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

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

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

Chair Chester welcomed Joe Paar as the newest Planning Commissioner.

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

REVIEW OF MINUTES – January 24, 2019

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

Quitslund/Pearl: Passed Unanimously

PUBLIC COMMENT – Accept public comment on off agenda items

None.

ISLAND CENTER SUBAREA PLANNING PROCESS – Briefing

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

SUBDIVISION UPDATE – Presentation

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

ORDINANCE 2019-03 SUBDIVISION UPDATE – Public Hearing and Discussion

The public hearing was opened at 7:09 PM.

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

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

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

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

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

The public hearing was continued to February 28, 2019.

Further discussion was held by the Planning Commissioners.

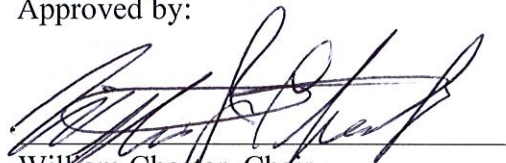
NEW/OLD BUSINESS

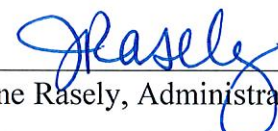
Planning Director Gary Christensen presented a draft Planning Commission Recorded Motion (see attached) and project schedule.

ADJOURN

The meeting was adjourned at 8:40 PM.

Approved by:


William Chester, Chair


Jane Rasely, Administrative Specialist



PLEASE PRINT

[illegible]



Ordinance 2019-03: Subdivision Update Topics for Discussion

February 13, 2019

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

Purpose statement

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

Natural area

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

Community space

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

General residential standards

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

Dimensional standards

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

Buffers

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

Other policy questions identified in draft ordinance (blue text)

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

Chapter 17.12 SUBDIVISION STANDARDS

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

17.12.010 Applicability.

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

17.12.020 Subdivision Design Guidelines.

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

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

17.12.030 Four-Step Design Process

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

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

17.12.040 Administrative Departures

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

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

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

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

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

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

17.12.050 Natural Area and Community Space.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A. Homesite Area.

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

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

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

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

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

17.12.070 General residential subdivision standards.

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

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

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

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

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

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

F. Compatibility with Adjacent Development

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

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

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

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

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

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

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

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

J. Parking and Garages.

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

K. Circulation and Access.

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

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

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

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

L. Fencing.

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

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

M. Landscaping

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

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

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

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

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

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

Commented [KM15]: Why this number?

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

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

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

Commented [KM16]: How does this affect homesites?

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

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

Commented [KM19]: Why?

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

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

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

R. Improvements.

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

Commented [KM20]: Why only large lots?

Commented [KM21]: Why only large lots?

17.12.080 Multifamily and nonresidential subdivisions.

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

17.12.090 Special requirements for critical areas and shoreline.

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

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

Table 17.12.070-1 Subdivision Dimensional Standards

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

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

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

[illegible]

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

A few comments on the DRAFT of BIMC 17.12:

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

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

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

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

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

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

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

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

PLANNING COMMISSION RECORDED MOTION

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

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

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

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

Findings of Fact and Reasons for Action

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

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

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

- a.
- b.
- c.

PLANNING COMMISSION RECORDED MOTION

Recommendation:

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

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

Recorded motion on **date of meeting:**

Planning Commission Record of Vote:

Commissioner	Support	Oppose	Absent	Abstain
Chester				
McCormick Osmond				
Pearl				
Quitslund				
Macchio				
Doman				
Paar				
Total				

CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION

Chair

Date: _____

Administrative Specialist, Planning and Community Development

Date: _____