



CITY OF  
BAINBRIDGE ISLAND

**CITY COUNCIL STUDY SESSION  
TUESDAY, MARCH 05, 2019**

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

**AGENDA**

1. **CALL TO ORDER / ROLL CALL - 6:00 PM**
2. **EXECUTIVE SESSION**
  - 2.A Pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation to which the city, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency, 45 Minutes
3. **APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE - 6:45 PM**
4. **MAYOR'S REPORT - 6:50 PM**
5. **UNFINISHED BUSINESS**
  - 5.A (6:55 PM) Update on Moratorium - Planning, 10 Minutes  
[20190222 Moratorium work program status report.docx](#)  
[Ordinance No. 2018-43 Amending the Moratorium Approved 111318.pdf](#)  
[Development Moratorium Summary Effective 20181121.pdf](#)
  - 5.B (7:05 PM) Shoreline Master Program Periodic Review Process Public Participation Program and Work Plan - Planning, 10 Minutes  
[20190226\\_SMP\\_PPP\\_and\\_WP.docx](#)
  - 5.C (7:15 PM) Amendment No. 2 to the Interlocal Agreement with the Washington State Department of Licensing to Increase Bainbridge Island's Portion of the State Vehicle License Fee from \$20 to \$30 - Finance, 10 Minutes  
[Amendment No. 2 to the ILA with the WA DOL](#)
  - 5.D (7:25 PM) Sustainable Transportation Request for Qualifications - Public Works, 10 Minutes

## Sustainable Transportation RFQ

### 6. NEW BUSINESS

6.A (7:35 PM) Public Art Committee - Something New Phase 1 Report and Phase 2 Proposal - Executive, 20 Minutes  
[SN Phase 2 for CC 03052019](#)

6.B (7:55 PM) Public Art Committee Proposal to Purchase Art - Executive, 15 Minutes  
[Photo of "Hand in Hand"](#)  
[Hand in Hand Purchase Proposal](#)

6.C (8:10 PM) Ordinance No. 2019-05 Revising the BIMC Sewer Code to Allow a Limited Number of Onsite Systems in Sewer Service Areas - Public Works, 20 Minutes  
[Ordinance No. 2019-05 Relating to Sewer Connection Requirements](#)

### 7. CITY COUNCIL DISCUSSION

7.A (8:30 PM) Proposal on Tiny Homes - Councilmember Nassar, 20 Minutes  
[SampleTinyHousesPresentation.pdf](#)  
[Tiny-Homes-submittal-requirementsfresno.pdf](#)  
[tinyhousesnantucketFYI.pdf](#)  
[Affordable Housing Task Force Final Report and Appendices.pdf](#)

### 8. FUTURE COUNCIL AGENDAS

8.A (8:50 PM) Future Council Agendas, 10 Minutes  
[City Council Regular Business Meeting 031219](#)  
[City Council Study Session 031919](#)  
[City Council Regular Business Meeting 032619](#)

### 9. FOR THE GOOD OF THE ORDER - 9:00 PM

### 10. ADJOURNMENT - 9:10 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.



**City Council meetings are wheelchair accessible. Assisted listening devices are available in Council Chambers. If you require additional ADA accommodations, please contact the City Clerk's Office at 206-780-8604 or [cityclerk@bainbridgewa.gov](mailto:cityclerk@bainbridgewa.gov) by noon on the day preceding the meeting.**



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 45 Minutes

**AGENDA ITEM:** Pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation to which the city, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency,

**STRATEGIC PRIORITY:** Good Governance

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Executive

**RECOMMENDED MOTION:**

Executive Session discussion.

**SUMMARY:**

Executive Session discussion.

**FISCAL IMPACT:**

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

**BACKGROUND:**

**ATTACHMENTS:**

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (6:55 PM) Update on Moratorium - Planning,

**STRATEGIC PRIORITY:** Green, Well-Planned Community

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Report

**PROPOSED BY:** Planning & Community Development

**RECOMMENDED MOTION:**

Moratorium work program and status update. Respond to City Council questions and discussion.

**SUMMARY:**

City staff have been working to address the issues identified in the development moratorium (Ordinance No. 2018-02, amended by Ordinances Nos. 2018-03, 2018-05, 2018-09, 2018-14, 2018-23, and 2018-41).

On November 13, 2018, the City Council adopted Ordinance No. 2018-43 (effective date November 21) which amended the development moratorium by further narrowing its scope and application. The development moratorium is scheduled to expire on April 8, 2019, unless the Council takes further action before such date.

See attached Work Program Status Report, Ordinance No. 2018-43, and summary.

**FISCAL IMPACT:**

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

**BACKGROUND:**

**ATTACHMENTS:**

[20190222 Moratorium work program status report.docx](#)

[Ordinance No. 2018-43 Amending the Moratorium Approved 111318.pdf](#)

[Development Moratorium Summary Effective 20181121.pdf](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

Note: Substantive changes to this document since the last version to the City Council are included in blue text.

| Moratorium Topic               | Status  | Timeline   |
|--------------------------------|---|--|
| Critical Areas Ordinance (CAO) | <p>The development moratorium was amended by the City Council on April 24, 2018 to continue to apply within the City's shoreline jurisdiction areas (Ordinance 2018-14). This effectively applied the aquifer recharge protection area (ARPA) requirement in the shoreline, although the change did not apply other provisions of the CAO update within the shoreline. At its October 16, 2018 study session, the Council made the policy decision to not include the ARPA requirement in the shoreline area. This policy decision means that "Part B" of the moratorium could be removed. On November 13, 2018, the Council adopted Ordinance 2018-43 (effective date November 21) removing "Part B" (i.e., the ARPA requirement) from the moratorium.</p> <p>The City has a Shoreline Master Program (SMP) Amendment in process to integrate the updated critical areas regulations into the SMP.</p> | <p>On September 11, 2018, the City Council held a public hearing on the SMP amendment. The Council held study sessions on October 2 and 16, 2018, and is continuing to consider the amendment at subsequent Council meetings (see below). The Public Comment Period expired on November 9, 2018.</p> <p>The joint state/local review process requires that the draft amendment and a summary of response to comments be transmitted to the Department of Ecology within 30 days after the end of the Public Comment Period. City staff has requested an extension for this transmittal until January 31, 2019. In the meantime, comments are still being accepted and considered by staff and the Council as part of the Council's ongoing consideration of the SMP amendment.</p> <p>On November 27, 2018, the Council discussed the SMP amendment relating to integration of critical area regulations and regarding nonconforming structures, uses, and lots. On December 11, 2018, the Council discussed this matter and instructed staff to prepare a resolution to transmit the SMP amendment to</p> |

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

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|                                     |   |  |
|-------------------------------------|---|--|
|                                     |   | <p>the Department of Ecology for its SMA consistency review.</p> <p>On January 8, 2019, the Council passed Resolution No. 2019-05 approving the draft amendment and authorizing staff to transmit the proposed SMP amendment to the Department of Ecology for initial review. The draft SMP amendment is expected to be transmitted to Ecology in February. Ecology then sends back the draft amendment with recommended changes and the Council locally adopts the amendment. It is then sent back to Ecology for final approval. The amendment process is expected to be completed in late spring/early summer 2019.</p> |
| <p>Status on February 22, 2019:</p> | <p>Complete: CAO update effective outside shoreline jurisdiction.<br/>                 Incomplete: Applicability of CAO update within shoreline jurisdiction.</p> |  |

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

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| Moratorium Topic | Status  | Timeline   |
|------------------|---|--|
| Subdivisions     | <p>The Planning Commission is reviewing three topics related to subdivisions:</p> <ul style="list-style-type: none"> <li>• Creation of design guidelines</li> <li>• Revisions to subdivision standards</li> <li>• Revisions to review process, decision criteria, and decision-making authority</li> </ul> <p>The Planning Commission completed its review of new subdivision design guidelines.</p> <p>The Planning Commission forwarded recommendations to the City Council related to the review process and decision-making authority. Additional recommendations to the Council are forthcoming.</p> <p>The Council accepted the Planning Commission recommendations related to the role of the Planning Commission and Design Review Board in reviewing and making recommendations on preliminary decisions on subdivisions. However, the Council did not agree to the Planning Commission’s recommendation that the Council be the decision-maker for preliminary decisions on subdivisions (i.e., preliminary plat approval).</p> | <p>On February 13, 2019, the Planning Commission held a public hearing.</p> <p>Anticipated next steps include*:</p> <p>February 28: PC continued public hearing and recommendation<br/>           March 12: CC first reading<br/>           March 19/26: CC discussion as needed (or approval)<br/>           April 2: CC approval (if needed)<br/>           April 10: Ordinance effective</p> <p>*The anticipated schedule assumes the moratorium will not be extended past its current expiration date of April 8, 2019.</p> <p>On September 27, October 25, and November 8, 2018, the Planning Commission met to discuss subdivision standards and the review process. The Planning Commission continued its discussion in November and December 2018, and in January 2019.</p> <p>On October 23, 2018, the City Council held a public hearing related to Planning Commission/DRB review and recommended roles. The Council deferred taking action until receiving all of the forthcoming Planning</p> |

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

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|                                     |  |  |
|-------------------------------------|--|--|
|                                     | <p>On September 25, 2018, the Council removed two-lot short subdivisions in which there is an existing single-family residence from the moratorium with the adoption of Ordinance 2018-41.</p>   | <p>Commission recommendations on subdivision design guidelines, standards, review process, and decision criteria.</p> <p>On December 4, 2018, the Council discussed Ordinance 2018-20, related to revisions to land use review procedures for major projects, including subdivisions, and on December 11, 2018, held a public hearing and approved the ordinance.</p> <p>On January 8, 2019, the Council adopted Resolution No. 2019-02, updating the administrative manual to address development review process code amendments in Chapter 2.16, BIMC.</p> |
| <p>Status on February 22, 2019:</p> | <p>Complete: Ordinance 2018-20 approved by the City Council on December 11, 2018, related to revisions to land use review procedures for major projects, including subdivisions.<br/>                 Incomplete: Planning Commission review of revised subdivision standards.</p> |  |

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

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| Moratorium Topic  | Status   | Timeline  |
|---|--|---|
| <p>Design Guidelines Update (related to Site Plan and Design Review and Conditional Use Permits).</p> | <p>A RFQ for professional services was published and closed on August 17, 2018. On October 23, 2018, the City Council authorized a professional services agreement with Framework to produce an updated set of design guidelines (Chapter 18.18 BIMC).</p> | <p>On November 13, 2018, a kick-off meeting with the consultant was held with the Design Review Board. On December 19, 2018, focus groups met to discuss design guideline perceptions, issues, problems, and ideas.</p> <p>On January 30, 2019, a Design Guideline Update Open House was held. On February 5, 2019, the Design Guideline Update project consultant briefed the Council.</p> <p>The consultant will update the Council again in early April.</p> <p>The update to the City's Design Guidelines is expected to be completed before mid-year 2019.</p> |
| <p>Status on February 22, 2019:</p>   | <p>Complete: Consultant professional services agreement approved, kick-off meeting held with the DRB, design guideline open house held, City Council briefed.<br/>                     Incomplete: Update design guidelines.</p>                           |   |

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

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| Moratorium Topic  | Status   | Timeline  |
|---|--|---|
| <p>Review Process for Land Use Permits (related to Subdivisions, Site Plan and Design Review, and Conditional Use Permits).</p> | <p>The Planning Commission and Design Review Board discussed this topic at their meetings beginning in May and continuing through December 2018. A Planning Commission public hearing is tentatively scheduled for January 2019.</p> <p>The Planning Commission provided recommendations to the City Council related to roles and responsibilities for the Planning Commission, Design Review Board, and the Council and the legislative review process for amending the BIMC.</p> | <p>On October 23, 2018, the City Council held a public hearing related to the Planning Commission and Design Review Board’s land use review roles and responsibilities (Ordinance 2018-20). The Council deferred taking action until receiving all of the forthcoming Planning Commission recommendations on land use review procedures.</p> <p>At its December 4, 2018 meeting, the Council discussed Ordinance No. 2018-20, regarding revisions to BIMC Title 2 related to land use review approval bodies and procedures. On December 11, 2018, the Council held a public hearing and approved the ordinance.</p> <p>On January 8, 2019, the Council adopted Resolution No. 2019-02, updating the administrative manual to address development review process code amendments in Chapter 2.16, BIMC.</p> <p>Planning Commission review of decision criteria for site plan and design review and conditional use permits is scheduled for</p> |

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

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|                                     |   |   |
|-------------------------------------|---|---|
|                                     |   | <p>March 14, 2019. The anticipated schedule* for City Council discussion and action is:</p> <p>March 19: CC discussion/input<br/>         March 28: PC public hearing and recommendation<br/>         April 9: CC first reading<br/>         April 16: CC discussion/approval<br/>         April 26: Ordinance effective</p> <p>*The anticipated schedule assumes the SPR/CUP decision criteria will not be adopted before the moratorium's current expiration date of April 8, 2019.</p> |
| <p>Status on February 22, 2019:</p> | <p>Complete: Ordinance 2018-20 approved by the City Council on December 11, 2018, related to new roles and responsibilities for the Planning Commission and Design Review Board, review procedures for subdivisions, site plan and design review, and conditional use permits, and revisions to the legislative review process for amending the BIMC.<br/>         Incomplete: Revisions to Chapter 2.16 BIMC related to decision criteria for site plan and design review and conditional use permits.</p> |   |

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

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| Moratorium Topic             | Status   | Timeline   |
|------------------------------|--|--|
| Affordable Housing           | <p>The Affordable Housing Task Force completed review of its draft final report to the City Council at its meeting on July 11, 2018.</p> <p>On June 12, 2018, the Council approved a contract with ECONorthwest to conduct an economic market analysis and feasibility study regarding a new inclusionary zoning program and updates to the City's Transfer of Development Rights program.</p> <p>On November 13, 2018, the Council dissolved the Affordable Housing Task Force and created a Council Ad Hoc Committee for Affordable Housing.</p> <p>On January 22, 2019, the City Council Affordable Housing Ad Hoc Committee met. On February 5, 2019, the Committee reviewed a draft of the ECONorthwest final report.</p> | <p>The Affordable Housing Task Force Report with recommendations was presented to the City Council on July 24, 2018 and was discussed further at the August 21, 2018 Council Study Session.</p> <p>The economic market analysis and program feasibility study is expected to be completed in December 2018. A Council study session was held on October 2 and December 4, 2018, to receive a project update from ECONorthwest. <a href="#">On February 19, 2019, the City Council reviewed and provided staff direction on the ECONorthwest / Forterra Inclusionary Zoning / TDR final report, the Affordable Housing Task Force report and recommendations, and discussed the status of the City Council Affordable Housing Ad Hoc Committee.</a></p> |
| Status on February 22, 2019: | <p>Complete: City Council discussion and endorsement of Priority and Quick Wins recommendations from the AHTF Report.</p> <p>Incomplete: Implementation/approval of AHTF recommendations, including adoption of inclusionary zoning regulations.</p>   |  |

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

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| Moratorium Topic                          | Status  | Timeline  |
|---|---|---|
| Business/Industrial (B/I) zoning district | <p>The Council revisited the inclusion of the B/I zoning district in the moratorium and determined that the results of the moratorium work plan would not have a significant impact on land use applications in that zoning district. On October 23, 2018, the Council made the policy decision to remove from the moratorium certain restrictions related to the B/I zoning district. On November 13, 2018, the Council adopted Ordinance 2018-43 (effective date November 21) exempting from the moratorium B/I zoning district Major Site Plan and Design Review and Major Conditional Use permit proposals.</p> | <p>During their November 13, 2018 discussion of Ordinance 2018-43, the Council discussed whether commercial subdivisions in the B/I zone should be subject to the moratorium. The Council will discuss at a future meeting whether B/I zoning district commercial subdivisions should also be exempt from the moratorium.*</p> <p>* There likely is not any added benefit to removing B/I commercial subdivisions from the moratorium early. The new subdivision standards are nearing completion, and the new standards will apply to commercial subdivisions, as do the already adopted subdivision process changes. The City has not held any preapplication conferences for commercial subdivisions in the B/I zone that would indicate a commercial subdivision application is being prepared.</p> |
| Status on February 22, 2019:              | <p>Complete: Ordinance 2018-43 adopted, thereby exempting B/I zoning district Major Site Plan and Design Review and Major Conditional Use permit proposals from the moratorium.<br/>                     Incomplete: Policy decision regarding whether B/I zoning district subdivisions should be exempt from moratorium.</p>   |   |

Moratorium on Accepting Certain Development Applications: Work Program Status Report – February 22, 2019

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| Moratorium Topic                    | Status  | Timeline  |
|-------------------------------------|---|---|
| <p>Accessory Dwelling Units</p>     | <p>On October 23, 2018, the City Council considered whether the City can prohibit, regulate, or otherwise discourage property owners from making condominiums out of accessory dwelling units (ADUs) located on their property.</p> | <p>On October 23, 2018, the Council directed staff to prepare for the Council's consideration an ordinance to require common ownership of ADUs. This issue is scheduled to come back to the Council for discussion on March 19, 2019.</p> |
| <p>Status on February 22, 2019:</p> | <p>Complete: Began discussions on ADU condominiums.<br/>                     Incomplete: Policy decision deferred to Q1 2019.</p>   |   |

## **ORDINANCE NO. 2018-43**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, adopted pursuant to RCW 35A.63.220 and RCW 36.70A.390; amending Ordinance No. 2018-41 to narrow the development moratorium; providing for severability; and leaving the effective date and duration of the moratorium unchanged.

**WHEREAS**, on January 9, 2018, the City Council enacted Ordinance No. 2018-02 and thereby established a temporary emergency moratorium on the acceptance and processing of certain Permit Applications, as defined in Section 2 of Ordinance No. 2018-02; and

**WHEREAS**, the City Council and City staff received feedback and comment from individuals related to the moratorium and, based partly on that feedback and comment, the Council determined that certain exclusions to the moratorium needed to be amended to clarify the Council's intent regarding such exclusions; and

**WHEREAS**, on January 16, 2018, the Council enacted Ordinance No. 2018-03, which amended Ordinance No. 2018-02 to clarify some of the exclusions; and

**WHEREAS**, the Council and City staff received additional feedback and comment from individuals related to the moratorium and, based partly on that feedback, the Council determined that further amendment was necessary to clarify which types of activities are subject to the moratorium, and which activities are excluded from the moratorium; and

**WHEREAS**, on February 15, 2018, the Council enacted Ordinance No. 2018-05, which amended and restated Ordinance No. 2018-02 and Ordinance No. 2018-03; and

**WHEREAS**, based on additional information and consideration related to educational facilities and preschools, as well as related to the applicability of the moratorium in the Mixed Use Town Center/Central Core Overlay District, on March 13, 2018, the Council approved Ordinance No. 2018-09 to further clarify which types of activities are subject to the moratorium, and which activities are excluded from the moratorium; and

**WHEREAS**, this moratorium was imposed, in part, to allow the City Council and City staff adequate time to complete the Critical Areas Ordinance Update process, and to address the Council's concerns about the City's development review process, standards, and guidelines, as well as regarding affordable housing related issues; and

**WHEREAS**, the Council adopted the Critical Areas Ordinance Update (Ordinance No. 2018-01) on February 27, 2018, and the updated Critical Areas Ordinance took effect on April 23, 2018; and

**WHEREAS**, critical areas within the City's shoreline jurisdiction are regulated by the City's shoreline master program (see, e.g., Chapter 16.12 BIMC, RCW 36.70A.480(3)(b)); and

**WHEREAS**, integration of applicable critical areas regulations into the shoreline master program is essential to ensuring adequate protection of critical areas within the shoreline jurisdiction and no net loss of shoreline ecological functions; and

**WHEREAS**, regulations for critical areas within the City’s shoreline jurisdiction are in the process of being updated through an amendment of the City’s shoreline master program consistent with the Shoreline Management Act and that amendment process was ongoing as of July 9, 2018, which was the original date that the moratorium was set to expire; and

**WHEREAS**, the City Council approved Ordinance 2018-14 on April 24, 2018, amending the development moratorium in order to have the provisions of Section 3.B. only apply within the City’s shoreline jurisdiction areas (Chapter 16.12 BIMC); and

**WHEREAS**, a number of moratorium priorities were identified at a joint meeting of the City’s Design Review Board and Planning Commission on February 22, 2018, including the following:

(1) Revise review procedures for preliminary subdivisions to include the Design Review Board and Planning Commission in process; and

(2) Analyze alternatives to decision-making authority for the Design Review Board, Planning Commission, and Hearing Examiner for subdivisions, conditional use permits, and site plan and design review; and

(3) Identify specific development standards to review/revise in Chapters 18.12 and 18.15 of the Bainbridge Island Municipal Code; and

(4) Initiate rewrite of subdivision design standards in Chapter 17.12 of the Bainbridge Island Municipal Code; and

**WHEREAS**, at the April 3, 2018, City Council study session, the City’s Department of Planning and Community Development provided a briefing on the Design Review Board and Planning Commission joint meeting wherein the Council authorized staff to proceed with a work plan addressing the priorities identified at the joint meeting; and

**WHEREAS**, on May 7 and 21, June 4 and 19, July 16, August 6 and 20, and on September 4, 2018, the City’s Design Review Board discussed alternatives for revisions to the City’s subdivision standards, dimensional standards, and land use review procedures; and

**WHEREAS**, during May through November 2018, the City’s Planning Commission discussed alternatives for revisions to the City’s subdivision guidelines, standards, dimensional standards, and land use review procedures; and

**WHEREAS**, the City’s Planning Commission has completed its review of land use review procedures and forwarded the recommendations on these issues to the City Council, but

has not completed its review of revisions to the City's subdivision guidelines, standards, and dimensional standards; and

**WHEREAS**, City staff, working with the Design Review Board, has selected a consultant team to provide professional services to update the City's Design Guidelines (BIMC 18.18.030), which is work that is not expected to be completed until the end of July 2019; and

**WHEREAS**, each of the multiple Design Review Board and Planning Commission meetings as described above included an opportunity for public comment on the alternatives for revisions to the City's subdivision guidelines, standards, dimensional standards, and land use review procedures; and

**WHEREAS**, the City provided legal background on the roles of land use bodies, presented in a memorandum from attorney James E. Haney (outside legal counsel for the City) entitled, "*Roles of City Council, Planning Commission, Design Review Board, and Hearing Examiner in Land Use Permits*," dated June 1, 2018, and the City Council had a special workshop related to land use review procedures on August 27, 2018; and

**WHEREAS**, on June 12, 2018, the City Council authorized the execution of a professional services agreement to conduct an economic market analysis and feasibility study regarding a new inclusionary zoning program and updates to the City's Transfer of Development Rights program, both of which address affordable housing related issues, and on October 2, 2018, the Council received a project update briefing, and a final report is expected to be presented to the Council in December 2018; and

**WHEREAS**, the Affordable Housing Task Force presented its final report to the City Council on July 24, 2018, and the Council discussed the recommendations more thoroughly on August 21, 2018; and

**WHEREAS**, on February 27, 2018, the City Council was provided with a moratorium work program; and

**WHEREAS**, on April 10, May 22, June 5, June 19, July 17, August 21, September 4 and 18, October 2 and 16, and November 6, 2018, the City Council was provided moratorium work program status report updates; and

**WHEREAS**, on June 26, 2018, the City Council held a public hearing and approved Ordinance 2018-23, extending the development moratorium for another 90 days until October 9, 2018; and

**WHEREAS**, on September 25, 2018, the City Council held a public hearing and approved Ordinance 2018-41, and thereby extended the development moratorium for another six (6) months until April 8, 2019, unless the Council takes further action before such date, and in so doing narrowed the moratorium to remove two-lot short subdivisions in which there is an existing single-family residence from the moratorium; and

**WHEREAS**, on October 16, 2018, the City Council discussed integrating critical area regulations into the Shoreline Master Program (Chapter 16.12 BIMC) and made the policy decision to not apply new *Aquifer Recharge Protection Area* regulations (BIMC 16.20.100) within the City's shoreline jurisdiction areas; and

**WHEREAS**, as a result of that policy decision, and the City Council's affirmation on October 23, 2018, that the moratorium should be narrowed in that manner, the Council directed staff to prepare an ordinance to entirely remove Section 3.B. (which, in effect, applied the Aquifer Recharge Protection Area regulations in the City's shoreline jurisdiction areas) from the moratorium; and

**WHEREAS**, on October 23, 2018, the City Council discussed additional revisions to the development moratorium, including excluding from the moratorium certain permit applications for development in the Business/Industrial zoning district, and the Council directed staff to prepare an ordinance to narrow the moratorium accordingly; and

**WHEREAS**, on October 23, 2018, the City Council also discussed potentially further narrowing provisions of the moratorium related to applications for new short subdivisions that the Council had previously narrowed, and the Council decided to not take such action at this time pending the Planning Commission's ongoing but not yet completed work related to subdivisions, including new subdivision design guidelines and revised subdivision standards and review procedures; and

**WHEREAS**, on October 23, 2018, the City Council also discussed issues related to making condominiums out of accessory dwelling units ("ADUs") and common ownership of ADUs, and the Council directed staff to work on possible revisions to the BIMC to allow the Council to further consider the common ownership issue related to ADUs; and

**WHEREAS**, although the City has been working to address the land use issues identified in the development moratorium, as described above, the work is ongoing and not yet completed; and

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

**WHEREAS**, the moratorium promotes the public good and is necessary for the protection of public health, property, safety, and welfare, and the public emergency on which this moratorium was imposed continues to exist and this ordinance does not change the basis for that declaration of emergency, except as described above, nor the effective date of the moratorium, which is January 9, 2018.

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

**Section 1. Findings of Fact.** The recitals set forth above are hereby adopted as additional and supplemental findings of fact to the City Council's initial findings of fact in support of the

moratorium, as established by Ordinance Nos. 2018-02, 2018-03, 2018-05, 2018-09, 2018-14, 2018-23, and 2018-41.

**Section 2. Moratorium Amended.** Section 3 of Ordinance No. 2018-05, as amended by Ordinance Nos. 2018-09, 2018-14, and 2018-41, is hereby further amended as follows related to the activities to which the moratorium applies:

~~B. Structures, buildings, and land use permits and approvals in the R-1, R-2, and R-0.4 zones within the City's shoreline jurisdiction areas (see Chapter 16.12 BIMC):~~

- ~~(i) — That will result in less than 65% of the subject property being retained as native vegetation; or~~
- ~~(ii) — That will result in reducing the native vegetation on the subject property by any amount if that property had native vegetation existing on less than 65% of the property as of the effective date of the moratorium.~~
- ~~(iii) — Provided, that this Section B does not apply to complete land use applications (see BIMC Table 2.16.010-1) that were submitted prior to the effective date of the moratorium, and to the resultant site work and associated approvals related to such complete land use applications.~~

C. Major Site Plan and Design Review and Major Conditional Use Permit proposals that are not otherwise subject to this moratorium and that did not, before the effective date of the moratorium, have a pre-application conference on the Planning Department's calendar. Provided, that the moratorium does not apply to Major Site Plan and Design Review and Major Conditional Use Permit proposals for properties located in the Mixed Use Town Center/Central Core Overlay District or the Business/Industrial District.

**Section 3. Moratorium Work Plan.** As provided for under RCW 35A.63.220 and RCW 36.70A.390, the City may renew a moratorium for one or more six-month periods if a work plan has been developed, a public hearing has been held, and findings of fact have been made, and the City has thereby previously extended the moratorium as described herein based on the work plan that has been developed and the findings of fact that have been made in this ordinance and the previous ordinances related to this moratorium.

**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. No Change to Basis for Declaration of Emergency; Effective Date; Duration.** This ordinance shall take effect and be in force five (5) days from and after its passage and publication as required by law. Provided, that this ordinance is not intended to change the basis of the emergency declarations stated in the seven moratorium ordinances which preceded

this ordinance, Ordinance Nos. 2018-02, 2018-03, 2018-05, 2018-09, 2018-14, 2018-23, and 2018-41, except as described in the “Whereas” clauses of this ordinance. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support the emergency declarations adopted as part of the enactment of this moratorium were included in the “Whereas” clauses of Ordinance No. 2018-02 and Ordinance No. 2018-03, and were restated and supplemented in Ordinance No. 2018-05 and Ordinance No. 2018-09, and Ordinance Nos. 2018-14, 2018-23, and 2018-41, as well as in this ordinance, and those “Whereas” clauses are adopted as findings of fact. This ordinance amending the moratorium shall remain effective for the period as established for the moratorium, which is currently scheduled to expire on April 8, 2019, unless terminated earlier by the City Council. This ordinance does not change the effective date of the moratorium, which is January 9, 2018. The Council may, at its sole discretion, renew the moratorium for one or more six (6) month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

PASSED by the City Council this 13th day of November, 2018.

APPROVED by the Mayor this 13th day of November, 2018.

  
\_\_\_\_\_  
Kol Medina, Mayor

ATTEST/AUTHENTICATE:

  
Christine Brown, City Clerk

|                            |                   |
|----------------------------|-------------------|
| FILED WITH THE CITY CLERK  | November 8, 2018  |
| PASSED BY THE CITY COUNCIL | November 13, 2018 |
| PUBLISHED:                 | November 16, 2018 |
| EFFECTIVE DATE:            | November 21, 2018 |
| ORDINANCE NO:              | 2018-43           |

November 21, 2018

**DEVELOPMENT MORATORIUM SUMMARY:** Effective beginning January 9, 2018 until April 8, 2019. (Ordinance No. 2018-02, amended by Ordinance Nos. 2018-03, 2018-05, 2018-09, 2018-14, 2018-23, & 2018-41 & 2018-43)

**Development Activity PROHIBITED During the Moratorium:**

- A. All applications for new short subdivisions (BIMC 2.16.070), except two-lot short subdivisions in which there is an existing single-family residence, new preliminary long subdivisions (BIMC 2.16.125), and new large lot subdivisions (BIMC 2.16.080).
- B. Major Site Plan and Design Review and Major Conditional Use Permit proposals that are not otherwise subject to this moratorium and that did not, before the effective date of the moratorium, have a pre-application conference on the Planning Department's calendar. Provided, that the moratorium does not apply to Major Site Plan and Design Review and Major Conditional Use Permit proposals for properties located in the Mixed Use Town Center/Central Core Overlay District or the Business/Industrial District.

**EXCEPTIONS to the Above Development Activities Prohibited During the Moratorium:**

- A. Permits and approvals for affordable housing projects that qualify as Housing Design Demonstration Project (HDDP) Tier 3 projects pursuant to BIMC 2.16.020.Q. and Table 2.16.020.Q-1, and
- B. Permits and approvals for government facilities and structures; educational facilities and preschools; wireless communication facilities; and emergency medical and disaster relief facilities.



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (7:05 PM) Shoreline Master Program Periodic Review Process Public Participation Program and Work Plan - Planning,

**STRATEGIC PRIORITY:** Green, Well-Planned Community

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Planning & Community Development

**RECOMMENDED MOTION:**

I move to forward the SMP periodic review public participation program and work plan for approval with the March 12, 2019 Consent Agenda.

**SUMMARY:**

The purpose of this agenda item is to get final input from the Council on the public participation program and work plan.

**FISCAL IMPACT:**

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

**BACKGROUND:**

The Shoreline Management Act (SMA) requires local jurisdictions to review and, if necessary, revise their Shoreline Master Program (SMP) at least once every eight years (“periodic review”). The City of Bainbridge Island’s periodic review deadline is June 30, 2020. In order to meet this deadline, staff is proposing to initiate the periodic review at this time.

Background materials include:

Public Participation Program and Work Plan

**ATTACHMENTS:**

[20190226 SMP PPP and WP.docx](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



Shoreline Master Program Periodic Review  
Public Participation Program  
and Work Plan

February 12, 2019



# Shoreline Master Program Periodic Review Public Participation Program and Work Plan

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## Contact Information for SMP Periodic Review

- To submit written comments:  
[pcd@bainbridgewa.gov](mailto:pcd@bainbridgewa.gov) or  
280 Madison Avenue N  
Bainbridge Island, Washington 98110
- To submit questions or comments over the phone:  
Christy Carr, Senior Planner, 206.780.3719
- To sign-up for Notify Me:  
<http://www.bainbridgewa.gov/list.aspx>
- To sign-up for the City Manager's Report:  
<http://www.bainbridgewa.gov/500/City-Managers-Report>
- To discuss alternative outreach ideas:  
Kristen Drew, Communications Coordinator  
[kdrew@bainbridgewa.gov](mailto:kdrew@bainbridgewa.gov) or 206.780.3741

## Introduction

The City of Bainbridge Island (City) is conducting the periodic review of its Shoreline Master Program (SMP). The Shoreline Management Act (SMA) requires each city and county to review, and, if necessary, revise their SMP at least once every eight years. The City's periodic review is due to be complete on or before June 30, 2020.

The City is using the optional joint state/local review process in partnership with the Department of Ecology (see, e.g., WAC 173-26-104). This joint review process means that the state and city public comment period, which includes at least one public hearing, will run concurrently. The review process also includes initial review and final approval by the Department of Ecology. The SMA requires that local governments provide a full opportunity for involvement in both the development and implementation of their SMPs (see, e.g., WAC 173-26-201(3)(b)). In other words, the periodic review requires a public participation program that provides for early and continuous involvement of interested parties throughout the review process. This Public Participation Program outlines the scope and timing of the amendment process and describes opportunities for public participation throughout.

## Goals

Overall goals of this Public Participation Program are to:

- Provide objective information to assist the public in understanding issues and solutions related to the SMP itself and the periodic review process.
- Provide opportunities to the public to contribute ideas and provide feedback through all phases of the periodic review process.
- Make the periodic review process accessible and engaging to interested participants by using a variety of media, plain language, and easy-to-understand materials.

## Scope of Periodic Review

The required minimum scope of review as established by the SMA is:

(A) To assure that the master program complies with applicable law and guidelines in effect at the time of the review; and

(B) To assure consistency of the master program with the local government's comprehensive plan and development regulations adopted under chapter 36.70A RCW, if applicable, and other local requirements.

The periodic review process provides the method for bringing shoreline master programs into compliance with the requirements of the SMA that have been added or changed since the last review and for responding to changes in guidelines adopted by the state, together with a review for consistency with amended comprehensive plans and regulations. The periodic review also provides an opportunity to incorporate amendments to reflect changed circumstances, new information, or improved data.

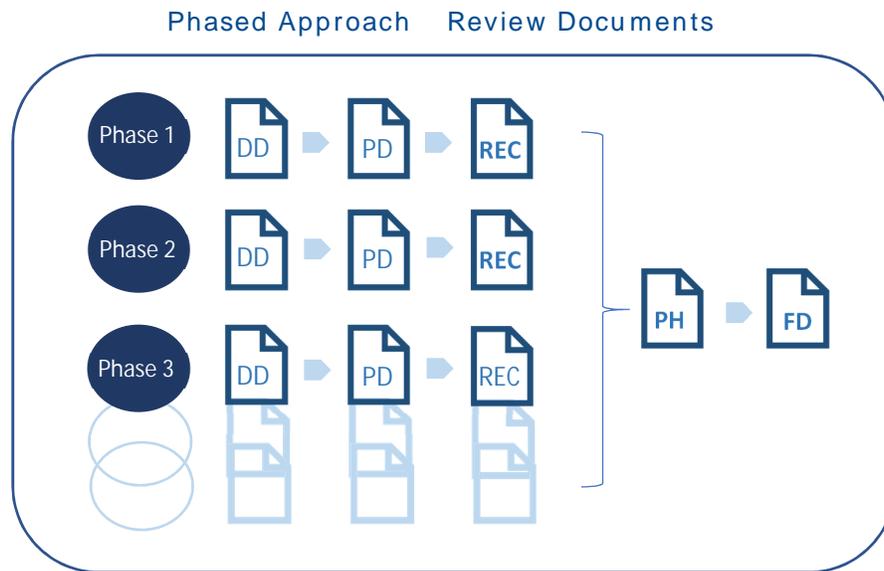
The City's periodic review will meet minimum requirements with a focus on amendments to (a) improve implementation effectiveness and (b) better reflect new information and improved data related to specific topics such as climate change adaptation and aquaculture. The scope of the periodic review is outlined in the proposed work plan included in this document.

## Phased Approach

The City recognizes that some parts of the SMP are important and interesting to some people, while other parts are important and interesting to others. The City also understands that people may be interested in participating in a particular phase (e.g., early discussions vs. final draft), rather than the entire process. In order for the work plan and review process to be more accessible – that is, broken down into identifiable, manageable pieces – the City is proposing the Planning Commission use a phased approach, both in terms of review documents and review topics.

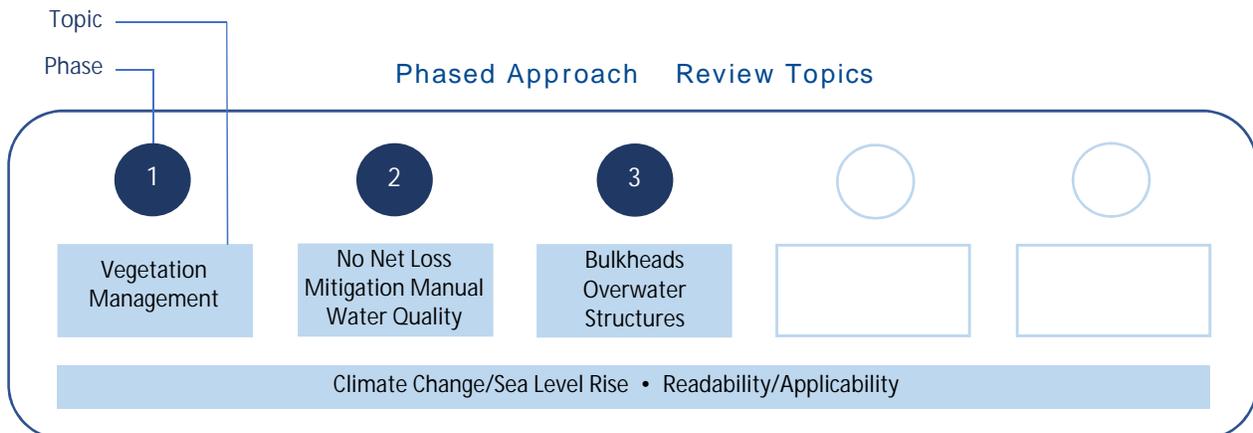
### Phased Approach Review Documents

Each phase will include one topic, or a group of related topics, and will be reviewed in a series of draft documents: discussion draft (DD), proposed draft (PD), and recommended draft (REC). The recommended drafts from each phase will be consolidated into a public hearing draft (PH). The public hearing draft will be updated based on public comment, then forwarded to the Department of Ecology for its initial review as a final draft (FD).



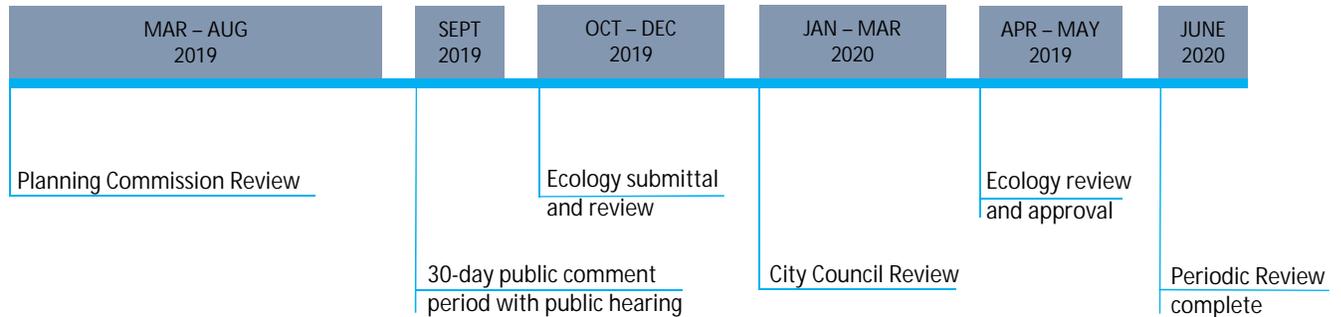
### Phased Approach Review Topics

Each phase of the periodic review will include one topic, or a group of related topics. In addition, issues that span all topics will be addressed in every phase. The anticipated sequence of review topics is shown below. Topics for future phases will be decided once the review is underway, based on the work plan.



## Anticipated Timeline

The City anticipates the periodic review will follow the general timeline below. Each phase, as discussed above, will have a distinct review period. Specific meeting and public hearing dates will be made available in accordance with state and local requirements and best practices.



## Opportunities for Public Participation

The City is committed to providing multiple opportunities for the public to engage in the SMP periodic review process. Most meetings will be hosted by the Planning Commission or the City Council. In-person public participation opportunities include:

### Planning Commission Meetings

The Commission will discuss and consider amendments to the SMP at regularly scheduled meetings and hold at least one public hearing. As described earlier, the Planning Commission will use a phased approach for review. The public hearing will be a joint public hearing with the Department of Ecology during the required 30-day public comment period. The Commissioners will consider public input to craft draft revisions to the SMP. After completing their review, the Planning Commission's recommended draft amendments will be submitted to the Department of Ecology for the state's initial determination of consistency with the SMA.

Planning Commission meetings are held on the second and fourth Thursday of the month from 7:00 to 9:00 pm at City Hall in the Council Chamber. Special meetings may be held at an earlier time or on a different day, as needed. Public comment is accepted at all Planning Commission meetings. Meeting materials are provided in the agenda packet, which is usually published on the City's website on the Friday prior to the meeting: <https://www.bainbridgewa.gov/AgendaCenter>.

### Joint Local/State Public Comment Period and Public Hearing

The periodic review process requires a 30-day public comment period during which at least one public hearing must be held. Pursuant to the joint review process, the City will hold at least one joint public hearing with the Department of Ecology. The public hearing will be held at a Planning Commission meeting and be advertised, including via the City's website and in the local newspaper 10 days prior to the hearing. The public comment period provides opportunity for written comment and in-person testimony at the public hearing.

## City Council Meetings

Staff will present the Department of Ecology's initial determination to the Department of Ecology. The City Council will discuss and consider amendments to the SMP at regularly scheduled City Council meetings and may choose to hold a public hearing. [Note: Only one public hearing is required. The required public hearing will be held by the Planning Commission.] At the end of its review process, the City Council must take legislative action declaring the review process complete. It is anticipated that the City Council will adopt an ordinance approving the amendments proposed during the periodic review and authorizing staff to forward the periodic review to the Department of Ecology for state approval.

City Council meetings are held the first through fourth Tuesdays of each month, beginning at 6:00 pm at City Hall in the Council Chamber. Special meetings may be held at an earlier time or on a different day. Public comment is accepted at all City Council Business Meetings, which are held on the second and fourth Tuesdays of each month. Meeting materials are published in the agenda packet, which is published on the City's website on the Friday prior to the meeting: <https://www.bainbridgewa.gov/1101/City-Council-Agendas> .

## How to Get and Stay Involved

The City will use several modes of communication to inform the public and encourage participation, including:

- Sign up on [Notify Me](#): Members of the public can sign up to receive email or text notifications about public meetings and other aspects of the SMP amendment.
- Comment: Members of the public can comment in-person to the Planning Commission, City Council or Staff, or by written comment submitted to the City by letter or email. All comments will be documented, retained, and available for public review.
- Website: The City maintains a [project page](#) on its website with updates, important dates, background materials, and draft documents.
- Invite: Members of the public can request City staff to give a presentation and take Q&A on the SMP periodic review to community groups or any public forum.

## Outreach Methods and Tools

The overall objective of this Public Participation Program is to describe how the City will engage the public during the course of the periodic review process. Public participation methods and tools may vary by phase of the periodic review process. This Public Participation Program may continue to be reviewed and refined throughout the review process, if needed. The City will utilize a variety of modes of communication to engage the public. Public outreach will consist of in-person outreach efforts, traditional media and advertising, and outreach efforts utilizing technology and social media. Public meetings will be noticed as far in advance as possible.

### In-Person Outreach Methods

- In-person presentations at group meetings, e.g., Bainbridge Island Watershed Council, realtor groups

### Traditional Media and Advertising

- Press releases to local papers, blogs and newsletters

- Utilize community organization email lists, newsletters, and social media
- U.S. postal mail flyer to shoreline property owners
- Announcements in the Bainbridge Island Review
- Emails to current City email listservs, volunteer lists, and citizen advisory groups

### Technology and Social media

- City website – Background information, existing SMP, useful weblinks to planning resources, and materials prepared for public meetings will be available to the public on the City’s SMP [project page](#) and as hard copies at City Hall
- [Notify Me](#) – There is a listserv for the public to sign up for Shoreline Master Program updates
- Updates related to the SMP periodic review process will be posted on Facebook
- Posting SMP periodic review meetings to the calendar on the City website
- City Manager’s Report – updates and announcements of meeting dates included as needed in the weekly report

### Potential Groups for Outreach

City staff will initiate contact and communicate about the SMP periodic review process with the following potential groups for outreach. Staff anticipates developing an email listserv to maintain communication with these groups.

|  |   |
|--|---|
| <p><a href="#">City Citizen Advisory Groups</a><br/> Climate Change Advisory Committee<br/> Environmental Technical Advisory Committee<br/> Marine Access Committee<br/> Planning Commission<br/> Utility Advisory Committee</p>   | <p><a href="#">Other Public Agencies</a><br/> Bainbridge Island Fire District<br/> Bainbridge Island Metro Park and Recreation District<br/> Bainbridge Island School District<br/> Kitsap Public Utility District<br/> Kitsap Public Health District<br/> Puget Sound Regional Council<br/> Washington State Ferries</p> |
| <p><a href="#">Community Groups</a><br/> Association of Bainbridge Communities<br/> Bainbridge Island Japanese American Exclusion Memorial Organization<br/> Bainbridge Island Land Trust<br/> Bainbridge Island Watershed Council<br/> Chamber of Commerce<br/> Housing Resources Board<br/> Rotary Club of Bainbridge Island<br/> Sustainable Bainbridge</p> | <p><a href="#">Other Organizations</a><br/> Bloedel Reserve<br/> Cooke Aquaculture<br/> Kitsap Building Association<br/> Kitsap County Association of Realtors<br/> SEPA review agencies<br/> Yacht clubs and marinas<br/> Tribal governments</p>   |

## Work Plan

The work plan includes items that have been identified by staff, project applicants, and others as the most in need of review and revision. The work plan is presented in two formats: (a) a list of guiding themes under which most, if not all, of the anticipated revisions can fit, and (b) a detailed list of specific language or sections of the SMP that need to be revised. The detailed work plan assigns each proposed topic to consider to one or more of these guiding themes.

1. Vegetation management – Existing landscaping (“established yard”): Staff, shoreline property owners, and vegetation maintenance providers continue to struggle with what can or cannot be done in terms of existing landscaping. There are endless variations on what shoreline property owners may consider their “yard” and what constitutes “normal or routine maintenance” or “ongoing maintenance.” Clarity is needed as to if/when/which vegetation management provisions apply to existing landscaping.

2. Vegetation management – other: A number of vegetation management regulations need to be simplified and clarified, and with that, some policy direction is needed. Examples include: removal of significant trees, “1/3-2/3” provision where a structure is allowed to encroach into up to 1/3 of Zone 2 of the shoreline buffer with the remaining 2/3 of Zone 2 (and all of Zone 1) planted with native vegetation.

3. Consistency with no net loss standard: The current conditions of the shorelines, including existing development, are the starting point or baseline for determining no net loss. Regulations and provisions need to be reviewed for consistency with the no net loss standard. For example, do any vegetation management regulations result in “restoration” vs. “mitigation” for identified impacts? Examples of means to achieve the no net loss standard would also be helpful for project applicants and qualified professionals completing site specific impact analysis reports to clarify the concept of no net loss.

4. Integration of other codes/policies (stormwater, climate change): The City’s stormwater regulations have been updated since the SMP update (Chapter 15.20 BIMC). These should be integrated. A direct discharge criteria should be considered and consistency with the Single-Family Mitigation Manual can be improved. The Planning Commission may consider incorporating sea level rise and climate change adaptation.

5. Specific regulations or performance standards: While staff does not recommend any changes to current thresholds or performance standards, the Planning Commission may review and consider revisions to specific regulations. Any revisions would likely trigger the need to review and update background documents (e.g., Cumulative Impacts Analysis). Examples include:

- a. Limits/requirements on bulkhead repair/replacement (SMP Section 6.2)
- b. Prohibition of docks (SMP Section 6.3)
- c. Buffer widths (SMP Section 4.1.3; Table 4-3)
- d. Limit on liveboards (SMP Section 5.3)
- e. New construction limit lines for Manzanita and Fletcher Bays (Special Area Maps)

6. Mitigation manual: The mitigation manual needs to be updated to reflect current standards of other agencies (e.g., U.S. Army Corps of Engineers), provide alternatives for impervious surface impacts, and improve consistency/integration with the text of the SMP.

7. Applicability: The applicability of the SMP in general needs to be clarified. The use of terms such as “development, use or activity,” “human activity,” “whether it requires a permit or not,” among others, is confusing. Complexity and redundancy could be reduced by eliminating the applicability subsection in every section of the SMP.

8. Readability: Shorten document, improve clarity, simplify and reduce complexity; correct errors and omissions

| SMP Section | Topic                                | Summary of Topics to Consider  | Guiding Theme(s) |
|-------------|--------------------------------------|--|------------------|
| 4.1.5       | Critical Areas                       | <ul style="list-style-type: none"> <li>Consistency audit with SMP amendment</li> </ul>   | 4,8              |
| 4.2.1       | Existing Development (Nonconforming) | <ul style="list-style-type: none"> <li>Consistency audit with SMP amendment</li> </ul>   | 3,7,8            |
| 4.0         | Table 4-1<br>Table 4-2<br>Table 4-3  | <p>Table 4-1 (Use and Modification Table)</p> <ul style="list-style-type: none"> <li>Clarify footnotes (revisit #22 re: mixed use physical separation)</li> <li>Correct inconsistencies between table and text (e.g., subdivisions)</li> <li>Revisit requirement for shoreline conditional use permit for all retaining walls</li> <li>Clarify primary vs. accessory utilities</li> <li>Clarify allowance of overwater structures when used as public trails</li> </ul> <p>Table 4-2 (Dimensional Standards)</p> <ul style="list-style-type: none"> <li>Address missing footnotes (#5 and 7)</li> <li>Clarify utilities setbacks</li> </ul> <p>Table 4-3 (Buffers)</p> <ul style="list-style-type: none"> <li>Revise for improved readability and ease of administration</li> <li>Clarify when “expands to include existing native vegetation applies”</li> <li>Clarify that all shallow lots (&lt;200 feet deep) are assigned narrower buffer</li> <li>Clarify how buffer is measured for high bluff properties (i.e., what is between Zone 1 at OHWM and top of bluff)</li> <li>Clarify criteria for Category A and B lots</li> <li>Add figure reference and reference to Section 4.1.3</li> <li>Clarify what geomorphic classes are or where information about them is located</li> <li>No change in required buffer widths is anticipated</li> </ul> | 8                |
| 4.1.2       | Environmental Impacts                | <ul style="list-style-type: none"> <li>Clarify that mitigation follows a sequence/“when mitigation is required” language – if an impact cannot be avoided, mitigation is required</li> <li>Simplify and clarify applicability section, clarify “development, use, activity”</li> <li>Move vegetation management regulations to Section 4.1.3 (e.g., 4.1.2.5, Revegetation Standards)</li> <li>Clarify and emphasize that either use of the Single-Family Mitigation Manual or submittal of a site-specific impact analysis is required; clarify when manual can be used</li> <li>Delete references that don’t exist</li> <li>Revisit “in perpetuity” requirement when mitigation is required (SMP 4.1.2.7)</li> <li>Clarify mitigation and monitoring requirements (SMP 4.1.2.8), consider threshold (e.g., not required for &gt; \$1000) for performance, mitigation/monitoring</li> </ul>  | 3,6,7,8          |

| SMP Section | Topic                 | Summary of Topics to Consider   | Guiding Theme(s) |
|-------------|-----------------------|---|------------------|
|             |                       | <ul style="list-style-type: none"> <li>• Clarify that new impervious surface area requires mitigation (only mentioned in Single-Family Mitigation Manual); better tie to manual</li> <li>• Consider new language that requires prioritizing where mitigation planting is located – has to go where it will have most ecological benefit</li> </ul>  |                  |
| 4.1.3       | Vegetation Management | <ul style="list-style-type: none"> <li>• Relocate and revise, if needed, vegetation management-related regulations from SMP 4.1.2.5 <ul style="list-style-type: none"> <li>○ SMP 4.1.2.5.1 – Revegetation Standards – improve clarity</li> <li>○ SMP 4.1.2.5.3 – Clarify what “altered or reduced” means; when applicable?</li> <li>○ SMP 4.1.2.5.4 – Revise for clarity; remove requirement for offsite mitigation to be in Zone 1</li> </ul> </li> <li>• Clarify applicability section, non-retroactive nature of regulations</li> <li>• Clarify which requirements apply to new development vs. existing development</li> <li>• SMP 4.1.3.4 – Exceptions – clarify what is allowed without City review or approval, replace this section with tree and vegetation regulations (including exemption for yard and garden activities) from critical areas ordinance, remove requirement to leave downed hazard tree on site (if left, considered sufficient mitigation)</li> <li>• SMP 4.1.3.5 – Create new section that just explains establishment of shoreline buffers (2 options); revisit HMP requirement and review process; remove references to documents that don’t exist or consider programmatic approach to vegetation maintenance by City or other land managers (SOP manual, also referenced in SMP 4.1.3.7)</li> <li>• Provide mechanism for some level of significant tree removal (e.g., develop significant tree removal criteria)</li> <li>• Revisit requirements for vegetation removal/replacement outside shoreline buffer (native and non-native, significant trees)</li> <li>• SMP 4.1.3.6 – Clarify “1/3 2/3” provision; applicable to new development only?</li> <li>• SMP 4.1.3.7 – Clarify applicability, provide consistency with other vegetation maintenance provisions, define “modified area,” delete minor pruning section, refer to critical areas tree and vegetation regulations, revisit requirement for clearing permit, clarify connection to SMP 4.1.4, Land Modification, as referenced, clarify utilities</li> <li>• SMP 4.1.3.7.2 – Consolidate with new section relating to just shoreline buffers, clarify what “dimensions altered” means, clarify requirement for when Zone 1 must be restored</li> <li>• SMP 4.1.3.7.3 – Clarify what “minimum necessary for public use” means, improve connection to Single-Family Mitigation Manual, clarify whether stairs need to be grated and type of mitigation required if not grated</li> <li>• SMP 4.1.3.8.1 and 3 – Revise entire sections for clarity; no changes to size thresholds anticipated</li> <li>• SMP 4.1.3.8.4 – View maintenance – clarify and simplify; reference critical areas tree and vegetation requirements?, delete requirement for Bluff Management Plan</li> </ul> | 1,2,3,5,6,7,8    |

| SMP Section | Topic                                   | Summary of Topics to Consider  | Guiding Theme(s) |
|-------------|---|--|------------------|
|             |   | <ul style="list-style-type: none"> <li>SMP 4.1.3.11 – Shoreline Structure Setback View Requirements – Clarify applicability, relocate option to build in Zone 2 language, correct figure references, simplify language, clarify what constitutes “most waterward point”</li> </ul>   |                  |
| 4.1.4       | Land Modification                       | <ul style="list-style-type: none"> <li>Eliminate requirement for clearing permit for “all clearing” to allow for nominal landscaping activities (e.g., 25 cubic yards/200 square foot thresholds)</li> <li>Clarify language, better integrate with other sections</li> </ul>   | 7,8              |
| 4.1.6       | Water Quality and Stormwater Management | <ul style="list-style-type: none"> <li>Integrate new (2016) stormwater regulations (BIMC 15.20)</li> <li>Add direct discharge criteria (i.e., when is one allowed? Considered necessary?)</li> <li>Update wood treatment regulations per agency guidelines</li> <li>Improve consistency with Single-Family Mitigation Manual</li> </ul>  | 4,8              |
| Appendix D  | Single-Family Mitigation Manual         | <ul style="list-style-type: none"> <li>Better integrate into code language – when it can be used and how it relates to vegetation management requirements</li> <li>Provide alternatives to rain garden for new impervious surface area; clarify where rain garden must be located when required (inside or outside shoreline buffer)</li> <li>Update per current agency guidance/requirements (e.g. Corps of Engineers, WDFW)</li> </ul> | 2,3,4,6,7,8      |
| 5.3         | Boating Facilities                      | <ul style="list-style-type: none"> <li>Revisit liveaboard threshold (currently 10 percent)</li> <li>Revisit management and operations (implementation)</li> </ul>  | 6,8              |
| 6.3         | Overwater Structures                    | <ul style="list-style-type: none"> <li>Improve consistency with Single-Family Mitigation Manual and other agency mitigation requirements</li> <li>Clarify grammar in prohibitions section</li> <li>Clarify length thresholds (how to determine)</li> <li>Clarify buoy density</li> </ul>   | 5,6,7,8          |
| 8.0         | Definitions                             | <ul style="list-style-type: none"> <li>Add missing definitions (e.g., significant tree, alteration, redevelopment)</li> <li>Clarify definitions</li> </ul>   | 8                |
| Appendix A  | Shoreline Designation Map               | <ul style="list-style-type: none"> <li>Correct inconsistencies between paper and GIS maps (one identified)</li> <li>Correct error (one identified)</li> <li>No changes to shoreline designations anticipated other than corrections</li> </ul>   | 8                |
| Appendix E  | Special Area Maps                       | <ul style="list-style-type: none"> <li>Include corrected maps</li> <li>Consider construction limit lines for Manzanita Bay and Fletcher Bay</li> </ul>   | 5,8              |
| All         | Global edits                            | <ul style="list-style-type: none"> <li>Clerical and implementation efficiency edits anticipated in every section</li> </ul>  | 8                |
| --          | Climate Change/Sea Level Rise           | <ul style="list-style-type: none"> <li>Incorporate climate adaptation/sea level rise into goals, policies and regulations.</li> </ul>  | 4                |
| 5.2         | Aquaculture                             | <ul style="list-style-type: none"> <li>Pending outcome of current limited amendment.</li> </ul>  | 5,8              |



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (7:15 PM) Amendment No. 2 to the Interlocal Agreement with the Washington State Department of Licensing to Increase Bainbridge Island's Portion of the State Vehicle License Fee from \$20 to \$30 - Finance,

**STRATEGIC PRIORITY:** Reliable Infrastructure and Connected Mobility

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Interlocal Agreement

**PROPOSED BY:** Finance & Administrative Services

### RECOMMENDED MOTION:

I move to forward Amendment No. 2 to the Interlocal Agreement with the Washington State Department of Licensing for approval with the March 12, 2019 Consent Agenda.

### SUMMARY:

On January 22, 2019, Council approved Resolution No. 2019-08, increasing Bainbridge Island's portion of the State Vehicle License Fee from \$20 to \$30. The attached amendment to the interlocal agreement with the Washington State Department of Licensing will put that change into effect beginning August 1, 2019, with a sunset of December 31, 2022.

### FISCAL IMPACT:

|                                    |                    |
|------------------------------------|--------------------|
| <b>Amount:</b>                     | \$200,000 annually |
| <b>Ongoing Cost:</b>               |                    |
| <b>One-Time Cost:</b>              |                    |
| <b>Included in Current Budget?</b> | No                 |

### BACKGROUND:

In 2013, the City's Transportation Benefit District (TBD) approved a \$20 vehicle license fee and entered into an interlocal agreement with the Washington State Department of Licensing for the collection of the fee. On December 31, 2015, the City dissolved the TBD and assumed all TBD operations and activities, as allowed by State law. This amendment to the original interlocal agreement is required to collect the increased annual fee.

**ATTACHMENTS:**

[Amendment No. 2 to the ILA with the WA DOL](#)

**FISCAL DETAILS:**

The change to vehicle license fees will generate approximately \$200,000 in additional revenue annually, starting in 2020. The additional revenue for 2019 will be less due to the mid-year start of the new fee. The Department of Licensing requires a six month lead time for new fee implementation.

**Fund Name(s):** Other

**Coding:**

|  |  |  |   |
|--|--|--|---|
|    | <b>AGREEMENT AMENDMENT<br/>BETWEEN THE DEPARTMENT OF LICENSING<br/>AND<br/>BAINBRIDGE ISLAND TRANSPORTATION<br/>BENEFIT DISTRICT (TBD)</b> |  | DOL Contract No. K4574<br>Amendment No. 2 |
| <b>Amendment</b>   |  |  |   |
| Amendment Purpose<br>The purpose of this Amendment is to: <ol style="list-style-type: none"> <li>1. Update Bainbridge Island TBD Contract Manager;</li> <li>2. Increase the TBD fee DOL collects to \$30.00 beginning with vehicle renewals due on or after August 1, 2019 and ending with vehicle renewals due after December 31, 2022.</li> </ol>  |  |  |   |
| <b>Contractor</b>  |  |  |   |
| Contract manager<br>Finance Director   | (Area code) Telephone<br>(206) 780-8668  | E-Mail<br>N/A  |   |
| 2 <sup>nd</sup> Contact<br>Ron Logghe  | (Area code) Telephone<br>(206) 780-8611  | E-Mail<br><a href="mailto:rlogghe@bainbridgewa.gov">rlogghe@bainbridgewa.gov</a> |   |
| <b>Department of Licensing (DOL)</b>   |  |  |   |
| Contract manager<br>Debbie Dunn, Data Sharing Manager  | (Area code) Telephone<br>(360) 902-0136  | E-Mail<br><a href="mailto:DataContracts@dol.wa.gov">DataContracts@dol.wa.gov</a> |   |
| <b>Attachments(when applicable)</b>  |  |  |   |
| This Amendment consists of the following attachment(s) and all document(s) incorporated herein or by reference:<br><br>City of Bainbridge Island Resolution No. 2019-08  |  |  |   |
| The execution of this Amendment shall constitute a ratification of any earlier agreement between the parties, hereto, the terms and conditions of which are contained herein. The parties have executed this Amendment as of the later of the signature dates included below. The intent of the parties is that <b>this fee increase will apply to vehicle renewals due on or after August 1, 2019, and will no longer apply to vehicle renewals due after, December 31, 2022.</b> All other terms and conditions of the original Agreement and any subsequent amendments thereto remain in full force and effect. The parties hereby acknowledge and accept the terms and conditions of this Amendment which is executed by the persons signing below who warrant that they have the authority to execute it on behalf of DOL and the Contractor. |  |  |   |
| Contractor signature   | Date   | DOL signature  | Date                                      |
| PRINT contractor name<br>Morgan Smith  |  | Name<br>Evelyne Lloyd  |   |
| Print Title<br>City Manager  |  | Print Title<br>Assistant Director<br>Administrative Services Division            |   |
| E-Mail<br><a href="mailto:msmith@bainbridgewa.gov">msmith@bainbridgewa.gov</a>   |  |  |   |

In accordance with the City of Bainbridge Island Resolution No. 2019-08, the Agreement is hereby amended as follows:

**1. Contract Management Clause**

TBD Contract Manager identified on page 7 of the original agreement is hereby updated to the Contract Manager listed on page 1 of this amendment.

**2. The first bullet in the Fee Collection Clause, Consideration/Reimbursement Section of the original Agreement is hereby amended to replace \$20.00 with \$30.00:**

DOL shall deduct a percentage amount, as provided in RCW 82.80.140, of one percent (1%) of the ~~twenty dollar (\$20.00)~~ \$30.00 fee collected for administration and collection expenses incurred.

**3. The section in amendment number 1 titled Responsibilities of DOL in Attachment A – Statement of Work, Item #3.h. is hereby amended to replace \$20.00 with \$30.00:**

**3. h.** Administer and collect the appropriate annual vehicle fees of up to ~~\$20.00~~ \$30.00 per vehicle, at the time of registration renewal, pursuant to RCW 82.80.140.

**4.** DOL shall begin collecting the \$30.00 fee with vehicle renewals due on or after August 1, 2019 and stop collecting the \$30.00 fee with renewals due after December 31, 2022. Amendment No. 2 shall expire on, and no longer apply to vehicle renewals due after, December 31, 2022, and the TBD fee shall revert back to the original \$20.00 for vehicle renewals due on or after January 1, 2023.

Regardless of the effective dates of this Amendment, DOL will collect the \$30 Transportation Benefit District fee on any vehicle with a registration renewal date of August 1, 2019, through December 31, 2022, even if the vehicle registration is performed outside these dates.

\*\*\*\*REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK\*\*\*\*



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (7:25 PM) Sustainable Transportation Request for Qualifications - Public Works,

**STRATEGIC PRIORITY:** Reliable Infrastructure and Connected Mobility

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Public Works

**RECOMMENDED MOTION:**

I move to forward the Sustainable Transportation Request for Qualifications for approval with the March 12, 2019 Consent Agenda.

**SUMMARY:**

City Council to consider the proposed Request for Qualifications for Sustainable Transportation.

**FISCAL IMPACT:**

|                                    |           |
|------------------------------------|-----------|
| <b>Amount:</b>                     | N/A       |
| <b>Ongoing Cost:</b>               |           |
| <b>One-Time Cost:</b>              | \$150,000 |
| <b>Included in Current Budget?</b> | Yes       |

**BACKGROUND:**

On January 15, 2019, the City Council discussed the sustainable transportation proposal. On January 22, 2019, the Council directed staff to prepare a request for qualifications.

On March 5, 2019, the Council is asked to consider authorization for staff to move forward with the attached Request for Qualifications for Sustainable Transportation. If approved by Council with the March 12, 2019 Consent Agenda, advertising would occur March 22 and 29, 2019. Qualification packages would be due to the City on April 12, 2019. A five-member selection committee will be formed to evaluate and rank the qualification submittals. Interviews may then be scheduled with short-listed firms. The selected firm would be chosen by late May or early June.

**ATTACHMENTS:**

[Sustainable Transportation RFQ](#)

**FISCAL DETAILS:** The 2019-2020 biennial budget includes \$150,000 for this item under non-motorized transportation planning.

**Fund Name(s):** General Fund

**Coding:**



**CITY OF BAINBRIDGE ISLAND**

**REQUEST FOR QUALIFICATIONS (RFQ)**

**Sustainable Transportation Planning**

**I. Project Description**

The City of Bainbridge Island (City) is soliciting proposals from qualified firms, or partnership of firms, with rich experience in active transportation and community consensus-building to work with stakeholders and the public to establish measurable community goals, evaluate the entirety of the section of the City’s Island-Wide Transportation Plan against these goals, and create a strategy for building out the sustainable transportation infrastructure over the next 10 years.

**II. Background**

Reports on climate change indicate that we need to make behavioral changes to reduce our carbon footprint, and our reliance on automobiles for primary means of transportation is a sizable contributor. Sustainable transportation initiatives that aim to reduce single-driver trips and offer car-free options to Islanders should be at the core of our efforts.

Recent Bainbridge Island surveys show that up to 60% of respondents want and would use new infrastructure for “active transportation” if it felt safe, compared to roughly 5% who currently use active transportation regularly. Bike and car sharing could make housing more affordable by reducing the need for parking requirements. And Bainbridge Island has a built-in incentive to save the cost of driving a car onto the ferry; we can use ferry metrics to help measure success.

The City has identified the following outcomes of this proposal:

- Build consensus and support from stakeholder groups to achieve the greatest sustainable transportation benefit for the most people.
- Define inspiring and measurable goals against which all individual projects can be measured. Measurable goals, for instance, could be to reduce the growth of vehicle use.
- Provide neutral expertise (i.e. not from stakeholders) that can challenge our perceived constraints, suggest best practices, share success stories from other comparable small town/rural communities, apply creative problem solving, and achieve consensus on appropriate standards and guidelines for meeting our goals.
- Include formal partnerships from other jurisdictions (Bainbridge taxing districts, Kitsap Transit, WSDOT) to maximize opportunities for new solutions and support for those solutions.

- Communicate a compelling vision and a high-level plan based on these goals and partnerships, with appropriate visualizations, technology enhancements, illustrations, and narrative to tell a story that is accessible to all islanders.

### **III. Preliminary Scope of Work**

This project is envisioned in two phases. The following Scope of Work tasks indicate the broad areas of consideration:

#### **Phase 1**

The first phase will consist of developing a community engagement plan and implementing the approved plan. Consultant will provide proposed goals, guidelines, and standards informed by the community engagement.

**1.1) Community Engagement Plan/Public Outreach** – The consultant team will meet with City representatives to review project goals and strategies, refine working objectives, collect existing data, and establish communication channels. Consultant will develop a community engagement plan, identifying stakeholders, process, and format for the outreach. The consultant will submit a Community Engagement and Outreach Plan for City approval, then implement the approved plan.

**1.2) Develop Goals, Objectives, and Performance Measures** – The consultant team will supply sample goals, objectives, and performance measures from other regions to help define measurable goals, objectives, and policies for the city. Consultant will develop performance measures to accurately track and assess the implementation of the Final Plan. Consultant will propose an outreach strategy and communication materials for the following phases of work.

**1.3) Education and Promotion** – The consultant team will develop a multimedia presentation of the Goals, Objectives, and Performance Measures that provides the narrative, clarity, and specificity needed to communicate with and inspire residents. Consultant will make recommendations for community education and outreach for Phase 2 tasks.

#### **Phase 2**

The second phase will consist generally of a gap analysis of existing non-motorized infrastructure and public transportation options, proposed projects and initiatives to further community goals, and recommendations on updates to current transportation plans.

**2.1) Review of Existing Conditions and Related Studies** – The consultant team will review existing conditions and current related studies to classify the adequacy of existing facilities, and identify and characterize gaps in the bicycle, pedestrian, and paved trail system. Consultant will collect historical data and prepare maps showing: 1) existing bicycle, pedestrian, and paved trail facilities; 2) programmed and planned bicycle, pedestrian, and paved trail facilities; 3) existing transit routes, bus stops, transit centers, and park-and-ride lots; and 4) key intersection and roadway vehicle counts.

**2.2) Develop Alternatives and Other Recommendations** – The consultant team will develop bicycle and pedestrian facility decision tools to help the City prioritize appropriate types of

facilities to apply to existing streets and neighborhoods. The tools will include a bicycle facility decision matrix and a roadway crossing decision matrix. Consultant will prepare a set of Design Guidelines for bicycle, pedestrian, and paved trail facility design. Consultant will conduct a thorough review and assessment of the current public transportation system in the City and provide options for increasing ridership with last-mile solutions that could include new forms of active transportation.

**2.3) Proposed Priorities** – The consultant team will recommend a list for an high- priority network of bicycle, pedestrian, and trail facilities for the City in tables and GIS formats, incorporating the existing pedestrian and bicycle network and recommending new routes to address gaps, deficiencies, and needs. Consultant will develop a prioritized project slate and a candidate for a high-profile, “marquee” project.

**2.4) Education and Promotion** – The consultant team will develop a multimedia presentation of the Final Plan that provides the narrative, clarity, and specificity needed to communicate with and inspire residents. Consultant will make recommendations for education, encouragement, and outreach to increase the use of infrastructure.

A more detailed final scope of work, project timeline, and budget will be developed with the selected consultant firm. All phases will include project management and project coordination tasks.

The City of Bainbridge Island reserves the right to retain the services of the successful firm(s) for any subsequent phases (i.e., further study, plan development, design and alternatives development, preliminary engineering, public outreach and engagement) associated with this project.

#### **IV. Submittal Content**

The submittal shall be twenty (20) pages maximum, 8½ x 11 inches, double-sided sheets, 12-point font minimum. All pages count towards the page total *except* the covers, introductory letter (two-page maximum), and organizational chart (if included). The proposal shall be structured per the headings as outlined below.

1. **Description of Firm(s)** – Briefly describe the firm’s areas of expertise and other information that helps to characterize the firm(s). Provide the name, title, address, and telephone number of the primary contact for the lead firm.
2. **Project Manager’s Experience** – Identify the project manager who will be responsible for this project. List the project manager’s relevant experience and similar work, with emphasis on experience with developing active transportation plans with communities similar to Bainbridge Island.
3. **Personnel** – Describe the project team including name and office location of key personnel, including subs. Describe key personnel’s proposed roles and responsibilities on this project, and relevant related experience, with emphasis on experience with the scope of work detailed above.

4. **Project Understanding/Approach** – Describe the tasks that must be accomplished to complete the project and a narrative description of how the firm proposes to execute the tasks. Describe resources the firm could provide to enable collection or verification of data in a timely fashion. Describe how the firm will engage the community, and provide examples of graphic products the team could produce. Describe particular challenges which you foresee this project presenting and your approach for addressing these challenges. Show example graphics from past projects that relate to this project.

## **V. Evaluation Criteria**

Proposals will be ranked on qualifications and the City of Bainbridge Island may choose to interview the top ranked firms. However, at its discretion, the City of Bainbridge Island may dispense with interviews and select a firm to perform the work. Firms will be evaluated on the basis of the following factors:

1. Proposal format and organization (5%)
2. Consultant firm's experience (10%)
3. Project manager and team experience preparing innovative bicycle and pedestrian plans (35%)
4. Project understanding and approach (45%)
5. Past Performance/References (5%)

A selection committee appointed by the City of Bainbridge Island will assist with firm evaluations. The City of Bainbridge Island will seek to negotiate a contract, a detailed scope of work, fee, and schedule with the preferred firm. If unable to reach an agreement, the City of Bainbridge Island will terminate negotiations and commence negotiations with the second-ranked firm, and so forth.

The City of Bainbridge Island reserves the right to waive minor irregularities in a response, request additional information on any response beyond that required by this RFQ, and reject any and all responses and not award a contract as a result of this request for qualifications.

## **VI. Submittal Deadline**

**Five (5) copies of the proposal must be received no later than 3:30 p.m. local time on April 12, 2019** to the following address:

City of Bainbridge Island  
Public Works Department  
280 Madison Avenue North  
Bainbridge Island, WA 98110

Attn: Mark Epstein – Engineering Project Manager

**Submittals received after the deadline will not be accepted.**

Also provide a PDF digital copy of the submittal to [mepstein@bainbridgewa.gov](mailto:mepstein@bainbridgewa.gov) by the deadline.

Questions regarding the project may be directed to Mark Epstein - Engineering Project Manager, City of Bainbridge Island, (206) 780-3721, mepstein@bainbridgewa.gov.

## **VII. Additional Information**

In submitting qualifications, the respondent agrees to comply with all applicable Federal, State, and City of Bainbridge Island laws, regulations, and procedures in the conduct of the work specified herein. The consultant selected will be required to meet City and State Professional Service Agreement and insurance requirements. The consultant selected to work on this project will be required to obtain a City of Bainbridge Island business license.

### Americans with Disabilities Act (ADA) Information

The City of Bainbridge Island in accordance with Section 504 of the Rehabilitation Act (Section 504) and the Americans with Disabilities Act (ADA), commits to nondiscrimination on the basis of disability, in all of its programs and activities. This material can be made available in an alternate format by emailing Mark Epstein at mepstein@bainbridgewa.gov or by calling collect (206) 842-2016.

### Title VI Statement

The City of Bainbridge Island in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.”

Dates of publication in The Bainbridge Review: March 22, 2019 and March 29, 2019



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 20 Minutes

**AGENDA ITEM:** (7:35 PM) Public Art Committee - Something New Phase 1 Report and Phase 2 Proposal - Executive,

**STRATEGIC PRIORITY:** Healthy and Attractive Community

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Presentation

**PROPOSED BY:** Executive

**RECOMMENDED MOTION:**

To receive Council direction on whether to continue the “Something New” project for an additional five years, from 2019 through 2023.

And

To receive Council direction on whether to expand the number of sites in “Something New” from three to six, and if so, whether to do the expansion in 2019 or 2020.

**SUMMARY:**

Receive presentation from Public Art Committee (PAC).

The "Something New" project was first approved in 2017, with three pieces of artwork installed in 2018 as a one-year pilot project. PAC members will provide information on the "Something New" pilot year (2018), and the PAC request to continue the program. The PAC is also presenting their recommendation to expand the number of sites.

**FISCAL IMPACT:**

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

**BACKGROUND:** In February 2017, the Public Art Committee (PAC), a subcommittee of the Arts and Humanities Bainbridge (AHB) Board, presented the City Council with a proposal for a new public art project titled “Something New.” The project involves installation of three permanent plinths (bases) in the downtown

Winslow area to be used to display artwork from various artists on a one-year rotation schedule. In September 2017, the City Council approved \$26,000 of funding from the City's Public Art Fund to support a one-year pilot of the project.

Project management for construction and installation of the bases for the artwork has been the responsibility of staff in the Public Works Department. The recruitment and selection of artists is the responsibility of AHB, with assistance from PAC.

Using a jury process, PAC solicited for and selected three artwork pieces, which were installed in June 2018. The artwork is located on the south side of Winslow Way at Ericksen, in Waterfront Park, and at the terminus of Madison Avenue.

The schedule provided by AHB and PAC in May of 2018 included a Council review of the Something New Pilot phase in the second half of 2018, to determine whether to propose continuing the program going forward. This planned review has been delayed until this meeting.

AHB and PAC would like to increase the size of the Something New project in 2019 from three sites to five. This proposal would increase the cost of the project, which could be supported within the existing Public Art funding of \$50,000 included in the 2019 and 2020 budgets. It would also increase the cost of the project in terms of the project management and construction time from Public Works and Executive staff.

**ATTACHMENTS:**

[SN Phase 2 for CC 03052019](#)

**FISCAL DETAILS:** The first year of "Something New" has been delivered to date within the established budget of \$28,600. Any unspent funds will remain in the Public Art Subfund for future eligible uses.

The current estimated fund balance at year-end 2020 for the Public Art Subfund is \$190,000. The expanded "Something New" program has a proposed budget of \$26,000. If this funding is approved, the estimated fund balance at year-end 2020 for the Public Art Subfund would be \$164,000.

**Fund Name(s):** Other

**Coding:**



# Public Art Committee Something New

Arts & Humanities Bainbridge

March 2019





# Something New Pilot Recap & Review

- Early Outreach to Community
  - BIDA meeting, Public meeting at City Hall and two commuter round trip ferry rides.
- Public Works Support
  - Partnership with Mark Epstein included multiple meetings to design and build initial pedestals.
- Initial Artist Call well received
- Delivered project below budgeted costs
- Public Response to People's Choice low
- Anecdotal public responses very positive
- Additional investment in promotion and marketing requested for Phase Two

# Something New Pilot Budget

\* COBI internal expenses, not charged to the public art sub fund

|                                 | Budget 2018   | Actual 2018   |
|---------------------------------|---------------|---------------|
| Community Outreach              | 500           | 244           |
| Bases                           | 12,000        | 7,600         |
| City Permits                    | 2,400         | 0             |
| Engineering (COBI)              | 1,200         | 15,500*       |
| <b>Infrastructure Subtotal</b>  | <b>16,100</b> | <b>7,844</b>  |
| Art Call                        | 450           | 525           |
| Honorariums                     | 3,400         | 3,400         |
| Peoples Choice                  | 1,000         | 1,000         |
| Insurance                       | 0             | 0             |
| Promotion & Publicity           | 2,000         | 1,635         |
| Opening Reception               | 2,000         | 1,000         |
| Artwork Plaques                 | 450           | 233           |
| Art Rotation Exp's              | 600           | 0             |
| <b>Expense Subtotal</b>         | <b>9,900</b>  | <b>7,793</b>  |
| <b>Total Infra and Expenses</b> | <b>26,000</b> | <b>15,637</b> |
| 10% Contingency                 | 2,600         | 1,564         |
| <b>Total</b>                    | <b>28,600</b> | <b>17,201</b> |



# Something New 2019 Timeline

## 2019 Timeline

### March

- PAC proposal to City Council
- Design new pedestals with Public Works
- PAC posts Call for Art

### April

- Submission Deadline
- Jury selects new artwork
- People's Choice winner 2018 publicized

### May

- Art selections presented to City Council
- Artists notified of selections
- Contracts signed by artists

### June

- SN Phase One art de-installed
- SN Phase Two art installed
- Podcast recorded
- Peoples Choice voting begins

### July

- SN Phase celebration during First Friday Art Walk

### August

- Publish Website pages (interviews and podcasts)

5

|      | Estimated Beginning Balance | Estimated City Funding | Estimated Expenses    | Estimated Ending Fund Balance |
|------|-----------------------------|------------------------|-----------------------|-------------------------------|
| 2018 | \$81,835                    | \$56,598               | \$42,466              | \$95,967                      |
| 2019 | \$106,785                   | <sup>A</sup> \$86,000  | <sup>B</sup> \$34,000 | \$147,967                     |
| 2020 | \$158,785                   | <sup>C</sup> \$64,000  | <sup>D</sup> \$22,000 | \$189,967                     |

<sup>A</sup> Assumes \$10,000 for 2018 2% for Public Art; \$24,000 for AHB support; \$50,000 for project funding; \$2,000 for interest earnings

<sup>B</sup> Assumes \$10,000 for major repairs; \$24,000 for AHB support

<sup>C</sup> Assumes \$12,000 for AHB support; \$50,000 for project funding; \$2,000 for interest earnings

<sup>D</sup> Assumes \$10,000 for major repairs; \$12,000 for AHB support

# Proposal for Phase Two

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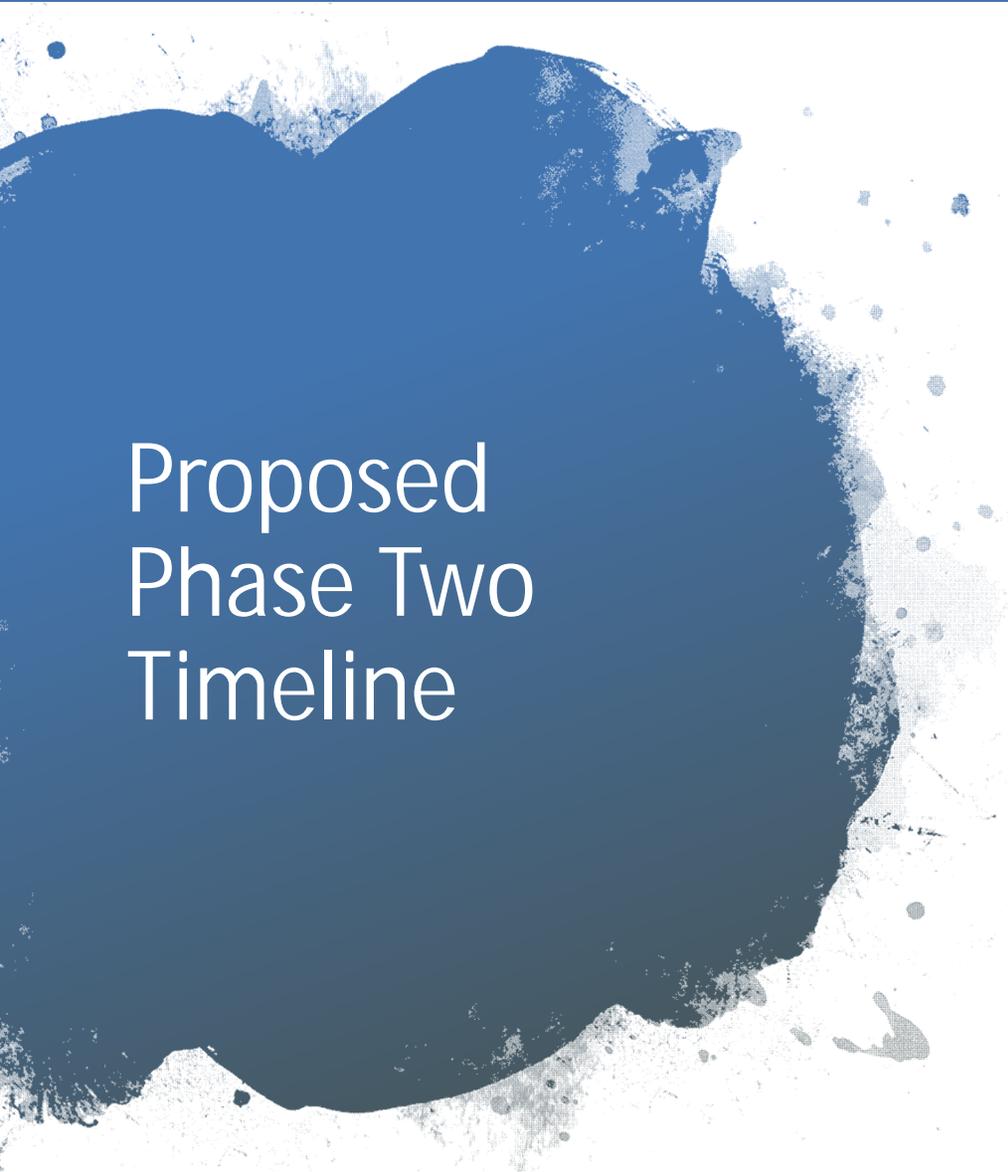


# Proposed Locations

Left: City Hall entrance (to replace Gayle Bard piece)

Middle: Waterfront Park (playground area)

Right: Waterfront Park (main lawn hillside)



# Proposed Phase Two Timeline

## 2019 Timeline

### Summer/Fall

- Planning for 2020 cycle
- Consider potential additional bases



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 15 Minutes

**AGENDA ITEM:** (7:55 PM) Public Art Committee Proposal to Purchase Art - Executive,

**STRATEGIC PRIORITY:** Healthy and Attractive Community

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Presentation

**PROPOSED BY:** Executive

**RECOMMENDED MOTION:**

I move to approve the purchase of the artwork "Hand in Hand" for \$13,000 and support this expenditure with the Public Art Subfund and to authorize the City Manager to draft and execute an agreement to effectuate the purchase of the artwork.

**SUMMARY:**

The "Hand in Hand" artwork is one of three pieces of artwork installed as part of the City's "Something New" public art program. This artwork was installed in Waterfront Park in 2018. The PAC recommendation is for the City to purchase the artwork and leave it in place as a permanent installation.

**FISCAL IMPACT:**

|                                    |          |
|------------------------------------|----------|
| <b>Amount:</b>                     | \$13,000 |
| <b>Ongoing Cost:</b>               |          |
| <b>One-Time Cost:</b>              | \$13,000 |
| <b>Included in Current Budget?</b> | Yes      |

**BACKGROUND:**

The "Hand in Hand" artwork is one of three pieces of artwork installed as part of the City's "Something New" public art program. This artwork was installed in Waterfront Park in 2018.

**ATTACHMENTS:**

[Photo of "Hand in Hand"](#)

[Hand in Hand Purchase Proposal](#)

**FISCAL DETAILS:**

The current estimated fund balance at year-end 2020 for the Public Art Subfund is \$190,000. PAC recommends purchase of this piece of artwork for \$13,000 to add to the City's Public Art collection. There are sufficient funds in the Public Art Subfund to support this purchase.

**Fund Name(s):** Other

**Coding:**



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# Public Art Committee

## Proposal for Purchase of “Hand in Hand” Sculpture



public  
art



# Hand in Hand

Artist: Will Robinson

- Purchase for inclusion in COBI's Public Art Portfolio
- Cost \$ 13,000
- Sculpture to remain in its current location



# Why add Hand in Hand to the Public Art Portfolio?

- Sculpture is a wonderful stand alone piece and / or introduction to a possible future sculpture garden
- Design is aesthetically pleasing and accessible, both figuratively and abstractly
- Shape and scale of sculpture perfectly fit the site
- Material, varied texture and color used are appropriate for the location
- Beautifully presented on layered bases



# Public Art Fund

| Public Art Fund Balance    |          |
|----------------------------|----------|
| 2019 Project Funding       | \$50,000 |
| 2019 Proposed Expenditures |          |
| 1. Something New Phase Two | \$25,768 |
| 2. “Hand in Hand” Purchase | \$13,000 |

# PAC Proposal

The Public Art Committee recommends:

Bainbridge Island City Council approve the purchase of “Hand in Hand” sculpture as an addition to COBI’s permanent Public Art Portfolio.





CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 20 Minutes

**AGENDA ITEM:** (8:10 PM) Ordinance No. 2019-05 Revising the BIMC Sewer Code to Allow a Limited Number of Onsite Systems in Sewer Service Areas - Public Works,

**STRATEGIC PRIORITY:** Green, Well-Planned Community

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Ordinance

**PROPOSED BY:** Public Works

### RECOMMENDED MOTION:

I move to forward for approval with the March 12, 2019, Consent Agenda, Ordinance No. 2019-05 Relating to onsite systems and the Sewer Code.

### SUMMARY:

BIMC 13.12.010.A. states, in part: "The owner of property within the city's sewer service area, as identified in the city's comprehensive plan, requiring sewer service shall not be allowed to install a septic system if the distance from the property to an existing sewer main with capacity to serve the property is 300 feet or less."

The proposed changes to BIMC 13.12.010.D. would allow an owner of property that meets the criteria set forth above to install an on-site sewage system, if the project meets the following requirements (as shown in the attached ordinance in underline and strikethrough):

1. The property owner will install a composting toilet and gray water system approved by the Kitsap County Health District that requires no on-site toilet liquid disposal, or the property owner will install a blackwater onsite treatment system that provides BOD5, TSS, and nitrogen reduction equivalent to NSF 40 and NSF 245 performance standards approved by the Kitsap County Health District; and
2. The property owner will install a stub-out connection with clean-out just inside the property line or grant an easement for a potential future sewer connection; and
3. The property owner will be required to record a notice to property title with the Kitsap County auditor that mandates connection to the city's sewer system in the event the owner, or any future owner, fails to maintain the water treatment system to the performance requirements described above or decides to revert back to a flush toilet system connected to the municipal sewer; and
4. The property owner will be required to pay any required sewer system participation fees and connection fees that apply at the time of required connection.

5. The number of blackwater onsite treatment systems allowed in the City's sewer service area will be limited to ten (10) equivalent residential units.

**FISCAL IMPACT:**

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

**BACKGROUND:**

The City has been approached by the International Living Future Institute (ILFI) after thorough engagement with local nonprofits and subject matter experts to develop a recommended change to the current sewer code requiring sewer connection for new development within 300 feet of an existing sewer line. This proposal is intended to allow a sewer connection exemption for natural systems (such as constructed wetlands), which treat water to a higher standard than septic systems.

The attached ordinance is intended to meet the proposed objective, and the ordinance also states in a "WHEREAS" clause that the "City Council desires to allow an option for such blackwater onsite treatment systems until such time that the City can determine the effectiveness of the systems, at which time the City can revisit this activity and determine if further changes are warranted via a future City ordinance."

The City's Utility Advisory Committee (UAC) reviewed and discussed the proposed code change and provided the following input:

- Allow an exception to the existing City Code requiring sewer connection for a limited number of connections that guarantee higher treatment standards for onsite systems. By limiting the number of connections, the UAC sees it as a way to limit significant financial risk to the sewer utility.
- Require a partial sewer connection fee be paid for these situations, since capacity in the system has to be reserved in case the onsite system fails or the owner chooses to connect to sewer at later date.

**ATTACHMENTS:**

[Ordinance No. 2019-05 Relating to Sewer Connection Requirements](#)

**FISCAL DETAILS:** As noted by the UAC, in the background section above, each future on-site sewer connection will reduce future sewer participation and operating revenue. This ordinance limits the impact to 10 total future connections. 70

**Fund Name(s):**

**Coding:**

**ORDINANCE NO. 2019-05**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, relating to sewer connection requirements and amending Section 13.12.010 of the Bainbridge Island Municipal Code.

**WHEREAS**, City policy states that property owners within the City's sewer service area, as identified in the City's Comprehensive Plan requiring sewer service, shall not be allowed to install a septic system if the distance from the property to an existing sewer main with capacity to serve the property is 300 feet or less; and

**WHEREAS**, the City Council revised the established policy in 2014 to allow an exception for composting toilets; and

**WHEREAS**, the City's Comprehensive Plan Water Resources Policy WR 5.3 allows alternative sewage treatment systems such as sand filters, aerobic treatment, composting toilets, and living systems when approved by the Kitsap Public Health District; and

**WHEREAS**, the City Council desires to continue to support sustainability, and one way to help accomplish this is to revise the established policy to allow an exception for a limited number of onsite sewage treatment systems in the City's sewer service area that meet higher treatment standards; and

**WHEREAS**, the City Council desires to allow an option for such blackwater onsite treatment systems until such time that the City can determine the effectiveness of the systems, at which time the City can revisit this activity and determine if further changes are warranted via a future City ordinance.

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

**Section 1.** Section 13.12.010.D. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

D. The owner of property that meets the criteria set forth in subsection A of this section shall be allowed to install an on-site sewage system, if the project meets the following requirements:

1. The Pproperty owner will install a composting toilet and ~~gray~~ water system approved by the Kitsap County Health District that requires no on-site toilet ~~fluid~~ liquid disposal, or the property owner will install a blackwater onsite treatment system that provides BOD5, TSS, and nitrogen reduction equivalent to NSF 40

and NSF 245 performance standards approved by the Kitsap County Health District; and

2. The pProperty owner will install a stub-out connection with clean-out just inside the property line or grant an easement for a potential future sewer connection; and

~~3. Gray water disposal must be handled through an onsite sewage system approved by the Kitsap County health district;~~

~~4~~3. The property owner will be required to record a notice to property title with the Kitsap County auditor that mandates connection to the city's sewer system in the event the owner, or any future owner, fails to maintain the water treatment system to the performance requirements described above or decides to revert back to a flush toilet system; ~~and~~ connected to the municipal sewer; and

~~5~~4. The property owner will be required to pay any required sewer system participation fees and connection fees that apply at the time of required connection.

~~6~~5. The number of blackwater onsite treatment systems allowed in the City's sewer service area will be limited to ten (10) equivalent residential units.

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

PASSED BY THE CITY COUNCIL this \_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED BY THE MAYOR this \_\_\_\_ day of \_\_\_\_\_, 2019.

---

Kol Medina, Mayor

ATTEST / AUTHENTICATE:

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

|                             |                   |
|-----------------------------|-------------------|
| FILED WITH THE CITY CLERK:  | February 19, 2019 |
| PASSED BY THE CITY COUNCIL: | _____, 2019       |
| PUBLISHED:                  | _____, 2019       |
| EFFECTIVE DATE:             | _____, 2019       |
| ORDINANCE NUMBER:           | 2019-05           |



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 20 Minutes

**AGENDA ITEM:** (8:30 PM) Proposal on Tiny Homes - Councilmember Nassar,

**STRATEGIC PRIORITY:** Green, Well-Planned Community

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** City Council

**RECOMMENDED MOTION:**

Discussion.

**SUMMARY:**

On July 24, 2018, the Affordable Housing Task Force (AHTF) presented its Final Report to the City Council, attached. On page 11 of the report, Tiny Homes are listed under "Additional Strategies to Be Explored."

The purpose of this discussion is for the Council to explore tiny homes and tiny homes on wheels as a strategy to increase the diversity of housing types and prices on Bainbridge Island. The attached materials are sourced from other municipalities and organizations and are intended for informational and educational purposes only.

**FISCAL IMPACT:**

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

**BACKGROUND:**

Councilmember Nassar requested that the City Council schedule an initial and focused discussion pertaining to tiny homes and tiny homes on wheels, as follow-up to the July 24, 2018, AHTF Final Report. Support for consideration of tiny homes as residences on Bainbridge Island can be found in the AHTF Final Report, the Housing Element of the Comprehensive Plan, and our local farm community. In general, there is considerable

support at the local, regional, and national levels for affordable, low-impact, and diverse housing options, including tiny homes.

**ATTACHMENTS:**

[SampleTinyHousesPresentation.pdf](#)

[Tiny-Homes-submittal-requirementsfresno.pdf](#)

[tinyhousesnantucketFYI.pdf](#)

[Affordable Housing Task Force Final Report and Appendices.pdf](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**

# TINY HOUSES

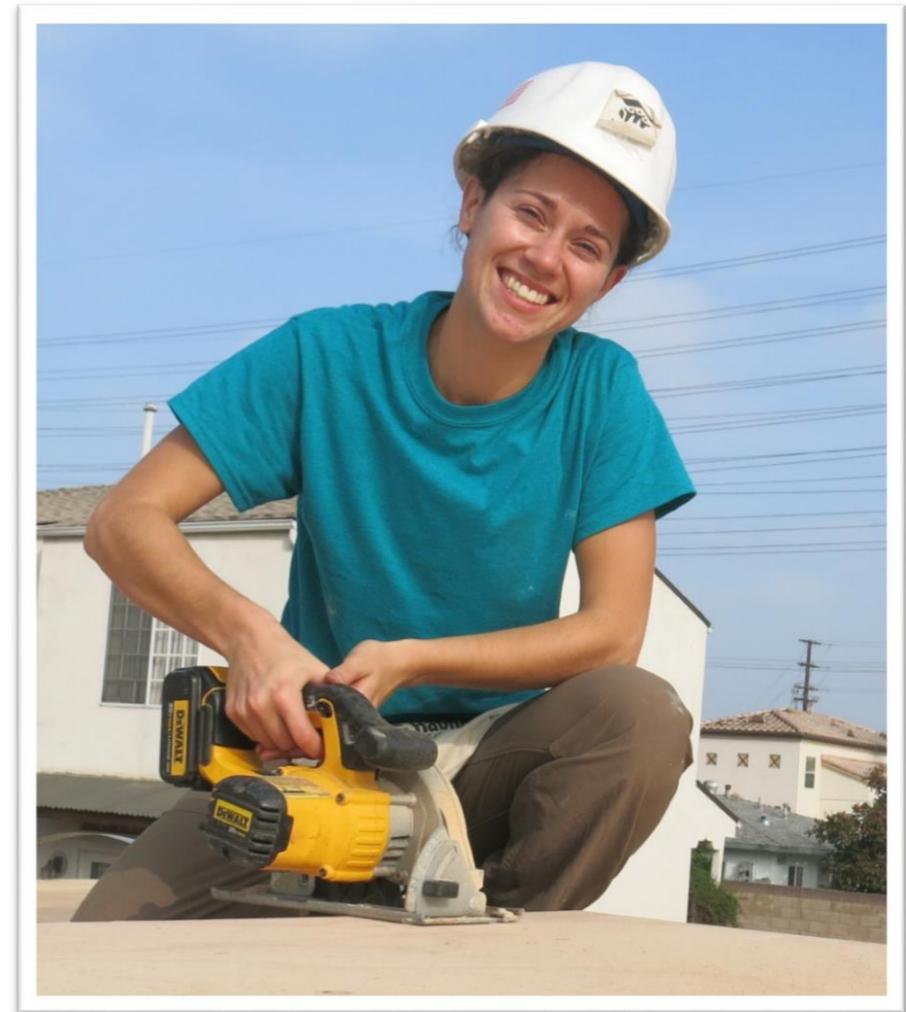
AFFORDABLE – BY – DESIGN  
HOUSING



# Teresa Baker

*tbaker@latchcollective.com*

- *California's State Chapter Leader with the American Tiny House Association*
- *Founder of LA's Tiny Advocacy Network*
- *Co-Founder of LATCH Collective*



LIVE A BIG LIFE. GO TINY.

AMERICAN TINY HOUSE ASSOCIATION

LATCH

Los Angeles Tiny Co-building Haven

Collective LLC



# Tiny Houses – What are they?

*Generally under 400 sq feet.*

*Built to resemble a typical cottage or bungalow*



# USER'S GUIDE TO ALTERNATIVE HOUSING TYPOLOGIES in the City of Los Angeles

This guide is intended to serve as a starting reference for those interested in constructing housing with alternative typologies, including modular and micro units, container construction, and tiny homes.



KQED News TOPICS PROGRAMS & BLOGS SPECIAL COVERAGE BAY C

THE CALIFORNIA REPORT

## Fresno Passes Groundbreaking 'Tiny House' Rules



# Two main types of Tiny Housing

*Tiny House on Foundation*



*Movable Tiny House*



# Foundation

*Under most zoning codes, the cottages below may well be considered legal ADUs...*

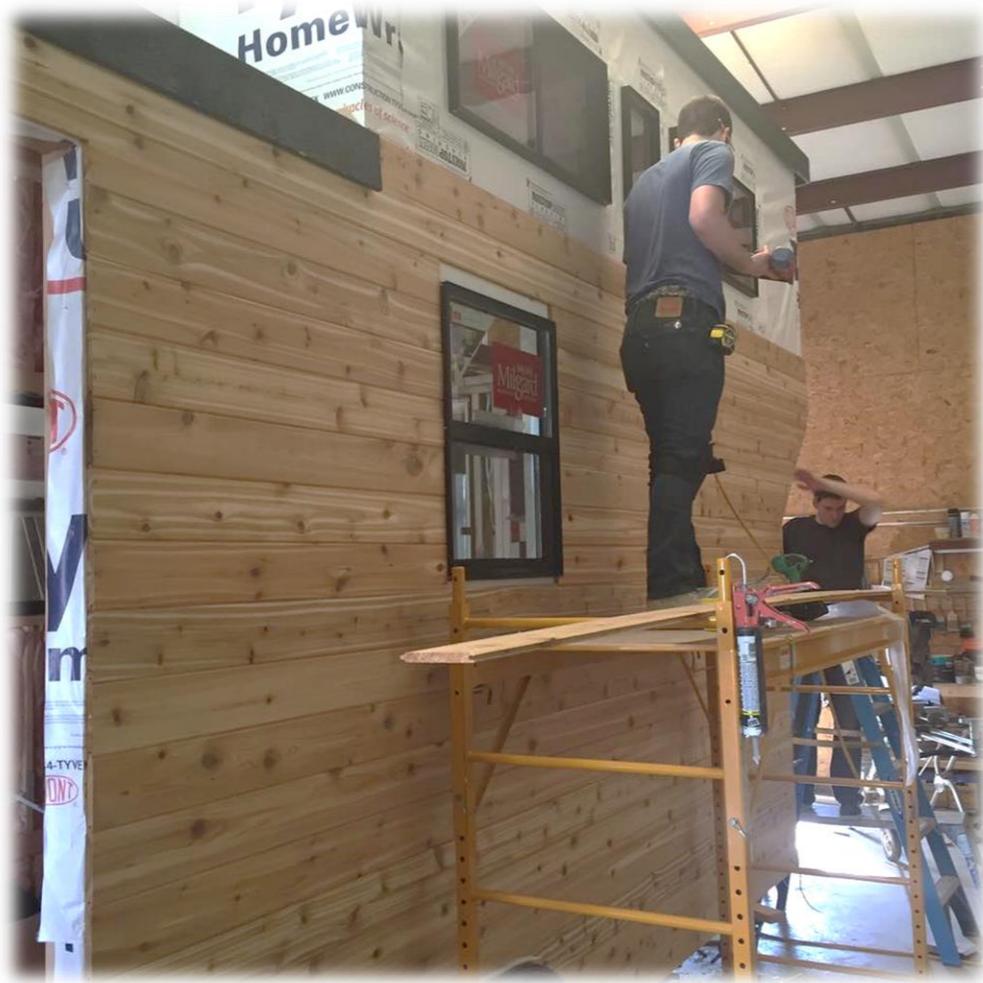


*But these cottages would NOT be permitted!*



*Movable Tiny Homes are **different** than conventional travel trailers or motor homes*





*Built like a conventional house,*



*But on wheels!*

# Most often are independent dwelling units



*Bathroom*



*Kitchens*



*Sleeping Loft*

# Connected to city utilities OR off-grid design



# Building Codes and Standards

*Movable Tiny Houses do not fit neatly within one category... but municipal zoning can specify what codes/standards a tiny house follows.*

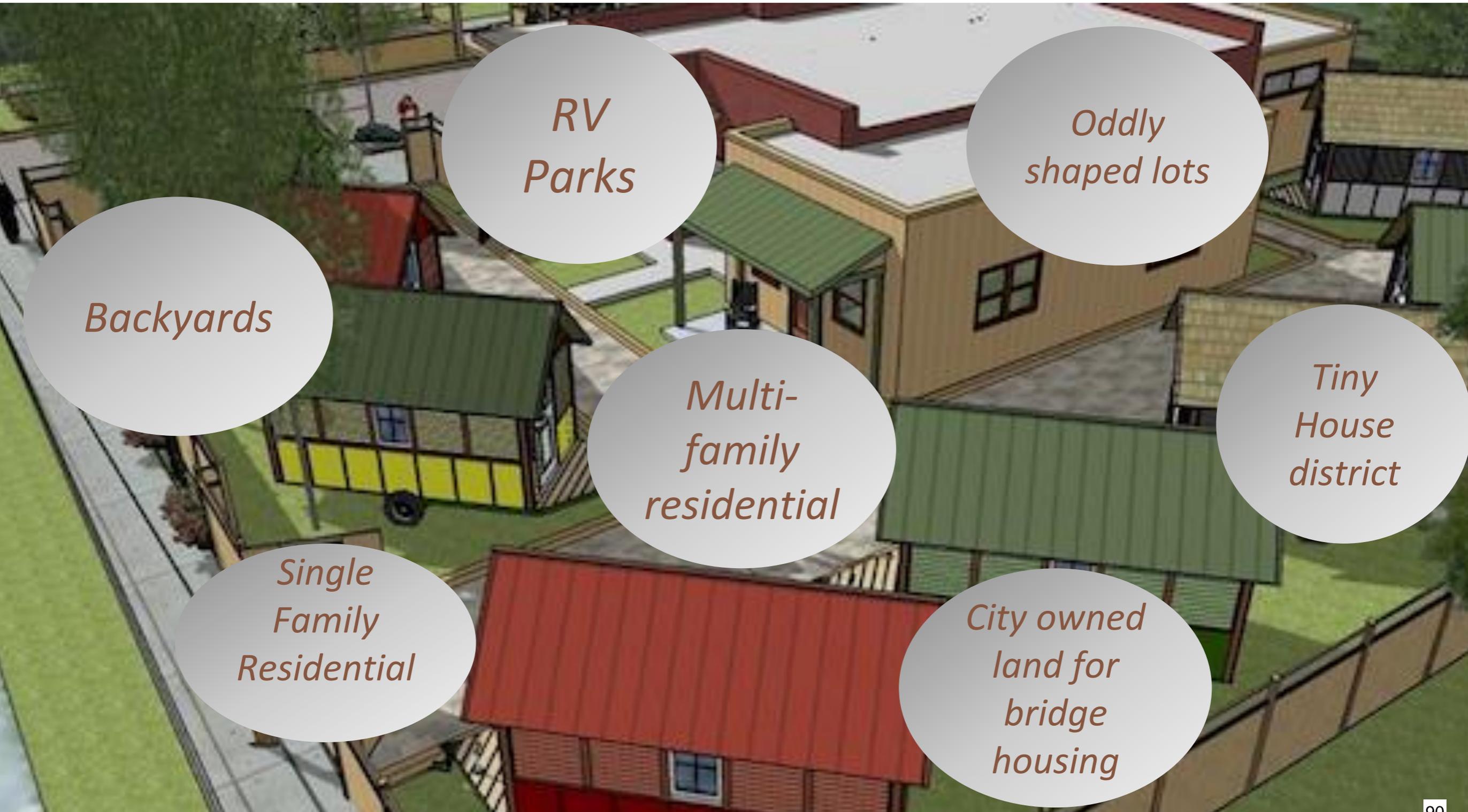


# What is a Tiny House? Your community decides!

## *Variables to consider in defining a Tiny House*

- *Foundation*
- *Connection to utilities*
- *Minimum / maximum size*
- *Room size*
- *Other size requirements (width, length, height)*
- *Independent unit vs. shared facilities*
- *Codes & standards*
- *Inspection & certification*
- *Aesthetics*

# Different location possibilities



*RV  
Parks*

*Oddly  
shaped lots*

*Backyards*

*Multi-  
family  
residential*

*Tiny  
House  
district*

*Single  
Family  
Residential*

*City owned  
land for  
bridge  
housing*

# Where?

## *Variables to consider in placement*

- *Short term or long term dwelling*
- *Permanency*
- *Rental or owner occupied*
- *Stand-alone or accessory*
- *Clustered or spread apart*
- *Lifestyle or necessity*



# Backyards: Tiny Houses as ADUs

*ADU = Accessory Dwelling Unit, Backyard Homes, Granny Flat, Etc.*

- *Fresno, California as a model*
- *Los Angeles' legal office writing possible language*
- *State mandated changes to all municipal ADU laws*





*Fresno's story captured in **Living Tiny Legally** by Tiny House Expedition.*

# RV parks as Tiny House communities





*Flat Rock, NC:  
The Village of Wildflowers  
A mobile home and THOW community*

# Easing restrictions in single family residential neighborhoods



*Walsenburg, CO  
Allows tiny homes on  
foundation to be  
placed in R1 and R2  
residential zoned lots.*

# Multi-Family Residential

*Pasadena, CA  
Allowing tiny  
house clusters  
in higher density  
areas*



# Oddly shaped lots



*Buena Vista, CO  
Variance for  
historically small  
lots*

# Planned unit development for larger tiny home communities



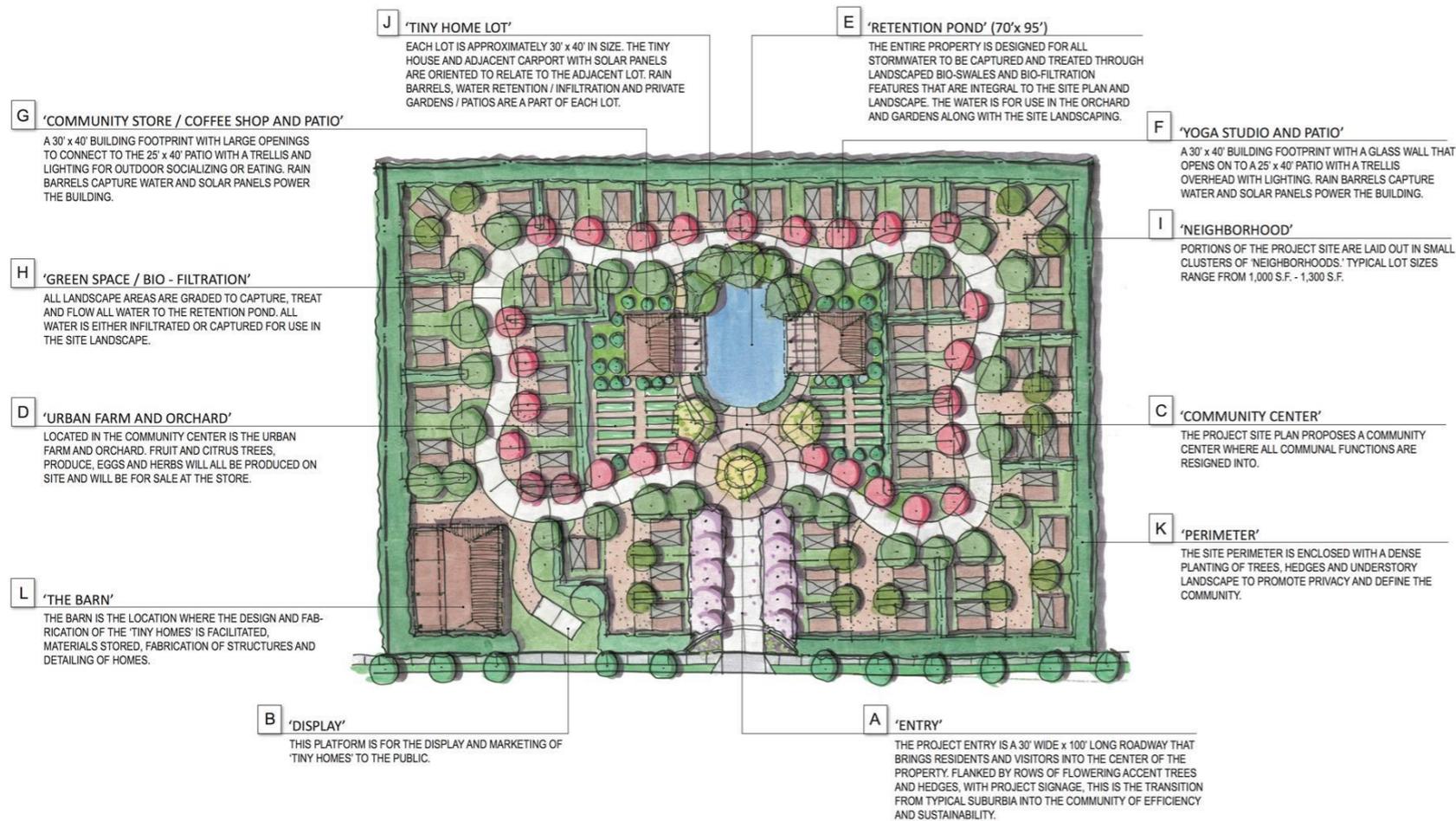
River View at Cleora  
Salida, CO

- 200 tiny homes
- 96 storage units
- Community parks
- Walking trails
- Restaurant site
- Clubhouse / fitness center

*Salida, CO  
Sprout Tiny Homes  
developing a  
tiny house community  
of 200 units.*

# Vista, CA (near San Diego)

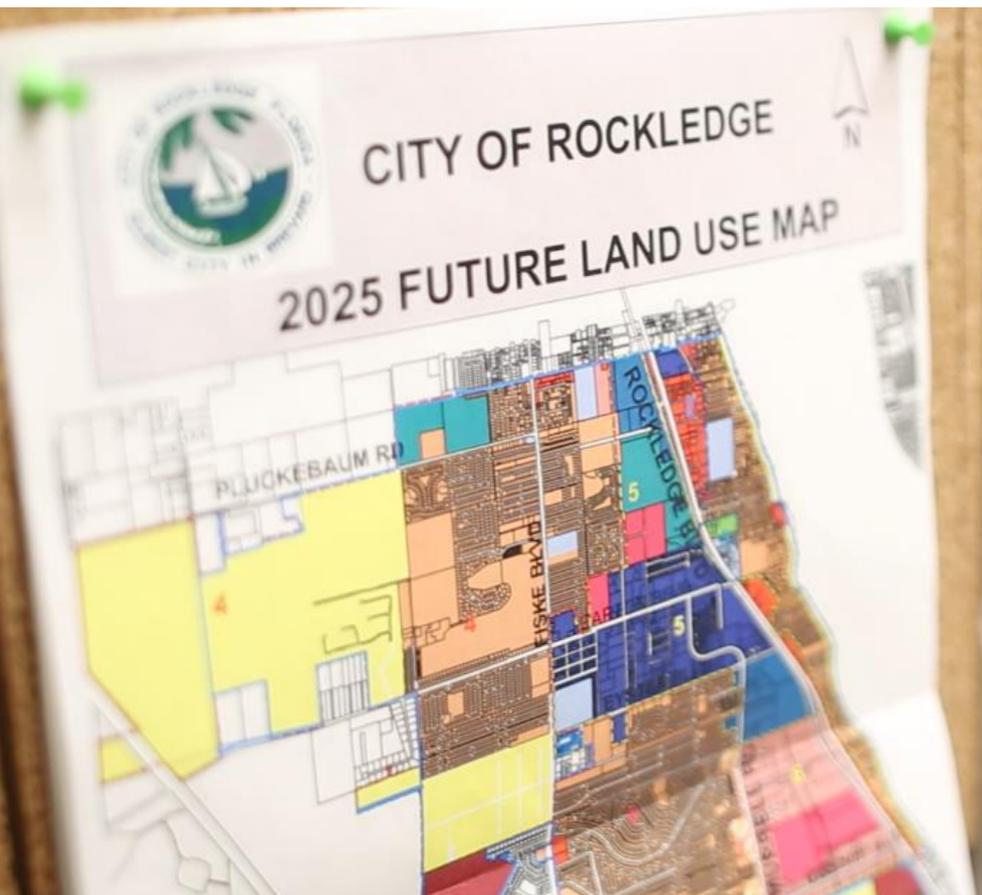
## Habitat Tiny Homes - A “master planned community”



*From their website: “Until tiny homes on wheels are approved and considered legal, full-time dwellings you will be assuming the risk if you choose to have one built and live in it full-time.”*

# Tailored Zoning

## *Rockledge, Florida*



### **SECTION 70.90. TINY HOUSES IN POCKET NEIGHBORHOODS**

- A. A tiny house shall be defined as a principal resident dwelling that has a square footage of between 170 and 1,100. Tiny Houses are only permitted within the Redevelopment Mixed Use district (RMU) or a Planned Unit Development (PUD) in a Pocket Neighborhood setting.
1. Each dwelling unit shall have a minimum gross floor area of not less than 170 square feet for the first occupant and not less than 100 square feet for each additional occupant.
  2. Required space in sleeping rooms. In every dwelling unit of two or more rooms, every room occupied for

# Consider the use



*Austin Livework  
is a lifestyle  
choice*

*Quixote Village in Olympia, Washington provides permanent, supportive housing for homeless.*



*Community First Village for chronically homeless in Texas*

## ***Bill 2176***

*San Jose will use this new law to build tiny houses as “bridge housing” for the homeless*



*Eugene, OR – Opportunity Village*

*Tiny houses on wheels are allowed as caregiver dwellings in the backyard of a person who needs assistance in several counties.*

- *Alameda*
- *Contra Costa*
- *Lake*
- *Mendocino*
- *Napa*
- *Sacramento*
- *Sonoma*



# Why Tiny?

## Benefits of Movable Tiny Houses

- *Affordable / Achievable*
- *Flexible*
- *Less dependent on loans*
- *Eco-conscious*
- *Efficient*
- *Custom*



# Local Concerns?

- *Parking*
- *Quality of life*
- *Rent staying affordable*
- *Transience*
- *Safety*
- *Aesthetics*

*Come by for a visit with your questions and comments!*



[tbaker@latchcollective.com](mailto:tbaker@latchcollective.com)

[CA@americantinyhouseassociation.org](http://CA@americantinyhouseassociation.org)

Can I have a Tiny Home on my Property?

Property must be located in a residential district and meet minimum lot standards ([Click here](#) to determine the zoning of your property)

**A Tiny Home is a structure intended for separate, independent living quarters for one household that meets these six conditions:**

1. Is licensed and registered with the California Department of Motor Vehicles and meets ANSI 119.2 or 119.5 requirements;
2. Is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection. Cannot (and is designed not to) move under its own power. When sited on a parcel per requirements of this Code, the wheels and undercarriage shall be skirted;
3. Is no larger than allowed by California State Law for movement on public highways;
4. Has at least 100 square feet of first floor interior living space;
5. Is a detached self-contained unit which includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry; and
6. Is designed and built to look like a conventional building structure

**A “Tiny Home” is considered as an Accessory Dwelling Unit and falls under the “Backyard Cottage” category**

## Backyard Cottage

### [FMC Section 15-2754](#)

- Minimum lot size of 6,000 square feet (interior lot)
- Minimum lot size of 5,000 square feet (corner lot)
- Maximum floor area: 440 square feet
- Kitchens, including cooking devices are permitted
- No additional parking required
- Separate utility meters and/or addresses are not permitted
- Must be located behind the primary dwelling unit, unless attached and integral to the primary dwelling unit
- Unit entrance must not be visible from the street (unless unit is being constructed on a corner lot and the entrance is oriented to the opposite street as the primary residence)
- Only one accessory dwelling unit may be permitted per lot
- Not allowed as the primary dwelling unit

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For More Information, navigate to the section [15-2754](#) of the Fresno Municipal Code (FMC).

# The following specifications also apply to Tiny Homes and Backyard Cottages

- Units shall conform to the height, setbacks, lot coverage and other zoning requirements of the zoning district in which the site is located. Most of these requirements are found in [FMC 15-903](#) (click hyperlink to navigate to section).
- If unit is detached, there must be a minimum of six feet from the primary residence, or 10 feet if there is an entry from either one of the units into the space between.
- Maximum building height of thirty feet
- For two story buildings, there shall be no openings, such as windows and doors, within 10 feet from an interior side or a common rear property line with another single-family home. (Privacy reasons)
- Clerestory windows (a high section of wall that contains windows above eye level to admit light and fresh air), six feet from the floor of the interior of the unit are excepted
- A driveway must be provided (as per the underlying district)
- An all-weather surface path (pedestrian access) to the unit must be provided from the street frontage
- Mechanical equipment shall be located on the ground or, in the case of a tiny house on wheels, incorporated into the structure, but shall in no case be located on the roof
- Home occupants are permitted in the unit pursuant to Section 15-2735 (Home unit must be owner occupied, accessory unit may be rented)

## Other Requirements

- A concrete pad is required in the location where the tiny home will be parked. A grading permit is required.
- The Tiny Home shall be connected to sewer and water. Utility permits are required for these connections.
- An indemnity agreement as well as a covenant verifying owner occupancy of at least one of the two units is required.
- Official documentation from Pacific West Associates or National Organization of Alternative Housing or similar agency or certified entity, verifying that ANSI standards have been met.

## Architectural Compatibility

Will your accessory dwelling unit be visible from a public street or park?

**If visible from a public street or park, the architectural design, roofing material, exterior materials and colors, roof pitch and style, type of windows, and trim details of the unit shall be substantially the same as and visually compatible with the primary dwelling.**

## Planning Review Fees

\$328 (zone clearance)

+

\$275 (traffic level 2 review fee)

+

\$1,094 (Covenant Fee)

=

\$1,697 (Total costs)

## Submittal Requirements and Processing

- Application will be processed as an Accessory Dwelling Unit Zone Clearance. Information regarding this process can be found [here](#).
- Submittal Requirements for Planning Approval ([building permits](#) will be processed separately):
  - [Application](#)
  - \$1,697 fee
  - Scaled and dimensioned site plan/plot plans (3 total)
  - Elevation drawings or pictures of proposed structure (3)
  - [Operational Statement](#)
  - Recent Title report
  - [Owner Authorization](#) or owner signature on application
  - ANSI certification

# Nantucket Tiny Houses are a Big Deal

## by Mary Bergman

**Isaiah Stover** is on track to be a Nantucket folk hero -- he is the man behind the tiny house movement on an island dotted with McMansions and median home prices of \$1.2 million.

Stover drafted the bylaw amendment to change the Zoning Code of the Town of Nantucket to include tiny house units -- a dwelling of less than 500 square feet built on a moveable trailer -- passed by a two-thirds voice vote at Saturday's Annual Town Meeting.

Stover has developed a following over the past year among islanders searching for an alternative solution to the affordable housing crisis. In 2015, he drafted an earlier version of the bylaw amendment, only to decide not to call the article on Town Meeting floor. The idea was good, but needed more time to mature. Stover sought out the naysayers and critics for input.



*Isaiah Stover*

"I wanted to find the people who criticized the article and listen to their concerns. And, they were great concerns," Stover said. He was able to draft a stronger article with protections and provisions that could satisfy

both the town and the tiny house owner.

The amendment stood up to 45 minutes of debate before the affirmative vote. Community members spoke out in favor of tiny houses, some sharing personal stories of their struggles to find secure housing on the island. Former Health Inspector **Richard Ray** rose in support of tiny houses, as did Selectman **Matt Fee**. Some critics of the tiny homes urged Stover to take yet another year to hone the legislation, but the town meeting body was ready to vote.

The message from the voters was clear -- not enough was being done, so why not give this a try?

\* \* \*

Tiny houses are a big deal nationwide. There are six cable television shows currently dedicated to the building, buying, selling of, and living in tiny houses. Isaiah Stover doesn't have a TV, so he has not seen them.

Stover had his first taste of tiny living while hiking the Long Trail in Vermont in the summer of 2009. There, he met Aidan O'Shea of Sheady Acres who was building super efficient "micro-houses" to rent out to hikers and skiers. Stover returned to Sheady Acres years later and stayed at the now completed cottage colony.

"After seeing that, I knew what you could do with small spaces," Stover said.

Stover is no stranger to life in close quarters. Childhood summers were spent in an itsy-bitsy cottage in Pocomo. "We were packed in like sardines," Stover said, recalling all six children in his family sharing one room. "But some of the best memories of my life happened there."

Not surprisingly, it was Stover's mother, longtime Town Clerk **Catherine Flannigan Stover**, who encouraged him to put pen to paper and turn his ideas into legislation. Isaiah's father, **John Stover**, president of the Nantucket Rotary Club, is an engineer who encouraged Stover to seek out alternative energies in considering designs for future tiny houses.

John Stover spoke on Town Meeting floor in support of his son's article. The backing from such a respected member of the community was not lost on the voting body, nor on Isaiah. "It was an emotional moment for me," Stover said, "I got the "Attaboy," I got that pat on the back."

"My parents, no matter what I've done, throughout life, they've always supported me in my endeavors. Whatever it may be. They always stand behind me."

And he's stood behind them, too. Stover recalled a childhood memory where he went dumpster-diving behind a church that was throwing away donated clothes that were too beat-up to give to needy parishioners. "So I had a little yard sale in front of my parents house, trying to raise money because my mother wanted a microwave oven," Stover said.

Service is in his blood. Stover's great grandfather served on the Nantucket Housing Authority in the 1940s and 1950s, working to create the housing development that is today Gold Star Drive near the Sparks Avenue rotary. Its original occupants were returning World War II veterans.

\* \* \*

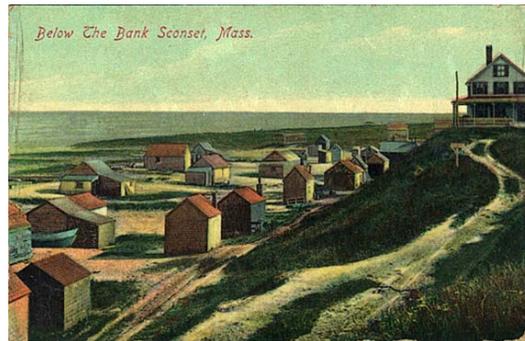
Affordable housing is not a new problem on Nantucket, Stover is quick to point out. We are just feeling the effects more acutely now.

"I would call this a runaway housing crisis," Stover said. "The available units for rentals are getting more and more limited. Summer people are buying in what were traditionally year round neighborhoods. That's becoming the norm now. When that happens, a year rounder is pushed out of the neighborhood, and they have to look for a place to go."

That "place to go" might be a friend's couch, or the backseat of their car. Homelessness is a hidden problem on Nantucket, Stover said. Many chose to leave the island when faced with these alternatives.

"I saw the tiny houses as an option for people to actually be able to get into home ownership on Nantucket," Stover explained. With single family homes selling in the six-and-seven hundred thousands on the lower end, tiny houses could be an important middle step for a household to save money for a down payment while side-stepping the skyrocketing rental market.

Perhaps on Nantucket more than anywhere, there is a historical precedent for tiny houses. The rose-covered cottages of 'Sconset are romanticized in the island's history books, forever preserved by the HDC. Who hasn't ambled down Front Street's crushed shell path and peered into the wavy glass windows, imagining the lives of all who have lived in these homes squeezed together at the edge of the world?



*Nantucket postcard c. 1905*

Stover says the "bigger is better" mentality now favored both on and off island began in the post war boom of the 1950s. With a larger living space came more furniture and more *things* to fill up the bigger house.

People are more aware of their effect on the environment these days. There is a desire to live greener and smarter, and one of the easiest ways to do that is to live smaller.

One advantage of building a tiny house on a trailer is a trailer has a title and the structure on it belongs to the title holder, not whoever owns the land the tiny house may be parked on.

Stover knows that tiny house living is not for everybody. Yet for single people, couples, and smaller families it can be a good fit. You have to be a certain kind of person to be willing to live small, but then again, "you have to be a certain kind of person to live 30 miles out to sea," Stover said.

Nantucketers have a history of being creative problem solvers, Stover explained.

"Think about going out to sea for five years just to be able to take care of your family," Stover said, invoking the island's whaling history and willingness of its people to do what it takes to survive.

Stover rebuffs the idea that tiny houses are just a fad.

"We have this ideology that if you work hard, you go to school, and you get a job, you can be part of the American Dream," Stover remarked, "That's a sham." These days, most people graduate with student loan debt, so out of the starting gate they are at a disadvantage from previous generations. There is no traditional course that one can plot for success anymore, Stover believes. But we can chart a new course.

On an island with no public campground, the biggest hurdle Stover faced was changing people's perceptions about what a tiny house on a trailer might look like. The very mention of a wheeled trailer conjures up images of RVs, double-wides, and silver-bellied Airstreams.

Stover is adamant that the tiny homes will be built with Nantucket in mind, just on a micro-scale. If the house sits on a poured foundation, the wheels and axles won't be seen. If it is on a pier foundation, the wheels and axles can be removed. (Town Counsel John Giorgio said whimsically at Town Meeting that that the wheels could be stored in a "tiny basement.") Landscaping, a deck, or skirt can be used to obscure any unsightly undercarriage.

To those who fear tiny houses that travel on wheels, Stover remarked, "This isn't going to be a caravan -- people aren't going to summer in 'Sconset, winter in Madaket, and spend some time in town once it quiets down." The infrastructure required for a tiny home, whether it's hooking up to the sewer or installing a Title V septic system, means that homeowners are looking to put down roots. The whole point of tiny homes, Stover reminds, is to put an end to the "Nantucket shuffle" of moving every six months.

While a tiny house is a less expensive path towards homeownership than a traditional home on Nantucket, a tiny house owner will certainly incur many costs. "There is a real expense to building one of these," Stover said. Owning a tiny house will be a commitment not unlike owning a traditional home. The way Stover's amendment is written, tiny homes on Nantucket will be built according to International Building Code regulations, just as any home on the island is.



*Isaiah Stover's Tiny House*

So, what's next for the Tiny House Guy?

Stover, a member of Nantucket's Affordable Housing Trust Fund, is running for Housing Authority. A licensed builder under the Department of Public Safety, Stover knows the ins and outs of the regulatory process when it comes to construction on Nantucket. He'd love to be involved as a tiny house builder or consultant to help others navigate the process.

Many hopeful tiny-homeowners are celebrating the passage of Stover's amendment, yet he wants people to be cautious. The Massachusetts Attorney General (AG) must review the amendment before it is rewritten into the zoning bylaw. Stover believes this is the first tiny house bylaw that will cross the AG's desk, and is hopeful the AG will approve the bylaw by September. When a citizen petition has a two-thirds affirmative vote, the AG often approves as "it's what the people want," Stover said.

Of course, a tiny house needs land to rest on. Stover believes homeowners on traditional lots who would like the extra income a second or third dwelling provides will be able to lease land to tiny homeowners.

Nantucket is in the middle of an affordable housing crisis, of that there is no question. Stover sees tiny houses as one solution. "It's not *the* solution," he said, "It's one tool in the toolbox."

"Everybody deserves dignity and a roof over his or her head," Stover remarked. With the passage of his tiny house amendment, Nantucket is one step closer to solving an enormous problem.

*This article appeared in the Mahon About Town blog April 6, 2016. [www.mahonabouttown.com](http://www.mahonabouttown.com).*



# Affordable Housing Task Force Final Report



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## INTRODUCTION

### Process

The Affordable Housing Task Force (AHTF) was created by City Council resolution on May 9, 2017, and its fifteen initial members, all citizen volunteers, were appointed by action of the City Council on June 20, 2017. It was instructed to make recommendations for specific actions, programs and strategies the City of Bainbridge Island (City) and the City Council can take in the near-term to improve access to affordable housing across the economic spectrum. While the AHTF was instructed to focus on the Housing Element of the Comprehensive Plan, it was also advised to consider all elements of the Comprehensive Plan. Where any of the goals and policies of the various elements seem to be in conflict, the AHTF was tasked with recommending solutions that balance costs and benefits to the community.

The AHTF had its first meeting on July 8, 2017. It next met on September 6, 2017 and then met twice monthly through June of 2018. In addition, it created small work groups that met independently to study tools and strategies based on specific policies in the Housing Element, reporting back to the full group on a regular basis. The AHTF also heard numerous presentations by City staff and other experts on specific topics, as well representatives of local governments, nonprofits and other groups that advised on shared concerns and interests. Public comment was accepted and encouraged at every meeting.

Two members of the AHTF were unable to attend meetings and two resigned over the first few months due to personal circumstances. On February 27, 2018, two additional members were appointed by the Council.

The AHTF gave an Interim Report to the Council on March 6, 2018.

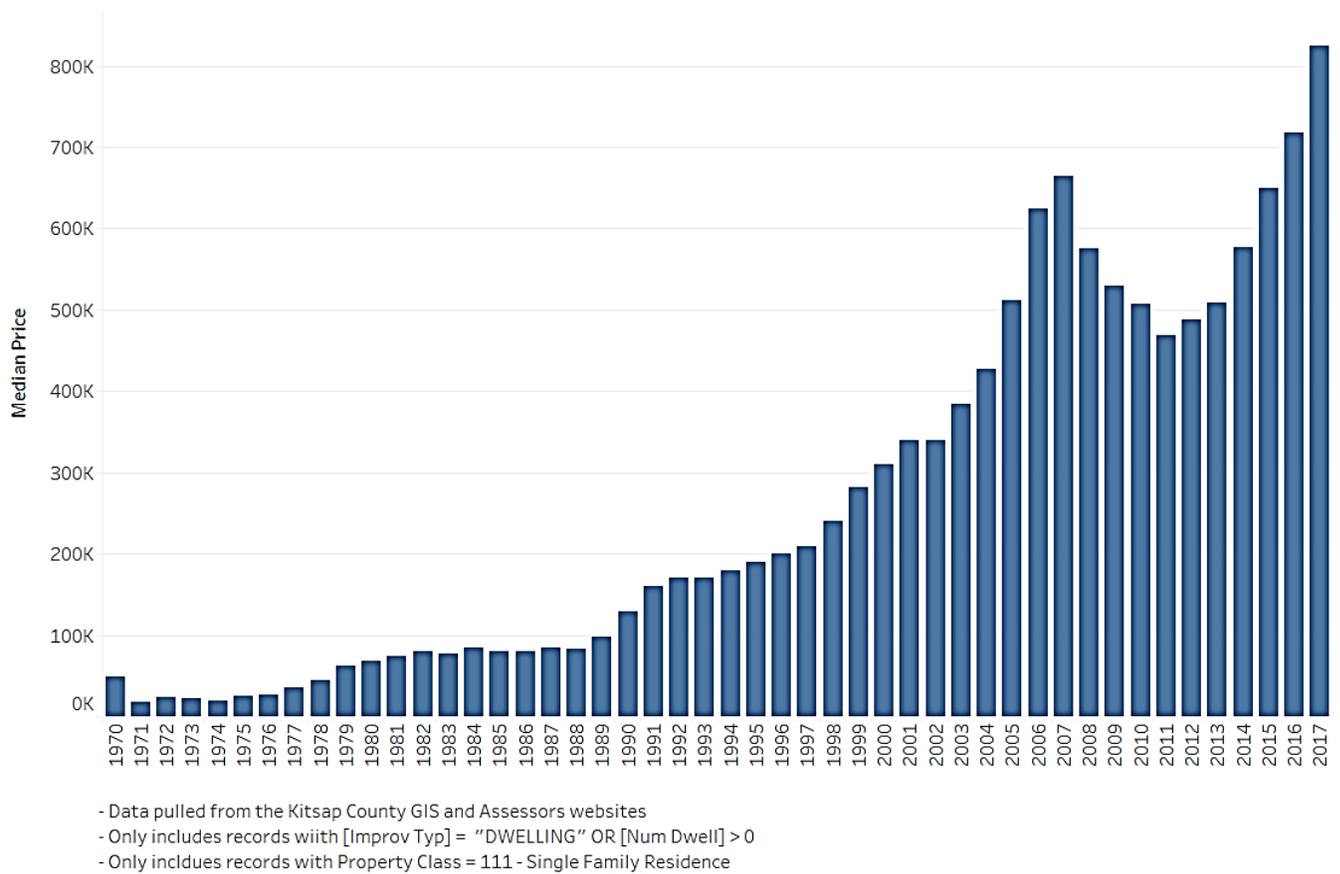
### Housing Affordability on Bainbridge Island

Housing prices on Bainbridge Island have continued to climb, and affordability has worsened since the end of the Great Recession. Data from Kitsap County shows that in 2017 the median price of single family homes reached an all-time high of \$825,000, a full 24% higher than the peak of the housing bubble in 2007. According to Realogic/Sotheby's International Realty, buyer activity is elevated due to the Puget Sound region's strong job market.

At the same time, inventory is historically low on Bainbridge Island. Over the last nine years, from 2009 through 2018, the new supply of residential units, of all types, has been severely limited. In April of 2009, there were 10,469 units on Bainbridge Island. In April of 2018, there were 11,061 units. This translates into an average growth of 66 residential units per year. This represents a cumulative annual growth rate of .63% per year (less than 1% per year). This limited supply on Bainbridge Island is well below demand in a way that increases housing costs and creates an affordability crisis, minimizing housing opportunity for those of moderate incomes in our community.

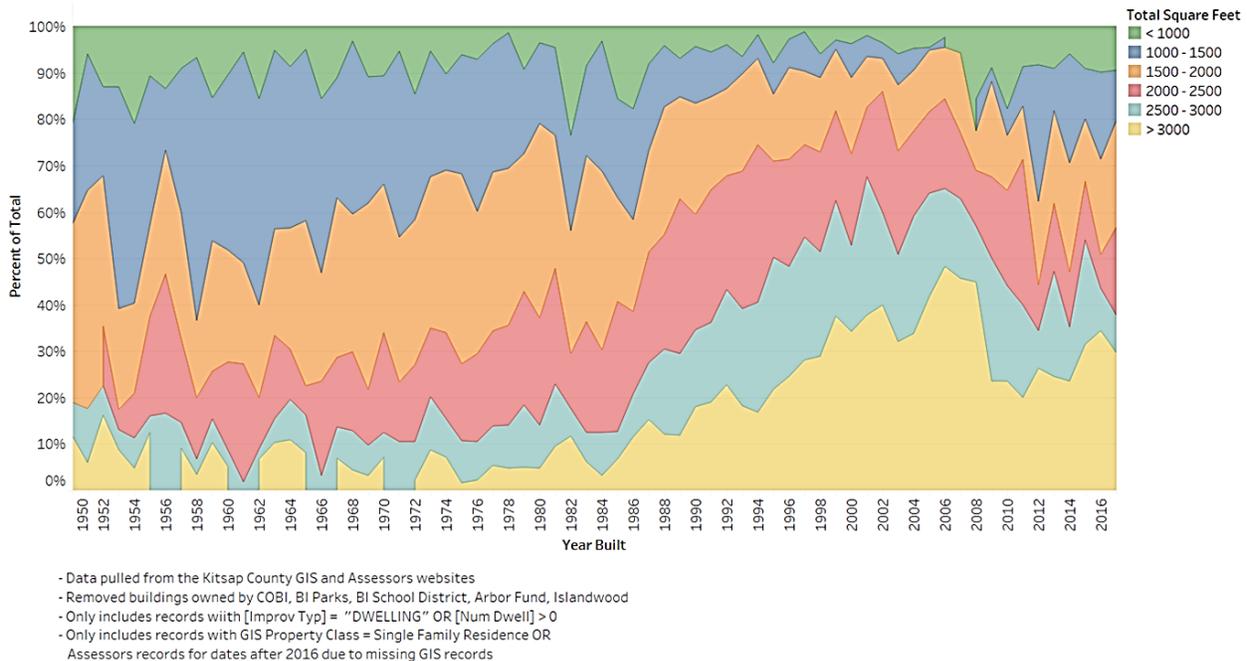
Prices have continued to climb in 2018. In May 2018, the median single family home price was \$875,000, and nearly half (44%) sold for over \$1 million. Single family residences account for about 80% of all housing units, in a very low density land use pattern that occupies almost 91% of the island’s land use area. Median condo prices are over \$500,000. Average rental rates are approaching \$2000 a month, and rental vacancy rates are 1.5%, well below the 5% rate more typical of well-functioning rental markets. In addition to high housing costs, the increasing property tax burden due to state, county and local taxes makes housing even less affordable, particularly for seniors on a fixed income.

Bainbridge Island Single Family Home Price Trend



Although homes being built now are not as large as they were during the last housing bubble, fully 30% of them are larger than 3,000 square feet. In addition, over the last 20 years, the vast majority (over 70%) of units have been over 2000 square feet. A significant contributor in the affordability crisis is the size of the units being delivered.

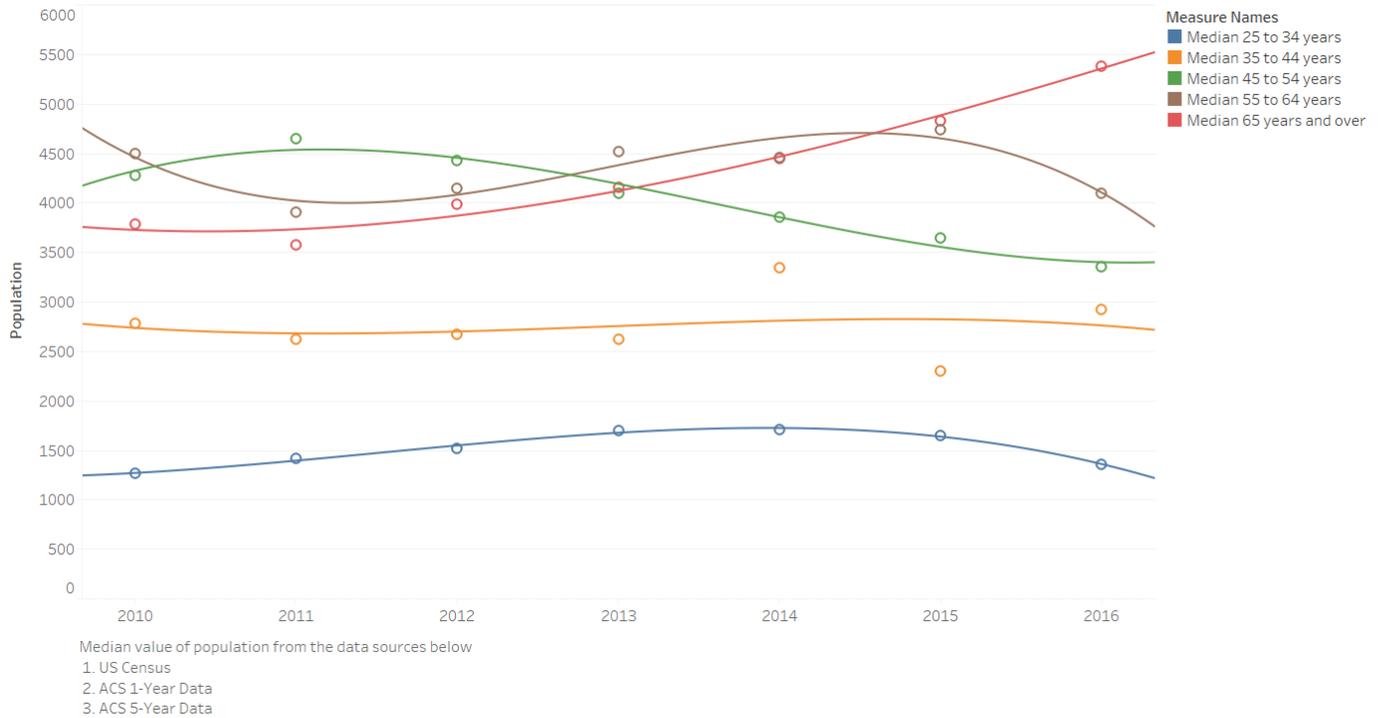
Bainbridge Island Home Size Trend



Bainbridge Island had a population of 23,025 persons in the 2010 Census. According to the Washington State Office of Financial Management, the state agency that completes population estimates in between census years, the population of Bainbridge Island has grown from an estimated 23,190 persons in 2013 to 24,320 persons in 2018, after several years of no growth related to the Great Recession.

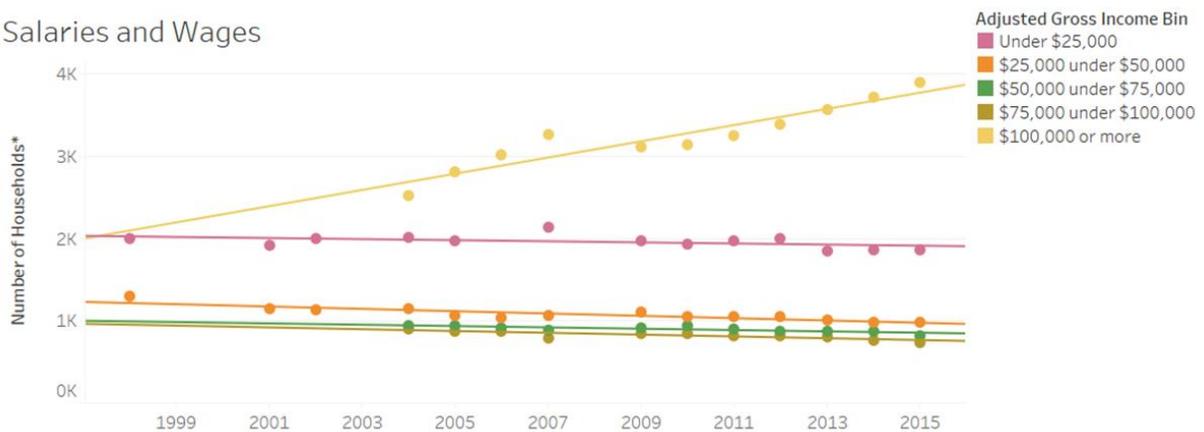
In part due to housing prices, the island’s demographics are shifting. Bainbridge Island is older, wealthier and far less racially diverse than other communities in the region. The island has an increasing population of people over 65, and a declining population of young adults (ages 25 to 34).

### Bainbridge Island Population Trend by Age



We can also see that the number of households with income of over \$100,000 are increasing while households making less than \$100,000 per year are static or decreasing. The largest increases are in the number of households making over \$200,000 per year.

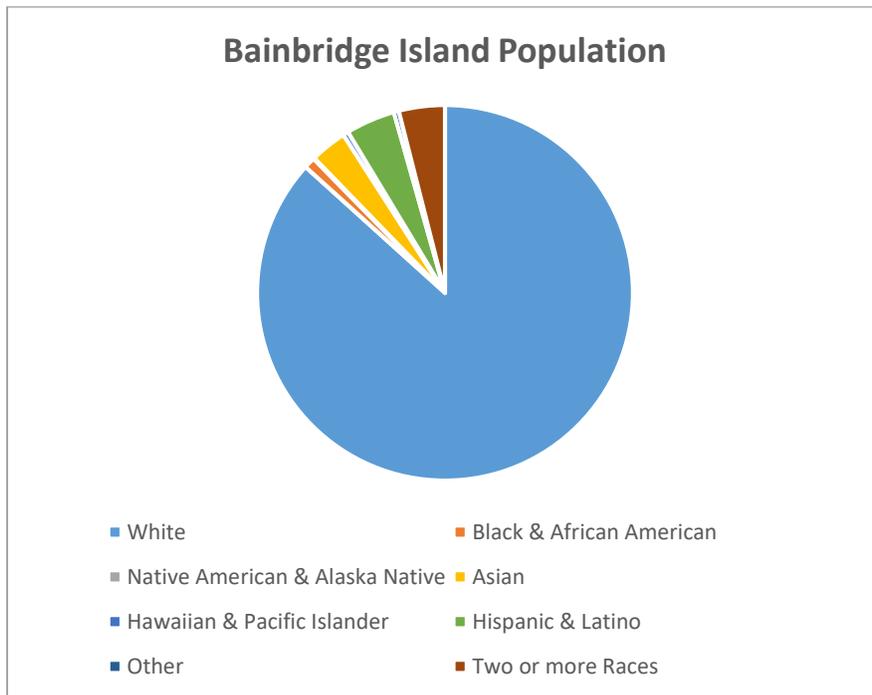
### Salaries and Wages



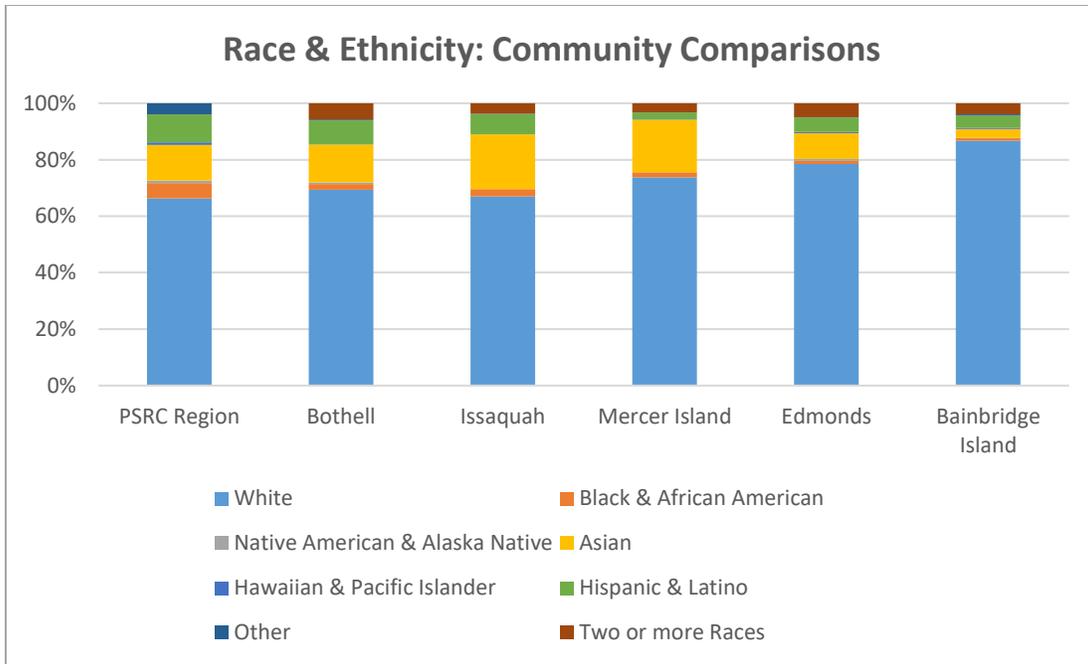
Bainbridge Island is about 91% white, according to the most recent census information. A 2014 report by the Puget Sound Regional Council noted the connection between lack of affordable housing and lack of racial and ethnic diversity:

“Persistent unaffordable housing costs, along with current and historic discrimination, have geographically separated lower-income households and households of color from higher income, white communities.....High-priced neighborhoods as well as neighborhoods with limited rental housing fail to provide feasible housing choices for low- and-moderate income households.”

In addition, the report found, "When a jurisdiction expands affordable housing opportunities in historically homogeneous communities with more opportunity, members of protected classes have access to good schools, employment, and healthy homes which they have been excluded from in the past."



Source: 2012-2016 ACS 5-yr Estimate



Source: 2012-2016 ACS 5-yr Estimate

This data tells us that Bainbridge is becoming an increasingly exclusive and rarified place to live. We are missing out on the vibrancy, creativity, economic benefit and sustainability that a diverse population—diverse in age, socioeconomics, race, ethnicity and background---brings to a community. As a result, housing affordability is crucial both to those who live here and those who cannot.

### What is “Affordable”?

The Council’s instructions to the AHTF provided that its “mandate is broader than simply considering low income housing. It should consider housing affordability on Bainbridge Island across the economic spectrum.” Accordingly, we have looked at the various housing needs that are not being met in the island’s current housing market, both those who are cost-burdened and those who qualify for subsidized housing.

HUD defines “cost-burdened” families as those who spend more than 30% of their income on housing, which may result in difficulty paying for necessities such as food, clothing, transportation, and medical care. The Housing Element of the Comprehensive Plan states that 34% of islanders of all income levels living in single family dwellings are cost burdened and almost 44% of island renters are cost burdened.

Some affordable housing projects use an income test to determine whether someone is eligible for housing. So-called “income qualified” housing is typically available to people whose incomes are 80% of Area Median Income (AMI) or less. Some publicly funded or subsidized housing is reserved for those whose incomes are 30% of AMI or less. (See Median Income Table, Appendix D). Waiting lists for subsidized housing on Bainbridge Island are two years or more.

The AHTF has not limited its recommendations to income-qualified projects. Many islanders, such as teachers and City employees, are cost burdened or cannot find housing at all on Bainbridge, but would not be eligible for income qualified housing. Both small businesses and major employers, including the City of Bainbridge Island, the Bainbridge Island School District, and the Bainbridge Island Parks Department, have told the AHTF that their employees have trouble finding housing on the island. Many employees commute from off-island, some from as far away as Port Orchard, a round trip of about 75 miles. As instructed, we looked at affordability across the economic spectrum.

The AHTF finds that affordability may be achieved by a combination of factors, including:

- Affordability by size: Creating smaller units for singles, couples and seniors, in both the rental market and the ownership market.
- Affordability by subsidy: Provide financial incentives through tax abatement to subsidize affordable units, or through such incentives as increased density, lower parking requirements, or fewer required amenities.
- Affordability by location: Eliminating or reducing the cost of a car and related parking.
- Affordability by increased supply: Incentivize both small size and rental housing.

By any measure, Bainbridge Island has not implemented effective strategies to meet diverse housing needs. The island's housing nonprofit, Housing Resources Bainbridge, has produced the only appreciable amount of income qualified affordable housing on the island in the last twenty years.

### **Working Understandings of the AHTF**

The AHTF studied both commonly-used housing tools and out-of-the-box suggestions. From this work, we are certain of one thing about affordable housing: there are no magic bullets. Affordability must be addressed consistently, over time, with a multi-pronged approach. The community must be willing to think creatively and to experiment to see what works and what does not. Demanding certainty of outcome invites failure. We believe that Bainbridge Island should adopt the recommendations in this report, and without undue delay or demand for risk-free or guaranteed outcomes. At the same time, if it becomes apparent that a policy or program is not working, the City should be prepared to change course quickly by abandoning ineffective strategies and adopting new policy measures appropriate to current circumstances.

Our Comprehensive Plan speaks to many community values, which sometimes seem to conflict with each other. That perceived conflict is particularly sharp when looking at housing and environmental policy. People are often prone to tunnel vision when trying to solve a particular problem. Sometimes we think of "the environment" as entirely separate from human beings, and try to come up with solutions for environmental problems by excluding the needs of people from our thinking. Equally one-sided would be to craft housing solutions without regard to the impact on the natural environment. The real world does not divide itself into categories but,

rather, exists as a complex and ever-changing, mutually dependent and reinforcing whole. Good policy-making should try to reflect that reality.

The AHTF does not believe housing and the environment exist in conflict, though we understand that the current crises in both housing affordability and environmental degradation requires careful, intelligent, and respectful planning. We do not believe housing and the environment can ever exist to the exclusion of one another. The AHTF has taken a holistic point of view and has tried to craft intentional and sensitive recommendations, taking into account as many aspects of the real world as possible.

Keeping the real world in mind has policy implications. For example, the absence of housing that is affordable to people who work on the island has impact beyond the Housing Element of the Comprehensive Plan. Multiple elements of the Comprehensive Plan, not to mention multiple aspects of our lived experience, are impacted when large numbers of workers face increasingly longer commutes. For instance, the Economic Element of the Comprehensive Plan is impacted when people have long commutes, shouldering higher costs in money, time and stress. As a result, local employers have a harder time attracting and retaining people to fill island jobs. Employees have a lower quality of life. As anyone who has traveled Highway 305 during rush hour can attest, commuters to and from the island also impact the Transportation Element of the Comprehensive Plan.

In addition, the Environmental Element—and the real-world environment--- is negatively affected. People who can't afford to live in the community in which they work move to less expensive areas, further away from work. That creates sprawl---the very result no one wants. Sprawl is harder to see on an island, but the ecosystem doesn't end at the Agate Pass Bridge. Carbon emissions from longer commutes do not end at the Bridge. Somewhere, the Earth bears the burden of sprawl, of traveling people, of vehicles going extra miles—even if that burden is not readily apparent on the island.

Nationwide, housing prices have been rising twice as fast as wages according the chief economist of the Mortgage Bankers Association interview on CNBC in March of 2018. The Seattle Times reported that homes in the Seattle area have been rising faster than anywhere else in the country since mid-2016 (Seattle Times, March 27, 2018.) These are realities each community must grapple with.

Despite our growing housing inequality, Bainbridge Island has not implemented any significant affordable housing policies in a decade. The Housing Element (Appendix B) of the Comprehensive Plan clearly and concisely states the problem and the obligation the City has undertaken:

**Market forces alone will not address the urgent housing needs facing Bainbridge Island. In the face of daunting circumstances, the City aspires to an ambitious Vision of its future and commits to an innovative, aggressive and multi-faceted housing strategy.**

The AHTF developed its recommendations for **near term action** by the City Council and the City of Bainbridge Island. Consistent with the Council’s instructions to the AHTF, these recommendations address affordability at a range of incomes, from low income to middle income and workforce housing. Only two of the recommendations would create income-qualified housing. The rest are intended to create affordability due to size, appeal to a narrow demographic or other factors as described above under the heading, “What is ‘affordable?’” Consistent with the Comprehensive Plan, zoning and code recommendations are focused within the Designated Centers, helping protect the rural areas of the island.

We hope they will be adopted and implemented as soon as possible.

## EXECUTIVE SUMMARY

According to the Housing Element of the Comprehensive Plan, “Some combination of appropriately zoned land, regulatory incentives, financial subsidies and innovative planning techniques will be necessary to make adequate provision for the needs of all segments of the population, but particularly middle and lower income persons.”

The AHTF submits the following **Priority Recommendations** in accordance with that guidance and with the Council’s instructions to the AHTF:

- 1. Draft and adopt code changes to encourage infill in the Designated Centers, with the assistance and advice of ECONorthwest.** (Pages 12-17)
  - A. Adopt a Mandatory Inclusionary Zoning Ordinance**
  - B. Enact changes in FAR to encourage affordable housing**
  - C. Adopt a Multi-Family Property Tax Exemption** (Appendix F)
- 2. Pursue opportunities to partner with the private and nonprofit sectors to build affordable housing on public lands.** (Page 17)
- 3. Adopt procedures to encourage Accessory Dwelling Units** (Page 17)
- 4. Adopt an “Innovations Program” that allows staff to permit experimental affordable housing projects, on a limited basis, that are not currently allowed by code.** (Page 18)
- 5. Create a permanent affordable housing committee and designate a City employee who will spend at least half-time on affordable housing strategies.** (Page 18)

In addition to our priority recommendations, the AHTF has identified the following **Quick Wins** that can be done immediately:

- 1. Adopt more generous policies to allow the maximum number of liveaboards in the Dave Ullin Open Water Marina in Eagle Harbor.** (Page 20; Appendices C (5) and (7))
- 2. Adopt vacation rental ordinance** (Page 20; Appendix C (8))
- 3. Institute permit processing fast-track and reduced permit fees for all affordable housing applications.** (Page 20)
- 4. Review and improve the Housing Trust Fund process, and award Housing Trust Fund grants at least annually** (Page 21)
- 5. Adopt Cottage Housing Ordinance** (Page 21; Appendix E)

**Additional Strategies to Be Explored:** Due to the time limitations placed on the AHTF, there are many worthwhile areas of study that we did not explore in depth. One of the reasons we believe that the City must engage in continuing housing efforts over the long-term is so these ideas, as well as new ideas that will undoubtedly emerge, can be pursued.

The AHTF urges future work on the following ideas:

- **Work with Forterra to adopt a more effective Transfer of Development Rights program**
- **Community Partnerships**
- **Conversion of Single Family Homes to Duplexes/Triplexes**
- **Programs to Preserve Existing Housing**
- **Affordable Senior Housing/Accessible Housing**
- **Addressing Limitations Due to Sewer and Septic**
- **Homelessness and Housing Insecurity**
- **Tiny Houses/Microhousing**
- **Transportation Alternatives: Car2Go, Smart Cars, Public Transit**
- **Advocacy for County, State, and National Affordable Housing Policies**

## PRIORITY RECOMMENDATIONS

### 1. Code changes to encourage affordable housing in Designated Centers (Winslow and Neighborhood Centers)

The Housing Element of the Comprehensive Plan lists as one of its highest priority actions the following: “Amend the City’s development code to facilitate an increase in the diversity of housing types and supply of affordable housing.” (HO Action #2). It proposes revising “development standards for the High School Road and Ferry Terminal districts and other portions of the Winslow Area Master Plan to encourage the transformation of these areas from auto-oriented, low-rise, homogeneous commercial land use districts into walkable, transit-served, mid-rise, mixed-use neighborhoods with affordable housing.” (Policy HO 4.2).

Unless otherwise specified, the AHTF recommends these changes be applicable to the Winslow Master Plan area and the Neighborhood Centers, in furtherance of the Housing Element’s stated goal of changing “today’s 89/11% housing split between the Mixed Use Town Center and the Neighborhood Centers to 80/20% by 2036.” (Policy HO 1.6)

As referenced in Goals 1 and 2 of the Housing Element, the City is required to monitor provisions and changes to the zoning code and all affordable housing ordinances on a yearly basis to determine the effectiveness of the ordinances and code changes. At the end of every two years, the Department of Planning and Community Development will prepare a report based on data gathered through the monitoring program. The reports will be used by the City Planning Department and the Planning Commission as a basis to amend and update the code and ordinances as needed to achieve the affordability goals. The proposed amendments and updates will go to the City Council for approval. The time table for the updates should be coordinated such that amendments and updates are completed every 4 years.

#### **Recommendation 1A: Mandatory Inclusionary Zoning Ordinance**

The following is recommended to establish a new Inclusionary Zoning Code:

**APPLICABILITY:** Designated Centers which include the Winslow Master Plan/Winslow Sewer Area and Neighborhood Centers.

Island wide applicability was not recommended due to the Comprehensive Plan goal to focus new development in the Designated Centers.

**BASE REQUIREMENT:** 10% minimum affordability on all new residential development projects. Projects which exceed project threshold size of 10,000sf residential FAR are required to construct the inclusionary units. The 10% requirement is applied to the Base Residential FAR.

Projects may exceed the 10% requirement by utilizing other zoning incentives. Staff should evaluate whether a higher percentage is feasible.

- a. Staff will need to verify appropriate base requirement (percentage & minimum project size) in relation to offset (see 3, Offset). Projects on adjoining parcels shall be considered as a single project for determining project size. Controlling inclusionary threshold by project area (sf) will prevent projects from artificially increasing unit sizes to stay below minimum unit threshold.
- b. Projects within the residential zones (R-zones) in the Designated Centers (the residential areas of Winslow) and Neighborhood Centers are regulated by units per acre, not FAR. Staff will need to determine minimum project size and related offset.

OFFSET: In order to effectively subsidize the inclusionary units, the FAR shall be increased to offset the financial impact to the project subject to the mandatory requirement. The Mixed-use Base FAR and Bonus FAR shall be increased by 0.2 (see MUTC 18.12 Dimensional Standards) for all zones subject to the inclusionary requirement.

The offset is the difference between the market rent and inclusionary rent, OR the difference between the market rate sales price and the affordable sale price. In order to meet state law, the financial impact related to this lost revenue to a project must be offset by an equivalent density or FAR increase.

In order to offset financial impact to the project, a significant increase is needed in the Base FAR and the bonus FAR. Under current code, any increase above the Base FAR is only available as Bonus FAR, by paying a fee to the City (or through other bonus provisions). The staff shall verify the proposed Base FAR increase is proportional to the financial impact to the project.

FEE IN LIEU: Residential projects 10,000 sf or less, are eligible to pay a Fee in Lieu instead of constructing the inclusionary units. Fees shall be directed to Housing Trust Fund. Fee shall vary based upon project size.

- a. Note that the Fee in Lieu is offset by the 0.2 FAR increase or density increase (in R zones).
- b. Fee in Lieu is not available for larger projects to ensure inclusionary units are constructed as part of the project. Small projects typically have a more difficult time integrating inclusionary units due to their small site area.

The Task Force did not want Fee in Lieu to be available for larger projects. It is important to have inclusionary units built within projects and to have them dispersed throughout the community. Communities which rely only on Fee in Lieu will typically use those funds to construct standalone multi-unit affordable projects.

Projects which are not eligible for offset are not required to pay Fee in Lieu.

TARGET INCOME GROUPS: Inclusionary units shall serve a range of Kitsap Area Median Income (AMI) between 50% and 120%. For projects which are required to provide multiple inclusionary units, those units shall serve **a range of income levels which equal an average of 80% AMI or below**. For projects with a single inclusionary unit, it shall be affordable to a household income shall be no more than 80% AMI.

UNIT SIZE AND TYPES: For projects with multiple inclusionary units, unit sizes shall reflect the proportionality of the bedroom mix of the market rate units. For projects with one inclusionary unit, the number of bedrooms shall reflect the average size in project. The inclusionary unit size may be smaller than typical market rate unit. The exterior design of the affordable dwelling unit(s) shall be similar in appearance to the market rate units. The units shall be geographically dispersed throughout the project.

The intent here is to ensure the affordable units reflect the overall character of the project to be fully integrated.

DURATION: Affordability shall be permanently enforceable by a deed restriction placed on the property title report.

**NOTE:** The City has enlisted ECONorthwest and Forterra to complete an economic analysis to support the development of a successful inclusionary zoning and transfer of development rights programs. That analysis is anticipated to be completed in November 2018, and may result in different thresholds for an inclusionary zoning program than those recommended by the AHTF above.

**Recommendation 1B: Zoning Changes to Incentivize Affordability in Designated Centers:**

The following incentives are intended to encourage mixed-use development and affordability within the Designated Centers. Emphasis has been given to the High School Road and Ferry Terminal Districts. Key outcomes include expanding residential uses within allowable building envelopes and the creation of mixed-use villages in areas currently developed as low rise commercial and parking lots. These concepts are consistent with the Comprehensive Plan to focus growth in Designated Centers, increase workforce housing and reduce environmental impacts of workforce commuting. **The AHTF recommends the following modifications to Chapter 18.12 Dimensional Standards:**

HIGH SCHOOL ROAD & FERRY TERMINAL DISTRICTS: High school Road and Ferry Terminal Districts shall have their **FAR set equal to Core district**. Consistent with the goal to have pedestrian oriented villages, these projects shall be **required to be mixed-use**.

These two zoning districts hold the greatest potential to become transit-orient development locations. The current code has the maximum amount of residential for the High School Road District set low to support auto-oriented commercial development. The proposed flexibility to increase the overall FAR and related residential component will take pressure off residential zones throughout the island.

Under current code, mixed-use is not required.

This ensures we get mixed-use pedestrian-oriented development in the commercial districts. So long as first floor commercial and/or retail is provided, residential use can be utilized for all remaining FAR, including Max/bonus FAR.

The specific requirements to meeting the intent of mixed-use requirement shall be determined by staff. Mixed use shall provide retail at key frontages and public spaces.

*FLEXIBLE FAR:* Consistent with the Core district Base FAR and proposed mixed-use requirement, the commercial portion of mixed-use FAR may be converted to residential FAR.

The flexibility to convert commercial FAR to residential will have the benefit of producing more housing overall and a proportional increase in the inclusionary units. This has the potential to double the number of inclusionary units.

The current method of FAR allocation only allows a portion of the site development to be housing, with the rest being commercial. The intent was to encourage mixed-use projects. Under current market conditions, residential use has far greater market demand than commercial. Limiting amount of residential to current levels is resulting in sites being underbuilt. This is also likely to serve current demand for more senior housing, which is currently not being met adequately.

This added flexibility with base residential FAR would not increase the building size or overall FAR since it is within current allowable mixed-use FAR.

For example, a mixed-use project in the Core District, with bonuses, under current zoning, has a maximum FAR of 1.5 (which will be increased by inclusionary zoning). That maximum must be divided between the commercial maximum of 0.5 FAR and the residential maximum of 1.0 FAR. Under the recommended approach, if the project is located in any of the following zones (High School Road, Ferry Terminal, and Core), and it is mixed-use with retail or commercial at the base of the project, then the mixture of commercial and residential FAR is flexible. For example, the residential could end up being 1.3 in this example so long the projects have sufficient commercial to meet the mixed-use requirement.

*NEIGHBORHOOD CENTERS (NC):* Change NC zoning from current method of determining density by units per acre to FAR method.

Currently NCs have a low base density (2 units/acre) which doesn't support pedestrian-oriented villages. Basing density on units per acre encourages projects to build large units to maximize buildable area. The FAR approach would increase flexibility allowing smaller unit sizes and related affordability. Staff need to determine what appropriate FAR is in relation to density. The City's ability to extend infrastructure to the NCs will affect the number of housing units created.

**BUILDING HEIGHT:** Increase the maximum height from 45' to 55' when 1) underground parking is provided and 2) project exceeds both 20% affordability and 20% public space. Applies to High School Road District and Ferry Terminal District.

This encourages pedestrian-oriented urban villages close to transit. The City should give consideration as to whether the height increase is appropriate within the Core District, subject to existing design guidelines and upper story setbacks for Winslow Way.

**PARKING:** Allow lower parking requirements (.5 spaces/unit) for units within 1 mile of Ferry and unit size less than 600sf.

The cost of providing parking and related vehicle ownership costs impact affordability. On average, the cost of owning a vehicle can be as high as \$700/month. The construction cost of an underground parking stall ranges between \$25,000 to \$30,000 per stall. These costs affect both the renter's ability to afford housing and the cost of building the housing.

**SUBDIVISIONS:** Allow subdivisions within Mixed Use Town Center.

Currently, subdivisions are only allowed if approved under the Housing Design Demonstration Program (HDDP). This change would not require a density or FAR increase. This will encourage "missing middle" homes such as cottages, townhouses and small footprint homes. Home size would be limited to 1600sf and lot sizes would be restricted to a maximum size to ensure minimum densities are achieved.

### **Recommendation 1C. Multi-family Property Tax Exemption**

The AHTF recommends adopting a multi-family property tax exemption (MFTE) ordinance in accordance with RCW 84.14.005 et seq. This statute authorizes an exemption from property tax for any qualifying multi-family project of four units or more that sets aside at least 20% of its units for low to moderate income households (from 80% or below of AMI to 115% AMI), for a period of eight to twelve years (depending on the specifics of the project). In order to implement this state-allowed exemption, the City must adopt an ordinance specifying guidelines such as height and density restrictions, parking requirements, and targeted incomes. The ordinance must designate area(s) for applicability and would be applicable to both new construction and existing projects that are being rehabilitated or converted.

The AHTF recommends that the designated areas for the MFTE should be the Designated Centers. The RCW sets out procedures necessary to adopt an MFTE ordinance, which include a public hearing at which the designated residential targeted area(s) will be considered. All projects that use the MFTE must be regularly monitored for compliance, and the AHTF suggests that Housing Resources Bainbridge or other housing nonprofit be engaged as a partner to the City for public outreach and compliance monitoring.

The MFTE could be used in tandem with the Mandatory Inclusionary Zoning Ordinance to potentially set aside up to 30% of the units in a project as affordable units.

A sample MFTE ordinance is attached to this report as Appendix F (a copy of the ordinance adopted by the City of Bellingham).

## **2. Affordable housing on publicly owned land**

The City owns 88 parcels of land totaling 250 acres, some of which have identified uses and purposes and others that do not. The AHTF recommends that an inventory be taken of City-owned properties that may be appropriate for affordable housing. These properties could be donated or sold at a discount to a housing nonprofit or program, with deed restrictions requiring a specified number of units of affordable housing to identified income ranges. Alternatively, property could be developed by the City in partnership with private and nonprofit developers, similar to the development of the Suzuki property. The AHTF believes the Suzuki project has taught valuable lessons to the City, its consultants, partners and the community, and those lessons will inform and improve future efforts.

The AHTF met informally with several other local taxing districts, such as the Bainbridge Island School District and the Bainbridge Island Metropolitan Parks Department. Although most of the taxing districts said their employees had difficulty securing housing on the island, they did not express any interest at this time in making any property they own available for affordable housing. The reluctance was in large part for reasons that may well be addressed satisfactorily in the future, so the AHTF recommends having future in-depth discussions with these taxing districts.

## **3. Adopt procedures to encourage Accessory Dwelling Units**

An Accessory Dwelling Unit (ADU) is up to 900 square foot of separate living space, within or detached from a single-family dwelling. Although the City has allowed ADUs for many years, the number of ADUs on the island has remained relatively small—according to City records, the island has approximately 196 permitted ADUs. The Final Report of the Community Housing Coalition in December of 2007 identified ADUs as a priority recommendation, giving several suggestions to encourage the use of ADUs as affordable rentals. Among them were to increase the maximum size of an ADU from 800 to 900 square feet, which was done in 2015.

That report also suggested evaluating the building application process for ways to shorten the process. It also recommended that pre-approved prototype ADU designs be made available to property owners. Those two recommendations were never implemented. The AHTF believes those proposals remain priority actions and strongly recommends that they be adopted. In addition, the AHTF recommends that building permit fees and sewer/water hookup fees be deferred or reduced if an ADU is used for income-qualified housing for a period of at least five years.

#### **4. Adopt an “Innovations Program”**

As we have noted, no single solution or program will solve the affordable housing crisis. The AHTF believes that a crucial part of any housing strategy is a multi-pronged approach and the willingness to experiment with new and innovative ideas. For that reason, we recommend that the City make the necessary changes in code and policy to allow City staff the flexibility to permit building projects on a limited basis that do not otherwise fit into zoning and land use code, if 100% of the housing units are affordable (affordability for this purpose will be 120% of AMI or less). The Innovations Program would seek to encourage new ideas about affordability, whether achieved through building technique or materials, shared common areas, small size, or other means.

After it has developed and adopted the Innovations Program, the City should conduct outreach to the community to encourage property owners to make use of its flexibility. Projects should be monitored and evaluated to determine whether the idea is effective in producing affordable housing. If so, it should be adopted into code. If the idea is not effective, staff would not permit it in future projects.

#### **5. Permanent support for affordable housing**

Bainbridge Island has made efforts to address its affordable housing issues from time to time in the past. In 1997, the City adopted the original Affordable Housing Ordinance, requiring that new residential developments include a percentage of affordable housing. The program was the first of its kind in Washington. Over time, the City determined it was not working as intended for a variety of reasons, including loss of affordability because the units reverted to market rate with the first resale, and legal challenges. The ordinance was repealed in 2005, although an optional affordable housing program remained in place.

The City created the Community Housing Coalition (CHC) in 2005 under the umbrella of the City-funded nonprofit, Health, Housing and Human Services Council. It was charged with the task of researching and contributing to the development of effective public housing policy. With the economic downturn beginning in 2007, the City experienced financial setbacks. As a result, the City Council dissolved the CHC, along with the Health, Housing and Human Services Council. The CHC produced a report of its work and housing recommendations in December of 2007 and urged that its functions be transferred to a full-time City housing specialist. As the City’s financial problems continued, the housing position was eliminated. Since then, the City has had no housing specialist on staff and no citizen advisory group to focus on housing issues, until the creation of the AHTF in 2017. In the intervening years, the median sales price of a single family home rose from \$680,000 in December of 2007 to \$848,000 in May of 2018 (after a steep drop in prices for several years during the Recession.) Undoubtedly there have been many lost opportunities for affordable housing projects in that time. The more time that passes without effective affordable housing policies in place, the more affordable housing opportunities will vanish, as properties are developed solely for the private market.

The AHTF believes that housing is a complex issue that requires consistent attention, multiple strategies, evolving programs and a willingness to experiment with new ideas. As the CHC Final Report said, “...crisis management, short-sighted funding and stop-start attempts do not produce sustained results.” The AHTF is a short-term task force with limited scope. The one-year deadline for its work required that it focus on high priority, near term recommendations. There are many important aspects of housing that it was not able to study in depth.

For these reasons, we think it is crucial for the City to create permanent housing support. It should consider creating a standing advisory committee. It also should consider hiring or designating a housing specialist on City staff, at least on a part-time basis. Finally, we recommend that the City increase its financial partnership and outreach commitment to other taxing districts, nonprofits, and entities such as faith-based housing providers that build affordable housing.

## QUICK WINS

The AHTF has identified the following actions the Council or staff could take with a minimum of additional research or preparation:

**1. Adopt more generous policies with respect to liveaboards in Eagle Harbor.**

The AHTF believes that residential vessels in the Dave Ullin Open Water Marina in Eagle Harbor can be an economical housing choice on the island for a limited but important demographic. We encourage City support for existing liveaboards and urge that the City amend its policies to allow additional residential boats to the maximum allowed by the state of Washington, as we have written in letters previously submitted to the Council and the Planning Commission. Additionally, we have recommended that the City expand the time-frame during which it accepts applications. See Appendices C.5 and C.7.

**2. Adopt a Vacation Rental Ordinance.**

Since 2011, the third-party analytics site AirDNA has measured a 41% annual growth in the number of Airbnb rentals on Bainbridge Island, with 133 active rentals currently recorded. Of these active rentals, 114 are for the entire home, a number that represents more than three months of inventory in the current real estate market. This stranded inventory worsens the affordable housing crisis by reducing the stock of long-term rentals and for-sale housing on Bainbridge Island. However, we also realize that many members of our community rely on the supplemental income generated by these short-term rentals to afford the ever-increasing cost of living, so it is necessary to control the growth of the short-term rental market without eliminating it all together.

The City of Seattle passed an ordinance in 2017 limiting the number of “short term rentals” allowed. AirBnb has approved the ordinance and has given assurances it will not challenge the ordinance legally. The AHTF recommends that Bainbridge pass a similar law, based on the Seattle ordinance, applying to all current and future short-term rental properties and at least as restrictive as the Seattle ordinance. The AHTF also recommends that the Council consider whether short term rentals should be further limited exclusively to the owner’s primary residence property. To avoid significant impact on the island’s existing lodging industry, this restriction should not impact hotels, motels, inns, and licensed bed and breakfasts. See Appendix C.8.

**3. Permit processing priority and reduced fees for affordable housing projects.**

The time required to complete a residential construction project is a significant factor in the final project cost. One element of this is the time required to obtain a building permit from the City of Bainbridge Island. A recent estimate from the Planning Department put the time to obtain a residential building permit at 10-12 weeks, at a minimum. This delay adds significant cost to all projects, but also provides us with a tool to incentivize certain types of development.

By establishing a building permit fast track for affordable housing, the City of Bainbridge Island could provide an incentive to developers to prioritize the construction of affordable housing at no additional cost to the city. This fast track would place affordable projects at the front of the permit approval line. Not only would this approach reduce the cost of affordable development, but would also increase the cost of luxury developments as the wait for non-affordable developments increased accordingly.

These projects should also be charged reduced permitting fees. The City should also defer or waive building permit and/or sewer/water hookups for ADU's that rent to income qualified individuals for at least five years.

**4. Housing Trust Fund grants.**

The City should review the Housing Trust Fund criteria for grants and sources of funding to assure that this program is effective in encouraging the development and/or preservation of affordable housing options. The City should allocate funds to the Housing Trust Fund during each budget cycle. Also, the City should increase its outreach efforts to potential grantees. The City should make grants from the Housing Trust Fund at least annually. Money from the Fee-in-Lieu program established under Priority Recommendation 1A should be added to the Housing Trust Fund, in addition to the funds that are allocated from the City's general fund.

**5. Adopt a Cottage Housing ordinance.**

As the CHC Final Report found, "Cottage housing is another way to increase density in existing neighborhoods while still preserving their single-family character. These projects typically consist of a cluster of small houses with a shared central space. Cottages typically range from 800 to 1000 square feet, and the typical density is 10 to 11 units per acre. The Erickson Avenue Cottages on Bainbridge Island are an example of this kind of housing. Cottage housing is typically used on infill lots in established neighborhoods." The CHC drafted a Cottage Housing ordinance that was never adopted. The City could update that ordinance for Council consideration with a minimum of effort. See Appendix E.

## ADDITIONAL STRATEGIES TO BE EXPLORED

The AHTF discussed multiple strategies and ideas for increasing the island's supply of affordable housing. As our work continued, we began focusing on the Priority Recommendations. Other ideas that we consider worthwhile were not included in these recommendations, generally because we considered them to be longer-term in nature. After the Council has accepted this Final Report and the AHTF is dissolved by the terms of its authorizing resolution, we urge City staff and/or a citizen committee to continue work on these ideas and issues:

- Work with Forterra to adopt a more effective Transfer of Development Rights program
- Community Partnerships
- Conversion of Single Family Homes to Duplexes/Triplexes
- Programs to Preserve Existing Housing
- Affordable Senior Housing/Accessible Housing
- Addressing Limitations Due to Sewer and Septic
- Homelessness and Housing Insecurity
- Tiny Houses/Microhousing
- Transportation Alternatives: Car2Go, Smart Cars, Public Transit
- Advocacy for County, State, and National Affordable Housing Policies

**Respectfully Submitted,**

### ***The Affordable Housing Task Force***

Emma Aubrey (former member)

William Booth (former member)

Jeffrey Brown (former member)

Pat Callahan

Corey Christopherson (joined on 2/27/18)

Johnathan Davis (joined on 2/27/18)

Stephen Deines

Phedra Elliott

Sharon Gilpin

Stuart Grogan

Ann Huff (former member)

Edward Kushner

Ann Lovejoy

Bill Luria

Pegeen Mulhern

Althea Paulson, Chair

David Shorett

Charlie Wenzlau

Sarah Blossom, City Council Liaison

Michael Scott, former City Council Liaison

Leslie Schneider, City Council Liaison (joined April of 2018)

William Chester, Planning Commission Liaison

Jennifer Sutton, Senior City Planner

## **Bainbridge Island City Council Instructions to 2017 Affordable Housing Task Force**

Among the high priority implementing actions of the 2017 revised Comprehensive Plan is the establishment of an Affordable Housing Task Force to consider the revised Housing Element and make specific recommendations to the Council for near-term action.

Members of the Task Force have been chosen both for their interest in working on this issue, and for their recognition that improving access to affordable housing on Bainbridge Island is critical to maintaining a diverse and vibrant community.

The Bainbridge Island Comprehensive Plan defines “affordable housing” as “...*housing affordable to all economic segments of the population of this state. This is a goal of the state Growth Management Act. RCW 36.70A.020(4). When residential housing for rental or private individual ownership is occupied by low-income households, it is considered affordable if it requires payment of monthly housing costs, including utilities other than telephone, of no more than thirty percent of the family's income. WAC 365- 200-030(1).*”

From this definition, the Task Force should understand that its mandate is broader than simply considering low-income housing. It should consider housing affordability on Bainbridge Island across the economic spectrum.

The Task Force should review affordable housing-related materials that have been generated by or for the City in recent years, review relevant resource material, and review the goals and policies of our current Comprehensive Plan. While Affordable Housing, and therefore the Housing Element of the Comprehensive Plan, is the focus of this Task Force, it will be important for it to consider the goals and policies of ALL elements of the Comprehensive Plan. Where goals and policies seem to be in conflict, it will be incumbent on the Task Force to recommend solutions that balance the costs and benefits for the community.

The Task Force will decide on what detailed work is necessary to deliver to the Council specific recommendations, including but not limited to recommended changes to City zoning codes and regulations, which would most effectively advance the stated goals of the Comprehensive Plan. The Task Force also may arrive at conclusions or recommendations that involve the work of non-governmental organizations, which can be shared with those organizations either as part of the Task Force’s work, or after its final report.

The Task Force is asked to deliver a report to the City Council by the end of June, 2018. The Task Force will be dissolved upon acceptance of its report by the Council.

# HOUSING ELEMENT

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# HOUSING ELEMENT INTRODUCTION

Decent and safe housing is a basic human need increasingly unavailable to many Americans, including many Bainbridge Island residents and workers. The Washington State *Growth Management Act (GMA)* provides direction for cities to address these needs in the Housing Element of the Comprehensive Plan. Many of the Plan's Guiding Principles and Policies carry this direction forward to be addressed in various Elements, including Housing.

The City's Housing Needs Assessment (HNA) documents current housing conditions on the Island and identifies trends and specific needs. The HNA is Appendix B to this Plan and adopted as a part of this Element. Many of the statistics below are excerpted from the HNA or the City's Economic Profile (Appendix A).

## BAINBRIDGE ISLAND SNAPSHOT: PEOPLE AND HOUSING

Bainbridge Island's 2015 population of 23,390 is predominantly white (91%), well-educated and relatively affluent. The median household income (\$92,558) is 1.5 times the Kitsap County average. Almost 60% of residents have occupations with relatively high incomes. For example, the median wage for financial analysts, lawyers and marketing managers ranges between \$100,457 and \$122,618. Another third of Island residents work in the service sector, such as retail clerks, waiters and bank tellers have median wages between \$27,703 and \$30,972.

Over the past decade the population has experienced shifts in the age cohorts. Between 2000 and 2010 the Island's senior population (60+ years old) increased from 17% to 26%. The "young adult" cohort (between 18 and 34 years old) has declined from 15% of the Island's population in 1990 to less than 10% in 2016.

Bainbridge Island's housing stock is predominantly detached single-family homes (80% of all units) in a very low-density land use pattern that occupies about 90% of the Island's land area. The average single-family home price is just under \$700,000.

Multi-family units that constitute 16% of the housing stock are now concentrated in Winslow and Lynwood Center. While the *designated centers* total about 10% of the Island's land area, a significant portion of that area is occupied by commercial uses with no residential component. Rental apartments make up less than 7% of total housing units on the Island. Very few rental units have been built on the Island in the last decade which partly accounts for a vacancy rate of 1.5%, well below the 5% rate typical of well-functioning rental markets

## GMA GOAL AND REQUIREMENTS FOR HOUSING

The *GMA* recognizes the importance of planning for adequate housing by requiring it as an element in Comprehensive Plans. Housing is addressed in one of the 14 major goals:

"Housing. Encourage the availability of *affordable housing* to all economic segments of the population of this state, promote a variety of densities and *housing types*, and encourage preservation of existing housing stock."

RCW 36.70A.020(4)

The requirements for a housing element mandated by the GMA include:

“A housing element recognizing the vitality and character of established *neighborhoods* that: a) includes an inventory and analysis of existing and projected housing needs; b) includes a statement of goals, policies, and objectives for the preservation, improvement, and development of housing; c) identifies sufficient land for housing, and group homes and foster care facilities; and d) makes adequate provisions for existing and projected needs of all economic segments of the community.”

RCW 36.70A.070(2)

## HOUSING NEEDS

The Housing Needs Assessment for Bainbridge Island includes an inventory of the amount, location and condition of the Island’s housing stock and demographic and economic information about its population. It also includes an in-depth analysis of *affordable housing* needs on Bainbridge Island.



Almost 34% of individuals and families at all income levels who live in owner-occupied housing units are cost burdened meaning they spend over 30% of their income on housing. Almost 40% of individuals and families at all income levels who live in renter-occupied housing units are cost burdened. The majority (around 28%) of these residents have an annual income between zero and \$34,999.

This means that as of 2012, 569 renters on the Island that have an income of \$34,999 or less are housing cost burdened. This is concerning as lower income cost burdened households are more likely to have to choose between housing costs and other necessities.

The HNA analysis of Workforce Housing Affordability indicates that there is a gap in housing affordable for the Island’s workforce in service professions (e.g., restaurant workers, bank tellers, retail clerks, school bus drivers). Many of these workers are obliged therefore to commute from less-expensive off-Island housing, which increases their transportation costs, congestion on SR 305 and greenhouse gas emissions.

Bainbridge Island’s jobs/housing balance is 0.59 jobs for every housing unit, making it a “bedroom community.” The Puget Sound Regional Council suggests that housing-rich neighborhoods add employment in order to increase economic opportunities for current residents.

Market forces alone will not address the urgent housing needs facing Bainbridge Island. In the face of daunting circumstances, the City aspires to an ambitious Vision of its future and commits to an innovative, aggressive and multi-faceted housing strategy. The City’s success in achieving the housing Vision will also depend upon achieving the policy objectives identified in the Land Use, Transportation, Economic and Environmental Elements of this Plan.

## HOUSING VISION 2036

Bainbridge Island in the year 2036 provides a broad diversity of housing. The broadest variety of *housing types* including rental homes, exists within the compact, walkable, transit-served, mixed-use *designated centers*. These include small detached homes on small lots, attached and detached *accessory dwelling units*, *cottage housing*, common-wall duplexes, triplexes and row houses, and stacked units on the upper floors of mixed-use, mid-rise buildings.

The residential *land use* pattern outside of *designated centers* remains at much lower densities and constitutes almost 90% of the Island's area. Houses built in the previous twenty years in the vicinity of designated centers and elsewhere in the Open Space Residential zones are compact, energy-efficient and well-integrated in their landscape. Typical *housing types* in these areas include detached houses on lots of various sizes, attached and detached *accessory dwelling units* and *conservation villages*.

Some combination of appropriately zoned land, regulatory incentives, financial subsidies and innovative planning techniques will be necessary to make adequate provisions for the needs of all segments of the population, but particularly middle and lower income persons.

## GOALS & POLICIES

### GOAL HO-1

**Make steady progress toward the following aspirational targets for increasing the diversity of *housing types* and the supply of *affordable housing*.**

#### Policy HO 1.1

Decrease to 20% or less the number of cost burdened families living in rental housing (down from 40%).

#### Policy HO 1.2

Decrease to 18% or less the number of cost burdened families owning homes (down from 34%).

#### Policy HO 1.3

Increase rental housing units to at least 11% of total housing units (up from 7%).

#### Policy HO 1.4

Increase the Island's percentage of *multifamily* homes to 18% or more of all homes (up from 16%).

#### Policy HO 1.5

Increase the number of *senior housing units* to 600 or more (up from 344.)

2/28/17

**Policy HO 1.6**

Change today's 89/11% housing split between the Mixed Use Town Center and Neighborhood Centers to 80/20% by 2036.

**Policy HO 1.7**

Achieve a jobs-housing balance of .8 (up from 0.59).

**GOAL HO-2**

**Beginning in 2019, prepare biennial reports on the status of housing on Bainbridge Island. The report shall describe progress toward achieving the targets set forth in Policies HO 1.1 through HO 1.7.**

**Policy HO 2.1**

The Housing report shall address the following aspects of housing:

1. Housing trends in general both regionally and on Bainbridge Island.
2. The number and location of *housing types* constructed or active applications in the permit process in the preceding two years.
3. An evaluation of the effectiveness of the City's measures and identification of additional or revised measures or targets.
4. The vacancy rate for rental apartments.
5. The number of cost burdened and extremely cost burdened households.
6. The status of efforts to address housing needs at the regional level.
7. The housing availability for special needs or difficult to serve populations.
8. The condition of the local housing market and the number of new housing units publicly and privately funded.
9. The use of density bonuses and the number of for-purchase *affordable housing* units provided in new developments.
10. A description of the various initiatives supporting *affordable housing* including activities of community non-profit organizations and local and regional entities.
11. Programs of housing repair and renovation that improve accessibility.
12. An analysis of how property taxes impact housing affordability.
13. If insufficient progress is made toward meeting the targets in Policies HO 1.1 through HO 1.7, determine what actions are not working and make adjustments.

**Policy HO 2.2**

Make the Biennial Housing Reports available to the public in various ways such as notice in the local newspaper, on the City's web page and on local media outlets. This Biennial Housing Report will be part of a comprehensive update of the Housing Needs Assessment in order to inform the next state-mandated update of the Comprehensive Plan in 2024.

### GOAL HO-3

Promote and maintain a variety of *housing types* to meet the needs of present and future Bainbridge Island residents at all economic segments in a way that is compatible with the character of the Island and encourages more socio-economic diversity. Partner with community non-profit organizations and local and regional private and public entities in carrying out the following policies.

#### Policy HO 3.1

Encourage innovative zoning regulations that increase the variety of *housing types* and choices suitable to a range of household sizes and incomes in a way that is compatible with the character of existing neighborhoods. Examples of innovative approaches are *cottage housing* development, *conservation villages*, stacked or common-wall housing, *tiny houses* and *accessory dwelling units*.

*Housing types* are illustrated in: Figs. HO-1 through HO-3 (*detached housing*); Figs. HO-4 through HO-6 (*attached housing*); and Figs. HO-7 through HO-9 (*stacked housing*).



Fig. HO-1 Single-family Home



Fig. HO-2 Cottage Housing



Fig. HO-3 Tiny House/ADU



Fig. HO-4 Duplex



Fig. HO-5 Row House



Fig. HO-6 Zero Lot Line



Fig. HO-7 Garden Apartment



Fig. HO-8 Mixed-use, Mid-rise



Fig. HO-9 Micro Units



Fig. HO-10 Live-aboard Unit

**Policy HO 3.2**

Recognize that the City shares a housing and employment market as well as a transportation network with the larger region. Therefore, the City should work with the *Kitsap Regional Coordinating Council* and other regional entities to develop an equitable and effective county-wide planning policies and other strategies to locate, finance and build *affordable housing*.

**Policy HO 3.3**

Designate the appropriate staff or organizational entity to assist and advise the community, landowners and private and public entities about options for *affordable housing*, financing strategies and funding sources.

**Policy HO 3.4**

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

**Policy HO 3.5**

Support the efforts of community non-profit housing organizations and local and regional public and private entities in developing and managing *affordable housing* on Bainbridge Island.

**Policy HO 3.6**

Develop standards to encourage development of small to mid-size single-family housing units. These provisions may include a framework to permit small-unit housing development such as *tiny houses, micro units and cottage housing*.

**Policy HO 3.7**

Expand opportunities for infill in the residential neighborhoods of the Winslow Master Plan study area and the Neighborhood Centers. Allow the creation of small lots (e.g., in the 3,000 square foot range) as well as smaller footprint homes (e.g., under 1,200 square feet).

**GOAL HO-4**

**Increase the supply of permanently affordable *multifamily* housing each year through the year 2036 with goals based on data provided by the Housing Needs Assessment and the City's housing reports.**

**Policy HO 4.1**

Encourage new *multifamily* housing in a variety of sizes and forms in *designated centers*.

**Policy HO 4.2**

Increase the efficiency of the review process and revise development standards for the High School Road and Ferry Terminal districts and other portions of the Winslow Area Master Plan to encourage the transformation of these areas from auto-oriented, low-rise, homogeneous commercial land use districts into walkable, transit-served, mid-rise, mixed-use areas with *affordable housing*.

**Policy HO 4.3**

Partner with non-profit or for-profit housing sectors to create new *multifamily* housing in *designated centers* including a significant percentage of *affordable housing* through the joint or exclusive use of surplus publicly owned property or air space.

**Policy HO 4.4**

Partner with the for-profit sector to create *affordable housing* through the targeted use of the *multifamily* property tax exemptions in *designated centers*.

**Policy HO 4.5**

Remove barriers to the creation of new *multifamily* housing, particularly *affordable housing* through a variety of actions such as the adoption of regulations that “right-size” parking requirements, reduce certain *impact fees* and encourage the use of parking management programs to enable the more efficient use of parking.

**Policy HO 4.6**

Allow *accessory dwelling units* in all residential zones, except at Point Monroe, the Sandspit (R-6). Review and revise regulations as appropriate to create reasonable flexibility regarding development standards including lot coverage, setbacks, parking requirements and Health District requirements for water and sewage.

**Policy HO 4.7**

Encourage agencies whose mission is to develop *affordable housing* to create new subsidized *multifamily* rental housing by aggressively pursuing Kitsap County *Community Development Block Grant Funds*, state funds, donations from private individuals and organizations, public revenue sources and other available funding.

**Policy HO 4.8**

Evaluate the efficacy of existing regulations in facilitating the provision of assisted and independent living *senior housing* and take action to amend *development regulations* as needed.

**GOAL HO-5**

**Maintain the existing stock of affordable and rent-assisted housing, in partnership with community non-profit organizations and local and regional public and private entities.**

**Policy HO 5.1**

Develop a continuing strategy to maintain the Rural Development Agency and HUD subsidies on existing rent-assisted housing. The primary strategy shall be to support Housing Kitsap and non-profit organizations such as Housing Resources Bainbridge to purchase the units through the provisions of the 1990 Housing Act.

**Policy HO 5.2**

In the event of the potential loss of privately-owned subsidized housing, work with the appropriate public agencies and local non-profits to pursue the preservation of the subsidized units or relocation assistance for the residents.

**Policy HO 5.3**

Support water-based (live-aboard) housing as a viable component of the present and future housing stock of Bainbridge Island, subject to applicable environmental protection, seaworthiness, sanitation and safety standards, and authorized moorage.

**GOAL HO-6**

**Facilitate the provision of a diverse *affordable housing* stock in all geographic areas of the community.**

**Policy HO 6.1**

Encourage housing created by agencies such as a community land trust.

**Policy HO 6.2**

In order to provide for permanently *affordable housing* pursue effective strategies to reduce the land cost component of *affordable housing* which may include alternative land use zoning, *density bonuses* and other incentives.

**Policy HO 6.3**

Maintain an innovative housing program and clarify or adopt new flexible permit processes in all *designated centers* to promote an increase in the supply, diversity and access to housing including *affordable housing*.

**Policy HO 6.4**

Create a new *conservation villages* permit process to apply outside of *designated centers* to increase housing choices including *affordable housing* and requiring *green building* practices while better conserving *open space*.

**Policy HO 6.5**

Develop regulations and provide incentives to construct *affordable housing* for farm workers on or near farmlands.

**Policy HO 6.6**

Consider the merits of programs and regulations pioneered by other communities to discourage the land, energy and natural resource consumptive pattern of large single-family homes. Adopt amendments to City programs and *development regulations* as appropriate.

**Policy HO 6.7**

Support the development of *livable neighborhoods*.

**GOAL HO-7**

**Promote and facilitate the provision of rental and for-purchase housing that is affordable to *income-qualified* households with a variety of income levels.**

**Policy HO 7.1**

Exempt from City *impact fees* and other administrative development fees housing developments where all units are limited to residents in specified income groups.

**Policy HO 7.2**

All income-qualified rental housing units created as a result of the policies of this Housing Element shall remain affordable to *income-qualified households* for a period of not less than 50 years from the time of first occupancy.

**Policy HO 7.3**

Explore measures and the merits of source-of-income discrimination controls.

**GOAL HO-8**

**Facilitate the siting and development of housing opportunities for *special needs populations*.**

**Policy HO 8.1**

Support the services of community non-profit organizations and local and regional public or private entities in providing shelter for temporarily homeless singles and families with children, adolescents and victims of domestic violence on Bainbridge Island.

**Policy HO 8.2**

Support the development of programs to meet the housing needs of the developmentally, physically and emotionally disabled within the community.

**Policy HO 8.3**

Support programs that provide assistance to low-income, elderly and disabled persons to repair, rehabilitate or retrofit homes to be more accessible and safe.

**GOAL HO-9**

**Explore the use of the City's bonding capacity and pursue other resources to support the creation of *affordable housing*.**

**Policy HO 9.1**

The City recognizes the need to provide financing assistance for *affordable housing*. Accordingly, the City will actively pursue public and private funds that may include but are not limited to, real estate excise tax, grants and other available resources.

**Policy HO 9.2**

The City in partnership with local agencies producing *affordable housing*, may issue a General Obligation Bond to increase the production of housing affordable to *households* at or below 80% of median income for Kitsap County.

**Policy HO 9.3**

Consider the issuance of Limited Tax General Obligation Bonds (also called councilmanic bonds or non-voted debt) to support the development of housing affordable to *households* at or below 80% of median income for Kitsap County.

**Policy HO 9.4**

Increase City support of the Housing Trust Fund and explore new sources of funding for the development and preservation of *affordable housing*.

**Policy HO 9.5**

Consider the options for making City-owned land or air-space available through long-term leases or other mechanisms for the purpose of creating income-qualified housing and support other public entities that wish to use publicly-owned land for this purpose. Take into consideration however, the full range of uses that City-owned properties may serve over the long-term.

## HOUSING IMPLEMENTATION

To implement the goals and policies in this Element, the City must take a number of actions, including adopting or amending regulations, creating partnerships and educational programs, and staffing or other budgetary decisions. Listed following each action are several of the plan’s goals and policies that support that action.

### HIGH PRIORITY ACTIONS

**HO Action #1** Set targets for increasing the supply of moderately priced and *affordable housing*, measure progress, and if insufficient progress is being made toward meeting the housing targets, determine what actions are not working and make appropriate adjustments.

**GOAL HO-1**

Make steady progress toward the following aspirational targets for increasing the diversity of *housing types* and the supply of *affordable housing*.

2/28/17

## **GOAL HO-2**

Beginning in 2019, prepare biennial reports on the status of housing on Bainbridge Island. The report shall describe progress toward achieving the targets set forth in Policies HO 1.1 through HO 1.7.

**HO Action #2 Amend the City’s development code to facilitate an increase in the diversity of housing types and supply of affordable housing.**

### **Policy HO 3.6**

Develop standards to encourage development of small to mid-size single-family housing units. These provisions may include a framework to permit small-unit housing development such as *tiny houses, micro units and cottage housing*.

### **Policy HO 4.2**

Increase the efficiency of the review process and revise development standards for the High School Road and Ferry Terminal districts and other portions of the Winslow Area Master Plan to encourage the transformation of these areas from auto-oriented, low-rise, homogeneous commercial land use districts into walkable, transit-served, mid-rise, mixed-use neighborhood with *affordable housing*.

### **Policy HO 6.3**

Maintain an innovative housing program and clarify or adopt new flexible permit processes in all *designated centers* to promote an increase in the supply, diversity, and access to housing, including *affordable housing*.

### **Policy HO 6.4**

Create a new *conservation villages* permit processes to apply outside of *designated centers* to increase housing choices, including *affordable housing* and requiring *green building* practices, while better conserving *open space*.

**HO Action #3 Partner with other jurisdictions, the development community, and non-profit organizations to increase the diversity of housing types and supply of affordable housing.**

### **Policy HO 3.4**

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

### **Policy HO 4.3**

Partner with non-profit or for-profit housing sector to create new *multifamily* housing in *designated centers* including a percentage of *affordable housing*, through the joint or exclusive use of surplus publicly owned property or air space.

**Policy HO 4.4**

Partner with the for-profit sector to create *affordable housing* through the targeted use of the multifamily property tax exemptions in *designated centers*.

**Policy HO 9.5**

Consider the options for making City- owned land or air-space available through long-term leases or other mechanisms for the purpose of creating income-qualified housing and support other public entities that wish to use publicly-owned land for this purpose. Take into consideration however, the full range of uses that City-owned properties may serve over the long-term.

**HO Action #4 Consider actions that can be taken to reduce financial barriers that inhibit the desired increase in diverse and affordable housing.**

**Policy HO 5.2**

In the event of the potential loss of privately-owned subsidized housing, work with the appropriate public agencies and local non-profits to pursue the preservation of the subsidized units or relocation assistance for the residents.

**Policy HO 7.1**

Exempt from City *impact fees* and other administrative development fees housing developments where all units are limited to residents in specified income groups.

**Policy HO 9.2**

The City in partnership with local agencies producing *affordable housing*, may issue a General Obligation Bond to increase the production of housing affordable to *households* at or below 80% of median income for Kitsap County.

**Policy HO 9.3**

Consider the issuance of Limited Tax General Obligation Bonds (also called councilmanic bonds or non-voted debt) to support the development of housing affordable to *households* at or below 80% of median income for Kitsap County.

**HO Action #5 Create a short-term (60-90 days) citizen *affordable housing* task force to consider the revised Housing Element and provide specific recommendation for near-term action.**

**Policy HO 3.3**

Designate the appropriate staff or organizational entity to assist and advise the community, landowners and private and public entities about options for *affordable housing*, financing strategies and funding sources.

**HO Action #6 Review and revise City regulations related to permissible live-aboard capacity in City marinas.**

**Policy HO 5.3**

Support Water-based (live-aboard) housing as a viable component of the present and future housing stock of Bainbridge Island, subject to applicable environmental protection, seaworthiness, sanitation and safety standards, and authorized moorage.

## MEDIUM PRIORITY ACTIONS

**HO Action #7** Focus additional city and other financial resources to help increase the supply of affordable housing.

### Policy HO 9.4

Increase City support of the Housing Trust Fund and explore new sources of funding for the development and preservation of *affordable housing*.

### Policy HO 7.1

Exempt from City *impact fees* and other administrative development fees housing developments where all units are limited to applicants of specified income groups.

**HO Action #8** Look for ways to reduce the cost of multifamily housing, particularly affordable housing.

### Policy HO 4.5

Remove barriers to the creation of new *multi-family housing*, particularly *affordable housing* through a variety of actions such as the adoption of regulations that “right-size” parking requirements, reduce certain impact fees, and the encourage the use of parking management programs to enable the more efficient use of parking.

## OTHER PRIORITY ACTIONS

**HO Action #9** Identify ways to achieve local results with and through regional actions.

### Policy HO 3.2

Recognize that the City shares a housing and employment market, as well as a transportation network, with the larger region. Therefore, the City should work with the Kitsap Regional Coordinating Council and other regional entities to develop equitable and effective county-wide planning policies and other strategies to locate, finance and build *affordable housing*.

# Appendix C.1

November 3, 2017

Bainbridge Island City Council  
200 Madison Ave.  
Bainbridge Island, WA 98521

Dear Council members:

At the City Council meeting on October 3, 2017 Jon Rose, from the Olympic Property Group (OPG), unveiled a thoughtful preliminary site plan for the City-owned Suzuki property. The Affordable Housing Task Force (AHTF) has discussed this proposal at several of our meetings and offers the following comments.

The proposed plan clusters the housing and leaves 70% of the parcel as open space with mature trees retained, wetlands protected, and the pond untouched. It encourages walkability and keeps impervious surfaces to a minimum. The site plan creates a 300-foot buffer for wildlife and clusters housing near the road. All of these will contribute to a new community that is respectful of the environment and supports the affordable housing goal by lessening costs.

We were very pleased to hear some of the responses to the plan during the meeting. Councilmembers expressed their desire to push for the development to get to an even higher level of affordability and unanimously agreed that housing that is affordable to a broad range of people is important for Suzuki. Just as encouraging was the Council's discussion about *affordability* and the potential for expanding the definition to include those who aren't eligible for housing that is funded by public sources but are still finding it very hard to live on Bainbridge Island. Finally, OPG noted that it would be working closely with Housing Resources Bainbridge, the City of Bainbridge Island and Housing Kitsap to assure the long-term management and affordability of the units.

The AHTF endorses and advocates for 100% of the housing built on the Suzuki site to be designated affordable to a range of tenants and homeowners from very low income up to moderate levels of income. All housing on this site should also be made permanently affordable through restrictions required by funders, Community Land Trust, and/or deed restrictions upon sale. The Council should ensure that this affordability is protected and managed either by the future owner of the properties, COBI, or an entity contracted by COBI to perform this work (such as HRB or Housing Kitsap). In addition, we ask that you ensure that a substantial number of the housing units will be rentals.

We note that the OPG proposal provides that if the necessary financing is not obtained by HRB or Housing Kitsap, OPG will market the project to private housing developers. We urge the Council and the City not to adopt that provision, and instead negotiate an alternative, acceptable to both OPG and the City, that protects and preserves the Suzuki property for affordable housing.

With the foregoing caveats, the AHTF supports the efforts of the City of Bainbridge Island to move forward with the development of the Suzuki site to create affordable housing that benefits the community and assures a diverse population living on the island.

Sincerely,

Althea Paulson, Chair  
On behalf of the Affordable Housing Task Force

## Appendix C.2

November 7, 2017

Bainbridge Island City Council  
200 Madison Ave.  
Bainbridge Island, WA 98521

Re: Revised AHTF letter

Dear Council members:

At the City Council meeting on October 3, 2017 Jon Rose, from the Olympic Property Group (OPG), unveiled a thoughtful preliminary site plan for the City-owned Suzuki property. The Affordable Housing Task Force (AHTF) has discussed this proposal at several of our meetings and offers the following comments.

The proposed plan clusters the housing and leaves 70% of the parcel as open space with mature trees retained, wetlands protected, and the pond untouched. It encourages walkability and keeps impervious surfaces to a minimum. The site plan creates a 300-foot buffer for wildlife and clusters housing near the road. All of these will contribute to a new community that is respectful of the environment and supports the affordable housing goal by lessening costs.

We were very pleased to hear some of the responses to the plan during the meeting. Councilmembers expressed their desire to push for the development to get to an even higher level of affordability and agreed that housing that is affordable to a broad range of people is important for Suzuki.\* Just as encouraging was the Council's discussion about *affordability* and the potential for expanding the definition to include those who aren't eligible for housing that is funded by public sources but are still finding it very hard to live on Bainbridge Island. Finally, OPG noted that it would be working closely with Housing Resources Bainbridge, the City of Bainbridge Island and Housing Kitsap to assure the long-term management and affordability of the units.

The AHTF endorses and advocates for 100% of the housing built on the Suzuki site to be designated affordable to a range of tenants and homeowners from very low income up to moderate levels of income. All housing on this site should also be made permanently affordable through restrictions required by funders, Community Land Trust, and/or deed restrictions upon sale. The Council should ensure that this affordability is protected and managed either by the future owner of the properties, COBI, or an entity contracted by COBI to perform this work (such as HRB or Housing Kitsap). In addition, we ask that you ensure that a substantial number of the housing units will be rentals.

We note that the OPG proposal provides that if the necessary financing is not obtained by HRB or Housing Kitsap, OPG will market the project to private housing developers. We urge the Council and the City not to adopt that provision, and instead negotiate an alternative, acceptable to both OPG and the City, that protects and preserves the Suzuki property for affordable housing.

With the foregoing caveats, the AHTF supports the efforts of the City of Bainbridge Island to move forward with the development of the Suzuki site to create affordable housing that benefits the community and assures a diverse population living on the island.

Sincerely,

Althea Paulson, Chair

On behalf of the Affordable Housing Task Force After we sent an earlier version of this letter this morning, Council member Ron Peltier wrote to us to say he is not in favor of housing at Suzuki that is affordable to a broad range of people. This change does not impact the task force opinions expressed in this letter.

Letter from AHTF to CC

Re: Suzuki Property Agreement Between City & OPG

Mayor Tollefson and City Councilmembers:

The Affordable Housing Task Force wishes to confirm, in the strongest terms that it supports 100% affordable housing on the city's property – Suzuki. This was a unanimous decision.

As the Council continues to discuss the Suzuki Property Agreement this coming Tuesday, December 12, 2017 we urge the City to clarify one main purpose of the Agreement – that the housing be 100% affordable, that it be held as affordable in perpetuity and that any motion and/or agreement regarding the use reflect this sentiment.

Thank you.

Affordable Housing Task Force



Development of the Suzuki property has been an ongoing, multi-year process. There are many steps still to come in this process, such as preliminary design and revisions, permit approvals, financing and more. The AHTF believes it is important to be approving a Development Agreement as soon as possible. We are aware of the risk of mounting costs associated with delay that could impact the viability of this project. Recognizing that the process is still in the early stages, and details (such as requirements for financing or engineering) may change as more information becomes known, we specifically decided against recommending inflexible requirements for the project, except as stated above. We have confidence in the ability of the nonprofit, public and private partners in this project to work together to make the proposal a reality.

When the AHTF was created last year, the Council instructed us to consider housing affordability across the economic spectrum and make recommendations for near-term action. We were also instructed that if goals and policies of the Comprehensive Plan seemed to conflict, we should recommend solutions that balance the costs and benefits to the community.

Members of the AHTF believe strongly that the Suzuki proposal satisfies these instructions and is consistent with the Housing Element of the Comprehensive Plan, as well as the Land Use Element and other provisions of the Comprehensive Plan.

The recommended Affordable Housing Goals---from up to 30% of AMI (Area Median Income) at the low end of the goals, to 120% of AMI at the top end---will serve a broad range of people across the economic spectrum. These could include seniors, people with disabilities, single parents, students, those in need of supportive housing, restaurant and retail workers, families, teachers, government employees, and more. We think it's important that some housing be geared to the higher end of the recommended income levels, to provide a meaningful contribution to work force housing. This housing would serve people like teachers, police, fire fighters and City employees, for whom local market-rate housing is out of reach even at their relatively higher incomes (according to the most recent Windermere newsletter, December's median sales price for Island homes was a decidedly unaffordable \$775,000).

We also believe this project has been designed around the environmental goals and policies of the Comprehensive Plan in a respectful and sensitive manner. An ecological study has been done and the findings have been reflected in the updated site plan. The development will have a small footprint, clustered within approximately 30% of the site. The proposal would preserve the significant environmental features, leaving the pond undisturbed, providing a wildlife buffer, and retaining mature trees. Impervious surfaces are kept to a minimum. Clustered housing like this plan (also known as conservation development) is an important tool for sustainable development in communities around the country.

In sum, this project is an excellent balance of costs and benefits to Bainbridge Island. We believe it furthers the Comprehensive Plan's goals and policies, and is an embodiment of Guiding Principle #3 in the Comprehensive Plan, which calls for the City to "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."

Finally, the AHTF believes the Suzuki project is of tremendous significance to the Island's overall affordable housing strategy, both because of the number of homes it will offer, and because it is a long

overdue, concrete demonstration of our community commitment to housing justice and affordability. If this project is not approved, or becomes non-viable due to delay or excessive requirements, we believe it would deal a significant blow to the Island's affordable housing efforts. We urge you to approve the Development Agreement as soon as possible, as the next step toward the realization of a new neighborhood of sustainable, diverse and affordable homes.

Very truly yours,

Althea Paulson, Chair

Affordable Housing Task Force

November 20, 2017

Chair Pearl and Commissioners  
Planning Commission  
City of Bainbridge Island  
280 Madison Avenue North  
Bainbridge Island, WA 98110

Chair Pearl and Commissioners:

The Affordable Housing Task Force (AHTF) has been discussing Eagle Harbor live-aboards in connection with our research and analysis of innovative ways for people to rent or own affordable housing. Live-aboard homes have been part of the Housing Element of the Comprehensive Plan since the inception of the City. The recently updated Housing Element provides in Policy HO 5.3: water-based (live-aboard) housing as a viable component of the present and future housing stock of Bainbridge Island, subject to applicable environmental protection, seaworthiness, sanitation and safety standards and

In accordance with that policy, the AHTF has discussed the percentage of allowable live-aboard boats and/or slips in marinas. We note that currently that percentage is 10%, although it used to be 25%.

We believe that the current 10% is a very limited use of our water-based resources and does not allow the Island to use the limited resources it has to increase affordable housing options.

Included with this letter as an additional attachment is a letter from the Harbor Commission sent to the City Council on November 18, 2013. The Council was discussing the SMP and new SMP regulations were being negotiated. For reasons that are unclear to us, the 10% limit was incorporated, in spite of several votes held on the matter.

We are, now, however in new territory in 2017. Housing prices and land prices have skyrocketed and we have an affordable housing crisis on the Island. There are few rentals on the Island under \$1,000 per month. We are unaware of any homes for sale for under \$125,000.

Slip rents run approximately \$450 per month with a live-aboard fee of about \$70 per month. If one owns a boat that can be insured, this is an affordable alternative to land based housing for those in that income range. If one can

## Appendix C.5

qualify for a loan and has the opportunity to buy a slip in a marina with live aboard privileges, those slips are running \$30,000 and up.

There are few, if any, options on Bainbridge Island, short of Section 8 or subsidized housing that can touch these economics. Living aboard a boat is not for everybody but some people are able to afford a very small ecological

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In the core of Winslow, people working on Island, in Kitsap County and in Seattle have found living on their boats an affordable option to traditional land based housing.

We understand the Planning Commission is reviewing the SMP and we urge the Commission to raise the allowable live aboard spaces both for sale and rent to the 25% level.

Our City has few options for affordability any longer. As recognized by the

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and innovative ways to provide housing for a workforce and other folks who

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Sincerely,

Affordable Housing Task Force

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 Jennifer Sutton  
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# Appendix C.7

March 2015

Re: Dave Ullin Open Water Marina

Mayor Mehta and Councilors

We write to request the Council to adopt policies that will be filled out by the Department of Cultural Resources and provided by the Harbor for people who live aboard their vessels in keeping with Homeport Policy H O 5.3 of the Comprehensive Plan that states

Policy HO 5.3 : Support water-based live-aboard boaters as a viable component of the present and future boating stock of San Diego. San Diego should to apply environmental protection, water sanitation and safety standards and standards.

We discussed the harbor last year in memory of Dave Ullin and the City to refer to it by its name in all future reports and correspondence.

A linear moorage has lived its life and is being overgrown. The Council to install all bylaws that would allow the space available for Dave Ullin Open Water Marina going into the future. Live-aboard boaters to lease space to be used on land and to have a smaller ecological footprint.

We have done the work of negotiating an agreement with DN that or the boaters to live on their boats. It is a fair and equitable arrangement.

The Harbor Homeport Force previously had 10% percent allowed for live-aboard boaters in the Marina as part of the solution to the crisis of boaters on San Diego land.

We also request the Council to direct the staff to take reservations all year round not just in the fall. We are sensitive to safety and management issues and need to ensure prospective tenants can get into a year on a yearly basis. Request the Council to take lease applications year round and not create barriers to entry.

Thank you

Archie Hoing Force

RE: Short Term Vacation Rentals on Bainbridge Island

Members of the City Council

The housing element of the Bainbridge Island Comprehensive Plan sets Goal HO-5 to maintain the existing stock of affordable and rent-assisted housing in partnership with community non-profit organizations and local and regional public and private entities. To support this goal the Affordable Housing Task Force recommends the adoption of an ordinance to limit the use of short-term rentals on Bainbridge Island.

Since 2011 the third-party analytics site AirDNA (link below) has measured a 17% annual growth in the number of Airbnb rentals on Bainbridge Island with 133 active rentals currently recorded. Of these active rentals 11 are for the entire home a number that represents more than three months of inventory in the current real estate market. This stranded inventory worsens the affordable housing crisis by reducing the stock of long-term rentals and for-sale housing on Bainbridge Island However we also realize that many members of our community rely on the supplemental income generated by these short-term rentals to afford the ever-increasing cost of living so it is necessary to control the growth of the short-term rental market without eliminating it all together.

In December of 2017 the Seattle City Council passed an ordinance (link below) limiting the number of short term rentals per operator to their primary residence plus one additional unit. Although opposed by several operators with a large number of rentals

supported the small operator without excessive burden.

Additional consideration is needed to decide if the much smaller housing supply on Bainbridge Island justifies further restricting the number of rentals to one unit per operator but the success of the Seattle law is encouraging

The Affordable Housing Task Force recommends that the City Council adopt an ordinance modeled on the one passed by the City of Seattle with the following recommended changes 1) that the regulations apply citywide and 2) that the regulations apply retroactively to existing operators.

AirDNA Bainbridge Island Overview

<http://www.airdna.com/market-data/washington/bainbridge-island/new>

Seattle Short-Term Rental Ordinance

<http://www.seattle.gov/codes/rules/CommonQuestions/ShortTermRentals/default.htm>

Seattle Short-Term Rental Ordinance Summary Sheet

<http://www.seattle.gov/Documents/Departments/Council/Issues/RegulatingShortTermRentals/Regulating-Short-Term-Rentals-Summary2017-09.pdf>

Thank you for your consideration  
Affordable Housing Task Force



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New Chapter. There is added to the Bainbridge Island Municipal Code a new Chapter 18.92, Cottage Housing, to read as follows:

18.92.010 Purpose

The purpose of Cottage Housing is to encourage detached, small-unit housing development, in order to expand the variety of housing choices suitable to a range of household types and incomes, while maintaining the character of existing neighborhoods. Cottage housing developments should be characterized by design variations between the units, and should include pedestrian connections that allow residents to walk throughout the development and to any adjacent recreational or commercial areas. The cottage housing provisions are intended to overlay upon existing zoning districts and include their own regulations and design guidelines. This chapter implements policies H 1.6 and H 1.6A of the Housing Element of the Comprehensive Plan.

18.92.020 Location

The Cottage Housing Overlay shall apply to the R-2.9, R-3.5, R-4.3, R-5, R-8 and R14 zoning districts.

18.92.030 Density and lot area.

- A. The minimum lot area for a cottage housing development shall not be less than 14,000 square feet.
- B. Each unit shall be allotted no less than 3500 square feet to accommodate the residential unit, common and private open space, parking and circulation, storage, etc.)
- C. The number of units in any cottage housing development shall not be less than four (4) or more than twelve (12).

18.92.040 Unit size

- A. The total floor area of a cottage unit shall not exceed either 1.5 times the area of the main floor or 1,200 square feet, whichever is less.
- C. The maximum main floor area for cottages shall be 800 square feet.
- D. At least fifty percent (50%) of the cottages shall have main floors that do not exceed 700 square feet.
- E. A notice to the title of the property that prevents any increase in the total floor area of any

**FRONT YARD SETBACKS SHALL BE 10 FEET**

18.92.050 Lot Coverage

The maximum lot area covered by buildings shall not exceed forty percent (40%).

18.92.060 Open Space

- A. Common open space. Common open space is intended to provide a centrally located area that can be developed and maintained so it is usable for active and passive recreation. Common open space shall be subject to the following requirements.
  - 1. There shall be a minimum of 400 square feet of common open space provided for each unit in the R-2.9, R-3.5, and R-4.3 and R-5 zones. There shall be a minimum of 250 square feet of common open space provided for each unit in the R-8 and R14 zones.

## APPENDIX E

Planning Commission Study Session 04/22/2002

2. Common open space shall abut at least 50 percent of the cottages in a cottage housing development.
  3. Common open space shall have cottages abutting on at least two sides.
  4. Common open space shall not include portions of private yards, and shall be jointly owned by all residents.
  5. The common open space shall be outside of wetlands, streams and sensitive area buffers, and shall be on slopes of ten percent (10%) or less.
- B. Private Open Space. Private open space is intended to provide private areas around the individual cottages and enable diversity in landscape design. Private open space shall be subject to the following requirements.
1. A minimum of 300 square feet of contiguous, usable private open space shall be provided adjacent to each cottage, for the exclusive use of the cottage resident.
  2. The main entry of the cottages shall be oriented toward the common open space as much as possible.

### 18.92.070 Building Separation

All units shall maintain 10 feet of separation between vertical exterior walls, except that eaves and architectural projections such as balconies may encroach up to a maximum of 18 inches.

### 18.92.080 Yards

- A. Front yards shall not be less than 25 feet measured by the distance from the nearest lot line, planned right-of-way or road easement.
- B. Porches and bays may encroach 5 feet into the front yard.
- C. Side yards shall not be less than 10 feet, except that eaves and architectural projections such as balconies may encroach in the yard up to a maximum of 18 inches.
- D. Rear yards shall be 15 feet, except that eaves and architectural projections such as balconies and bays may encroach in the yard up to a maximum of 18 inches.

### 18.92.090 Building Height

The maximum building height for any cottage housing unit shall not exceed 20 feet, except that chimneys, cupolas and other architectural features shall not extend more than five feet above the roof at their highest point.

### 18.92.100 Parking

- A. For parking spaces required, refer to BIMC 18.81.030 (R).
- B. All parking shall be located to the side or rear of the site, and shall be screened from adjacent properties by a sight-obscuring fence or vegetation barrier in accordance with Chapter 18.85. Fences shall be at least five but not more than six feet in height.

### 18.92.110 Community Buildings

A cottage housing development may contain community building(s) that are detached accessory structures, the use and size of which is clearly incidental and related to that of the dwelling unit.

### 18.92.110 Design Guidelines

- A. Site Design.

## APPENDIX E

Planning Commission Study Session 04/25/2002

1. The common open space shall be centrally located within the projects
2. All front porches of units shall be oriented toward landscaped, common open space.

### B. Building Design.

1. Roofs of cottages shall be pitched.
2. Covered porches measuring at least 8 feet by 10 feet shall be incorporated into building design of the cottages.
3. Shared carports or garages shall be limited to a maximum of four stalls per structure and shall be detached from the dwelling units.
4. Attached garages shall not be permitted.

DRAFT

SAMPLE MULTI -FAMILY PROPERTY TAX EXEMPTION ORDINANCE (City of Bellingham)

Tax exemptions for multifamily housing in targeted residential areas.

A. Intent. Limited exemptions from ad valorem property taxation for multifamily housing in urban centers are intended to:

1. Provide economic incentives enabling increased residential housing choices and opportunities, including affordable housing opportunities, within urban centers designated by the city council as targeted residential areas;
2. Stimulate new construction or rehabilitation of existing vacant and underutilized buildings for multifamily housing in targeted residential areas to increase and improve housing opportunities, including affordable housing;
3. Assist in directing future population growth to designated urban centers with existing available infrastructure thereby reducing development pressure on neighborhoods lacking infrastructure capacities; and
4. Achieve development densities which are more conducive to transit use in designated urban centers.

B. Duration of Exemption. For properties for which applications for certificates of tax exemption eligibility are submitted under Chapter 84.14 RCW on or after July 22, 2007, the value of improvements qualifying under this chapter will be exempt from ad valorem property taxation as follows:

1. For eight successive years beginning January 1st of the year immediately following the calendar year of issuance of the certificate; or
2. For 12 successive years beginning January 1st of the year immediately following the calendar year of issuance of the certificate, if the property otherwise qualifies for the exemption under Chapter 84.14 RCW and meets the conditions in this subsection. For the property to qualify for the 12 -year exemption under this subsection, the applicant must commit to renting or selling at least 20 percent of the multi -unit housing units as affordable housing units as set forth below:

a. Owner Occupancy. In the case of projects intended exclusively for owner occupancy, the minimum requirement of this subsection (B)(2) may be satisfied solely through housing affordable to moderate -income households during the authorized exemption period.

b. Rental Occupancy. In the case of projects intended for rental occupancy, the minimum requirement of this subsection (B)(2) must be satisfied based on affordability requirements outlined in subsection (D)(9) of this section.

C. Limits on Exemption. The exemption does not apply to the value of land or to the value of nonhousing related improvements not qualifying under this chapter, nor does the exemption apply to increases in assessed valuation of land and nonqualifying improvements. In the case of rehabilitation of existing buildings, the exemption does not include the value of improvements constructed prior to submission of the completed application required under this chapter. The incentive provided by this chapter is in addition to any other incentives, tax credits, grants, or other incentives provided by law.

D. Project Eligibility. A proposed project must meet the following requirements to be considered for a property tax exemption:

1. Location. The project must be located within a targeted residential area, as designated in BMC [17.82.020](#) (C). If a part of any legal lot is within a designated residential targeted area then the entire lot shall be deemed to lie within such residential targeted area. Property located outside of, but adjacent to, the described areas is not designated as a residential targeted area.

2. Tenant Displacement Prohibited. The project must not displace existing residential tenants of structures that are proposed for redevelopment. Existing dwelling units proposed for rehabilitation must have been unoccupied for a minimum of 12 months prior to submission of an application. Applications for new construction cannot be submitted for vacant property upon which an occupied residential rental structure previously stood unless a minimum of 12 months has elapsed from the time of most recent occupancy.

3. Size. The project must include at least four units of multifamily housing within a residential structure or as part of a mixed -use development. A minimum of four new units must be constructed or at least four additional multifamily units must be added to existing occupied multifamily housing. Existing multifamily housing that has been vacant for 12 months or more

does not have to provide additional units so long as the project provides at least four units of new, converted, or rehabilitated multifamily housing.

4. Permanent Residential Housing. At least 50 percent of the space designated for multifamily housing must be provided for permanent residential occupancy, as defined in BM C 17.82.010.

5. Affordable Housing. Projects located in Target Area 4 or Area 5 are required to meet the affordable housing requirements described in subsection (B)(2) of this section.

6. Proposed Completion Date. New construction multi-unit housing and rehabilitation improvements must be scheduled to be completed within three years from the date of approval of the application.

7. Compliance with Guidelines and Standards. The project shall be designed to comply with the FLW\¶V FRPSUHKHQVLYH SODQ EXLOGLQJ KRXVLQJ DQG JRQLQJ regulations in effect at the time the application is approved. Rehabilitation and conversion LPSURYHYPHQWV PXVW FRPSO\ ZLWK WKH FLW\¶V ORFDO KRXVLQJ V FRPSO\ ZLWK WKH FLW\¶V ORFDO KRXVLQJ VWDQGDUG 1HZ FRQVW building code adopted by the city. The project must also comply with any other standards and guidelines adopted by the city council for the targeted residential area in which the project will be developed.

8. Historic Resource Protection.

a. Applications for new construction that require the demolition of structures listed in the local, state or national register, or identified as contributing to an historic district in the

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b. Applications for new construction on a vacant property upon which previously stood a structure that was listed in the local, state or national register, or was identified as contributing to an historic district in a city historic resource inventory are not eligible for the multifamily tax exemption unless a minimum of five years has lapsed between the date of demolition and application for the multifamily tax exemption.

c. The requirement of subsections (D)(8)(a) and (b) of this section may be waived if

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on the local register or the director for structures identified as contributing to an historic

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demolition waiver determination shall be based on the criteria in BMC 17.90.060 (D)(2) and

(3).

9. Affordable Housing. Projects intended for rental occupancy seeking a 12-year tax exemption pursuant to subsection (B)(2) of this section shall provide 20 percent of the multi-unit housing as follows:

a. Affordable housing units shall be available to households whose adjusted income is at or below 60 percent of the median family income adjusted for family size for Whatcom County, except as otherwise allowed in subsection (B)(9)(b) of this section.

b. The affordable housing requirement can be met, either partially or fully, for any units with two or more bedrooms that are available to households whose adjusted income is at or below 80 percent of median family income adjusted for family size for Whatcom County.

E. Application Procedure. A property owner who wishes to propose a project for a tax exemption shall complete the following procedures :

1. )LOH ZLWK WKH FLW\¶V SODQQLQJ DQG FRPPXQLW\ GHYHORSHPHQ

along with any required fees as determined by council resolution. An additional fee, as

determined by council resolution, may be required to cover the Whatcom &RXQW\ DVVHVVRU¶V

administrative costs. If the application shall result in a denial by the city, the city will retain that portion of the fee attributable to its own administrative costs and refund the balance to the applicant.

2. A complete application shall include:

a. \$ FRPSOHWHG FLW\ RI %HOOLQJKDP DSSOLFDWLRQ IRUP VHW the exemption;

b. Preliminary floor and site plans and elevations of the proposed project and narrative or other description of the scope of work to be performed;

c. A statement acknowledging the potential tax liability when the project ceases to be eligible under this chapter; and



4. All the conditions of the original contract between the applicant and the city will be satisfied upon completion of the project.

H. Application for Final Certificate. Upon completion of the improvements agreed upon in the contract between the applicant and the city and upon issuance of a temporary or permanent certificate of occupancy, the

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community development department the following:

1. A statement of expenditures made with respect to each multifamily housing unit and the total expenditures made with respect to the entire property;
2. A description of the completed work with evidence of final city inspection of all work completed and a statement of qualification for the exemption;
3. A statement that the work was completed within the required three-year period or any authorized extension; and
4. If applicable, a statement that the project meets the affordable housing requirements as described in BMC 17.82.030 (B)(2).

Within 30 days of receipt of all materials required for a final certificate, the director shall determine which specific improvements, and the affordability of the units, satisfy the requirements of this chapter.

I. Issuance of Final Certificate. If the director determines that the project has been completed in accordance with the contract between the applicant and the city and has been completed within the authorized time period, the city shall, within 10 days, file a final certificate of tax exemption with the Whatcom County assessor.

1. Denial and Appeal. The director shall notify the applicant in writing that a final certificate will not be filed if the director determines that:
  - a. The improvements were not completed within the authorized time period;
  - b. The improvements were not completed in accordance with the contract between the applicant and the city;
  - c. If applicable, the affordable housing requirements as described in subsection (B)(2) of this section were not met; or

d. 7KH RZQHU¶V SURSHUW\ LV RWKHUZLVH QRW TXDOLILHG XQG

Within 14 days of recei SW RI WKH GLUHFWRU¶V GHQLDO RI D ILQDO FHUWLI

appeal with the hearing examiner, as provided in BMC 2.56.050 (B). The applicant may appeal

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30 days, or as otherwise required by law, of receiving notice of that decision.

J. Annual Compliance Review. Within 30 days after the f irst anniversary of the date of filing the final certificate of tax exemption and each year thereafter, for the tax exemption period, the property owner shall file a notarized declaration with the director indicating the following:

- 1. A statement of occupa ncy and vacancy of the multifamily units during the previous year;
- 2. A certification that the property continues to be in compliance with the contract with the city, including any affordable housing requirements;
- 3. A description of any subsequent improve ments or changes to the property; and
- 4. A report on affordable housing requirements, if applicable, including:
  - a. The total monthly rent or total sale amount of each unit produced;
  - b. The income of each renter household at the time of initial occupancy and the income of each initial purchaser of owner -occupied units at the time of purchase for each of the units receiving a tax exemption; and
  - c. Any additional information requested by the city in regards to the units receiving a tax exemption.

City staff shall have the right to conduct on -site verification of the declaration. Failure to submit the annual declaration may result in the tax exemption being canceled.

K. The city shall report annually by December 31st of each year to the Washington State Depart ment of Commerce. The report must include the following information:

- 1. The number of tax exemption certificates granted;
- 2. The total number and type of units produced or to be produced;

- 3. The number and type of units produced or to be produced meeting a ffordable housing requirements;
- 4. The actual development cost of each unit produced;
- 5. The total monthly rent or total sale amount of each unit produced;
- 6. The income of each renter household at the time of initial occupancy and the income of each initial purchaser of owner -occupied units at the time of purchase for each of the units receiving a tax exemption and a summary of these figures for the city; and
- 7. The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

L. Cancellation of Tax Exemption. If the director determines the owner is not complying with the terms of the contract, the tax exemption will be canceled. This cancellation may occur in conjunction with the annual review or at any other time when noncompliance has been determined. If the owner intends to convert the multifamily housing to another use, the owner must notify the director and the Whatcom County assessor within 60 days of the change in use.

1. Effect of Cancellation. If a tax exemption is canceled due to a change in use or other noncompliance, the Whatcom County assessor may impose an additional tax on the property, together with interest and penalty, and a priority lien may be placed on the land, pursuant to state legislative provisions.

2. Notice and Appeal. Upon determining that a tax exemption is to be canceled, the director shall notify the property owner by certified mail. The property owner may appeal the determination by filing a notice of appeal with the hearing examiner within 30 days, specifying the factual and legal basis for the appeal. An aggrieved party may appeal the hearing H [ D P L Q H U ¶ V G H F L V L R Q W R W K H : K D W F R P & R X Q W \ V X S H U L R U F R X U or as otherwise required by law, of receiving notice of cancellation.

M. Conflict of Provisions. If any provision of this chapter is in legal conflict with the provisions of Chapter [84.14](#) RCW, the provisions of Chapter [84.14](#) RCW shall apply as if set forth in this chapter. [Ord. [2015-12-051](#) § 2; Ord. [2010-12-078](#); Ord. [2003-03-012](#); Ord. [2003-03-011](#); Ord. [1999-09-054](#)].



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 5, 2019

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (8:50 PM) Future Council Agendas,

**STRATEGIC PRIORITY:** Good Governance

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Executive

**RECOMMENDED MOTION:**

Council will review future Council agendas.

**SUMMARY:**

Council will review future Council agendas.

**FISCAL IMPACT:**

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

**BACKGROUND:**

**ATTACHMENTS:**

[City Council Regular Business Meeting 031219](#)

[City Council Study Session 031919](#)

[City Council Regular Business Meeting 032619](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



CITY OF  
BAINBRIDGE ISLAND

**CITY COUNCIL REGULAR BUSINESS MEETING  
TUESDAY, MARCH 12, 2019**

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

**AGENDA**

1. **CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE - 6:00 PM**
2. **EXECUTIVE SESSION**
3. **APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
4. **PUBLIC COMMENT**
5. **MAYOR'S REPORT**
6. **CITY MANAGER'S REPORT**
7. **PRESENTATION(S)**
  - 7.A Environmental Technical Advisory Committee 2018 Annual Report and 2019 Work Plan 10 Minutes  
[Environmental Technical Advisory Committee 2018 Report & 2019 Work Plan](#)
  - 7.B Ethics Board 2018 Annual Report and 2019 Work Plan 10 Minutes
8. **PUBLIC HEARING(S)**
9. **UNFINISHED BUSINESS**
  - 9.A Ordinance No. 2019-04, Updating the City's Sign Code - Planning 30 Minutes
  - 9.B Kitsap Humane Society's Recommended Updates to the City's Animal Control Code 20 Minutes
  - 9.C ( PM) Purchase and Sale Agreement for Harrison Medical Building - Executive, 10 Minutes

**10. NEW BUSINESS**

- 10.A ( PM) Ordinance No. 2019-06 Amending the 2019-2020 Biennial Budget to provide for Harrison Building Purchase - Finance, 10 Minutes  
[Ordinance No. 2019-06 Police Court Facility Budget Amendment 022619.docx](#)  
[Ord 2019-06 Attachment A - Police Court Project Budget Amendment.xlsx](#)  
[Police Municipal Court Project Page 02262019.pdf](#)
- 10.B Amendment to Rescind Interlocal Agreement With Kitsap Public Utility District for Community WiFi - Executive, 15 Minutes
- 10.C Interlocal Agreement with Kitsap County for Reimbursable Work - Public Works, 10 Minutes  
[KC-118-19 - ILA with City of Bainbridge Island for Reimbursable Services](#)
- 10.D Slope Mower Purchase - Public Works, 10 Minutes  
[Harper 72LC Slope Mower - Overview](#)
- 10.E Decommission Topiary Art Piece at City Hall - Executive, 10 Minutes  
[PAC Minutes 1.9.19](#)  
[Bard Letter to PAC](#)  
[Photo of Bard Topiary at City Hall](#)  
[Photo of Damage to Bard Topiary at City Hall](#)  
[1998 Artwork Commission Agreement](#)
- 10.F Olympic Drive Non-Motorized Improvements Professional Services Agreement for Support Services - Public Works, 10 Minutes  
[Olympic Drive Construction Administration/Inspector Support Services RFQ](#)
- 10.G 2019 Shore Friendly Request for Proposals: Local Shore Friendly Programs 10 Minutes  
[2019 Shore Friendly RFP.pdf](#)

**11. CITY COUNCIL DISCUSSION**

**12. CONSENT AGENDA**

- 12.A Agenda Bill for Consent Agenda 5 Minutes
- 12.B Accounts Payable and Payroll
- 12.C City Council Regular Business Meeting Minutes, February 26, 2019
- 12.D Design Review Board 2018 Annual Report and 2019 Work Plan, 5 Minutes

## Design Review Board 2018 Annual Report & 2019 Work Plan

12.E Climate Change Advisory Committee 2018 Annual Report and 2019 Work Plan, 5 Minutes  
[Climate Change Advisory Committee 2018 Annual Report and 2019 Work Plan](#)

12.F Historic Preservation Commission 2018 Annual Report and 2019 Work Plan, 5 Minutes  
[Historic Preservation Commission 2018 Annual Report and 2019 Work Plan](#)

### 13. COMMITTEE REPORTS

13.A Committee Reports 5 Minutes

### 14. FOR THE GOOD OF THE ORDER

### 15. ADJOURNMENT

## 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.



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**CITY OF  
BAINBRIDGE ISLAND**

**CITY COUNCIL STUDY SESSION  
TUESDAY, MARCH 19, 2019**

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

**AGENDA**

- 1. CALL TO ORDER / ROLL CALL - 6:00 PM**
- 2. EXECUTIVE SESSION**
  - 2.A Pursuant to RCW 42.30.110(1)(g) to review the performance of a public employee, 30 Minutes
- 3. APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**
- 4. MAYOR'S REPORT**
- 5. PRESENTATIONS**
  - 5.A 2019 Emergency Management Briefing 30 Minutes
  - 5.B (6:40 PM) Final report from Team of Consulting Arborists - Planning, 45 Minutes  
[CC Staff Memo](#)  
[COBI Tree Protection Code Review and Recommendations](#)
- 6. UNFINISHED BUSINESS**
  - 6.A ( PM) Update on Moratorium - Planning, 10 Minutes  
[20190107 Moratorium work program status report](#)  
[Ordinance No. 2018-43 Amending the Moratorium Approved 111318.pdf](#)  
[Development Moratorium Summary Effective 20181121.pdf](#)
  - 6.B Water and Sewer Utilities Rate Study Report and Recommendation 30 Minutes
  - 6.C Ordinance 2019-XX: Accessory Dwelling Units (ADUs) Ownership Regulation 30 Minutes

6.D Revisions to BIMC 2.16 -- Conditional Use Permit and Site Plan and Design Review Decision Criteria 20 Minutes

6.E Ordinance 2019-03 -- Subdivision Update 45 Minutes

[Ord 2019-03 Exhibit A.docx](#)

[Ord 2019-03 Exhibit B.docx](#)

[Ord 2019-03 Exhibit C.docx](#)

[Ordinance\\_No.\\_2019-03 Subdivision Update.docx](#)

## 7. NEW BUSINESS

## 8. CITY COUNCIL DISCUSSION

8.A Discuss Partnership Options with KPUD for Groundwater Management Plan 30 Minutes

## 9. FUTURE COUNCIL AGENDAS

9.A Future Council Agendas 10 Minutes

## 10. FOR THE GOOD OF THE ORDER

## 11. ADJOURNMENT

### 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.

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**CITY OF  
BAINBRIDGE ISLAND**

**CITY COUNCIL REGULAR BUSINESS MEETING  
TUESDAY, MARCH 26, 2019**

**BAINBRIDGE ISLAND CITY HALL  
280 MADISON AVENUE N.  
BAINBRIDGE ISLAND, WASHINGTON**

**AGENDA**

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE - 6:00 PM**
- 2. EXECUTIVE SESSION**
  - 2.A Pursuant to RCW 42.30.110(1)(g) to review the performance of a public employee, 30 Minutes
- 3. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
- 4. PUBLIC COMMENT**
- 5. MAYOR'S REPORT**
- 6. CITY MANAGER'S REPORT**
- 7. PRESENTATION(S)**
  - 7.A Multi-Modal Transportation Advisory Committee 2018 Annual Report and 2019 Work Plan 10 Minutes
  - 7.B Proclamation Declaring April 2, 2019 as "National Service Recognition Day" - Mayor Medina, 5 Minutes
- 8. PUBLIC HEARING(S)**
- 9. UNFINISHED BUSINESS**
  - 9.A Ordinance No. 2019-07, Updating the City's General Code Enforcement Process Contained in Chapter 1.26 BIMC 15 Minutes

## 10. NEW BUSINESS

- 10.A Resolution No. 2019-03 Updating the Investment Policy - Finance, 15 Minutes  
[Resolution\\_No.\\_2019-03\\_Updating\\_the\\_Investment\\_Policy\\_for\\_CC\\_03262019.docx](#)  
[Investment policy update - Mar 2019 - for CC03262019.docx](#)  
[RES 93-52 - Investment Policy.pdf](#)

- 10.B Youth Mental Health Workshop Update 10 Minutes

## 11. CITY COUNCIL DISCUSSION

## 12. CONSENT AGENDA

- 12.A Agenda Bill for Consent Agenda 5 Minutes

- 12.B Accounts Payable and Payroll

## 13. COMMITTEE REPORTS

- 13.A Committee Reports

## 14. FOR THE GOOD OF THE ORDER

## 15. ADJOURNMENT

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