

AGENDA

- 6:00 PM PUBLIC PARTICIPATION MEETING
Bainbridge Periodontics Site Plan Review ([PLN51425 SPR](#))
- 7:00 PM CALL TO ORDER
Call to Order, Agenda Review, Conflict Disclosure
- 7:05 PM REVIEW AND APPROVE MINUTES
May 23, 2019
June 13, 2019
June 20, 2019
- 7:10 PM PUBLIC COMMENT
Accept public comment on off agenda items.
- 7:15 PM SMP Periodic Review
Study Session
Senior Planner Christy Carr, AICP
- 8:15 PM HOUSEKEEPING CLEANUP ORDINANCE
Study Session
Senior Planner Jennifer Sutton, AICP
- 8:50 PM CITY COUNCIL UPDATE
Interim Planning Director Heather Wright
- 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

**For special accommodations, please contact Jane Rasely, Planning & Community
Development 206-780-3758 or at jrasely@bainbridgewa.gov**

PUBLIC PARTICIPATION MEETING – PBV Fairyland
CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
REVIEW OF MINUTES – May 9, 2019
PUBLIC COMMENT – Accept public comment on off agenda items
HOUSEKEEPING CLEAN-UP ORDINANCE – Study Session
SMP PERIODIC REVIEW – Study Session
NEW/OLD BUSINESS
ADJOURN

PUBLIC PARTICIPATION MEETING – PBV Fairyland

Chair William Chester opened the meeting at 6:00 PM. Interim Planning Manager David Greetham provided information about the project pre-application phase and introduced project architect Charlie Wenzlau.

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

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

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

REVIEW OF MINUTES – May 9, 2019

Motion: I move approval of the minutes for the special meeting on May 9, 2019 with the one correction of MFTE in place of MFT on the second page. Otherwise, the minutes as distributed recommended for approval.

Quitslund/Paar: Passed Unanimously

PUBLIC COMMENT – Accept public comment on off agenda items

None.

HOUSEKEEPING CLEAN-UP ORDINANCE – Study Session

Senior Planner Jennifer Sutton facilitated the discussion.

Motion: I'd like to move that the Planning Commission does not adopt the proposed changes to BIMC Chapter 16.16.

McCormick Osmond/Quitslund: Passed 3-0 with 1 abstention (Paar)

Motion: I will move to accept the proposed change to 2.14.030 as written.

McCormick Osmond/Paar: Passed Unanimously

Motion: We move to adopt the changes to 2.16.010 as proposed.

McCormick Osmond/Quitslund: Passed Unanimously

Motion: We move to accept the proposed revisions to 2.16.020.M as revised during the Planning Commission's discussion.

McCormick Osmond/Paar: Passed Unanimously

Motion: I move acceptance of that change, of that revision as presented.

Quitslund: (motion died)

Motion: I move to accept them with the changes striking "kept" from C.

Paar/Quitslund: Passed Unanimously

Motion: I'd like to move to adopt the proposed changes to 2.16.030 including the deletion of the flow chart.

McCormick Osmond/Quitslund: Passed Unanimously

Motion: I will move to adopt the proposed changes to 2.16.060 with the revision that the last two sentences in bold under purpose be moved to a new subparagraph 1 under applicability to define a minor variance.

McCormick Osmond/Paar: Passed Unanimously

Motion: I move acceptance of the proposed deletions under "Preapplication Conference" on page 20 of the housekeeping changes.

Quitslund/McCormick Osmond: Passed Unanimously

Motion: I'll make a motion that the proposed changes in language, "alteration" to "amendment" in 2.16.070, I would move that we would adopt those changes subject to confirmation that the language is using the correct terminology with respect to "alteration," "amendment" and "modification."

McCormick Osmond/Paar: Passed Unanimously

Motion: I'd like to make the same motion for 2.16.080 that we just made for 2.16.070 that the proposed changes to the terminology affecting "amendments," "modifications" and "alterations" be confirmed as being correct.

McCormick Osmond/Paar: Passed Unanimously

Motion: I'll move adoption of the language on page 33 related to public hearing with the suggestion that "shall" should be changed to "will." I would further move to reinstate the sentence that is stricken which says, "A motion for reconsideration may be filed to correct substantive errors." on page 34.

Quitslund/McCormick Osmond/Paar: Passed Unanimously

Motion: I'd like to move that again we seek clarification of that terminology as to which is correct.

McCormick Osmond/Paar: Passed Unanimously

Motion: I'd like to make the same motion for 2.16.160.

McCormick Osmond/Paar: Passed Unanimously

Motion: I'd like to move to adopt the proposed changes to 2.16.165.

McCormick Osmond/Quitslund: Passed Unanimously

Motion: I move to not adopt the proposed language on page 55 or section 2.16.180 and I further move not to adopt the proposed language on page 57 of that same section because it's being revised by Jennifer.

McCormick Osmond/Quitslund: Passed Unanimously

SMP PERIODIC REVIEW – Study Session

Senior Planner Christy Carr provided background and a Phase I overview of the process. Discussion of a sub-committee to review the material and provide feedback before the whole Planning Commission reviews proposed changes occurred.

NEW/OLD BUSINESS

The schedule for future Planning Commission meetings was presented and an update on the Winslow Hotel Project was provided.

ADJOURN

The meeting was adjourned at 9:03 PM.

Approved by:

William Chester, Chair

Jane Rasely, Administrative Specialist

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
PUBLIC COMMENT – Accept public comment on off agenda items
WINSLOW HOTEL SITE PLAN REVIEW ([PLN50880 SPR](#)) – Review and Recommendation
NEW/OLD BUSINESS
ADJOURN

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

Chair William Chester called the meeting to order at 7:00 PM. Planning Commissioners in attendance were J. Mack Pearl, Jon Quitslund and Joe Paar. Commissioners absent and excused were Kimberly McCormick Osmond, Lisa Macchio and Don Doman. City Staff present were Interim Planning Director Heather Wright, Planning Manager David Greetham, Development Engineer Peter Corelis, Planner Olivia Sontag and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

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

PUBLIC COMMENT – Accept public comment on off agenda items

None.

WINSLOW HOTEL SITE PLAN REVIEW ([PLN50880 SPR](#)) – Review and Recommendation

Planner Olivia Sontag provided an overview of the project and introduced Joe Dunstan, Chair of the Design Review Board (DRB) who provided an overview of the DRB's recommendation. James Cutler from Cutler Anderson Architects also made a presentation. Property owner Michael Burns spoke about the motivation for the hotel.

Public Comment

Eric Wood, Citizen – Lived next to the proposed site and was concerned about the lack of buffer in front of his house and that the community meetings held did not include all the residential neighbors.

Dave Bricklin, Citizen – Spoke against commercial development and the increased traffic flow.

Lloyd Lundin, Citizen – Lived next to the proposed site and was concerned about security to his property including adequate fencing during construction and after.

Adam Jenkins, Citizen – Spoke about the lack of a noise study.

Jack Sheridan, Citizen – Quoted Guiding Principle #1 from the Comprehensive Plan that related to preserving the special character of the Island which included Winslow Way's small-

town atmosphere. Presented written comments from a traffic consultant (see attached) who questioned the way the traffic study was performed.

Kjell Stoknes, Citizen – Asked for a condition to be placed that the public would be allowed to enter the courtyard from 10:00 AM – 8:00 PM, a 15’ setback on the west property line, not to include impervious surfaces, height to be limited to height of building on west side of property, modulation along long side of east wing and the parking situation. Also presented written comments (see attached).

Jane Davison, Citizen – Stated she represented the “old folks” and was concerned about traffic at the corner of Parfitt and Madison as well as Madison and Winslow Way.

Phyllis Carlyle, Citizen – Displayed a drawing of the proposed hotel against the current Marjorie Williams building. She quoted a statement from a Bainbridge Island architect “After viewing the plans for the Winslow Hotel that were included in the agenda for the June 13, 2019 Planning Commission meeting, I have serious concerns about this project.” (see attached).

Marie Luis Pauson, Citizen – Spoke in favor of the hotel’s design but was concerned it would not be in competition with the City’s master plan which tries to promote many kinds of housing and a pedestrian community with a small-town feeling.

Larry Koss, Citizen – Was concerned about the potential population growth that could come from building and advertising such commercial projects stating that it creates an imbalance in the community.

Connie Ponds, Citizen – Thought the project was big for the location and was concerned that the traffic study did not take into consideration increased weekend traffic flows and the number of parking.

Angela Sheridan, Citizen – Thought the plan was massive and just as large as the Clearwater Casino Resort and she didn’t know why you would want to have something with a night venue when everything around it closed at 5:00 or 6:00 PM and was mostly residential. She also stated the Comprehensive Plan did not promote such a massive building.

Cynthia Bellas, Citizen – Spoke in support of the neighbors who were speaking against the hotel. Spoke in favor of affordable housing and a smaller, high-end hotel.

Dick Breen, Citizen – Spoke against the project and provided a written version of his comments (see attached).

Dave Mackenzie, Citizen – Was worried about the increased traffic that continues to grow in downtown Winslow.

Chair Chester stated the Planning Commission needed more time to consider the project and scheduled a special meeting for Thursday, June 20, 2019.

NEW/OLD BUSINESS

None.

ADJOURN

The meeting was adjourned at 9:52 PM.

Approved by:

William Chester, Chair

Jane Rasely, Administrative Specialist

#1



CITY OF
BAINBRIDGE ISLAND

Planning Commission Meeting
Thursday, June 13, 2019
7:00 pm – 10:00 pm

PLEASE PRINT

Join
ListServ
Yes/No

Name	Address	Phone/ E-Mail	Join ListServ Yes/No
Dave Bricklin			
Adam Jenkins			
Jack Sheridan		Jac	
Phyllis Carlyle			
Carnie Pons			
Angela Cudone-Sheridan		angela.cudone@icloud.com	
Cyndi Bellas		KKELLEHER2101@gmail	
Kristine Kelleher			
G WILCOX		GW1@GMAIL.COM	
Barb Pettit			
Stephanie Edwards			
Lloyd Lundin		lloyd.lundin@yahoo.com	
Patricia Thompson	220 Paxfitt Way BI	—	No
Adam JENKINS		ADAMJC@GREENBUSH.COM	YES
Kjell Stokes		Kjell445@yahoo.com	✓
LARRY KOSS		Lawrence N Koss	✓ Yes

@gmail

✓ i mac
✓ orgmail

#2

CITY OF
BAINBRIDGE ISLAND

Planning Commission Meeting
Thursday, June 13, 2019
7:00 pm – 10:00 pm

PLEASE PRINT

Join
ListServ
Yes/No

Name	Address	Phone/ E-Mail	Join ListServ Yes/No
Jam Davis	234 Wood Ave N	206-855-9226	Yes
Gyne MacArthur	546 Wood Ave	206 949-8988	✓
Susan Morris	175 Wood Ave		
Mary Karen Brown	234 Wood Ave	marykarenbrown@gmail.com 5249	yes ✓
Dick Breen	156 Hall Brothers Ln	Fick-breen@gmail.com	✓
Kevin Fetterly	PO Box 4676 Rolling Bay	fetterly4bi@gmail.com	✓
David Mackenzie	450 Wood #2A	dgmackenz@aol.com	✓
Eric Wood	155 Firch Pl SW	already listed	✓
Tony Puma	601 Winslow Way W.	TPUMA2002@hotmail.com	✓
Colie Hough-Beck	120 Hall Brothers Loop	#301 choughbeck@gmail.com	yes ✓
Judy Carlson	144 Hall Brothers Loop	#102 jcarlson@seanet.com	✓
Lynn Breen	156 Hall Bros Loop.	lynnbreen@comcast.net	yes ✓
HAIG TOWNSEND	201 WOOD AVE.	HAIGTOWNSEND@GMAIL.COM	✓

JUNE 13, 2019

Winslow Hotel



PLANNER: OLIVIA SONTAG

DEVELOPMENT ENGINEER: PETER CORELIS

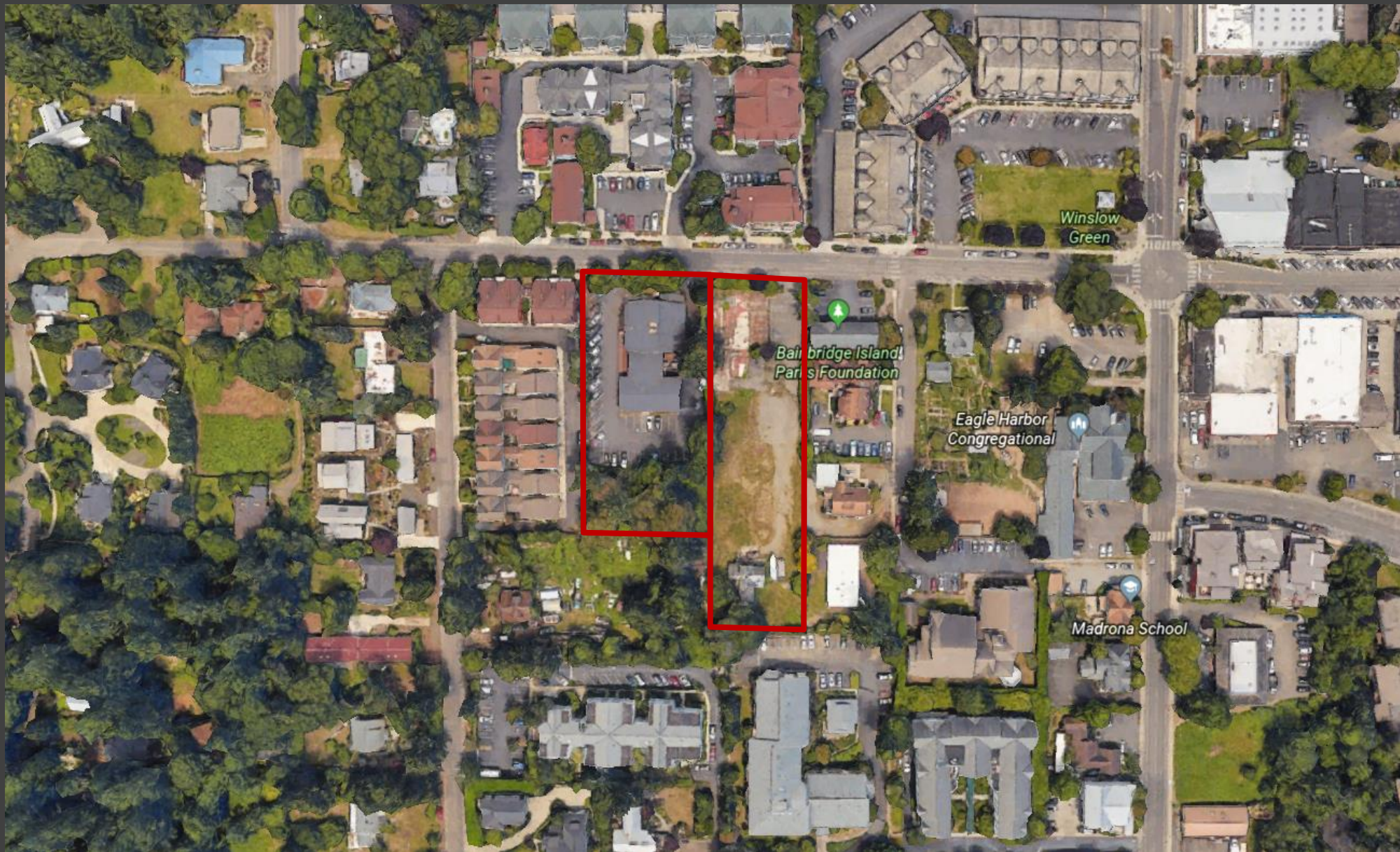
Proposal & Permits

Redevelopment of two properties with an 87-room hotel, banquet space and meeting rooms, restaurant and bar, and spa. All parking is located on site, both under the building and in surface parking lots, totaling 136 spaces. The landscaped courtyard includes preservation of a giant sequoia and other significant trees, a reflecting pond, and a bandshell. Frontage improvements include a six-foot wide sidewalk, bike lane, two on-street parking spaces, an electric vehicle charging station, planting strips, and street trees.

Permits:

- Major Site Plan and Design Review (SPR)
- Major Conditional Use Permit (CUP)







Existing Views Southwest



Existing Views Southeast





Winslow Way Looking East



Winslow Way Looking West



Zoning District:
MUTC – Central Core

Lot Area:
1.86 acres (80,855 SF)

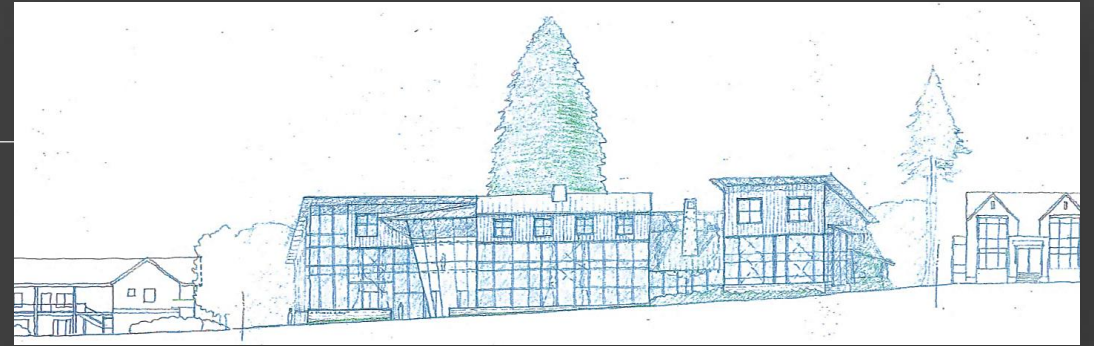
Existing Conditions:
Single-Family Residence
Old Foundation and Parking
Commercial Structure and Parking

Proposed Lot Coverage:
39% (31,535 SF)

[illegible]

Public Comment

- Building Design and Scale
- Preserve the Character of Winslow
- Residential Neighbors
- Not a Preferred Use
- Economic Impact
- Parking and Traffic Impacts
- Noise, Light, and Odor Impacts
- Utilities and Environmental Impact
- Support for Hotel and Design



Public Comment Summary

Public Participation Meeting	100+ participants
First Notice (75 rooms)	74 comments
Second Notice (87 rooms)	45 comments
Petition (Senior Citizen Community)	80 signatures
After Comment Period	38 comments

Building Height

Average Grade

- Highest Grade: 95' 6"
- Lowest Grade: 73' 10"
- Average Grade: 84' 8"

Base Height: 35 feet

- 6,711 SF of building footprint is limited to 35 feet

Bonus Height: 45 feet

- 12,240 SF has parking under building footprint
- Bonus height available for 24,480 SF of building footprint



Floor Area Ratio (FAR) Bonus

FAR Calculations

- Base FAR permitted: 0.6 FAR (48,513 SF)
- Max FAR (with bonus): 1.0 FAR (80,855 SF)
- Proposed FAR: 0.91 FAR (73,571 SF)
 - Hotel Use: 57,010 SF
 - Spa: 3,916 SF
 - Event/Meeting: 7,500 SF
 - Restaurant/Bar/Lobby: 2,775 SF
 - Kitchen: 2,370 SF
- Bonus Needed: 25,058 SF

FAR Bonus Options

- Purchase from the City (\$34/SF)
- Mobile Home Park (17,000 SF)
- Historic Structure Preservation
- Heritage Tree Preservation
- Public Amenities/Infrastructure (beyond required mitigation)

Floors	Uses
Under Building Parking (level 2)	41 parking spaces (East)
Under Building Parking (level 1)	41 parking spaces (East)
First Floor (street)	20 rooms (East), lobby, restaurant/bar, kitchen, banquet room, 14 parking spaces (West)
Mezzanine	10 rooms (West)
Second Floor	17 rooms (West), 22 (East), meeting rooms
Third Floor	10 rooms (West), 5 rooms (Winslow), 3 rooms (East), spa, attic/mechanical

Parking

Peak Design Day Demand

132 parking spaces for peak design day demand on a weekend evening in summer (3,600 SF of event space in use)

- Hotel: 58 spaces
- Event: 57 spaces
- Employees: 17 spaces

Consultant Recommendation

(with contingency plan for 55 additional spaces)

Peak Occupancy Demand

191 parking spaces for peak demand (7,359 SF of event space in use and full occupancy of hotel rooms)

Model Not Recommended

(parking for full occupancy means many spaces will sit empty for 300+ days/year)

Proposed Parking

- 136 parking spaces
 - 82 under building spaces
 - 38 surface spaces
 - 14 service entrance spaces
 - 2 on-street spaces

Proposed Conditions

- Contingency plan for 55 additional spaces
- Designate 17 spaces for employees (service entrance spaces)
- Signage for service entrance (employees and service vehicles only)
- Signage clearly marking the drop-off/shuttle entrance vs. the self-park entrance to avoid back-ups on Winslow Way

Frontage Improvements

Multimodal Transportation Advisory Committee (MTAC) Comments:

- Keep sidewalk level across driveways
- Consider additional street trees
- Is parking on the street required?
- Move sidewalk back to edge of ROW
- Sidewalk should be six feet wide minimum.
Where the building abuts the sidewalk, there should be an 18-inch wide minimum shy zone.

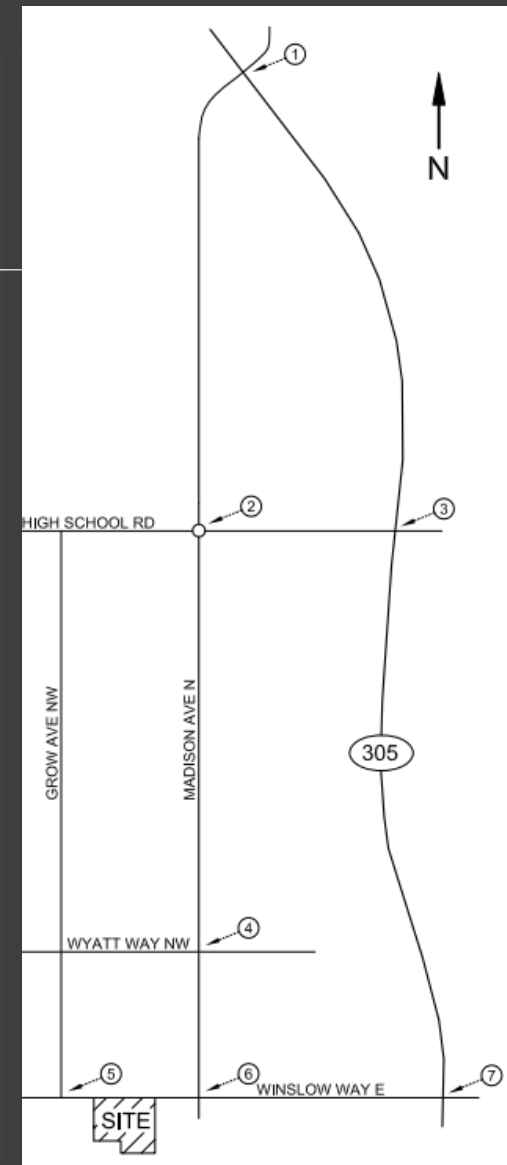


Proposed Improvements:

- 5 feet of right of way dedication along frontage
- 6-foot wide sidewalk with 18-inch shy zone kept level across driveways
- 6-foot wide bike lane
- 8 street trees with 3-foot wide planting strip between sidewalk and road (except where there are on-street parking spaces)
- 2 on-street parking spaces (one with an electric vehicle charging station)
- 1 van-accessible parking space in entry court

Traffic Impacts

- Intersections Studied: 7
- Pipeline Projects Considered:
 - CKCB Madison Avenue
 - Madison Grove
 - Wallace Cottages
 - Madison Place
 - Madrona Townhomes
 - Visconsi Master Plan
- Existing Uses Credits Used: None
- Average Weekday Daily Trips: 727
- Peak-Hour Trips: 52 (PM)
- Mitigation for Impacts: None required per BIMC 15.32
- Certificate of Concurrency issued on June 6, 2019



Trees & Vegetation

Required: 55.8 tree units

Proposed: 238.4 tree units

- 101.4 tree units retained
- 137 new tree units proposed
- 8 street trees and 3-foot wide planter strip
- 6 trees for surface parking lot
- 8 trees added for parallel parking on east
- 16,000 SF new native vegetation

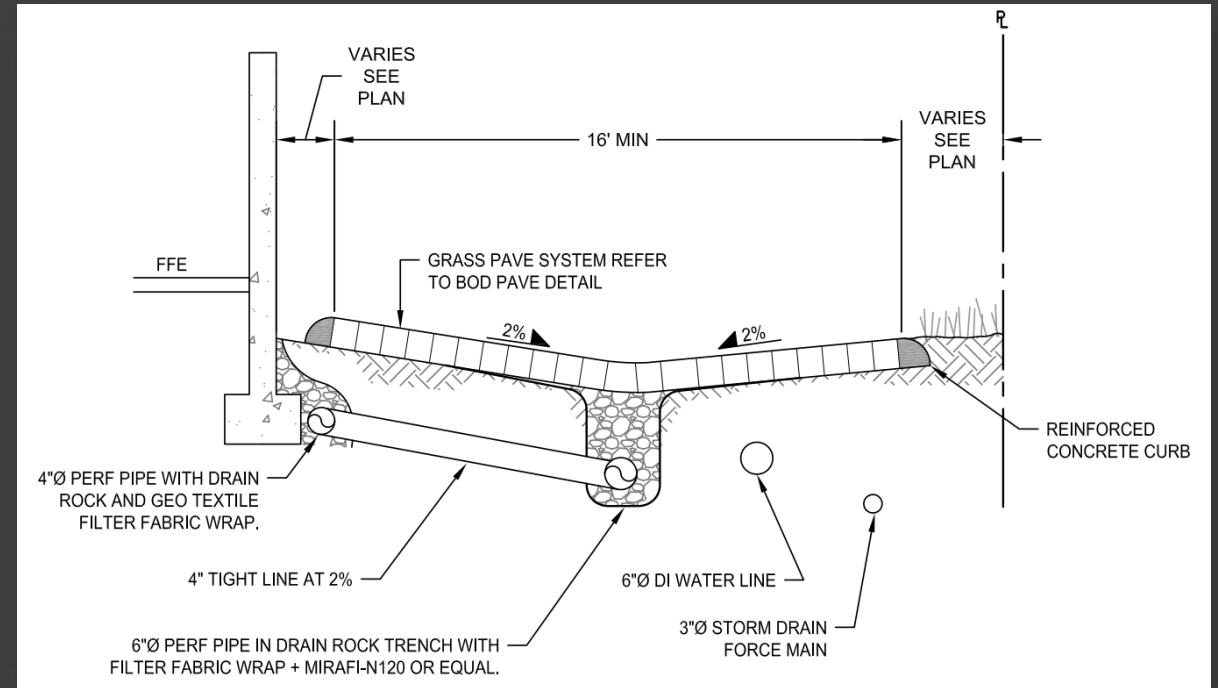
Landmark Trees:

- Giant Sequoia (62.5" DBH)
- Madrone (42" DBH)
- Madrone (35" DBH)
 - As conditioned, the west wing of the building shall be reconfigured to protect the landmark tree.



Low Impact Development

- Solar Panels
- Permeable Surface Parking and Drives
- Rainwater Recycling
 - 42,000 gallon cistern captures site and roof run-off, reusing 500-700 gallons per day
- Sustainable Building Materials
- 100+ Tree Units Retained
- 137 New Tree Units
- 16,000+ SF of New Native Planting



Design Review Board Recommendation

January 7, 2019

- DRB reviewed the design guideline checklists including Core Overlay District Guidelines, Guidelines for Commercial and Mixed Use Projects, and General Guidelines for all Overlay Districts. The DRB recommended approval of the guidelines with several conditions:
 - Perpendicular two-foot planters along the parallel parking on the east side.
 - A description of the material pallet.
 - Plans for the hydraulic design of the roof drainage/gutter system.
 - Any substantial changes to building materials and roof articulation.

May 6, 2019

- DRB was briefed on the revisions received on April 26, 2019 which added 12 rooms and 12 parking spaces. They deemed the revisions minor and did not require additional DRB review.

June 3, 2019

- The applicant proposed two alternatives to decrease the overall size of the building.
 - The first alternative would reduce the west wing of the building by 28 feet from the south, saving a landmark tree and several other significant trees, and add six feet to the south of the east wing.
 - The second alternative would pull the west wing eight feet further off of the west property line reducing the size of the courtyard and restaurant, creating more space for vegetative screening and parking along the west property line. The DRB recommended approval of both alternatives with no additional conditions.

SEPA Mitigation and Conditions

Proposed Conditions to Mitigate Impacts:

- Minimum 6-foot high wall be installed along the west property line
- Solid waste pick up shall occur between 10:00am and 12:00pm
- Hotel shall operate an accessible van to shuttle hotel patrons to and from the ferry terminal and other local destinations
- Limiting or prohibiting outdoor amplified music
- Limitations on the number of events per year, number of guests, and hours of operation
- Management of event parking
- Additional screening elements or buffers
- Crosswalk installed near the entrance of the proposed restaurant (approximately 300 feet from existing crosswalks to the east and west)
- Contingency plan for 55 additional spaces
- Designate 17 spaces for employees (service entrance spaces)
- Signage for service entrance (employees and service vehicles only)
- Signage clearly marking the drop-off/shuttle entrance vs. the self-park entrance to avoid back-ups on Winslow Way



Decision Criteria and Next Steps

Decision Criteria:

- BIMC 2.16.040 Site Plan and Design Review (SPR)
- BIMC 2.16.110 Major Conditional Use Permit (CUP)

The Planning Director will make a recommendation to the Hearing Examiner based on:

- (A) Application Materials
- (B) Staff Report
- (C) Recommendation of the Design Review Board
- (D) Recommendation of the Planning Commission
 - The design review board and planning commission's recommendation shall hold substantial weight in the consideration of the application by the director. Any deviation from that recommendation shall be documented in the director's report.

Hearing Examiner Decision:

- The hearing examiner shall consider the application materials and the director's recommendation at a public hearing.

Appeal:

- The decision of the hearing examiner shall be final unless, within 21 days after issuance of a decision, a person with standing appeals the decision in accordance with Chapter 36.70 RCW or its successor.



Walker Pacific Region

2101 Fourth Avenue Suite 1210
Seattle 98121
206.745.9555

601 California Street, Suite 820
San Francisco 94108
415.644.0630

606 South Olive Street, Suite 1100
Los Angeles 90014
213.488.4911

www.walkerparking.com

MEMORANDUM

WINSLOW HOTEL PARKING ANALYSIS UPDATE SUMMARY

DATE: JUNE 12, 2019

TO: BRUCE ANDERSON

COMPANY: CUTLER ANDERSON ARCHITECTS

ADDRESS: 135 PARFITT WAY SW

CITY/STATE: BAINBRIDGE ISLAND, WA

COPY TO: MANUEL SOTO, VLAD IVANOV, JEFF WECKSTEIN

FROM: STEFFEN TUROFF

PROJECT NAME: WINSLOW HOTEL PARKING ANALYSIS AND

RECOMMENDATION

PROJECT NUMBER: 39-1067.00

On March 24, 2018, Walker delivered a memorandum summarizing the results of the parking analysis we performed to quantify and recommend a reasonable number of parking spaces needed to serve the Winslow Hotel, planned for 251- 253 Winslow Way in downtown Winslow. Given the mix of land uses being programmed for the site, Walker utilized its proprietary shared parking model, adjusted for local factors and assumptions, to perform the analysis. Walker's shared parking model is a proprietary version of the Shared Parking Model for which Walker led the development for the Urban Land Institute (ULI) and International Council of Shopping Centers (ICSC). The model is used to recommend the number of spaces that should be provided for mixed-use sites, primarily in auto-dependent locations.

The following assumptions were used to develop the findings in the March 24, 2018 analysis and, with the exception of the room count, have been maintained for this update:

- Walker assumed the hotel project to be primarily a leisure hotel.
- The hotel was assumed to contain 70 rooms, which will be increased to 87 rooms.
- Walker gathered census data to determine the employee drive ratio for the project.
- Guest drive ratios were taken from Walker's experience with similar projects.
- The convenience of the Bainbridge Island Ferry as a key transportation link to most of the Seattle area as well as Hotel patrons arriving at Seattle Tacoma International Airport was taken into account, as was the Hotel's plans for encouraging and accommodating guests who arrive without a car.
- Walker consolidated the programming data that was provided by the client into five general land uses: hotel rooms, restaurant with bar, meeting/banquet space, spa/fitness center, and retail.

Cutler Anderson Architects has informed Walker that the number of hotel rooms (keys) assumed for the hotel has been increased from 70 to 87. Based on this increase in the number of rooms, Cutler Anderson Architects requested that Walker update its analysis accordingly, all other assumptions remaining the same.

Walker re-ran its shared parking model for the Winslow Hotel, increasing the number of hotel rooms assumed and found the following:

- The shared parking model now recommends a parking supply of 132 parking spaces, an increase of 12 spaces from the original recommended supply of 120 spaces, to accommodate peak design day demand. The design day peak demand for parking is again projected to occur on a weekend evening in summer.
 - Design day projections continue to assume that 3,600 square feet of the event space (main ballroom and pre-function) would be used by a large party.

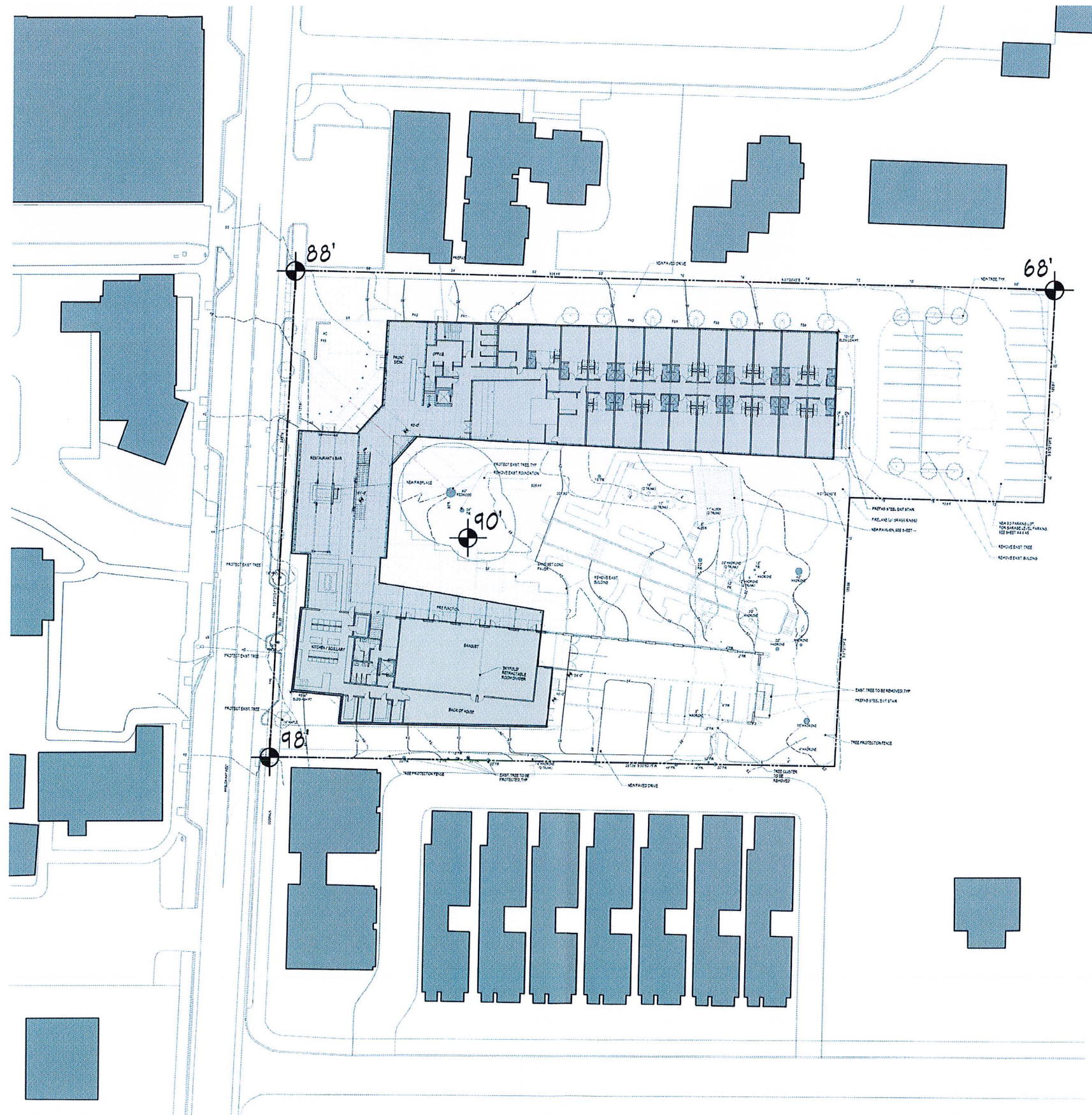


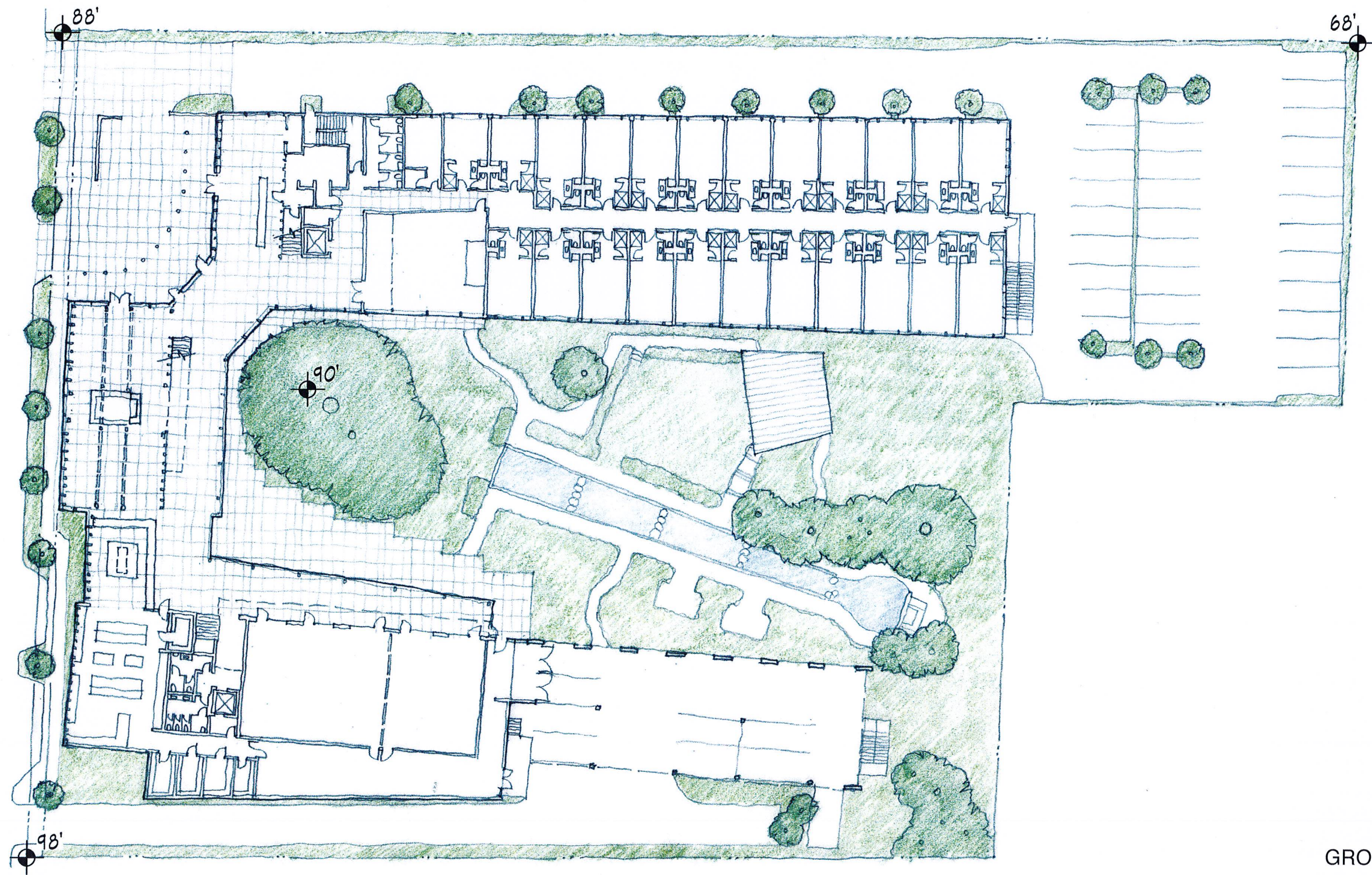
MEMORANDUM

WINSLOW HOTEL PARKING ANALYSIS UPDATE SUMMARY

- Hotel guests (58 spaces) and event guests (57 spaces) continue to make up the main components of needed parking supply at peak, with the remainder made up of hotel employees and external patrons of the hotel restaurant/lounge.
- The shared parking model now recommends a parking supply of 191 parking spaces, an increase from the previous 179 spaces, to accommodate peak parking demand if all 7,359 square feet of event space is in use concurrently, combined with full occupancy of the hotel rooms.
 - Walker recommends parking be planned for design day conditions, with a contingency plan for the max event scenario; building parking spaces that will sit empty for well over 300 days a year is not advised.
- Walker welcomes any input from Cutler Anderson Architects related to the projected mode choice of hotel patrons, and any additional information regarding the projected use of the event spaces, based on the assumptions contained in the original March 2018 document.
- As noted in the March 2018 document, Walker considered information provided by Cutler Anderson Architects regarding potential transportation demand management (TDM) measures that the Hotel operator would be willing to deploy that could reduce the recommended parking supply such as:
 - Shuttle service to the Bainbridge Island Ferry.
 - Subsidized transit for employees.
 - Availability of traditional and/or electric bikes to hotel guests.
 - Potential deployment of rideshare vehicles such as electric Zipcars at the site, consistent with the Hotel's environmentally conscious ethos.



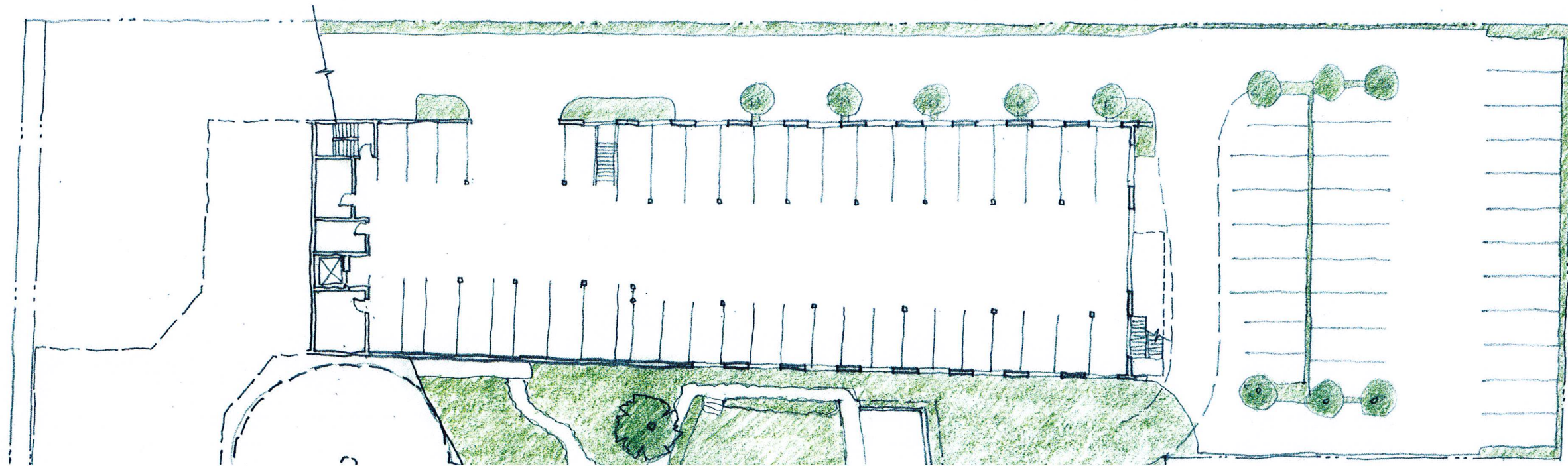




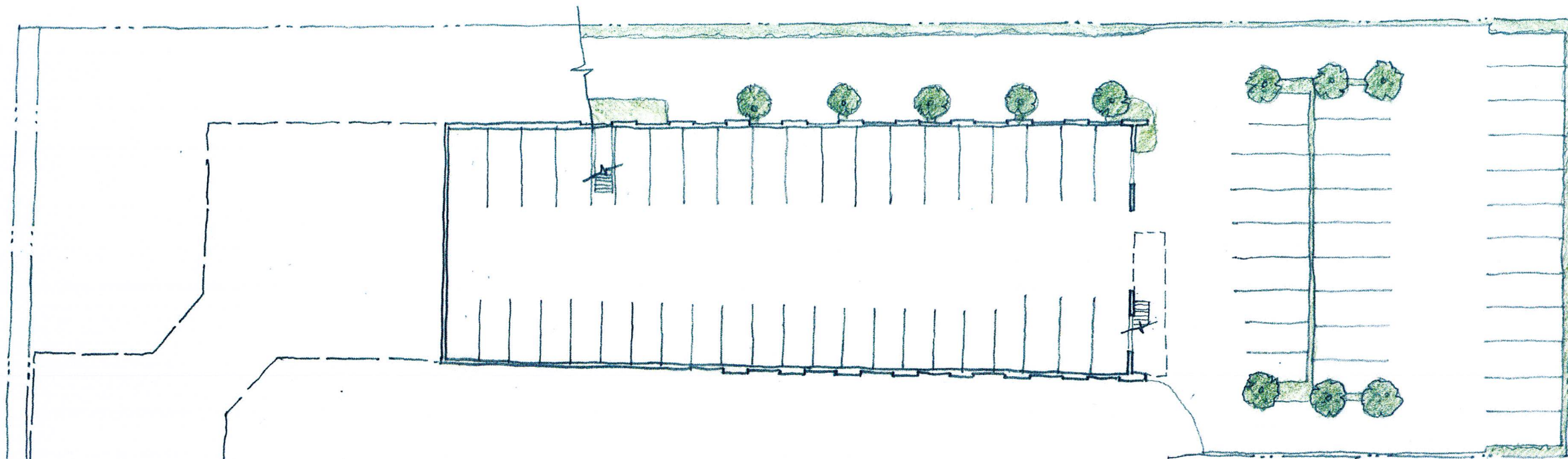
GROUND FLOOR



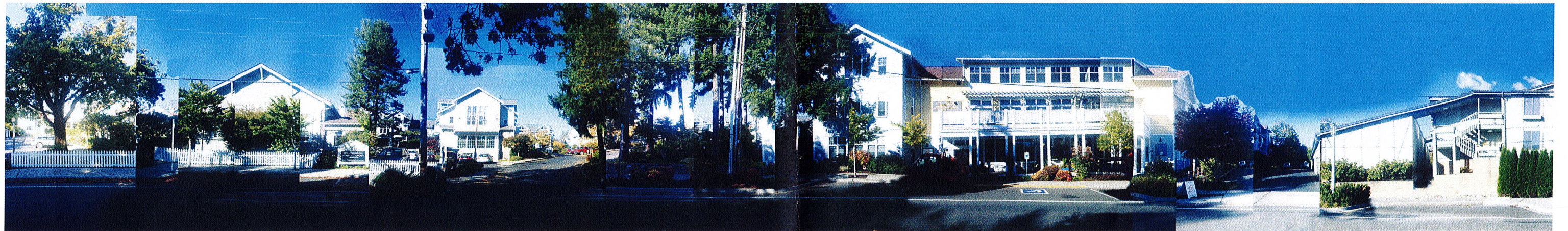
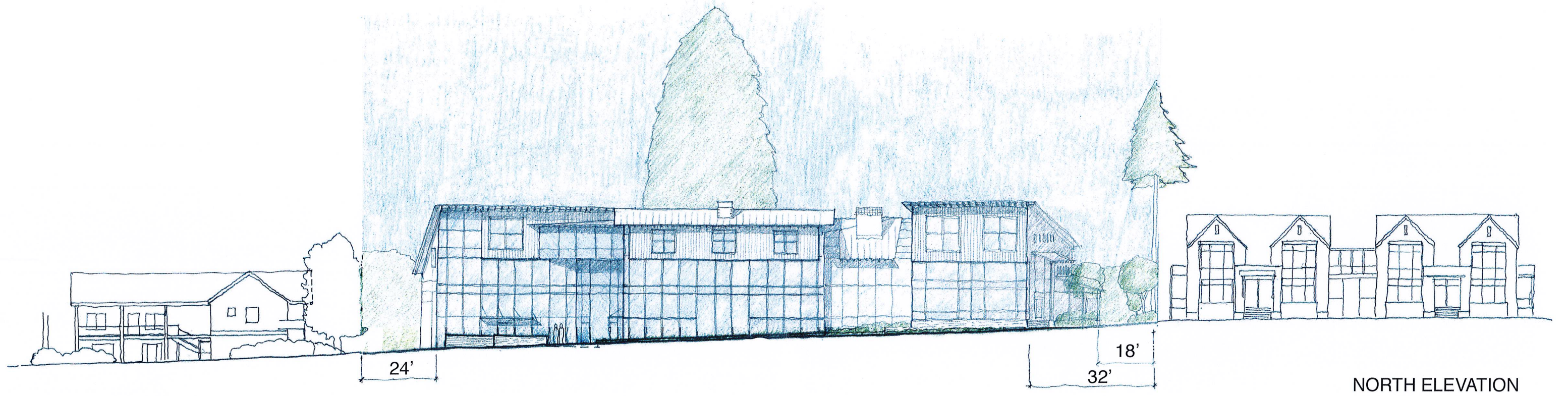
SECOND FLOOR

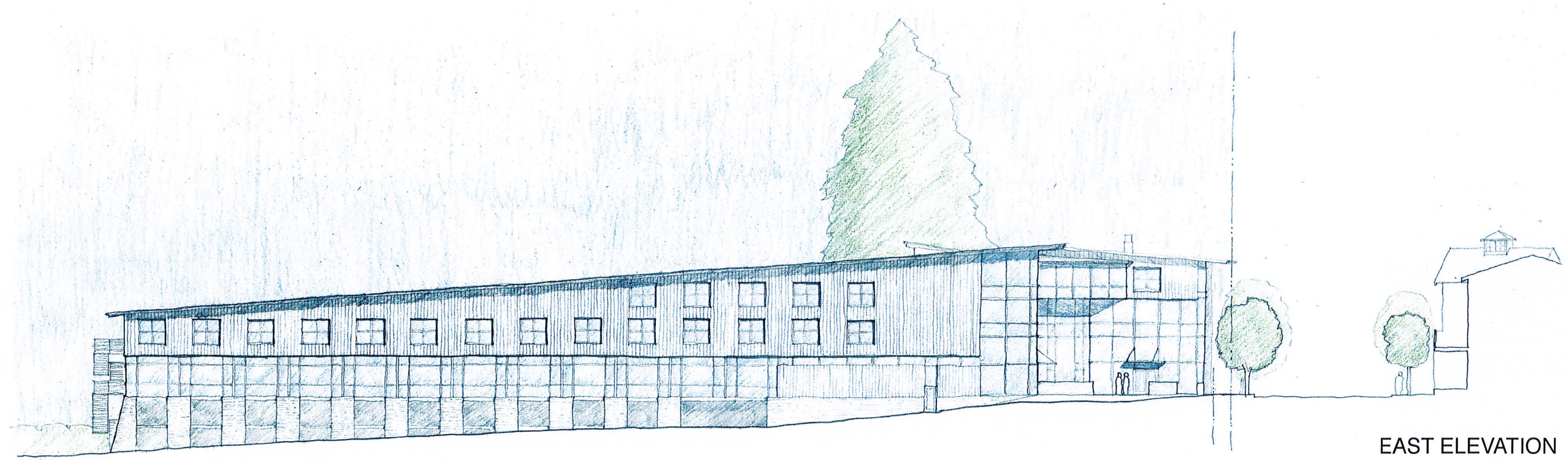


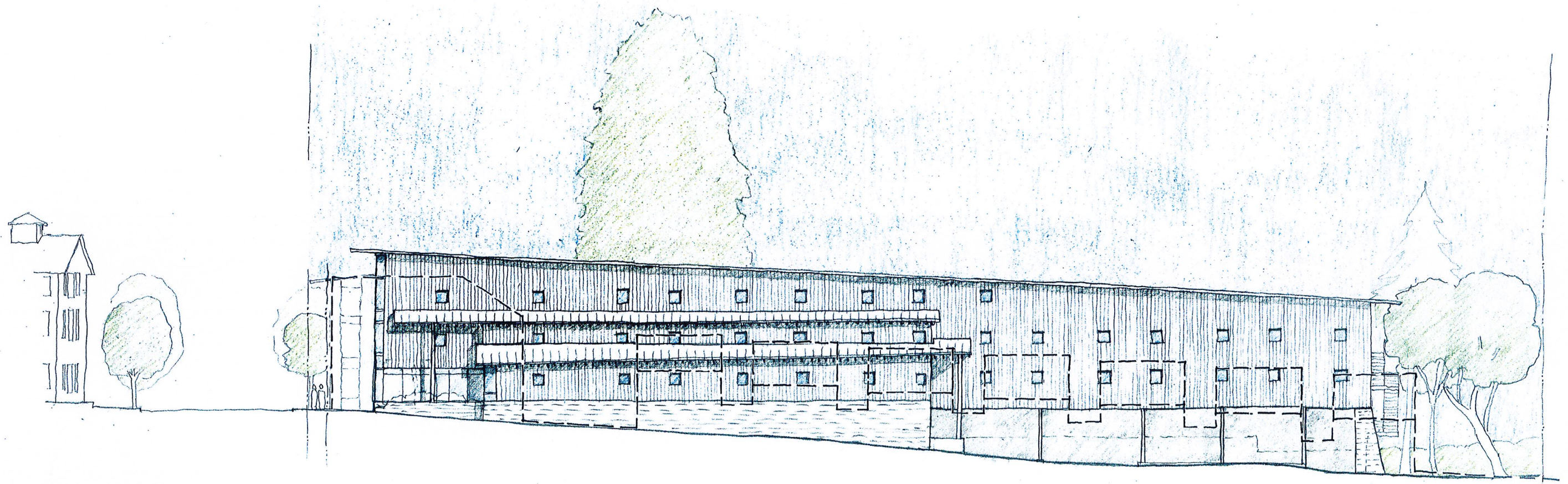
EAST SIDE
UPPER LEVEL PARKING



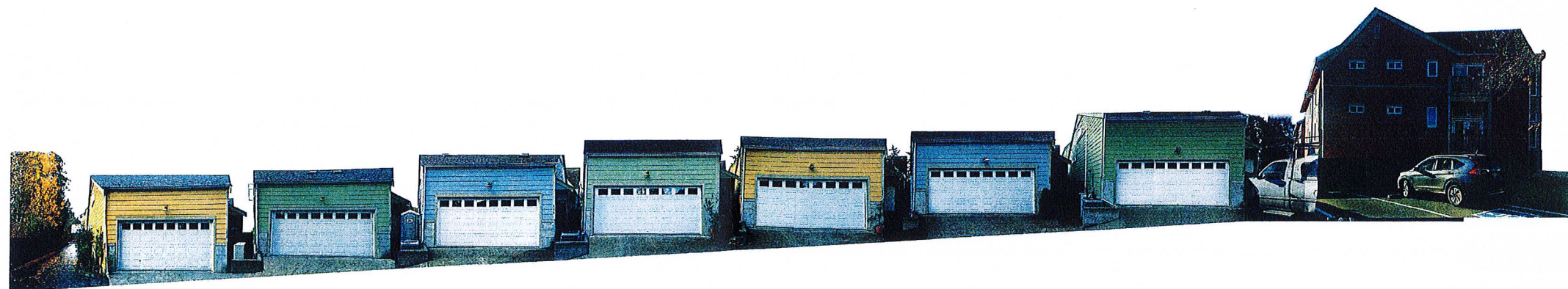
EAST SIDE
LOWER LEVEL PARKING

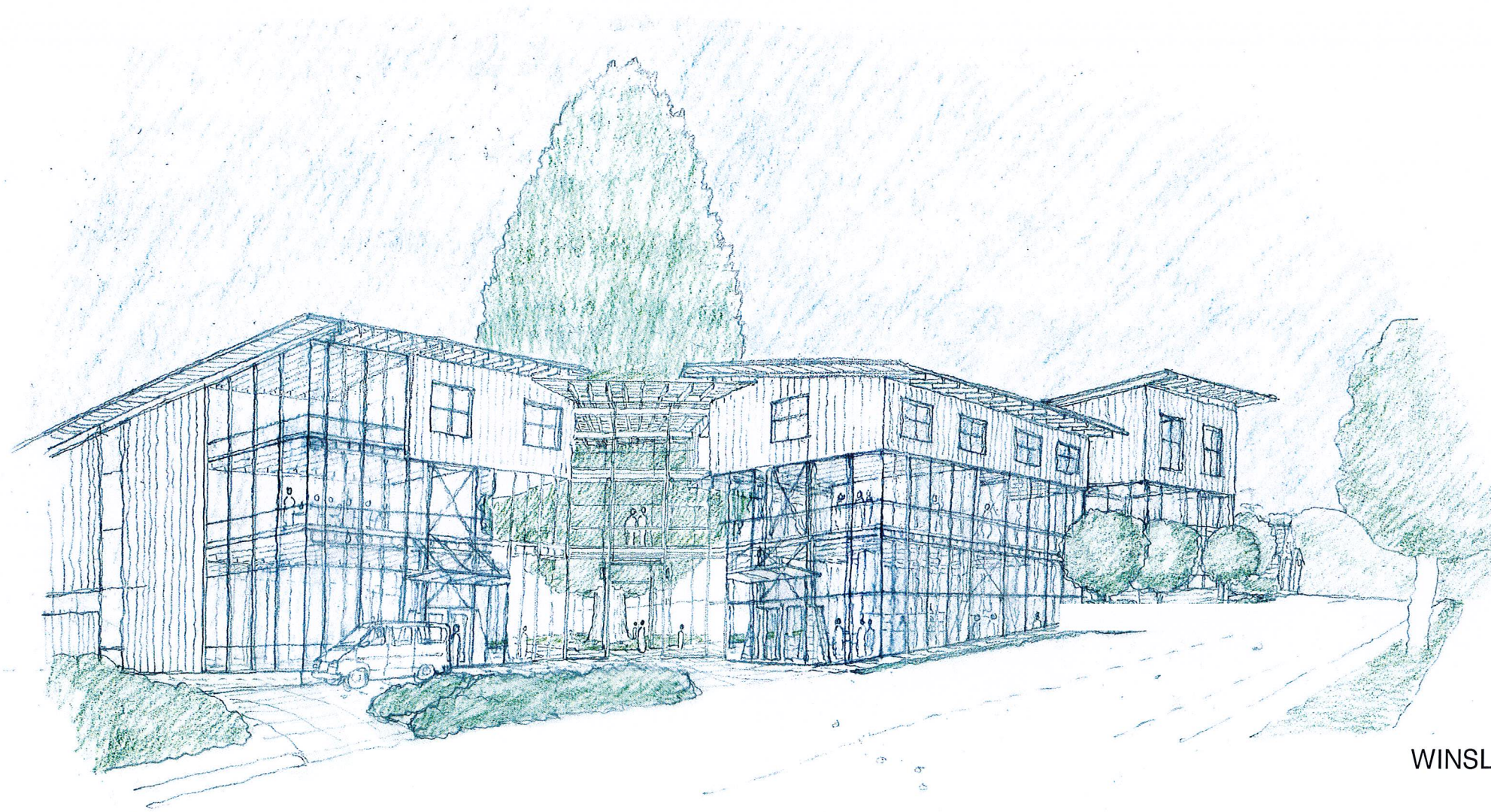




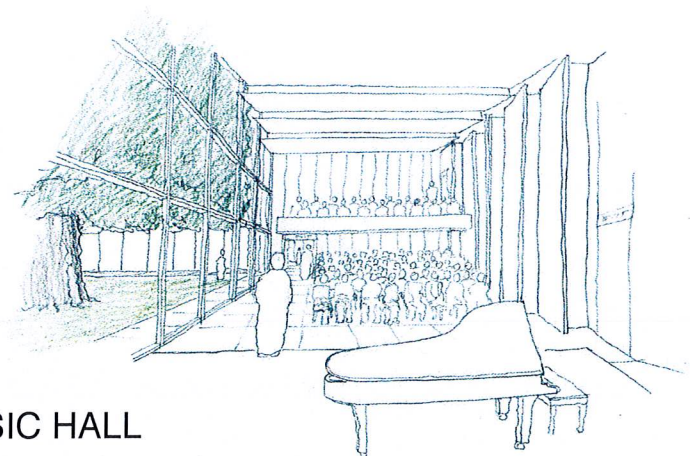


WEST ELEVATION

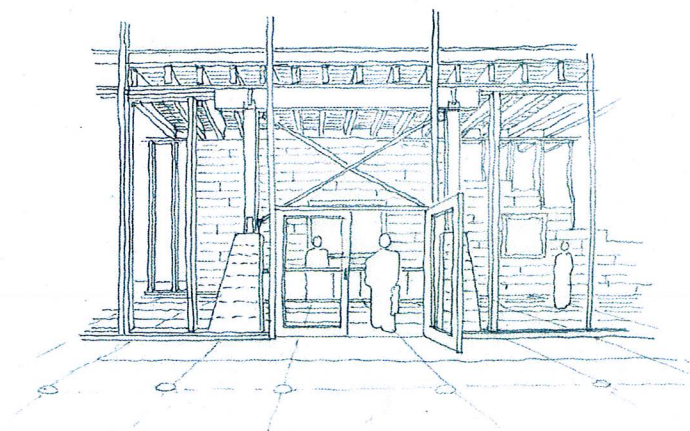




WINSLOW WAY PERSPECTIVE



MUSIC HALL



ENTRY / RECEPTION

PUBLIC PROCESS

2 newspaper articles
5 DRB Meetings
1 Public Notice Meeting
5 meetings with neighbors
2 public notice periods and signs posted

PEAK HOUR TRIPS

122 Bar, BBQ, and Childrens = 108 Peak Hour Trips.
Hotel, Restaurant, Spa = 75 Peak Hour Trips.

TRAFFIC

Future 'Level of Service' at surrounding intersections, and including new projects on Madison, remains unchanged.

PARKING

If located in the High School Rd Zone, COBI requires 87 spaces.
We are providing 136 spaces based on a detailed study.

BUILDING FLOOR AREA

Allowed 80,000 sf - Single Use,
120,000 sf - Mixed Use.

Hotel is 73,571sf = 92% of allowable Single Use.

SETBACKS

No required side or rear yard setbacks.

Hotel has: 17'3" West setback

24'-3" East setback

5' rear yard at West wing

84' rear yard at East wing

LOT COVERAGE

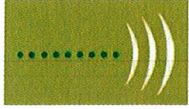
100% allowable lot coverage.

Hotel has 31,191 sf footprint
= 39% lot coverage.

WATER & SEWER

Water - City assumes by 2035, additional 2500 ERU's - Hotel is 58 ERU's
Sewer - Sufficient Capacity to 2035 - COBI raised development assumption for Hotel site.





Memorandum

DATE: June 12, 2019
TO: David Bricklin / Alex Sidles – Bricklin & Newman, LLP
FROM: Adam C. Jenkins, PE, INCE Bd. Cert.
RE: Winslow Hotel CUP – Acoustical Review

David and Alex:

At your request, I have reviewed the following documents related to the Conditional Use Permit (CUP) application PLN50880CUP submitted to the City of Bainbridge Island for the proposed Winslow Hotel site at 241 & 253 Winslow Way W comprising of parcel numbers 272502-4-098-2009 and 272505-4-097-2000.

- Winslow Hotel Options Memorandum, Cutler Anderson Architects, 5/22/2019
- Project Plans (“87 Rooms”), Cutler Anderson Architects, 4/26/2019
- SEPA Checklist, Cutler Anderson Architects, 4/25/2019
- Email re: site noise issues, Cutler Anderson Architects and Stantec, 11/28/2018
- City of Bainbridge Island Official Zoning Map, 2/28/2017

REGULATORY REQUIREMENTS

Noise emissions from the Project site are regulated by Bainbridge Island Municipal Code (BIMC) Chapter 16.16. Noise Regulations., which adopts the state noise ordinance by reference, codified in Washington Administrative Code (WAC) Chapter 173-60-020 (Definitions), 173-60-040 (Permissible Noise Levels), 173-60-050 (Exemptions, not including exemption for construction noise), and 173-60-090 (Enforcement Policy).

Applicable sound level limits (WAC 173-60-040) are established based on the Environmental Designation for Noise Abatement (EDNA) of the source and receiving properties. While WAC 173-60-030 assigns EDNA classifications based on land use, the BIMC does not adopt these definitions, but rather defines them as follows in BIMC 16.16.040:

- Class A EDNA: Residential zones;
- Class B EDNA: Commercial zones;
- Class C EDNA: Industrial zones.

The term “zones” is not defined in BIMC but is equated to “environment” in 173-60-020. Therefore, it is my interpretation of the BIMC that “zones” referred to in the BIMC are related to land use, not property zoning such that “Residential zones” describes a “Residential environment,” and is not limited to properties carrying an “R” zoning designation.

The source property (comprising of two combined parcels) is zoned “Core.” Adjacent properties to the North, East, and West share a similar zoning. Properties to the South are zoned “R-8” (Residential). “Core” zoning is defined as follows in BIMC 18.06.030 as follows:

“The central core overlay district is the most intense district within the Mixed Use Town Center. Within this overlay district, residential uses are encouraged, but exclusive office and/or retail uses are permitted.”

Based on this information, our review assigns a Class B EDNA to the Project property and adjacent properties with commercial use and Class A EDNA to any adjacent residential property, resulting in the following sound level limits:

- Daytime (7 a.m. to 10 p.m.)
 - 57 dBA typical;
 - Short term events allowed up to 72 dBA.
- Nighttime (10 p.m. to 7 a.m.)
 - 47 dBA typical;
 - Short-term events allowed up to 62 dBA.

It is important to note that WAC 173-60 does not define a noise metric for these limits (hourly average, maximum, median, etc.). For purposes of this review, it is assumed that the limits would be applies as hourly L_{eq} for the typical limits (57 and 47 dBA) and hourly L_{max} for the short-term event limit (72 and 62 dBA). However, further review by the Applicant may determine that statistical noise metrics are more appropriate to assess noise impacts from the Project.

Application Review

The SEPA checklist identifies the following noise sources associated with the project, and proposed mitigation to reduce noise impacts:

- Short-term
 - Construction noise.
 - Properly maintained equipment and adherence to the BIMC construction noise requirements.
- Long-term
 - Truck traffic associated with garbage collection, linen service, and food/beverage delivery.

- Garbage collection after 10:00 a.m.

In review of the Application materials, I found no other reference to noise analysis or impact assessment, other than an email chain between Cutler Anderson Architects and Stantec where a minimum 15-foot tall noise wall (with respect to receiving property grade level), and having an absorptive finish on the Project-side of the wall, would likely be needed to provide significant noise attenuation. I found no evidence in the submitted plans, including the May 22, 2019 update that show intentions to include such a noise wall for the project. In fact, the only mention of a property line fence is in the April 26, 2019 drawings that show an existing “six-foot wood board fence” on sheet A2 along the western property line. Project plans are not clear if this fence is to remain.

Based on the information presented above, it appears the Applicant has not sufficiently evaluated noise emissions or potential impacts from the Project as required in BIMC 2.16.110.F, as summarized below.

- *(c) The conditional use will not be materially detrimental to uses or property in the vicinity of the subject property; and*
 - a. See following section for specific activities of concern.
- *(f) All necessary measures have been taken to eliminate or reduce to the greatest extent possible the impacts that the proposed use may have on the immediate vicinity of the subject property; and*
 - a. The only measure that seems to have been taken is to limit garbage pickup to after 10:00 a.m.
- *(g) Noise levels shall be in compliance with BIMC 16.16.020 and 16.16.040.A.*
 - a. No such analysis has been conducted.

The requirement for the project to comply with BIMC 16.16.040.A, which is the Class A EDNA noise standard could be interpreted that the source property must also be considered Class A EDNA, resulting in sound level limits 2 dB less than listed above (55 dBA during the day and 45 dBA at night).

Concerns and Recommendations

Based on my understanding of the proposed project, there are several activities associated with the Project that have the potential for adverse noise impacts that would likely be “materially detrimental” to existing Class A EDNA properties, listed as follows:

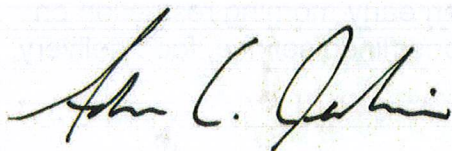
- On-site vehicle traffic
 - Early-morning and late-evening on-site truck traffic
 - The SEPA checklist only mentions an early-morning restriction on garbage pickup, no other vehicle types (linen service, food delivery, etc.) were discussed.
- Loading dock activity
- Outdoor events

- The April 26 drawings show a “new pavilion” near an outdoor courtyard. It is my understanding that amplified speech and music may occur in this area.

My recommendation to ensure BIMC 2.16.110.F is satisfied, is to require the following be address as a part of the CUP process:

- Require a Noise Study from the Applicant prepared by a National Council of Acoustical Consultants (NCAC) credentialed firm that address, at a minimum, the following items:
 - Measurement of existing ambient noise conditions during daytime and nighttime hours along the western and southern property lines for not less than 72 hours at two locations;
 - Prediction of noise emissions from the Project at all adjacent property boundaries and second story residential windows;
 - Assessment of noise impacts based on compliance with Code limits and potential increases to existing ambient noise conditions;
 - Mitigation measures to mitigate all anticipated noise impacts, could include:
 - More restrictive sound level limits;
 - Perimeter noise walls with aesthetic consideration of visual impacts to neighboring properties and the community (i.e. adding surface vegetation, etc.);
 - PA system sound level limits;
 - On-site shielding, enclosures, and acoustical treatments;
 - Relocation of loading dock and service drive away from noise-sensitive receptors.
 - Publish the Noise Study with Application materials and allow for public comment.
- Annual noise monitoring conducted by the Applicant to assess compliance with Project noise limits to maintain the CUP;
- Specific prohibitions for activities during early morning and late evening hours (i.e. loading dock, live music, etc.).

Regards;



Adam C. Jenkins, PE, INCE Bd. Cert.



MEMO

To: David Bricklin

cc: Robin Simons

From: Ross Tilghman

Date: 10 June 2019

Subject: Winslow Hotel – Transportation Comments

I have reviewed the Transportation Impact Analysis (TIA) for the proposed Winslow Hotel and offer the comments found below. I have also reviewed the project's separate parking analysis (dated March 24, 2018) as well as its SEPA Checklist, site plan (dated April 25, 2019), and the Bainbridge Island zoning code and Island Wide Transportation Study.

- 1) **The TIA does not evaluate Saturday transportation demands when the project would generate its highest volumes.** Instead, the TIA focuses solely on weekday conditions. This is in contrast to the parking study that evaluates summer Saturdays as the design-day scenario. The full impact of the project cannot be known without testing Saturday conditions.
Recommendation: The TIA should evaluate the impact of project traffic on weekend conditions.
- 2) **The TIA's weekday trip generation does not account for use of the event space.** The number of trips reported (727 daily vehicle trips and 52 PM peak hour trips) represent the hotel and restaurant demands but do not begin to include even modest levels of attendance at an event. The event space at 3,600 sq. ft. can easily accommodate 200 people. If a weekday evening concert, reception or banquet occurs, it will generate approximately 51 peak hour vehicle arrivals. That would double the number reported in the TIA, yielding over 100 p.m. peak hour trips. Note that the parking study identified an event demand for 52 vehicles to park. If they arrive in the peak hour, then the trip generation must be higher than reported in the TIA.
Recommendation: The TIA should evaluate the impact of all project trips.
- 3) **The TIA's findings are based on low-volume winter traffic counts, not on higher volume summer traffic.** Traffic counts used in the TIA were taken in December 2018, and do not reflect higher volume summer conditions. According to WSDOT Ferries data, summer (3rd quarter)

ferry volumes average 27% higher than 4th quarter volumes when the traffic counts were taken. Additional evidence of higher summer volumes comes from the Island Wide Transportation Plan that conducted counts in June 2014 that show volumes 51% higher in the P.M. peak hour at Winslow Way/SR-305, and 8% higher at Winslow Way/Madison Ave N than shown in the TIA for December 2018. Summer conditions including intersection levels of service would be worse than the December conditions reported in the TIA.

Recommendation: The TIA should evaluate the project's impacts on summer traffic conditions

- 4) **The surges from ferry traffic have not been adequately considered in the TIA for either existing conditions or for future conditions with the project and its event traffic.** The TIA never discusses traffic operations when ferries unload their vehicles. This is a crucial oversight for disclosing the impacts of event traffic on Winslow Way since the largest single share of the hotel's and event space's market is expected to arrive by ferry from Seattle. The TIA assumes that 40% of project traffic uses the ferry. That assumption seems low given the region's demographics and the project's appeal as a destination venue. In any case, the hourly ferry schedule means that the vast majority of event guests (up to 90% of ferry users) would arrive by the same sailing. That means that the bulk of event traffic would arrive at the site within the span of 5 to 10 minutes, rather than being spread across the hour. The following table shows the potential number of vehicles arriving by ferry.

Impact of Ferry on Project Traffic per TIA				
	PM Peak Hour			Vehicles arriving at
	Arrivals	% by Ferry	% Same Sailing	one time
Hotel & Restaurant	27	40%	90%	10
Event Space	51	40%	90%	18
Totals	78			28
Impact of Ferry on Project Traffic with Higher Ferry Share				
	PM Peak Hour			Vehicles arriving at
	Arrivals	% by Ferry	% Same Sailing	one time
Hotel & Restaurant	27	60%	90%	14
Event Space	51	75%	90%	34
Totals	78			49

Vehicles arriving at the site from the ferry will have to drive along Winslow Way and then turn left into the site. Guests will either turn in the drive to the garage or into the drop-off area at the front door. Guests checking in to the hotel and other guests using valet parking will use the small drop-off area. That area has room for only four or five vehicles at one time. The number of vehicles arriving within a very short period of time, as shown above, is very likely to exceed the capacity of the drop-off area and of a valet service to process arriving cars. The intensity of arrivals in such a short period would likely cause back-ups on Winslow Way between the project

and Madison Ave. which would in turn increase congestion along Winslow Way through downtown.

Recommendation: The project should evaluate its capability to accommodate vehicles arriving by ferry as well as the impact of those vehicles on local traffic conditions. This should include identifying valet processing capacity as well as traffic queuing on Winslow Way.

- 5) **The project's compliance with zoning requirements for parking remains unknown.** No document has yet defined the zoning requirement. Missing from the site plan is a schedule of unit counts and floor areas by use from which zoning requirements would be calculated. Nor did the parking study address zoning requirements.

The site plan dated April 25, 2019 shows 136 parking stalls. My preliminary calculation is that zoning may require between approximately 160 and 195 spaces. That range reflects the variation and uncertainty in floor areas for the restaurant and meeting/banquet rooms. Additional information on the staffing and number of occupants for the restaurant is needed to verify the zoning requirement. In any case, it appears that the project may not provide enough parking to meet zoning requirements. To the extent that off-site parking is used to fulfill the required supply, the zoning code mandates that it be located within 1,000 feet of the site, that it be purchased through in-lieu fees to the city, or owned outright (fee simple), or that its use be secured with an irrevocable easement or agreement. No information about zoning compliance for parking purposes has been provided in project submittals to date.

Recommendation: The project should identify the zoning requirement for parking and show how it fully complies with that requirement.

- 6) **The parking analysis has not been revised for the updated land use program and should include additional refinements about restaurant and banquet demand.** The analysis was for a 70-room hotel that has now grown to 87 rooms. Updating the room count results in demand for 11 more parking stalls at 9:00 p.m. Based on well documented information in ULI's Shared Parking (2nd ed.), the analysis uses data for a Leisure Hotel that includes a restaurant/lounge and conference/banquet space. However, the nature of this project I think differs from the examples studied in Shared Parking that tend to be larger corporate sites with its signature design and destination attraction. For example:

- i) Shared Parking's data for a hotel's restaurant shows that it peaks with just 70% occupancy on a weekend evening. That is not a reasonable assumption for a signature restaurant in a distinctive building oriented to the street. It is more reasonable and likely that such a restaurant will operate at or close to 100% capacity for three to four hours. Shared Parking's category for a Fine/Casual Dining restaurant better reflects the likely characteristics of this project's restaurant, showing occupancies from 90% to 100% between 6 p.m. and 11 p.m. The base demand rate is also higher at 17.0 spaces per 1,000 sq. ft. versus 10.0 per 1,000 sq. ft. as used in the parking study.
- ii) Restaurant employees must be considered in the parking analysis. While the proposed floor area of the restaurant remains unclear in the latest site plan, the parking study

assumed 4,730 sq. ft. That size would be expected to have approximately 16 employees. Based on the study's assumed employee drive ratio of 63%, restaurant employee parking demand would be 10 spaces.

- iii) Similarly, the meeting/banquet space would have its own employees for major functions. If staffed at a level comparable to the restaurant for its size, about 11 employees would be present at peak resulting in demand for 7 parking spaces.

An updated parking demand calculation would look like this:

Design Day -- Acknowledging Restaurant as local draw & Adding Staff for Restaurant and Events							
Use	Size	Base Rate	Monthly Factor	Hourly Factor	Driving Ratio	Non-Captive Ratio	July 9:00 pm Total Parking Demand (Spaces)
Hotel	87 rooms	1.00	100%	95%	70%	100%	58
Hotel Employee	87 rooms	0.18	100%	55%	63%	100%	5
Restaurant/Lounge	4,730 sq. ft.	17.00	98%	90%	70%	50%	25
Hotel Sundry Shop	100 sq. ft.	3.20	64%	50%	100%	25%	1
Hotel Sundry Employee	100 sq. ft.	0.80	80%	65%	63%	100%	1
Spa	1,670 sq. ft.	3.00	65%	0%	100%	50%	-
Spa Employee	1,670 sq. ft.	3.00	75%	0%	63%	100%	-
Meeting/Banquet Space	3,600 sq. ft.	30.00	100%	100%	75%	70%	57
Sub-total demand:							147
Restaurant Employee	4,730 sq. ft.	3.00	100%	100%	63%	100%	9
Banquet Employee	3,600 sq. ft.	3.00	100%	100%	63%	100%	7
Total Parking Demand:							163

If these floor areas remain approximately correct, the project's design-day demand would be 163 spaces, more than the 136 spaces provided on the site. Spillover demand of approximately 18 spaces would occur. Peak events would generate demand for approximately 228 spaces, with a spillover of 92 spaces.

Recommendation: Update the parking analysis to reflect the latest land use program, to recognize the signature restaurant, and to include employee demands for both the restaurant and meeting/banquet space.

- 7) **It is unclear how and where the project can secure off-site parking to meet zoning requirements and accommodate overflow demand.** On-street parking is heavily utilized on both weekdays and Saturdays and offers few available spaces in the site's immediate vicinity, as recently documented in the Bainbridge Island Downtown Parking Study. Off-street parking is fragmented and distributed among many different, mostly private lots. Nor is the project's overflow demand restricted to late evenings, since the project would reach overflow conditions early in the afternoon if an event is scheduled over the lunch hour and into the afternoon, just when downtown parking peaks on both weekdays and Saturdays.

Recommendation: The project should demonstrate how it will reliably accommodate overflow parking demands on both weekdays and weekends.

June 13, 2019

To: Bainbridge Island Planning Commission and Hearing Examiner
From: Kjell and Marilyn Stoknes
Subject: Winslow Hotel: 50880 CUP SPR

Here are some thoughts that we have and conditions that we would request be included on any approval of the Winslow Hotel Conditional Use Permit application:

A. Community Benefit: We see no public benefit in this proposal. The property should provide some benefit to the community. The Winslow Green development at the corner of Winslow Way and Madison Avenue includes a significant green area used by the public. The Bainbridge Landing apartment/condominium project north of the ferry terminal contained five acres of which they are dedicating one acre to the Bainbridge Island Metropolitan Park District. These projects set some precedence for projects providing some benefit to the community, especially in this case where a conditional use permit is required.

(A) 1. Requested condition: Require a minimum of a ten-foot wide open pedestrian access at the building entrance from the public sidewalk through the building to the open courtyard area. This entrance and courtyard area is to be open to the public from 10:00 AM to 8:00 PM every day, unless there are special events being held in the courtyard area. A sign must be placed in a very visible area from the public sidewalk notifying the public of their right of entry and use.

B. Setbacks: The building setbacks from the east and west boundaries appear to be very similar. The setbacks from driveways (impervious surfaces) are minimal and appear to be similar on the east and west boundary line. There appears to be no better level of transition adjacent to the residential uses along the west property line than on the east property line where there are commercial uses.

(B) 1. Requested condition: Require a landscaped setback area along the westerly property line from the Winslow Way right of way line to the southern property line. This area is not to have any impervious surfaces and shall require the developer to provide a landscape plan for approval in conjunction with the approval of the conditional use permit.

C. Building Mass: The comprehensive plan encourages more transition between commercial uses next to residential uses than commercial uses next to other commercial uses. The proposed east and west buildings have cross sections that appear to have similar mass, indicating no consideration of transition to residential uses.

(C) 1. Requested Condition: Require the west elevation to have a maximum height limit from current undisturbed grade that is not higher than the Corner House project located on Winslow Way adjacent to the west of the proposed hotel.

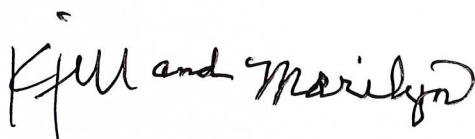
D. Modulation: The exterior walls of the east and west elevations of the buildings appear to be in a straight line with no modulations. Modulations are a common requirement for larger new construction in many communities. It helps break up the appearance of bulk and creates a more interesting and pleasant appearance.

(D) 1. Requested condition: Require a minimum of four feet of modulation every 40 – 50 feet of horizontal distance in the part of the building wings where the hotel rooms are located.

E. Parking: The applicant has provided a parking study that estimates the number of on site parking spaces that will be necessary. Despite the fact that this study was prepared by a professional, the ultimate conclusion in these types of reports is an art, not a science. We believe that it is important to have a check from other sources to verify the adequacy of the proposed on site parking. We believe that the city hiring a traffic engineer to do another parking study could create irreconcilable differences since those preparing the reports will likely have similar qualifications. We believe that with a conditional use permit process it is important to have a basis for whatever decision is made. Checking parking requirements in other comparable cities could provide guidance regarding how other professionals have handled hotel parking requirements in their zoning codes and may influence the final decision for on site parking.

(E) 1. Requested action: It is requested that the Planning Commission or Hearing Examiner ask city staff to investigate the parking requirements for hotel/restaurant/banquet facilities in the five most comparable cities in the region and calculate how many parking spaces each of these other cities would require for this property.

Respectfully submitted:

A handwritten signature in black ink that reads "Kjell and Marilyn". The signature is written in a cursive, flowing style.

Kjell and Marilyn Stoknes
168 Wood Avenue SW
Bainbridge Island, WA

Disclosure: We own one of the townhomes adjacent and directly west of the proposed hotel.

Memo from architect re: Winslow Hotel

The purpose of the Design Review Guidelines is to ensure that development on Bainbridge supports the vision described in the Comprehensive Plan, including a pedestrian-friendly downtown that preserves the special character and small town nature of the island and serves the needs of the community.

After reviewing the plans for the Winslow Hotel that were included in the agenda for the June 13, 2019 Planning Commission meeting, I have serious concerns about this project. The project jeopardizes the protected sequoia tree on the property. It also appears not to meet several of the city's Design Review Guidelines.

The landmark sequoia tree

The roots on a sequoia of this size range in diameter from 50' to 100'. They are shallow, only 12 to 14 feet at maturity. (From <https://www.giant-sequoia.com/faqs/giant-sequoia-questions/>: Sequoias have a matting, shallow, and wide spreading root system. There is no taproot. A mature sequoia's roots can occupy over 1 acre of earth and contain over 90,000 cubic feet of soil.)

Construction within 50' to 100' of the tree is likely kill the tree.

* It is a common understanding that construction needs to be outside root line for a tree to survive.

Inconsistencies with Design Review Guidelines

Commercial and Mixed-Use Design Guidelines for All Zoning Districts (BIMC 18.18.030)

- Design guideline #7: To reduce overall scale of the building: **Facades over 128' in length shall be separated by pedestrian passage or open space.** Passages should be at least 12' wide and two stories in height if covered. Façade setback should be expressed at the roof line by changes in plane. Passage should connect to public open space.
 - The east façade of the hotel is over 128' in length. It should be broken up with a pedestrian passageway.
- Design guideline #10: To encourage compatibility of development with both community and neighborhood characteristics: **Building designs should respond to nearby buildings** that meet the upgraded design standards by using shared elements elements, materials or **massing**.
 - There is no building in the vicinity whose mass is comparable to this one's. The other large buildings, including those that are 3 or 4 stories tall, have upper story setbacks, sidewalk setbacks, porches, and courtyards that reduce the effect of their mass on the street.

- The hotel lacks features that would reduce its mass, such as sidewalk setbacks, second story setbacks, or open courtyards.
- Design Guideline #15: To maintain smaller scale commercial buildings. Buildings in excess of a 10,000 square foot footprint should be visually split into two or more distinct elements.
 - Although the hotel as a whole is split into multiple distinct elements, **the two wings may each be large enough to trigger the 10,000-foot splitting rule.**
 - Elements of the hotel that exceed 10,000 square feet should be split up.

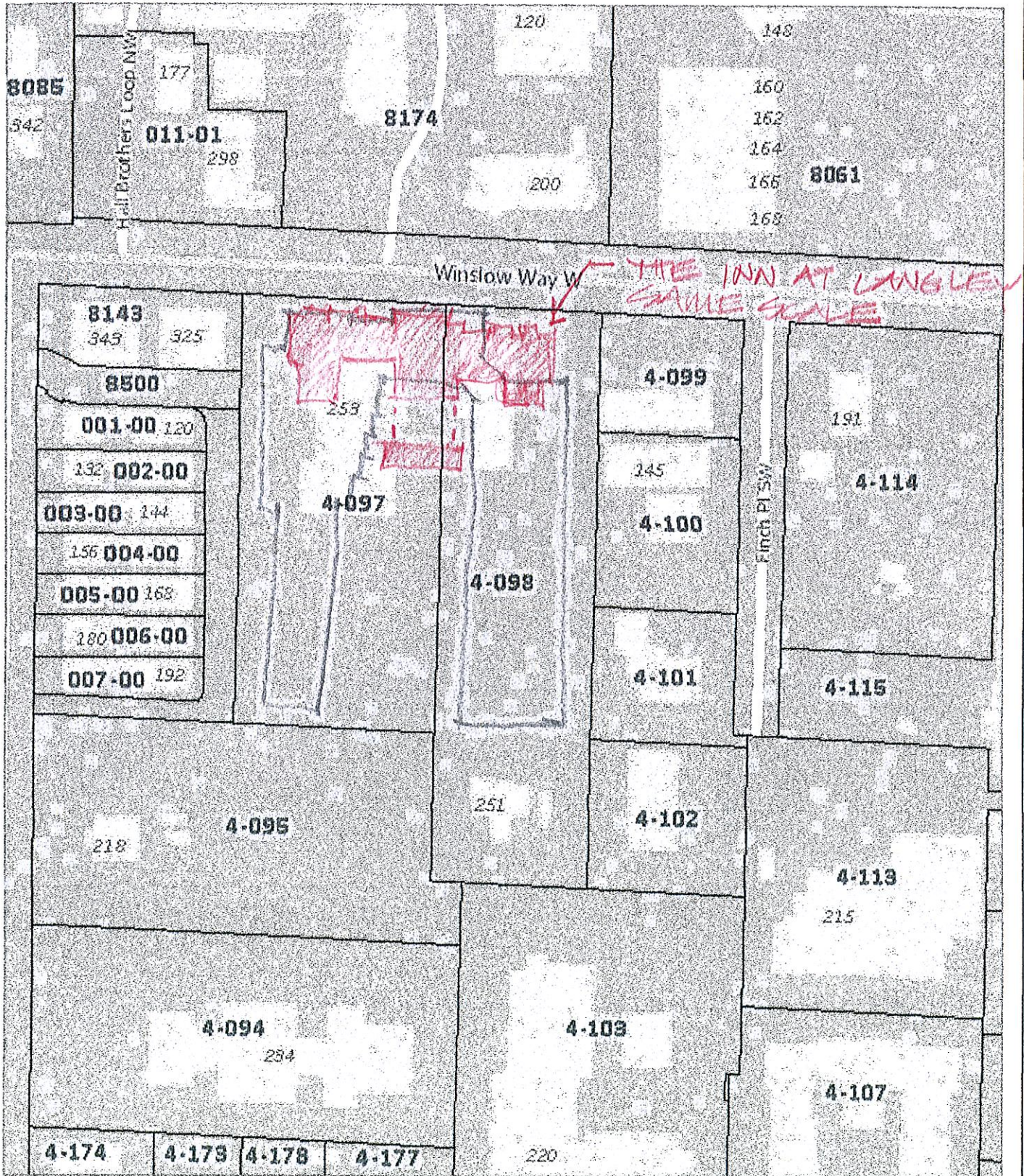
Mixed Use Town Center / Core District Design Guidelines (BIMC 18.18.030)

- Design Guideline #1: Streetscape. To create a streetscape that is safe, comfortable and appealing to people on foot. New development shall promote a green urban environment with visually interesting spaces and connections for people to walk, sit and window shop. **Pedestrian pathways shall be established in order to connect internal and external development. New development and redevelopment shall include passageways that cut through sites and connect to other sites and/or buildings.**
 - The hotel provides no pedestrian pathways connecting internal and external development, and no passageways that cut through the site and connect to other buildings are sites.
 - Opening the courtyard to the street would satisfy this guideline.
- Design Guideline #6: Building Design/Overmassing and Variation: 1. Articulation. **Buildings shall incorporate articulation on all sides.** The street-facing sides shall receive the greatest amount of attention with respect to richness of forms, details, materials, and craft. 2. Variety in form. **Variety in building forms shall be provided other than regularized repetition.**
 - Currently the east and west façades feature regularized repetition with multi-floor grids of identical windows.
 - Breaking the east façade with a pedestrian passageway as described above, would help mitigate this repetition.
- Design Guideline #7: Building Design / Upper Level Setbacks. To produce a townscape that is highly variegated and diverse, with a wide variety of building forms and massing, with a high degree of activity and interest at the street level that can engage people on foot. 1. **Along Winslow Way building facades shall be stepped back above the second story.**
 - The hotel has no upper story setbacks.
 - Setbacks should be added to help relieve the mass of the building at the sidewalk level.

Mixed Use Town Center and High School Road Districts / General Design Guidelines (BIMC 18.18.030)

- Design Guideline #2: Outdoor Spaces and Amenities: To establish over time a variety of open spaces within the town center: **New development should provide facilities near or visible from the sidewalk for outdoor public use.**
 - The hotel's courtyard is for the use of hotel, restaurant and bar patrons. It is not accessible to, or usable by, the public. **It does not meet the requirement for outdoor public use.**
 - Opening the courtyard to Winslow Way would meet this guideline.

Attached: drawing of east façade of hotel with overlay of Marge Williams Center



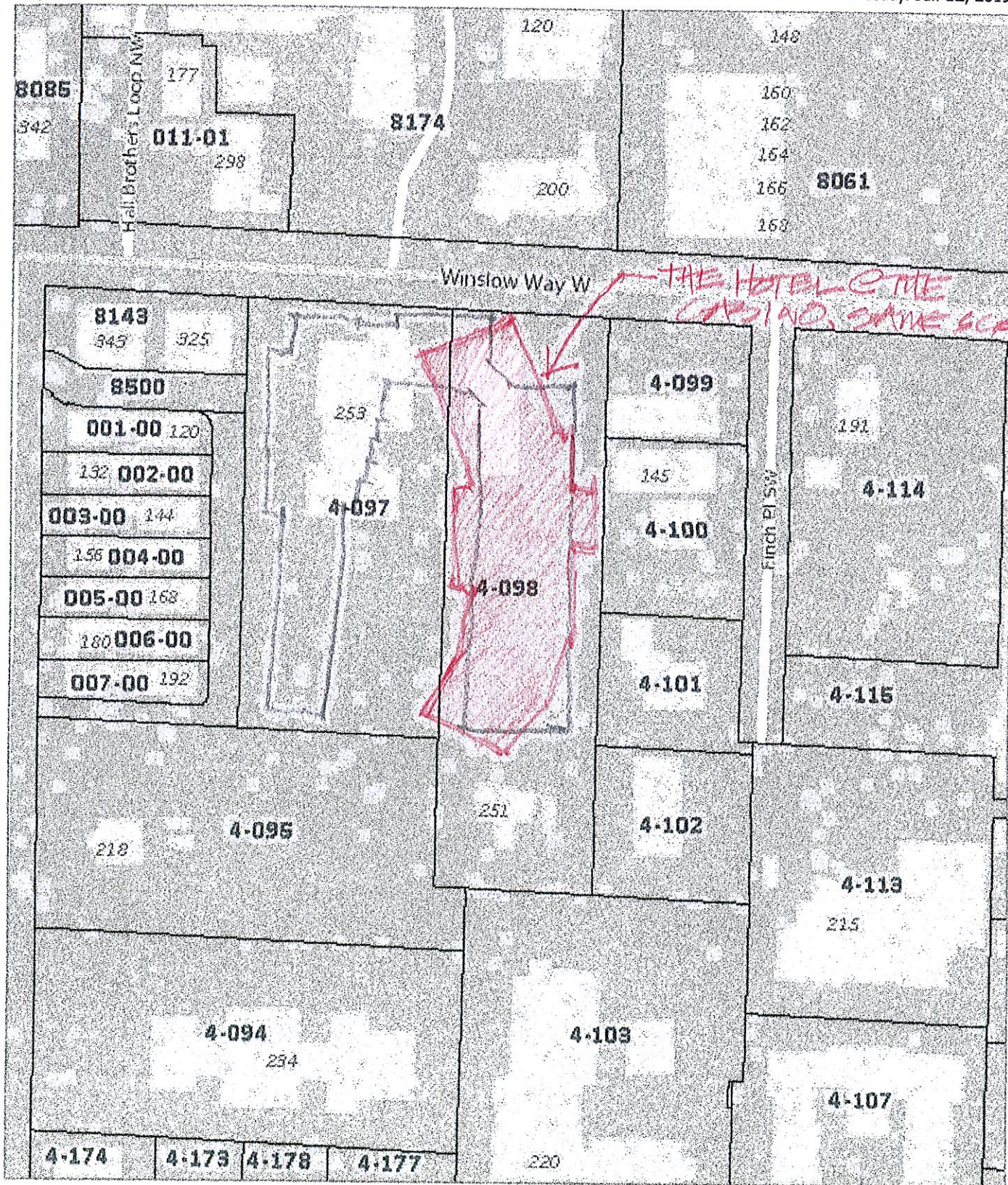
** This map is not a substitute for field survey **

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Comments





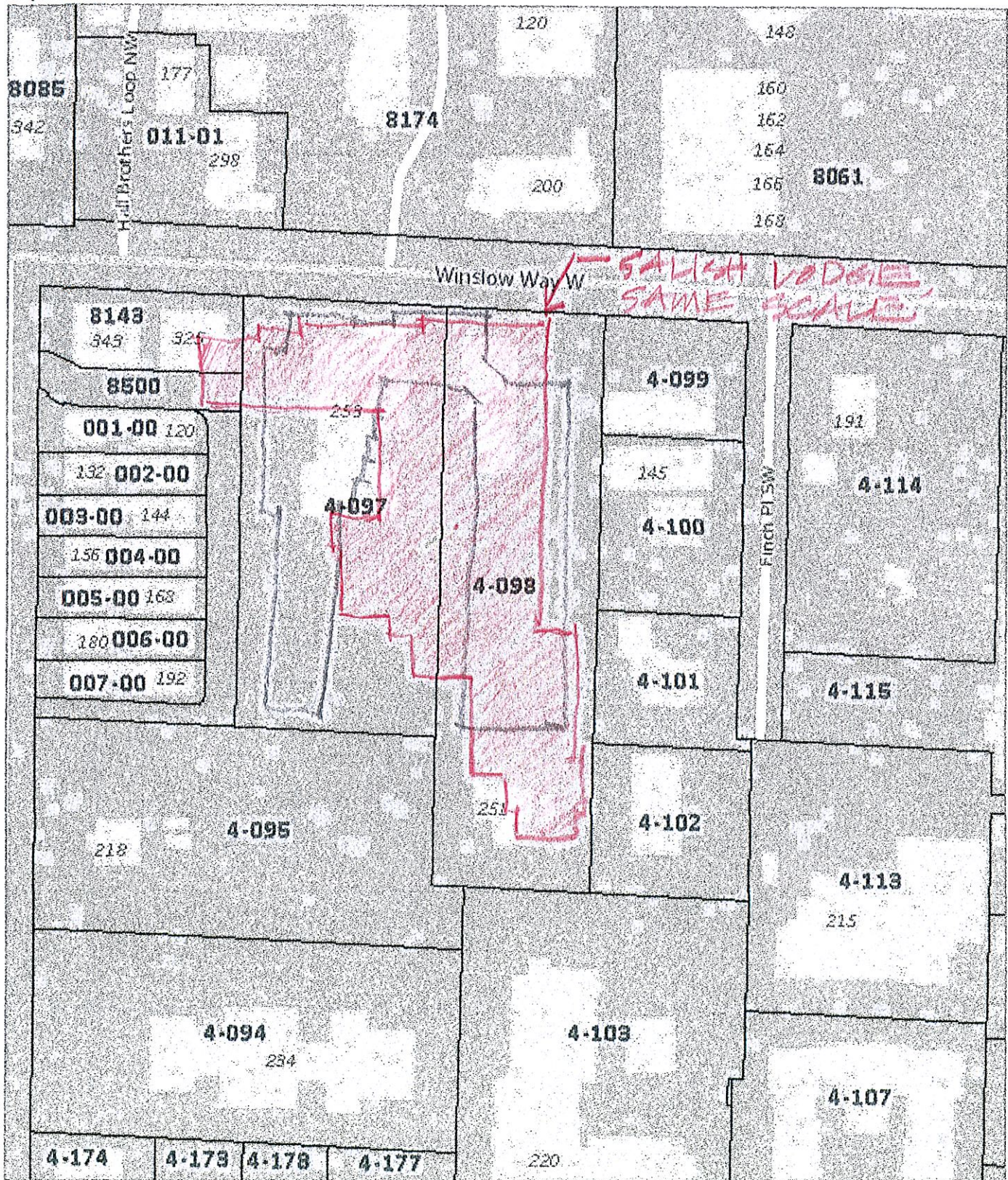
** This map is not a substitute for field survey **

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Comments





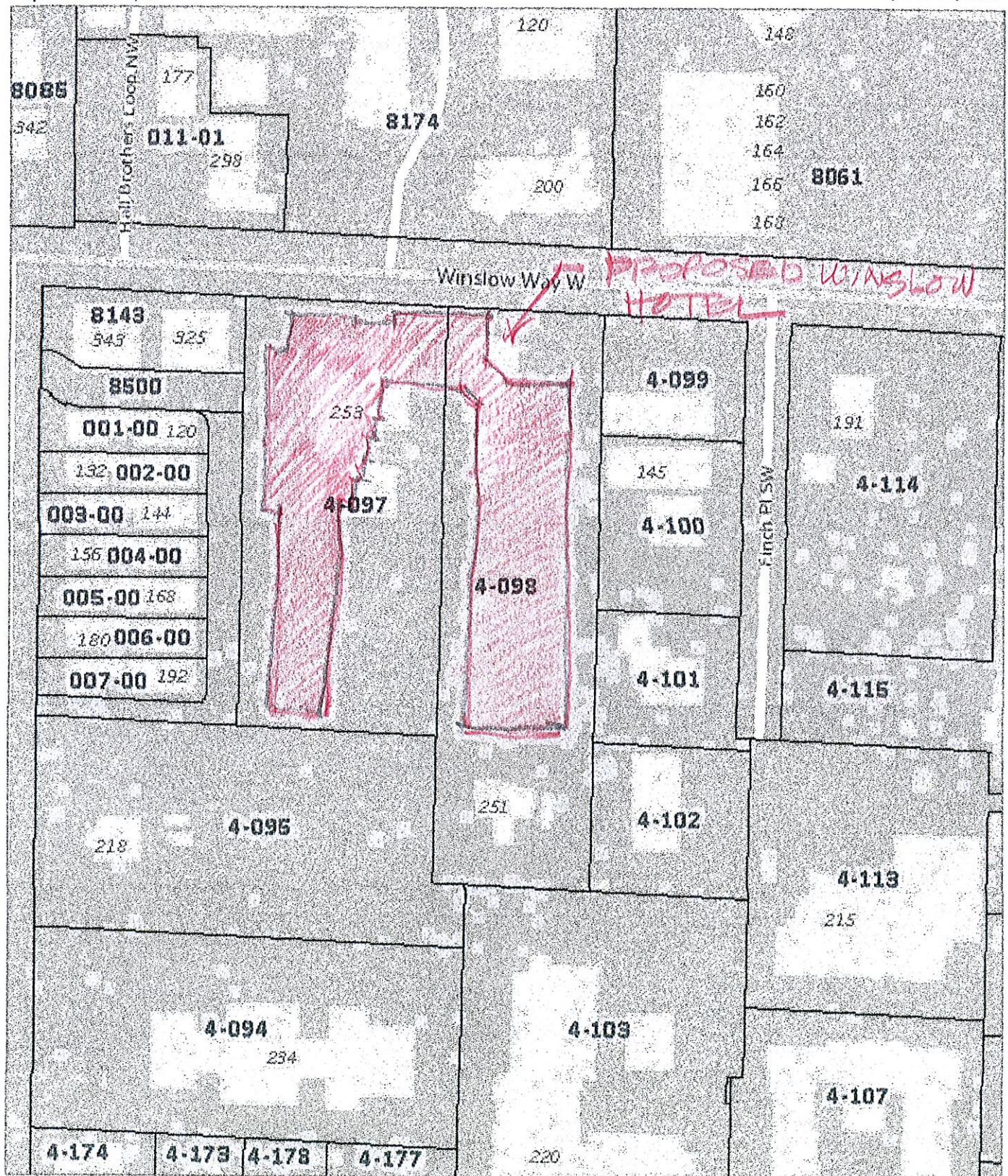
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Comments





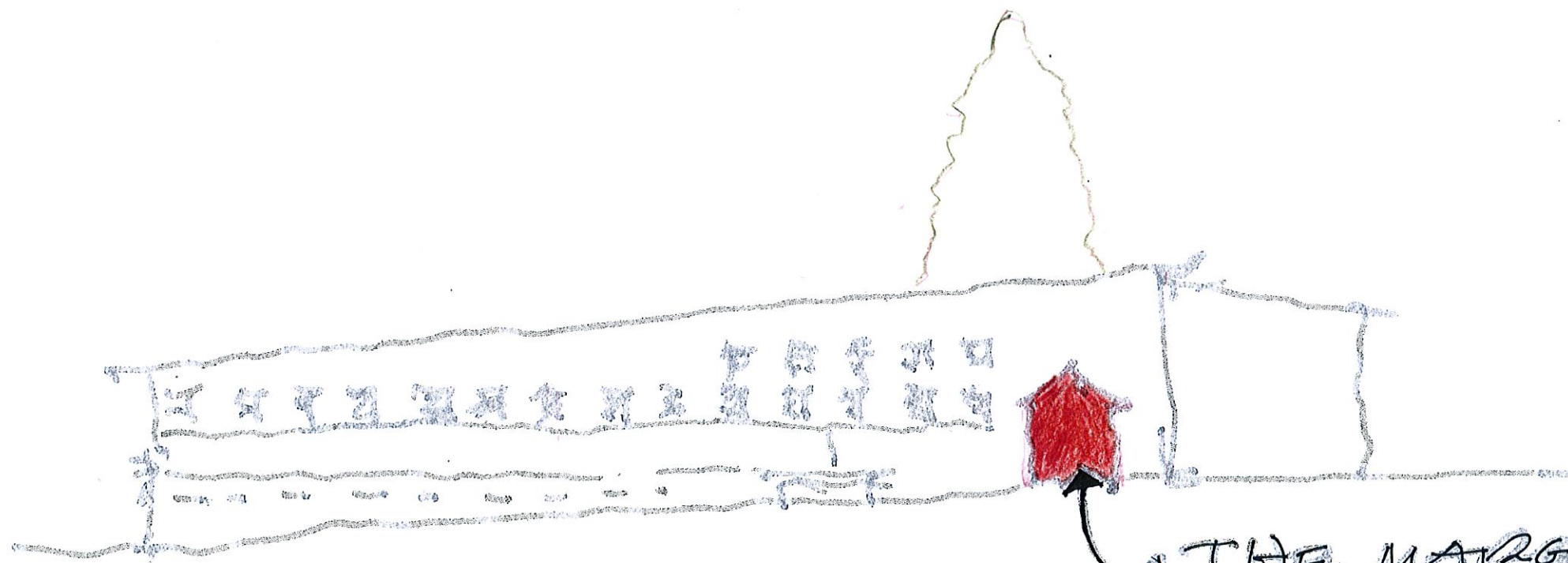
** This map is not a substitute for field survey **

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Comments





THE MARGE
WILLIAMS CENTER
SAME SCALE

120'
20'0" COURTYARD
10'0"0"

NAME:

Good evening:

My name is Dick Breen and my wife and I reside at 156 Hall Brothers loop which is directly across Winslow Way from the site of the proposed hotel

I. COMPREHENSIVE PLAN

As you know, The B.I community recently invested a large amount of time and thought into our Comprehensive Plan which envisions preservation of Winslow's small town atmosphere and special character

II. VISION

In keeping with that vision permitted uses for accommodations in the village central core district are limited to B & B's and Inns of 15 rooms or less.

Hotels, which by definition are larger than Inns, are permitted only as a conditional use and one can easily envision a small hotel as conforming to the intent of the Comprehensive Plan.

However, an 87 room hotel/event center and outdoor entertainment venue is not at all in keeping with the intent of the Comprehensive Plan.

Further, such a large scale hotel/event center/outdoor entertainment venue is not compatible with the residential uses in the immediate vicinity of the proposed hotel and on that basis the conditional use permit should be denied as per section 2.16.110 of the B.I Municipal Code.

THANK YOU

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
PUBLIC COMMENT ON WINSLOW HOTEL PROJECT
WINSLOW HOTEL ([PLN50880 SPR](#))
ADJOURN

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

Chair William Chester called the meeting to order at 7:02 PM. Planning Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Lisa Macchio, Kimberly McCormick Osmond and Joe Paar. Don Doman was absent and excused. City Staff present were Interim Planning Director Heather Wright, Interim Planning Manager David Greetham, Public Works Development Engineer Peter Corelis, Associate Planner Olivia Sontag and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

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

PUBLIC COMMENT ON WINSLOW HOTEL PROJECT

Robin Simons, Citizen – Was concerned about noise as she was an immediate neighbor to the proposed project.

Roger van Gelder, Citizen – Was concerned that the applicant had not committed to the “Living Building” challenge options such as onsite sewer, etc. He also spoke about the shortage of parking.

Jack Sjolseth, Citizen – Was concerned about the increase in traffic and backed-up traffic at the entrance to the hotel. He was also worried about the viability of the hotel and what would happen to the neighborhood if it failed.

Natalia Ilyin, Citizen – Stated the project did not meet the City’s design guidelines and did not promote the small-town feel required by the Comprehensive Plan.

Coleen Ebker, Citizen – Spoke about the water and sewer availability and asked about the impact on the island’s aquifer.

Maketa Groves, Citizen – Was concerned about the impact on the senior population and their overall quality of life.

Phil Pons, Citizen – Spoke of the incongruencies of the City’s municipal code, Comprehensive Plan and Winslow Master Plan. Stated the scope of the project did not meet the “small town feel” as required by the Comprehensive Plan.

Elizabeth Eisenhood, Citizen – Stated the traffic study was flawed and asked the City to commission their own traffic study (including Grow Ave in it) before approving this project.

Scott Schirmer, Citizen – Was concerned about parking and the lack of details about off-site parking in the plan. He asked the City to perform its own parking study.

Gail Hiestand, Citizen – Spoke against the “touristification” of Winslow and was appalled at what was being proposed.

Mary Siebert, Citizen – Spoke in favor of the project calling it a needed facility on the island.

Steve Holman, Citizen – Spoke in favor of the project calling it a good opportunity to have an amazing building in downtown.

Katey Rissi, Citizen – Spoke against a luxury hotel being built when there was an affordable housing crisis. She asked that spaces like this parcel in the walkable area of town would be considered for affordable housing.

Kat Gjovik, Citizen – Spoke against the project and what it would do to the livability of the island. She spoke in favor of affordable housing.

Carleen Leonard, Citizen – Thought the citizens of Bainbridge Island were being asked to make a very large compromise for this project and thought the developer should bear the costs of additional parking and traffic studies.

Sheila Dunbar, Citizen – Spoke about the impact on the senior population in the neighborhood. She felt there was a moral obligation in the community to protect the seniors.

Bruce Anderson, Project Architect – Presented new materials to the Planning Commissioners and answered questions that were brought up from citizens at the last meeting.

Sylvia Carlton, Citizen – Was not against the concept of the hotel, just the location. She was worried about the impacts of traffic on the community, specifically Grow Ave.

WINSLOW HOTEL ([PLN50880 SPR](#))

The Planning Commission decided to have a study session wherein they would discuss and determine how the project would need to be modified to meet the requirements of the Comprehensive Plan and Winslow Master Plan.

ADJOURN

The meeting was adjourned at 9:03 PM.

Approved by:

William Chester, Chair

Jane Rasely, Administrative Specialist



CITY OF
BAINBRIDGE ISLAND

Planning Commission Meeting
Thursday, June 20, 2019
7:00 pm – 9:00 pm

PLEASE PRINT

Name	Address	Phone/ E-Mail	Join ListServ Yes/No
Karen & Jack Sjolseth	120 Hall Bros. #303	Jack@sjolseth.com	✓
Julie Foster	168 Hall Bros Loop 102		
Alexis Dunbar	215 Finch Pl SW 2A		
Phyllis Carlyle	144 Hall Brothers Loop	p.carlyle5@gmail.com	✓
Virginia Rice	144 Hall Bros Loop	virginia.rice@gmail.com	no ✓
Scott Schirmer	"	rssglobal@gmail.com	no ✓
Martha H. Kephart	10400 NE Beach Rd	MLKOTSLUND@MSN.COM	✓
Mary & Mirkovich	131 Island Way N.E.	mirkovich@msn.com	yes ✓
TERI WINTINGTON	189A WILKINSON WAY NE	teri.wintington@gmail.com	✓
Lynn & Dick Breen	156 Hall Bros. LP.	lynnbreen@comcast.net	✓
Meg Gordon	239 Parfit Way SW #2B	meggordonmiller@gmail.com	yes ✓
Angela Cudone - Sheridan	180 Wood Ave SW	angela.cudone@icloud.com	yes ✓
Jack Sheridan	" " "	Jack Sheridan	yes
Donna Moss	175 Wood Ave SW		
Claudia Anderson	135 Wood St		
Kat Gjovik	8459 Katy Lane	Kat.gjovik@gmail.com	yes (already) ✓



CITY OF
BAINBRIDGE ISLAND

Planning Commission Meeting
Thursday, June 20, 2019
7:00 pm – 9:00 pm

PLEASE PRINT

Name	Address	Phone/ E-Mail	Join ListSery Yes/No
Melketa Jones	220 Parfitt Way SW #303 Bainbridge	(360) 265-0370	
Joy MEADOW	220 PARFITT #312 BI	(509) 846-3155	
Dixie CARTER	220 Parfitt W/Arms	beechbrowd@gmail.com	✓
DENNIS Beecher	220 Parfitt #104	BeecherL, Dennis 73 gmail.com	✓
LIN MEADOW	" " #312		
BERNADETTE Callister	220 Parfitt Way SW	bernadette.callister@gmail.com	✓
PHIL PONS /Connie Pons	192 Wood Ave SW	ppons@scaret.com ✓	
Gail Hiestand	245 Shepard Way	ghiestand@gmail.com 206-780-1993	✓
CONNIE PONS	192 WOOD AVE	206-842-9779	
Natalia Ilyin	325 Winslow Way W	ilyin14@aol.com ✓	
Eliz. Eisenhower	468 Graw Ave NW	eisenhood@a.g.com ✓	
LARRY Koss	←	LAWRENCE Koss@gmail.com ✓	
Robin Simon	343 Winslow Way W	robin.a.simon@gmail.com ✓	
Roger van Gelder	353 Wallace Way NE	rogerevangeld@gmail.com ✓	
STEVE HOLMAN	4643 FLYING GOAT AVE	steve.holman@gmail.com ✓	
MARY Siebert	4643 FLYING GOAT #106	Siebdesign@comcast.net ✓	



Planning Commission Meeting
Thursday, June 20, 2019
7:00 pm – 9:00 pm

PLEASE PRINT

[illegible]



Design Review Board Findings and Recommendation

Design Review Board Meeting Dates:	December 17, 2018, January 7, 2019, May 6, 2019 (Briefings), June 3, 2019
Project Proposal Name and Number:	Winslow Hotel PLN50880 SPR/CUP
Project Planner:	Olivia Sontag
Decision Maker:	Examiner

Purpose: The purpose of the Design Review Board review and recommendation meeting is to review a proposed project for consistency with applicable design guidelines and to ensure that 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.

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

The Design Review Board will forward its written findings, their determination of the project's consistency with the design guidelines, the design guideline checklist and their recommendation, including any conditions to the staff planner.

Findings of Fact and Reasons for Action:

1. The project, as conditioned, is found be consistent with the applicable design guidelines (Core Overlay District Guidelines, Guidelines for Commercial and Mixed-Use Projects and General Design Guidelines for all overlay districts).
2. The project is not proposing any departures from the design guidelines.

Recommendation:

The Design Review Board recommends to the staff planner the following conditions:

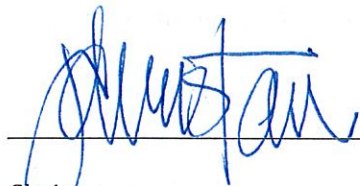
_____ 1) Approve the proposal as recommended; or

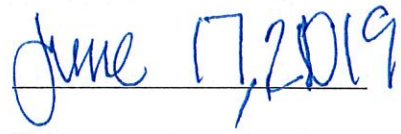
 2) Approve the two alternatives from June 3, 2019 with no additional conditions and approve the proposal from May 6, 2019 with the following conditions (attached to a design guideline):

- An additional drawing showing the perpendicular 2-foot planters along the parallel parking on the east side. Applicant agrees in principle to provide two feet of landscaping along an east-west direction adjacent to the parking lot. Applicant further agrees to provide for DRB approval a revised parking layout to increase landscaping.
- A description of the material pallet. Applicant has not made a final decision on building materials and colors. Applicant is leaning towards unfinished cedar with reverse board and batten exterior. Applicant agrees to provide a description of materials palate for DRB review in the next several weeks.
- The plans for the hydraulic design of the roof drainage/gutter system once it was worked out. Applicant states that the roof drainage is critical to the performance of this building (to meet LEED guidelines) and will propose a zoned roof drainage system. If water is removed from roof via internal building system, no further DRB review is required.
- Any substantial changes to building materials and roof articulation would be reviewed by the Design Review Board. If applicant proposes an external drainage system (i.e., downspouts and gutters), the DRB would like to review proposed system for building scale, building articulation and impact on surrounding uses.

_____3) Deny the proposal for the following reasons:

City of Bainbridge Island Design Review Board


Chair


Date

I have been a docent at BIHM for over 9 years, averaging about 25 volunteer hours a month, so have had ample time to meet visitors and discover why they came to the Island. The vast majority arrive in hourly cycles matching ferry arrival times, as a day trip, without a car.

In the summer we have a lot of vacationers and Alaska Cruise patrons who have a day or two before or after a sailing, looking for sightseeing opportunities. Tourist traffic is very limited during the winter season.

Often visitors on a business trip to Seattle and bring their spouses. Sometimes one spouse visits the Island while the other is attending a business meeting in Seattle.

I have a number of points that I feel need to be thoughtfully considered:

- Given the Island's concerns about business signage I am curious if and how the hotel intends to advertise its existence since it's in a primarily residential area.
- The financial viability of the hotel seems questionable since it was originally proposed as a 60-room project, expanded by 25% to 75 rooms and then the developers determined they needed an additional 16% increase from 75 to 87 rooms to be profitable. What would happen to the neighborhood if this project turns out to not work financially?
- Contiguous sidewalks between the hotel project and the downtown corridor currently don't exist in front of the Marge Williams building, necessitating guests walking on the shoulder of the road part of the way.
- The Stephens House (a Special Needs facility) is located between the hotel project and Madison Avenue. The Access Bus stops there at least four times a day for four to five minutes picking up and dropping off passengers. Backups occur on eastbound Winslow Way when the bus is waiting there.
- The hotel's intent is that guests arriving by ferry will either drive to the hotel or take a hotel-run shuttle. Therefore, we're going to see a predictable hourly influx of arrivals, just as I see at the museum, not a continual, random arrival. This could result in a significant backup at the hotel's small porte-cochere area if more than about three cars

arrive in close proximity. Couldn't this affect the traffic on Winslow Way West, or cars attempting to exit the hotel property?

- How much time is planned for the guest check-in process as this can have an impact on the length of time cars are waiting at the porte-cochere, or along Winslow Way?
- I understand that an extensive parking analysis has been done and it has been admitted that there are times when some off-site parking would be necessary – but church parking lots seem like a poor choice, particularly on Sunday mornings. It would be instructive to hear answers to the following questions:
 1. How many spaces will be required for the professional hotel staff?
 2. How many spaces will be required for the hotel service people (housekeeping, kitchen and wait staff)?
 3. How many spaces will be required to accommodate the bar, restaurant and banquet customers?
 4. How many spaces will be allocated for attendees in the various planned meeting rooms?
 5. How many spaces will be needed for the 100-person music room that we learned about at the June 13 meeting?
 6. How many spaces will be reserved for Spa customers?
 7. Is any parking planned for non-hotel service people, e.g. gardeners, plumbers, electricians and other maintenance personnel?

My main concern is the viability of a hotel that nearly doubles the current hotel capacity on the Island, particularly in light of the four or five months when tourist traffic on the Island is very low.

And, I question that the size of this hotel is in keeping with the charm of Winslow.

Sincerely,

Jack Sjolseth
120 Hall Brothers Loop, Unit 303
Bainbridge Island, WA 98110-2525
206-201-3203
jack@sjolseth.com

June 20 2019

City of Bainbridge Island
Planning Commission

RE: Comments for the Planning Commission and Hearing Examiner's consideration regarding the Winslow Hotel project # 50880 CUP SPR

SUMMARY:

Use and number of units: Limit the number of rooms to 50 or less.

Design Review Board Recommendation: DRB did not include an exterior material pallet with their recommendation. Place conditions on the materials on the outside of hotel wings.

Perimeter Landscaping: Place a condition on the CUP requiring some meaningful perimeter landscaping on the western boundary of the hotel property.

USE AND NUMBER OF UNITS:

A hotel is an allowed use in the High School Road District, requires a Conditional Use Permit (CUP) in the CORE, Gateway, and Ferry Districts, and is not allowed in the MA and EA Districts. There are currently two hotels in the High School Road District. The Quality Inn with 45 rooms and The Marshall Suites with 53 Rooms. There are currently no hotels in any of the other Mixed Use Town Center (MUTC) zones.

BIMC 18.06.030.A.1. states that: "The central core overlay district is the most intensive district within the Mixed Use Town Center. **Within this overlay district, residential uses are encouraged**, but exclusive office and/or retail uses are permitted." The Growth Management Act (GMA) requires that cities absorb a defined amount of the region's growth. Due to this, there are policies in the comprehensive plan that encourage a higher residential density in the MUTC in order to have lower density and a more preserved environment on the balance of the island while still meeting the requirements of the GMA.

There is no clear guidance provided in the MUTC regarding why a hotel requires a conditional use permit in the CORE or how many rooms are allowed. This makes it harder for the Planning Commission and Hearing Examiner to determine if the large size of the hotel is an issue in the CORE. If the approximately 73,000 sf building area were to be improved with a condominium or apartment complex with an average unit size of 1,000 square feet and an average household size of 1.5, it could accommodate a population increase in the core of 110 people. (average household

size on the island is 2.46) The added population for a hotel on this site is zero. I included this information since residential uses are encouraged in the CORE.

The approval of an 87 room hotel on this site would set a new standard for a hotel size in the CORE, Ferry, Gateway, and High School Road districts. Once approved, how would the City handle a CUP application for a new 87 room full service hotel on the former Virginia Mason property? Would this more intensive retail area be an appropriate location for a hotel? What if there was an application for a 100 unit hotel on the site on High School Road east of Ace Hardware. A hotel is a permitted use in that district. Strong consideration should be given to what kind of a precedence the approval of this project would have and if the consequences of this approval is acceptable. This is an issue not only for the number of rooms, but also because of the bulk with all the square footage in one building.

There doesn't appear to be any clear language in city codes regulating the maximum number of rooms for a new hotel in the CORE. We know that the largest hotel in the High School Road district where hotels are a permitted use is 53 rooms. The requirements for right-of-way improvements, on-site parking, setbacks, landscaping, terrain, etc., can also become a limiting factor on how many rooms a site can accommodate. Conditions required that would make the hotel more compatible with the surrounding neighborhood can also limit the number of potential rooms.

The zoning code clearly intends that a proposed hotel should be given more scrutiny in the CORE because a CUP is required. The CUP invites public participation, which suggests that public input is an important component in the approval process. A hotel is an allowed use in the High School Road district and does not require a Planning Commission recommendation or Hearing Examiner approval. It also does not require advertised hearings with public input. Permits can be issued by the administration.

Based on the above information, it appears that hotels are an encouraged use in the High School Road district. Hotels are only allowed in the CORE after careful scrutiny through a CUP process, including evaluating the project for consistency to policies in the comprehensive plan. This gives the Planning Commission and Hearing Examiner considerable more flexibility in their decision making. **I believe that there is support for limiting the number of rooms for hotels in the CORE to 50 or less.**

DESIGN REVIEW BOARD RECOMMENDATION:

On June 3, 2019 the Design Review Board (DRB) granted approval of the project. The Design Review Board findings stated:

"A description of the material pallet. Applicant has not made a final decision on building materials and colors...." And "Any substantial changes to building materials and roof articulation would be reviewed by the DRB."

Based on this, it seems that the DRB has recommended approval without any conditions on the exterior materials. Much attention seems to have been made on the frontage of the building. It is concerning that this project could be approved without any conditions on the exterior building materials. It is common for developers to make the portion of a building most attractive where it faces the public street and where customers can see it. The most visible parts of the building to their customers will be the front and the exterior hotel wings visible from the courtyard. I have concerns that the exterior sides of the hotel wings facing east and west will have the lowest quality finish unless a material pallet is a condition.

I would request two things related to the exterior building material pallet. One would be that the **exterior building material pallets for the hotel wings be approved and added as conditions to the project**; and the second is **that the exterior hotel walls facing east and west be of comparable quality, esthetic appeal, and cost to what is used on the hotel wings visible from the courtyard.**

PERIMETER LANDSCAPING:

On January 17, 2019 the applicant requested an **administrative interpretation on BIMC Table 18.15.010-3** "Perimeter Landscape Requirements" by land use and zoning districts for the MUTC zone. The request was: 1) **Does Table 10.15.010-3 apply to both abutting land use and zoning?** and; 2) **What qualifies as 'single family residential'?**

On February 21, 2019 the **Director's response** was that **"Table 18.15.010-3 applies to abutting single family zone districts or overlay districts and does not apply to uses of abutting properties. Abutting 'single family residential,' refers to the following zones: R-0.4, R-1, R-2, R-2.9, R-3.5, R- 4.3, and R-6.**

As a result of this interpretation, there is no requirement for perimeter landscaping in the CORE zone when abutting a residential use. The staff report implements this decision and states that no perimeter landscape buffers are required for residential uses. The adjacent townhomes have the equivalent density of R-8, a multi family zone, but are located in the MUTC CORE zone. The homes have a likely estimated remaining life expectancy in excess of 100 with proper maintenance and renovation, so they will be here a very long time. The improvements have a very high value compared to the land. Even though the townhomes are situated on CORE zoning, this suggests that for practical purposes, they are a permanent use as R-8.

This interpretation should not limit the Planning Commission or Hearing Examiner's prerogative to look at specific situations to determine if some perimeter landscaping remediation should be required since the hotel comes under a condition use permit requirement. Some perimeter landscaping seems warranted between the hotel and townhomes to the west considering the bulk (height and length) of the hotel wing.

For comparison purposes, Table 18.15.010-3 shows that the NC zoning district requires which a 20 foot (15 foot minimum) full screen perimeter landscaping when abutting residential, including multifamily, zones or land use districts. The NC zone has a lower equivalent FAR than the MUTC CORE yet requires some meaningful perimeter landscaping. This seems inconsistent with the lack of any perimeter landscaping requirements in the CORE in a similar situation.

The zoning ordinance has some specific language on perimeter screening that is contrary to the Planning Director's code interpretation. Portions of section 18.15.010 are shown below, with the applicable portions shown in italics with bold letters.

18.15.010 Landscaping, screening, and tree retention, protection and replacement.

All development shall comply with the following regulations addressing landscaping and screening unless other applicable regulations require additional or different forms of landscaping or screening, in which case the more specific standard or criteria shall govern.

A. Purpose.

1. General. The purpose of this section is to preserve the landscape character of the community, link the Island's natural amenities with landscape greenbelts along roads, improve the aesthetic quality of the built environment, promote retention and protection of existing vegetation, reduce the impacts of development on wetlands, streams and the natural environment, enhance the value of current and future development and increase privacy for residential zones, and encourage preservation of significant and heritage trees by:

- a. Retaining existing vegetation, tree stands and significant trees by incorporating them into the site design.
- b. Incorporating native vegetation and drought resistant plant material into new landscape developments.
- c. Providing vegetated screening between different intensities of residential uses, and between development and roads.
- d. Providing visual relief of parking areas in the neighborhood centers, the Winslow Mixed Use Town Center, and the light manufacturing, (water-dependent) industrial, High School Road and urban multifamily districts.

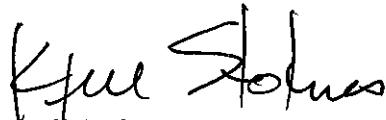
e. Providing vegetated screening between residential and nonresidential areas.

The key regulation here is ***e. by: Providing vegetated screening between residential***

and nonresidential areas. Notice that the language here says 'residential areas,' not 'residential zones.' This is just as specific as the Planning Director's interpretation that the MUTC CORE requires perimeter landscaping next to 'single family zones,' but not 'single family uses.' This section of the BIMC could give the Planning Commission and Hearing Examiner the ability use a reasonable person's perspective to place some perimeter landscaping conditions on the hotel CUP. The townhomes adjacent to the west have fee simple ownership of their own lots, a density of 7.8 units per acre, almost identical to the R-8 zone. The homes range in size from 2,000 square feet to 2,400 square feet and were built in 2004. The homes are not attached.

These homes will have approximately 45 foot high and quite long building wall approximately 17 feet from their back property line. As a result of all of the above data, ***I am requesting that some meaningful perimeter landscaping be required along the west property line as a condition of approval of this conditional use permit.***

Respectfully submitted,



Kjell Stoknes

168 Wood Avenue SW

Bainbridge Island, WA

June 20 plan letter Winslow Hotel

June 18, 2019 – Revised June 20, 2019

To: Olivia Sontag, City of Bainbridge Island

From: Bruce Anderson, AIA

Re: Winslow Hotel PLN50880 SPR/CUP
Hotel Planning Commission Meeting Follow Up on Comments

1. **Traffic** – Entry backup onto Winslow Way was raised as a concern – Operationally parking for days with higher demand needs to be managed by valets, and hotel can know when guests are arriving by ferry either on foot, or by car. If there is a pulse of arrivals that exceed the capacity of the hotel entry court, valets can intercept arriving cars and direct them into the east side drive where considerably more cars can queue compared to the entry court.

Heath & Associates is working to address specifically the items raised by Corelis and public comments.

2. **Parking** – Design Day is a Saturday night at 9:00PM, with the banquet hall and pre-function space occupied. Parking needs are predicted to be met at 132 cars (while we're providing 136 spaces). Parking transportation demand management (TDM) actions that can positively affect parking demand include:

- a. Provide shuttle service to the hotel from the ferry. (Hotel proposes this).
- b. Subsidized transit passes for employees. (Hotel can do this).
- c. Availability of bikes for hotel guests. (We're providing 30 bike parking spaces, which will be available to everyone including employees and will include bikes available to guests).
- d. Something like zip cars (this, or uber/lyft and taxis) can be considered, but I think it is likely the hotel will help create a market for on demand cars – that would also benefit nearby residents.

The peak day demand, when virtually every space is 100% occupied, is anticipated to require up to 191 spaces. How will that demand be satisfied?

- a. With valet parking we can "stack" on site an additional 26-30 cars without impacting either the loading dock or required fire access and turnarounds. **Working with Walker and Associates we can stack 41 spaces on site.**
- b. Employees can be instructed to park off site at park & rides and take transit to/from the hotel (some locations are park & rides such as Bethany Lutheran on High School Road, or Island Church on Sportsman Club, served by transit). **That represents 10 – 15 spaces available on site for peak demand.**

- c. For the balance of the anticipated parking demand (**0-5 spaces**), guests can be remote parked at churches or schools by agreement if necessary. It seems that BIMC 18.15.020 D.3. regarding restricting location of spaces does not apply to this use.

3. **Noise** – I recalled looking at event restrictions somewhere else I've worked and found regulations in Hood River that address events such as weddings at wineries, farms and B&B's. Their regulations (attached) provide some potential guidance. I suggest that the City consider a limitation on events 'outside' in the courtyard to end by 10:00PM.

Also, reading the comment letter as to how to apply the City/State noise standards, I don't see any ambiguity. We are using the most stringent interpretation of the law and we will comply.

Our Acoustical Consultant, Michael Yantis of Stantec, thought that it would be reasonable to monitor events in the first year of operations, say at least six events, to show compliance with the law.

4. **FAR** - As mentioned by Bricklin, he seems to want the FAR bonusing to be defined in more detail.

Lot Area 80,854sf – Base FAR at 0.6 is 48,512.4sf. Current FAR qualifying floor area is 73,571sf, leaving a balance of 25,058.6sf. The Owner has 17,000sf of FAR credits from the mobile home park. We anticipate nominating the Redwood for heritage tree status that will provide a FAR credit. We're in discussions with the Marge William Center to improve their frontage with curb and sidewalk to fill in this "missing link" as an off-site improvement for additional FAR credit.

Finally, any remaining credits necessary will be purchased, and our intention is to request that those funds be dedicated to affordable housing.

5. **Scale both intensity and physical**

Intensity – We have studied traffic impacts and found that our hotel use does not tip any of the intersections the City asked us to consider drop in their existing LOS standard. By way of comparison if the site developed as apartments (permitted use) for example, we could expect to see up to 80,854sf of apartments (single use, bonused to FAR 1.0), which could translate into approximately 240 dwellings, generating up to 1,200 vehicle trips a day (ITE #221 Multi-Family) – this compares to 727 trips a day predicted in the traffic report for the hotel use.

The zoning provides for mixed use an another 40,000sf of commercial space added to the housing, which would increase the trips even more. This is a large parcel of land in Winslow.

Scale – We’re providing an additional drawing showing both the mandated breakup of the scale on Winslow Way, but also what we’ve designed on the west side of the hotel, as I think it is not clearly understood by neighbors.

There are other single uses in Winslow that have similar footprints by way of comparison.

T&C has a footprint of about 35,000sf on a parcel of 99,752sf – 35%. On Winslow Way its frontage is broken up into three elements of about 54’, 65’ and 54’ in width. Facing Bjune it’s frontage is 175’ long.

The theaters have a footprint of about 35,000sf, on a parcel of 90,169sf – 39%, with an elevation on Madison of about 146sf and the south elevation at the property line of about 140sf.

Our project has a footprint of 31,191sf on a parcel that is 80,854sf, for a lot coverage of 39%.

The building facing Winslow Way is broken into three elements, including one stepped back considerably from the street. The westerly elevation facing the residential neighbors to the west is stepped back twice, with the longest façade about 104’ long. The east building face, setback to better align with the existing Marge Williams Center is long facing our commercial neighbors to the east, and stopped short of the west face of the single family home to the southeast.

Attached are two additional drawings that further describe how the building mass of the hotel has been modulated to further break down the scale of the building, on all four faces of the project.

6. **Trees and particularly the Redwood** – We have had peer review work done, relative to the Riberio report looking at the Redwood and are very confident (as it is a go/no go requirement from Mike Burns) that this tree, and the intertwined Douglas-Fir will be maintained in a healthy condition.

We have also looked at surrounding trees on neighboring properties adjacent to the hotel parcel in regard to being sure we don’t negatively affect them.

Cutler Anderson Architects

135 Parfitt Wy SW, Bainbridge Island, WA 98110

June 19, 2019

To: Olivia Sontag, City of Bainbridge Island

From: Bruce Anderson, AIA

Re: Winslow Hotel PLN50880

I did explore the parking standards for five nearby cities for hotels (I selected based on waterfront locations and those with ferries where I could). Note that not all of these cities have comparable hotels.

The range of parking required when I plug in the Winslow Hotel is significant, and more important to us is that many of these codes point to the option of commissioning a parking study to drill down on actual demand.

City of Mukilteo

Motels and Hotels 1 space per room and additional parking for restaurants, conference or convention facilities and other business or facilities associated with the hotel.
Restaurant 5/1000sf first 4000sf, then 10/1000sf over that or one space per 3 seats, whichever is greater.
Assembly spaces 1:100sf
Spa 5.5 spaces:1000sf

Up to 40% credit available for alternative information.

87 spaces for rooms

14 spaces for restaurant/bar

75 spaces for meeting rooms/banquet

22 spaces for spa

*Total of **198** spaces – subject to a potential credit for alternative information (in this case it would likely be based on patrons sharing uses) Full application of credit would mean **119** required spaces.*

City of Edmonds

Motels and Hotels 1 space per room

Definition of hotel includes central kitchen and dining room, and interior accessory shops and services catering to the general public.

87 spaces

City of Langley

Motels, Hotels and Bed & Breakfasts	1 space per room
Restaurants (if required to be separate)	10 spaces for first 4000sf, then 1 space per 200sf
Indoor public assembly	1 space/60 sf
Spa	1 space/600sf

Combined on one site, reduce by 10%

Also, provisions to reduce parking with an approved parking analysis

87 spaces for rooms

10 spaces (?) for restaurant

125 spaces for meeting rooms/banquet

7 spaces for spa

*Subtotal is 229 spaces, less 10% for a total of **206** spaces. Subject then to consideration of a parking analysis.*

City of Kirkland 1 space per room

Restaurant 1 space per 100sf

Spa 1 space per 350sf

Additional parking for ancillary meeting and convention uses on a case by case basis

87 spaces for rooms

28 spaces for restaurant

12 spaces for spa

*Total known **127** spaces, plus unknown for meeting/banquet*

City of Bremerton 1 space/two rooms plus 1 per 200sf of common areas.

Restaurant 1 space per 150sf

Assembly 1 space/50sf

Spa 1 space/100sf

5% reduction for providing covered bike storage.

15% reduction for transit plan.

Parking study allows for alternative compliance.

44 spaces for rooms

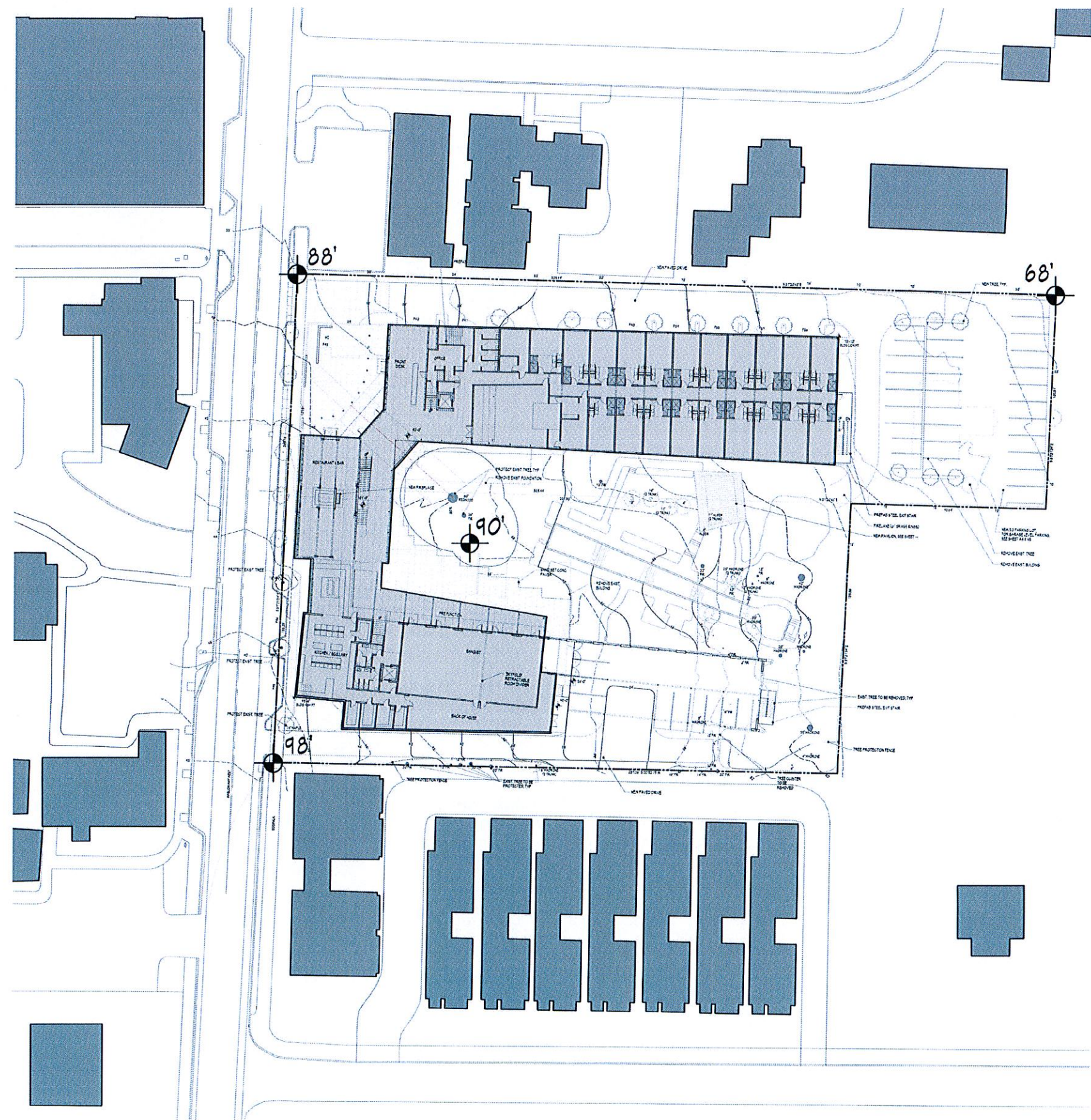
19 spaces for restaurant

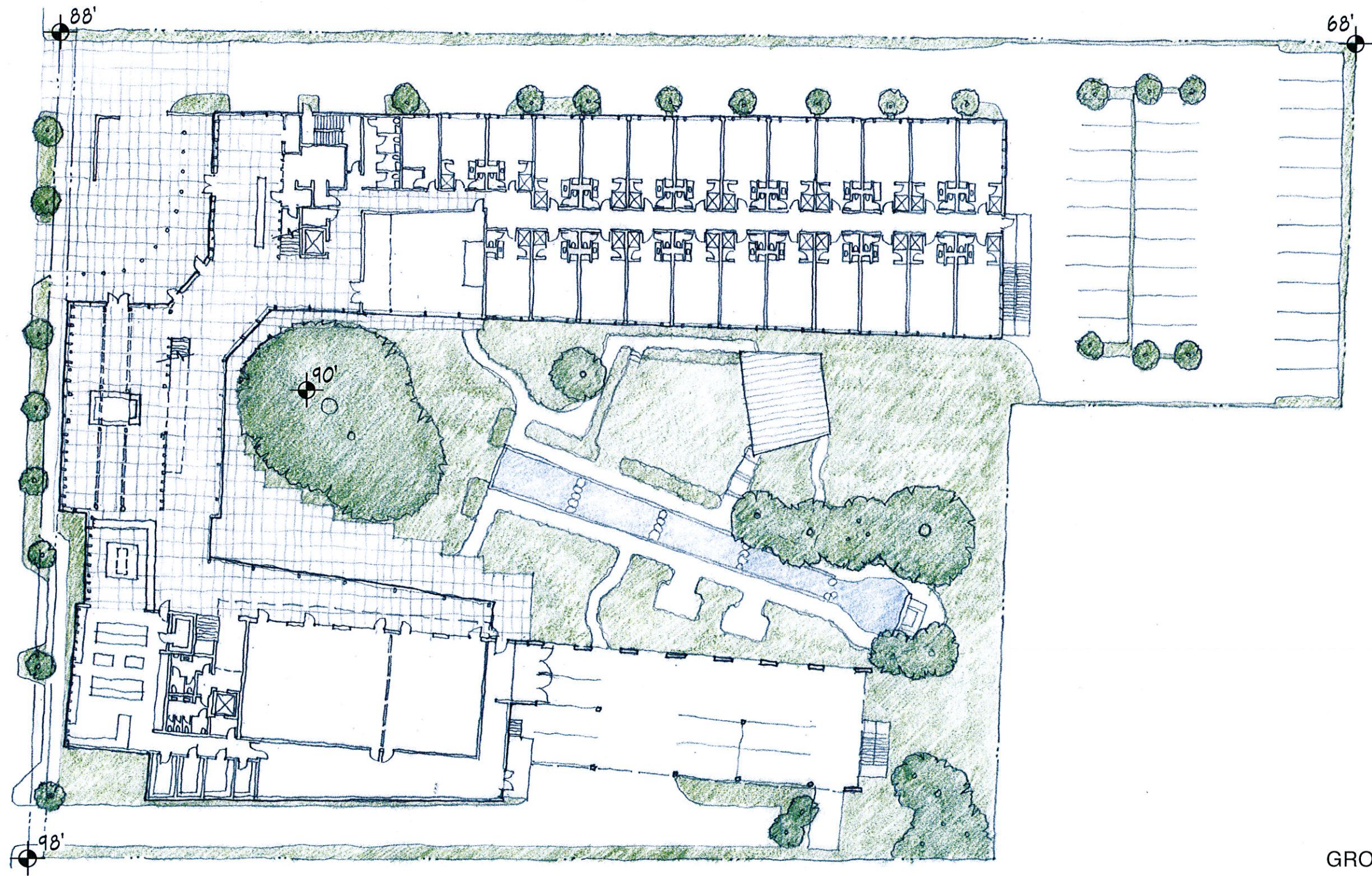
75 spaces for meeting rooms/banquet

40 spaces for spa

*Subtotal is **178** spaces, less a total of 20% for qualifying reductions, for a total of **143** required spaces. Subject then to consideration of a parking analysis.*



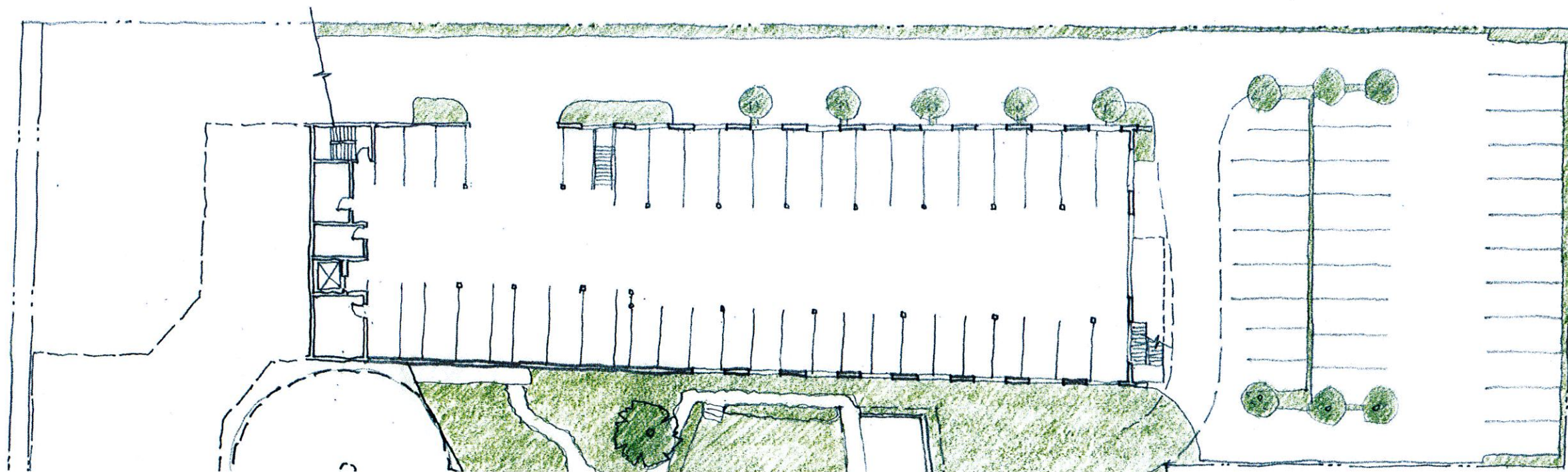




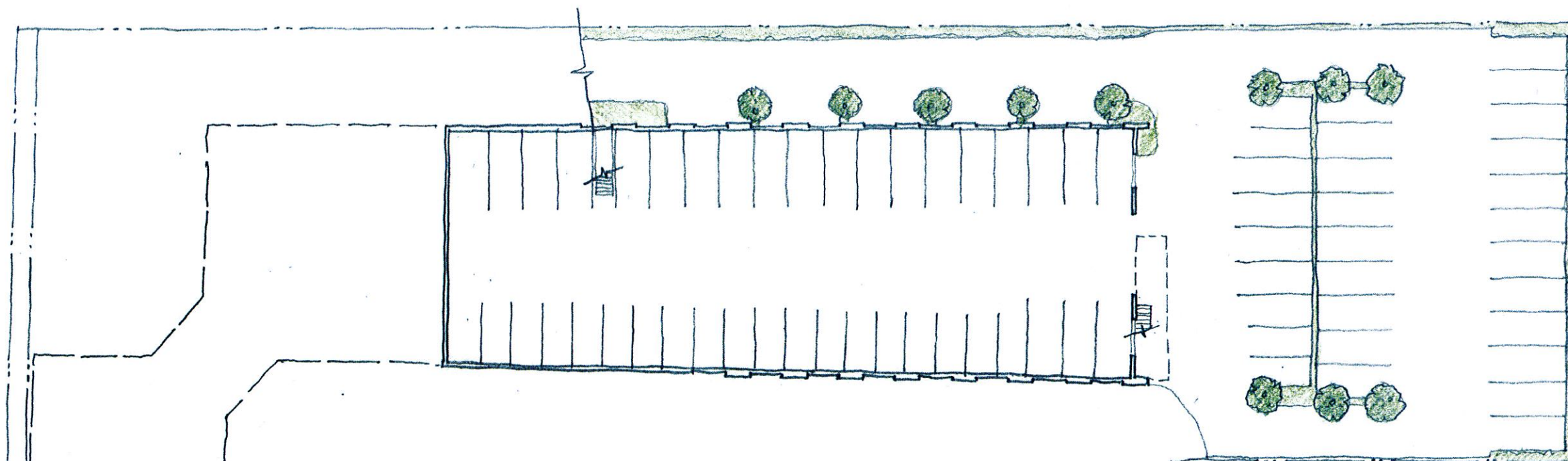
GROUND FLOOR



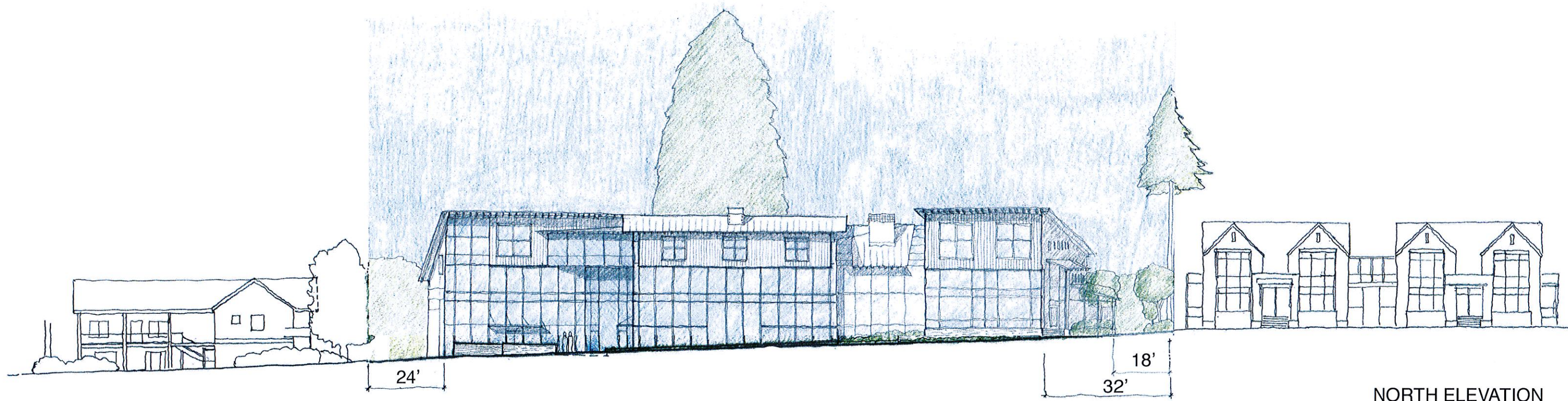
SECOND FLOOR



EAST SIDE
UPPER LEVEL PARKING

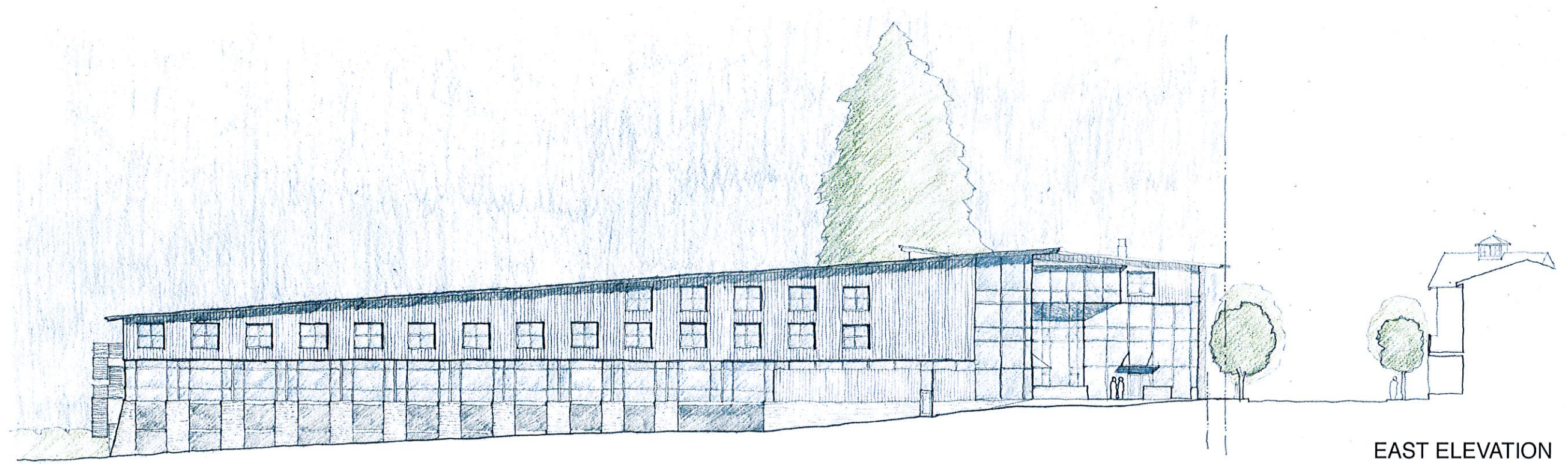


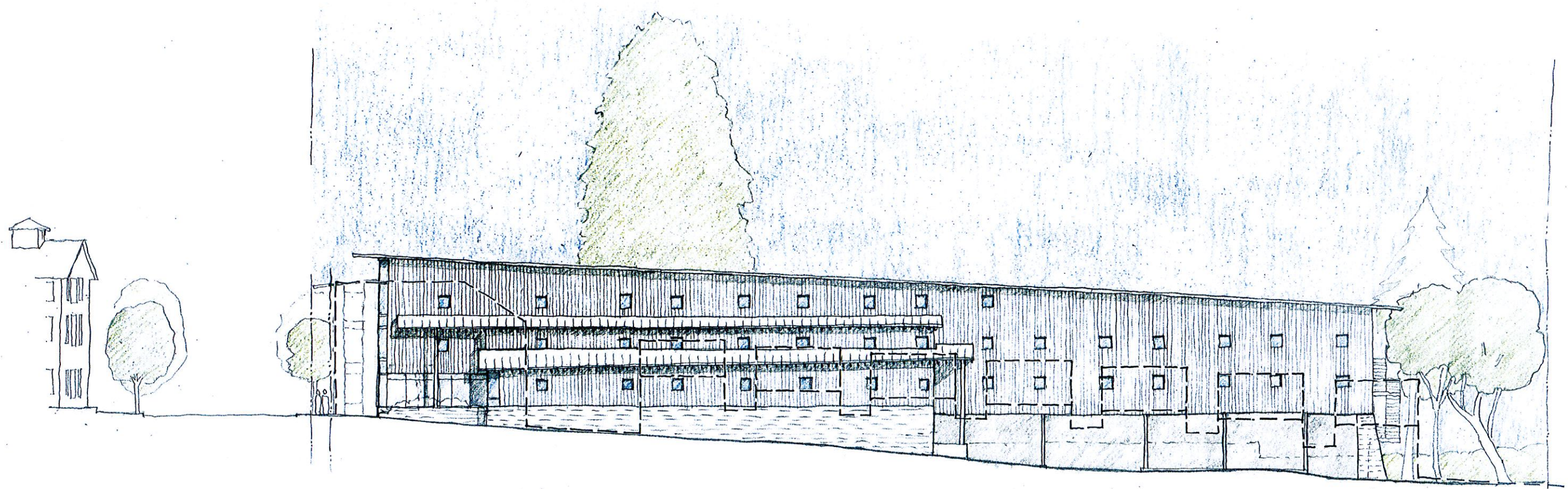
EAST SIDE
LOWER LEVEL PARKING



NORTH ELEVATION

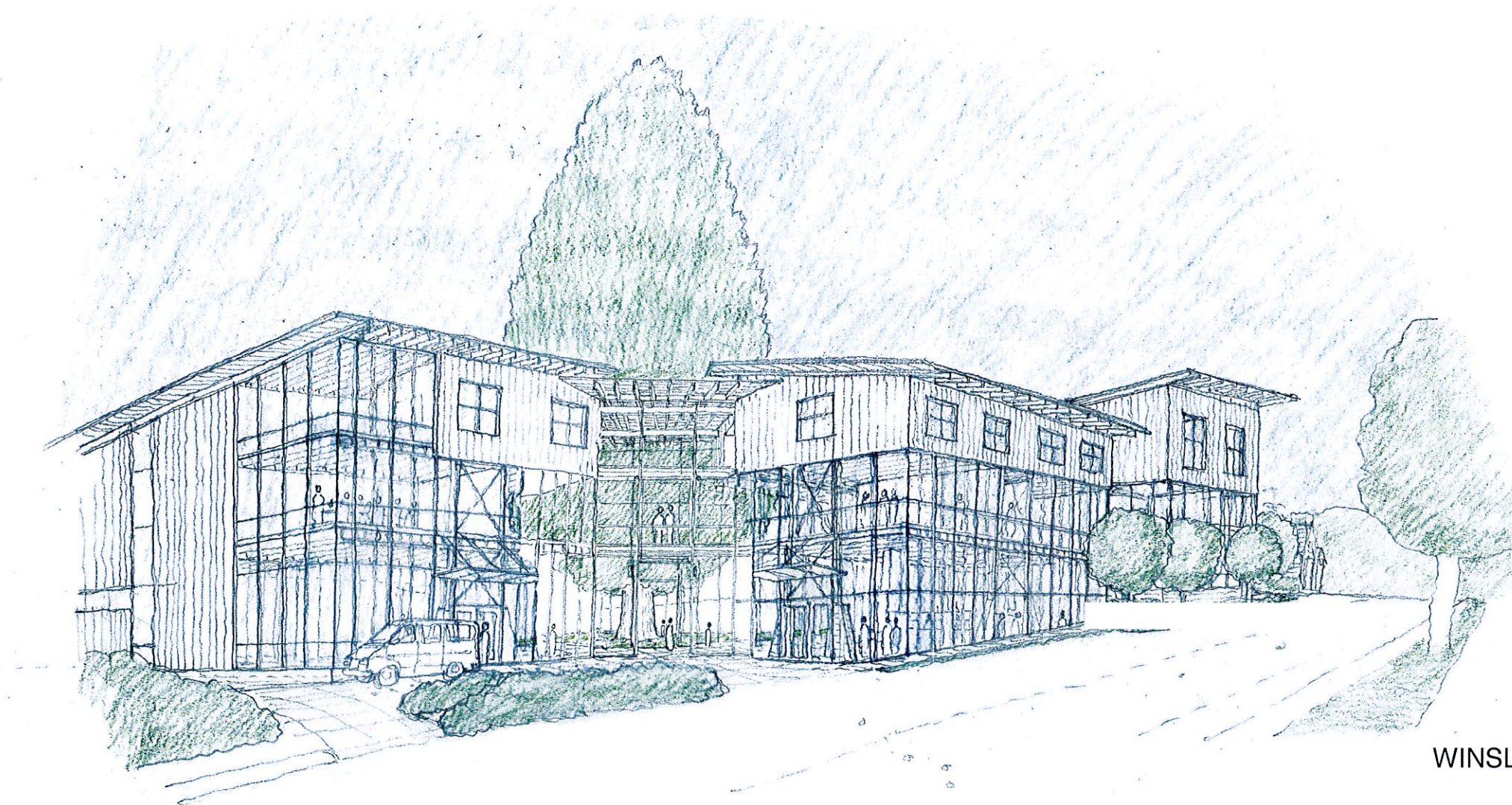




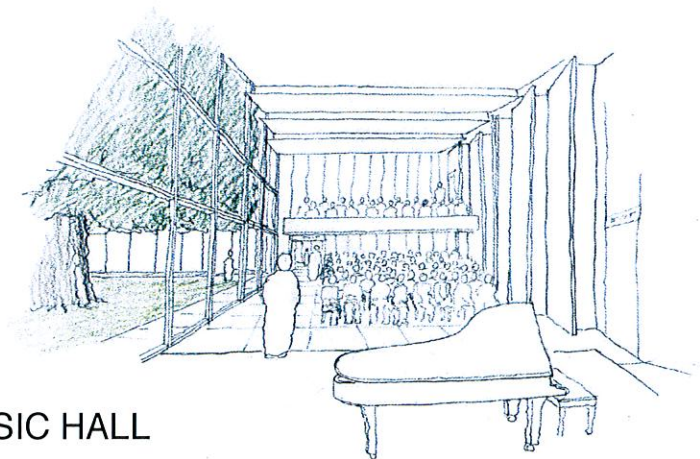


WEST ELEVATION

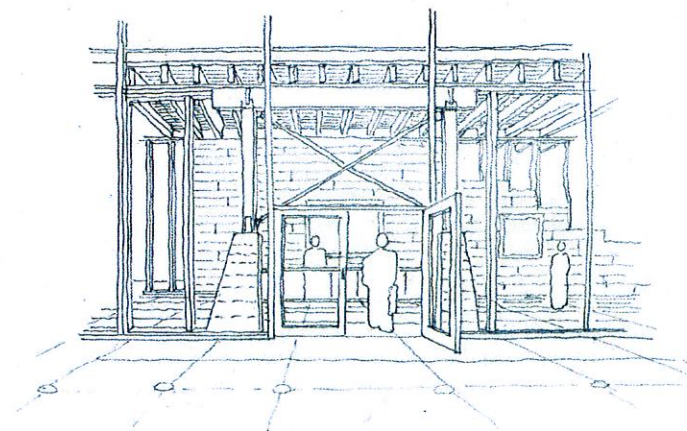




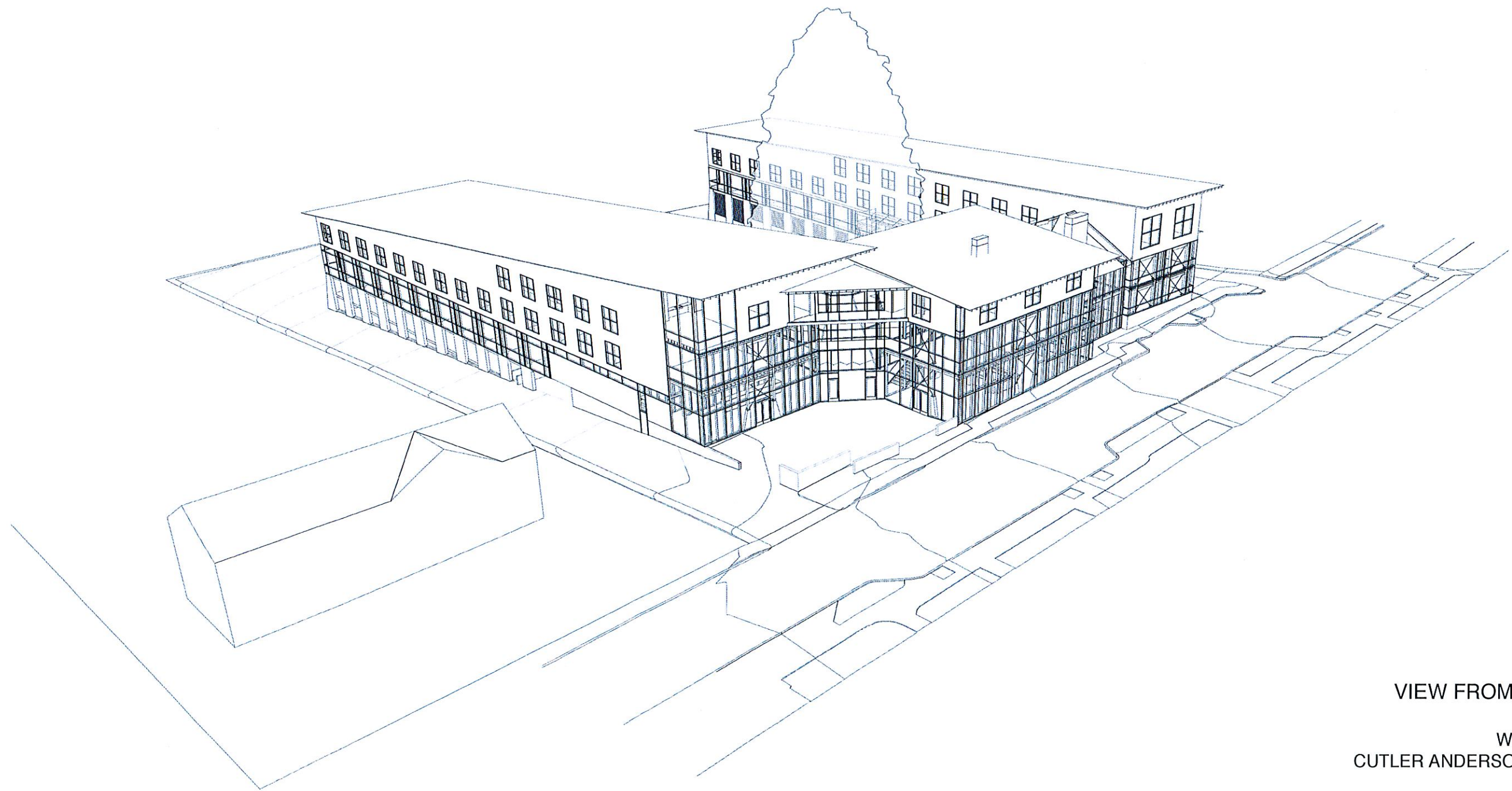
WINSLOW WAY PERSPECTIVE



MUSIC HALL

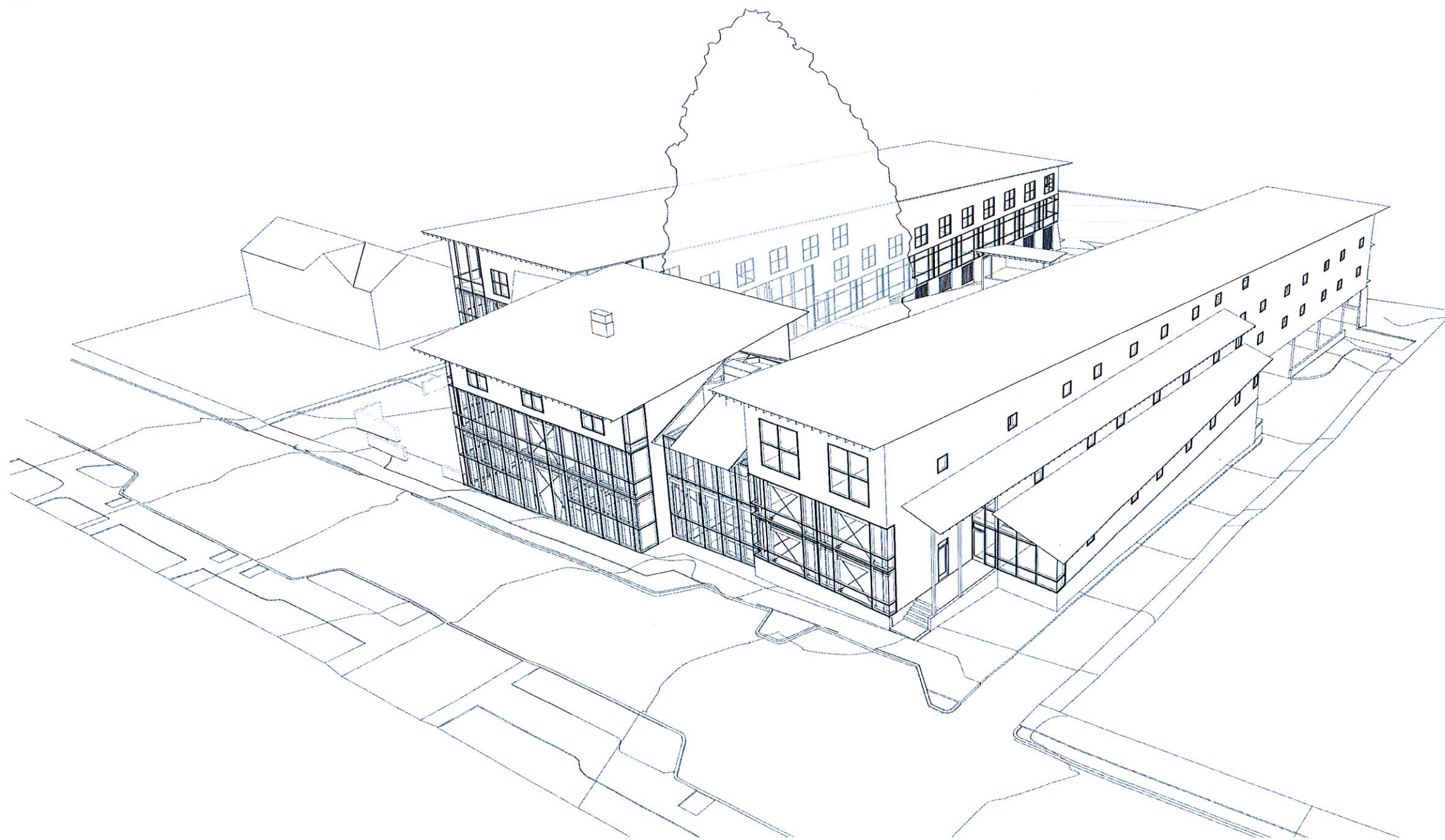


ENTRY / RECEPTION



VIEW FROM NORTHEAST

WINSLOW HOTEL
CUTLER ANDERSON ARCHITECTS
6.18.19



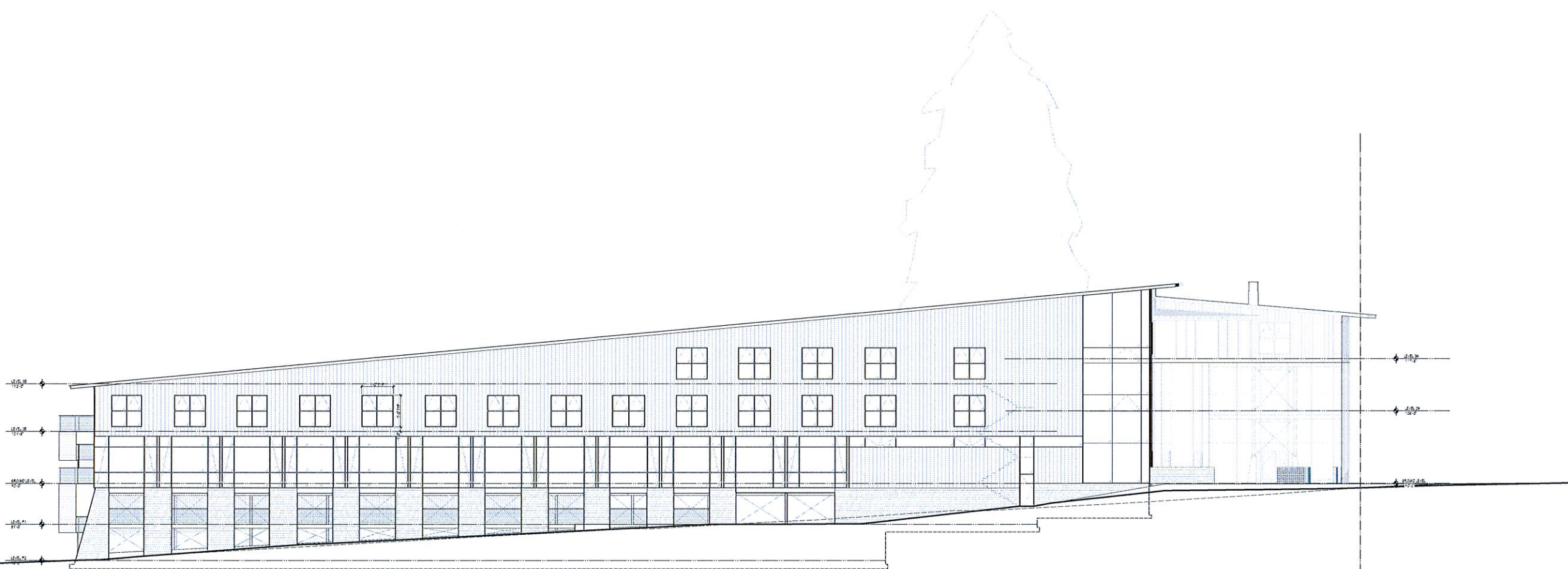
VIEW FROM NORTHWEST

WINSLOW HOTEL
CUTLER ANDERSON ARCHITECTS
6.18.19



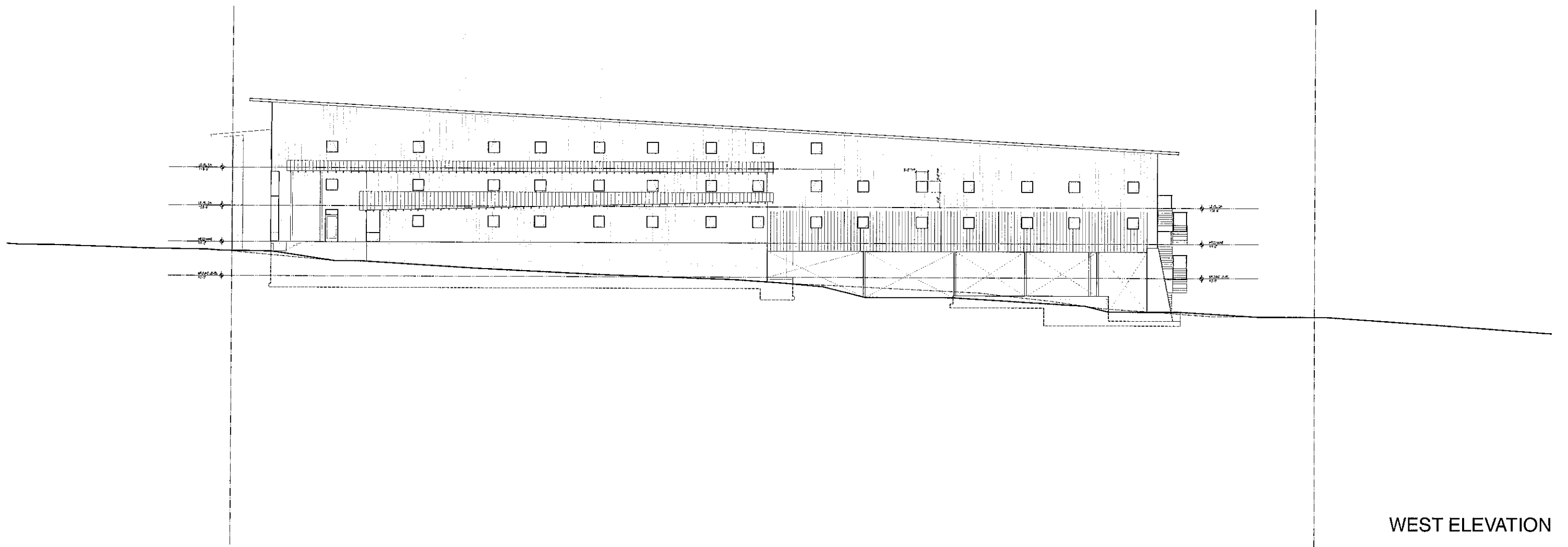
SECOND FLOOR

WINSLOW HOTEL
CUTLER ANDERSON ARCHITECTS
6.20.19



EAST ELEVATION

WINSLOW HOTEL
CUTLER ANDERSON ARCHITECTS
6.20.19



WEST ELEVATION

WINSLOW HOTEL
CUTLER ANDERSON ARCHITECTS
6.20.19

PUBLIC PROCESS

2 newspaper articles
5 DRB Meetings
1 Public Notice Meeting
5 meetings with neighbors
2 public notice periods and signs posted

PEAK HOUR TRIPS

122 Bar, BBQ, and Childrens = 108 Peak Hour Trips.
Hotel, Restaurant, Spa = 75 Peak Hour Trips.

TRAFFIC

Future 'Level of Service' at surrounding intersections, and including new projects on Madison, remains unchanged.

PARKING

If located in the High School Rd Zone,
COBI requires 87 spaces.
We are providing 136 spaces based on a detailed study.

BUILDING FLOOR AREA

Allowed 80,000 sf - Single Use,
120,000 sf - Mixed Use.
Hotel is 73,571sf = 92% of allowable Single Use.

SETBACKS

No required side or rear yard setbacks.
Hotel has: 17'3" West setback
24'-3" East setback
5' rear yard at West wing
84' rear yard at East wing

LOT COVERAGE

100% allowable lot coverage.
Hotel has 31,191 sf footprint
= 39% lot coverage.

WATER & SEWER

Water - City assumes by 2035, additional 2500
ERU's - Hotel is 58 ERU's
Sewer - Sufficient Capacity to 2035 - COBI
raised development assumption for Hotel site.



FIGURE GROUND DRAWING

PROGRESS: NOT FOR CONSTRUCTION

NOTE: Do not scale drawings

A15

Figure Ground Drawing

Winslow Way Hotel
253 Winslow Way West
Bainbridge Island, WA, 98110

Cutler Anderson Architects
135 Parfitt Way SW. Bainbridge Island, WA 98110
P: 206.842.47109 F: 206.842.4420
Email: contact@cutler-anderson.com

[illegible]

4/25/19

3002 REGISTERED ARCHITECT

JAMES L. CUTLER
State of Washington

SHORELINE MASTER PROGRAM PERIODIC REVIEW

Summary of the Periodic Review Rule (WAC 173-26-090)

Introduction

This document is an annotated version of Ecology’s rule ([WAC 173-26-090](#)) on conducting periodic reviews of Shoreline Master Programs (SMPs) under the Shoreline Management Act (SMA). The rule was based on [Department of Commerce rules](#) that guide local governments in meeting the analogous Growth Management Act (GMA) “periodic review” requirement.

The following is a brief summary of each section of the rule.

Section 1: Locally initiated review

This brief section is from a long-standing rule that encourages local governments to review their SMPs to reflect changing local circumstances, new information or improved data. Ecology retained this section to clarify that local governments may prepare SMP amendments outside the statutorily mandated review period. The rule encourages local governments to consult guidance materials available from Ecology that may inform their reviews.

Section 2: Periodic review requirements

The second section summarizes and explains statutory requirements. The SMA requires each city and county to review, and, if necessary, revise their SMP at least once every eight years. The legislature set a staggered schedule that alternates with similar reviews under the Growth Management Act (GMA).¹

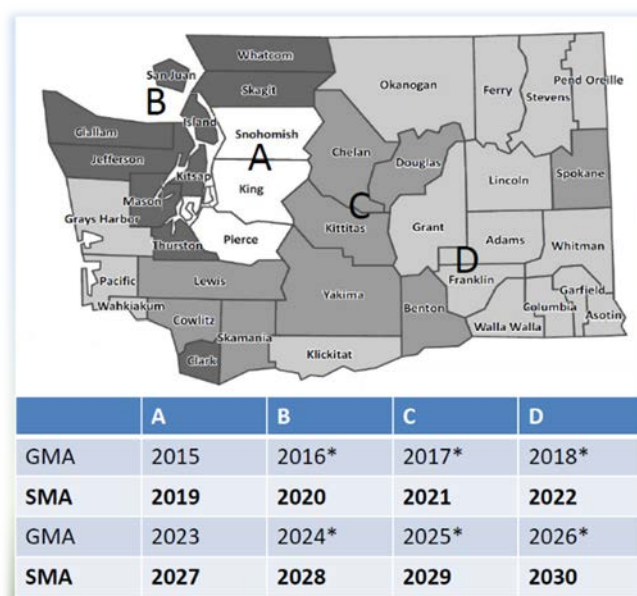


Figure 1. Periodic review schedules under the SMA and GMA.
(NOTE *For GMA reviews, the law gives an extra 2 years for smaller, slower-growing jurisdictions in groups B, C, and D.)

Figure 1 illustrates how GMA and SMA review deadlines alternate over time. For example, Column A indicates that King, Pierce and Snohomish counties and the cities within them have GMA review deadlines in 2015 and eight years later in 2023, interspersed with SMA reviews in 2019 and 2027.

The rule clarifies that local legislative action is required to complete the review, even when a local government determines no changes are needed. It also clarifies how the scope of the periodic review differs from the comprehensive updates that were conducted starting in 2005.

¹ RCW 90.58.080(4)

Summary of Periodic Review Rule (WAC 173-26-090)

Shorelands and Environmental Assistance Program, September 20, 2017

Section 3: Procedures

The third section of the rule outlines local and state procedures for conducting periodic reviews. The rule follows the GMA periodic review process, with unique steps to reflect Ecology's formal approval role (see Figure 2).

The rule requires Ecology to maintain a checklist that includes potential review elements. The checklist is used at the beginning to help determine what to review, and at the end to identify where each applicable issue is addressed in the SMP.

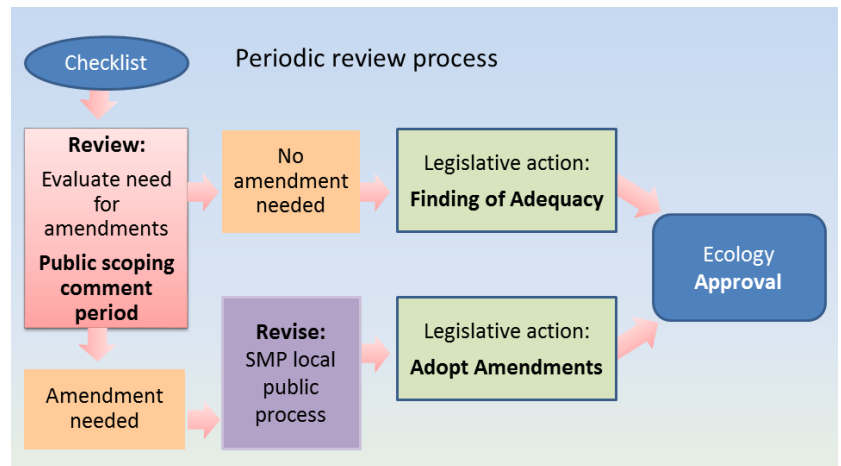


Figure 2. Schematic outline of SMP periodic review process. Ecology final approval triggers an appeal period.

The rule requires a public participation program that provides for early and continuous involvement of interested parties throughout the review process.

For jurisdictions that find no amendments are needed, the scoping could lead directly to final legislative action determining that no amendments are needed ("Finding of Adequacy"). Under the SMA, amendments to SMPs are final only after approval by Ecology. Even when it is determined locally that no amendments are necessary under the periodic review, local governments will submit their Findings of Adequacy to Ecology for review of the local determination and to ensure a definitive conclusion to the periodic review process. If in agreement, Ecology would issue a formal approval. This would provide certainty to all parties that Ecology has concurred with the local determination.

Ecology's approval triggers the appeal period. Any appeals would be of Ecology's action as well as the local government action.

Below is the complete text of Ecology's rule outlining the periodic review requirements and process. The annotation in colored boxes provides context and explanation for each section and is not part of the formally adopted rule.

WAC 173-26-090 - Locally initiated review—Periodic review—Public involvement and approval procedures.

(1) Locally initiated master program reviews

Each local government should review its shoreline master program and make amendments deemed necessary to reflect changing local circumstances, new information or improved data.

Local governments are encouraged to consult department guidance for applicable new information on emerging topics such as sea level rise.

The first sentence of §1 has been in place for decades. Ecology retained this direction to emphasize that local governments may amend their SMPs at any time to address changing circumstances, new information or improved data. Ecology's 2017 amendments suggests local governments consult Ecology guidance for information on emerging issues such as sea level rise. Addressing sea level rise is an example of the kind of work that might be most effectively tackled as part of a broader comprehensive plan initiative, rather than during a focused SMA periodic review. Note that §(3)(b)(iii) calls on local governments to consider these kinds of amendments during the mandatory periodic review. The periodic review can be considered a minimum time period to convene a public process to consider as a community whether your SMP remains relevant with changing conditions. However, these kinds of amendments can be conducted at any time.

(2) Periodic review requirements.

(a) Following the comprehensive updates required by RCW 90.58.080(2), each local government shall conduct a review of their master program at least once every eight years on a schedule established in the act. Following the review, local governments shall, if necessary, revise their master programs. This review and revision is referred to in this section as the periodic review.

§ 2 (a) starts with direct quotes from the SMA at RCW 90.58.080(4), with an additional clarification that the rule uses the term “periodic review” for the mandatory eight-year review. The term “comprehensive update” refers to the one-time updates required under RCW 90.58.080(2) with deadlines from 2005 – 2014.

(2)(b) Deadlines for periodic review.

Local governments must take action to review, and if necessary, revise their master programs according to the schedule established in RCW 90.58.080(4)(b). Deadlines for completion of periodic review are as follows:

Table WAC 173-26-090.1 Deadlines for Completion of Periodic Review

Reviews must be completed on or before June 30 of:	Affected counties and the cities and towns within:
2019/2027*	King, Pierce, Snohomish
2020/2028*	Clallam, Clark, Island, Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, Whatcom
2021/2029*	Benton, Chelan, Cowlitz, Douglas, Kittitas, Lewis, Skamania, Spokane, Yakima
2022/2030*	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, Whitman

* And every eight years thereafter.

§ 2(b) quotes the statutory directive to review and revise if needed and presents the deadlines in a table.

The statutory requirement is to conduct a periodic review *at least* once every 8 years by June 30 of the year listed. There is no absolute direction in law or rule for how early you can adopt, but as a general guide Ecology recommends conducting periodic review within two years of the deadline. For SMA reviews in particular it will actually be beneficial if local periodic review adoptions are “spread out” around the deadline to distribute the review workload, and ensure Ecology can provide adequate help to individual jurisdictions.

Note that if a local governments simply ignores their deadlines they are potentially vulnerable to a “failure to act” claim before the Growth Management Hearings Boards (for fully planning jurisdictions), or before the Shorelines Hearings Board (for partially planning jurisdictions). Ecology also has authority to adopt SMP amendments by rule under RCW 90.58.070.

(2)(c) Taking legislative action.

(i) The periodic review must be accomplished through legislative action. Legislative action means the adoption of a resolution, motion, or ordinance following notice and a public hearing including, at a minimum, findings that a review and evaluation has occurred and identifying the revisions made, or that a revision was not needed and the reasons therefore. Legislative findings that no revisions are needed are referred to in this section as “findings of adequacy.”

(ii) Legislative action includes two components. It includes a review of the shoreline master program and it includes the adoption of either findings of adequacy or any amendments necessary to bring the program into compliance with the requirements of the act.

(iii) Legislative actions concluding the periodic review must be followed by department approval.

§ 2(c) clarifies that statutory review must be concluded with legislative action. In other words, a local government cannot simply conduct a staff-level review, conclude no local action is needed, and be done with the review obligation. Just like under GMA reviews, the review is a formal public process concluding with elected officials taking formal action after a public hearing.

§ 2(c)(i) creates a new term – locally adopted findings that revisions to the SMP are not needed are called “Findings of Adequacy.” § 2(c)(ii) clarifies that legislative action includes a formal public review and formal action, whether the review results in amendments, or simple findings of adequacy where the review reveals no changes to the SMP are needed. § 2(c) (iii) clarifies Ecology approval is needed to conclude local reviews. This provides a definitive end to the local process. Note that an appeal of local periodic review amendments or local findings of adequacy would also be appeals of Ecology’s approval.

(2)(d) The required minimum scope of review.

(i) The purpose and scope of the periodic review as established by the act is:

(A) To assure that the master program complies with applicable law and guidelines in effect at the time of the review; and

(B) To assure consistency of the master program with the local government's comprehensive plan and development regulations adopted under chapter 36.70A RCW, if applicable, and other local requirements.

(ii) The review process provides the method for bringing shoreline master programs into compliance with the requirements of the act that have been added or changed since the last review and for

responding to changes in guidelines adopted by the department, together with a review for consistency with amended comprehensive plans and regulations. Local governments should also incorporate amendments to reflect changed circumstances, new information, or improved data. The review ensures that shoreline master programs do not fall out of compliance over time through inaction.

(iii) The periodic review is distinct from the comprehensive updates required by RCW 90.58.080(2). The presumption in the comprehensive update process was that all master programs needed to be revised to comply with the full suite of ecology guidelines. By contrast, the periodic review addresses changes in requirements of the act and guidelines requirements since the comprehensive update or the last periodic review, and changes for consistency with revised comprehensive plans and regulations, together with any changes deemed necessary to reflect changed circumstances, new information or improved data. There is no minimum requirement to comprehensively revise shoreline inventory and characterization reports or restoration plans.

§ 2(d)(i) and (ii) define the required scope of review consistent with the purpose set in statute.

§ 2(d)(iii) is intended to distinguish the periodic reviews from the one-time comprehensive SMP update. Comprehensive updates involved a complete review of the SMP based on Ecology's 2003 SMA rules, and included extensive inventory work to determine shoreline jurisdiction and analyze existing conditions. Periodic reviews are focused on new laws or rules that were not effect when the comprehensive update was adopted, or new information a local government finds warrants local amendments.

(3) Procedures for conducting periodic reviews.

(3)(a) Public participation program.

(i) In conducting the periodic review, the department and local governments, pursuant to RCW 90.58.130, shall make all reasonable efforts to inform, fully involve and encourage participation of all interested persons and private entities, tribes, and agencies of the federal, state or local government having interests and responsibilities relating to shorelines of the state and the local master program. Local governments may follow the public participation procedures under either the standard local process outlined in WAC 173-26-100, or the optional joint review process outlined in WAC 173-26-104.

§ 3(a)(i) clarifies that the periodic review is a public process. Even though conducting the review may lead to the conclusion no actual revisions are necessary, the direction in statute for public involvement applies.

(ii) Counties and cities shall establish and broadly disseminate to the public a public participation program identifying procedures whereby review of the shoreline master program will be considered by the local governing body consistent with RCW 36.70A.140. Such procedures shall provide for early and continuous public participation through broad dissemination of informative materials, proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, and consideration of and response to public comments.

The public participation program should include a schedule for the periodic review and identify when legislative action on the review and update component are proposed to occur. The public participation program should also inform the public of when to comment on the scope of the review and proposed changes to the master program. Counties and cities may adjust the public participation program to best meet the intent of the participation requirement.

§ 3(a)(ii) require a public participation program for all jurisdictions, not just those fully planning under GMA. The new additions under (A) and (B) are modified from GMA rules [[WAC 365-196-610\(2\)\(a\)\(i\) and \(ii\)](#)]. The recommendation for a schedule and public scoping addresses Growth Management Hearings Board decisions – highlighting the importance of definitive notice when taking action on periodic reviews.

(3)(b) Review and analysis to determine need for revisions.

(i) Review amendments to the act and shoreline master program guidelines.

Local governments must review amendments to chapter 90.58 RCW and department guidelines that have occurred since the master program was last amended, and determine if local amendments are needed to maintain compliance. The department will maintain a checklist of legislative and rule amendments to assist local governments with this review. The department will provide technical assistance to ensure local governments address applicable changes to the act and master program guidelines.

(ii) Review relevant comprehensive plans and regulations.

Local governments must review changes to the comprehensive plan and development regulations to determine if the shoreline master program policies and regulations remain consistent with them.

WAC 173-26-191(1)(e) and 173-26-211(3) provide guidance on determining internal consistency. It is the responsibility of the local government to assure consistency between the master program and other elements of the comprehensive plan and development regulations. Local governments should document the consistency analysis to support proposed changes.

(iii) Additional review and analysis.

Local governments should consider during their periodic review whether to incorporate any amendments needed to reflect changed circumstances, new information or improved data as described under subsection (1) of this section. Local governments should consider whether the significance of the changed circumstances, new information or improved data warrants amendments.

§ 3(b) is based on the Commerce GMA periodic update rule [[WAC 365-196-610\(2\)\(b\)](#)].

§ 3(b)(i) borrows from the Commerce rule in requiring Ecology to maintain a checklist of statutory and rule amendments.

§ 3(b)(ii) references Ecology's existing rules on how to review SMPs for consistency with GMA plans and regulations. (Those rules clarify that local governments are responsible for determining whether their SMP is consistent with other local plans and regulations, and not Ecology).

§ 3(b)(iii) acknowledges local governments may combine locally initiated amendments together with the periodic review.

(3)(c) Take legislative action.

(i) At the end of the review process, counties and cities must take legislative action declaring the review process complete.

(ii) The notice of hearing for legislative actions that are intended to address the periodic review process must state that the actions to be considered are part of the periodic review process under RCW 90.58.080(4).

(iii) The findings for any legislative action on the periodic review process must state that the action is intended to satisfy the requirements of RCW 90.58.080(4).

(iv) A local government that determines after review that amendments are not needed shall adopt a resolution, motion, or ordinance declaring findings of adequacy. Findings of adequacy are a local written determination that no revisions to a shoreline master program are needed to comply with the requirements of RCW 90.58.080(4).

§ 3(c)(i) – (iii) is based on the GMA periodic update rule [[WAC 365-196-610\(2\)\(c\)](#)]. These rules are based on Growth Management Hearings Board decisions that found procedural errors in some local GMA periodic review adoptions. It is important to definitively conclude the periodic review in legislative findings.

§ 3(c)(iv) clarifies that when no changes are needed a local government will adopt formal “Findings of Adequacy.”

(3)(d) Submittal to the department.

(i) A local government that determines amendments are needed shall submit the amendments to the department consistent with WAC 173-26-110.

(ii) A local government that determines amendments are not needed shall submit the following in lieu of the requirements of WAC 173-26-110:

(A) A resolution or ordinance declaring findings of adequacy.

(B) Evidence of compliance with applicable public notice and consultation requirements.

(C) Copies of all public, agency and tribal comments received during any applicable public comment periods, or where no comments have been received, a statement to that effect.

(D) A completed checklist demonstrating review elements have been considered, and are either inapplicable or have already been addressed through previous locally initiated amendments prior to the scheduled periodic review.

§ 3(d)(i) clarifies that when there are amendments, local governments will follow the normal amendment process.

§ 3(d)(ii) provides submittal requirements when there are no amendments – these are the required elements for complete submittal to accompany “findings of adequacy.”

(e) State process for approving periodic reviews.

(i) The department must issue a formal approval of any amendment or findings of adequacy. Department approval is necessary to affirmatively conclude the periodic review process, to confirm that state review of local action has occurred, and to establish a definitive appeal window consistent with RCW 90.58.190.

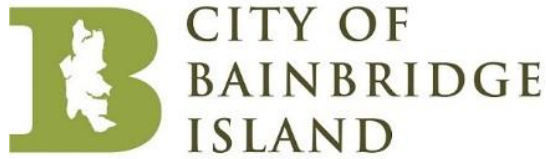
(ii) Where the local government final action includes master program amendments, local governments and the department shall follow applicable adoption procedures described in WAC 173-26-120.

(iii) Where the local government final action is to adopt findings of adequacy, the department shall follow applicable adoption procedures described in WAC 173-26-120. The department shall review the findings of adequacy solely for consistency with RCW 90.58.080(4) and this section.

§ 3(e)(i) clarifies that Ecology must approve any amendment as well as the “findings of adequacy.” Any appeals would be of Ecology’s approval rather than the local government determination.

§ 3(e)(ii) clarifies that the normal adoption process applies if there are amendments.

§ 3(e)(iii) provides submittal requirements where there are no amendments. Ecology will follow the normal adoption process but substitute review of the local “findings of adequacy” with evaluation of actual amendments.



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: June 27, 2019
To: Planning Commission
From: Jennifer Sutton, AICP
Senior Planner
Subject: Update to BIMC Title 18 *Zoning* Development Code “Housekeeping” Changes

I. BACKGROUND

The Department of Planning and Community Development staff have identified many areas of the development code ([BIMC Chapters 2.14, 2.16 and 18](#)) that could be clarified, updated or where there are errors in need of correction. For Planning Commission review, the proposed updates have been divided into three categories:

- 1) General “Housekeeping”
- 2) Reconsidering Planning Commission role in approving *Noise Variances*
- 3) Updates to the [BIMC Sections 2.16.040 \(*Site Plan and Design Review*\)](#) and [2.16.050/110 \(*Conditional Use Permits*\)](#) related to clarifying applicability and exemptions and reviewing decision criteria.

The Planning Commission last discussed this agenda item on May 23. The discussion at that meeting focused primarily on:

- The Planning Commission role in granting noise variances (see BIMC Chapter 16.16.030);
- Title 2 Housekeeping Changes.

II. MEETING PURPOSE

The Planning Commission Study Session should become familiar with the proposed changes, and provide policy direction to staff for the changes that require it, such as the new use of “Temporary Construction Staging”. Most of the Title 18 changes for review at the June 27 meeting fall into the “housekeeping” category. The summary table provides an explanation for the proposed change. The attached strikeout/underline version shows the full sections where the changes may be informed by the entire section. However, in longer code sections, staff only included the sections where there were changes proposed, such as BIMC Tables 18.12.020-1, 2 and 3 (unchanged/unrelated rows are not shown). The entirety of BIMC Table 18.09.020 *Use Table* is included, although only one change is proposed: to add the new use “temporary construction staging”. The *Use Table* may be helpful while reviewing definitions. All changes are highlighted for easier reading.

The City proposes the new use “temporary construction staging” as a use when construction staging is needed outside of the City right-of-way. The absence of this use was discovered during the City

construction of the Sound-to-Olympics trail. Staff proposes to add the use to the use table, define the use, and proposes new use specific standards. See attached.

III. NEXT STEPS

July 25: Planning Commission Study Session on Proposed Update to Site Plan and Design Review (SPR, BIMC Section 2.16.040) and Minor/Major Conditional Use Permit Chapters (CUP, BIMC Section 2.16.050/110) and second review of Title 2 and 18 recommended to date. All changes will then be synthesized together to hold a public hearing.

A public hearing will then be scheduled depending on the Planning Commission review and calendar.

UPDATED Title 18 Zoning Housekeeping & Clarification Code Updates

Code Section	Suggested Edit, Correction
18.09 & 18.36	Consider defining temporary construction staging and adding to the permitted use table, use specific standards and definitions. SEE PACKET MATERIALS
18.09.030.B	18.09.030.B 3. Commercial/Residential Mixed Use Development. CHANGE: Development should only have to meet standards that apply as described in Title 18, which includes performance standards and design guidelines.
18.09.030.D.7.c	Should have been deleted during 2018 Business/Industrial ordinance when professional services definition modified, and professional services changes to Permitted (from Conditional) in the B/I zone.
18.12.020	Tables 18.12.020—1-3 Header for Maximum Building <u>& Structure</u> Height
18.12.020	Table 18.12.020—Tables 1-3 Reference to BIMC 18.12.030.F should be BIMC 16.12.040.I.h
18.12.020	Table 18.12.020.-3 Footnote 6 re: how to earn optional 10 ft. & building height, and definition of building footprint. See note below on FAR
18.12.040	Table 18.12.040 Exception should be for overhead and underground accessory utilities like power, water, telephone or sewer lines, not above ground utilities such as propane tanks.
18.12.040	Table 18.12.040 Rockeries less than 4 ft in height allowed in setback <u>WALLS OVER 4 FT MAY BE PERMITTED</u> WITH Qualified geotechnical engineer determination and city concurrence, that it is necessary for slope stabilization
18.12.050.G	18.12.050 G. Floor Area Ratio (FAR). “Floor area ratio” is a figure that expresses the total floor area as a multiple of the lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area prior to removal of lot area for dedication. Portions of parking located underneath a building footprint are not counted in floor area ratio calculations. See also definition/rules of measurement for building footprint. Change: either FAR or building footprint Similar discussion related to Optional 10 feet building height incentive related to put parking under building in MUTC Zones- see note on Table 18.12.020-3 Footnote 6 above
18.12.050.I	At end of description of “Grade” update WAC reference: should read WAC 173- <u>27</u> -030(3), rather than 173- <u>14</u> -030.(
18.15.020	Table 18.15.020-2 Minimum parking requirement missing for commercial and nonresidential in the Madison, Ericksen and Gateway districts
18.30.030.C	18.30.030.C Change “square footage” to “floor area”
18.36.030.5	18.36.030.5 Accessory Ag Retail, Minor (b) does not conduct more than 4 <u>non-agricultural</u> special events
18.36.030.6	18.36.030.6 Accessory Ag Tourism. Make clear that overnight stays are not accessory agricultural tourism.

Code Section	Suggested Edit, Correction
18.36.030	ADD need definition for “adjacent” not just “adjoining” and “abutting”. Suggest definition of “adjacent” from SMP, BIMC 16.12.080
18.36.030	ADD definition for “Commercial/Residential Mixed Use”
18.36.030	69. Review definition of “day care”; need to clarify that before and after school care is different than a day care and has been treated as an educational use.
18.36.030	165. “Motor vehicle sales lot ” means any land or buildings used primarily for the sale of new or used motor vehicles fit for transportation.
18.36.030	188. “Parfitt-Waterfront area” is defined as that area south of the boundary created by the following parcels and streets; starting at the northern property line of 272502-4-1130-2000; proceeding eastward along Blue <u>Bjune</u> Drive to its western intersection with Brien Drive; proceeding eastward along Brien Drive to its intersection with Bjune and Shannon Drives; and proceeding southward along Shannon Drive to the south property line of 4114-005-001-0003; and proceeding eastward to Winslow Ravine
18.36.030	192/193. Consider adding “camping” to definition of Parks, passive or Parks, active or both

NEW PROPOSED DEFINITION & USE SPECIFIC STANDARDS

18.36.030.XX “Temporary Construction Staging” means an area on a property that is not under construction where construction related equipment, small temporary buildings, vehicles or materials are stored during a private or public construction project. Temporary Construction Staging is located outside of the City right-of-way on individual properties, and is necessary when there isn’t any available space on a construction site for staging.

18.09.030.J.2. Temporary Construction Staging.

- a. A temporary construction staging permit must be issued by the Department of Planning and Community prior to staging activities commencing. Staging on publicly-owned property, such as property owned by the City or Bainbridge Island Metropolitan Park District, is exempt from the staging permit requirement.
- b. For construction that requires a development permit, such as a grading or building permit, the temporary construction staging permit cannot be issued until any related development permits issued. Temporary construction staging shall be exempt from site plan and design review pursuant to BIMC [2.16.040](#). The application shall be processed as an administrative approval under BIMC Title [2.16.020](#).
- c. The staging area and the access to the temporary construction staging property must comply with any applicable regulations of the BIMC or the Design and Construction Standards Manual in order to protect public health, safety and the environment;
- d. Any temporary structures must not be permanently affixed to the lot;
- e. Temporary construction staging shall not interfere with public non-motorized pathways including sidewalks.
- f. Temporary construction staging may not exceed 9-months. This time limitation does not apply to publicly-owned properties or public construction projects. To prevent serial use of a property as a temporary construction staging, a property shall not be utilized for temporary construction staging for more than eighteen-months within a 5-year period. The department may grant one extension of a permit authorizing temporary construction staging parking for a period not to exceed 180 days if:
 - i. A request for an extension is received by the department no later than 30 days prior to the expiration of the permit;
 - ii. Termination of the permit would result in an unreasonable hardship to the applicant; and
 - iii. An extension of the permit will not cause substantial detriment to existing uses in the immediate vicinity of the subject property.
- g. In mixed use and commercial zones, properties with parking lots that exceed the minimum number of parking spaces required for the use of the property, pursuant the BIMC 18.15.020, are not subject to the serial-use time limits of subsection BIMC 18.09.030.J.2.f, provided that the temporary construction staging does not block access to the number of parking spaces required. **ACE PARKING LOT CLAUSE**
- h. Temporary construction staging related shall be removed and property restored to pre-construction conditions to the satisfaction of the City within 30 days after related construction is complete. The city may request that the applicant submit a restoration surety to ensure compliance;
- i. The use of any temporary construction staging shall comply with the air quality emissions performance standards of BIMC [18.06.030](#).B.2.

18.09.030 Use-specific standards.

Regardless of whether a use is allowed as a permitted (“P”) use or as a conditional (“C”) use and regardless of the zoning district in which the use is located there may be additional standards that are applicable to the use, and the use must comply with such standards except as authorized by this code. The existence of these use specific standards is noted in the column headed “Use Specific Standards” in Table 18.09.020, which cross-references the section of the code that imposes the additional standard.

18.09.030.B. Residential.

3. Commercial/Residential Mixed Use Development. Principal and accessory uses shall comply with the all applicable development standards and performance standards of BIMC Title 18 of the NC district as well as the other standards listed here.

a. *Repealed by Ord. 2018-13.*

b. In the NC district, residential units must be located above the ground floor if the building is located on a collector or secondary arterial or higher road classification; however, for mixed use projects, if the building fronts on a local or private street, residential units can be located on the ground floor. Density for mixed use projects in the NC district shall be calculated pursuant to BIMC [18.12.030.D](#).

18.09.030.D. Commercial Sales and Service.

7. Professional Services.

a. In the ferry terminal overlay district, professional services may be located anywhere south of Winslow Way.

b. In the ferry terminal overlay district, north of Winslow Way, professional services are permitted only along Winslow Way, within 100 feet north of Winslow Way. Buildings shall have customer entrances on Winslow Way.

c. In the B/I district, professional offices shall be limited to those that do not provide services directly to the general public or attract customers from the general public. For example, accountants’, lawyers’, and architects’ offices are not permitted. Establishments that provide professional services to other businesses are permitted, such as civil, mechanical, or electrical engineers and research and development establishments.

18.12.020 Tables of dimensional standards.

Tables 18.12.020-1, 18.12.020-2, and 18.12.020-3 set forth applicable 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.

Table 18.12.020-1 Flexlot Subdivision Dimensional Standards for Residential Zone Districts

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

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14
DIMENSIONAL STANDARD										
MINIMUM SETBACKS										
Note: Landscaped areas may serve as setbacks (i.e., setbacks are not in addition to landscaped areas), and some encroachments into setback areas are permitted pursuant to BIMC 18.12.040.										
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										
(e) BIMC 18.12.030-F 16.12.040.I.h, Shoreline Structure Setbacks, or										
(f) BIMC 18.15.010, landscaping and screening.										
Shoreline Jurisdiction	See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030-F 16.12.040.I.h, Shoreline Structure Setbacks. For properties abutting the shoreline, the native vegetation zone required by BIMC 16.12.030 and Table 16.12.030-3 replaces the zoning setbacks along the water.									
MAXIMUM BUILDING AND STRUCTURE HEIGHT										
Note: Bonus may not be available in the shoreline jurisdiction										

Table 18.12.020-1 Flexlot Subdivision Dimensional Standards for Residential Zone Districts

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

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14
DIMENSIONAL STANDARD										
Short, Long, and Large Lot Subdivisions	Height requirements for standard lots apply (see end of table Table 18.12.020-2)									

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

[2] Pursuant to Chapters 18.18 and 18.27 BIMC the minimum lot area for a dwelling unit shall be 5,400 square feet for that area designated on the official land use map as the urban single-family overlay district (R-8SF). All other requirements of this chapter shall apply.

[3] Educational, governmental, cultural, religious, and health care within residential zone districts must be processed as major conditional use permits pursuant to BIMC 2.16.110.E.

[4] For flexlot subdivisions and short plats, setbacks from rights-of-way may be reduced to maintain neighborhood character by establishing building setbacks equal to or greater than the existing building setbacks on the adjacent properties. Where there are no developed properties adjacent to the property being subdivided, the setbacks in Table 18.12.020-1 shall apply.

Table 18.12.020-2 Standard Lot Dimensional Standards for Residential Zone Districts

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

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14
DIMENSIONAL STANDARD										
MINIMUM SETBACKS										
Note: Landscaped areas may serve as setbacks (i.e., setbacks are not in addition to landscaped areas), and some encroachments into setback areas are permitted pursuant to BIMC 18.12.040.										
Note: Additional setbacks may be required by:										
(a) Chapter 16.08 or 16.12 BIMC, or										
(b) Chapter 16.20 BIMC, Critical Areas, or										

Table 18.12.020-2 Standard Lot Dimensional Standards for Residential Zone Districts

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

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14
DIMENSIONAL STANDARD										
(c) BIMC 16.28.040, mining regulations, or										
(d) BIMC 18.09.030, Use Specific Standards, or										
(e) BIMC 18.12.030.F <u>16.12.040.I.h</u> , Shoreline Structure Setbacks, or										
(f) BIMC 18.15.010, Landscaping and Screening.										
Shoreline Jurisdiction	See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030.F <u>16.12.040.I.h</u> , Shoreline Structure Setbacks.									
MAXIMUM BUILDING <u>AND STRUCTURE</u> HEIGHT [4]										
Note: Bonus may not be available in the shoreline jurisdiction										
Exemption	Alternative height limits may apply for nonresidential uses if additional conditional use permit provisions of BIMC Title 2 are met. Some encroachments through height limits are permitted under BIMC 18.12.040.									
Shoreline Jurisdiction	See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030.F <u>16.12.040.I.h</u> , Shoreline Structure Setbacks.									

[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 18.24.110.

[2] Pursuant to Chapters 18.18 and 18.27 BIMC the minimum lot area for a dwelling unit shall be 5,400 square feet for that area designated on the official land use map as the urban single-family overlay district (R-8SF). All other requirements of this chapter shall apply.

[3] Additional setbacks for taller buildings must be from the ground upward – i.e., this is not a “step-back” requirement for upper floors.

[4] For community and educational facilities (as listed in Table 18.09.020), spires, towers and other vertical features with horizontal cross-sections no more than five percent of the footprint of the primary structure may have a maximum height of 10 feet above the maximum base height, and shall be reviewed through a conditional use permit.

Table 18.12.020-3 Dimensional Standards for Mixed Use Town Center and “Other” Zone Districts

ZONING DISTRICT	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I
	Central Core Overlay	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay [See BIMC 18.12.030.C]				
DIMENSIONAL STANDARD									
SETBACKS (Minimum required unless otherwise noted) [4]									
Note: Landscaped areas may serve as setbacks and, in some cases, may exceed the setback requirements.									
Note: Additional setbacks may be required by:									
(a) Chapter 16.12 BIMC, Shoreline Master Program; 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									
(e) BIMC 18.12.030.F <u>16.12.040.I.h</u> , Shoreline Structure Setbacks.									
Shoreline Jurisdiction	See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030.F <u>16.12.040.I.h</u> , Shoreline Structure Setback Lines								
MAXIMUM BUILDING <u>AND STRUCTURE</u> HEIGHT [5]									
Note: Bonus may not be available in the shoreline jurisdiction									
Base	35 ft.; 25 ft. max. south of Parfitt	25 ft.; 35 ft. north of High School Road	25 ft.	35 ft.	BIMC 18.12.030.C standard height north of Winslow Way; 35 ft. south of Winslow Way	35 ft.	35 ft.	35 ft.	35 ft. except that Chapter 16.12 BIMC applies within shoreline jurisdiction

Table 18.12.020-3 Dimensional Standards for Mixed Use Town Center and “Other” Zone Districts

ZONING DISTRICT	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I
	Central Core Overlay	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay [See BIMC 18.12.030.C]				
DIMENSIONAL STANDARD									
Bonus 1 if parking under building [6]	45 ft.; 35 ft. south of Parfitt	35 ft.; 45 ft. north of High School Road	35 ft.	45 ft.	BIMC 18.12.030.C optional height north of Winslow Way; 45 ft. south of Winslow Way	45 ft.			
Bonus 2 for Nonresidential Uses with Major Conditional Use Permit							45 ft.	45 ft.	45 ft.
Bonus 3 Structure Height	Alternative height limits may apply if the conditional use permit provisions of BIMC Title 2 are met. Some encroachments through height limits are permitted under BIMC 18.12.040.								

[1] If the existing FAR for a developed property as of May 21, 1998, is higher than the base FAR for that district, then the existing FAR will be considered the base FAR for that developed property. Total FAR may not be exceeded.

[2] In mixed use development, the established FAR in the residential and commercial components shall not be exceeded. For the residential FAR bonus provisions for qualifying housing design demonstration project, refer to the bonus density provisions in BIMC 2.16.020.S.8.

[3] In mixed use development in the ferry terminal district, an additional 0.2 FAR is permitted in accordance with BIMC 18.12.030.E.7. The additional FAR may be applied to either the residential or commercial component of the mixed use development.

[4] When property adjoins a single-family residential zone, building setback shall be in accordance with the landscape ordinance perimeter landscaping requirements.

[5] When property adjoins a lower density residential zone, except in the ferry terminal district, north of Winslow Way, for the first 30 feet of the building from the property line of an adjoining lower density residential zone, the building height shall be the building height of the adjoining lower density residential zone. Optional building height allowed in the adjoining lower density residential district through a conditional use

permit may be requested for projects within the Mixed Use Town Center and High School Road zones through the site plan review process. For building height requirements in the ferry terminal district, north of Winslow Way, reference BIMC 18.12.030.C.

[6] The bonus height provision applies to both parking underground and above ground, within the building footprint. The bonus height is only available for the entire building if parking is located under more than 50 percent of the building footprint. If parking is located under 50 percent or less of the building footprint, the bonus may only be used for a portion of the building footprint twice as large as the area with parking located beneath.

18.12.040 Modifications to required setbacks and heights.

A. Permitted Setback/Height Modifications. Minimum and maximum setbacks and maximum heights established in Tables 18.12.020-1, 18.12.020-2, and 18.12.020-3 and in BIMC [18.12.030](#) may be encroached as set forth in Table 18.12.040 and may also be modified by applicable provisions of adopted fire codes, the shoreline master program, and/or the building code:

Table 18.12.040: Permitted Setback/Height Modifications

Type of Encroachment	Encroachment Permitted	Conditions
Permitted Setback Modifications		
Fence or combined fence and berm up to 6 feet high	In any required setback subject to applicable regulations in BIMC Title 15	Except as provided in BIMC 18.12.040 .B and Chapter 16.12 BIMC
Nonscreening fences or combined nonscreening fence and berm up to 8 feet high	In any required setback subject to applicable regulations in BIMC Title 15	Except as provided in Chapter 16.12 BIMC
Chimneys, flues, awnings, bay windows, and greenhouse windows	Up to 18 inches into any required setback	
Covered porches, bay windows and eaves within the Ericksen Avenue overlay district	Up to 5 feet into the front yard	Bay windows must be cantilevered outward from the wall, and may not result in any portion of the building floor area extending into the setback
Any structures, including but not limited to uncovered steps, porches, and decks less than or equal to 30 inches in height	Up to 2 feet into front and side setbacks. Up to 5 feet into required rear setbacks.	
Eaves	May extend up to 24 inches in any required setback except shoreline structure setback	
At or near grade structures such as uncovered patios, sidewalks, and driveways	In any required setback	May not exceed 4 inches in height
Signs	In any required setback	Must conform to Chapter 15.08 BIMC

Table 18.12.040: Permitted Setback/Height Modifications

Type of Encroachment	Encroachment Permitted	Conditions
Overhead or underground accessory utilities-accessory to a single-family residence	In any required setback	Must conform to Chapters 16.12 and 16.20 BIMC. Does not apply to above ground utilities such as propane tanks.
Composting bins	In side or rear setback areas	
Bioretention/rain gardens	In any required setback	In accordance with Chapter 15.20 BIMC
Rain barrels/cisterns	In any required setback	In accordance with Chapter 15.20 BIMC
Wall-mounted on-demand hot water heaters	Up to 18 inches into side or rear setbacks	Permitted if buffered or enclosed to prevent noise impacts to neighboring properties
Below-ground geothermal equipment	In any required setback	Permitted if any excavated areas are promptly relandscaped after installation is complete
Rockerries and retaining walls less than 4 feet in height	In any required setback	Rockerries and retaining walls greater than 4 feet in height may be permitted with Qqualified geotechnical engineer determination, and city concurrence, that it is necessary for slope stabilization
Public communications tower	In any required setback subject to applicable regulations in BIMC Title 15	Must conform to Chapters 16.12 and 16.20 BIMC
Permitted Height Modifications		
Small wind energy generators	Up to 18 inches above the maximum building height in the district	
Solar panels	Up to 18 inches above the maximum building height in the district	
Noncommercial, nonparabolic antennas affixed to noncommercial communication towers	Up to 50 feet in height above grade	
One flagpole per parcel	Up to 45 feet in height above grade	
Public communications tower	Up to 120 feet in height above grade	A building permit is required for a public communications tower. A conditional use permit shall be required for a public communications tower to be constructed between 71 feet and

Table 18.12.040: Permitted Setback/Height Modifications

Type of Encroachment	Encroachment Permitted	Conditions
		120 feet above grade. A public communications tower shall not exceed 120 feet in height.
Distribution utility poles	Up to 55 feet in height above grade	Replacement poles over 55 feet in height, see BIMC 18.09.030.F.2.b . For new distribution utility facilities or corridors, see Table 18.09.020 . Poles shall not be moved more than 20 feet from the original location unless permitted under BIMC 18.09.030.F.2.b .
Transmission utility poles	Up to a 25 percent increase above existing pole height above grade with a maximum height of 100 feet	Replacement poles over the 25 percent increase or 100 feet in height, see BIMC 18.09.030.F.2.b . For new transmission utility facilities or corridors, see Table 18.09.020 . Poles shall not be moved more than 20 feet from the original location unless permitted under BIMC 18.09.030.F.2.b .
Utility structures existing on the effective date of the ordinance codified in this subsection	Existing height	May also be replaced or modified; provided, that the structure is not larger or taller than the original structure and is not moved more than 20 feet from its original location

18.12.050 Rules of measurement.

The following rules of measurement shall apply in determining compliance with the requirements of this title. When a required calculation results in a fraction greater than or equal to one-half, the requirement shall be rounded up to the next whole number.

G. Floor Area Ratio (FAR). “Floor area ratio” is a figure that expresses the total floor area as a multiple of the lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area prior to removal of lot area for dedication. **Portions of parking located underneath a building footprint or underground are not counted in floor area ratio calculations.**

I. Grade. “Grade” (adjacent ground elevation) is the computed average of the lowest and the highest points of elevation of the original surface of the ground, or existing paving or sidewalk within the area between the building and the property line, or when the property line is more than five feet from the building, between the building and a line five feet from the building. On waterfront parcels as defined in the shoreline master program, the definition of grade from the shoreline master programs shall be used (**WAC 173-27-14-030(3)**).

18.15.020 Parking and loading.

Table 18.15.020-2: Off-Street Parking Spaces Required in Mixed Use Town Center Districts and High School Road Districts [1]

Land Use	Spaces Required					
	Central Core Overlay	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay	High School Road I and II
Commuter-Oriented Retail	Not Permitted				1 space per peak shift employee	Not Permitted
Other Commercial and Nonresidential Uses						
Minimum spaces per 1,000 sq. ft. [2]	2, except 3 in the Parfitt-Waterfront area	4			1	4
Entertainment facilities	1 per 4 fixed seats	Not Permitted				1 per 4 fixed seats
Maximum above-ground spaces per 1,000 sq. ft.	5				3	5

18.30.030 Nonconforming structures and buildings.

A nonconforming structure may remain and be used; provided, that:

- A. Changes to the structure that would alter or increase the nonconformity are not permitted.
 - 1. Any vertical or horizontal extension of a nonconforming wall must meet the applicable standards.
 - 2. Adding to the footprint of a nonconforming structure is permitted as long as the addition meets the requirements of BIMC Title [18](#);
- B. If moved, the structure shall be made to conform to regulations of this code;
- C. If a building is harmed or destroyed by more than 50 percent of its square footage floor area, the building must be reconstructed in compliance with the requirements for the zone in which it is located (this provision shall not apply to any dwelling unit constructed as an affordable housing unit under Chapter [18.21](#) BIMC); and
- D. Any structure other than a building that is damaged or removed to an extent that exceeds 50 percent of its square footage may be replaced or reconstructed in substantially the same location and of substantially the same design as the pre-damaged or pre-removed structure, if a complete

application is submitted for any and all required construction permits within 180 days of the damage or removal.

18.36.030 Definitions.

1. "Abutting" means bordering or touching, such as sharing a common lot line. Lots that are separated by a street or right-of-way are not abutting, **they are adjoining.**

5. "Accessory agricultural retail" includes community kitchens and stables, and also means the sale of (a) crops grown or livestock raised by a farmer, or (b) value-added products made from crops grown or livestock raised by the farmer, and (c) incidental associated agricultural products sold on site where agricultural crops or livestock are grown or raised that is subordinate to the actual agriculture on-site. Products sold shall be (a) primarily Island-grown crops, (b) value-added products if the defining ingredient was Island-grown, and (c) associated products that are incidental to the agricultural activity on the site.

a. "Accessory agricultural retail, minor" means agricultural retail that (1) generates less than 36 round trips per day on average, and (2) does not conduct more than **four non-agricultural** special events each year. This category includes farm stands and joint use of farm stands by multiple producers and the use of retail sites for pick-up of community-supported agricultural deliveries. See "Farm stand."

b. "Accessory agricultural retail, major" means agricultural retail that is more intensive than minor agricultural retail.

6. "Accessory agricultural tourism" means agriculturally related accessory uses that are subordinate to the growing of crops or the raising of livestock, designed to bring the public to the farm on a temporary or continuous basis, such as U-pick farm sales, farm mazes, pumpkin patches, farm animal viewing and petting, wagon rides, farmland and facility tours, horticulture nurseries and associated display gardens, cider pressing, classes or workshops, wine or cheese tasting, etc. **Accessory agricultural tourism does not include overnight stays for guests such as a bed and breakfast or farm-stay type use.**

XX. "Adjacent" means that which is near or close; for example, a property located across the road or highway shall be considered as adjacent. NOTE: same definition in SMP BIMC 16.12.080

14. "Adjoining" means immediately abutting or separated only by a street or right-of-way.

XX. "Commercial/Residential Mixed Use" means having commercial and residential uses on the same property.

69. "Day care center" means a building or structure in which an agency, person, or persons regularly provide care for 13 or more people in any 24-hour period and could include a public or private school. **Businesses that offer care only before and after school are considered educational facilities. SEE BELOW**

82. "Educational facilities" means a public or private school or educational or training institution that offers a program of college, professional, environmental, preparatory, high school, middle school, junior high school, elementary school, kindergarten instruction, or preschool, or any combination of those facilities, together with associated staff housing and/or conference facilities and other typical educational accessory uses.

168. “Motor vehicle sales lot” means any land or buildings used primarily for the sale of new or used motor vehicles fit for transportation.

191. “Parfitt-Waterfront area” is defined as that area south of the boundary created by the following parcels and streets; starting at the northern property line of 272502-4-1130-2000; proceeding eastward along Blue Bjune Drive to its western intersection with Brien Drive; proceeding eastward along Brien Drive to its intersection with Bjune and Shannon Drives; and proceeding southward along Shannon Drive to the south property line of 4114-005-001-0003; and proceeding eastward to Winslow Ravine.

192. Park, Active Recreation. “Active recreation park” means a park where the primary uses are athletic fields, playgrounds, swimming facilities, sports courts, or other activities that require specialized fields or equipment.

193. Park, Passive Recreation. “Passive recreation park” means a park where the primary uses are hiking, bird watching, picnicking, camping and other low impact activities.

Table 18.09.020 Use Table

“P” = Permitted Use				“A” = Accessory Use							Additional use restrictions for Chapters 16.12 and 16.20 BIMC may apply to shoreline or critical area properties									
“C” = Conditional Use				“CA” = Conditional Accessory Use																
Blank = Prohibited Use				“T” = Temporary Use																
ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
PRINCIPAL USES																				
AGRICULTURAL																				
Note: Agricultural uses may be subject to additional requirements in BIMC 16.12.040.E, Forest Practices.																				
All agricultural uses are subject to the critical area regulations in Chapter 16.20 BIMC.																				
Agricultural uses are not allowed within the shoreline jurisdiction pursuant to Chapter 16.12 BIMC.																				
Agriculture, Animal	P	P	P	C	C	C	C										P			A-1
Agriculture, Crop	P	P	P	P	P	P	P	P	P	P							P			A-2
Agriculture Research Facility	C	C	C																	A-3
Agricultural Processing																P		P/C		A-4
RESIDENTIAL																				
Note: Residential uses may be subject to additional requirements in BIMC 16.12.040.I, Residential Development.																				
Household Living																				
Single-Family Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			B-1
Single-Family Dwelling existing on April 15, 1996											P	P	P							B-1
Multifamily Dwellings	C	C	C	C	C	C	P	C	P	P	P	P	P	P	P	P	P			B-2

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Blank = Prohibited Use			“T” = Temporary Use																	
ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
Commercial/Residential Mixed Use Developments									P	P	P	P	P	P	P	P				B-3
Live/Work Units																	P			B-4
Group Living																				
Foster Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P			
Small Group Living Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Group Care Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	P	C	P	P		C	
PUBLIC AND INSTITUTIONAL																				
Community and Educational Facilities																				
Educational Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	C	P	C		C	C-1
Vocational/Trade Instruction Facilities	C																	P		
Governmental Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	C	P	C		C	C-2
Religious Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	C	P	C		C	C-3
Parks and Park-Related																				
Note: Parks and park-related uses may be subject to additional requirements in BIMC 16.12.040.H, Recreational Development.																				
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			C-4

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ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
Park, Active Recreation	P	P	P	C	C	C	C	C	C	C	P	P	P	P	P	P	P		P	
Park, Passive Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	
Recreation Activity, Indoor	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	
Recreation Activity, Outdoor	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		P	
Other Public and Institutional																				
Cemetery	C	C	C																	
Day Care Center	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P			C-5
Family Day Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			C-6
Health Care Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P	P				C-7
CULTURAL AND ENTERTAINMENT																				
Artist Studio											P	P	P	P	P	P	P	P		
Club	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P			
Commercial Amusement											P	P	P	P	P	P	C			
Cultural Facility	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	C		C	
Entertainment Facility											P					P	C			
COMMERCIAL SALES AND SERVICE																				

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ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
Note: Commercial Sales and Service uses may be subject to additional requirements in BIMC 16.12.040.D, Commercial Development.																				
Accommodation																				
Bed and Breakfast (3+ bedrooms)	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P			
Inn											P	P	P	P	P	P	P			
Hotel											C			C	C	P				D-1
Animal Sales and Service																				
Equestrian Facility	C																	P		
Kennel, Indoor	C										P	P	P	P	P	P	P	P		
Kennel, Outdoor	C																	C		
Veterinarian Clinic or Office	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P	C	P			
Food and Beverage																				
Formula Take-Out Restaurant															P					D-2
Restaurant											P	P	P	P	P	P				
Food Service Establishment																		P		D-3
Mobile Retail Food Establishment											P	P	P	P	P	P	P	P	P	D-5
Craft Food and Beverage											P	P	P	P	P	P	P			D-4

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ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
Offices and Services																				
Personal Service											P	P	P	P	P	P	P			D-6
Professional Service											P	P	P	P	P	P	P	P		D-7
Retail																				
Commuter-Oriented Retail Sales														P						D-8
Open-Air Sales for Garden Supply	C	C	C													P				
Retail Sales											P	P	P	P		P	P	A		D-9
PRIVATE MOTOR VEHICLE-RELATED																				
Note: Private motor vehicle-related uses may be subject to additional requirements in BIMC 16.12.030.C.6, Transportation Facilities.																				
Auto Repair Services															C	C	P/C			E-1
Car Wash Facility, Manual or Automatic															C	C	C			
Commercial Parking Structure											C									
Commercial Parking, Surface											P			P						E-2
Ferry Commuter Parking											P			P	P					E-3
Gasoline Service Station															C	C				
Motor Vehicle Sales															C					E-4

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ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
Noncommuter Ferry Parking														C					E-5	
Park and Ride Facility/Lot	C	C	C													C	C		C	E-6
Park and Ride Lot, Shared Use	C	C	C	C	C	C	C	C	C	C						C	C		C	E-7
Small Engine Repair																C	C	P		
Transport and Delivery Service																P	C	P		E-8
Motor Vehicle-Related Services, Not Including Retail and Not Otherwise Listed																C				
UTILITY AND TELECOMMUNICATIONS																				
Note: Utility and telecommunications uses may be subject to additional requirements in BIMC 16.12.030.C.7.																				
Monopole or Lattice Tower	P																	P		
Small Wind Energy Generator	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P/C	P/C	P/C	F-1
Utility, Primary	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	F-2
Public Communications Tower	P	P	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	P	A	F-3
Wireless Communication Facilities, Facility I	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wireless Communication Facilities, Facility II	P										P	P	P	P	P	P	P	P	P	
Wireless Communication Facilities, Facility III	P																	P	P	

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ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center				HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]				
INDUSTRIAL USES																			
Note: Industrial uses may be subject to additional requirements in BIMC 16.12.040.F, Industrial Development.																			
Manufacturing and Production																			
Manufacturing, Small-Scale																C	P		
Manufacturing, Light																	P		
Manufacturing, General																	C		
Mining and Quarrying	C	C	C																G-1
Research and Development																P	P		
Waste and Salvage																			
Recycling Center	C	C									C				C		C		G-2
Waste Transfer Facility	C																		G-3
Warehouse and Freight Movement																			
Commercial Moving and Freight Terminal																	C		
Self-Service Storage Facility																C	P		G-4
Warehouse																	P		
Ferry- and Waterfront-Related																			

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ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center				HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]				
Note: Ferry- and waterfront-related uses may be subject to additional requirements in BIMC 16.12.040.C, Boating Facilities; and 16.12.050.C, Overwater Structures.																			
Barge Moorage and Off-Load Ships																		C	H-1
Boat Building																	P/C	C	H-2
Boat Repair Facility																	P/C	P	H-3
Cross Harbor Passenger-Only Ferry Terminal and Associated Parking																		C	
Dry Storage for Boats and Marine Equipment																		P	
Ferry Terminal and Associated Docks, Ramps, Walkways, Trails, Waiting Rooms, and Holding Areas														P					
Ferry Slips and Repair Facility																		P	H-4
Marine Rental and Sales																		P	
Marine Way																		C	
Pleasure and Commercial Vessel Moorage																		P	
Small Boat Haul-Out Facility																		P	
Water-Related Supply and Retail Sale																		P	

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ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
ACCESSORY USES																				
Accessory Agricultural Education	A	A	A	A	A	A	A										A			I-1
Accessory Agricultural Retail, Minor	A	A	A	A	A	A	A										A			I-2
Accessory Agricultural Retail, Major	CA	CA	CA	CA	CA	CA	CA										CA			I-3
Accessory Agricultural Special Event	A	A	A	A	A	A	A										A			I-4
Accessory Agricultural Tourism	A	A	A	A	A	A	A										A			
Accessory Composting Bin	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Accessory Dwelling Unit (outside shoreline jurisdiction)	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A			I-5
Accessory Dwelling Unit (within shoreline jurisdiction)	CA	CA	CA	CA	CA	CA	CA		CA	CA							CA			I-5
Accessory Agricultural Processing and Livestock and Poultry Slaughtering	A	A	A	A	A	A	A										A		A	I-6
Accessory On-Site Treatment and Storage Facilities for Hazardous Wastes																	A	A	A	I-7
Accessory Outdoor Storage																	A	A	A	I-8
Accessory Rain Garden/Swale	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	

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USE CATEGORY/TYPE												CC	MA	EA	Gate	Ferry [1]					
Accessory Rainwater Harvesting Barrel	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	I-9	
Accessory Security Residence																		P		I-10	
Accessory Small Wind Energy Generator	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	I-10	
Accessory Solar Panel	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Accessory Uses to Agriculture (not otherwise listed)	A	A	A	A	A	A	A										A				
Accessory Utilities	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	I-11	
Bed and Breakfast (1 – 2 bedrooms)	A	A	A	A	A	A	A	A	A	A	A						A				
Minor Home Occupations	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			I-12	
Major Home Occupations	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA	CA			I-13	
Nonagricultural Accessory Uses and Structures (not otherwise listed)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	I-14	
TEMPORARY USES																					
Temporary Construction Building	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	J-1	
Temporary Construction Staging	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	J-2	
Temporary Container Storage	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	J-2 3	
Temporary Commercial Parking												T	T	T	T	T				J-3 4	

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USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
Temporary Public Events or Gatherings	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		J-4 <u>5</u>	
Temporary Ferry Commuter Parking											T			T	T				J-5 <u>6</u>	
Temporary Noncommuter Parking															T				J-6 <u>7</u>	
Temporary Seasonal Sales	T	T	T								T				T	T	T		J-7 <u>8</u>	
Temporary Homeless Encampment	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	J-8 <u>9</u>	
MARIJUANA-RELATED USES																				
Marijuana Retailer																		P		K
Marijuana Processor																		P		K
Marijuana Producer																		P		K
Collective Garden																				
[1] In the ferry terminal district, all development shall include at least 10 percent of landscaped or naturally vegetated open space. Parking may be located under the open space. Development south of Winslow Way shall include pedestrian walkways that connect to Winslow Way East and Olympic Drive Southeast, and/or that align with Cave Avenue and Ferncliff Avenue.																				