
CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
ORDINANCE 2018-20 SUBDIVISION DESIGN STANDARDS AND PROCESS – Public Hearing
ORDINANCE 2018-19 AMENDMENTS TO BIMC CHAPTERS 16.18 LAND CLEARING & 18.15.010 LANDSCAPING ETC. – Public Hearing
PUBLIC COMMENT
NEW/OLD BUSINESS
ADJOURN

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

Chair J. Mack Pearl called the meeting to order at 7:06 PM. Planning Commissioners in attendance were William Chester, Jon Quitslund, Michael Killion and Lisa Macchio. Don Doman and Kimberly McCormick Osmond were absent and excused. City Staff present were Planning Director Gary Christensen, Senior Long Range Planner Jennifer Sutton and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

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

Senior Planner Jennifer Sutton invited citizens to the Envision Island Center – Community Kickoff taking place at City Hall on Monday, June 18, 2018.

ORDINANCE 2018-20 SUBDIVISION DESIGN STANDARDS AND PROCESS – Public Hearing

City Consultants Jonathan Davis and Charles Wenzlau introduced the Subdivision Design Standards and Process.

The public hearing was opened at 7:27 PM.

Betty Weiss, Citizen – Spoke in favor of the new standards and asked for presentation to be available online.

David Graf, Citizen – Spoke in favor of the new standards.

John Welton, Citizen – Spoke in favor of the new standards and asked if the proposed subdivisions occurring on Madison Ave would be subject to them.

The public hearing was closed at 7:36 PM.

A meeting on June 21, 2018 was scheduled.

**ORDINANCE 2018-19 AMENDMENTS TO BIMC CHAPTERS 16.18 LAND CLEARING
& 18.15.010 LANDSCAPING ETC. – Public Hearing**

Ms. Sutton provided a brief overview of the amendments.

The public hearing was opened at 8:44 PM.

Brian Fish, Citizen – Asked what the reporting requirements were. Ms. Sutton explained there were monitoring requirements for shoreline and critical areas and that monitoring required reporting. He asked for the rationale to be included where the reporting requirements were in force so it was more easily understood.

The public hearing was closed at 8:49 PM.

PUBLIC COMMENT

None.

NEW/OLD BUSINESS

Future Planning Commission packets will be discussed with the Chair and Vice-Chair before publication.

Planning Commission Project Schedules will be sent out to Commissioners every time there is a change.

ADJOURN

The meeting was adjourned at 9:13 PM.

Approved by:


J. Mack Pearl, Chair


Jane Rasely, Administrative Specialist

Chapter 17.04 PURPOSE AND GENERAL PROVISIONS

Sections:

17.04.010 Purpose.

17.04.020 General provisions.

17.04.010 Purpose.

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 natural areas 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.

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. [KM1]

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. A final 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)

17.04.020 General provisions.

A. Location of Substantive Standards. This title sets forth substantive standards for the layout and design of short, long, large lot, nonresidential, and multifamily subdivisions. All such divisions of land must also comply with substantive standards in BIMC Titles [15](#) (Buildings and Construction), [16](#) (Environment), and [18](#) (Zoning) unless the standards in those titles have been explicitly modified or waived.

B. Location of Review and Approval Procedures. 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.

C. Compliance with RCW Title [58](#).

1. General.

a. Every long, large lot, nonresidential or multifamily subdivision shall comply with the provisions of RCW Title [58](#). Every short subdivision as defined in RCW Title [58](#) shall comply with the provisions of the Bainbridge Island subdivision regulations, which have been adopted pursuant to RCW [58.17.060](#). A proposed division of land, as defined in RCW [58.17.020](#), shall be considered under the subdivision or short subdivision ordinance, and zoning or other land use control ordinances, in effect on the land at the time a fully completed application for preliminary plat approval of the subdivision, or short plat approval of the short subdivision, has been submitted to the city.

b. For purposes of compliance with RCW Title [58](#) (Boundaries and Plats) or its successors, the Bainbridge Island subdivision regulations shall consist of this title, 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. Large lot subdivisions and multifamily or nonresidential subdivisions are forms of subdivisions regulated pursuant to RCW [58.17.040](#)(2) or its successors, and shall be subject to the requirements of RCW Title [58](#) applicable to subdivisions, as modified by any applicable provisions of the BIMC.

c. The limitations imposed by this section shall not restrict conditions imposed under Chapter [43.21C](#) RCW.

2. Specific Provisions. Without limiting the generality of subsection C.1 of this section, the Bainbridge Island subdivision regulations and all applications for short, long, large lot, nonresidential and multifamily subdivisions pursuant to those regulations shall be consistent with the following provisions of RCW [58.17.033](#), [58.17.060](#), and [58.17.140](#) regarding requirements for application, approval, and time limitation and extension.

D. Limitations on Dedications and Fees. Pursuant to RCW [58.17.110](#)(2) or its successors, dedication of land, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW [82.02.050](#) through [82.02.090](#) or their successors may be required as a condition of subdivision approval. No dedication, provision of public improvements, or impact fees imposed under RCW [82.02.050](#) through [82.02.090](#) or their successors shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

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.

F. Interpretation. This title shall be liberally interpreted and construed to secure the public health, safety, morals, and welfare, to implement the Bainbridge Island Comprehensive Plan, and to comply with all applicable requirements of Washington State law, and the rule of strict construction shall have no application. (Ord. 2011-02 § 2 (Exh. A), 2011)

Chapter 17.12
SUBDIVISION- COMMUNITY DESIGN
STANDARDS^[KM2]

Sections:

- 17.12.010 Applicability.
 17.12.020 ~~Flexible lot design requirement for single family~~ General requirements for residential subdivisions.
 17.12.030 ~~Open space/cluster standards and homesite locations for single family residential subdivisions~~ Residential subdivision design guidelines.
 17.12.040 ~~General~~ Specific residential subdivision standards.
 17.12.050 ~~Multifamily and n~~Nonresidential subdivisions.
 17.12.060 Special requirements for critical and shoreline sensitive areas designated resource lands.

[KM3]

17.12.010 Applicability.

This section sets forth standards for (A) short subdivisions, (B) long subdivisions, (C) large lot subdivisions, and (D) nonresidential and multifamily subdivisions. ~~These requirements are summarized in Table 17.12-1.~~ Procedures for boundary line adjustments are set forth in BIMC Title 2.

Table 17.12-1: Subdivision Requirements by Type of Subdivision

Subdivision Standards Type of Subdivision	Open Space- Flexible Lot- Standards- (BIMC- 17.12.030.A)	Cluster Flexible- Lot Standards- (BIMC- 17.12.030.B)	General- Subdivision- Standards— (BIMC- 17.12.040)	Multifamily- and- Nonresidential- Standards- (BIMC- 17.12.050)
Short Subdivision (2 to 4 Lots)- [1]	-	-	-	-
Open Space Option	-	-	-	-
Cluster Option	-	-	-	-
Long Subdivision (5+ Lots)	-	-	-	-
Open Space Option	-	-	-	-
Cluster Option	-	-	-	-
Large Lot Subdivisions	-	-	-	-
Commercial and Multifamily- Subdivisions	-	-	-	-

[1] — BIMC 17.28.020.49 defines the number of lots permitted in a short subdivision.
 (Ord. 2011-02 § 2 (Exh. A), 2011)

17.12.020 Flexible lot design requirement General requirements for single-family residential subdivisions.

A. Requirements:

1. All single-family residential short and long subdivisions [KM4] within the city shall be designed in accordance with the city's adopted flexible lot (flexlot) the standards and design guidelines of this chapter. requirements. 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.

2. ~~Some of the flexible lot design requirements are outlined in this title and in BIMC Title 18.~~

B. Pre-Existing 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 the ~~adopted flexible lot design requirements~~ development standards and design guidelines in this chapter shall be considered existing nonconforming lots, but any future resubdivision of any such lots shall comply with current adopted flexible lot design requirements.

C. Two Types of Flexible Lot Design Available. Applicants for a short or long subdivision or resubdivision shall comply with the standards in this title applicable to open space design or the standards applicable to cluster design. If an applicant does not notify the city of his or her intention to submit a cluster design, the open space design standards shall apply. In some cases, however, site constraints such as the size and shape of the parcel or the presence of areas subject to Chapter 16.12 BIMC (Shoreline Master Program) or Chapter 16.20 BIMC (Critical Areas) result in only one of the options being feasible. The cluster design option is not available to properties located in the R-2.9, R-3.5, R-4.3, R-5, R-6, R-8, and R-14 zoning districts.

D. Large Lot Subdivisions. As authorized by RCW 58.17.040(2) or its successors, the city regulates the division of land into large lots. Large lot subdivisions shall comply with the requirements of BIMC 17.12.040 (General residential subdivision standards), the requirements of BIMC 17.12.060 (Special requirements for critical and shoreline areas ~~sensitive areas and designated resource lands~~), if applicable, and the requirements of BIMC Title 18 for the zone district in which the property is located. ~~Large lot subdivisions are not a form of flexlot and therefore are not subject to cluster or open space design requirements.~~ (Ord. 2017-02 § 17, 2017: Ord. 2011-02 § 2 (Exh. A), 2011)

17.12.030 Residential subdivision design guidelines.

The purpose of these 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 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 development standards and zoning requirements by demonstrating that an alternative design better meets the intent of the design guidelines. [KM5]

The following design guidelines are applicable to all residential subdivisions [KM6]:

See attached design guidelines.

17.12.030— Open space/cluster standards and homesite locations for single family residential subdivisions.

All short and long subdivisions, except large lot subdivisions, shall comply with the standards in either subsection A or and B of this section, and shall also comply with the standards of BIMC 17.12.040 (General residential subdivision standards) and with the standards of BIMC 17.12.060 (Special requirements for critical and shoreline sensitive areas) as applicable. In the case of an application for a housing design demonstration program pursuant to BIMC 2.16.020.Q, the open space requirements of this section shall not be used, and the open space provided in the subdivision shall be evaluated pursuant to BIMC 2.16.020.Q.

A. Open Space Short or Long Subdivisions. All short and long subdivisions shall comply with the standards of this subsection A unless the applicant chooses to instead comply with the standards of

subsection B of this section (Cluster Short and Long Subdivisions).

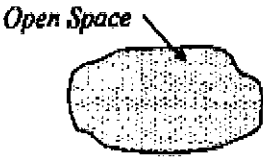
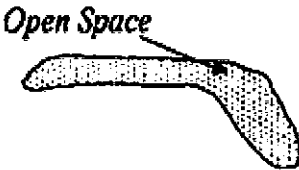
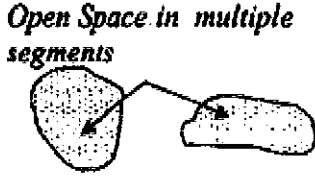
1. Open Space Objectives. Open space shall accomplish one or more of the following objectives:

- a. Conservation and enhancement of natural or scenic resources, including wildlife habitat;
- b. Protection of streams and/or the water supply;
- c. Conservation of soils, wetlands, beaches or tidal marshes;
- d. Enhancement of the value to abutting or neighboring parks, forests, wild preserves, nature reservations or sanctuaries;
- e. Enhancement of recreational and community agricultural opportunities;
- f. Preservation of farmland and historic sites;
- g. Preservation of unique natural land or rock features;
- h. Preservation of visual qualities along highway, road and street corridors or scenic vistas.

2. Open Space Design Guidelines. The area designated for open space preservation shall be configured in a manner that enhances and promotes the natural character of the island and open space characteristics of the property. Open space configuration shall satisfy the following guidelines:

- a. Open space should be concentrated in large, consolidated, usable areas; and
- b. Open space should connect to adjacent off-site open space areas, designated greenways and/or critical areas; and
- c. Open space should be designed to preserve views from off site of the subject property; and
- d. Open space should enhance or retain Island character through the minimization of roadside disturbance of roadside vegetation; and
- e. The area of the open space should be delineated with a low perimeter to area ratio as shown by the examples in Table 17.12.030-1.

Table 17.12.030-1 Configuration of Open Space

Consolidated open space with a low perimeter to area ratio	Open space with a high perimeter to area ratio	Unconsolidated open space
(PREFERRED)	(NOT ACCEPTABLE)	(ACCEPTABLE)
		

3. **Prioritization of Valued Open Space.** The relative desirability of different types of open space is ranked in Table 17.12.030-2, and proposed open space subdivisions shall design open spaces to include areas with higher priority rankings if possible. If a subdivision site contains a particularly exceptional or rare open space feature that is lower in priority, the applicant and/or city may choose to preserve that feature over those higher in the table. Where valued open space features are present and some portion of those features is adjacent to the same or other listed valued features in Table 17.12.030-2, the protected open space should be designed to include those areas contiguous to valued open space features on adjacent properties.

Table 17.12.030-2: Valued Open Space Features for Open Space Short and Long Subdivisions

Priority	Open Space Feature	Notes
1.	Critical Areas (as defined in Chapter 16.20 BIMC), Areas Contiguous with Critical Areas and Their Buffers	All critical areas and their associated buffers shall be preserved.
2.	Native Forests and Significant Trees	Significant trees identified consistent with the standards of the landscaping ordinance (BIMC 18.15.010) should be preserved.
3.	Trails and Greenways	Trails and greenways should be preserved.
4.	Pastures, Meadows, Orchards, and Farmland	Pastures, farmland and land areas currently or traditionally used in agriculture should be preserved. Where possible, the size and configuration of pasture and farmland areas should permit commercially viable farming.
5.	Shoreline View Areas	Shoreline areas identified consistent with the provisions of the shoreline management plan (Chapter 16.12 BIMC) that are suitable for public access and habitat area should be considered.
6.	Mature Vegetation on Ridgelines	Mature vegetation found on ridgelines of community significance (as viewed from off site) should be preserved.

Priority	Open Space Feature	Notes
7.	Wildlife Corridors	Designated wildlife corridors as adopted by Resolution No. 2001-12 should be preserved.

A. 4. Amount of Open Space Required.

6. Open Space Ownership. Ownership of open space area shall be established consistent with one of the following forms of ownership:

a. Private Ownership. Open space may be held in private ownership if established by easements, restrictive covenants, open space management plan, or other similar legal means; or

b. Common Ownership. Open space 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 open space 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 open space areas. However, if the owner offers to dedicate, the city or other public agency may choose to accept ownership of open space. Consequently, upon approval and acceptance by the city council, open space shall be dedicated to the public.

a. Basis. In determining the open space area requirement stated in subsection A.4.b of this section, the city has relied on the "Analysis of Open Space Report" dated July 15, 2003, and _____

amended April 30, 2004, and the other reports, statutes and documents referenced in the recitals to the ordinance codified in this section ("open space documentation"). The open space _____

documentation shall be incorporated into the record of every short or long subdivision application. In reviewing a short or long subdivision application, the city shall consider the open space documentation as presumptively valid and applicable to the short or long subdivision application.

b. Amount Required.

i. The area provided for open space shall be based on and consistent with the existing valued open space features (listed in Table 17.12.030-2) on the subject property, up to a maximum of 25 percent of the area of the property being subdivided, unless additional open space area is otherwise provided pursuant to subsection A.5 of this section.

ii. All lands subject to critical area regulations by Chapter 16.20 BMC shall remain subject to those regulations regardless of whether they are included in the required open space designation.

iii. If a property being subdivided contains valued open space features as described in Table 17.12.030-2 that exceed 25 percent of the gross land area, the maximum required area for open space designation is still 25 percent, unless it includes protected critical area as regulated by Chapter 16.20 BMC.

iv. If the gross land area contains less than 25 percent in open space features, then the designated open space is identified accordingly. Designated open space areas shall not be required to be dedicated to the public, and the owner shall not be required to permit public

~~access to designated open space areas. Landscape buffers may be included in the open space calculation as specified in Tables 18.15.010-3 and 18.15.010-4.~~

~~5. Open Space Incentives:~~

~~a. Short Subdivisions. If an applicant provides an additional 15 percent of permanently protected open space above the maximum 25 percent required by subsection A.4 of this section, then a short subdivision may include the division or redivision of two or more existing lots, up to nine lots consistent with the procedures and standards contained in this title.~~

~~b. Long Subdivisions. If an applicant provides an additional 15 percent of permanently protected open space above the maximum 25 percent required by subsection A.4 of this section, then lots within the subdivision that are served by public sewer service may have reduced minimum lot areas below 5,000 square feet in size. Accessory dwelling units shall not be permitted on any lot that is below 5,000 square feet in size as approved by this open space incentive option.~~

~~B. Amount of Community Space Required~~

~~6. Open Space Community Spaces Ownership. Ownership of open space areas Community Spaces shall be established consistent with one of the following forms of ownership:~~

~~a. Private Ownership. Open space Community Spaces may be held in private ownership if established by easements, restrictive covenants, open space management plan, or other similar legal means; or~~

~~b. Common Ownership. Open space Community Spaces may be held in common by a home or property owners' association or other similar organization. For the purpose 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 open space 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 open space areas. However, if the owner offers to dedicate, the city or other public agency may choose to accept ownership of open space. Consequently, upon approval and acceptance by the city council, open space shall be dedicated to the public.~~

~~7. Uses Allowed in Open Space. The following uses are allowed in those designated open space areas that are not part of a required landscape buffer (unless zoning regulations of BIMC Title 18, provisions of the shoreline master program per Chapter 16.12 BIMC, or critical areas regulations of Chapter 16.20 BIMC restrict that use):~~

~~a. Passive recreation, including pervious trails;~~

~~b. Agricultural uses and fencing necessary for animal control, excepting those agricultural uses that require buildings;~~

~~c. Potable water wells and well houses;~~

~~d. Low impact fencing or signs marking the open space boundary or critical area boundary;~~

~~e. On-site sewage treatment system use approved by the director for all residential zones, if the applicant can demonstrate that (i) the proposed use will not adversely affect the function or characteristics of the specific open space, (ii) the system is approved by the Kitsap County health~~

district, and (iii) construction of the system will not require the removal of significant trees, native forests, vegetation within a required buffer for designated critical areas subject to Chapter 16.20 BIMC, or vegetation within areas designated for protection under the shoreline master program pursuant to Chapter 16.12 BIMC;

f. Storm drainage system use approved by the director for all residential zones if the applicant can demonstrate that (i) enhanced vegetation will be provided so that the facility appears as a natural feature, (ii) the proposed use will not adversely affect the function or characteristics of the specific open space, (iii) the system meets the design standards of Chapters 15.20 and 15.21 BIMC, including low impact development designs, and (iv) the system design must contribute to the function and characteristics of the open space feature by providing the following:

i. The design will include natural contours with slopes no greater than 2:1 for any above-ground storm detention facilities; and

ii. Enhanced vegetation will be provided in conjunction with the storm drainage facility in order to make it a more natural feature; and

iii. Pedestrian trails should be considered as part of the design; and

iv. While fencing of designated open spaces or critical areas may be required by the director pursuant to subsection A.8.a of this section, separate fencing of storm drainage facilities or areas shall only be installed if necessary to protect public safety. Where fencing is required, low impact fencing shall be used, and chain-link fences are prohibited unless superseded by state law.

g. Playgrounds and tot lots, picnic shelters and benches, community gardens, bus shelters, community art, or fountains may be allowed within a designated open space area, provided the proposed use will not adversely affect the function or characteristics of the specific open space.

h. Solar panels, small wind energy generators, composting bins, rainwater harvesting barrels, cisterns, and rain gardens/swales, as defined in Chapter 18.36 BIMC, may be allowed within a designated open space area, provided the proposed feature will not result in the damage or removal of significant trees.

8. Open Space Natural Areas /Critical Area Fencing, Signage and Management Standards. The following fencing and management standards apply to designated open space areas. In addition to the standards listed in this subsection, designated open spaces containing sensitive areas shall comply with any additional management standards required to protect those areas pursuant to BIMC 17.12.060 (Special requirements for sensitive areas), Chapter 16.12 BIMC (Shoreline Master Program) and Chapter 16.20 BIMC (Critical Areas) as applicable.

a. Either fences and/or signs delineating open space and critical area buffers are required. The director shall determine which option (fence or sign) is required, based on the likelihood of encroachment into designated open space areas.

i. If fencing is required:

(A) Low impact fences are preferred and must be constructed in accordance with the definition in BIMC 17.28.020.30; and

(B) The director has the authority to raise the maximum height of fencing to ensure that the fence is adequate to exclude livestock while allowing passage for intended wildlife species.

ii. If signs are required:

~~(A) They shall be constructed in accordance with the definition in BIMC 17.28.020.37; and~~

~~(B) 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.~~

~~iii. If signage is required and encroachments into the designated open space 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.~~

b. ~~Open Space Natural Areas Management Plan Required.~~ An applicant shall submit a draft open space management plan (OSMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the OSMP will occur at the time of final plat approval. The open space management plan shall include:

~~i. A list of all approved uses for the open space areas. Where uses in separate open space areas vary, the specific location of each use shall be depicted graphically.~~

~~ii. A maintenance plan for open space areas that clearly describes the frequency and scope of maintenance activities for open space areas and that meets all requirements set forth in the Bainbridge Island administrative manual.~~

c. ~~The approved OSMP must be filed with the Kitsap County Auditor. In the event that the open space area is not maintained consistent with the open space management plan, the city shall have the right to provide the maintenance of the open space and bill the owner for the cost of maintenance.~~

B. ~~Cluster Short and Long Subdivisions.~~ If an applicant chooses to apply for a cluster short or long subdivision, the open space provisions of subsection A of this section shall not apply. Clustering shall be accomplished through the design standards of BIMC Title 17 and Chapter 18.12 BIMC. The cluster design option is not available to properties located in the R-2.9, R-3.5, R-4.3, R-5, R-6, R-8 and R-14 zoning districts. The following requirements shall apply to cluster short and long subdivisions:

~~1. 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 neighborhood groups 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.

~~a. All homesites in a cluster grouping shall adjoin or be located a maximum of 25 feet apart from another homesite.~~

~~b. The city encourages design of homesite cluster groups that create open areas large enough to accommodate crop agriculture, when such areas are created. The applicant shall record covenants making it clear to lot buyers that crop agriculture may take place on the open areas.~~

~~c. The location of homesite cluster groups is not required to be located near any existing home on the property.~~

2. Homesite Area.

a. ~~The homesite area is for development of the primary residential dwelling and accessory buildings for each lot within the subdivision.~~

b. ~~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 and shall be depicted on the face of the plat. In the R-2 zoning district, a homesite area with a maximum area of 7,500 square feet shall be provided for each lot and shall be depicted on the face of the plat.~~

c. ~~Repealed by Ord. 2017-02.~~

d. ~~Repealed by Ord. 2017-02.~~

e. ~~Other allowed uses and structures, including well houses, may be located within the lot and outside the homesite area; provided, that all other applicable requirements of the BIMC are satisfied.~~

f. ~~Designated homesites shall not include designated critical areas or their buffers.~~

g. ~~Fencing or signage of designated critical areas shall be required pursuant to subsection A.8.a of this section. (Ord. 2017-02 §§ 18, 19, 2017; Ord. 2011-02 § 2 (Exh. A), 2011)~~

17.12.040 General Specific residential subdivision standards.

All residential short, long, multifamily and large lot subdivisions shall comply with the following standards.[KM7]

A. Compliance with BIMC Titles 16 and 18 and RCW Title 58. ~~Lot areas, dimensions, and other characteristics shall comply with the requirements of BIMC Title 18 applicable to the zone district where the land is located, including landscaping and/or vegetated buffers.~~ In addition[KM8], each subdivision plat shall comply with all applicable provisions of RCW Title 58 (Boundaries and Plats) or its successors. Subdivisions including sensitive critical areas or their required buffers shall also comply with the provisions of BIMC 17.12.060[KM9].

Perimeter and roadside landscape buffers may be required pursuant to 18.15.010.[KM10]

B. Homesites. Residential homesites shall be located consistent with the design standards of BIMC Title 17 and Chapter 18.12 BIMC.[KM11]

C. Water Supply Systems. Locations of individual or community water supply systems and associated wellhead protection areas required by the health district shall comply with all applicable standards established by the health district.

D. Septic Systems. Locations of individual or community drainfields and associated reserve drainfields shall comply with all applicable standards established by the health district.

E. Roads and Pedestrian Access.

1. Roads and access complying with the "City of Bainbridge Island Design and Construction Standards and Specifications," and all applicable requirements of the BIMC, shall be provided to all proposed lots consistent with the standards contained within this subsection.

2. A variation deviation from the road requirements and standards contained within the "City of Bainbridge Island Design and Construction Standards and Specifications" may be approved by the city engineer ~~through the minor variance process described in BIMC Title 2.~~[KM12]

3. Existing roadway character shall be maintained where practical. This may be accomplished through the reduction of roadway width consistent with subsection E.2 of this section, the minimization of curb cuts, and the preservation of roadside vegetation. To minimize impervious surfaces, public rights-of-way, access easements and roadways shall not be greater than the minimum required to meet standards unless the city engineer agrees that the additional size is justified.

4. Connections to existing off-site roads that abut the subject property shall be required where practicable, except through critical areas and/or their buffers.[KM13]

5. 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.

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

7. Pedestrian and bicycle circulation and access within a subdivision and onto the site shall be provided through walkways, paths, sidewalks, or trails and shall be consistent with the Island-Wide Transportation Plan. Pursuant to RCW 58.17.110(1) sidewalks shall be provided, where necessary, to assure safe walking conditions for students who walk to and from school. Special emphasis shall be placed on providing pedestrian access to proposed recreational and/or open space areas.

F. 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.

G. 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 [KM14] 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. (Ord. 2017-02 § 20, 2017; Ord. 2011-02 § 2 (Exh. A), 2011)

H. All residential short and long lot subdivisions [KM15] shall comply with the following standards.

See attached development standards.

17.12.050 Multifamily and nonresidential subdivisions.

Subdivisions established for multifamily and nonresidential uses are not subject to subdivision design guidelines ~~open space or cluster flexlot provisions~~, and shall comply with each of the following:

A. 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.

B. All provisions of BIMC Title 16 (Environment) applicable to the area where the property is located and the type of development anticipated.

C. All applicable provisions of RCW Title 58 (Boundaries and Plats) or its successors.

D. As an option, nonresidential and multifamily residential subdivisions may provide open space pursuant to BIMC 17.12.030.A. (Ord. 2011-02 § 2 (Exh. A), 2011)(KM16)

17.12.060 Special requirements for critical and shoreline sensitive areas and designated resource lands.(KM17)

A. Critical Areas.

1. Any portion of ~~a-a residential?~~ short or long subdivision(KM18), large lot subdivision, nonresidential or multifamily subdivision that contains a critical area as defined in Chapter 16.20 BIMC must conform to all applicable requirements of that chapter.

2. Any portion of a short or long subdivision, large lot subdivision, or a nonresidential or multifamily subdivision shall comply with the fencing and signage requirements of BIMC 16.20 BIMC-17.12.030.A.8.a or B.2.g, as applicable.

3. ~~When required by RCW 36.70A.060 or its successors, the final short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision must contain a notice that the subject property is on or within 300 feet of lands designated agricultural lands, forest lands or mineral resource lands.~~

B. Shoreline Master Program Areas. Any portion of a residential ? 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. (Ord. 2011-02 § 2 (Exh. A), 2011)

C. Designated Resource Lands. When required by RCW 36.70A.060 or its successors, the final residential? short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision must contain a notice that the subject property is on or within 300 feet of lands designated agricultural lands, forest lands or mineral resource lands.

DRAFT DEVELOPMENT STANDARDS & DESIGN GUIDELINES

June 1, 2018

Prepared by Davis Studio Architecture + Design and Wenzlau Architects

DEVELOPMENT STANDARDS

The following Guidelines shall be followed for the creation of short and long subdivisions [KM19].

A) NATURAL AREAS

Consistent with the Critical Areas [KM20] and preservation of island character, all site plans shall protect related sensitive areas and existing forest stands consistent with dimension standards. Natural areas must be permanently protected with deed restrictions [KM21]. Natural areas may be within proposed lots and shall be designated with similar deed, covenants or easement. Natural areas are not required to be public.

- 1) Natural Space [KM22] requirement shall vary based upon zone.
- 2) Sites without Critical Areas, shall achieve minimum percentage natural areas through protection of forested areas. [KM23]
- 3) Sites where Critical Areas and forested areas do not meet minimum natural area requirement, one or a combination of the following Natural Area Options is required:
 - a. Site Restoration
 - b. Creation or preservation of farmland
 - c. Creation or preservation of existing meadows or natural features [KM24]
- 4) Sites may utilize options 2) a, b, c [KM25] to achieve minimum percentage where ARPA is less than 65%.
- 5) Natural Area Options shall be limited to areas outside of Homesites, and shall be subject to same protections as Natural Areas. [KM26]
- 6) Area associated with and Tree protection zone [KM27] shall count towards minimum Natural Area requirement.
- 7) Constructed wetlands (for management of stormwater, when consistent with design guidelines, shall be considered Natural Areas, when located within existing clearing. Ponds may be located within Community Space within R-0.4 zones. [KM28]
- 8) Natural Area minimum within the MUTC [KM29] may be achieved by compliance with tree retention requirements.
- 9) Trail access, along with future off site trail access, which connects to adjacent neighborhoods or open spaces shall be permanently dedicated for public use. [KM30]

B) COMMUNITY SPACES

To promote community interaction within neighborhoods [KM31], proposed site design [KM32] shall include [KM33] community spaces. Community Space can include active and passive recreation spaces, areas for food production, etc. Community spaces may be within proposed lots and shall be permanently designated [KM34] for use by all community members with deed, covenants or easement. [KM35] Community areas are not required to be public.

- 1) Community space requirement shall vary based upon zone.

- 2) Community space may be located within lots, but must be outside of Homesites.

- 3) Trail access, along with future off site trail access, which connects to adjacent neighborhoods shall be permanently dedicated for public use.

DESIGN GUIDELINES

The following Guidelines shall be followed for the creation of all subdivisions^[KM36]. The applicant will need to show to staff, the Design Review Board and the Planning Commission, how each of these Guidelines have been addressed in the preliminary design phases of a project prior to the Pre-Application. The Guidelines will include specific criteria to identify intent and set basis for compliance.

A) NATURAL ENVIRONMENT

1. Preserve Natural Areas^[KM37]

Intent: To preserve existing natural areas including forests and other significant natural features^[KM38]. Guideline: Site design shall integrate preservation of forests, natural features or proposed alternatives into community design.

2. Farmlands and Meadows

Intent: To preserve the rural character of fields and meadows

Guideline: Meadows and farmlands shall be counted as part of natural areas^[KM39].

3. Site Restoration

Intent: Restore ecological functions to disturbed areas.

Guideline: Sites where Natural Areas are less than minimum requirement may restore previously disturbed or non-native conditions with site restoration. Restoration Areas shall achieve predevelopment infiltrations conditions with soil amendments and native planting.^[KM40] Community spaces, where compacted during development, shall have soil amended to predevelopment conditions.

4. Recognize Special Trees^[KM41]

Intent: Protect special trees

Guideline: Special trees located outside of natural areas shall be protected.

5. Natural Storm Ponds

Intent: Constructed wetlands to manage stormwater shall appear as natural feature.^[KM42]

Guideline: Constructed wetlands shall be designed with shallow slopes and native vegetation to appear as natural feature. Fencing where used shall be visually open and less than 3'6" tall. Constructed wetlands may be considered as natural Space when located within existing clearing.^[KM43]

6. Integrated Infiltration

Intent: Integrate infiltration (septic and stormwater)

Guideline: Emphasis shall be given to integration of surface infiltration strategies including dispersion systems, raingardens, pervious paving and natural ponds.^[KM44]

7. Wildlife Corridors

Intent: To preserve wildlife corridors

Guideline: Where wildlife corridors are mapped^[KM45] Natural Areas shall be connected to adjacent off-site natural areas to allow for wildlife corridors.

B) SITE DESIGN

8. Community Spaces

Intent: Promote community interaction/connection with use of outdoor spaces

Guideline: Community space(s) shall be centrally located with adjacency to majority of the Homesites. [KM46] Types of preferred spaces include central greens, pea patches, gardens, orchards, play fields etc.

9. Community Buildings - option

Intent: To provide indoor community space for shared activities, if desired

Guideline: Create commons building within the Community Space for workshop, tool storage, social gatherings, etc. Community Buildings.

10. Solar Access [KM47]

Intent: Ensure daylight is allowed to Homesites for energy production and well-being.

Guideline: Homesites shall be oriented [KM48] in relation to clearing to provide solar access.

11. Cluster Homesites

Intent: To promote community connection and reduce development impact, Homesites shall be located into discrete groupings [KM49].

Guideline: Homesites shall be located with maximum separations from adjacent Homesites, this will vary by zone. [KM50]

12. Neighborhood Groups

Intent: To create smaller groupings of homes within larger scaled communities

Guideline: Projects with more than 10 homes shall create separate Homesite Cluster with its own Community Space. Neighborhood Cluster shall be no less than 4 homes. [KM51]

13. Trail Connections

Intent: To create connections between neighborhoods

Guideline: Projects shall provide a pedestrian connection through the site to adjacent established trails. Sites without adjacent trails shall provide public easement identifying potential future trail connections. [KM52]

14. Internal Pathways

Intent: To provide safe walking routes within communities

Guideline: Each project shall establish a network of walking paths which connect Homesites to Community and Natural Spaces.

15. Local Food Production – option

Intent: Facilitate local food production with community gardens

Guideline: Community spaces can include areas for pea patches, community garden or farm

16. Natural Edges

Intent: To avoid fenced rear yards facing public ROW.

Guideline: For site where rear yards face the existing public street [KM53], the rear fence line shall be set back a minimum of 15' and planted with full screen buffer on the street side of the fence. The fence shall be open and limited to 3'-6" tall.

17. Facing Public Ways

Intent: To reinforce neighborliness of homes facing the street

Guideline: Homes along public streets shall have their entry oriented to the street. Porches and outdoor spaces are encouraged. Fencing shall be limited [KM54] to 3'-6" maximum height. Homes on corner lots may face side yard to street. Rear facades are not allowed to Face ROW unless Natural Edge [KM55] is provided.

18. Minimize Driveways

Intent: In order to minimize driveway paving, garages are allowed to be located close to access way.

Guideline: Where garages are located within a Homesite, the garage may be located adjacent to the access way, when it is balanced by adjacent open entry space of equal width, providing access to the front entry. [KM56]

19. Recognize Historic and Cultural Resources

Intent: Sites should identify and preserve historic and cultural resources

Guideline: Site plans shall preserve or recognize with appropriate signage, features determined to be of historic or cultural significance by local experts.

C) REDUCED SITE IMPACTS

20. Narrow Roadways

Intent: Reduce impervious surfaces by using minimum road length and width

Guideline: Site design shall utilize maximum 12' road surface with pull outs unless wider standard is required. Shared parking and roads serving multiple Homesites is encouraged.

21. Clustered Parking

Intent: Reduce impervious surfaces by eliminating roadways and driveway associated with homesite.

Guideline: Remote, clustered parking is encouraged to reduce impervious surfaces. A landscaped island shall be provided between each 7 parking spaces. Covered parking, if provided, is limited to 7 spaces per building. [KM57]

22. Limit Area of Disturbance

Intent: to reduce disturbance of natural areas

Guideline: Areas of construction activity shall be limited to homesites [KM58]. Activity in community areas is limited to footprint approved improvements. During construction perimeter of all homesites and development areas shall be fenced with 6' tall construction fencing.

23. Innovative Septic

Intent: Septic Systems: need to meet County Health Department standards.

Guideline: if permitted by the Health Department Septic fields are not required to be located on individual lots and can be located in community spaces or appropriate natural spaces. [KM59] Also, community septic systems should be encouraged, if permitted.

D) HOMESITES

24. Homesite Footprint

Intent: To create flexible building site for home, outdoor spaces, vehicle parking (where applicable)

Guideline: Applicant shall establish homesite footprint within allowable size and coverage [KM60] which provides flexibility to accommodate desired range of home sizes and layouts.

25. Varied Home Design

Intent: to provide a range of house designs to add visual interest

Guideline: The home designs shall be varied in floor plan, elevations and massing to achieve a minimum of 1 plan for each 4 homes. Homes shall be dispersed within the neighborhood. [KM61] Home types are encouraged to have a cohesiveness to the overall design.

26. Housing Diversity

Intent: to provide a range of household sizes and affordability

Guideline: The house sizes shall be varied such that 20% for the homes must be 25% smaller than average home size and 20% may be 25% larger than average home size.

[KM62]

27. Useable Sideyards

Intent: To ensure useable spaces between buildings

Guideline: When homes are separated by less than 10', the average setback shall be not less than 10' to ensure the spaces are usable and allow for greater solar access [KM63]. No average shall apply to attached homes. [KM64]

28. Sustainability

Intent: to ensure site planning supports strategies for sustainability

Guideline: all homes and community buildings should be designed to reduce their environmental footprint, reducing consumption of limited resources and be built to high levels of sustainability standards, supported by City-wide green building code.

DEVELOPMENT & DIMENSIONAL STANDARDS

The following changes to the standards are recommended to implement Design Principles and Design Guidelines. The code update will include modifications to the Dimensional Standards Table 18.12.020 based upon the specifics of each zoning designation, see attached exhibit.

1. Natural Space is required
2. Community Space is required [KM65]
3. Parking may be located outside of individual lots
4. Lots may be separated from public ROW or private access ways.
5. Maximum Homesite, no minimum-maximum lot size unless set by Kitsap County Health [KM66]

6. No maximum lot coverage (will be controlled by maximum homesite coverage)

7. Subdivision within MUTC is allowed
8. Zero lot line is allowed [KM67]

DRAFT

Jennifer Sutton

From: Alan Grainger
Sent: Thursday, June 14, 2018 4:21 PM
To: Jennifer Sutton
Cc: Christy Carr; Jim McNett; Joseph Dunstan; Peter Perry; Jason Wilkinson; Alan Grainger
Subject: RE: Planning Commission Meeting Agenda for June 14, 2018

In Christy's absence I am forwarding on to you a few comments regarding the Development Standards and Design Guidelines.

These are not listed in order of priority, but generally follow the order of the document provided.

1. Throughout the document there are many issues/challenges competing with one another. Because of this some or all could benefit from the use of the phrase "To the fullest extent possible". I know this might sound like an out, but each site is going to present it's own challenges and I believe this will help both the Applicant and Reviewer arrive at an appropriate compromise to secure future development is meeting the best community ideals for the specific location.
2. I am concerned that minimizing driveways (#13) could have a negative effect of making garages more dominant. Cities such as Portland, Oregon have "snout-house" rules preventing the face of a garage from being forward of the main face of the house. Streets and neighborhoods should clearly have houses where people live, not cars! This includes careful placement of garages, carports, and additional surface parking. Clearly a balance need to be struck regarding storm water runoff and street character/aesthetics. Cart wheel driveways?
3. Housing Diversity (#22). These guidelines have a good intention but I see them as targeted to developers who would not be including "affordable" housing by choice. It also is reinforcing the idea that to be "affordable" homes have to be smaller. A not for profit development may be trying to meet the program needs of a variety of family sizes, therefore needing housing of all sizes. Other than the cost of the land being donated or otherwise taken out of the development Performa, what other relief, whether by bonuses or flexibility can be given to these Standards and Guidelines, to encourage a subdivision of all "affordable" homesites to help address this critical current and future need.

Please take these comments into your deliberations this evening.

Thank you

Alan Grainger

From: Christy Carr
Sent: Tuesday, June 12, 2018 3:32:04 PM
To: Jim McNett; Joseph Dunstan; Alan Grainger; Peter Perry; Jason Wilkinson
Cc: Jennifer Sutton
Subject: FW: Planning Commission Meeting Agenda for June 14, 2018

Hi DRB – Attached is the agenda packet for this week's Planning Commission meeting. If you have comments on the subdivisions standards/review procedures, please send them to jsutton@bainbridgewa.gov. (Jim, you do not need to send your comments again.) Jennifer will be at the PC meeting this week, and consolidating PC/public input into the Council's agenda packet for their 6/19 meeting. Specific code language does not need to be settled on this week, but we want to capture important ideas and direction that can be transmitted to Council.

If you have questions this week, please contact Jennifer. I will be out of the office W-F.

Thank you.

christy

From: Jane Rasely

Sent: Tuesday, June 12, 2018 2:45 PM

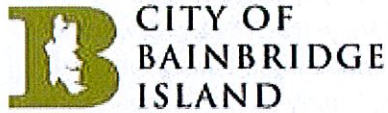
To: Christy Carr <ccarr@bainbridgewa.gov>; Don Doman <Don.Doman@cobicommittee.email>; Gary Christensen <gchristensen@bainbridgewa.gov>; Jennifer Sutton <jsutton@bainbridgewa.gov>; Jon Quitslund <jon.quitslund@cobicommittee.email>; Kimberly McCormick Osmond <Kimberly.McCormick.Osmond@cobicommittee.email>; Lisa Macchio <lisa.macchio@cobicommittee.email>; Mack Pearl <mack.pearl@cobicommittee.email>; Michael Killion <michael.killion@cobicommittee.email>; Sarah Blossom <sblossom@bainbridgewa.gov>; William Chester <william.chester@cobicommittee.email>

Subject: Planning Commission Meeting Agenda for June 14, 2018

Good Afternoon,

Please find the agenda packet for this Thursday's Planning Commission meeting attached. Paper copies will be available at the Finance counter within the hour.

Thank you,



JANE RASELY

Administrative Specialist

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2018 Planning Commission Project Schedule

PROJECT	JUNE		JULY		AUGUST		STAFF
	14	28	12	26	9	23	
Tree Regulations BIMC 16.18 & 18.15.010	PH/R						Jennifer Sutton
SMP Amendment Phase 2			SS	SS	SS	SS	Christy Carr
Design Guidelines & Standards	PH/R						Christy Carr
AHTF Recommendations					B		Jennifer Sutton
CKCB Madison SPR/SSDP			PM				Olivia Sontag
Capital Improvement Plan Update			B/PH				Finance/PW
Island Center Subarea Planning					B		Jennifer Sutton
Green Building							James Weaver

PACKETS DUE AT NOON ON FRIDAY BEFORE MEETING

SS = Study Session W = Workshop PH = Public Hearing PM = Public Meeting R = Recommendation
 A = Action P = Process B = Briefing D = Decision JM = Joint Meeting OH = Open House