



CITY OF  
BAINBRIDGE ISLAND

**PLANNING COMMISSION REGULAR MEETING  
THURSDAY, AUGUST 24, 2023**

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

AND

ZOOM WEBINAR  
HTTPS://BAINBRIDGEWA.ZOOM.US/J/81285913438  
OR TELEPHONE: US: +1 253 205 0468  
WEBINAR ID: 812 8591 3438

**AGENDA**

1. **CALL TO ORDER/LAND ACKNOWLEDGMENT/AGENDA REVIEW - 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.
  - 2a. **Minutes** 5 Minutes  
[Minutes - Planning Commission 07272023.pdf](#)
3. **PUBLIC COMMENT - 6:10 PM**
  - 3a. **Instructions for Providing Public Comment** 10 Minutes  
[Instructions for Providing Public Comment at Hybrid Meetings.pdf](#)
4. **PUBLIC PARTICIPATION MEETING - 6:20 PM**
  - 4a. **6:20 PM - Brown Bear Car Wash Public Participation Meeting** 30 Minutes  
[Applicant Project Narrative submitted 17AUG2023.pdf](#)  
[Brown Bear Car Wash Preliminary Site Plan 11AUG2023.pdf](#)  
[Conceptual Landscape Plan submitted 17AUG2023.pdf](#)

[Brown Bear Car Wash Elevations 11AUG2023.pdf](#)

- 4b. **Puget Sound Energy (PSE) Murden Cove Substation Public Participation Meeting (PPM)** 30 Minutes  
[MurdenCovePre-applicationNarrative \(5\).pdf](#)  
[MurdenCoveSite\\_UilitiesPlan \(2\).pdf](#)

5. **NEW BUSINESS - 7:50 PM**

**5a. 7:50 pm - Ethics Board Training** 30 Minutes

**5b. (8:20 PM) Ordinance No. 2023-25 Repealing Moratorium on Inns in Neighborhood Centers and Adopting New Regulations - Planning,** 30 Minutes  
[Ordinance No. 2023-25 Repealing Moratorium on Inns in Neighborhood Centers and Adopting New Regulations.docx](#)  
[Ordinance No. 2023-25 Exhibit A.docx](#)

8. **FOR THE GOOD OF THE ORDER - 8:50 PM**

9. **ADJOURNMENT - 8:55 PM**

## **GUIDING PRINCIPLES**

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

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

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

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

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

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

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

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



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

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



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Regular Meeting Agenda Bill

**MEETING DATE:** August 24, 2023

**ESTIMATED TIME:** 5 Minutes

**AGENDA ITEM:** Minutes

**AGENDA CATEGORY:** Minutes

**PROPOSED BY:** Renee Argetsinger

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

**PREVIOUS COUCIL REVIEW DATE(S):**

**RECOMMENDED MOTION:**

I approve the July 27, 2023 minutes as presented.

**SUMMARY:**

**BACKGROUND:**

**ATTACHMENTS:**



## Planning Commission Regular Meeting July 27, 2023

### Meeting Minutes

#### 1) **CALL TO ORDER/LAND ACKNOWLEDGMENT/AGENDA REVIEW**

Chair Ashley Mathews called the meeting to order at 6:02 PM, in the Council Chambers and on the Zoom webinar platform and read the land acknowledgement.

In attendance in the Chambers were Chair Ashley Mathews, Vice-Chair Sarah Blossom. Commissioners Peter Schaab and Sean Sullivan were present via Zoom. Absent were Commissioners Yesh Subramanian and Ariel Birtley. COBI staff in attendance were Planning Director Patricia Charnas, Planner Joanne Mendenhall, Public Works Operations Project Manager - Ellen Fairleigh, and City Council Liaison - Jon Quitslund.

#### 2) **PLANNING COMMISSION MEETING MINUTES**

[2.a Minutes](#)  
[Cover Page](#)  
[06222023 PC Minutes.pdf](#)

**MOTION:** Commissioner Sarah Blossom moved, and Commissioner Benjamin Deines seconded to approve the June 22, 2023, minutes as presented. The motion carried unanimously.

#### 3) **PUBLIC COMMENT**

[3.a Instructions for Providing Public Comment](#)  
[Cover Page](#)  
[Instructions for Providing Public Comment at Hybrid Meetings.docx](#)

There were no public comments.

#### 4) **NEW BUSINESS**

[4.a Winslow Way Sidewalk Pressure Washing \(City file no. PLN52618 VAR – COBI NoiseVariance\)](#)

[Cover Page](#)  
[Site Plan\\_Winslow pressure washing.pdf](#)

Joanne Mendenhall introduced the Noise Variance.  
Public Works Operations Project Manager - Ellen Fairleigh described the project and provided a proposed timeline.

**MOTION:** Sarah Blossom moved, and Benjamin Deines seconded to approve the request for a noise variance to conduct nighttime pressure washing of the sidewalks along Winslow Way E the week of August 6, 2023, and the first week of October 2023 between the hours of 10:00 pm to 9:00 am (subject to possible schedule changes in October). The motion carried unanimously.

## 5) **PLANNING DIRECTOR'S REPORT**

Director Charnas provided information and status of the Winslow Subarea Plan and the Community Visioning Workshops. The July 20, 2023, meeting was very well attended by the public. She also provided an update on 7/26 Zoom-platform Community Visioning Workshop which was Zoom-bombed and had to be immediately cancelled. It will be rescheduled to a future date after modifications are implemented.

Director Charnas introduced that beginning tonight and moving forward - an agenda item will be included on the Planning Commission agenda for the Steering Committee to report updates.

She related a request from the Ethics Board to provide training at the August 10th meeting and gave a brief overview of what's planned for the August Planning Commission meetings.

Commissioner Ben Deines asked if a report/synopsis of the feedback from the Community Visioning Workshops would be provided to the public. Director Charnas replied that it would be and that teams were already at work compiling results.

Commissioner Sarah Blossom asked if noise variance requests could be processed administratively. Director Charnas provided that the BIMC would need to be updated to make that accommodation.

## 6) **FOR THE GOOD OF THE ORDER**

There were no comments made for the good of the order.

## 7) **ADJOURNMENT**

Meeting adjourned at 6:21 pm.



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Regular Meeting Agenda Bill

**MEETING DATE:** August 24, 2023

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** Instructions for Providing Public Comment

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Renee Argetsinger

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

**PREVIOUS COUCIL REVIEW DATE(S):**

**RECOMMENDED MOTION:**  
Information Only.

**SUMMARY:**

**BACKGROUND:**

**ATTACHMENTS:**



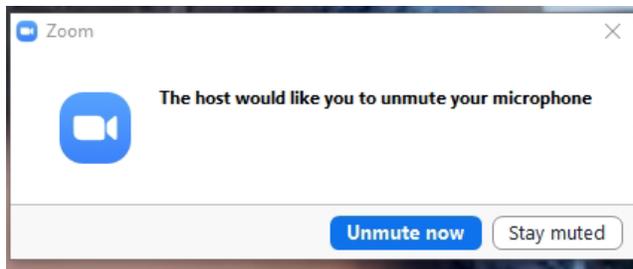
CITY OF  
BAINBRIDGE ISLAND

PLANNING AND COMMUNITY DEVELOPMENT

Members of the public are encouraged to submit written public comment to the Planning Commission at any time by emailing Commissioners directly or sending comments to [pcd@bainbridgewa.gov](mailto:pcd@bainbridgewa.gov) and City staff will forward your comment directly to Commissioners on your behalf. Members of the public who wish to provide public comment may attend the meeting in Council Chambers or may participate remotely by following the instructions outlined below. If you are attending in-person, please sign up to speak on the sign-in sheet by the Chamber doors. The Chair or Acting Chair will call the people signed up on the sign-in sheet in Council Chambers first, and speakers will have three minutes to speak from the podium. Following the in-person comment, people who have raised their hands in the Zoom meeting will be called on next. A timer on the screen will indicate when 3 minutes have elapsed. 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 full name.
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. If you are calling in by phone and would like to make a comment, \*6 mute/unmute \*9 raise/lower hand to be called on to speak.
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, you will be promoted 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 comment.
8. A 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 simply received by the Planning Commission, with no response.



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Regular Meeting Agenda Bill

**MEETING DATE:** August 24, 2023

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** 6:20 PM - Brown Bear Car Wash Public Participation Meeting

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Kelly Tayara

**PREVIOUS PLANNING COMMISSION**

**REVIEW DATE(S):** None

**PREVIOUS COUCIL REVIEW DATE(S):** None

**RECOMMENDED MOTION:**

Presentation and Discussion

**SUMMARY:**

The Public Participation Meeting for the proposed Brown Bear Car Wash is required as part of the preapplication phase of the site plan and design review process.

**BACKGROUND:** Brown Bear is proposing construction of a 2,560 square car wash with four wash bays and an equipment room. The property is located at 1220 Hildebrand Lane.

A car wash facility requires a conditional use permit, and the project also requires major Site Plan and Design Review permit, and is subject to State Environmental Policy Act (SEPA) review.

The applicant participated in a Conceptual Design Review meeting with the Design Review Board (DRB) on September 19, 2022 and preapplication conference with City staff on August 30, 2022.

After a public participation meeting, next steps include: Design Guidance meeting and Final Review and Recommendation meeting with the Design Review Board prior to land use application, and Planning Commission review and recommendation on the land use permit.

**ATTACHMENTS:**

# **Brown Bear Car Wash Public Participation Meeting Project Narrative**

**Brown Bear Car Wash  
1220 Hildebrand Lane N.E.  
Bainbridge Island, WA 98110**

**APN No. 262502-2-075-2001**

**Our Job No. 22383**

**Prepared by:  
Barghausen Consulting Engineers, Inc.**

**August 16, 2023**

## Project Location:

The project site is approximately 40,500 square feet and is currently vacant. The site was previously occupied with a gasoline service station that was demolished in 2015. The property maintains frontage abutting Hildebrand Lane N.E., High School Road N.E., and State Highway 305. Surrounding uses include a shopping center to the west, a banking establishment to the south, and a gasoline service station and convenience store (Hungry Bear Market, a Brown Bear entity) to the north. The subject property is zoned High School Road District 1 (HS-1)

## Project Description:

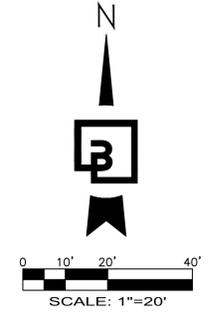
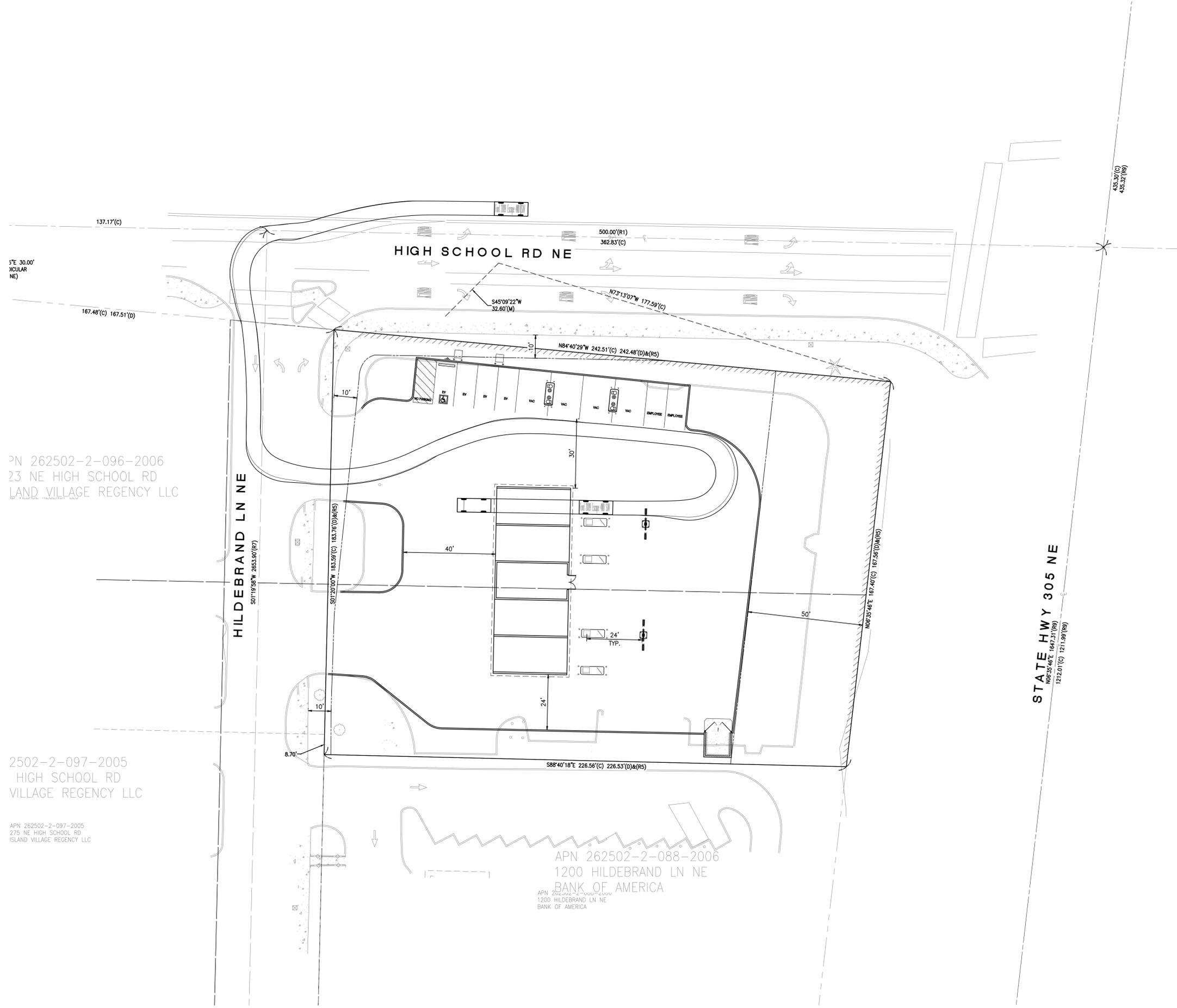
The project proposes construction of a 2,560-square-foot Brown Bear Touch-Free Car Wash consisting of four (4) wash bays and an equipment room. Four (4) pay point kiosks will be located at the front of each wash bay for unattended, point-of-sale transactions. Site improvements will include a trash enclosure, asphalt paving, perimeter landscaping, and surface parking that includes four (4) electric vehicle charging stalls, four (4) vacuum station stalls and two (2) employee parking stalls. The two (2) existing curb cuts onto Hildebrand Lane N.E. will be utilized for ingress and egress.

The car wash bays will be open for daily use, 24 hours each day. The touch-free wash equipment allows customers to remain parked in their vehicle inside the bay while wash equipment rotates around the vehicle. Once completed, the customer will exit the bay with blowers on to dry, then continue to exit the site. The bays will be entered from the east of the site to the pay stations and exit on the west side of the bays. The average wash cycle for the car wash is approximately four (4) minutes with the dryers operating for the last 30 seconds of the cycle.

## Architectural Design

The structures will maintain the standard Brown Bear color scheme, which includes a green accent stripe and signage. The exterior colors have been chosen to complement the existing color schemes of Hungry Bear Market, an extension of the Brown Bear Car Wash chain, located to the north of the site across High School Road N.E. Two (2) door color schemes are provided for review and input.

# PRELIMINARY SITE PLAN



PN 262502-2-096-2006  
23 NE HIGH SCHOOL RD  
LAND VILLAGE REGENCY LLC

2502-2-097-2005  
HIGH SCHOOL RD  
VILLAGE REGENCY LLC

APN 262502-2-097-2005  
275 NE HIGH SCHOOL RD  
ISLAND VILLAGE REGENCY LLC

APN 262502-2-088-2006  
1200 HILDEBRAND LN NE  
BANK OF AMERICA

No.	Date	By	Chd.	Appr.	Revision

Title:

PRELIMINARY SITE PLAN  
BROWN BEAR CAR WASH  
1220 HILDEBRAND LN NE  
BAINBRIDGE ISLAND, WASHINGTON

For:

CAR WASH ENTERPRISES, INC.  
3977 LEARY WAY NW  
SEATTLE, WASHINGTON 98107

Scale:

Horizontal 1" = 20'  
Vertical N/A

Designed: NW

Drawn: MM

Checked: JC

Approved: JC

Date: 09/04/23

**Barghausen Consulting Engineers, Inc.**

18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222 [barghausen.com](http://barghausen.com)



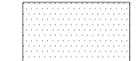
Job Number  
22383

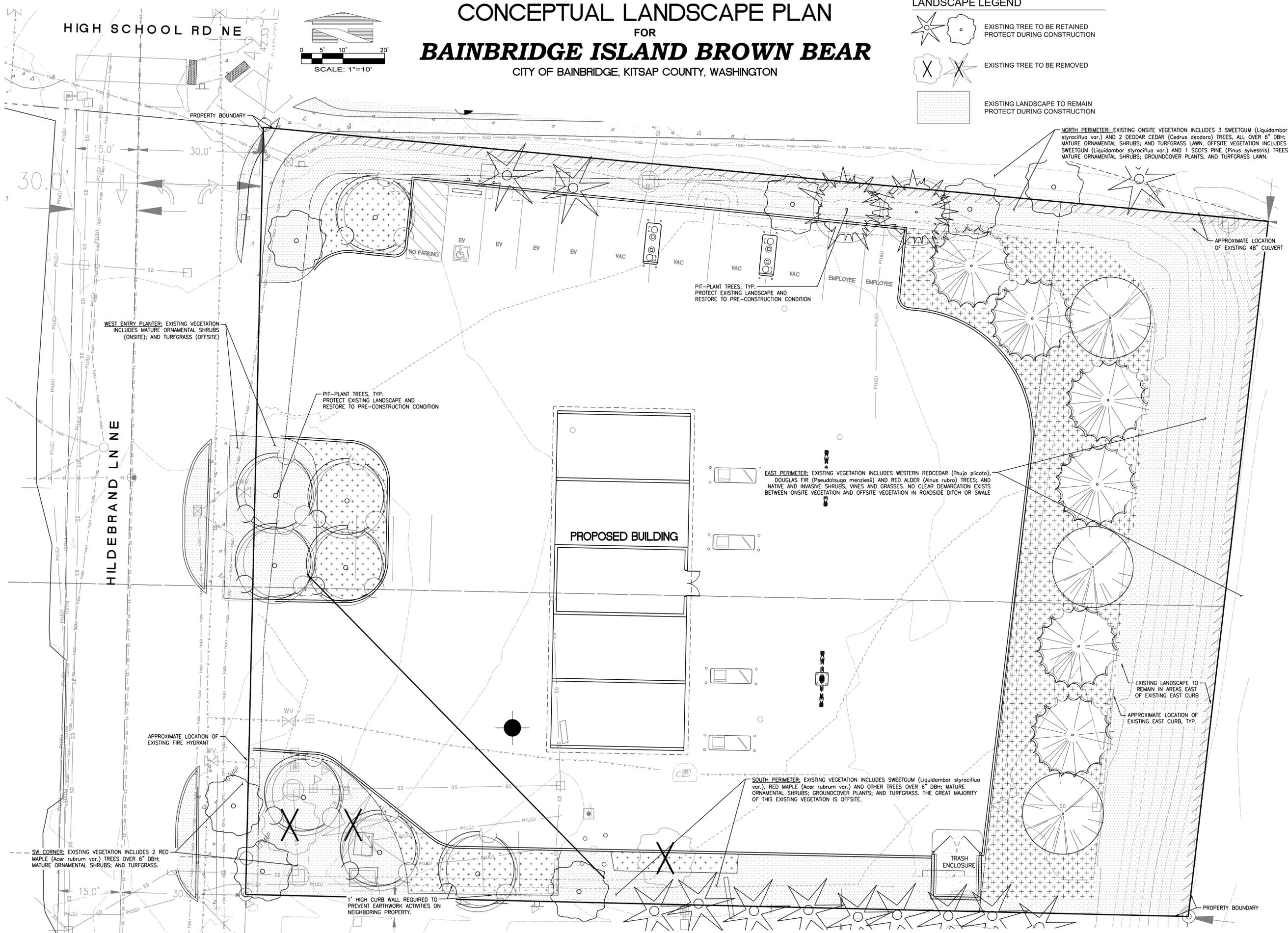
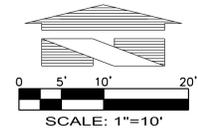
Sheet  
SP-1

# CONCEPTUAL LANDSCAPE PLAN

FOR  
**BAINBRIDGE ISLAND BROWN BEAR**  
 CITY OF BAINBRIDGE, KITSAP COUNTY, WASHINGTON

## LANDSCAPE LEGEND

-  EXISTING TREE TO BE RETAINED  
PROTECT DURING CONSTRUCTION
-  EXISTING TREE TO BE REMOVED
-  EXISTING LANDSCAPE TO REMAIN  
PROTECT DURING CONSTRUCTION



No.	Date	By	CR	JMV	JMV	JMV	PER CITY COMMENTS
1	8/16/23	TCR	JMV	JMV	JMV	Appr.	

Title:

**CONCEPTUAL LANDSCAPE PLAN**  
 BROWN BEAR CAR WASH  
 1220 HILDEBRAND LN NE  
 BAINBRIDGE ISLAND, WASHINGTON

For:  
**CAR WASH ENTERPRISES, INC.**  
 3977 LEARY WAY NW  
 SEATTLE, WASHINGTON 98107



Scale:	Horizontal	1" = 10'	Vertical	NA					
Designed	TCR	Drawn	JMV	Checked	JMV	Approved	JMV	Date	8/16/23

**Barghausen Consulting Engineers, Inc.**  
 18215 72nd Avenue South  
 Kent, WA 98032  
 425.251.6222 [barghausen.com](http://barghausen.com)



Job Number  
**22383**  
 Sheet  
**1 of 2**

SEE SHEET L-2 FOR PLANT SCHEDULE

# PLANT SCHEDULE, LANDSCAPE NOTES AND LANDSCAPE DETAILS

## FOR **BAINBRIDGE ISLAND BROWN BEAR**

CITY OF BAINBRIDGE, KITSAP COUNTY, WASHINGTON

### PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	CONT.	SIZE	WATER USE	ORIGIN	FOLIAGE
	2	CEDRUS DEODARA / DEODAR CEDAR NURSERY GROWN, SINGLE UN CUT LEADER. STAKE AND GUY ONE GROWING SEASON.	B & B	6' MIN. HT.	LOW	ADAPTIVE	EVERGREEN
	8	GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE' / SKYLINE HONEY LOCUST NURSERY GROWN FOR STREET TREE USE, BRANCHING AT 5'. STAKE AND GUY ONE GROWING SEASON.	B & B	2" CAL.	LOW	ADAPTIVE	DECIDUOUS
	3	PSEUDOTSUGA MENZIESII / DOUGLAS FIR NURSERY GROWN, SINGLE UN CUT LEADER. STAKE AND GUY ONE GROWING SEASON.	B & B	6' MIN. HT.	LOW	NATIVE	EVERGREEN
	6	THUJA PLICATA / WESTERN RED CEDAR NURSERY GROWN, SINGLE UN CUT LEADER. STAKE AND GUY ONE GROWING SEASON.	B & B	6' MIN. HT.	LOW	NATIVE	EVERGREEN
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	CONT.	WATER USE	ORIGIN	FOLIAGE	SPACING
	530	ARCTOSTAPHYLOS UVA-URSI 'MASSACHUSETTS' / KINNIKINNICK	1 GAL.	LOW	NATIVE	EVERGREEN	36" o.c.

### LANDSCAPE PLANTING NOTES AND MATERIALS

#### SCOPE OF WORK

FURNISH ALL MATERIALS, LABOR, EQUIPMENT AND RELATED ITEMS NECESSARY TO ACCOMPLISH TOPSOIL, TREATMENT AND PREPARATION OF SOIL, FINISH GRADING, PLACEMENT OF SPECIFIED PLANT MATERIALS, FERTILIZER, STAKING, MULCH, CLEAN-UP, DEBRIS REMOVAL, AND 30-DAY MAINTENANCE.

QUALIFICATIONS:  
LANDSCAPE CONTRACTOR TO BE SKILLED AND KNOWLEDGEABLE IN THE FIELD OF WORK AND HAVE A MINIMUM OF FIVE (5) YEAR'S EXPERIENCE INSTALLING SIMILAR WORK. CONTRACTOR TO BE LICENSED TO PERFORM THE WORK SPECIFIED WITHIN THE PRESIDING JURISDICTION.

JOB CONDITIONS:  
IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE SITE AND REPORT ANY DISCREPANCIES TO THE OWNER OR THE OWNER'S REPRESENTATIVES. ALL PLANT MATERIAL AND FINISH GRADES ARE SUBJECT TO APPROVAL BY THE OWNER.

PROTECTION:  
SAVE AND PROTECT ALL EXISTING PLANTINGS SHOWN TO REMAIN. DO NOT PLANT UNTIL OTHER CONSTRUCTION OPERATIONS WHICH CONFLICT HAVE BEEN COMPLETED. IF AN IRRIGATION SYSTEM IS TO BE INSTALLED DO NOT PLANT UNTIL THE SYSTEM HAS BEEN INSTALLED, TESTED, AND APPROVED BY THE OWNER. HANDLE PLANTS WITH CARE - DO NOT DAMAGE OR BREAK ROOT SYSTEM, BARK, OR BRANCHES. REPAIR AND/OR REPLACE ITEMS DAMAGED AS A RESULT OF WORK, OR WORK NOT IN COMPLIANCE WITH PLANS AND SPECIFICATIONS, AS DIRECTED BY OWNER AT NO ADDITIONAL COST TO THE OWNER.

REPAIR OF EXISTING PLANTINGS:  
DURING THE COURSE OF WORK, REPAIR ALL EXISTING PLANTING AREAS BY PRUNING DEAD GROWTH, RE-ESTABLISHING FINISH GRADE AND RE-MULCHING TO SPECIFIED DEPTH.

GUARANTEE:  
GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM DATE OF FINAL ACCEPTANCE OF THE JOB BY OWNER.

30-DAY MAINTENANCE:  
CONTRACTOR TO PROVIDE OWNER WITH A SCOPE OF WORK AT TIME OF INITIAL PROJECT BID TO PROVIDE LANDSCAPE AND IRRIGATION MAINTENANCE FOR 30 DAYS FOLLOWING STORE OPENING. WORK TO INCLUDE MAINTENANCE AS DESCRIBED BELOW, IN PLANTING AND IRRIGATION MAINTENANCE.

SUBMITTALS:  
SUBMIT THE FOLLOWING TO THE LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO THE START OF ANY WORK:  
A) DOCUMENTATION THAT ALL PLANT MATERIAL HAS BEEN ORDERED.  
B) TOPSOIL ANALYSIS AND RECOMMENDED AMENDMENTS.  
C) TREE STAKING AND GUYING MATERIALS.  
D) ONE (1) QUART SIZE OF TOPSOIL AND MULCH.  
E) PLANTING SCHEDULE INCLUDING DATES AND TIMES.  
F) MAINTENANCE INSTRUCTIONS FOR ONE (1) FULL YEAR.

#### MATERIALS:

PLANT MATERIALS:  
PLANT MATERIALS TO BE GRADE NO. 1, SIZED IN ACCORDANCE WITH (AAN) AMERICAN STANDARDS FOR NURSERY STOCK (ANSI Z60.1-2004). PRUNE PLANTS RECEIVED FROM THE NURSERY ONLY UPON AUTHORIZATION BY THE LANDSCAPE ARCHITECT. "B & B" INDICATES BALLED AND BURLAPPED; "CONT." INDICATES CONTAINER; "BR" INDICATES BARE ROOT; "CAL" INDICATES CALIPER AT 6" ABOVE SOIL LINE; "GAL" INDICATES GALLON.

- SPECIFIED PLANT CANOPY SIZE OR CALIPER IS THE MINIMUM ACCEPTABLE CONTAINER OR BALL SIZE AND ESTABLISHES MINIMUM PLANT CONDITION TO BE PROVIDED.
- QUALITY:  
PLANT MATERIAL TO COMPLY WITH STATE AND FEDERAL LAWS FOR DISEASE INSPECTION. PLANTS TO BE FULLY LIVE, VIGOROUS, WELL FORMED, WITH WELL DEVELOPED FIBROUS ROOT SYSTEMS. ROOT BALLS OF PLANTS TO BE SOLID AND FIRMLY HELD TOGETHER, SECURELY CONTAINED AND PROTECTED FROM INJURY AND DESICCATION. PLANTS DETERMINED BY LANDSCAPE ARCHITECT TO HAVE BEEN DAMAGED: HAVE DEFORMITIES OF STEM, BRANCHES, OR ROOTS; LACK SYMMETRY, HAVE MULTIPLE LEADERS OR "Y" CROTCHES LESS THAN 30 DEGREES IN TREES, OR DO NOT MEET SIZE OR ANSI STANDARDS WILL BE REJECTED. PLANT MATERIAL TO BE FROM A SINGLE NURSERY SOURCE FOR EACH SPECIFIED SPECIES/HYBRID. NURSERY SOURCES TO BE THOSE LOCATED IN THE SAME REGION AS THE JOB SITE.
- SUBSTITUTION:  
NO SUBSTITUTION OF PLANT MATERIAL, SPECIES OR VARIETY, WILL BE PERMITTED UNLESS WRITTEN EVIDENCE IS SUBMITTED TO THE OWNER FROM TWO QUALIFIED PLANT BROKERAGE OFFICES. SUBSTITUTIONS WHICH ARE PERMITTED TO BE IN WRITING FROM THE OWNER AND LANDSCAPE ARCHITECT. THE SPECIFIED SIZE, SPECIES AND NEAREST VARIETY, AS APPROVED, TO BE FURNISHED. SUBSTITUTIONS MAY REQUIRE SUBMITTAL TO REVISED LANDSCAPE PLAN TO CITY FOR APPROVAL.
- LABEL AT LEAST ONE (1) TREE, SHRUB, AND GROUNDCOVER OF EACH VARIETY WITH A SECURELY ATTACHED WATERPROOF TAG BEARING LEGIBLE DESIGNATION OF BOTANICAL AND COMMON NAMES.
- DELIVER PLANT MATERIAL AFTER PREPARATION OF PLANTING AREAS HAVE BEEN COMPLETED AND PLANT IMMEDIATELY. IF PLANTING IS DELAYED MORE THAN SIX (6) HOURS AFTER DELIVERY, SET MATERIAL IN SHADE, PROTECT FOR WEATHER AND MECHANICAL DAMAGE, AND KEEP ROOT BALLS MOIST BY COVERING WITH MULCH, BURLAP OR OTHER ACCEPTABLE MEANS OF RETAINING MOISTURE.

SOIL PREPARATION:  
TOPSOIL, AMENDMENT, AND BACKFILL, ARE GENERAL REQUIREMENTS FOR ALL LANDSCAPE AREAS, UNLESS NOTED OTHERWISE ON THE PLANS. SOIL AMENDMENTS AND FERTILIZER NOTED BELOW ARE TO BE USED FOR BID PRICE BASIS ONLY. SPECIFIC AMENDMENTS AND FERTILIZERS WILL BE MADE AFTER SOIL SAMPLES ARE LABORATORY TESTED BY THE CONTRACTOR. PROVIDE CHANGE ORDER FOR ADDITIONAL OR REDUCTION OF MATERIALS REQUIRED OR NOT REQUIRED BY THE SOILS REPORT.

SOIL FERTILITY AND AGRICULTURAL SUITABILITY ANALYSIS:  
AFTER ROUGH GRADING AND PRIOR TO SOIL PREPARATION, CONTRACTOR TO OBTAIN TWO REPRESENTATIVE SOIL SAMPLES, FROM LOCATIONS AS DIRECTED BY THE LANDSCAPE ARCHITECT, TO A SOIL TESTING LABORATORY. SUBMIT RESULTS TO LANDSCAPE ARCHITECT FOR REVIEW. TESTS TO INCLUDE FERTILITY AND SUITABILITY ANALYSIS WITH WRITTEN RECOMMENDATIONS FOR SOIL AMENDMENT, FERTILIZER, CONDITIONERS, APPLICATION RATES, AND POST-CONSTRUCTION MAINTENANCE PROGRAM. TESTS TO BE CONTRACTED WITH AND PAID FOR BY THE CONTRACTOR.

- TOPSOIL:  
CONTRACTOR IS RESPONSIBLE FOR SUPPLYING ALL TOPSOIL AND FOR DETERMINING THE VOLUME OF TOPSOIL REQUIRED PER THE INFORMATION ON PLANS AND NOTED HERE-IN. CONTRACTOR IS RESPONSIBLE FOR ANY NECESSARY WEED CONTROL RESULTING FROM CONTAMINATED OFF-SITE SOURCES.
- TOPSOIL TO CONSIST OF 1/3 BY VOLUME SANDY LOAM, 1/3 BY VOLUME COMPOSTED GARDEN MULCH, AND 1/3 BY VOLUME COARSE WASHED SAND OR EQUIVALENT.

- TOPSOIL PREPARATION AND INSTALLATION:  
1. VERIFY SUBGRADES TO -9 INCHES IN LANDSCAPE AREAS OR AS INDICATED ON PLANS. THIS ACCOMMODATES TOPSOIL, AMENDMENTS, AND MULCH. 6" IMPORTED TOPSOIL FOR LANDSCAPE BEDS.  
2. ERADICATE ANY SURFACE VEGETATION ROOTED IN THE SUB-GRADE PRIOR TO SUB-GRADE PREPARATION.  
3. REMOVE SOIL LUMPS, ROCK, VEGETATION AND/OR DEBRIS LARGER THAN 2 INCHES FROM ALL SUB-GRADE PRIOR TO PLACEMENT OF SPECIFIED TOPSOIL.  
4. REMOVE ANY ASPHALT EXTENDING BEYOND 6 INCHES FROM CURBS INTO ADJACENT LANDSCAPE AREAS.

- TOPSOIL PLACEMENT:  
1. PROVIDE A TOTAL FINISH COURSE OF 4 INCHES OF TOPSOIL FOR LANDSCAPE AREAS.  
2. PLACE ADDITIONAL TOPSOIL AND SOIL MIX AS REQUIRED TO MEET FINISH ELEVATIONS.

MULCH (TOPDRESSING):  
ONE-HALF-INCH (1/2") SIZE, TO ONE-QUARTER (1/4"), HEMLOCK/FIR BARK, FINE TEXTURED AND DARK BROWN IN COLOR.

STAKES:  
2-INCH DIAMETER BY 8-FOOT MINIMUM LODGEPOLE PINE STAKES.

GUY MATERIAL:  
1-INCH WIDE POLYETHYLENE CHAIN LOCK TYPE TIES; OR, 3/8" DIAMETER RUBBER. NO WIRE.

#### EXECUTION:

CONTAMINANTS:  
VERIFY THAT ALL SOIL CONTAMINANTS (E.G., PAINT, SEALANTS, SOLVENTS, OILS, GREASES, CONCRETE/ASPHALT SPOILS, ETC.) HAVE BEEN SATISFACTORY REMOVED FROM ALL PLANTING AREAS. DO NOT BEGIN WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED.

FINISH GRADES:  
FINE GRADE AND REMOVE ROCKS, DEBRIS, AND FOREIGN OBJECTS OVER 2 INCHES DIAMETER FROM TOP SURFACE OF PREPARED LANDSCAPE AREAS. FINISH ELEVATIONS TO BE DEFINED AS 3 INCHES BELOW CURBS, WALKS AND/OR OTHER ADJACENT HARDSCAPE FOR ALL PLANTING BED AREAS AND 1-INCH BELOW CURBS, WALKS AND/OR OTHER ADJACENT HARDSCAPE FOR ALL LAWN AREAS. FINISH GRADE REFER TO GRADES PRIOR TO INSTALLATION OF MULCH OR LAWN. ALL FINISH GRADES TO BE SMOOTH EVEN GRADES, LIGHTLY COMPACTED, AS SHOWN ON THE PLAN AND DETAILED. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS AND STRUCTURES. SITE CIVIL DRAWINGS IDENTIFY FINAL ELEVATIONS. MOISTEN PREPARED AREAS BEFORE PLANTING IF SOIL IS DRY. WATER THOROUGHLY AND ALLOW SURFACE TO DRY BEFORE PLANTING. DO NOT CREATE MUDDY SOIL.

TREES AND SHRUBS:  
ARRANGE TREES AND SHRUBS ON SITE IN PROPOSED LOCATIONS PER DRAWINGS. EXCAVATE PIT, PLANT AND STAKE OR GUY, AS CALLED OUT AND DETAILED. ALL TREES, SHRUBS, AND SUPPORTS TO STAND VERTICAL. BACKFILL SHALL BE PIT SPOILS. SETTLE BACKFILL USING WATER ONLY. NO MECHANICAL COMPACTION.

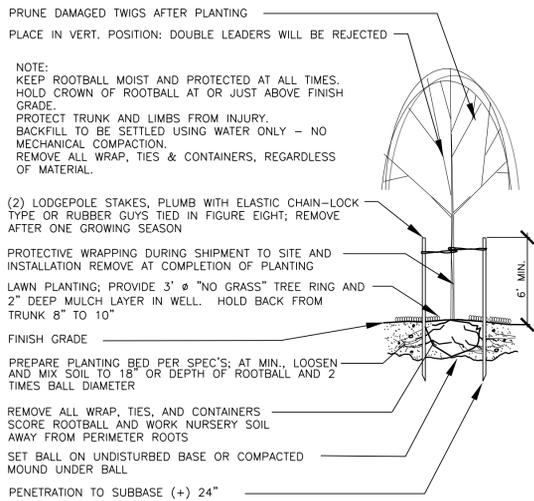
GROUNDCOVERS:  
EXCAVATE PITS TO A MINIMUM OF 3 INCHES BELOW, AND TWICE THE ROOT BALL DIAMETER. WATER THOROUGHLY AND TAKE CARE TO ENSURE THAT ROOT CROWN IS AT PROPER GRADE, AS DETAILED.

MULCH:  
MULCH ALL LANDSCAPE AREAS. MATCH DEPTH OF EXISTING MULCH. AT A MINIMUM, APPLY SUFFICIENT QUANTITY TO PROVIDE A 4-INCH DEPTH.

UTILITY CLEARANCES:  
FIELD ADJUST PLANT LOCATIONS FOR 8-FOOT SEPARATION OF TREES/SHRUBS AND 2-FOOT SEPARATION FOR GROUNDCOVER FROM FIRE HYDRANTS AND UTILITY VAULTS.

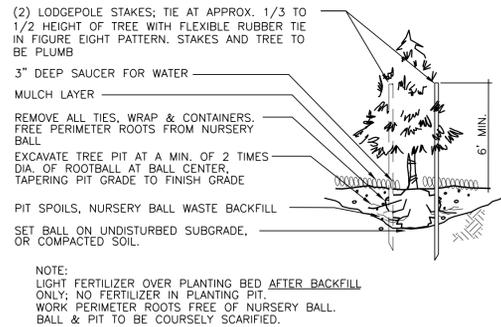
CLEANUP AND PROTECTION:  
DURING LANDSCAPE WORK, KEEP ALL PAVEMENT CLEAN AND WORK AREAS IN AN ORDERLY CONDITION. PROTECT LANDSCAPE WORK AND MATERIALS FROM DAMAGE DUE TO LANDSCAPE OPERATIONS AND TRESPASSERS. MAINTAIN PROTECTION DURING INSTALLATION AND MAINTENANCE PERIOD. TREAT, REPAIR, OR REPLACE DAMAGE LANDSCAPE WORK AS DIRECTED BY THE OWNER.

PLANTING MAINTENANCE:  
PROVIDE FULL MAINTENANCE BY SKILLED EMPLOYEES OF LANDSCAPE INSTALLERS. CONTRACTOR TO MAINTAIN PLANTINGS THROUGH COMPLETED INSTALLATION, AND UNTIL ACCEPTANCE OF LANDSCAPE INSTALLATION. PLANTING MAINTENANCE TO INCLUDE WATERING, WEEDING, CULTIVATING, TIGHTENING AND REPAIRING OF TREE GUYS, RESETTING PLANTS TO PROPER GRADES OR POSITION, RE-ESTABLISHING SETTLED GRADES; AND MOWING LAWNS WEEKLY AFTER LAWN ESTABLISHMENT. HERBICIDE IS NOT RECOMMENDED FOR ONE YEAR FOLLOWING LANDSCAPE INSTALLATION. INCLUDED IS REPLACEMENT OF DEAD PLANTS AND PLANTS SHOWING LOSS OF 40 PERCENT OR MORE OF CANOPY.



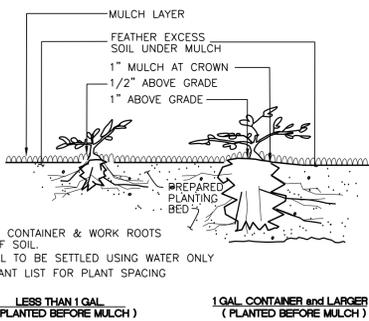
### DECIDUOUS TREE PLANTING/STAKING DETAIL

NOT TO SCALE



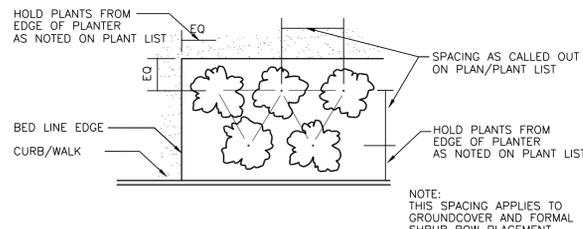
### EVERGREEN TREE PLANTING/STAKING DETAIL

NOT TO SCALE



### GROUNDCOVER PLANTING DETAIL

NOT TO SCALE



### PLANT MATERIAL SPACING DETAIL

NOT TO SCALE

Revision		PER CITY COMMENTS	
No.	Date	By	Appr.
1	8/16/23	TCR	JMV

Title:  
**PLANT SCHED., LANDSCAPE NOTES/DETAILS**  
BROWN BEAR CAR WASH  
1220 HILDEBRAND LN NE  
BAINBRIDGE ISLAND, WASHINGTON

For:  
**CAR WASH ENTERPRISES, INC.**  
3977 LEARY WAY NW  
SEATTLE, WASHINGTON 98107



Scale:	Horizontal	NA	Vertical	NA
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Designed	TCR	TCR	JMV	JMV	Date	8/16/23
Drawn						
Checked						
Approved						

**Barghausen Consulting Engineers, Inc.**  
18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222  
barghausen.com



Job Number	22383
Sheet	2 of 2

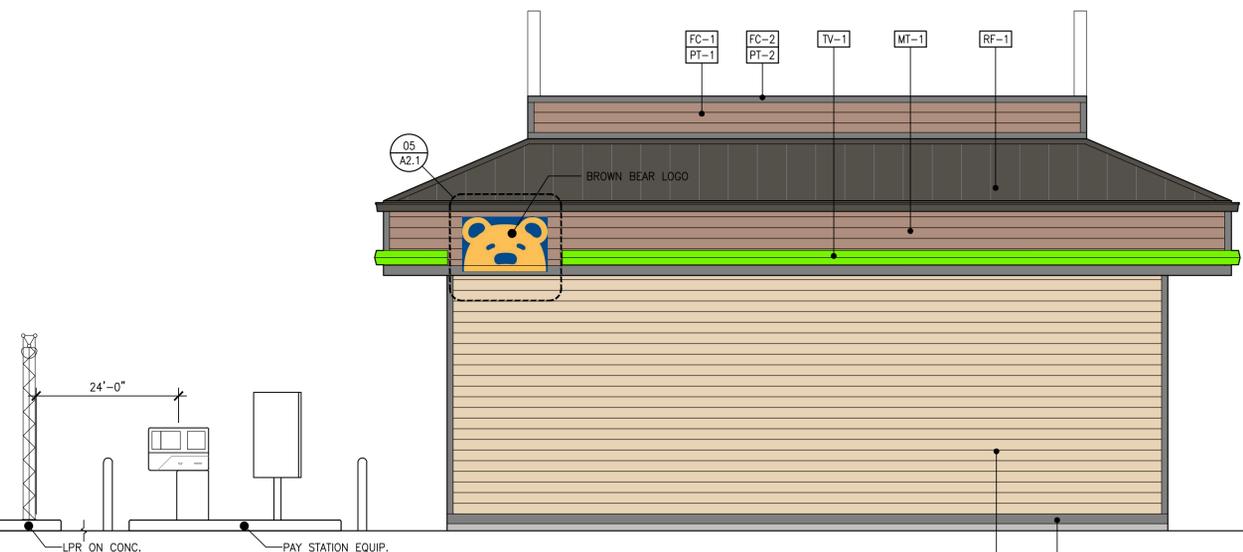


01 CAR WASH EAST ELEVATION  
A2.1 SCALE: 1/4"=1'-0"

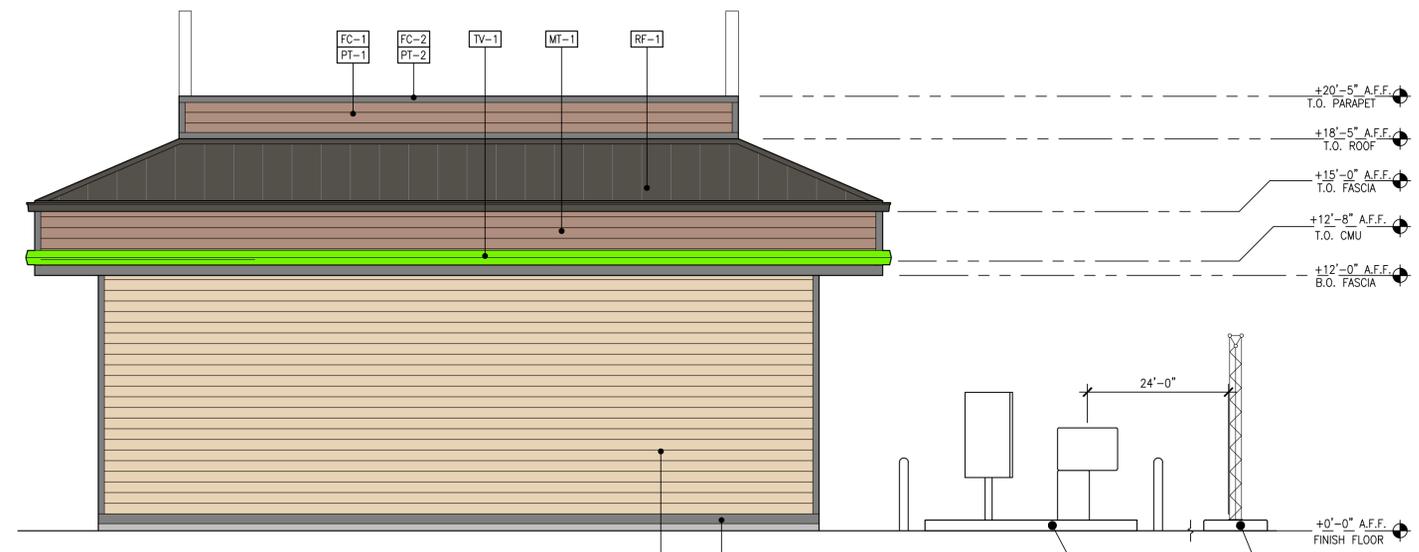
- MATERIAL & COLOR LEGEND**
- FC-1 FIBER CEMENT LAP SIDING
  - FC-2 FIBER CEMENT TRIM
  - MT-1 METAL FASCIA  
MFR: ALPOLIC, OR EQUAL  
COLOR: BLUE
  - PT-1 EXTERIOR PAINT  
MFR: SHERWIN WILLIAMS  
COLOR: 9081 REDEND POINT
  - PT-2 EXTERIOR PAINT  
MFR: SHERWIN WILLIAMS  
COLOR: 7048 URBAN BRONZE (MATCH ROOF COLOR)
  - PT-3 EXTERIOR PAINT  
MFR: SHERWIN WILLIAMS  
COLOR: BEIGE
  - RF-1 STANDING SEAM METAL ROOF  
MFR: AEP SPAN  
COLOR: WALNUT
  - TV-1 HORIZONTAL ILLUMINATED CHANNEL TRIM  
COLOR: GREEN AKZO 443C5  
WITH BRILLIANT GREEN TRANSLUCENT VINYL

Revision  
No. Date By Ckd. Appr.

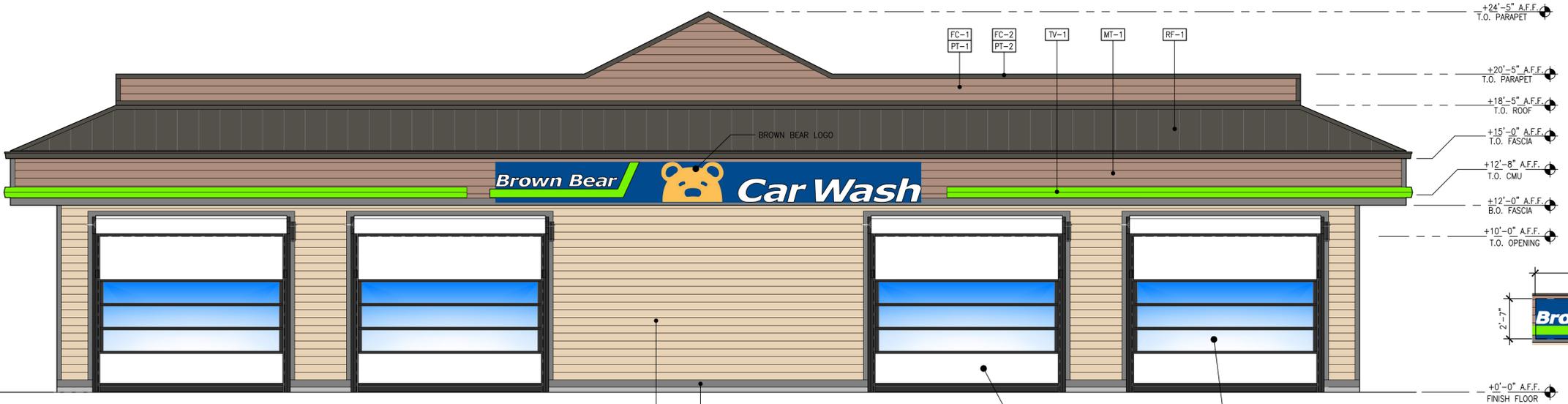
Title:  
CAR WASH ELEVATIONS  
BROWN BEAR CAR WASH  
1220 HILDEBRAND LN NE  
BAINBRIDGE ISLAND, WASHINGTON



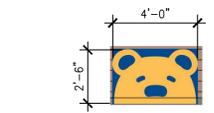
02 CAR WASH NORTH ELEVATION  
A2.1 SCALE: 1/4"=1'-0"



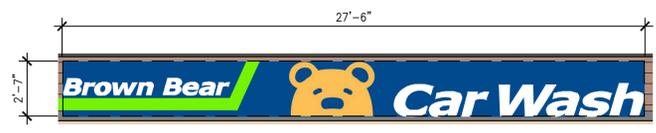
03 CAR WASH SOUTH ELEVATION  
A2.1 SCALE: 1/4"=1'-0"



04 CAR WASH WEST ELEVATION  
A2.1 SCALE: 1/4"=1'-0"



05 CARWASH SECONDARY SIGN  
A2.1 SCALE: 1/4"=1'-0"



06 CARWASH PRIMARY SIGN  
A2.1 SCALE: 1/4"=1'-0"

For:  
CAR WASH ENTERPRISES, INC.  
3977 LEARY WAY NW  
SEATTLE, WASHINGTON 98107

Scale:	Horizontal	Vertical
AS NOTED		

Designed	Drawn	Checked	Approved	Date
				01/09/22

**Barghausen Consulting Engineers, Inc.**  
18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222  
barghausen.com



Job Number  
22383  
Sheet  
A2.1  
of



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Regular Meeting Agenda Bill

**MEETING DATE:** August 24, 2023

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** Puget Sound Energy (PSE) Murden Cove Substation Public Participation Meeting (PPM)

**AGENDA CATEGORY:** Presentation

**PROPOSED BY:** Auburn Lovett

**PREVIOUS PLANNING COMMISSION  
REVIEW DATE(S):** N/A

**PREVIOUS COUCIL REVIEW DATE(S):** N/A

**RECOMMENDED MOTION:**  
Presentation and Discussion

**SUMMARY:**  
Puget Sound Energy (PSE) is proposing to upgrade and expand the existing Murden Cove Substation located at 9582 Sportsman Club Road NE (parcel #222502-1-024-2009). The proposal requires a Site Plan and Design Review permit which requires PC recommendation to the planning director for decision.

**BACKGROUND:** Puget Sound Energy (PSE) is proposing to upgrade and expand the existing Murden Cove Substation located at 9582 Sportsman Club Road NE (parcel #222502-1-024-2009). The 2.13 acre site is zoned Business/Industrial (B/I) and the project will be subject to SEPA. PSE's development team has participated in a preapplication conference with City staff. This project is exempt from the Design Review Board but will need to follow Design for Bainbridge. The work on this project will include the installation of a 3.3 MW battery energy storage system (BESS) and the replacement of aging infrastructure.

**ATTACHMENTS:**



### **Murden Cove Substation Pre-application Narrative**

Puget Sound Energy (PSE) is proposing to upgrade and expand the existing Murden Cove Substation located at 9582 Sportsman Club Road NE (parcel #222502-1-024-2009). The 2.13 acre site is zoned Business/Industrial (B/I). The electrical distribution substation was constructed on the property in 1979.

In 2019, PSE's Solutions Report identified solutions to address reliability for the electrical transmission system, distribution system capacity, and aging infrastructure on Bainbridge Island. The solutions package includes rebuilding the existing Winslow Tap 115 kV Transmission Line in its existing corridor between Port Madison Substation and Winslow Substation to replace aging infrastructure and support transmission reliability; constructing a new 115 kV transmission line between Murden Cove Substation and Winslow Substation to create redundancy in the transmission system and support transmission reliability; installation of a 3.3 MW battery energy storage system (BESS) at Murden Cove Substation to support distribution system capacity during peak demand periods; and implementing targeted energy conservation and demand response tools.

Upgrade and expansion of the Murden Cove Substation is needed to accommodate installation of the new BESS at the substation and connect the proposed Winslow-Murden 115 kV transmission line to the substation. Upgrades will occur within the existing fenced area of the substation to replace aging equipment and install new equipment. Additionally, the fenced area will be expanded approximately 100 square feet near the northeast corner to accommodate a new control house structure and a new approximately 1,750 square foot fenced area will be created to install the 3.3 MW BESS south of the existing substation fence.

Improvements at Murden Cove Substation will support installation of the BESS, including battery modules, transformers, switch gear, power inverters and the installation of a new pre-fabricated control house, known as a MPAC (Modular Protection Automation and Control) which houses substation control and communications equipment. The fence expansion for the MPAC will include the installation of a maximum 5' high block retaining wall. Existing concrete equipment foundations will be removed and replaced to support substation equipment including transformers, circuit breakers, switches, fuses, and a capacitor bank. Spill prevention control and countermeasure (SPCC) containment will be installed inside of the substation to address potential transformer oil leaks. A new dead-end structure (steel pole H-frame), additional busbar elements (electrical connections), and a new switch will be installed to support connecting the new 115 kV transmission line to the substation. Stormwater improvements including a dispersion trench will be installed, with a native vegetation flow path retained. Existing vegetation will be retained to meet the required landscape buffer requirements of 50 feet along the northern, eastern and western property lines, except for vegetation that does not meet electrical clearance standards or poses a threat to substation facilities which will be removed and replaced with

electrical clearance compatible species. There is an existing transmission line connection into the substation from a pole along Sportsman Club Road in the northwest corner of the site that goes through the existing landscape buffer. The new transmission line will connect to the substation via a future pole along Sportsman Club Road in the southwest corner of the site. These two connections require approximately 50 foot wide corridors through the landscape buffers/stormwater vegetation retention areas where vegetation must be managed and maintained to a height that meets required transmission line clearance standards.

PSE plans to install the BESS in 2025 or 2026. It is essential that we can work with the City to have certainty regarding the timing of permit issuance and ability to complete site civil construction (site grading, vegetation management, SPCC installation, and equipment pad installation), installation of substation equipment, and installation of the MPAC to prepare for BESS installation. PSE must install and connect the BESS to the substation and make it operational upon arrival from the manufacturer. Unlike other substation equipment, the BESS cannot sit in storage unused for a period of time as it could void the product warranty and affect the system functionality, impacting the ability to provide reliable electricity to the community during peak demand periods.

Although the site civil construction is proposed to occur all at one time, the new transmission line connection to the substation is a separate project from the BESS installation, as the transmission line addresses transmission system reliability and redundancy, while the BESS installation addresses system distribution capacity. The transmission line construction and its connection to the substation is currently proposed for 2027 or 2028 depending upon PSE's ability to obtain permits from the City. Based on the independent utility of the BESS and the transmission line, PSE is proposing to separate the SEPA analysis for the substation improvements and BESS installation from the SEPA analysis for the transmission line, as the transmission line will be reviewed as a separate proposal under a Conditional Use Permit. Additionally, in order to connect the new transmission line to the substation, the City will need to approve a code amendment to allow primary utilities within zoning setbacks in BIMC Table 18.12.040. It should be noted that primary utilities are currently located in setbacks throughout Bainbridge Island, including at Murden Cove Substation. This code amendment is also needed so that PSE can provide electrical service via a new distribution feeder from Murden Cove Substation to the Washington State Ferries terminal in order to support electrification of the ferries.

PSE received a determination in May 2023 from the City of Bainbridge Island that Site Plan Review (SPR) will be required for work at the substation site. Per BIMC Table 2.16.010-1, any SPR in the B/I zoning district must be processed as a major SPR. However, BIMC 2.14.040.D.1 exempts applications related to utility facilities from the design review component of major SPR. Included with this pre-application request is the City's Site Assessment Review letter for drainage considerations. PSE has also been in discussions over the past few years with Paul Nyland regarding drainage requirements for the project. PSE would also like to request that a representative from the Bainbridge Island Fire District attend the pre-application meeting.



**SITE INFORMATION**

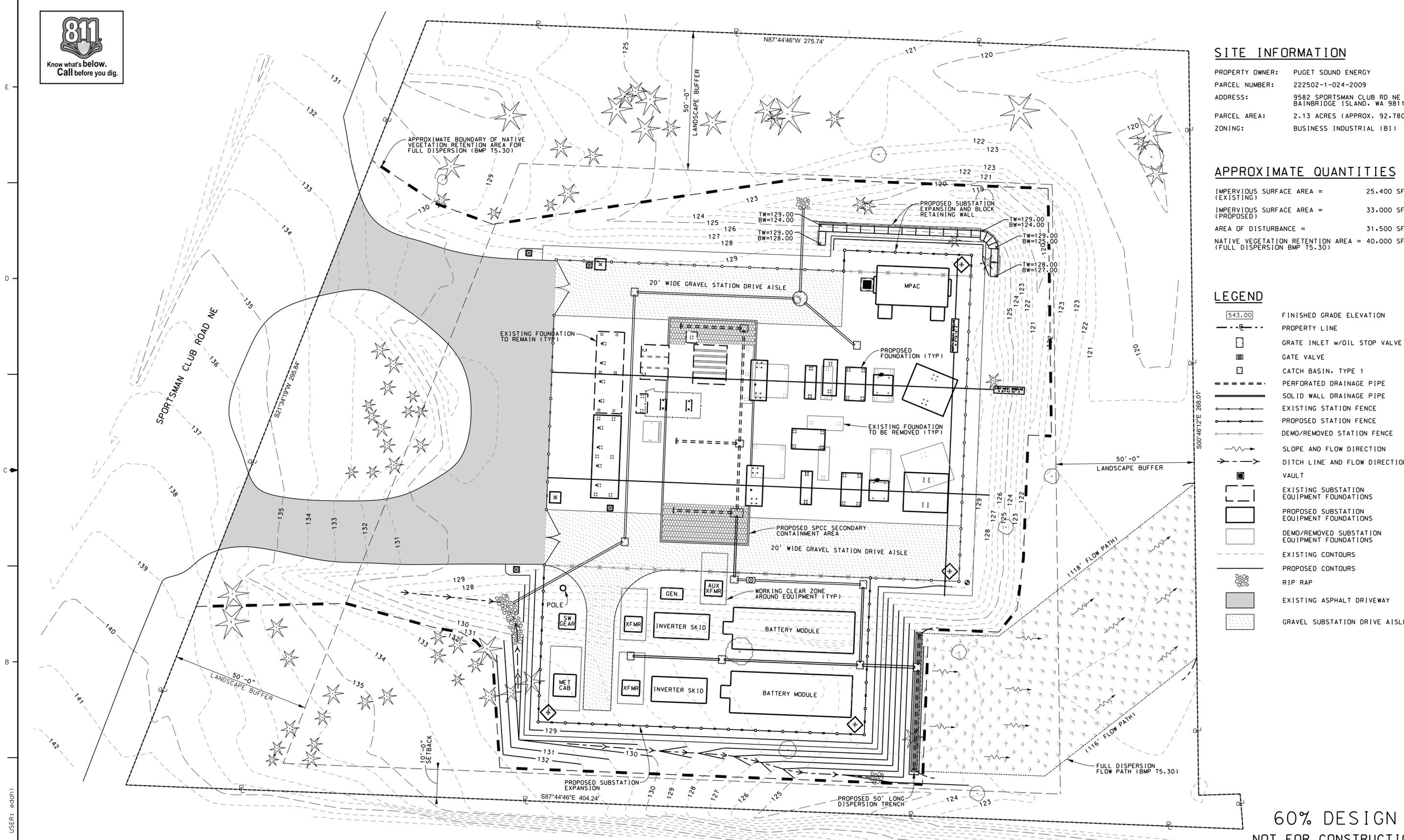
PROPERTY OWNER: PUGET SOUND ENERGY  
 PARCEL NUMBER: 222502-1-024-2009  
 ADDRESS: 9582 SPORTSMAN CLUB RD NE  
 BAINBRIDGE ISLAND, WA 98110  
 PARCEL AREA: 2.13 ACRES (APPROX. 92,780 SF)  
 ZONING: BUSINESS INDUSTRIAL (BI)

**APPROXIMATE QUANTITIES**

IMPERVIOUS SURFACE AREA = 25.400 SF (EXISTING)  
 IMPERVIOUS SURFACE AREA = 33.000 SF (PROPOSED)  
 AREA OF DISTURBANCE = 31.500 SF  
 NATIVE VEGETATION RETENTION AREA = 40.000 SF (FULL DISPERSION BMP T5.30)

**LEGEND**

- 543.00 FINISHED GRADE ELEVATION
- PROPERTY LINE
- ☐ GRATE INLET w/OIL STOP VALVE
- ☐ GATE VALVE
- ☐ CATCH BASIN, TYPE 1
- PERFORATED DRAINAGE PIPE
- SOLID WALL DRAINAGE PIPE
- EXISTING STATION FENCE
- PROPOSED STATION FENCE
- DEMO/REMOVED STATION FENCE
- ~ Slope and Flow Direction
- DITCH LINE AND FLOW DIRECTION
- ☐ VAULT
- ☐ EXISTING SUBSTATION EQUIPMENT FOUNDATIONS
- ☐ PROPOSED SUBSTATION EQUIPMENT FOUNDATIONS
- ☐ DEMO/REMOVED SUBSTATION EQUIPMENT FOUNDATIONS
- EXISTING CONTOURS
- PROPOSED CONTOURS
- ☐ RIP RAP
- █ EXISTING ASPHALT DRIVEWAY
- █ GRAVEL SUBSTATION DRIVE AISLE



**60% DESIGN  
 NOT FOR CONSTRUCTION**



**SITE PLAN**  
 SCALE: 1" = 15'



NO NUMBER: 111025559 & 111028225	REVISION DESCRIPTION: ORIGINAL ISSUE
CADD: EdD	DATE: 2023.05.18 11:07:21-0709
ENGINEER: EdD	REVIEWED:
APPROVED:	

<b>PRE-APP PERMIT SUBMITTAL SITE PLAN MURDEN COVE SUBSTATION</b>	
 PUGET SOUND ENERGY SUBSTATION ENGINEERING DEPARTMENT	DRAWING NO: <b>D-21957</b> SHEET: 01 REV NO: <b>0</b>
SCALE: 1"=15'-0" CLASS: SITE CADD NO: D-21957_01.dgn	FILE NO: CODE: MJR

INTERNAL USE

5/18/2023 11:06:19 AM USER: edohl



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Regular Meeting Agenda Bill

**MEETING DATE:** August 24, 2023

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** 5a. 7:50 pm - Ethics Board Training

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Patricia Charnas

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

**PREVIOUS COUCIL REVIEW DATE(S):**

**RECOMMENDED MOTION:**  
Receive Training

**SUMMARY:**  
The Ethics Board will be providing its periodic training to the Planning Commission

**BACKGROUND:** N/A

**ATTACHMENTS:**



CITY OF  
BAINBRIDGE ISLAND

## Planning Commission Regular Meeting Agenda Bill

**MEETING DATE:** August 24, 2023

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** 5b. (8:20 PM) Ordinance No. 2023-25 Repealing Moratorium on Inns in Neighborhood Centers and Adopting New Regulations - Planning,

**AGENDA CATEGORY:** Presentation

**PROPOSED BY:** Jennifer Sutton

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

**PREVIOUS COUCIL REVIEW DATE(S):** November-December 2022

**RECOMMENDED MOTION:**

I move to schedule a public hearing on Ordinance No. 2023-25 on September 28, 2023.

**SUMMARY:**

Draft Ordinance No. 2023-25 updates the City's regulations on "Inns" in Neighborhood Center (NC) zones in the following ways:

1. The ordinance repeals the temporary moratorium on new inns in NC zones that was approved by Ordinance No. 2022-25.
2. The ordinance adds new "Use Specific Standards" for inns in NC zones to:
  - limit the total number of inns in each neighborhood center to 3 in Lynwood Center and 2 in both Rolling Bay and Island Center;
  - prohibit inns on adjacent properties, and;
  - require that inns within a NC area (e.g., Lynwood Center) are separately owned and operated.

Draft Ordinance No. 2023-25 follows through on the policy direction provided by the City Council on May 9, 2023. At this time, there are not any existing or planned inns in Rolling Bay and Island Center. Lynwood Center has 2 existing inns and one planned inn at "The Roost" that has received land use approval.

**BACKGROUND:** "Inns" are defined in Bainbridge Island Municipal Code 18.36.030 as "a building or group of buildings containing up to 15 guest rooms, where, for compensation, lodging is provided for transient visitors."

On December 13, 2022, the City Council adopted Ordinance No. 2022-05, a one-year moratorium on the development of new inns in the Neighborhood Center Zoning District. Moratoria, or interim zoning ordinances, are permissible under the

Revised Code of Washington and require a public hearing within 60 days of adoption, per 35A.63.220 and 36.70A.390. The City Council held the required public hearing on the moratorium on January 24, 2023.

The City Council enacted the moratorium to address situations in which a common owner and/or operator may own or operate more than one inn on abutting or nearby properties, thereby creating a group of buildings that functionally operates as a hotel rather than as individual inns.

On May 9, 2023, the City Council discussed the moratorium, and possible new regulations on inns. At the close of the discussion, the City Council provided policy direction to staff by approving the following motion:

I move to direct staff to prepare an ordinance providing flexibility for the definition of inns in Lynwood Center, while clarifying the numerical limitations on inns in all other neighborhood centers. policy direction is sought to direct staff analysis and preparation of potential revisions to code.

**ATTACHMENTS:**

**ORDINANCE NO. 2022-25**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, repealing Ordinance No. 2022-25 that placed a moratorium on new inns in Neighborhood Center zones, and amending BIMC Table 18.09.020 and Section 18.09.030 to add new *Use Specific Standards* for inns in Neighborhood Center zones.

**WHEREAS**, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt moratoria related to land uses; and

**WHEREAS**, Policy 9.8 of the Land Use Element of the City’s Comprehensive Plan states that Neighborhood Centers achieve a mix of neighborhood-scale businesses, public uses, and housing which are compatible with the scale and intensity of the surrounding residential neighborhood, and which minimizes the impact of noise, odor, lighting, fire safety, and transportation on the neighborhood; and

**WHEREAS**, in accordance with the City of Bainbridge Island Municipal Code (“BIMC”), “inns” are defined in BIMC 18.36.030, in relevant part, as “a building or group of buildings containing up to 15 guest rooms, where, for compensation, lodging is provided for transient visitors. ... An inn is not a hotel, motel or bed and breakfast lodging as defined and regulated elsewhere in this title;” and

**WHEREAS**, the City Council is concerned about the manner in which the City is interpreting and implementing some of the City’s regulations regarding inns, particularly in situations in which a common owner and/or operator may own or operate more than one inn on abutting properties, or properties that are in near proximity, and thereby create a situation in which although each inn may contain 15 or fewer guest rooms on a particular lot or parcel, a “group of buildings” is created on those lots or parcels in near proximity that exceeds the limit of 15 guest rooms, and such a use functionally creates a combination of lots or parcels that could operate as a hotel rather than as individual inns, and the impacts from the combined use exceed what is intended by the City’s regulations; and

**WHEREAS**, the City possesses land use jurisdiction and regulatory authority over the City’s incorporated lands; and

**WHEREAS**, the City Council enacted a one-year moratorium under RCW 35A.63.220 and RCW 36.70A.390 by approving Ordinance No. 2022-25 on December 13, 2022 providing the City Council with additional time to review the City’s land use regulations and Comprehensive Plan related to this issue and, if necessary, adopt amendments accordingly; and

**WHEREAS**, pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council held a public hearing on January 24, 2023, within 60 days of adoption of Ordinance No. 2022-25; and

**WHEREAS**, the City Council discussed options for updating regulations for inns in Neighborhood Center areas at the May 9, 2023 City Council meeting, and after consideration of the potential land use issues that could be created by allowing an unlimited number of inns in Neighborhood Center areas, the City proposes to update the regulations to limit the total number of inns in each neighborhood centers; and

**WHEREAS**, the Planning Commission considered draft Ordinance No. 2023-25 on August 24, 2023, and

**WHEREAS**, the Planning Commission held a public hearing on Ordinance No. 2023-25 on XXXX, 2023, and after closing the public hearing, made a recommendations of XXX on Ordinance No. 2023-25; 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 XXX, 2023 the City Council heard from the Planning Commission recommendation on Ordinance No. 2023-25; and

**WHEREAS**, on XXXX, 2023, the City Council continued discussion on Ordinance No. 2023-25 and XXXX; and

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

**Section 1. Moratorium Repealed.** As authorized by the police powers of the City as set forth, for example, in Article XI, Section 11, of the Washington State Constitution, and pursuant to statutory authority set forth, for example, in RCW 36.70A.390 and RCW 35A.63.220, the City hereby repeals the temporary moratorium on new inns in Neighborhood Center areas that was approved by Ordinance No. 2022-25.

**Section 2.** Table 18.09.020 of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A.

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

D. Commercial Sales and Service.

1. Inns in Neighborhood Center zones must meet the following standards:  
~~Repealed by Ord. 2021-03.~~

- a. The Rolling Bay and Island Center Neighborhood Center zones are limited to no more than 2 inns each. The Lynwood Center Neighborhood Center zone is limited to no more than 3 inns.
- b. New inns may not be located contiguous or adjacent to properties with existing inns.
- c. New inns within a Neighborhood Center zone (e.g., Lynwood Center) shall be separately owned and operated.

**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 day of XXX, 2023.

APPROVED by the Mayor this XXX day of XXX, 2023.

\_\_\_\_\_  
Brenda Fantroy-Johnson, Mayor

ATTEST/AUTHENTICATE:

\_\_\_\_\_  
Christine Brown, MMC, City Clerk

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

2023-25

## Exhibit A to Ordinance No. 2023-25

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]					
COMMERCIAL SALES AND SERVICE																				
Note: Commercial Sales and Service uses may be subject to additional requirements in BIMC 16.12.040.D, Commercial Development.																				
Accommodation																				
Bed and Breakfast (3+ bedrooms)	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P			
Inn											P	P	P	P	P	P	P			D.1
Hotel																P				