



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 - 6:30 PM**
4. **MAYOR'S REPORT - 6:35 PM**
5. **UNFINISHED BUSINESS**
  - 5.A (6:40 PM) Update on Moratorium - Planning, 10 Minutes  
[20190308 Moratorium work program status report](#)  
[Ordinance No. 2018-43 Amending the Moratorium Approved 111318.pdf](#)  
[Development Moratorium Summary Effective 20181121.pdf](#)
  - 5.B (6:50 PM) Ordinance No. 2019-10, Relating to the Extension of Moratorium for Certain Development - Planning, 15 Minutes  
[Ordinance No. 2019-10 Extending the Development Moratorium](#)  
[Exhibit A to Ord 2019-10 re Work Plan Schedule for Moratorium on Certain Development](#)  
[20190308 Moratorium work program status report](#)  
[Development Moratorium Summary](#)  
[Ordinance No. 2018-43 Amending the Moratorium](#)
  - 5.C (7:05 PM) Water and Sewer Utilities Rate Study Report and Recommendation - Public Works, 30 Minutes  
[UAC Final Recommendation\\_Water Sewer Rates\\_2019.pdf](#)  
[Water and Sewer Rate Study - Executive Summary](#)  
[Water and Sewer Rate Study \(UAC 3-19-19\)](#)

5.D (7:35 PM) Sustainable Transportation Planning Request for Qualifications - Public Works, 15 Minutes  
[Sustainable Transportation RFQ](#)  
[Sustainable Transportation RFQ Change.docx](#)

5.E (7:50 PM) Ordinance No. 2019-03 Relating to Subdivision Update - Planning, 60 Minutes  
[20190319 CC Staff Memo - revised 20190314.docx](#)  
[Attachment A -- Ordinance No. 2019-03 Subdivision Update - Draft 031519](#)  
[Attachment A -- Ord 2019-03 Exhibit A 20190228 PC Recommendation with Notes.docx](#)  
[Attachment A -- Ord 2019-03 Exhibit B 20190228 PC Recommendation.docx](#)  
[Attachment A -- Ord 2019-03 Exhibit C 20190228 PC Recommendation.docx](#)  
[Attachment B -- Planning Commission Minutes 021319.pdf](#)  
[Attachment B -- Planning Commission Minutes DRAFT 022819.docx](#)  
[Attachment C -- Subcommittee Comments - Exhibit A.pdf](#)  
[Attachment C -- Subcommittee Comments - Exhibit B.pdf](#)  
[Attachment C -- Subcommittee Comments - Exhibit C.pdf](#)

## 6. NEW BUSINESS

6.A (8:50 PM) 2019 Emergency Management Briefing - Executive, 30 Minutes  
[Proclamation Community Preparedness Month Aug 23 2016 .pdf](#)  
[03192019 EM Presentation to City Council](#)

## 7. CITY COUNCIL DISCUSSION

7.A (9:20 PM) Community Solar Agreement - Councilmember Peltier, 10 Minutes  
[Community Solar Agenda Bill Background.docx](#)  
[Community Solar Memo](#)

## 8. FUTURE COUNCIL AGENDAS

8.A (9:30 PM) Future Council Agendas, 10 Minutes  
[City Council Regular Business Meeting 032619](#)  
[City Council Study Session 040219](#)  
[City Council Regular Business Meeting 040919](#)

## 9. FOR THE GOOD OF THE ORDER - 9:40 PM

## 10. ADJOURNMENT - 9:50 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 19, 2019

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** Pursuant to RCW 42.30.110(1)(g) to review the performance of a public employee,

**STRATEGIC PRIORITY:** Good Governance

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** City Council

**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 19, 2019

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (6:40 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:**

[20190308 Moratorium work program status report](#)

[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 – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

Moratorium Topic	Status	Timeline
<p>Critical Areas Ordinance (CAO)</p>	<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 – [March 8, 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 March 8, 2019:</p>	<p>Complete: CAO update effective outside shoreline jurisdiction.                  Incomplete: Applicability of CAO update within shoreline jurisdiction.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [March 8, 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>Anticipated next steps include:</p> <p>March 19: CC first reading (<a href="#">staff transmittal of Planning Commission recommendation</a>)            March 26: CC discussion</p> <p>*The anticipated schedule assumes the moratorium <a href="#">will be extended</a> 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 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</p>

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [March 8, 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>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 March 8, 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.</p> <p>Incomplete: Planning Commission review of revised subdivision standards.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [March 8, 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><a href="#">The consultant will meet with the Design Review Board on March 18 to discuss the existing conditions report and preliminary recommendations for design guidelines.</a></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 March 8, 2019:</p>	<p>Complete: Consultant professional services agreement approved, kick-off meeting held with the DRB, design guideline open house held, City Council briefed.                      Incomplete: Update design guidelines.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [March 8, 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</p>

## Moratorium on Accepting Certain Development Applications: Work Program Status Report – March 8, 2019

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		<p>conditional use permits is scheduled for March 14, 2019.</p> <p>The anticipated schedule for City Council discussion and action assumes the SPR/CUP decision criteria will not be adopted before the moratorium's current expiration date of April 8, 2019. <a href="#">The City Council is currently scheduled to discuss this topic at their April 2, 2019 meeting.</a></p>
Status on March 8, 2019:	<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.</p> <p>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 – [March 8, 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>Council study sessions were held on October 2 and December 4, 2018, to receive an update on the economic market analysis from ECONorthwest. On February 19, 2019, the City Council reviewed and provided staff direction on the ECONorthwest / Forterra final report, the Affordable Housing Task Force report recommendations, and discussed the status of the City Council Affordable Housing Ad Hoc Committee.</p> <p><a href="#">City staff is working on prioritizing and organizing work on the inclusionary zoning and other AHTF report recommendations endorsed by City Council on February 19, 2019.</a></p>
Status on March 8, 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 – [March 8, 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 March 8, 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.                      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 – [March 8, 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. <a href="#">This issue has been deferred to a future City Council meeting while waiting for the 2019 WA State Legislature to act on proposed ADU bills.</a></p>
<p>Status on March 8, 2019:</p>	<p>Complete: Began discussions on ADU condominiums.                      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 19, 2019

**ESTIMATED TIME:** 15 Minutes

**AGENDA ITEM:** (6:50 PM) Ordinance No. 2019-10, Relating to the Extension of Moratorium for Certain Development - Planning,

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

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Planning & Community Development

**RECOMMENDED MOTION:**

Discuss extending for six months the moratorium on certain development, which is set forth in Ordinance No. 2018-43, and which is currently scheduled to expire on April 8, 2019.

**SUMMARY:**

The development moratorium is currently set to expire on April 8, 2019. Recently, at the March 5, 2019, City Council meeting and during a moratorium work program and status report update, staff indicated that there remains unfinished work related to the moratorium on certain development. The Council directed staff to prepare a draft ordinance and to schedule a public hearing to consider a possible extension of the moratorium for an additional six months.

**ATTACHMENTS:**

1. Ordinance No. 2019-10 Extending Development Moratorium
2. Exhibit A to Ordinance No. 2019-10 - Moratorium Work Plan Schedule
3. Moratorium work program status report
4. Development Moratorium Summary
5. Ordinance No. 2018-43 Amending the Moratorium

**FISCAL IMPACT:**

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

**BACKGROUND:**

The proposed ordinance, Ordinance No. 2019-10, would extend the current moratorium on certain development for an additional six months, which would extend the moratorium to October 3, 2019, unless the Council decided to terminate the moratorium earlier based on completion of remaining tasks on the moratorium work plan. Although the Council, Planning Commission, Design Review Board, other Council advisory bodies, and City staff have accomplished many tasks on the moratorium work plan, work is ongoing on several tasks and additional time is needed to complete those tasks.

On March 26, 2019, the Council will be conducting a public hearing on Ordinance No. 2019-10 regarding the possible extension of the moratorium. The current moratorium is scheduled to expire on April 8, 2019.

**ATTACHMENTS:**

[Ordinance No. 2019-10 Extending the Development Moratorium](#)

[Exhibit A to Ord 2019-10 re Work Plan Schedule for Moratorium on Certain Development](#)

[20190308 Moratorium work program status report](#)

[Development Moratorium Summary](#)

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

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**

**ORDINANCE NO. 2019-10**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, adopted pursuant to RCW 35A.63.220 and RCW 36.70A.390; amending Ordinance No. 2018-43; providing for severability; leaving the effective date of the moratorium unchanged; and extending the moratorium for six months until October 3, 2019.

**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 that process continues to be ongoing; 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 April 2 and 23, May 7 and 21, June 4 and 18, August 6 and 20, September 4 and 17, and October 15, 2018, the City's Design Review Board discussed alternatives for revisions to the City's land use review procedures and/or subdivision design guidelines; and

**WHEREAS**, on March 22, May 10, June 7, 14, and 21, July 12 and 26, August 9, 23, and 30, September 13 and 27, October 25, November 8 and 29, and December 13, 2018, as well as on January 10, and February 13 and 28, 2019, the City's Planning Commission discussed alternatives for revisions to the City's land use review procedures, subdivision design guidelines, and/or subdivision standards; 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**, the City’s Planning Commission completed their review of land use review procedures and forwarded their recommendations on those issues to the City Council, and on December 11, 2018, the Council enacted Ordinance No. 2018-20 related to revisions and updates to the City’s land use review procedures; and

**WHEREAS**, as part of the Planning Commission’s review and consideration of the City’s subdivision review procedures, design guidelines, and standards, the Commission has been considering a proposed ordinance, Ordinance No. 2019-03; and

**WHEREAS**, on February 13, 2019, and continuing to February 28, 2019, the Planning Commission conducted a public hearing on Ordinance No. 2019-03, and subsequently forwarded the proposed ordinance and their recommendations to the City Council; 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/or land use review procedures; and

**WHEREAS**, the City Council reviewed and considered proposed updates to the City’s subdivision regulations at regularly scheduled meetings on September 4 and 11, October 9, and December 4, 2018, and January 22, 2019; and

**WHEREAS**, the City Council will be considering the Planning Commission’s recommendations related to proposed updates to the City’s subdivision regulations as included in Ordinance No. 2019-03 on March 19, 2019, and the Council will consider those subdivision regulations further at subsequent meetings; and

**WHEREAS**, City staff is working with the Design Review Board and a consultant team related to updating the City’s Design Guidelines (BIMC 18.18.030) more generally (i.e., the design guidelines that aren’t included in the separate effort described above related to design guidelines for subdivisions), and that work is not expected to be completed until the end of July 2019; 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

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

**WHEREAS**, on October 2 and December 4, 2018, the City Council received a project update on the economic market analysis from the consultant (ECONorthwest/Forterra) related to inclusionary zoning and possible updates to the City’s Transfer of Development program; and

**WHEREAS**, on February 19, 2019, the City Council reviewed and provided direction to staff related to the ECONorthwest/Forterra final report and the AHTF report recommendations, and the Council discussed the status of the Council’s Affordable Housing Ad Hoc Committee; and

**WHEREAS**, City staff members are currently working on prioritizing and organizing work on the inclusionary zoning and other AHTF report recommendations which were endorsed by the Council at its February 19, 2019, meeting and work is ongoing in this effort; 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, November 6 and 20, and December 4, 2018, as well as on January 15, February 5 and 19, and March 5, 2019, the City Council was provided further 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, 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 related to 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 that 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**, given that the Washington State Legislature is considering in the current legislative session bills that would impact the regulation of ADUs, the City is awaiting possible action by the Legislature because such action could impact the City's efforts on this issue; and

**WHEREAS**, on November 13, 2018, the City Council approved Ordinance 2018-43, and thereby narrowed the moratorium as requested by the Council and described above related to entirely removing Section 3.B. (which, in effect, applied the Aquifer Recharge Protection Area regulations in the City's shoreline jurisdiction areas) from the moratorium, and broadening an exclusion related to certain Major Site Plan and Design Review and Major Conditional Use Permit proposals to include in that exclusion such proposals for properties located in the Business/Industrial District; 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, 2018-41, and 2018-43.

**Section 2. Public Hearing.** Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council conducted a public hearing on this extension of the moratorium at its meeting on March 26, 2019, and took public testimony and considered further findings of fact.

**Section 3. Moratorium Amended.** The moratorium is hereby amended, as also stated in Section 6 below, to extend the moratorium until October 3, 2019, which is six (6) months beyond the current duration of the moratorium, based on an effective date of this ordinance of April 3, 2019.

**Section 4. 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, and the City is hereby renewing and extending the moratorium for an additional six months based on an updated work plan (see attached Exhibit A), conducting another public hearing, and adopting additional findings of fact as stated in this ordinance.

**Section 5. 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 6. 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 moratorium ordinances which preceded this ordinance, Ordinance Nos. 2018-02, 2018-03, 2018-05, 2018-09, 2018-14, 2018-23, 2018-41, and 2018-43, 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, 2018-41, and 2019-43, 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 updated period as established for the moratorium, which is currently scheduled to expire based on this ordinance on October 3, 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 \_\_\_\_\_ 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	March 15, 2019
PASSED BY THE CITY COUNCIL	_____, 2019
PUBLISHED:	_____, 2019
EFFECTIVE DATE:	_____, 2019
ORDINANCE NO:	2019-10

Attached: Exhibit A (Work Plan)

## Exhibit A

### Moratorium on Certain Developments Work Plan Schedule, Ordinance No. 2019-10 (April – October 2019)

Work Program Item	Description
Subdivision Standards	Revise the subdivision standards to result in residential development that reflects Comprehensive Plan goals and policies included in the land use, housing, and environmental elements.
Design Guidelines	Update and improve the design guidelines and review process to result in higher quality development that reflects the Island's values and character.
Conditional Use / Site Plan Decision Criteria	Revise criteria to reduce subjectivity in decision-making and better ensure outcomes consistent with the Comprehensive Plan.
Affordable Housing	Develop an affordable housing work program in response to Inclusionary Zoning / Transfer of Development Rights and Affordable Housing Task Force reports.

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

Moratorium Topic	Status	Timeline
<p>Critical Areas Ordinance (CAO)</p>	<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 – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

		<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 March 8, 2019:</p>	<p>Complete: CAO update effective outside shoreline jurisdiction.                  Incomplete: Applicability of CAO update within shoreline jurisdiction.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

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>Anticipated next steps include:</p> <p>March 19: CC first reading (<a href="#">staff transmittal of Planning Commission recommendation</a>)            March 26: CC discussion</p> <p>*The anticipated schedule assumes the moratorium <a href="#">will be extended</a> 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 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</p>

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

	<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>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 March 8, 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.</p> <p>Incomplete: Planning Commission review of revised subdivision standards.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

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><a href="#">The consultant will meet with the Design Review Board on March 18 to discuss the existing conditions report and preliminary recommendations for design guidelines.</a></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 March 8, 2019:</p>	<p>Complete: Consultant professional services agreement approved, kick-off meeting held with the DRB, design guideline open house held, City Council briefed.                      Incomplete: Update design guidelines.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

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</p>

## Moratorium on Accepting Certain Development Applications: Work Program Status Report – March 8, 2019

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

		<p>conditional use permits is scheduled for March 14, 2019.</p> <p>The anticipated schedule for City Council discussion and action assumes the SPR/CUP decision criteria will not be adopted before the moratorium's current expiration date of April 8, 2019. <a href="#">The City Council is currently scheduled to discuss this topic at their April 2, 2019 meeting.</a></p>
Status on March 8, 2019:	<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.</p> <p>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 – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

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>Council study sessions were held on October 2 and December 4, 2018, to receive an update on the economic market analysis from ECONorthwest. On February 19, 2019, the City Council reviewed and provided staff direction on the ECONorthwest / Forterra final report, the Affordable Housing Task Force report recommendations, and discussed the status of the City Council Affordable Housing Ad Hoc Committee.</p> <p><a href="#">City staff is working on prioritizing and organizing work on the inclusionary zoning and other AHTF report recommendations endorsed by City Council on February 19, 2019.</a></p>
Status on March 8, 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 – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

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 March 8, 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.                      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 – [March 8, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

Moratorium Topic	Status	Timeline
Accessory Dwelling Units	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.	On October 23, 2018, the Council directed staff to prepare for the Council's consideration an ordinance to require common ownership of ADUs. <a href="#">This issue has been deferred to a future City Council meeting while waiting for the 2019 WA State Legislature to act on proposed ADU bills.</a>
Status on March 8, 2019:	Complete: Began discussions on ADU condominiums. Incomplete: Policy decision deferred to Q1 2019.	

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.

## 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



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 19, 2019

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** (7:05 PM) Water and Sewer Utilities Rate Study Report and Recommendation - Public Works,

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

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Report

**PROPOSED BY:** Public Works

**RECOMMENDED MOTION:**

Direct staff to bring back to the City Council an ordinance for implementing the water and sewer utility rate recommendations for Council approval by the end of April.

**SUMMARY:**

The City's consultant, FCS Group, will provide a presentation of their study and recommendations related to water and sewer utility rates.

**FISCAL IMPACT:**

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

**BACKGROUND:**

FCS Group has conducted a study of the City's water and sewer utilities and developed a recommendation for rate adjustments to ensure the financial health of the utilities. The Utilities Advisory Committee has provided significant review and input to the FCS report and recommendations over the past approximately six months and has prepared a memorandum summarizing their deliberations and recommendations (see attached).

Also attached are two PowerPoint presentations prepared by the FCS Group -- an executive summary and a more detailed presentation document.

**ATTACHMENTS:**

[UAC Final Recommendation Water Sewer Rates 2019.pdf](#)

[Water and Sewer Rate Study - Executive Summary](#)

[Water and Sewer Rate Study \(UAC 3-19-19\)](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**

**CITY OF BAINBRIDGE ISLAND  
MEMORANDUM**

**TO:** City Council

**FROM:** Utility Advisory Committee

**DATE:** March 7, 2019

**SUBJECT:** Recommendation Regarding Revision to Water and Sewer Rates

Beginning in March 2018, the City undertook a study of the rates and fees charged by its water and sewer utilities. The City retained a financial consultant, who worked with the staff and Utility Advisory Committee (“UAC”) to evaluate the finances of the utilities and, if necessary, to make recommendations to adjust the rates. The consultant has prepared a report, dated March 7, 2019, detailing the analysis and recommendations. The UAC recommends adoption of the revised rates contained therein.

**I. Background of Rate Study**

It is standard practice for utility systems to conduct studies of their rates, charges, and fees at periodic intervals to ensure they provide adequate revenue for the utilities, and to insure the rates, charges, and fees are in conformance with state law.

Such studies are frequently conducted following a utility’s completion of periodic comprehensive system plans. COBI completed updates to its Sewer System Plan in 2015 and its Water System Plan in 2016-7. In both utilities, it had been many years since previous System Plans had been adopted.

It had also been many years since the City’s utility rates, charges, and fees had been evaluated and reconsidered. The City last performed a study to update rates in 2009, but never implemented its recommendations. (This was apparently due to the financial challenges experienced by the City during the recession.) As

such, the current rate and fee structure has been in existence for a very long time without review. Therefore, in August 2017, the UAC recommended that a rate study be conducted, and the City Council agreed and authorized the current study.

This rate study actually includes an evaluation of six different City utility rates and fees. They are:

1. Winslow water system rates
2. Rockaway Beach water system rates
3. Winslow sewer system rates
4. South Island sewer system rates
5. System participation fees (SPFs) for both water systems
6. SPFs for both sewer systems

In March 2018, the City hired a consultant, Financial Consulting Solutions Group, to evaluate the utilities' rates and make recommendations to City management, the UAC, and ultimately the City Council.

The consultant developed preliminary recommendations which were first presented to the UAC on July 11, 2018. Thereafter, the consultant met with the UAC at 13 additional meetings. The meetings involved comprehensive discussions of the consultant's findings, consideration of financial policies applicable to the utilities, and evaluation of multiple alternatives for implementing adjustments to the rates.

In the fall of 2018, the consultant and UAC completed analysis of the SPFs, and on November 14, 2018, the UAC formally recommended approval of the consultant's recommendations to modify the SPFs (listed above as items 5 and 6). The City Council approved the modifications on December 11, 2018.

Thereafter, the UAC continued its discussions with the consultant and staff regarding the rates charged in the Winslow water and sewer systems, the Rockaway Beach water system, and the South Island Sewer System (listed above as items 1 through 4).

When considering the appropriateness of utility rates, many factors are considered:

1. Revenue requirements of the systems;
2. Projected capital improvements;
3. Cost to serve each class of customer (e.g., single family residential, multi-family residential, commercial, irrigation); These costs usually vary among the classes because operating and capital expenses typically are not equitably allocated to each.
4. Allocation of charges to a minimum level of service (the “base rate”) as opposed to a customer’s actual usage of water or sewer (“consumption rate”);
5. Impact on customers for each separate utility and for the combined users of water and sewer (most, but not all, Winslow residents are served by both water and sewer utilities).

## II. Summary of Financial Condition of Utilities

Before discussing the rates, short comments on the financial condition of the four utility systems will provide some context. In general, the City’s four separate water and sewer systems are financially sound. However, each is different. Below is a summary of each:

### 1. Winslow Water System (2598 customers).

The water system has low rates in comparison to other water utilities, and significant reserves (\$7,600,000). It has no debt. Planned CIP projects totaling \$9,200,000 over the next 6 years, most notably for replacement of the high school storage tanks, will draw down most of the reserves. Therefore, it is projected that a modest rate increase and limited issuance of bonded debt will be necessary to cover increased costs and ensure maintenance of an adequate reserve.

2. Rockaway Beach Water System (70 customers).

Although this water system is physically separate from Winslow's water system, its operations are fully integrated with it.

Rockaway Beach customers pay slightly higher rates than Winslow customers, a vestige of the late 1990's transfer of the system to the City.

3. Winslow Sewer System (2114 customers).

The Winslow sewer system has relatively higher rates in comparison to other local sewer utilities, primarily driven by past expensive upgrades to the Winslow Wastewater Treatment Plant and other projects (such as the reconstruction of an Eagle Harbor beach main). The system has current reserves of \$6,600,000. The 6-year CIP projected at \$9,800,000 includes, among other projects, expensive reconstruction and renovation of pump stations, and thus it is expected that a bond issue will be issued in 2021.

4. South Island Sewer (225 customers).

This stand-alone sewer system utilizes the City's collection system with treatment of effluent provided by Sewer District #7 (pursuant to a contract with the City). The customers' sewer rates do not currently include the cost of planned capital upgrades to the system, a vestige of the 2000's construction of the system.

The consultant's analysis of the systems revealed that the costs to serve certain classes of customers did not match the rates charged for those same classes. This finding is not surprising as it has been many years – perhaps decades – since a cost-of-service adjustment was implemented. In fact, reviewing costs-of-service allocation is precisely why periodic rate studies are conducted by utilities.

### III. Analysis by UAC of Water and Sewer Rates

With the above summary in mind, the consultant, staff, and UAC concluded that a relatively modest increase in revenue was needed for each utility, but that adjustments in greater or lesser percentages were needed in specific classes of customers.

#### 1. Winslow water system.

- a. The system should increase revenue by approximately \$50,000 each year over the next 5 years to keep abreast of rising costs. To partially fund this goal, a modest (2.0%) aggregate rate increase per year is necessary. This additional revenue will not fully fund capital needs. Modest use of future debt is recommended considering the long-term useful life of the assets.
- b. Capital and operational costs indicate that rates for single family customers should be increased greater than the 2% aggregate, and rates for multi-family, commercial, and irrigation customers should be decreased. Rather than immediately making such an increase or decrease, the UAC recommends that adjustment of rates between classes of customers be phased in over 3 years, and thereafter the rates be increased by 2% across the board.

#### 2. Rockaway Beach water system.

- a. The conclusions discussed directly above apply similarly to the Rockaway Beach system. It is noteworthy that all of Rockaway Beach's customers are in the single-family residential class.
- b. Continuing to charge slightly higher rates than Winslow's is no longer justified, and therefore the rates should be adjusted to be the same as Winslow.

3. Winslow sewer system.

- a. The system should increase revenue by approximately \$130,000 each year over the next 5 years. This additional revenue will mean that an aggregate rate increase of 2.0% per year is necessary.
- b. The utility is forecast to continue paying down significant debt (in excess of \$1,000,000 annually) while planning to implement a major capital improvement program. Recognizing the impact on rate payers, the proposal combines a strategy of modest rate increases with future debt. Overall, the proposal will provide for the financial requirements of the utility, while moderating rate increases and achieving a net reduction in indebtedness.
- c. Capital and operational costs indicate that rates for single family and multi-family customers should be decreased rather than increased by 2% per year, and rates for non-residential customers should be increased greater than 2% per year. Rather than immediately making such increase or decrease, the UAC recommends that adjustment of rates between classes of customers be phased in over 3 years, and thereafter the rates be increased by 2% across the board.

4. South Island sewer system.

- a. The conclusions discussed directly above apply similarly to the South Island sewer system.
- b. Current rates do not recover costs needed for capital reinvestment in the city's collection system. Accordingly, the rates are being increased to include those costs.

#### **IV. Policy Considerations**

During the 13 meetings the UAC devoted to this topic, the consultant, staff, and UAC discussed many policies for the utilities, and how their implementation would impact the classes of water and sewer customers.

The most Important of the policy considerations discussed were the following:

##### **1. Capital Project Funding.**

All utilities must continually reinvest in their facilities by construction of capital projects. Should this reinvestment be funded by rates (paid by current ratepayers), bond issues (paid by future ratepayers), or a combination of both?

The UAC answered this by concluding that the systems should employ a combination of both, that is through accumulation of rate-generated reserves and issuance of bonded debt for projects with long-term useful lives.

##### **2. Adjustment of Rates Among Classes.**

As mentioned, it is very common that a rate study reveals that certain classes of customers are paying more or less than the infrastructure and operational costs necessary to serve the classes. How should the inevitable adjustments in rates among classes of customers be implemented?

The UAC answered this by concluding that adjustments of rates among classes should be phased in over three years to allow for better financial planning for customers.

3. Base Versus Volume Charges.

The water and sewer utilities have a wide variety of users, particularly within the commercial class. Some have small impacts on the systems, such as professional offices, while others are major users of water and sewer, such as restaurants. Still others, like churches, have large fire flow requirements yet only intermittent usage. How should the rates for these non-residential customers be established to fairly pay for the cost of infrastructure and service?

The UAC considered establishing additional classes of commercial customers to segregate costs accordingly, but was hesitant because of the increase in administration necessary to do so. Rather, the UAC decided to primarily increase rates for usage of water/sewer (known as the "volume charge") rather than increasing the base charge for a service connection. This method more fairly allocates the costs to those customers using larger volumes of water and sewer.

V. Conclusion

The UAC recommends approval of the water and sewer rates contained in the consultant's report dated March 7, 2019.

APPROVED BY THE UTILITY ADVISORY COMMITTEE ON MARCH 7, 2019

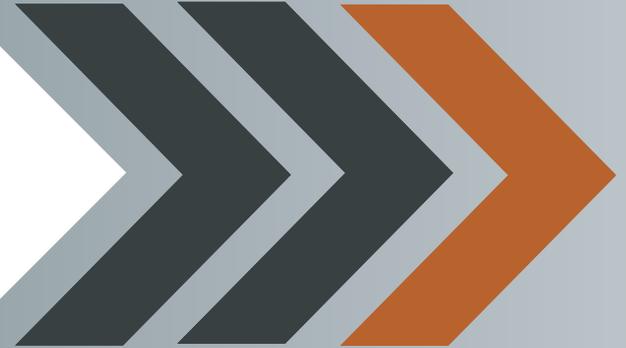
  
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Jeff Kanter and Andrew Maron, Co-Chairs

Charles Averill, Steven Johnson, Ted Jones, Nancy Nolan, Emily Sato



CITY OF  
BAINBRIDGE ISLAND



# Water & Sewer Rate Study

Presented by:  
Chris Gonzalez, Senior Project Manager

March 19, 2019



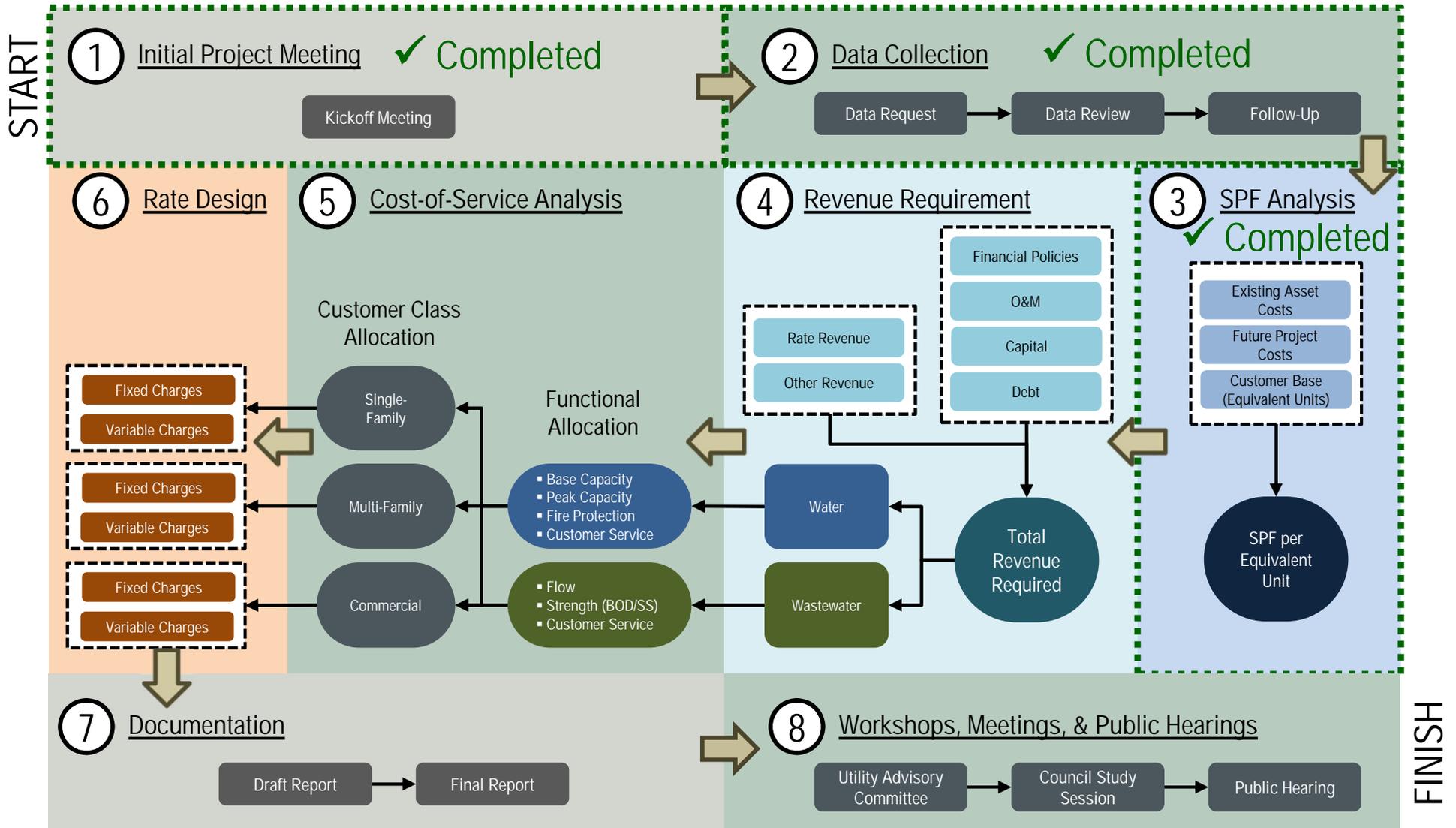
# Agenda

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- ◆ Overview of Project Scope
- ◆ Summary of Recommendations
  - Winslow Water Rates
  - Rockaway Beach Water Rates
  - Winslow Sewer Rates
  - South Island Sewer Rates
- ◆ Questions/Discussion



# Overview of Project Scope





# Winslow Water Rate Recommendations

- ◆ Target aggregate water rate revenue increases of 2.0% per year
  - Needed to keep up with rising operating costs and projected debt service
  - Increases would need to be 6.0 – 6.5% per year to cash-fund 2019 – 2024 capital plan
- ◆ Impose class-specific rate increases to reach cost of service by 2021

Water Rate Increases – Winslow	2019	2020	2021
Single-Family	+7.6%	+3.7%	+3.6%
Multi-Family	0.0%	0.0%	+0.2%
Commercial	-0.8%	0.0%	0.0%
Irrigation	-13.5%	0.0%	0.0%
Other (Mixed Use)	-23.7%	0.0%	0.0%

Beyond 2021, rate revenue increases would apply across the board until the next rate review

- ◆ Modify water rate structure to:
  - Consolidate the five existing mixed-use customers into commercial class (eff. 2019)
  - Move multi-family and commercial/mixed-use customers to uniform volume rates
    - Multi-family currently subject to an inclining-block volume rate
    - Commercial/mixed-use currently subject to a seasonal volume rate



# Recommended Water Rates – Winslow

Monthly Water Rates: Residential	
Base Rate – Up to 3/4" Meter	
Base Rate – 1" Meter	
Base Rate – 1-1/2" Meter	
Base Rate per Living Unit	
Consumption Charge per ccf	
First 5 ccf (0 – 5 ccf)	
Next 7 ccf (6 – 12 ccf)	
Next 18 ccf (13 – 30 ccf)	
Over 30 ccf	

Single-Family				
Existing	2019	2020	2021	
\$10.77	\$11.59	\$12.02	\$12.45	
\$21.24	\$22.85	\$23.70	\$24.55	
\$38.72	\$41.65	\$43.20	\$44.75	
\$1.09	\$1.17	\$1.22	\$1.26	
\$1.76	\$1.89	\$1.96	\$2.03	
\$2.49	\$2.68	\$2.78	\$2.88	
\$3.39	\$3.65	\$3.78	\$3.92	

Multi-Family				
Existing	2019	2020	2021	
\$5.37	\$5.37	\$5.37	\$5.38	
	\$1.11	\$1.11	\$1.11	
\$1.09				
\$1.76				
\$2.49				
\$3.39				

Monthly Water Rates: Non-Residential	
Base Rate – Up to 3/4" Meter	
Base Rate – 1" Meter	
Base Rate – 1-1/2" Meter	
Base Rate – 2" Meter	
Base Rate – 3" Meter	
Base Rate – 4" Meter	
Base Rate – 6" Meter	
Consumption Charge per ccf	
Winter (November – April)	
Summer (May – October)	

Commercial/Mixed Use				
Existing <sup>1</sup>	2019	2020	2021	
\$16.45	\$16.33	\$16.33	\$16.33	
\$36.40	\$36.12	\$36.12	\$36.12	
\$69.78	\$69.25	\$69.25	\$69.25	
\$109.52	\$108.69	\$108.69	\$108.69	
\$215.89	\$214.25	\$214.25	\$214.25	
\$335.55	\$333.00	\$333.00	\$333.00	
\$667.94	\$662.87	\$662.87	\$662.87	
	\$1.54	\$1.54	\$1.54	
\$1.43				
\$1.65				

Irrigation				
Existing	2019	2020	2021	
\$4.73	\$4.09	\$4.09	\$4.09	
\$6.22	\$5.38	\$5.38	\$5.38	
\$8.70	\$7.53	\$7.53	\$7.53	
\$11.70	\$10.12	\$10.12	\$10.13	
\$19.64	\$16.99	\$16.99	\$17.00	
\$28.59	\$24.74	\$24.74	\$24.75	
\$53.47	\$46.26	\$46.26	\$46.28	
\$3.89	\$3.37	\$3.37	\$3.37	

<sup>1</sup>Mixed-use customers currently pay a base rate that is ≈ 50% higher than the applicable commercial base rates.



# Rockaway Beach Water Rate Recommendations

- ◆ Modify water rate structure to:
  - Consolidate Rockaway Beach into Winslow single-family class (effective 2020)

Recommended Water Rates	Rockaway Beach			
	Existing	2019	2020	2021
Annual Water Rate Increase		0.0%	3.3%	3.6%
Base Rate – Up to 3/4" Meter	\$11.64	\$11.64	\$12.02	\$12.45
Base Rate – 1" Meter	\$22.94	\$22.94	\$23.70	\$24.55
Base Rate – 1-1/2" Meter	\$41.85	\$41.85	\$43.20	\$44.75
Consumption Charge per ccf				
First 5 ccf (0 – 5 ccf)	\$1.18	\$1.18	\$1.22	\$1.26
Next 7 ccf (6 – 12 ccf)	\$1.90	\$1.90	\$1.96	\$2.03
Next 18 ccf (13 – 30 ccf)	\$2.69	\$2.69	\$2.78	\$2.88
Over 30 ccf	\$3.66	\$3.66	\$3.78	\$3.92

Beyond 2021, rate revenue increases would apply across the board until the next rate review



# Winslow Sewer Rate Recommendations

- ◆ Target aggregate sewer rate revenue increases of 2.0% per year
  - Needed to cover projected new debt service attributable to 2019 – 2014 capital plan
  - Increases would need to be 4.0 – 4.5% per year to cash-fund 2019 – 2024 capital plan
- ◆ Impose class-specific rate increases to reach cost of service by 2021

Sewer Rate Increases – Winslow		2019	2020	2021
<b>Single-Family</b>				
Annual Rate Increase		-3.2%	-3.2%	-3.2%
Monthly Base Charge per Unit	\$42.69	\$41.32	\$40.00	\$38.74
Volume Charge per ccf <sup>1</sup>	\$7.28	\$7.05	\$6.82	\$6.61
Sewer-Only Base Charge per ERU	\$119.80	\$115.97	\$112.26	\$108.72
<b>Multi-Family</b>				
Annual Rate Increase		-5.1%	-8.2%	-12.4%
Monthly Base Charge per Unit	\$37.39	\$35.12	\$31.33	\$25.79
Volume Charge per ccf <sup>1</sup>	\$7.28	\$7.05	\$6.82	\$6.61
<b>Commercial</b>				
Annual Rate Increase		+19.1%	+19.1%	+19.0%
Monthly Base Charge per Unit	\$123.69	\$126.16	\$128.69	\$131.26
Volume Charge per ccf	\$7.28	\$9.47	\$12.10	\$15.23
Sewer-Only Base Charge per ERU	\$129.43	\$154.15	\$183.59	\$218.47

Multi-family volume charge is decreased with the single-family charge; remainder of decrease factored into base charge per unit.

Commercial base charge is increased by 2% per year; remainder of increase factored into volume charge.

Beyond 2021, rate revenue increases would apply across the board until the next rate review

<sup>1</sup>From mid-Jun – mid-Sep, residential users are billed for their average water usage from mid-December through mid-May.



# South Island Sewer Rate Recommendations

- ◆ Also reflects aggregate sewer rate revenue increases of 2.0% per year
- ◆ Impose class-specific rate increases to reach cost of service by 2021

Monthly Sewer Rates: Single-Family Residential	South Island Sewer <sup>1</sup>			
	Existing	2019	2020	2021
Annual Rate Increase <sup>2</sup>		+17.6%	+17.6%	+17.5%
With Grinder Pump	\$23.59	\$27.74	\$32.62	\$38.33
No Grinder Pump	\$19.42	\$22.84	\$26.86	\$31.55

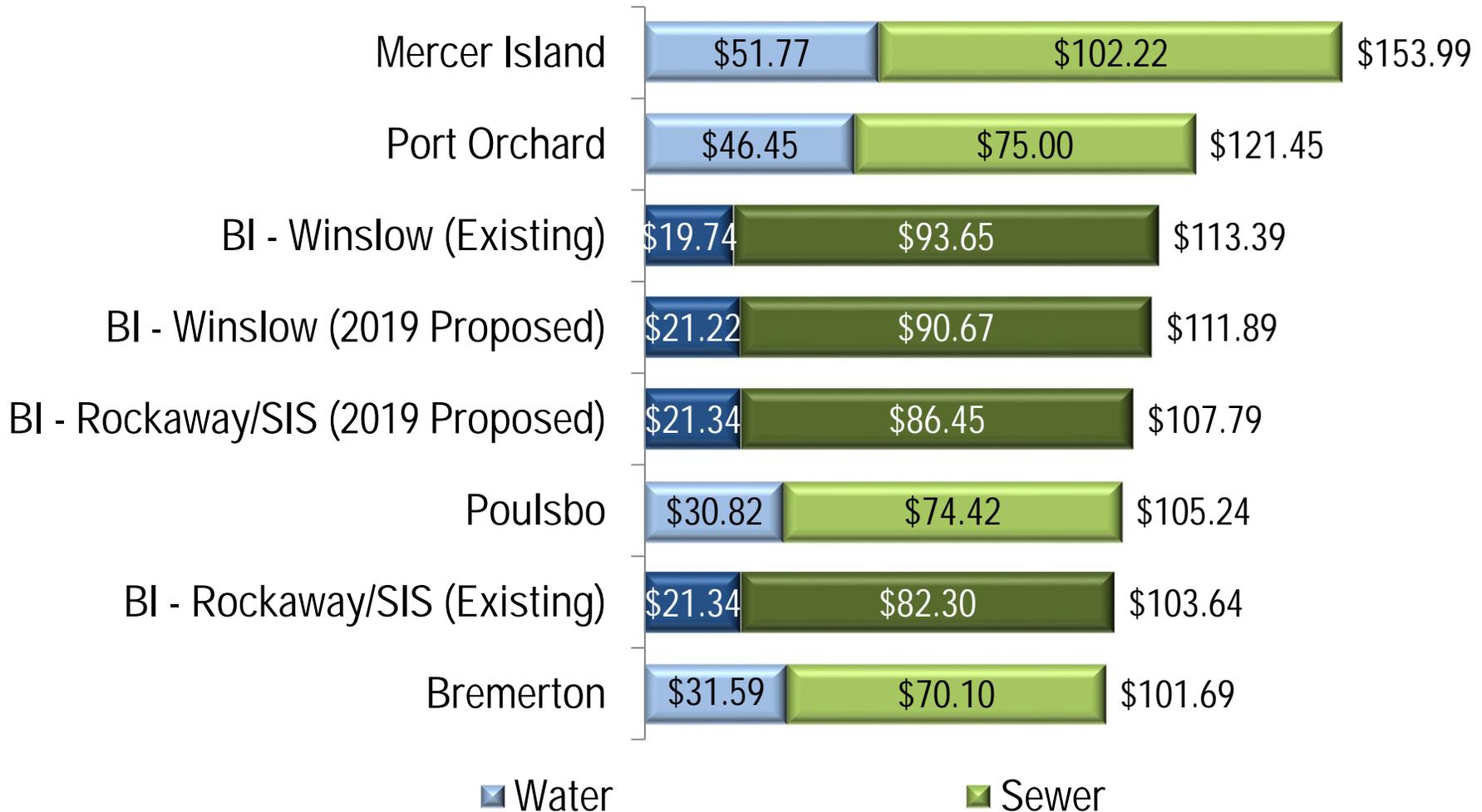
Beyond 2021, rate revenue increases would apply across the board until the next rate review

<sup>1</sup>South Island Sewer customers also pay \$58.71 per ERU per month for KCSD #7 treatment service.

<sup>2</sup>Rate increases only apply to the City's portion of the rate.



# Sample Monthly Bill – 3/4" Single-Family @ 7 ccf





# Sample Monthly Bill Impacts – Residential

Monthly Bill	Mar-Apr Usage	Existing (2019)	Phased COS (Recommended)			Sep-Oct Usage	Existing (2019)	Phased COS (Recommended)		
			2019	2020	2021			2019	2020	2021
<b>Winslow Single Fam. (3/4")</b>										
Water Bill	4 ccf	\$ 15.13	\$ 16.27	\$ 16.90	\$ 17.49	7 ccf	\$ 19.74	\$ 21.22	\$ 22.04	\$ 22.81
Sewer Bill	4 ccf	71.81	69.52	67.28	65.18	3 ccf	64.53	62.47	60.46	58.57
<b>Total Bill</b>		<b>\$ 86.94</b>	<b>\$ 85.79</b>	<b>\$ 84.18</b>	<b>\$ 82.67</b>		<b>\$ 84.27</b>	<b>\$ 83.69</b>	<b>\$ 82.50</b>	<b>\$ 81.38</b>
% Δ From Prior Year			-1.3%	-1.9%	-1.8%			-0.7%	-1.4%	-1.4%
<b>Rockaway Beach SF (3/4")</b>										
Water Bill	5 ccf	\$ 17.54	\$ 17.54	\$ 18.12	\$ 18.75	3 ccf	\$ 15.18	\$ 15.18	\$ 15.68	\$ 16.23
Sewer Bill (City)	5 ccf	23.59	27.74	32.62	38.33	6 ccf	23.59	27.74	32.62	38.33
Sewer Bill (KCSD #7)		58.71	58.71	58.71	58.71		58.71	58.71	58.71	58.71
<b>Total Bill</b>		<b>\$ 99.84</b>	<b>\$ 103.99</b>	<b>\$ 109.45</b>	<b>\$ 115.79</b>		<b>\$ 97.48</b>	<b>\$ 101.63</b>	<b>\$ 107.01</b>	<b>\$ 113.27</b>
% Δ From Prior Year			+4.2%	+5.3%	+5.8%			+4.3%	+5.3%	+5.8%
<b>Multi-Family A (1", 60 Units)</b>										
Water Bill	100 ccf	\$ 431.20	\$ 433.20	\$ 433.20	\$ 433.80	187 ccf	\$ 526.03	\$ 529.77	\$ 529.77	\$ 530.37
Sewer Bill	100 ccf	2,971.40	2,812.20	2,561.80	2,208.40	187 ccf	3,604.76	3,425.55	3,155.14	2,783.47
<b>Total Bill</b>		<b>\$3,402.60</b>	<b>\$3,245.40</b>	<b>\$2,995.00</b>	<b>\$2,642.20</b>		<b>\$4,130.79</b>	<b>\$3,955.32</b>	<b>\$3,684.91</b>	<b>\$3,313.84</b>
% Δ From Prior Year			-4.6%	-7.7%	-11.8%			-4.2%	-6.8%	-10.1%
<b>Multi-Family B (2", 50 Units)</b>										
Water Bill	132 ccf	\$ 412.38	\$ 415.02	\$ 415.02	\$ 415.52	312 ccf	\$ 650.12	\$ 614.82	\$ 614.82	\$ 615.32
Sewer Bill	132 ccf	2,830.46	2,686.60	2,466.74	2,161.02	312 ccf	4,140.86	3,955.60	3,694.34	3,351.82
<b>Total Bill</b>		<b>\$3,242.84</b>	<b>\$3,101.62</b>	<b>\$2,881.76</b>	<b>\$2,577.54</b>		<b>\$4,790.98</b>	<b>\$4,570.42</b>	<b>\$4,309.16</b>	<b>\$3,967.14</b>
% Δ From Prior Year			-4.4%	-7.1%	-10.6%			-4.6%	-5.7%	-7.9%



# Sample Monthly Bill Impacts – Non-Residential

Monthly Bill	Mar-Apr Usage	Existing (2019)	Phased COS (Recommended)			Sep-Oct Usage	Existing (2019)	Phased COS (Recommended)		
			2019	2020	2021			2019	2020	2021
<b>Restaurant (3/4")</b>										
Water Bill	61 ccf	\$ 103.68	\$ 110.27	\$ 110.27	\$ 110.27	82 ccf	\$ 151.75	\$ 142.61	\$ 142.61	\$ 142.61
Sewer Bill	61 ccf	567.77	703.83	866.79	1,060.29	82 ccf	720.65	902.70	1,120.89	1,380.12
Total Bill		\$ 671.45	\$ 814.10	\$ 977.06	\$1,170.56		\$ 872.40	\$1,045.31	\$1,263.50	\$1,522.73
% Δ From Prior Year			+21.2%	+20.0%	+19.8%			+19.8%	+20.9%	+20.5%
<b>Church (1-1/2")</b>										
Water Bill	13 ccf	\$ 88.37	\$ 89.27	\$ 89.27	\$ 89.27	24 ccf	\$ 109.38	\$ 106.21	\$ 106.21	\$ 106.21
Sewer Bill	13 ccf	218.33	249.27	285.99	329.25	24 ccf	298.41	353.44	419.09	496.78
Total Bill		\$ 306.70	\$ 338.54	\$ 375.26	\$ 418.52		\$ 407.79	\$ 459.65	\$ 525.30	\$ 602.99
% Δ From Prior Year			+10.4%	+10.8%	+11.5%			+12.7%	+14.3%	+14.8%
<b>Hotel (3")</b>										
Water Bill	29 ccf	\$ 257.36	\$ 258.91	\$ 258.91	\$ 258.91	61 ccf	\$ 316.54	\$ 308.19	\$ 308.19	\$ 308.19
Sewer Bill	29 ccf	334.81	400.79	479.59	572.93	61 ccf	567.77	703.83	866.79	1,060.29
Total Bill		\$ 592.17	\$ 659.70	\$ 738.50	\$ 831.84		\$ 884.31	\$1,012.02	\$1,174.98	\$1,368.48
% Δ From Prior Year			+11.4%	+11.9%	+12.6%			+14.4%	+16.1%	+16.5%
<b>School District (2")</b>										
Water Bill	66 ccf	\$ 203.90	\$ 210.33	\$ 210.33	\$ 210.33	47 ccf	\$ 187.07	\$ 181.07	\$ 181.07	\$ 181.07
Sewer Bill	66 ccf	604.17	751.18	927.29	1,136.44	47 ccf	465.85	571.25	697.39	847.07
Total Bill		\$ 808.07	\$ 961.51	\$1,137.62	\$1,346.77		\$ 652.92	\$ 752.32	\$ 878.46	\$1,028.14
% Δ From Prior Year			+19.0%	+18.3%	+18.4%			+15.2%	+16.8%	+17.0%



# Questions / Discussion

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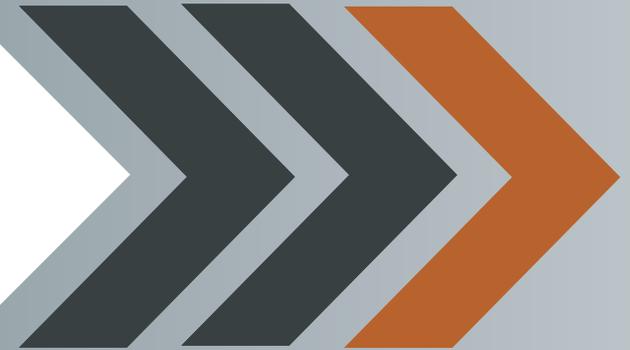


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CITY OF  
BAINBRIDGE ISLAND



# Water & Sewer Rate Study

Presented by:  
Chris Gonzalez, Senior Project Manager

March 19, 2019



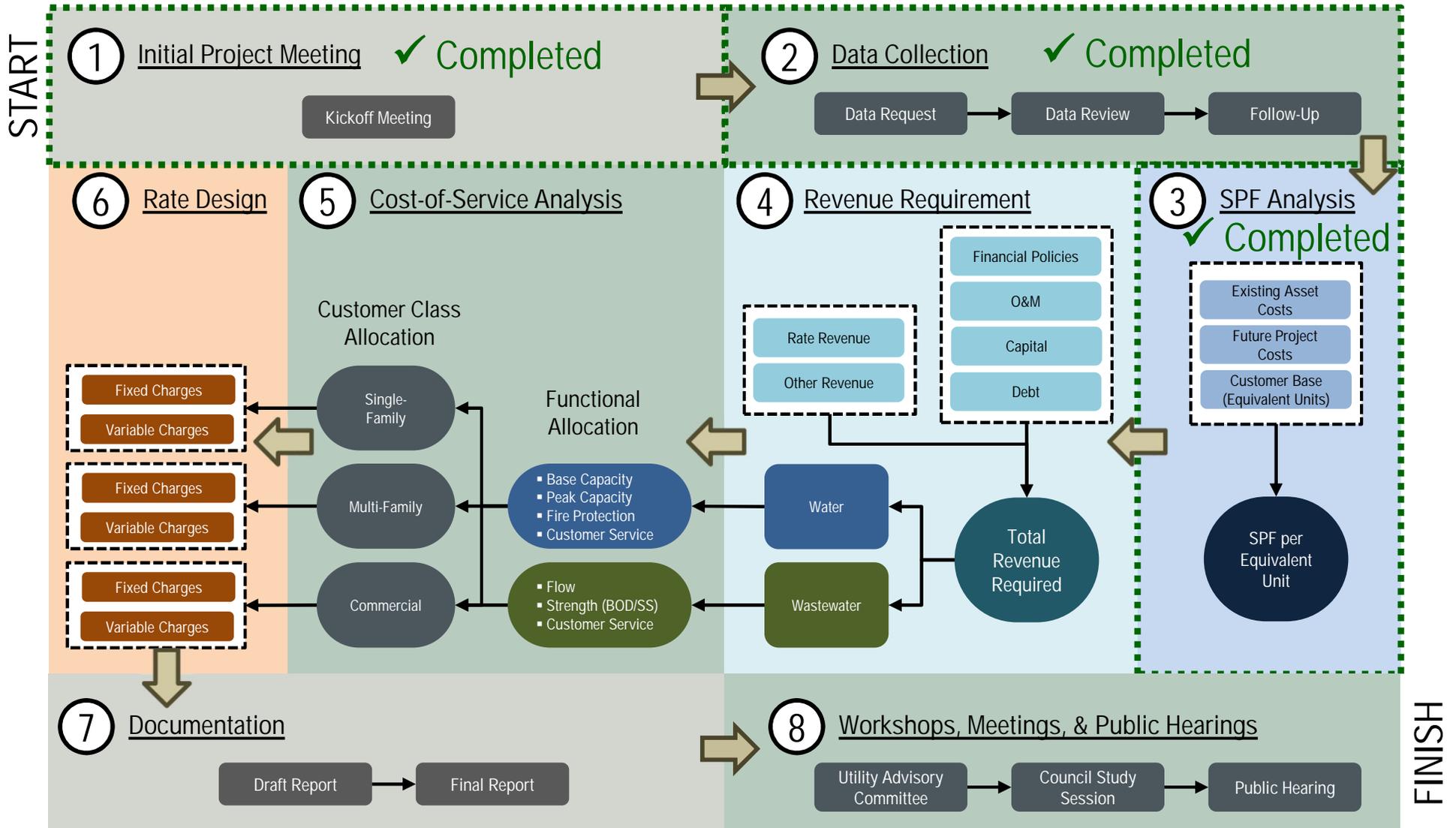
# Agenda

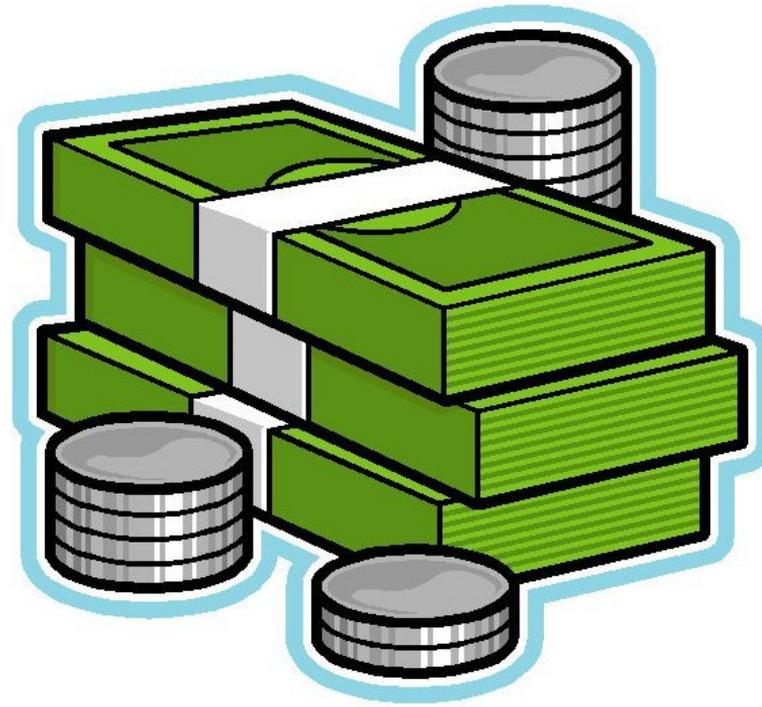
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- ◆ Overview of Project Scope
- ◆ Review of Results
  - Revenue Requirements
  - Cost-of-Service
  - Rate Design
- ◆ Questions/Discussion



# Overview of Project Scope





## Revenue Requirement Analysis

What revenue adjustments are needed to cover each utility's costs?



# Revenue Requirement Analysis

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- ◆ Defines “cost-based rates” as rates based on aggregate obligations
  - Operating costs
  - Capital project expenditures
  - Debt service payments
  - Other financial needs
- ◆ Establishes a multi-year financial plan beyond the current budget cycle
- ◆ Key Elements of Revenue Requirement Analysis:
  - Defining revenues and expenses
  - Developing capital funding strategy
  - Establishing fiscal policy “framework”





# Fiscal Policy Framework for Rate Study

Fiscal Policy	Current City Policy?	Purpose	Target		
			Policy	Water (2019)	Sewer (2019)
Operating Reserve	Yes	Liquidity cushion to accommodate fluctuations in cash flow	60 Days of Operating Expenses	\$272,000	\$515,000
Capital Reserve	Yes	To address emergency repairs and unanticipated capital repairs	1% of the cost of system assets	\$146,000	\$246,000
Debt Service Coverage	Yes	Compliance with debt covenants, preserving credit rating for future debt issuance	(N/A – City utilities do not have any debt requiring coverage)		
System Reinvestment	No	Promote ongoing system integrity through investment in the system	100% of annual depreciation expense	\$276,000	\$938,000



# Key Assumptions

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## Annual Cost Inflation

- Salaries: 2.0%
- Benefits: 4.0%
- Other Operating Costs: 2.0%
- Construction Costs: 3.0%

## Operating Forecast

- Generally based on 2019 – 2020 Budget
  - Adjusted for inflation in future years
  - Adjusted to account for one-time expenses

## Annual Growth Rates

- Based on experience since 2013
  - Winslow Residential: 1.7 – 1.8% per year
  - Winslow Commercial: 0.4% per year
  - Winslow Irrigation: 4.6% per year
  - Rockaway Beach: 0.3% per year

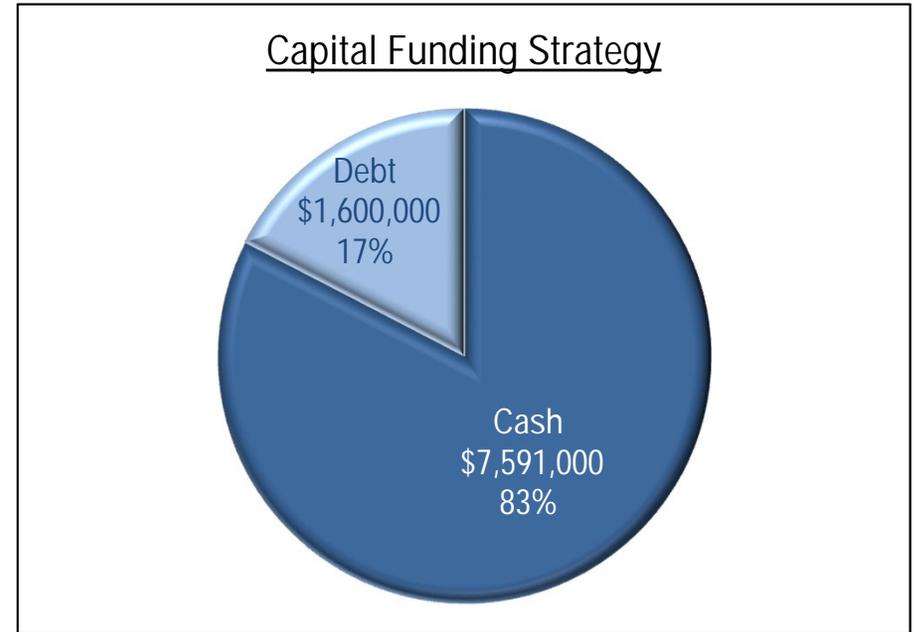
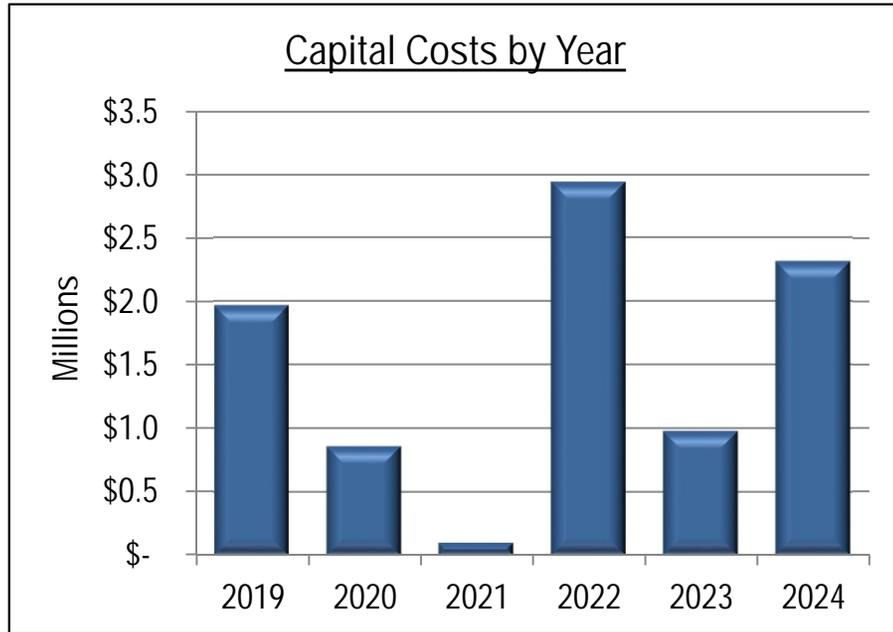


## Aggregate Growth Assumptions

- Winslow: 45 accounts per year
- Rockaway Beach: <1 account per year



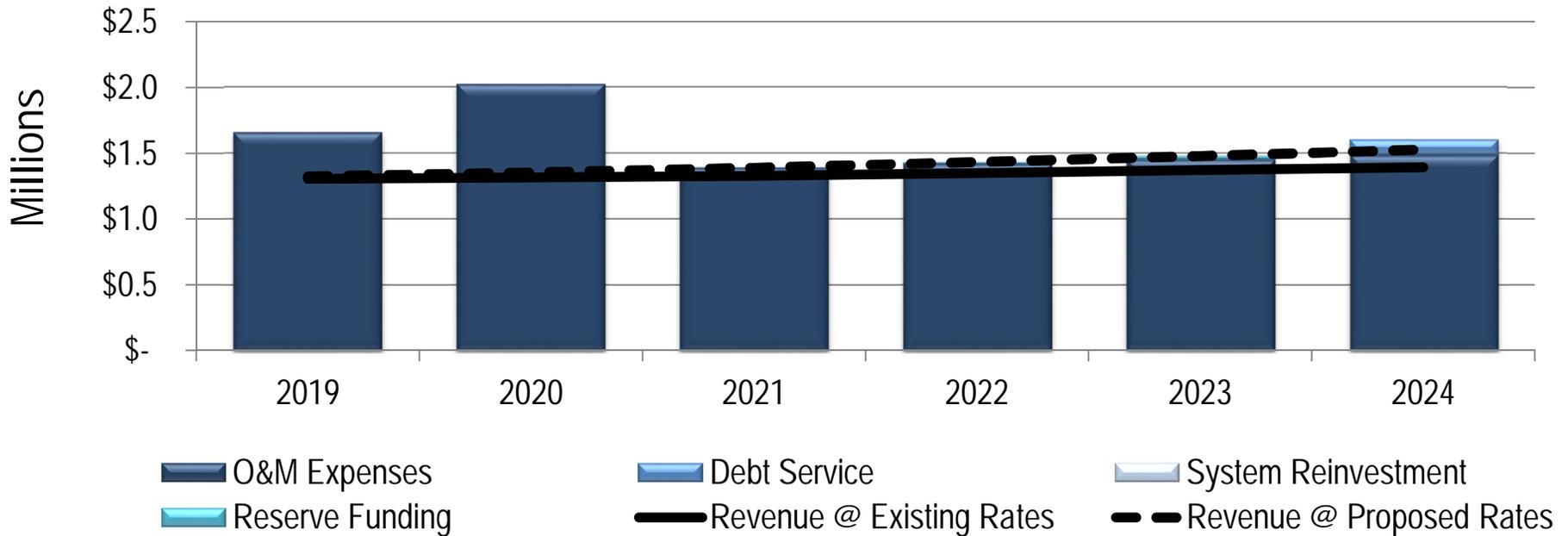
# Capital Needs Forecast – Water



- ◆ \$9,191,000 in capital projects from 2019 – 2024
  - Storage Tank: \$3,562,000
  - Water Mains: \$1,997,000
  - Supply/Treatment: \$3,154,000
  - Other: \$478,000
- ◆ Cash resources are expected to cover  $\approx$  83% of projected capital costs
  - 2024 bond issue of \$1.7 million provides \$1.6 million in net proceeds
  - Annual debt service projected to be  $\approx$  \$117,000



# Water Revenue Requirement Forecast



"Baseline" Scenario	Proposed			Projected		
	2019	2020	2021	2022	2023	2024
Annual Water Rate Revenue Increase	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%

- ◆ Rate increases are needed to keep up with rising operating costs and cover debt service
  - System reinvestment not explicitly funded during study period



# Water Financial Plan Scenarios

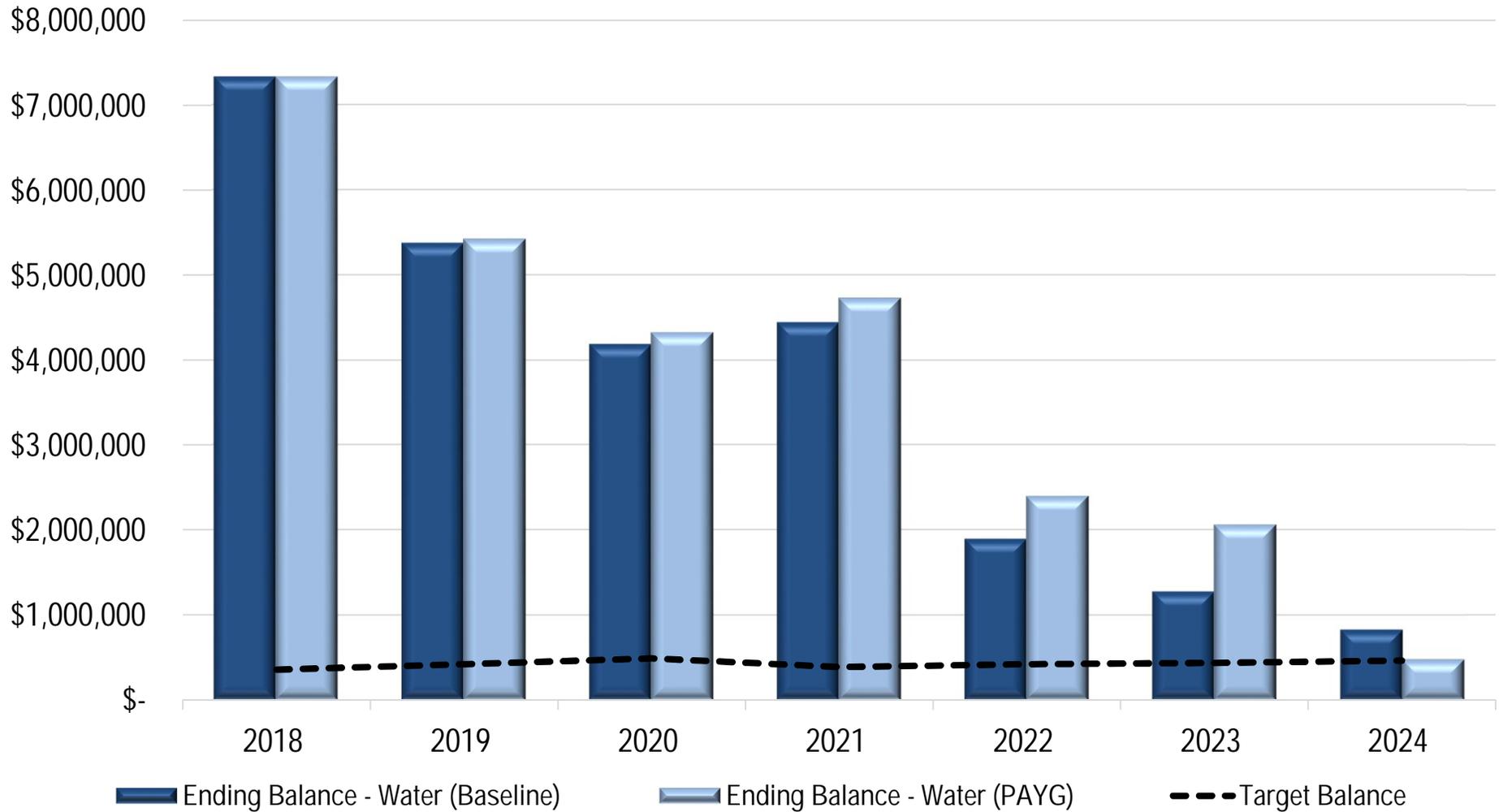
"Baseline" Scenario	2019	<u>Proposed</u>		2022	<u>Projected</u>	
		2020	2021		2023	2024
Annual Water Rate Revenue Increase	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Projected Water Rate Revenue (\$000s)	\$1,122	\$1,164	\$1,208	\$1,253	\$1,300	\$1,349
Projected Debt Issuance (\$000s)	\$ -	\$ -	\$ -	\$ -	\$ -	\$1,734
% of Depreciation Funded	0%	0%	0%	0%	0%	0%

"Pay-As-You-Go" Scenario	2019	<u>Proposed</u>		2022	<u>Projected</u>	
		2020	2021		2023	2024
Annual Water Rate Revenue Increase	6.50%	6.50%	6.50%	6.50%	6.00%	6.00%
Projected Water Rate Revenue (\$000s)	\$1,172	\$1,269	\$1,375	\$1,489	\$1,606	\$1,732
Projected Debt Issuance (\$000s)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
% of Depreciation Funded	0%	0%	44%	65%	74%	80%

- ◆ "Pay-As-You-Go" scenario sets rates to generate full cash funding for CIP
  - Eliminates need for debt issuance
  - System reinvestment reaches 80% of depreciation by 2024, full depreciation by 2028

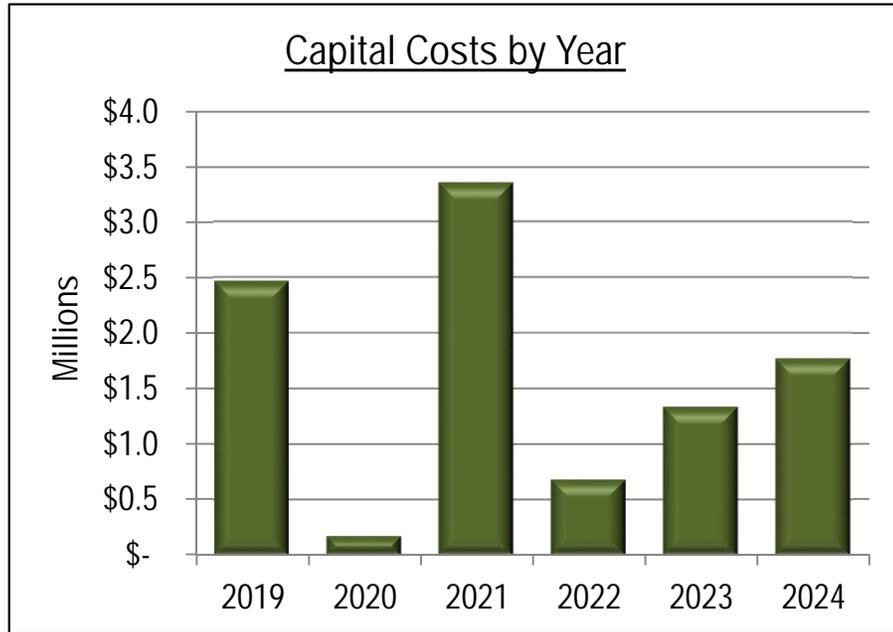


# Projected Ending Cash Balances – Water





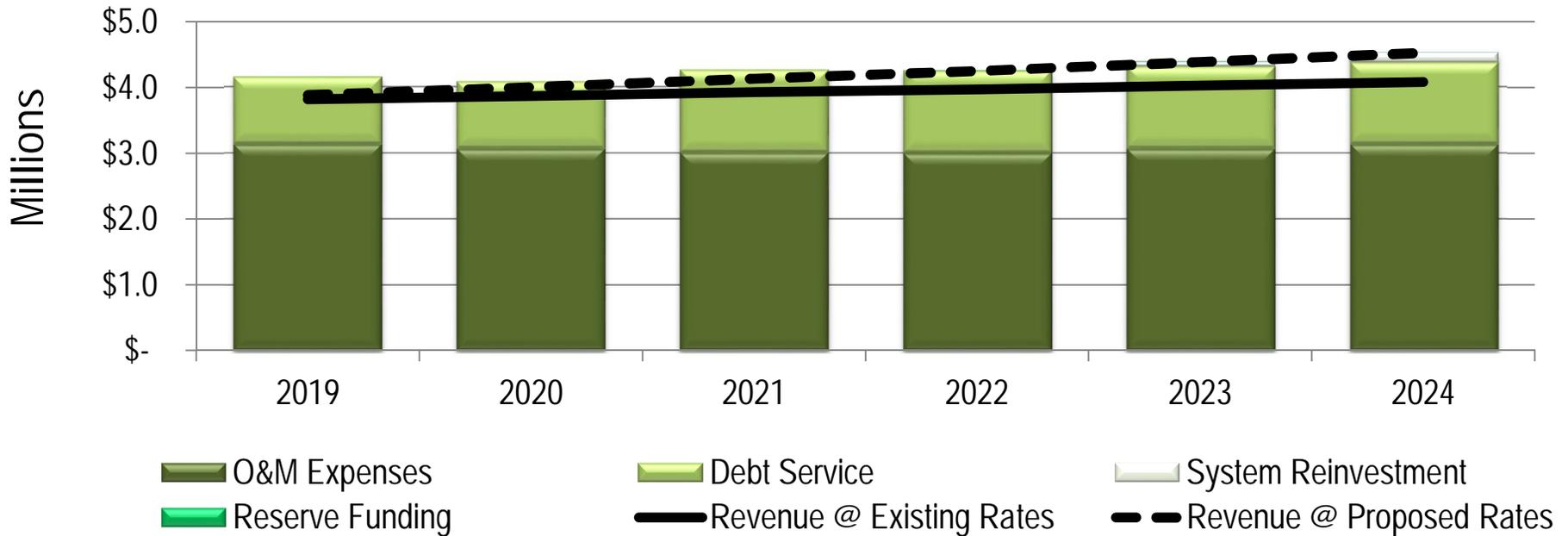
# Capital Needs Forecast – Sewer



- ◆ \$9,809,000 in capital projects from 2019 – 2024
  - Pump Stations: \$7,014,000
  - Gravity Mains: \$747,000
  - WWTP Outfall: \$1,306,000
  - Fleet: \$742,000
- ◆ Cash resources are expected to cover  $\approx 67\%$  of projected capital costs
  - 2021 bond issue of \$3.5 million provides \$3.2 million in net proceeds
  - Annual debt service projected to be  $\approx$  \$234,000



# Sewer Revenue Requirement Forecast



"Baseline" Scenario	Proposed			Projected		
	2019	2020	2021	2022	2023	2024
Annual Sewer Rate Revenue Increase	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%

- ◆ Rate increases are needed to cover new debt service attributable to CIP
  - System reinvestment begins at 8% of depreciation in 2023 and 15% in 2024; reaches 100% by 2031



# Sewer Financial Plan Scenarios

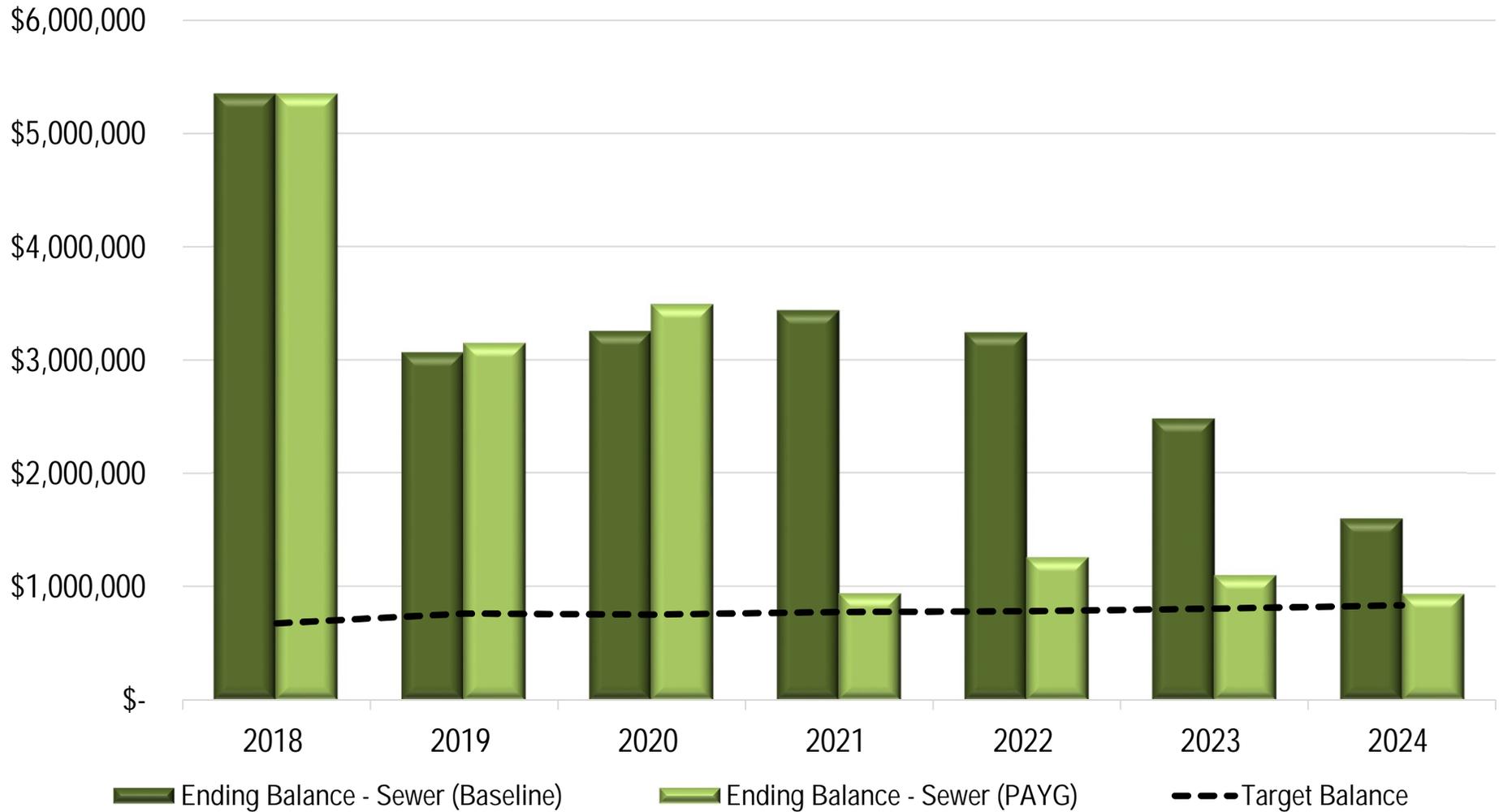
"Baseline" Scenario	Proposed			Projected		
	2019	2020	2021	2022	2023	2024
Annual Sewer Rate Revenue Increase	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Projected Sewer Rate Revenue (\$000s)	\$3,628	\$3,751	\$3,878	\$4,010	\$4,147	\$4,288
Projected Debt Issuance (\$000s)	\$ -	\$ -	\$3,469	\$ -	\$ -	\$ -
% of Depreciation Funded	0%	0%	0%	0%	8%	15%

"Pay-As-You-Go" Scenario	Proposed			Projected		
	2019	2020	2021	2022	2023	2024
Annual Sewer Rate Revenue Increase	4.50%	4.00%	4.00%	4.00%	4.00%	4.00%
Projected Sewer Rate Revenue (\$000s)	\$3,718	\$3,918	\$4,131	\$4,355	\$4,592	\$4,841
Projected Debt Issuance (\$000s)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
% of Depreciation Funded	0%	21%	36%	53%	67%	75%

- ◆ "Pay-As-You-Go" scenario sets rates to generate full cash funding for CIP
  - Eliminates need for debt issuance
  - System reinvestment reaches 75% of depreciation by 2024, full depreciation by 2027



# Projected Ending Cash Balances – Sewer





## Cost-of-Service Analysis

Do the City's rates recover costs equitably from the City's customers?

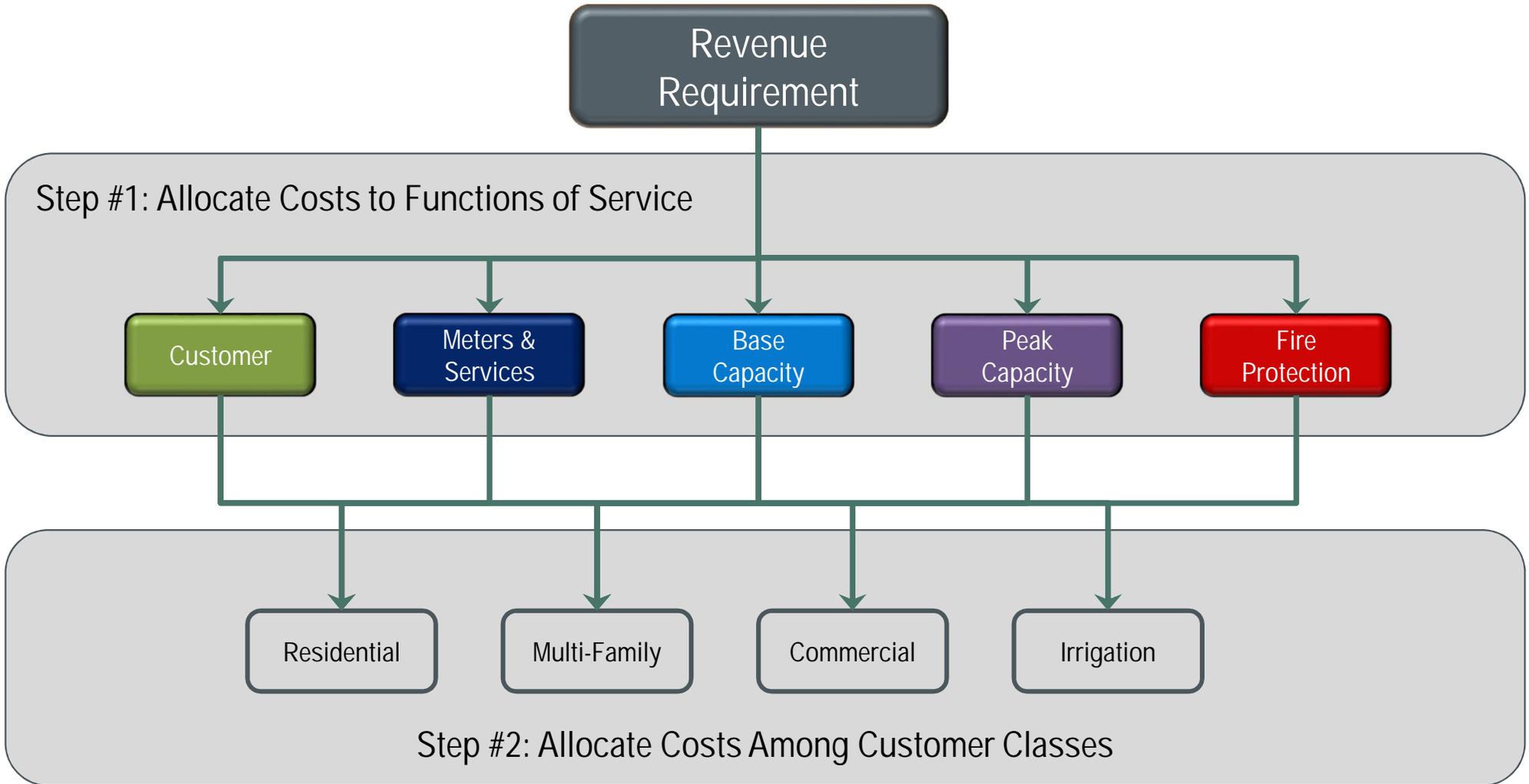


# What is a “Cost-of-Service” Analysis?

- ◆ An equitable distribution of costs that considers:
  - Measures of usage and demand
  - Planning, engineering, and design criteria
  - Facility requirements
  
- ◆ A cost-of-service analysis determines:
  - Cost of providing service by function
  - Equitable share of costs for each customer class

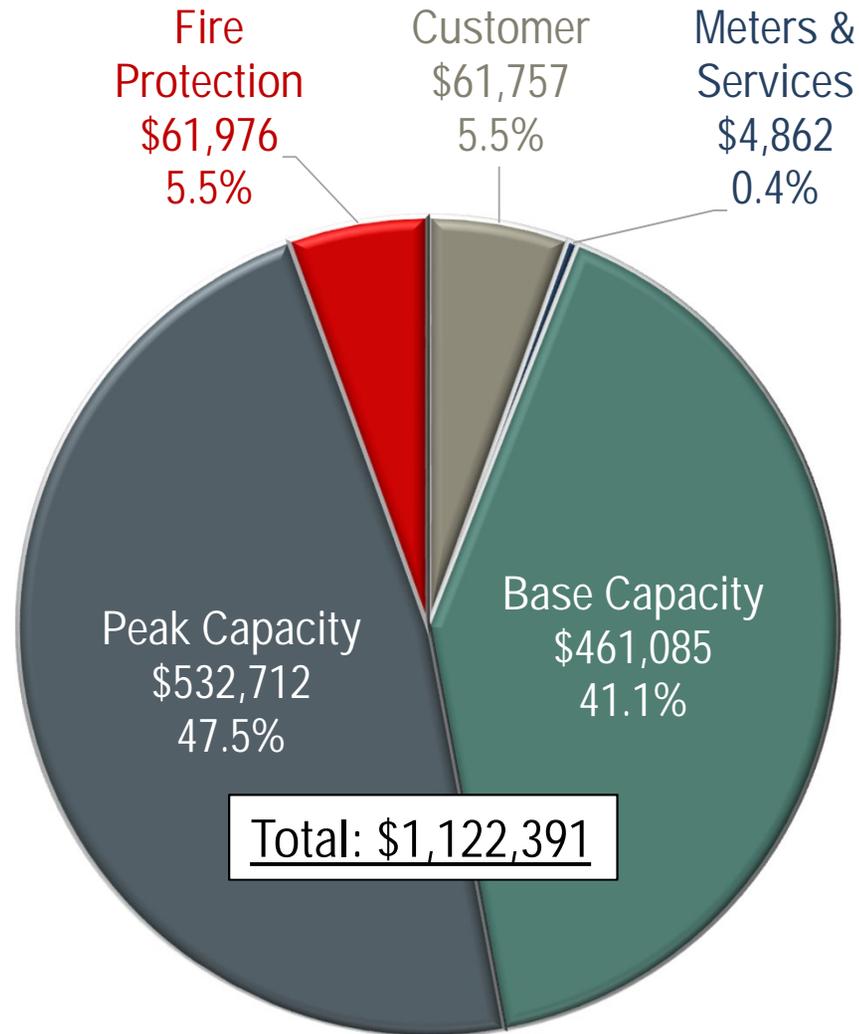


# Cost-of-Service Analysis Methodology





# Functional Allocation of 2019 Water Rev. Requirement





# Allocating Water Costs to Customer Classes

	Customer	Meters & Svcs	Base Capacity	Peak Capacity	Fire Protection
Allocation Basis	Accounts	MSEs	Annual Use	Summer Use	Fire Accounts*
Projected 2019 Metrics:					
Single-Family – Winslow	2,176	2,195	166,728 ccf	100,205 ccf	2,176
Single-Family – Rockaway Beach	70	72	7,210 ccf	3,916 ccf	70
Multi-Family	102	225	54,385 ccf	27,759 ccf	153
Commercial	243	365	75,808 ccf	41,516 ccf	364
Irrigation	72	104	27,990 ccf	20,161 ccf	0
Other (Mixed-Use)	<u>5</u>	<u>15</u>	<u>2,069 ccf</u>	<u>1,041 ccf</u>	<u>7</u>
Total	2,668	2,975	334,190 ccf	194,597 ccf	2,770
Percent of Total:					
Single-Family – Winslow	81.6%	73.8%	49.9%	51.5%	78.6%
Single-Family – Rockaway Beach	2.6%	2.4%	2.2%	2.0%	2.5%
Multi-Family	3.8%	7.6%	16.3%	14.3%	5.5%
Commercial	9.1%	12.3%	22.7%	21.3%	13.1%
Irrigation	2.7%	3.5%	8.4%	10.4%	0.0%
Other	<u>0.2%</u>	<u>0.5%</u>	<u>0.6%</u>	<u>0.5%</u>	<u>0.3%</u>
Total	100.0%	100.0%	100.0%	100.0%	100.0%

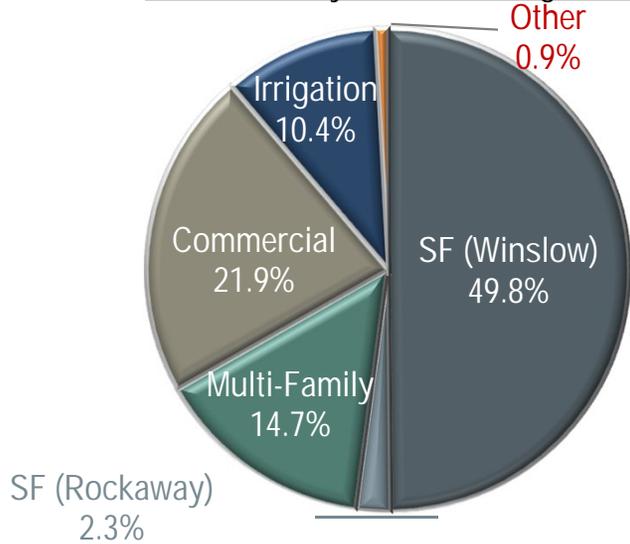
\*Fire accounts weighted based on fire flow requirement

- 60,000 gallons (1,000 gpm for 60 minutes) for single family
- 90,000 gallons (1,500 gpm for 90 minutes) for non-single family (excluding irrigation)

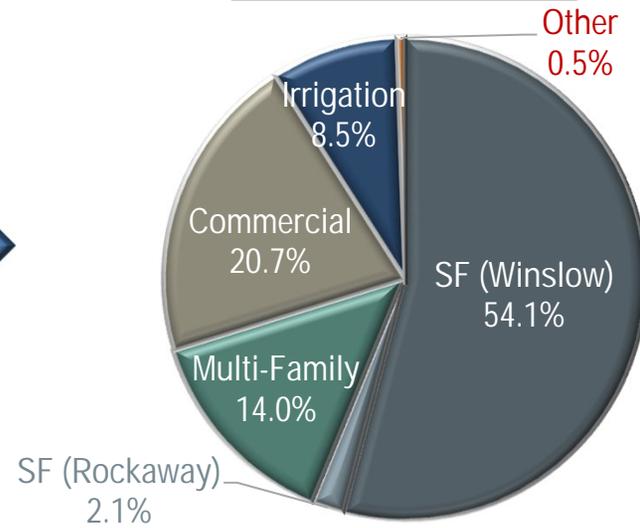


# Allocation of 2019 Water Revenue Requirement

Cost Recovery Under Existing Rates



Allocated Cost of Service



Allocated Shares of 2019 Revenue Requirement by Function

Customer Class	Customer	Meters & Services	Base Capacity	Peak Capacity	Fire Protection	Total (COS)	Current Cost Recovery	% Adj. to Reach COS
Single-Family – Winslow	\$50,378	\$3,586	\$230,036	\$274,313	\$48,685	\$ 606,998	\$ 548,427	+10.7%
Single-Family – Rockaway Beach	1,609	117	9,947	10,720	1,555	23,948	24,935	-4.0%
Multi-Family	2,363	368	75,036	75,990	3,425	157,182	161,897	-2.9%
Commercial	5,619	597	104,594	113,650	8,145	232,604	241,204	-3.6%
Irrigation	1,674	170	38,618	55,190	-	95,652	114,485	-16.5%
Other	114	24	2,855	2,848	166	6,007	9,436	-36.3%
<b>Total</b>	<b>\$61,757</b>	<b>\$4,862</b>	<b>\$461,085</b>	<b>\$532,712</b>	<b>\$61,976</b>	<b>\$1,122,391</b>	<b>\$1,100,384</b>	<b>+2.0%</b>



# Water COS Implementation Strategy

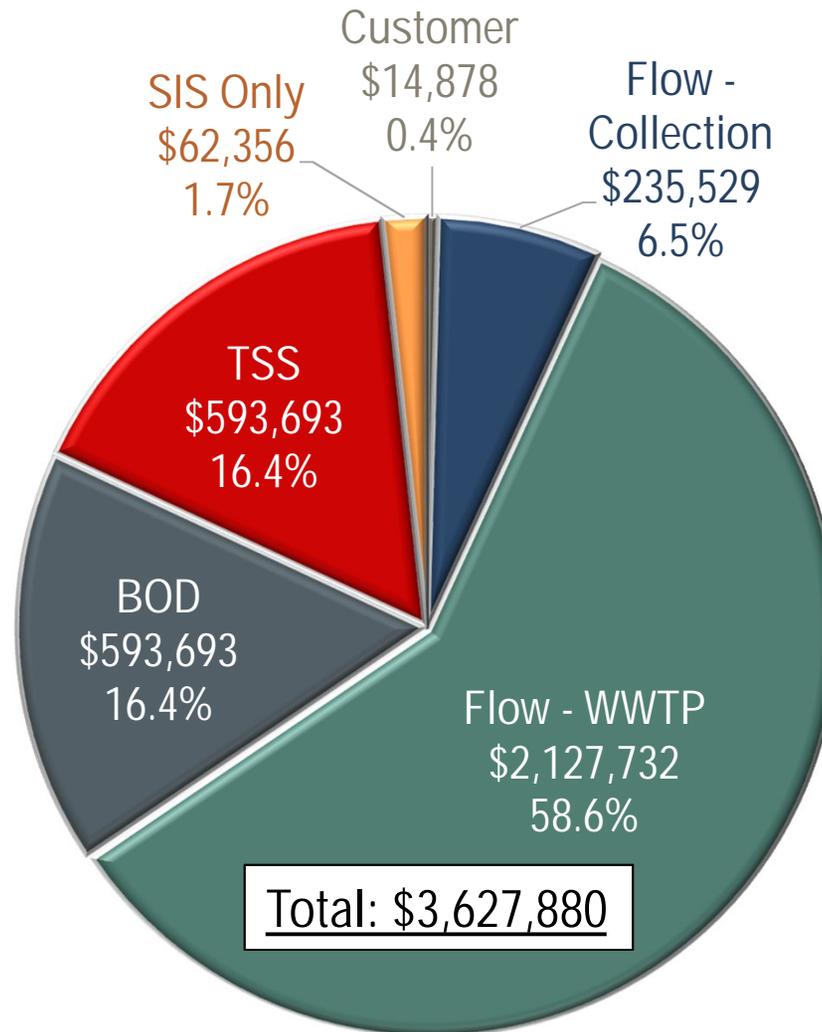
Water Rate Increases	2019	2020	2021
Single-Family – Winslow	+7.6%	+3.7%	+3.6%
Single-Family – Rockaway	0.0%	+3.3%	+3.6%
Multi-Family	0.0%	0.0%	+0.2%
Commercial	-0.8%	0.0%	0.0%
Irrigation	-13.5%	0.0%	0.0%
Other (Mixed Use)	-23.7%	0.0%	0.0%
<b>Total</b>	<b>+2.0%</b>	<b>+2.0%</b>	<b>+2.0%</b>

Allocation of 2021 Rev. Requirement	Phased COS	
	Amount	% of Total
Single-Family	\$ 683,152	56.5%
Multi-Family	167,720	13.9%
Commercial/Other	248,384	20.6%
Irrigation	108,352	9.0%
<b>Total</b>	<b>\$1,207,608</b>	<b>100.0%</b>

- ◆ Recommended strategy: phase COSA findings in over three years
  - Other (mixed-use) customers combined into commercial class in 2019
  - Winslow/Rockaway Beach combined into one single-family class in 2020
  - All classes reach their allocated cost of service by 2021
- ◆ Beyond 2021, rate revenue adjustments would apply across-the-board



# Functional Allocation of 2019 Sewer Rev. Requirement





# Allocating Sewer Costs to Customer Classes

	Customer	Flow (Coll.)	Flow (WWTP)	BOD*	TSS*	SIS Only
Allocation Basis	Accounts	Total Flow	Winslow Flow	Winslow BOD	Winslow TSS	All to SIS
Projected 2019 Metrics:						
Single-Family	1,781	85,233 ccf	85,233 ccf	133,007 lbs	133,007 lbs	
Multi-Family	104	50,874 ccf	50,874 ccf	79,390 lbs	79,390 lbs	
Commercial	229	72,485 ccf	72,485 ccf	227,133 lbs	195,461 lbs	
SIS	225	10,732 ccf	0 ccf	0 lbs	0 lbs	
Total	2,339	219,324 ccf	208,592 ccf	439,530 lbs	407,857 lbs	
Percent of Total:						
Single-Family	76.2%	38.9%	40.9%	30.2%	32.6%	0.0%
Multi-Family	4.4%	23.2%	24.4%	18.1%	19.5%	0.0%
Commercial	9.8%	33.0%	34.7%	51.7%	47.9%	0.0%
SIS	9.6%	4.9%	0.0%	0.0%	0.0%	100.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

\*Estimated BOD/TSS loadings based on the following assumptions:

- Residential/domestic-strength: Assumed to be 250 mg/L of BOD, 250 mg/L of TSS
- Commercial: Difference between total WWTP loadings and estimated residential loadings
  - Equates to average strength of 502 mg/L of BOD, 432 mg/L of TSS



# Allocation of 2019 Sewer Revenue Requirement



Allocated Shares of 2019 Revenue Requirement by Function								Current Cost Recovery	% Adj. to Reach COS
Customer Class	Customer	Flow (Collection)	Flow (WWTP)	BOD	TSS	SIS Only	Total (COS)		
Single-Family	\$11,329	\$ 91,530	\$ 869,412	\$179,658	\$193,610	\$ -	\$1,345,540	\$1,542,451	-12.8%
Multi-Family	659	54,633	518,939	107,235	115,563	-	797,030	1,088,279	-26.8%
Commercial	1,460	77,841	739,381	306,799	284,520	-	1,410,001	866,439	+62.7%
SIS <sup>1</sup>	1,430	11,525	-	-	-	62,356	75,311	59,576	+26.4%
<b>Total</b>	<b>\$14,878</b>	<b>\$235,529</b>	<b>\$2,127,732</b>	<b>\$593,693</b>	<b>\$593,693</b>	<b>\$62,356</b>	<b>\$3,627,880</b>	<b>\$3,556,746</b>	<b>+2.0%</b>

<sup>1</sup>SIS customers also pay KCSD #7's treatment rates, which are not included above.



# Sewer COS Implementation Strategy

Sewer Rate Increases	2019	2020	2021
Single-Family	-3.2%	-3.2%	-3.2%
Multi-Family	-5.1%	-8.2%	-12.4%
Commercial	+19.1%	+19.1%	+19.0%
SIS <sup>1</sup>	+17.6%	+17.6%	+17.5%
<b>Total</b>	<b>+2.0%</b>	<b>+2.1%</b>	<b>+2.1%</b>

Allocation of 2021 Rev. Requirement	Phased COS	
	Amount	% of Total
Single-Family	\$1,448,468	37.3%
Multi-Family	860,413	22.2%
Commercial	1,470,241	37.9%
SIS (City Portion)	99,267	2.6%
<b>Total</b>	<b>\$3,878,389</b>	<b>100.0%</b>

<sup>1</sup>Only applies to the City's portion of SIS charges; SIS customers also pay KCSD #7's treatment rate.

- ◆ Recommended strategy: phase COSA findings in over three years
  - All classes reach their allocated cost of service by 2021
  - Shift in cost recovery to commercial customers results in slight revenue loss
    - Cause: Commercial growth anticipated to be slower than residential growth
    - Solution: Target extra 0.1% revenue increases in 2020 and 2021
- ◆ Beyond 2021, rate revenue adjustments would apply across-the-board



## Rate Structure Analysis

How should the City recover costs from each customer class through fixed/variable charges?



# Rate Structure Analysis

---

- ◆ Goal: Set rates for each class to recover assigned share of costs
  - Base charges
    - May increase with meter size and/or dwelling units
    - Independent of water use
  - Consumption charges
    - Dependent on water use
- ◆ Generally requires customer data
  - Customer counts by meter size
  - Billable water usage by account, by billing period



# Proposed Rate Structure Revisions

- ◆ Consolidate single-family water rates (Winslow/Rockaway Beach)
  - 2019 rate structures are almost equal under “phased COS” alternative
- ◆ Consider uniform volume rates for multi-family and commercial customers
  - 97.5% of multi-family revenue comes from base and Block 1 consumption
  - Conservation pricing signals ineffective as residents/tenants do not see utility bills
  - Eliminate existing winter/summer differential for commercial/other volume rates
- ◆ Consolidate commercial and other (mixed-use) water rates
  - Only five customers in “other” class; already pay the same volume rates
  - COS does not appear to justify higher base rate for “other” class
- ◆ Focus multi-family sewer rate decrease on base rate per living unit
  - Volume rate still decreases, but kept equal to single-family volume rate
- ◆ Focus commercial sewer rate increase on volume charge per ccf
  - Base rate increased by 2% per year; flat rate increased by  $\approx$  19% per year



# Recommended Single-Family Rates

Monthly Water Rates: Single-Family Residential	
Base Rate – Up to 3/4" Meter	
Base Rate – 1" Meter	
Base Rate – 1-1/2" Meter	
Consumption Charge per ccf	
First 5 ccf (0 – 5 ccf)	
Next 7 ccf (6 – 12 ccf)	
Next 18 ccf (13 – 30 ccf)	
Over 30 ccf	

Winslow				
Existing	2019	2020	2021	
\$10.77	\$11.59	\$12.02	\$12.45	
\$21.24	\$22.85	\$23.70	\$24.55	
\$38.72	\$41.65	\$43.20	\$44.75	
\$1.09	\$1.17	\$1.22	\$1.26	
\$1.76	\$1.89	\$1.96	\$2.03	
\$2.49	\$2.68	\$2.78	\$2.88	
\$3.39	\$3.65	\$3.78	\$3.92	

Rockaway Beach				
Existing	2019	2020	2021	
\$11.64	\$11.64	\$12.02	\$12.45	
\$22.94	\$22.94	\$23.70	\$24.55	
\$41.85	\$41.85	\$43.20	\$44.75	
\$1.18	\$1.18	\$1.22	\$1.26	
\$1.90	\$1.90	\$1.96	\$2.03	
\$2.69	\$2.69	\$2.78	\$2.88	
\$3.66	\$3.66	\$3.78	\$3.92	

Monthly Sewer Rates: Single-Family Residential	
Base Charge per Unit	
Volume Charge per ccf <sup>1</sup>	
Sewer-Only per ERU	
With Grinder Pump	
No Grinder Pump	

Winslow				
Existing	2019	2020	2021	
\$42.69	\$41.32	\$40.00	\$38.74	
\$7.28	\$7.05	\$6.82	\$6.61	
\$119.80	\$115.97	\$112.26	\$108.72	

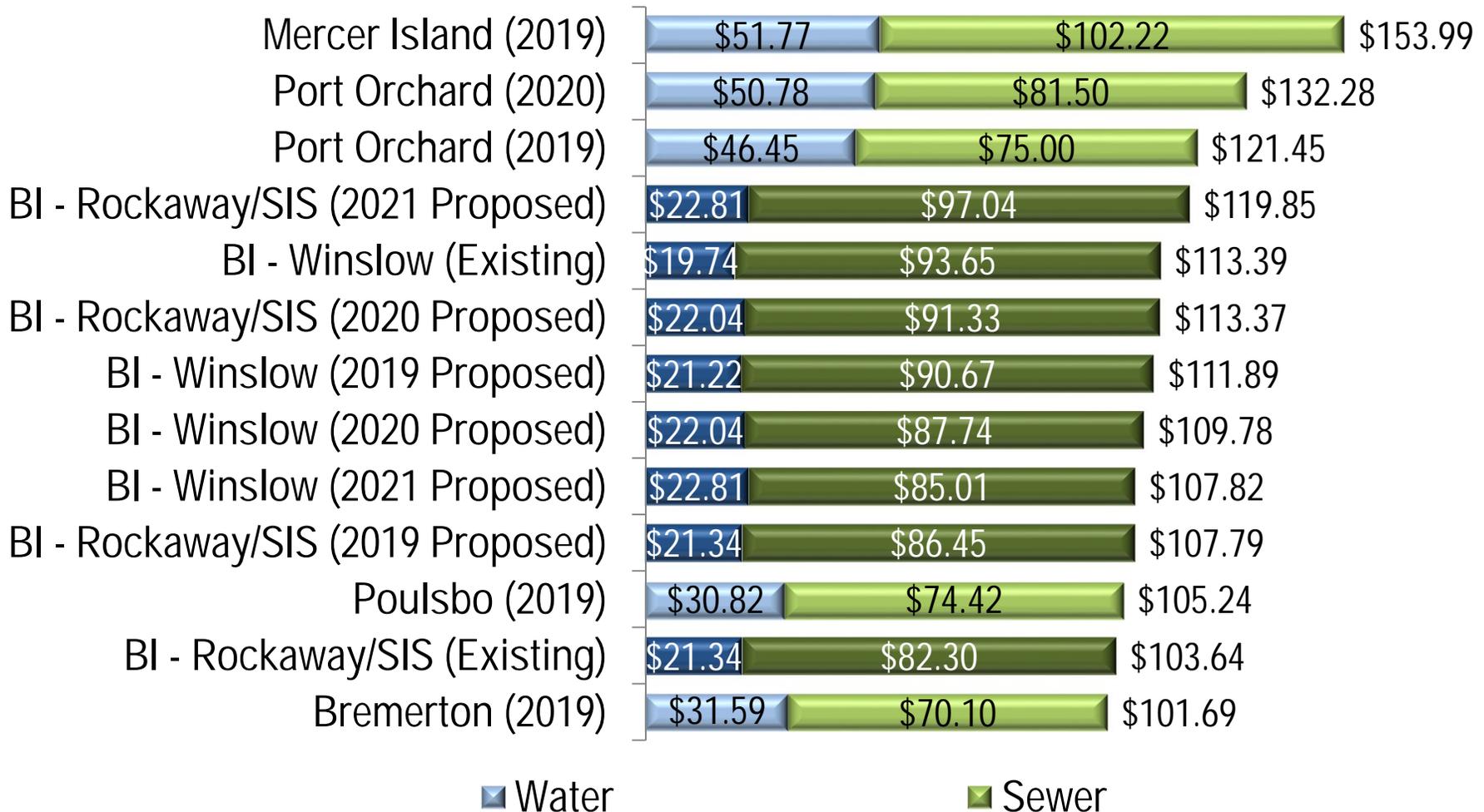
South Island Sewer <sup>2</sup>				
Existing	2019	2020	2021	
\$23.59	\$27.74	\$32.62	\$38.33	
\$19.42	\$22.84	\$26.86	\$31.55	

<sup>1</sup>From mid-Jun – mid-Sep, single-family users are billed for their average water usage from mid-December through mid-May.

<sup>2</sup>South Island Sewer customers also pay \$58.71 per ERU per month for KCSD #7 treatment service.



# Sample Monthly Bill – 3/4" Single-Family @ 7 ccf





# Recommended Multi-Family Rates

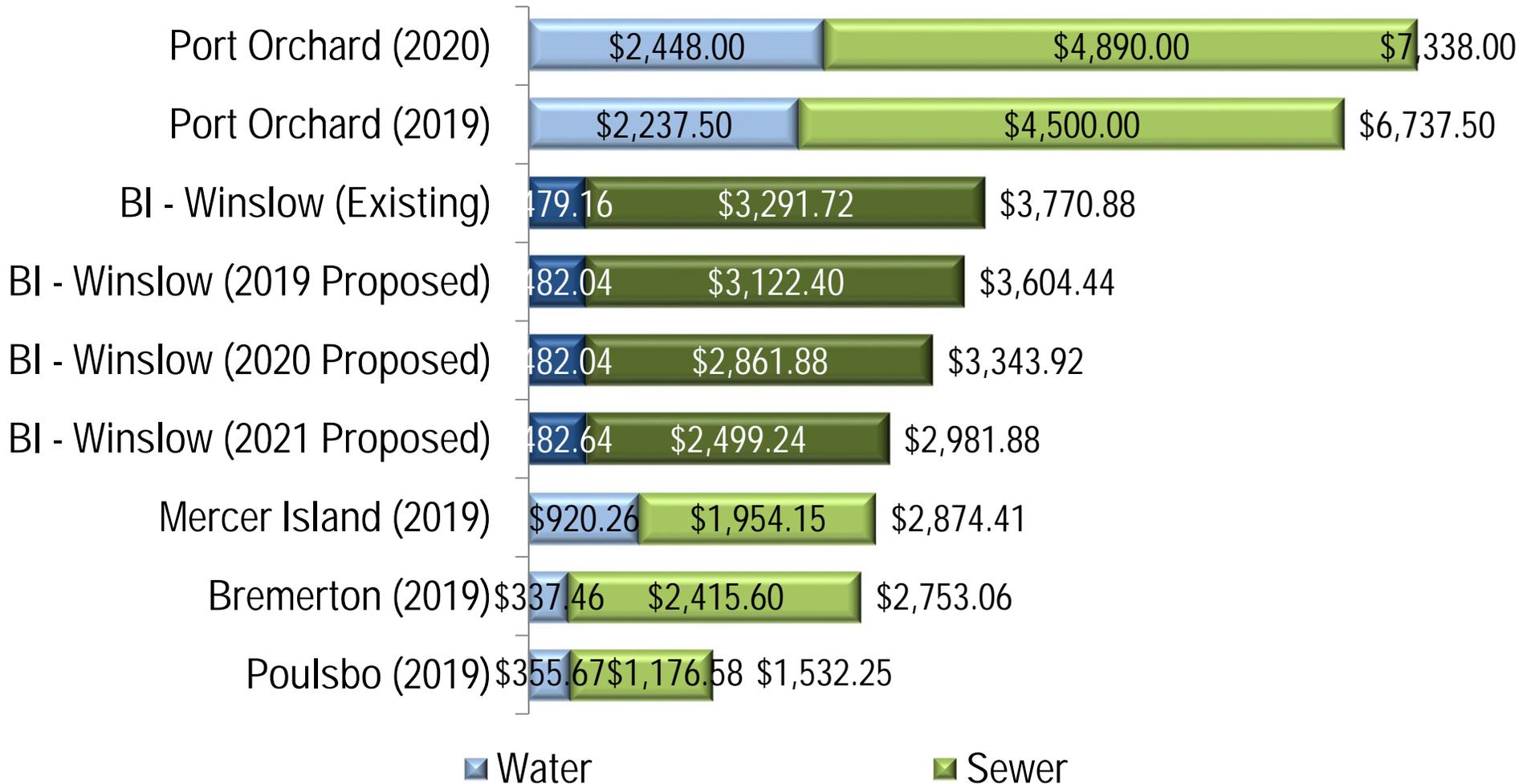
Monthly Water Rates: Multi-Family Residential	Existing	2019	2020	2021
Base Rate per Living Unit	\$5.37	\$5.37	\$5.37	\$5.38
Consumption Charge per ccf		\$1.11	\$1.11	\$1.11
First 5 ccf (0 – 5 ccf)	\$1.09			
Next 7 ccf (6 – 12 ccf)	\$1.76			
Next 18 ccf (13 – 30 ccf)	\$2.49			
Over 30 ccf	\$3.39			

Monthly Sewer Rates: Multi-Family Residential	Existing	2019	2020	2021
Base Charge per Unit	\$37.39	\$35.12	\$31.33	\$25.79
Volume Charge per ccf <sup>1</sup>	\$7.28	\$7.05	\$6.82	\$6.61

<sup>1</sup>From mid-Jun – mid-Sep, multi-family users are billed for their average water usage from mid-December through mid-May.

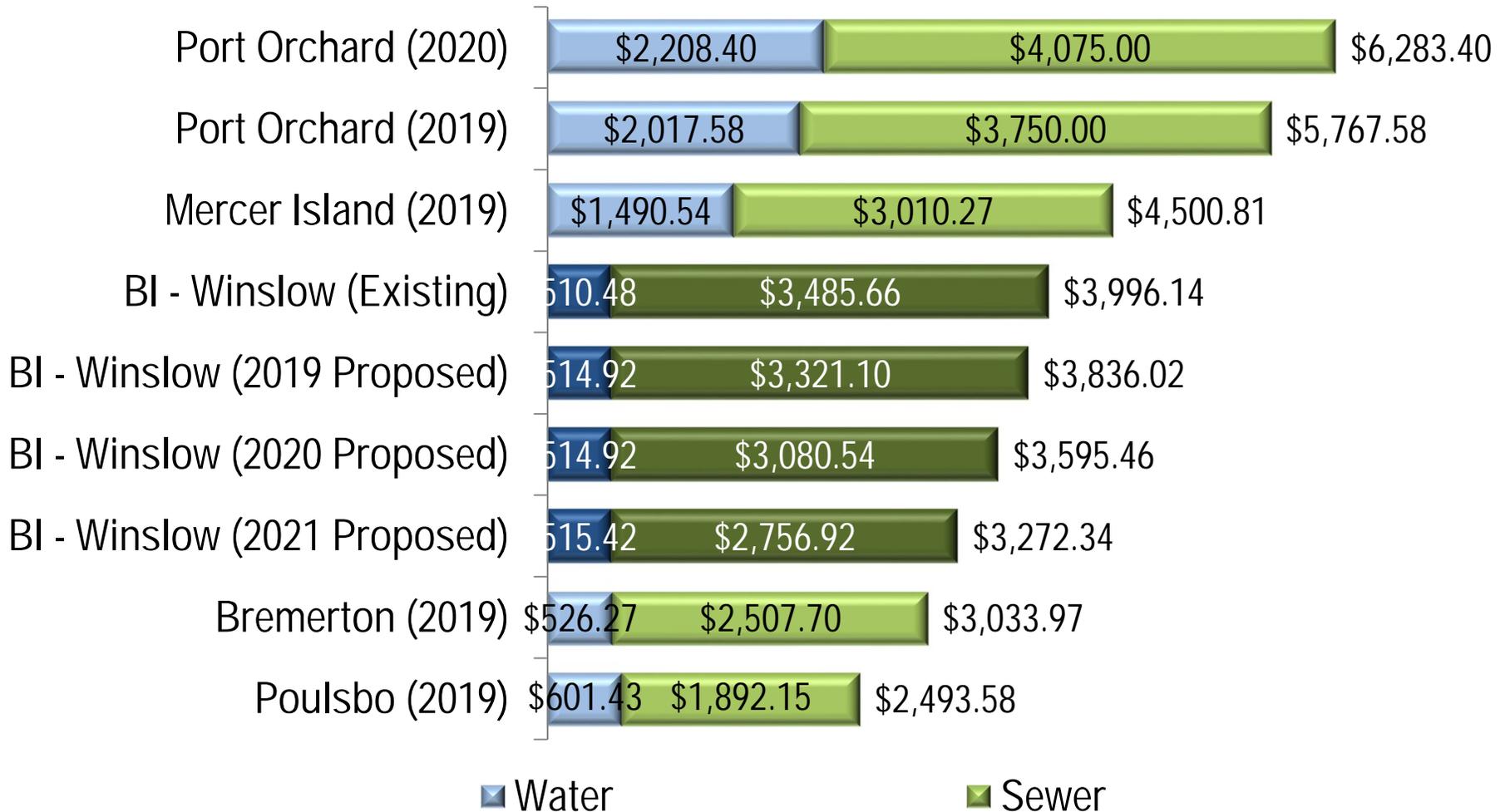


## Sample Monthly Bill – 1" Multi-Family, 60 Units @ 144 ccf





## Sample Monthly Bill – 2" Multi-Family, 50 Units @ 222 ccf





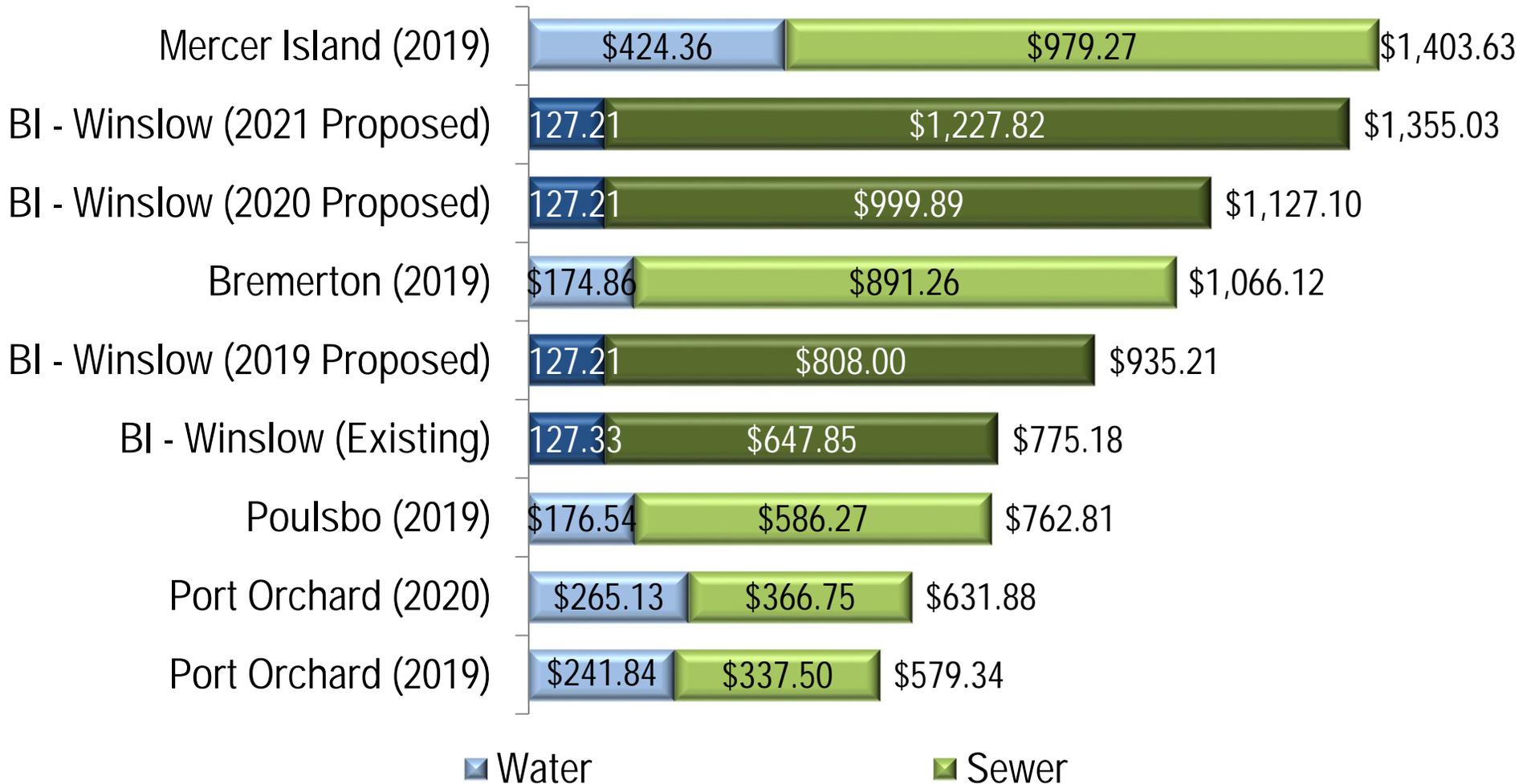
# Recommended Commercial/Other Rates

Monthly Water Rates: Commercial/Other	Commercial				Other (Mixed Use)			
	Existing	2019	2020	2021	Existing	2019	2020	2021
Base Rate – Up to 3/4" Meter	\$16.45	\$16.33	\$16.33	\$16.33	\$24.04	\$16.33	\$16.33	\$16.33
Base Rate – 1" Meter	\$36.40	\$36.12	\$36.12	\$36.12	\$55.37	\$36.12	\$36.12	\$36.12
Base Rate – 1-1/2" Meter	\$69.78	\$69.25	\$69.25	\$69.25	\$107.58	\$69.25	\$69.25	\$69.25
Base Rate – 2" Meter	\$109.52	\$108.69	\$108.69	\$108.69	\$170.23	\$108.69	\$108.69	\$108.69
Base Rate – 3" Meter	\$215.89	\$214.25	\$214.25	\$214.25	\$337.28	\$214.25	\$214.25	\$214.25
Base Rate – 4" Meter	\$335.55	\$333.00	\$333.00	\$333.00	\$525.22	\$333.00	\$333.00	\$333.00
Base Rate – 6" Meter	\$667.94	\$662.87	\$662.87	\$662.87	\$1,047.31	\$662.87	\$662.87	\$662.87
Consumption Charge per ccf		\$1.54	\$1.54	\$1.54		\$1.54	\$1.54	\$1.54
Winter (November – April)	\$1.43				\$1.43			
Summer (May – October)	\$1.65				\$1.65			

Monthly Sewer Rates: Commercial/Other	Existing	2019	2020	2021
Base Charge per Unit	\$123.69	\$126.16	\$128.69	\$131.26
Volume Charge per ccf	\$7.28	\$9.47	\$12.10	\$15.23
Sewer-Only per ERU	\$129.43	\$154.15	\$183.59	\$218.47



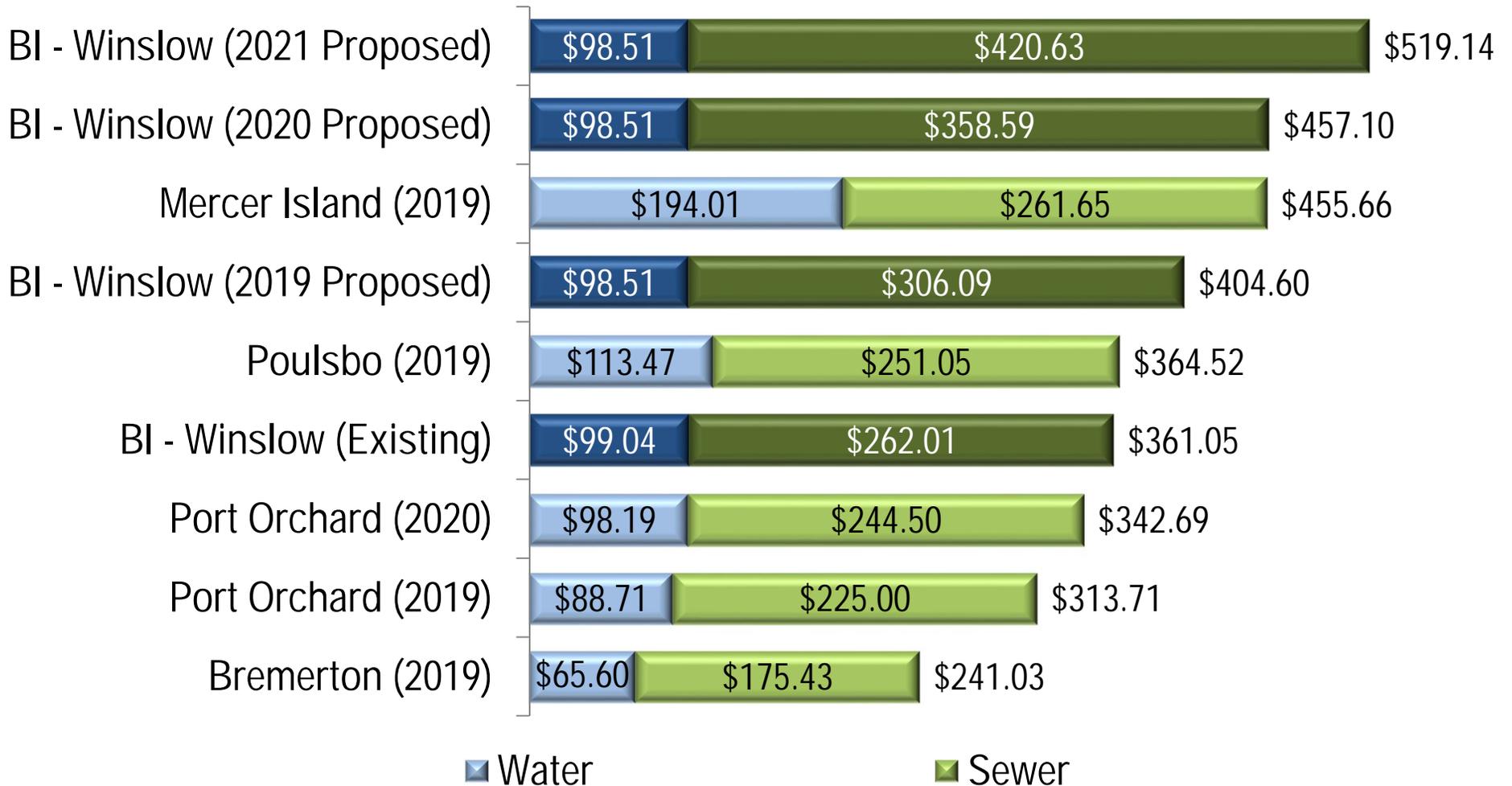
## Sample Monthly Bill – Restaurant with 3/4" Meter @ 72 ccf\*



\*Assumes seating capacity of 100 and average BOD/TSS of 800 mg/L



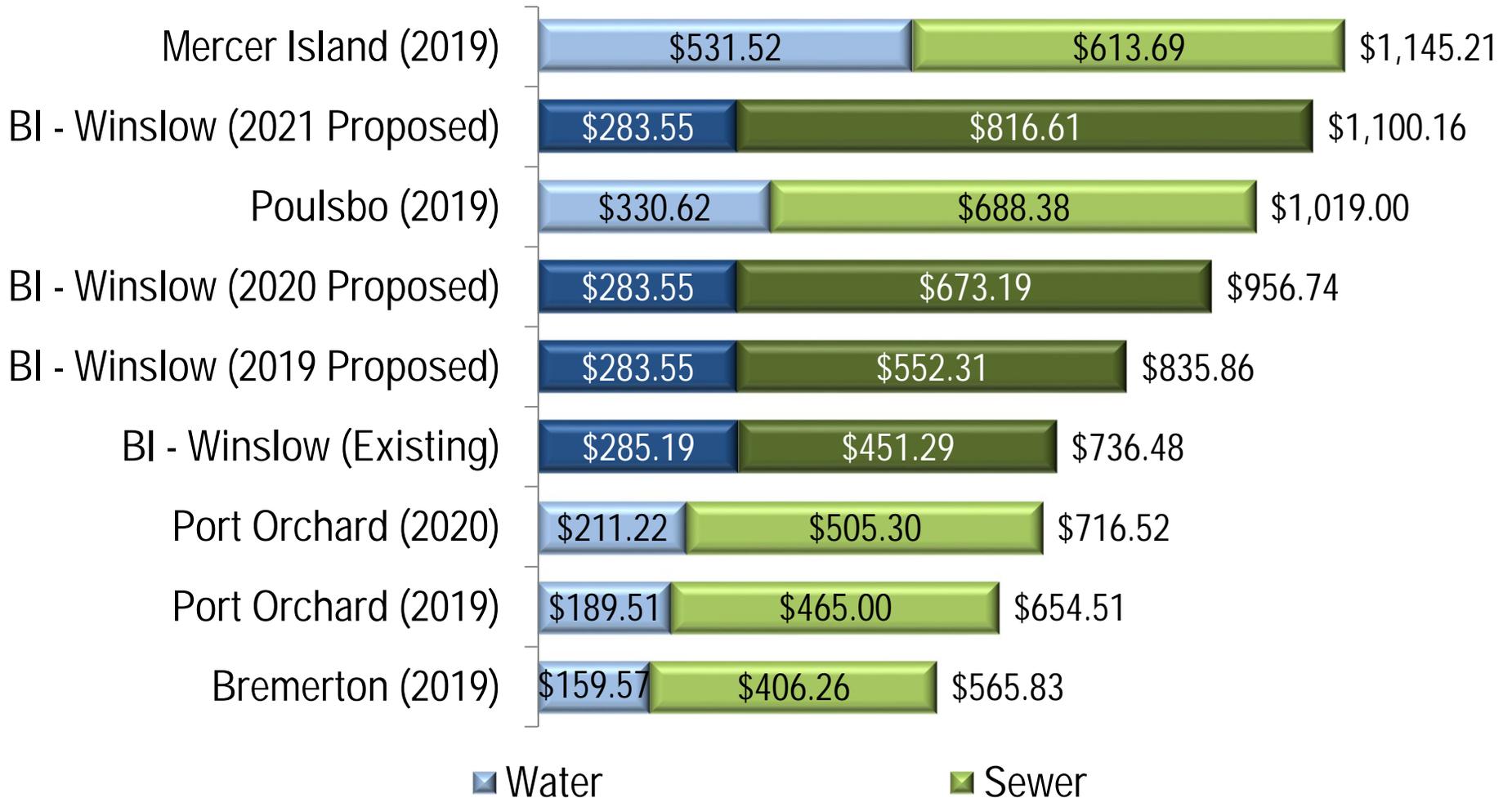
## Sample Monthly Bill – Church with 1-1/2" Meter @ 19 ccf\*



\*Assumes average BOD/TSS of 300 mg/L



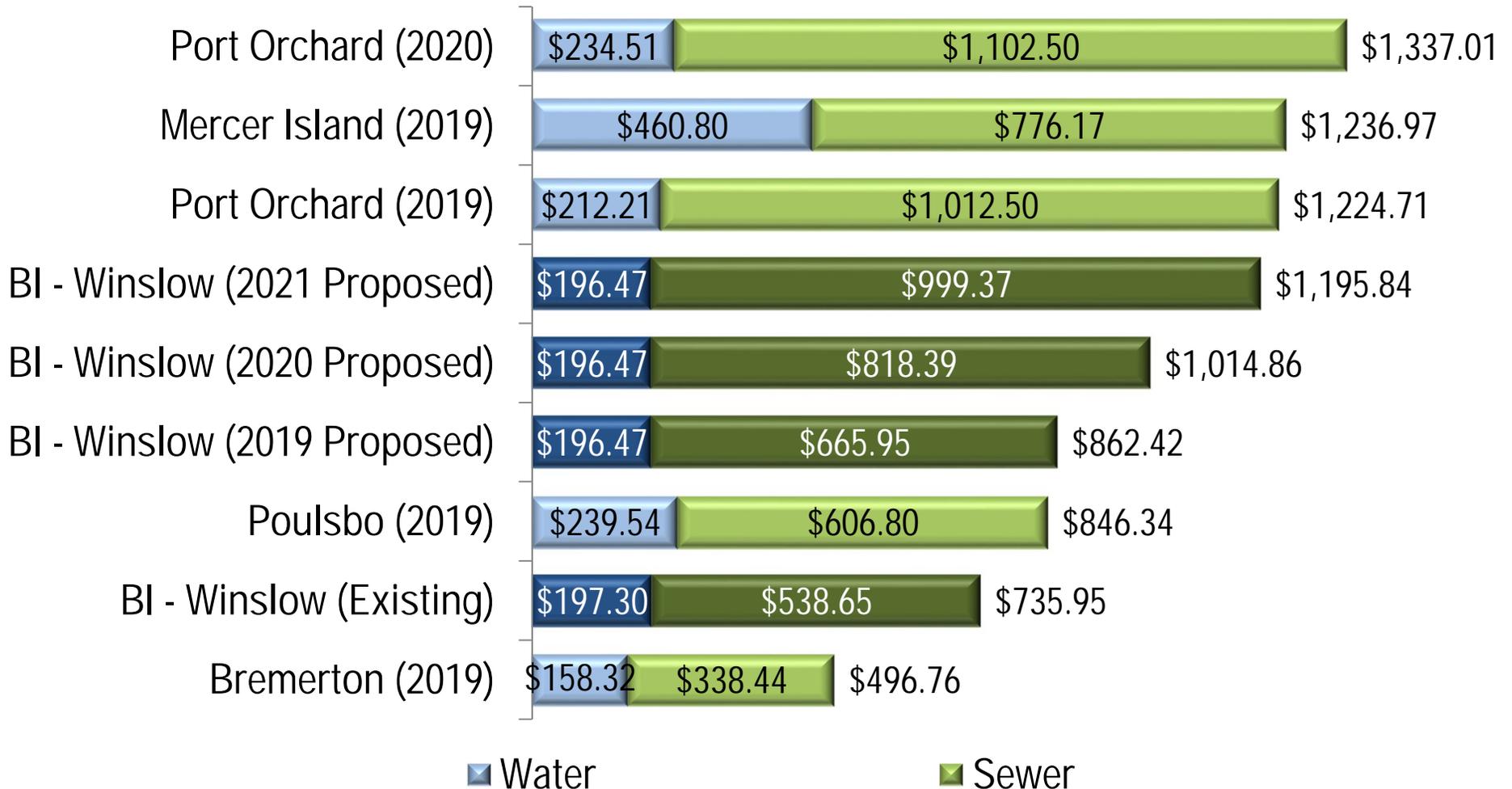
## Sample Monthly Bill – Hotel with 3" Meter @ 45 ccf\*



\* Assumes 26 guest rooms and average BOD/TSS of 600 mg/L



## Sample Monthly Bill – School with 2" Meter @ 57 ccf\*



\*Assumes 450 students/employees and average BOD/TSS of 200 mg/L



# Recommended Irrigation Rates

Monthly Water Rates: Irrigation	Existing	2019	2020	2021
Base Rate – Up to 3/4" Meter	\$4.73	\$4.09	\$4.09	\$4.09
Base Rate – 1" Meter	\$6.22	\$5.38	\$5.38	\$5.38
Base Rate – 1-1/2" Meter	\$8.70	\$7.53	\$7.53	\$7.53
Base Rate – 2" Meter	\$11.70	\$10.12	\$10.12	\$10.13
Base Rate – 3" Meter	\$19.64	\$16.99	\$16.99	\$17.00
Base Rate – 4" Meter	\$28.59	\$24.74	\$24.74	\$24.75
Base Rate – 6" Meter	\$53.47	\$46.26	\$46.26	\$46.28
Consumption Charge per ccf	\$3.89	\$3.37	\$3.37	\$3.37



# Sample Monthly Bill Impacts – Residential

Monthly Bill	Mar-Apr Usage	Existing (2019)	Phased COS (Recommended)			Sep-Oct Usage	Existing (2019)	Phased COS (Recommended)		
			2019	2020	2021			2019	2020	2021
<b>Winslow Single Fam. (3/4")</b>										
Water Bill	4 ccf	\$ 15.13	\$ 16.27	\$ 16.90	\$ 17.49	7 ccf	\$ 19.74	\$ 21.22	\$ 22.04	\$ 22.81
Sewer Bill	4 ccf	71.81	69.52	67.28	65.18	3 ccf	64.53	62.47	60.46	58.57
<b>Total Bill</b>		<b>\$ 86.94</b>	<b>\$ 85.79</b>	<b>\$ 84.18</b>	<b>\$ 82.67</b>		<b>\$ 84.27</b>	<b>\$ 83.69</b>	<b>\$ 82.50</b>	<b>\$ 81.38</b>
% Δ From Prior Year			-1.3%	-1.9%	-1.8%			-0.7%	-1.4%	-1.4%
<b>Rockaway Beach SF (3/4")</b>										
Water Bill	5 ccf	\$ 17.54	\$ 17.54	\$ 18.12	\$ 18.75	3 ccf	\$ 15.18	\$ 15.18	\$ 15.68	\$ 16.23
Sewer Bill (City)	5 ccf	23.59	27.74	32.62	38.33	6 ccf	23.59	27.74	32.62	38.33
Sewer Bill (KCSD #7)		58.71	58.71	58.71	58.71		58.71	58.71	58.71	58.71
<b>Total Bill</b>		<b>\$ 99.84</b>	<b>\$ 103.99</b>	<b>\$ 109.45</b>	<b>\$ 115.79</b>		<b>\$ 97.48</b>	<b>\$ 101.63</b>	<b>\$ 107.01</b>	<b>\$ 113.27</b>
% Δ From Prior Year			+4.2%	+5.3%	+5.8%			+4.3%	+5.3%	+5.8%
<b>Multi-Family A (1", 60 Units)</b>										
Water Bill	100 ccf	\$ 431.20	\$ 433.20	\$ 433.20	\$ 433.80	187 ccf	\$ 526.03	\$ 529.77	\$ 529.77	\$ 530.37
Sewer Bill	100 ccf	2,971.40	2,812.20	2,561.80	2,208.40	187 ccf	3,604.76	3,425.55	3,155.14	2,783.47
<b>Total Bill</b>		<b>\$3,402.60</b>	<b>\$3,245.40</b>	<b>\$2,995.00</b>	<b>\$2,642.20</b>		<b>\$4,130.79</b>	<b>\$3,955.32</b>	<b>\$3,684.91</b>	<b>\$3,313.84</b>
% Δ From Prior Year			-4.6%	-7.7%	-11.8%			-4.2%	-6.8%	-10.1%
<b>Multi-Family B (2", 50 Units)</b>										
Water Bill	132 ccf	\$ 412.38	\$ 415.02	\$ 415.02	\$ 415.52	312 ccf	\$ 650.12	\$ 614.82	\$ 614.82	\$ 615.32
Sewer Bill	132 ccf	2,830.46	2,686.60	2,466.74	2,161.02	312 ccf	4,140.86	3,955.60	3,694.34	3,351.82
<b>Total Bill</b>		<b>\$3,242.84</b>	<b>\$3,101.62</b>	<b>\$2,881.76</b>	<b>\$2,577.54</b>		<b>\$4,790.98</b>	<b>\$4,570.42</b>	<b>\$4,309.16</b>	<b>\$3,967.14</b>
% Δ From Prior Year			-4.4%	-7.1%	-10.6%			-4.6%	-5.7%	-7.9%



# Sample Monthly Bill Impacts – Non-Residential

Monthly Bill	Mar-Apr Usage	Existing (2019)	Phased COS (Recommended)			Sep-Oct Usage	Existing (2019)	Phased COS (Recommended)		
			2019	2020	2021			2019	2020	2021
<b>Restaurant (3/4")</b>										
Water Bill	61 ccf	\$ 103.68	\$ 110.27	\$ 110.27	\$ 110.27	82 ccf	\$ 151.75	\$ 142.61	\$ 142.61	\$ 142.61
Sewer Bill	61 ccf	567.77	703.83	866.79	1,060.29	82 ccf	720.65	902.70	1,120.89	1,380.12
Total Bill		\$ 671.45	\$ 814.10	\$ 977.06	\$1,170.56		\$ 872.40	\$1,045.31	\$1,263.50	\$1,522.73
% Δ From Prior Year			+21.2%	+20.0%	+19.8%			+19.8%	+20.9%	+20.5%
<b>Church (1-1/2")</b>										
Water Bill	13 ccf	\$ 88.37	\$ 89.27	\$ 89.27	\$ 89.27	24 ccf	\$ 109.38	\$ 106.21	\$ 106.21	\$ 106.21
Sewer Bill	13 ccf	218.33	249.27	285.99	329.25	24 ccf	298.41	353.44	419.09	496.78
Total Bill		\$ 306.70	\$ 338.54	\$ 375.26	\$ 418.52		\$ 407.79	\$ 459.65	\$ 525.30	\$ 602.99
% Δ From Prior Year			+10.4%	+10.8%	+11.5%			+12.7%	+14.3%	+14.8%
<b>Hotel (3")</b>										
Water Bill	29 ccf	\$ 257.36	\$ 258.91	\$ 258.91	\$ 258.91	61 ccf	\$ 316.54	\$ 308.19	\$ 308.19	\$ 308.19
Sewer Bill	29 ccf	334.81	400.79	479.59	572.93	61 ccf	567.77	703.83	866.79	1,060.29
Total Bill		\$ 592.17	\$ 659.70	\$ 738.50	\$ 831.84		\$ 884.31	\$1,012.02	\$1,174.98	\$1,368.48
% Δ From Prior Year			+11.4%	+11.9%	+12.6%			+14.4%	+16.1%	+16.5%
<b>School District (2")</b>										
Water Bill	66 ccf	\$ 203.90	\$ 210.33	\$ 210.33	\$ 210.33	47 ccf	\$ 187.07	\$ 181.07	\$ 181.07	\$ 181.07
Sewer Bill	66 ccf	604.17	751.18	927.29	1,136.44	47 ccf	465.85	571.25	697.39	847.07
Total Bill		\$ 808.07	\$ 961.51	\$1,137.62	\$1,346.77		\$ 652.92	\$ 752.32	\$ 878.46	\$1,028.14
% Δ From Prior Year			+19.0%	+18.3%	+18.4%			+15.2%	+16.8%	+17.0%



## Next Steps

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- ◆ UAC Summary Memo
- ◆ Draft Rate Study Report
- ◆ Council Presentation



# Questions / Discussion

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Senior Project Manager  
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Contact FCS GROUP:  
(425) 867-1802  
[www.fcsgroup.com](http://www.fcsgroup.com)



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 19, 2019

**ESTIMATED TIME:** 15 Minutes

**AGENDA ITEM:** (7:35 PM) Sustainable Transportation Planning 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:**

Forward to the Consent Agenda on the March 26, 2019 meeting.

**SUMMARY:**

City Council to consider the proposed Request for Qualifications for Sustainable Transportation Planning, as discussed at the Council meeting on March 12, 2019.

**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 considered an initial draft of the request for qualifications and forwarded it for approval with the March 12, 2019 Consent Agenda with several modifications. At the March 12, 2019, Council meeting, the Council decided to pull the item off the Consent Agenda for more discussion. The Council discussed several possible modifications to the request for proposal (RFQ) and the selection process. The original version of the RFQ is attached, as well as proposed language to reflect the changes discussed at the meeting. 119

If approved by the Council with the March 26, 2019 Consent Agenda, advertising would occur March 29 and April 5, 2019. Qualification packages would be due to the City on April 19, 2019. A five-member selection committee is planned 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](#)

[Sustainable Transportation RFQ Change.docx](#)

**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, transit and last-mile solutions, greenway development, 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 a sustainable transportation infrastructure for the future of transportation.

**II. Background**

Reports on climate change indicate that we need to make behavioral changes to reduce our carbon footprint, and our reliance on single occupant vehicle use for primary means of transportation is a sizable contributor. Sustainable transportation initiatives that aim to reduce single-driver trips, promote ridesharing and public transportation, 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, and WSF) 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 subsequent 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 transit, 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 a high-priority network of transit, 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. Consultant will provide best practices and examples of funding mechanisms for proposed priority projects.

**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 existing and proposed 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 sustainable transportation 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**

**REQUEST FOR QUALIFICATIONS (RFQ)**

**Sustainable Transportation Planning**

The following paragraphs are proposed as potential modifications to the RFQ:

**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 team may be asked to bring in additional subject experts (outside the consultant team) for presentations and/or workshops as negotiated in the final scope of work. Consultant will make recommendations for community education and outreach for Phase 2 tasks.

**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 transit, 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.

**2.2.a)** The consultant team will research and solicit a wide network of the most current and innovative expertise and ideas available on the study of sustainable transportation planning and incorporate those experts and ideas into the planning effort.

**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 team may be asked to bring in additional subject experts (outside the consultant team) for presentations and/or workshops as negotiated in the final scope of work. Consultant will make recommendations for education, encouragement, and outreach to increase the use of existing and proposed infrastructure.



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 19, 2019

**ESTIMATED TIME:** 60 Minutes

**AGENDA ITEM:** (7:50 PM) Ordinance No. 2019-03 Relating to Subdivision Update - Planning,

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

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Ordinance

**PROPOSED BY:** Planning & Community Development

### RECOMMENDED MOTION:

Council discussion, and possible next steps include:

- Continue Council discussion;
- Establish a date for public hearing;
- Remand the matter back to the Planning Commission for further discussion and recommendations.

### SUMMARY:

At their February 28, 2019 meeting, the Planning Commission made a recommendation to the City Council on Ordinance 2019-03. The ordinance includes proposed revisions to several sections within Title 17 and 18 of the Bainbridge Island Municipal Code (BIMC), in sum referred to as the "subdivision update." During tonight's agenda item, staff will present the Planning Commission recommendation for the proposed subdivision update.

The staff memorandum provides a "road map" to the ordinance itself, an overview of the conceptual approach, a note on cluster development, a summary of procedural history and public comment, a summary of key changes, and staff input on the Planning Commission's recommendation including comments addressing both housekeeping items and policy questions for the City Council's consideration.

### FISCAL IMPACT:

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

**BACKGROUND:** Background material for this agenda item includes a staff memorandum as well as:

Attachment A -- Ordinance 2019-03 with Exhibits A, B, and C (Planning Commission recommendation -- four documents)

Attachment B -- Planning Commission meeting minutes (February 13 and 28, 2019 -- two documents)

Attachment C -- Ordinance 2019-03 Exhibits A, B, and C (Public hearing draft with Planning Commission subcommittee

comments -- three documents)

**\*\*Note:** Ordinance 2019-03 includes references to three exhibits (A, B, and C). The staff memo includes references to three attachments (A, B, and C).

**ATTACHMENTS:**

[20190319 CC Staff Memo - revised 20190314.docx](#)

[Attachment A -- Ordinance No. 2019-03 Subdivision Update - Draft 031519](#)

[Attachment A -- Ord 2019-03 Exhibit A 20190228 PC Recommendation with Notes.docx](#)

[Attachment A -- Ord 2019-03 Exhibit B 20190228 PC Recommendation.docx](#)

[Attachment A -- Ord 2019-03 Exhibit C 20190228 PC Recommendation.docx](#)

[Attachment B -- Planning Commission Minutes 021319.pdf](#)

[Attachment B -- Planning Commission Minutes DRAFT 022819.docx](#)

[Attachment C -- Subcommittee Comments - Exhibit A.pdf](#)

[Attachment C -- Subcommittee Comments - Exhibit B.pdf](#)

[Attachment C -- Subcommittee Comments - Exhibit C.pdf](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



Department of Planning and Community Development

## Memorandum

Date: March 19, 2019  
 To: City Council  
 From: Christy Carr, AICP  
 Senior Planner  
 Subject: Ordinance 2019-03: Subdivision Update – Planning Commission Recommendation

At their February 28, 2019 meeting, the Planning Commission made a recommendation to the City Council on Ordinance 2019-03 (Attachment A). Their motions to transmit this recommendation to the City Council are provided as part of the draft minutes of the February 28, 2019 Planning Commission meeting (Attachment B). The ordinance includes proposed revisions to several sections within Title 17 and 18 of the Bainbridge Island Municipal Code (BIMC), in sum referred to as the “subdivision update.”

This memorandum provides a “road map” to the ordinance itself, an overview of the conceptual approach, a note on cluster development, a summary of procedural history and public comment, a summary of key changes, and staff input on the Planning Commission’s recommendation including comments addressing both housekeeping items and policy questions for the City Council’s consideration.

### Ordinance 2019-03 – A Road Map

The City’s subdivision regulations are generally found in BIMC Title 17 (Subdivisions and Boundary Line Adjustments). Subdivision development is also required to be consistent with applicable substantive standards in BIMC Title 18 (Zoning). As such, Ordinance 2019-03 includes proposed revisions to each of these sections. For the most part, the ordinance deletes regulations related to subdivisions from Title 18 and integrates them into Title 17. Proposed revisions are presented in four parts:

Ordinance 2019-03:	The ordinance itself includes changes in the following sections: <ul style="list-style-type: none"> <li>• BIMC 17.04 and 17.08 – Purpose statement and administration</li> <li>• BIMC 18.12 – Subdivision dimensional standards table deleted (relocated to BIMC 17.12)</li> <li>• BIMC 18.15 – Landscaping and parking requirements related to subdivisions deleted (relocated to BIMC 17.12)</li> </ul>
Ordinance 2019-03 – Exhibit A:	The ordinance proposes to repeal and replace Section 17.12. Exhibit A is the new Section 17.12. The majority of the proposed changes are in this section.

Ordinance 2019-03 – Exhibit B:	Exhibit B includes revisions to BIMC 17.28, Definitions (related only to subdivisions).
Ordinance 2019-03 – Exhibit C:	New residential subdivision design guidelines are proposed. The City's existing design guidelines are located in BIMC 18.18. Exhibit C is the proposed subdivision design guidelines, that will be codified in BIMC 18.18.

Note: For purposes of compliance with RCW Title 58 (Boundaries and Plats) or its successors, the Bainbridge Island subdivision regulations consist of Title 17, as well as applicable substantive standards in BIMC Titles 15 (Buildings and Construction), 16 (Environment), and 18 (Zoning), applicable procedures set forth in BIMC Title 2 (Administration and Personnel), and related local regulations or ordinances adopted in accordance with state law. Subdivisions must also comply with RCW Title 58.

As a reminder, the subdivision update includes three components:

1. New review procedures including early conceptual meetings and a review and recommendation role for both the Design Review Board and Planning Commission;
2. New design guidelines focusing on site planning to promote compatibility with site and neighborhood; and
3. Revised standards

Ordinance 2018-20  
(complete)

Ordinance 2019-03

### Overview of Conceptual Approach

A concern expressed by the community is that recent subdivision development across the island has been inconsistent with the City's 2017 Comprehensive Plan, particularly Guiding Principal #1, "Preserve the special character of the Island -- winding, narrow and vegetated roadways and forested areas, meadows, farms, containing much of the Island's wetlands and streams, aquifer recharge areas and fish and wildlife habitat." Members of the City Council and community have expressed general concerns regarding the adverse impacts of development, including subdivisions, under the City's current development regulations due to threatened harm to the island's fresh water aquifers; the loss of trees, forests, native vegetation and soils and their ecosystem services; and the serious challenge of promoting affordable housing. The broad concern is that the City's existing subdivision regulations allow for indiscriminate clearing and grading followed by development of subdivisions wholly out of context with existing roadside and neighborhood character.

The new approach borrows key concepts from "conservation subdivisions." This type of "conservation design" differs from "conventional design" by first protecting the important natural features of a site and then placing homesites on the remaining area instead of dispersing the development area throughout the site without regard to the site's existing physical landscape. Typical subdivision development seeks to maximize the size of the lots and generally disregards the natural areas on site. An alternative approach is to encourage cluster development, which results in the same number of lots but clusters the development onto a smaller, buildable portion of the site. This approach to subdivision design is tailored to the characteristics of each site through a four-step design process completed early in the review phase. In general, the new approach combines the City's two existing subdivision design options – the "open space option" and the "cluster option" – into a single set of standards. Subdivisions will include both the dedication of open space (renamed natural area) and clustering of homesites.

The new approach achieves several key goals and policies of the Comprehensive Plan:

- Discourages the land, energy, and natural resource consumptive pattern of large single-family homes
- Results in context-sensitive development

- Minimizes the development footprint and promotes low impact development
- Promotes development of a variety of housing types

### A Note on Cluster Development

The City's existing subdivision standards include two design options: the open space option and the cluster option. Current BIMC provisions related to cluster development in existing subdivision standards include:

BIMC 17.28 defines cluster development as, "a group of adjoining homesite areas situated in a suitable area of a property, designed in such a manner that facilitates the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways, while providing for the protection of valued open space features."

BIMC 17.12 includes the following standards:

- Homesite Clustering. The purpose of clustering is to facilitate the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways. Homesites shall be located in cluster groupings and the efficient location of infrastructure shall be used to maximize the undeveloped area. Four or more homesites shall constitute a cluster grouping in a long subdivision, and two or more homesites shall constitute a cluster grouping in a short subdivision.
- All homesites in a cluster grouping shall adjoin or be located a maximum of 25 feet apart from another homesite.
- In the R-0.4 and R-1 zoning districts, a homesite area with a maximum area of 10,000 square feet shall be provided for each lot. In the R-2 zoning district, a homesite area with a maximum area of 7,500 square feet shall be provided for each lot.

A key change proposed in the subdivision update is that there will no longer be an "open space" or "cluster" option – all residential subdivisions will follow the same set of standards. The new, single standard will essentially merge the two options, and include both the designation of open space (renamed "natural area") and cluster development.

The public hearing draft of Ordinance 2019-03 included maximum homesite size (varying by zoning district) and, for subdivisions resulting in four or more lots, a requirement for homesite clustering. Homesite clustering would be achieved by a required dimensional standard for how far apart homesites and homesite cluster groupings can be located. To provide flexibility or alleviate any undue hardship due to specific site conditions, an administrative departure could be requested. If the applicant demonstrates that a subdivision layout without clustering is a better design solution, then clustering would not be required.

The Planning Commission's recommendation of Ordinance 2019-03 includes a maximum homesite size but makes clustering the "preferred design model" rather than a requirement and deletes the required dimensional standards for how far apart homesites and homesite cluster groupings can be located. The Planning Commission's recommendation relies on the required four-step design process to allow the characteristics of the land to determine the most suitable location of homesites and allows for administrative departures from certain standards, if it is found that the departure achieves a better outcome.

In considering cluster development, it may be useful to think about at what scale it is required, and what it is that is being clustered. It is also important to keep in mind the objectives of cluster development,

which are – in brief – minimizing site disturbance and the development footprint and protecting valued natural resource features. In the R-0.4 zoning district, for example, the natural area requirement is 55 percent of the site and can be up to 65 percent if that higher number is the required aquifer recharge protection area. If the natural area is between 55-65 percent of the site, then the development area will effectively be “clustered” in 35-45 percent of the site. This scale of cluster development may achieve its objectives. A finer scale of cluster development could be achieved by clustering homesites and homesite groupings within the development area, although such clustering may not be necessary to achieve the objectives.

The approach that best meets the objective of clustering – at the site scale, clustering “natural area” and “development area,” or at the homesite scale, clustering homesites and homesite groupings within the development area – should be based on the size and characteristics of the site and will likely differ depending on the zoning district, since the required natural area decreases outside of the R-0.4 zoning district. Regardless of what standard is decided on and whether it is required or preferred, the selected approach should provide for a high level of certainty to achieve the goals of cluster development and the related goals and policies in the Comprehensive Plan.

### Procedural History and Public Comment

The Planning Commission began discussion of the subdivision update in March 2018, and held 20 study sessions related to review procedures, decision-making authority, subdivision design guidelines, and subdivision standards between March 2018 – February 2019. The Design Review Board discussed the subdivision update at 11 meetings between April – October 2018. In total, 31 properly noticed public meetings were held regarding the subdivision update. The Planning Commission held a public hearing on February 13, 2019 which was continued to February 28, 2019. In between the two dates of the public hearing, a subcommittee of Planning Commissioners made changes to the public hearing draft, which were made available to the public via an amended Planning Commission agenda on February 26, 2019. The public hearing draft showing the subcommittee’s comments is provided in Attachment C. The subcommittee’s amended version of the public hearing draft, with the addition of several revisions made at the February 28, 2019, Planning Commission meeting, is the Planning Commission’s recommended draft.

Two public comments were provided at each of the public hearings (a total of four comments from three different people). Minutes from the public hearings, including public comments, are provided in Attachment B.

Primary concerns expressed in public comment focused on the R-0.4, R-1, and R-2 zoning districts and related to concerns about a potential loss of privacy, inconsistency with the island’s rural character, and included comments that clustering is “theft” or a “taking of property.”

### Summary of Key Changes

Changes are proposed for each of the three major components outlined above: review procedures, design guidelines, and standards. New review procedures were approved with the adoption of Ordinance 2018-20. A new set of design guidelines was created for residential development within subdivisions. These design guidelines do not apply to residential development outside of subdivisions. The focus of the design guidelines is to generate context-sensitive subdivision development at the site, neighborhood, and island scale. Proposed design guidelines are provided in Ordinance 2019-03 – Exhibit C (Attachment A).

**Four-Step Design Process:** The four-step design process is required during the pre-application phase and is based on a detailed site analysis and context map. The four steps are: (1) delineate natural space, (2) locate homesites and community space, (3) define access, and (4) draw lot lines. The intent of the process is to allow the characteristics of the land to prioritize natural resource areas to be preserved and determine the most suitable location of homesites.

**Administrative Departures:** This is a new procedure through which an applicant could request a departure from, or alternative to, one or more standards to allow flexibility and site-specificity for subdivision design. It is not intended to be a separate process, such as a variance.

**Natural Area Requirement:** The existing "open space" requirement is renamed "natural area." The new subdivision regulations require a percentage of the overall site to be designated as "natural area." Natural area means the undeveloped portion of a subdivision that contains natural resource features such as critical areas, significant tree stands, forested areas, native vegetation, and/or designated wildlife corridors, that is preserved in perpetuity. The natural area requirement ranges from 5% of the site in the Mixed Use Town Center district to 55% of the site in the R-0.4 district. The natural area requirement in the R-1 and R-2 zoning districts is 45% and 30%, respectively. There are a number of allowed uses within the natural area. The proposed regulations include a list of 11 expressly allowed uses within the natural area, including utilities, trails, and small structures. The natural area can be on privately owned lots or within a common tract owned by a homeowners' association or third party.

**Community Space Requirement:** This new requirement is intended to implement the Comprehensive Plan's concept of livable neighborhoods, "... designed with pedestrians and non-motorized transportation in mind, where children can play safely outdoors, and where public spaces exist for recreation and for neighbors to gather and socialize." Like natural areas, a percentage of the total site area is required to be designated as community space with requirements ranging from 5 to 15 percent of the site. Community space is not required for short subdivisions (4 or fewer lots) and applicants have the option of adding the community space requirement in the R-0.4 zoning district (5%) to the natural area.

**Homesite Requirement:** The existing subdivision regulations have a homesite requirement only for the "cluster option" subdivision design. The subdivision update includes a homesite requirement in all subdivisions. The homesite is defined as that portion of a lot depicted on the face of a plat that is intended for development of the primary residential dwelling and accessory buildings and necessary infrastructure within a subdivision. Each zoning district has a maximum homesite size ranging from 10,000 square feet in the R-0.4 district to 2,250 square feet in the R-14 and Mixed Use Town Center districts.

**Cluster Development:** The existing subdivision regulations include cluster development only for the "cluster option" subdivision design. The Planning Commission's recommendation effectively maintains the optional status by calling it the "preferred design model."

**General Standards:** The subdivision update also includes a number of changes to the general standards. New standards are added related to fencing, landscaping, and design diversity. Some existing standards are revised to improve clarity and consistency with the Comprehensive Plan and other City planning documents, including those related to streets and access, stormwater facilities, and septic systems.

#### Staff Input on Planning Commission Recommendation

Staff has the following comments on the Planning Commission's recommendation, which are highlighted and numbered in Exhibit A of Ordinance 2019-03 (see Attachment A). Housekeeping corrections were

discovered when updating the Planning Commission's recommended draft, and those corrections are included as well.

1. The Planning Commission changed "design guidelines" to "development standards;" however, the section relates to design guidelines, not development standards.
2. Staff suggests adding "natural" in front of "resources" to clarify that the first step in the four-step design process gives the highest priority to natural resources.
3. Staff recommends that the "or" is replaced with "and" to clarify that a request for a departure must meet all of the listed criteria.
4. The Planning Commission recommended deleting this criterion, noting it would be too challenging to implement. While it may be challenging to implement, staff suggests that the criteria should include the requirement that an applicant demonstrates that there has been a serious effort to comply with the standards and that the City may want to consider the economic implications of either denying or granting a departure.
5. The Planning Commission added the language "the director shall review the record and render a decision on the specified departure(s), subject to review by the hearing examiner." This process is not possible without a separate application and would make the director's decision on the departure subject to appeal. The intent of the "administrative departure" is not to require a separate process, application, or fee. Rather, a request for an administrative departure would be considered at the Design Guidance Review meeting and both the Design Review Board and members of the Planning Commission would provide a recommendation at that point. The departure, if it is an affirmative recommendation, would be included in the pre-application. The Planning Commission and staff agreed that whether or not a departure will be granted needs to be known early in the process.
6. The Planning Commission deleted "one or more of" the following objectives. It is likely that a designated natural area will not support all of the stated objectives. However, without the modifier "one or more of," and applicant would be required to demonstrate just that.
7. The Planning Commission changed "adjacent" to "any" in terms of what a designated natural area should connect to. Staff suggests that "any" is too broad and notes that one of the objectives of conservation subdivisions is to develop connected systems of natural area, which is why the term adjacent was used.
8. The Planning Commission added "as are gates" to the allowance for fencing around natural areas. While gates in and of themselves are not problematic, it should be clarified that the gate should meet the definition of low-impact fencing (e.g., allow for wildlife movement). A chain link gate, for example, would not meet this definition.
9. This is a housekeeping correction – "open space" should be "natural area."
10. Homesite clustering. See "A Note on Cluster Development," above. Staff suggests that clustering should be a requirement with a departure available from the standard rather than the "preferred design model," as recommended by the Planning Commission. A reliance on the four-step design process to "allow the characteristics of the land to determine the most suitable location of homesites" – with no standard – would be problematic to implement. For example, if a property in the R-1 zoning district contains 25 percent native vegetation, the natural area requirement would be 30 percent. Site development could then be dispersed throughout the remaining 70 percent of the property because there is no standard to determine which portion/s of the 70 percent are "the most suitable location" for homesites. If the intent is to minimize site disturbance and the overall development footprint, a standard is needed to

achieve that – guidelines and preferences will not. That said, as noted earlier, dimensional standards that cluster homesites and homesite groupings within the development area are likely not necessary to achieve the intent.

11. Site disturbance. The Planning Commission's recommended language references the City's stormwater code for land disturbing activities, which means, "any activity that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices are not considered land disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures." The recommended language states that land disturbing activities "shall be limited to the minimum required for site preparation and construction." Implementation of this standard would almost certainly bring up a variety of questions, such as: Site preparation and construction of what? Who decides what the "minimum required" is? Is site disturbance allowed outside the homesite? If an overall objective of the subdivision standards is to limit site disturbance, the standard needs to be more specific.
12. This is a housekeeping correction. The Planning Commission corrected it via motion in the dimensional standards table, but it was missed in this section.
13. Landscaping: The public hearing draft included a maximum amount of turf grass and minimum requirement for native vegetation allowed on lots and within Community Space, based loosely on the innovative site development requirements to receive incentives in the City's current HDDP program (providing <20% turf or >60% native plants receive four points each toward earning incentives). The Planning Commission's recommended language – "should be retained and maintained where possible" and "should be responsive to the natural contours" – does not provide any backstop for City staff to require any specific type of landscaping. While the City may not wish to manage people's yards, specific metrics are more useful than general language if the City wishes to have any sort of requirements related to landscaping.
14. Staff suggests that "public and private streets" should not be allowed in perimeter buffers. This was erroneously copied from roadside buffers, where streets would be permitted to cross, and was missed during Planning Commission review.
15. This is a housekeeping correction – "perimeter" should be "roadside."
16. The Planning Commission discussed that the road into the subdivision should be able to cross the roadside buffer (otherwise there would be no access to the subdivision). Staff suggests that the intent was not to allow driveways (for individual lots) to cross the roadside buffer and that this language/word choice should be clarified that it is the road into the subdivision that may cross the roadside buffer.
17. The Planning Commission changed "maximum density" to "minimum lot area" because the first term is confusing. Staff concurred with this change but notes it follows a row titled "minimum lot area," but has different requirements – which is confusing. Staff suggests (possibly) using the term "allowable lots" for the dimensional standard title and moving the existing note so that it is located directly beneath the title, so that the note would state: The maximum number of lots permitted shall be calculated by dividing the total lot area of the property (without deducting areas to be dedicated as public rights-of-way or areas to be encumbered by private road easements) by the minimum lot area for standard lots in the zone district. "Minimum lot area" could then be changed to "Minimum lot area for standard lots in the zone district," to clarify

that it is not a minimum lot size for the subdivision but a means to calculate the number of allowable lots.

18. The Planning Commission pointed out that the maximum homesite size for subdivisions in the R-0.4, R-1, and R-2 districts (10,000, 7,500, and 6,500, respectively) conflicts with the minimum development area allowed with the aquifer recharge protection area (ARPA), which is 12,500 square feet in all zones. The 12,500 number for the ARPA was based on the minimum lot size in the subdivision standards at the time the ARPA was established. Staff suggested that the ARPA standards (BIMC 16.20.100) be changed to be consistent with the homesite size: "A lower percentage is allowed if necessary to achieve a development area of at least 12,500 square feet on a parcel or the maximum allowable homesite size within a subdivision. The Planning Commission agreed with this change, although changes to BIMC 16.20 were not included in the Planning Commission's recommendation. Note that the subdivision update includes no minimum lot size – lot size in areas with on-site septic systems would be determined by the Kitsap Public Health District. The Health District regulations include a number of alternatives for determining minimum lot size, one of which is opting for the prescriptive standard of 12,500 square feet.
19. The City's current subdivision regulations allow for zero lot lines (attached buildings) in all zoning districts. This was a change made in 2017 to support low impact development and affordable housing goals in the Comprehensive Plan. The consultant recommended maintaining the zero lot line option in all zoning districts if the individual buildings (homes) are less than 1,600 square feet, while the Planning Commission recommended that the zero lot line option should not be allowed in the R-0.4 zoning district regardless of home site. Staff notes that the Planning Commission recommendation reverses the change made in 2017, which was made at that time to support the Comprehensive Plan.
20. The Planning Commission changed "public right of way" to "internal access" because "public right of way" could mean the frontage road and the likelihood is that property owners do not want garages that are zero feet from a frontage road. Staff agrees that this is confusing and notes that the City needs a term and definition for internal roads within a subdivision. "Internal access" is not a currently used or defined term. Staff is considering this issue and will provide a recommendation to the City Council.

**ORDINANCE NO. 2019-03**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, relating to subdivision standards, revising Title 17, repealing Chapter 17.12, and adopting an updated Chapter 17.12, repealing Table 18.12.020-1, and revising Chapter 18.12.040, 18.15.005, 18.15.010, 18.15.020, and 18.18.030 of the Bainbridge Island Municipal Code.

**WHEREAS**, the City Council of the City of Bainbridge Island (“City”) updated the City’s Comprehensive Plan in February of 2017; and

**WHEREAS**, the City Council has expressed significant concerns about development and growth in the City under current regulations in the context of the vision and goals of the City’s Comprehensive Plan, and desires to revise development regulations to best accommodate growth and development in both general and specific ways; and

**WHEREAS**, Ordinance No. 2018-02 imposed a temporary six-month moratorium on the acceptance of certain development, stating the City Council’s concerns regarding likely adverse impacts related to growth and development under existing regulations; and

**WHEREAS**, based on these and related concerns, the City Council required additional time to review the regulations and policies at issue to ensure that the vision and goals of the City’s Comprehensive Plan are being met to the Council’s satisfaction; and

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

- (1) Initiate rewrite of subdivision design standards (Chapter 17.12 BIMC);
- (2) Identify specific development standards to review/revise (Chapters 18.12 and 18.15 BIMC); and
- (3) Consider alternatives and identify preference for design guidelines framework.

**WHEREAS**, at an 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 April 2 and 23, May 7 and 21, June 4, August 6 and 13, September 4 and 17, and October 15, 2018, the City’s Design Review Board discussed alternatives for subdivision review procedures and subdivision design guidelines; and

**WHEREAS**, on March 22, May 10, June 7, 14, and 21, July 12 and 26, August 9, 23, and 30, September 13 and 27, October 25, November 8 and 29, and December 13, 2018, as well

as on January 10, and February 13 and 28, 2019, the City’s Planning Commission discussed alternatives for revisions to the City’s subdivision review procedures, design guidelines, and standards; and

**WHEREAS**, each of the multitude of Design Review Board and Planning Commission meetings included an opportunity for public comment; and

**WHEREAS**, the Planning Commission held a public hearing on Ordinance 2019-03 on February 13, 2019, which was continued to February 28, 2019; and

**WHEREAS**, City staff forwarded the Planning Commission’s recommendations related to the subdivision update to the City Council for consideration at the Council’s March 19, 2019 regular study session; and

**WHEREAS**, the City Council previously reviewed and considered the subdivision update at regularly scheduled meetings on September 4 and 11, October 9, and December 4, 2018; and

**WHEREAS**, the City Council considered this ordinance at its meetings on March 19, 2019, as well as meetings on [note: this will be revised based on Council activity]; and

**WHEREAS**, the City issued a State Environmental Policy Act (“SEPA”) Determination of Non-Significance for this Ordinance No. 2019-03 on March 1, 2019; and

**WHEREAS**, the City notified the Department of Commerce on February 25, 2019 of its intent to revise its development regulations relating to subdivisions; and

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

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

**Section 1.** Section 17.04.010 of the Bainbridge Island Municipal Code is hereby amended as follows.

A. The purpose of this title is to regulate the division of land into short subdivisions, long subdivisions, and large lot subdivisions ~~to promote the public health, safety and general welfare of the citizens of the city in accordance with state law and the city’s comprehensive plan. To carry out this purpose and further the comprehensive plan policies addressing residential subdivision of land, this title establishes a flexible lot process for short and long subdivisions that promotes the preservation and consolidation of open space and clustering of development within residential subdivisions. This process facilitates the fair and predictable division of land, maintains the current character of the city, encourages efficient and cost effective provisions for infrastructure, limits the development impact area, minimizes impervious surface area and provides for greater flexibility in the division and establishment of residential lots. in a manner~~

consistent with the established zoning classifications for residential and other uses, in order to promote the public health, safety, and general welfare of citizens. In accordance with state law and the city's comprehensive plan, this title establishes a planning process for short and long residential subdivisions that promotes the preservation and consolidation of natural areas and the clustering of homes, in order to facilitate the fair and predictable division of land, limit the environmental impacts of development, achieve efficient and cost-effective provisions for utilities and infrastructure, and maintain the current character of the city.

~~B. A further purpose of this title is to:~~

- ~~1. Prevent the overcrowding of land;~~
- ~~2. Lessen congestion in the streets and highways;~~
- ~~3. Provide for adequate light and air;~~
- ~~4. Facilitate adequate provision for water, sewage, storm water drainage, parks and recreation areas, sites for schools and school grounds and other public requirements;~~
- ~~5. Provide for proper ingress and egress;~~
- ~~6. Provide a variety of housing opportunities; and~~
- ~~7. Maintain the quality of life of the city.~~

~~C. Through this title, the city will also allow for the subdivision of land for nonresidential, multifamily, and mixed use, and accomplish uniform monumenting of land divisions and conveyance by accurate legal description.~~

~~D. An additional purpose of this title is to provide criteria for summary administrative approval of boundary line adjustments that satisfy public concerns of health, safety and welfare, or where arranging or rectifying boundary lines is otherwise requested.~~

~~E.B. A final further purpose of this title is to comply with the provisions of RCW Title 58 (Boundaries and Plats) or its successors, and other applicable law of Washington State, and no provision of this title shall be interpreted to authorize or require actions inconsistent with those laws. (Ord. 2011-02 § 2 (Exh. A), 2011)~~

**Section 2.** Section 17.04.020 of the Bainbridge Island Municipal Code is hereby amended as follows.

B. Location of Review and Approval Procedures and Application Materials. The procedures for approval of short, long, large lot, nonresidential, and multifamily subdivisions, as well as the vesting of rights related to those types of approvals, are set forth in BIMC Title 2 (Administration and Personnel). All such provisions require consistency with the requirements of RCW Title 58 (Boundaries and Plats) or its successors as applicable to the type of land division being proposed. Required application materials are provided in the Bainbridge Island administrative manual.

~~E. Application Materials. Materials required to be submitted with an application for a short or long subdivision, subdivision, large lot subdivision, nonresidential or multifamily subdivision or boundary line adjustment are available in the Bainbridge Island administrative manual.~~

**Section 3.** Section 17.08.020 of the Bainbridge Island Municipal Code is hereby amended as follows.

~~H. Short subdivisions shall not be used, either by a person alone or by persons acting together, at one time or over a period of time, as a means to circumvent compliance with the more stringent subdivision requirements that control the subdivision of land into five or more lots. When an application for a short subdivision is filed within five years after the approval of a short subdivision on a contiguous land parcel, a presumption of an attempt to circumvent short subdivision requirements may be invoked by the director as a basis for further investigation to assure compliance with the intent of this provision. (Ord. 2011-02 § 2 (Exh. A), 2011)~~

**Section 4.** Chapter 17.12 of the Bainbridge Island Municipal Code is hereby repealed.

**Section 5.** An updated Chapter 17.12 of the Bainbridge Island Municipal Code is hereby adopted, as set forth in Exhibit A and as incorporated herein.

**Section 6.** Chapter 17.28 of the Bainbridge Island Municipal Code is hereby amended as set forth in Exhibit B and as incorporated herein.

**Section 7.** Table 18.12.020-1, *Flexlot Subdivision Dimensional Standards for Residential Zone Districts*, is hereby repealed.

**Section 8.** Chapter 18.12.040 of the Bainbridge Island Municipal Code is hereby amended as follows.

A. Permitted Setback/Height Modifications. Minimum and maximum setbacks and maximum heights established in Tables 18.12.020-1, 18.12.020-2, and 18.12.020-3 and in BIMC 18.12.030 may be encroached as set forth in Table 18.12.040 and may also be modified by applicable provisions of adopted fire codes, the shoreline master program, and/or the building code. These modifications are not permitted in required perimeter or roadside buffers.

**Section 9.** Section 18.15.005 of the Bainbridge Island Municipal Code is hereby amended as follows.

G. ~~Chapter BIMC 17.12 BIMC-.030, flexible lot design open space/cluster general subdivision~~ standards; BIMC 17.20.020, dedication of land for parks and open space facilities;

**Section 10.** Table 18.15.010-1, *Landscape Requirements by Zone District*, of the Bainbridge Island Municipal Code is hereby amended as follows.

Landscape Requirements for Land Uses and Districts	Significant Tree and Tree Stand Retention	Perimeter Landscape	Roadside Buffer	Parking Lot Landscaping	Total Site Tree Unit Requirements	Planting Requirements	Irrigation	Maintenance
Single-Family Residential Short Plats and Subdivisions	X	X (Cluster Subdivisions Only)	X	-	-	X	X	X

**Section 11.** Table 18.15.010-3, *Perimeter Landscaping Requirements by Land Use and Zoning District*, of the Bainbridge Island Municipal Code is hereby amended as follows.

Abutting Zoning or Land Use District	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
<b>Short Plats and Subdivisions in Residential Zoning Districts [1]</b>			
Residential subdivision in the R-0.4, R-1, and R-2 districts (cluster option only)	Edge Planting Standard	25	25
Multifamily subdivision in the R-2, R-1, and R-0.4 zoning districts (cluster option only)	Full Screen	25	25
Park and conservation land buffer: applies to all single-family subdivisions (OS) [2]	Edge Planting Standard	25	25
<b>Winslow Town Center Mixed Use District [3] [1]</b>			
Non-B/I	Full Screen [4] [2]	50	35
[1] Properties with less than one acre being subdivided are not subject to perimeter buffer requirements.			

Abutting Zoning or Land Use District	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
<p>[2] <del>(OS) indicates that the buffer may be calculated in the required open space area for the subdivision.</del></p> <p>[3] [1] For perimeter landscaping requirements in the ferry terminal district transition area, north of Winslow Way, reference BIMC 18.12.030.C.</p> <p>[4] [2] This perimeter buffer applies even when a private access road separates a B/I property from non-B/I property.</p>			

**Section 12.** Section 18.15.010.D. of the Bainbridge Island Municipal Code is hereby amended as follows.

3. ~~Perimeter Buffers in Residential Cluster Short Subdivisions, Cluster Long Subdivisions, and Multifamily Subdivisions in the R-2, R-1, and R-0.4 Zoning Districts.~~ for residential and commercial subdivisions are required pursuant to BIMC 17.12.060.N. The buffers shall be pursuant to the standards set forth in subsection D.4 of this section. The tree retention, replacement, and protection standards of subsection C of this section apply to perimeter buffers for residential and commercial subdivisions.

- ~~a. When the cluster development option is selected pursuant to BIMC [17.12.030.B](#) for property with a gross area of one acre or more and that is located in the R-0.4, R-1, R-2 and R-2.9 districts, a 25-foot wide, edge planting standard landscape perimeter shall be required along the subdivision boundary.~~
- ~~b. When the cluster development option is selected pursuant to BIMC [17.12.030.B](#) for property with a gross area of one acre or more and that is located in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 zone districts, a 10-foot wide, edge planting standard landscape perimeter shall be required along the subdivision boundary.~~
- ~~c. In order to buffer the visual impact of the proposed subdivision and protect off-site views, additional landscaping shall be planted within landscape perimeter buffers where mature trees and shrubs cannot provide such screening, pursuant to subsection D.4 of this section.~~
- ~~d. Required landscape buffer width may be reduced through buffer averaging in accordance with the criteria in subsection D.5 of this section, perimeter landscape requirements. For example, buffers may be adjusted when such adjustments contribute to the neighborhood character by incorporating significant trees and native vegetation, incorporate a unique landscape feature, or accommodate a unique situation that allows~~

continuation of an existing use, such as a utility or other easement providing continued use.

e. ~~Landscape buffers may be included in the required open space calculations for a subdivision as noted in Table 18.15.010-3. Table 18.15.010-3 depicts the landscape buffer requirements for subdivisions by zoning district and denotes when the buffer may be included in the open space calculations. These standards apply unless alternative buffers are required pursuant to critical area review, the requirements of the Shoreline Management Act, conditioned by SEPA review, or required for public health or safety reasons.~~

f. ~~When a multifamily subdivision is created within the R-2, R-1, and R-0.4 zoning districts, a 25-foot wide, full screen landscape perimeter shall be required along the subdivision boundary~~

**Section 13.** Section 18.15.010.E. of the Bainbridge Island Municipal Code is hereby amended as follows.

2. Roadside Buffers for Residential and Commercial Subdivisions are required pursuant to BIMC 17.12.070.O. ~~Roadside buffers are required for both residential and commercial subdivisions—see Table 18.15.010-4. The type and width of the required buffer varies by the type of roadway the subdivision is adjacent to, as well as the condition of the existing roadside vegetation. The buffers shall be pursuant to the standards set forth in subsection D.4 of this section and Table 18.15.010-4. The tree retention, replacement, and protection standards of subsection C of this section apply to roadside buffers for residential and commercial subdivisions.~~ These requirements do not apply to projects involving only interior renovations of existing buildings.

a. ~~Roadside Buffer General Requirements. All residential subdivisions and short subdivisions subject to landscape buffering requirements shall comply with the standards in this subsection, including those in Table 18.15.010-4.~~

b. ~~Roadside Buffers in Residential Short Subdivisions.~~

i. ~~Except for properties containing a gross area of less than one acre, on a property located adjacent to public roads that are designated as collector or arterial roads on the adopted road classification map, a 25-foot wide vegetative buffer shall be maintained. However, in the R-3.5, R-4.3, R-5, R-6, R-8 and R-14 districts a roadside buffer is not required unless it is determined that a landscape buffer is necessary to maintain the character of the neighborhood or to reflect neighboring development patterns.~~

ii. ~~Where there are no mature trees and shrubs that contribute to the existing forested character of these roads, the character of the neighborhood shall be maintained by establishing building setbacks equal to or greater than the existing building setbacks on the~~

adjacent properties. At no point shall the building setback be less than requirements in this title.

iii. To accommodate an existing house that is located within 25 feet of the property line adjacent to a collector or arterial road, the roadside buffer area width shall be reduced to the width adjoining the existing home between the existing house and the property line adjacent to the collector or arterial road.

~~c. Roadside Buffers in Residential Long Subdivisions.~~

~~i. For subdivisions located in the R-0.4, R-1, R-2 and R-2.9 districts located adjacent to public roads that are designated as collector or arterial roads on the adopted road classification map, a 25-foot wide vegetative buffer shall be maintained. In the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 districts a roadside buffer is not required unless it is determined that a landscape buffer is necessary to maintain the character of the neighborhood or to reflect neighboring development patterns.~~

~~ii. For property with a gross area of one acre or more and that is located in districts R-0.4, R-1, R-2 and R-2.9, where there is no existing vegetation that contributes to the existing vegetation character of the roads, a 25-foot full screen landscape buffer shall be planted consistent with the requirements of subsection D.4.a of this section, except as noted below in this subsection.~~

~~iii. To accommodate an existing house that is located within 25 feet of the property line adjacent to a collector or arterial road (or within 25 feet of such a property line if subsection E.2.c.ii of this section applies), and to maintain the character of the neighborhood and reflect neighboring development patterns, the roadside buffer area width shall be reduced to the width adjoining the existing home between the existing house and the property line adjacent to the collector or arterial road. At no point shall the building setback be less than requirements in this title.~~

~~iv. For subdivisions designating open space that is intended for agricultural use and would be adversely impacted by the addition of screening landscaping, a 25-foot roadside buffer as prescribed in subsection E.2.c.ii of this section shall not be required.~~

~~d. Roadside Buffers in Multifamily and Commercial Subdivisions. A minimum 50-foot vegetative buffer shall be established adjacent to all designated scenic roads. The buffer shall be consistent with the requirements for a full screen buffer, pursuant to subsection D.4.a of this section.~~

~~e. Multiple Street Frontages. For properties subject to the roadside buffers requirement along two property boundaries, the roadside buffer abutting the street with the lower classification may be reduced to 25 feet in width. For properties that abut more than two streets requiring roadside~~

buffers or in situations where both abutting streets are of the same road classification, one roadside buffer of the full required width shall be required and all other roadside buffers may be reduced to 25 feet; provided, that the full required width buffer is located where a greater number of significant trees can be incorporated into the buffer.

**Section 14.** Table 18.15.010-4, *Roadside Buffer Requirements by District and Land Use*, of the Bainbridge Island Municipal Code is hereby amended as follows.

Existing Zoning/Use	Adjacent Right-of-Way Type	
	Right-of-Way (not including Highway 305)	Highway 305
<b>Residential Subdivision in the R-0.4, R-1, R-2, and R-2.9 Districts [4]</b>	25' Full Screen or maintain existing vegetation within 25' buffer (OS) [5][6]; Applies only to collectors and arterial roads	
<b>Residential Subdivision in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 Districts [4]</b>	No requirement unless necessary to reflect neighboring development patterns (OS) [5]; Applies only to collectors and arterial roads	

- [1] All roadside buffers ~~must~~ shall be planted if not already existing.
- [2] For perimeter landscaping requirements in the ferry terminal district transition area, north of Winslow Way, reference BIMC [18.12.030.C](#).
- [3] Beginning 100' north of Winslow Way.
- [4] ~~Properties being subdivided with less than one acre are not subject to roadside buffer requirements.~~
- [5] ~~(OS) indicates that the buffer may be calculated in the required open space area for open space subdivision.~~
- [6] ~~Existing vegetation must remain in the 25-foot buffer area. When existing vegetation does not constitute a full screen, the applicant will not be required to plant a full screen. If existing vegetation within the 25-foot buffer area does constitute a full screen, but dense vegetation is not part of the neighborhood character, then the applicant may choose between maintaining a 25-foot full screen roadside buffer, or averaging that buffer to retain trees and vegetation elsewhere on the property and eliminating the roadside buffer.~~

**Section 15.** Section 18.15.020.D. of the Bainbridge Island Municipal Code is hereby amended as follows.

3. Parking spaces serving dwelling units shall be located on the same lot with the building they serve, except in subdivisions where parking spaces may be located on a separate lot or tract. In the central core, gateway, and ferry terminal districts, one parking space per unit shall ~~must~~ be located on site and any additional spaces may be located off site. All off-site spaces shall ~~must~~ be within a 1,000-foot radius of the edge of the development parcel and shall ~~must~~ be acquired through fee-in-lieu, fee simple ownership, or a leasehold permanently linked to the unit.

**Section 16.** Section 18.18.030 of the Bainbridge Island Municipal Code is hereby amended as follows.

~~A. Detached Single Family Residential Developed Using the R-8SF Urban Single Family Overlay District. Detached single family residential developed in accordance with the R-8SF urban single family overlay district transfer of development rights program shall comply with those regulations contained in "Design Guidelines for R-8SF Urban Single Family Overlay District" if they want to develop at overlay zone densities. Residential subdivision development in all zoning districts except the Neighborhood Center and Mixed Use Town Center districts shall comply with those regulations contained in "Design Guidelines for Residential Subdivisions," as set forth in Exhibit C and incorporated herein.~~

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

**Section 18.** This ordinance shall take effect and be in force five (5) days after 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: March 15, 2019  
PASSED BY THE CITY COUNCIL: \_\_\_\_\_, 2019  
PUBLISHED: \_\_\_\_\_, 2019  
EFFECTIVE DATE: \_\_\_\_\_, 2019  
ORDINANCE NUMBER: 2019-03

## **Chapter 17.12**

### **SUBDIVISION STANDARDS**

#### **17.12.010 Applicability.**

This chapter sets forth standards for short subdivisions, long subdivisions, large lot subdivisions, and nonresidential and multifamily subdivisions. Specific requirements relevant to each individual type of subdivision are provided throughout various chapters of this title.

#### **17.12.020 Subdivision Design Guidelines.**

All residential subdivisions outside the Neighborhood Center and Mixed Use Town Center zoning districts shall comply with those design guidelines contained in “Design Guidelines for Residential Subdivisions” set forth in BIMC 18.18 and its reference documents, which are adopted as part of this title by reference.

The purpose of subdivision design guidelines is to define the qualities of subdivisions that meet the guiding principles, goals, and policies of the city’s Comprehensive Plan and to serve as a tool for guiding individual projects to meet those expectations through the city’s land use review procedures. The design guidelines offer reference points for the public to participate in discussions of new subdivisions, and they allow applicants flexibility in meeting development standards and zoning requirements. An applicant may be granted a departure from the **development standards** by demonstrating that an alternative design better meets the intent of the design guidelines.

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#### **17.12.030 Four-Step Design Process**

The city’s approach to planning for subdivisions requires a four-step process that gives the highest priority to identification and conservation of **resources**. This process reverses the conventional site planning approach, which typically begins by laying out the streets, lot lines and building footprints. Instead of first identifying the areas to be cleared for development, the design process begins by analyzing on-site resources and the site’s relationship to surrounding properties, in order to identify what resources are most worthy of preservation and what areas can best accommodate development.

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This design process is required for all residential subdivisions. The process is further defined in BIMC 2.16.125.D; it consists of four steps: 1) Delineate Natural Area; 2) Locate Homesites and Community Space; 3) Define Access; and, 4) Draw Lot Lines.

#### **17.12.040 Administrative Departures**

A. A departure from existing subdivision standards may be requested by an applicant or required by the City to allow use of an alternative standard not listed among the applicable requirements of BIMC 17.12.050 through BIMC 17.12.070. Departures are not variances and are not required to meet the criteria associated with a variance application. Rather, departures allow adjustment of existing standards to achieve better outcomes in cases where strict application of the existing standard would result in an inferior subdivision design.

B. Departures from the subdivision standards in BIMC 17.12.050 through BIMC 17.12.070, may be permitted as part of the subdivision review process. In order for such a departure to be allowed, it must satisfy the intent of the

four-step design process, and the resulting development design must better serve the public interest. A departure shall not be allowed from the following standards:

1. Natural area
2. Community space
3. Homesite size

C. Any request for one or more departures shall be made at the Design Guidance Review Meeting as part of the pre-application phase of the project. Departures shall be reviewed concurrently with an application for subdivision. It must be shown that the proposal is consistent with the following criteria:

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1. Because of unusual shape, exceptional topographic conditions, environmental constraints or other extraordinary situation or condition in connection with a specific piece of property, strict adherence to the existing standard would create undue hardship or result in an undesirable plat; or

2. The granting of the departure results in better plat and/or lot design. Better plat and/or lot design means situations such as creating plats that result in greater natural resource conservation value, less adverse impact to adjoining properties, or more practical design because of topography, critical area, or other extenuating circumstance; and

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~~3. All possible efforts to comply with the standard or minimize potential harm or adverse impacts have been undertaken. Economic consideration may be taken into account but shall not be the overriding factor in approval; and~~

4. The departure is consistent with other applicable regulations and standards; and

5. The granting of any departure will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity in which the property is located.

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D. Upon affirmative recommendations by the Design Review Board and the Planning Commission, the director shall review the record and render a decision on the specified departure(s), subject to review by the hearing examiner. A departure from subdivision standards BIMC 17.12.050 through BIMC 17.12.070 may be granted if it is shown that the departure meets the criteria in 17.12.040 (C).

#### 17.12.050 Natural Area and Community Space.

A. Natural Area Required. All residential subdivisions shall provide natural area consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

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1. Natural Area Objectives. The natural area(s) shall support one or more of the following objectives:

- a. Conservation of natural resources, including wildlife habitat;
- b. Protection of groundwater recharge;
- c. Conservation of native soils;
- d. Expansion or enhancement of the value to adjacent or neighboring open space, parks, forested areas, conservation easements, shorelines, or critical areas;
- e. Preservation of unique natural land or rock features;
- f. Preservation of visual appeal along highway, road and street corridors or scenic vistas.

2. Amount of Natural Area Required. The minimum natural area shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.

3. Designation of Natural Area. The natural area(s) shall be designated as the first step in the four-step design process defined in BIMC 2.16.125.D. Natural areas consist of primary and secondary natural areas. If the primary natural areas make up less than the required percentage of the total site natural area, the balance of the required natural area shall consist of secondary natural areas.

a. Primary Natural Areas (PNA). PNAs form the core of the natural area to be protected. PNA's include the following:

- i. Critical areas other than critical aquifer recharge areas;
- ii. Critical area buffers;
- iii. Aquifer recharge protection area as required by BIMC 16.20.100,

b. Secondary Natural Areas (SNA). SNAs are locally noteworthy or significant features of the natural landscape. SNA's include the following:

- i. Mature woodlands;
- ii. Freestanding significant trees;
- iii. Wildlife corridors;
- iv. Greenways and trails;
- v. Scenic viewsheds;
- vi. Mature vegetation on ridgelines

c. Aquifer Recharge Protection Area (ARPA). Subdivisions in the R-0.4, R-1, and R-2 zoning districts shall include designation of an ARPA in accordance with BIMC 16.20.100 and the following standards:

- i. If a proposed subdivision includes more than one parcel, the ARPA shall be calculated based on the total square footage of all parcels;
- ii. If the required ARPA is greater than the required natural area, the natural area shall be increased to achieve the required ARPA area;
- iii. If the required ARPA is less than the required natural area, the natural area shall include other SNAs to achieve the required natural area.

4. Natural Area Configuration. Designated natural areas shall be configured in a manner that enhances and promotes the natural character of the island and natural resource characteristics of the property and surrounding area. Natural area configuration shall satisfy the following guidelines:

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- a. Natural area should be concentrated in large, consolidated areas; and
- b. Natural area should connect to any adjacent off-site open space areas, designated wildlife corridors and trails, and/or critical areas; and
- c. Natural area should be designed to preserve views from off site of the subject property; and
- d. Natural area should be delineated with a low perimeter-to-area ratio with a minimum width of fifty (50) feet; and
- e. Natural area may be included as a portion of one or more lots or may be contained in a separate tract.

5. Natural Area Fencing and Signage. Fences and/or signs delineating the boundary of natural areas are required. The director shall determine which option (fence or sign) is required, based on the recommendations from the Design Guidance Review Meeting.

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- a. If fencing is required:
  - i. Low-impact fences are preferred and must be constructed in accordance with the definition in BIMC 17.28.020; and
  - ii. Fencing is not required at the exterior boundary of the subdivision; and
  - iii. Gaps in fencing not exceeding five (5) feet are permitted, as are gates
- b. If signs are required:

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- i. They shall be constructed in accordance with the definition in BIMC 17.28.020; and
  - ii. Typically, they shall be spaced at intervals of 50 feet, allowing for variation due to reasons such as topography, configuration of natural area open space, distance from other features, etc.

c. If signage is required and encroachments into the designated natural area occur, the director may require that the owner install fencing and/or additional signage to prevent future encroachments. Required fencing and signs shall be maintained in good repair, with repair or replacement to occur within 60 days.

6. Natural Area Ownership. Ownership of natural area shall be established consistent with one of the following forms of ownership:

- a. Private Ownership. Natural areas may be held in private ownership if established by easements, restrictive covenants, the natural area management plan, or similar legal means; or
- b. Common Ownership. Natural areas may be held in common by a home or property owners' association or other similar organization. For the purposes of this title, if a land trust or a similar conservancy maintains ownership or a conservation easement, that shall be considered common ownership. If this ownership pattern is selected, covenant, conditions, and/or restrictions shall be required; or
- c. Public Ownership. Designated natural areas shall not be required to be dedicated to the city or other public agency, and the owner shall not be required to permit public access to designated natural areas. However, if the owner offers to dedicate, the city or other public agency may choose to accept ownership of natural areas. Consequently, upon approval and acceptance by the city council, the natural areas shall be dedicated to the public.

7. Natural Area Maintenance. An applicant shall submit a draft natural area management plan (NAMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the NAMP will occur at the time of final plat approval. The natural area management plan shall include:

- a. A list of all approved uses for the natural areas. Where uses in separate natural areas vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for natural areas, that clearly describes the frequency and scope of maintenance activities for natural areas and that meets all requirements set forth in subsection 7 herein, and in the Bainbridge Island administrative manual.
- c. The approved NAMP must be filed with the Kitsap County Auditor. In the event that the natural area is not maintained consistent with the NAMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision and shall, if unpaid, become a tax lien on such property or properties.

8. Allowed Uses in Natural Area. Allowed uses within natural areas include:

- a. Installation and care of native plants.
- b. Maintenance pruning of trees and shrubs provided the structural integrity and long-term health of the vegetation is preserved.
- c. Wildfire mitigation activities, other than tree removal, within a 30-foot defensible space around a primary structure, in accordance with the Bainbridge Island community wildfire protection plan and as described by Section 603 of the International Wildland Urban Interface Code.
- d. Removal of invasive plant species.
- e. Passive recreation, including pervious trails.
- f. Potable water wells and well houses.
- g. Low impact fencing or signs marking the natural area boundary.
- h. On-site sewage drainfield facilities, if construction of the system will not require the use of heavy equipment or removal of significant trees.
- i. Storm drainage facilities if the applicant can demonstrate that (i) the system meets the low impact design (LID) standards of Chapter 15.20 BIMC, and (ii) construction of the system will not require the use of heavy equipment or removal of significant trees.
- j. Accessory solar panels, small wind energy generators, composting bins, rainwater harvesting barrels, and cisterns, as defined in Chapter 18.36 BIMC.
- k. Other structures or hard surfaces with a total footprint no greater than 200 square feet.

B. Community Space Required. All residential subdivisions, except short subdivisions, shall provide community space consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

1. Community Space Objectives. Community space shall accomplish one or more of the following objectives:

- a. Provide a place for residents to gather in shared space.
- b. Provide common buildings, open space, or gardens.
- c. Provide space for unstructured recreation.
- d. Enhance a felt and actual sense of security, identity, and community.
- e. Provide a protected, traffic-free environment.

2. Amount of Community Space Required. The minimum community space shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.

3. Community Space Configuration. Community space should adjoin the largest practicable number of lots within the development. Non-adjoining lots shall be provided with safe and convenient pedestrian access to community space.

4. Community Space Ownership. Ownership of community space shall be established consistent with one of the forms of ownership set forth in BIMC 17.12.050.A.5.

5. Community Space Maintenance. An applicant shall submit a draft community space management plan (CSMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the CSMP will occur at the time of final plat approval. The community space management plan shall include:

- a. A list of all approved uses for the community space. Where uses in separate community spaces vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for community space that clearly describes the frequency and scope of maintenance activities, and that meets all requirements set forth in subsection 5 herein and the Bainbridge Island administrative manual.
- c. The approved CSMP must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval. In the event that the community space is not maintained consistent with the CSMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision and shall, if unpaid, become a tax lien on such property or properties.

6. Allowed Uses in Community Space. Community space may include uses such as crop and animal agriculture, meadows, orchards, pastures, turf fields, and common buildings. Prohibited and allowed uses within community space shall be included in the draft terms, conditions, covenants, and agreements proposed for the subdivision, which shall be submitted with the preliminary subdivision application. Final terms, conditions, covenants, and agreements must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval.

**17.12.060 Homesites.** All single-family residential subdivisions require homesites located and designed consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

A. Homesite Area.

1. A homesite area no greater than the maximum area shown in Table 17.12.070-1 shall be provided for each lot and shall be depicted on the face of the plat.
2. The homesite area shall include the primary residential dwelling, accessory buildings, and on-site parking, if provided for each lot within the subdivision.
3. Other allowed uses and structures include residential landscaping, pathways, turf, and fences; individual water, stormwater, and septic infrastructure.

4. Homesites shall not contain any critical areas or their buffers or setbacks, shoreline buffers, or any portion of required natural areas. Homesites may include critical aquifer recharge areas.

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**B. Homesite Clustering.** Clustering is the preferred design model for all single-family subdivisions. The purpose of clustering is to facilitate the efficient use of land by limiting areas of disturbance, impervious surfaces, utility extensions, and roadways.

The four-step design process outlined in Section 17.12.030 BIMC is intended to allow the characteristics of the land to determine the most suitable location of homesites. Section 17.12.040 BIMC also provides for departures from certain standards, if it is found that the adjustment achieves a better outcome.

1. Homesite cluster groups shall be located to minimize adverse impacts to adjacent, previously existing residential development.
2. Homesite cluster groups are not required to be located near any existing home on the property.
3. Homesite cluster groups shall be configured to maintain the natural features of the site and minimize topographic alteration and clearing of existing vegetation.

#### **17.12.070 General residential subdivision standards.**

A. Constrained lots. If, due to site or design constraints, no homesite with supporting infrastructure can be located on a subject property, no division of land is permitted.

B. Preexisting lots. Lots that have previously received final approval from the city, or that have previously received final approval from Kitsap County prior to inclusion within the city boundaries, and that do not comply with standards of this chapter shall be considered existing nonconforming lots, but any future resubdivision of any such lots shall comply with the requirements of this title.

C. Platted lots. The platted lot defines the extent of private ownership of land within the subdivision. The size, shape and potential uses of a lot depend on many factors that will be considered in the subdivision design process. Establishing lot lines is the last step in the design process, but a desired result will affect decisions throughout the process, and the physical characteristics of the entire property will present both constraints and opportunities. Standards applicable to lots are found in BIMC 17.12.070 and Table 17.12.070-1.

D. The short subdivision process shall not be used, either by a person alone or by persons acting together, at one time or over a period of time, to circumvent compliance with the more stringent requirements that control the subdivision of land into five or more lots. When an application for a short subdivision is filed within five years after the approval of a short subdivision on a contiguous land parcel, presumption of an attempt to circumvent short subdivision requirements may be invoked by the director as a basis for further investigation, to assure compliance with the intent of this provision and the requirements of a long subdivision.

D. Remaining area. Any area not designated as public or private access, buffers, lots, or utility tracts shall be designated as either natural area or community space, in accordance with the objectives in either BIMC 17.12.050.A.1 or 17.12.050.B.1.

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**E. Site Disturbance.** The extent of land disturbing activities, as defined in BIMC 15.20.020.22, shall be limited to the minimum required for site preparation and construction.

#### **F. Compatibility with Adjacent Development**

1. Subdivisions shall be designed and located to ensure compatibility with existing adjacent development.
2. Views of house lots from exterior roads and abutting properties shall be minimized by preserving the natural topography and existing vegetation to the greatest extent possible.

G. Dimensional standards. Table 17.12.070-1 sets forth certain minimum and maximum dimensional standards. Where a property is located in more than one zone district, units permitted by density calculations within each zone

district must be constructed on the portion of the property located within that district and required setbacks for each zone district must be met. Permitted densities are not “blended” across the zone district line.

H. Septic Systems. Locations of individual or community drainfields and associated reserve drainfields shall comply with all applicable standards established by the Kitsap Public Health District or Washington Department of Health. Reserve drainfield areas shall remain undisturbed until such time as their use is required. This standard shall be noted on the face of the preliminary and final plat.

I. Streets and Vehicle Access. Subdivisions shall comply with the following standards unless modified by the City Engineer:

1. Subdivisions shall comply with all applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications,” as amended. Deviations from the “City of Bainbridge Island Design and Construction Standards and Specifications” may be granted by the City Engineer upon evidence that such deviations are in the public interest and that they are based on sound engineering principles and practices. All requirements for safety, function, appearance and maintainability must be fully met. Desired deviations must be requested at the Design Guidance Review Meeting during the pre-application phase of the project.
2. Each lot in a residential subdivision shall have direct access to a public or private street, except for those with shared driveways or alternative lot designs that provide shared or clustered parking outside of individual lots.
3. The street system of a proposed subdivision shall be designed to connect with any existing, proposed, or planned streets outside of the subdivision or to create a connection beneficial to the overall circulation of the surrounding area, as determined by the City Engineer.
4. Interior street layout shall be oriented on the east/west axis if feasible, to maximize active and passive solar access.
5. To minimize impervious surfaces, all public rights-of-way, access easements, private streets, and driveways shall not be greater than the minimum dimensions required to meet standards.
6. Street names and traffic regulatory signs shall be provided, and their locations shall be indicated on the plat/plan. The locations of mailboxes and traffic regulatory signs are only required on the plat/plan when other public improvements are required.
7. Transit stops shall be provided as recommended by Kitsap Transit.

J. Parking and Garages.

1. Parking shall be provided consistent with BIMC 18.15.020, except as modified by this subsection.
2. Parking spaces provided on individual lots must be located within the designated homesite.
3. Parking spaces may be located outside of individual lots, consolidated in a remote or satellite parking area, or in individual or shared garages.
4. Consolidated parking areas shall be landscaped in accordance with BIMC 18.15.010.F.
5. Shared garages are limited to five vehicle spaces and shall not exceed 60 feet in length or 1440 square feet total.
6. Garages, including detached garages, located on individual homesites facing a public street shall be:
  - a. Limited to two vehicles; and
  - b. Either accessed from the side or rear or set back from the most front-facing exterior wall of habitable space a minimum of five feet unless the house is not visible from the public street.

K. Circulation and Access.

1. All subdivisions shall include a circulation and access system of walkways, paths, or trails that interconnect lots, natural area, community space, and adjacent access facilities. Trails that provide connection to streets, public areas or other trails through the subdivision boundaries shall provide public access.
2. Multi-modal facilities shall be consistent with the applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications.”
3. Subdivisions may be required to provide dedicated access easements if one or more “trail connection zones” are located on the site as shown on Map C and D (Non-Motorized System Plan) of the Island-Wide Transportation Plan, as amended.
4. Pursuant to RCW 58.17.110(1) sidewalks or other planning features shall be provided to assure safe walking conditions for students who walk to and from school.

L. Fencing.

1. Sight obscuring fencing is prohibited at the exterior boundary of a subdivision along a public right of way.
2. Fencing at the exterior boundary of a subdivision along a public right of way shall not exceed 3 feet, 6 inches in height.
3. Fencing at the exterior boundary of a subdivision along a public right of way is prohibited within the roadside buffer or at the edge of right of way.
4. Fencing around surface stormwater ponds shall not exceed 3 feet, 6 inches in height unless required by the City Engineer for safety reasons.

13 **M. Landscaping.** Individual homeowners are responsible for the maintenance and modification of landscaping on their lots, subject to any rules and guidelines established by a homeowners’ association or similar body. Native vegetation on the site should be retained and maintained where possible and landscaping should be responsive to the natural contours of the lot.

N. Perimeter Buffers. The intent of perimeter buffers is to visually and physically separate adjacent land uses, when necessary, to minimize impacts of new development on adjacent properties.

1. Perimeter buffers shall be provided at the exterior boundary of all subdivisions. The minimum width of perimeter buffers shall equal the minimum homesite boundary to exterior plat boundary required in accordance with Table 17.12.070-1.

14 2. Perimeter buffers shall be shown on the face of the preliminary plat. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, **public and private streets**, utility lines, and trails may be located within perimeter buffers provided no significant trees are removed.

3. Existing, native vegetation, including significant trees and tree stands, shall be preserved within perimeter buffers. The tree retention, protection, and replacement requirements of BIMC 18.15.010.C apply to perimeter buffers unless modified by this section.

4. If existing vegetation provides an effective visual screen, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:

- a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a.. Any additional plant material shall be native species and no turf or lawn is permitted.
- b. In the R-0.4, R-1, and R-2 zoning district, additional plant material is not required if:
  - i. The perimeter buffer meets natural area designation objectives and designation standards in BIMC 17.12.050.1 and 17.12.050.3 or;
  - ii. The nearest structure within the subdivision is located a distance at least two times the required homesite boundary to exterior plat boundary dimension provided in Table 17.12.070-1.

5. Perimeter buffers may be included as a portion of one or more lots or may be contained in a separate tract.
6. Perimeter buffers may be included as a portion of the natural area required in BIMC 17.12.050.A if the buffer meets the standards of that subsection.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.

O. Roadside Buffers. The intent of roadside buffers is to enhance or retain Island character through the minimization of disturbance of existing roadside vegetation and screen new development from more highly traveled roads.

1. Roadside buffers are required for all subdivisions along collector or arterial roads in the R-0.4, R-1, and R-2 zoning designation. The minimum width of roadside buffers is 25 feet.
2. Roadside buffers shall be shown on the face of the preliminary plat. Roadside buffers may not be part of individual lots and must be contained in a separate tract.
3. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, utility lines and boxes and entry signs may be located within roadside, and driveways and trails may cross roadside buffers, provided no significant trees are removed.
4. Existing, native vegetation, including significant trees and tree stands, shall be preserved within roadside buffers. Tree retention, protection, and replacement requirements in BIMC 18.15.010.C apply to roadside buffers.
5. If existing vegetation provides an effective visual screen, or is consistent with existing roadside character, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:
  - a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a. Any additional plant material shall be native species and no turf or lawn is permitted;
  - b. Additional plant material is not required if mature forest or other dense vegetation is not part of the existing roadside character.
6. Roadside buffers may not be included as a portion of the natural area or community space required in BIMC 17.12.050.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.
9. For subdivisions designating community space that is intended for agricultural use and would be adversely impacted by the addition of screening landscaping, a roadside buffer shall be required to use screening landscaping that does not adversely impact the proposed agricultural use.
10. To accommodate an existing house that is located within 25 feet of the subdivision boundary adjacent to a collector or arterial road, the roadside buffer width shall be reduced to the width adjoining the existing home between the existing house and the subdivision boundary adjacent to the collector or arterial road.

P. Design Diversity. Subdivision designs shall avoid monotonous rows of duplicative dwelling by incorporating measures that promote design diversity, including:

1. Providing a mixture of lot sizes and/or front setbacks; and/or

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2. Providing a variety of floor plans and façade treatments.

Q. No City Maintenance of Streets in Short Subdivisions. Streets within a short subdivision shall not be maintained by the city unless such streets have been dedicated as a right-of-way, improved to current city standards, and accepted as part of the approved short subdivision. Therefore, unless accepted, the responsibility for maintenance shall lie with the owners of the lots.

**17.12.080 Multifamily and nonresidential subdivisions.** Subdivisions established for multifamily and nonresidential uses shall comply with all provisions of BIMC Title 18 (Zoning) applicable to the zone district where the property is located, and for the type of development anticipated. This requirement shall include, without limitation, compliance with design guidelines and standards for lot areas, dimensions, mobility and access, landscaping, screening, and vegetative buffers.

**17.12.090 Special requirements for critical areas and shoreline.**

A. Critical Areas. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision that contains a critical area as defined in Chapter 16.12 BIMC must conform to all requirements of that chapter.

B. Shoreline. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision located within the jurisdiction of the shoreline master program, as defined in Chapter 16.12 BIMC, must conform to all requirements of that chapter.

**Table 17.12.070-1 Subdivision Dimensional Standards**

[Numbers in brackets indicate additional requirements listed at the end of the table.]

ZONING DISTRICT DIMENSIONAL STANDARD	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	NC	MUTC
<b>MINIMUM LOT AREA</b>												
<b>Short and Long Subdivision</b>	If the site is not served by a public sewer system, the minimum individual lot area shall be determined by the Kitsap Public Health District in accordance with Section 15 of the Kitsap County Board of Health Ordinance 2008A-01, Amended June 7, 2011, <i>Onsite Sewage System and General Sewage Sanitation Regulations</i> , as amended.  If the site is served by a public sewer system, there is no minimum lot area.  Individual lots may contain portions of natural and community space and access easements.											
<b>Large Lot Subdivision</b>	5 ac or 1/128th of a section, whichever is smaller.	N/A										
<b>MINIMUM LOT AREA</b> <span style="background-color: black; color: white; padding: 2px 5px;">17</span>												
Note: Subdivisions containing irregularly shaped lots and lots containing critical areas may not be permitted to achieve maximum density. Additional regulations on density may apply pursuant to BIMC 16.20.												
<b>Short, Long and Large Lot Subdivisions</b>	The maximum number of lots permitted shall be calculated by dividing the total lot area of the property (without deducting areas to be dedicated as public rights-of-way or areas to be encumbered by private road easements) by the minimum lot area for standard lots in the zone district.											
<b>Minimum Lot Area</b>	100,000 sq. ft.	40,000 sq. ft.	20,000 sq. ft. [1]	15,000 sq. ft.	12,500 sq. ft.	10,000 sq. ft.	8,500 sq. ft.	7,260 sq. ft.	5,400 sq. ft.	3,100 sq. ft.	8,500 sq. ft.	See FAR table
<b>Minimum Lot Area pursuant to BIMC 18.12.030.A</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3,630 sq. ft.	2,074 sq. ft.	N/A	N/A
<b>NATURAL AREA</b>												
Minimum percentage of total site	55%	45%	30%	25%	25%	20%	15%	N/A	10%	5%	15%	5%
Minimum width	50 ft.											
<b>COMMUNITY SPACE [x]</b> [x] Instead of providing the required 5% community space, that area may be added to the required natural area if it can be demonstrated that greater conservation area can be achieved.												
Minimum percentage of total site	5% [x]	7.5%	10%	15%						10%	15%	10%

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	NC	MUTC
<b>HOMESITE</b>	<b>18</b>											
Note: Refer to definition of homesite and standards for homesites.												
Maximum size	10,000 sq. ft.	7,500 sq. ft.	6,500 sq. ft.	5,500 sq. ft.	4,500 sq. ft.	3,500 sq. ft.	3,500 sq. ft.	N/A	3,000 sq. ft.	2,250 sq. ft.	3,500 sq. ft.	2,250 sq. ft.
<b>HOME SIZE</b>												
Maximum size	N/A							1,600 sq. ft.				
<b>MAXIMUM LOT COVERAGE [3]</b>												
Short and Long Subdivision	Same as applied to the entire property that is the subject of the subdivision application, a portion of which shall be assigned to each lot at the time of preliminary plat approval.											
Large Lot Subdivision	10%	15%	20%	N/A	N/A	N/A	N/A	N/A	25%	40%	N/A	N/A
<b>MINIMUM SETBACKS</b>												
Note: Additional setbacks may be required by:												
(a) Chapter 16.08 or 16.12 BIMC, or												
(b) Chapter 16.20 BIMC, Critical Areas, or												
(c) BIMC 16.28.040, mining regulations, or												
(d) BIMC 18.09.030, Use-specific standards, or												
<input checked="" type="checkbox"/> Attached or zero lot line allowed in all districts but R-0.4 if building is 1,600 sf or less												
<input type="checkbox"/> ADUs do not need to meet TOTAL building to homesite boundary setback – only minimum setback; must be located within homesite.												
Building to homesite boundary Net building size 1,600 sq. ft. or less Minimum/total [x] [y]	5 ft. min., 10 ft. total						3 ft. min., 10 ft. total					
Building to homesite boundary Net building size 1,601 sq. ft. or more Minimum/total	15 ft. min., 50 ft. total	10 ft. min., 25 ft. total	5 ft. min., 20 ft. total		10 ft. min., 20 ft. total	5 ft. min., 20 ft. total	5 ft. min., 20 ft. total	N/A	5 ft. min., 10 ft. total		3 ft. min., 10 ft. total	
Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or less	50 ft.	25 ft.		10 ft.		5 ft.						
Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or more	50 ft.	25 ft.		10 ft.		10 ft.				5 ft.		

**19**

ZONING DISTRICT DIMENSIONAL STANDARD	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	NC	MUTC
Homesite to exterior plat boundary line	50 ft.	25 ft.		10 ft.		5 ft.						
Any building to SR 305 right-of-way	75 ft.	75 ft.	75 ft.	N/A	25 ft.	N/A	N/A	N/A	25 ft.	N/A	25 ft.	25 ft.
Homesite to edge of arterial and collector right-of-way	25 ft.			10 ft.								
Building outside homesite to edge of arterial and collector right-of-way	25 ft.			10 ft.								
Any building to all other streets	10 ft.						5 ft.					
Building to trail, natural or community space or access easement (except for natural areas that are also perimeter buffers)	10 ft.					5 ft.					10 ft.	5 ft.
Shoreline Jurisdiction	See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030.F, Shoreline Structure Setbacks. For properties abutting the shoreline, dimensional standards in BIMC 16.12 replace the zoning setbacks along the water.											
<b>GARAGE DIMENSIONAL STANDARDS</b>												
Shared garage to <b>internal access</b>	<b>20</b> 0 feet											
Shared garage to shared garage	10 feet											
Shared garage maximum size	60 feet long or 1440 square feet total											
<b>MAXIMUM BUILDING HEIGHT</b>												
Note: Bonus may not be available in the shoreline jurisdiction												
<b>Short, Long, and Large Lot Subdivisions</b>	Height requirements for standard lots apply pursuant to BIMC Table 18.12.020-2.											

[1] The base density for that parcel in the Lynwood Center special planning area designated as R-2 is one unit per 20,000 sq. ft., but may be increased up to 3 units per acre; provided, that a public access easement is granted for that portion of the parcel that lies to the south of Point White Drive along the waters of Rich Passage. The base density of some parcels in the Fort Ward historic overlay district may be increased as shown in BIMC 18.24.070.

## Chapter 17.28

### DEFINITIONS

Sections:

- 17.28.010 Rules of construction.  
17.28.020 Definitions.

#### 17.28.010 Rules of construction.

Rules of construction shall be those listed in BIMC 18.36.010. (Ord. 2011-02 § 2 (Exh. A), 2011)

#### 17.28.020 Definitions.

1. “Arterial” means an arterial road as defined in the City of Bainbridge Island Islandwide Transportation Plan, major thoroughfare used mainly for through traffic rather than access to nearby property. Arterials have greater traffic carrying capacity than collector or local streets and are designed for continuously moving traffic.

~~2.~~ “Block” means a group of lots, tracts or parcels within well defined and fixed boundaries.

~~3.~~ “Buffer” means as defined in Chapter 18.36 BIMC.

~~4.~~ “Circle template” means as defined in Chapter 18.36 BIMC.

~~5.~~ “Cluster development” means a group of adjoining homesite areas situated in a suitable area of a property, designed in such a manner that facilitates the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways, while providing for the protection of valued open space features.

~~6.~~ “Cluster grouping” means a grouping of two or more homesite areas for short subdivisions and a grouping of ~~four or more~~ homesites for long within a subdivision to facilitate the efficient use of land by limiting areas of disturbance, impervious surfaces, utility extensions and roadways. s regulated by BIMC 17.12.030.B.

~~7.~~ “Code” means the City of Bainbridge Island Municipal Code.

~~8.~~ “Collector” means a collector road as defined in the ~~e~~City of Bainbridge Island ~~comprehensive plan~~ Islandwide Transportation Plan.

~~9.~~ “Community space” means the portion of a subdivision maintained in perpetuity and designated for the common use and enjoyment of property owners within the subdivision.

~~10.~~ “Comprehensive plan” means as defined in Chapter 18.36 BIMC.

~~11.~~ “Contiguous land” means land adjoining and touching other land regardless of whether or not portions of the parcels have separate tax numbers, or were purchased at different times, in different sections, are in different government lots or are separated from each other by public or private easement or right-of-way.

~~12.~~ “Critical areas,” as used in this title, means critical areas, and their protective buffers, and aquifer recharge protection areas as described by Chapter 16.20 BIMC.

~~13.~~ “Dedication” means the deliberate assignment of land by an owner for any general and public uses, reserving to the owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat of a short or long subdivision, a large lot subdivision, or a nonresidential or multifamily subdivision showing the dedication. Acceptance of the filing shall be by approval of the final plat by the city.

~~14.~~ “Department” means as defined in Chapter 18.36 BIMC.

~~15.~~ “Director” means as defined in Chapter 18.36 BIMC.

~~1345.~~ “Division” means a portion of property within an approved preliminary subdivision that is authorized to be recorded separately by the specific terms and conditions of the preliminary and/or final subdivision approval.

~~1446.~~ “Easement” means a right of use granted by a property owner to specific persons or to the public for use of land for a specific purpose.

~~1547.~~ “Effective visual screen” means a sight-obscuring barrier provided by: (a) a topographic variation, (b) a physical condition, such as an existing native forest, or (c) installed vegetation that provides a visual barrier within five years of planting.

~~1647.~~ “Farms” and “farmland” mean land used for crop agriculture or livestock agriculture, as those terms are defined in Chapter 18.36 BIMC.

~~1748.~~ “Final subdivision” or “final plat” means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in Chapter 58.17 RCW or its successors and the Bainbridge Island Municipal Code.

~~19.~~ “Flexible lot design” is the design process the city uses that permits flexibility in lot development and encourages a more creative approach than traditional lot by lot subdivision. The flexible lot design process includes lot design standards for the placement of buildings, use of open spaces and circulation that best addresses site characteristics. This design process permits clustering of lots, with a variety of lot sizes, to provide open space, maintain Island character and protect the island’s natural systems.

~~1820.~~ “Footprint” means a building footprint as defined in BIMC 18.12.050.

~~1924.~~ “Greenway” means a system composed of land areas and connector links. The land areas include, but are not limited to: large open areas, public lands, farmlands, critical areas, forests, shoreline areas, and parks. The features of the connector links include trail systems, riparian areas, visual or scenic views of ridgelines, wildlife corridors or any combination of these.

~~2022.~~ “Health district” means the Kitsap Public Health District ~~County health district~~.

~~2123.~~ “Hearing examiner” means the official designated as the hearing examiner for the city pursuant to BIMC Title

~~2224.~~ “Homesite area” means the area that portion of a lot depicted on the face of a plat that is intended for development of the primary residential dwelling and accessory buildings and necessary infrastructure within a cluster subdivision.

~~2325.~~ “Island character” is the term used to describe the special character of the island – winding, narrow and vegetated roadways and forested areas, meadows, farms, areas that contain much of the island’s wetlands and streams, aquifer recharge areas and fish and wildlife habitat areas. For the purposes of this title, it does not refer to a level of service, or type of development, or measure of development intensity.

~~24.~~ “Landscaping” means as defined in Chapter 18.36 BIMC.

~~2526.~~ Large Lot Subdivision. A “large lot subdivision” means the division or redivision of land into two or more lots for the purpose of sale, lease or transfer of ownership where each lot is not smaller than five acres or 1/128th of a section (whichever is smaller); provided, that this shall not include division or redivision of land where all parcels are greater than 20 acres or 1/32nd of a section.

~~2627.~~ “Laws of descent” means the rules of inheritance law established by the state of Washington and the federal government that apply in cases where there is no will naming the persons to receive the possessions of a person who has died.

~~2728.~~ “Long subdivision” means the division or redivision of land into five or more lots, tracts (except tracts specifically reserved as ~~open space natural area~~), parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, but shall not include a short subdivision.

~~2829~~. “Lot” means a lot as defined in Chapter 18.36 BIMC.

~~2930~~. “Low-impact fencing” means a fence designed to preserve views into an area and wildlife access to and from the area while providing a physical barrier to prevent livestock or humans from easily or inadvertently entering the area. Low-impact fencing includes without limitation two- or three-tier split-rail or horse-rail fencing not exceeding five feet in height, four-inch by four-inch wooden posts with two or three strands of cable in between, or other fencing with similar visual, barrier, and access characteristics as determined by the director.

~~3031~~. “Mature vegetation on ridgelines” means as defined in Chapter 18.36 BIMC.

~~3132~~. “Meadow” means an open, nonforested area formed by the land’s natural features and events of nature.

~~3233~~. “Native forest” means established forest areas primarily consisting of native trees and plants.

~~3334~~. “Native vegetation” means as defined in Chapter 18.36 BIMC.

34. “Natural area” means the undeveloped portion of a subdivision that contains natural resources features such as critical areas, significant tree stands, forested areas, native vegetation, and designated wildlife corridors, that is preserved in perpetuity designated or reserved for public use or enjoyment, or used for the private use and enjoyment of property owners within the subdivision.

35. “Off-site views” or “views from off site” means as defined in Chapter 18.36 BIMC.

~~36. “Open space” means any area of land that is predominantly undeveloped and that provides physical and/or visual relief from the developed environment in perpetuity, that is generally unimproved and set aside, designated or reserved for public use or enjoyment, or used for the private use and enjoyment of property owners. Open space may consist of undeveloped areas, such as pastures and farmlands, woodlands, greenbelts, critical areas, pedestrian corridors and other natural areas that provide recreational opportunity and visual relief from developed areas. Open space excludes tidelands, areas occupied by buildings, and any other developed areas such as driveways, all rights-of-way and any other impervious surfaces not incidental to open space purposes.~~

~~3637~~. “Open space Natural area sign” means a sign used to delineate the boundaries of designated open space, critical areas, and/or their buffers. Open space/critical areas signs shall be made of metal or similar durable material and shall be between 64 and 144 square inches in size.

~~3738~~. “Orchard” means as defined in Chapter 18.36 BIMC.

~~3839~~. “Pasture” means land used for grazing.

39. “Perimeter buffer” means a vegetated space retained or established at the exterior plat boundary of a subdivision that provides an effective visual screen between, and minimizes potentially adverse impacts to, adjacent properties.

40. “Phasing” means the use of limits on construction, permitting or occupancy to reduce the immediacy or severity of impacts of the subdivision on the environment or to better achieve the requirements of state law for the concurrence of the facilities and services with the needs generated by development.

41. “Plat” is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

42. “Planning commission” means the Bainbridge Island planning commission, as described in BIMC 2.14.020.

43. “Platted lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area and the flexible lot development standards contained within this title. The term includes tracts or parcels.

44. “Preliminary plat” is a drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of this title. The preliminary plat shall be the basis for the approval or disapproval of the layout of a subdivision.

45. “Public way” means a dedicated street, easement allowing public access, and other forms of access open to the public.
46. “Right-of-way” means land in which the state, county, city or other governmental entity owns the fee simple title or has an easement dedicated or required for a transportation or utility use. The right-of-way is the right to pass over the property of another. It refers to a strip of land legally established for the use of pedestrians, vehicles or utilities.
47. “Road” means as defined in Chapter 12.38 BIMC.
48. “Roadside buffer” means a vegetated space retained or established that provides an effective visual screen of new development or preserves existing roadside character, forested character, or scenic views.
- ~~49~~48. “Short plat” means the map or representation of a short subdivision.
- ~~50~~49. “Short subdivision” is the division or redivision of land into four or fewer lots, tracts (except tracts specifically reserved as open space natural area), parcels or sites, for the purpose of sale, lease or transfer of ownership, ~~except that the division or redivision of two or more existing lots into up to nine lots consistent with the procedures and standards contained in BIMC 17.12.030.A shall constitute a short subdivision if an applicant dedicates additional open space area pursuant to BIMC 17.12.030.A.5.~~
- ~~51~~50. “Significant tree” shall have the meaning defined in Chapter 18.36 BIMC.
- ~~52~~51. “Stormwater” shall have the meaning defined in Chapter 15.20 BIMC.
- ~~53~~52. “Street” shall have the meaning defined in Chapter 18.36 BIMC.
- ~~54~~53. “Testamentary provisions” means provisions of a last will or testament of a person who has died concerning land or property owned or controlled by that person, which provisions are generally carried out by an executor appointed by a court or public official on behalf of the deceased.
- ~~55~~54. “Wetland” shall have the meaning defined in Chapter 16.20 BIMC. (Ord. 2017-02 § 21, 2017; Ord. 2011-02 § 2 (Exh. A), 2011)

**Exhibit C**  
**BIMC 18.18 -- Design Guidelines for Residential Subdivisions**

Topic	Design Guideline
	Words/phrases <b>in bold</b> will have a definition in Title 17.
<b>Island Character</b>	<p><b>Intent:</b> Preserve and maintain <b>Island character</b>.</p> <p><b>Guideline:</b> Subdivisions should reflect the special character of the island which includes downtown Winslow's small town atmosphere and function, neighborhood centers, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.</p> <p>**Subsequent discussion that this guideline would be too challenging to implement.</p>
<b>Neighborhood Context</b>	<p><b>Intent:</b> To reflect and/or enhance the context provided by existing roadway character and neighboring properties.</p> <p><b>Guideline:</b> Site design should support the purpose of the zoning district in which the development is located, complement the existing character of specific neighborhoods, provide continuity with adjoining properties and, where necessary, provide transition between land uses and protect privacy of residents on adjacent properties.</p>
<b>Natural Area</b>	<p><b>Intent:</b> To incorporate forested and/or other natural areas into site design in such a way that ecological and aesthetic integrity, qualities, and values are preserved or restored.</p> <p><b>Guideline:</b> The required natural area shall be treated as a feature intrinsic to the subdivision design in order to maintain existing on- and off-site ecological processes and provide an asset of value to subdivision residents.</p>
<b>Natural Site Conditions</b>	<p><b>Intent:</b> To preserve and integrate existing natural site patterns and features throughout the site.</p> <p><b>Guideline:</b> Site development should be designed to preserve and integrate the natural conditions of the site, including existing topography, native trees and vegetation, drainage patterns, and ecological features based on an inventory and analysis of existing conditions. Homesite and infrastructure placement should complement natural topography and retain native vegetation to the maximum extent feasible.</p>
<b>Historic and Cultural Resources</b>	<p><b>Intent:</b> To preserve important historic and cultural resources.</p> <p><b>Guideline:</b> Site design should maximize opportunities for preserving historic and cultural structures, and retain historic landscape features and connections.</p>
<b>Stormwater</b>	<p><b>Intent:</b> Integrate stormwater facilities in site design with emphasis on infiltration and dispersion practices.</p> <p><b>Guideline:</b> Stormwater facilities shall utilize existing drainage patterns and be designed as a site amenity, where feasible. Low impact development practices shall be used throughout the site to minimize the size of ponds or vaults. Open stormwater facilities (ponds and bioswales) shall</p>

Topic	Design Guideline
	provide a natural appearance through layout, design and landscape treatment, including shallow side slopes, curvilinear configuration, and use of native vegetation.
<b>Septic Systems</b>	<p><b>Intent:</b> To minimize impact of septic facilities.</p> <p><b>Guideline:</b> Design and locate sewage facilities to minimize site disturbance and native vegetation removal and utilize shared systems where feasible.</p>
<b>Water Conservation</b>	<p><b>Intent:</b> To protect the Island's finite groundwater resources and adapt to the impacts of a changing climate.</p> <p><b>Guideline:</b> Water conservation measures shall be considered in site design including use of native and drought tolerant vegetation, rainwater capture, and water reuse.</p>
<b>Community Space</b>	<p><b>Intent:</b> To promote a shared sense of community.</p> <p><b>Guideline:</b> <b>Community spaces</b> should function as an integral part of the development and be located adjacent to as many homesites as is feasible.</p>
<b>Cluster Homesites</b>	<p><b>Intent:</b> To promote interaction within the community and facilitate the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways.</p> <p><b>Guideline:</b> The preferred design for homesites is to cluster them and, to the extent feasible, to locate infrastructure efficiently to maximize the undeveloped area.</p>
<b>Solar Access</b>	<p><b>Intent:</b> To provide solar access for wellbeing and energy production.</p> <p><b>Guideline:</b> Site design, including street, lot, and homesite layout and orientation, should allow for passive and active solar access. Massing of buildings, tree retention, and introduced vegetation should take into account the effects of shade.</p>
<b>Access and Circulation</b>	<p><b>Intent:</b> To provide a practical and pleasant network of multi-modal circulation.</p> <p><b>Guideline:</b> Adequate provisions for pathways and other pedestrian/bicycle amenities connecting various parts of the development, the surrounding road or trail network, and adjacent parcels should be included in site design.</p>
<b>Motor Vehicles</b>	<p><b>Intent:</b> To minimize the prominence of motor vehicle use and storage.</p> <p><b>Guideline:</b> Site design and features related to motor vehicle use and storage should be minimized. Site design shall consider shared driveways, minimum road widths, traffic calming measures such as Woonerfs and chicanes, and shared or clustered parking areas or structures.</p>
<b>Homesite Design</b>	<p><b>Intent:</b> To efficiently configure building footprint(s) and allowed uses within a homesite.</p> <p><b>Guideline:</b> Homesite configuration should consider compact and energy-efficient home and site design with massive houses on small lots strongly discouraged.</p>
<b>Diversity in House Design</b>	<p><b>Intent:</b> To provide a range of home sizes and designs to achieve diversity in visual appearance and affordability.</p> <p><b>Guideline:</b> House designs should be varied in size, massing, and frontage character using methods such as varied floor plans, staggered front yard setbacks, building modulation, and</p>

Topic	Design Guideline
	changes in exterior materials. Houses should display shared architectural features to establish continuity and harmony.
<b>Facing Public Streets</b>	<p><b>Intent:</b> To reinforce neighborliness of homes along a public street.</p> <p><b>Guideline:</b> Houses along interior public streets should orient the entry toward the street and avoid the use of solid walls and fences. Garages along the front façade should be de-emphasized by recessing vehicular entrances or locating the garage behind or on the side of the house.</p>

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CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure  
REVIEW OF MINUTES – January 24, 2019  
PUBLIC COMMENT – Accept public comment on off agenda items  
ISLAND CENTER SUBAREA PLANNING PROCESS – Briefing  
SUBDIVISION UPDATE – Presentation  
ORDINANCE 2019-03 SUBDIVISION UPDATE – Public Hearing and Discussion  
NEW/OLD BUSINESS  
ADJOURN

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**CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure**

Chair William Chester called the meeting to order at 6:33 PM. Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Kimberly McCormick Osmond, Don Doman and Joe Paar. Lisa Macchio was absent and excused. City Staff present were Planning Director Gary Christensen, Long Range Senior Planners Jennifer Sutton and Christy Carr and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

Chair Chester welcomed Joe Paar as the newest Planning Commissioner.

The agenda was reviewed. There were not any conflicts noted.

**REVIEW OF MINUTES – January 24, 2019**

**Motion: I move approval of the minutes for meeting on January 24, 2019 as distributed.**

**Quitslund/Pearl: Passed Unanimously**

**PUBLIC COMMENT – Accept public comment on off agenda items**

None.

**ISLAND CENTER SUBAREA PLANNING PROCESS – Briefing**

Senior Planner Jennifer Sutton provided an overview of the “Existing Conditions Report” and “Draft Goals” from the Island Center Subarea Planning Process Steering Committee.

**SUBDIVISION UPDATE – Presentation**

Senior Planner Christy Carr provided an overview that was given to City Council in January 2019.

**ORDINANCE 2019-03 SUBDIVISION UPDATE – Public Hearing and Discussion**

**The public hearing was opened at 7:09 PM.**

Public comment was transcribed verbatim at Chair William Chester’s request.

**David Dunn, Citizen** – “Hi, my name is David Dunn. I live in Fort Ward. I own two parcels down there that are zoned R-6 and I am currently building a house on Ridge Lane on 5 acres that’s zoned R-1. I appreciate the opportunity to talk with you this evening. First and foremost, I want to call out the fearmongering that was presented just now showing the development on Wyatt Way and discussing property zoned R-4.3 and trying to compare that with property that is zoned R-1 or R-4. I think that’s pretty disingenuous and it’s a development on the island that a large number of islanders think is ugly but that we as an island, have to take ownership of because we’ve made the building process so difficult the only people that are willing to take the risk are the “Quadrants” who know to the penny how much development’s going to cost. As it relates to clustering on R-.4 and R-1, I’m a 5th generation Bainbridge Islander, my family’s been here since 1853. My kids are the 6<sup>th</sup> generation and probably will be the last. I find as a kid growing up on this island, most of my friends grew up on 2 and a half acre lots. I ran around in the woods. They had privacy and that’s what their families sought on this island. As a homeowner, when I bought my property, my 5 acres on Ridge Lane, I sought the ability to have privacy on my lot and to eventually subdivide it as a retirement property and either give my children 1 or 2 acre lots on the southern portion of my property or to retain some value from that. The clustering is wholesale theft. Is, and nothing more than that. If you require people to build smaller homes on smaller lots and then devote the remainder of it to open space, you are requiring them to create a public park, essentially. You are not allowing them full use of their land. The City’s already stolen my property through ARPA and the CAO and now they’re trying to take even more from myself and other landowners. The rural character of Bainbridge Island is not cul-de-sacs in R-.4. That is not rural character putting 4 homes on a 10-acre lot right next to the road and I can guarantee you that if you pass this and you force clustering, Quadrant’s going to love that because they know exactly what they have to do. They’re going to put in a 100-foot road, they’re going to cluster 4 homes. They know exactly what they’re cost is to build that. Putting in a 150-foot driveway that’s 10 feet wide on an R-.4, that’s, you’re looking at a 115,000 square foot lot, right? You put in a 150-foot driveway, that’s 1500 square foot of driveway; it’s 1%, just over 1% of the total surface area. Are we really impacting the aquifer in any appreciable way? I don’t think so and what – please show me on this island where in a rural area we’ve done this and how it is in any way keeping with the character on this island. People buy those parcels because they want privacy and they want space. People do not wholesalesly clear cut their properties on this island. It doesn’t happen, that is, it’s a false narrative that is not occurring on this island and I would just implore you to respect the land rights particularly as it relates to R-.4, R-1 and R-2. People, those are not small lots. You can put a 2,000 square foot footprint, a 4,000 square foot house on R-1 and that’s 4% of the total surface area of that lot. You’re not, it’s not a monstrosity and I’m not advocating for 4,000 square foot homes but trying to build these tiny villages is absolutely not in keeping with the rural character of this island. Granted, I’m sure people that own 15-acre parcels that have 10-acres of wetland garbage love it because they can cluster them all up next to the road and make some money off it but for people that own buildable land and for families that want that, this is, this is just, it’s wrong. It’s

morally and ethically wrong to do this to people and I hope you see through the lies that you were told and the lies in that presentation because for, that, that slide is not true, and it should be called out. Thank you.

**Brian Wilkinson, Citizen** – Hello, Planning Commission, my name is Brian Wilkinson. I live in Fort Ward. I built our timber frame home out there. I've got three lots out there in Fort Ward. I've got 15-acres on High School Road zoned R-0.4. Currently, I've got the two tax parcels of just over 7-acres each zoned, or it's set aside in the forestry, small family forestry with one acre on each tax parcel for me to build on. My dreams were to build our family home out there because as time has gone by and I've saved my money and worked hard serving our country and working as a public servant to serve you as a first responder, I've put every penny I've ever made back into this property for the hopes that I could secure a footprint for my children. And with that being said, I have no ambition of having my children live 25 feet away from my house. I don't want our homes to be clustered as we grow out. My idea of the rural character of Bainbridge Island, is driving down the road you got beautiful trees, beautiful scenery, rolling hills, zoned R-0.4, which is the largest zoning on Bainbridge Island, two and a half acre parcels. I don't mind seeing one home and a shop on two and a half acres. Another 300 feet down the road, there might be another house and another shop. My 15-acres has no critical areas on it. For the last year, as I've been sleeping with one eye open because I'm paranoid that somebody's coming to take away my property, it's been very hard. And now reading this clustering is, is concerning. I don't want to see it on the island, and I don't trust the concept of clustering here because when I see it, Winslow Grove, the, the development on Winslow Grove, the development off of Finch, so I can speak to it in three different ways. As a first responder, I don't like it because it's, there's, it's a – it's not very safe for the public. There's no sidewalks, there's no curb and gutter, there's no street lamps. Why didn't we require that wealthy builder to put in the infrastructure? Because we wanted to preserve the rural character of Bainbridge Island when we didn't have sidewalks or curb and gutter? It just makes no sense to me. It's absolutely absurd. Somebody walks their dog at three o'clock in the morning and they can't do it on a sidewalk in town. I just don't get it. And then we want to cram that in the R-0.4 areas? I'm sorry, but that becomes very attractive to developers because their footprint, where they're going to build, it's economical. They're not spread out. They don't have to come up with a robust landscaping plan. They love it. You're only allowing them 10% of the footprint on that building lot with homes 25 feet from each other and then -- let's back up a little bit to remote parking. So, as a native from here, 5<sup>th</sup> generation just, just off the island, right? I've got a boat on a boat trailer. I like to fish and remote park? Where am I going to put that stuff? I've got two and a half acres and I'm supposed to have remote parking? I mean, please, step outside of Winslow condominiumized lifestyle and realize that we have a rural element to this community that responsible people, responsible citizens like David, myself, the Blossoms are trying to preserve because what you are doing is making me look at the Excel spreadsheets that these people with finances, that are financially wise, they come to me, they're like, "Look at this, Brian. Look at the economics of this. The CAO. If you clear cut 500,000 board feet of timber and put \$500,000

in your pocket, you take the six-year moratorium, you already increased the value of your land because now you got sunny lots. Nobody else can have sunny lots on Bainbridge Island.” So, I put \$500,000 in my pocket, sit on it for six years and then short plat it, subdivide it, don’t care about your clustering, let Quadrant do whatever they’re going to do. So, you are manifesting exactly what you don’t want. I don’t want to sell, but this CAO land grab, 6.2-billion-dollar land grab, as soon as I pull a permit for my property, I have to sign 10-acres of it against my deed of trust? I have no critical areas on my property, people. I looked for a long time so I could buy a very nice piece of property so that I could manage responsibly, but shame on me, because I’m displacing 19 families on this island. I’m a public servant. I’m a firefighter. I came on the island, lived in an ADU after I got out of the military. ADU’s? That’s a whole other topic that’s going to be coming. Don’t get rid of ADU’s. That’s essential to affordable housing. I think I’m done here, but what I’m getting at is I’m the epitome of what we’re trying to save and what we want here, I believe. My family, my kids are 6<sup>th</sup> generation. I’m trying to create a footprint for them. One home, two and a half acres. I’m not asking for any exemptions. I don’t want to up zone. I’m not trying to do anything crazy. Don’t force crazy condominiumization down my throat, please. Thanks.

**The public hearing was continued to February 28, 2019.**

Further discussion was held by the Planning Commissioners.

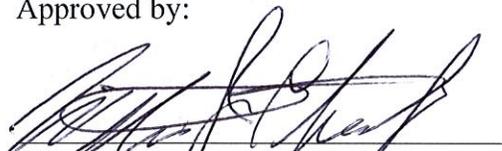
**NEW/OLD BUSINESS**

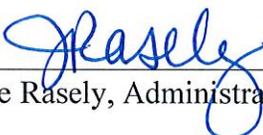
Planning Director Gary Christensen presented a draft Planning Commission Recorded Motion (see attached) and project schedule.

**ADJOURN**

The meeting was adjourned at 8:40 PM.

Approved by:

  
William Chester, Chair

  
Jane Rasely, Administrative Specialist





February 13, 2019

The following topics/questions were identified by Planning Commissioners and/or limited public comment prior to the February 13, 2019 public hearing.

Purpose statement

- Add language -- ... *"and also respects the culture of Bainbridge Island as a unique island community."*

Natural area

- Trails – *If provided, trails should be required to be accessible to the public.*

Community space

- Configuration – *Should community space be located to be accessible to largest number of lots, or would some types of community space (e.g., agriculture) be better located away from lots?*

General residential standards

- Percentages for turf grass and native vegetation – *Are they necessary? Is there a better way to discourage lawns and encourage retention or planting of natives? Should they be the same or different for individual lots and community space?*
- Design diversity – *Should require a mixture of home sizes, not lot sizes*
- Fencing – *Should taller, solid fences be allowed if there is vegetative screening in front?*
- Homesite clustering – *Disagree with mandatory clustering for low density areas, especially R-0.4 (Note: departure may be requested)*

Dimensional standards

- Attached or zero lot line allowance – *Should be allowed in all zones, including R-0.4. Exception for R-0.4 not necessary or wise, project should be judged on its merits.*
- Homesite cluster group separation – *Minimum or maximum? Minimum will achieve visual separation; is maximum needed?*
- Homesite separation -- *Homesite separation within a cluster should not exceed 25'*

Buffers

- Perimeter buffers in multifamily subdivisions – *Current draft does not propose different buffers for multifamily vs. single-family subdivisions*
- Roadside buffers with agriculture in community space – *Should roadside buffer be required? Or modify requirements to minimize shading?*
- Roadside buffers – *Roadside buffers should be counted in the natural area if they meet the 50-foot minimum width*

Other policy questions identified in draft ordinance (blue text)

- Further limiting site disturbance
- Entry signs/treatment limited/prohibited

**Chapter 17.12**  
**SUBDIVISION STANDARDS**

Note: **\*\*Blue text\*\*** highlights concepts and policy questions under consideration for which specific regulatory language is not yet drafted.

**17.12.010 Applicability.**

This section sets forth standards for short subdivisions, long subdivisions, large lot subdivisions, and nonresidential and multifamily subdivisions. Specific requirements relevant to each individual type of subdivision are provided throughout various chapters of this title.

**17.12.020 Subdivision Design Guidelines.**

All residential subdivisions outside the Neighborhood Center and Mixed Use Town Center zoning districts shall comply with those design guidelines contained in “Design Guidelines for Residential Subdivisions” set forth in BIMC 18.18 and its reference documents, which are adopted as part of this title by reference.

The purpose of subdivision design guidelines is to define the qualities of subdivisions that meet the guiding principles, goals, and policies of the city’s Comprehensive Plan and to serve as a tool for guiding individual projects to meet those expectations through the city’s land use review procedures. The design guidelines offer a forum for the public to participate in discussions about new subdivisions in their neighborhood, and as a means of allowing flexibility in the application of development standards and zoning requirements. An applicant may be granted a departure from the design guidelines by demonstrating that an alternative design better meets the intent of the design guidelines.

**17.12.030 Four-Step Design Process**

The city’s subdivision approach requires a four-step system that places the identification and conservation of resources as the primary and leading goal. This approach reverses the conventional site planning approach which typically begins by laying out the streets, lot lines and building footprints as the first part of the process. Instead of first identifying development areas, the design process begins by analyzing on-site resources and the site’s connections to surrounding resources to identify what areas are best for preserving and those areas of the site that can best accommodate development.

The four-step design process is required for all residential subdivisions except the division or redivision of land into two lots. The process, further defined in BIMC 2.16.125.D, consists of four steps: 1) Delineate Natural Area; 2) Locate Homesites and Community Space; 3) Define Access; and, 4) Draw Lot Lines.

**17.12.040 Administrative Departures**

A. A departure is a request by the applicant to meet or exceed a particular subdivision standard through the use of a technique or alternative standard not otherwise listed under the applicable requirements of BIMC 17.12.050 through BIMC 17.12.070. Departures are not variances and are not required to meet the criteria associated with a variance application. Rather, departures allow adjustment of standards to achieve better outcomes in cases where strict application of the standard would result in an inferior subdivision design.

B. Departures from the subdivision standards BIMC 17.12.050 through BIMC 17.12.090, may be permitted as part of the subdivision review process. In order for a departure from subdivision standards to be allowed, an applicant must demonstrate that the overall development, including departures from the standards, would better serve the

public interest, and a finding shall be made in the affirmative that each proposed departure meets or exceeds the intent of the respective standard as compared to a strict application of the established standard.

C. Any request for one or more departures shall be made at the Design Guidance Review Meeting as part of the pre-application phase of the project. Departures shall be reviewed concurrently with an application for subdivision.

D. Upon affirmative recommendation of approval from the Planning Commission, the hearing examiner may grant a departure from the subdivision standards BIMC 17.12.050 through BIMC 17.12.090 if it is shown that the proposal is consistent with the following criteria:

1. Because of unusual shape, exceptional topographic conditions, environmental constraints or other extraordinary situation or condition in connection with a specific piece of property, strict adherence to the standard would create undue hardship or result in an undesirable plat; or
2. The granting of the departure results in better plat and/or lot design. Better plat and/or lot design means situations such as creating plats that result in greater natural resource conservation value, less adverse impact to adjoining properties, or more practical design because of topography, critical area, or other extenuating circumstance; and
3. All possible efforts to comply with the standard or minimize potential harm or adverse impacts have been undertaken. Economic consideration may be taken into account but shall not be the overriding factor in approval; and
4. The departure is consistent with other applicable regulations and standards; and
5. The granting of any departure will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity in which the property is located.

#### **17.12.050 Natural Area and Community Space.**

A. Natural Area Required. All residential subdivisions shall provide natural area consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

1. Natural Area Objectives. Natural areas shall accomplish one or more of the following objectives:
  - a. Conservation natural resources, including wildlife habitat;
  - b. Protection of groundwater recharge;
  - c. Conservation of native soils;
  - d. Expansion or enhancement of the value to adjacent or neighboring open space, parks, forested areas, conservation easements, shorelines, or critical areas;
  - e. Preservation of unique natural land or rock features;
  - f. Preservation of visual qualities along highway, road and street corridors or scenic vistas.
2. Amount of Natural Area Required. The minimum natural area shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.
3. Designation of Natural Area. Natural area shall be designated as the first step in the four-step design process defined in BIMC 2.16.125.D. Natural areas are made up of primary and secondary natural areas. If the primary natural areas make up less than the required percentage of natural area, the balance of the required natural area shall be made up of secondary natural areas.
  - a. Primary Natural Areas (PNA). PNAs form the core of the natural area to be protected. PNA's include the following:
    - i. Critical areas other than critical aquifer recharge areas;
    - ii. Critical area buffers;
    - iii. Aquifer recharge protection area as required by BIMC 16.20.100;

b. Secondary Natural Areas (SNA). SNAs are locally noteworthy or significant features of the natural landscape. SNA's include the following:

- i. Mature woodlands;
- ii. Freestanding significant trees;
- iii. Wildlife corridors;
- iv. Greenways and trails;
- v. Scenic viewsheds;
- vi. Mature vegetation on ridgelines

c. Aquifer Recharge Protection Area (ARPA). Subdivisions in the R-0.4, R-1, and R-2 zoning districts shall include designation of an ARPA in accordance with BIMC 16.20.100 and the following standards:

- i. If a proposed subdivision includes more than one parcel, the ARPA shall be calculated based on the total square footage of all parcels;
- ii. If the required ARPA is greater than the required natural area, the natural area shall be increased to achieve the required ARPA area;
- iii. If the required ARPA is less than the required natural area, the natural area shall include other PNAs or SNAs to achieve the required natural area.

4. Natural Area Configuration. Designated natural areas shall be configured in a manner that enhances and promotes the natural character of the island and natural resource characteristics of the property and surrounding area. Natural area configuration shall satisfy the following guidelines:

- a. Natural area should be concentrated in large, consolidated areas; and
- b. Natural area should connect to adjacent off-site open space areas, designated wildlife corridors and trails, and/or critical areas; and
- c. Natural area should be designed to preserve views from off site of the subject property; and
- d. Natural area should be delineated with a low perimeter-to-area ratio with a minimum width of fifty (50) feet; and
- e. Natural area may be included as a portion of one or more lots or may be contained in a separate tract.

5. Natural Area Fencing and Signage. Either fences and/or signs delineating the boundary of natural areas are required. The director shall determine which option (fence or sign) is required, based on the recommendations from the Design Guidance Review Meeting.

- a. If fencing is required:
  - i. Low-impact fences are preferred and must be constructed in accordance with the definition in BIMC 17.28.020; and
  - ii. Fencing is not required at the exterior boundary of the subdivision; and
  - iii. Gaps in fencing not exceeding five (5) feet are permitted.
- b. If signs are required:
  - i. They shall be constructed in accordance with the definition in BIMC 17.28.020; and
  - ii. They shall be generally spaced at intervals of 50 feet, unless otherwise approved by the director due to reasons such as topography, configuration of open space, distance from other features, etc.
- c. If signage is required and encroachments into the designated natural area occur, the director may require that the owner install fencing and/or additional signage to prevent future encroachments. Required fencing and signs must be maintained in good repair, with repair or replacement to occur within 60 days of notification from the city that repair or replacement is required.

6. Natural Area Ownership. Ownership of natural area shall be established consistent with one of the following forms of ownership:

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- a. Private Ownership. Natural area may be held in private ownership if established by easements, restrictive covenants, natural area management plan, or other similar legal means; or
- b. Common Ownership. Natural areas may be held in common by a home or property owners' association or other similar organization. For the purposes of this title, ownership of and/or conservation easement being held by a land trust, or other similar conservancy organization, shall be considered common ownership. If this ownership pattern is selected, covenant, conditions, and/or restrictions shall be required; or
- c. Public Ownership. Designated natural areas shall not be required to be dedicated to the city or other public agency, and the owner shall not be required to permit public access to designated natural areas. However, if the owner offers to dedicate, the city or other public agency may choose to accept ownership of natural areas. Consequently, upon approval and acceptance by the city council, natural areas shall be dedicated to the public.

**Commented [KM1]:** Trails should be accessible to the public to achieve circulation goals discussed later.

7. Natural Area Maintenance. An applicant shall submit a draft natural area management plan (NAMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the NAMP will occur at the time of final plat approval. The natural area management plan shall include:

- a. A list of all approved uses for the natural areas. Where uses in separate natural areas vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for natural areas that clearly describes the frequency and scope of maintenance activities for natural areas and that meets all requirements set forth in subsection 7 herein and the Bainbridge Island administrative manual.
- c. The approved NAMP must be filed with the Kitsap County Auditor. In the event that the natural area is not maintained consistent with the NAMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision and shall, if unpaid, become a tax lien on such property or properties.

8. Allowed Uses in Natural Area. Allowed uses within natural areas include:

- a. Installation of native plants.
- b. Maintenance pruning of trees and shrubs provided the structural integrity and long-term health of the vegetation is preserved.
- c. Wildfire mitigation activities, other than tree removal, within a 30-foot defensible space around a primary structure, in accordance with the Bainbridge Island community wildfire protection plan and as described by Section 603 of the International Wildland Urban Interface Code.
- d. Removal of invasive plant species.
- e. Passive recreation, including pervious trails.
- f. Potable water wells and well houses.
- g. Low impact fencing or signs marking the natural area boundary.
- h. On-site sewage drainfield facilities, if construction of the system will not require the use of heavy equipment or removal of significant trees.
- i. Storm drainage facilities if the applicant can demonstrate that (i) the system meets the low impact design (LID) standards of Chapter 15.20 BIMC, and (ii) construction of the system will not require the use of heavy equipment or removal of significant trees.
- j. Accessory solar panels, small wind energy generators, composting bins, rainwater harvesting barrels, and cisterns, as defined in Chapter 18.36 BIMC.
- k. Other structures or hard surfaces with a total footprint of no greater than 200 square feet.

B. Community Space Required. All residential subdivisions shall provide community space consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

1. Community Space Objectives. Community space shall accomplish one or more of the following objectives:

- a. Provide a place for residents to gather in shared space.
- b. Provide common buildings, open space, or gardens.
- c. Provide space for unstructured recreation.
- d. Enhance a felt and actual sense of security, identity, and community.
- e. Provide a protected, traffic-free environment.

2. Amount of Community Space Required. The minimum community space shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.

3. Community Space Configuration. Community space shall adjoin the largest practicable number of lots within the development. Non-adjoining lots shall be provided with safe and convenient pedestrian access to community space.

**Commented [KM2]:** Why? Limits uses such as agricultural which may not be desirable in close proximity to adjoining lots/homesites.

4. Community Space Ownership. Ownership of community space shall be established consistent with one of the forms of ownership set forth in BIMC 17.12.050. A.5.

5. Community Space Maintenance. An applicant shall submit a draft community space management plan (CSMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the CSMP will occur at the time of final plat approval. The community space management plan shall include:

- a. A list of all approved uses for the community space. Where uses in separate community spaces vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for community space that clearly describes the frequency and scope of maintenance activities and that meets all requirements set forth in subsection 5 herein and the Bainbridge Island administrative manual.
- c. The approved CSMP must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval. In the event that the community space is not maintained consistent with the CSMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision and shall, if unpaid, become a tax lien on such property or properties.

6. Allowed Uses in Community Space. Community space may include uses such as crop and animal agriculture, meadows, orchards, pastures, turf fields, and common buildings. Prohibited and allowed uses within community space shall be included in the draft terms, conditions, covenants, and agreements proposed for the subdivision, which shall be submitted with the preliminary subdivision application. Final terms, conditions, covenants, and agreements must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval.

**Commented [KM3]:** See above comment about requirement for close proximity to largest practical number of lots

17.12.060 Homesites. All single-family residential subdivisions require homesites located and designed consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

A. Homesite Area.

1. A homesite area with the maximum area shown in Table 17.12.070-1 shall be provided for each lot and shall be depicted on the face of the plat.
2. The homesite area shall include the primary residential dwelling, accessory buildings, and on-site parking, if provided for each lot within the subdivision.
3. Other allowed uses and structures include residential landscaping, pathways, and turf; individual water, stormwater, and septic infrastructure; and fences.
4. Homesites shall not contain any critical areas, except for critical aquifer recharge areas, or their buffers or setbacks, shoreline buffers, or any portion of required natural areas.

**Commented [KM4]:** Does the "except" apply to the rest of the sentence or just to critical aquifer recharge areas? Suggest clarifying the sentence.

B. Homesite Clustering. All single-family subdivisions resulting in four or more lots require homesite clustering. The purpose of clustering is to facilitate the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions, and roadways. Homesites shall be located in cluster groups and the efficient location of infrastructure shall be used to maximize the undeveloped area.

**Commented [KM5]:** Disagree with mandatory application to low density areas of the island, especially R-04. Would like to see an exception to allow different designs. Does a "departure" provide that exception to mandatory application of clustering?

1. Cluster groups shall be a minimum of four homesites.
2. No more than three cluster groups are allowed within any subdivision.
3. All homesites in a cluster grouping shall adjoin or be located a maximum of 50 feet from another homesite. **\*\*Is additional language needed to prevent "daisy-chaining"??\*\***
4. Homesite cluster groups shall be located to minimize adverse impacts to adjacent, previously existing residential development.
5. The location of homesite cluster groups is not required to be located near any existing home on the property.
6. Homesite cluster groups shall be configured to maintain the natural features of the site and minimize topographic alteration and clearing of existing vegetation.

#### 17.12.070 General residential subdivision standards.

A. Constrained lots. If, due to site or design constraints, no homesite with supporting infrastructure can be located on a subject property, no division of land is permitted.

B. Preexisting lots. Lots that have previously received final approval from the city, or that have previously received final approval from Kitsap County prior to inclusion within the city boundaries, and that do not comply with standards of this chapter shall be considered existing nonconforming lots, but any future resubdivision of any such lots shall comply with the requirements of this title.

C. Short subdivisions shall not be used, either by a person alone or by persons acting together, at one time or over a period of time, as a means to circumvent compliance with the more stringent subdivision requirements that control the subdivision of land into five or more lots. When an application for a short subdivision is filed within five years after the approval of a short subdivision on a contiguous land parcel, a presumption of an attempt to circumvent short subdivision requirements may be invoked by the director as a basis for further investigation to assure compliance with the intent of this provision.

D. Remaining area. Any area not designated as public or private access, lots, or utility tracts shall be designated as either natural area or community space, in accordance with the objectives in either BIMC 17.12.050.A.1 or 17.12.050.B.1.

**Commented [KM6]:** What does this mean? Would it have to be included in the NAMP? What is the relationship between "lots" and "homesites" for purposes of this provision?

E. Site Disturbance. Land disturbing activities, as defined in BIMC 15.20.020.22 shall be limited to the maximum extent feasible. **\*\*Can site disturbance be further limited, e.g., site disturbance cannot exceed 10 percent greater than homesite area (depending on where utilities are)?\*\***

F. Compatibility with Adjacent Development

1. Subdivisions shall be designed and located to ensure compatibility with existing adjacent development.
2. Views of house lots from exterior roads and abutting properties shall be minimized by preserving the natural topography and existing vegetation to the furthest extent possible.
3. An alternative design of portions of the site plan may be required in order to fulfill subsections 1 and 2 above.

**Commented [KM7]:** What does this mean and who decides?

G. Dimensional standards. Table 17.12.070-1 sets forth required dimensional standards. Where a property is located in more than one zone district, units permitted by density calculations within each zone district must be constructed on the portion of the property located within that zone district and required setbacks for each zone district must be met. Permitted densities are not "blended" across the zone district line.

H. Septic Systems. Locations of individual or community drainfields and associated reserve drainfields shall comply with all applicable standards established by the Kitsap Public Health District or Washington Department of Health.

Reserve drainfield areas shall remain undisturbed until such time their use is required. This standard shall be noted on the face of the preliminary and final plat.

I. Streets and Vehicle Access. Subdivisions shall comply with the following standards unless modified by the City Engineer:

1. Subdivisions shall comply with all applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications,” as amended. Deviations from the “City of Bainbridge Island Design and Construction Standards and Specifications” may be granted by the City Engineer upon evidence that such deviations are in the public interest and that they are based on sound engineering principles and practices. All requirements for safety, function, appearance and maintainability must be fully met. Desired deviations must be requested at the Design Guidance Review Meeting during the pre-application phase of the project.

2. Each lot in a residential subdivision shall have direct access to a public or private street, except for those with shared driveways or alternative lot designs that provide shared or clustered parking outside of individual lots.

3. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision to the maximum extent feasible or to create a connection beneficial to the overall circulation of the surrounding area, as determined by the City Engineer.

**Commented [KM8]:** We should strive to achieve the same goals for trails.

4. Interior street layout shall be oriented on the east/west axis, if feasible, to maximize active and passive solar access.

5. To minimize impervious surfaces, public rights-of-way, access easements, private streets, and driveways shall not be greater than the minimum dimensions required to meet standards.

6. Street names and traffic regulatory signs shall be provided, and their locations shall be indicated on the plat/plan. The location of mailboxes and traffic regulatory signs is only required to be indicated on the plat/plan when other public improvements are required.

7. Transit stops shall be provided as recommended by Kitsap Transit.

J. Parking and Garages.

1. Parking shall be provided consistent with BIMC 18.15.020, except as modified by this subsection.
2. Parking spaces provided on individual lots must be located within the designated homesite.
3. Parking spaces may be located outside of individual lots, consolidated in a remote or satellite parking area, or in individual or shared garages.
4. Consolidated parking areas shall be landscaped in accordance with BIMC 18.15.010.F.
5. Shared garages are limited to five vehicle spaces and shall not exceed 60 feet in length or 144 square feet total.
6. Garages, including detached garages, located on individual homesites facing a public street shall be:
  - a. Limited to two vehicles; and
  - b. Either accessed from the side or rear or set back from the most front-facing exterior wall of habitable space a minimum of five feet unless the house is not visible from the public street.

K. Circulation and Access.

1. All subdivisions shall include a circulation and access system of walkways, paths, sidewalks, or trails that interconnect lots, natural area, community space, and adjacent access facilities.
2. Multi-modal facilities shall be consistent with the applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications.”

**Commented [KM9]:** Trails need to be public access to make this effective.

3. Subdivisions may be required to provide dedicated access easements if one or more “trail connection zones” are located on the site as shown on Map C and D (Non-Motorized System Plan) of the Island-Wide Transportation Plan.
4. Pursuant to RCW 58.17.110(1) sidewalks or other planning features shall be provided to assure safe walking conditions for students who walk to and from school.

**Commented [KM10]:** Does this limit new trail circulation? How current are Maps C and D in the Non-Motorized System Plan? How about new trail access that is not on a map or in a “trail connection zone”?

L. Fencing.

1. Sight obscuring fencing is prohibited at the exterior boundary of a subdivision along a public right of way.
2. Fencing at the exterior boundary of a subdivision along a public right of way shall not exceed 3 feet, 6 inches in height. **\*\*option for higher fences to be set back minimum 5 feet from edge of ROW and planted in front\*\***
3. Fencing at the exterior boundary of a subdivision along a public right of way is prohibited within the roadside buffer or at the edge of right of way.
4. Fencing around surface stormwater ponds shall not exceed 3 feet, 6 inches in height unless required by the City Engineer for safety reasons.

**Commented [KM11]:** Basis for this height? Why would it need to be higher?

M. Landscaping

1. Turf grass shall be limited to  $\leq 20$  percent of individual homesite areas. Turf grass is not permitted on individual lots outside of homesites.
2. Landscaping on individual lots shall include at least 60 percent native vegetation.
3. Landscaping within community space shall:
  - a. Be limited to  $\leq 30$  percent turf grass; and
  - b. ~~Include at least 40 percent native vegetation; except that, plants and vegetation used for gardening or agriculture shall are not required to be native vegetation.~~

**Commented [KM12]:** Seems inconsistent with following requirements for community space. Why a higher percentage of turf grass allowed in community space?

**Commented [KM13]:** Why not less than 20 percent to be consistent with homesites?

**Commented [KM14]:** Why not 60 percent to be consistent with homesites?

N. Perimeter Buffers. The intent of perimeter buffers is to visually and physically separate adjacent land uses, when necessary, to minimize impacts of new development on adjacent properties.

1. Perimeter buffers shall be provided at the exterior boundary of all subdivisions. The minimum width of perimeter buffers shall equal the minimum homesite boundary to exterior plat boundary required in accordance with Table 17.12.070-1.
2. Perimeter buffers shall be shown on the face of the preliminary plat. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, public and private streets, utility lines, and trails may be located within perimeter buffers provided no significant trees are removed.
3. Existing, native vegetation, including significant trees and tree stands, shall be preserved within perimeter buffers. The tree retention, protection, and replacement requirements of BIMC 18.15.010.C apply to perimeter buffers unless modified by this section.
4. If existing vegetation provides an effective visual screen, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:
  - a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a. Any additional plant material shall be native species and no turf or lawn is permitted.
  - b. In the R-0.4, R-1, and R-2 zoning district, additional plant material is not required if:
    - i. The perimeter buffer meets natural area designation objectives and designation standards in BIMC 17.12.050.1 and 17.12.050.3 or;
    - ii. The nearest structure within the subdivision is located a distance at least two times the required homesite boundary to exterior plat boundary dimension provided in Table 17.12.070-1.

**Commented [KM15]:** Why this number?

5. Perimeter buffers may be included as a portion of one or more lots or may be contained in a separate tract.
6. Perimeter buffers may be included as a portion of the natural area required in BIMC 17.12.050.A if the buffer meets the standards of that subsection.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.

O. Roadside Buffers. The intent of roadside buffers is to enhance or retain Island character through the minimization of disturbance of existing roadside vegetation and screen new development from more highly traveled roads.

1. Roadside buffers are required for all subdivisions along collector or arterial roads in the R-0.4, R-1, and R-2 zoning designation. The minimum width of roadside buffers is 25 feet.
2. Roadside buffers shall be shown on the face of the preliminary plat. Roadside buffers may not be part of individual lots and must be contained in a separate tract.
3. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, public and private streets, utility lines and boxes, and trails may be located within roadside buffers provided no significant trees are removed. **\*\*Entry signs/treatment – limited/prohibited\*\***
4. Existing, native vegetation, including significant trees and tree stands, must be preserved within roadside buffers. Tree retention, protection, and replacement requirements in BIMC 18.15.010.C apply to roadside buffers.
5. If existing vegetation provides an effective visual screen, or is consistent with existing roadside character, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:
  - a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a. Any additional plant material shall be native species and no turf or lawn is permitted;
  - b. Additional plant material is not required if mature forest or other dense vegetation is not part of the existing roadside character.
6. Roadside buffers may not be included as a portion of the natural area or community space required in BIMC 17.12.050.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.

**Commented [KM16]:** How does this affect homesites?

**Commented [KM17]:** How does this meet the intent of roadside buffers to enhance or retain Island character through the minimization of disturbance of existing roadside vegetation and screen new development from more highly traveled roads?

9. For subdivisions designating community space that is intended for agricultural use and would be adversely impacted by the addition of screening landscaping, a roadside buffer shall not be required.
10. To accommodate an existing house that is located within 25 feet of the subdivision boundary adjacent to a collector or arterial road, the roadside buffer width shall be reduced to the width adjoining the existing home between the existing house and the subdivision boundary adjacent to the collector or arterial road.

**Commented [KM18]:** Why would a roadside buffer not be required? Tree height could be limited to avoid shade impacts.

**Commented [KM19]:** Why?

P. Design Diversity. Subdivisions shall avoid monotonous rows of duplicative dwellings and incorporated measures that promote design diversity by:

1. Providing a mixture of lot sizes and/or front setbacks; and/or
2. Providing a diversity of floor plans and façade treatments.

Q. No City Maintenance of Streets in Short Subdivisions. Streets within a short subdivision shall not be maintained by the city unless such streets have been dedicated as a right-of-way, improved to current city standards, and accepted as part of the approved short subdivision. Therefore, unless accepted, the responsibility for maintenance shall lie with the owners of the lots.

R. Improvements.

1. Where the buildout of a subdivision is divided into phases, land dedications and infrastructure development will be required on a pro rata basis as each phase is developed unless the applicant negotiates an alternative phasing schedule with the city. This will be required to be documented on a plat note.
2. On any approved large lot, no further lot divisions shall be approved until the required improvements are installed by the applicant and approved by the city.
3. All large lot subdivisions shall have the following improvements developed and/or installed prior to recording:
  - a. Streets shall be cleared, grubbed, and rocked or graveled to provide adequate year-round passage.
  - b. Appropriate drainage, including erosion control, facilities shall be provided consistent with a plan approved by the city engineer prior to clearing and construction of any plat improvements.

Commented [KM20]: Why only large lots?

Commented [KM21]: Why only large lots?

**17.12.080 Multifamily and nonresidential subdivisions.**

A. Subdivisions established for multifamily and nonresidential shall comply with all provisions of BIMC Title 18 (Zoning) applicable to the zone district where the property is located and the type of development anticipated. This requirement shall include, without limitation, compliance with lot areas, dimensions, and design, mobility and access, landscaping, screening, and vegetative buffers.

**17.12.090 Special requirements for critical areas and shoreline.**

A. Critical Areas. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision that contains a critical area as defined in Chapter 16.12 BIMC must conform to all requirements of that chapter.

B. Shoreline. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision located within the jurisdiction of the shoreline master program, as defined in Chapter 16.12 BIMC, must conform to all requirements of that chapter.

Table 17.12.070-1 Subdivision Dimensional Standards

[Numbers in brackets indicate additional requirements listed at the end of the table.]

ZONING DISTRICT DIMENSIONAL STANDARD	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	NC	MUTC
<b>MINIMUM LOT AREA</b>												
Short and Long Subdivision	If the site is not served by a public sewer system, the minimum individual lot area shall be determined by the Kitsap Public Health District in accordance with Section 15 of the Kitsap County Board of Health Ordinance 2008A-01, Amended June 7, 2011, <i>Onsite Sewage System and General Sewage Sanitation Regulations</i> , as amended.  If the site is served by a public sewer system, there is no minimum lot area.  Individual lots may contain portions of natural and community space and access easements.											
Large Lot Subdivision	5 ac or 1/128th of a section, whichever is smaller.	N/A										
<b>MAXIMUM DENSITY (Minimum lot area per dwelling unit)</b>												
Note: Subdivisions containing irregularly shaped lots and lots containing critical areas may not be permitted to achieve maximum density. Additional regulations on density may apply pursuant to BIMC 16.20.												
Short, Long and Large Lot Subdivisions	The maximum number of lots permitted shall be calculated by dividing the total lot area of the property (without deducting areas to be dedicated as public rights-of-way or areas to be encumbered by private road easements) by the minimum lot area for standard lots in the zone district.											
Base Density (minimum lot area)	100,000 sq. ft.	40,000 sq. ft.	20,000 sq. ft. [1]	15,000 sq. ft.	12,500 sq. ft.	10,000 sq. ft.	8,500 sq. ft.	7,260 sq. ft.	5,400 sq. ft.	3,100 sq. ft.	8,500 sq. ft.	See FAR table
Bonus Density pursuant to BIMC 18.12.030.A (minimum lot area)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3,630 sq. ft.	2,074 sq. ft.	N/A	N/A
<b>NATURAL AREA</b>												
Minimum percentage of total site	55%	45%	30%	25%	25%	20%	15%	N/A	10%	5%	15%	5%
Minimum width	50 ft.											
<b>COMMUNITY SPACE</b>												
Instead of providing the required 5% community space, that area may be added to the required natural area if it can be demonstrated that greater conservation area can be achieved.												
Minimum percentage of total site	5% [x]	7.5%	10%	15%				10%	15%	10%		

ZONING DISTRICT DIMENSIONAL STANDARD	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	NC	MUTC
<b>HOMESITE</b>												
Note: Refer to definition of homesite and standards for homesites.												
Maximum size	10,000 sq. ft.	7,500 sq. ft.	6,500 sq. ft.	5,500 sq. ft.	4,500 sq. ft.	3,500 sq. ft.	3,500 sq. ft.	N/A	3,000 sq. ft.	2,250 sq. ft.	3,500 sq. ft.	2,250 sq. ft.
Maximum separation – homesite	25 ft.											
Maximum separation – homesite cluster group	50 ft.											
<b>HOME SIZE</b>												
Maximum size	N/A								1,600 sq. ft.			
<b>MAXIMUM LOT COVERAGE [3]</b>												
Short and Long Subdivision	Same as applied to the entire property that is the subject of the subdivision application, a portion of which shall be assigned to each lot at the time of preliminary plat approval. <b>**May want to consider eliminating maximum lot coverage, particularly in higher density zones. Homesite requirement lessens need for lot coverage standard.**</b>											
Large Lot Subdivision	10%	15%	20%	N/A	N/A	N/A	N/A	N/A	25%	40%	N/A	N/A
<b>MINIMUM SETBACKS</b>												
Note: Additional setbacks may be required by:												
(a) Chapter 16.08 or 16.12 BIMC, or												
(b) Chapter 16.20 BIMC, Critical Areas, or												
(c) BIMC 16.28.040, mining regulations, or												
(d) BIMC 18.09.030, Use-specific standards, or												
<i>[x] Attached or zero lot line allowed in all districts but R-0.4 if building is 1,600 sq. ft. or less</i>												
<i>[y] ADUs do not need to meet TOTAL building to homesite boundary setback – only minimum setback; must be located within homesite.</i>												
Building to homesite boundary Net building size 1,600 sq. ft. or less Minimum/total [x] [y]	5 ft. min., 10 ft. total								3 ft. min., 10 ft. total			
Building to homesite boundary Net building size 1,601 sq. ft. or more Minimum/total	15 ft. min., 50 ft. total	10 ft. min., 25 ft. total	5 ft. min., 20 ft. total		10 ft. min., 20 ft. total	5 ft. min., 20 ft. total	5 ft. min., 15 ft. total	N/A	5 ft. min., 10 ft. total		3 ft. min., 10 ft. total	

ZONING DISTRICT DIMENSIONAL STANDARD	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	NC	MUTC
Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or less	50 ft.	25 ft.	10 ft.	5 ft.								
Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or more	50 ft.	25 ft.	10 ft.	10 ft.						5 ft.		
Homesite to exterior plat boundary line	50 ft.	25 ft.	10 ft.	5 ft.								
Any building to SR 305 right-of-way	75 ft.	75 ft.	75 ft.	N/A	25 ft.	N/A	N/A	N/A	25 ft.	N/A	25 ft.	25 ft.
Homesite to edge of arterial and collector right-of-way	25 ft.		10 ft.									
Building outside homesite to edge of arterial and collector right-of-way	25 ft.		10 ft.									
Any building to all other streets	10 ft.						5 ft.					
Building to trail, natural or community space or access easement (except for natural areas that are also perimeter buffers)	10 ft.					5 ft.				10 ft.	5 ft.	
Shoreline Jurisdiction	See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030.F, Shoreline Structure Setbacks. For properties abutting the shoreline, dimensional standards in BIMC 16.12 replace the zoning setbacks along the water.											
<b>GARAGE DIMENSIONAL STANDARDS</b>												
Shared garage to public ROW	0 feet											
Private garage to public ROW	10 feet											
Garage to private access	0 feet											
Shared garage to shared garage	10 feet											
Shared garage maximum size	60 feet long or 144 square feet total											
<b>MAXIMUM BUILDING HEIGHT</b>												
Note: Bonus may not be available in the shoreline jurisdiction												
Short, Long, and Large Lot Subdivisions	Height requirements for standard lots apply											

[1] The base density for that parcel in the Lynwood Center special planning area designated as R-2 is one unit per 20,000 sq. ft., but may be increased up to 3 units per acre; provided, that a public access easement is granted for that portion of the parcel that lies to the south of Point White Drive along the waters of Rich Passage. The base density of some parcels in the Fort Ward historic overlay district may be increased as shown in BIMC 18.24.070.

A few comments on the DRAFT of BIMC 17.12:

17.12.040 "Administrative Departures" provides a lot of leeway, and I hope it doesn't set us up for extensive haggling with applicants, first at the DRB and then again in PC review. Some leeway will be needed, and I think the criteria are well drafted, with first place given to "exceptional topographic conditions, etc." On balance I think this will solve more problems than it creates.

In 17.12.050, I like the additional detail provided in A. #3 (Designation of Natural Area), and #5 (Fencing and Signage). I see that #4 in the earlier draft (Prioritization) has been set aside – Designation of Natural Area says it better.

In 17.12.060.A(1), I think my suggestion in the marked-up draft is better: "A homesite no greater than the zone-specific maximum area . . ." Some other small modifications in the marked-up draft may also help, but forget the insertion of "unless . . . infeasible," because .040 (Departures) takes care of that. In .060.B(3) I guess that "daisy-chaining" means alignment in straight rows. The problem is inherent with clustering; it is dealt with elsewhere in the requirement of "Design Diversity" (bottom of p. 9). My problem is with "a maximum of 50 feet": wouldn't "no more than" be better?

I see a number of changes to "General residential subdivision standards" in this draft. In some places, suggestions in my marked-up version are still relevant. On p. 6, G (Dimensional standards), in place of "required" I suggest "certain minimum and maximum".

On p. 8, M (Landscaping), those percentages for turf grass and native vegetation are apt to be flak-catchers, or at least irritants. This looks like nannying. Is there a better way to discourage lawns and encourage retention or planting of natives?

For P (bottom of p. 9), which was K on p. 9 of the other draft, I suggest "by incorporating measures that promote design diversity: 1) By providing . . ." etc.

On p. 8 of the other draft, under Landscaping, #4 addressed Perimeter Buffers in Multifamily Subdivisions, and I don't find equivalent language in the latest version. I have heard opinions pro and con, and perhaps you are planning for discussion of this. Jonathan Davis has pointed out that Bethany Lutheran wants to build affordable housing on their land, and a similar proposal might come from Grace Episcopal some day. In the Table, on p. 12, "Attached or zero lot line allowed in all districts but R-0.4," and I tend to agree with Jonathan that an exception for R-0.4 is not necessary, not wise. Any duplex or multi-family project should be judged on its merits.

Back on p. 5, in Community Space Objectives, I **especially like** "Enhance a felt and actual sense of security, identity, and community."

# PLANNING COMMISSION RECORDED MOTION

<b>Planning Commission Meeting Date:</b>	
<b>Project Proposal Name and Number:</b>	
<b>Documents available at:</b>	
<b>Public Hearing Date:</b>	
<b>Decision Maker:</b>	Director or Examiner

**Purpose:** The purpose of the Planning Commission's review and recommendation is to determine if a proposed project is consistent with the comprehensive plan and applicable design guidelines, BIMC Titles 17 and 18.

**Consideration:** The Planning Commission shall consider the project application at a public meeting where public comment will be taken. The Planning Commission shall recommend approval, approval with conditions, or denial of the proposed project.

The Planning Commission will adopt written findings of facts and conclusions and determine if the project is consistent with Bainbridge Island Municipal Code and the comprehensive plan. This motion will be included in the staff report transmitted to the reviewing bodies and decision maker.

### Findings of Fact and Reasons for Action

1. The project, as conditioned, is found to meet all the applicable decision criteria.
2. The project, as conditioned, is found to be compliant and consistent with the comprehensive plan.
3. The project, as conditioned, is found to meet all other applicable laws.
4. The project is either :

\_\_\_\_\_ Found to meet the recommendations by the Design Review Board; **OR**

\_\_\_\_\_ Recommended for deviation from the Design Review Board's recommendation for the following reasons:

- a.
- b.
- c.



CITY OF  
BAINBRIDGE ISLAND

# PLANNING COMMISSION RECORDED MOTION

## Recommendation:

The Planning Commission recommends the **Director/Hearing Examiner:**

- \_\_\_\_\_ Approve the proposal as recommended.
- \_\_\_\_\_ Approve the proposal with the following changes:
  - a.
  - b.
  - c.
- \_\_\_\_\_ Deny the proposal for the following reasons:
  - a.
  - b.
  - c.

## Recorded motion on **date of meeting:**

## Planning Commission Record of Vote:

Commissioner	Support	Oppose	Absent	Abstain
Chester				
McCormick Osmond				
Pearl				
Quitslund				
Macchio				
Doman				
Paar				
<b>Total</b>				

## CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION

\_\_\_\_\_  
Chair

Date: \_\_\_\_\_

\_\_\_\_\_  
Administrative Specialist, Planning and Community Development

Date: \_\_\_\_\_

PUBLIC PARTICIPATION MEETING – Hyla Middle School ([PLN51288 PRE](#))  
CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure  
REVIEW OF MINUTES – November 10, 2016, November 29, 2018 and December 13, 2018  
PUBLIC COMMENT – Accept public comment on off agenda items  
ORDINANCE 2019-03 - SUBDIVISION STANDARDS UPDATE – Public Hearing and  
Recommendation  
NEW/OLD BUSINESS  
ADJOURN

---

**PUBLIC PARTICIPATION MEETING – Hyla Middle School ([PLN51288 PRE](#))**

Chair William Chester opened the public participation meeting at 6:01 PM. Senior Planner Kelly Tayara facilitated the meeting and Brandon Hogg from Studio Hamlet Architects presented the project.

The public participation meeting was over at 6:25 PM and a recess until 7:00 PM occurred.

**SPECIAL MEETING CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure**

Chair William Chester called the meeting to order at 7:00 PM. Planning Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Kimberly McCormick Osmond, Don Doman and Joe Paar. Lisa Macchio was absent and excused. City Staff present were Planning Director Gary Christensen, Long Range Senior Planner Christy Carr and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

The agenda was reviewed. There were not any conflicts noted.

**REVIEW AND APPROVE MINUTES – February 13, 2019**

**Motion: I move the approval of minutes from our meeting of February 13<sup>th</sup> as distributed.**

**Quitslund/Paar: Passed Unanimously**

**PUBLIC COMMENT – Accept public comment on off agenda items**

**Michael Zigich, Citizen** – Asked for an update on the approved amendments to the SMP.

**Rosalyn Renouard, Citizen** – Spoke about the increased traffic congestion on Madison Avenue.

**ORDINANCE 2019-03 - SUBDIVISION STANDARDS UPDATE – Public Hearing and Recommendation**

**The public hearing was opened at 7:16 PM.**

**Brian Wilkinson, Citizen** – Asked for an exemption for the R-0.4 Zone and spoke against the currently proposed ordinance.

**Larry Lewis Knight, Citizen** – Said he was there because he read a newspaper article and wanted to find out what the Planning Commission was considering especially as regarded “clustering” as that was not what he was used to considering rural in character.

**Charlie Wenzlau, Consultant** – Said he had spoken incorrectly at the last meeting and said the Planning Commission could correct his statement about the subdivision size to which these regulations would apply.

**The public hearing was closed at 7:34 PM.**

**8:33 PM Motion: I move to adopt the comments and recommendations from Planning Commission Subdivision Standards Subcommittee Exhibit A with the following changes: Section 17.12.030 Four-Step Design Process, second paragraph, first sentence we’ll remove the words except the redivision of land into two lots. Section 17.12.050 Natural Area and Community Space, Subsection B, Community Space Required, after all residential subdivisions, add the words except short subdivisions. Table 17.12.070-1, Subdivision Dimensional Standards, under Garage Dimensional Standards, change “shared garage to public right of way,” to “shared garage internal access.” [Ms. Carr asked to have the error in Garage Dimensional Standards – Shared garage maximum size corrected from “60 feet long or 144 square feet total” to 60 feet long or 1440 square feet total” to which Commissioner McCormick Osmond replied, “Yes, please.”] And I further move to adopt the comments and recommendations from Planning Commission Subdivision Standards Subcommittee Exhibit B. And I further move to adopt comments and recommendations from Planning Commission Subdivision Standards Subcommittee Exhibit C.**

**McCormick Osmond/Pearl: Passed Unanimously**

**Motion: I move that we forward to the Council with our recommendation Ordinance number 2019-03 with its exhibits as amended in the previous motion. Quitslund/Paar: Passed Unanimously**

**NEW/OLD BUSINESS**

Planning Director Gary Christensen reviewed the *Public Hearing Opening Statement, Protocols and Procedures* as it would be used by the Planning Commission.

Projects for the next meeting were reviewed.

**ADJOURN**

The meeting was adjourned at 8:56 PM.

Approved by:

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William Chester, Chair

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Jane Rasely, Administrative Specialist

DRAFT

COMMENTS AND RECOMMENDATIONS FROM  
PLANNING COMMISSION SUBDIVISION STANDARDS SUBCOMMITTEE

**Chapter 17.12  
SUBDIVISION STANDARDS**

**Note: ~~\*\*Blue text\*\*~~ highlights concepts and policy questions under consideration for which specific regulatory language is not yet drafted.**

**17.12.010 Applicability.**

This ~~chapter~~ section sets forth standards for short subdivisions, long subdivisions, large lot subdivisions, and nonresidential and multifamily subdivisions. Specific requirements relevant to each individual type of subdivision are provided throughout various chapters of this title.

**17.12.020 Subdivision Design Guidelines.**

All residential subdivisions outside the Neighborhood Center and Mixed Use Town Center zoning districts shall comply with ~~these~~ design guidelines contained in “Design Guidelines for Residential Subdivisions,” set forth in BIMC 18.18 and its reference documents, which are adopted as part of this title by reference.

The purpose of subdivision design guidelines is to define the qualities of subdivisions that meet the guiding principles, goals, and policies of the city’s Comprehensive Plan, and to serve as a tool for guiding individual projects to meet those expectations through the city’s land use review procedures. The design guidelines offer ~~reference points~~ a forum for the public to participate in discussion ~~of~~ ~~about~~ new subdivisions ~~in their neighborhood~~, and ~~they as a means of~~ allow ~~applicant~~ ~~ing~~ flexibility in ~~meeting response to design~~ ~~the application of development~~ ~~development standards and zoning requirements~~. An applicant may be granted a departure from the ~~development standards design guidelines~~ by demonstrating that an alternative design better meets the intent of the design guidelines.

**17.12.030 Four-Step Design Process**

The city’s ~~subdivision~~ approach ~~to planning for subdivisions~~ requires a four-step ~~process~~ ~~system~~ that ~~gives places~~ the ~~highest priority to~~ identification and conservation of resources, ~~on an undeveloped area of the site as the primary and leading goal~~. This ~~process approach~~ reverses the conventional site planning approach, which typically begins by laying out the streets, lot lines and building footprints ~~as the first part of the process~~. Instead of first identifying ~~the development~~ areas ~~to be cleared for development~~, the design process begins by analyzing on-site resources and the site’s ~~relationship connections~~ to surrounding ~~properties, in order~~ ~~resources~~ to identify what ~~resource areas~~ are ~~most worthy of best for~~ ~~preservation~~ ~~ing~~ and ~~what those~~ ~~areas of the site that~~ can best accommodate development.

This ~~four step~~ design process is required for all residential subdivisions except the division or redivision of land into two lots. The process ~~is~~, further defined in BIMC 2.16.125.D: ~~it~~, consists of four steps: 1) Delineate Natural Area; 2) Locate Homesites and Community Space; 3) Define Access; and, 4) Draw Lot Lines.

**17.12.040 Administrative Departures**

A. A departure ~~from existing subdivision standards may be requested by an applicant or required by the City to allow use of an~~ ~~is a request by the applicant to meet or exceed a particular subdivision standard through the use of a technique or~~ alternative standard not ~~otherwise~~ listed ~~among~~ ~~under~~ the applicable requirements of BIMC 17.12.050 through BIMC 17.12.0970 ~~(?)~~. Departures are not variances and are not required to meet the criteria associated with a variance application. Rather, departures allow adjustment of ~~existing~~ standards to achieve better outcomes in cases where strict application of the ~~existing~~ standard ~~is not feasible due to physical characteristics of the property, or~~ would result in an inferior subdivision design.

B. Departures from the subdivision standards in BIMC 17.12.050 through BIMC 17.12.090<sup>(2)</sup>, may be permitted as part of the subdivision review process. ~~In order for such a departure from subdivision standards to be allowed, it an applicant must demonstrate that the must satisfy the intent of the four step design process, and the resulting development design must better serve the public interest. resulting overall development, including departures from the standards, would better serve the~~

~~public interest. A departure shall not be allowed from the following standards; and a finding shall be made in the affirmative that each proposed departure meets or exceeds the intent of the respective standard as compared to a strict application of the established standard.~~

~~1. Natural area~~

~~2. ~~ete~~ Community space~~

~~3. Homesite size~~

C. Any request for one or more departures shall be made at the Design Guidance Review Meeting as part of the pre-application phase of the project. Departures shall be reviewed concurrently with an application for subdivision. It must be shown that the proposal is consistent with the following criteria:

1. Because of unusual shape, exceptional topographic conditions, environmental constraints or some other extraordinary characteristics of the property, strict adherence to the existing standard would create undue hardship or result in an undesirable plat; or

2. The granting of the departure results in better plat and/or lot design, such as a plat with greater natural resource conservation value, less adverse impact to adjoining properties, or homes designed to be better suited to the site's topography and other features; and

~~3. All possible efforts to comply with the standard or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in approval; and~~

4. The departure is consistent with other applicable regulations and standards; and

5. The granting of any departure will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity in which the property is located.

D. Upon affirmative recommendations ~~by the Design Review Board and of approval from~~ the Planning Commission, the director shall review the record and render a decision on the specified departure(s), subject to review by the hearing examiner. ~~may grant a~~ departure from the subdivision standards BIMC 17.12.050 through BIMC 17.12.090 ~~may be granted~~ if it is shown that the ~~departure meets the criteria in 17.12.040 (C).~~ proposal is consistent with the following criteria:

~~1. Because of unusual shape, exceptional topographic conditions, environmental constraints or other extraordinary situation or condition in connection with a specific piece of property, strict adherence to the standard would create undue hardship or result in an undesirable plat; or~~

~~2. The granting of the departure results in better plat and/or lot design. Better plat and/or lot design means situations such as creating plats that result in greater natural resource conservation value, less adverse impact to adjoining properties, or more practical design because of topography, critical area, or other extenuating circumstance; and~~

~~3. All possible efforts to comply with the standard or minimize potential harm or adverse impacts have been undertaken. Economic consideration may be taken into account but shall not be the overriding factor in approval; and~~

~~4. The departure is consistent with other applicable regulations and standards; and~~

~~5. The granting of any departure will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity in which the property is located.~~

#### 17.12.050 Natural Area and Community Space.

A. Natural Area Required. All residential subdivisions shall provide natural area consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

1. Natural Area Objectives. ~~The n~~Natural area(s) shall support accomplish one or more of the following objectives:

a. Conservation of natural resources, including wildlife habitat;

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- b. Protection of groundwater recharge;
- c. Conservation of native soils;
- d. Expansion or enhancement of the value to adjacent or neighboring open space, parks, forested areas, conservation easements, shorelines, or critical areas;
- e. Preservation of unique natural land or rock features;
- f. Preservation of visual appealqualities along highway, road and street corridors or scenic vistas.

2. Amount of Natural Area Required. The ~~zone specific~~ minimum natural area shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.

3. Designation of Natural Area. ~~The n~~Natural area(s) shall be designated as the first step in the four-step design process defined in BIMC 2.16.125.D. Natural areas ~~consistare made up~~ of primary and secondary natural areas. If the primary natural areas make up less than the required percentage of the total site natural area, the balance of the required natural area shall ~~consistbe made up~~ of secondary natural areas.

a. Primary Natural Areas (PNA). PNAs form the core of the natural area to be protected. PNA's include the following:

- i. Critical areas other than critical aquifer recharge areas;
- ii. Critical area buffers;
- iii. Aquifer recharge protection area as required by BIMC 16.20.100.;

b. Secondary Natural Areas (SNA). SNAs are locally noteworthy or significant features of the natural landscape. SNA's include the following:

- i. Mature woodlands;
- ii. Freestanding significant trees;
- iii. Wildlife corridors;
- iv. Greenways and trails;
- v. Scenic viewsheds;
- vi. Mature vegetation on ridgelines.

c. Aquifer Recharge Protection Area (ARPA). Subdivisions in the R-0.4, R-1, and R-2 zoning districts shall include designation of an ARPA in accordance with BIMC 16.20.100 and the following standards:

i. If a proposed subdivision includes more than one parcel, the ARPA shall be calculated based on the total square footage of all parcels;

ii. If the required ARPA is greater than the required natural area, the natural area shall be increased to achieve the required ARPA area;

iii. If the required ARPA is less than the required natural area, the natural area shall include other SNAs ~~other PNAs or SNAs~~ to achieve the required natural area.

4. Natural Area Configuration. Designated natural areas shall be configured in a manner that enhances and promotes the ~~+~~natural character of the island and ~~+~~natural resource characteristics of the property and surrounding area. Natural area configuration shall satisfy the following guidelines:

- a. Natural area should be concentrated in large, consolidated areas; and
- b. Natural area should connect to any adjacent off-site open space areas, designated wildlife corridors and trails, and/or critical areas; and
- c. Natural area should be designed to preserve views from off site of the subject property; and
- d. Natural area should be delineated with a low perimeter-to-area ratio, with a minimum width of fifty (50) feet; and
- e. Natural area may be included as a portion of one or more lots, or may be contained in a separate tract.

5. Natural Area Fencing and Signage. ~~FEither~~ fences and/or signs delineating the boundary of natural areas are required. The director shall determine which option (fence or sign) is required, based on the recommendations from the Design Guidance Review Meeting.

- a. If fencing is required:
  - i. Low-impact fences are preferred and must be constructed in accordance with the definition in BIMC 17.28.020; and
  - ii. Fencing is not required at the exterior boundary of the subdivision; and
  - iii. Gaps in fencing not exceeding five (5) feet are permitted, as are gates.
- b. If signs are required:
  - i. They shall be constructed in accordance with the definition in BIMC 17.28.020; and
  - ii. Typically, they shall be ~~generally~~ spaced at intervals of 50 feet, allowing for variation unless otherwise approved by the director due to ~~reasons such as~~ topography, configuration of open space, distance from other features, etc.
- c. If signage is required and encroachments into the designated natural area occur, the director may require that the owner install fencing and/or additional signage to prevent future encroachments. Required fencing and signs shall must be maintained in good repair, with repair or replacement to occur within 60 days, ~~of notification from the city that repair or replacement is required?~~

6. Natural Area Ownership. Ownership of natural area shall be established consistent with one of the following forms of ownership:

- a. Private Ownership. Natural area may be held in private ownership if ~~so~~ established by easements, restrictive covenants, the natural area management plan, or ~~other~~ similar legal means; or
- b. Common Ownership. Natural areas may be held in common by a home or property owners' association or other similar organization. For the purposes of this title, if a land trust or a similar conservancy maintains ownership ~~of and/ or a~~ conservation easement ~~being held by a land trust, or other similar conservancy organization,~~ that shall be considered common ownership. If this ownership pattern is selected, covenant, conditions, and/or restrictions shall be required; or
- c. Public Ownership. Designated natural areas shall not be required to be dedicated to the city or other public agency, and the owner shall not be required to permit public access to designated natural areas. However, if the owner offers to dedicate, the city or other public agency may choose to accept ownership of natural areas. Consequently, upon approval and acceptance by the city council, the natural areas shall be dedicated to the public.

7. Natural Area Maintenance. An applicant shall submit a draft natural area management plan (NAMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the NAMP will occur at the time of final plat approval. The natural area management plan shall include:

- a. A list of all approved uses for the natural areas. Where uses in separate natural areas vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for natural areas, stipulating that clearly describes the frequency and scope of maintenance activities for natural areas, and meeting that meets all requirements set forth in subsection 7 herein, and in the Bainbridge Island administrative manual.
- c. The approved NAMP must be filed with the Kitsap County Auditor. In the event that the natural area is not maintained consistent with the NAMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision, and - ~~This assessment and-~~ shall, if unpaid, become a tax lien on such property or properties.

8. Allowed Uses in Natural Area. Allowed uses within natural areas include:

- a. Installation and care of native plants.
- b. Maintenance pruning of trees and shrubs, provided the structural integrity and long-term health of the vegetation is preserved.
- c. Wildfire mitigation activities, other than tree removal, within a 30-foot defensible space around a primary structure, in accordance with the Bainbridge Island community wildfire protection plan and as described by Section 603 of the International Wildland Urban Interface Code.
- d. Removal of invasive plant species.
- e. Passive recreation, including pervious trails.
- f. Potable water wells and well houses.
- g. Low impact fencing or signs marking the natural area boundary.
- h. On-site sewage drainfield facilities, if construction of the system will not require the use of heavy equipment or removal of significant trees.
- i. Storm drainage facilities if the applicant can demonstrate that (i) the system meets the low impact design (LID) standards of Chapter 15.20 BIMC, and (ii) construction of the system will not require the use of heavy equipment or removal of significant trees.
- j. Accessory solar panels, small wind energy generators, composting bins, rainwater harvesting barrels, and cisterns, as defined in Chapter 18.36 BIMC.
- k. Other structures or hard surfaces with a total footprint ~~of~~ no greater than 200 square feet.

B. Community Space Required. All residential subdivisions shall provide community space consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

1. Community Space Objectives. Community space shall accomplish one or more of the following objectives:

- a. Provide a place for residents to gather in shared space.
- b. Provide common buildings, open space, or gardens.
- c. Provide space for unstructured recreation.
- d. Enhance a felt and actual sense of security, identity, and community.
- e. Provide a protected, traffic-free environment.

2. Amount of Community Space Required. The minimum community space shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.

3. Community Space Configuration. Community space ~~shall~~ should adjoin the largest practicable number of lots within the development. Non-adjoining lots shall be provided with safe and convenient pedestrian access to community space.

4. Community Space Ownership. Ownership of community space shall be established consistent with one of the forms of ownership set forth in BIMC 17.12.050.A.5.

5. Community Space Maintenance. An applicant shall submit a draft community space management plan (CSMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the CSMP will occur at the time of final plat approval. The community space management plan shall include:

- a. A list of all approved uses for the community space. Where uses in separate community spaces vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for community space that clearly describes the frequency and scope of maintenance activities, and that meets all requirements set forth in subsection 5 herein and the Bainbridge Island administrative manual.
- c. The approved CSMP must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval. In the event that the community space is not maintained consistent with the CSMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision and shall, if unpaid, become a tax lien on such property or properties.

6. Allowed Uses in Community Space. Community space may include uses such as crop and animal agriculture, meadows, orchards, pastures, turf fields, and common buildings. Prohibited and allowed uses within community space shall be included in the draft terms, conditions, covenants, and agreements proposed for the subdivision, which shall be submitted with the preliminary subdivision application. Final terms, conditions, covenants, and agreements must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval.

**17.12.060 Homesites.** All single-family residential subdivisions require homesites located and designed consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

A. Homesite Area.

1. A homesite area ~~no greater than~~with the maximum area shown in Table 17.12.070-1 shall be provided for each lot and shall be depicted on the face of the plat.

2. The homesite area shall include the primary residential dwelling, accessory buildings, and on-site parking, if provided for each lot within the subdivision.

3. Other allowed uses and structures include residential landscaping, pathways, ~~and~~ turf, and fences; individual water, stormwater, and septic infrastructure; ~~and fences.~~

4. Homesites shall not contain any critical areas, ~~except for critical aquifer recharge areas,~~ or their buffers or setbacks, shoreline buffers, or any portion of required natural areas. Homesites may include critical aquifer recharge areas.

B. Homesite Clustering. ~~Clustering is the preferred design model for all single family subdivisions. In All single family subdivisions resulting in four or more lots require homesite clustering, clustering of homesites is the preferred design model.~~ -The purpose of clustering is to facilitate the efficient use of land by ~~limiting~~~~reducing~~ ~~disturbed~~ areas ~~of disturbance~~, impervious surfaces, utility extensions, and roadways. ~~Homesites shall be located in cluster groups and the efficient location of infrastructure shall be used to maximize the undeveloped area.~~

The four-step design process outlined in section 17.12.030 BIMC is intended to allow the characteristics of the land to determine the most suitable location of homesites. Section 17.12.040 BIMC also provides for departures from certain standards, if it is found that the adjustment achieves a better outcome.

- ~~1. Cluster groups shall be a minimum of four homesites.~~
- ~~2. No more than three cluster groups are allowed within any subdivision.~~
- ~~3. All homesites in a cluster grouping shall adjoin or be located no more than a maximum of 50 feet from another homesite. ~~\*\*Is additional language needed to prevent “daisy chaining”?\*~~~~
4. Homesite cluster groups shall be located to minimize adverse impacts to adjacent, previously existing residential development.
5. ~~H~~The location of homesite cluster groups ~~are~~is not required to be located near any existing home on the property.
6. Homesite cluster groups shall be configured to maintain the natural features of the site and minimize topographic alteration and clearing of existing vegetation.

#### 17.12.070 General residential subdivision standards.

A. Constrained lots. If, due to site or design constraints, no homesite with supporting infrastructure can be located on a subject property, no division of land is permitted.

B. Preexisting lots. Lots that have previously received final approval from the city, or that have previously received final approval from Kitsap County prior to inclusion within the city boundaries, and that do not comply with standards of this chapter shall be considered existing nonconforming lots, but any future resubdivision of any such lots shall comply with the requirements of this title.

C. Platted lots. The platted lot defines the extent of private ownership of land within the subdivision. The size, shape and potential uses of a lot depend on many factors that will be considered in the subdivision design process. Establishing lot lines is the last step in the design process, but a desired result will affect decisions throughout the process, and the physical characteristics of the entire property will present both constraints and opportunities. Standards applicable to lots are found in BIMC 17.12.070 and Table 17.12.070-1.

~~D. The s~~Short subdivision process shall not be used, either by a person alone or by persons acting together, at one time or over a period of time, ~~as a means~~ to circumvent compliance with the more stringent ~~subdivision~~ requirements that control the subdivision of land into five or more lots. When an application for a short subdivision is filed within five years after the approval of a short subdivision on a contiguous land parcel, ~~a~~ presumption of an attempt to circumvent short subdivision requirements may be invoked by the director as a basis for further investigation, ~~to assure compliance with the intent of this provision~~ and the requirements of a long subdivision.

D. Remaining area. Any area not designated as public or private access, buffers, lots, or utility tracts shall be designated as either natural area or community space, in accordance with the objectives in either BIMC 17.12.050.A.1 or 17.12.050 B.1.  
~~17.12.050.B.1.~~

E. Site Disturbance. ~~The extent of I~~and disturbing activities, as defined in BIMC 15.20.020.22, shall be limited to the minimum required for site preparation and construction. ~~maximum extent feasible. ~~\*\*Can site disturbance be further limited; e.g., site disturbance cannot exceed 10 percent greater than homesite area (depending on where utilities are)?\*\*~~~~

F. Compatibility with Adjacent Development

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1. Subdivisions shall be designed and located to ensure compatibility with existing adjacent development.
2. Views of house lots from exterior roads and abutting properties shall be minimized by preserving the natural topography and existing vegetation to the greatest furthest extent possible.
- ~~3. An alternative design of portions of the site plan may be required in order to satisfy fulfill subsections 1 and 2 above.~~

G. Dimensional standards. Table 17.12.070-1 sets forth certain minimum and maximum~~required~~ dimensional standards. Where a property is located in more than one zone district, units permitted by density calculations within each zone district must be constructed on the portion of the property located within that ~~zone~~ district, and required setbacks for each zone district must be met. Permitted densities are not “blended” across the zone district line.

H. Septic Systems. Locations of individual or community drainfields and associated reserve drainfields shall comply with all applicable standards established by the Kitsap Public Health District or Washington Department of Health.

Reserve drainfield areas shall remain undisturbed until such time as their use is required. This standard shall be noted on the face of the preliminary and final plat.

I. Streets and Vehicle Access. Subdivisions shall comply with the following standards unless modified by the City Engineer:

1. Subdivisions shall comply with all applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications,” as amended. Deviations from the “City of Bainbridge Island Design and Construction Standards and Specifications” may be granted by the City Engineer upon evidence that such deviations are in the public interest and that they are based on sound engineering principles and practices. All requirements for safety, function, appearance and maintainability must be fully met. Desired deviations should must be requested at the Design Guidance Review Meeting during the pre-application phase of the project.

2. Each lot in a residential subdivision shall have direct access to a public or private street, except for those with shared driveways or alternative lot designs that provide shared or clustered parking outside of individual lots.

3. The street system of a proposed subdivisions shall be designed to connect with any existing, proposed, or planned streets outside of the subdivision ~~to the maximum extent feasible or~~ to create a connection beneficial to the overall circulation of the surrounding area, as determined by the City Engineer. ~~{Delete “to the maximum extent . . .” to end of sentence?}~~

4. Interior street layout shall be oriented on the east/west axis; if feasible, to maximize active and passive solar access.

5. To minimize impervious surfaces, all public rights-of-way, access easements, private streets, and driveways shall not be greater than the minimum dimensions required to meet standards.

6. Street names and traffic regulatory signs shall be provided, and their locations shall be indicated on the plat/plan. The locations of mailboxes and traffic regulatory signs are only required ~~to be indicated~~ on the plat/plan when other public improvements are required.

7. Transit stops shall be provided as recommended by Kitsap Transit.

J. Parking and Garages.

1. Parking shall be provided consistent with BIMC 18.15.020, except as modified by this subsection.
2. Parking spaces provided on individual lots must be located within the designated homesite.
3. Parking spaces may be located outside of individual lots, consolidated in a remote or satellite parking area, or in individual or shared garages.
4. Consolidated parking areas shall be landscaped in accordance with BIMC 18.15.010.F.
5. Shared garages are limited to five vehicle spaces and shall not exceed 60 feet in length or 144 square feet total.
6. Garages, including detached garages, located on individual homesites facing a public street shall be:
  - a. Limited to two vehicles; and
  - b. Either accessed from the side or rear or set back from the most front-facing exterior wall of habitable space a minimum of five feet unless the house is not visible from the public street.

K. Circulation and Access.

1. All subdivisions shall include a circulation and access system of walkways, paths, ~~sidewalks,~~ or trails that interconnect lots, natural area, community space, and adjacent access facilities. Trails that provide connection to streets, public areas or other trails contribute to a network beyond through the subdivision boundaries shall provide public access.
2. Multi-modal facilities shall be consistent with the applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications.”

3. Subdivisions may be required to provide dedicated access easements if one or more “trail connection zones” are located on the site as shown on Map C and D (Non-Motorized System Plan) of the Island-Wide Transportation Plan, as amended.
4. Pursuant to RCW 58.17.110(1), sidewalks or other planning features shall be provided to assure safe walking conditions for students who walk to and from school.

#### L. Fencing.

1. Sight obscuring fencing is prohibited at the exterior boundary of a subdivision along a public right of way.
2. Fencing at the exterior boundary of a subdivision along a public right of way shall not exceed 3 feet, 6 inches in height. **\*\*option for higher fences to be set back minimum 5 feet from edge of ROW and planted in front\*\***
3. Fencing at the exterior boundary of a subdivision along a public right of way is prohibited within the roadside buffer or at the edge of right of way.
4. Fencing around surface stormwater ponds shall not exceed 3 feet, 6 inches in height unless required by the City Engineer for safety reasons.

#### M. Landscaping

Individual homeowners are responsible for the maintenance and modification of landscaping on their lots, subject to any rules and guidelines established by a homeowners’ association or similar body. Native vegetation on the site should be retained and maintained where possible and landscaping should be responsive to the natural contours of the lot.

- ~~1. Turf grass shall be limited to ≤ 20 percent of individual homesite areas. Turf grass is not permitted on individual lots outside of homesites.~~
- ~~2. Landscaping on individual lots shall include at least 60 percent native vegetation.~~
- ~~3. Landscaping within community space shall:  
a. Be limited to ≤ 30 percent turf grass; and  
b. Include at least 40 percent native vegetation; except that, plants and vegetation used for gardening or agriculture shall are not required to be native vegetation.~~

N. Perimeter Buffers. The intent of perimeter buffers is to visually and physically separate adjacent land uses, when necessary, to minimize impacts of new development on adjacent properties.

1. Perimeter buffers shall be provided at the exterior boundary of all subdivisions. The minimum width of perimeter buffers shall equal the minimum homesite boundary to exterior plat boundary required in accordance with Table 17.12.070-1.
2. Perimeter buffers shall be shown on the face of the preliminary plat. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, public and private streets, utility lines, and trails may be located within perimeter buffers provided no significant trees are removed.
3. Existing, native vegetation, including significant trees and tree stands, shall be preserved within perimeter buffers. The tree retention, protection, and replacement requirements of BIMC 18.15.010.C apply to perimeter buffers unless modified by this section.
4. If existing vegetation provides an effective visual screen, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:
  - a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a.. Any additional plant material shall be native species and no turf or lawn is permitted.
  - b. In the R-0.4, R-1, and R-2 zoning district, additional plant material is not required if:
    - i. The perimeter buffer meets natural area designation objectives and designation standards in BIMC

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17.12.050.1 and 17.12.050.3 or;

- ii. The nearest structure within the subdivision is located a distance at least two times the required homesite boundary to exterior plat boundary dimension provided in Table 17.12.070-1.

5. Perimeter buffers may be included as a portion of one or more lots or may be contained in a separate tract.
6. Perimeter buffers may be included as a portion of the natural area required in BIMC 17.12.050.A if the buffer meets the standards of that subsection.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.

O. Roadside Buffers. The intent of roadside buffers is to enhance or retain Island character through the minimization of disturbance of existing roadside vegetation and screen new development from more highly traveled roads.

1. Roadside buffers are required for all subdivisions along collector or arterial roads in the R-0.4, R-1, and R-2 zoning designation. The minimum width of roadside buffers is 25 feet.
2. Roadside buffers shall be shown on the face of the preliminary plat. Roadside buffers may not be part of individual lots and must be contained in a separate tract.
3. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, ~~public and private streets,~~ utility lines and boxes and entry signs, may be located within roadside buffers, and driveways and trails may be located within roadside buffers, provided no significant trees are removed. ~~\*\*Entry signs/treatment—limited/prohibited\*\*~~
4. Existing, native vegetation, including significant trees and tree stands, ~~shall~~ must be preserved within roadside buffers. Tree retention, protection, and replacement requirements in BIMC 18.15.010.C apply to roadside buffers.
5. If existing vegetation provides an effective visual screen, or is consistent with existing roadside character, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:
  - a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a. Any additional plant material shall be native species and no turf or lawn is permitted;
  - b. Additional plant material is not required if mature forest or other dense vegetation is not part of the existing roadside character.
6. Roadside buffers may not be included as a portion of the natural area or community space required in BIMC 17.12.050.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.
9. For subdivisions designating community space that is intended for agricultural use and would be adversely impacted by the addition of screening landscaping, a roadside buffer shall ~~not~~ be required to use screening landscaping that does not adversely impact the proposed agricultural use.
10. To accommodate an existing house that is located within 25 feet of the subdivision boundary adjacent to a collector or arterial road, the roadside buffer width shall be reduced to the width adjoining the existing home between the existing house and the subdivision boundary adjacent to the collector or arterial road.

P. Design Diversity. Subdivision designs shall avoid monotonous rows of duplicative dwellings ~~by~~ and incorporating geed measures that promote design diversity, ~~including: by:~~

1. Providing a mixture of lot sizes and/or front setbacks; and/or

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2. Providing a ~~variety~~<sup>diversity</sup> of floor plans and façade treatments.

Q. No City Maintenance of Streets in Short Subdivisions. Streets within a short subdivision shall not be maintained by the city unless such streets have been dedicated as a right-of-way, improved to current city standards, and accepted as part of the approved short subdivision. Therefore, unless accepted, the responsibility for maintenance shall lie with the owners of the lots.

~~R. Improvements.~~

- ~~1. Where the buildout of a subdivision is divided into phases, land dedications and infrastructure development will be required on a pro rata basis as each phase is developed unless the applicant negotiates an alternative phasing schedule with the city. This will be required to be documented on a plat note.~~
- ~~2. On any approved large lot, no further lot divisions shall be approved until the required improvements are installed by the applicant and approved by the city.~~
- ~~3. All large lot subdivisions shall have the following improvements developed and/or installed prior to recording:
  - ~~a. Streets shall be cleared, grubbed, and rocked or graveled to provide adequate year round passage.~~
  - ~~b. Appropriate drainage, including erosion control, facilities shall be provided consistent with a plan approved by the city engineer prior to clearing and construction of any plat improvements.~~~~

**17.12.080 Multifamily and nonresidential subdivisions.**

~~A.~~ Subdivisions established for multifamily and nonresidential uses shall comply with all provisions of BIMC Title 18 (Zoning) applicable to the zone district where the property is located, and for the type of development anticipated. This requirement shall include, without limitation, compliance with design guidelines and with standards for lot areas, dimensions, ~~and design~~, mobility and access, landscaping, screening, and vegetative buffers.

**17.12.090 Special requirements for critical areas and shoreline.**

A. Critical Areas. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision that contains a critical area as defined in Chapter 16.12 BIMC must conform to all requirements of that chapter.

B. Shoreline. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision located within the jurisdiction of the shoreline master program, as defined in Chapter 16.12 BIMC, must conform to all requirements of that chapter.

**Table 17.12.070-1 Subdivision Dimensional Standards**

[Numbers in brackets indicate additional requirements listed at the end of the table.]

ZONING DISTRICT DIMENSIONAL STANDARD	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	NC	MUTC
<b>MINIMUM LOT AREA</b>												
<b>Short and Long Subdivision</b>	If the site is not served by a public sewer system, the minimum individual lot area shall be determined by the Kitsap Public Health District in accordance with Section 15 of the Kitsap County Board of Health Ordinance 2008A-01, Amended June 7, 2011, <i>Onsite Sewage System and General Sewage Sanitation Regulations</i> , as amended.  If the site is served by a public sewer system, there is no minimum lot area.  Individual lots may contain portions of natural and community space and access easements.											
<b>Large Lot Subdivision</b>	5 ac or 1/128th of a section, whichever is smaller.	N/A										
<b>MAXIMUM DENSITY - (MINIMUM LOT AREA/Minimum lot area per dwelling unit)</b>												
Note: Subdivisions containing irregularly shaped lots and lots containing critical areas may not be permitted to achieve maximum density. Additional regulations on density may apply pursuant to BIMC 16.20.												
<b>Short, Long and Large Lot Subdivisions</b>	The maximum number of lots permitted shall be calculated by dividing the total lot area of the property (without deducting areas to be dedicated as public rights-of-way or areas to be encumbered by private road easements) by the minimum lot area for standard lots in the zone district.											
<b>Minimum Lot Area Base Density - (minimum lot area)</b>	100,000 sq. ft.	40,000 sq. ft.	20,000 sq. ft. [1]	15,000 sq. ft.	12,500 sq. ft.	10,000 sq. ft.	8,500 sq. ft.	7,260 sq. ft.	5,400 sq. ft.	3,100 sq. ft.	8,500 sq. ft.	See FAR table
<b>Minimum Lot Area - Bonus Density - pursuant to BIMC 18.12.030</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3,630 sq. ft.	2,074 sq. ft.	N/A	N/A
<b>NATURAL AREA</b>												
Minimum percentage of total site	55%	45%	30%	25%	25%	20%	15%	N/A	10%	5%	15%	5%
Minimum width	50 ft.											
<b>COMMUNITY SPACE [x]</b> [x] Instead of providing the required 5% community space, that area may be added to the required natural area if it can be demonstrated that greater conservation area can be achieved.												
Minimum percentage of total site	5% [x]	7.5%	10%	15%						10%	15%	10%

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	NC	MUTC
<b>DIMENSIONAL STANDARD</b>												
<b>HOMESITE</b>												
Note: Refer to definition of homesite and standards for homesites.												
Maximum size	10,000 sq. ft.	7,500 sq. ft.	6,500 sq. ft.	5,500 sq. ft.	4,500 sq. ft.	3,500 sq. ft.	3,500 sq. ft.	N/A	3,000 sq. ft.	2,250 sq. ft.	3,500 sq. ft.	2,250 sq. ft.
<del>Maximum separation—homesite</del>	<del>25 ft.</del>											
<del>Maximum separation—homesite-cluster group</del>	<del>50 ft.</del>											
<b>HOME SIZE</b>												
Maximum size	N/A								1,600 sq. ft.			
<b>MAXIMUM LOT COVERAGE [3]</b>												
Short and Long Subdivision	Same as applied to the entire property that is the subject of the subdivision application, a portion of which shall be assigned to each lot at the time of preliminary plat approval. **May want to consider eliminating maximum lot coverage, particularly in higher density zones. Homesite requirement lessens need for lot coverage standard.**											
Large Lot Subdivision	10%	15%	20%	N/A	N/A	N/A	N/A	N/A	25%	40%	N/A	N/A
<b>MINIMUM SETBACKS</b>												
Note: Additional setbacks may be required by:												
(a) Chapter 16.08 or 16.12 BIMC, or												
(b) Chapter 16.20 BIMC, Critical Areas, or												
(c) BIMC 16.28.040, mining regulations, or												
(d) BIMC 18.09.030, Use-specific standards, or												
<a href="#">[x] Attached or zero lot line allowed in all districts but R-0.4 if building is 1,600 sf or less</a>												
<a href="#">[y] ADUs do not need to meet TOTAL building to homesite boundary setback – only minimum setback; must be located within homesite.</a>												
Building to homesite boundary Net building size 1,600 sq. ft. or less Minimum/total <a href="#">[x]</a> <a href="#">[y]</a>	5 ft. min., 10 ft. total								3 ft. min., 10 ft. total			
Building to homesite boundary Net building size 1,601 sq. ft. or more Minimum/total	15 ft. min., 50 ft. total	10 ft. min., 25 ft. total	5 ft. min., 20 ft. total		10 ft. min., 20 ft. total	5 ft. min., 20 ft. total	5 ft. min., <del>15-</del> <u>20</u> ft. total	N/A	5 ft. min., 10 ft. total		3 ft. min., 10 ft. total	

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	NC	MUTC
<b>DIMENSIONAL STANDARD</b>												
Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or less	50 ft.	25 ft.		10 ft.		5 ft.						
Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or more	50 ft.	25 ft.		10 ft.		10 ft.				5 ft.		
Homesite to exterior plat boundary line	50 ft.	25 ft.		10 ft.		5 ft.						
Any building to SR 305 right-of-way	75 ft.	75 ft.	75 ft.	N/A	25 ft.	N/A	N/A	N/A	25 ft.	N/A	25 ft.	25 ft.
Homesite to edge of arterial and collector right-of-way	25 ft.			10 ft.								
Building outside homesite to edge of arterial and collector right-of-way	25 ft.			10 ft.								
Any building to all other streets	10 ft.						5 ft.					
Building to trail, natural or community space or access easement (except for natural areas that are also perimeter buffers)	10 ft.					5 ft.				10 ft.	5 ft.	
Shoreline Jurisdiction	See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030.F, Shoreline Structure Setbacks. For properties abutting the shoreline, dimensional standards in BIMC 16.12 replace the zoning setbacks along the water.											
<b>GARAGE DIMENSIONAL STANDARDS</b>												
Shared garage to public ROW	0 feet											
<del>Private garage to public ROW</del>	<del>10 feet</del>											
<del>Garage to private access</del>	<del>0 feet</del>											
Shared garage to shared garage	10 feet											
Shared garage maximum size	60 feet long or 144 square feet total											
<b>MAXIMUM BUILDING HEIGHT</b>												
Note: Bonus may not be available in the shoreline jurisdiction												
<b>Short, Long, and Large Lot Subdivisions</b>	Height requirements for standard lots apply <u>C. Carr to provide code citation</u>											

[1] The base density for that parcel in the Lynwood Center special planning area designated as R-2 is one unit per 20,000 sq. ft., but may be increased up to 3 units per acre; provided, that a public access easement is granted for that portion of the parcel that lies to the south of Point White Drive along the waters of Rich Passage. The base density of some parcels in the Fort Ward historic overlay district may be increased as shown in BIMC 18.24.070.

COMMENTS AND RECOMMENDATIONS FROM  
PLANNING COMMISSION SUBDIVISION STANDARDS SUBCOMMITTEE

**Chapter 17.28**

**DEFINITIONS**

Sections:

- 17.28.010 Rules of construction.  
17.28.020 Definitions.

**17.28.010 Rules of construction.**

Rules of construction shall be those listed in BIMC 18.36.010. (Ord. 2011-02 § 2 (Exh. A), 2011)

**17.28.020 Definitions.**

1. “Arterial” means an arterial road as defined in the City of Bainbridge Island Islandwide Transportation Plan, major thoroughfare used mainly for through traffic rather than access to nearby property. Arterials have greater traffic carrying capacity than collector or local streets and are designed for continuously moving traffic.

~~2. “Block” means a group of lots, tracts or parcels within well defined and fixed boundaries.~~

~~23. “Buffer” means as defined in Chapter 18.36 BIMC.~~

~~4. “Circle temple” means as defined in Chapter 18.36 BIMC.~~

~~5. “Cluster development” means a group of adjoining homesite areas situated in a suitable area of a property, designed in such a manner that facilitates the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways, while providing for the protection of valued open space features.~~

36. “Cluster grouping” means a grouping of two or more homesite areas for short subdivisions and a grouping of four or more homesites for long within a subdivision to facilitate the efficient use of land by limiting areas of disturbance, impervious surfaces, utility extensions and roadways. s regulated by BIMC 17.12.030.B.

47. “Code” means the City of Bainbridge Island Municipal Code.

~~58. “Collector” means a collector road as defined in the eCity of Bainbridge Island comprehensive plan Islandwide Transportation Plan.~~

6. “Community space” means the portion of a subdivision maintained reserved in perpetuity and designated for the common use and enjoyment of property owners within the subdivision.

~~79. “Comprehensive plan” means as defined in Chapter 18.36 BIMC.~~

~~840. “Contiguous land” means land adjoining and touching other land regardless of whether or not portions of the parcels have separate tax numbers, or were purchased at different times, in different sections, are in different government lots or are separated from each other by public or private easement or right-of-way.~~

~~94+. “Critical areas,” as used in this title, means critical areas, their protective buffers, and aquifer recharge protection areas as described by Chapter 16.20 BIMC.~~

~~1042. “Dedication” means the deliberate assignment of land by an owner for any general and public uses, reserving to the owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat of a short or long subdivision, a large lot subdivision, or a nonresidential or multifamily subdivision showing the dedication. Acceptance of the filing shall be by approval of the final plat by the city.~~

BIMC Chapter 17.28 DEFINITIONS

~~1143.~~ “Department” means as defined in Chapter 18.36 BIMC.

~~1244.~~ “Director” means as defined in Chapter 18.36 BIMC.

~~1315.~~ “Division” means a portion of property within an approved preliminary subdivision that is authorized to be recorded separately by the specific terms and conditions of the preliminary and/or final subdivision approval.

~~1416.~~ “Easement” means a right of use granted by a property owner to specific persons or to the public for use of land for a specific purpose.

~~1517.~~ “Effective visual screen” means a sight-obscuring barrier provided by: (a) a topographic variation, (b) a physical condition, such as an existing native forest, or (c) installed vegetation that provides a visual barrier within five years of planting.

~~1617.~~ “Farms” and “farmland” mean land used for crop agriculture or livestock agriculture, as those terms are defined in Chapter 18.36 BIMC.

~~1718.~~ “Final subdivision” or “final plat” means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in Chapter 58.17 RCW or its successors and the Bainbridge Island Municipal Code.

~~19.~~ “Flexible lot design” is the design process the city uses that permits flexibility in lot development and encourages a more creative approach than traditional lot by lot subdivision. The flexible lot design process includes lot design standards for the placement of buildings, use of open spaces and circulation that best addresses site characteristics. This design process permits clustering of lots, with a variety of lot sizes, to provide open space, maintain Island character and protect the island’s natural systems.

~~1820.~~ “Footprint” means a building footprint as defined in BIMC 18.12.050.

~~1921.~~ “Greenway” means a system composed of land areas and connector links. The land areas include, but are not limited to: large open areas, public lands, farmlands, critical areas, forests, shoreline areas, and parks. The features of the connector links include trail systems, riparian areas, visual or scenic views of ridgelines, wildlife corridors or any combination of these.

~~2022.~~ “Health district” means the Kitsap Public Health District ~~County health district~~.

~~2123.~~ “Hearing examiner” means the official designated as the hearing examiner for the city pursuant to BIMC Title

~~2224.~~ “Homesite area” means ~~the area that portion~~ of a lot depicted on the face of a plat that is intended for development of the primary residential dwelling, onsite parking, and accessory buildings and necessary infrastructure. Individual stormwater and septic also is allowed within a cluster subdivision.

~~2325.~~ “Island character” is the term used to describe the special character of the island – winding, narrow and vegetated roadways and forested areas, meadows, farms, areas that contain much of the island’s wetlands and streams, aquifer recharge areas and fish and wildlife habitat areas. For the purposes of this title, it does not refer to a level of service, or type of development, or measure of development intensity.

24. “Landscaping” means as defined in Chapter 18.36 BIMC.

~~2526.~~ Large Lot Subdivision. A “large lot subdivision” means the division or redivision of land into two or more lots for the purpose of sale, lease or transfer of ownership where each lot is not smaller than five acres or 1/128th of a section (whichever is smaller); provided, that this shall not include division or redivision of land where all parcels are greater than 20 acres or 1/32nd of a section.

~~2627.~~ “Laws of descent” means the rules of inheritance law established by the state of Washington and the federal government that apply in cases where there is no will naming the persons to receive the possessions of a person who has died.

~~2728.~~ “Long subdivision” means the division or redivision of land into five or more lots, tracts (except tracts specifically reserved as open space-natural area), parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, but shall not include a short subdivision.

~~2829. “Lot” or “platted lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area and the development standards contained within this title. The term includes tracts or parcels. means a lot as defined in Chapter 18.36 BIMC.~~

2930. “Low-impact fencing” means a fence designed to preserve views into an area and wildlife access to and from the area while providing a physical barrier to prevent livestock or humans from easily or inadvertently entering the area. Low-impact fencing includes without limitation two- or three-tier split-rail or horse-rail fencing not exceeding five feet in height, four-inch by four-inch wooden posts with two or three strands of cable in between, or other fencing with similar visual, barrier, and access characteristics as determined by the director.

~~3031. “Mature vegetation on ridgelines” means as defined in Chapter 18.36 BIMC.~~

~~3132. “Meadow” means an open, nonforested area formed by the land’s natural features and events of nature.~~

~~3233. “Native forest” means established forest areas primarily consisting of native trees and plants.~~

~~3334. “Native vegetation” means as defined in Chapter 18.36 BIMC.~~

34. “Natural area” means the undeveloped portion of a subdivision that contains natural resources features such as critical areas, significant tree stands, forested areas, native vegetation, and designated wildlife corridors, that is ~~maintained~~preserved in perpetuity and designated or reserved ~~for public use or enjoyment, or used~~ for the private use and enjoyment of property owners within the subdivision. Natural area also may be designated or reserved for public use or enjoyment pursuant to Chapter 17.12 BIMC.

35. “Off-site views” or “views from off site” means as defined in Chapter 18.36 BIMC.

~~36. “Open space” means any area of land that is predominantly undeveloped and that provides physical and/or visual relief from the developed environment in perpetuity, that is generally unimproved and set aside, designated or reserved for public use or enjoyment, or used for the private use and enjoyment of property owners. Open space may consist of undeveloped areas, such as pastures and farmlands, woodlands, greenbelts, critical areas, pedestrian corridors and other natural areas that provide recreational opportunity and visual relief from developed areas. Open space excludes tidelands, areas occupied by buildings, and any other developed areas such as driveways, all rights-of-way and any other impervious surfaces not incidental to open space purposes.~~

~~3637. “Open space Natural area sign” means a sign used to delineate the boundaries of designated natural areas, open space, critical areas, and/or their buffers. Open space/critical areas signs shall be made of metal or similar durable material and shall be between 64 and 144 square inches in size.~~

~~3738. “Orchard” means as defined in Chapter 18.36 BIMC.~~

~~3839. “Pasture” means land used for grazing.~~

39. “Perimeter buffer” means a vegetated space retained or established at the exterior plat boundary of a subdivision that provides an effective visual screen between and minimizes potentially adverse impacts to adjacent properties.

40. “Phasing” means the use of limits on construction, permitting or occupancy to reduce the immediacy or severity of impacts of the subdivision on the environment or to better achieve the requirements of state law for the concurrence of the facilities and services with the needs generated by development.

41. “Plat” is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

42. “Planning commission” means the Bainbridge Island planning commission, as described in BIMC 2.14.020.

~~43. “Platted lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area and the flexible lot development standards contained within this title. The term includes tracts or parcels.~~

44. “Preliminary plat” is a drawing of a proposed subdivision showing the general layout of streets and alleys, lots,

blocks, and other elements of a subdivision consistent with the requirements of this title. The preliminary plat shall be the basis for the approval or disapproval of the layout of a subdivision.

45. “Public way” means a dedicated street, easement allowing public access, and other forms of access open to the public.

46. “Right-of-way” means land in which the state, county, city or other governmental entity owns the fee simple title or has an easement dedicated or required for a transportation or utility use. The right-of-way is the right to pass over the property of another. It refers to a strip of land legally established for the use of pedestrians, vehicles or utilities.

47. “Road” means as defined in Chapter 12.38 BIMC.

48. “Roadside buffer” means a vegetated space retained or established that provides an effective visual screen of new development or preserves existing roadside character, forested character or scenic views..

~~49~~48. “Short plat” means the map or representation of a short subdivision.

~~50~~49. “Short subdivision” is the division or redivision of land into four or fewer lots, tracts (except tracts specifically reserved as open space natural area), parcels or sites, for the purpose of sale, lease or transfer of ownership, ~~except that the division or redivision of two or more existing lots into up to nine lots consistent with the procedures and standards contained in BIMC 17.12.030.A shall constitute a short subdivision if an applicant dedicates additional open space area pursuant to BIMC 17.12.030.A.5.~~

~~51~~50. “Significant tree” shall have the meaning defined in Chapter 18.36 BIMC.

~~52~~51. “Stormwater” shall have the meaning defined in Chapter 15.20 BIMC.

~~53~~52. “Street” shall have the meaning defined in Chapter 18.36 BIMC.

~~54~~53. “Testamentary provisions” means provisions of a last will or testament of a person who has died concerning land or property owned or controlled by that person, which provisions are generally carried out by an executor appointed by a court or public official on behalf of the deceased.

~~55~~54. “Wetland” shall have the meaning defined in Chapter 16.20 BIMC. (Ord. 2017-02 § 21, 2017; Ord. 2011-02 § 2 (Exh. A), 2011)

**COMMENTS AND RECOMMENDATIONS FROM  
PLANNING COMMISSION SUBDIVISION STANDARDS SUBCOMMITTEE**

**Exhibit C  
BIMC 18.18 -- Subdivision Design Guidelines**

Topic	Design Guideline
	Words/phrases <b>in bold</b> will have a definition in Title 17.
<b>Island Character</b>	<p><b>Intent:</b> Preserve and maintain <b>Island character</b>.</p> <p><b>Guideline:</b> Subdivisions should reflect the special character of the island which includes downtown Winslow’s small town atmosphere and function, neighborhood centers, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.</p> <p>**Subsequent discussion that this guideline would be too challenging to implement.</p>
<b>Neighborhood Context</b>	<p><b>Intent:</b> To reflect and/or enhance the context provided by existing roadway character and neighboring properties.</p> <p><b>Guideline:</b> Site design should support the purpose of the zoning district in which the development is located, complement the existing character of specific neighborhoods, provide continuity with adjoining properties and, where necessary, provide transition between land uses and protect privacy of residents on adjacent properties.</p>
<b>Natural Area</b>	<p><b>Intent:</b> To incorporate forested and/or other natural areas into site design in such a way that ecological and aesthetic integrity, qualities, and values are preserved or restored.</p> <p><b>Guideline:</b> The required natural area shall be treated as a feature intrinsic to the subdivision design in order to maintain existing on- and off-site ecological processes and provide an asset of value to subdivision residents.</p>
<b>Natural Site Conditions</b>	<p><b>Intent:</b> To preserve and integrate existing natural site patterns and features throughout the site.</p> <p><b>Guideline:</b> Site development should be designed to preserve and integrate the natural conditions of the site, including existing topography, native trees and vegetation, drainage patterns, and ecological features based on an inventory and analysis of existing conditions. Homesite and infrastructure placement should complement natural topography and retain native vegetation to the maximum extent feasible.</p>
<b>Historic and Cultural Resources</b>	<p><b>Intent:</b> To preserve important historic and cultural resources.</p> <p><b>Guideline:</b> Site design should maximize opportunities for preserving historic and cultural structures, and retain historic landscape features and connections.</p>
<b>Stormwater</b>	<p><b>Intent:</b> Integrate stormwater facilities in site design with emphasis on infiltration and dispersion practices.</p> <p><b>Guideline:</b> Stormwater facilities shall utilize existing drainage patterns and be designed as a site amenity, where feasible. Low impact development practices shall be used throughout the site to minimize the size of ponds or vaults. Open stormwater facilities (ponds and bioswales) shall</p>

Topic	Design Guideline
	provide a natural appearance through layout, design and landscape treatment, including shallow side slopes, curvilinear configuration, and use of native vegetation.
<b>Septic Systems</b>	<p><b>Intent:</b> To minimize impact of septic facilities.</p> <p><b>Guideline:</b> Design and locate sewage facilities to minimize site disturbance and native vegetation removal and utilize shared systems where feasible.</p>
<b>Water Conservation</b>	<p><b>Intent:</b> To protect the Island’s finite groundwater resources and adapt to the impacts of a changing climate.</p> <p><b>Guideline:</b> Water conservation measures shall be considered in site design including use of native and drought tolerant vegetation, rainwater capture, and water reuse.</p>
<b>Community Space</b>	<p><b>Intent:</b> To promote a shared sense of community.</p> <p><b>Guideline:</b> <b>Community spaces</b> should function as an integral part of the development and be located adjacent to as many homesites as is feasible.</p>
<b>Cluster Homesites</b>	<p><b>Intent:</b> To promote interaction within the community and facilitate the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways.</p> <p><b>Guideline:</b> <u>The preferred design for homesites is to cluster them and, to the extent feasible, to locate infrastructure efficiently to maximize the undeveloped area. Homesites shall be located in cluster groupings and, to the extent feasible, the efficient location of</u></p>
<b>Solar Access</b>	<p><b>Intent:</b> To provide solar access for wellbeing and energy production.</p> <p><b>Guideline:</b> Site design, including street, lot, and homesite layout and orientation, should allow for passive and active solar access. Massing of buildings, tree retention, and introduced vegetation should take into account the effects of shade.</p>
<b>Access and Circulation</b>	<p><b>Intent:</b> To provide a practical and pleasant network of multi-modal circulation.</p> <p><b>Guideline:</b> Adequate provisions for pathways and other pedestrian/bicycle amenities connecting various parts of the development, the surrounding road or trail network, and adjacent parcels should be included in site design.</p>
<b>Motor Vehicles</b>	<p><b>Intent:</b> To minimize the prominence of motor vehicle use and storage.</p> <p><b>Guideline:</b> Site design and features related to motor vehicle use and storage should be minimized. Site design shall consider shared driveways, minimum road widths, traffic calming measures such as Woonerfs and chicanes, and shared or clustered parking areas or structures.</p>
<b>Homesite Design</b>	<p><b>Intent:</b> To efficiently configure building footprint(s) and allowed uses within a homesite.</p> <p><b>Guideline:</b> Homesite configuration should consider compact and energy-efficient home and site design with massive houses on small lots strongly discouraged.</p>
<b>Diversity in House Design</b>	<p><b>Intent:</b> To provide a range of home sizes and designs to achieve diversity in visual appearance and affordability.</p> <p><b>Guideline:</b> House designs should be varied in size, massing, and frontage character using methods such as varied floor plans, staggered front yard setbacks, building modulation, and</p>

Topic	Design Guideline
	changes in exterior materials. Houses should display shared architectural features to establish continuity and harmony.
<b>Facing Public Streets</b>	<p data-bbox="370 310 1154 340"><b>Intent:</b> To reinforce neighborliness of homes along a public street.</p> <p data-bbox="370 380 1503 506"><b>Guideline:</b> Houses along interior public streets should orient the entry toward the street and avoid the use of solid walls and fences. Garages along the front façade should be de-emphasized by recessing vehicular entrances or locating the garage behind or on the side of the house.</p>



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 19, 2019

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** (8:50 PM) 2019 Emergency Management Briefing - Executive,

**STRATEGIC PRIORITY:** Safe City

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Executive

**RECOMMENDED MOTION:**

Information only.

**SUMMARY:**

For City staff to provide information to the City Council related to planning for 2019 Emergency Management and Preparedness activities.

**FISCAL IMPACT:**

<b>Amount:</b>	\$360,000
<b>Ongoing Cost:</b>	\$210,000
<b>One-Time Cost:</b>	\$150,000
<b>Included in Current Budget?</b>	Yes

**BACKGROUND:**

Emergency preparedness activities continue to be an emphasis for the City. The 2019 Adopted Budget and City work plan reflect the goal established by City Council in 2016 for the City to be a recognized leader in emergency preparedness.

Staffing: One step to achieving this goal supports a dedicated City staff position to ensure a high level of City staff training and preparedness, as well as to leverage and enhance community efforts and contributions. The 2019 Adopted Budget includes funding for a 1.0 FTE Emergency Preparedness Coordinator, an increase in staffing for this function by 0.25 FTE.

Recent activities: New staff person hired in 2018. Ongoing relationships with community partners reviewed and strengthened. Training plan established for 2019.

Response to recent weather events included supporting Kitsap County in the December tornado response and activating the City's Emergency Operations Center during the recent snow event.

2019 planned activities: Ongoing work to build partnerships with community groups and other jurisdictions, complete AM radio tower installation, implement volunteer programming, and establish staff training protocol.

**ATTACHMENTS:**

[Proclamation Community Preparedness Month Aug 23 2016 .pdf](#)

[03192019 EM Presentation to City Council](#)

**FISCAL DETAILS:**

The total budget is roughly \$210,000 in each year of the 2019 - 2020 biennium for operating costs, and \$150,000 for the AM radio tower project.

Operating costs include:

Personnel - \$140,000

Professional services - \$35,000

Events and outreach - \$15,000

Supplies - \$13,000

Misc. - \$16,000

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

**Coding:**



CITY OF  
BAINBRIDGE ISLAND

## PROCLAMATION

A **PROCLAMATION** by the Mayor of the City of Bainbridge Island, Washington, declaring September 2016 as the month to recognize the importance of community preparedness.

**WHEREAS**, Bainbridge Island's susceptibility to hazards such as earthquakes, floods, landslides, severe weather, pandemics, plane crash, terrorist attacks and other hazards, both natural and manmade, demonstrate the ongoing need for the City to prepare for a broad range of emergencies and disasters, and;

**WHEREAS**, the City has the responsibility to minimize the loss of life and property, and protect the environment by preparing for, responding to, and recovering from such events, and;

**WHEREAS**, preparedness is the cornerstone of community resilience and is the responsibility of every citizen, business owner and organizational leader on Bainbridge Island, and;

**WHEREAS**, the City of Bainbridge Island has established a new preparedness vision, to be a recognized leader in preparedness in Washington State, and;

**WHEREAS**, the City will take steps to achieve this result by the end of 2018, and will actively work to maintain this status once achieved, and;

**WHEREAS**, the month of September is recognized nationally as Preparedness Month, and;

**WHEREAS**, the City, in partnership with six local organizations, has organized the second annual Bainbridge Prepares: Three Days of Preparedness event, which will occur on September 28<sup>th</sup>, 29<sup>th</sup> and October 1<sup>st</sup>;

**NOW, THEREFORE**, I, Val Tollefson, Mayor of the City of Bainbridge Island, on behalf of the City Council, do hereby proclaim the month of September, 2016 as

### COMMUNITY PREPAREDNESS MONTH

in the City of Bainbridge Island. I urge all citizens, businesses, and organizations to actively participate in Community Preparedness Month and to make a commitment to increasing our level of preparedness to collectively withstand any crisis. I further urge all citizens to join me in this special observance.



DATED this 23<sup>rd</sup> day of August, 2016

  
Val Tollefson, Mayor

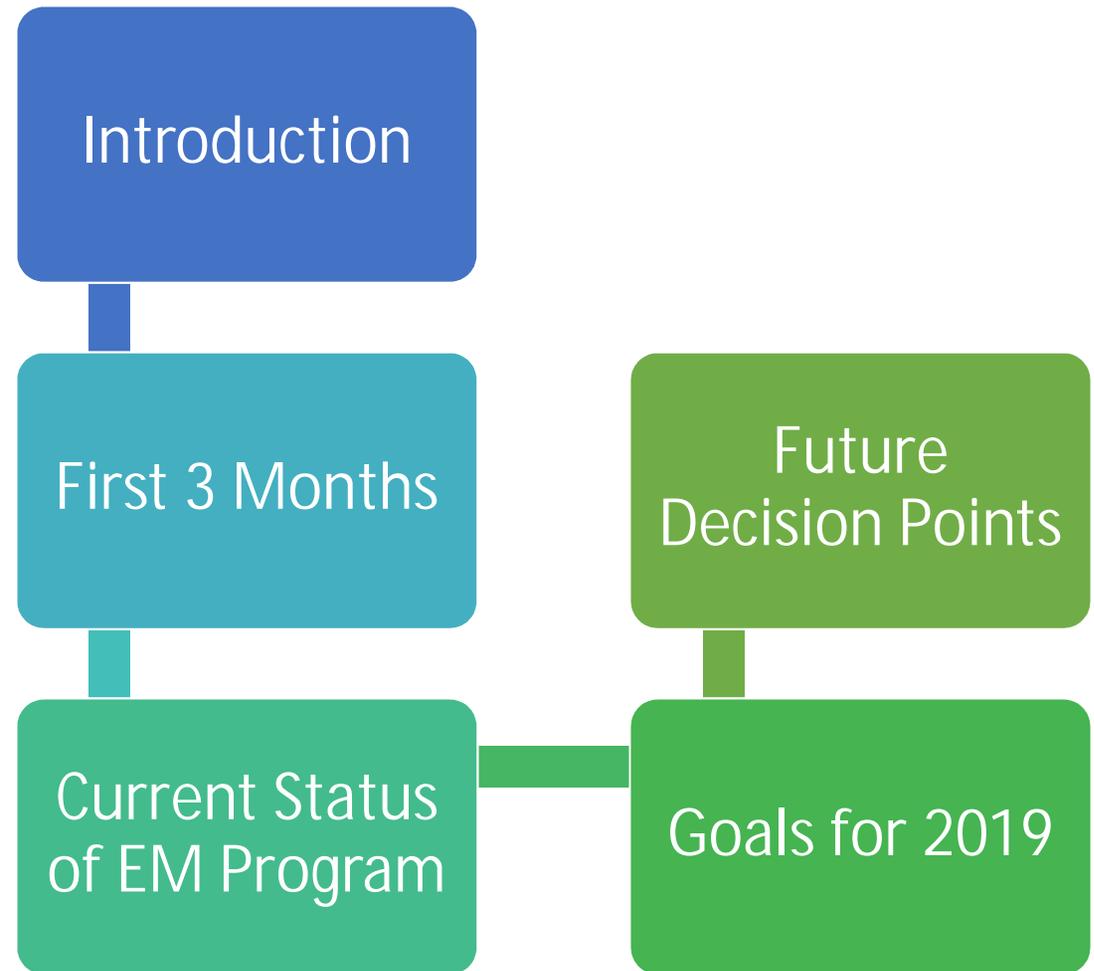
# Bainbridge Island Emergency Management Program

Shaping The Future of  
Community  
Preparedness:

a Whole Community  
Approach on  
Bainbridge Island



# Agenda



## Previous Key Decisions

2016 City Council proclamation that Bainbridge Island will be a recognized leader in preparedness in Washington State

2018 Decision to make Emergency Management Coordinator a full time position

2019 Emergency Management Budget - \$211,500 (+\$150,000 AM Radio)

2020 Emergency Management Budget - \$211,500

Anne LeSage,  
CEM

---



# First 3 Months

December 20, 2018 - Wind Event

"February Freeze" – Winter Storm Event

Meeting with Community Partners

Assessing Status of Current Programs/Teams

EOC Kick Off

# Current Status



140 NEIGHBORHOODS  
CONNECTED VIA MAP  
YOUR NEIGHBORHOOD



74 TRAINED WILDERNESS  
FIRST RESPONDERS (WFR)

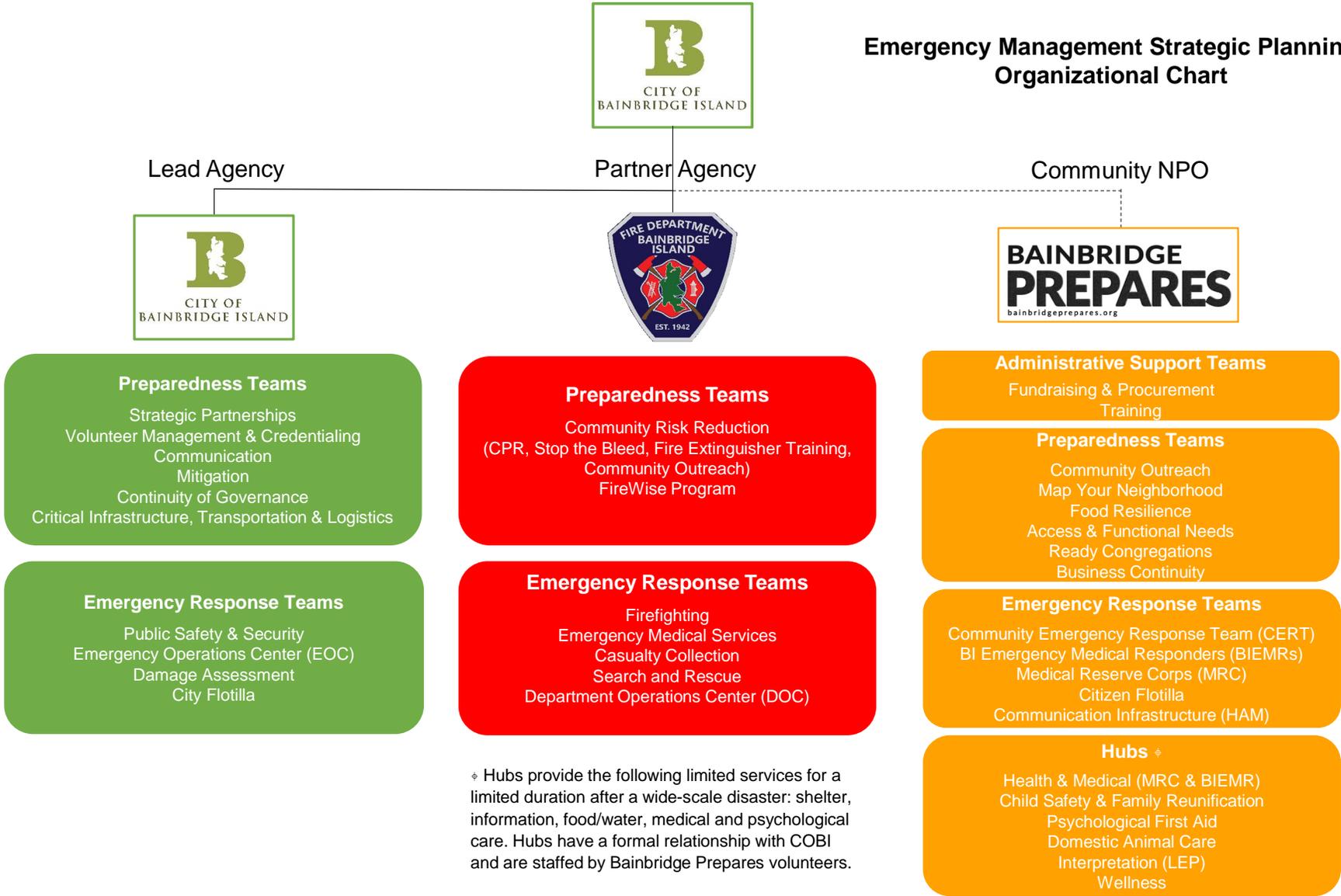


80 TRAINED COMMUNITY  
EMERGENCY RESPONSE  
(CERT) TEAM MEMBERS



9094 NIXLE/COBI ALERT  
SUBSCRIBERS

# Emergency Management Strategic Planning Organizational Chart



# Role of the City

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Lead Agency



## Preparedness Teams

Strategic Partnerships  
Volunteer Management & Credentialing  
Communication  
Mitigation  
Continuity of Governance  
Critical Infrastructure, Transportation & Logistics

## Emergency Response Teams

Public Safety & Security  
Emergency Operations Center (EOC)  
Damage Assessment  
City Flotilla

# Role of the Fire Department

---

Partner Agency



## **Preparedness Teams**

Community Risk Reduction  
(CPR, Stop the Bleed, Fire Extinguisher Training,  
Community Outreach)  
FireWise Program

## **Emergency Response Teams**

Firefighting  
Emergency Medical Services  
Casualty Collection  
Search and Rescue  
Department Operations Center (DOC)

# Role of the Community

Community NPO



## Administrative Support Teams

Fundraising & Procurement  
Training

## Preparedness Teams

Community Outreach  
Map Your Neighborhood  
Food Resilience  
Access & Functional Needs  
Ready Congregations  
Business Continuity

## Emergency Response Teams

Community Emergency Response Team (CERT)  
BI Emergency Medical Responders (BIEMRs)  
Medical Reserve Corps (MRC)  
Citizen Flotilla  
Communication Infrastructure (HAM)

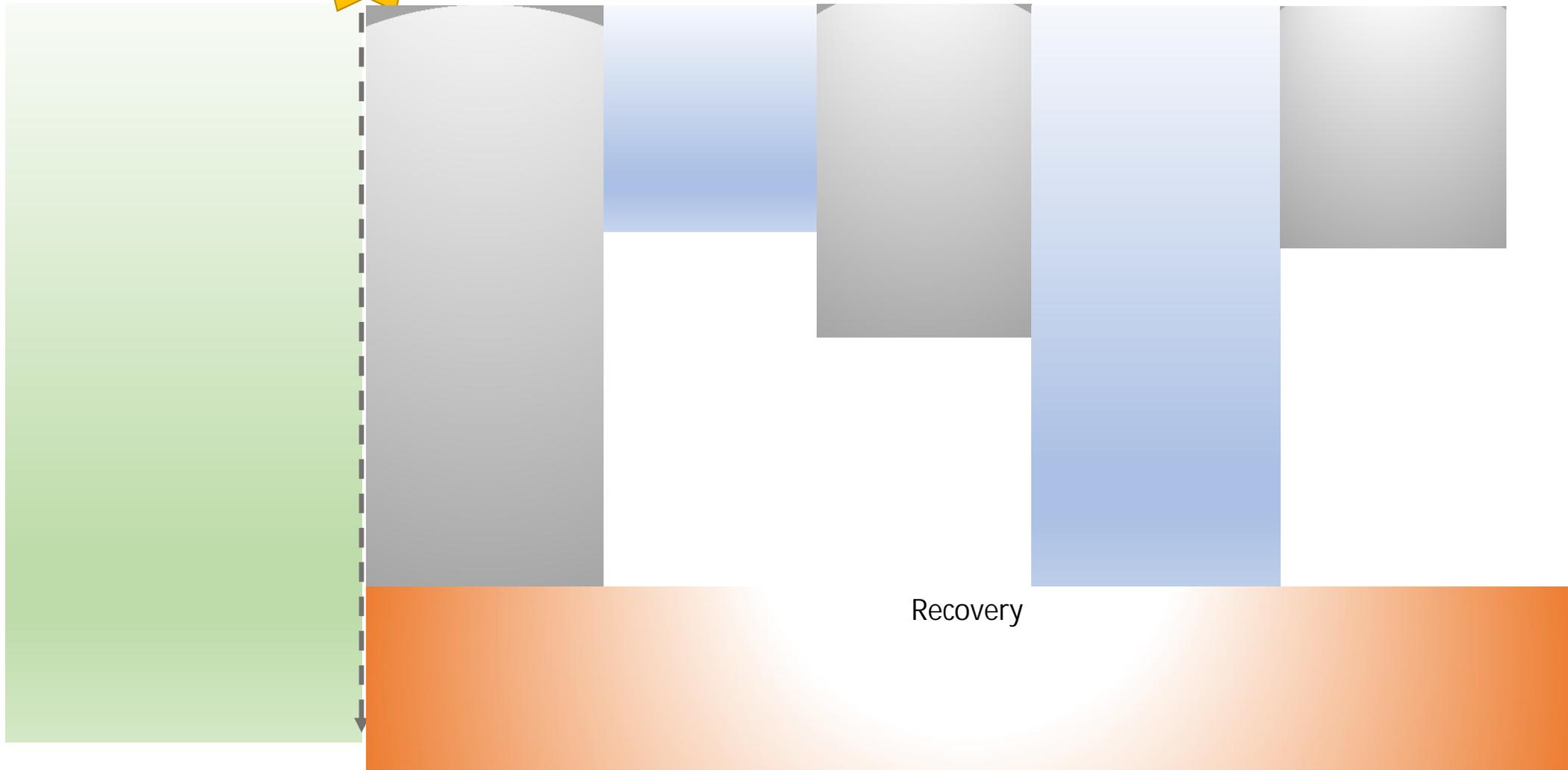
## Hubs +

Health & Medical (MRC & BIEMR)  
Child Safety & Family Reunification  
Psychological First Aid  
Domestic Animal Care  
Interpretation (LEP)  
Wellness

Pre-Disaster Preparedness  
& Mitigation

DISASTER

Post-Disaster Response & Recovery



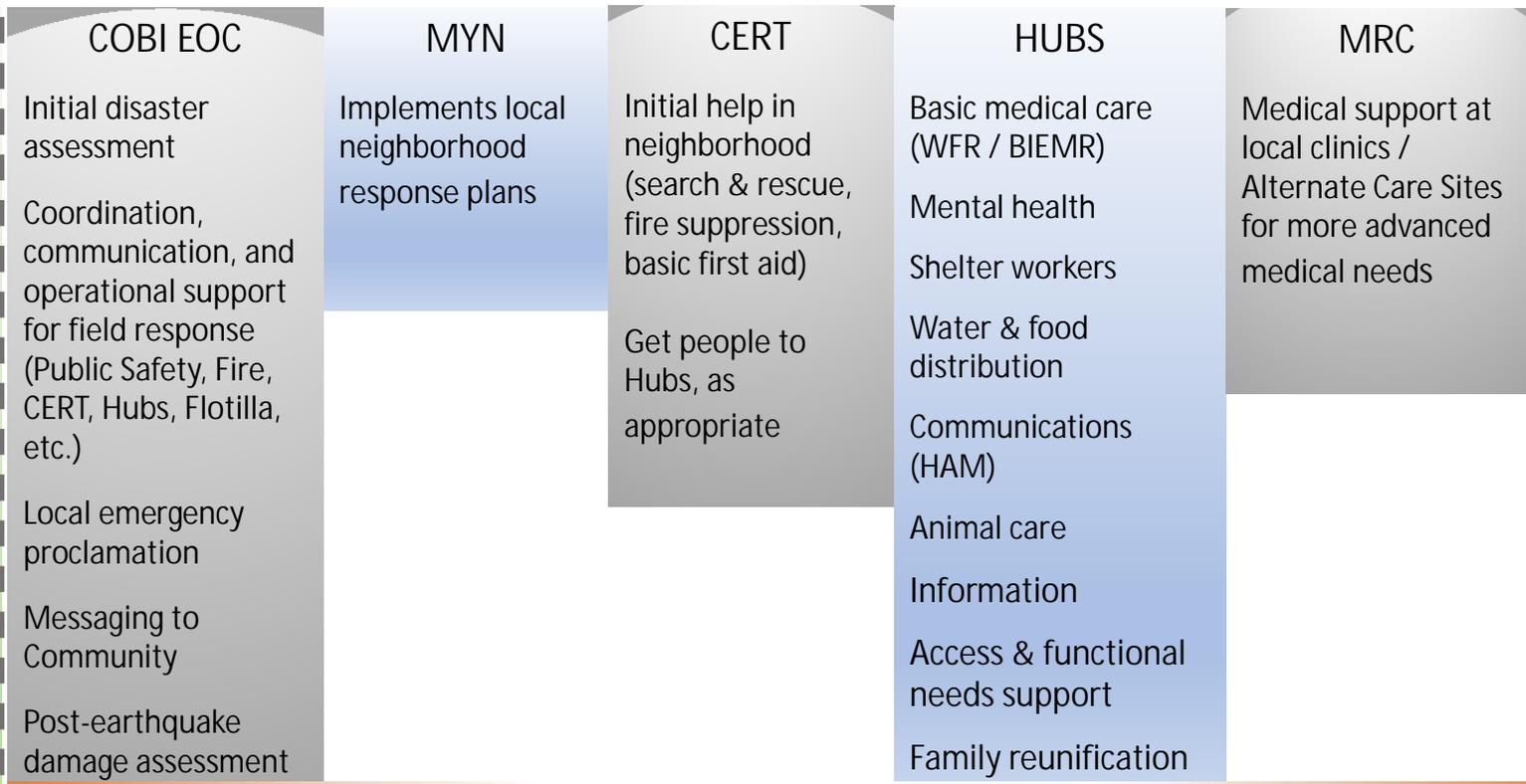
Recovery

Pre-Disaster Preparedness & Mitigation



Post-Disaster Response & Recovery

- Community Capacity Building
- Training/Exercises
  - EOC
  - Hubs
  - CERT
  - WFR/BIEMRS
  - MRC
  - BIFD/BIPD/COBI
- Outreach
  - Seasonal events (3DoP, ShakeOut, etc.)
  - Personal Preparedness (Library) & Neighborhood Preparedness (MYN)
  - Psychological First Aid
  - Business Continuity Planning
  - Schools/After-school enrichment
  - Food resilience classes
- Written Response Plans
- Supply Caches
- Emergency Notification
  - Nixle
  - Facebook/Twitter
- Mitigation
  - Firewise
  - Community Risk Reduction



Recovery

Assessment of "new normal" / Business resumption / Rebuilding / Restoration of primary infrastructure & critical facilities / Resettlement of displaced individuals / Analysis of future mitigation needs

# 2019 Emergency Management Workplan



City-Focused Activities

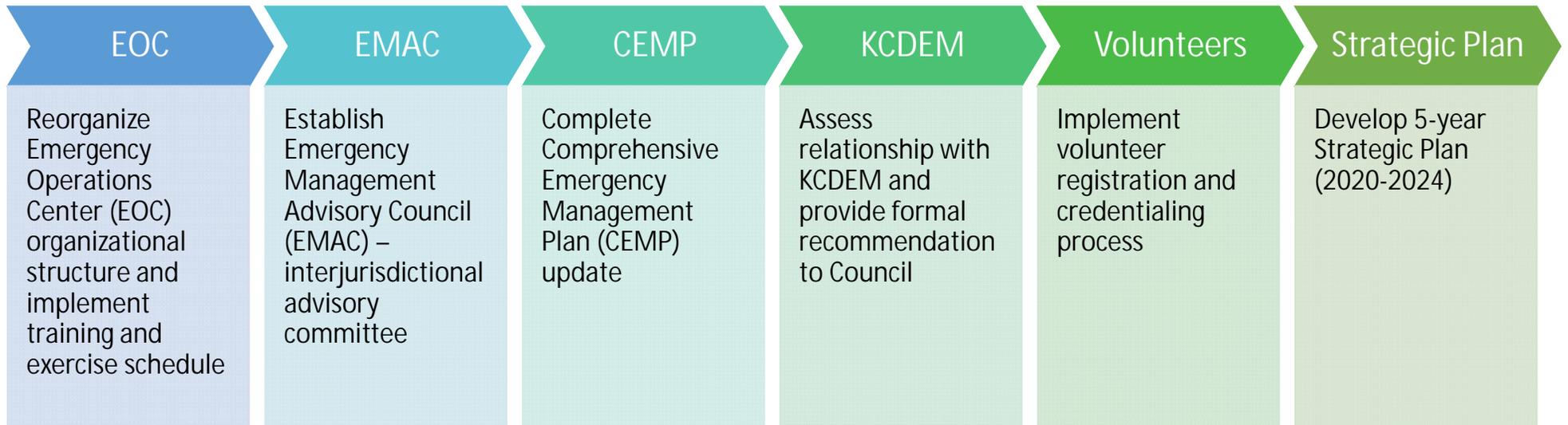


Partnership-Focused Activities



AM Radio Installation Project

# 2019 Workplan – City-Focused Activities



# 2019 Workplan – Partnership-Focused Activities

Evaluate status of MOUs  
for Hubs

Develop activation plan  
for warming centers and  
overnight shelters

Establishment of Medical  
Reserve Corps (MRC)

Facilitate Community  
Emergency Response  
Team (CERT) training

Host Wilderness First  
Responder (WFR) training

Continue Map Your  
Neighborhood (MYN)  
implementation

Continue full engagement  
with Fire, Bainbridge  
Prepares and other key  
stakeholders (schools,  
parks, rotary, pse, etc.)

# AM Radio Installation Project

Capital Project	Reliable emergency communication tool	Broadcast emergency messaging	Timeline
<p>\$150,000 Budget</p> <p>\$80,000 Equipment</p> <p>\$55,000 Station 22 Ground Work</p> <p>\$10,000 City Hall Equipment Install</p> <p>\$5,000 Rental Fees</p>	<ul style="list-style-type: none"> <li>- Low band, reliable emergency communication tool</li> <li>- Listen on any transistor radio, car radio, etc. with AM radio capability</li> <li>- Broadcast radius across majority of the island (cannot reach north end)</li> </ul>	<ul style="list-style-type: none"> <li>- Road closures</li> <li>- Shelter/HUB locations</li> <li>- Status of EOC</li> <li>- Status of City Hall</li> <li>- Other critical information</li> </ul>	<p>2017</p> <p>Initial project planning and budget request</p> <p>2018</p> <p>Approval for AM Radio tower at Station 22</p> <p>2019</p> <p>Hire engineer to design project</p> <p>Award project to contractor</p> <p>Purchase &amp; install equipment</p>

# Future Council Decision Points

Reaffirmation of Council proclamation to be a recognized leader in Washington State

Approval of the updated Comprehensive Emergency Management Plan (CEMP)

Approval of ILA with Parks for Hub Locations

Determination of level of service for overnight sheltering

Respond to recommendation on COBI/KCDEM relationship

# Emergency Management is Community Building



# Thank You

- Anne LeSage
- [alesage@bainbridgewa.gov](mailto:alesage@bainbridgewa.gov)
- 206.780.8629





CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 19, 2019

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (9:20 PM) Community Solar Agreement - Councilmember Peltier,

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

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Executive

**RECOMMENDED MOTION:**

Discussion.

**SUMMARY:**

Councilmember Peltier will lead a discussion about the proposed Community Solar Project. The attached memo provides additional detail.

**FISCAL IMPACT:**

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

**BACKGROUND:**

**ATTACHMENTS:**

[Community Solar Agenda Bill Background.docx](#)

[Community Solar Memo](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**

## Community Solar Agenda Bill Background for 3/19/19 Ron Peltier

### Community solar:

On March 1<sup>st</sup> Mike Cox, chair of the City's Climate Change committee, and I met with Professor Dr. Troy Abel and student/intern Ben Persyn to discuss community solar on Bainbridge Island. Troy is a professor at Western Washington University's Huxley College of the Environment. Ben is a Huxley student who grew up on Bainbridge Island.

During our discussion Troy and Ben offered to conduct a study on the feasibility of community solar projects on Bainbridge Island as a way of offsetting our greenhouse gas emissions. Ben would conduct the study as part of his graduate work for no cost to the City. Ben proposed, in a draft agreement, that the study include an analysis of community solar projects at Coppertop, downtown, and on residential roofs.

During City Council discussion, at our 3/5/19 Study session, there seemed to be interest by the Council in utilizing Ben and Troy's offer to do a study on community solar but concerns were raised by City Manager Morgan Smith about how the City is able to employ interns.

To address Morgan's concerns, which I believe are legitimate, a solution was discussed where Climate Action Bainbridge would be a go-between to enable Ben, and other student interns at the Huxley School, to do work that helps inform the City Council regarding ways to mitigate greenhouse gas emissions, and in other ways address climate change, without the work being done through the City.

Once a report is prepared it can be requested as a City Council agenda item by a member of the City Council and the report included in our agenda packet along with background information for discussion. That provides some "touches" by the City and City Council. Council can then decide how it might want to use and/or endorse the study. This approach has applicability to other possible reports, studies, and projects that could be done through the Huxley School or others. The feasibility of creating a carbon offset program on Bainbridge Island comes to mind and was discussed at the meeting with Troy and Ben.

Discussing this approach with Mike Cox the following approximate timeline for Ben's project is proposed and work:

1. March 20: Draft proposal to Climate Action Bainbridge for discussion and comment with possible endorsement by CAB's board.
2. March 29: Final proposal prepared by Ben Persyn for consideration by CAB.
3. May 30: Draft report presented to CAB for review
4. June 21st: Final report presented to CAB

5. Request made to City Council for agenda bill to discuss Ben Persyn's final report on the feasibility of community solar on Bainbridge Island.

## Leading Washington: Community Solar for Bainbridge Island?

In June of 2017, the nation's 45th president began reversing his predecessor's international Greenhouse Gas (GHG) reduction commitments. Donald Trump proclaimed that he represented the citizens of Pittsburgh, not Paris (Shear 2017). Four months later, the EPA administrator signed a proposed rule overturning the prior administration's Clean Power Plan to reduce GHG emissions nationally (Eilperin 2017). In the wake of these reversals, the mayor of Pittsburgh, the City Council of Bainbridge Island, and hundreds of other sub-national and non-state actors in the US rapidly pledged to do more in a "We Are Still In" pledge (Smeltz 2017; wearestillin.com; Worland 2017). But, to paraphrase one observation, declarations and accords are nice but results matter more (Victor et al. 2017, 27).

For example, a recent accounting of Seattle's carbon footprint trends reported "our overall emissions reductions are not on pace to meet our climate goals. We need to achieve a 58% reduction by 2030 to keep us on track to our ultimate goal of carbon neutrality by 2050. In order to achieve our goal of Seattle becoming a carbon neutral city, we need to increase the pace of our emissions reductions by sevenfold" (Coven, Krishnan, and Morgenstern 2019). In other words, Seattle will need to implement GHG mitigations seven times faster! Likewise, the State of Washington's GHG emissions are not on pace to meet the legislative goal of 1990 levels by 2020. "The state sent more than 97 million metric tons of greenhouse gases into the atmosphere in 2015, compared with just 90 million in 1990" (Bush 2019).

Several atmospheric modeling studies found the combined emission reduction pledges insufficient to limit warming to below 2°C. For example, one research group concluded that the pledges, or the Intended Nationally Determined Contributions (INDCs), for China, India, Japan, Russia and Turkey were insufficient (van Soest et al. 2017). Two other forecasts projected that Paris pledges would not prevent 2°C warming in multiple scenarios (Schleussner et al. 2016; Sokolov et al. 2016). Another group of climate scientists noted that "substantial enhancement or over-delivery on current INDCs by additional national, sub-national and non-state actions is required to maintain a reasonable chance of meeting the target of keeping warming well below 2 degrees Celsius" (Rogelj et al. 2016, 631). In the US, this over-delivery requirement for sub-national and non-state actors are paramount.

Similar challenges confront the City of Bainbridge Island. In their comprehensive plan, Guiding Principle 7 commits the community to "Reduce greenhouse gas emissions and increase the Island's *climate resilience*" (City of Bainbridge Island 2017, p. IN-15). But, Bainbridge Island has a unique opportunity to emerge as a regional leader in the fight against climate change. One response could involve a major solar power initiative on the Island. Therefore, Dr. Troy D. Abel from Western Washington University's Huxley College of the Environment on the Peninsulas in Poulsbo proposed the establishment of a policy and educational partnership to focus the energy and ideas of faculty and students on the City of Bainbridge Island's climate challenges and solutions. We would start by examining the potential of community solar development on the Island.

Through the Huxley and Bainbridge Island climate policy partnership, Dr. Abel would mentor and guide environmental policy majors in the design and implementation of a policy analysis examining the viability of community solar alternatives. The partnership mechanism could start with the establishment of a community solar internship through Huxley's 10-credit experiential education requirement for graduating seniors. These courses have a class rubric of ENVS 498 and entail 30 hours of student effort for every credit. Thus, a 5 credit internship requires 150 hours of work from a participating student.

A contract example below details the formal evaluation and assessment requirements as well as a list of Student Learning Objectives (SLOs) for Huxley’s Department of Environmental Studies and Environmental Policy majors. For example, the internship will foster a Huxley student’s capacity to: (1) ethically evaluate social priorities and their risks in the context of environmental problem solving; (2) work collaboratively to identify and analyze complex environmental problems, recognize diverse stakeholder perspectives, and synthesize creative solutions; and (3) produce, interpret and apply research in a solution-oriented context.

Dr. Abel is an award winning teacher and author who recently completed a four-year study of climate risk governance in the United States funded by the National Science Foundation (NSF). He was a co-recipient of the 2012 Lynton Keith Caldwell book award from the American Political Science Association for his co-authored book *Coming Clean: Information Disclosure and Environmental Performance* published by MIT Press. His research has appeared in *Social Science Quarterly*, *Environmental Management*, and *Sustainability* among others. As Associate Professor of Environmental Policy, Dr. Abel also advises all environmental policy majors in the Peninsulas program of Huxley College and annually teaches Science in the Policy Process, Environmental History and Policy, and Environmental Policy Analysis. The latter class was the incubator for this proposal because Huxley undergraduate Benjamin Persyn completed his term paper on community solar opportunities in the State of Washington. Ben would be the first climate policy intern for this partnership and his draft contract is included below.

Ben’s responsibilities and activities would be guided by the public policy analysis framework used in Dr. Abel’s courses. A multi-criteria decision-making framework forms the centerpiece of a student’s effort through a four-step method: (1) problem definition; (2) policy alternative generation; (3) evaluative criteria establishment; and (4) alternative evaluation. Moreover, students are required to develop a *Goeller Scorecard* decision matrix for the policy challenge they chose (Clemons and McBeth 2016). The following table illustrates a Goeller decision-matrix with some possible alternatives to be evaluated.

Criteria	Alternatives		
	Winslow rooftop solar arrays	Vincent Road Array	Winslow + Vincent Road
Cost-effectiveness			
Environmental Efficacy			
Political Feasibility			

Ben needs 5 credits of 498 coursework to meet his graduation requirements. Therefore, we project Ben providing at least 150 hours of research and analytical support to the internship, a final report, and oral presentation to the City. He was born and raised on Bainbridge Island, is a senior in good standing, and regularly commutes to Poulsbo for classes. Dr. Abel’s main office is on Olympic College’s Poulsbo campus and he lives in Seattle.

# Huxley College Environmental Internship Project Contract



**HUXLEY**  
COLLEGE OF THE ENVIRONMENT  
ON THE PENINSULAS

Name: Benjamin Persyn \_\_\_\_\_ Student Number: 01385627 \_\_\_\_\_

Address: 11400 Olympus Way #H201 Gig Harbor WA 98332 \_\_\_\_\_

Phone: 2066122739 \_\_\_\_\_ E-mail: \_\_\_\_\_

Start Date: 6/26/2018 End Date: 6/14/2019 Quarter: Winter/Spring

Credits: 2/3

Faculty Advisor: Dr. Troy Abel \_\_\_\_\_

---

## Organization for Internship

Organization Bainbridge Island City Council Supervisor's Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Position Description \_\_\_\_\_

---

## Evaluation and Assessment (To be completed by faculty advisor, check sections that apply)

Meet with Advisor: 3/7; 3/21; 4/4; 4/25; 5/9; 5/30 Learning Objectives complete (from second page)

First Draft Due: April 25, 2019 Oral Presentation  Video Presentation

Final Draft Due: May 30, 2019 Keep logs: Daily Weekly Bi-weekly

---

This contract must be completed and signed by the student, faculty advisor, and internship project supervisor. A copy of this contract will be given to the faculty advisor and the Huxley College office.

Student: \_\_\_\_\_ Date: \_\_\_\_\_

Advisor: \_\_\_\_\_ Date: \_\_\_\_\_

Internship Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

## **Huxley College Environmental Studies Internship Project Contract**

The Environmental Studies Department fosters excellence in applied interdisciplinary environmental problem solving by providing undergraduate and graduate students with learning and leadership challenges at crucial human interfaces with natural/ecological systems. The department pursues its goals through partnership with, and service to, non-governmental organization, businesses, governmental agencies, civil society, and other institutions at the local, state, regional, national, and international levels.

### **Learning Objectives**

What do you intend to learn through this experience and how does it contribute to your overall educational goals, the Department of Environmental Studies' learning objectives, and your major's learning objective? You should select at least two from the Department Objectives and two objectives from the Policy Learning Objectives. Also, describe your role and responsibilities listing duties, projects to be completed, reports, research, required for this position. Attach additional pages if necessary.

### **Department Student Learning Objectives:**

Upon graduation, Environmental Studies students will be able to:

- ENVS 1: ethically evaluate social priorities and their risks in the context of environmental problem solving.
- ENVS 2: apply an integrative approach towards understanding human-environment interactions.
- ENVS 3: work collaboratively to identify and analyze complex environmental problems, recognize diverse stakeholder perspectives, and synthesize creative solutions.
- ENVS 4: transfer academic learning to a real-world context of constraints and opportunities.
- ENVS 5: produce, interpret and apply research in a solution-oriented context.
- ENVS 6: analyze and communicate ideas effectively in oral, written, and visual forms

### **Environmental Policy Student Learning Objectives:**

Upon graduation, Environmental Policy majors will be able to:

- ENVPOL 1: Explain historical contexts of environmental policies, i.e. legislation, regulation, and litigation, in the context of environmental problem-solving.
- ENVPOL 2: communicate stakeholders' perspectives in environmental policy
- ENVPOL 3: Assess environmental governance efforts for their impacts on stakeholders, communities, and the environment
- ENVPOL 4: Apply knowledge and skills to effectively contribute to policy dialogue.

## References

- Bush, Evan. 2019. "Washington's Greenhouse Gas Emissions Spiked 6 Percent in Most Recent Tally." *The Seattle Times*. <https://www.seattletimes.com/seattle-news/washington-state-carbon-emissions-spiked-6-percent-in-most-recent-tally/>.
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- Coven, Jessica, Ani Krishnan, and Tracy Morgenstern. 2019. *2016 Seattle Community Greenhouse Gas Emissions Inventory*. Seattle, WA: City of Seattle, Office of Sustainability & Environment. [http://www.seattle.gov/Documents/Departments/OSE/ClimateDocs/2016\\_SEA\\_GHG\\_Inventory.pdf](http://www.seattle.gov/Documents/Departments/OSE/ClimateDocs/2016_SEA_GHG_Inventory.pdf).
- Eilperin, Juliet. 2017. "EPA's Pruitt Signs Proposed Rule to Unravel Clean Power Plan." *Washington Post*. [https://www.washingtonpost.com/politics/epas-pruitt-signs-proposed-rule-to-unravel-clean-power-plan/2017/10/10/96c83d2c-add2-11e7-a908-a3470754bbb9\\_story.html](https://www.washingtonpost.com/politics/epas-pruitt-signs-proposed-rule-to-unravel-clean-power-plan/2017/10/10/96c83d2c-add2-11e7-a908-a3470754bbb9_story.html) (June 10, 2018).
- Schleussner, Carl-Friedrich et al. 2016. "Science and Policy Characteristics of the Paris Agreement Temperature Goal." *Nature Climate Change* 6(9): 827–35.
- Shear, Michael D. 2018. "Trump Will Withdraw U.S. From Paris Climate Agreement." *The New York Times*. <https://www.nytimes.com/2017/06/01/climate/trump-paris-climate-agreement.html> (March 5, 2019).
- Smeltz, Adam. 2017. "Peduto Announces Executive Order on Climate Change." *Pittsburgh Post-Gazette*. <https://www.post-gazette.com/local/city/2017/06/02/Mayor-Bill-Peduto-Pittsburgh-executive-order-climate-change-trump-paris-accord/stories/201706020174> (March 5, 2019).
- Sokolov, A. P. et al. 2016. "Probabilistic Estimates of Climate Impacts of the Paris Agreement." *AGU Fall Meeting Abstracts* 31. <http://adsabs.harvard.edu/abs/2016AGUFMGC31F1169S> (October 1, 2018).
- van Soest, Heleen L. et al. 2017. "Low-Emission Pathways in 11 Major Economies: Comparison of Cost-Optimal Pathways and Paris Climate Proposals." *Climatic Change* 142(3): 491–504.
- Victor, David G. et al. 2017. "Prove Paris Was More than Paper Promises." *Nature News* 548(7665): 25.
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CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** March 19, 2019

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (9:30 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 032619](#)

[City Council Study Session 040219](#)

[City Council Regular Business Meeting 040919](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



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 (6:00 PM) 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 - 6:30 PM**
4. **PUBLIC COMMENT - 6:35 PM**
5. **MAYOR'S REPORT - 6:40 PM**
6. **CITY MANAGER'S REPORT - 6:45 PM**
7. **PRESENTATION(S)**
  - 7.A (6:50 PM) Proclamation Declaring April 2, 2019, as "National Service Recognition Day" - Mayor Medina, 5 Minutes  
[National Service Recognition Day Proclamation 2019](#)
  - 7.B (6:55 PM) Proclamation Declaring March 2019 as "Brain Injury Awareness Month" - Mayor Medina, 5 Minutes  
[Brain Injury Awareness Month Proclamation 2019](#)
8. **PUBLIC HEARING(S)**
  - 8.A (7:00 PM) Public Hearing on Ordinance No. 2019-10, Relating to the Extension of Moratorium for Certain Developments - Planning, 20 Minutes  
[Ordinance\\_No.\\_2019-10\\_Extending\\_Moratorium\\_Ordinance.docx](#)  
[Moratorium on Certain Developments Work Plan Schedule Ord No. 2019-10.docx](#)

[20190308 Moratorium work program status report](#)  
[Ordinance\\_No.\\_2018-43\\_Amending\\_the\\_Moratorium\\_Approved\\_111318.pdf](#)  
[Development\\_Moratorium\\_Summary\\_Effective\\_20181121.pdf](#)

## 9. CLOSED RECORD PROCEEDING

- 9.A (7:20 PM) Resolution No. 2019-16 - Pleasant Beach Village II Final Subdivision - Planning, 10 Minutes  
[Resolution No. 2019-xx Pleasant Beach Village II Final Subdivision.docx](#)  
[Exhibit A Compliance Notation Report.pdf](#)  
[Exhibit B Final Plat Pleasant Beach Village II.pdf](#)  
[Exhibit C Subdivision Performance Agreement and Bond.pdf](#)  
[Exhibit D Hearing Examiner Decision.pdf](#)

## 10. UNFINISHED BUSINESS

- 10.A (7:30 PM) Purchase and Sale Agreement for Harrison Medical Building - Executive, 20 Minutes  
[Harrison Site PSA - Signed By Owner.pdf](#)  
[Signed Letter of Intent - Harrison Building.pdf](#)
- 10.B (7:50 PM) Amendment to Rescind the Interlocal Agreement With Kitsap Public Utility District for Community WiFi - Executive, 15 Minutes  
[Amendment No. 1 to COBI-KPUD WIFI ILA](#)  
[COBI-KPUD WIFI ILA \(Executed 10-9-18\)](#)  
[Notice of Discontinuation from Bob Hunter, KPUD General Manager](#)
- 10.C (8:05 PM) Resolution No. 2019-14, Supporting the Green New Deal - Councilmember Tirman, 15 Minutes  
[Resolution No. 2019-14, Supporting the Green New Deal](#)
- 10.D (8:20 PM) Olympic Drive Non-Motorized Improvements Project Professional Services Agreement with Exeltech Consulting for Support Services - Public Works, 10 Minutes  
[Professional Services Agreement with Exeltech Consulting, Inc.](#)
- 10.E (8:30 PM) Proposal to Purchase "Hand in Hand" Artwork - Executive, 10 Minutes  
[Public Art Committee's "Hand in Hand" Purchase Proposal](#)  
[Photo of "Hand in Hand"](#)
- 10.F (8:40 PM) "Something New" Public Art Program Continuation and Budget Appropriation - Executive, 10 Minutes  
[March 5, 2019 "Something New" Phase 2 Proposal](#)  
[Public Art Subfund Estimates and "Something New" Budget Slides](#)
- 10.G (8:50 PM) Adopt MultiYear Workplan for Comprehensive Plan Implementation, 10 Minutes

## 11. NEW BUSINESS

- 11.A (9:00 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](#)
- 11.B (9:10 PM) Resolution No. 2019-15, Delegating Authority to Designate Certain Expenditures for Potential Reimbursement from Bonds That May Be Authorized in the Future - Executive, 10 Minutes  
[Resolution 2019 - XX Resolution Authorizing Designation of Certain Expenditures for Reimbursement from Bond Proceeds](#)  
[Background Information Related to IRS Guidelines](#)
- 11.C (9:20 PM) Olympic Drive Non-Motorized Improvements Project Professional Services Agreement with MIG SVR for Support Services - Public Works, 10 Minutes  
[Professional Services Agreement with MIG-SVR](#)

**12. CITY COUNCIL DISCUSSION**

**13. CONSENT AGENDA**

- 13.A (9:30 PM) Agenda Bill for Consent Agenda 5 Minutes
- 13.B Accounts Payable and Payroll
- 13.C City Council Study Session Minutes, March 5, 2019
- 13.D City Council Regular Business Meeting Minutes, March 12, 2019

**14. COMMITTEE REPORTS - 9:35 PM**

- 14.A Committee Reports

**15. FOR THE GOOD OF THE ORDER - 9:40 PM**

**16. ADJOURNMENT - 9:50 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.



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**CITY OF  
BAINBRIDGE ISLAND**

**CITY COUNCIL STUDY SESSION  
TUESDAY, APRIL 02, 2019**

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

**AGENDA**

- 1. CALL TO ORDER / ROLL CALL - 6:00 PM**
- 2. APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**
- 3. MAYOR'S REPORT**
- 4. PRESENTATIONS**
- 5. UNFINISHED BUSINESS**
  - 5.A 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](#)
  - 5.B Revisions to BIMC 2.16 -- Conditional Use Permit and Site Plan and Design Review Decision Criteria, 20 Minutes
- 6. NEW BUSINESS**
  - 6.A Discuss Work Plan for Review and Assessment of Critical Area regulations, BIMC Chapter 16.20 15 Minutes
- 7. CITY COUNCIL DISCUSSION**
- 8. FUTURE COUNCIL AGENDAS**
  - 8.A Future Council Agendas 10 Minutes

9. FOR THE GOOD OF THE ORDER

10. ADJOURNMENT

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CITY OF  
BAINBRIDGE ISLAND

**CITY COUNCIL REGULAR BUSINESS MEETING  
TUESDAY, APRIL 09, 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**  
Mayor Medina will be absent.
  - 1.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 30 Minutes
2. **APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
3. **PUBLIC COMMENT**
4. **MAYOR'S REPORT**
5. **CITY MANAGER'S REPORT**
6. **PRESENTATION(S)**
  - 6.A Proclamation Declaring April 26, 2019 as "Arbor Day", AB 19-125 - Mayor Medina 5 Minutes  
[Arbor Day Proclamation 2019](#)
  - 6.B Multi-Modal Transportation Advisory Committee Annual Report and 2019 Work Plan, 15 Minutes
  - 6.C Ethics Board 2018 Annual Report and 2019 Work Plan, 15 Minutes
7. **PUBLIC HEARING(S)**
8. **UNFINISHED BUSINESS**

8.A Dave Ullin Open Water Marina Buoy Layout Contract Award (PLACEHOLDER FOR 19-38)

**9. NEW BUSINESS**

9.A Youth Mental Health Workshop Update, 20 Minutes

**10. CITY COUNCIL DISCUSSION**

**11. CONSENT AGENDA**

11.A Agenda Bill for Consent Agenda 5 Minutes

11.B Accounts Payable and Payroll

**12. COMMITTEE REPORTS**

12.A Committee Reports 5 Minutes

**13. FOR THE GOOD OF THE ORDER**

**14. ADJOURNMENT**

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