

AGENDA

- 7:00 PM CALL TO ORDER
 Call to Order, Agenda Review, Conflict Disclosure
- 7:05 PM REVIEW AND APPROVE MINUTES
 August 30, 2018
- 7:10 PM PUBLIC COMMENT
 Accept public comment on off agenda items.
- 7:15 PM ISLAND CENTER SUBAREA PLANNING
 Briefing
 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 REVIEW PROCEDURES
 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

This page left intentionally blank.

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 Zigich, 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 Zigich, 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.

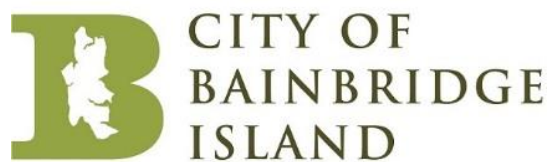
ADJOURN

The meeting was adjourned at 8:58 PM.

Approved by:

William Chester, Chair

Jane Rasely, Administrative Specialist



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: November 8, 2018

To: Planning Commission

From: [Island Center Subarea Planning Steering Committee](#)
Jennifer Sutton, AICP Senior City Planner

Subject: Island Center Subarea Planning:
Progress Report and Results from June 18 Public Meeting

BACKGROUND

The Island Center Neighborhood Center is classified as a designated center in the [City of Bainbridge Island Comprehensive Plan](#), and there are specific goals and policies related to designated centers in the Plan, primarily in the *Introduction and Land Use, Economic, Housing & Transportation Elements*. The designated centers have land uses and conditions that are unique to the area and would benefit from a subarea planning process to address issues such as current land uses, future mix and location of uses and densities, transportation, utilities, public facilities, amenities and natural resources. The result of a subarea planning process is a subarea (or neighborhood) plan which will be incorporated in the Comprehensive Plan and implemented by the City in many ways- code changes, capital projects, interagency coordination, to name a few . The Subarea Planning Process is outlined in [Bainbridge Island Municipal Code \(BIMC\) Section 2.16.210](#).

A previous Island Center subarea planning process took place between 2000 and 2002. The draft Island Subarea Plan that was developed, but not adopted by the City Council, and other supporting documents can be found on the City's [NextRequest portal](#).

The City Council embarked upon the subarea planning process first with solicitations for a steering committee. The City advertised this opportunity using the City Facebook page, City Managers report, planning related City listservs, a press release, and a letter mailed to business, residents and property owners in the Island Center Neighborhood Center and within 500 feet of Neighborhood Center zoning district.

The City Council appointed a [Steering Committee](#) in November 2017 as described in [BIMC Section 2.16.210.E](#) composed mostly of residents and business owners in or nearby Island Center to guide and oversee the subarea planning process. Liaisons from the City Council, Planning Commission, and Design Review Board have also been participating in the subarea planning process and steering committee meetings. Steering Committee Members and Liaisons are listed below:

Scott Anderson
Maradel Gale (Chair)
Donna Harui
Michael Loverich
Micah Strom
Mark Tiernan

John Decker
Asaph Glosser
Sam Marshall
Jane Rein (Design Review Board Liaison)
Michael Killion (Planning Commission Liaison)
Sarah Blossom (City Council Liaison)

Information about the [Steering Committee](#) and the [Island Center Subarea Planning Process](#) itself is available on the City's [website](#). The City has hired MAKERS, an architecture, planning and urban design firm as the lead consulting team to assist with the [Island Center Subarea Planning Process](#).

The Steering Committee began meeting consistently in 2018, on the first and third Wednesdays of the month at 6:30 PM. Congregation Kol Shalom, a synagogue in the Island Center neighborhood, is hosting the meetings. The Steering Committee developed a DRAFT *Vision Statement* and DRAFT *List of Island Center Issues*, with origins in the DRAFT 2001 Island Center Plan.

Through this process, it has become clear that **transportation** is the issue of most concern for the greater Island Center Community. That is how the Steering Committee concluded that there should be two planning boundaries utilized during this process. An inner boundary, called the **Island Center Special Planning Area** is the same boundary used during the 2001 Island Center Subarea Planning effort. An outer boundary, called the Island Center Study Area, includes all properties whose residents likely utilize the Fletcher Bay Road/High School Road or Miller Bay Road/New Brooklyn Road intersections as part of their daily routing.

JUNE 18 ENVISION ISLAND CENTER COMMUNITY KICKOFF

The Steering Committee conducted the first public engagement workshop on June 18- *Envision Island Center Community Kickoff*. The City widely advertised the *Community Kickoff*, outreach efforts included:

- Postcard Mailing to all residences/property owners within outer boundary
- Signs along Miller Road
- Kiosks/ Table at Grand Forest & Island Center Hall
- Small & Large flyers Posted and Passed out by Steering Committee members
- City Managers Report
- Bainbridge Community Broadcast (BCB) *Community Conversation* Podcast
- Kitsap Transit Rider Alerts Email Flyer Route 95, 93 & 106
- *Community Kickoff* Info & Survey link sent to 19 relevant City Listservs
- City Facebook, Twitter

Over 150 people attended the *Community Kickoff*. The public workshop served as a forum for participants to voice concerns, ask questions, and share ideas about the Island Center Subarea Planning effort. The public meeting began with an open house with different maps spread about with staffers standing by to answer questions. The workshop then went on to include:

1. Presentation of this project's background, process, and schedule
2. Full group discussion of potential goals and objectives
3. Full group discussion of aspects of Island Center that participants want to maintain or improve

4. Small group discussions of the following topics:
 - Residential community
 - Business and collective activities
 - Parks, open space, amenities and trails
 - Character of the natural and build environment
 - Transportation and streets
 - Utilities and infrastructure
 - Environmental quality

Input received from the workshop is used to understand participant priorities and preferences but does not produce quantitative conclusions. In general terms, the list of issues agreed with those identified by the committee in earlier work sessions. A Summary of goals and objectives statements informed by input received during the public workshop is included in this report.

SURVEY 1 – PROJECT ORIENTATION

The public meeting coincided with the release of a Survey Monkey “Island Center Survey” community engagement survey that was published on June 12, 2018 and closed on July 15, 2018. The City advertised this opportunity using the City Facebook page, City Managers report, a press release, sent to planning related City listservs, including the Island Center listserv and discussed on the BCB *Community Conversation* podcast.

The survey was an important element of a broad community outreach effort to increase public awareness of this project. It served to introduce the general study area, and four major themes and their related issues as identified by the steering committee. Respondents were introduced to a variety of objectives and strategies grouped by theme and asked to rate their importance.

The survey was open for 34 days and received 666 total responses. The majority of responses (558) were received in the first week.

Most respondents were between the ages of 45 and 64 and over 40% do not live in the Island Center Area, indicating that people outside the study area are interested in this effort.

In each of the four thematic categories, the objectives identified as “very important” and the number of responses are listed below:

1. IDENTITY & SENSE OF PLACE:
Enhance the sense of community at Island Center (262)
2. BUSINESS & ECONOMY:
Recognize the importance of the existing business community and help it thrive (287)
3. TRANSPORTATION & CIRCULATION:
Add sidewalks, trails, and pedestrian scaled amenities to make the area a safer, enjoyable place for pedestrians, equestrians, and cyclists. Encourage public transit and alternative modes (354)
4. ENVIRONMENT:
Preserve, protect, and restore natural features – forest, vegetation, streams, and the bay (409)

One question asked survey takers to rank the relative importance of each theme compared to the rest. Approximately 42% of respondents identified the Island Center Environment as the most important theme to explore. Complete survey results are attached to this report.

EXPLORING EXISTING CONDITIONS IN ISLAND CENTER

During some of their meetings, the Steering Committee has heard from a variety of agencies, City departments and non-profits to achieve a full picture of existing conditions at Island Center (see table below:

Topic and Speaker	Island Center Meeting Date
Chris Hammer, COBI Engineering Manager/Transportation Lead	February 7, 2018
Cami Apfelbeck, COBI Water Resources	February 21, 2018
Kitsap Transit (Transportation Planner Ed Coviello)	June 20, 2018
BI Land Trust Springbrook Creek Watershed Assessment Project (Brenda Padgham & Gina King)	June 20, 2018
Kitsap Public Health District (Sr. Environmental Health Specialist Steve Brown)	August 1, 2018
Housing Resources Bainbridge (ED Phedra Elliott)	September 5, 2018
COBI, Multi-modal Transportation Committee (Chair, Lief Horowitz)	September 5, 2018
BI Parks Foundation (ED Barb Trafton)	September 19, 2018
Mike Michael, COBI Engineering Manager/Development Lead Bainbridge Island Aquifer System	November 7, 2018

REPORT TO THE PLANNING COMMISSION

[BIMC Section 2.16.210.F.3](#) directs City staff and the Steering Committee to prepare a report to the Planning Commission with the results of the “*Initial Public Meeting*”- the June 18 *Community Kickoff*. The following documents are included in this report to the Planning Commission to describe and support the work-to-date of the Steering Committee and the results of both the June 18 *Community Kickoff* meeting and the Island Center survey.

- [BIMC Section 2.16.210 Subarea Planning Process](#)
- DRAFT *Vision Statement*
- DRAFT List of Island Center Issues
- DRAFT Island Center Subarea Planning Boundaries
- DRAFT Island Center Special Planning Area Boundary (Close Up of Inner Boundary)
- Summary of June 18 *Envision Island Center Community Kickoff*
- Results of *Community Kickoff* and Island Center Survey (survey open June 13-July 15, 2018)

NEXT STEPS

Next steps for the Steering Committee working towards developing an Island Center Subarea Plan:

- Review a consolidated *Island Center: Existing Conditions* chapter for the future subarea plan
- Develop goals for the subarea plan
- Develop alternatives for consideration during the Subarea Planning Process

2.16.210 Subarea planning process.

A. Purpose. The purpose of this section is to provide a subarea planning process that enhances the livability of the city by recognizing the unique characteristics of the city's designated centers and neighborhoods and by providing opportunities to accomplish the goals of the city's comprehensive plan in a way unique to each designated center or neighborhood.

B. Applicability. This chapter applies to:

1. A designated center that has been identified in the adopted comprehensive plan; and
2. Discrete neighborhoods outside of designated centers.

C. Beginning the Process. The subarea planning process may be started in two different ways:

1. The city council may begin the process through the annual development of department work programs or biennial budget process; or
2. Upon the written request of at least one owner of property located within a designated center or neighborhood, the city council by resolution may approve the commencement of the subarea planning process. Neighborhoods outside of designated centers must demonstrate to the city council that subarea planning is generally desired by the neighborhood.

D. Interdepartmental Staff Team.

1. Upon the city council's approval to commence the subarea planning process, the director of planning and community development shall establish an interdepartmental staff team.
2. At the director of planning and community development's request, the director of each city department shall assign a representative to the interdepartmental staff team. The Bainbridge Island fire district, the Bainbridge Island school district, the Bainbridge Island metropolitan park and recreation district, and the Kitsap public health district shall each be invited to participate on the interdepartmental staff team.



3. The interdepartmental staff team shall:

- a. Compile the city's existing data and materials relating to the designated center or neighborhood (including comprehensive plan text and map); and
- b. Identify in writing issues raised by the public during the comprehensive planning process and issues identified by staff relating to the designated center or neighborhood; and
- c. Identify interested persons and groups, including all property owners within the designated center or neighborhood according to the Kitsap County auditor's records, and notify the interested persons and groups in writing by regular mail of the commencement of the subarea planning process; and
- d. Provide expertise and guidance to the subarea planning steering committee.

E. Subarea Planning Steering Committee.

1. Upon the city council's approval to commence the subarea planning process for a designated center or neighborhood, the mayor, with confirmation by the city council, shall appoint a subarea planning steering committee for that designated center or neighborhood. The steering committee shall be comprised of an odd number of members, totaling no more than nine, with the total number of members to be determined by the city council. The majority of the committee shall be comprised of representatives from categories in subsections E.2.a and E.2.b of this section. The term of the steering committee members shall be until the completion of the subarea planning process under this chapter.

2. The steering committee shall represent a wide spectrum of interests and expertise and shall include at least one representative from each of the following groups:

- a. Residents living within and/or owners of property or businesses within the designated center or neighborhood; and
- b. Residents and owners of property located adjacent to the designated center or neighborhood; and
- c. Residents of and/or business owners in the city, not residing within or adjacent to the designated center or neighborhood.

3. The steering committee shall:

- a. Establish a planning process consistent with this chapter for developing the subarea plan, which shall include a work plan, timeline, and budget, and which shall be submitted to the city council for approval;

- b. With the advice and assistance of the interdepartmental staff team, develop a subarea plan consisting of a report and a proposed comprehensive plan amendment, if appropriate, for the designated center or neighborhood;
- c. As a part of the work plan, establish a public participation process that includes public meetings in addition to the initial public meeting conducted under subsection F of this section, and work with city staff to ensure outreach to the community during the subarea planning process; and
- d. Ensure that the subarea planning process provides adequate opportunity for participation by property owners and residents who live in or near the designated center or neighborhood.

F. Initial Public Meeting.

- 1. After approval of the subarea planning process by the city council, the steering committee shall conduct an initial public meeting.
- 2. At the initial public meeting, the following shall occur:
 - a. The interdepartmental staff team shall provide an overview of the comprehensive plan and review citywide goals and policies that must be addressed in the subarea planning process.
 - b. The steering committee, with input from the interdepartmental staff team, shall discuss the purpose of the subarea planning process for the designated center or neighborhood and the city's existing data and materials for the area.
 - c. The steering committee shall provide opportunity for the public to comment on the vision and goals for the subarea plan, the boundaries of the designated center or neighborhood that may be included within a subarea plan, and issues relevant to the designated center or neighborhood, including mix and type of land uses, density of development, surface water, greenways, open space, fish and wildlife habitat, drinking water, sewage disposal, and nonmotorized transportation.
- 3. The interdepartmental staff team shall prepare a report setting forth the results of the meeting. Upon the steering committee's approval of the report, the interdepartmental staff team shall transmit the report to the planning commission for review and comment.

G. Plan Development. Upon receiving the planning commission's comments on the report prepared under subsection F.3 of this section, the steering committee shall develop the subarea plan in accordance with the steering committee's work plan. In developing the subarea plan, the steering committee shall:

- 1. Develop a profile of characteristics or attributes of the designated center or neighborhood (including boundaries) and of issues to be addressed during the subarea planning process; and

2. Develop goals for the subarea plan; and
3. Consider and utilize the following criteria, and any other criteria developed by the steering committee, in preparing and selecting alternatives for the designated center or neighborhood:
 - a. The citywide goals and policies of the city's comprehensive plan; and
 - b. The goals and policies for the subarea plan developed by the steering committee; and
 - c. Relevant criteria specified in the Washington State Environmental Policy Act, Chapter 43.21C RCW, and the applicable Washington Administrative Code, Chapter 197-11 WAC; and
4. Prepare a report setting forth the profiles, goals, and criteria developed by the steering committee pursuant to subsections G.3.a through c of this section, and transmit the report to the planning commission for review and comment; and
5. After receiving the planning commission's comments on the report prepared under subsection G.4 of this section, develop alternatives for the designated center or neighborhood that include policies, strategies and programs to implement the vision and goals for the subarea plan; and
6. Review the alternatives for the designated center or neighborhood against the criteria developed for the area, and select an alternative for the designated center or neighborhood to be incorporated into a subarea plan.

H. Incorporation of SEPA Review. An owner of property in a designated center or neighborhood may elect, at the owner's expense, to have a SEPA review sufficient in scope and depth of inquiry to be legally adequate for a specific project incorporated into the city's SEPA process for the subarea plan. The SEPA official for the city shall establish the scope, depth and method of the SEPA review pursuant to Chapter 16.04 BIMC.

I. Final Plan. The steering committee shall prepare a final report containing the subarea plan for the designated center or neighborhood. The subarea plan shall include the profile and characteristics of the designated center or neighborhood, the goals of the subarea plan, the policies, strategies, or programs recommended by the steering committee, and proposed comprehensive plan amendments or changes to the municipal code for the designated center or neighborhood, if appropriate. The steering committee shall forward its final report and proposed subarea plan to the planning commission for action. The planning commission will review the subarea plan and proposed comprehensive plan and municipal code amendments and make recommendations to the city council, as required by BIMC 2.16.180 and 2.16.190. (Ord. 2017-02 § 8 (Exh. A), 2017: Ord. 2011-02 § 2 (Exh. A), 2011)

**DRAFT Vision Statement: Island Center Subarea Planning
May 2, 2018 Steering Committee Meeting**

Island Center is an area rich in natural resources that we strive to maintain, enhance and restore. It provides residents and others with an abundance of diverse outdoor activities to enjoy and a small variety of parks, open space and other places to gather as a community. Its ability to provide residents with a sense of community has served its residents well. Proximity to the Grand Forest is a special feature of Island Center and visitors to the Grand Forest often explore the Island Center business community as well.

A network of local trails and paths gives its residents and others a safe way to move about without fear of vehicle traffic. Traffic calming measures and improved intersections make roads in Island Center safer and provides pedestrians, cyclists and those using alternative modes of transportation a safe option.

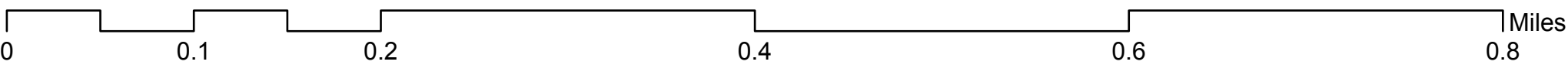
Local commerce provides the area with a small diverse option of appropriately scaled businesses that serve the community well and blend into the area.

Diverse new housing has been incremental in-fill through the years. Limited zoning changes provide better use of the natural topography and promote safety while keeping the original feel of the small tight knit community of Island Center now and for years to come.

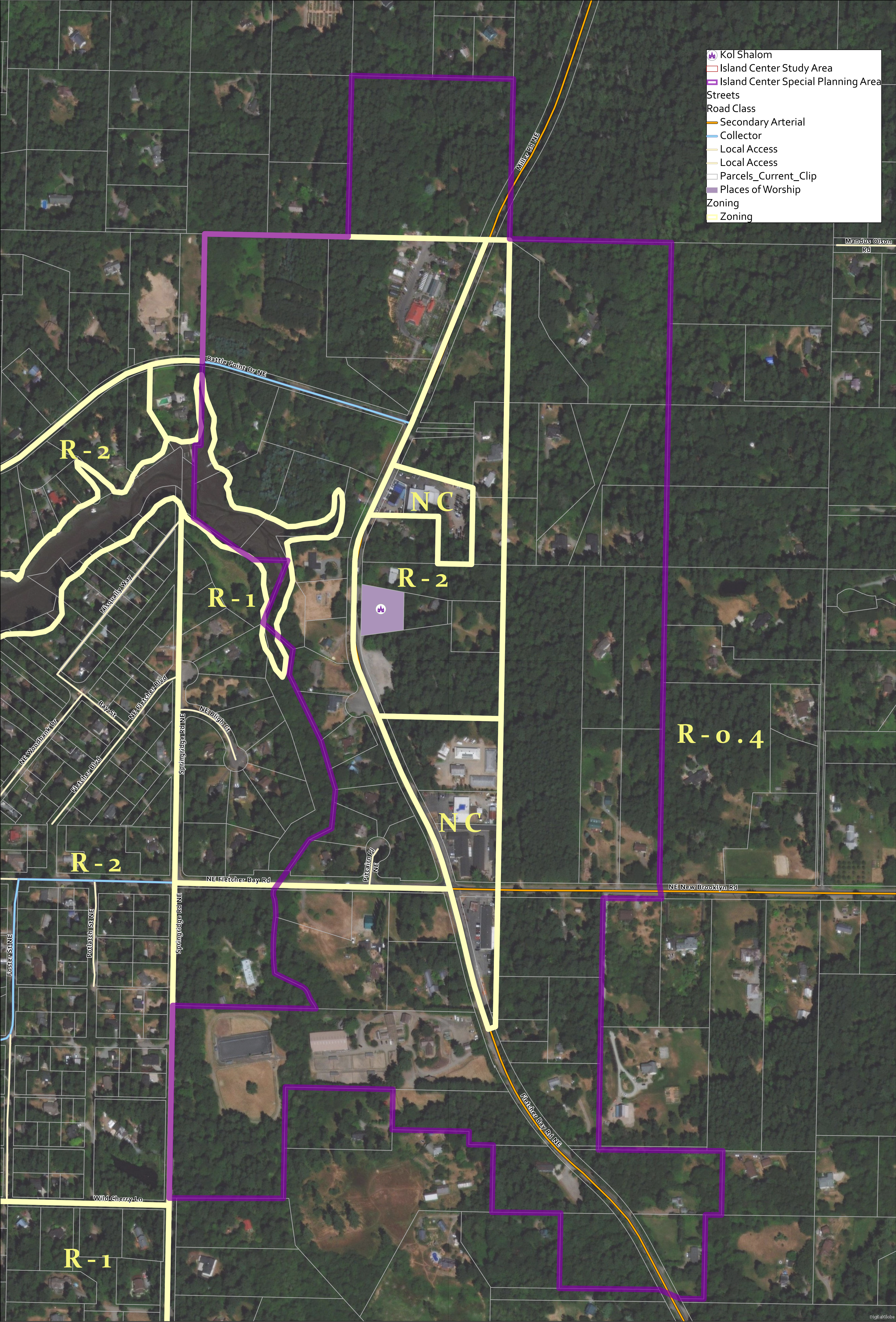
Business and residential developments and zoning preserve, enhance and strive to improve and restore the existing beauty of the land and water: Issei and Springbrook Creeks and Fletcher Bay.

May 2, 2018 Steering Committee Comments: DRAFT List of Issues
(Amendments to 2002 DRAFT Island Center Plan *Vision and Goals for Island Center*)

- Enhance the sense of community at Island Center, so that it is a place where people want to meet and spend time.
- Recognize and celebrate the history of Island Center.
- Recognize the importance of the existing business community and help it thrive. Encourage the creation of new, sustainable appropriately-scaled businesses that benefit the community and are appropriate in scope and size and tasteful in design.
- Consider some higher density housing aimed at moderate income residents, provided that the increased density is accompanied by a public benefit.
- Improve traffic circulation and traffic safety. Improve safety for vehicles entering and exiting Miller Road. Consider adding traffic-calming features and intersection improvements.
- Add sidewalks, trails and pedestrian-scaled amenities to make the area a safer, enjoyable place for pedestrians, equestrians, cyclists, public transit and alternative modes.
- Improve parking and enhance accessibility and access for businesses in Island Center, the Grand Forest and Island Center Hall.
- Preserve, protect, and restore natural features—forests, vegetation, streams and the bay.
- Protect surface and ground water, including aquifer recharge.
- Recognize and protect wildlife.
- Recognize and encourage continued agricultural and horticultural uses.
- Provide better visual and public access to Fletcher Bay and the Grand Forest.
- The environment is well protected with enhanced storm water runoff measures and improved septic systems. The impact of the area has not affected our natural resources and it has continued to be an important concern in this area.
- Demand creative and resourceful solutions that embrace the land and that are oriented to those living/working in the neighborhood.
- Provide a community gathering place with a covered area, picnic tables, playground, basketball court & open space with plenty of parking for the area.
- To maintain the cool, wooded atmosphere enjoyed by the residents of Island Center for over one hundred years, development is restricted to current zoning allowances; undeveloped parcel owners may purchase development rights from owners in the immediate Island Center area in order to increase density, however.



Island Center Special Planning Area



ENVISION ISLAND CENTER

DRAFT GOALS AND OBJECTIVES WITH NOTES FROM WORKSHOP 1

DRAFT 2018-07-11

The DRAFT goals and objectives statements below are adapted from the Steering Committee's List of Issues developed May 2, 2018 with public comments from the June 18 public workshop added in italics. Note that the input from the workshop is intended to provide a general sense of the participants' input but not any quantitative results.

have

A. Place/Identity: Enhance the sense of community at Island Center and make it a place where people want to meet and spend time.

1. Recognize and celebrate the history of Island Center.
 - *3 comments with 4 priority dots asked: What is Island Center's character?*
 - *5 comments with 18 dots mentioned a blue collar, practical local amenities, funky character. Island Center Hall, local businesses, and Bainbridge Gardens mentioned as community building assets.*
2. Provide a community gathering place with a covered area, picnic tables, playground, basketball court & open space with plenty of parking.
 - *Three comments with 2 mentioned the importance protecting and connecting neighborhoods.*
3. Recognize and encourage continued agricultural and horticultural uses.
 - *2 comments with 12 priority dots indicated to keep Island Center rural.*
4. Consider some higher density housing aimed at moderate income residents, provided that the increased density is accompanied by a public benefit.

B. Business/Economy: Recognize the importance of the existing business community and help it thrive.

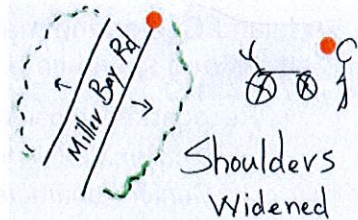
5. Improve parking and enhance accessibility and access for businesses in Island Center, the Grand Forest and Island Center Hall.
6. Encourage the creation of new, sustainable businesses that benefit the community and are appropriate in scope and size and tasteful in design.



C. Transportation: Improve mobility, traffic circulation, and traffic safety.

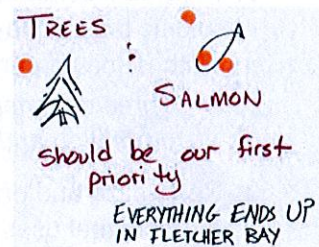
7. Improve safety for vehicles entering and exiting Miller Road. Consider adding traffic-calming features and intersection improvements.
 - 5 comments with 4 priority dots and one question related to heavy traffic, particularly on Miller Bay Rd. but also New Brooklyn Rd. 2 comments suggested transportation solutions outside of Island Center. One comment asked to address parking impacts to residents.
8. Add sidewalks, trails and pedestrian-scaled amenities to make the area a safer, enjoyable place for pedestrians, equestrians, cyclists, public transit and alternative modes.
 - 10 comments related to pedestrian access and safety with 39 priority dots. Strong desire for safer streets, bicycle trails and pathways to parks

MILLER TRAFFIC IS
• HEAVY BECAUSE
• PEOPLE ARE USING
• IT TO AVOID 305

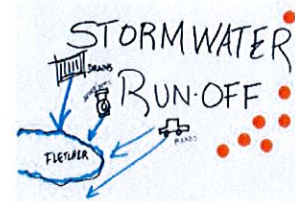


D. Landscape/Environmental Health: Demand creative and resourceful solutions that embrace the land and are oriented to those who live and work in the neighborhood.

1. Preserve, protect, and restore natural features—forests, vegetation, streams and the bay. • Protect surface and ground water, including aquifer recharge.
 - 6 comments with 18 priority dots emphasizing protection of the natural environment, trees, rural character, etc.
 - 4 comments and 11 priority dots expressed the need to address Fletcher Bay shoreline environment, salmon habitat, and salt water intrusion.
2. Recognize and protect wildlife.
3. To maintain the cool, wooded atmosphere enjoyed by the residents of Island Center for over one hundred years, development is restricted to current zoning allowances; undeveloped parcel owners may purchase development rights from owners in the immediate Island Center area in order to increase density, however.
 - 4 comments and 17 priority dots favored no change or keeping density in Winslow.



4. Provide better visual and public access to Fletcher Bay and the Grand Forest.
5. Continue to protect the environment with enhanced storm water runoff measures and improved septic systems.
 - *4 comments and 27 priority dots emphasized water quality, run-off and the need for sewer service.*



ENVISION ISLAND CENTER WORKSHOP THEMES

Table Discussion

June 18, 2018

TABLE DISCUSSION

Emerging Themes

IDENTITY & HOUSING

- Interest in creating a community identity centered around rural character and access to green space without compromising current lifestyle
“Island Center doesn’t feel like the center of anything...”
- Distrust of density increases and a desire to ensure current capacity is met before considering changes (DOWN OR UP)
- Desire to impact kinds of development and review design guidelines: no McMansions (size), encourage cottage housing (type) and affordable housing that is at a rural scale (cost)

TABLE DISCUSSION

Emerging Themes

BUSINESS & ECONOMY

- Concern that extending city services like water and sewer will increase pace of development
- No desire to become an urban hub with extensive retail or services
- Improve access and condition of existing businesses and add businesses that locals will use.

TABLE DISCUSSION

Emerging Themes

TRANSPORTATION & MOBILITY

- Mitigate impacts of SR 305 traffic and Miller Road congestion
- Expand bike and pedestrian options
- Consider separating trails from roads to allow for safe walking and bicycling
- Create links between existing parks and trails (Battlepoint to Gazzam)

TABLE DISCUSSION

Emerging Themes

ENVIRONMENT

- Limited drinking water resources
- Impacts of stormwater on Fletcher Bay and salmon streams
- Light pollution from urbanization is a concern
- Protection of historic farming enterprises

ISLAND CENTER SURVEY I

Results

RESULTS

- Closed July 15, 2018
- 393 Emails Received
- 652 Completed Online
- 14 Hard Copies

DEMOGRAPHICS

41% I don't live in the Island Center Area

91% Own my home

74% Not a business owner

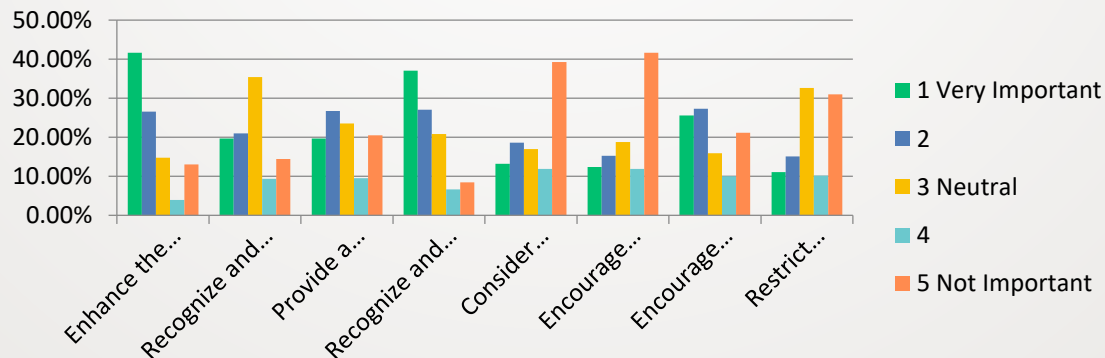
45% 45 to 64 years old

Q1: Identity & Sense of Place

42%

Enhance the sense of community at Island Center and make it a place where people want to meet and spend time

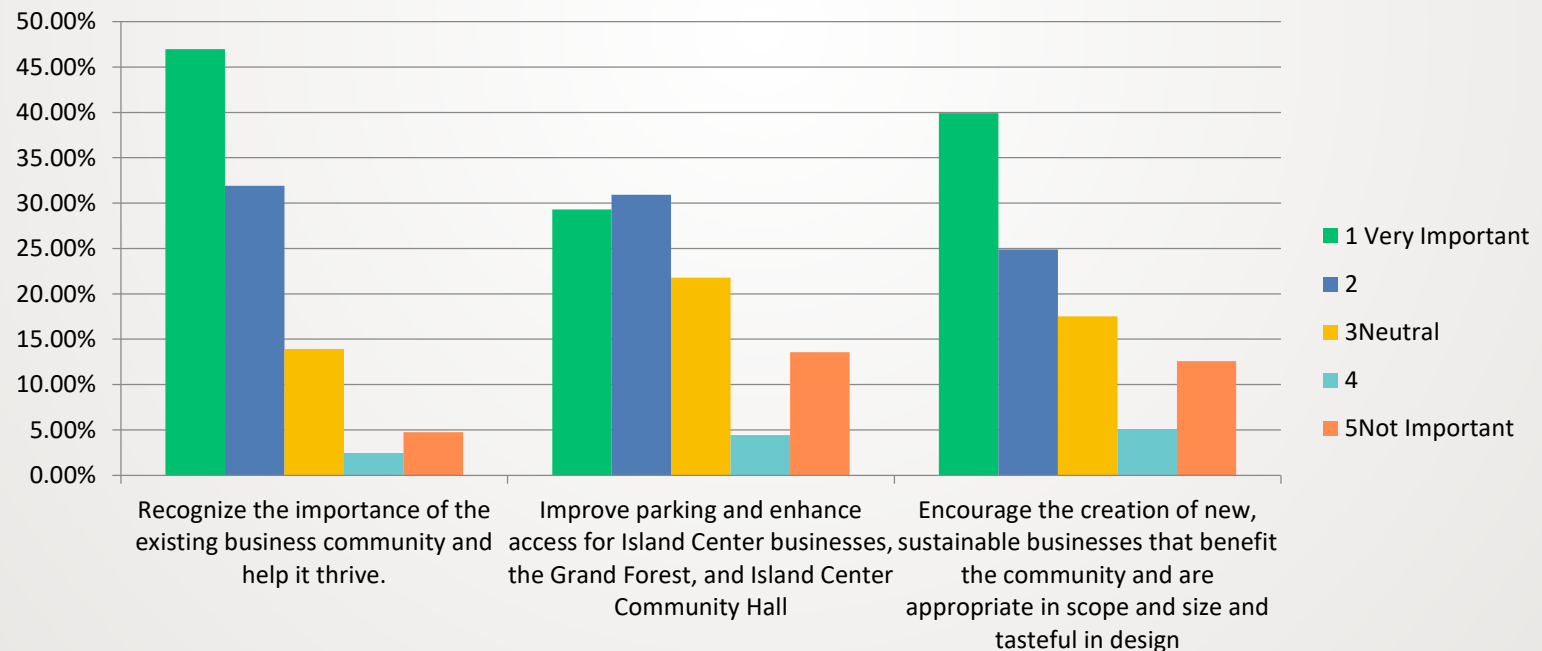
- Recognize and celebrate the history of Island Center
- Provide a community gathering place such as covered public area, picnic tables, playground, basketball court & open space with adequate parking
- Recognize and encourage continued agricultural and horticultural uses
- Consider creating new housing with features such as ground floor retail spaces and additional open space.
- Encourage additional housing options
- Encourage additional retail opportunities
- Restrict development to current zoning allowances while allowing undeveloped parcel owners to purchase development rights from owners in the immediate Island Center area to increase density



Q2: BUSINESS & ECONOMY

47% Recognize the importance of the existing business community and help it thrive.

- Improve parking and enhance access for Island Center businesses, the Grand Forest, and Island Center Community Hall
- Encourage the creation of new, sustainable businesses that benefit the community and are appropriate in scope and size and tasteful in design



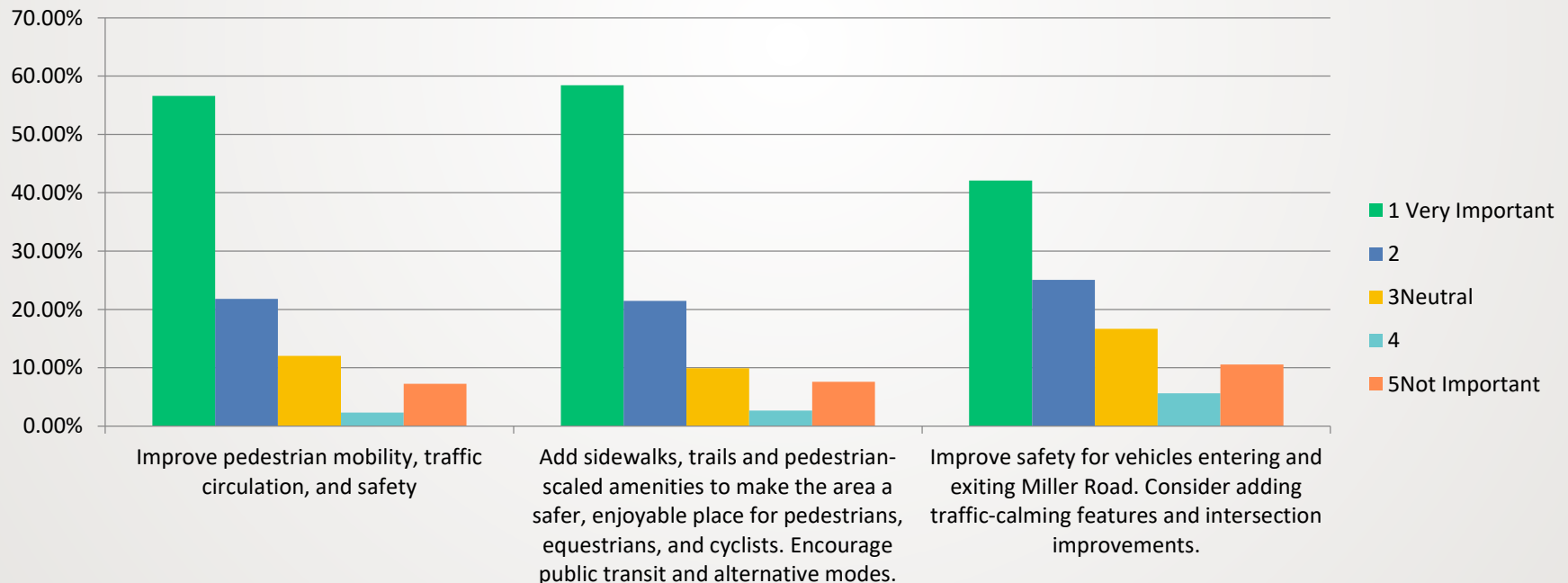
Q3:TRANSPORTATION & CIRCULATION

- Improve pedestrian mobility, traffic circulation, and safety

58%

Add sidewalks, trails and pedestrian-scaled amenities to make the area a safer, enjoyable place for pedestrians, equestrians, and cyclists. Encourage public transit and alternative modes.

- Improve safety for vehicles entering and exiting Miller Road. Consider adding traffic-calming features and intersection improvements.



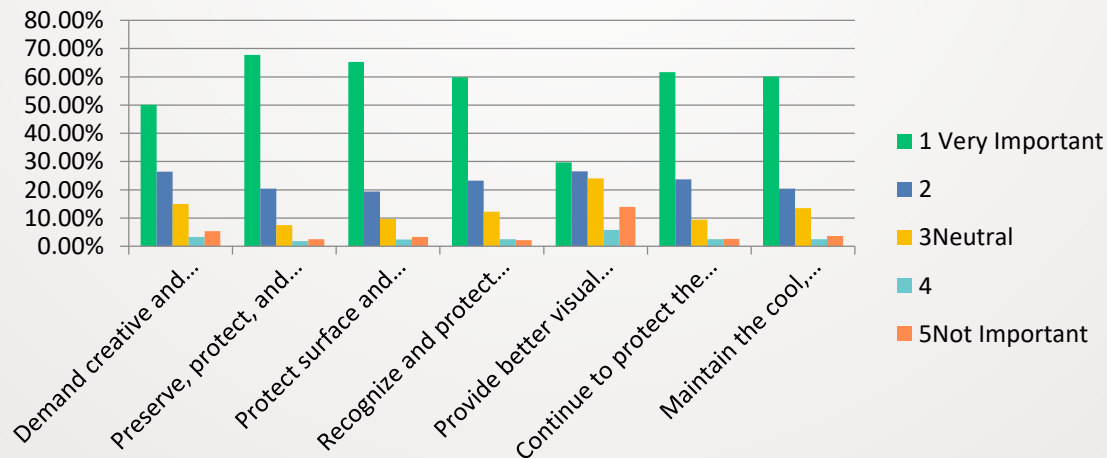
Q4: ENVIRONMENT

- Demand creative and resourceful solutions that embrace the land and are oriented to those who live and work in the neighborhood.

68%

Preserve, protect, and restore natural features—forests, vegetation, streams and the bay.

- Protect surface and ground water, including aquifer recharge.
- Recognize and protect wildlife
- Provide better visual and public access to Fletcher Bay and the Grand Forest
- Continue to protect the environment with enhanced storm water runoff measures and improved septic systems
- Maintain the cool, wooded atmosphere of Island Center
- Did we miss something important to the Island Center Environment? Please share here:



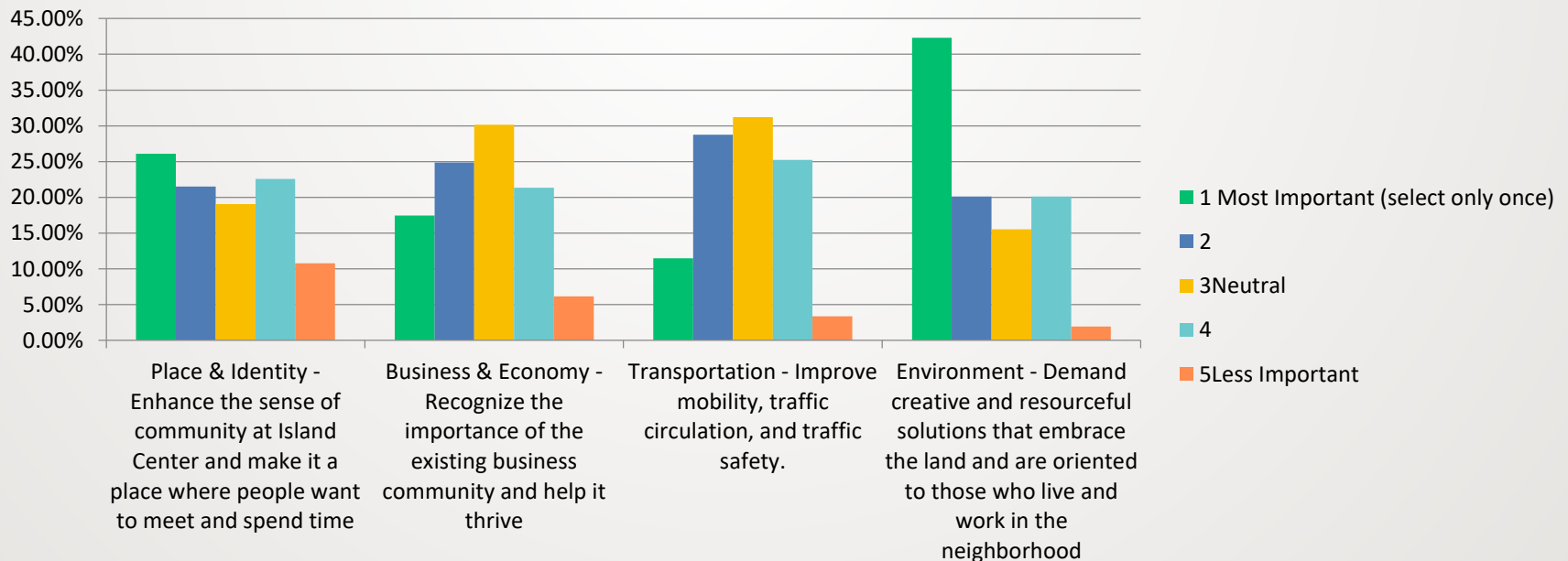
Q5: RANK CATEGORIES

- Place & Identity - Enhance the sense of community at Island Center and make it a place where people want to meet and spend time
- Business & Economy - Recognize the importance of the existing business community and help it thrive
- Transportation - Improve mobility, traffic circulation, and traffic safety.

42%

Environment - Demand creative and resourceful solutions that embrace the land and are oriented to those who live and work in the neighborhood

- Is there another overarching goal we should consider for the Island Center Subarea Plan? Please share it with us:



SUMMARY

BY RANKED CATEGORY & TOP RESPONSE

42.3%

ENVIRONMENT

Top Response:

Preserve, protect, and restore natural features—forests, vegetation, streams and the bay.

26.1%

IDENTITY & SENSE OF PLACE

Top Response:

Enhance the sense of community at Island Center and make it a place where people want to meet and spend time

17.5%

BUSINESS & ECONOMY

Top Response:

Recognize the importance of the existing business community and help it thrive.

11.5%

TRANSPORTATION & CIRCULATION

Top Response:

Add sidewalks, trails and pedestrian-scaled amenities to make the area a safer, enjoyable place for pedestrians, equestrians, and cyclists. Encourage public transit and alternative modes.

PLANNING COMMISSION RESPONSES TO CITY COUNCIL QUESTIONS
REGARDING PROPOSED SMP NONCONFORMING PROVISIONS

As requested by the City Council at its October 16, 2018 meeting, the Planning Commission provides the following clarifications and makes the following recommendations with respect to nonconforming single family residential structures covered by the Shoreline Master Plan (SMP).

Because single family residential structures are a preferred use in the shoreline under the Shoreline Management Act (SMA), the Planning Commission feels ~~the treatment of nonconforming single family residential structures under the SMP should be clarified to plainly state that such structures may be rebuilt if they are either intentionally or unintentionally demolished. there should be a balance between protection of shoreline functions and values and protection of nonconforming single family residential structures.~~ The revisions being proposed should have ~~little or~~ no additional impact on shoreline functions and ~~values,~~ would not increase any nonconformity and would make the treatment of nonconforming structures within the jurisdiction of the SMP consistent with the treatment of nonconforming structures within the jurisdiction of the Critical Areas Ordinance, and would preserve the ability of residential homeowners under the jurisdiction of the SMP to retain their property values and continue to enjoy their homes.

SMP 4.2.1.2 states that "Residential structures that do not conform to this program should, over time, as the owner proposes changes to the structure, conform as completely as possible to this program, with due regard to unique site conditions and property rights." We support this policy but have learned through public comment that this provision is being interpreted by shoreline homeowners do not believe that this provision should be interpreted to mean that nonconforming primary residential structures located within the shoreline buffer should be targeted for removal or eliminated over time through application of SMP provisions. ~~While that outcome may ultimately occur due to environmental conditions beyond the City's control such as sea level rise, the provisions of the SMP should not be written or applied in such a way that property owners of nonconforming residential homes view their homes as "temporary" under the SMP.~~ By eliminating the distinction between intentional and unintentional destruction or demolition, and allowing rebuilding, ~~that is not restricted by a somewhat arbitrary percentage of the existing zoning footage at the time of demolition or destruction,~~ the Planning Commission intends to simplify the SMP and make clear that elimination of nonconforming residential structures is not intended under the SMP.

Currently, SMP Section 4.2.1.6.3 allows a nonconforming primary ~~residential~~ single family ~~residential~~ structure that is unintentionally damaged or destroyed to be altered or expanded (1) one time within the life of the structure; (2) the alteration must occur landward of the existing footprint if the alteration is within the Shoreline Buffer; and (3) the expansion must not exceed 25% of the existing footprint. The Planning Commission proposes to (1) eliminate the distinction between intentional and unintentional damage or destruction; (2) allow vertical expansion within the existing footprint of the structure, provided that expansion meets all applicable height requirements and view setbacks, and (3) restrict landward expansion within the Shoreline Buffer of a total of 500 square feet and allow such an expansion only once within over the lifetime of the structure. Any rebuilding must reduce nonconformity wherever possible, and if any new impacts to shoreline functions and values result from any such alteration or expansion, they must be mitigated using mitigation sequencing to demonstrate no net loss to those functions and values. The rationale for allowing an expansion totaling 500 square foot SF over the lifetime of the structure expansion is to provide consistency with the allowed, matches the expansion currently allowed in critical area buffers under the Critical Areas Ordinance per CAO.

Formatted: Strikethrough

Formatted: Font color: Red

The Planning Commission further recommends that the City review its ~~Ceritical Aareas Q~~ordinance and any other code provisions applicable to the destruction or demolition of nonconforming single family residential structures and make similar changes to those chapters of the Code, to ensure that all nonconforming single family residential structures are treated consistently across the island ~~and the same balancing concerns are addressed.~~

Primary residential structures

1. Eliminate the distinction between intentional and unintentional destruction or demolition of nonconforming single family primary residential structures.
2. Allow the rebuilding of a nonconforming single family primary residential structure within the same footprint as the primary residential structure that was in existence prior to destruction or demolition, up to the height allowed within the applicable zone. Rebuilding would not be allowed to increase the nonconformity and any existing nonconformity must be reduced where possible. A landward expansion within a Shoreline Buffer would be allowed up to 500 square feet over the lifetime of the structure.
3. Any height added during the rebuilding of a nonconforming single family primary residential structure must conform with the shoreline structure view setback line and must not result in any loss of shoreline functions and values that was not already occurring as a result of the original nonconforming single family primary residential structure.
4. Because the rebuilding of a nonconforming single family primary residential structure must occur within the original footprint, there should be no increase in ~~other nonconformity nonconformities~~ such as shoreline side yard setbacks. If the City determines that a proposed rebuild would cause result in a loss of shoreline functions and values, that was not in existence prior to the rebuilding, such as shading resulting from the addition of a second story, the property owner would then have to demonstrate no net loss of those functions and values resulting from the rebuild by providing mitigation. Any required mitigation would use mitigation sequencing.

Accessory residential structures

1. Eliminate the distinction between intentional and unintentional destruction or demolition of nonconforming accessory residential structures.
2. Allow the rebuilding of a nonconforming accessory residential structure within the same footprint as the accessory residential structure that was in existence prior to destruction or demolition.

Essential accessory residential structures

1. Delete this term.

ADUs

Commented [KM1]: I believe the intent is to allow an expansion only if it is landward in the direction away from the shoreline – ie behind the existing structure if the structure is facing the shoreline. So landward would be behind the orange line in the diagram.

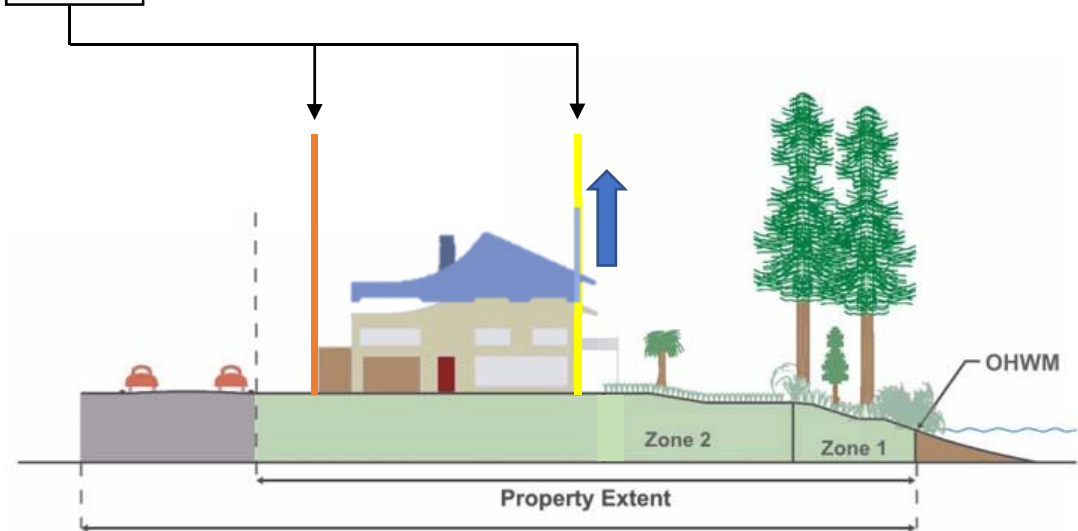
Commented [KM2]: We need to discuss whether to leave this in or remove it to allow landward expansion only if it is NOT within the shoreline buffer.

Commented [KM3]: My understanding of the PC's consensus is that (1) a structure's height could be increased provided it stayed within the footprint and complied with height and any other applicable code requirements, and (2) the 500 sq ft landward expansion would be to the landward side of the structure away from the shoreline – ie behind the house only and not in the sideyards.

Commented [KM4]: My understanding of the intent here was to provide mitigation if adding a second story would result in an adverse impact to shoreline functions and values due to, for example, shading.

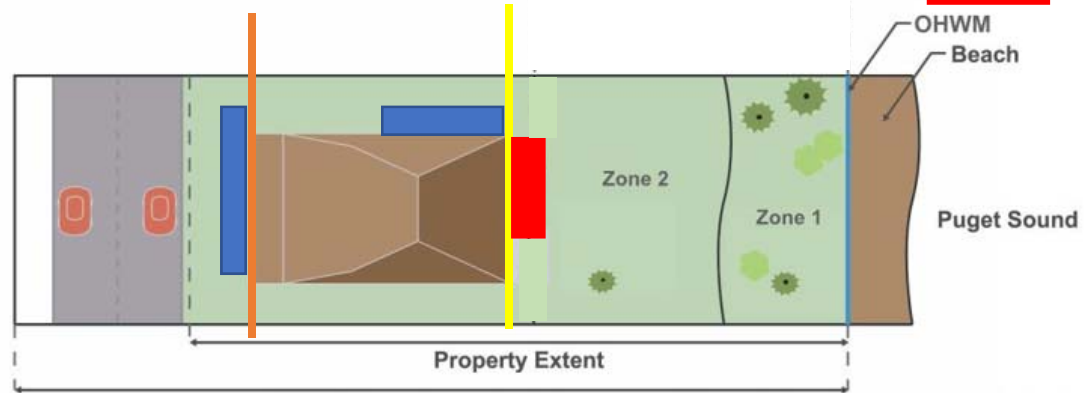
1. Eliminate the distinction between intentional and unintentional destruction or demolition of ADUs.
2. Allow the rebuilding of an ADU within the same footprint as the ADU that was in existence prior to destruction or demolition.

Expansion allowed **landward** of existing footprint



200 FT Shoreline Jurisdiction

Expansion allowed
Expansion not allowed



200 FT Shoreline Jurisdiction

* Minimum 30 ft or 50ft dependent on designation.

PLANNING COMMISSION RESPONSES TO CITY COUNCIL QUESTIONS
REGARDING PROPOSED SMP NONCONFORMING PROVISIONS

As requested by the City Council at its October 16, 2018 meeting, the Planning Commission provides the following clarifications and makes the following recommendations with respect to nonconforming single family residential structures covered by the Shoreline Master Plan (SMP).

Because single family residential structures are a preferred use in the shoreline under the Shoreline Management Act (SMA), the Planning Commission feels there should be a balance between protection of shoreline functions and values and protection of nonconforming single family residential structures. The revisions being proposed should have little or no additional impact on shoreline functions and values and would preserve the ability of residential homeowners under the jurisdiction of the SMP to retain their property values and continue to enjoy their homes.

SMP 4.2.1.2 states that "Residential structures that do not conform to this program should, over time, as the owner proposes changes to the structure, conform as completely as possible to this program, with due regard to unique site conditions and property rights." We support this policy but do not believe that this provision should be interpreted to mean that nonconforming primary residential structures located within the shoreline buffer should be targeted for removal or eliminated over time through application of SMP provisions. While that outcome may ultimately occur due to environmental conditions beyond the City's control such as sea level rise, the provisions of the SMP should not be written or applied in such a way that property owners of nonconforming residential homes view their homes as "temporary" under the SMP. By eliminating the distinction between intentional and unintentional destruction or demolition, and allowing rebuilding that does not increase the original nonconformity and meet the no net loss standard that is not restricted by a somewhat arbitrary percentage of the existing zoning footage at the time of demolition or destruction, the Planning Commission intends to simplify the SMP and make clear that elimination of nonconforming residential structures is not intended under the SMP.

Currently, SMP Section 4.2.1.6.3 allows a nonconforming primary ~~residential~~ single family- ~~residential~~ structure that is unintentionally damaged or destroyed to be altered or expanded (1) one time within the life of the structure; (2) the alteration must occur landward of the existing footprint if the alteration is within the Shoreline Buffer; and (3) the expansion must not exceed 25% of the existing footprint. The Planning Commission proposes to (1) eliminate the distinction between intentional and unintentional damage or destruction; (2) allow vertical expansion within the existing footprint of the structure, provided that expansion meets all applicable height requirements and view setbacks, and (3) restrict landward expansion within the Shoreline Buffer to a total of 500 feet and allow such an expansion only once within over the lifetime of the structure. Any new impacts to shoreline functions and values resulting from any such alteration or expansion must be mitigated to demonstrate no net loss to those functions and values. The 500 SF expansion allowed, matches the expansion allowed in critical area buffers per CAO.

The Planning Commission further recommends that the City review its Ceritical Aæreas Oerdinance and any other code provisions applicable to the destruction or demolition of nonconforming single family residential structures and make similar changes to those chapters of the Code, to ensure that all nonconforming single family residential structures are treated consistently across the island and the same balancing concerns are addressed.

Commented [ML1]: I'm not sure its an issue of balance, but I thought it was now an issue of not increasing non conformity, ensuring no net loss, and consistency w/ the CAO.

Commented [ML2]: I think we would want to say "no additional impact". This concept of "little" is too vague and I don't think that should be the goal. If there is "little" impact then it should be clear that will be mitigated.

Commented [ML3]: I would stri

Commented [L4]: I think the goal we (PC) were trying to achieve was to make it clear to the shoreline property owners what the non conformity provisions really were intended to accomplish. My understanding is that some property owners were mis informed and perhaps the SMP provisions related to non conformity were confusing.. What do others remember? I think a better more accurate characterization of this at the beginning of the document would better serve everyone, us and the City Council. Maybe Christy could chime in on her recollection.

Commented [ML5]: I would like to suggest we strike this. I don't think that was the goal here.

Commented [ML6]: I think this is a good statement of what we are trying to accomplish, that being provisions in the SMP related to non conformity that were clear and consistent with this goal.

Commented [ML7]: Who are we trying to speak to? Maybe we need so say that there were some folks in the community who misunderstood the provisions of our SMP related to non conformity and the PC's objective was to make clear that this was never the intent of the provisions in the BI SMP. The intent was to have provisions consistent w/ 4.2.1.2. I suggest we "cleanse" some of these statements.

Commented [ML8]: I think we want to be clear that the goal is to reduce non conformity where possible, if there is a remodel or complete knockdown or at least not increase the nonconformity

Commented [ML9]: I don't support this concept of w/in the buffer if its inconsistent w/ the CAO. Is the alteration the same as the expansion? Should we be using the same terminology?

Commented [ML10]: I'm opposing this unless we can explain how expansion in the buffer is consistent w/ what we currently have in the CAO and/or that it will need to be demonstrated that it has no environmental impacts and there are not alternatives.. as mitigation sequencing is to avoid first, then allow but mitigate the impacts.

Formatted: Strikethrough

Formatted: Font color: Red

Primary residential structures

1. Eliminate the distinction between intentional and unintentional destruction or demolition of nonconforming single family primary residential structures.
2. Allow the rebuilding of a nonconforming single family primary residential structure within the same footprint as the primary residential structure that was in existence prior to destruction or demolition, up to the height allowed within the applicable zone. Rebuilding would not be allowed to increase the nonconformity, but a single landward expansion within a Shoreline Buffer would be allowed up to 500 feet over the life of the property.
3. Any height added during the rebuilding of a nonconforming single family primary residential structure must conform with the shoreline structure view setback line and must not result in any loss of shoreline functions and values that was not already occurring as a result of the original nonconforming single family primary residential structure.
4. Because the rebuilding of a nonconforming single family primary residential structure must occur within the original footprint, there should be little or no increase in other nonconformities such as shoreline side yard setbacks. If the City determines that a proposed rebuild would result in a loss of shoreline functions and values that was not in existence prior to the rebuilding, the property owner would then have to demonstrate no net loss of those functions and values resulting from the rebuild by providing mitigation.

Commented [ML11]: I don't support a landward expansion if its in the buffer. What's in the CAO related to this? I'd like to think about a short revisit of this now that I have thought more about mitigation sequencing and the 1st principle which is to avoid.

Commented [ML12]: What about also the concept of not adding to the current non conformity?

Commented [ML13]: I think we want to ensure there will be NO INCREASE to the previous nonconformity. I don't support the term "little" here.

Accessory residential structures

1. Eliminate the distinction between intentional and unintentional destruction or demolition of nonconforming accessory residential structures.
2. Allow the rebuilding of a nonconforming accessory residential structure within the same footprint as the accessory residential structure that was in existence prior to destruction or demolition.

Essential accessory residential structures

1. Delete this term.

ADUs

1. Eliminate the distinction between intentional and unintentional destruction or demolition of ADUs.
2. Allow the rebuilding of an ADU within the same footprint as the ADU that was in existence prior to destruction or demolition.



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: November 8, 2018
To: Planning Commission
From: Christy Carr, AICP, Senior Planner
Subject: **Subdivision Review Procedures – BIMC 2.16.125**

I. PURPOSE OF AGENDA ITEM

The purpose of tonight's agenda item is to **allow continued discussion and complete review of revisions to subdivisions review procedures**, codified in BIMC 2.16.125. A more robust review procedure has been under review by the Design Review Board (DRB) and Planning Commission (PC) for many months, with a focus on a new review role for the DRB and PC, "early touches" by these review bodies, added "teeth" to DRB and PC recommendations, and improved decision criteria. More recently, the City Council specifically requested revisions that would include substantial weight given to DRB and PC recommendations and the requirement for findings and conclusions to be documented as part of project review. The overall intent of the revisions is to create a review process that better ensures project outcomes which support and reflect new subdivision design guidelines and the goals and policies of the Comprehensive Plan.

II. BACKGROUND

To better understand what is changing, Planning Commissioners may find it useful to scan the existing subdivision review procedures, codified in BIMC 2.16.125, available here:

[BAINBRIDGE ISLAND MUNICIPAL CODE](#)

It is also useful to note that land use review procedures for subdivisions found in BIMC 2.16.125 work in tandem with general land use review procedures applicable to all types of land use review applications, found in BIMC 2.16.020 and .030. Within this existing framework, you will not find all components of the subdivision review process in BIMC 2.16.125 since general procedures are not repeated in code sections applicable to specific types of land use review. For example, noticing is required for long subdivisions, but noticing requirements are not included in BIMC 2.16.125 (they are included in BIMC 2.16.020).

The Planning Commission was provided with an outline of the proposed subdivision review procedures at its September 25, 2018 meeting, with a follow-up email providing additional background and questions to consider on October 1, 2018. Updated (based on DRB and City Council input) proposed

subdivision review procedures were provided to the Planning Commission at its October 25, 2018 meeting.

III. WHAT'S CHANGING?

A high-level summary of proposed revisions is provided below, with outstanding questions for Planning Commission consideration noted. Based on preliminary input from Planning Commission members, questions originally posed on October 1, 2018 are likely still relevant, including:

- Who should attend each step/meeting? Full or subset of DRB and/or PC? Public?
- When should the meetings occur (regular DRB or PC meetings – daytime or evening)?
- When is the best time to engage the public and have required public meeting?
- Are the submittal requirements right? (For existing submittals, refer to existing Administrative Manual – revisions/updates needed?)
- Would there be significant differences between the review process for subdivisions, SPRs, CUPs?

While the Planning Commission as a whole has not addressed these questions, the draft review procedures in the agenda packet reflect the Design Review Board's input and answers to these questions.

Note: The Planning Commission's recommendation on roles and responsibilities includes only an optional review and recommendation by the PC and DRB for short subdivisions (up to 4 lots). The PC should confirm whether or not the proposed new Conceptual Proposal Review Meeting should be required for short subdivisions. The Design Guidance Review Meeting would be required if subdivision design guidelines apply to short subdivisions.

Here's what's changing:

1 In an effort to discuss a project with an applicant "before pen gets to paper," a new **Conceptual Proposal Review Meeting** is included.

Questions: Who should attend meeting?
What is anticipated role of Planning Commissioners if attending?

2 The DRB's existing "pre-pre-application meeting" is essentially renamed a **Design Guidance Review Meeting**. At this meeting, as it does now, the DRB would review the project against the design guidelines. In addition, a new **four-step subdivision design process** is added as a requirement, documentation of which is a required submittal item for this meeting.

Questions: Who should attend meeting?
What is anticipated role of Planning Commissioners if attending?
When should the meeting be held?

Note: The pre-application conference, review by the Kitsap Public Health District, and review by City Engineer are all current steps in the process and not proposed to change.

Applicants are required to participate in a community meeting through the city's public participation program outlined in Resolution No. 2010-32. The meeting is held during the pre-application conference phase of the project. The DRB did not recommend a change to this current practice.

③ A **review and recommendation role for the DRB** is added to the process. This meeting would essentially be the same meeting the DRB currently conducts for other types of projects subject to design guidelines. The DRB's written findings and recommendation would be forwarded to the Planning Commission for consideration during its review of the project.

④ A **review and recommendation role for the PC** is added to the process. This meeting would essentially be the same meeting the PC currently conducts for other types of projects requiring its review and recommendation (e.g., site plan reviews). Two new components are added to the PC review: **substantial weight of the DRB recommendation and written documentation of the PC's findings and conclusions and any deviation from the DRB recommendation.**

⑤ A new requirement for the Director's review is added in that the **PC's recommendation shall hold substantial weight** in the consideration of the application and **any deviation shall be explained** in the Director's report.

⑥ The **Hearing Examiner review** is changed to make compliance with the recommendation of the DRB and PC recommendations a required condition of approval. Certain criteria are provided for when the Hearing Examiner may not include the DRB and PC recommendations as conditions of approval.

Questions: Are the criteria for not requiring the DRB and PC recommendations appropriate?

⑦ **Three decision criteria are added.** (The Hearing Examiner must find that all decision criteria are met in order to approve the project.) Note: The City's approval criteria must be consistent with RCW 58.17.110 (see below). Staff has requested input from the City Attorney as to if and how RCW 58.17.110 would preclude adding decision criteria. A review of other jurisdiction's decision criteria indicates that they can be added, but deviation from the language of RCW 58.17.110 is uncommon.

Questions: Are there additional decision criteria that should be added?

IV. ADDITIONAL CONSIDERATIONS AND NEXT STEPS

Staff requests that the Planning Commission consider if and how the language proposed for subdivisions might apply to review of other "major projects;" specifically, major conditional use permits and major site plan design reviews. The City Council's request regarding substantial weight and documentation of findings, conclusions, and deviation from recommendations relates to all major projects. **In other words, does the proposed language for subdivision review make sense for all major projects?**

Next steps – at the November 29, 2018 PC meeting – will include:

- Review and consideration of revisions to decision criteria for major conditional use permits and major site plan design reviews (see BIMC 2.16.040 and 2.16.110); and
- Continued discussion of subdivision standards.

Approval or disapproval of subdivision and dedication—Factors to be considered—Conditions for approval—
Finding—Release from damages.

(1) The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.

(2) A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW [82.02.050](#) through [82.02.090](#) may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW [82.02.050](#) through [82.02.090](#) 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.

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.