



**CITY OF BAINBRIDGE ISLAND
REGULAR PLANNING COMMISSION MEETING
THURSDAY, APRIL 9, 2015
CITY COUNCIL CHAMBER
280 MADISON AVE N
BAINBRIDGE ISLAND, WASHINGTON**

- 7:00 PM CALL TO ORDER**
Call to Order, Agenda Review, Conflict Disclosure
- 7:05 PM PUBLIC COMMENT**
Accept public comment on off-agenda items
- 7:15 PM REVIEW AND APPROVAL OF MINUTES**
January 22, 2015 Planning Commission Meeting
- 7:20 PM 2016 COMPREHENSIVE PLAN UPDATE SCHEDULE AND NEXT STEPS**
Discussion and Recommendation
- 8:00 PM ORDINANCE 2015-04 LANDSCAPING AND TREE PROTECTION**
Study Session
- 8:40 PM ACCESSORY DWELLING UNIT REGULATIONS, BIMC 18.09.030.I.5**
Discussion
- 8:55 PM NEW/OLD BUSINESS**
- 9:00 PM ADJOURN**

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

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



**CITY OF BAINBRIDGE ISLAND
REGULAR PLANNING COMMISSION MEETING
THURSDAY, JANUARY 22, 2015
280 MADISON AVE N, BAINBRIDGE ISLAND, WASHINGTON**

CALL TO ORDER - Call to Order, Agenda Review, Conflict Disclosure
PUBLIC COMMENT - Accept public comment on off-agenda items
DRAFT KITSAP COUNTY 2014 BUILDABLE LANDS REPORT - Briefing
2016 COMPREHENSIVE PLAN: UPDATE TO PLAN VISION STATEMENT - Review and
Recommendation
NEW/OLD BUSINESS
ADJOURN

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

7:03 PM Meeting called to order by Commissioner Pearl. Commissioners Julie Kriegh, Maradel Gale, Michael Lewars, Jon Quitslund, John Thomas and William Chester were in attendance. City Staff present included Planning Director Kathy Cook and Special Project Planner Jennifer Sutton. Administrative Specialist Jane Rasely monitored recording and prepared minutes. No conflict disclosures were reported.

PUBLIC COMMENT - Accept public comment on off-agenda items

None

DRAFT KITSAP COUNTY 2014 BUILDABLE LANDS REPORT – Briefing

Planning Director Kathy Cook spoke about the three items the WCIA stated the City needs to update:

1. Wireless Communication Ordinance;
2. Develop a Tent City Ordinance; and
3. Develop a standardized Public Participation Program.

Commissioner Pearl introduced Commissioner William Chester to everyone.

Special Project Planner Jennifer Sutton provided an overview of the Draft 2014 Buildable Lands Report. The official comment period ran through the end of January 2015. (A link to the document was provided to Planning Commissioners in their staff memo.) She explained the BLR and Land Capacity Methodology going over the BI Land residential capacity and demand. Commissioner Pearl asked if that capacity took into account accessory dwelling units. Director Cook gave the statistics on Accessory dwelling units saying the numbers are not perfect. Commissioner Quitslund asked whether that meant the Island would reach build out by 2035. Planner Sutton stated no, it meant the way land is zoned now, capacity could be reached and that zoning could change later. Commissioner Gale asked about aquifer capacity and whether the aquifer recharge areas would be affected by this amount of development. Planner Sutton referenced the USGS report dealing with priority aquifer areas. Director Cook replied that the critical areas ordinance has to be updated at the same time as the Comprehensive Plan and it would be looked at in the next phase of the Comprehensive Plan update.

Commercial development was also reviewed with future job and building capacity. Commissioner Quitslund found the statistics not reflecting the high number of home-based jobs. Jennifer explained that the home based worker *is* included in the 2.6 people per job. Commissioner Gale asked if it was something required to have that many new people. Director Cook stated no, the city's zoning just has to show there is capacity to grow with the population. Kathy reiterated that the most important thing to understand was that this document was at a draft stage and public comment would be accepted at the county until January 31, 2015. The whole document was just a tool for use during the Comprehensive Plan update. Commissioner Gale asked if there was ever a point at which the Island will reach capacity. She would like to know how, when or what can they do to keep from becoming an island like Manhattan. Director Cook agreed those were great questions. Commissioner Quitslund asked about whether they can restrict growth to the downtown Winslow area. He also wondered how many development rights had been extinguished or released during the last 6 years or so. Commissioner Gale asked about agricultural lands/zoning. Commissioner Lewars brought up the back tax bill if the agricultural areas are subdivided into residential areas. Commissioner Kriegh asked about zoning for neighborhood service centers and whether they can take the growth expected for Winslow and put some of it there instead. Commissioner Pearl stated the bottom line is they do not need to change anything this time, but that in the future, it will have to be looked at again.

Charles Schmid, Citizen - One of the worries they have had for 35 years is not whether there is enough buildable land but is there enough water to sustain this community? He spoke about the last City Council meeting and that the Utilities Advisory Committee reported about the 6% tax on the Winslow water system and how they decided it was inequitable because the rest of the City was not being taxed. They felt there were two options: 1) Remove the tax or 2) Start charging the tax to the other water systems as well. Mr. Schmid felt they should keep the tax or \$150,000 would come out of the General Fund. He thought there should be a moderate tax and that would be used for safety, roads, etc. He felt the City should be taking that tax (making it a 3% moderate tax for everyone even though they might not currently have the staff) and using it for water monitoring because when the USGS study was done, one of the questions asked was how do we as a City keep this model up? This way, there would be a dedicated staff person to provide the monitoring. This staff person would be able to say how the Island is doing in water supply. He stated he would suggest to Council that the tax should remain because it is always hard to reinstate a tax and since it is in place, it would be better to perhaps lower the Winslow water system tax to 3% and give other water supplies a 3% tax.

Ron Peltier, Citizen - Spoke about the BLR and a conversation he had with Joe Tovar about the possibility of taking less growth. He stated that if the City had *reasons* to take less growth that is an available option. Commissioner Quitslund asked how they would take less growth. Mr. Peltier replied with changing our zoning so there is less density. Commissioner Quitslund asked why that would not be a burden on those property owners whose zoning would be changed. Mr. Peltier felt zoning could be analyzed and there might be other ways to reduce the amount of development that occurs. The feeling Mr. Peltier was getting listening to the conversation was that this BLR was sort of imposing a mandate that the City had to accommodate a certain amount of growth. He stated it was not clear from his conversation with Joe that the City even has to plan for those projected growth targets if it has a reason to do otherwise. Mr. Peltier stated part of his position was concerns about water. There is talk about building sewers which reduces recharge and if you look at the USGS report it says we have drawn down Fletcher Bay aquifer 10-25 feet and that aquifer supplies 1/3 of our fresh water on Bainbridge Island and when you take into consideration the sole source aquifer designation by the EPA because there are no viable water sources from off island. He stated he oftentimes heard people say the City can become another Mercer Island and pipe in water but no one has explained where that water would come from. Commissioner Quitslund stated he was not in favor of piping water in. Mr. Peltier mentioned that KPUD is moving water around on Kitsap Peninsula because some places do not get enough rainfall to charge their aquifers. Mr. Peltier stated his point was that these growth projections are not written in stone and we can push back if we do not feel they are appropriate.

Dave Henry, Citizen - Spoke about the evolution of Bainbridge and that he sees the Island taking a big evolutionary step in the near future as they did in 1985. The City needs to go back into history to some studies that may be long lost now one being what the future demographic and nature of Bainbridge Island would be in the future. Basically it was determined that 90% of BI would be a retirement community or bedroom community. He could quantify five different Bainbridge Islands right now in the last decade of development. Mr. Henry felt the City's government doesn't really represent all five types of residents, they represent maybe two of those as an example in your zoning considerations you are hearing some of the little comments kind of amuse me. "You need to setup a zoning for living in a cardboard box in the woods. It's important." We have people moving into that nature after losing their boats in the harbor and things like that. Water is a very important thing and something came out in the paper recently that said a new study says our water is now definitively defined as water recharged from rain and if you know about islands, water basically exists in islands in a cone underneath the island because of the pressure of the salt water from the outside, so that is the nature of what we have. If you go deep water on Bainbridge Island, old water, there was a Corp of Engineers study in the early to mid 1980's that defined two aquifers on the Island and I think there may be some newer opinions about that. There was a lot of speculation by the old timers that we were actually getting water from the Olympic peninsula as it came under the Hood Canal and the argument was why do we have water in some of the highest points of the island? What's important about this is that I think I know from a long time ago, long history that through water right issues on the island, I maybe have a way to shut the water off to Bainbridge Island if you drop our water level below a certain level and a certain pressure. I'm sure the City doesn't know about this and a lot of other people, but I ran into it years ago and I know the people who know something about this. What we're not addressing in the expansion of this community is water because everybody and this is not typical of Bainbridge Island. I grew up in an agricultural area of Northern California and all the farmers had little wells and they grew their gardens and orchards and everything and then the big corporations moved in. The little guys had 150 foot wells and the big corporations put in really large casings to 2,000 feet.

Commissioner Pearl interrupted Mr. Henry to say that the discussion tonight was not about water but about the vision for the Comprehensive Plan. He stated that you hear different anecdotal statements about whether we have tons of water or we don't he'd really like to see some facts from a scientist or from somebody.

Mr. Henry returned to the study about the retirement community and stated the island is also a commuter or bedroom community and that was where the bulk of our income comes from. Income was very important and that is where he focused since the crash of the .coms, but it's the other little Bainbridge's that are out of the mix and what you are going to find is there is going to be a melding of things. This population is aging. He has helped move two businesses off the island and onto the peninsula and your charts show there isn't much commercial business here. You're right. There isn't much and there isn't much room for that. I brought a project here before 2000 that would have made \$20 million annually for the greater Puget Sound, but it could have been on Bainbridge Island, but that didn't happen. That would have created 30-50 high paying jobs. Bainbridge Island is not a place for business and jobs and we need to consider that.

2016 COMPREHENSIVE PLAN: UPDATE TO PLAN VISION STATEMENT - Review and Recommendation

Commissioner Pearl asked for someone from the group that formulated the proposed vision statement to speak about the process they used to work on the vision statement. Commissioner Gale spoke about the vision statement never being perfect and that she hoped people would spend the energy they want to expend on the vision statement on the actual body/code of the comprehensive plan. Commissioner Quitslund reiterated that it is page one of the Introductory Section of the entire comprehensive plan.

Motion: I move to adopt the Vision Statement with grammatical changes made by Commissioner Quitslund.

Wendy Tyner, Friends of the Farm - Asked that before the Planning Commission votes on the Vision Statement they look at their (Friends of the Farm) version stating they have a very engaging group of folks and many of the board members looked at it and made some minor changes using strong language showing they are an engaging community. They talk about sustainability, farm land and people. Their wordsmiths wanted to make the statement more succinct. She felt if it was the first document the Island's community reads it should be very succinct about who they are and where they want to be. She stated that it was their first attempt to give them a little information from the perspective of community members and board members. Commissioner Quitslund mentioned that some of their changes were the same as the ones he made and in other places the changes took the vision away from where they wanted to be such as striking out support for the arts in the first paragraph. Ms. Tyner stated that it should be inclusive not exclusive and stating in the first 20 words that we're supporting the arts we should say "arts, history, farmland, open space, wetlands, education, etc." Commissioner Gale mentioned this is why she moved to adopt it the way it is because they received so many wonderful additions of this and when they went to work and looked at all of them, they could spend the next year word-smithing this and that is not where they want to put the energy. She felt they needed to move onto the heavy lifting. Ms. Tyner urged them to go back to the three or four meetings that the community met when there were spreadsheets and pages of comments. Go back to see what people said. Commissioner Gale stated they did. She felt that support for the arts should be removed because it has not even been in the City's budget the last few years, so to put that in there is very interesting when the City budget does include Kitsap Conservation District as a line item that supports agricultural farmlands. She felt it was very specific when you say one area and you don't say the others. Commissioner Quitslund mentioned there were other places where they spoke about other things besides the arts. Commissioner Kriegh spoke about the vision statement evolving as the comprehensive plan update continues and they will look at it as they go along, but they cannot go on to the next step until they get past this step. Ms. Tyner thanked them and stated they do trust the work they are doing and to keep up the good work.

Ron Peltier, Citizen – Mentioned he was concerned about the process going into the vision. The first version or draft we received came straight out of the Steering Committee and there really wasn't much of an effort to encourage citizens to work on this. I went to the Steering Committee meeting in December and it was announced that Commissioner Pearl and Councilman Tollefson and staff were going to get together and come up with a vision. He asked at that time if other citizens could submit one but there wasn't much discussion about how do we get the word out that they're working on a vision statement. This vision is in part a result of the vision that Islanders for Responsible Development put out there to encourage people to engage in this process. To some extent we are doing the work the City should be doing which I guess is natural, citizens should participate/contribute to the process. I appreciate what you've done. I have expressed that I am not overly happy with it. In the fourth paragraph global warming is mentioned and he wanted to know why they were only going to adapt to global warming/climate change instead of trying to contribute to climate change. It is not just an aspirational document it is part of the comprehensive plan. It is a policy document that is supposed to guide the laws that we implement in our municipal code. He felt the language was not strong enough giving examples of aspire and aim. It is not strong language and will not cause them to have to write any laws to implement these goals and policies. He wished they would wait on approving the vision statement because if they had more time they could get more people involved to flesh it out, not making it longer but improving it. He felt that was something the community could contribute to more. Commissioner Pearl spoke about the first draft being purposefully short so they didn't get into every person's idea of what should be in the plan. We could create a plan that had these elements in it. After more discussion, he stated the intent was to revisit the Vision Statement at the end of the whole process to see if it really captured what they were doing with the comp plan. Discussion ensued about things not being stated in the vision statement will not keep them from doing the hard work in developing the code.

Commissioner Kriegh stated she liked a lot of things Mr. Peltier's group brought forward and felt a lot of the things they wrote would go really well in updating the historical profile of the Island which kind of ends before we even get to a lot of the things they talked about. These things really get into a lot of the meat of

the history of our Island and would fit really, really well at the end of the history that speaks about the forces of change. She was hoping they would be able to integrate both of those things.

Charles Schmid, Citizen – Stated this is good enough.

Motion: I move to adopt the Vision Statement with grammatical changes made by Commissioner Quitslund.

Gale/Lewars: Motion passed 7-0

The Vision Statement will go to Council next.

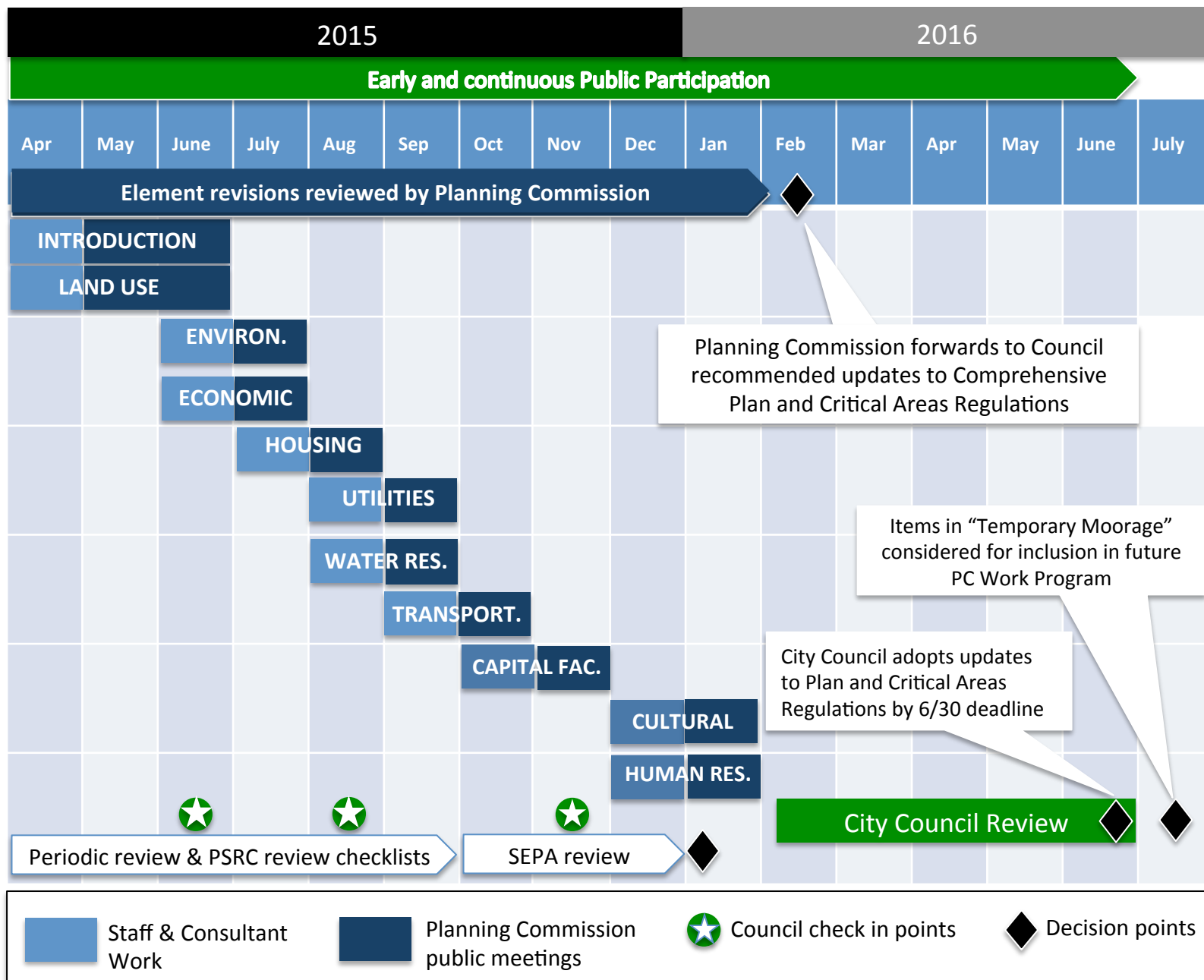
NEW/OLD BUSINESS

None

ADJOURN

8:23 PM Meeting adjourned by Commissioner Pearl.

DRAFT





Memorandum

TO: City of Bainbridge Island Planning Commission
Kathy Cook, Director, Planning and Community Development

FROM: Joseph W. Tovar, FAICP

DATE: April 9, 2015

SUBJ: Preliminary Scope of Issues to include in the Navigate Bainbridge Update Process

I. BACKGROUND

I am pleased to share my initial sort of the public input from the City's six listening sessions on issues and ideas to include in the update of the Comprehensive Plan and development regulations. I have read all 40,000 words of input and, unsurprisingly, there was a broad range of opinion expressed. There was disagreement on several issues (e.g., the idea of increasing the % of growth directed to Neighborhood Service Centers) but there were also a number of issues and ideas that resonated with many people. From my review of all that input, I have sorted it into four basic buckets:

Bucket 1- Issues and ideas to include in the Scope of the Update (both Comp Plan and Development Regulations). Attachments# 1, 2, and 3 to this memo group public comment into Land Use, Water Resource and Transportation Elements, respectively. These are discussed in more detail in Section II below.

Bucket 2 –Issues and ideas that are assigned to "temporary moorage," meaning that they will be taken up AFTER the plan update is adopted (e.g., subarea plans and certain implementing development regulations). Attachment #4 groups the public comment in this bucket.

Bucket 3 – Issues and ideas that provide useful feedback to the Priorities Based Budgeting process (i.e., they address either the city organization and/or its operating budget). Attachment #5 groups the public comment in this bucket.

Bucket 4 - Information that the City may wish to share with other jurisdictions or organizations. For example, the Park District, the County, the BIFD, the state legislature. This input may also help inform goals or policies regarding city communication and coordination with others jurisdictions or organizations. Attachment #6 groups the public comment in this bucket.

I have distilled the input that I believe most directly applies to the update into **KEY ISSUES** to include in the Scope of the Update. These appear in the next section, listed in most cases under the Plan Element to which they seem most appropriate. Note that I have attached to this memo the sorted Input that pertains to the Land Use, Water Resources and Transportation Elements, primarily because those will be first up in the review. The detailed input that pertains to other

Plan Elements will be presented for the Planning Commission and City Council's consideration as those chapters are taken up. The raw input from all six listening sessions is posted on the City's website.

The recommended KEY ISSUES below are the first step in the Scoping process. The Planning Commission is free to add issues to the Scope as they forward their recommendation to the City Council. The Council also has the option of adding Issues to the final Scope that they adopt.

II. COMPREHENSIVE PLAN

Several actions are needed throughout the plan to meet the GMA update requirements.

- Use the new planning period of 2015 to 2035
- Include the adopted population growth forecasts throughout the plan;
- Include new employment growth forecast throughout the plan;
- Update all maps and text consistent with relevant changes to goals and policies.

In addition to the general actions shown above, I recommend that the individual plan Elements, and certain development regulations, be updated as follows:

A. Introduction

1. Incorporate updated Vision
2. Reference recently adopted Shoreline Master Program
3. Review and Update Island History Section
4. **KEY ISSUES** to address:
 - a. City's comprehensive plan and implementation within the framework of the Growth Management Act, the Vision 2040 regional plan, and the Kitsap County Countywide Planning Policies.
 - b. Streamline, clarify and strengthen text (e.g., guiding principles, planning goals, framework policies).
 - c. Relationship of Comp Plan to other plans, projects and programs, including, but not limited to: city functional plans (e.g., city utilities), development regulations, capital projects, the city organization and operating budget (e.g., Priority Based Budgeting).
 - d. Relationship of the Comp Plan and City to the functions and activities of other units of government or organizations.
 - e. Promoting a culture of stewardship, citizenship, and community engagement

B. Land Use Element

1. Update general information
2. Include new population, housing, employment growth forecasts
3. Show where and how to accommodate another 5,600 residents and 2,800 jobs
4. Streamline, clarify and strengthen goal and policy text
5. Review Subarea Plans (Lynwood Center & Winslow Master Plan)

6. **KEY ISSUES** to address:

- a. Growth Strategy which places 50% of growth in Winslow, 5% in NSCs, 45% elsewhere
- b. Articulating the connections between the Land Use and Transportation Elements
- c. Articulating the connections between the Land Use and Utilities Elements
- d. Civic design Goals/Policies for Winslow, NSCs, SR 305
- e. Island-wide land use pattern - conservation objectives, building form, landform
- f. Measures to improve human health

C. Transportation Element (including Non-Motorized Transportation Plan)

- 1. Update general information
- 2. Streamline, clarify and strengthen goal and policy text
- 3. Update inventory of facilities
- 4. Update cost estimates for facilities improvement projects
- 5. **KEY ISSUES** to address:
 - a. Future role, configuration and mitigations re: SR 305.
 - b. Future role of WSF and possible alternatives
 - c. Measures to improve human health
 - d. Safety for bicycles and pedestrians on the island-wide road/trail network
 - e. Methods to improve multi-modal transportation options

D. Water Resources Element

- 1. Update USGS aquifer information
- 2. Streamline, clarify and strengthen goal and policy text
- 3. **KEY ISSUES** to address:
 - a. Identify sub-basin sensitivity to draw downs/opportunities for aquifer recharge
 - b. Identify opportunities to monitor and adapt to aquifer change over time
 - c. Identify projects and practices to protect water supply and quality
 - d. Consider potential re-use of greywater for domestic purposes

E. Environment Element

- 1. Update general information
- 2. Streamline, clarify and strengthen goal and policy text
- 3. **KEY ISSUES** to address:
 - a. Adapting to and mitigating the effects of Climate Change
 - b. Consider Green Building Code
 - c. Identify benchmarks and measurements

F. Housing Element

1. Update population and economic information
2. Update housing supply and affordability information
3. Streamline, clarify and strengthen goal and policy text
4. **KEY ISSUES** to address:
 - a. Assess generational and locational needs for housing
 - b. Identify options and incentives for increasing housing affordability
 - c. Consider alternative housing forms to meet market niches
 - d. Review home occupation opportunities within residential areas
 - e. Evaluate better partnerships with non-profit housing providers
 - f. Consider clustering of structures on large lots to maximize recharge and open space

G. Capital Facilities Element

1. Update facility needs based on new planning period, new population and employment growth forecasts
2. Update inventory of public facilities to reflect changes since last update
3. Update six-year Capital Facilities Plan to be consistent with 2016 plan
4. Streamline, clarify and strengthen goal and policy text
5. **KEY ISSUES** to address:
 - a. Incorporating green infrastructure into capital projects
 - b. Coordination with BISD, BIFD, and BIMPd to maximize cumulative effect of new projects

H. Utilities Element

1. Update inventory of existing service providers to reflect changes since last update
2. Streamline, clarify and strengthen goal and policy text
3. **KEY ISSUES** to address:
 - a. PSE service and alternatives for power: municipal, solar other renewables
 - b. Telecommunications/broadband improvements
 - c. Coordination with City Sewer and Water Utility Master Plans
 - d. Coordination with private sewer and utility master plans
 - e. The island-wide Stormwater Utility

I. Economic Element

1. Include a summary of the local economy - strengths and weaknesses
2. Streamline, clarify and strengthen goal and policy text
3. Identify potential programs and projects to foster economic growth and development

4. **KEY ISSUES** to address:

- a. Assess need for increased goods and services in NSCs and Business/ Industrial districts
- b. Opportunities to brand Bainbridge Island as location for business development software firms
- c. Role of Tourism in Winslow, other parts of the Island
- d. How to support growth of home-based businesses
- e. Role of agriculture on the Island
- f. Role of the arts on the Island
- g. Role of the Real Estate Industry

J. Human Services Element

1. Streamline, clarify and strengthen goal and policy text
2. Identify potential partners, programs and projects to foster access to human resources
3. Update to reflect changed circumstances in the provision of human services

K. Cultural Element

1. Streamline, clarify and strengthen goal and policy text
2. Identify potential partners, programs and projects to enhance cultural assets on the Island
3. Update to reflect changed circumstances in the provision cultural resources and activities

III. DEVELOPMENT REGULATIONS

A. Reference new SMP use regulations

B. Update critical areas regulations

1. Update Best Available Science, including updated USGS study re: aquifers
2. Amend and/or adopt regulations/programs to protect aquifer recharge areas
3. Amend and/or adopt low impact development regulations
4. Amend and/or adopt other development regulations necessary to protect other critical areas

B. Update other development regulations as necessary to implement updated Plan

ATTACHMENTS

- #1 Land Use Element Public Comment
- #2 Water Resources Element Public Comment
- #3 Transportation Element Public Comment
- #4 Public Comment issues and ideas to assign to “temporary moorage”

#5 Public Comment issues and ideas to refer to Priority Based Budgeting process

#6 Public Comment issues and ideas re: City communication and coordination with other jurisdictions and organizations

ATTACHMENT #1 - LAND USE ELEMENT PUBLIC COMMENT

1. Concern about urban design distinct from urban planning. Thinks we need a plan that is based upon a design. If it means that we withdraw as a municipality because of our what situation is or if we end up with circumstances unintended due to out of date codes, there are a lot of different ways of thinking about urban design, it would be good to evaluate or review that would help us from the beginning to set a goal from the beginning where we want to go. This may or may not have had attention in the past.
2. Parking is a big issue, and there have been all sorts of deals cuts over the years.
3. Must implement benchmarks and metrics/. How do we track number of green buildings/ how to promote green renovation of existing buildings?
4. We need to consider where we are going to park the cars that come down that 4 lane highway - no room for a big garage in Winslow.
5. Urban design, a more recent discipline than planning. Needs to be an urban design plan for the City. Need guidance on creation of place and connection to place.
6. Could enforcement officer be funding by fines - what are the numbers?
7. Are fines appropriate enough so offender will not offend again?
8. Enforce environmental impacts to new development - i.e., cutting down trees.
9. Question: could the City raise sales tax to pay for a downtown parking structure? Yes.
10. Need to look at island holistically and then you do need a parking structure.
11. Neighborhood centers growth? Use bus service from these areas to get to downtown, ferry, etc.
12. The comp plan can look at zoning to increase density around the neighborhood service centers.
13. Would caution that changing zoning can be self-serving to the City because it increases tax base.
14. Worry is that we do not want to look like Mercer Island with houses everywhere.
15. The city should look at all the neighborhood centers for growth and not just downtown.
16. Enforce environmental impacts to new development - i.e., cutting down trees.
17. Question: could the City raise sales tax to pay for a downtown parking structure? Yes.
18. Need to look at island holistically and then you do need a parking structure.
19. Neighborhood centers growth? Use bus service from these areas to get to downtown, ferry, etc.
20. The comp plan can look at zoning to increase density around the neighborhood service centers.
21. Would caution that changing zoning can be self-serving to the City because it increases tax base.
22. Worry is that we do not want to look like Mercer Island with houses everywhere.
23. The city should look at all the neighborhood centers for growth and not just downtown.

ATTACHMENT #1 - LAND USE ELEMENT PUBLIC COMMENT

24. The city should look at all the neighborhood centers for growth and not just downtown.
25. It would be nice to make Winslow way a pedestrian only street and have ferry traffic avoid it altogether.
26. Growth is a smart way to get people out of their cars if we accommodate growth and development in downtown.
27. For bigger projects, usually have a public information meeting, but not for smaller ones.
28. Parking is a big issue.
29. Diverse community: economically and racially and culturally. Would like to see the City plan for diversity.
30. Transportation relates to where your population is. It gets back to the density question: We don't want to increase density, but we want to increase diversity, public transit, etc. The affordability of housing affects public transportation, how you develop your natural areas, etc. If we do not have a range of affordable housing, it skews everything.
31. BI is a unique place in that the entire island is a city. If you want to take advantage of it, there is a lot of flexibility in that. Lower the costs in sewer by using septic systems to increase density. If you say you don't have to build on sewer, it can be built into Winslow or other neighborhood centers.
32. With a septic system, you are putting the water back into the ground instead of using sewer where you take clean water to use sewer systems and end up putting the water out in the Puget Sound.
33. Development in the neighborhood service centers should be encouraged and supported.
34. Existing rules for special planning areas may be more cumbersome than they need to be. Opposition to change is still there.
35. Question is fundamentally flawed. Is it a priority to protect and conserve natural resources? Whether it is a priority or not, developing around the neighborhood centers would address the issue.
36. We are a new city and the high school road development is what drove us to become a city. Harbor Square didn't have outcry till it was built. The property north of Harbor Square has been sold, or probably has. The things we do today will have a major impact on how bi will look in the future.
37. If you want a group that is green and local, the farmers need to be encouraged. Don't want the farmers to get lost, and so many innovations coming in food production
38. Open space and land preservation and increased food production - vibrancy with retail community. Attractive to families.
39. Local food creates healthy community - Food Coop needs to be created. Chimacum corner store for example.... food hubs that are accessible.
40. Group has desires for future neighborhood centers for population growth— planning for utilities, transportation, etc.

ATTACHMENT #1 - LAND USE ELEMENT PUBLIC COMMENT

41. Thoughtful planning is key. Need to look at land ownership and try to consolidate interests. Important to balance interests, and look towards future. What price are we willing to pay now, and in future.
42. Does City have a map/picture/visual of what the Island would look like if all lots were developed at current zoning? What is the future population and draw on resources at current zoning? Are we working towards preparing for that in terms of infrastructure? But, is this a realistic question - how long would it take to get there, and does it matter for current actions?
43. Stormwater should be considered. Can we work to identify more ways to hold stormwater and detain. Work on easements.
44. I moved to Winslow before the master plan and Winslow was supposed to be where density is higher. For a point I felt like I was sacrificing my way of life. I've come to recognize, that though I don't think all the growth in Winslow is well-planned, I think that concentrated growth in some areas is a good idea. A certain amount of NIMBY-ism we all need to get over.
45. What do people think about NSC areas? Lynwood is great, why not a NSC area on the north end. Walk to a restaurant, get a coffee.
46. Couldn't there be some development at Seabold?
47. Higher density more important for NSC than sewer. Lynwood center needs a green space and access to the water.
48. Comprehensive Plan is too vague, wishy-washy, that you could put down in anywhere USA. Without limited land and facilities we need to decide what we want to do with our service centers. How much density in these areas, what kind of uses and density.
49. Recycling spaces and development. One of the things I worry about with Visconsi and downtown, as new things are built that replicate existing services, what happens to existing infrastructure. If you want to build a new grocery store, and puts one out of business, what happens to giant empty buildings.
50. For example, Safeway new pumps closing Chevron.
51. Overall we do very well. We don't have a lot of abandoned retail frontage. Storyville issue other issue.
52. Why do we need another coffee shop?
53. Let's look at some of our density. Have to look at density and decide what we're going to do. You can do a lot of things according to the comprehensive plan that we don't want. We have to look at the uses.
54. We could have used car lot, car washing station, we have to look at that and see what we want.
55. If you had a visual of the comp plan full build out for those that don't see especially easily. So you could look at a map and see what it would look like built out.
56. I think this is very different this time around. People are paying much more attention.
57. We don't want signs, and we also don't want visibility because we want to preserve trees.

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58. You don't like Visconti, but they might bring in a business that keeps us from Poulsbo.
59. Concentrating growth downtown is a bad idea, but spreading it around is even worse. Low density is what makes it special here.
60. We don't want the character of places to change, for example Rolling Bay.
61. Each center should provide what people need, for example what's happening at Lynwood Center.
62. Can't call Lynwood a success because there will be more development and we don't know how that will work out.
63. Why is growth good? Why is denser considered to be better?
64. Planning for growth is better than denying growth. Growth will happen. Young people can't afford to live here.
65. Coppertop has become a type of neighborhood center. Craft beverages, coffee shop, etc. It's become a destination place, but it's not treated as such, for example it's not a BI Ride stop.
66. Ban on food at Coppertop (B/I zoning) hurts it, deters customers, and keeps it from functioning as a true center. People bike, walk and drive to Coppertop.
67. Rolling Bay is doing well because it serves the neighborhood but also draws people from all over. Every neighborhood has something special that needs to be identified and protected.
68. Keep things that are unique to Bainbridge, the things that you can only find here. We don't need more drugstores.
69. If communities can't grow, they die. But growing with planning is a good thing-- need good architecture, sense of scale. Issaquah--a wonderful little town until commercial explosion brought big boxy condos and terrible traffic.
70. A beautiful building with 500 apartments isn't any better than an ugly building with 500 apartments. It's still density.
71. But people say they want good restaurants etc. Good restaurants come to places with more people. Growth brings more services.
72. Disagree that more people means better services and more things to do. It isn't a better quality of life.
73. Farmland is one part. Trails also. Whole objective is how to increase green farmland. Open space that is and isn't farmland. Conservation of resources should be multiple uses. In conflict with traditional growth. How to increase density and increase conservation of open space? If we do small footprint homes that use less, can use the rest of land as open space. Building smaller/conserving more, get more open space. Build infrastructure that promotes other transportation, can achieve additional density. Change policies/zoning to allow for practices. Planning of the development. Can we do that here?
74. Cluster housing. Number of housing allowed determined by zoning of area you're in. Put aside 50% of property for open space (or whatever size you set aside). Happening is designated portions of the island. Have enough property that makes it capable of conserving a large chunk. Responsibility to build to max

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- while staying conservative/green. Has to be conservation minded. Get over hurdles of where the water going to come from.
75. The role of preservation is to repurpose a building not tear it down just to build something green.
 76. Residential vs. commercial uses - we tried to zone one way (commercial zoning for areas near ferry) but folks wanted to live their despite the zone descriptions.
 77. We wondered if anyone has idea how many citizens really want to put Green into action not just words. Private property rights are important to people too. People want to be green but not necessarily regulated.
 78. I am more concerned about pushing all the growth into downtown Winslow. Would like to see more of a fair share in the island overall, so her downtown neighborhood doesn't have to absorb all the density.
 79. State law directs the City to be prepared for a certain amount of growth, it doesn't say they have to actively promote growth. I understand there are conditions that require a moratorium on growth, but I'm not ready to say that for Bainbridge yet.
 80. Would like to see some changes in the downtown area to reduce the amount of growth.
 81. Someone does not want to see sprawl spread out to the entire island. People move into an urban area for that urban area and maybe if Winslow is too dense, than a move out further on the island.
 82. Moved onto island 25 years ago into a single-family residence downtown and now it is being developed too densely.
 83. Question about how much growth needs to be projected to neighborhood centers. Plan now says 5%.
 84. Winslow downtown is a mess. Not planned well. There has to be some definite thought that goes into the process of how that growth goes into the downtown core. Are there limiting factors out there like water supply, etc.
 85. Aesthetically, there is development that is quite dense that is not pleasing, but it does seem that Winslow is the place that density makes sense because the infrastructure is there to support that. I think of this island the size of Manhattan and hope that we can maintain our rural character as it gives us certain status. Circulation downtown is unfortunate.
 86. Some are uncomfortable with developments like Grow Ave with 8 cars coming out of every driveway while some applaud the green living it provides.
 87. Density downtown does not mean you do not have to have trees.
 88. A lot of concern about the water on the island. It needs to be a thought out process as to whether or not you jam up Winslow or spread growth out over the island.
 89. I see major growth at Lynwood Center. What difference does it make if the City wants to funnel development out there? What stops development from continuing to happen there? Do we really want to say to that property owner who has a prime spot to develop no?
 90. Encouraging reuse of existing building, and make much more efficient.

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91. Encourage the preservation of farms and farmers.
92. The density percentage in any development needs to be considered. Should integrate green building requirements and green space.
93. The Suzuki property having higher residential densities with sewer and services, would make a lot of sense. Could serve a senior population.
94. If you are going to density, do it in your downtown core.
95. Having parks near higher density places is important.
96. I've lived in a community that suffered from bad planning and bad growth: Sacramento. Lots of sprawl. We have a chance, paradise is not paved over yet. If we have density in certain areas (which I'm a believer in), but concern is that you get creep after that. On the other hand, if you have preserve d open spaces elsewhere including farms and open spaces.
97. Is there any talk of an urban growth area similar to Portland?
98. We have a de facto urban growth boundary, the Winslow Mixed-use Town Center. It tapers off to septic v sewer.
99. How high density do we need to go? We can't get skyscrapers, do we need them? If we're serious about densities, how do the numbers workout, should we consider how those numbers work.
100. New Tree Ordinance. Focused in most urban areas and not in outlying areas. Personally, I feel like it's conflicting with our goals as an urban core. We have efforts that are working at cross purposes. I think we take on efforts that get a little mixed up. I'm confused and frustrated by it. We want a vibrant economy, but we want to preserve trees in the same area.
101. So much attention is on downtown Winslow. They get frustrated when they come into town and shop and it doesn't look the same. We should have an island-wide attitude about trees, density. We can't' just do it in Winslow and then go home and think everything is good.
102. At the same time from an aesthetic perspective preserving parks and green spaces and farms is valuable.
103. When I think of community I think of neighborhoods. Neighborhoods should have more say in their community. City needs to be cognizant of why people move to different places on the Island. All different communities, different people, different feel.
104. It is easy to be pennywise and pound foolish and develop without thinking of the long term consequences. Visconsi could have been asked to get a bus stop at their development. We do not want to plan by wishful thinking but by reality.
105. We think we're always going to grow because we are near Seattle, but look at what happened in Detroit. The downtown corridor of Seattle is supposed to grow and we are the overflow but only if they are guaranteed ferry service. If that is privatized or lost in some other way, we would no longer grow..
106. Lastly, affirm our right to grow own food on the Island.
107. The NSC areas should each have a community space too.
108. It is important to have Sakai property as a park, not housing.

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109. Code requires less parking for people who live close to downtown and the ferry. If this is not a policy that's in the Comp Plan, it should be.
110. Neighborhood Service Centers present a real opportunity for increased density and smaller units. At what point will the City be more proactive about promoting planning in these areas?
111. But you need to have the infrastructure to support increased density at the NSCs. And you need to have better transit at these areas, but to justify better transit you need more people. It's a "chicken and egg" thing.
112. City needs educational program about the interplay between open space and density--what it actually means and where is it appropriate?
113. People need to understand that density is not necessarily a bad thing if it's done right and in the right place.
114. The closer you live to a trail, the healthier you are. You may need to be able to afford a gym membership but you will be able to get out and walk or ride a bike. *Large lot subdivisions are not open space. *Need policies that preserve open space, protect forested land. *Need policies that buck the trend of very large homes.*
115. Need a plan for entire island as to how we look at growth, how we create healthy communities. A community is not just houses plopped down. Pea patches should be encouraged.
116. Affordability is also people being able to grow their own food. Need more pea patches for people who don't have gardens.
117. We need to err on the side of nature.
118. The words sustainable and green have been hijacked to increase density and development. The terminology has been misused. We never follow thru.
119. Parts of the Island are healthy and attractive. Likes the tree shadows on the road.
120. Food security is very important. Seattle has addressed.
121. Food security means that we can support ourselves with food. We have farm land, but is it being used the right way.
122. Many countries subsidize agriculture in order to promote sustain itself (i.e. Finland) and not depend on international travel.
123. Not a lot of places to eat (later in the evening.
124. Healthy and attractive community is really important and we are that type of community.
125. Don't think the downtown is that attractive. Essentially tree-less. Other cities have beautiful tree-lined streets.
126. Seattle is redoing all its streets and sidewalks to plant more trees, to achieve tree-lined goal..
127. Streets separated from pedestrians by planter strips should be a street standard. Never should have sidewalks directly adjacent to the street.
128. Sidewalks should always have other amenities.

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129. Downtown is not connected to water. Businesses are separate from water. In other waterfront communities, people are hanging out by the water. Not here.
130. More people isn't necessarily bad, as long as we have a plan and a vision.
131. Acquire more parks, open space to enhance health and livability. A healthy community has lots of walking opportunities.
132. We have urban centers and the more rural areas with parks and wildlife areas. High density is exactly what we need to improve services, have walkable and accessible neighborhoods, avoid sprawl.
133. Need a more holistic zoning plan that looks for areas with higher density and preserves the more rural areas, with a system that ties it all together.
134. Need to encourage more green buildings.
135. Many new commercial buildings are built green. It's individual homes that are not.
136. All the density does NOT belong downtown. Abhor idea of walking down Grow Ave and being surrounded by 3 and 4 story buildings. Downtown should be given a fair share of density, but "urban" on the island is not supposed to be the same as "urban" in Seattle. We should not force growth downtown. We are talking about 5000 people over 20 years.
137. The market will drive where growth occurs. Look at Lynwood Center--it's growing because it's successful and attractive.
138. Please don't assume every tree outside of the downtown should be saved and all the trees downtown should be removed to allow more growth downtown.
139. Need an urban designer or planner to look at entire island. More growth could be accommodated downtown in a way that doesn't ruin it. We can't continue with suburban sprawl.
140. People want their cities to look green. City needs to developers, if you want to build and develop, here are how many trees you need to plant or save. No stark concrete.
141. Need to connect Winslow Way retail to the waterfront. Additional development could go on Bjune. The problem is that we have a terrible parking problem in Winslow. The reconstruction of Winslow Way took out 10% of existing parking. Downtown has some functional and aesthetic issues.
142. Need better signage downtown.
143. There is a natural pedestrian and visual connection from Winslow (mall area) down to the water that we have never taken advantage of.
144. If we had amazing civic places to go to and celebrate, additional development downtown would be OK.
145. You can't even tell there is a harbor if you are downtown.
146. Parking on Winslow Way should be back-in angle.
147. High School is turning into a strip mall. Hideous and dangerous. Once Visconsi is finished it will be even worse.

ATTACHMENT #1 - LAND USE ELEMENT PUBLIC COMMENT

148. If we had money to buy easements for a 50 foot buffer on either side of the road. Some trees would need to come down in order to do that, but it would be worth it.
149. If we are going to put the population growth in a neighborhood service center, it will be expensive to do it in Rolling Bay. Do we have to have a plan to put sewer in those centers or can we just do it. Sewer wise, it doesn't eliminate any chemicals, it doesn't eliminate micro beads. None of the chemicals are removed from wastewater discharges. What chemicals should we be studying that may affect wildlife. We could turn our wastewater treatment plant into a class A plant. Shouldn't we be the leaders in Puget Sound? We are paying a fee to the tribe because of the goeducks. would like to see that put in the plan.
150. People move here and stay here because of the natural environment, trees etc. Need to maintain vegetated buffers along the roads and trails. Celebrate the Ravine.
151. If the neighborhood business centers are going to be taking more of the development, which seems like might happen, then the roads should be defined and should have safe sidewalks, or pathways, but they should be defined.
152. Rolling Bay has a lot of ditches, puddles. Structurally defined. Stormwater problems.
153. Current Comp Plan states that the service centers should stay small. Winslow would take the bulk of the growth, and I think it should stay that way. Now it's like a switch and bait.
154. Rolling Bay doesn't have sewer.
155. Dangerous to walk in Rolling Bay.
156. Trying to understand what neighborhood service centers are supposed to be.
157. Rolling Bay business property owners consensus is that if they have to upgrade and change the spirit of the neighborhood we don't want to do that. IF there is a change they want it to be slow and thoughtful with the community. They're not like Lynwood, they're different. Don't want them to be cookie cutter.
158. I'm not impressed with any of the high density developments that occurred today. I don't want to live there. I know I'm not alone. I agree that there were incentives.
159. Not a good idea to expand sewer on Rolling Bay if it'll change the character.
160. It would be nice to have a restaurant or eating establishment on Rolling Bay.
161. Staff is gung-ho on expanding service centers.
162. Staff does not want to go through subarea planning process. It's a lot of work; they don't want to do that. Staff is not pushing that.
163. Maybe it's the developers.
164. If we are completely relying on engineering terms, then we are only looking at engineering standards. Need to be clear about the type of place and the type of feel we want to support.

ATTACHMENT #1 - LAND USE ELEMENT PUBLIC COMMENT

165. Each area should make the decision as to how much growth should be directed to a neighborhood.
166. Disagree with above. Needs to part of a [citywide] growth plan that everybody participates in, not just people within a neighborhood.
167. If the idea is we don't want more dense development, then don't build the infrastructure.
168. Does limiting growth just mean that it becomes more expensive to live here?
169. Support streetscapes - with vegetation and lighting.
170. Support pedestrian and bike access to and from service centers - paths, connections.
171. Explore lighting - centers as well as Winslow.
172. Development - Focus on human experience - connections between people.
173. Eyes on street - i.e. porches, etc.
174. How many more communities like the Grow community can we take.
175. Are we going to continue to build things like the Grow Community before we understand the impacts?
176. Parking is a big issue. Deals have been cut over time, and we're hurting from it now.
177. How do you break the myth that Bainbridge Island is a bedroom suburb?
178. What's changing in inner cities is people are coming back because the City is planning gentrification of areas. You have to do it from an economic model.
179. Do we want the economy to grow? This is a fundamental question. There is a large portion of the community that does not want growth to happen.
180. The commercial areas like Rolling Bay and Island Center and Winslow need focus on infrastructure first.
181. We are assuming that we have perpetual growth, but we have a right as a community to limit our growth. We don't have to keep taking more and more people.
182. Parking is an unresolved issue and has been for years. Some services require folks with vehicles, such as a hardware store
183. What keeps these great ideas from getting realized? Parking requirements? Lack of housing downtown?
184. Build out neighborhood centers before creating farm store. It's expensive building out these spaces....off the grid is cheaper, in town is pricey.
185. Square footage is limited downtown and it's challenging to keep business.
186. Winslow is denser area....Winslow is easier to connect than the outlying areas...creating hubs justifies transportation connections.
187. Connectivity between different "villages" is important. Attractive to locate growth in certain areas.

ATTACHMENT #1 - LAND USE ELEMENT PUBLIC COMMENT

188. What are creative ways to get people to shopping centers - not only serving cars. Park Once concept. Move people around in Winslow by bus. Consider ways to get downtown employees to park in other areas.
189. Vibrant means active street life, lots of action on the streets.
190. Vibrant means people shopping here and doing business here, we should not "bleed revenue."
191. We've been talking about a view/pedestrian corridor to the water forever, why can't we get it done?
192. The water is part of the island identity, but it's not obvious now. There needs to be visual and physical access to the water. Tourists come here and ask, "Where's the water?"
193. Need signage to tell people who come here where to go, where to eat etc. Tourists don't know where to go. The ferry terminal is not attractive.
194. NSCs--how do businesses there survive during the winter? Discussion: It depends on the types of business. Whether they thrive depends on adequate parking, having some green space. NSCs are a good concept. Heyday Farms has been an enhancement.
195. Lynwood is successful because there is continuity in architecture and it's attractive.
196. The flip side of NSCs is that as they grow, they may draw people away from Winslow.
197. What does sewerage Rolling Bay mean? Sequim is sewer system example. They have land. It's either sewer or septic. Maybe we're limiting ourselves. Bullitt Foundation example. It is possible. Couldn't have done it without adjustments from the City Council. Design specifics altered the rules. Advanced thinking/making these things possible.
198. Save the farmland, have an allotted amount.
199. Winslow Way with its upgrades (besides the street - that's a death wish to drive/cycle on) is nice but a boardwalk w/ sitting areas letting folks congregate and be part of community. Food Carts! We should not just be money driven but community ideas and values should be emphasized.
200. Waterfront should be more connected to city streets. Events! Make community.
201. Businesses should consider staying open later - it's been suggested many times and doesn't seem to happen. It's a chicken and egg situation. Concerts, movies in the park, loosely organized games all push economy. Look at Lynwood Center - Tyvek City no more! It's attractive, and it has gathering spaces. Fountains, seating.
202. As a citizen, one thing she sees is developing other places besides Winslow.
203. It would be nice if there was more signage to direct people down Madison and to the businesses. Bainbridge Downtown Association should have a well marked map that points out these small businesses off Winslow Way.

ATTACHMENT #1 - LAND USE ELEMENT PUBLIC COMMENT

204. Port Madison area is missing services. Would be nice to have a neighborhood center up there. What does the City offer for food carts/vendors who want to set up in an area?

ATTACHMENT #2 WATER RESOURCES ELEMENT PUBLIC COMMENT

1. We want a clear understanding of how much water and then a clear marker if or when “enough is enough.”
2. Good governance is honoring Best Available Science and not succumbing to development pressure. We should employ the “precautionary principle.
3. Science is not always exact. There are things we don’t know. Do we err on the side of development or side on the caution? Leave some margin for error in science.
4. Need to think about growth pressure on the environment, like water availability.
5. Lack of distributed knowledge and communication.
6. Quality and distribution of potable water
7. Don’t just measure water at its highest point, measure what comes out of the end of the pipe
8. Question: How do people feel they interact with the government? Do people feel heard? Is government accessible and responsive
9. Wants to talk more about water supply and sole source aquifer and how we are monitoring what our water supply is doing. The Kitsap peninsula is a sole source aquifer also, so bi won't be able need to set aside zones through update process to have recharge areas on the island.
10. Our current comp plan talks about water, and commits to sustainable use of groundwater resources. Why don't we have a water plan to help monitor this?
11. What does it mean that we have “adequate water”? What do we mean about sustainability? How do we feel about spending down that bank of water that belongs as much to future generations as it does to us? Have we thought about effects of climate change and sea level rise?
12. Do we have enough resources to support that growth? Water wise? How old is the study?
13. Grapes don't need a lot of water. But water availability is a major issue for farmers.
14. Need to take care of our water supply, make sure there's enough. Take care of our shorelines. Manage our sewage. Make better use of grey water. What if we were a model of sustainability?
15. Lot of citizens want City and its leaders to set examples for sustainability, for example, take the lead in changing regulations for use of grey water.
16. Water usage in property. Home landscapes that are very water intensive. Promote finite water usage. Less usage. If on a well, people letting water run without a bill. Don’t approve of water waste (ponds). How to deal with septic? Small community systems. Complicated to get community system approved. Is it possible to develop a waste water system that doesn't outflow to Puget Sound? Can put out clean drinking water from septic systems.
17. What is city's policy on rainwater collection? Should have rainwater reservoir to "save" for future dry years. State has jurisdiction over water rights. Generally residential capturing of rainwater is encouraged.

ATTACHMENT #2 WATER RESOURCES ELEMENT PUBLIC COMMENT

18. Water quantity? No infinite supply of water. Two deep aquifers are connected to Kitsap Peninsula . Can potential water shortage be a reason to not meet Growth Management requirements? Sole source aquifer designation, yes? Part of a toolbox to lobby to State to disallow further wells to be drilled - but it protects water quality not water quantity.
19. We can refuse to keep taking on more growth. What is the caring capacity of our island. What is good stewardship of that. A population in 1990 was 13,000, now it's 24,000. We can't keep developing land and pumping more water out of our system.
20. Do we have the water to support the growth.
21. Are we going to plan for a sustainable use of the water. If the scientists say we have plenty of water, okay, but if in a 100 years we have salt water intrusion, we need Pea patches- stormwater management.
22. However, septic contributes to groundwater recharge. I'm quite convinced that Fletcher bay aquifer going down 10 feet a year is not sustainable.
23. Sole source aquifer if that aquifer goes out of water.
24. If we're going to develop and build how do we do it in a new way. How do we create allowances for composting toilets, gray water, and community septic, capturing water.
25. Do we have in City code that all new houses must have low flow toilets.
26. What is the build-out look like? How is stormwater captured?
27. We're already not recharging the aquifer.
28. As a City we need a firm understanding of the water issue.
29. How do we decrease what water gets sucked out. How do we increase recharge? Permeable surfaces.
30. The City also has to take a proactive role to lead the efforts. Are we taking advantage of high recharge areas on the Island.
31. A green building code and mandatory low water use fixtures. How many homes have low flow fixtures, I bet 5-10%
32. We as a community value what we do with our stormwater. We want to have recharge and clean water, we know that storm water run-off is the number one bandit.
33. City aborted process of looking at rate schedule for waste water. How does the City charge for storm water, how does that effect? I'd recommend the City picks that up again.

ATTACHMENT #2 WATER RESOURCES ELEMENT PUBLIC COMMENT

34. The City Manager should be directly involved with managing our water supply. The Top 10 water producers on the island are showing a steady drop in water levels.
35. Rolfs made an amendment that we need to come up with critical recharge areas and protect them. We need to protect them in the Comp Plan.
36. Melanie giving example of how she spent 4 years trying to get the island defined as a sole source aquifer.
37. We want better percolation of storm runoff.
38. We could build facilities in high percolation areas.
39. The lowest recharge area is Winslow. The rest of the island has 3 times the recharge ability. Keeping rainwater on site is what recharges the aquifer.
40. If we used more septic systems it would save more water than the sewer.
41. Cost of septic versus wastewater treatment plant was discussed.
42. If you treat to a tertiary level or beyond, we can keep the water on the island instead of pumping into the Puget Sound.
43. There are ways to retrofit the wastewater treatment plant to keep the water on island and he would support that cost.
44. If we over build the island, we will end up like California and have to ration water.
45. The goal is to keep island water on the island whether it is stormwater, sewer water, etc., and we need to spend money on having the water stay here percolating on the island.
46. Could we set a goal of gradually substituting retention basins instead of direct tight-lines? PW Director: We could, but not sure how attainable it is. Dept. of Ecology is encouraging it, there are grants. NPDES permit addresses new development, for existing development we would have to develop a system-wide plan, for example for downtown Winslow.
47. PW Director--Retaining the water is not really the issue, it's the treatment of the water.
48. Would like to see Comp Plan goal supporting tertiary treatment for our existing sewer plant in Winslow.
49. There is a report by the EPA that says we are in trouble when it comes to our aquifers.
50. City staff explained the sole source aquifer designation and the USGS report related to the City's aquifers.
51. Islanders need to read the federal register, EPA did a study that said our water was decreasing and we need to be concerned. The EPA has advised that we maintain our forests.
52. Will it be possible to establish a number for the carrying capacity of the water? For build out could be based on current zoning. We need to provide the carrying capacity in the likelihood of regional population growth. Efficient use of our land. Important process that will take allot of time.

ATTACHMENT #2 WATER RESOURCES ELEMENT PUBLIC COMMENT

53. City staff says we need to look at the 6 different aquifers that provide the island with drinking water. What is the water budget for each aquifer? The USGS was done in drought years.
54. Chris said it was hard to find the island share of the study. Recommends that there is a commitment all aspects of the water supply and how it is used and that could translate into how the planning dept can plan.
55. Create a system to get people out of the cars, what is the minimum threshold for light rail. It's big said Ed. The traffic issue is an affordable housing issue. People who work here can't afford to live here.
56. We need better bus service...the buses aren't running when people need it.
57. Bainbridge has the second most used transit in the country. Take the things that are really working well and improve them. Bus rapid transit.
58. 3 lanes instead of 4, a reversible lane.
59. There is a way to get people out of their cars. Not huge buses but smaller buses. We could use the mini buses. Do this island wide.
60. Ed saying BI Ride is a step in the evolution of dial a ride service for the neighborhood service centers. Connect the centers. How do we finance it? A good way to use some of our tax revenue.
61. Low impact development could be a solution.
62. I'm a hydro geologist, did a records request, and came up with top 10 highest producing wells. What is going on is that the recharge is not keeping up with our use. If that is happening, then we should figure out the acre foot water usage development before the water should be approved. there is more work to be done on this. City staff should.
63. USGS report said that we will be OK so long as recharge areas not built upon.
64. It is complicated, stormwater runoff and how to get the water quality improved. There used to be oysters in eagle harbor.
65. Transportation is a priority, but water is the key to the Island. Without water, Bainbridge Island will be very expensive.
66. If you read veiled reports, that the water could be piped over from Kitsap. Cost prohibitive. So is desalination plants.
67. There should be monitoring, that will then go into the model.
68. Look at where consumption should be in order to keep aquifer in stable position. We need significant conservation efforts, island-wide. Reduce to consumption that then can allow growth in a managed way.\
69. What does it mean that "we have adequate water?" What do we mean about sustainability? How do we feel about spending down that bank of water that belongs as much to future generations as it does to us? .
70. What about climate change and sea level rise?

ATTACHMENT #3 TRANSPORTATION ELEMENT – PUBLIC COMMENT

1. Need policies in the comp plan that move us towards our collective vision.
2. Hear lots of support for non-motorized facilities, and City has gotten better at promoting public trails. Some great acquisitions for trails that would make a big difference in the connectivity. We have lots of great plans on books, city needs resources to complete and implement.
3. Planning for 305 corridor is very important to help shape development. The STO facility goes to the Kitsap Peninsula, but also brings people to the ferry. We should grow by having people be able to get to the 305 trunk line easily, to get to transit and biking.
4. The West sound alliance is thinking about different types of projects to submit for funding. Mentions the intersection improvements and the bridge. Wide intersections not safe for pedestrians. Need a bridge to support the STO, not just a wider road.
5. We need better bus service
6. Someone who moved here who rode her cargo bike with son all over Seattle and cannot do that here, so was very disappointed that she cannot do that anymore (third party story).
7. Need to keep a balance because Bainbridge does not have as compact a population as Seattle
8. or Portland, so as the population gets older, they still need to get downtown and cannot walk there, etc.
9. Neighborhood centers growth? Use bus service from these areas to get to downtown, ferry, etc.
10. Neighborhood centers have not been developed or been part of the plan, but should be looked at in the future.
11. It would be nice to make Winslow Way a pedestrian only street and have ferry traffic avoid it all together.
12. Growth in a smart way that gets people out of their cars will accommodate growth/development in downtown.
13. How much are you willing to subsidize transit to have a larger public transportation system?
14. Walking trails with lights to cross streets safely should be mandatory.
15. If you are going to have a healthy, equitable diversity, you have to have a large subsidy.
16. Boeing doesn't even run a bus system the way the shipyard does.
17. Multimodal the island population is aging, so how does that impact multimodal planning,?
18. A significant number of population may be walking or biking less over the years.
19. Winslow is becoming more attractive to older people, so want to age in place in Winslow.
20. Want to encourage a diversity of age, which are more likely .
21. BI Ride should be a loop to get people from Winslow Way up to High School Road.
22. Prioritize non-pedestrian ways to get to service centers.
23. Get service centers connected.

ATTACHMENT #3 TRANSPORTATION ELEMENT – PUBLIC COMMENT

24. Trail connectively – Portland built great structure – amazing what happens when you do that, build it and they will come.
25. Support connectivity – and transportation and development of neighborhood centers –
26. Trees. Planning for the City is to plan for that . Do we want trees or roundabout. If you move to an Island with a ferry then you're going to find traffic. Deal with the issues or move somewhere else.
27. The city doesn't want more cars on the bridge, the region does. Once the ferry goes to a reservation system, the ferry holding area and SR 305 will be adequate.
28. Transportation is part of green and well-planned. How do we figure out how to be a less car-centric community.
29. If you go to Bloedel it's difficult to get out, but do you want to put a light there, because it will further congest 305. Fewer lights and more roundabouts might have better traffic.
30. But, if you have to get across the highway, and you need lights do that.
31. More traffic, more pollution. Better traffic flow.
32. If you widen the roads, then you'll have more cars.
33. Not if you have fewer cars.
34. Safer for cycling, more bus transportation,
35. People are going to drive their cars. I don't know anyone who rides the bus because there is a social stigma to stand on the bus. I ride a bike. I don't need a bike lane because that's how I grew up.
36. Kids are driven to school every day by parents, it's a social issue that we're facing there. We need to change the way we instruct kids, so that they know they have to ride the school bus, drive less. Have to educate them of the impacts of driving will have on their future.
37. Kids use cars much less. Is a generation people that are using cars less, but they can't afford to live there.
38. Concurrency for bikes and pedestrians for our roads. City would have to plan to improve roadways for bikes and pedestrians. That means new development would have to serve bikes and pedestrians.
39. Multiple layers of government. When they close the Edmonds ferry training, they direct traffic to BI. State policies, County Policy, BI policy, sometimes are in conflict. Dependent on quality of life on ferry. If they raise price to \$15 for passenger- would reduce number of people going to Seattle.
40. But that would be penalizing a group of citizen by raising price.
41. Green well-planned means drive less, more public transportation, more buses running more places.
42. Wider roads, slower speed limits so pedestrians and bikes can co-exist with drivers.
43. More space between moving cars and parked cars. Make it as pedestrian friendly as possible.
44. City has done a pretty good job of clustering development but hard to get from place to place.
45. BI Ride is a good start and should be expanded.
46. Setting up for the future of transportation. Community that is friendly to it. Walkability and bike paths. Not really walkable.
47. Would love to be able to walk from the south end of the island. Not safe.

ATTACHMENT #3 TRANSPORTATION ELEMENT – PUBLIC COMMENT

48. Trails are connecting all across the island. Bikes are the most dangerous thing. Large bike community. Not safe for bikers. Delinquent in services. Transportation element will be coming up in Plan. Very important.
49. Is it possible to combine motorized and non-motorized plan?
50. Bainbridge is a small island. You can ride your bike everywhere.
51. Build some bike lanes!! The City needs to hear it's a priority.
52. Need wheel chair access to green areas, parks, etc. Often wheelchair users are forced into streets because of obstacles. Encourage infrastructure for mobility.
53. Speed limits are a little high.
54. Would like to see greater emphasis on off road trails.
55. Encourage walking and community parking areas so community can meet. Stop making planning decisions based on vehicles. Why aren't more kids riding the bus?
56. How can we better serve the kid community - Kitsap Transit? Carpools? Carpool parking? Transit currently based on ferry schedule in a.m. and p.m. and prevents kids and folks working on the island from getting places during the day.
57. For a variety of reasons, we have to find a way to get out of their cars - safety (no shoulders, bad traffic) - how to make running alt forms of transportation affordable to the entity running these alternative modes of transportation.
58. Winslow Way cannot survive if it is closed down because it cannot survive with those who live within walking distance.
59. Would love to see less driving, more walking, and more sidewalks, like a regular transit loop around the Island for running errands. Business that represent a broad spectrum, not just a tourist business. Connecting the waterfront more to the downtown.
60. With the city services, require composting, local bike rental, Leave a bike.
61. Need safer biking. Need more off road bike paths. Would love to see a municipal commercial compost site on the island. And our own electric utility so we can have more solar panels.
62. We have a lot of good stuff happening, but City can support infrastructure for non-motorized. Less pedestrians and equestrian. If you aren't paying for the separated facilities, then you have to slow speeds. Need to be able to slow down, talk to your neighbor. Need to talk about LOS for walking and biking.
63. Need to encourage ADA infrastructure, wheelchair mobility.
64. Transportation is key for green community.
65. What happens if State says we get a four lane highway. If you widen the road where are you going to put the cars.
66. One of the keys is the midday riders on public transportation. It should be a local priority. When Kitsap Transit runs out of money, we should be making sure that BI is still serviced.
67. Visconsi could have been asked to get a bus stop at their development. We do not want to plan by wishful thinking but by reality.

ATTACHMENT #3 TRANSPORTATION ELEMENT – PUBLIC COMMENT

68. If we have a new bridge and four lane highway discussed at Olympia. Not being implemented/ built right away, but \$\$ from Olympia will maybe fund beginning the discussion.
69. Needs to be easier for people to get across SR305.
70. Maintaining service to Seattle is important to keep that attractive.
71. There should be a boat haul out facility on Bainbridge. Would promote the sailing community.
72. Equestrian trails could use more work.
73. Need a multiuse trail along 305. STO will be built this year.
74. Important for the city and park district to work together on trails. For instance, the Hawley cove park trail should be designed for commuters, and won't be for bikes.
75. There is a lot of sensitivity between bikes and walkers, and most trails should accommodate both. Some trails should be just for walkers.
76. The electric golf carts should be driving to the ferry to help alleviate parking issues.
77. The city should be proactive in getting the park district to think beyond recreational use of trails.
78. Old neighborhood trails/ paths should become public.
79. The city is losing paths when development happens.
80. Trail by point white/ crystal springs eventually got blocked.
81. Could there be a policy to require a trail with development? Could we limit liability?
82. The city was development without pedestrian permeability in mind.
83. Do we need more boat launches for bigger boats?
84. Never seen the fort ward boat launch overwhelmed. The city gets complaints about the ramp at Fort Ward not being as safe.
85. We don't have the infrastructure downtown. Super blocks, with very few connecting streets, roads are jammed.
86. How do we get people out of cars? Walking and bike paths that are not immediately adjacent to roadways would make it safer and more attractive.
87. Recreation and transportation need to be coordinated. City and Parks and Schools should work together on transportation system.
88. LOS for pedestrians and bikes. There isn't one common solution for every road.
89. LOS is the tool we use to measure how good it is for different users. A tool to measure how close we are getting to our vision.
90. Bike lane on Madison is scary. Would not allow kids to ride bikes to school.
91. Comprehensive Plan should incorporate LOS standards
92. There is no alternate route to get to south end. You have to go down Winslow Way.
93. Parking on Winslow Way should be back-in angle.
94. Discussed infrastructure particularly non-motorized concerns and trail systems. Also discussed the possibility of proposed impact fees for new development.

ATTACHMENT #3 TRANSPORTATION ELEMENT – PUBLIC COMMENT

95. Discussed mobility and how transit and certain programs such as BI Ride can benefit the community.
96. Inside Winslow, as a policy, would like to be more lanes that go to the ferry (i.e. turning left into BIMA from WW headed east).
97. Mitigation for traffic impact of new development- impact fees? I don't want to pay for private developers' development. Federal dollars should be used to benefit the community as a whole, not just one development. Development should pay for itself.
98. We have narrow and windy roads being traversed by bikes, pedestrians and cars. Needs to be a subject of a coordinated view, not just trails. Improvements should be an accelerated non-motorized, our portion of the Sounds to Mountains bike/pedestrians should receive priority
99. The characterization that the roads are good is true for the arterials but not the back roads. 3rd world roads. Some of our neighborhood roads are in poor condition. We are a wealthy community and small roads have shoreline home with peeps paying a lot of taxes. Once we reach a population of 25k we will take 305 over,
100. We are a transportation corridor; the highway is a key element of future transportation. What does that look like? Is it 3 lanes with a carpool lane? Still would like as an island to look at the main commuting routes, are they safe?
101. Not every road needs a bike lane. If we are concentrating on 305 are we looking at the roads that feed into 305? Also, as we expand or improve roads, we need to look at impacts such a stormwater runoff. Re: large open spaces; make sure we don't harm those areas.
102. Would like to see walking and more bicycles along the highway route. The arterials feeding into the highway should be focused on. Like the idea of a roundabout at the casino. A two lane roundabout works in England. Would rather see alternatives to the widening of the highway.
103. Non-motorized transportation--Sounds to Olympic trail, regional transportation is an important issue.
104. Need to have public transit where enough trips are generated to make travel convenient.
105. Living on the north end--roads are so narrow, would be great to have trails parallel to the roads for walkers, bikers, strollers, wheel chairs.
106. Speed limits in some areas are too high--dangerous for drivers and non-drivers.
107. Difficult to acquire ROW for the purpose of stringing together trails etc.
108. 305 expansions- I don't know if our community can even support that.
109. As a City we just can't ignore the highway and the bridge. I expected that when we became a City we would deal with that.
110. Better mass transit. Needs to be partnership. If we just add another lane, it will be just a matter of time before it's equally as congested.
111. I live in town. People with mobility issues have a hard time using the ferry. The request from to the ferry for assistance is there to request, but they often do not

ATTACHMENT #3 TRANSPORTATION ELEMENT – PUBLIC COMMENT

- have staff there to implement the request. Hard to get information from ferry that is not useful.
112. People are excited about BI ride. And I am trying to get the word out to seniors about it. There is misunderstanding in the community about whether bi ride is only a routed service, but also has the door to door pickup.
 113. We need more bike lanes to make biking safer, and there isn't enough awareness of how difficult biking can be.
 114. Island demographics show aging population, less likely to use bikes.
 115. The sidewalks inside Winslow (besides WW) need in repair to support the more dense development.
 116. If people are coming onto the Island, the ferry parking management is not great. Why not a good kiss and ride for the ferry facility.
 117. Vision Zero is an international effort to eliminate deaths on roads, NYC is working on slowing speeds on roads. Seattle is also looking at lowering speeds. Pedestrian death directly linked to driving speed.
 118. Thinks that BI Ride is great, would like to see it on Sunday, but knows that ridership needs to be promoted.
 119. Access buses don't run on Sunday, and standard buses stop at 8ish, so don't run late. With development review, would like to see concurrency requirement for bikes and pedestrians.
 120. Supports more bike paths or walking paths.
 121. Supports separated paths and/or trails.
 122. The island is changing and how do we plan for that.
 123. Do we have an island-wide transportation plan?
 124. Sportsman Club and New Brooklyn traffic is a problem.
 125. Bridge replacement within 20-25 years, it doesn't hurt to think ahead for the traffic flow.
 126. Traffic will continue to grow on 305.
 127. Parking downtown core is an issue for ferry and downtown.
 128. It feels like because of downtown parking some meeting rooms can't be used.
 129. Would like to see policies like any new buildings in downtown corridor needs to have underground parking.

Topics in Attachment #4 Temporary Moorage

A Air Quality

E Economy

EP Emergency Planning

G Governance

H Housing

I Incentives

Imp Implementation

N Neighborhoods

NSC Neighborhood Service Centers

P Parking

PP Public Process

S Sustainability

Sgn Signs

SW Stormwater

W/S Drinking Water/ Sewer

ATTACHMENT #4 - ISSUES AND IDEAS TO TEMPORARY MOORAGE

- Imp 1. Good governance – after we come up with a great comprehensive plan, but the plan is not codified adequately. We need to review development regulations to make sure they are achieving what we want.
- S 2. We need to look at our development regulations and ask, "Are they precautionary? Are they looking forward 100 years?"
- S 3. Do you see reusing existing buildings as something good? Every time you touch a building you have to make sure it goes up to current code.
- S 4. I think the City should take a proactive role in terms of regulations, the community wants a green community, so we want to have the code and plan reflect that. The end result does not reflect what the community wants (Visconsi).
- Imp 5. The comprehensive plan needs to be put into an ordinance with teeth.
- I 6. Got to have the right balance of regulation and profit incentive to have what we want. Municipality proactive with community values.
- E/S 7. Certification process for business to learn how to learn sustainability - there are models here now that are doing amazing things. Comp Plan could have some "teeth" put into it for sustainability. Show goals and levels of certification, priorities for sustainability. Bellingham for example has stickers noting they've met local benchmarks...wastewater, recycle, etc. People notice these stickers and employers are proud of their internal values.
- H 8. There's room in the Code for things like boarding houses, look at different ways to provide affordability in housing. What's the potential for housing in some business buildings
- PP 9. More groups like architects and business owners should be at these meetings. They will implement these ideas. This is community's chance to influence these folks.
- PP 10. Better notification for resident engagement – when there are proposed developments in their area and/or proposed regulations.
- I 11. Idea – developers – give credits and/or incentives to creative open space within developments that they are creating –
- S 12. Regulations hard – but difficult without them – particularly green development – possibly encourage new buildings have solar power etc. – that type of approach – other – city role – appreciation community wide effort not just government – and think about ways to better provide communication with property owners pre-development.
- PP 13. City has tools of regulation and incentives. Need political and community vision to balance tools.
- 14. Planning in many cases is excellent, but acquisition is a failure point. Need more creativity in City staff, less reliance on community to coordinate. Goals and intentions of community are clear, but not realized.
- Imp
- E/ Imp 15. Support for City's use of eminent domain. Should use this if other ways were exhausted.
- S 16. Green communities take care of all properties. Don't allow any sites to be vacant or blighted. City government can lead here because it has the interests of the whole community in mind.

ATTACHMENT #4 - ISSUES AND IDEAS TO TEMPORARY MOORAGE

- Imp* 17. Need to have regulations and consider impact of decisions. Must enforce regulations consistently.
- PP/Imp* 18. Meetings have to have more meaning. They just can't be for amusement. Comp plan needs more teeth. We had this wonderful community dialogue, end of discussion, on with the status quo. We need to expect an outcome from our activities. We need a return on our investment.
- Imp* 19. The "no annexation" nature of Bainbridge Island makes planning a little simpler. Regulations and codes should not be drawn from different types of communities because of BI's special nature.
- Imp/NSC* 20. Visconti got there project because it met the zoning . City Hall has to stand behind the Comp Plan, and we do look what we can for our service centers.
- NSC* 21. Island Center and Rolling Bay communities to do there are own plans. Neighborhoods should be doing plans given there are places that need to have more density.
- N* 22. Local neighborhoods should have more of an impact on their own communities.
- NSC* 23. Lynnwood Center has a sub-area plan. That comes from the neighborhood.
- N* 24. City would facilitate plan, stakeholders are from neighborhood.
- W/S-NSC* 25. Lynwood was able to develop because of water service and sewer. Water systems not sewer in the other service areas.
- Imp* 26. There is a disconnect between comp plan and zoning. This time around you can see things that weren't implemented into the code.
- Imp* 27. How do we get to a comprehensive plan being meaningful? That it is an active component in developing our code. I'd like some assurances that this isn't just for amusement.
- Imp* 28. Comp plans needs to be in the code.
- Imp* 29. We want to tie comp plan to code. We learned in the Visconti hearings and decision that it doesn't carry much weight unless the Comp Plan is very specific.
30. Why hasn't been done?
31. Reality is that code is big, and sometime you don't know that there will be a consequence until something happens.
- Imp* 32. Things in different parts of code Like Trees, one in SMP, one in clearing, one in tree ordinance. Some codes are in conflict.
- Imp* 33. We need one tree ordinance and that tree protection is scattered in different ordinances.

ATTACHMENT #4 - ISSUES AND IDEAS TO TEMPORARY MOORAGE

- Imp* 34. That's part because critical areas and SMP are done as separate areas. We can't do everything at the same time. How do we make sure everything meshes.
- Imp* 35. Differences between state and city code regarding trees on shoreline property.
- Imp* 36. New hospital they cut all the trees away so that you can see the hospital from the highway. Developer should have planted.
- I* 37. City should have incentives
- Imp* 38. It's in code that buffers should be maintained.
- Imp* 39. City doesn't have teeth on their own codes.
- Imp* 40. There are different type of screens and you can't have the presumption that everyone is supposed to have the same screen.
- Imp* 41. In specific cases the buffer goes away and the City doesn't come back.
- E/G* 42. Major compromise when we built the Safeway. City here to serve the business, money and own self-interest.
- G/Imp* 43. Perhaps it's not the City is not enforcing, perhaps you don't understand the requirement.
- Imp* 44. We'd like to see specific regulations, we'd like to see code compliance.
- Imp* 45. Many developments get approved with conditions, and those get lost.
- Imp* 46. Lack of continuing enforcement to make sure things in the permit are maintained over time.
- SW* 47. Use impervious paving. Why don't we use those more often?
- SW* 48. Seattle has a chart you can download, have to obtain a certain goal, certain number of points for using surface water being reused. Encourages rain gardens, paved surfaces that can collect underneath. There are some policies a city can encourage thru zoning.
- SW* 49. Pavers are hell on earth for people in wheelchairs, they damage them.
- SW* 50. Bill saying pavers are rough to walk on as well.
- S* 51. Promote and codify ideas (Living Building Challenge) that may be leading edge Green Ideas instead of treating these ideas as one-offs.

ATTACHMENT #4 - ISSUES AND IDEAS TO TEMPORARY MOORAGE

52. Land Use Regulations - there are cynics in the group. Regulation to create a legal framework is necessary because people are not usually altruistic and "do the right thing" - and there are consequences to not having codified rules.
53. As a rural city with high density low-density, sometimes the regulations appear favorable to high density, not low density. Winslow is almost grid, but not in north or south Bl. Maybe there should be two sets of regulations for high and low density.
54. I think we are a well-planned community, but we're not green. I'd love to see both. We need model codes to help us get there and we don't have run right now.
55. We have big ideas then we don't have the codes that walk to walk.
56. The City needs to allow for a "tiny home" community and needs to change the regulations to make it happen.
57. The city needs effective rules and penalties. Code enforcement needs to have teeth.
58. Regarding city regulation: when development occurs, it calls for analysis on air quality under SEPA. There was no review of the Visconsi project. No meaningful review was completed.
59. What we have in the Comp Plan now regarding affordable housing is quite strong and calls for the City to be proactive. It's the implementation that needs work.
60. SIGNS
61. I could do without a lot of signs, more and more signs are going up. New welcome to Bainbridge sign. State seems to be free with people putting up signs on the highway, more no parking signs on Manito Beach. Official, more signs.
62. All the commercial signs bother me. Downtown
63. Tremendous amount of commercial and municipal signs
64. 20 no parking signs
65. Can't you have one sign that says 100 feet no parking
66. Commercial signs for everything imaginable.
67. Relative, no billboards. Core does seem to get cluttered with sandwich boards. It can get out of hand.
68. A lot of 305 signs, I don't mind the sandwich boards.
- 69.
70. Visconsi brew ha-ha was a regulation and enforcement activity. Was that being done in a way that was for the attractiveness and health of the community.
71. Most people felt like the rules and comp plan weren't in alignment.
72. Code must be stronger.
73. Comp Plan has to require that the code be consistent with it.
74. Regulations need to match the code.
75. It's not just Visconsi this has been going on for 10 years. Group was disappointed that Comp plan wasn't used in Visconsi. Tendency to look for environment important.
76. Key responsibility of Council to make sure comp plan and code in alignment.

ATTACHMENT #4 - ISSUES AND IDEAS TO TEMPORARY MOORAGE

- Imp/PP 77. Stay involved in the process until regulations are in place.
- Imp 78. Comp plan has to be transferable to the code
- Imp 79. I have an editorial from ten years ago that says comp plan has to be put into the zoning code.
- Imp/H 80. Change the zoning code to allow for smaller houses on a smaller area.
- S 81. Composting toilets.
- SW 82. In 2017 it will be mandated that we do low growth development (low impact), the city has a lot to do. Major stormwater change. Have to put the pollution of Puget Sound in context.
- S 83. We need to look at it as regenerative/restorative.
- SW 84. There are things we could do at the outfalls.
- 85. There are big and small problems and just because it's small doesn't mean it isn't a problem. Need to look at a local scale.
- SW 86. Not just stormwater, it is surface water as well.
- Imp/E/EP 87. Need change in policies and regulations about where cell towers may be located. City should also be more proactive in using old-fashioned AM radio for communications during emergencies
- EP 88. City should exercise oversight in determining what existing facilities have in terms of emergency backup (battery powered, generator powered?)
- N 89. City should lead specific neighborhood planning efforts.
- SW 90. Can we develop code that requires porous pavement and gravel when possible? What can we do to encourage less hardscape?
- SW 91. Low impact development standards--Comp Plan should reflect deeper commitment. We have many tightlines dispersing to the Sound, is this still what we want?
- SW 92. There are no permitting requirements that require retrofitting existing development to improve stormwater.
- S 93. Gray water--fine tune regulations to make it easier to reuse. Difficult to get permits to dig a pond. As water supplies get tight, it will make it harder on farmers.
- W/S 94. Every water system should be required to meter and charge based on consumption.
- I/W/S 95. What about incentives to decrease water usage.
- G 96. Good governance is honoring BAS and not succumbing to development pressure.
- S 97. Precautionary principle" should guide us.
he Plan
- Imp 98. is not codified adequately. We need to review development regulations to make sure they are achieving what we want.
- S 99. We need to look at our development regulations and ask, "Are they precautionary? Are they looking forward 100 years?
- Imp 100. The biggest issue has always been that if it is not codified in code, it doesn't matter what the comp plan says.
- Imp/S 101. Very difficult to prove that development will impact services.... Get creative in that battle.
- Imp 102. There is a disconnect between code and what citizens want - fix this. Asani, for example. Rules don't always follow what Comp Plan says.
- Imp 103. Comp Plan is now out of date and the Code and the Comp plan need to come together. Who is tracking that changes to or follow to the other.

ATTACHMENT #4 - ISSUES AND IDEAS TO TEMPORARY MOORAGE

- I/E 104. Recognize city regulatory climate – creating incentives for type of development and/or expansions for businesses and living here.
- E 105. Farmers want to develop a farm stand but would the code allow it? — Yes, BIMC allows.
- E/H 106. Promote people to work at home. Code needs to remedy limits to home businesses.
- Imp 107. Visconsi shows that community has feelings but no voice. Codify ideas.
- Imp 108. City code did not implement or codify the Comp Plan. That is why we are meeting.
- E 109. The Island has a lot of jobs that don't need an industrial base (think architects/artists.
- E 110. Should the school district help to support future citizens to be in a cerebral job?
- Imp 111. Yes, there will be specific code amendments that will come out of the comp plan.
- Sgn 112. If you read our sign ordinance, it is hard to understand. Carmel uses pictures in their Code. Why don't we do a little digital? Put pictures in the code so they can look at that and don't have to dig through all the Code.
- G/Imp 113. The council used to be more involved. Right now the planning director has a lot of power to make decisions. She has the sole authority over SEPA. Too much responsibility for one person.
- Imp 114. One person should not be green-lighting a development.
- Imp./PP 115. The problem is that it's a structural issue, development thresholds. Surprised that the planning commission does not have more power. Could be remedied. Shocked by the hearing examiner process.

ATTACHMENT #5 ISSUES AND IDEAS TO PRIORITY BASED BUDGETING

1. The City's transparency efforts are increasing with the Community Engagement Specialist.
2. Turnout for these meetings indicates a healthy community.
3. The missing ingredient before has been public involvement.
4. Is there some way to continue what is going on with these comp plan workshops?
5. Why isn't the Comp Plan being implemented? Agenda favors development.
6. Has the impression that development is favored. To try to promote commerce, is a simpler to have things streamlined. Not sure if it is special interests that city panders to.
7. Question: How can communication between government and citizens be increased and improved
8. Good leaders don't listen to "yes men" or people who always have their ear. Good leaders listen to the dissenting voice
9. People who are satisfied don't come to meetings and speak out. It's the people who are dissatisfied who speak out
10. To change government, you need to change the culture. There is a machine that wants to perpetuate the existing culture, it's about money and power
11. Need to get the word out better so that more people come to these meetings
12. Not everyone is on Facebook or social media.
13. Better outreach would bring people out who don't already have an issue, get them engaged.
14. We have little power groups on the island. Leadership is elected to represent The People, but who are the People? Non-profits have a direct line to their council persons, who then support special causes that don't maybe represent The People.
15. Who represents the people who are just staying at home?
16. We need to support our elected officials and staff in their work.
17. We're understaffed in Planning.
18. Providing more services requires more taxes.
19. Public Works has a list of undone jobs.
20. Lack of staffing. It's not the plan, it's the implementation on the land. Constant flow of work coming in. Clock is ticking. So to have staff never get a break to work on community development. Planning and building yes, but the community development doesn't happen. Can you put a threshold on permits, so you can free up some staff time to that effort?
21. What should the development look like. Improving the checklist the planner has to through. Trails not in GIS or Comp Plan so they weren't on the list of what the planner sees.
22. City, Fire, utilities, Parks, Library, Schools. I'm torn between wanting to hire one person, and use the incredible resources we already have. How do we get this on the Island then hire outside.
23. Discussed how to use the EIS as a tool for new development and also suggested hiring an environmental planner for expertise review.
24. The ward meetings are a great session for getting out to the community.
25. Can't understand the two types of city council meetings, and how they are different.

ATTACHMENT #5 ISSUES AND IDEAS TO PRIORITY BASED BUDGETING

26. The city website is always being improved, but can always become more intuitive and better. Keeping those communications up to date and the most transparent.
27. Does Intergovernmental Government Working Group (IGWG) work together? Fire and park bond on the same ballot was not ideal. Needs to be worked on.
28. We have a healthy mix of people on the island not just rich people, we have vibrancy because of our non pros and activism. How can we improve in terms of how people being involved in the comp plan. This process is better, how do we make the web site more accessible. Can we partner more with non profits.
29. We need someone on staff that is an expert in ecology. We do have people on staff. Their views should be heard.
30. Revenue is a fact of life. Disagrees that the city makes decisions just made on money.
31. Money can't be an excuse to not do something. As citizens we need to be responsible.
32. Comparing to a lot of places it is both a healthy and attractive community. We're high, it would be nice to be higher.
33. Keep it there, and improve it.
34. People that have lived here a long , long time feel that it's going
35. Plenty of room for improvement as well
36. Code official has no time to look for problems. Except during process of getting a permit, very little enforcement
37. If the City doesn't deal with the problem, then the Police Department will.
38. A great deal of the PD's resources are used to address social issues.
39. What was missing from the police site conversation was not enough information to give an informed comment. We are left out of the loop.
40. City should work with non-profits.
41. If we maintained the roads and a lot the actual budget that we have to managing the roads to siphoning off to other needs
42. Property taxes are spent on staff rather than roads
43. It takes staff to run a city, we are revenue poor. The problem is on the revenue side.
44. The City is relatively insufficient
45. I know another way we can get revenue streams. Visconsi should pay traffic impact fees for that development. Our City is one of the few cities in the County that doesn't have these fees. They're relying on property taxes to pay for safety, roads, etc.
46. Because there are no impact fees, things are pushed on the citizens.
47. Power was grounding out; it has yet to be resolved. Accommodating more growth, we need to stop expanding our staff and get back to basics. Allow people whom are paying taxes to be serviced.
48. Agree with asphalt is better. BI city staffed up while Darlene was mayor, and our staff is too big. Compared to Sammamish, we have a really big staff. Need to think about staffing when people retire.
49. Staff hiring needs to reflect the desire to stay rural. If we want trees, don't hire staff from Seattle- urban world view.
50. A better police station is VIP- why is it taking so long.

ATTACHMENT #5 ISSUES AND IDEAS TO PRIORITY BASED BUDGETING

51. Need common sense for long term maintenance & repair--although the City has done better in the last 2 years.
52. Support police indecent advisory commission
53. Question: How do people feel they interact with the government? Do people feel
54. heard? Is government accessible and responsive?
55. Question: How can communication between government and citizens be increased
56. and improved?
57. Good leaders don't listen to "yes men" or people who always have their ear.
58. Good leaders listen to the dissenting voice.
59. People who are satisfied don't come to meetings and speak out. It's the people who are dissatisfied who speak out.
60. To change government, you need to change the culture. There is a machine that
61. wants to perpetuate the existing culture, it's about money and power.
62. Need to get the word out better so that more people come to these meetings.
63. Not everyone is on Facebook or social media.
64. Better outreach would bring people out who don't already have an issue, get them engaged.
65. We have little power groups on the Island. Leadership is elected to represent The People, but who are the People?
66. Non-profits have a direct line to their Council persons who then support special causes that maybe don't represent all the people.
67. The NMTP does have a trouble spots identified. It's a funding issue.
68. The non-motorized issue is probably ripe for a bond measure.
69. We want green businesses: high tech, manufacturing computers, maybe, something with low impact. Bainbridge is positioned to be the perfect incubator for new businesses. We need to recruit new businesses. There has not been any recruitment effort on the City's part.
70. So what proactive role does or should the City have to develop the island as a business "Incubator." Tax incentives are not possible because the City needs the taxes. The high cost of permit fees on this island is ridiculous compared to Port Orchard. Where in the City's budget can they cut to give incentives?
71. The current Comp Plan does not have any benchmarks, indicators to measure success of goals. The City is so insular.
72. City could support public transit. Would ease parking. Businesses could support, too, to relieve downtown parking.
73. Considering high value on arts in the community - what is the role of the City? When City funding diminished, organizations did not fold.
74. As far as affordability. I'd like to see the City adopt a policy of conservatism. We burn through millions. We spent \$50k for a sculpture. Every City Council meeting its \$40k here, \$50k here, and then the law suits! This is going on for 20-25 years.
75. The City needs to make a commitment to the downtown. For example, not enough trash pickup. A basic thing to take care of but the message is City doesn't want to pay for extra service. Downtown Association and Chamber do make an effort, but there needs to be a

ATTACHMENT #5 ISSUES AND IDEAS TO PRIORITY BASED BUDGETING

piece of the City that is heavily committed and involved in bringing tourism.

- 76. If ten types of businesses were identified...is that something we can encourage? Work with the Chamber, BIDA, and the City. We need a mercantile conveniently located.
- 77. Jerri saying it's our job to go recruit, City needs to provide a tax incentive. Seattle is very aggressive in their recruiting.
- 78. It is not an easy thing to do business in the state of Washington. COBI could provide a small business consultant as a liaison from the City to help navigate codes, etc. "Here is what I would like to do. How could I achieve that?"
- 79. Hire more police with specialties in certain areas.

ATTACHMENT #6 ISSUES AND IDEAS RE CITY COORDINATION WITH OTHERS

1. Does City Council set leash law for metro parks? Does that mean we cannot have an off leash park? BIMPD and COBI are trying to coordinate leash laws/rules.
2. We should look at turning all the parks over to the BIMPD. There should be a long term plan to turn the Senior Center over to them as well.
3. A lot of our parks are former hazardous waste sites that have not been cleaned up completely. Pritchard Park had to put up signs about creosote contamination, but the sign disappeared. Cleanup stopped at Strawberry Park because the City ran out of money.
4. There are a lot of issues with City owned property that needs to be rectified.
5. How can the City help us get enough exposure to entice people to come to our parks? Lost our exposure on a website.
6. Our parks are primarily for the residents. I don't think we should be enticing people to come when we pay for their maintenance.
7. Can we require the County to have facilities on the Island.
8. Transportation to County facilities
9. The WSF diesel engines make for worst air quality. If we could change our boats to smaller boats then service more frequent, and smaller engines. The WSF engines should become LNG.
10. Does helpline house periodically sit down with city to discuss needs.
11. City and County should work together with State to find creative ways to deal with septic issues.
12. Partnerships with Kitsap Transit, Senior Center, etc. need to be promoted.
13. Coordination between Parks and the City would be helpful.
14. Would like to see more transparency between KRCC and City, such as the SR305 situation.
15. SR305 and the bridge are a huge issue. Widening the bridge helps people from the outside and not the island. Not a benefit to us. Why make it easier for outsiders?
16. Lots of outside pressure from outside to widen highway and bridge. We need to look at this carefully through our lens and not let it be imposed on us by the rest of Kitsap County. How will it affect Winslow parking, various intersections?
17. Seattle is a diverse economy nationwide. Rotterdam unloads their ships/ trains with driverless vehicles/ trains. West coast ports need to catch up.
18. US Post Office space, for example, has space that could be used much better.
19. Collaboration and cooperation is very important between taxing districts and between those districts and nonprofits that are performing community services. The one call for all list is LONG- variety of many organizations. Best way to optimize the resources that we have, and to encourage to concept of a village. the city should make this clear in comp plan.
20. I'm asking our city council to ask the growth management hearings board to ask for a change to the GMA to get Bainbridge out of planning under the GMA.

ATTACHMENT #6 ISSUES AND IDEAS RE CITY COORDINATION WITH OTHERS

21. Need access to green space, a requirement with easements to encourage alternative transportation. Need to talk to the parks dept.
22. Year round school would improve transportation.
23. Fire flow not sufficient to fight a major fire on the Island. Vancouver BC has a fire contract.
24. Collaboration and cooperation is very important between taxing districts and between those districts and nonprofits that are performing community services. The one call for all list is LONG- variety of many organizations. Best way to optimize the resources that we have, and to encourage to concept of a village. City should make this clear in comp plan.
25. I'm asking our city council to ask the growth management hearings board to ask for a change to the GMA to get Bainbridge out of planning under the GMA.
26. BI is unique in the state of Washington, and the GMA should be changed to reflect that.
27. Need access to green space, a requirement with easements to encourage alternative transportation. Need to talk to the BI Municipal Parks District.
28. Does City Council set leash law for metro parks? Does that mean we cannot have an off leash park? BIMPd and COBI are trying to coordinate leash laws and rules.
29. Much of the groundwork needs to be led by non-profits. Not just the City. It needs to be the community getting together too.
30. The fire dept. has a requirement to respond first for medical.
31. What about multi- units showing up for emergencies
32. Luke Carpenter: the 911 operators have criteria based responses. Depends on whether you get EMTs and/or a paramedic. 8 people total respond for advanced cardiac arrest.
33. Whether the fire truck comes depends on if "medic" staff is in the fire truck.
34. Different resources are located at each of the 3 fire stations, so dispatch depends on emergency
35. BIFD does a lot of CPR training, information on website.
36. No one responded to an "emergency" because no one was injured. But needed help when large tent turned over at big event.
37. All 911 calls go to central dispatch in Bremerton. For instance Poulsbo, Kingston or Suquamish emergency units & law enforcement is dispatched based on distance and availability.
38. How much would a portable defibrillator? The cost has come down. CPR class teaches how to use a portable defibrillator.
39. Portable devices may be in squad cars. BIFD CPR classes monthly.
40. We have to accept state mandates and plan for growth but we should think about opting out of GMA, it's not relevant to an island. Clear land boundaries make us different from other cities.

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT



MEMORANDUM

TO: Planning Commission

FROM: Jennifer Sutton, AICP
Special Project Planner

DATE: April 9, 2015

RE: Study Session on Ordinance 2015-04 (formerly 2014-07) Tree and Landscaping Regulations

This is the first study session on Draft Ordinance 2014-07 (Attachment A) amending the City's Tree and Landscaping Regulations.

Background

City Council authorized creation of an Ad Hoc Committee to review the City's tree and landscaping regulations in early January, 2014. The Ad Hoc Committee is comprised of three Councilmembers and two Planning Commissioners:

Councilmember Roger Townsend
Councilmember Sarah Blossom

Commissioner Jon Quitslund
Commissioner Mack Pearl

The Ad Hoc Committee has met twelve times since its first meeting on January 28th. Realizing that reviewing the regulations in their entirety is a large task, the Committee organized their work by first focusing on tree and landscaping regulations that apply to the Mixed Use Town Center/High School Road zoning districts.

Those recommendations were accepted by City Council at the September 2, 2014 meeting and staff was directed to begin work on two ordinances. Staff brought Ordinance 2015-04 (formerly 2014-07) (Attachment A) to the Planning Commission on October 9, 2014 for a study session. This ordinance revises landscaping regulations in BIMC Title 18 pursuant to the recommendations to date from the Ad Hoc Committee. Last October, the Commission sent the Ordinance back to the Ad Hoc Committee to discuss issues of solar access and trees along property lines. The Ad Hoc Committee discussed both issues, opted not to take any action related to solar access in the Mixed Use Town Center/ High School Road districts. The issue of trees on adjacent properties was clarified in Section 18.15.010.C.4 (p 4) and Section 18.15.010.G.2 (p 7).

Other Ad Hoc Committee recommended changes to the *Administrative Manual* will be processed through a resolution later spring.

The Ad Hoc Committee will now begin to review the regulations that apply to Residential, Business/Industrial, and Neighborhood Service Center zoning districts, and will bring those recommendations to the Planning Commission and City Council at a later date. The existing tree and landscaping regulations, BIMC Section 18.15.010 is attached to assist in your review of Ordinance 2015-04.

Attachments

- A. DRAFT Ordinance 2015-04
- B. BIMC Section 18.15.010 (existing regulations)

**ORDINANCE NO. 2015-04
(formerly 2014-07)**

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to tree and landscaping maintenance and requirements; amending Bainbridge Island Municipal Code Sections 18.12.030, 18.15.010 and 18.36.030.

WHEREAS, in January 2014, the City Council convened an Ad Hoc Committee consisting of two Planning Commissioners and three to review and make recommendations on the City's tree regulations; and

WHEREAS, the Ad Hoc Committee organized their review by first focusing on regulations that apply to the Mixed Use Town Center and High School zoning districts; and

WHEREAS, the Ad Hoc Committee presented their recommended changes to date to the City Council September 2, 2014; and

WHEREAS, the City Council directed staff bring forward ordinances to implement the suggested changes; and

WHEREAS, the City Council conducted a public hearing on Ordinance 2015-04 on XXXX, 2015; and

WHEREAS, notice was given on XXXX, 2015 to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106;

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

Section 1. Section 18.12.030 of the Bainbridge Island Municipal Code is amended to read as follows:

E. Bonus Density in Winslow Mixed Use and High School Road Districts. Eligible properties may achieve a maximum level of development above the base FAR, as provided for in Table 18.12.020-3, by using one, or a combination of, the following FAR bonus provisions. The FAR bonus provisions may be combined to achieve the maximum level of development established for each district. In no case shall the total commercial, residential or mixed use FAR exceed the maximum FAR as provided for in Table 18.12.020-3.

3. Public Amenities and/or Infrastructure. At the applicant's option, a portion of the bonus may be earned through the provision of public amenities, ~~and/or~~ infrastructure, and/or preservation of a Heritage Tree(s) on site, pursuant to an adopted city council resolution clarifying the amount of credit awarded for different provision of different public amenities and/or infrastructure, as follows:

- a. Up to 40 percent of the maximum residential, commercial or mixed use FAR bonus may come from monetary contributions toward public amenities and/or infrastructure beyond that required for SEPA mitigation. The amount of the contribution shall be established by resolution of the city council. Funds contributed to the public amenities and/or infrastructure shall be used exclusively in the Mixed Use Town Center or High School Road districts, for projects identified in the six-year capital facilities program, or approved by the city.
- b. In lieu of the contribution of funds as provided for in subsection E.3.a of this section, and subject to approval by the director or designee, the public amenities FAR bonus may be achieved by the preservation of a Heritage Tree(s) on site, construction of public amenities and/or infrastructure beyond that required to mitigate the impacts of development. Public amenities and/or infrastructure projects shall be located in the Mixed Use Town Center or High School Road districts, and shall be chosen from projects identified in the six-year capital facilities program, or approved by the city.

Section 2. Section 18.15.010 of the Bainbridge Island Municipal Code is amended to read as follows:

- C. Tree Retention, Protection and Replacement. Where Table 18.15.010-1 indicates that development must comply with the requirements of this subsection C, all development shall comply with the following requirements. These requirements are intended to supplement any regulations in Chapters 16.12 (Shoreline Master Program) and 16.20 BIMC (Critical Areas), which remains the primary source of regulation for environmentally sensitive areas in Bainbridge Island. In the event of any inconsistency between the requirements of this subsection C and the requirements of Chapters 16.12 and 16.20 BIMC, the requirements of Chapters 16.12 and 16.20 BIMC shall apply.
3. Enforcement and Penalties. Failure to retain, replace or transplant trees will be enforced as follows; provided, that any fine shall be no less than three times the value of the trees, as determined by the current standards of the International Society of Arboriculture. If unauthorized tree(s) or vegetation removal occurs within the public right-of-way, all permits in force on the subject property shall be suspended and no new permits issued until the tree(s) or vegetation has been replaced or all penalties have been satisfied. The director is authorized to make site inspections and take such actions as are necessary to enforce this title in accordance with Chapters 1.16, 1.24, and 1.26 BIMC. The director may require an evaluation by a tree professional, a qualified engineer, landscape architect, soils engineer, testing lab, or other specialist at any time during the tree plan review process or tree removal inspection as necessary to ensure compliance with the provisions of this subsection C and/or the terms of the clearing permit. Applicant shall be responsible for any associated costs.
 - a. Civil Citation. It is unlawful for any person to:
 - i. Initiate or maintain, or cause to be initiated or maintained, the use, construction, placement, removal, alteration, or demolition of any

- structure, land, vegetation or property within the city contrary to the provisions of this subsection C.
- ii. Misrepresent any material fact in any application, plans or other information submitted to obtain permits or authorizations under this title or not following the conditions of an approval.
 - iii. Remove or deface any sign, notice, complaint, or order required by or posted in accordance with this subsection C.
 - iv. Fail to submit or implement a planting plan as required by this section.
- b. Stop Work Orders. The city shall have the authority to issue a stop work order to cease all development work, and order restoration, rehabilitation, or replacement measures, including applicable sureties, at the owner's or other responsible party's expense to compensate for the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city contrary to the provisions of this subsection C.
- c. Additional Remedies. In addition to any other remedy provided by this subsection C or under the BIMC, the city may initiate injunction or abatement proceedings or any other appropriate action in courts against any person who violates or fails to comply with any provision of this subsection C to prevent, enjoin, abate, and/or terminate violations of this title and/or to restore a condition which existed prior to the violation. In any such proceeding, the person violating and/or failing to comply with any provisions of this subsection C shall be liable for the costs and reasonable attorneys' fees incurred by the city in bringing, maintaining and/or prosecuting such action.
- d. Civil Infraction. Except as provided in subsection C.3.f of this section, conduct made unlawful by the city under this subsection C shall constitute a civil infraction and is subject to enforcement and fines as provided in BIMC [1.26.035](#), and additionally, is subject to fines as provided in Table 18.15.010-2. A civil infraction under this section shall be processed in the manner set forth in Chapter [1.26](#) BIMC.
- e. Civil Penalty.
- i. In addition to any civil infraction fine, criminal penalty, and/or other available sanction or remedial procedure, any person engaging in conduct made unlawful by this subsection C shall be subject to a cumulative civil penalty in the amount of \$1,000 per day for each violation from the date set for compliance until the date of compliance. Any such civil penalty shall be collected in accordance with BIMC [1.26.090](#).
 - ii. A person who fails to comply with the requirements of this subsection C or the terms of a permit issued hereunder, who undertakes an activity regulated by this subsection C without obtaining a permit, or fails to comply with a cease and desist or stop work order issued under this subsection C shall be subject to a civil penalty as set forth in Table 18.15.010-2. Each unlawfully removed or damaged tree shall constitute a separate violation.
 - iii. Any person who aids or abets in the violation shall be considered to have committed a violation for purposes of the civil penalty.
 - iv. In addition to the penalties addressed under subsection C.3.e.ii of this section, failure to replace or transplant trees will be enforced as provided

in this code; provided, that any financial penalty assessed will be the greater of the amount indicated in Table 18.15.010-2 or three times the value of the trees, as determined by the current standards of the International Society of Arboriculture, whichever is greater. The director may elect not to seek penalties if he or she determines that the circumstances do not warrant imposition of civil penalties in addition to restoration.

Table 18.15.010-2: Penalties

Types of Violations	Allowable Fines per Violation
1. Removal of tree(s) approved to be removed, but prior to final tree retention and planting plan approval or issuance of a city tree removal permit	\$100.00 per tree
2. Removal or damage of tree(s) that are or would be shown to be retained on an approved tree retention and planting plan or any other violation of approved tree protection plan	\$1,000 per tree
3. Removal of tree(s) without applying for or obtaining a required city land use permit	\$1,000 per tree
4. Removal of tree(s) without applying for or obtaining a required city clearing permit	\$1,000 per tree

- f. Repeat Offenders. Any person who again violates this subsection C within 12 months after having been found by the Bainbridge Island municipal court to be in violation of this subsection C commits a misdemeanor and any person who is convicted of that misdemeanor shall be punished as provided in BIMC [1.24.010.A](#).

4. Protection During Construction and Development.
- a. Intent. The intent of these regulations is to provide the best protection for significant trees and tree stands, including protection for trees on adjacent properties.
 - b. Requirements.
 - i. No cutting of significant trees shall be allowed on a site until the tree retention and planting plans have been approved by the director.
 - ii. An area of prohibited disturbance, generally corresponding to the dripline or critical root zone (as identified by a consulting arborist) of the significant trees and/or tree canopy of tree stands, areas of existing vegetation to be maintained, and future planting areas (i.e. landscape islands in parking lots), shall be identified by the applicant and approved by the director.
 - iii. A temporary five-foot-high chain link fence with tubular steel poles or “T” posts shall delineate the area of prohibited disturbance defined in subsection C.4.b.ii of this section, unless the director has approved the use of a four-foot-high plastic net fence as an alternative. The fence shall be erected before construction starts and shall remain in place until

construction has been completed, and shall at all times have affixed to it a sign indicating the protected area.

- iv. No impervious surfaces, fill, excavation, vehicle operations, compaction, removal of native soil or storage of construction materials shall be permitted within the area defined by the required construction fencing. If avoiding construction and compaction in areas of future planting is unavoidable, the landscape plan for the project shall include methods for aerating and/or augmenting compacted soil to prepare for new planting, pursuant to Section 18.15.010.H.2.
- v. A rock well shall be constructed if the grade level around the tree is to be raised more than one foot. The inside diameter of the well shall be equal to the diameter of the dripline or critical root zone (as identified by a consulting arborist) of the tree or tree canopy of tree stands.
- vi. The grade level shall not be lowered within the larger of (A) the dripline or critical root zone (as identified by a consulting arborist) of the tree, or the tree canopy of tree stands, or (B) the area recommended by a consulting arborist.
- vii. Alternative protection methods may be used if recommended by a consulting arborist and determined by the director to provide equal or greater tree protection.
- viii. Wherever this subsection C.4 allows or requires the involvement of a consulting arborist, that individual shall be selected from the city's list of current arborists certified by the American Society of Consulting Arborists and his or her services shall be paid for by the applicant.

D. Perimeter Buffering and Screening.

- 1. Intent. The intent of this subsection D is to provide an effective vegetated screen over time between uses or land use districts, to screen parking areas and structures located adjacent to public rights-of-way, and to allow visual and physical access to pedestrian and other nonmotorized oriented uses, such as a multipurpose trail or bikeway if those trails could be accommodated without compromising significant vegetation or hazardous slopes. Additional buffers may be required per BIMC [16.20.170](#), The Winslow Ravine – Special rules in Mixed Use Town Center.
- 4. General Requirements.
 - a. Full Screen. Where full screen perimeter landscaping is required, the applicant must provide:
 - i. Minimum 70 percent evergreen trees ranging in height from four feet to six feet at the time of planting with at least 50 percent being six feet high; and
 - ii. Deciduous trees with a caliper of at least two inches at the time of planting; and
 - iii. At least 20 percent of the trees shall be native species and drought resistant; and
 - iv. The number of trees is determined by dividing the length of the landscape perimeter by 10 feet; and

- v. Evergreen shrubs at least 21 inches in height at the time of planting, spaced no more than three feet on center, to achieve minimum ~~four~~ six feet height at maturity; and
 - vi. The number of shrubs is determined by dividing the length of the perimeter by four feet; and
 - vii. Living ground cover shall be planted and spaced to achieve total coverage within three years; and
 - viii. Plants may be clustered within the perimeter to screen structures and parking areas.
- b. Partial Screen. Where partial screen perimeter landscaping is required, the applicant must provide:
- i. Minimum 50 percent evergreen trees ranging in height from four feet to six feet at the time of planting with at least 50 percent being six feet high; and
 - ii. Deciduous trees with a caliper of at least two inches at the time of planting; and
 - iii. At least 20 percent of the trees shall be native species and drought resistant; and
 - iv. The number of trees is determined by dividing the length of the landscape perimeter by 20 feet; and
 - v. Evergreen shrubs at least 21 inches in height at the time of planting, spaced no more than three feet on center, to achieve minimum ~~four~~ six feet height at maturity; and
 - vi. The number of shrubs is determined by dividing the length of the landscape perimeter by five feet; and
 - vii. Living ground cover shall be planted and spaced to achieve total coverage within three years; and
 - viii. Plants may be clustered within the landscape perimeter to screen structures and parking areas.
- c. Filtered Screen. Where filtered screen perimeter landscaping is required, the applicant must provide:
- i. One hundred percent deciduous trees two-inch caliper spaced no more than 30 feet on center; and
 - ii. Evergreen shrubs minimum 21 inches in height at the time of planting spaced no more than three feet on center to provide a continuous hedge achieving a maximum height of ~~three~~ six feet at maturity; and
 - iii. Living ground cover shall be planted and spaced to achieve total coverage within three years.

G. Total Site Tree Unit Requirements.

1. Intent. The overall purpose of Section 18.15.010 is to preserve the landscape character of the community through development standards by encouraging the retention of existing vegetation and significant trees by incorporating them into site design. The intent of this subsection G is to ensure that, to the degree practicable, (a) each development approval in the MUTC, HSR I and II, R-8, R-

14, and NSC zone districts and (b) each development approval for nonresidential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts leaves the development parcel with at least a specified minimum amount of tree coverage, measured in tree units per acre, that reflects the degree of tree coverage prior to development or redevelopment and that discourages avoidable site disturbances that would require tree removal.

2. Applicability. The regulations of this subsection G apply to each development application involving (a) any modification to a development parcel located in the MUTC, HSR I and II, R-8, R-14, or NSC districts or (b) a permitted nonresidential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts. If a significant portion of a significant tree trunk, dripline and/or critical root zone extends onto an adjacent property, both properties may use the tree units for retaining the trees to meet the requirements of subsection 4. These provisions shall not apply to projects involving only interior renovation of existing buildings.
3. Site Specific Evaluation of Total Impact on Tree Coverage.
 - a. Prior to the submission of a development application involving any modification to a development parcel that has less than 50 percent tree canopy cover prior to the proposed development or redevelopment, the applicant shall complete an inventory of all existing trees on the site indicating the species and the diameter at breast height (DBH) for each existing tree.
 - b. As part of any development application the applicant shall identify all existing trees to be removed as part of the proposed development, and the species and DBH of each tree to be removed.
4. Requirements.
 - a. A development application covered by subsection G.2 of this section shall only be approved if it complies with the requirements of subsections C (Tree Retention, Protection, and Replacement), D (Perimeter Buffering and Screening), E (Street Frontage Landscaping), and F (Parking Lot Landscaping) of this section, and also complies with subsection G.4.a.i, ii or iii of this section.
 - i. In the MUTC central core and ferry terminal overlay districts, the development parcel shall have at least 30 tree units per acre following the proposed development or redevelopment.
 - ii. In the MUTC Ericksen Avenue, Madison Avenue, and gateway overlay districts, and each site in the R-8, R-14, HSR I and II, and NSC districts, and for permitted nonresidential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts, the development parcel shall have at least 40 tree units per acre following the proposed development or redevelopment.
 - iii. As an alternative to subsections G.4.a.i and ii of this section, and at the applicant's option, the development parcel will contain at least the same number of tree units after the proposed development or redevelopment as it had before that development or redevelopment.

b. All existing trees preserved and all new trees planted on the site, including but not limited to those required to be preserved pursuant to subsection C of this section or those required to be replaced or planted pursuant to subsection D, E, or F of this section, shall count towards the required number of tree units.

5. Calculation of Tree Units.

- a. Each tree preserved on a development parcel shall earn the number of tree units shown in Table 18.15.010-7, based on its diameter at breast height (DBH). If the DBH measurement results in a fraction, the requirement shall be rounded to the nearest whole number (greater than or equal to 0.5 is rounded up; less than 0.5 is rounded down).

Table 18.15.010-7: Tree Unit Conversion Table for Preserved Trees [1]

DBH	Tree Units	DBH	Tree Units	DBH	Tree Units
4 – 5	1.0	16 – 18	3.2	27 – 28	7.0
6 – 10	1.2	19 – 20	3.8	29 – 30	7.8
11 – 12	1.4	21 – 23	4.6	30+	8.2
13 – 15	2.0	24 – 26	6.2		

[1] For multi-stemmed trees, measure the DBH of each trunk separately, multiply each of these measurements by itself, add up these amounts, and calculate the square root of that total to find the DBH for the tree as a whole.

b. Tree Retention Bonus.

- i. If retained trees occur in a tree stand, they shall earn 1.2 times the tree unit value shown in Table 18.15.010-7. This bonus does not apply to tree stands that must be retained anyway, such as trees in a roadside or wetland buffer area.
- ii. If the retained trees occur in a tree stand that is adjacent to a tree stand on an adjacent lot that is already protected as part of a land use permit or conservation easement, they shall earn 1.5 times the tree unit value shown in Table 18.15.010-7 instead of the bonus described in subsection G.5.b.i. of this section. This bonus does not apply to tree stands that must be retained anyway, such as trees in a roadside or wetland buffer area.
- iii. If the retained tree is one designated through the City's Heritage Tree Program it shall earn 1.5 times the tree unit value shown in Table 18.15.010-7, and the tree shall not receive additional bonus in subsections G.5.b.1 and 2 of this section for location in a tree stand.
- iv. If the retained tree is located within a designated Wildlife Corridor Network, it shall earn 1.5 times the tree unit value shown in Table 18.15.010-7.

c. Each new or replacement tree planted shall earn the following number of tree unit credits:

- i. Each tree with a height at maturity of 40 feet or less shall be equal to one-half tree unit. Height at maturity shall be as defined in the current edition of the Manual of Woody Landscape Plants: Their Identification,

Ornamental Characteristics, Culture, Propagation and Uses, Michael A. Dirr.

- ii. Each tree with a height at maturity of more than 40 feet shall be equal to one tree unit.
- iii. New trees planted to meet the parking lot landscaping requirements of Section 18.15.010.F BIMC do not count towards meeting tree unit credits.
- d. If, after complying with subsections C, D, E, and F of this section, additional trees need to be planted to meet the minimum tree unit requirements in subsection G.3 of this section:
 - i. In the MUTC central core and ferry terminal overlay districts, those trees may be planted either at ground level or above ground level (such as a patio, terrace, or rooftop); and
 - ii. In the MUTC Ericksen Avenue, Madison Avenue, and gateway overlay districts, R-8, R-14, HSR I and II, NSC districts, as well as for nonresidential developments within residential districts, those trees shall be planted at ground level.

H. Planting Requirements.

1. Intent. The intent of this section is to encourage the use of native species and recommend planting conditions adaptive to Bainbridge Island.
2. Requirements. Landscape designs shall conform to the following provisions:
 - a. Areas not devoted to landscape required by this chapter, parking, structures and other site improvements are encouraged to be planted or remain in existing vegetation.
 - b. New plant materials shall include native species or nonnative species that have adapted to the climatic conditions of the coastal region of the Puget Sound Region.
 - c. New plant materials shall consist of drought resistant species, except where site conditions within the required landscape areas assure adequate moisture for growth.
 - d. New tree plantings shall be a minimum of two inches in caliper if deciduous or six feet in height if evergreen. New shrubs shall be of a variety that achieves a minimum six feet height at maturity. Soil planting types and depth shall be sufficient for tree planting.
 - e. When the width of any landscape strip is 20 feet or greater, the required trees shall be staggered in two or more rows.
 - f. Existing vegetation may be used to augment new plantings to meet the standards of this chapter.
 - g. Grass may be used as a ground cover where existing or amended soil conditions assure adequate moisture for growth.
 - h. Ground cover areas shall contain at least two inches of composted organic mulch at finish grade to minimize evaporation. Mulch shall consist of materials such as composted yard waste, composted sawdust, and/or manure that are fully composted.
 - i. Existing and/ or compacted soils may need to be augmented with fully composted organic material or aerated.

- j. Specific submittal requirements for landscaping plans (tree protection, retention and planting plans) are included in the city's administrative manual.

3. Performance Assurance.

- a. Performance assurance is required to assure the city that the landscape, required by this section, is properly installed, will become established and be adequately maintained.
- b. The required landscape shall be installed prior to the issuance of a temporary certificate of occupancy for the project. The Washington landscape architect, Washington certified nursery professional or Washington certified landscaper shall submit a landscaping declaration to the director to verify installation in accordance with the approved plans.
- c. The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season as approved if the director determines that a performance assurance device, for a period of not more than one year, will adequately protect the interests of the city. The performance assurance device shall be for 150 percent of the cost of the work or improvements covered by the assurance device. In no case may the property owner delay performance for more than one year.
- d. The form and type of the performance assurance device shall be determined by the director.

4. Maintenance Assurance.

- a. The property owner shall replace any unhealthy or dead plant materials in conformance with the approved planting plan.
- b. A maintenance assurance device shall be required for a period of five ~~three~~ years after acceptance by the city of the new planting or transplanting of vegetation to ensure proper installation, establishment, and maintenance.
- c. The maintenance assurance device amount shall not be less than 20 percent of the cost of replacing materials covered by the assurance device.
- d. The form and type of the maintenance assurance device shall be determined by the director.

Section 3. Section 18.36.030 of the Bainbridge Island Municipal Code is amended to read as follows:

“Heritage Tree” means a tree that has been nominated and approved as such through the Heritage Tree Program, Resolution 2014-19.

“Significant tree” means: (a) an evergreen tree 10 inches in diameter or greater, measured four and one-half feet above existing grade; or (b) a deciduous tree 12 inches in diameter or greater, measured four and one-half feet above existing grade; ~~or~~ (c) in the Mixed Use Town Center and High School Road zoning districts, any tree 8 inches in diameter or greater, measured four and one-half feet above existing grade; or (d) all trees located within a required critical area buffer as defined in Chapter 16.20 BIMC.

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

PASSED BY THE CITY COUNCIL this ____ day of _____, 2015.

APPROVED BY THE MAYOR this ____ day of _____, 2015.

Anne S. Blair, Mayor

ATTEST/AUTHENTICATE:

Rosalind D. Lassoff, CMC, City Clerk

FILED WITH THE CITY CLERK: XXXX, 2015

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NUMBER: 2015-04

18.15.010 LANDSCAPING, SCREENING, AND TREE PROTECTION RETENTION, PROTECTION AND REPLACEMENT

- A. Purpose**
- B. Applicability**
- C. Tree Retention, Protection and Replacement**
- D. Perimeter Buffering and Screening**
- E. Street Frontage Landscaping**
- F. Parking Lot Landscaping**
- G. Total Site Tree Unit Requirements**
- H. Planting Requirements**
- I. Irrigation**
- J. Maintenance**
- K. Screening of Certain Facilities**

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 scenic 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.
- d. Providing visual relief of parking areas in the neighborhood service 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.

2. Specific Zone Districts

- a. For single-family residential uses outside the Winslow Mixed Use Town Center, NSC, and B/I districts that require more than just a building permit (i.e. lots created through the flex-lot design process) the additional specific intent is to preserve, protect and enhance critical areas, protect the natural forested areas and preserve the greenbelts along designated scenic roadway corridors.
- b. In the R-8 and R-14 multifamily residential districts, the additional specific intent is to screen urban multifamily projects from adjacent lower density residential properties and to soften the appearance of surface parking areas.
- c. For non-residential uses outside the Winslow Mixed Use Town Center, High School Road I and II, NSC, B/I, and WD-I districts the additional specific intent is to retain the natural landscape qualities of the Island by retaining existing vegetated buffers to screen views of structures and parking areas and to buffer between areas of high and low intensity uses.
- d. In the Winslow Mixed Use Town Center Central Core and Ferry Terminal Overlay districts, the additional specific intent is to provide an urban character by incorporating landscape standards; and to provide landscape development to screen uses from single-family residential properties and to soften the appearance of surface parking areas.
- e. In the Winslow Mixed Use Town Center, Ericksen Avenue and Madison Overlay districts, the additional specific intent is to retain the character of landscape front yards; and to provide landscape development to screen uses from single-family residential properties; and to soften the appearance of surface parking areas.

- f. In the Winslow Mixed Use Town Center Gateway Overlay district, the additional specific intent is to retain the greenbelt located adjacent to SR 305 consistent with the greenways plan and to provide landscape development to screen uses from single-family residential properties.
- g. In the High School Road I and II districts, the additional specific intent is to provide landscape development to screen uses from adjacent single-family residential properties and to soften the appearance of surface parking areas.
- h. In the NSC district, the additional specific intent is to incorporate landscape standards that support pedestrian scale neighborhood uses compatible with the intensity of the surrounding residential neighborhood; to minimize the impact of lighting, noise and views of surface parking areas; and to provide a buffer between higher and lower intensity uses.
- i. In the B/I district, the additional specific intent is to provide a year-round vegetated screen and a noise and site lighting buffer of industrial development from adjacent nonindustrial properties and roadways.
- j. In the WD-I district, the additional specific intent is to provide landscape development that screens parking lots and large structures, but allows visual access to the shoreline and small scale active industrial facilities.

B. Applicability

- 1. All new development, except single-family residential building permits, shall be subject to the requirements of this section, except as required by subsections B.2 and B.3 below.
- 2. Projects subject to the conditional use permit process may be required to exceed the requirements of this chapter.
- 3. Specific submittal requirements for landscaping plans (tree protection, retention and planting plans) are included in the city's Administrative Manual.
- 4. Specific landscape requirements applicable to development in each zone district are summarized in the following Table 18.15.010-1.

Table 18.15.010-1: Landscape Requirements by Zone District

Landscape Requirements Land Use Districts		Significant Tree & Tree Stand Retention (BIMC 18.15.010.C)	Perimeter Landscape (BIMC 18.15.010.D)	Roadside Buffer (BIMC 18.15.010.E)	Parking Lot Landscaping (BIMC 18.15.010.F)	Total Site Tree Unit Requirements (BIMC 18.15.1010.G)	Planting Requirements (BIMC 18.15.010.H)	Irrigation (BIMC 18.15.010.I)	Maintenance (BIMC 18.15.110.J)
Single-Family Residential for which Only a Building Permit is Required (Existing Non-Flex Lots)									
Single-Family Residential Development Outside Winslow Mixed use, NSC, and B/I Districts (R-.04 through R-6 Districts) Other than Existing Lots for which Only a Building Permit is Required (Flexible Lot Design Process)		X	X (Cluster Subdivisions Only)	X			X	X	X
R-8 and R-14 Multifamily Districts		X	X	X	X	X	X	X	X
Nonresidential Uses in Areas Outside Winslow Mixed Use, HSR, NSC, B/I, WD-I Districts		X	X	X	X	X	X	X	X
Winslow Mixed Use Town Center [1]	Central Core Overlay	X	X	X [2]	X	X	X	X	X
	Ericksen Ave. Overlay	X	X	X [2]	X	X	X	X	X
	Madison Ave. Overlay	X	X	X [2]	X	X	X	X	X
	Gateway Overlay	X	X	X [2]	X	X	X	X	X
	Ferry Terminal Overlay	X	X	X [2]	X	X	X	X	X
High School Road District		X	X	X [2]	X	X	X	X	X
NSC District		X	X	X	X	X	X	X	X
B/I District		X	X	X	X		X	X	X
WD-I District		X	X	X	X		X	X	X
[1] Refer to Chapter 18.18 BIMC for additional landscape requirements specific to the Mixed Use Town Center districts. [2] Roadside buffer requirement is adjacent to Highway 305 only.									

C. Tree Retention, Protection and Replacement

Where Table 18.15.010-1 indicates that development must comply with the requirements of this subsection C, all development shall comply with the following requirements. These requirements are intended to supplement any regulations in Chapter 16.20 BIMC (Critical Areas), which remains the primary source of regulation for environmentally sensitive areas in Bainbridge Island. In the event of any inconsistency between the requirements of this subsection C and the requirement of Chapter 16.20 BIMC, the requirements of Chapter 16.20 BIMC shall apply.

1. Retention

a. Intent

The intent of these regulations is to preserve the forested character of the Island by preserving significant trees and tree stands, and incentivizing tree protection and replacement in certain districts through a tree unit system, thereby mitigating the development impacts of increased stormwater runoff, impervious surface, and loss of carbon dioxide absorption capacity. This shall be accomplished in a manner consistent with the Comprehensive Plan and the requirements of Washington law and to discourage the removal of significant tree(s) and tree stands.

b. Perimeter Tree Retention Requirements

Significant trees and tree stands located in the perimeter areas required to be landscaped pursuant to subsections D and E below shall be retained. Perimeter landscape widths may be averaged to save significant trees, but shall not be reduced to less than the allowed minimum perimeter dimension.

c. Exceptions

Significant trees and tree stands may be removed if it is determined by a consulting arborist who is certified by the American Society of Consulting Arborists, or a TRACE certified professional as established by the PNW Chapter of the International Society of Arboriculture, and whose services are paid for by the applicant, that the vegetation is:

- i. A safety hazard due to potential root, trunk, or primary limb failure, or due to exposure of mature trees that have grown in a closed, forested situation; or
- ii. Damaged, diseased, or standing dead trees.

d. Protection of Tree Stands

Notwithstanding a determination under subsection c, if significant trees have been removed from a closed, forested location, a buffer of smaller trees shall be retained or planted on the fringe of the closed, forested area. The buffer of smaller trees shall be adequate to protect the health of the remaining mature trees in the closed, forested area, as determined by a consulting arborist who is certified by the American Society of Consulting Arborists, and whose services are paid for by the applicant.

2. Replacement

a. Intent

The intent of these regulations is to discourage the unauthorized removal of significant tree(s) and tree stands; and to establish a replacement or fine if such activity occurs.

b. Requirements

If trees required to be retained pursuant to subsection C.1 are not retained, they shall be replaced by at least one-and-one-half times (150 percent) of the number of tree units removed. The trees removed shall be replaced with trees of the same type, evergreen or deciduous.

Native shrubs and ground cover shall also be replaced when replacing tree stands due to unauthorized removal. Shrubs shall be one gallon size planted four feet on center spacing, ground cover shall be one gallon size planted three feet on center spacing. The shrubs and ground cover shall be planted within the limits of the previous tree stand canopy.

3. Enforcement and Penalties

Failure to replace or transplant trees will be enforced as follows; provided, that any fine shall be no less than three times the value of the trees, as determined by the current standards of the International Society of Arboriculture. If unauthorized tree(s) or vegetation removal occurs within the public right-of-way, all permits in force on the subject property shall be suspended and no new permits issued until the tree(s) or vegetation has been replaced or all penalties have been satisfied. The director is authorized to make site inspections and take such actions as are necessary to enforce this title in accordance with Chapters 1.16, 1.24, and 1.26 BIMC. The director may require an evaluation by a tree professional, a qualified engineer, landscape architect, soils engineer, testing lab, or other specialist at any time during the tree plan review process or tree removal inspection as necessary to ensure compliance with the provisions of this subsection C and/or the terms of the clearing permit. Applicant shall be responsible for any associated costs.

a. Civil Citation

It is unlawful for any person to:

- i. Initiate or maintain, or cause to be initiated or maintained, the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city contrary to the provisions of this subsection C.
- ii. Misrepresent any material fact in any application, plans or other information submitted to obtain permits or authorizations under this title or not following the conditions of an approval.
- iii. Remove or deface any sign, notice, complaint, or order required by or posted in accordance with this subsection C.
- iv. Fail to submit or implement a planting plan as required by this section.

b. Stop Work Orders

The city shall have the authority to issue a stop work order to cease all development work, and order restoration, rehabilitation, or replacement measures, including applicable sureties, at the owner's or other responsible party's expense to compensate for the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city contrary to the provisions of this subsection C.

c. Additional Remedies

In addition to any other remedy provided by this subsection C or under the BIMC, the city may initiate injunction or abatement proceedings or any other appropriate action in courts against any person who violates or fails to comply with any provision of this subsection C to prevent, enjoin, abate, and/or terminate violations of this title and/or to restore a condition which existed prior to the violation. In any such proceeding, the person violating and/or failing to comply with any provisions of this subsection C shall be liable for the costs and reasonable attorneys' fees incurred by the city in bringing, maintaining and/or prosecuting such action.

d. Civil Infraction

Except as provided in subsection C.3.f, conduct made unlawful by the city under this subsection C. shall constitute a civil infraction and is subject to enforcement and fines as provided in BIMC 1.26.035, and additionally, is subject to fines as provided in Table

18.15.010-2. A civil infraction under this section shall be processed in the manner set forth in Chapter 1.26 BIMC.

e. Civil Penalty

- i. In addition to any civil infraction fine, criminal penalty, and/ or other available sanction or remedial procedure, any person engaging in conduct made unlawful by this subsection C shall be subject to a cumulative civil penalty in the amount of \$1,000 per day for each violation from the date set for compliance until the date of compliance. Any such civil penalty shall be collected in accordance with BIMC 1.26.090.
- ii. A person who fails to comply with the requirements of this subsection C or the terms of a permit issued hereunder, who undertakes an activity regulated by this subsection C without obtaining a permit, or fails to comply with a cease and desist or stop work order issued under this subsection C shall be subject to a civil penalty as set forth in Table 18.15.010-2. Each unlawfully removed or damaged tree shall constitute a separate violation.
- iii. Any person who aids or abets in the violation shall be considered to have committed a violation for purposes of the civil penalty.
- iv. In addition to the penalties address under ii above, failure to replace or transplant trees will be enforced as provided in this code; provided, that any financial penalty assessed will be the greater of the amount indicated in Table 18.15.010-2 or three times the value of the trees, as determined by the current standards of the International Society of Arboriculture, whichever is greater. The director may elect not to seek penalties if he or she determines that the circumstances do not warrant imposition of civil penalties in addition to restoration.

Table 18.15.010-2 – Penalties	
Types of Violations	Allowable Fines per Violation
1. Removal of tree(s) approved to be removed, but prior to final tree retention and planting plan approval or issuance of a City tree removal permit	\$100.00 per tree
2. Removal or damage of tree(s) that are or would be shown to be retained on an approved tree retention and planting plan or any other violation of approved tree protection plan	\$1,000 per tree
3. Removal of tree(s) without applying for or obtaining a required City land-use permit	\$1,000 per tree
4. Removal of tree(s) without applying for or obtaining a required City clearing permit	\$1,000 per tree

f. Repeat Offenders

Any person who again violates this subsection C within 12 months after having been found by the Bainbridge Island Municipal Court to be in violation of this subsection C commits a misdemeanor and any person who is convicted of that misdemeanor shall be punished as provided in BIMC 1.24.010.A.

4. Protection During Construction and Development

a. Intent

The intent of these regulations is to provide the best protection for significant trees and tree stands.

b. Requirements

- i. No cutting of significant trees shall be allowed on a site until the tree retention and planting plans have been approved by the director.
- ii. An area of prohibited disturbance, generally corresponding to the dripline or critical root zone (as identified by a consulting arborist) of the significant trees and/or tree canopy of tree stands shall be identified by the applicant and approved by the director.
- iii. A temporary five-foot high chain link fence with tubular steel poles or “T” posts shall delineate the area of prohibited disturbance defined in subsection ii, unless the director has approved the use of a four-foot high plastic net fence as an alternative. The fence shall be erected before construction starts and shall remain in place until construction has been completed, and shall at all times have affixed to it a sign indicating the protected area.
- iv. No impervious surfaces, fill, excavation, vehicle operations, compaction, removal of native soil or storage of construction materials shall be permitted within the area defined by the required construction fencing.
- v. A rock well shall be constructed if the grade level around the tree is to be raised more than one foot. The inside diameter of the well shall be equal to the diameter of the dripline or critical root zone (as identified by a consulting arborist) of the tree or tree canopy of tree stands.
- vi. The grade level shall not be lowered within the larger of (a) the dripline or critical root zone (as identified by a consulting arborist) of the tree, or the tree canopy of tree stands, or (b) the area recommended by a consulting arborist.
- vii. Alternative protection methods may be used if recommended by a consulting arborist and determined by the director to provide equal or greater tree protection.
- viii. Wherever this subsection C.4 allows or requires the involvement of a consulting arborist, that individual shall be selected from the city’s list of current arborists certified by the American Society of Consulting Arborists and his or her services shall be paid for by the applicant.

5. Modification of Requirements

If the significant tree and tree stand retention requirements of this section create an unnecessary hardship, the applicant may request a modification. The director may administratively approve a modification of the significant tree and tree stand requirements of this section if the director finds that the following standards have been met:

- a. The modification is necessary because of special circumstances relating to the location of existing significant trees and tree stands that prevents compliance with this section; and
- b. The special circumstances of the subject property make the strict enforcement of the provisions of this section an unnecessary hardship to the property owner; and
- c. The special circumstances of the subject property are not the result of the actions of the applicant; and
- d. The approving of the modification will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and land use district in which the subject property is located; and

- e. The modification is consistent with the purpose and intent of this chapter; and
- f. The site design incorporates the retention of other natural vegetation in consolidated locations that promotes the natural vegetated character of the site.

D. Perimeter Buffering and Screening

1. Intent

The intent of this subsection D is to provide a vegetated screen between uses or land use districts, to screen parking areas and structures located adjacent to public rights-of-way, and to allow visual and physical access to pedestrian and other non-motorized oriented uses, such as a multipurpose trail or bikeway if those trails could be accommodated without compromising significant vegetation or hazardous slopes. Additional buffers may be required per 16.20.170, Special Requirements for the Winslow Ravine.

2. Requirements by District

In addition to meeting the General Requirements of subsection D.4, applicants shall meet the specific requirements of Table 18.15.010-3 applicable to the zone district or overlay district in which the property is located. In the case of a conflict between the requirements of this subsection D.2 and the requirements of subsection D.4, the requirements of this subsection D.2 shall apply. These perimeter landscape requirements are in addition to required roadside landscaping in subsection E. and parking lot landscape requirements in subsection F below. These requirements do not apply to projects involving only interior renovations of existing buildings.

Table 18.15.010-3: Perimeter Landscaping Requirements by District			
Abutting zoning or land use	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
Multifamily in R-1 District			
Single-family residential	Full Screen	25	N/A
R-8 and R-14 Multifamily Districts			
Single-family residential (UR)	Partial Screen	20	15
Urban multifamily	Filtered Screen	15	10
Nonresidential Uses in Areas Outside Winslow Mixed Use, HSR, NSC, B/I , WD-I Districts			
Residential including multifamily	Full Screen	25	15
Nonindustrial uses	Full Screen	20	10
Winslow Town Center Mixed Use District [1]			
Single-family residential	Full Screen	20	15
HSR I and II Districts			
Single-family residential	Full Screen	20	15
NSC Districts			
Residential including multifamily	Full Screen	15	10

Table 18.15.010-3: Perimeter Landscaping Requirements by District			
Abutting zoning or land use	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
NSCs	Filtered Screen	10	10
B/I Districts			
B/I	Full Screen[2]	50	35
Non-B/I	Partial Screen	15	10
WD-I Districts			
Residential including multifamily	Full Screen	40	20
Industrial uses	Partial Screen	10	0
Nonindustrial uses	Full Screen	10	5
[1] For perimeter landscaping requirements in the ferry terminal district transition area, north of Winslow Way, reference BIMC 18.12.030.C. [2] Notwithstanding subsection D.2 above, all native shrubs and significant trees shall be retained within all landscape buffers, except that limited removal may be allowed for permitted activities located within the buffer area. If necessary, the existing vegetation shall be supplemented to attain the required screening density.			

3. Perimeter Buffers in Residential Cluster Short Subdivisions, Cluster Long Subdivisions, and Multifamily Subdivisions in the R-1 Zone District

- When the cluster development option is selected pursuant to BIMC 17.12.020.B for property with a gross area of one acre or more and that is located in the R-0.4, R-1, R-2 and R-2.9 districts, a 25-foot wide, filtered screen landscape perimeter shall be required along the subdivision boundary.
- When the cluster development option is selected pursuant to BIMC 17.12.020.B for property with a gross area of one acre or more and that is located in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 zone districts, a 10-foot wide, filtered screen landscape perimeter shall be required along the subdivision boundary.
- In order to buffer the visual impact of the proposed subdivision and protect off-site views, filtered screen landscaping, pursuant to subsection D.4 below, shall be required within landscape perimeter buffers where mature trees and shrubs cannot provide such screening.
- Required landscape buffer width may be reduced through buffer averaging in accordance with the criteria in subsection D.5 below, perimeter landscape requirements. For example, buffers may be adjusted when such adjustments contribute to the neighborhood character by incorporating significant trees and native vegetation, incorporate a unique landscape feature, or accommodate a unique situation that allows continuation of an existing use, such as a utility or other easement providing continued use.
- Landscape buffers may be included in the required open space calculations for a subdivision as noted in Table 18.15.010-4. Table 18.15.010-4 depicts the landscape buffer requirements for subdivisions by zoning district and denotes when the buffer may be included in the open space calculations. These standards apply unless alternative buffers are required pursuant to critical area review, the requirements of the Shoreline Management Act, conditioned by SEPA review, or required for public health or safety reasons.

- f. When a multifamily subdivision is created within the R-1 zone district, a 25-foot wide, full screen landscape perimeter shall be required along the subdivision boundary.

Table 18.15.010-4: Perimeter Landscape Requirements for Flexlot Subdivisions [1]		
Type of Subdivision	Landscape Perimeter Buffer (Cluster Option Subdivision Only)	Park and Conservation Land Buffer (Required for Both Cluster and Open Space Subdivision Options)
Residential Subdivision in the R-0.4, R-1, R-2, and R 2-9 districts	25'- Filtered Screen	25'- Filtered Screen (OS) [2]
Residential Subdivision in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 districts	10'- Filtered Screen	25'- Filtered Screen (OS) [2]
Multifamily Subdivision in the R-1 zone district	25' – Full Screen	N/A
1. Properties being subdivided with less than one acre are not subject to landscape buffer requirements. 2. (OS) indicates that the buffer may be calculated in the required open space area for the subdivision.		

4. General Requirements

a. Full Screen

Where full screen perimeter landscaping is required, the applicant must provide:

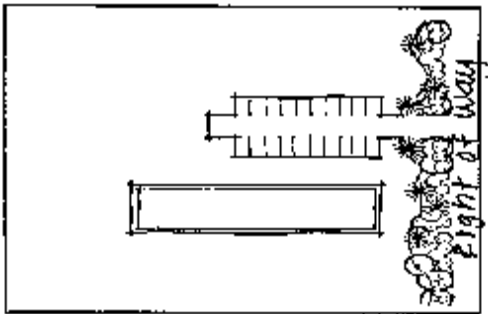
- i. Minimum 70 percent evergreen trees ranging in height from four feet to six feet at the time of planting with at least 50 percent being six feet high; and
- ii. Deciduous trees with a caliper of at least two inches at the time of planting; and
- iii. At least 20 percent of the trees shall be native species and drought resistant; and
- iv. The number of trees is determined by dividing the length of the landscape perimeter by 10 feet; and
- v. Evergreen shrubs at least 21 inches in height at the time of planting, spaced no more than three feet on center, to achieve minimum four feet height at maturity; and
- vi. The number of shrubs is determined by dividing the length of the perimeter by four feet; and
- vii. Living ground cover shall be planted and spaced to achieve total coverage within three years; and
- viii. Plants may be clustered within the perimeter to screen structures and parking areas.

b. Partial Screen

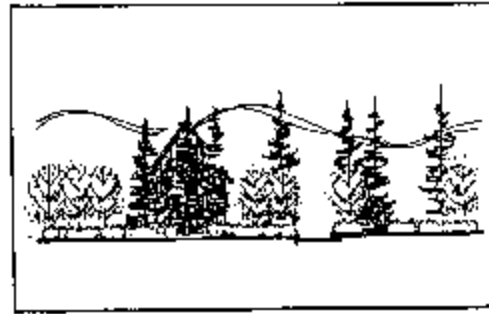
Where partial screen perimeter landscaping is required, the applicant must provide:

- i. Minimum 50 percent evergreen trees ranging in height from four feet to six feet at the time of planting with at least 50 percent being six feet high; and
- ii. Deciduous trees with a caliper of at least two inches at the time of planting; and
- iii. At least 20 percent of the trees shall be native species and drought resistant; and
- iv. The number of trees is determined by dividing the length of the landscape perimeter by 20 feet; and

- v. Evergreen shrubs at least 21 inches in height at the time of planting, spaced no more than three feet on center, to achieve minimum four feet height at maturity; and
- vi. The number of shrubs is determined by dividing the length of the landscape perimeter by five feet; and
- vii. Living ground cover shall be planted and spaced to achieve total coverage within three years; and
- viii. Plants may be clustered within the landscape perimeter to screen structures and parking areas.



Partial Screen Plan



Partial Screen Section

c. Filtered Screen

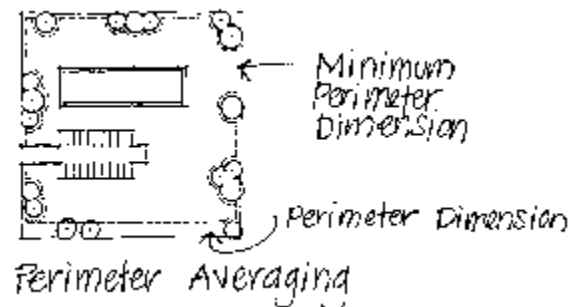
Where filtered screen perimeter landscaping is required, the applicant must provide:

- i. One hundred percent deciduous trees two-inch caliper spaced no more than 30 feet on center; and
- ii. Evergreen shrubs minimum 21 inches in height at the time of planting spaced no more than three feet on center to provide a continuous hedge achieving a maximum height of three feet at maturity; and
- iii. Living ground cover shall be planted and spaced to achieve total coverage within three years.

5. Standards

The following standards apply to the full screen, partial screen and filtered screen perimeter landscape requirements contained in this section.

- a. Existing vegetation may be used in lieu of new plant material if not already being used to meet another requirement.
- b. A full screen will be required to screen utilities located above ground from adjacent uses.
- c. Perimeter landscaping shall be clustered in areas to screen structures, utility structures, loading areas, parking lots, trash enclosures, storage areas and mechanical equipment.
- d. The director may approve the averaging of perimeter landscape widths to provide adequate screening if it meets the criteria contained in this section.



- e. Earth berms in combination with shrubs and trees may be used to achieve the initial planting height requirement.
- f. Minimum landscape perimeter dimensions are allowed when perimeter averaging is applied. The landscape perimeter can be averaged only if the total required perimeter dimension square footage is achieved. The director may allow landscape perimeter averaging if the following criteria is met: (i) plant material is being clustered to more effectively screen parking areas and structures; and (ii) the quality of the perimeter landscape is not diminished; (iii) significant trees are being retained.

6. Park Buffers and Buffers for Dedicated Conservation Lands

- a. Notwithstanding the provisions of subsections D.2, D.3, and D.4 above, a 25-foot wide buffer shall be provided along a property line where the land immediately adjacent to the subdivision boundary is a park or a future park in a municipal plan, or dedicated conservation land area that has been set aside for open space, wildlife habitat or public conservation purposes by deed or conservation easement.
- b. In order to buffer the visual impact of the proposed subdivision and protect off-site views, filtered screen landscaping, pursuant to subsection D.4 above, shall be required within park buffers and buffers for dedicated conservation lands buffers where mature trees and shrubs cannot provide such screening.

E. Street Frontage Landscaping

1. Roadside Buffers for Commercial, Institutional and Multifamily Development

The following table indicates the type of landscaping required when the subject property directly abuts a right-of-way. Roadside buffers may be required for commercial, institutional, or multifamily development where a Site Plan Review or Conditional Use Permit is required. The buffers shall be pursuant to the screening standards set forth in subsection D.4 above. Required landscape buffer widths may be reduced to the minimum widths stated in Table 18.15.010-5 through buffer averaging in accordance with the criteria in subsection D.5 above. These requirements do not apply to projects involving only interior renovations of existing buildings.

Table 18.15.010-5: Roadside Buffer Requirements by District [1]		
Existing Zoning/Use	Abutting Use	
	Right of Way (not including Hwy 305)	Highway 305 [2]
Neighborhood Service Center	10' Filtered Screen/5' Minimum	50' Filtered Screen/35' Minimum
Mixed Use Town Center [3]	N/A	50' Full Screen [4] /35' Minimum
High School Road	N/A	50' Full Screen/35' Minimum
Urban Multifamily	20' Partial Screen	50' Partial Screen/35' Minimum
Conditional Uses within Residential Zone Districts	25' Partial Screen/15' Minimum	50' Partial Screen/35' Minimum
Business/Industrial (B/I)	50' Full Screen/35' Minimum	50' Full Screen/35' Minimum
Water Dependent Industrial	10' Partial Screen/5' Minimum	50' Partial Screen/35' Minimum
1. All roadside buffers must be planted if not already existing. 2. A buffer is required along Highway 305, which is designated as a scenic highway. The 50' roadside buffer requirement can be reduced up to 25% by the director, after consultation with an acceptable tree professional as identified in subsection		

Table 18.15.010-5: Roadside Buffer Requirements by District [1]

Existing Zoning/Use	Abutting Use	
	Right of Way (not including Hwy 305)	Highway 305 [2]
C.1.c, if it is determined that (a) a 50' buffer would cause the property to be undevelopable, and (b) the reduced buffer will provide as much screening of site activities from Highway 305 as practicable in light of site topography and conditions. 3. For perimeter landscaping requirements in the ferry terminal district transition area, north of Winslow Way, reference BIMC 18.12.030.C. 4. Beginning 100' north of Winslow Way.		

2. Roadside Buffers for Residential and Commercial Subdivisions

Roadside buffers are required for both residential and commercial subdivisions. The type and width of the required buffer varies by the type of roadway the subdivision is adjacent to, as well as the condition of the existing roadside vegetation. The buffers shall be pursuant to the standards set forth in subsection D.4 above. These requirements do not apply to projects involving only interior renovations of existing buildings.

Table 18.15.010-6: Subdivision Roadside Buffer Requirements

Type of Subdivision	Right-of-Way (Buffers Required for Both Open Space and Cluster Flexlot Subdivision Options along Arterial and Collector Roads [1],[2])
Residential Subdivision in the R-0.4, R-1, R-2, and R 2-9 districts	50'- Mature Trees and Shrubs or 25'- Full Screen
Residential Subdivision in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 districts	No requirement, unless necessary to reflect neighboring development patterns (OS) [3]
Commercial and Multifamily Subdivisions	25' – Full Screen adjacent to all designated scenic roads
1. Properties being subdivided with less than one acre are not subject to roadside buffer requirements. 2. Roadside Buffers: A 25-foot full screen buffer must be planted along applicable roadways when no mature trees and shrubs exist along the property boundary in zones R-0.4, R-1, R-2 and R-2.9. 3. (OS) indicates that the buffer may be calculated in the required open space area for open space subdivisions.	

a. Roadside Buffer General Requirements

- i. All residential subdivisions and short subdivisions subject to landscape buffering requirements shall comply with the standards in this subsection, including those in Table 18.15.010-6.

b. Roadside Buffers in Residential Short Subdivisions

- i. Except for properties containing a gross area of less than one acre, where mature trees and shrubs of a forested nature are located adjacent to public roads that are designated as collector or arterial roads on the adopted road classification map, a 50-foot-wide vegetative buffer shall be maintained. However, in the R-3.5, R-4.3, R-5, R-6, R-8 and R-14 districts a roadside buffer is not required unless it is determined that a landscape

buffer is necessary to maintain the character of the neighborhood or to reflect neighboring development patterns. The provisions for buffer averaging provided in subsection D.5 above shall apply.

- ii. Where there are no mature trees and shrubs that contribute to the existing forested character of these roads, the character of the neighborhood shall be maintained by establishing building setbacks equal to or greater than the existing building setbacks on the adjacent properties. At no point shall the building setback be less than requirements in Title 18.
- iii. To accommodate an existing house that is located within 50 feet of the property line adjacent to a collector or arterial road, the roadside buffer area width shall be reduced to the width adjoining the existing home between the existing house and the property line adjacent to the collector or arterial road.

c. Roadside Buffers in Residential Long Subdivisions

- i. For subdivisions located in the R-0.4, R-1, R-2 and R-2.9 districts where mature trees and shrubs of a forested nature are located adjacent to public roads that are designated as collector or arterial roads on the adopted road classification map, a 50-foot-wide vegetative buffer shall be maintained. In the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 districts a roadside buffer is not required unless it is determined that a landscape buffer is necessary to maintain the character of the neighborhood or to reflect neighboring development patterns. The provisions for buffer averaging provided in subsection D.5 above shall apply.
- ii. For property with a gross area of one acre or more and that is located in districts R-0.4, R-1, R-2 and R-2.9, where there are no mature trees and shrubs that contribute to the existing forested character of the roads, a 25-foot full screen landscape buffer shall be planted consistent with the requirements of subsection D.4a above, except as noted below in this subsection.
- iii. To accommodate an existing house that is located within 50 feet of the property line adjacent to a collector or arterial road (or within 25 feet of such a property line if subsection c.ii above applies), and to maintain the character of the neighborhood and reflect neighboring development patterns, the roadside buffer area width shall be reduced to the width adjoining the existing home between the existing house and the property line adjacent to the collector or arterial road. At no point shall the building setback be less than requirements in Title 18.
- iv. For subdivisions designating open space that is intended for agricultural use and would be adversely impacted by the addition of screening landscaping, a 25-foot roadside buffer as prescribed in subsection c.ii above shall not be required.

d. Roadside Buffers in Multifamily and Commercial Subdivisions

- i. A minimum 25-foot vegetative buffer shall be established adjacent to all designated scenic roads. The buffer shall be consistent with the requirements for a full screen buffer, pursuant to subsection D.4.a above.

e. Multiple Street Frontages

- i. For properties subject to the roadside buffers requirement along two property boundaries, the roadside buffer abutting the street with the lower classification may be reduced to 25 feet in width. For properties that abut more than two streets requiring roadside buffers or in situations where both abutting streets are of the same road classification, one roadside buffer of the full required width shall be required and all other roadside buffers may be reduced to 25 feet; provided, that the full required width buffer is located where a greater number of significant trees can be incorporated into the buffer.

F. Parking Lot Landscaping

The requirements of this subsection F are in addition to required perimeter landscaping under subsection D above. When more than one building is placed on a lot or a building is placed in the center of the lot with parking all the way around it, the street perspective is used to determine which landscaping standards to follow for parking lot landscaping.

1. NSC, B/I, and WD-I Districts and Nonresidential Uses Outside Winslow Mixed Use Town Center Overlay Districts and High School Road Mixed Use Districts.

All applicants in these areas shall provide the following types and amounts of landscaping. Parking lots shall meet the requirements of BIMC 18.15.020. Applicants may refer to the standards contained in this section for optional planting locations within parking areas.

a. Intent

The intent of this section is to screen views of parking lots. To provide shade and visual relief within parking lots, to limit impacts of impervious surfaces and to reinforce safe pedestrian access to buildings.

b. Requirements for Parking Lots Located Adjacent to Public Rights-of-Way

- i. One tree for every four parking stalls; and
- ii. Minimum 30 percent evergreen trees; and
- iii. Deciduous trees minimum two-inch caliper, evergreen trees minimum six feet high at the time of planting; and
- iv. Evergreen shrubs minimum 18-inch height at the time of planting spaced no more than three feet on center, to provide a continuous hedge achieving a maximum height of three feet at maturity located adjacent to the rights-of-way (this may be achieved with the perimeter landscape); and
- v. Evergreen ground cover planted and spaced to achieve total coverage within two years; and
- vi. A landscaped area at the end of parking aisles.



Parking Adjacent to Right-of-Way



Safe Pedestrian Access

c. Requirements for Parking Lots Not Abutting Public Rights-of-Way

- i. One tree for every eight parking stalls; and
- ii. One hundred percent of the trees may be deciduous; and

- iii. Deciduous trees minimum two-inch caliper, evergreen trees minimum four feet height at the time of planting; and
- iv. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years; and
- v. A landscaped area at the end of parking aisles.



Parking Area Screen

d. Standards

- i. Maintain shrubs at a maximum three feet height within parking lots so views between vehicles and pedestrians will not be blocked.
- ii. Landscape in planting islands or strips shall have an area of at least 100 square feet and with a narrow dimension of not less than five feet if wheel stops are provided to prevent vehicle overhang. A narrow dimension of not less than eight feet may be provided if the vehicle overhang area is included in the planting area.
- iii. Provide permanent curbs or wheel stops to protect the plantings.
- iv. Significant trees and tree stands may be used in lieu of new landscape requirements if they are in addition to the significant tree and tree stand retention requirements.
- v. Clustering of new plant material within parking lots may be approved or required by the director if the intent of this section is met.
- vi. Refer to the landscape materials matrix in the Administrative Manual for tree species appropriate for parking lots.

2. Winslow Mixed Use Town Center Overlay Districts, High School Road Districts, R-8 and R-14 Districts.

All applicants in these areas shall provide the following types and amounts of landscaping. Parking lots shall meet the requirements of BIMC 18.15.020. Applicants may refer to the standards contained in this section for optional planting locations within parking areas.

a. Intent

The intent of this section is to soften the appearance of surface parking lots. To provide more intensive landscaping when surface parking lots are exposed to public view.

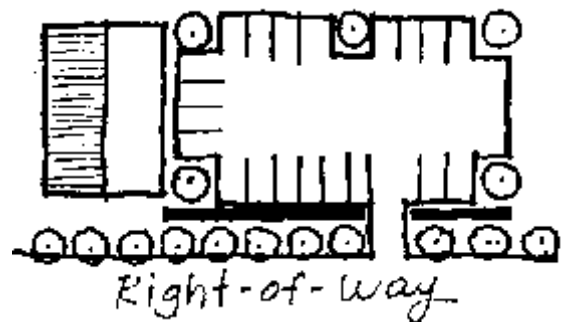
b. Parking Lots Located in the Front of Buildings and Adjacent to Public Rights-of-Way.

- i. One tree for every two parking stalls; and
- ii. One hundred percent of the trees may be deciduous; and

- iii. Deciduous trees minimum two-inch caliper; and
- iv. Evergreen shrubs planted to form a hedge, minimum 18-inch height at the time of planting, spaced no more than three feet on center, not to exceed a mature height of three feet located adjacent to the public rights-of-way (this may be achieved with the perimeter landscape); and
- v. Deciduous trees minimum two-inch caliper spaced no more than 30 feet on center located along the public rights-of-way (this may be achieved with the perimeter landscape); and
- vi. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years; and
- vii. A landscaped area at the end of parking aisles.

c. Requirements for Parking Lots Located to the Side of Buildings and Adjacent to Public Rights-of-Way

- i. One tree for every four parking stalls; and
- ii. One hundred percent of the trees may be deciduous; and
- iii. Deciduous trees minimum two-inch caliper; and



- iv. Evergreen shrubs planted to form a hedge, minimum 18-inch height at the time of planting, spaced no more than three feet on center, not to exceed a mature height of three feet located adjacent to the public rights-of-way (this may be achieved with the perimeter landscape); and
- v. A landscaped area at the end of aisles; and
- vi. Deciduous trees minimum two-inch caliper spaced no more than 30 feet on center located along the public rights-of-way (this may be achieved with the perimeter landscape); and
- vii. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years.

d. Requirements for Parking Lots Located Behind Buildings and Not Adjacent to Public Rights-of-Way.

- i. One tree for every eight parking stalls; and
- ii. One hundred percent of the trees may be deciduous; and
- iii. Deciduous trees minimum two-inch caliper, evergreen trees minimum four feet height at the time of planting; and
- iv. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years; and
- v. A landscaped area at the end of aisles.

e. Standards

- i. Maintain shrubs at a maximum three feet height within parking lots so views between vehicles and pedestrians will not be blocked.
- ii. Landscape in planting islands or strips shall have an area of at least 100 square feet and with a narrow dimension of not less than five feet if wheel stops are provided to prevent vehicle overhang. A narrow dimension of not less than eight feet may be provided if the vehicle overhang area is included in the planting area.

- iii. Provide permanent curbs or wheel stops to protect the plantings from vehicle overhang.
- iv. Significant trees and tree stands may be used in lieu of new landscape requirements if they are in addition to the significant tree and tree stand retention requirements.
- v. Clustering of new plant material within parking lots may be approved or required by the director if the intent of this section is met.
- vi. Refer to the suggested landscape materials matrix in the Administrative Manual for tree species appropriate for parking lots

G. Total Site Tree Unit Requirements

1. Intent

The intent of this subsection G is to ensure that, to the degree practicable, (a) each development approval in the MUTC, HSR I and II, R-8, R-14, and NSC zone districts and (b) each development approval for non-residential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts leaves the development parcel with at least a specified minimum amount of tree coverage, measured in tree units per acre, that reflects the degree of tree coverage prior to development or redevelopment and that discourages avoidable site disturbances that would require tree removal.

2. Applicability

The regulations of this subsection G apply to each development application involving (a) any modification to a development parcel located in the MUTC, HSR I and II, R-8, R-14, or NSC districts or (b) a permitted non-residential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts. These provisions shall not apply to projects involving only interior renovation of existing buildings.

3. Site Specific Evaluation of Total Impact on Tree Coverage

- a. Prior to the submission of a development application involving any modification to a development parcel that has less than 50% tree canopy cover prior to the proposed development or redevelopment, the applicant shall complete an inventory of all existing trees on the site indicating the species and the Diameter at Breast Height (DBH) for each existing tree.
- b. As part of any development application the applicant shall identify all existing trees to be removed as part of the proposed development, and the species and DBH of each tree to be removed.

4. Requirements

- a. A development application covered by subsection 2 above shall only be approved if it complies with the requirements of subsections C (Tree Protection, Retention and Replacement), D (Perimeter Buffering and Screening), E (Street Frontage Landscaping), and F (Parking Lot Landscaping), and also complies with subsections (i), (ii) or (iii) below.
 - i. In the MUTC Central Core and Ferry Terminal Overlay districts, the development parcel shall have at least than 30 tree units per acre following the proposed development or redevelopment.
 - ii. In the MUTC Ericksen Avenue, Madison Avenue, and Gateway Overlay Districts, and each site in the R-8, R-14, HSR I and II, and NSC districts, and for permitted non-residential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts, the development parcel shall have at least 40 tree units per acre following the proposed development or redevelopment.

- iii. As an alternative to subsections 4.a.i and 4.a.ii above, and at the applicant's option, the development parcel will contain at least the same number of tree units after the proposed development or redevelopment as it had before that development or redevelopment.
- b. All existing trees preserved and all new trees planted on the site, including but not limited to those required to be preserved pursuant to subsection C above or those required to be replaced or planted pursuant to subsections D, E, or F, shall count towards the required number of tree units.

5. Calculation of Tree Units

- a. Each tree preserved on a development parcel shall earn the number of tree units shown in Table 18.15.010-7, based on its diameter at breast height (DBH). If the DBH measurement results in a fraction, the requirement shall be rounded to the nearest whole number (greater than or equal to 0.5 is rounded up; less than 0.5 is rounded down).

Table 18.15.010-7: Tree Unit Conversion Table for Preserved Trees [1]					
DBH	Tree Units	DBH	Tree Units	DBH	Tree Units
1-5	1.0	16-18	3.2	27-28	7.0
6-10	1.2	19-20	3.8	29-30	7.8
11-12	1.4	21-23	4.6	30+	8.2
13-15	2.0	24-26	6.2		
[1] For multi-stemmed trees, measure the DBH of each trunk separately, multiply each of these measurements by itself, add up these amounts, and calculate the square root of that total to find the DBH for the tree as a whole.					

- b. Tree Retention Bonus
 - i. If retained trees occur in a tree stand, they shall earn 1.2 times the tree unit value shown in Table 18.15.010-7.
 - ii. If the retained trees occur in a tree stand that is adjacent to a tree stand on an adjacent lot that is already protected as part of a land use permit or conservation easement, they shall earn 1.5 times the tree unit value shown in Table 18.15.010-7 instead of the bonus described in subsection b.i. above.
 - iii. If the retained tree is one designated through the City's Heritage Tree Program it shall earn 1.5 times the tree unit value shown in Table 18.15.101-7, and the tree shall not receive additional bonus in subsections b.1 and b.2 above for location in a tree stand.
 - iv. If the retained tree is located within a designated Wildlife Corridor Network, they shall earn 1.5 times the tree unit value shown in Table 18.15.010-7.
- c. Each new or replacement tree planted shall earn the following number of tree unit credits.
 - i. Each tree with a height at maturity of 40 feet or less shall be equal to one-half (0.5) tree unit. Height at maturity shall be as defined in the current edition of the Manual of Woody Landscape Plants: Their Identification, Ornamental Characteristics, Culture, Propagation and Uses, Michael A. Dirr.
 - ii. Each tree with a height at maturity of more than 40 feet shall be equal to 1 tree unit.
- d. If, after complying with subsections C, D, E, and F above, additional trees need to be planted to meet the minimum tree unit requirements in subsection G.3:

- i. In the MUTC Central Core and Ferry Terminal Overlay Districts, (a) those trees may be planted either at ground level or above ground level (such as a patio, terrace, or rooftop; and
- ii. In the MUTC Ericksen Avenue, Madison Avenue, and Gateway Overlay Districts, R-8, R-14, HSR I and II, NSC Districts, as well as for nonresidential developments within residential districts those trees shall be planted at ground level.

H. Planting Requirements

1. Intent

The intent of this section is to encourage the use of native species and recommend planting conditions adaptive to Bainbridge Island.

2. Requirements

Landscape designs shall conform to the following provisions.

- a. Areas not devoted to landscape required by this chapter, parking, structures and other site improvements are encouraged to be planted or remain in existing vegetation.
- b. New plant materials shall include native species or nonnative species that have adapted to the climatic conditions of the coastal region of the Puget Sound Region.
- c. New plant materials shall consist of drought resistant species, except where site conditions within the required landscape areas assure adequate moisture for growth.
- d. New tree plantings shall be a minimum of 2 inches in caliper if deciduous or 6 feet in height if evergreen. Soil planting types and depth shall be sufficient for tree planting.
- e. When the width of any landscape strip is 20 feet or greater, the required trees shall be staggered in two or more rows.
- f. Existing vegetation may be used to augment new plantings to meet the standards of this chapter.
- g. Grass may be used as a ground cover where existing or amended soil conditions assure adequate moisture for growth.
- h. Ground cover areas shall contain at least two inches of composted organic mulch at finish grade to minimize evaporation. Mulch shall consist of materials such as composted yard waste, composted sawdust, and/or manure that are fully composted.
- i. Existing soils may need to be augmented with fully composted organic material.
- j. Specific submittal requirements for landscaping plans (tree protection, retention and planting plans) are included in the city's Administrative Manual.

3. Performance Assurance

- a. Performance assurance is required to assure the city that the landscape, required by this section, is properly installed, will become established and be adequately maintained.
- b. The required landscape shall be installed prior to the issuance of a temporary certificate of occupancy for the project. The Washington landscape architect, Washington certified nursery professional or Washington certified landscaper shall submit a landscaping declaration to the director to verify installation in accordance with the approved plans.
- c. The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season as approved if the director determines that a performance

assurance device, for a period of not more than one year, will adequately protect the interests of the city. The performance assurance device shall be for 150 percent of the cost of the work or improvements covered by the assurance device. In no case may the property owner delay performance for more than one year.

- d. The form and type of the performance assurance device shall be determined by the director.

4. Maintenance Assurance

- a. The property owner shall replace any unhealthy or dead plant materials in conformance with the approved planting plan.
- b. A maintenance assurance device shall be required for a period of three years after acceptance by the city of the new planting or transplanting of vegetation to ensure proper installation, establishment, and maintenance.
- c. The maintenance assurance device amount shall not be less than 20 percent of the cost of replacing materials covered by the assurance device.
- d. The form and type of the maintenance assurance device shall be determined by the director.

I. Irrigation

1. Intent

The intent of this section is to provide temporary or permanent irrigation within new planting areas that do not have high soil moisture conditions. These regulations shall not apply where provisions of Chapter 16.12 or 16.20 BIMC or any state or federal law restricts irrigation, and in case of conflict with any provision of those laws, the provisions of those laws shall govern.

2. Requirements

- a. Except for areas of undisturbed existing vegetation, all landscape areas that do not have high soil moisture conditions shall have temporary or permanent irrigation systems. Temporary systems may be removed after 24 months or two growing seasons, whichever occurs first; provided that the plantings are established.
- b. Areas where existing site conditions assure adequate soil moisture for growth within the required landscape area shall have temporary irrigation systems only as required to sustain new plantings.
- c. Landscape areas consisting of drought resistant vegetation may require temporary irrigation systems. Permanent irrigation systems located within required landscape areas should include the following features:
 - i. Moisture or precipitation sensors; and
 - ii. Automatic timers set for operation to assure adequate moisture levels; and
 - iii. Head-to-head spacing, if sprinkler heads are proposed; and
 - iv. Pressure regulating devices; and
 - v. Backflow prevention devices; and
 - vi. Separate irrigation zones for grass and planting beds; and
 - vii. Other features required to comply with applicable state and city codes.

- d. Irrigation water shall be applied with goals of avoiding runoff, low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas and impervious surfaces by:
 - i. Considering soil type and infiltration rates; and
 - ii. Using proper irrigation equipment and schedules, including features such as repeat cycles, to closely match application rates with infiltration rates; and
 - iii. Considering special problems posed by irrigation on slopes and in median strips.
- e. Irrigation systems shall be subject to the following additional provisions:
 - i. Systems in landscape strips less than five feet in width shall be designed to ensure that overspray and/or runoff does not occur by use of system design options such as low volume emitters; and
 - ii. Sprinkler heads with consistent application rates shall be selected for proper area coverage, operating pressure, and adjustment capability; and
 - iii. Separate control valves shall be used to irrigate plants with differing water needs.

J. Maintenance

1. Intent

All new landscape plantings and significant trees and tree stands to be retained shall be maintained to preserve the Island's forested character.

2. Requirements

- a. All landscaping, significant trees and tree stands shall be maintained for the life of the project.
- b. All landscaped areas required by this chapter, significant trees and tree stands, except within critical areas or their protective buffers (defined in Chapter 16.20 BIMC), should be maintained in a healthy growing condition.
- c. Landscape areas shall be kept free of trash.
- d. All plant material shall be managed by pruning so that plant growth does not conflict with public utilities, restrict pedestrian or vehicular access, or create a traffic hazard.

K. Screening of Certain Facilities

1. Outdoor Storage

In the NSC and B/I Districts, outdoor storage areas shall be screened. The screen height is determined by the height of the material or equipment being screened. Chain link fencing with neutral colored slatting is permitted along with vegetative screening when vegetative screening alone is not sufficient to block the outdoor storage from public view and where the fencing is not visible from a street. Exterior storage should be confined to portions of the site least visible from public view.

2. Trash Dumpsters and Outdoor Equipment

- a. In the NSC and B/I districts, trash dumpsters or any outdoor equipment, whether on roof or side of a structure, or on the ground, shall be screened from view. Screening shall be

architecturally consistent with the adjacent structure in terms of materials. Mechanical equipment should be located below the highest vertical element of the building.

- b. In the B/I districts, trash and recycling containers shall be located to mitigate noise impacts to nearby residential properties.
- c. Small wind energy generators do not need to be screened.

3. Business/Industrial

In the B/I districts, light manufacturing uses shall visually screen the development year-round from adjacent, nonindustrial properties and from adjacent roadways. Landscape screening shall be provided in accordance with subsection D.

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT



MEMORANDUM

TO: City Council

FROM: Jennifer Sutton, AICP
Special Project Planner

DATE: April 7, 2015

RE: BIMC 18.09.030.I.5: Accessory Dwelling Unit Regulations

Background

The City Council discussed the City's regulations on Accessory Dwelling Units (ADU) at the January 13, 2015 Council meeting (see Attachment A). The Council requested that the Planning Commission review the existing regulations to determine if changes are needed.

Existing Regulations, BIMC 18.09.030.I.5

An accessory dwelling unit (ADU) is a small, self-contained residential unit located on the same lot as an existing single-family home. An ADU has all the basic facilities needed for day-to-day living independent of the main home, such as a kitchen, sleeping area, and a bathroom. ADUs are commonly viewed as a tool to help local jurisdictions meet GMA goals to encourage affordable housing and provide a variety of housing densities and types, while preserving the character of single-family neighborhoods. ADUs offer the potential for extra income for the homeowner, and a more affordable living arrangement for the renter. They also can provide the opportunity for relatively independent living for the elderly or disabled with support from neighboring family.

The City's ADU regulations are contained in BIMC 18.09.030.I.5. To summarize:

- ADUs are a permitted accessory use in all residential zones, except that they are a conditional use on the shoreline.
- ADUs may be contained within, or detached from, the single-family home.
- ADUs are limited to 800 square feet.
- ADU must share a single driveway with the primary residential unit.
- All other zoning regulations must be met—setbacks, lot coverage, parking and Health District regulations.

A search of the City's permit database indicates that approximately 200 ADUs have been permitted since 1992. Please note that this does not include ADUs that may have permitted under Kitsap County and grandfathered in, or units that were built without permits.

Staff's understanding is that the Council may be interested in revising the current size limitations that apply to ADUs. A table outlining the size limitations in Kitsap County and the cities of Bremerton, Port Orchard and Poulsbo is attached for your review.

The City Council heard testimony at the January 13th meeting that increasing the maximum ADU size from 800 to 900 square feet would mean that two-bedroom ADU's could be constructed, which would allow a wider segment of the population live in ADUs (i.e. a young family with one or two children, or a senior citizen and caregiver).

Action Requested of the Planning Commission

Staff is requesting that upon conclusion of the discussion on April 7, the Planning Commission provide direction as to how the City's ADU regulations should be modified. Staff would then bring back an ordinance to the Planning Commission in May.

Attachments

- A. January 13, 2015 City Council Meeting Minutes
- B. Table Comparing ADU Size among Kitsap County jurisdictions

REGULAR BUSINESS MEETING
TUESDAY, JANUARY 13, 2015

Debbi Lester, 266 Erickson Avenue NE, read letters regarding former Councilmember Ward from ETAC Chair Sale and Neil Johanssen.

Tami Meander, 7151 Blue Sky Lane, thanked former Councilmember Ward for his work on the City Council.

Jerry Elfendahl, 7823 Westerly Lane, echoed comments regarding former Councilmember Ward and shared information on the upcoming Martin Luther King Jr. holiday. A number of citizens read from a prepared testimonial regarding the Selma riots.

Kim Hendrickson, Islanders for Collaborative Policing, offered brief comments regarding former Councilmember Ward's service.

5. CITY MANAGER'S REPORT 7:37 PM

City Manager Schulze provided information from his weekly report.

6. UNFINISHED BUSINESS

A. 2014 CITY MANAGER PERFORMANCE EVALUATION, AB 15-004 – COUNCIL 7:41 PM

Mayor Blair introduced the item. City Manager Schulze thanked the City Council for a thorough process and looked forward to working with them again in 2015.

***MOTION:** I move the City Council accept the 2014 City Manager's Performance Review.
BONKOWSKI/BLOSSOM – Motion carried 6-0.*

B. ORDINANCE NO. 2015-03 (FORMALLY ORDINANCE NO. 2014-38), MODIFYING BAINBRIDGE ISLAND MUNICIPAL CODE CHAPTER 15.18, LAND CLEARING, AB 14-143 – PLANNING 7:45 PM

Special Project Planner Sutton introduced the ordinance. She explained the only change was establishing an "after-the-fact clearing permit" fee for unauthorized clearing and linking fines to a newly established tree fund.

***MOTION:** I move that the City Council forward Ordinance No. 2015-03 to the January 27, 2015 Business Meeting.
TOWNSEND/BLOSSOM – Motion carried 6-0.*

C. ACCESSORY DWELLING UNITS – COUNCIL 7:50 PM

Planning Director Cook explained an accessory dwelling unit (ADU) is a small, self-contained residential unit located on the same lot as an existing single-family home which has all the basic facilities needed for day-to-day living independent of the main home, such as a kitchen, sleeping area, and a bathroom. They also can provide the opportunity for relatively independent living for the elderly or disabled with support from neighboring family. The City's ADU regulations are contained in BMC 18.09.030.1.5 (permitted accessory use in all residential zones, except that they are a conditional use on the shoreline, may be contained within, or detached from, the single-family home, are limited to 800 square feet, must share a single driveway with the primary residential unit and all other zoning regulations must be met—setbacks, lot coverage, parking and Health District regulations). She noted that a search of the City's permit database indicates that approximately 200 ADUs have been permitted since 1992 (this does not include ADU's that may have permitted under Kitsap County and grandfathered in, or units that were built without permits).

Councilmember Tollefson understood one of the reasons this topic came forward was that the existence of ADU's has some impact in the consideration of affordable housing and a question of whether or not we could automatically increase the stock of affordable housing to some degree simply by looking at the size limitation and other restrictions that may not be necessary.

Jeb Thornburg, 172 Grow Avenue, advocated increasing the ADU threshold from 800 to 900 square feet.

Councilmember Bonkowski said part of the other issue is some municipalities are allowing tiny homes to be built on properties as an ADU and it's almost by definition a different construction technique. He wondered if that was something that could be incorporated into our ADU ordinance. Planning Director Cook indicated staff could look at that as part of the process.

Councilmember Blossom asked if there was a requirement that the landowner be the one living in the primary residence to which Planning Director Cook indicated no.

Councilmember Tollefson asked what the rationale was behind picking 800, 900 or 1,000 square feet. Planning Director Cook did not believe there was necessarily any rationale but the number that seems to be most common is 900 square feet because you don't want something so big that it's going to become a second primary residence. She suggested exploring Poulsbo's concept where they have an 800 square feet limitation unless the ADU is completely located on the ground floor or basement and then it could be bigger as long as it's no larger than the primary residence.

REGULAR BUSINESS MEETING
TUESDAY, JANUARY 13, 2015

Councilmember Tollefson was personally in favor of asking the planning department to move ahead with updating the ADU ordinance and forwarding it to the Planning Commission.

Mayor Blair was also supportive of the idea of increasing the floor ratio and relating it to the size of the primary dwelling if the ADU is located in the basement. She wondered why Poulsbo limited the location of the ADU to the ground floor or basement.

Councilmember Bonkowski would like the Council to consider having staff look at tiny house regulations.

Mr. Thornburg noted Poulsbo and Bremerton's ADU regulations have some inherent problems regarding setting a threshold and that when you have too many prescriptive components, you may be inviting someone to find ways to circumvent the regulations.

Planning Director Cook will work on scheduling the topic on a future Planning Commission agenda.

D. CITY COUNCIL VACANCY APPOINTMENT PROCESS – COUNCIL 8:07 PM

Council addressed Mr. Millerd's request to participate in the interview process via Skype or conference call.

8:11 PM **MOTION:** *I would move that we use reasonable efforts to allow applicants to participate in the interview process through remotely in a way that as closely approximates physical presence as practical.*
TOWNSEND/BONKOWSKI – Motion carried 6-0.

Mayor Blair described the process as outlined in her handout. Mr. Millerd addressed the Council regarding his request to interview without being physically present. Following a brief discussion, Mr. Millerd will let City Manager Schulze know whether he is able to participate remotely throughout the entire interview. Mayor Blair continued to describe the process as outlined.

E. WATERFRONT PARK ITEM [ADDED] 8:51 PM

MOTION: *I move to rescind the action the Council took with regard to the Waterfront Park at the last study session and just note that the agenda bill for that item did not indicate that we were going to take a vote and frankly I think we lost our way a little bit. If the required number of Council agree, I hope that we can reframe the issue and get it on the agenda for the next meeting.*
TOLLEFSON/

Mayor Blair asked whether the motion to rescind would include a discussion followed by an action. Councilmember Tollefson replied the motion is to rescind and once it is rescinded then we will make another motion.

Councilmember Roth seconded the motion.

Councilmember Tollefson recalled that during last year's discussion of the capital improvement program, Council was mildly hopeful that there would be some grant money. Council also wanted to get something done in 2015 and, specifically, they wanted to get the park project underway. He understood that funding for the dock was going to have to be dealt with depending on how the grant money turned out. He hoped that if the motion were rescinded, Council would rekindle their commitment to getting both projects planned and permitted this year, commit funds for construction of the park and work on alternatives for funding the dock in one of the two following years.

Councilmember Bonkowski explained he would not support the motion because it is saying that we were going in the wrong direction.

Councilmember Blossom said it has always been her understanding that had the grant had not come through Council would have revisited it and the dock, in her mind, was always the priority project – not because the park is not important but because it would be very difficult to phase the dock construction.

Councilmember Roth explained the reason he did not support last week's motion was that it was not clear about anything other than suggesting that one of these projects may not be done. Deputy Mayor Townsend supported the motion to rescind, as did Mayor Blair.

The motion to rescind carried 4-2 with Councilmembers Blossom and Bonkowski voting against.

Kitsap County Comparison of Maximum Accessory Dwelling Unit (ADU) Size	
Jurisdiction	Maximum ADU Size
Kitsap County	Shall not exceed 50% of the square footage of the habitable area of primary residence or 900 square feet, whichever is smaller
Bainbridge Island	800 square feet
Bremerton	• 60% of the principal unit's total floor area (not including basement), and • One thousand (1,000) square feet maximum, 300 square feet minimum.
Port Orchard	Shall not exceed 50% of the square footage of the habitable area of primary residence or 900 square feet, whichever is smaller
Poulsbo	• 800 square feet of heated living area; however • If the accessory unit is completely located on a ground floor or basement, City may allow increased size in order to efficiently use all floor area.