01 and to avoid a situation in which the HDDP program would lapse while that consideration was occurring; and

WHEREAS, on February 8, 2022, the City Council held a public hearing on this Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) related to revisions and updates to the HDDP program as recommended by the Planning Commission and City staff and, after considering public comment regarding this ordinance, the Council approved a motion to forward Ordinance No. 2022-01 back to the Planning Commission to incorporate public hearing comments to provide an additional recommendation to the City Council; and

WHEREAS, on April 14 and May 12, 2022, the Planning Commission discussed Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) and the public comments received by the Council that suggested additional amendments to the ordinance; and

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

Section 1. Section 2.16.020.S. of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A, which is fully incorporated herein to this ordinance by this reference.

Section 2. 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 3. This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2022.

APPROVED BY THE MAYOR this ____ day of _____, 2022

Joe Deets, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:

PASSED BY THE CITY COUNCIL: _____, 2022

PUBLISHED: _____, 2022

EFFECTIVE DATE: _____, 2022

ORDINANCE NUMBER: 2022-01 (formerly 2021-35)

ATTACHED: Exhibit A

EXHIBIT A TO ORDINANCE NO. 2022-01 (formerly Ordinance No. 2021-35)

2.16.020.S. Housing Design Demonstration Projects.

1. Purpose and Goals. The purpose of this subsection S is to allow the development of housing design demonstration projects that increase the variety of housing choices available to residents across underserved portions of the socio-economic spectrum, and to promote compact, low-impact development where it is most appropriate. Further, its purpose is to encourage high quality and innovation in building design, site development, and “green” building practices.

The goals of this program are to increase the housing supply and the choice of housing styles available in the community; to promote socio-economic diversity by adding to the stock of income-qualified housing; to encourage development of smaller homes, at reasonable prices, in neighborhoods attractive to a mix of income and age levels; and to demonstrate that innovative design and building techniques (conserving water and energy, using sustainably sourced materials, limiting environmental impacts) are compatible with market considerations.

2. Applicability. This subsection S is applicable to all properties located within the Winslow sanitary sewer system service area. An application for a housing design demonstration project may be applied to single-family residential subdivisions, mixed-use/multifamily and multifamily developments. Since the purpose is to provide housing projects as demonstrations, the city will accept projects for consideration and approval prior to the sunset date of the ordinance codified in this chapter. The city will limit acceptance of projects outlined in this section to two projects after the effective date of the ordinance codified in this section.

3. Review and Approval Process. Housing design demonstration project applications shall be reviewed as specified in the same manner as other applications for the same type of underlying land use permit (see BIMC 2.16.030 through 2.16.210), with additional review steps done in the order below as outlined in this subsection.

- a. Conceptual Proposal Review. Applicants proposing a demonstration project shall meet with city staff during the conceptual phase to discuss the goals and evaluation parameters of the proposed project. The conceptual proposal review is an informal discussion between the applicant and city staff regarding a proposed project. There are no required application materials for this stage. Applicants shall contact the planning department staff to request a meeting, and the meeting shall be scheduled by staff for no more than three weeks after the request date. The purpose of the conceptual proposal review is to determine if the proposal is eligible to be considered as an application for a housing design demonstration project and to assist the applicant by identifying (i) requirements for submittal, including types of supplemental materials for application; (ii) compliance with applicable city plans, goals, policies, codes, or guidelines and possible revisions to the project that will enhance the proposal with respect to these requirements; (iii) areas of BIMC Title 17, Subdivisions, and BIMC Title 18, Zoning, where the applicant seeks flexibility; and (iv) required plans, studies, reports, and/or other materials specific to the proposal that will provide necessary information for staff and the design review board, and to review the project under the criteria outlined in subsection S.4 of this section.
- b. Public Participation Program. The applicant is required to participate in one or more community meetings, either through (i) the city’s public participation program following the procedures outlined in Resolution Nos. 2010-32 and 2001-11, or (ii) an equivalent public meeting that includes participation by city staff, as approved by the director.
- c. Preapplication Conference. The applicant shall apply for a preapplication conference pursuant to subsection I of this section. Housing design demonstration projects shall be reviewed by both staff and the design review board, pursuant to subsection F of this section. The applicant shall submit an HDDP proposal consistent with the requirements in the administrative manual. The applicant shall consider input received during the public meetings and conceptual review with city staff in crafting the proposal. The proposal will be evaluated pursuant

to subsection S.4 of this section by city staff with the design review board serving in an advisory role, in addition to their review of applicable design guidelines. The director shall prepare written findings of facts, and applicants will receive preliminary notification from the director whether the proposal will qualify as a housing design demonstration project, or feedback about how to improve the proposal to qualify. If the applicant changes the proposal in any significant manner other than a response to feedback from the public meeting, conceptual review, or the preapplication review, an additional preapplication conference may be required.

- d. **Application Submittal.** An applicant may submit a land use permit application (subdivision, site plan and design review, or conditional use permit) for a housing design demonstration project after completion of a required conceptual and preapplication review and notification by the city that the proposal qualifies as a housing design demonstration project. Upon receipt of an application, the director shall provide notice to the applicant and public in accordance with subsection M of this section and commence the application review process. Housing design demonstration projects that require more than one land use permit must utilize the consolidated project review process outlined in BIMC 2.16.170. All housing design demonstration project applications, including subdivisions, shall be reviewed by the design review board and the planning commission at public meetings. The design review board and the planning commission shall make recommendations on all housing design demonstration projects.
- e. **Permit Decision.** The decision to approve or deny a housing design demonstration project shall be made as part of underlying land use permit approval. The decision shall be based upon the decision criteria of the underlying planning permit, and the decision criteria outlined in subsection S.5 of this section. Housing design demonstration project approval conditions shall be included in the final permit approval and shall address any ongoing compliance requirements, including compliance with approved design plans. The city may require that the applicant record covenants to ensure ongoing compliance or maintenance for required project components.
- f. **Building Permit.** The applicant shall submit a building permit that is consistent with all conditions of the land use permit approval. The applicant shall also submit documentation that the project has applied for required certification by a green building rating system, such as Evergreen Sustainable Development, LEED, or BuiltGreen. Proof of ongoing certification shall be required during construction and project certification must be completed prior to final occupancy.
- g. **Living Building Challenge.** For projects pursuing the Living Building Challenge standard of the International Living Building Institute, the applicant must show proof of pursuing ongoing certification during construction for all required elements. After construction, and prior to issuance of the certificate of occupancy, the applicant must show proof of initial project compliance as to the site, materials, indoor quality and beauty/inspiration components of the Living Building Challenge and that the project is likely to achieve the elements of energy and water following 12 months of occupancy as required under Living Building Challenge certification. For those elements of energy and water that require occupancy of the building for 12 months for Living Building Challenge certification, the applicant must submit a report to the city following 12 months of occupancy, demonstrating its progress towards meeting these remaining elements of the Living Building Challenge standard. If certification of those elements has not been achieved, the applicant must provide quarterly reports of progress towards certification of these elements, including additional steps and timeline that will be taken to achieve certification.

4. **Evaluation Method.** Each project will be evaluated for innovation and achievement of the goals of this subsection S of this section using a number of factors. The evaluation factors are divided into three categories. Examples of sustainable development methods do not limit other mechanisms of meeting the evaluation factor. Projects that qualify as housing design demonstration projects are eligible to use the flexible development standard incentives outlined in subsections S.6 and 7 of this section, and are eligible for the residential incentives outlined below and in subsection S.8 of this section. Tables 2.16.020.S-1, S-2, and S-3 show how projects are scored/evaluated to qualify for the housing design demonstration project program.

Table 2.16.020.S-1: Housing Design Demonstration Project Scoring System

Density Incentives	Requirements to Receive Incentives	
	Green Building and Innovative Site Development	Housing Diversity
2.5 x Base Density OR Max. Bonus Mixed-Use FAR	<ul style="list-style-type: none"> LEED Silver, BuiltGreen 4, or Evergreen Sustainable Development 25 Points in Project integrates at least 50% of listed Innovative Site Development Practices 	<ul style="list-style-type: none"> 50% affordable housing Home size not larger than 1,600 sq. ft.

NOTE: For required affordable housing units:

- o ~~Home ownership projects: 50% of r~~Required affordable house units ~~should~~ must serve low-income households with an income ≤ less than or equal to 80% AMI. (See, BIMC 18.21.020.A. and BIMC 18.36.030.)
- o Rental projects: 50% of required affordable house units ~~should~~ must serve households with an income ≤ less than or equal to 60% AMI.
- o The 2.5x base density incentive would yield a total maximum number of dwelling units. Accessory dwelling units (ADUs) cannot be used to increase that total maximum number of dwelling units in a development project.

Table 2.16.020.S-2 Housing Diversity Scoring Method

		Affordable Housing			Unit Size		Unit Type	
		Project includes a number of housing units that are designated affordable for a period of 99 years to the spectrum of income levels as defined by BIMC 18.36.030.16 and 18.21.020.A. Rental housing is encouraged by awarding more points for the creation of rental housing.			Project includes a variety of unit sizes, excluding garages, that provide for a broad mix of income levels and family size. In order to score a point in a unit size range, the project shall provide at least 10% of the total number of units in that range. For example, in a 40-unit development, at least 4 units sized between 1,001 and 1,200 ft ² would be needed to score points in that range.		Unit type: Project includes a variety of housing unit types (i.e., single-family style, townhouse, flat, age in place, ADUs, cottages) or innovative type of housing. In order to score points for different unit types, the project shall provide at least 10% of the total number units of that type. For example, in a 40-unit development of townhomes and duplexes, at least 4 units of townhomes would be needed to score points for having 2 different unit types.	
Total Housing Diversity Points Required	Affordable Units	Ownership Value	Rental Value	Unit Size Range	Value	Number of Different Unit Types	Value	
	10%	10	12	< 800 ft ²	1	2	2	
	11–15%	12	14	801–1,000 ft ²	1	3	3	
	16–20%	14	16	1,001–1,200 ft ²	1	4	4	
	21–25%	16	18	1,201–1,400 ft ²	1	5	5	
	> than 25%	20	22	1,401–1,600 ft ²	1	Min. Pts. Required		
	Minimum % Required			Size Requirement	Min. Pts. Required			
20 pts	50%			Max. home size 1,600 ft ²	NA	NA		

Table 2.16.020.S-3 Innovative Site Development Scoring Method

Minimum Site Development Point Requirement	WATER QUALITY & CONSERVATION		LANDSCAPING & OPEN SPACE			TRANSPORTATION			
	REQUIREMENT	VALUE	% OF OPEN SPACE	VALUE	VALUE IF PUBLIC	TRANSPORTATION COMPONENTS	VALUE		
25	Projects use methods to decrease water usage and improve stormwater runoff quality through an integrated approach to stormwater management such as greywater use, stormwater collection in cisterns, green roofs and covered parking. All HDDP projects will follow the stormwater manual adopted in Chapter 15.20 BIMC.		Project provides well designed common open space, with at least 5 percent of the gross land area, set aside as open space and designed as an integrated part of the project rather than an isolated element. The common open space must be outside of critical areas and their buffers and required roadside buffers. Appropriate community amenities such as playgrounds, composting and neighborhood gardens promoting the production of locally grown food are encouraged. Resident neighborhood community gardens can be in common open space areas, and shall be appropriately located for solar exposure, and include water availability, soil amenities, and storage for garden tools. Required growing space for neighborhood gardens is 60 square feet per dwelling unit, not including any existing orchard area. Open space dedicated to the public pursuant to the standards of BIMC Sections 17.12.030. A1, A2, A3, A6 & A7 is encouraged.			Project design provides enhanced sensitivity to pedestrian and bicycle travel to promote the people getting around without a car, a reduced carbon footprint, improved health of humans, and lower pollution levels. Project internally preserves existing informal internal connection to external non-motorized facilities, furthering the Island-wide Transportation Plan (IWTP) and using such solutions as woonerfs, green streets, and natural trails and paths. Project reduces reliance on automobiles and trip counts, and promotes alternative transportation, such as integrating parking and charging facilities for electric cars, or bus shelters.			
	Number of dwelling units that integrate greywater reuse components into building design:					Project preserves, creates or integrates internal and external non-motorized connections.			
	10%	1	5-10%	2	4	Provides public walkways, separated paths, or bike lanes. No points for facilities required by IWTP.			
	11-20%	2	11-15%	4	6	On-site car sharing program			
	21-30%	3	16-20%	6	8	Electric vehicle charging stations for 3% of vehicle parking capacity.			
	Over 31%	4	21-25%	8	10	Covered, consolidated bike parking for subdivisions			
	Percentage of total roof area qualifying as "green roofs":		Greater than 25%			10	12	Bus Shelter	
	15-30%	2	Incorporates neighborhood garden			2			
	Over 31%	4	Preserves tree that qualifies as a "Heritage tree" under City Program. The tree is not otherwise required to be preserved.			2 per tree			
	Project integrates cisterns: % of total roof area directed to cisterns:		All Private yard areas ≤ 20% turf			4			
	15-30%	2	Project landscaping integrates at least 60% native or drought tolerant plants			4			
	Over 31%	4							
Percentage of total parking spaces that are covered (i.e. parking garage, carport):									
5-20%	1								
21-40%	2								
41-60%	3								
61-80%	4								
Over 81%	5								

- a. Housing Diversity. Evaluation will review:
 - i. ~~Unit Type. The project includes a variety of unit types, for example, single-family, townhomes, flats, duplex, cottages, age-in-place or accessory dwelling units;~~
 - ii. Unit Size. HDDP housing units cannot be larger than 1,600 square feet ~~The project includes a variety of housing unit sizes that provide for a broad mix of income levels and family size; and~~
 - iii. Affordable Housing. The project includes at least 50% of housing units that are affordable to the spectrum of households at or below low-income, levels as described in Chapter 18.21 BIMC, Affordable Housing, and BIMC 18.36.030. For rental projects: 50% of required affordable house units must serve households with an income less than or equal to 60% AMI. Designated affordable housing shall remain affordable for 99 years from the time of final inspection on the affordable unit. The applicant shall record covenants that demonstrate how the unit will remain affordable and be managed for 99 years.

- b. Innovative Site Development. All HDDP projects will follow the Department of Ecology's 2012 Stormwater Management Manual for Western Washington, as amended in December 2014. The project must integrate at least 7 (50%) of the 14 sustainable site methods listed across the four sustainable site categories below (water quality and conservation, landscaping, open space, and transportation). For projects which designate 100% affordable housing, compliance with the Innovative Site Development requirements is optional, not required. Evaluation will review:
 - i. Water Quality and Conservation. Projects use methods to decrease water usage and improve stormwater runoff quality through an integrated approach to stormwater management such as:
 - (a) Greywater: At least 30 % of dwelling units integrate greywater use;
 - (b) Cisterns: At least 30% of total project roof area stormwater collection is directed to in cisterns;
 - (c) Green Roofs: At least 30% of total project roof area qualifies as a "green" or vegetated roofs.
 - (d) Covered Parking: At least 80% of total project parking spaces are covered (e.g., parking garage, carport), and covered parking. All HDDP projects will follow the Department of Ecology's 2012 Stormwater Management Manual for Western Washington, as amended in December 2014.
 - ii. Landscaping. The project uses low maintenance landscaping ~~and that integrates a high proportion of native plants or drought tolerant plants that are climate appropriate. The project limits the amount of lawn in private yards in favor of common open space. Projects are encouraged to use cisterns to collect rainwater for irrigation or garden use.~~
 - (a) Native or Drought Tolerant Plants: Project landscaping integrates at least 60% native or drought tolerant plants.
 - (b) Private Yards: All private yard areas within the project designed to have less than or equal to 20% turf/grass.
 - (c) Heritage Trees: The project preserves one or more tree that has been approved as a "Heritage Tree" under the City's program.
 - iii. Common Open Space. The project provides connected common open space area set aside as active open space and designed and integrated into the project. The open space could include active elements such as a neighborhood garden/pea patch and composting facilities, or a playground.

Critical areas and their buffers and required roadside buffers do not contribute to “common open space” under the housing design demonstration project program.

(a) Open Space: The project integrates at least 25% of the lot area as common open space.

(b) Neighborhood Garden: The project incorporates a neighborhood garden or pea patch.

iv. Transportation. The project ~~(A)~~ uses a design that provides enhanced sensitivity to pedestrian and bicycle travel; ~~(B)~~ and internally preserves existing informal, internal connection to external trail(s), or creates new connections where appropriate, to implement the Island-wide Transportation Plan (IWTP); ~~(C)~~ The project design strives to reduces reliance on automobiles and trip counts, and promotes alternative transportation and public transit; ~~(D)~~ minimizes the visual dominance of automobiles throughout the project; or ~~(E)~~

(a) Electric Vehicle (EV) Charging: Tthe project integrates EV accommodates needs of alternative vehicles through techniques such as parking and charging facilities for at least 10% of vehicle parking capacity electric cars, locating rechargeable electric vehicle (EV) parking in a conspicuous and preferred location close to a main building entrance; ~~and~~

(b) Car Sharing: The project integratesing a parking space for a vehicle sharing program, such as Zipcar™ .

(c) Public Nonmotorized Facilities: The project provides public walkways, sidewalks, separated paths, or bike lanes not otherwise required by the IWTP. Facility location and design is subject to approval by the Department of Public Works.

(d) Covered Bike Parking: The project provides covered, consolidated bike parking.

(e) Bus Shelter: The project provides a covered bus shelter(s) for Kitsap Transit and school bus riders. Shelter location and design must be consistent with any Kitsap Transit, City, or School District requirements.

c. Innovative Building Design. The project ~~is~~ shall be constructed under a green building certification program that requires third-party verification such as the Evergreen Sustainable Development, Living Building Challenge standard of the International Living Building Institute, Passive House Institute US/International, LEED or the BuiltGreen Program of the Master Builders of King and Snohomish Counties.

5. Approval Criteria. In addition to decision criteria required by the underlying planning permit or approval, an application for a housing design demonstration project may be approved if the following criteria are met:

a. The applicant clearly demonstrates that the evaluation factors listed in subsection S.4 of this section will be met, as shown in the housing design demonstration project scoring system as evaluated by the planning and public works departments;

b. The applicant has demonstrated how relief from specific development standards, including setback reductions, lot coverage and/or design guidelines, is needed to achieve the desired innovative design and the goals of this chapter;

c. The project does not adversely impact existing public service levels for surrounding properties;

d. The project complies with all other portions of the BIMC, except as modified through this housing design demonstration project process;

- e. If a project will be phased, each phase of a proposed project must contain adequate infrastructure, open space, recreational facilities, landscaping and all other conditions of the project to stand alone if no other subsequent phases are developed; and
- f. The applicant is meeting required housing diversity standards. Management of long-term affordability for designated affordable housing will be monitored through the use of recorded covenants and/or other agreements.

6. Development Standard Incentives for Development Projects in the Mixed-Use Town Center. The applicant may request that development standards from BIMC Titles 17 and 18 be modified as part of a housing design demonstration project. The city will review the request to modify development standards through the project review process outlined in subsection S.3 of this section. Requirements of BIMC Title 16 may not be modified. The following development standards may be modified:

- a. Minimum Lot Dimensions and Size. Reductions in lot size or dimensions are subject to approval by Kitsap County health district.
- b. Maximum Lot Coverage. Maximum lot coverage can be increased above zoning district requirements with no maximum.
- c. Natural Area. For MUTC projects developed under BIMC Title 17, the prescriptive natural area requirements in Table 17.12.070-1 do not apply. Instead, the project shall integrate at least 50 square feet of natural area per unit.
- d. Residential Parking. The parking requirements outlined in BIMC 18.15.020 may be modified to require one parking space for homes under 800 square feet and one and one-half parking spaces for homes between 800 and 1,200 square feet. This reduction may not be combined with any other reductions to result in less than one space per unit, and additional guest parking may be required pursuant to Table 18.15.020-1. A limited number of parking spaces may be designed to accommodate alternative fuel or subcompact vehicles such as Smart™ cars, with parking stall dimensional standards reduced from the standards outlined in BIMC 18.15.020.J. The applicants are encouraged to work with neighboring property owners to ensure street parking is not overburdened. If the project is requesting a reduction in required parking through the housing design demonstration project program, then the development shall integrate at least one guest parking space for every five dwelling units.

i. For projects which are 100% affordable which designate 100% affordable housing and within 0.5 mile of the Ferry Terminal, for units less than 800 square feet in size, the parking requirement is reduced to 0.5 space per unit. For such projects within 1 mile of the Ferry Terminal, for units less than 800 square feet in size, the parking requirement is reduced to 0.75 space per unit.

- e. Setbacks. Unless required for public safety purposes, such as sight distance, setbacks may be reduced as described below. This section does not supersede lesser setback requirements in the MUTC/HS Road district zones, as outlined in Tables 17.12.070-1 and 18.12.020-2, as applicable.
 - i. Zoning Setback Reductions.
 - (A) Front setback within project: 10 feet.
 - (B) Rear setback within project: minimum of five feet.
 - (C) Side setback within project: minimum of five feet.
 - ii. Subdivision Setback Reductions.

- (A) All interior subdivision setbacks: zero feet.
 - (B) Building to exterior subdivision boundary: five feet.
 - (C) Building to right-of-way or on-site private access: 10 feet.
- f. Building Height. Buildings within the Mixed-Use Town Center or High School Road districts may achieve a maximum building height not to exceed the optional height outlined in Table 18.12.020-2 3.
7. Development Standard Incentives for Development Projects in Residential Zones. The applicant may request that development standards from BIMC Title 17 and 18 be modified as part of a housing design demonstration project. The city will review the request to modify development standards through the project review process outlined in subsection S.3 of this section. Requirements of BIMC Title 16 may not be modified. The following development standards may be modified:
- a. Minimum Lot Dimensions and Size. Reductions in lot size or dimensions are subject to approval by Kitsap County health district.
 - b. Maximum Lot Coverage. Maximum lot coverage can be increased above zoning district requirements with no maximum.
 - c. Natural Area. For residentially zoned projects developed under BIMC Title 17, the prescriptive natural area requirements in Table 17.12.070-1 do not apply. Instead, the project shall integrate at least 400 square feet of natural area per unit.
 - d. Residential Parking. The parking requirements outlined in BIMC 18.15.020 may be modified to require one parking space for homes under 800 square feet and one and one-half parking spaces for homes between 800 and 1,200 square feet. This reduction may not be combined with any other reductions to result in less than one space per unit, and additional guest parking may be required pursuant to Table 18.15.020-1. A limited number of parking spaces may be designed to accommodate alternative fuel or subcompact vehicles such as Smart™ cars, with parking stall dimensional standards reduced from the standards outlined in BIMC 18.15.020.J. The applicants are encouraged to work with neighboring property owners to ensure street parking is not overburdened. If the project is requesting a reduction in required parking through the housing design demonstration project, then the development shall integrate at least one guest parking space for every five dwelling units.
 - i. For projects which are 100% affordable which designate 100% affordable housing and within 0.5 mile of the Ferry Terminal, for units less than 800 square feet in size, the parking requirement is reduced to 0.5 space per unit. For such projects within 1 mile of the Ferry Terminal, for units less than 800 square feet in size, the parking requirement is reduced to 0.75 space per unit.
 - e. Setbacks. Unless required for public safety purposes, such as sight distance, zoning and subdivision setbacks may be reduced as described below. This section does not supersede lesser setback requirements as outlined in Tables 17.12.070-1 and 18.12.020-1, as applicable. Additional vegetative landscaping screen may be required by the director when reducing setbacks.
 - i. Zoning Setback Reductions.
 - (A) Front setback to on-site access: 10 feet.
 - ii. Subdivision Setback Reductions.
 - (A) All interior subdivision setbacks: zero feet.

(B) Building to on-site access: 10 feet.

8. Density Bonus Incentives. An increase in residential base density may be permitted as outlined in Table 2.16.020.S-24.

Table 2.16.020.S-24: Housing Diversity Program Project Density Bonuses
<ul style="list-style-type: none">• 2.5 x Base Density• OR Max. Bonus Mixed-Use FAR (all residential)

9. Housing Project Visit. In order to learn from the innovative design practices used, all projects completed under this subsection S shall allow city staff to conduct occasional site tours. City staff will make a request of the property owner prior to conducting a tour and will not access the properties for tours more than once every three months. The site tours will be limited to the exterior and common grounds of the property and conducted during regular business hours. Visits will be coordinated through the staff and property owner, and the owner will receive written notice no less than two weeks in advance of each visit. Any additional access to private property or at alternative times shall be at the permission and cooperation of the individual homeowner only.

10. Demonstration Period. This subsection S and related provisions of BIMC Titles 2, 17, and 18 shall expire on December 31, 2022.



CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, FEBRUARY 8, 2022

MEETING MINUTES

1) [CALL TO ORDER / ROLL CALL](#)

Mayor Deets called the meeting to order at 6:02 p.m. on the Zoom webinar platform.

Mayor Deets, Deputy Mayor Fantroy-Johnson, and Councilmembers Hytopoulos, Moriwaki, Quitslund, and Schneider were present. Councilmember Pollock was absent and excused.

2) [APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE](#)

City Manager King noted that agenda item 9.D needs to be removed from the agenda. Councilmember Moriwaki moved and Councilmember Hytopoulos seconded to approve the agenda as amended. The motion carried unanimously, 6-0. There were no conflicts of interest disclosed.

3) [PRESENTATION\(S\)](#)

3.A [Present Proclamation Declaring February 2022 as "Black History Month"](#)

[Cover Page](#)

[Black History Month Proclamation 2022.docx](#)

Deputy Mayor Fantroy-Johnson read the proclamation.

Chasity Malatesta and Isaiah Brown, a student on the Bainbridge Island School District's Multi-Cultural Advisory Council, accepted the proclamation.

4) [PUBLIC COMMENT](#)

4.A [Instructions and Guidelines for Providing Public Comment at Remote Meetings - City Clerk](#)

[Cover Page](#)

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

Beth Javens, Director of Visit Kitsap, provided information on a draft of the Management Plan for the Maritime Washington National Heritage Area.

Carrie Smith expressed concerns with the policing.

Lisa Neal expressed concerns with the University of Washington Winslow Subarea Plan study.

5) CONSENT AGENDA

5.A Agenda Bill for Consent Agenda
[Cover Page](#)

Councilmember Moriwaki asked to remove item 5.C from the Consent Agenda.

MOTION: I move to approve the Consent Agenda as amended with item 5.C pulled.

Moriwaki/Hytopoulos: The motion carried 6 - 0.

AYES: Joe Deets, Brenda Fantroy-Johnson, Leslie Schneider, Kirsten Hytopoulos, Jon Quitslund, Clarence Moriwaki

NOES:

ABSENT: Michael Pollock

ABSTAIN: None

5.B Approve Accounts Payable and Payroll

[Cover Page](#)

[AP Report to Council of Cash Disbursements 02-09-22.pdf](#)

[Council Report PR 2-4-22.pdf](#)

5.D Authorize Purchase of 2022 Ford Mach-E SUV Police Vehicle (\$51,547.55 + upfit estimated at \$5,000.00) . - Public Works

[Cover Page](#)

[2022 Ford Mach-E SUV Quote.pdf](#)

5.E Authorize Purchase of 2022 Ford Police Interceptor Hybrid Vehicle (\$43,797.94 + upfit estimated at \$25,000.00) - Public Works

[Cover Page](#)

[2022 Ford Interceptor SUV Hybrid Quote.pdf](#)

5.F Accept the \$100,000 Washington State Department of Commerce Grant and Authorize Execution of the Associated Interagency Agreement with the Department of Commerce to fund a City Housing Action Plan - Planning

[Cover Page](#)

[COMMERCE Bainbridge Island Grant Contract-22-63314-004.docx](#)

ITEM REMOVED FROM THE CONSENT AGENDA

5.C Approve City Council Meeting Minutes

[Cover Page](#)

[City Council Study Session Minutes, January 18, 2022.pdf](#)

[City Council Regular Business Meeting Minutes, January 25, 2022.pdf](#)

Councilmember Moriwaki asked to remove the statement in the January 25, 2022 meeting minutes that Councilmember Pollock recused himself from agenda item 8.C, Provide Direction on Police and Court Facility. City Manager King suggested that the minutes could be clarified to remove that statement and state only that Councilmember Pollock left the meeting.

MOTION: I move to approve it [the minutes] as amended with the language that the City Manager directed to our Clerk.

Moriwaki/Schneider: The motion carried 6 - 0.

AYES: Joe Deets, Brenda Fantroy-Johnson, Leslie Schneider, Kirsten Hytopoulos, Jon Quitslund, Clarence Moriwaki

NOES:

ABSENT: Michael Pollock

ABSTAIN: None

6) COUNCIL ANNOUNCEMENTS

Councilmember Schneider reported on a climate change pilot project related to sustainable transportation in another city.

Councilmember Moriwaki reported on a Design Review Board meeting.

Deputy Mayor Fantroy-Johnson reported on a showing of a documentary film, "Roosevelt High School: Beyond Black & White" at Bainbridge Island Museum of Art.

Mayor Deets highlighted his office hours on Saturday and mentioned that committee reports will be added to future study sessions.

Mayor Deets reported that Councilmember Pollock has resigned his positions as liaison to the Climate Change Advisory Committee (CCAC) and the Planning Commission. Councilmember Schneider will take his position on the CCAC, and Councilmember Quitslund will be the sole Council liaison to the Planning Commission.

7) CITY MANAGER'S REPORT

City Manager Blair provided an update on State zoning legislation currently under consideration and recruitment for a Director of Planning and Community Development.

8) PUBLIC HEARING(S)

8.A Hold Public Hearing and Adopt Ordinance No. 2022-01 (formerly Ordinance No. 2021-35) relating to revising the Housing Design Demonstration Project Program - Planning

[Cover Page](#)

[Public Hearing Draft Ordinance No. 2022-01 \(formerly No. 2021-35\) Revising HDDP Program.docx](#)

[Exhibit A to BIMC 2.16.020.S. HDDP.docx](#)

City Manager King introduced the agenda item. Interim Planning Director Hofman and Senior Planner Sutton provided additional information.

Mayor Deets opened the public hearing at 6:40 p.m.

Public Comment

Phedra Elliott expressed concerns with the ordinance.

Ron Peltier expressed concerns with the ordinance.

Mayor Deets closed the public hearing at 6:46 p.m.

Council discussed the ordinance and the comments received.

MOTION: I move that City Council move forward with approving the revised version of the HDDP as presented.

Hytopoulos/ Moriwaki: The motion failed 2 – 4.

AYES: Kirsten Hytopoulos, Clarence Moriwaki
NOES: Joe Deets, Leslie Schneider, Brenda Fantroy-Johnson, Jon Quitslund
ABSENT: Michael Pollock
ABSTAIN: None

MOTION: I move to schedule additional discussion on Ordinance No. 2022-01 at a future City Council meeting.

Deets/Fantroy-Johnson: The motion failed 3 – 3.

AYES: Joe Deets, Brenda Fantroy-Johnson, Jon Quitslund
NOES: Leslie Schneider, Kirsten Hytopoulos, Clarence Moriwaki
ABSENT: Michael Pollock
ABSTAIN: None

RESTATED MOTION: I move to forward tonight's discussion to the Planning Commission to incorporate the comments from tonight's hearing and provide recommendations to Council from the comments at the hearing.

Schneider/Fantroy-Johnson: The motion carried 4 – 2.

AYES: Joe Deets, Leslie Schneider, Brenda Fantroy-Johnson, Jon Quitslund
NOES: Kirsten Hytopoulos, Clarence Moriwaki
ABSENT: Michael Pollock
ABSTAIN: None

9) REGULAR BUSINESS

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

[Cover Page](#)

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

[Winslow Master Plan Analysis Final Report 2021-2.pdf](#)

City Manager King introduced the agenda item. Senior Planner Sutton provided additional information. University of Washington students Talia Kertsmann, Fangnuo Tao, Jinfan Huang, Zipei Wang, and Barbs Mendez joined the meeting and provided a presentation.

9.B Discuss Proposal to Review, Substantially Modify, or Repeal BIMC 2.16.210 (Subarea Planning Process) - Planning

[Cover Page](#)

[Staff Memo on BIMC 2.16.210.docx](#)

[BIMC 2.16.210.pdf](#)

City Manager King introduced the agenda item. Interim Planning Director Hofman and Senior Planner Sutton provided additional information. Council discussed the topic.

MOTION: I move that the Code BIMC 2.16.210 be amended to apply to only small designated areas but not Winslow.

Moriwaki/Hytopoulos: The motion carried 5 – 1.

AYES: Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Jon Quitslund, Clarence Moriwaki
NOES: Brenda Fantroy-Johnson
ABSENT: Michael Pollock
ABSTAIN: None

9.C Review Approach to Winslow Master (Subarea) Plan Preparation ** 2022 Council High Priority Project - Planning**

[Cover Page](#)

[Staff Memo on WMP update.docx](#)

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

City Manager King introduced the agenda item. Interim Planning Director Hofman provided additional information, and Council discussed the item.

MOTION: I move to direct the City Manager to convene an interdepartmental committee to begin the project to update the Winslow Subarea Plan by: 1) Reviewing the Plan to identify outdated sections; and 2) Creating a project timeline for completing the update to the Plan that integrates existing related work program items.

Fantroy-Johnson/Quitslund: The motion carried 6 - 0.

AYES: Joe Deets, Brenda Fantroy-Johnson, Leslie Schneider, Kirsten Hytopoulos, Jon Quitslund, Clarence Moriwaki
NOES:
ABSENT: Michael Pollock
ABSTAIN: None

MOTION: I move to direct the City Manager to bring back for City Council review a draft description of the Winslow Comprehensive Plan Update project to be used in a future request for qualifications process in order to identify a consultant to run the project.

Quitslund/Schneider: The motion carried unanimously 6 - 0.

AYES: Joe Deets, Brenda Fantroy-Johnson, Leslie Schneider, Kirsten Hytopoulos, Jon Quitslund, Clarence Moriwaki
NOES:
ABSENT: Michael Pollock
ABSTAIN: None

MOTION: I move that we change the references and create the Winslow Subarea Plan in all places where it is previously referenced as the Winslow Master Plan.

Schneider/Fantroy-Johnson: The motion carried unanimously 6 - 0.

AYES: Joe Deets, Brenda Fantroy-Johnson, Leslie Schneider, Kirsten Hytopoulos, Jon Quitslund, Clarence Moriwaki
NOES:

ABSENT: Michael Pollock
ABSTAIN: None

Mayor Deets adjourned the meeting for a break at 8:27 p.m. and reconvened the meeting at 8:35 p.m.

9.D Review and Concur with Scope of Work for Housing Action Plan Professional Services Contract **2022 Council High Priority Project - Planning**

[Cover Page](#)

[BI Housing Action Plan Scope Draft Revised_1-25-2022.docx](#)

This item was removed from the agenda.

9.E Consider Establishing an Annual Travel/Training Budget of \$1,500 each for Councilmembers (a total of \$10,500) and a Corresponding Travel and Training Policy - Executive

[Cover Page](#)

[Admin Policy Council Travel and Training 02032022](#)

[2022 Travel Expense Claim Form](#)

[2022 Travel Advance Request](#)

[Travel Section - COBI Employee Manual as of June 24, 2021](#)

[City Council Training Tracking Matrix.pdf](#)

City Manager King introduced the agenda item.

MOTION: I move to direct the City Manager to establish an annual travel and training budget of \$1,500 for each Councilmember, for a total of \$10,500, and to approve a Travel and Training Policy for the City Council as provided.

Fantroy-Johnson/Schneider: The motion carried 6 - 0.

AYES: Joe Deets, Brenda Fantroy-Johnson, Leslie Schneider, Kirsten Hytopoulos, Jon Quitslund, Clarence Moriwaki

NOES:

ABSENT: Michael Pollock

ABSTAIN: None

9.F Discuss Revised Legislative Policy Guidelines for the 2022 Legislative Agenda - Executive

[Cover Page](#)

[Legislative Policy Guidelines for 2022 for CC 02082022](#)

[AWC 2022 Legislative Priorities](#)

Deputy City Manager Schroer introduced the agenda item, and Council discussed the guidelines.

MOTION: I move that the Council endorse the legislative policies as presented and authorize the City Manager to provide comment to the State or Federal legislative bodies consistent with this direction as appropriate and when timely.

Deets/Moriwaki: The motion carried 6 - 0.

AYES: Joe Deets, Brenda Fantroy-Johnson, Leslie Schneider, Kirsten Hytopoulos, Jon Quitslund, Clarence Moriwaki

NOES:

