
AGENDA

- 7:00 PM CALL TO ORDER
 Call to Order, Agenda Review, Conflict Disclosure
- 7:05 PM REVIEW AND APPROVAL OF MEETING MINUTES
 August 23, 2018
 August 30, 2018
 September 13, 2018
 September 27, 2018
- 7:15 PM PUBLIC COMMENT
 Accept public comment on off agenda items.
- 7:20 PM ORDINANCE 2018-30: FEE-IN-LIEU PROGRAM FOR AFFORDABLE
 HOUSING
 Public Hearing
 Jennifer Sutton, AICP, Long Range Senior Planner
- 7:30 PM SMP AMENDMENT NONCONFORMING EXPANSION RATIONALE
 Discussion
 Christy Carr, AICP, Long Range Senior Planner
- 8:00 PM SUBDIVISION DESIGN GUIDELINES AND STANDARDS
 Study Session
 Christy Carr, AICP, Long Range Senior Planner
- 8:50 PM PLANNING COMMISSION CALENDAR
 Discussion
- 8:55 PM NEW/OLD BUSINESS
- 9:00 PM ADJOURN

***** TIMES ARE ESTIMATES****

Public comment time at meeting may be limited to allow time for Commissioners to deliberate. To provide additional comment to the City outside of this meeting, e-mail us at pcd@bainbridgewa.gov or write us at Planning and Community Development, 280 Madison Avenue, Bainbridge Island, WA 98110

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
REVIEW AND APPROVAL OF MINUTES
SUBDIVISION DESIGN GUIDELINES AND DEVELOPMENT STANDARDS
NEW/OLD BUSINESS
ADJOURN

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

Chair William Chester called the meeting to order at 7:02 PM. Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Kimberly McCormick Osmond, Don Doman, Michael Killion and Lisa Macchio. 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 disclosed.

REVIEW AND APPROVAL OF MINUTES

Motion: I move the approval of eight sets of minutes from the Planning Commission meetings of May 24 and 31, June 7, 14 and 21, July 12 and 26 and August 9 of 2018, moving the approval of those minutes as distributed.

Quitslund/Pearl: Passed Unanimously

SUBDIVISION DESIGN GUIDELINES AND DEVELOPMENT STANDARDS – Study Session

Senior Planner Christy Carr led the study session and City Consultants Charlie Wenzlau and Jonathan Davis were available for questions.

Public Comment

Michael Zigich, Citizen – Spoke against making clustered subdivisions mandatory.

The Commissioners requested visual examples of clustered subdivisions for the future public hearing.

Michael Zigich, Citizen – Asked when the modified CAO/SMP document would be available.

NEW/OLD BUSINESS

Planning Director Gary Christensen reviewed the Planning Commission's schedule highlighting the joint training scheduled with City Council and Design Review Board on August 27, 2018. Mr. Christensen also updated the Commission on the moratorium work program progress and the modification made to the Landmark Tree Ordinance.

ADJOURN

The meeting was adjourned at 10:13 PM.

Approved by:

William Chester, Chair

Jane Rasely, Administrative Specialist

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
SHORELINE MASTER PROGRAM AMENDMENT
SUBDIVISION DESIGN GUIDELINES AND STANDARDS
NEW/OLD BUSINESS
ADJOURN

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

Chair William Chester called the meeting to order at 6:01 PM. Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Michael Killion, Lisa Macchio and Don Doman. Kimberly McCormick Osmond 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 disclosed.

SHORELINE MASTER PROGRAM AMENDMENT

Senior Planner Christy Carr outlined the next steps for the SMP Amendment.

Public Comment

Michael Ziggich, Citizen – Spoke for including the definition of “aquifer recharge area” in the SMP and removing shoreline properties from aquifer recharge areas to protect groundwater from salt water contamination (see attached written comments).

Douglas Hansen, Citizen – Spoke against shoreline properties being part of the aquifer recharge area.

Dick Haugan, Citizen – Spoke about his five-point memo sent to the Planning Commission earlier in the day (see attached).

Charles Schmid, Association of Bainbridge Communities – Spoke about the importance of the Aquifer Recharge Protection Area and against changing that language. He also asked for the Ravine at Winslow to be designated a special area.

Mike Whalen, Citizen – Spoke about making Section 1.3.5 and changing the word “may.”

Michael Ziggich, Citizen – Suggested specific language about how decisions would be made when a conflict arises between the provisions of the master program and BIMC conflict, suggesting the Planning Director make a recommendation to the Planning Commission on which provision should apply.

Hal Snow, Citizen – Spoke in favor of extending the application period for any reconstruction to three years plus the one-year extension.

Tom Nolan, Citizen – Spoke about 4.2.1.7.1 saying it was not clear enough.

Elise Wright, Citizen – Spoke about preserving and restoring the shoreline and striking the expansion of non-conforming structures from 4.2.1.7.1.1.

Motion: Amending the Bainbridge Island Shoreline Master Program and specifically Section 4.1.5, Critical Areas, the Planning Commission has studied written comments submitted by Commissioner Osmond and responses by Senior Planner Christy Carr. The Commission recommends amending the SMP according to staff recommendations in numbered segments of the eight pages of comments and responses: Numbers 1, 2, 6, 8, 10 and 11 as corrected in our discussion. Further, the Planning Commission has made revisions to the Section 4.2.1, non-conforming uses, non-conforming lots and non-conforming structures, and we will send forward the revised text after final attention by Planner Christy Carr completed with reference to the other sections related to non-conforming regulations that have been proposed for revision based on public comment. These further measures will be clarified and completed by Christy Carr in accordance with our discussion. We are sending these materials forward to the Council for consideration in the public hearing.

Quitslund/Macchio: Passed Unanimously

SUBDIVISION DESIGN GUIDELINES AND STANDARDS

The Commissioners asked for examples of clustered subdivision and a list of subdivisions on the Island for Commissioners to view on their own time.

NEW/OLD BUSINESS

None.

ADJOURN

The meeting was adjourned at 8:58 PM.

Approved by:

William Chester, Chair

Jane Rasely, Administrative Specialist

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
SUBDIVISION DESIGN GUIDELINES AND STANDARDS
ORDINANCE 2018-30: FEE-IN-LIEU PROGRAM FOR AFFORDABLE HOUSING
NEW/OLD BUSINESS
ADJOURN

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

Chair William Chester called the meeting to order at 7:01PM. Commissioners in attendance were Kimberly McCormick Osmond, Jon Quitslund, Michael Killion, Lisa Macchio and Don Doman. J. Mack Pearl was absent and excused. City Council liaison Sarah Blossom was present. City Staff present were Long Range Senior Planners Christy Carr and Jennifer Sutton, as well as, Administrative Specialist Carla Lundgren who monitored recording and prepared minutes.

In review of the agenda and disclosure of conflicts, Kimberly McCormick Osmond stated she would excuse herself from the Ordinance 2018-30 discussion as she lives adjacent to the property affected.

Public Comment

Michael Zigich, Citizen – Asked the Commissioners to consider scientific support he provided for not designating shoreline properties as aquifer recharge areas (see attached).

SUBDIVISION DESIGN GUIDELINES AND STANDARDS

Christy Carr, Long Range Senior Planner (*Discussion Only*)

ORDINANCE 2018-30: FEE-IN-LIEU PROGRAM FOR AFFORDABLE HOUSING

Jennifer Sutton, Long Range Senior Planner (*Discussion Only*)

The Planning Commission agreed to move forward with a Public Hearing for approval of the ordinance.

NEW/OLD BUSINESS

None.

ADJOURN

The meeting was adjourned at 8:58 PM.

Approved by:

William Chester, Chair

Carla Lundgren, Administrative Specialist

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
PUBLIC COMMENT – Accept public comment on off agenda items
SUBDIVISION DESIGN GUIDELINES AND STANDARDS – Study Session
ORDINANCE 2018-30: Fee in Lieu Program for Affordable Housing - Canceled
NEW/OLD BUSINESS
ADJOURN

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

Chair William Chester called the meeting to order at 6:34 PM. Planning Commissioners present were Jon Quitslund, Kimberly McCormick Osmond and Don Doman. J. Mack Pearl, Michael Killion and Lisa Macchio were absent and excused. Staff in attendance were Planning Director Gary Christensen, Senior Planner Christy Carr and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

The agenda was reviewed. It was noted the public hearing portion of the meeting was canceled due to a lack of quorum, as Commissioner McCormick Osmond had recused herself from the Fee in Lieu Program for Affordable Housing.

PUBLIC COMMENT – Accept public comment on off agenda items

None.

SUBDIVISION DESIGN GUIDELINES AND STANDARDS – Study Session

Senior Planner Christy Carr led the study session with architect and former city consultant Charlie Wenzlau also engaging in the dialogue. Commissioner McCormick Osmond asked that the Design Review Board be informed that the Planning Commission was recommending mandating the clustering of subdivisions.

ORDINANCE 2018-30: Fee in Lieu Program for Affordable Housing - Canceled

Postponed due to lack of quorum.

NEW/OLD BUSINESS

The upcoming meeting schedule was reviewed. Commissioner Quitslund asked for the Affordable Housing Task Force Report be sent to the entire Planning Commission.

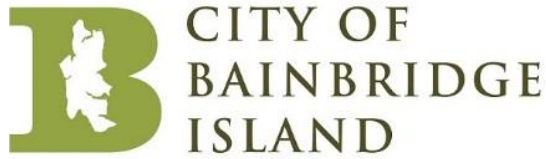
ADJOURN

The meeting was adjourned at 8:56 PM.

Approved by:

William Chester, Chair

Jane Rasely, Administrative Specialist



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: September 13, 2018
To: Public Hearing
From: Jennifer Sutton, AICP
Senior City Planner
Subject: Study Session on Ordinance 2018-30 Establishing a Fee-in-lieu Option for Certain Lots with Affordable Housing Restrictions

BACKGROUND

[BIMC Chapter 18.21 Affordable Housing](#) provides for an optional program for the construction of affordable housing in new single-family and multifamily residential developments, under which bonus density is granted in exchange for the development of affordable dwelling units or affordable residential building lots.

At least one developer has taken advantage of the optional program to obtain bonus density in exchange for creating affordable residential building lots as part of its development. However, several affordable residential building lots created pursuant to the optional program have remained unsold for want of an income-qualified buyer. For context, in 2017 the City consulted with Housing Resources Bainbridge ("HRB") to estimate that an unimproved residential building lot would need to be sold for approximately \$89,000 to be affordable to a moderate income four-person household. The City has heard from HRB and the development community that obtaining a construction loan is more difficult than obtaining a mortgage for a home that is built.

One potential solution would be for the City to amend the optional program to provide for a fee-in-lieu in which affordable residential building lots may be sold at market price if the owner makes a financial contribution to the City's Housing Trust Fund. [BIMC Chapter 3.38](#) provides for the City of Bainbridge Island Housing Trust Fund, which may accept funds or revenues to support the development and preservation of affordable housing on Bainbridge Island. The City Council may direct specific funding or revenues to the City of Bainbridge Island Housing Trust Fund. In addition, a goal of the Housing Element of the City's Comprehensive Plan is for the City to increase support for the Housing Trust Fund and explore new sources of funding for the development and preservation of affordable housing.

If approved, Ordinance No. 2018-30 would provide for a fee-in-lieu in which affordable residential building lots created under the city's voluntary affordable housing program prior to June 1, 2008 may be sold at market price if the owner makes a financial contribution to the City's Housing Trust Fund. The calculation of the financial contribution is described in the ordinance, new BIMC Section 18.21.040.

The City Council discussed this topic at the August 14 Council meeting, and after their discussion, referred Ordinance No. 2018-30 to the Planning Commission for its review, a public hearing, and its recommendation.

Note: Per prior City Council direction, staff is studying the adoption of an inclusionary zoning program. Such a program could contain mandatory and/or voluntary affordable housing requirements that could amend or replace the voluntary program currently contained in BMC Chapter 18.21.

Adopting an inclusionary zoning program and support for the City's *Housing Trust Fund* are both recommendations from the [Affordable Housing Task Force, described in its final report](#), which can be viewed on the [City's website](#).

PLANNING COMMISSION REVIEW OF ORDINANCE 2018-30

The Planning Commission should be prepared to discuss this ordinance and ask staff clarifying questions. The Planning Commission will hold a public hearing on the ordinance on September 27.



CITY OF BAINBRIDGE ISLAND

2018 MEDIAN INCOME LIMITS BY HOUSEHOLD SIZE

BREMERTON-SILVERDALE MSA (HUD)

Maximum Income Limits by Category (BIMC 18.21.020)	Household Size							
	1	2	3	4	5	6	7	8
Extremely Low Income: ≤ 30% of Median Household Income	\$17,400	\$19,850	\$22,350	\$24,800	\$26,800	\$30,800	\$32,750	\$32,750
Very Low Income: 31% - 50% of Median Household Income	\$28,950	\$33,050	\$37,200	\$41,300	\$44,650	\$47,950	\$51,250	\$54,550
Low Income: 51% - 80% of Median Household Income	\$46,300	\$52,900	\$59,500	\$66,100	\$71,400	\$76,700	\$82,000	\$87,300
Moderate Income: 81% - 95% of Median Household Income	\$54,929	\$62,776	\$70,623	\$78,470	\$84,748	\$91,025	\$97,303	\$103,580
Middle Income: 96%% - 120% of Median Household Income	\$69,384	\$79,296	\$89,208	\$99,120	\$107,050	\$114,979	\$122,909	\$130,838
100% of Median Household Income	\$57,820	\$66,080	\$74,340	\$82,600	\$89,208	\$95,816	\$102,424	\$109,032

ORDINANCE NO. 2018-30

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to the City's voluntary affordable housing program; adding a new section to Chapter 18.21 BIMC to provide for an optional fee-in-lieu for certain lots with affordable housing restrictions; addressing the development of certain unimproved lots; and granting interpretative authority.

WHEREAS, former Chapter 18.90 BIMC contained an optional program for the construction of affordable housing in new single-family and multifamily residential developments; and

WHEREAS, on November 9, 2011, the City Council adopted Ordinance No. 2011-02, repealing Chapter 18.90 BIMC and replacing it with a Chapter 18.21 BIMC that provides for substantially the same optional program for the construction of affordable housing in new single-family and multifamily residential developments; and

WHEREAS, at least one developer has taken advantage of the optional program to obtain bonus density in exchange for creating affordable residential building lots as part of its development; and

WHEREAS, several affordable residential building lots created pursuant to the optional program have remained unsold for want of an income-qualified buyer; and

WHEREAS, Chapter 3.38 BIMC provides for the City of Bainbridge Island Housing Trust Fund, which may accept funds or revenues to support the development and preservation of affordable housing on Bainbridge Island; and

WHEREAS, the City Council may direct specific funding or revenues to the City of Bainbridge Island Housing Trust Fund; and

WHEREAS, a goal of the Housing Element of the City's Comprehensive Plan is for the City to increase support for the Housing Trust Fund and explore new sources of funding for the development and preservation of affordable housing.

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

Section 1. Section 18.21.020.F of the Bainbridge Island Municipal Code is amended to read as follows:

Unimproved Lots to Be Sold. ~~In subdivisions w~~Where the applicant intends to sell the individual unimproved lots created as a result of the provisions of this chapter, it is the responsibility of the applicant to arrange for the affordable units to be built.

Section 2. A new section is added to chapter 18.21 of the Bainbridge Island Municipal Code to read as follows:

18.21.040 Optional Fee-In-Lieu.

A. The owner of an affordable residential building lot constructed or created as a result of the provisions of this chapter, as now or previously codified, as part of a land use application approved on or before June 1, 2008, may make a financial contribution, as described in this section, to the city's housing trust fund instead of complying with the requirements of BIMC 18.21.020, as now or previously codified, to obtain or maintain the bonus density allowed under this chapter, as now or previously codified.

B. The amount of such financial contribution to the city's housing trust fund shall be set by the City Manager, subject to the following restrictions:

1. The amount must be at least 60% of the fair market value of the affordable residential building lot at the time of sale. A certified appraiser shall determine the affordable residential building lot's fair market value. The appraisal will assume that sale of the lot will not be restricted to only income-qualified individuals. The owner will pay for the appraisal by a certified appraiser acceptable to the city.
2. The amount must be deposited into the city's housing trust fund within 14 days of the closing of the sale of the affordable residential building lot.
3. In circumstances where development of the the affordable residential building lot is restricted by conditions on the face of a plat or short plat, the owner must initiate and pay for a plat amendment to remove or modify such conditions. Approval of such a plat amendment must be obtained before the lot may be sold to an individual who is not income-qualified, and such approval will be conditioned upon a financial contribution to the city's housing trust fund under this section.
4. Prior to initiating a plat amendment, the owner must demonstrate that they attempted, in good faith, to locate an income-qualified buyer interested in purchasing the affordable residential building lot and were unsuccessful.

Section 3. Interpretive Authority. The City of Bainbridge Island Director of Planning and Community Development, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 4. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2018.

APPROVED BY THE MAYOR this ____ day of _____, 2018.

/s/
Kol Medina, Mayor

ATTEST/AUTHENTICATE:

/s/
Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	2018
PASSED BY THE CITY COUNCIL:	2018
PUBLISHED:	2018
EFFECTIVE DATE:	2018
ORDINANCE NUMBER:	2018-30

Jennifer Sutton

From: Gary Christensen
Sent: Tuesday, August 14, 2018 9:51 AM
To: Jennifer Sutton
Subject: FW: Ordinance No. 2018-30

fyi

Gary R. Christensen, AICP
Director, Planning and Community Development

From: Council
Sent: Monday, August 13, 2018 4:24 PM
To: Doug Schulze <dschulze@bainbridgewa.gov>; Morgan Smith <msmith@bainbridgewa.gov>; Gary Christensen <gchristensen@bainbridgewa.gov>
Subject: FW: Ordinance No. 2018-30

From: Phedra Elliott <phedra@housingresourcesbi.org>
Sent: Monday, August 13, 2018 3:36 PM
To: Council <council@bainbridgewa.gov>
Subject: Ordinance No. 2018-30

Dear Council –

HRB is pleased to hear that council will be considering Ordinance No. 2018-30, Establishing a Fee-In-Lieu Option for Certain Lots with Affordable

Housing Restrictions. In the past, I have spoken with a developer who is impacted by this situation regarding lots in the Southern Cross development.

In this situation, these lots were originally intended to be sold to low/moderate income buyers as part of the voluntary affordable housing program. The housing and construction market have changed dramatically since the time these lots were restricted and it is now very difficult to impossible for a low/moderate income family to build an affordable home in this location on this land.

HRB supports council adopting the fee in lieu with regard to the voluntary affordable housing program that would provide funds to be deposited into COBI's Affordable Housing Trust fund to benefit an affordable housing project in the broader community. The current situation is at a stalemate and is benefitting no one.

HRB, along with members of the Affordable Housing Task Force, is looking forward to the completion of the consultant study of inclusionary zoning and council's consideration of that for future projects on Bainbridge Island. We view inclusionary zoning as one of many long term solutions to address affordability on Bainbridge Island.

Thank you.

Phedra Elliott
Executive Director

Housing Resources Bainbridge (HRB)
730 Erickson Ave NE Suite 100
PO Box 11391
Bainbridge Island, WA 98110

206-842-1909, ext 16 office 206-842-1120 fax
www.housingresourcesbi.org

*My regular work schedule is Monday – Thursday, 9am-5pm. HRB office is closed on Fridays.

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: October 8, 2018
To: Planning Commission
From: Christy Carr, AICP, Senior Planner
Subject: Subdivision Dimensional Standards – Summary of Planning Commission Input

This memo is provided to document Planning Commission input recorded by staff at the September 13 and 27 Planning Commission meetings so that a) Planning Commission members present can verify the input is correctly recorded and b) Planning Commission members not present can be aware of changes made.

Two tables are provided to reflect changes to the dimensional standards table. While all standards were discussed, some at length, these tables show the only changes that were agreed to by Planning Commission members at one or both meetings.

The following changes to the dimensional standards table were made by the Planning Commission at the September 13, 2018 Planning Commission meeting:

Standard	Shown on table	Changed to
Natural space	R-0.4 – 25% R-1 – 25% R-2 – 25%	R-0.4 – 55% R-1 – 45% R-2 – 30%
Homesite	R-2 – 7,500	R-2 – 6,500
Home Site Separation	R-0.4 – none	R-0.4 – 25 feet Add footnote that homesite separation may be increased if applicant demonstrates a clear increase in conservation value.
Community space	R-0.4 – 5%	In R-0.4 zone, the applicant has option to provide 5% community space <u>or</u> add 5% to the required natural space.

The following changes to the dimensional standards table were made by the Planning Commission at the **September 27, 2018** Planning Commission meeting:

Standard	Shown on table	Changed to
Home sideyards	R-0.4 – 0 feet Attached (1600 sf or less)	R-0.4 -- N/A (not applicable) Results in no allowance for zero lot line (attached units) in the R-0.4 district. Note: This <u>reverses</u> the Planning Commission recommendation, subsequently adopted by City Council in February 2017 via Ordinance 2017-02 (see Exhibit B) in a set of updates to development regulations to make them consistent with the Comprehensive Plan, that changed the building to building setback <u>from 10 feet to 0 feet in all zoning districts</u> : Bldg. to <u>0 ft. 10 ft.</u> , or minimum required by bldg. the fire code, whichever is greater
Home to street	Home to street	Home to interior street Clarification only
Home to SR 305 ROW	Home to SR 305 ROW	Deleted
Home to arterial and ROW	Home to arterial and ROW	Home to residential street ROW Clarification only

2.16.125 Preliminary long subdivisions.

A. Purpose. This section provides a procedure for city council review and approval of preliminary long subdivision applications in compliance with the provisions of RCW Title 58, BIMC Title 17, and other applicable provisions of Washington State law and this municipal code.

B. Applicability. This procedure applies to all applications for preliminary long subdivisions, ~~as that term is defined in Chapter 17.28 BIMC, and that definition shall prevail over the following summary~~. Long subdivisions ~~generally~~ involve the division or redivision of land into more than four lots, ~~where some of the lots are smaller than five acres in size~~.

C. General Procedures.

1. Long subdivisions shall be approved through the quasi-judicial hearing examiner approval procedures described in BIMC 2.16.100 except as described below.

2. The provisions of this section shall supplement those of BIMC 2.16.020 and 2.16.030 when the application is for a long subdivision. In the event of a conflict between the provisions of BIMC 2.16.020 or 2.16.030 and this section, the provisions of this section shall govern.

3. Vesting. A proposed preliminary long subdivision shall be considered under the subdivision ordinance, zoning or other land use control ordinances, and the State Environmental Policy Act in effect at the time a fully completed application for preliminary approval of the subdivision has been submitted to the city. The requirements for a fully completed application shall be defined by the Administrative Manual.

4. Timeline for Review. The city has 90 calendar days from the filing of a complete application in which to approve, disapprove, or return the application to the applicant for modification. This time period may be extended only with the approval of the applicant. If no action can be taken to approve or disapprove the application within the 90 calendar days, the director must notify the applicant of the reasons for the delay and steps necessary to complete the application.

~~D. Vesting. A proposed long subdivision shall be reviewed under all applicable city ordinances and the State Environmental Policy Act in effect at the time of complete application, unless a different result is required by provisions of Chapter 58.17 RCW. A later request for additional information shall not change the date on which the application is considered vested.~~

D. Review Procedures. Review of preliminary long subdivision applications shall include all of the following:

1. Conceptual Proposal Review Meeting. The conceptual proposal review meeting is a means of screening subdivision proposals in their earliest stages of design before proponents are committed to a particular design. The conceptual proposal meeting is an opportunity to ensure the proponent understands the objectives of the review process, design guidelines, and comprehensive plan goals and policies. This early touch allows review bodies to dialogue in an informal manner with the applicant, review the design guidelines and comprehensive plan goals and policies applicable to the site, and explore design concepts and/or options. It is also a means for staff to acquaint the prospective applicant with the procedural steps for subdivision review. The conceptual proposal review meeting will be held at a regular meeting of the Design Review Board. Submittal requirements are described in the Administrative Manual, and include a statement of intent, site analysis, and context map.

2. Design Guidance Review Meeting. The design guidance review meeting is intended to provide input and guidance to an applicant on consistency with applicable design guidelines and comprehensive plan goals and policies, including recommendations for how the project could be revised to achieve greater consistency. The applicant should also make known the potential need and rationale for any departure from the subdivision design guidelines or the City of Bainbridge Island Design and Construction Standards and Specifications. The conceptual proposal review meeting will be held at a regular meeting of the Design Review Board. Submittal requirements are described in the Administrative Manual, and

include documentation of the four-step design process, schematic design, and completed subdivision design guidelines checklist. The four-step design process includes:

a. Delineate Natural Space. The applicant shall prioritize natural and cultural resources on the site in terms of their highest to least appropriateness for inclusion in the proposed natural area. On the basis of those priorities and practical considerations given to the site's configuration, its context in relation to natural areas on adjoining and neighboring properties, and the applicant's subdivision objectives, natural space shall be delineated in a manner clearly indicating their boundaries as well as the types of resources. The amount of natural space required is provided in 17.12.XX BIMC, Table of Subdivision Dimensional Standards.

b. Locate Homesites and Community Space. After delineating natural space, homesite areas and community space shall be identified (a "sketch" diagram is acceptable), using the site analysis and context maps produced for the conceptual proposal review meeting as a base map. The amount of community space required is provided in 17.12.XX BIMC, Table of Subdivision Dimensional Standards.

c. Define Access. After locating the natural space, homesites, and community space, the access network shall be defined. The access network shall provide a safe, convenient, and efficient system for vehicular, pedestrian and bicycle circulation and minimize impacts on proposed natural space.

d. Draw Lot Lines. Upon completion of the preceding three steps, draw lot lines to delineate the boundaries of individual lots.

3. Preapplication Conference. The applicant shall participate in a preapplication conference. Submittal requirements are described in the Administrative Manual. As part of the preapplication phase, applicants are required to participate in a community meeting through the city's public participation program outlined in Resolution No. 2010-32.

4. Review by Kitsap Public Health District

a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the health district.

b. The health district shall review the application to ascertain whether (i) the proposal conforms to current standards regarding domestic water supply and sewage disposal; and (ii) if the proposal is not to be served by public sewers, if each lot has sufficient area and soil, topographic and drainage characteristics to permit an on-site sewage disposal system.

c. The health district shall recommend approval, approval with conditions, or disapproval of an application based on those criteria in subsection G.2.b of this section in a timely manner sufficient to allow the city to comply with the review time requirements of subsection G.1 of this section. If at any time during the application process it appears that the review time cannot be met, it shall be the responsibility of the health district to advise the director of the reasons for the delay.

5. Review by City Engineer

a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the city engineer.

b. The city engineer shall provide written recommendation of approval, approval with conditions, or disapproval of the preliminary long subdivision application based on the decision criteria in subsection E of this section.

6. Review and Recommendation by Design Review Board

a. The purpose of the Design Review Board review and recommendation meeting is to review a proposed project for compliance with applicable design guidelines and to ensure the project reflects

any revisions recommended by the Design Review Board at the design guidance review meeting. The Design Review Board will also consider any requested departures from the design guidelines.

b. The Design Review Board will forward written findings of facts and conclusions, their determination of the project's consistency with the design guidelines, the design guideline checklist, and the recommendation, including any conditions, to the staff planner. The Design Review Board's written findings will be included in the staff report transmitted to the Planning Commission.

c. A Design Review Board recommendation is not a final decision and therefore there is no appeal of the recommendation.

7. Review and Recommendation by Planning Commission

a. The purpose of the Planning Commission review and recommendation meeting is to review a proposed project for consistency with applicable design guidelines, BIMC Title 17, and the comprehensive plan, and to ensure the project reflects any revisions recommended by the Planning Commission at the design guidance review meeting and by the Design Review Board at their review and recommendation meeting.

b. The Planning Commission shall consider the application at a public meeting. The Planning Commission shall recommend approval, approval with conditions or denial of an application. In making a recommendation, the Planning Commission shall consider the applicable decision criteria, all other applicable law, and the recommendation of the Design Review Board. If the applicable criteria are not met, the Planning Commission shall recommend the proposal be modified or denied.

c. The Design Review Board's recommendation shall hold substantial weight in the consideration of the application by the Planning Commission. Any deviation from the recommendation shall be documented in their written findings of facts and conclusions..

d. The Planning Commission will forward its written findings of facts and conclusions, their determination of the project's consistency with the comprehensive plan, and their recommendation, including any conditions attached by the Planning Commission and Design Review Board, to the staff planner. The Planning Commission's written findings will be included in the staff report transmitted to the Hearing Examiner.

e. A Planning Commission recommendation is not a final decision and therefore there is no appeal of the recommendation.

8. Review by Director

a. The director shall review the application materials, information provided by the health district and city engineer, and the recommendations of the Design Review Board and Planning Commission and shall prepare a report to the Hearing Examiner recommending approval, approval with conditions, or disapproval of the application.

b. The Planning Commission's recommendation shall hold substantial weight in the consideration of the application by the Director. Any deviation from the recommendation shall be documented in their report.

9. Review and Public Hearing with Hearing Examiner

a. The Hearing Examiner shall consider the application materials and the director's recommendation at a public hearing following the procedures of BIMC 2.16.100.C and applicable provisions of BIMC 2.16.020.

b. The Hearing Examiner shall make compliance with the recommendations of the Design Review Board and Planning Commission a condition of approval, unless the Hearing Examiner concludes that the recommendations:

- i. Reflect inconsistent application of design guidelines or BIMC Title 17;

- ii. Exceed the authority of the Design Review Board or Planning Commission;
- iii. Conflict with SEPA conditions or other regulatory requirements applicable to the project; or
- iv. Conflict with requirements of local, state, or federal law

E. Preapplication Conference. The applicant shall provide copies of one or more proposed or “first draft” composite site plans prepared in accordance with flexible lot design standards of BIMC Title 17 and Chapter 18.12 BIMC for the preapplication conference. Applicants are required to participate in a community meeting through the city’s public participation program outlined in Resolution No. 2010-32. The meeting will be held during the preapplication conference phase of the project.

F. Optional Additional Application Materials. In addition to the submittal requirements listed in the administrative manual, the applicant may submit any additional studies, analysis or other information regarding the city’s open space area requirement contained in BIMC 17.12.030.A that the applicant desires the city to consider in connection with imposing the open space requirement on the applicant’s proposed long subdivision. The studies, reports or other information shall indicate the basis on which they are made, and may include a demonstration that the open space designation required under BIMC 17.12.030.A is not reasonably necessary as a direct result of the proposed long subdivision, and that an alternative open space designation is in an amount that is reasonably necessary as a direct result of the proposed long subdivision. The city shall consider the applicant’s open space studies, analysis or other information as a part of processing and reviewing the long subdivision application.

G. Review of Preliminary Long Subdivision Application.

1. Timeline for Review. The city has 90 calendar days from the filing of a complete application in which to approve, disapprove, or return the application to the applicant for modification. This time period may be extended only with the approval of the applicant. If no action can be taken to approve or disapprove the application within the 90 calendar days, the director must notify the applicant and surveyor, if applicable, of the reasons for the delay and steps necessary to complete the application for preliminary long subdivision.

2. Review by the Kitsap County Health District.

- a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the health district.
- b. The health district shall review the application to ascertain whether (i) the proposal conforms to current standards regarding domestic water supply and sewage disposal; and (ii) if the proposal is not to be served by public sewers, if each lot has sufficient area and soil, topographic and drainage characteristics to permit an on-site sewage disposal system.
- c. The health district shall recommend approval, approval with conditions, or disapproval of an application based on those criteria in subsection G.2.b of this section in a timely manner sufficient to allow the city to comply with the review time requirements of subsection G.1 of this section. If at any time during the application process it appears that the review time cannot be met, it shall be the responsibility of the health district to advise the director of the reasons for the delay.

3. Review by the City Engineer.

- a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the city engineer.
- b. The city engineer shall provide written recommendation of approval, approval with conditions, or disapproval of the preliminary long subdivision application based on the decision criteria in subsection H of this section.

~~4. Review by the Director. The director shall review the application materials and information provided by the health district and city engineer and shall prepare a report recommending approval, approval with conditions, or disapproval of the application.~~

~~5. Public Hearing with Hearing Examiner. The hearing examiner will consider the application materials and the director's recommendation regarding the proposed long subdivision application at a public hearing following the procedures of BIMC 2.16.100.C and applicable provisions of BIMC 2.16.020.~~

HE. Decision Criteria for Preliminary Long Subdivisions. The hearing examiner's decision shall include findings of fact that the application meets all the requirements of the following subsections:

1. The preliminary long subdivision may be approved or approved with modification if:
 - a. The applicable subdivision development standards of BIMC Titles 17 and 18 are satisfied; and
 - b. The preliminary long subdivision makes appropriate provisions for the public health, safety and general and public use and interest, including those items listed in RCW 58.17.110; and
 - c. The preliminary long subdivision has been prepared consistent with the requirements of the ~~flexible lot four-step~~ design process, ~~unless a flexible lot standard has been modified as part of a housing design demonstration project pursuant to BIMC 2.16.020.Q;~~ and
 - d. Any portion of a long subdivision that contains a critical area, as defined in Chapter 16.20 BIMC, conforms to all requirements of that chapter; and
 - e. Any portion of a long subdivision within shoreline jurisdiction, as defined in Chapter 16.12 BIMC, conforms to all requirements of that chapter; and
 - f. The city engineer's recommendation contains determinations that the following decision criteria are met and such determinations are supported by substantial evidence within the record:
 - i. The long subdivision conforms to regulations concerning drainage in Chapters 15.19, 15.20 and 15.21 BIMC; and
 - ii. The long subdivision will not cause an undue burden on the drainage basin or water quality and will not unreasonably interfere with the use and enjoyment of properties downstream; and
 - iii. The streets and pedestrian ways as proposed align with and are otherwise coordinated with streets serving adjacent properties; and
 - iv. The streets and pedestrian ways as proposed are adequate to accommodate anticipated traffic; and
 - v. If the long subdivision will rely on public water or sewer services, there is capacity in the water or sewer system (as applicable) to serve the long subdivision, and the applicable service(s) can be made available at the site; and
 - vi. The long subdivision conforms to the "City of Bainbridge Island ~~Engineering Design and Development Standards Manual~~ Design and Construction Standards and Specifications," unless the city engineer has approved a variation to the road standards in that document based on his or her determination that the variation meets the purposes of BIMC Title 17; and
 - vii. The long subdivision provides sidewalks or other planning features that assure safe walking conditions for students who only walk to and from school.
 - ~~g. The subdivision conforms to the requirements of this chapter and the standards in the "City of Bainbridge Island Design and Construction Standards and Specifications," unless the city engineer has approved a variation to the road standards in that document based on his or her determination that the variation meets the purposes of BIMC Title 17; and~~

hg. The proposal complies with all applicable provisions of this code, unless the provisions have been modified as part of a housing design demonstration project pursuant to BIMC 2.16.020.Q; Chapters 36.70A and 58.17 RCW; and all other applicable provisions of state and federal laws and regulations; and

ih. The proposal is in accord with the city's comprehensive plan; and

i. Appropriate provisions for maintenance of privately owned common space have been made; and

j. The preliminary subdivision design is compatible with the physical characteristics of the proposed subdivision site.

2. A proposed subdivision shall not be approved unless written findings are made that the public use and interest will be served by the platting of such subdivision.

2018 Planning Commission Project Schedule

PROJECT	OCTOBER	NOVEMBER		DECEMBER		STAFF
	25	8	29	13 (6?)	27 (20?)	
SMP Amendments		SS	SS			Christy Carr
SMP Amendment Nonconforming Expansion Rationale Discussion	Discussion					Christy Carr
Subdivision Design Guidelines & Standards	SS	SS/R				Christy Carr
Island Center Subarea Planning		B				Jennifer Sutton
Ordinance 2018-33 FAR Ratio						Jennifer Sutton
Ordinance 2018-30 Fee- in-lieu Option for AH	PH/R					Jennifer Sutton
Green Building Incentive Program						Gary Christensen
DEVELOPMENT PROJECTS						
CKCB Madison SPR/SSDP						Olivia Sontag

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