



CITY OF
BAINBRIDGE ISLAND

**PLANNING COMMISSION SPECIAL MEETING
THURSDAY, FEBRUARY 24, 2022**

THE PLANNING COMMISSION WILL HOLD THIS MEETING USING A VIRTUAL ZOOM WEBINAR PLATFORM. MEMBERS OF THE PUBLIC WHO DO NOT WISH TO VIEW THE MEETING VIA THE CITY'S WEBSITE STREAMING WILL BE ABLE TO ATTEND VIA ZOOM.

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 +1 669 900 9128 OR +1 646 558 8656 OR +1 301 715 8592

OR +1 312 626 6799

WEBINAR ID: 973 4007 2620

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

(6:05 PM) Review and approve minutes from February 10, 2022 meeting.

- 2.a February 10, 2022 Draft Minutes - Review and approve** 5 Minutes
[DraftMinutes02102022.pdf](#)

3. PUBLIC COMMENT - 6:10 PM

- 3.a (6:10 PM) Instructions for making a public comment.** 10 Minutes
[Instructions_for_Providing_Public_Comment_at_Remote_Meetings__PlanningCommission.pdf](#)

4. UNFINISHED BUSINESS - 6:20 PM

- 4.a **(6:20 PM) Review Ordinance No. 2022-02 (formerly 2021-38) to Implement Increased Density Bonus for Affordable Housing Development on Property Owned by Religious Organizations** 60
Minutes
[Staff Memo.docx](#)
[Ordinance No. 2022-02 \(formerly 2021-38\) Relating to Affordable Housing on Religious Properties.docx](#)
[Ordinance No. 2022-02 Exhibit A.pdf](#)
[RCW 36.70A.545 Increased density bonus for affordable housing located on property owned by a religious organization.pdf](#)

5. **NEW BUSINESS - 7:20 PM**
6. **PLANNING DIRECTOR'S REPORT - 7:30 PM**
7. **FOR THE GOOD OF THE ORDER- 7:45 PM**
8. **ADJOURNMENT - 8:00 PM**

GUIDING PRINCIPLES

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

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

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

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

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

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

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

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



Planning Commission meetings are wheelchair accessible. Assisted listening devices are available in Council Chambers. If you require additional ADA accommodations, please contact the Planning & Community Development Department at (206) 780-3750 or pcd@bainbridgewa.gov 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: February 24, 2022

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: February 10, 2022 Draft Minutes - Review and approve

SUMMARY: Draft minutes from February 10, 2022 meeting.

AGENDA CATEGORY: Minutes

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION: Motion: I move to approve the minutes from the February 10, 2022 Planning Commission Special Meeting.

STRATEGIC PRIORITY:

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

[DraftMinutes02102022.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

**Planning Commission Special Meeting
February 10, 2022
Meeting Minutes**

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

Chair Sarah Blossom called the meeting to order at 6:00 PM. Commissioners in attendance were Vice-chair Ashley Matthews, Yesh Subramanian, William Chester and Lisa Macchio. 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 Administrative Specialist Maria Dozeman who monitored the recording and prepared minutes. The agenda was reviewed and no conflicts disclosed.

2) PLANNING COMMISSION MEETING MINUTES

2.a Review and Approve Meeting Minutes

[Cover Page](#)

[PCDraftMinutes01272022.pdf](#)

Motion: I move to approve the meeting minutes for the 1/27/2022 Planning Commission meeting.
Blossom/Mathews
Motion carried 5-0

3) PUBLIC COMMENT

[Cover Page](#)

[Instructions_for_Providing_Public_Comment_at_Remote_Meetings__PlanningCommission.pdf](#)

Joseph McMillan – Supports objective but not in favor of draft ordinance in area proposed.

Kent Scott – Not in favor of the draft ordinance.

4) PRESENTATION

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

[Cover Page](#)

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

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

Speakers:

Talia Kertsman

Fangnuo Tao

Jinfan Huang

Zipei Wang

Barbs Mendez
Kate Cote, advisor/CEP Instructor

5) UNFINISHED BUSINESS

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

[Cover Page](#)

[Staff Memo.docx](#)

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

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

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

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

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

[Bellevue Ordinance 6626.pdf](#)

[Kenmore and Wenatchee Regulations.pdf](#)

[Seattle_Ord_126384.pdf](#)

Public Comment

Jane Rein – In favor of affordable housing but wants the whole process to have integrity so there is a successful outcome.

Maggie Rich, employee of Housing Resources Bainbridge. Read letter from Executive Director Phedra Elliott. Supports affordable housing using new ordinance.

Jim Halbrook - Against high density in his neighborhood.

Ron Peletier - Not opposed to affordable housing project on Bethany Lutheran's property but would like to see the plans more in line with the location given the conservation area.

Bob Russell - Supports ordinance but prefers only 20 units for the proposed ordinance.

Jason Wilkinson- Supports affordable housing at Bethany Lutheran but urges Planning Commission to be more creative and open up the plan vs. a one off project specific policy.

Paul Stumme-Diers - Supports affordable housing project at Bethany Lutheran.

Melanie Keenan - Concerned about a special interest type of overlay to this project. Concerned about limited water supply and sewer capacity.

Talis Abolins-Would like to see a reasonable balanced approach to this pilot project-would prefer 12-15 units.

Jonathan Davis - Interested in developing a wise project and protecting character of that part of the island.

Presentation by Jennifer Sutton

MOTION: I move to amend Ordinance 2022-02: The amount of parking shall be determined by a transportation study to ensure there is adequate parking for the project but not excessive parking to minimize impervious surfaces.

Blossom/Mathews: Motion carried 5-0

MOTION: I move to amend Ordinance 2022-02 to add a section that requires a transportation study that includes a connectivity assessment and analysis as part of its determination of the parking requirements.

Blossom/Subramanian: Motion carried 5-0

MOTION: I move to amend Ordinance 2022-02 so that section B-6 F is amended to the following:

The maximum size of a 4 BR home is 1250 SF

The maximum size of a 3BR home is 1150 SF

The maximum size of a 2BR home is 775 SF

The maximum size of a 1 BR or studio home is 600 SF

Blossom/Mathews: Motion carried 5-0

MOTION: I move to schedule public hearing for March 10, 2022

Mathews/Chester

Motion carried 3 - 2

AYES: William Chester, Sarah Blossom, Ashley Mathews

NOES: Lisa Macchio, Yesh Subramanian

ABSENT: None

ABSTAIN: None

6) NEW BUSINESS

None

7) PLANNING DIRECTOR'S REPORT

Cover Page

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

8) FOR THE GOOD OF THE ORDER - 7:55 PM

Vice Chair Matthews shared GARE Conference information.

Chair Blossom announced three upcoming PreApp meeting opportunities.

9) ADJOURNMENT - 8:00 PM

Meeting adjourned at 8:58 PM

Sarah Blossom, Chair

Maria Dozeman, Administrative Specialist



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: February 24, 2022

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (6:10 PM) Instructions for making a public comment.

SUMMARY: Procedure for making public comment.

AGENDA CATEGORY: Discussion

PROPOSED BY: Planning & Community Development

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

STRATEGIC PRIORITY:

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

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

FISCAL DETAILS:

Fund Name(s):

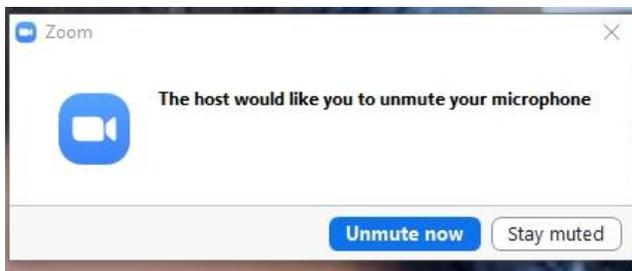
Coding:



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

INSTRUCTIONS FOR PROVIDING PUBLIC COMMENT REMOTELY

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



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

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

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



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: February 24, 2022

ESTIMATED TIME: 60 Minutes

AGENDA ITEM: (6:20 PM) Review Ordinance No. 2022-02 (formerly 2021-38) to Implement Increased Density Bonus for Affordable Housing Development on Property Owned by Religious Organizations

AGENDA CATEGORY: Ordinance

PROPOSED BY: Jennifer Sutton

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): November 18, 2021, January 13 and 27, and February 10, 2022

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

RECOMMENDED MOTION:

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

OR

I move to schedule additional discussion on Ordinance No. 2022-02 for the Planning Commission meeting on March 10, 2022 and to schedule a public hearing on March 24, 2022.

SUMMARY:

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

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

During the February 10 2022 Planning Commission discussion, the Commission made changes to the draft ordinance related to parking and maximum dwelling unit size (see proposed new section 18.090.030.B.6.e and f, respectively, page 3 of draft ordinance).

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

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

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

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

ATTACHMENTS:

Memorandum

Date: February 16, 2022

To: Planning Commission

From: Jennifer Sutton, AICP, Senior Planner

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

I. MEETING PURPOSE

The purpose of tonight's Planning Commission discussion is to continue review of revised Draft Ordinance No. 2022-02 (attached), which amends several sections of the City's zoning regulations, as directed in the October 26, 2021 motion. The Draft ordinance, which proposes to add a new use and standards, Bethany Lutheran Affordable Housing Pilot Project to Bainbridge Island Municipal Code (BIMC) Chapter 18.09. The ordinance has been revised to reflect the 2 motions approved at the February 10, 2022 Planning Commission meeting, which amended proposed sections 6.e and 6.f of the ordinance, related to parking and mobility and maximum dwelling unit size, respectively.

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

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



Road NE). Paved shoulders and sidewalks are on NE High School Road, east of the Sportsman Club Road NE intersection.

II. Draft Ordinance 2022-02

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

Other Standards included by Reference

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

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

III. NEXT STEPS:

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

At the end of the discussion on February 24, the Planning Commission would either:

1. Cancel the public hearing currently scheduled for March 10. Instead, schedule additional discussion on Ordinance No. 2022-02 for the Planning Commission meeting on March 10.
AND/OR
2. Confirm holding public hearing on Ordinance No. 2022-02 for the Planning Commission meeting on March 10, 2022.

ORDINANCE NO. 2022-02

(formerly Ordinance No. 2021-38)

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

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

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

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

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

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

WHEREAS, the Planning Commission considered draft Ordinance No. 2022-02 (formerly 2021-38) on November 18, 2021, January 13 and 27, February 10 and 24, 2022; and

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

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

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

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

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

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

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

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

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

- e. Parking. The amount of parking shall be determined by a transportation study to ensure there is adequate parking for the project but not excessive parking to minimize impervious surfaces. The transportation study must include a connectivity assessment and analysis.
- f. The maximum dwelling unit is outlined as follows:
 - i. The maximum size of a 4 bedroom home is 1250 square feet.
 - ii. The maximum size of a 3 bedroom home is 1150 square feet.
 - iii. The maximum size of a 2 bedroom home is 775 square feet.
 - iv. The maximum size of a 1 bedroom or studio home is 600 square feet.
- g. Green building. The dwelling units must be meet a green building certification standard of LEED Silver, BuiltGreen 4, or Evergreen Sustainable Development. The certification program must utilize third-party verification.
- h. Community space. At least 5% of the total lot area shall be provided as community space to provide a place for residents to gather in shared space. Community space should adjoin the largest practicable number of residences within the development. Nonadjoining residences shall be provided with safe and convenient pedestrian access to community space. The community space must be outside of required roadside buffers. The community space must include a neighborhood garden area, and could include other community amenities such as seating, playground or other recreation features.
- i. This affordable housing project may be proposed and constructed on the same property(ies) as the existing church, resulting in a permitted mixed use property.

Figure 18.09.030-1



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

3. Religious Facilities.

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

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

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

PASSED by the City Council this XXX.

APPROVED by the Mayor this XXX.

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

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

Exhibit A to Ordinance No. 2022-02

EXCERPT Table 18.09.020 Use Table

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

RCW 36.70A.545

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

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

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

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

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

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

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

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

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

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

(7) For purposes of this section:

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

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

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

[2019 c 218 § 3.]