



**CITY OF BAINBRIDGE ISLAND
REGULAR PLANNING COMMISSION MEETING
THURSDAY, MAY 28, 2015
7:00 p.m.-9:00 p.m.
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 REVIEW AND APPROVAL OF MINUTES**
April 9, 2015 Planning Commission Meeting
- 7:10 PM PUBLIC COMMENT**
Accept Public Comment on Off-agenda Items
- 7:20 PM ORDINANCE 2015-04, TREE AND LANDSCAPING REGULATIONS**
Public Hearing
- 7:50 PM ORDINANCE 2015-10, TENT CITY REGULATIONS**
Public Hearing
- 8:20 PM 2016 COMPREHENSIVE PLAN UPDATE**
Continued Discussion of Land Use Element
- 8:55 PM NEW/OLD BUSINESS**
- 9:00 PM ADJOURN**

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

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

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



**CITY OF BAINBRIDGE ISLAND
REGULAR PLANNING COMMISSION MEETING
THURSDAY, APRIL 9, 2015
CITY COUNCIL CHAMBER
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
REVIEW AND APPROVAL OF MINUTES - January 22, 2015 Planning Commission Meeting
2016 COMPREHENSIVE PLAN UPDATE SCHEDULE AND NEXT STEPS - Discussion and Recommendation
ORDINANCE 2015-04 LANDSCAPING AND TREE PROTECTION - Study Session
ACCESSORY DWELLING UNIT REGULATIONS, BIMC 18.09.030.I.5 - Discussion
NEW/OLD BUSINESS
ADJOURN

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

Meeting was called to order by Chairman Pearl at 7:00. All Planning Commissioners were present. City staff in attendance included Planning and Community Development Director Kathy Cook, Special Project Planner Jennifer Sutton and Administrative Specialist Jane Rasely who monitored recording and prepared the minutes. There were not any conflicts of interest.

PUBLIC COMMENT - Accept public comment on off-agenda items

None

REVIEW AND APPROVAL OF MINUTES - January 22, 2015 Planning Commission Meeting

Motion to approve minutes.

Lewars/Quitslund: Approved 7-0

2016 COMPREHENSIVE PLAN UPDATE SCHEDULE AND NEXT STEPS - Discussion and Recommendation

Commissioner Pearl began discussion by mentioning that Ms. Sutton had amended the schedule. Commissioner Quitslund thought that climate change should be addressed in other elements rather than just environmental. Commissioner Gale agreed and felt it was a subject which flows across many of the topics. Ms. Sutton asked if Commissioner Quitslund was suggesting that particular sentence be at the beginning of the elements to create an over-arching principle. After some discussion on the exact wording, it was decided the placement should go in the Introduction. Commissioner Pearl mentioned that the subject of Highway 305 needs to touch every subject as well. Discussion between Commissioners and Ms. Cook ensued as to where the best placement would be with Commissioner Chester weighing in with the thought of keeping it in the environmental section, but referring back to it from the other sections. The intention of moving it to the Introduction was to draw it to the attention. Commissioner Pearl restated the need to put the over-riding

concern about Highway 305 in the Introduction as well. He felt it was important to take a stand and not just accept what others would do to the highway (State and other local communities). Ms. Cook reminded the Commissioners that the scope of work would be approved by resolution and would not be cast in stone but could be changed by the Planning Commission later if necessary.

Joe Tovar, Consultant – Spoke about what the Introduction deals with, where to put ideas you want to elevate in importance as well as how the Comprehensive Plan relates to the functional plans the City has, i.e., Transportation, Utilities, Surface Water. It's where you explain, for instance, how the Shoreline Master Plan is a separate document, but its policies are part of the Comprehensive Plan. This Introduction is where all the pieces are explained and how they fit together with reconcilable language so it says what you want it to say and then moving forward, you'll be able to get guidance from this first section to each chapter or element. Some of the over-arching or global ideas permeate many of these chapters. He spoke about using icons throughout the plan that would reference back to these over-arching ideas.

Mr. Tovar also stated that as the City goes through this process, there may be new ideas added to the scope. That is something that as you work your way through the Comprehensive Plan, you may revisit or add to. Nothing is done until it's all done. He said he felt he had a good idea how to weave these important over-arching themes into language they could look at that would fit into the front part of the Comprehensive Plan that would not just be bookkeeping or housekeeping, but substantive policy. He stated it would be one of the first things they would see next month.

Commissioner Pearl opened the floor to public comment on the scope of work at 7:26 PM.

Ron Peltier, Citizen – Addressed Commissioner Pearl's comment about being a small island and not being able to do much about climate change. He thought when we talk about climate change there are some real things we can do that do make a difference on a small scale. Something they could do on more than just a small scale is symbolic. What is done on the Island will be watched by the communities and if we really get out front on things like getting off coal and doing more to encourage the non-motorized transportation and that sort of thing, it would make a real statement, encourage more solar and possibly starting our own electric utility. These things are going to get attention and they're going to be a template for other communities. He liked the idea of the re-occurring themes Joe mentioned earlier; Highway 305 and the bridge, climate change, sustainability and our water resources. All these things relate to everything in the plan. He went on to state that expanding Highway 305 would almost certainly include building a second bridge next to the Agate Pass bridge. That was something for the Planning Commission to think about. People talk about bridge replacement, but it's not a plausible idea to tear down the Agate Pass bridge and simply build another bridge. That bridge will probably stay there if we expand the highway.

Charles Wenzlau, Citizen – Spoke about his concern regarding limited opportunities for input into the Comprehensive Plan. He stated he had been working with a group of other architects for the last four months on the Land Use Element specifically with a focus on sustainability. They had crafted 8-10 draft pieces of policy that may or may not have a place but which are worthy of consideration as staff and the Planning Commission bring this into some focus. He read from an e-mail written and received by the Planning and Community Development Department that morning requesting a public meeting be held at the beginning of each element prior to the staff starting the writing. This would be an opportunity for the following: Presentation/Introduction of key items within the element; findings from listening sessions presented; staff may ask clarification questions if the findings are not clear; public to present ideas of additions, deletions or modifications to the element and public discussion of how values and vision relate to the element. He finished by stating his work group has some specific qualifications as professionals who use the regulations and Comprehensive Plan that they would like the opportunity to present ideas other than just handing in a piece of paper. Commissioner Pearl responded with reminding the Commissioners that they had discussed this previously. Commissioner Gale was in support of the idea. Ms. Cook stated the City

supported the idea and felt it would be a more efficient process but the logistics would be harder. She suggested a separate workshop rather than incorporating it into a regular Commission meeting. Discussion ensued as to whether the Council would need to approve more workshops. She said the biggest concern is how to fit it in without dragging out the schedule. Commissioner Kriegh requested that citizens who want to bring prepared materials submit them in advance so the Commissioners have a chance to review them before the meeting.

Motion: The Planning Commission recommends that provisions be made for public discussion of ideas and specific revisions pertaining to the Comprehensive Plan Elements near the beginning of the drafting process for each updated Element.

Quitslund/Gale:

Commissioner Lewars was concerned about being flexible as to when the “kick-off” sessions would be held.

Motion: The Planning Commission further recommends that provisions be made for public discussion of ideas and specific revisions pertaining to the Comprehensive Plan Elements before the drafting process for each updated Element.

Quitslund/Gale:

Mr. Peltier asked if there was a process for how groups/people would know they have the opportunity to submit something for consideration at one of these workshops. How would people know? Commissioner Quitslund stated that was why they had a Community Engagement Specialist. ListServ notification was mentioned as a way to communicate the opportunity. Ms. Cook also stated these workshops would not be the only opportunity for people to submit ideas.

Motion passed unanimously 7-0.

Commissioner Kriegh asked if the SMP could be referenced under Section E of the Land Use Element so that someone who is not looking at every element would be able to see that the City is thinking about the marine access and resources. She would like to see it listed as **Marine Access and Marine Resources (see Shoreline Master Program)**.

Discussion moved to the schedule for the Comprehensive Plan Update. Ms. Cook mentioned they would figure out how to add the workshops into the schedule. Ms. Sutton explained how the schedule changed from the last draft received at the March 26th meeting.

Motion: I move the following: the Planning Commission recommends approval of the Navigate Bainbridge project schedule as revised 4/2/15 and also recommends proceeding with the update along the lines indicated in the memorandum from Joseph Tovar dated April 9, 2015 “Preliminary Scope of Issues” as amended tonight.

Ms. Cook summarized changes requested by Commissioners before voting took place.

1. Starting on page 2 of the proposed Scope of Work, a new section titled “Over-arching Themes” which would include two bullet items having to do with climate change and SR 305.
2. Under E. Land Use Element, under item 5, review subarea plans: Lynwood Center and Winslow Master Plan, including policies related to Waterfront Park.
3. Under Six Key Issues to Address where it talks about articulating connections between the Land Use Element and Transportation Element, Land Use and Utilities Element add a new one that would be articulating the connections between the Land Use and Environmental Elements.
4. Section E, ending in land form add, Connectivity to Marine Access and Marine Resources (See SMP).

Commissioner Gale seconded the motion.

Discussion continued as to how the public would give their comments and that the schedule put forth is ambitious.

Mr. Peltier asked the Commissioners to reconsider having water as an over-arching theme. Right now there are a couple of paragraphs on water in the Land Use Element because our available ground water has a lot of bearing on how our development patterns can occur on the island, how much development we can take and it really is something that bears being reoccurring past just the Water Element. He asked the Commission to consider that again, please.

Commissioner Gale stated she was comfortable with water as it was presented and that obviously it would come up, but since it has its own Element, she didn't feel they needed to make another aspect of it. Commissioner Pearl also mentioned that it may move up based upon what the results of the study will be, but they didn't know the facts yet on water.

Motion: Passed 6-0; (Commissioner Lewars was not present during vote)

ORDINANCE 2015-04 LANDSCAPING AND TREE PROTECTION - Study Session

Special Project Planner Sutton introduced the second study session on Ordinance 2015-04. She gave an overview of the Ad Hoc Committee's work that began in January of 2014. She mentioned changes made to the administrative manual and then moved into the substantial changes to the ordinance.

Commissioner Pearl began discussion by stating this was a difficult topic. He continued on with two important subjects, the smaller diameter of trees (8") and the idea of valuing a tree to be saved with a dollar number through the National Arbor Society and if the tree dies during construction, that dollar amount would be paid to the City. He went on to mention that there should be thought given to the type of trees required in a buffer area and what that tree will look like in 20 years. Fir trees were used as an example of a tree that grows very large in 20 years, but does not provide a good buffer once it is larger and becomes a potential danger as well. He thought they should begin to give thought to a tree's quality of buffering potential as well as the interest of the tree. Ms. Sutton mentioned that landscaping plans would need to be translated to utility plans in order to protect trees from possible utility installation (trenching, etc.) An example of the Town and Country remodel was used showing how many trees were required under the current code and how many would have been required with the proposed ordinance. Commissioner Pearl felt there were holes in the ordinance that needed to be addressed. Ms. Cook stated this was the time to deal with them. Three types of buffers were defined: Full screen, partial screen and filtered screen. Commissioner Lewars agreed that fir trees were not great for buffers once they grew to a certain height and that a 10 foot high shrub would screen better. Commissioner Chester stated some municipalities have a recommended tree/plant list for buffer use. Commissioner Pearl mentioned the City has one, but it has not been studied for the buffering potential and is not as directed as it maybe should or could be. Commissioner Gale asked about the FAR bonus given for saving a Heritage tree. Clarification of fines for cutting down trees with a preapproved value was presented by Ms. Sutton.

Charles Wenzlau, Citizen – Comments were directed primarily toward practicality as a land use professional and how he would use this. He thought there were a couple things at least worth a little more consideration. He addressed Commissioner Pearl's comment about the buffers going to better quality screening at a lower height. That would help with solar access, so that would be an interesting benefit in light of the fact that the City has not really been able to do anything about solar access to this point. He was glad to hear the mention that the civil plans should include the tree protection fencing and thought it was critical at permit submittal. It wouldn't do much good earlier in the process but absolutely needed to be done

at permit submittal because they would be using the civil plans to lay the utilities and if the tree protection were shown, that would allow for the best chance to protect them. Mr. Wenzlau spoke about item number 4 at the top of page 5, "Protection during Construction and Development." He felt the second comment was very impractical and would be very hard to enforce. The idea of protecting areas where there would be planting in the future would not be enforceable. He gave the Grow Community planting the center of their site as an example. Right now it was just a huge stack of dirt. He was not sure what measures the Commission was requesting be provided because expecting developers not to drive construction equipment or place utilities in those areas wouldn't make any sense. The Commission would have to consider how the City would actually enforce a regulation of that type; would it be fenced, would they would not be able to drive or put utilities in there, etc. Any good landscape architect would come back in and add the 12-18 inches of soil amendment if the area was not able to be protected during construction. He stated this was just a practical issue and it would be easy to create these regulations but they needed to be sure they actually worked so developers could comply. Commissioner Gale asked whether there was a time span the plantings had to survive. Mr. Wenzlau stated yes, five years and that the developer would have to restore the soil to a viable condition so their plantings would survive the required time. He did say he felt the ordinance was well intentioned, but he just couldn't see the practical application of it. Commissioner Pearl presented the thought behind it being the prevention of scraping a site clear, driving all over it thereby compacting the soil, then adding 18 inches of soil will not provide a real condition for plants to grow. That would be a minimum starting condition. The Commission wanted to see there would be some thought to how the soil will be restored.

Mr. Wenzlau stated he thought they had a comment in there that had not been thought through how it will be enforced. Commissioner Chester asked if it was not the same as land you have to preserve for a reserve drain field. Mr. Wenzlau stated that if you were on a tight urban site, what with constructions trailers, etc., it may be impossible to do. Not all sites are the same and we need to be cognizant of that. Commissioner Kriegh mentioned that if it is not possible to avoid it, there were other contingencies that applied. Mr. Wenzlau asked if that was up to the applicant and she replied it would be up to City Staff. Mr. Wenzlau stated his intent was to end up with practical and enforceable regulations that would be successful. He went on to say he was pleased to see the new language about protection of trees on adjacent parcels. He was concerned that the ordinance states developers can get points for saving/protecting neighboring trees, but it does not address what the repercussions would be if they choose not to save a neighboring tree. Ms. Sutton clarified that developers cannot destroy a neighboring tree without permission of the property owner.

Ms. Cook informed the Commission that they did not have to forward this ordinance for public hearing tonight if they did not feel ready to do so.

Commissioner Kriegh asked if the maintenance period for landscaping on a project was five years. Ms. Sutton stated the current period length was three years, but the Tree Ad Hoc Committee have suggested it be changed to five years. She then specifically asked about a definition of what constitutes "retained" as it applied to trees. Ms. Sutton stated that there is failure during the construction period and then an inspection after three years to check that the new plants are healthy and continuing to thrive. She wondered if there was an arborist determination the City could use to come up with a time period.

Olaf Ribeiro, Citizen – Addressed question asked by Commissioner Kriegh of whether there is a way to get a format or method from an arborist on how to save the trees. He stated yes there are arborist standards for retaining trees and there are different ways to do that. He referenced Seattle, Hunt's Point and Medina have an arborist present throughout the construction phase and he felt the City needed to put that in the ordinance in order to retain the trees. He reported that he had been called to look at the Ericksen Ave trees referenced earlier and that they could be saved, it was just a question of how much money you need to put into it to do it. If the ordinance says you have to save it, then money isn't the question, it's the question of saving them and that can be done. There are different ways and I have told them the options they can use to do that.

Commissioner Pearl asked what Mr. Ribeiro meant by having an arborist onsite. Mr. Ribeiro said they needed an arborist present when they start excavating. In Seattle, if a developer starts excavation without a qualified arborist being present, they withdraw the permit until an arborist is present. The last time they had to wait until I got there, they stopped all work until I arrived and then were told they could continue. If he (Mr. Ribeiro) saw that they were going to damage a tree root, they would have to stop and decide whether they have to cantilever the side of the building to save the tree roots on an adjacent property. If it's in the ordinance, developers will just expect that is the way it is done. Cities like Lake Oswego require an \$18,000 bond on every tree that is to be saved and if the tree dies within six years, they have to pay for that. Commissioner Lewars asked at what point you determine the tree is viable. Mr. Ribeiro answered after three years you can tell if a newly planted tree will survive. A mature tree takes a good five to six years before you can see signs of stress and there is no real way of measuring it earlier than that so we wait for that length of time. Commissioner Gale asked if there was a bonding requirement for six years that would cover the time needed. Mr. Ribeiro stated yes and that it serves notice the City is serious about saving the trees.

Mr. Ribeiro asked who will make the decision of whether a tree is a Heritage tree. Ms. Sutton replied the Historic Preservation Commission reviews those applications. He then asked if they had someone qualified to review the applications and Ms. Sutton asked/reminded him that he was at the last time they reviewed applications. She also described the parameters for determining a heritage tree as very broad citing age, placement on historic property and other contexts.

ACCESSORY DWELLING UNIT REGULATIONS, BIMC 18.09.030.I.5 – Discussion

Ms. Cook gave some background as to why the City Council asked for the Planning Commission to look at this subject saying they would like to promote accessory dwelling units for multiple reasons and that the maximum allowable square footage allowed on Bainbridge Island is lower than you see in other cities, including the county. Council had a study session on this and put it on the work plan with the intent of seeing the maximum size of accessory dwelling units (ADUs) increased.

Commissioner Pearl asked why an ADU has to share a driveway with the main house. The shared driveway decreases impervious surfaces and it is safer to have fewer driveways accessing roads. Discussion continued around number of bedrooms versus drain field requirements. Commissioner Chester felt 900 square feet was fine and that it matched up with Seattle, Poulsbo and other surrounding areas. He did feel it was unfair to require a separate drain field for ADUs when an accessory living space did not require one. It was pointed out that the difference between the two was that an accessory living space did not have a kitchen. Commissioner Lewars felt increasing the size of an ADU helped fill a need for affordable housing on the Island. Commissioner Pearl felt the real discussion should center on whether or not they should require a single driveway.

Jeb Thornburg, Citizen – Added to the discussion on driveways by saying from specific experience there are a variety of driveway conditions on the Island and often times, to mitigate the least damage to the site and the least impervious surface, we've run across a number of times where separate driveways are actually a better answer. We asked City Staff if there is an alternative to making more paving more difficult backing and turning around in a single driveway if the intent is actually to benefit the environment by having a single driveway but in fact it ends up prohibiting it. He wrote a note to the Planning Commission asking if there was a way to allow an administrative approval given the site might be best addressed with two driveways instead of one. Commissioner Quitslund stated the county regulations say the ADU will take its access from the same road approach as the primary residence. Mr. Thornburg gave an example of Grow Place on the west side of Grow Avenue has had an ADU under construction for a number of months and that ADU actually has the driveway off the backroad because it would not be practical to have a driveway off the front. He was not exactly sure how that came to be but feels it is a good example of how it is better addressed on a different street. Commissioner Kriegh felt the driveway issue was really about not disrupting the fabric of the existing neighborhood so it did not appear to have too much density compared to what it already had.

Dispersing the density to include access from a different location seemed like it could be under consideration. Mr. Thornburg stated that as a working design professional, there are oftentimes one particular note or requirement that has good intent, but in practical application, there are sometimes better alternatives. He would just like to broaden the answer so that given that opportunity, City Staff has the mechanism to consider it instead of having to say, "Great idea, but you can't do it." He went on to comment about enlarging the area of an ADU because he has had experience with clients that have had to wall off areas of their ADU. He wanted to know where the line in time would be drawn. If a developer built a big building with an empty space and then came back a year later and wanted to build a 1200 square foot ADU because the space already exists, is there a sense of where that line in time might be drawn? Ms. Cook stated she felt the line would be drawn the day the ordinance was passed. She said the ordinance would specify that. He went on to speak about the one or two bedroom ADU and the two bedroom drain field requirement by the County. He felt the biggest opportunity for increasing the allowable space of an ADU was doubling the audience the ADUs currently serve allowing roommate, caregiver and family situations. He felt it was a terrific opportunity.

Ms. Cook recapped the information/changes Staff would bring back to the Planning Commission based upon their ADU discussion stating the changes would be presented at the June 7, 2015 meeting.

NEW/OLD BUSINESS

None.

ADJOURN

Meeting was adjourned at 9:18 PM.

Minutes accepted by:

J. Mack Pearl, Chair

Jane Rasely, Recording Secretary

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT



MEMORANDUM

TO: Planning Commission

FROM: Jennifer Sutton, AICP
Special Project Planner

DATE: May 28, 2015

RE: Public Hearing on Ordinance 2015-04 Tree and Landscaping Regulations

The Planning Commission held study sessions on this ordinance on April 9th and 23rd. The Commission suggested changes to BIMC Sections 18.15.010.C.4 *Protection During Construction* (page 4) and 18.15.010.G.3 *Tree Unit Requirements* (page 7). The changes recommended by the Commission on April 23rd are highlighted in yellow.

The Ad Hoc Committee has begun to review the regulations that apply to other districts- Neighborhood Service Center, Business/ Industrial, and Residential zoning districts. Any recommended changes to those standards will be brought to the Planning Commission and City Council in a new ordinance at a later date.

Attachments

DRAFT Ordinance 2015-04

**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. In order to preserve future ecological function, the applicant shall identify ~~An~~ areas 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 to be retained, buffers, areas of existing vegetation to be maintained, future raingardens, and future planting areas larger than 400 square feet (i.e. landscape islands in parking lots). ~~shall be identified by the applicant and approved by T~~the prohibited disturbance areas shall be reviewed and approved by the director as part of the land use permit review process.
 - 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. In order to show how the Tree Unit Requirements of subsection 4 below are being met, As part of any development application the applicant shall submit the following information as part of the landscaping plan information for a land use permit application:
 - i. Identify and survey all existing trees to be removed retained as part of the proposed development; and
 - ii. If opting to meet Tree Unit Requirements pursuant to 4.a.iii below, the applicant shall identify the species and DBH of each tree to be removed.
 - iii. The applicant shall also submit valuation of all trees to be retained, using the valuation standards of the International Society of Arboriculture (see Administrative Manual for submittal requirements for Landscaping Plans).
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~~ two (2) 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 one tree unit, credits:~~ New trees planted to meet the minimum parking lot landscaping requirements of Section 18.15.010.F BIMC do not count towards meeting tree unit credits under this section. New trees planted in or around a parking lot that exceed the minimum requirements of subsection F can be counted towards meeting required tree units.
 - 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.~~
- 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 planted in roadside or perimeter buffers 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



City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Planning Commission

FROM: Lisa Marshall, City Attorney

DATE: May 28, 2015

RE: Public Hearing-Ordinance 2015-10, Tent Cities as an Allowed Temporary Use

On May 28, 2015, the Planning Commission will conduct a Public Hearing on draft Ordinance 2015-10, which makes provisions for “tent cities,” or homeless encampments, as an allowed temporary use on church properties. The Commission previously conducted study sessions on this issue on April 23 and May 14. The City is processing this ordinance to satisfy its insurer, Washington Cities Insurance Authority (WCIA). As a risk management policy, WCIA has required its member cities to enact ordinances providing for temporary use permits for homeless encampments such as Tent City/SHARE. No homeless encampment has applied for a temporary use permit, nor is the City aware of any plans for a homeless encampment to locate within the City or on church property located within the City. However, if in the future, a church within the City limits hosts a homeless encampment, this ordinance provides the City with tools to ensure the health and safety of the residents of the City.

At the study session on May 14, the Planning Commission requested two minor corrections to language in Section 18.09.030.J(d) and Section 18.09.030.J(o) of the ordinance; these changes have been made. The Planning Commission also discussed the staff responses to questions raised at the April 23 study session and asked for additional information on several questions. The additional information is shown in shaded text below.

1) Why does the draft ordinance exclude children? Are families not allowed in a tent city? Tent City/SHARE does not allow minors (under age 18) in the organization. Additionally, for risk management reasons, it would not be advisable for the City to issue a permit to a homeless encampment serving minors.

2) Will a tent city likely be made up of Bainbridge or Kitsap residents, or could a Seattle tent city come over? The City has no information regarding where the Tent City/SHARE members come from.

3) What is the difference between the terms “Sponsor” and “Managing Agency” as used in the ordinance, and who would be the managing agency? For instance, is the Sponsor the

church, and the Managing Agency something like HRB? “Sponsor” is the church; “managing agency” is Tent City/SHARE.

4) Why is only a LUPA appeal provided, with no local appeal? Because of the interest in timely decisions regarding homeless encampments, a local appeal process is not recommended. An appeal to the Council and/or Hearing Examiner would add additional administrative processes to the timeline.

5) Are the noticing timelines included in the ordinance specified in state law? Could the City change the noticing timing requirements to be the same as other noticing provisions in BIMC 2.16.020.K for both public participation meetings and public notices? Can we have a longer comment period than 14 days? An extended notice period is discouraged. Tent City/SHARE and sponsoring churches typically don’t have the ability to wait a long time for the permitting process to be completed. The organization moves to a new church every 90 days. If the process is too lengthy, it could be burdensome to the church and therefore a violation of RCW 35.21.915. That said, there aren’t clear standards regarding the point at which a city regulation becomes “burdensome.” See the following link for more information about Tent City/SHARE/WHEEL: <http://www.sharewheel.org/Home/tent-cities>

6) Churches are conditional uses in most zones on the Island and permitted outright in R-14 and the Core, Madison, Ericksen, and High School Rd. districts. Could the City limit the location of tent cities to churches that have gone through the CUP process? Or alternatively, could the City limit tent cities to churches in zones where they are outright permitted? No.

7) Does the Critical Areas Ordinance apply? No. The CAO, SEPA, shoreline regulations, and other land use regulatory mechanisms are not “health and safety” regulations within the meaning of RCW 35.21.915.

8) In terms of responding to public comments, can the City’s ordinance require that the church be responsible for answering community comments and concerns, and/or require that the church maintain an informative website? Tent City/SHARE/WHEEL is very proactive in its community education and outreach efforts. While it is possible to invite Tent City to a public meeting to answer questions and provide information, it would not be permissible to require the hosting religious organization to maintain a website.

9) What types of dimensional requirements and performance standards can the City apply? Could we apply underlying zoning setbacks? Dimension and performance standards, if imposed, must be the minimum necessary for the health and safety of the community and permittees/guests. Examples of dimension requirements/performance standards are minimum setbacks from adjacent lot lines, the requirement that excessive noise not be permitted between certain hours, that litter and trash must be removed from the premises, etc. Generally, these types of requirements are imposed by Tent City/SHARE/WHEEL as a condition of membership in the organization. See the site <http://www.sharewheel.org/Home/tent-cities> regarding the code of conduct for members.

10) Can the City require any specifications on the type and appearance of tents? No.

11) Could we limit the number of tents (and therefore intensity of use) through the lot coverage provisions in different zones? So for instance, the R-1 zone lot coverage is 15%-- would it be possible to say that the lot coverage limit is double (30%) for tents? No.

12) Is the intensity of the use/number of tents only limited by the ability to meet public health and safety standards? Yes. Cities can impose restrictions on numbers of tents/occupants only when imposed as health and safety standards. Tent City/SHARE/WHEEL imposes limitations on members to 100 members for each tent city. Generally, unless cities can show that this number constitutes a health and safety hazard, this number should be allowed.

13) Do tent cities cook outside, for example on camp stoves? Or do they usually use a church's commercial kitchen facilities for cooking? Could we limit cooking to inside only? Outdoor cooking cannot be prohibited if there are no inside facilities available. Cities can impose outdoor cooking restrictions/regulations that are necessary as a health and safety regulations.

14) In applying for the use permit, can we make a church make the case, or prove there is a need for a tent city? No.

15) Is the site obscuring fence part of state law? No. Can the screening intent be met with existing vegetation? There may be cases where a fence is not warranted, or if the neighbors don't want a fence. The ordinance states a fence isn't required if "there is sufficient vegetation, topographic variation, or other site conditions such that fencing would not be needed."

16) Is the 92 day time period that the tent city may be in place in state law? Could it be less? Tent City/SHARE operates on 90 day cycles. It takes the organization this amount of time to locate the next hosting church. Depending upon the reduction in time imposed by the City, such a reduction may "substantially burden" the church and the Tent City. It would depend upon the reduction.

ORDINANCE NO. 2015-10

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to Temporary Homeless Encampments; amending Chapter 18 of the Bainbridge Island Municipal Code (BIMC).

WHEREAS, in 2010, the legislature codified RCW 35.21.915, which, among other things, prevents cities from enacting ordinances or regulations or taking any other action that imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization;

WHEREAS, the City desires to enact this Ordinance to set forth the requirements for issuance of a temporary use permit to an applicant wishing to host a homeless encampment;

WHEREAS, the standards and requirements set forth in this Ordinance are the minimum necessary to protect the public health and safety and do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization;

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

Section 1. Section 18.09.020 of the Bainbridge Island Municipal Code is amended to add “Temporary Homeless Encampment” to the permitted uses table as shown in Exhibit A.

Section 2. Section 18.09.030.J of the Bainbridge Island Municipal Code, Use Specific Standards, is amended to add the following subsection:

8. Temporary Homeless Encampment

An application for a Temporary Homeless Encampment permit will be reviewed and decided upon by the Director of Planning and Community Development (hereafter “Director”), and must meet the following standards.

- a. A Temporary Homeless Encampment is only allowed on property in conjunction with a Religious Facility. An application for a homeless encampment must include a Religious Facility or other community-based organization as a sponsor or managing agency.
- b. The applicant shall submit an irrevocable, signed, and notarized statement granting the City permission to summarily abate the temporary use and all physical evidence of that use if it is not removed by the applicant within the period specified as part of the permit, and agreeing to reimburse the City for any expenses incurred by the City in abating the temporary use.

- c. The encampment shall meet all setbacks for the zoning districts described in BIMC 18.12.020. The encampment shall be located a minimum of 20 feet from the property line of abutting properties containing residential uses.
- d. The Director may require a sight-obscuring fence around the perimeter of the homeless encampment unless it is determined that there is sufficient vegetation, topographic variation, or other site conditions such that fencing would not be needed.
- e. Exterior lighting for the homeless encampment must meet the requirements of BIMC 18.15.040.
- f. The maximum number of residents within a homeless encampment is 100.
- g. Parking for five (5) vehicles shall be provided.
- h. The applicant shall submit a transportation plan which shall include provision of transit services. The homeless encampment shall be located within one-half (1/2) mile of transit service.
- i. No children under 18 are allowed in the homeless encampment. If a child under the age of 18 attempts to stay at the homeless encampment, the managing agency shall immediately contact Child Protective Services.
- j. No animals shall be permitted in encampments except for service animals.
- k. The applicant shall submit a code of conduct for the encampment and described how it is to be enforced by the managing agency. The code shall contain the following as a minimum:
 - i. No drugs or alcohol.
 - ii. No weapons.
 - iii. No violence.
 - iv. No open flames.
 - v. No loitering in the surrounding neighborhood.
 - vi. Quiet hours.
- l. The managing agency shall ensure compliance with Washington State and City codes concerning but not limited to drinking water connections, human waste, solid waste disposal, electrical systems, and fire-resistant materials. The City shall coordinate review of the Temporary Homeless Encampment permit with the Kitsap Public Health District and Bainbridge Island Fire Department. The managing agency shall permit daily inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.

- m. The managing agency shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by the City of Bainbridge Island Police Department related to identified sex offenders or prospective residents with warrants shall be met.
- n. Homeless encampments may be approved for a time period not to exceed 92 days.
- o. The City may grant a temporary use permit only if it finds that the proposed temporary use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the immediate vicinity.
- p. There is no administrative appeal of the Director's decision for a temporary use permit. The action of the City in granting or denying an application under this chapter may be reviewed pursuant to the standards set forth in RCW 35.70C.130 in the Kitsap County Superior Court. The land use petition must be filed within 21 calendar days of the issuance of the final land use decision of the City. For more information on the judicial process for land use decisions, see Chapter 36.70C RCW.

Section 3. Section 18.36.030 of the Bainbridge Island Municipal Code is amended to add the following definitions:

Temporary Homeless Encampment

"Temporary Homeless Encampment" means a group of homeless persons temporarily residing out of doors on a site with services provided by a sponsor and supervised by a managing agency.

Managing Agency

"Managing Agency" means an organization that has the capacity to organize and manage a homeless encampment. A "managing agency" may be the same entity as the sponsor.

Sponsor

"Sponsor" means an entity that has an agreement with the managing agency to provide basic services and support for the residents of a homeless encampment and liaison with the surrounding community and joins with the managing agency in an application for a temporary use permit. A "sponsor" may be the same entity as the managing agency.

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:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NUMBER: 2015-10



City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Planning Commission

FROM: Kathy Cook
Planning Director

DATE: May 28, 2015

RE: Comprehensive Plan Update—Land Use Element

At their meeting on May 14th, the Planning Commission discussed what aspects of the Land Use Element to focus on during the Comp Plan Update process, based on input received before and at the May 7th Land Use Element Workshop. The Commission reviewed a summary of the key discussion points from the workshop that was prepared by staff, and gave general direction as to whether to include the issues in the review of the Land Use Element. The following summary shows the Commission's direction in bold face at the end of each bulleted item.

- Consider increasing density and number of units through infill and compact development. Create “urban villages” in the High School Road zones, with mixed use development and design requirements that would emphasize walkability and sense of community and avoid the current strip-mall appearance. Floor area ratio (FAR) levels could be increased in this area to take some of the pressure away from the Core District; the increased density would be offset by pedestrian-oriented, attractive design. **RETAIN AND CONSIDER FURTHER.**
- Create “rural neighborhood communities” in the lower density residential zones, with clustered, smaller homes and 50% of the land area preserved as open space through a conservation easement. **“PARK” THIS ITEM.**
- Adopt a mandatory green building code. **INCLUDE A POLICY DIRECTIVE IN THE COMP PLAN AS PART OF A LARGER SUSTAINABILITY SECTION/ELEMENT**
- Look at examples of what other communities have done with form-based codes. **CONSIDER INCLUDING A POLICY DIRECTIVE AS PART OF THE REVIEW OF NEIGHBORHOOD SERVICE CENTERS/SPECIAL PLANNING AREA DISCUSSION**
- Promote transit diversity—get people out of their cars.

- Extend the Housing Design Demonstration Program (HDDP) island-wide. **DEFER TO A FUTURE “BUCKET.”**
- Include water conservation measures as a mandatory element in new development. **INCLUDE A POLICY DIRECTIVE IN THE COMP PLAN AS PART OF A LARGER SUSTAINABILITY SECTION/ELEMENT AND ADDRESS IN REVIEW OF ENVIRONMENTAL ELEMENT AND CRITICAL AREAS ORDINANCE.**
- Designate aquifer recharge conservation zones and make the management of water resources a top priority. **INCLUDE A POLICY DIRECTIVE IN THE COMP PLAN AS PART OF A LARGER SUSTAINABILITY SECTION/ELEMENT AND ADDRESS IN REVIEW OF ENVIRONMENTAL ELEMENT AND CRITICAL AREAS ORDINANCE.**
- Sea water intrusion should be a top priority in the update process. **INCLUDE A POLICY DIRECTIVE IN THE COMP PLAN AS PART OF A LARGER SUSTAINABILITY SECTION/ELEMENT AND ADDRESS IN REVIEW OF ENVIRONMENTAL ELEMENT AND CRITICAL AREAS ORDINANCE.**
- Pressure the state to update the Growth Management Act to reflect how the City does not meet the definition of an urban growth area due to its designation as a sole source aquifer. **DO NOT INCLUDE.**
- Metrics are needed to determine the impacts of development, including the HDDP. **CONSIDER ADDING POLICY ABOUT ESTABLISHING TARGETS AND MEASURING SUCCESS, BUT METRICS THEMSELVES SHOULD NOT BE IN COMP PLAN.**
- We need to look at site development on a “micro-scale.” Vegetation management needs to be addressed in greater detail, including tree protection during construction. We should be addressing biodiversity, groundwater recharge, removal of invasive species and stormwater management. **ACHIEVE THROUGH DEVELOPMENT REGULATIONS.**
- Look at LEED Neighborhood Development and Green Factor programs in developing land use goals and policies. **INCLUDE A POLICY DIRECTIVE IN THE COMP PLAN AS PART OF A LARGER SUSTAINABILITY SECTION/ELEMENT**
- Identify areas in the downtown where residential/mixed use development is desirable, and then adjust FARs so that purely commercial development is not possible. **GIVE FURTHER CONSIDERATION.**
- “Unlock the box” that currently requires that any new NSC zoning requires a Special Planning Area (SPA) process. Either commit to the SPA process for the Island Center and Rolling Bay NSCs, or revise the current Comp Plan policy to allow for some incremental expansion. **PLANNING COMMISSION AGREED AT MAY 7th WORKSHOP THAT THIS IS A PRIORITY.**

- Finish the Island Center SPA that the City started in 2002. **PART OF NSC DISCUSSION.**
- Revitalize the Neighborhood Service Centers (NSCs), perhaps using package waste treatment systems as an alternative to sewers. **PART OF NSC DISCUSSION.**
- The Rolling Bay SPA should be done concurrently with the Comp Plan Update process.
- The Coppertop development has such a diversity of uses and services that it no longer matches Business/Industrial (B/I) goals and policies in the Comp Plan. It looks and functions more like a Neighborhood Service Center or some other type of commercial center. The zoning of this property should be looked at during the update process, as well as the B/I goals and policies. **RETAIN AND CONSIDER FURTHER**
- Look at what other cities do in terms of neighborhood planning processes—every neighborhood has a plan that is developed by the residents.
- Look into “land banks,” where a developer pays to develop and the resultant funds are used to buy open space.
- Any upzoning has a social cost and needs to be offset by decreased density elsewhere or some type of public benefit. **SHOULD BE UNDERLYING THEME THROUGHOUT REVIEW PROCESS**

Please also note that the review of the Land Use Element will not be limited to these issues—the public may continue to submit ideas through June 30, and the Planning Commission may also wish to add topics for review.

Topics for Discussion—Study Session on May 28, 2015

The drafting subcommittee (Commissioners Gale, Quitslund), consultant Joe Tovar and staff have been working on proposed revisions to the Introduction to the Land Use Element. Staff recommends that the Commission begin its review of the revisions at the May 28th study session. Due to the subcommittee’s meeting schedule, it was not possible to include the proposed revisions in this packet. They will be sent to the Commission and posted to the website within the next few days.

If time allows, staff also recommends that the Planning Commission continue their discussion of the growth strategy and related topics.



Memorandum

TO: Bainbridge Island Planning Commission
FROM: Joseph W. Tovar, FAICP
DATE: May 21, 2015
SUBJ: Direction to address KEY ISSUES in Introduction of Comp Plan

I. Introduction

On April 21, 2015, the City Council adopted Resolution 2015-04 “Scope and Project Schedule for the Navigate Bainbridge Comprehensive Plan Update.” Earlier this month, the Planning Commission conducted a community workshop on the Land Use Element (May 7 meeting) and begun to work its way through the public input and reach preliminary conclusions (May 14 meeting). The Commission will continue that work at upcoming meetings.

Meanwhile, the staff and I have begun a discussion of how to approach another early KEY ISSUE identified in Resolution 2015-04- the structure, content and format of the Plan’s Introduction. We have met with City Manager Doug Schulz and the members of the Planning Commission Subcommittee (Commissioners Gale and Quitslund) to review our approach. All agreed with the basic approach, which we will review with you at your May 28 meeting.¹

Resolution 2015-04 states that the Introduction to the Plan is to address the following:

- a. The 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.
- c. Review the Vision, guiding principles and planning goals and consider ways to more clearly articulate the framework of high-level policy direction to the Plan Elements.
- d. Relationship of Comp Plan to other plans, projects and programs, including, but not limited to: city functional plans (e.g., city utilities),

¹ We are scheduled to brief the Navigate Bainbridge Steering Committee (Mayor Blair and Council Members Tollefson and Blossom, Planning Commission Chair Pearl and Planning Commissioners Lewars and Gale) prior to the May 28 Commission meeting. We will provide an update of any input from that Committee to you at your meeting.

- development regulations, capital projects, the city organization and operating budget (e.g., Priority Based Budgeting).
- e. Relationship of the Comp Plan and City to the functions and activities of other units of government or organizations.
- f. Promoting a culture of stewardship, citizenship, and community engagement.

II. Recommended approach

As you know, the City has already spent some time considering what an updated Vision statement might look like. Whatever final form the Vision takes, it is appropriate to recognize what a Vision is, and its relationship to the rest of the content of the Comprehensive Plan. In my experience, communities have referred to a Vision Statement as a narrative description of a preferred future. That preferred future embodies the values, circumstances and priorities unique to each community. As with the other parts of the plan, it is likely that the Vision will be subject to revision and clarification as we continue more detailed discussion of the issues and alternatives in the coming months.

At a prior Committee meeting, I shared my perspective that the un-numbered “PLANNING GOALS” in the existing Plan were somewhat unspecific and redundant (i.e., they either re-state GMA planning goals or appear elsewhere in the Principles) and that the “FIVE OVER-RIDING PRINCIPLES” more closely resembled “planning goals”, which is to say high rank-order values. The existing Vision, Planning Goals and Five Over-Riding Principles” appear in Attachment #1.

Our initial recommendation is to delete the bulleted Planning Goals and re-cast the Five Principles as the first five of a dozen or so **Framework Goals**. The use of the term “Framework” before the word Goals conveys that they provide a broad, high-level framework of policy direction to all of the goals and policies that follow in the Plan Elements (i.e., Land Use, Transportation, etc.) This structure and approach, of Framework Goals and Policies, has served well two of the other cities I have been working with over the past year. Attachment #2 is an excerpt from the City of Maple Valley’s draft comprehensive plan while Attachment #3 is an excerpt from the City of Sammamish’s plan.

We are also recommending that the City include in the list of Framework Goals the six “priority areas” identified in the City’s Priority Based Budgeting process. See Attachment #4. Recall that as early as last fall the Committee members recognized a lot of overlap between the focus of the PBB priorities and the content of the comprehensive plan. In fact, at the end of the Visioning process last fall, Lara Hansen of EcoAdapt recommended that the six PBB priorities be

incorporated in some way into the Plan Update process. We also used these PBB priorities to help structure the six Listening Sessions earlier this year.

By integrating these priorities into the Comprehensive Plan Framework Goals, it will be possible to make the Plan a more strategic and effective decision-making tool. The GMA comp plan must include a capital facilities element which in turn provides policy direction to the city's Capital Improvement Program - however, there is no explicit GMA requirement, nor typically any direct link between these Comp Plan capital budget decisions and the long-term operating and maintenance costs and other implications of such projects – the kinds of issues that are at the heart of the priorities based budgeting approach.

I am unaware of other cities in Washington that have integrated the land use policy document and the operating budget priorities. There are models from other states, specifically, the Cities of Sunnyvale and Ontario in California. Attachment #5 is a cover sheet from the Ontario Plan explaining how that community has created a similar structure to better integrate Vision, Land Use Policy, Governance, Capital Project Planning and Organizational/Operating Budget issues.

Attachment #6 is a graphic illustration of how the Plan's Vision (as it emerges) could be linked to a new Framework of Goals and Policies, keeping the values that the community has already identified, but arraying them in a more coherent and effective way.

III. Other components to include in the Plan's Introductory Chapter

In addition to the Vision and Framework described above, the Introductory Chapter of the Plan is a logical place to set forth additional clarity about how the Plan fits into the broader framework of state law and regional policies, community history, etc. Following is a punchlist of other possible headings.

- I. Snapshot of Bainbridge Island – brief history (longer historical information can be included as an appendix)
- II. The State and Regional Framework for GMA Comprehensive planning
- III. Bainbridge Island Vision 2036 (narrative statement of preferred future)
- IV. Framework Goals (FWG) and Policies (FWP)
 - A. Twelve Framework Goals
 - FWG 1 Preserve the special character of the Island, which includes forested areas, meadows, farms, marine views, and winding roads bordered by dense vegetation.

- FWG 2 Protect the water resources of the Island.
- FWG 3 Foster diversity of the residents of the Island, its most precious resource.
- FWG 4 The costs and benefits to property owners should be considered in making land use decisions.
- FWG 5 Development should be based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level.
- FWG 6 Exercise **Good governance** structures and practices
- FWG 7 Grow a **Vibrant economy**
- FWG 8 Nurture a **Healthy and attractive community**
- FWG 9 Build **Reliable Infrastructure and Connected Mobility**
- FWG 10 Grow a **Green, Well Planned Community**
- FWG 11 Maintain a **Safe City**
- FWG 12 *Promote a culture of stewardship, citizenship and civic engagement*

B. Framework Policies

Attachments #2 and #3 illustrate how framework policies can be grouped to serve and move forward specific framework goals. Note that each of the six PBB priorities on Attachment #4 is surrounded by actions or steps that look very much like policy statements. The staff, PC subcommittee and I could draft appropriate re-statements of some of these as Framework Policies under FWG's 6 through 11. Some of these may fit well under FWGs 1 through 5. Another potential source of Framework Policies grouped under FWGs 1 through 5 is the Final Report of the Mayor's 2025 Growth Advisory Committee.

C. Relationship of Framework Goals and Policies to Comp Plan Elements

- V. Relationship of the Comprehensive Plan to
 - A. City functional plans such as parks, stormwater and utility plans
 - B. Other units of local government on the Island
- VI. How this Plan is implemented
 - A. Development Regulations
 - B. Capital Projects
 - C. Operating budget
 - D. Partnerships with other jurisdictions
 - E. Partnerships with non-profit organizations
- VII. Processes for amending this Plan

Attachments

- #1 Existing Comprehensive Plan Vision, Goals and 5 Overriding Principles
- #2 City of Maple Valley Vision, Framework Goals and Policies
- #3 City of Sammamish Vision and Framework
- #4 City of Bainbridge Priority Based Budgeting Priorities
- #5 Excerpt from the City of Ontario Plan
- #6 Proposed City of Bainbridge Island Vision, Framework Goals and Policies

VISION STATEMENT

Bainbridge Island is a cohesive community with a distinctive urban center and individual settlements. Winslow is the heart of the Island. It is the place where all residents come to transact daily commerce and to meet for social activities. Its vibrant, pedestrian-oriented core should be enhanced as a center for the Island's commercial activity, a common area or center where the local community can meet. The neighborhood service centers of Rolling Bay, Island Center, and Lynnwood Center offer small-scale commercial and service activity outside Winslow. These areas would remain much as they are, with some in-fill development.

Outside of Winslow and the service centers, Bainbridge Island should preserve its pastoral heritage, which is rooted in its open spaces, winding roads, and small-scale agricultural establishments. It should preserve the distinctive qualities of its harbors and small communities. New development should be compatible with the natural landscape.

Bainbridge Island is economically linked to Seattle; however, the artistic, cultural and entrepreneurial spirit of its residents should be encouraged by providing opportunities for environmentally-sound businesses and home occupations.

The Island's natural amenities should be linked through corridors of green--trails, wildlife corridors, and landscape buffers along scenic roads and major arterials. Public access to the shoreline should be improved and the shoreline should be protected from overdevelopment. Development should not be haphazardly imposed upon the landscape, but should be sensitive to its natural environs, recognizing the natural carrying capacity of Bainbridge as an Island, based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level. Foremost, Bainbridge Island should preserve the diversity of one of its most precious resources--its people. The Island should remain a place where the business people, artists, farmers and long-time residents can all find a place to live.

GOALS

- Preserve open space and the character of the natural landscape.
- Preserve environmentally sensitive areas.
- Protect the water resources of the Island, which are of primary importance to its residents.
- Preserve and encourage agricultural activities as a means of providing locally grown food, enhancing the cultural and economic diversity of the community and preserving open space and view corridors.
- Foster the diversity of the residents of the Island, its most precious resource.
- Encourage the retention of small-scale service centers outside Winslow.
- Provide a variety of housing choices for residents.
- Foster a financially sound development pattern.
- Preserve a reasonable use of the land for all landowners.
- Reduce reliance on the auto and encourage establishment of pedestrian and bicycle-oriented communities.
- Provide affordable housing.
- Establish Winslow's urban core as a mixed-use, pedestrian-oriented village.
- Foster the energy, drive, initiative and artistic talent of Island residents by encouraging home occupations and environmentally-sound businesses, with minimal impact on groundwater resources.
- Provide adequate public facilities and utilities within the citizens' ability to pay which maximize public safety and minimize adverse environmental impacts.
- Support, protect and enhance the value of the arts and humanities as essential to education, quality of life, economic vitality, broadening of mind and spirit, and as treasure in trust for our descendans

FIVE OVERRIDING PRINCIPLES THAT GUIDE THE PLAN

1. Preserve the special character of the Island which includes forested areas, meadows, farms, marine views, and winding roads bordered by dense vegetation.
2. Protect the water resources of the Island.
3. Foster diversity of the residents of the Island, its most precious resource.
4. The costs and benefits to property owners should be considered in making land use decisions.
5. Development should be based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level.

ATTACHMENT 2 - City of Maple Valley Vision Framework Goals and Policies



Vision Framework Goal 2

Promote economic vitality, job creation, and local access to goods and services

VF Policy 2.4 *Focus new jobs-based commercial, retail and service uses in the South Activity Center and Legacy mixed use property.*

VF Policy 2.5 *Develop a business retention and expansion program and support efforts that foster small business development and entrepreneurship.*

VF Policy 2.6 *Build and promote existing and new relationships with workforce development organizations, training providers and educational institutions to strengthen the city's workforce pipeline and its reputation for skilled workers.*



Vision Framework Goal 3

Create a fiscally sustainable city government

VF Policy 3.1 *Develop and promote an organizational culture within city hall that is oriented to economic development in city services and communicate that priority to residents and externally.*

VF Policy 3.2 *Utilize an approach to land use, transportation and infrastructure development that promotes the generation of family-wage jobs and diversifies the city's revenue base.*

VF Policy 3.3 *Attract family-wage employers to the city in order to diversify the city's revenue base, provide employment opportunities for Maple Valley residents, and increase the city's daytime population.*

Vision and Planning Framework

This section contains the City of Sammamish Comprehensive Plan Vision Statement and frameworks for sustainability and health, citizen participation and amending the Comprehensive Plan.

Sammamish Vision

A vision statement is an aspirational description of the future that the City is trying to achieve through its plans and actions. For this Comprehensive Plan, the vision statement should use words to paint a picture of the City of Sammamish in 2035.

The City's 2003 Comprehensive Plan contains a vision statement that served as a good starting place for reviewing and considering an updated vision to 2035. Citizens were asked what they value about Sammamish and helped to identify priorities for the future. Recognizing that, 20 years in the future, today's youth will be adults, middle and high school students also participated in helping to prioritize ideas for what Sammamish should be like in 2035. The City Council and Planning Commission reviewed these findings and used this information to develop the updated vision for the City.

Sammamish is a vibrant suburb blessed with a well-preserved natural environment, a family-friendly, kid-safe culture, and unrivaled connectedness. From its expanding tree canopy, to its peaceful neighborhoods, to its multi-modal transportation resources, Sammamish captures the best of the past even as it embraces a burgeoning digital future. It is a state-of-the-art community—engaged, responsive and generous in its support for the full range of human endeavor.



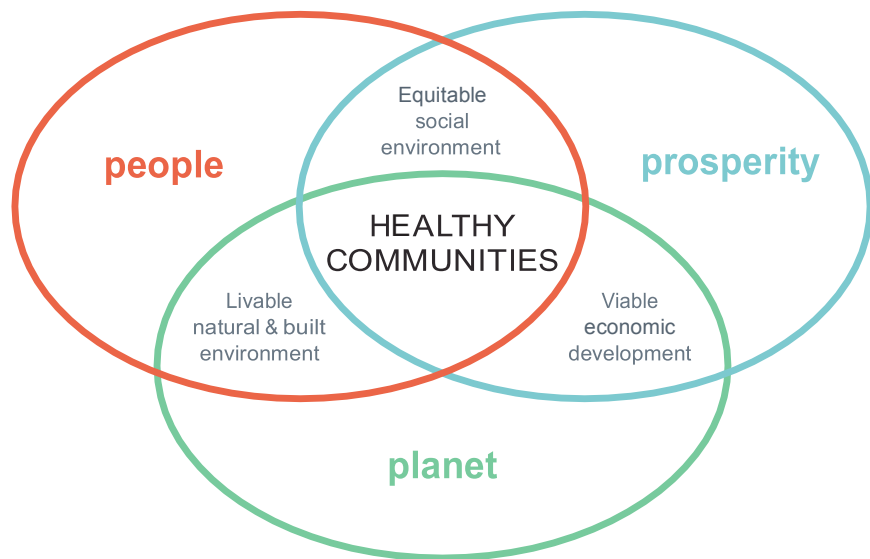
Inglewood (later Sammamish) logger, ca. 1900 (courtesy Issaquah Historical Society, neg. no. 86-18-242b)



Docks at Pine Lake Resort, Sammamish Plateau, ca. 1958 (courtesy Sammamish Heritage Society)

Sustainability and Health

Healthy and sustainable places are built on a foundation that considers the needs of the community with respect to environmental quality, economic vitality and social equity. As shown in the diagram below, these characteristics are also referred to as people, prosperity and planet. Healthy and sustainable communities are in balance with respect to people, prosperity and planet.



The City of Sammamish has prioritized sustainability and health as an overriding goal for the Comprehensive Plan. The Health and Sustainability Framework, shown below, is the foundation for incorporating health and sustainability goals and policies throughout the Comprehensive Plan. In each element, goals and policies that focus specifically on sustainability and healthy communities are highlighted with the icon at left.



Framework for Sustainability and Health

- HS.1 Create and protect healthy habitat
- HS.2 Maintain a diverse ecosystem supporting a variety of wildlife
- HS.3 Maintain Sammamish's forested character
- HS.4 Conserve energy
- HS.5 Conserve water and protect water quality
- HS.6 Protect air quality
- HS.7 Reduce energy consumption and emissions related to mobility
- HS.8 Foster healthy neighborhoods
- HS.9 Promote sustainable development through the use of environmentally sensitive building techniques and low impact stormwater methods
- HS.10 Minimize the physical infrastructure required for mobility
- HS.11 Promote a culture of environmental and human health through public education, city demonstration projects and programs
- HS.12 Promote inclusive citizen involvement in shaping decisions for Sammamish's future
- HS.13 Support a local economy that provides economic growth opportunities.



City of Bainbridge Island, Washington

ATTACHMENT # 4 Priority
Based Budgeting - 6 priorities



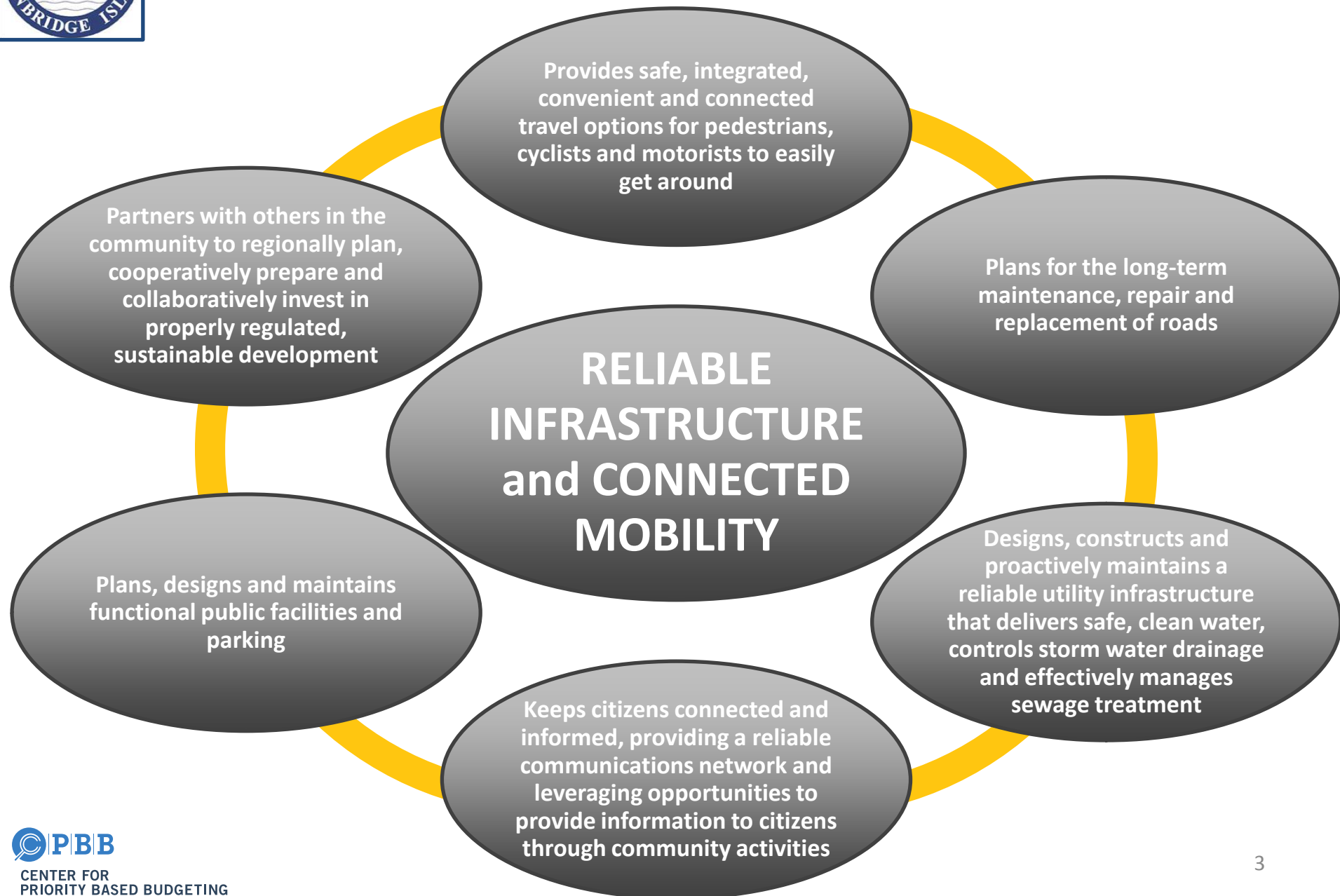


City of Bainbridge Island, Washington





City of Bainbridge Island, Washington





City of Bainbridge Island, Washington

Designs, develops and enhances parks, trails, open spaces and recreation facilities, ensuring they are convenient, safe, accessible, attractive and well-maintained, including collaboration with other public and private entities.

Ensures proactive code enforcement and regulation to provide for a safe, well-maintained, attractive and healthy environment, ensuring access to clean air and water

Promotes and preserves the eclectic and nostalgic "feel" of the community to support and improve tourism and to strengthen the local economy

Provides connected transportation and communications networks to ensure accessibility throughout the community

Cultivates a strong sense of culture and community by ensuring access to parks and gathering spaces, exposure to the arts, quality education and opportunities for life-long learning

Provides for the basic physical needs and well-being of its citizens, ensuring a variety of available housing options, and providing economic and social support services to at-risk children and families, the homeless, and those in need of mental health services.

Collaborates with regional governments and local non-profit social service agencies.

HEALTHY AND ATTRACTIVE COMMUNITY



City of Bainbridge Island, Washington

Actively recruits, retains and supports a diverse mix of quality businesses that meet both the seasonal and day-to-day needs of the community

Supports and encourages training and career development opportunities for the local workforce

Stimulates and supports local businesses through incentives, community partnerships, available housing and efficient, fiscally-responsible, "business-friendly" processes

VIBRANT ECONOMY

Collaborates with local organizations and business groups to market and cultivate its amenities, attractiveness, location, livability and tourism opportunities

Provides a safe, accessible, reliable, connected and well-planned place to live and work



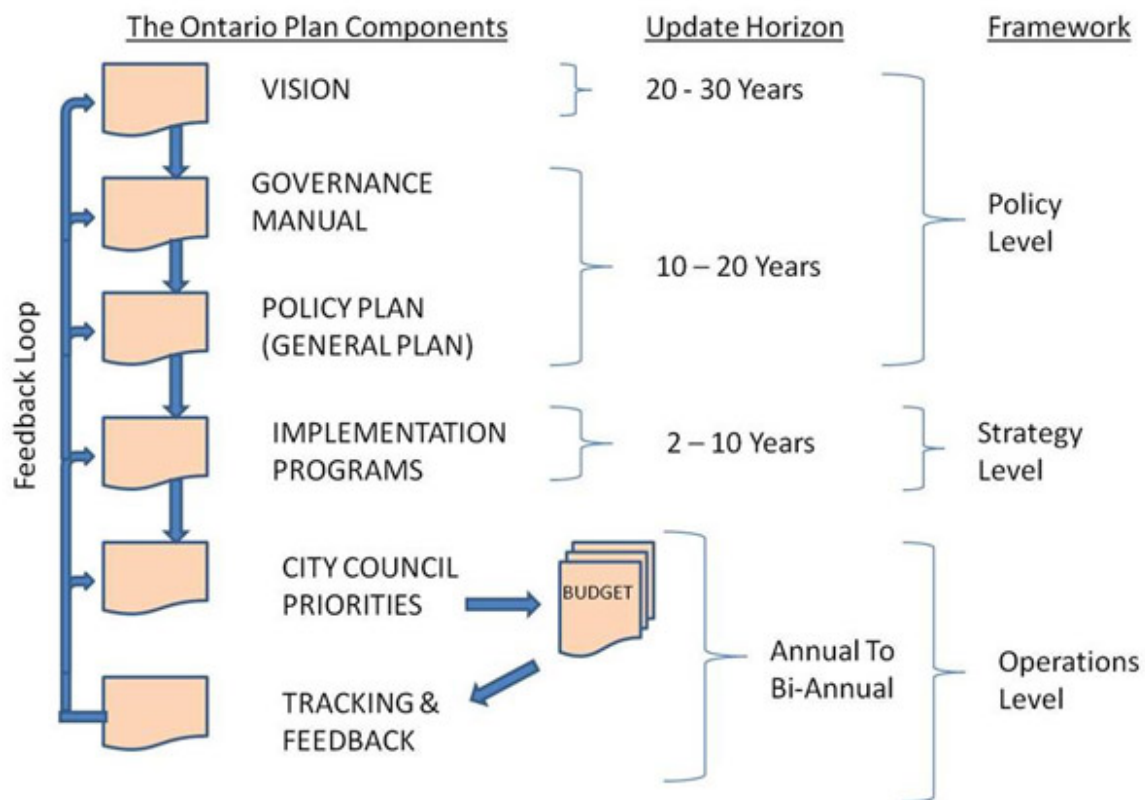
City of Bainbridge Island, Washington



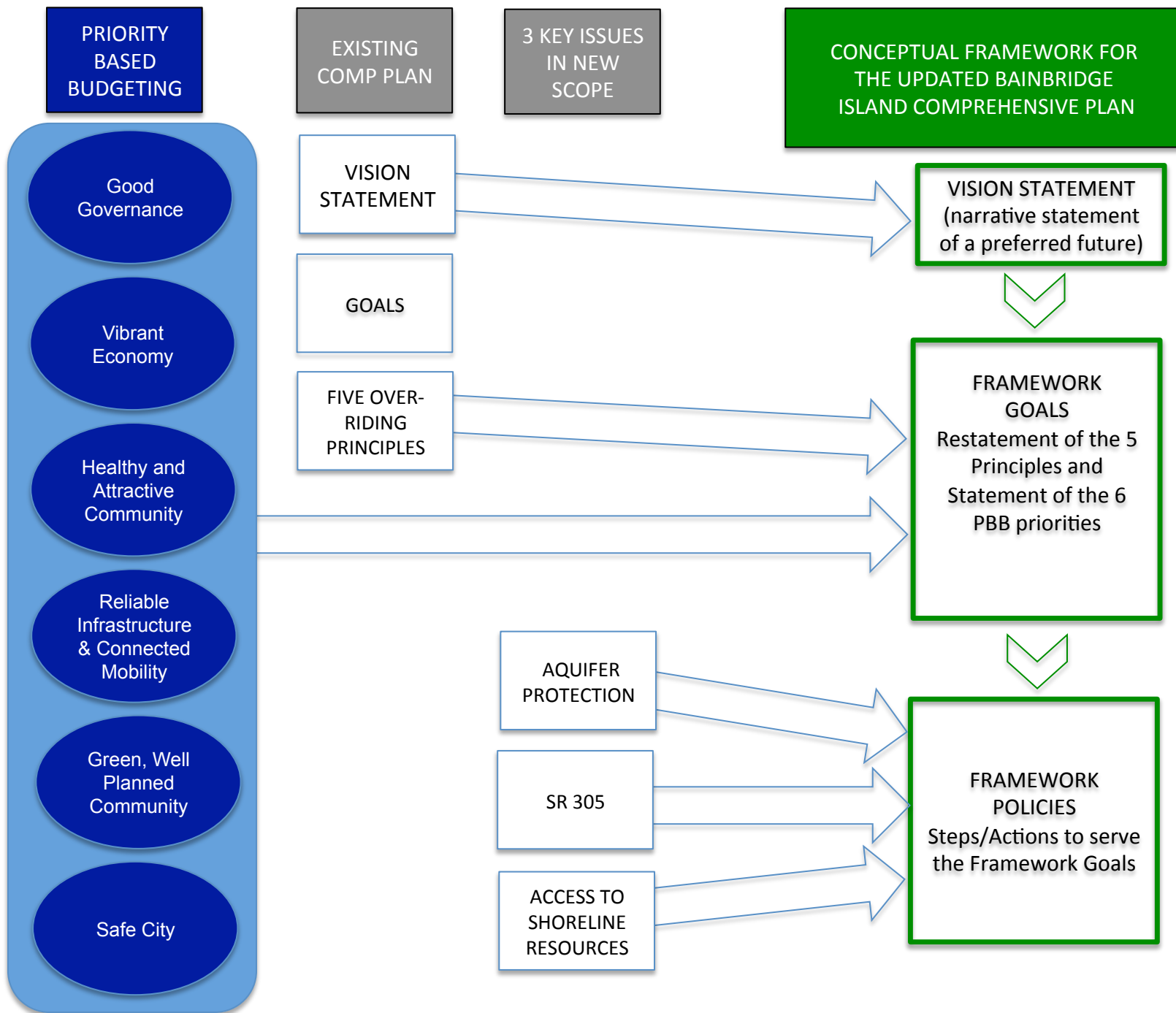
ATTACHMENT #5 - City of Ontario Vision, Governance, Policy, Implementation Plan

The Ontario Plan is a dynamic framework for sustained, comprehensive leadership in building our community. It integrates components of city governance documents that are typically disconnected. The Plan states community direction at a point in time (2008) and integrates it into a single guidance system that will shape the Ontario community 20 years or more into the future.

The Ontario Plan provides for lasting policies to accommodate change. It consists of a [Vision](#), [Governance Manual](#), [Policy Plan](#), [City Council Priorities](#), [Implementation Plans](#) and Tracking and Feedback.



ATTACHMENT #6 – Proposed Introduction/Framework for City of Bainbridge Island Comprehensive Plan





Memorandum

TO: Navigate Bainbridge Steering Committee

FROM: Joseph W. Tovar, FAICP

DATE: May 18, 2015

SUBJ: Proposed color-coded revisions to Land Use Element

Another topic for review at the Planning Commission's May 28 meeting is a first cut at potential amendments to the Land Use Element. The direction for this task comes from City Council Resolution 2015-04 to "streamline, clarify and strengthen" the text of the comprehensive plan. Most of the proposed revisions shown on Attachment A are housekeeping and cleaning up format and organization for greater clarity.

This draft does not make any major policy changes, focusing instead on improvements to format, organization and clarity. Where have noted in this draft where some of those major policy issues exist and await your further deliberation and subsequent direction before we draft additional potential text.

This draft uses color coding to highlight what text is a candidate for deletion, addition, movement to the appendix or potentially taking up as part of a code amendment or subsequent subarea planning. We did not use the traditional ~~striketrough~~ and underlining protocol because with this much potential change it would be very difficult to read. The following color code highlighting is applied to identify proposed alterations to the Land Use Element:

NEED PC DIRECTION *Identifies an issue area where the Planning Commission (PC) needs to provide policy direction to guide drafting of potential new text.*

UPDATE *identifies text that requires updated information to be accurate and current.*

DELETE *Identifies text proposed to be removed. Detailed rationale will be explained at the PC meeting of 5 28 15.*

ADD *identifies text to be added to the plan. Detailed rationale will be explained at the PC meeting of 5 28 15.*

TO APPENDIX *identifies information that is informative, but does not need to be in the body of the Comprehensive Plan.*

TO TEMPORARY MOORAGE *identifies text/issues that should be taken up by the PC later, such as code amendments or subarea planning.*

This draft has been reviewed by your subcommittee of Commissioners Gale and Quitslund and they have recommended it for your consideration.

Attachment #1 - Draft amendments to the Land Use Element

LAND USE ELEMENT

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NOTE: This draft document addresses the Key Issue identified in City of Bainbridge Island Resolution 2015-04 to “streamline, clarify and strengthen text” with respect to the Land Use Element. The following color highlighting is applied to identify proposed alterations to this draft:

NEED PC DIRECTION Identifies an issue area where the Planning Commission (PC) needs to provide policy direction to guide drafting of potential new text.

UPDATE identifies text that requires updated information to be accurate and current.

DELETE Identifies text proposed to be removed. Detailed rationale will be explained at the PC meeting of 5 28 15.

ADD identifies text to be added to the plan. Detailed rationale will be explained at the PC meeting of 5 28 15.

TO APPENDIX identifies information that is informative, but does not need to be in the body of the Comprehensive Plan.

TO TEMPORARY MOORAGE identifies text/issues that should be taken up by the PC later, such as code amendments or subarea planning.

LAND USE ELEMENT

INTRODUCTION

The Land Use Element and Environmental Element are at the heart of the Comprehensive Plan. Together they describe the balance between the distribution, location, preservation and protection of uses of land, including housing, commerce, light manufacturing, recreation, open spaces, natural resources, public utilities, public facilities, and other land uses necessary to plan for future growth in a manner that reflects the overall vision of the Comprehensive Plan.

The first section of the Land Use Element provides an overview of the existing pattern of development: 1) how much of the land is currently devoted to residential, commercial, light-manufacturing, public facilities, and agricultural uses, 2) where these uses are located, 3) how much of the land is vacant, and 4) the future development potential on the Island.

The second section of the Element contains the goals and policies, which provide guidance for future land use.

Framework of the Plan

The Framework Goals and Policies establish the overall approach to managing growth on Bainbridge Island. As a city, Bainbridge Island is an urban growth area under GMA. However, future growth on Bainbridge will be accommodated in a manner that is consistent with the requirements of GMA, yet retains the Island's character and quality of life that its residents so highly value.

Five **overriding principles** **goals** guide the Plan:

- 1) Preserve the special character of the Island which includes forested areas, meadows, farms, marine views, and **winding roads that support all forms of transportation bordered by dense vegetation.**
- 2) Protect the water resources of the Island.
- 3) Foster the diversity of the residents of the Island.
- 4) Balance the costs and benefits to property owners in making land use decisions.
- 5) **Base development on the principle that the** **The** Island's environmental resources are finite and must be maintained at a sustainable level.

There is another important concept in the Plan. Due to the Island's ability to accommodate the anticipated growth through the number of existing platted lots on the Island and the unused capacity under current zoning, increase in density over current zoning should further a public purpose. The public purposes identified in the Plan are:

- 1) Shift density from critical areas and farmland to Winslow **or other designated sites.**
- 2) Provide affordable housing.
- 3) Contribute to public infrastructure and public amenities in excess of what is needed to mitigate the impacts of development.

Another important component of the Plan's framework is an emphasis on establishing benchmarks against which to assess the continued viability of the Plan. A monitoring program must be created to track the success of the City in achieving the vision and goals of the Plan.

Winslow

Winslow is the area of urban concentration on the Island. The Plan creates a *Mixed Use Town Center* (MUTC) which is to be the vibrant, pedestrian-oriented core of Winslow, and also recommends a change of approximately 46 acres of multi-family residential designation to the *Mixed Use Town Center*. In the MUTC, densities of up to 28 units per acre or the equivalent in floor area ratio are recommended, but only if the increase in density over existing zoning is achieved through the use of transfer development rights (TDRs) or by providing affordable housing or contributions to infrastructure in excess of what is needed to mitigate the impacts of development.

Five overlay districts are designated to address the distinct neighborhoods and commercial areas within the Town Center:

- *Central Core Overlay District* – To provide the commercial center; residential uses are encouraged, but not required.
- *Ericksen Avenue Overlay District* – To preserve the unique and historical features of Ericksen Avenue; retail is permitted only if on the ground floor with residential or office development above.
- *Madison Avenue Overlay District* – To provide a mix of residential and small-scale, nonresidential uses; all retail and office development must contain a residential component.
- *Gateway Overlay District* – To protect the ravine and provide low-intensity, tourist-oriented commercial, multi-family and agricultural uses.
- *Ferry Terminal* – To provide ferry and associated transportation-oriented uses and a residential/office neighborhood with limited retail adjacent to the terminal to serve commuters.

The High School Road District is meant to provide commercial uses that complement the Town Center and that benefit from auto access near SR 305. Special planning considerations are provided for coordinated development for the area in and around the ferry terminal, and for properties which abut Eagle Harbor. A master plan for Winslow will be developed to implement the goals and policies of the Plan.

The Plan recognizes the existing residential districts in Winslow and suggests that the urban Multi-family District could be appropriate for an increase in density with the use of TDRs after monitoring the success of the TDR program in the Mixed Use Town Center.

Neighborhood Service Centers

The Neighborhood Service Centers will continue to serve as small-scale commercial activity centers. The residential density within the service centers would remain at two units per acre.

Island Center

Expansion of the boundaries of Island Center would be considered part of a special planning-area process. ~~A contract zoning district for~~ the 10-acre site on the northwest corner of Miller and Battle Point Roads would be established to continue with garden supply sales, nursery, and related uses, and provide for some possible expansion of those uses.

Lynwood Center

The Plan recommends one change for Lynwood Center. This change is the removal of the 10-acre parcel currently designated for commercial development in Lynwood Center and designating the parcel as appropriate for increased residential density of up to five units per acre with public water and sewer. A special planning area process is also recommended for Lynwood Center.

Rolling Bay

Expansion of the boundaries of Rolling Bay would be considered as part of a special planning area process.

Business/ Industrial (B/I)

The Plan recommends expansion of the existing *Business/ Industrial District* at Day Road by an additional 35 acres. Federal, state, and local regulations govern the handling and disposal of hazardous substances and hazardous waste and will be used to guide future business/ industrial development.

Areas Outside Winslow, NSCs, and B/I

The areas of the Island outside Winslow, the neighborhood centers, and the business/ industrial areas are designated *Residential Open Space* and are characterized by forest lands, meadows, small-scale farms, and narrow, winding heavily-vegetated roadways. These areas also contain much of the Island's sensitive areas. These include aquifer recharge areas and wetlands and streams, which serve a variety of important functions, and also serve as fish and wildlife habitat. The Plan attempts to encourage a pattern of development which will preserve and protect these areas.

The Plan recommends the creation of flexible lot design subdivision and short plat processes that will encourage a more creative approach than the traditional lot-by-lot development. This method addresses lot design, building placement, and circulation. Clustering of lots is encouraged, with varying lot sizes, to provide open space and protect the Island's natural systems.

A *Critical Areas Overlay District* is created for the protection of certain critical areas (wetlands and high-vulnerability recharge areas). The underlying base density is retained, but development is subject to the requirements of the overlay district. Development through clustering by using the Flexible Lot Design Subdivision Process, **or the use of TDRs**, is at the underlying base density. If the owner of property located in an area currently designed for development at one unit per 2.5 acres chooses to develop through a standard subdivision process, then density would be limited to one unit per ten acres.

Historic Preservation

Historic Preservation Goals and Policies recognize the importance of archaeological, cultural and historic resources on the island. Bainbridge Island is a Certified Local Government (CLG) with a Historic Preservation Commission (HPC). Responsibilities of a CLG, and its HPC, include establishing an historic preservation commission, surveying local historic properties, enforcing state or local preservation laws, reviewing nominations for the state and national historic registers, maintaining a Local Historic Register and providing resources and advocacy for historic preservation.

The City is committed to the preservation and enhancement of Bainbridge Island's historic character. Historic resources, including archaeological sites, cultural places, pastoral landscapes and historic structures are important community assets. The City recognizes that these places are an essential part of Bainbridge Island's character and **SHALL/SHOULD** be identified, evaluated, and preserved.

Siting of Essential Public Facilities

The Plan requires the creation of a Facility and Site Evaluation Committee (composed of citizens, City staff, and elected officials) to review the siting of proposed essential public facilities. The Plan **also** requires that each public agency develop a notification and communications plan to ensure early public review of proposed essential public facilities and promote trust between government agencies and the community.

Land Use maps are part of the Land Use Element.

GOALS AND POLICIES

Framework of the Plan

The GMA requires Bainbridge Island to plan, at a minimum, for the growth in population allocated to it by the Washington State Office of Financial Management and the Kitsap County Regional Planning Council. Bainbridge Island's Comprehensive Plan does accommodate projected growth in a way which is consistent with the requirements of the GMA, yet true to the community's vision and overall goals for the future.

Five **overriding principles** **goals** guide the Plan:

- 1) Preserve the special character of the Island which includes forested areas, meadows, farms, marine views, and winding roads bordered by dense vegetation.
- 2) Protect the water resources of the Island.
- 3) Foster diversity of the residents of the Island, its most precious resource.
- 4) **The costs and benefits to property owners should be considered in making land use decisions.**
- 5) Development should be based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level.

GOAL **LU-1**

The City of Bainbridge Island will plan for growth based on the growth targets established by the Kitsap Regional Planning Council: **7,430 additional residents from **1992 to 2012** and, at the same time, promote and sustain high standards that will not diminish the quality of life and/or degrade the environment of the Island.**

FRW **Policy LU 1.1**

The City accepts the Kitsap Regional Planning Council (KRPC) population allocations and will continue to analyze the impacts of these allocations as the Comprehensive Plan is implemented.

Discussion: On **June 7, 1995**, the KRPC amended the Kitsap Countywide Planning Policies to revise the 20-year planning horizon under GMA and to revise the population forecast for the County and the subarea allocation for each of the local jurisdictions within the County. Bainbridge Island was allocated a population of **24,280** by the year **2012**. The **1992** Island population was **16,850** persons. With an allocation of **24,280**, the Island must plan for an increase in population of **7,430** persons by the year **2012** (the difference between the 20-year allocated population of **24,280** and the **1992** population of **16,850**). See Introduction and Land Use Element Appendices J.

This Comprehensive Plan allocates more than enough development capacity to accommodate the target patterns, and opportunities for choice in residential location and lifestyle. Finally, the Plan acknowledges the planning constraints which result from the large number of existing nonconforming and previously platted lots.

FRW Policy LU-1.2

As a city, Bainbridge Island constitutes an urban growth area under the GMA. Although an urban growth area, future growth on Bainbridge will be accommodated in a manner which is consistent with the requirements of the GMA and yet retains the Island's character and the quality of life which its residents so highly value.

Discussion: Consistent with the Growth Management Act, all land within the City of Bainbridge Island is included in the City's urban growth area. While Bainbridge is an Island-wide City, it is not characterized by urban development with a full range of urban facilities and services, but contains a variety of development patterns that range from urban to less intense development. Winslow is the urban center of the Island. The existing Neighborhood Service Centers supplement Winslow's commercial activity, with the Business/ Industrial District providing a location for environmentally sound manufacturing businesses.

Outside of Winslow and the Neighborhood Service Centers, the Island has a rural appearance with forested areas, meadows, farms, and winding, narrow, and heavily vegetated roadways. These characteristics represent the Island character that is so highly valued by its residents. As important as preserving Island character is to its residents, of equal importance is the protection of the Island's environmentally sensitive areas. These outlying areas contain much of the Island's sensitive areas – the major recharge areas for the Island's aquifers, wetlands, and streams which serve a variety of important functions. Much of the area serves as fish and wildlife habitat. There is strong public support to encourage a pattern of development which preserves and protects this portion of the Island.

FRW Policy LU-1.3

The Plan targets Winslow to accommodate 50% of the population growth through the year 2012, with the Neighborhood Service Centers to accommodate up to 5%. The balance of the growth would be absorbed throughout the remainder of the Island. For purposes of allocating 50% of the growth, Winslow SHALL/SHOULD be defined as Winslow Master Plan Study Area. (Figure 2.3 of the Winslow Master Plan.)

Discussion: The 1992 population of Winslow was 3,397 persons. Fifty percent of the Island's 2012 population allocation is 3,715. Winslow is therefore targeted for a 2012 population of 7,112 persons. The 2003 population estimate for the City of Bainbridge Island as provided by the Washington State Office of Financial Management (OFM) is 21,350 people.

The Winslow Master Plan study area is intended to encourage a neighborhood of the Island which contains a strengthened, vital downtown where people want to live, shop and work. Outside the mixed use, higher density center, there would be a variety of housing choices, from higher density multi-family areas immediately adjacent to the downtown to single family residential neighborhoods.

GOAL LU-2

Establish areas of urban concentration where public facility and service capacities already exist, or are being developed, and which are characterized by growth that will be served by a combination of existing and new public facilities and services.

FRW Policy LU-2.1

Winslow is the urban core of the Island, while the existing Neighborhood Service Centers are small-scale centers. In order to achieve the goals of the GMA this Plan would:

- Encourage development in areas where public facilities and services exist or can be provided in an efficient and effective manner.
- Provide a vibrant, pedestrian-oriented core.
- Reduce sprawl.
- Provide choice of housing location and lifestyle.
- Maintain and protect environmentally sensitive and resource lands.
- Encourage the retention of open spaces.
- Maintain and enhance the fish and wildlife habitat.

FRW Policy LU 2.2

Increased density over and above the existing zoning in the NSCs should only occur through a shift in density from critical areas overlay districts and farms through TDRs and through the use of density bonuses for affordable housing.

Development within the MUTC and High School Road Districts ~~SHALL~~/SHOULD be consistent with the Winslow Master Plan (contained in the Subarea chapter of this Plan). The level of development ~~SHALL~~/SHOULD be determined by using Floor Area Ratio (FAR) rather than dwelling units per acre. The use of FAR may result in an increase in the base level of development (density) over the existing zoning, but will provide greater flexibility in type and size of housing units that will further the goals of this Plan.

A base level of commercial and residential density within the overlay districts of the MUTC and the High School Road districts ~~SHALL~~/SHOULD be established as described in the Winslow Master Plan, with an increase in the FAR allowed through the use of:

- Affordable housing.
- TDRs (transferable development rights).
- Contributions to public infrastructure and public amenities in excess of what is required to mitigate the impacts of development.
- Transfer of density within the MUTC and within the High School Road Districts.
- Preservation on-site of historic structures eligible for inclusion on a local, state or federal register of historic places.
- Locating ferry-related parking under building.

FRW Policy LU 2.3

Phasing mechanisms and/or incentives should be developed to promote the timely and logical progression of commercial and residential development.

GOAL LU-3

This Comprehensive Plan recognizes and affirms that, as an Island, the City has natural constraints based on the carrying capacity of its natural systems. The Plan strives to establish a development pattern that is consistent with the goals of the community and compatible with the Island's natural systems.

FRW Policy LU 3.1

Recognizing that the carrying capacity of the Island is not known, the citizens of Bainbridge Island should strive to conserve and protect its natural systems, within the parameters of existing data. Revisions to the Plan should be made as new information becomes available.

Discussion: The carrying capacity of Bainbridge Island is determined by many factors, including the supply of limited resources (particularly water), changes in patterns of consumption, and technological advances. This Plan acknowledges that, with current information, the carrying capacity of the Island is not known. During the timeframe of this Plan, additional information on the carrying capacity of the Island should be developed. The Plan seeks to take a balanced and responsible approach to future development. As our understanding of the Island's capacity changes, the recommendations of this Plan should be reconsidered to ensure that they continue to represent a responsible path for the long-range future of the Island.

FRW Policy LU 3.2

A public education program should be established to foster the community's understanding of the natural systems on the Island and their carrying capacity.

FRW Policy LU 3.3

This Plan recognizes that stewardship of the land is a responsibility of individual citizens and the community as a whole. Through its status as an employer and landowner, the City ~~SHALL~~/SHOULD take advantage of its opportunities to be an example of environmental stewardship so that others will be encouraged to follow suit.

FRW Policy LU 3.4

The City ~~SHALL~~/SHOULD develop a program which recognizes and rewards stewardship so that others will be encouraged to follow suit.

GOAL LU-4

Ensure that the community vision and goals embodied in this plan are actually obtained.

FRW Policy LU 4.1

Develop a series of benchmarks against which to measure the Plan's continued viability and ensure that continued public input is part of the monitoring program.

FRW Policy LU 4.2

The Action Plan to implement the Comprehensive Plan should be reviewed yearly to determine if the actions described in the Action Plan have been accomplished.

GOAL LU-5

Strive to ensure that basic community values and aspirations are reflected in the City's planning program while recognizing the rights of individuals to use and develop private property in a manner that is consistent with City regulations. Private property **SHALL/SHOULD** not be taken for public use without just compensation having been made. The property rights of landowners **SHALL/SHOULD** be protected from arbitrary and discriminatory actions.

GOAL LU-6

All government entities should strive to cooperate and serve their constituents in a fiscally sound manner.

Discussion: In addition to the City government, there are three special purpose districts and the Bremerton-Kitsap County Health District and Sewer District #7 which all serve the citizens of Bainbridge Island, as well as a number of state and county agencies. This goal addresses the need for cooperation and coordination in order to serve the Island's citizens in the most cost effective manner.

GOAL LU-7

Develop a meaningful process for citizen participation which **includes** **tries to obtain** participation from all segments of the Island community.

General Land Use

GOAL LU-8 1

Ensure a development pattern that is true to the vision for Bainbridge Island by reducing the inappropriate conversion of undeveloped land into sprawling development.

LU 1.1 Policy LU 8.1

Land use designations should reflect the priority of Bainbridge Island to remain primarily residential, with nonresidential development outside of the Winslow area concentrated in the service centers and at the designated Business/ Industrial areas.

LU 1.2 Policy LU 8.2

Winslow is the heart of Bainbridge Island. Higher intensity residential and commercial development and human activity is encouraged within Winslow's central core to create a vibrant city center, place growth where infrastructure exists, reduce reliance on the

automobile, provide opportunities for affordable housing, and absorb growth that would otherwise be scattered in outlying areas.

LU 1.3 Policy LU 8.3

The Neighborhood Service Centers of Island Center, Rolling Bay, and Lynwood Center offer small-scale, commercial and service activity outside of Winslow. These Neighborhood Service Centers should be allowed to develop at slightly higher densities to reinforce their roles as small-scale, community centers.

LU 1.4 Policy LU 8.4

New commercial centers should be considered only after detailed analysis of the economic impact of the new development shows there will be no significant, adverse impact on the existing commercial centers, including Winslow.

LU 1.5 Policy LU 8.5

The areas at Day Road and Sportsman Club Road designated as Business/ Industrial are intended to augment the Winslow Core and the Neighborhood Service Centers and serve an important function that allows a diverse economy with business retention, growth and innovation on the island.

Discussion: The comprehensive land use plan for Bainbridge Island strives to provide for the full range of community needs. The Business/ Industrial District can provide economic activity that includes a variety of low-impact, nonpolluting uses that reflect and respond to changing market conditions and are compatible with the community.

LU 1.6 Policy LU 8.6

Development outside of Winslow and the neighborhood centers should be compatible with the distinctive features of the Island's open spaces, harbors, winding roads, small-scale agricultural establishments, natural landscape, and distinctive communities.

LU 1.7 Policy LU 8.7

The Future Land Use Map adopted in this Plan **SHALL/SHOULD** establish the future distribution, extent, and location of generalized land uses. Uses of land on Bainbridge Island should reflect the intent of the vision, goals, and policies as well as the Land Use Map.

LU 1.8 Policy LU 8.8

Applications for development approval on Bainbridge Island should be processed within the timelines established in the City's land development regulations in order to ensure affordability, fairness, and predictability in the land development process.

Policy LU 8.9

LU 1.9

Special Planning Areas

~~NEED PC DIRECTION~~ ~~UPDATE~~ ~~DELETE~~ ~~ADD~~ ~~TO APPENDIX~~ ~~TO TEMPORARY MOORAGE~~

A Special Planning Area is an area which reflects uses and/or conditions which are unique to that area and would benefit from a local and/or neighborhood planning process. The Special Planning Area process would address such issues as current use, future mix and location of uses and densities, transportation, public facilities, services and amenities, and protection of natural systems. The Special Planning Area process would include property owners and neighborhood participation, and may include mediation as a means to resolve significant issues, if directed by the City Council. The end result of a special planning process would be a “neighborhood,” “subarea” or site-specific plan which will require an amendment to the Comprehensive Plan, unless no changes to the Plan’s policies are proposed.

Residential Goals and Policies

A specific set of residential policies are contained in the Housing Element. Goals and policies related to residential development are also located throughout the Land Use Element (e.g. Winslow, Neighborhood Service Centers and the Open Space Residential).

Commercial and Mixed Use Goals and Policies

GOAL LU-9 2

Provide attractive, conveniently located, commercial development that is appropriate in scale, configuration, and location. Such development SHALL/SHOULD be limited to the commercial and mixed use districts, the Neighborhood Service Centers, and home occupations.

LU 2.1 Policy LU 9.1

The major center for new commercial development **SHALL/SHOULD** be the Mixed Use Town Center and the other commercial districts in Winslow.

LU 2.2 Policy LU 9.2

The Neighborhood Service Centers should provide Island-wide small-scale commercial and service activity outside Winslow.

LU 2.3 Policy LU 9.3

Nonresidential uses should be oriented toward the pedestrian. Retail uses should be encouraged on the ground-floor to prevent blank walls with little visual interest for the pedestrian. Offices and/or residential uses should be encouraged above ground floor retail.

LU 2.4 Policy LU 9.4

Home occupations provide employment opportunities and should be permitted where they are compatible with surrounding neighborhoods and the environment.

Parking

GOAL LU-10 3

Parking lots SHALL/SHOULD be constructed to minimize visual and environmental impacts.

~~NEED PC DIRECTION~~ ~~UPDATE~~ ~~DELETE~~ ~~ADD~~ ~~TO APPENDIX~~ ~~TO TEMPORARY MOORAGE~~

LU 3.1 Policy LU 10.1

Landscaping standards SHALL/SHOULD be established for the parking lots of multi-family, commercial, office, and mixed use developments to provide visual screening and to limit the impacts of impervious surfaces. Consideration should be given to the use of street trees which will allow solar access.

LU 3.2 Policy LU 10.1.

Encourage parking in the rear or side yards of multi-family, commercial, and mixed use developments. Parking lots should be pedestrian-oriented and should provide pedestrian and bicycle routes between the street, the parking area, and the main entrance, and consideration should be given to the use of trees that allow solar access.

GOAL LU-11 4

Prioritize program goals and establish and maintain planning tools, including a purchase and transfer of development rights program, that implements the goals and policies of this Plan and allow transferring development rights from areas intended for conservation, and promoting development in areas suitable for development.

LU 4.1 Policy LU 11.1

The City should develop a Transfer of Development Rights (TDR) program which establishes requirements and procedures for transfer of development rights from sending areas to receiving areas. The TDR program should contain provisions for the sale and purchase of development rights.

LU 4.2 Policy LU 11.2

The City recognizes the need to take a proactive role in the purchase and transfer of development rights and such a program should include:

- 1) Designating appropriate staff resources to promote the program;
- 2) Providing for the outright purchase of development rights by the City and establishing a fund for banking development rights; and
- 3) Creating a mechanism that coordinates the purchase and transfer of development rights.

Discussion: This policy should be undertaken only after implementation of Policy LU 4.3 has been completed and the TDR program has been determined to be feasible.

LU 4.3 Policy LU 11.3

The City should undertake a study to identify and prioritize areas (or resources) of the Island that are valued by the community and are appropriate for conservation through the purchase and/or the transfer of development rights (TDR) program. These areas or resources SHALL/SHOULD be identified as appropriate “sending areas” in the TDR program.

Discussion: Appropriate sending areas for example, could contain sensitive lands that are not

protected by the critical areas regulations, priority links in the Wildlife Corridor, priority open space lands, or historic resources. Determination of appropriate sending areas should also be coordinated with the development of an Island-wide open space plan.

LU 4.4 (Moved from OS 2.6) **Policy LU 11.4**

The City should initiate an outreach program to educate property owners and potential buyers about the use of the Purchase and Transfer of Development Rights program.

Winslow

Winslow Mixed Use and Commercial Districts

GOAL LU-12 1

The Winslow mixed use and commercial districts are designed to strengthen the vitality of downtown Winslow as a place for people to live, shop, and work. The Mixed Use Town Center is intended to have a strong, residential component to encourage a lively community during the day and at night. The most intense commercial area in Winslow is in the Central Core Overlay District. In this area, a vertical mix of uses is encouraged, but exclusively retail and/or office uses are permitted as well. In other areas of the Mixed Use Town Center District, office and retail uses should include a residential component.

W 1.1 Policy LU 12.1

The Mixed Use Town Center is intended for select areas within one mile of the ferry terminal and particularly the downtown core area, which is within one-half mile of the ferry terminal, that are suitable for pedestrian-oriented development.

W 1.2 Policy LU 12.2

The Mixed Use Town Center District includes diversity in types of housing, shopping, civic facilities, recreation, and employment. A variety of land uses are allowed which promote a pedestrian atmosphere, enhance the viability of the Town Center and can be developed in a manner which is harmonious with the scale of the Town Center. Land uses which require outdoor storage or which have primarily an auto orientation, such as drive-through establishments, are not permitted within the Mixed Use Town Center.

W 1.3 Policy LU 12.3

To ensure the visual appeal and pedestrian-orientation of the land uses, the land development regulations **SHALL/SHOULD** include design standards for:

- Building height, bulk, and placement.
- Landscaping.
- Land coverage.
- Open space.
- Parking requirements.
- Signage.
- Street improvements.

W 1.4 Policy LU 12.4

The base levels of development in the Mixed Use Town Center and High School Road Districts ~~SHALL~~/SHOULD be determined by the floor area ratios (FAR) established in the Winslow Master Plan. A maximum level of development may be achieved through the use of FAR bonus provisions established in the Winslow Master Plan, including Transfer Development Rights, an affordable housing density bonus or contributions to public infrastructure or public amenities in excess of what is required to mitigate development impacts.

W 1.5 Policy LU 12.5

The area north of Bainbridge Performing Arts to High School Road, between Madison and Ericksen Avenues, is most appropriate for high-density, residential uses.

W 1.6

The permanent location of City Hall should be in downtown Winslow.

W 1.7

A master plan for Winslow will be developed to implement the goals and policies of this Plan.

W 1.8 Policy LU 12.6

Develop a parking plan for the Mixed Use Town Center District in order to ensure the viability of the Center. The Plan should include provision for shared parking, parking opportunities off Winslow Way, reduction of the parking requirements for areas within the Center, and identification of areas which could be developed as small, public parking lots to serve the businesses, and the Plan should consider the use of street trees that allow solar access. Establish a public/private partnership, such as a Parking Authority, to implement the parking plan.

Discussion: A Parking Authority could assist with funding, site acquisition, planning, engineering, and traffic studies, and create an overall integrated plan of action with sequential implementation.

W 1.9 Policy LU 12.7

Monitor the success in achieving the Plan's goal to increase the vitality of the Mixed Use Town Center and the effectiveness of the bonus density program. The monitoring program ~~SHALL~~/SHOULD include tracking the use of TDRs, the affordable-housing density bonus and bonuses for contributions to public facilities, the types of businesses which are located in the Town Center, and the number and frequency of business changes.

Discussion: There is some concern that the increased density in the Town Center will not be achieved if it can only be accomplished through the use of TDRs or an affordable housing density bonus. Through a regular monitoring program, an assessment can be made as to whether the goals of the Plan are being achieved and if not, corrective measures should be taken.

W 1.10 Policy LU 12.8

Pursue the construction of a waterfront trail system.

GOAL LU-13 2

Develop overlay districts to distinguish among the distinct neighborhoods and commercial areas within the Mixed Use Town Center.

Discussion: There are a number of distinct neighborhoods or commercial centers within the Mixed Use Town Center. Development within the Town Center should reflect the different qualities and characteristics of these distinct areas. Except where explicitly stated, the permitted uses and densities are uniform throughout the Mixed Use Town Center. However, design standards and mix of uses may vary. The overlay districts establish these variations. Also, the goal of achieving pedestrian-oriented development is sought throughout the Town Center.

W 2.1 Policy LU 13.1

Encourage neighborhood participation in defining the design standards for each overlay district.

Central Core Overlay District

W 2.2 Policy LU 13.2

The Central Core Overlay District is the most intense district within the Mixed Use Town Center. Within this overlay district, residential uses are encouraged, but exclusive office and/or retail uses are permitted.

W 2.3 Policy LU 13.3

Design standards, including open space, parking and landscaping, which recognize the urban character of the Central Core Overlay District, ~~SHALL~~/SHOULD be developed.

Discussion: In general, open space and landscaping standards may be more relaxed in this district in favor of building placement and lot coverage standards which create a continuous urban façade.

W 2.4 Policy LU 13.4

Mixed Use developments within the Central Core Overlay District that include a residential component may be exempt from requirements to provide off-street parking for the residential component of the project. When establishing the parking requirements for such a project, the City ~~SHALL~~/SHOULD consider the extent to which the shared parking will satisfy residents' parking demand.

W 2.5

The existing mobile home park in the Central Core District provides an affordable housing alternative and should be encouraged to remain. With retention of these mobile homes, the

unused development potential from the parcels on which the mobile home park is located may be transferred to another parcel within the MUTC and a mechanism should be established to allow the permanent preservation of the mobile homes to be used as an affordable housing bonus on another parcel within the MUTC.

Discussion: Specific policies which relate to the mobile home park are contained in the Housing Element.

W 2.6 Policy LU 13.6

Provide improved pedestrian access to the waterfront from the Central Core.

Ericksen Avenue Overlay District

W 2.7 Policy LU 13.7

The Ericksen Avenue Overlay District is intended to preserve the unique and historical features of the Ericksen Avenue neighborhood and to provide for a mix of residential and small-scale, nonresidential development, with provision for open space.

W 2.8 Policy LU 13.8

Retail development ~~is~~ **SHALL/SHOULD** be permitted within the Ericksen Avenue Overlay District only if it is ground-floor retail with residential or residential and office development in the upper floors.

W 2.9 Policy LU 13.9

Historic (pre-1920) single-family, residential structures on Ericksen may be converted to nonresidential use. However, any additions to the structure must be added to the rear and must be compatible with the character of the original structure. Exceptions may be made, when appropriate, through a variance process.

Discussion: Policies related to the historic structures on Ericksen Avenue are contained in the Historic Preservation section of this Element.

W 2.10 Policy LU 13.10

New buildings within the Ericksen Overlay District must be constructed so that the overall character of the street, including traditional building forms, roof shapes, and relationship of building to street, is compatible with that of the historic structures on Ericksen Avenue.

Discussion: The mass of the new building, its relation to open spaces, and its doors, windows, and openings should be visually compatible with the historic structures on Ericksen.

Madison Avenue Overlay District

W 2.11 Policy LU 13.11

The Madison Avenue Overlay District is intended to provide for a mix of residential and small-scale, nonresidential development.

W 2.12 Policy LU 13.12

~~NEED PC DIRECTION~~ ~~UPDATE~~ ~~DELETE~~ ~~ADD~~ ~~TO APPENDIX~~ ~~TO TEMPORARY MOORAGE~~

With the Madison Avenue Overlay District, all retail and office development **SHALL/SHOULD** include a residential component. Retail development is permitted only if it is ground-floor retail with residential or residential and office development on the upper floors.

Gateway Overlay District

W 2.13 Policy LU 13.13

The area along SR 305 from Winslow Way to the northern boundary of John Nelson Park is the gateway to Bainbridge Island and should be utilized in a way which enhances its role as the gateway.

W 2.14 Policy LU 13.14

The Gateway Overlay District would provide protection for the ravine. The District would permit low-intensity, tourist-oriented, commercial, multi-family, and agricultural uses which would have limited parking and minimum traffic impact. Limited, impervious surface coverage would be allowed. If changes to SR 305 are made, then the uses permitted in the District will be re-examined.

W 2.15 Policy LU 13.15

The ravine is an important, natural feature of Bainbridge Island and should be protected. A high priority should be given to purchasing properties or obtaining conservation easements where the ravine is located to provide a permanent open space and connect a trail along the ravine.

Commercial-Ferry Terminal District

GOAL LU-14 3

The Ferry Terminal Overlay District is intended to provide an attractive setting for ferry and associated transportation-oriented uses and serve as the entry point into Winslow. This District is also intended as a new pedestrian and transit oriented, mixed-use neighborhood that complements the character and vitality of the core and serves the neighborhood and commuters.

W 3.1 Policy LU 14.1

Limit commuter parking and locate parking underground below new residential/office development in the ferry terminal wherever feasible.

W 3.2 Policy LU 14.2

Require new development to provide landscaping, landscape buffers and signage that enhances the setting of this visually important area, and limits the undesirable visual impacts of parking lots.

W 3.3 Policy LU 14.3

Protect adjacent, residential zones from the encroachment of parking, traffic impacts, and development.

W 3.4 Policy LU 14.4

Landscaping and signage standards should provide an attractive entry point that emphasizes Winslow's intimate character and natural setting.

Ferry Terminal Planning Area

GOAL LU-15 4

Planning for the Ferry Terminal and Gateway Districts should be coordinated

W 4.1 Policy LU 15.1

The Ferry Terminal and Gateway Districts should be developed in cooperation with the City, Washington State Department of Transportation, Kitsap Transit, and the private landowners to ensure coordinated and consistent development. The Ferry Terminal plan should address such issues as design standards, coordinated transportation analysis, pedestrian and visual connections between the ferry terminal and the Winslow Way retail center, and environmental review.

Commercial High School Road District

GOAL LU-16 5

The Commercial High School Road District is intended to provide for commercial uses that complement downtown Winslow and benefit from automobile access near the highway, while creating a pedestrian-friendly retail area.

W 5.1 Policy LU 16.1

The Commercial High School Road District is intended for the area that is suitable for commercial development near the intersection of High School Road and SR 305.

W 5.2 Policy LU 16.2

The Commercial High School Road District includes a diversity in types of shopping and employment. A variety of commercial uses are allowed which offer goods and services for the convenience of Island residents and which may have an automobile orientation. Housing at a density of 8 units per acre is also permitted.

W 5.3 Policy LU 16.3

The properties designated on the Land Use Map as High School Road District II ~~SHALL~~/SHOULD be limited to no more than 14,400 square feet of retail use. Retail use between 5,000 and 14,400 square feet ~~SHALL~~/SHOULD require a conditional use permit.

Discussion: This portion of High School Road, designated High School Road District II on the Land Use Map, is immediately adjacent to a semi-urban, residential area of 2.9 to 3.5 units per acre and should have less intense uses than the remainder of the High School Road district. Since existing businesses are located in this area and infrastructure is in place, this Plan recommends the area for the High School Road designation, but with a limitation on the size of retail uses.

W 5.4 Policy LU 16.4

To ensure visual appeal and pedestrian and bicycle safety, the land development regulations **SHALL/SHOULD** include design standards for:

- Building height, bulk, and placement.
- Landscaping, including screening of parking lots, and development of pedestrian oriented streetscape with building and landscaping (including trees) located at the street edge.
- Lot coverage.
- Open space.
- Road access and internal circulation including pedestrian connections on all sides of the retail area from the high density housing adjacent to High School Road; developing more pedestrian crossings; and requiring parking in the rear wherever possible.
- Signage.
- Additional transit stops on both sides of SR 305.

W 5.5 Policy LU 16.5

Properties with frontage along SR 305 **SHALL/SHOULD** provide a vegetated buffer along the highway that **SHALL/SHOULD** include the preservation and protection of existing vegetation, to visually screen the development year-round from the highway. Access to these properties **SHALL/SHOULD** not be directly from SR 305.

W 5.6 Policy LU 16.6

If an existing development redevelops or expands its gross floor area (GFA), compliance with current development standards **SHALL/SHOULD** be based on the size of the redevelopment or expansion. A range of compliance requirements **SHALL/SHOULD** be established to correspond with range in levels of redevelopment or expansion.

Water-dependent Industrial District

GOAL LU-17 6

Allow for the continuation of water-dependent, industrial uses on Bainbridge Island in order to preserve elements of a working waterfront within the urban shoreline area. Water-dependent uses require direct contact with the water and cannot exist at a non-water location due to the intrinsic nature of the operation.

W 6.1 Policy LU 17.1

The Water-dependent Industrial District is intended primarily to provide for ship and boat building and boat repair yards. Preference should be given to small, local, boat haul-out and repair facilities, and water-oriented industry which serves boating needs.

W 6.2 Policy LU 17.2

Water-dependent industrial development **SHALL/SHOULD** not be located on sensitive and ecologically valuable shorelines such as natural accretion shore forms, marshes, bogs, swamps, salt marshes and tidal flats, and wildlife habitat areas, nor on shores inherently

hazardous to such development, such as flood and erosion prone areas and steep and unstable slopes.

W 6.3 Policy LU 17.3

Industrial uses SHALL/SHOULD employ best management practices (BMPs) and best available facilities practices and procedures concerning the various services and activities performed and their impacts on the surrounding water quality. (For example, practices and procedures include safe handling of fuels and toxic hazardous materials to prevent them from entering the water and providing optimum means to provide prompt and effective clean-up of spills that do occur.)

W 6.4 Policy LU 17.4

Regional and statewide needs for industrial facilities should be carefully considered in reviewing new proposals, as well as in allocating shorelines for such development. Such reviews or allocations should be coordinated with port districts, adjacent counties and cities, and the State in order to minimize new industrial development that would unnecessarily duplicate under-utilized facilities elsewhere in the region, or result in unnecessary adverse impacts.

W 6.5 Policy LU 17.5

Expansion or redevelopment of existing, legally established industrial areas, facilities, and services with the possibility of incorporating mixed use development should be encouraged over the addition and/or location of new or single-purpose industrial facilities. Such development or redevelopment for mixed use should occur through a master planned development process in areas designated appropriate for such urban shoreline uses.

W 6.6 Policy LU 17.6

Joint use of piers, cargo handling, storage, parking, and other accessory facilities among private or public entities should be strongly encouraged or required in waterfront industrial areas.

W 6.7 Policy LU 17.7

New or expanded industrial development should be required to provide physical and/or visual access to shorelines and visual access to facilities whenever possible, and when such public access does not cause significant interference with operations or hazards to life and property.

W 6.8 Policy LU 17.8 NOTE- WE SAID TO REWORK THIS ONE. HOW?

The land use designation for the Wyckoff site should reflect what types of land use activities would be appropriate for the site based, in part, on historical significance, habitat mitigation implemented and performed on the property and the development restrictions required by the Environmental Protection Agency.

Discussion: EPA has begun cleanup at the Wyckoff Superfund Site and constructed a habitat mitigation beach along the western portion of the site. The Japanese American WWII

Exclusion Memorial is proposed on the site and the adjacent Taylor Avenue. A public park is proposed for the remainder of the site. Mixed use development may be appropriate if public acquisition is not successful. Current actions by EPA focus on removal and containment of contamination. Future land use of the site may be affected by EPA's final cleanup action, the technologies used, and the time required to complete the cleanup.

Winslow Residential Districts

GOAL **LU-18.7**

The Urban Multi-Family District is intended to provide for moderate to high-density residential development that may include some office and governmental uses, and are permitted as conditional uses.

Discussion: Most of the residential districts include some office and governmental uses that are permitted as conditional uses.

W 7.1 Policy LU 18.1

Residential development within the Urban Multi-Family District **SHALL/SHOULD** be served by public facilities and services normally associated with urban area development.

W 7.2 Policy LU 18.2

Retain the existing densities of residential uses which range from 8 to a maximum of 14 units per acre within the Urban Multi-Family District.

Discussion: The monitoring program to be established for the Mixed Use Town Center will help assess whether the Urban Multi-Family District should be designated for additional density through the use of TDRs.

W 7.3 Policy LU 18.3

Provide landscape buffers between any multi-family and existing single family homes.

W 7.4 Policy LU 18.4

To ensure the compatibility of multi-family developments with adjacent uses and retain the scale of development in Winslow, land use regulations **SHALL/SHOULD** include design standards for:

- Building height, bulk, massing, and articulation to promote a pedestrian scale and to ensure adequate light, air, and view corridors between lots.
- Parking requirements, including location of parking to the rear or side yards.
- Landscaping, including parking lots.
- Lighting standards that prevent unnecessary glare on neighboring residential properties.
- Location and screening of service areas such as dumpsters.
- Open space.
- Pedestrian linkages between multi-family buildings and the street edge and adjacent residential or commercial properties.

Urban Residential District

GOAL LU-19 8

The Urban Residential District is intended for moderate density urban residential development.

W 8.1 Policy LU 19.1

Residential development within the Urban Residential District ~~SHALL~~/SHOULD be served by public facilities and services normally associated with urban area development.

W 8.2 Policy LU 19.2

Densities of residential use within the Urban Residential District ~~SHALL~~/SHOULD range from 4.3 to a maximum of 6 units per acre.

W 8.3 Policy LU 19.3

The Urban Residential District on the Point Monroe sand spit is intended for small, beach-oriented residences that are compatible with its sensitive environmental setting.

W 8.4 Policy LU 19.4

New development or expansion of development in the Urban Residential District on the Point Monroe sand spit ~~SHALL~~/SHOULD consider the cumulative impacts of additional requests for like actions on the remainder of lots on the sand spit. The total of new development on the sand spit ~~SHALL~~/SHOULD not produce substantial adverse effects on the shoreline environment or neighborhood character, and ~~SHALL~~/SHOULD prevent or minimize flood damage through use of non- structural methods, such as increased setbacks and vegetated buffers, in addition to design measures such as pile foundations and elevated floor levels.

Semi-Urban Residential District

GOAL LU-20 9

The Semi-Urban Residential District is intended to provide for vital residential neighborhoods in a semi-urban setting.

W 9.1 Policy LU 20.1

The Semi-Urban Residential District is located in areas that are suitable to provide a transition from urban uses to the less intensely developed areas of the Island.

W 9.2 Policy LU 20.2

Density of residential use within the Semi-Urban Residential District ~~SHALL~~/SHOULD range from 2.9 to a maximum of 3.5 units per acres.

W 9.3 Policy LU 20.3

High School Road/Ferncliff Avenue

The 9+ acres located at the northwest corner of High School and Ferncliff Roads is designated as R-2, with the six western acres (approximately) of the nine acres designated as R-8. No density bonuses will be permitted on either portion of the site and development of this site is encouraged to be clustered on the western portion of the property, with a significant buffer retained along the eastern boundary of the site along Ferncliff Avenue.

Discussion: The density bonus restriction is due to the property's transitional location, between the high-intensity commercial area on High School Road and the lower-density residential area associated with Ferncliff Avenue.

Neighborhood Service Centers

The Neighborhood Service Centers provide Island-wide commercial and service activity outside Winslow. These areas should be developed at slightly higher densities to reinforce their roles as community service centers. The service centers will also help reduce traffic congestion by providing an alternative to shopping in Winslow.

GOAL **LU-21 1**

Encourage the development of the Neighborhood Service Centers at Rolling Bay, Lynwood, and Island Centers, as designated on the Land Use Map, as areas with small-scale, Island-wide, commercial, mixed use and residential development outside Winslow.

NSC 1.1 **Policy LU 21.1**

Allow development of Neighborhood Service Centers in areas designated on the Land Use Map.

NSC 1.2 **Policy LU 21.2** **Lynwood Center**

Any new development or expansion of existing development in Lynwood Center will be required to connect to public sewer, when available, or meet other Health District requirements, when appropriate.

Lynwood Center is designated as a Special Planning Area.

Reduce the commercial area of Lynwood Center as shown on the Land Use Map. **Allow R-5 is allowed with public water and sewer in the area. **that has been changed from commercial to residential use.** The use of **TDRs or** affordable-housing bonus density would not be required, but affordable housing would be encouraged.**

Rezone the Island Trade District to Neighborhood Service Center to ensure coordinated and compatible uses in the neighborhood service center. Allow up to 12 residential units per acre along with commercial uses (if served by public sewer and water) on the commonly owned parcels on Lynwood Center between Baker Hill Road and Point White Drive, as shown on

the Land Use Map (Tax Parcel #s 042402-1-012-2006, 042402-1-047-2005, 042402-1-048-2004, 042402-1-049-2003, 042402-1-050-2009), provided that a community center is constructed that is of similar style and quality to the entire development. Higher density may be achieved with affordable housing.

Allow the existing lumberyard pier (Tax Parcel # 042402-1-019-2009) to be rebuilt with commercial uses consistent with the Bainbridge Island Shoreline Management master Program, 1996. Parking for this use must be located either on the parcel directly north of this parcel (Tax Parcel # 042402-1-046-2006) or on that parcel to the west (Tax Parcel # 042402-1-021-2005). The City should pursue public funds, whether from the sale of road-end property or other sources, to combine with private funds to construct a public access pier or acquire other public beach access.

The parcel of land located on Point White Drive, directly adjacent to the western boundary of the NSC, as shown on the Land Use Map (Tax Parcel # 042402-1-021-2005), is designated OSR-2 with the provision that density may be increased to 3 units per acre on the condition that a public access easement be granted for that portion of the parcel that lies to the south of Point White Drive along the waters of Rich Passage and adjacent to the old lumberyard pier.

Any future development adjacent to the Shel - chelb estuary and associated stream corridor should consider the sensitive nature of this unique environmentally sensitive area.

The *Lynwood Center Report and Final Recommendations* is included in the section of the Comprehensive Plan entitled Subarea Plans.

Policy LU 21.3 NSC 1.3 Island Center NOTE: THIS TEXT MAY CHANGE DEPENDING ON HOW THE PC AND COUNCIL DECIDE THE GROWTH STRATEGY

Island Center is designated as a Special Planning Area. The boundaries for Island Center are as shown on the Land Use Map. Any changes to the boundaries may be determined during the special planning process.

Policy LU 21.4 NSC 1.4 Contract Zone: Miller Road/Battle Point Drive

The 16.7-acre site on Miller Road will be designated a contract zone to recognize the activities currently occurring on-site under the provisions of an Unclassified Use Permit and to consider some expansion of those activities.

Policy LU 21.5 NSC 1.5 Rolling Bay

The Neighborhood Service Center boundaries are as shown on the Land Use Map. Rolling Bay is designated as a Special Planning Area. Any changes to the boundaries may be determined during the special planning process.

Policy LU 21.6 NSC 1.6

The Neighborhood Service Centers should achieve a mix of neighborhood-scale businesses, public uses, and housing which are compatible with the scale and intensity of the surrounding residential neighborhood and which minimize the impact of noise, odor, lighting, fire safety, and transportation on the neighborhood

Policy LU 21.7 NSC 1.7

Mixed use development is encouraged but not required.

Policy LU 21.8 NSC 1.8

Proposed uses must consider the impact on water quality, stormwater runoff, and environmentally sensitive areas such as wetlands, streams and high vulnerability recharge areas.

Policy LU 21.9 NSC 1.9

The land use regulations **SHALL/SHOULD** have design standards for:

- Building height, bulk, massing and articulation to promote a pedestrian scale.
- Parking requirements, including location of parking to the rear or side yards, unless otherwise provided for in a Special Planning Area plan. Landscaping, including parking lots and buffer areas between higher and lower intensity uses and consideration of trees that allow solar access.
- Lighting standards that prevent unnecessary glare on neighboring residential properties.
- Location and screening of service areas such as dumpsters.
- Open space.
- Pedestrian linkages.

Discussion: These standards should be established to ensure that development will be designed to fit into the scale and character of the existing centers and the adjacent residential neighborhoods. The City should develop design prototypes or illustrated design guidelines for each of the three service centers to serve as a visual reference for the future development of the community. These design guidelines should recognize the distinct qualities of the three service centers.

Policy LU 21.10 NSC 1.10

Encourage neighborhood participation in defining the design standards for each service center.

Policy LU 21.11 NSC 1.11

Establish and implement a street tree plan and planting program for major roadways at the Neighborhood Service Centers.

Policy LU 21.12 NSC 1.12

Develop a parking plan, if appropriate, for each service center.

Policy LU 21.13 NSC 1.13

Opportunities for providing a neighborhood commons or meeting place should be considered with any proposal for major redevelopment of an existing neighborhood service center or as part of development of a new neighborhood service center to encourage the use of the neighborhood service center by surrounding residents.

GOAL **LU-22 2**

Infill within the boundaries of the Neighborhood Service Centers, as designated on the Land Use Map, through the transfer of development rights from TDR Sending Areas of the Island or through an affordable housing bonus density.

Policy LU 22.1 NSC 2.1

The base density of residential development in the Neighborhood Service Centers, as designated on the Land Use Map, **SHALL/SHOULD** be 3 units per acre in areas not served by public water and sewer systems and using TDRs or an affordable-housing bonus density, provided state and local Health District regulations can be met. Allow up to R-5 with public water and sewer.

Business/ Industrial

GOAL **LU-23 1**

The Business/ Industrial District (B/I) is intended to provide opportunities for expansion of existing Island businesses, for diversity of jobs and for low-impact industrial activity that contributes to well paying jobs, where traffic congestion, visual, and other impacts on the surrounding neighborhood can be minimized.

Policy LU 23.1 B/I 1.1

The Business/ Industrial District is for non-polluting, light manufacturing development as well as other uses that add to the diversity of economic activity on the island and are compatible with other uses in the Business/ Industrial District and neighboring zones.

Policy LU 23.2 B/I 1.2

New manufacturing businesses that plan to utilize toxic/hazardous substances must list these substances and quantities projected for annual usage; demonstrate compliance with all Federal, State and Bremerton-Kitsap County Health District requirements for their handling; and receive a City business license. (Definitions and quantity limits of toxic/hazardous substances are set forth in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended [42 U.S.C. Section 9601] et seq. ["CERCLA"], the Superfund Amendments and Reauthorization Act of 1986, Pub. L No. 99-499 ["SARA"], the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801 et seq., the Resource Conservation and Recovery Act, 49 U.S.C. Section 6901 et seq. or other applicable State or Federal laws, rules or regulations adopted in accordance with those statutes). Uses of certain toxic/hazardous substances can disqualify the application from approval because of potential environmental impact. However, proposals that use toxic/hazardous substances defined in the above references may be approved upon review of factors such as quantity used, adequacy of storage, containment, spill management, and waste disposal plans.

Policy LU 23.3 B/I 1.3

The Fire Marshall shall receive copies of publicly available reports concerning hazardous substances and prepare a summary of those reports that can be published in order to avoid revealing confidential or sensitive information about other aspects of those businesses.

Policy LU 23.4 **B/I 1.4**

Applications for development approval within the Business/ Industrial District must show that adequate water, wastewater, transportation, fire, and storm drainage services are available to serve the development.

Policy LU 23.5 **B/I 1.5**

The City should ensure the adequate monitoring and enforcement of hazardous material regulations.

Policy LU 23.6 **B/I 1.6**

Performance standards for the Business/ Industrial District(s) **SHALL/SHOULD** address odor, lighting, noise, vibration, signage, traffic volumes, ingress and egress, parking. Delivery and loading areas, and pedestrian and vehicle site circulation, to create safe, efficient, compatible conditions among a variety of on-site uses and to protect adjacent residential neighborhoods.

Policy LU 23.7 **B/I 1.7**

Business/ Industrial uses **SHALL/SHOULD** visually screen the development year-round from adjacent, non-industrial properties and from adjacent roadways.

Discussion: This policy establishes a performance standard – Business/ Industrial uses must be visually screened from the roadway and from adjacent non- Business/ Industrial development. The visual screening could be achieved through a combination of vegetation and building setback which would add depth to the buffer. A minimum 50-foot native, vegetated buffer should be considered in drafting the development regulations.

Policy LU 23.8 **B/I 1.8**

Any Business/ Industrial District with more than one business should be encouraged to form and participate in a business park management association and neighborhood association in order to institute a self-enforcement program.

Policy LU 23.9 **B/I 1.9**

If an existing project redevelops or expands its gross floor area (GFA), compliance with current development standards **SHALL/SHOULD** be based on the size of the redevelopment or expansion. A range of compliance requirements **SHALL/SHOULD** be established to correspond with the range in levels of redevelopment or expansion.

Discussion: If an expansion comprises no more than 15%, only limited compliance with current standards would be required (i.e., landscaping, parking). An expansion of 50% or more would require that the entire project be brought into full compliance.

GOAL LU-24 2

NEED PC DIRECTION **UPDATE** **DELETE** **ADD** **TO APPENDIX** **TO TEMPORARY MOORAGE**

Provide appropriate land for Business/ Industrial in order to provide opportunities for small manufacturing businesses on the Island to expand, and to provide additional employment opportunities.

Policy LU 24.1 B/I 2.1

The 35 acres adjacent to the Business/ Industrial area north of Day Road and west of SR 305 are designated as Business/ Industrial on the Land Use Map, and development within this 35-acre Business/ Industrial area must utilize the Site Plan Review process for project review to address open space, trail connections and environmental impacts associated with proposed development.

Policy LU 24.2 B/I 2.2

Any additional Business/ Industrial should not be designated until the City completes an Economic Development Element.

Discussion: The City will monitor achievement of this goal. Details of the monitoring program will be enumerated in an Economic Development Element.

GOAL LU-24 3

Discourage the inappropriate designation of isolated Business/ Industrial Districts.

Discussion: While seeking to limit isolated Business/ Industrial uses, this Plan also recognizes the concerns of property owners to continue existing businesses at those locations. Discussion included designation of certain businesses and nonconforming uses. However, owners were concerned about the ability to obtain financing in the future. This Plan seeks to reach a compromise.

Policy LU 25.1 B/I 3.1

Isolated Business/ Industrial zones are designated to reflect historical use and the designation should not be expanded.

Discussion: The overall framework of the Plan is to concentrate Business/ Industrial activity at Day Road and to acknowledge the existing, isolated Business/ Industrial activity.

Residential Open Space

GOAL LU-25 1

Preserve the open space area outside Winslow and the Neighborhood Service Centers through a development pattern which will enhance the character of the area – forested areas, meadows, farms, **narrow roads bordered by dense vegetation** – and the valuable functions the open space area serves on the Island (i.e., aquifer recharge, fish and wildlife habitat, recreation).

Discussion: Preservation and protection of the open space area is also addressed elsewhere in

~~NEED PC DIRECTION~~ ~~UPDATE~~ ~~DELETE~~ ~~ADD~~ ~~TO APPENDIX~~ ~~TO TEMPORARY MOORAGE~~

this Element of the Plan in the Environmental, Greenways, Forest Lands and Agricultural Lands sections.

Policy LU 25.1 OS 1.1

Protect open space, critical areas, and agricultural uses through public and private initiatives, including open space tax incentives, cluster development, PUDs, transfer and purchase of development rights, public land acquisition, greenways, conservation easements, landowner compacts, limiting the amount of lot coverage, and other techniques.

Policy LU 25.2 OS 1.2

Encourage the aggregation of nonconforming lots of record and undeveloped subdivisions and short plats in order to achieve a development pattern that is consistent with goals of the Plan to preserve open space, provide a greenway through the Island, protect environmentally sensitive areas, and protect the water resources.

Discussion: The proliferation of approved short plats and the existence of standard subdivisions on the Island present a major obstacle to the preservation of the Island's

GOAL LU-26 2

Create a Critical Areas Overlay District to protect sensitive areas through TDRs, flexible lot design, and through reducing development pressure within the open space area.

Policy LU 26.1 OS 2.1

The Critical Areas Overlay District is designated for areas which may have limited development potential due to environmental sensitivity, including critical aquifer recharge areas, and priority wetlands. These areas should be included as primary sending areas for TDRs. These areas will be shown on the Land Use Map as a Critical Areas Overlay District.

Discussion: Under the Agricultural Lands policies, a farm owner outside of the designated TDR-Sending Area would be able to opt into the TDR program. (See Agricultural Lands Policy.)

Policy LU 26.2 OS 2.2

The Critical Areas Overlay District is limited to activities compatible with the conservation and protection of sensitive areas, including residential use, passive recreation, and agriculture, using Best Management Practices.

Policy LU 26.3 OS 2.3

Because of the sensitivity of land within the Critical Areas Overlay District, use of TDRs and other means of preservation are preferable to site development and should be implemented wherever possible.

Policy LU 26.4 OS 2.4

Properties within the Critical Areas Overlay District retain the underlying zoning, but are

subject to the requirements of the Overlay District. The Overlay District is intended to encourage a pattern of development which will protect and enhance the sensitive areas. The property owner may choose one of several techniques to realize development potential on the site:

- 1) An applicant may choose to use the Flexible Lot Design Process to accommodate innovation, creativity, and design flexibility, and to achieve a level of environmental protection that would not be possible by typical lot-by-lot development, but **SHALL/SHOULD** not exceed the underlying base density.
- 2) An applicant may choose to transfer the development rights of the parcel to preserve the land as open space. Under this option, the development rights would be calculated assuming the development potential allowed by the zoning district.

GOAL LU-27 3

Preserve the character of the interior areas of Bainbridge Island through establishment of an Open Space Residential District.

Policy LU 27.1 OS 3.1

The Open Space Residential District is designated for less intensive, residential development and a variety of agricultural and forestry uses.

Policy LU 27.2 OS 3.2

Residential development **SHALL/SHOULD** be compatible with the preservation of open space, forestry, agricultural activities, and natural systems. Accessory farm buildings and uses are allowable.

Policy LU 27.3 OS 3.3

The overall density for residential use **SHALL/SHOULD** be a maximum of one unit per 2.5 acres. However, the landscape should maintain the natural and scenic qualities of the Island.

Policy LU 27.4 OS 3.4

Development of the 40 acres of City-owned land located on Vincent Road (former site of the County landfill) **SHALL/SHOULD** be subject to a comprehensive and coordinated planning process that addresses such issues as, but is not limited to, compatibility and location of current and proposed uses, on-site circulation, off-site pedestrian connections, public amenities, landscaping, lighting and traffic. The planning process **SHALL/SHOULD** include a public outreach program that seeks the participation and input of both the immediate neighborhood and the larger Island-wide community.

GOAL LU-28 4

The Residential-1 (R-1) and Residential-2 (R-2) Districts are intended to recognize an existing development pattern in the Open Space areas of the Island.

Policy LU 28.1 OS 4.1

The R-1 District is intended to recognize an existing development pattern of one unit per acre.

Policy LU 28.2 OS 4.2

The R-2 District is intended to recognize an existing development pattern of two units per acre.

Policy LU 28.3 OS 4.3

The City should consider the development of subarea plans that establish land use policies and development standards tailored to the individual communities. Neighborhood participation in development of subarea plans should be encouraged.

GOAL LU-30 5

Maintain and enhance the unique character of Fort Ward Planning Area (see Figure 4A) due to the history and natural landscape of the area and the sense of community that exists, including an open space system made up of wetlands, a neighborhood park, the historic marching fields, unbuildable slopes and the State Park (see Figure 4B).

Policy LU 30.1 OS 5.1

Through an LID, grants or public or private funding sources, if funding occurs, or through the use of such techniques as cluster development or transfer of development rights within the Fort Ward area:

- 1) Preserve the parade marching fields as public open space, as well as street, trail and sidewalk improvements identified in the Fort Ward Action Plan, and
- 2) Protect and enhance the wetlands and associated buffers for a new community park which will include the natural systems from Kitsap Avenue, southwest past Belfair, as identified in the Fort Ward Action Plan.

Establish a mechanism to expedite the necessary changes to the Bainbridge Island Municipal Code to allow:

- 1) Transfer of density from the wetland area or parade grounds to elsewhere within the Fort Ward Core Area as shown on Figure 4A.
- 2) Replatting of the wetland area to avoid, as much as possible, development in the wetlands and buffer area and to preserve the parade grounds.
- 3) Development of a wetland overlay master plan to include a landscape reclamation plan, planting alternatives, access, use, drainage and building envelopes.

Discussion: After years of limited development, Fort Ward could be facing a dramatic increase in construction of new residential development. Many of the undeveloped lots in the Fort Ward planning area are non-conforming due to their small size. Many of these lots contain wetland or buffer area and may be developed using the Reasonable Use Exception of the Bainbridge Island Municipal Code. This policy provides mechanisms to minimize the

impacts of future development on the wetlands. The parade grounds are an important historical feature of Fort Ward and a focal point of the community that also provides recreational opportunities for the residents of Fort Ward. This policy provides mechanisms to further maintain and enhance the unique character, historical value, sense of community and natural landscape of the Fort Ward Planning Area.

Policy LU 30.2 OS 5.2

In order to preserve historic structures within the Fort Ward Historic District, as shown on Fort Ward Navy Additions Map – Figure 4C:

- 1) The original density for Buildings E, 13, 18, 19, 20, 21, 46, 47, 48, 49, 50, and 51 and the existing density of Buildings B and C (10 units in total), Building 60 (12 units) and Building 65 (19 units) SHALL/SHOULD be permitted if the structure is maintained in a manner that would preserve the building's historic character and any renovation is conducted in accordance with a standard designated by the City; and
- 2) Building 16 SHALL/SHOULD be designated as appropriate for multi-family use of up to 8 dwelling units, provided that a portion of the building is dedicated as a community meeting place.

Policy LU 30.3 OS 5.3

Where possible, create tax incentives and encourage private purchase and renovation of historic structures. Transfer density within the Fort Ward Study Area as incentives for the preservation of historic structures.

OS 5.4

Develop specific design and development guidelines that recognize the unique qualities of the Fort Ward District and respond to the scale and natural features of the lots.

Policy LU 30.5 OS 5.5

Maintain housing opportunities for a range of economic levels. Provide exceptions to the design guidelines in order to meet the American with Disabilities Act while maintaining the character of the community.

Historic Preservation

GOAL LU-29 1

Maintain and Support a Historic Preservation Program (HPC) – A successful historic preservation program requires on-going support of the community, as well as the City government and its designated department.

Policy LU 29.1 HP 1.1

The City SHALL/SHOULD maintain its status as a Certified Local Government (CLG), thereby promoting collaboration among City departments, boards and commissions.

Policy LU 29.2 HP 1.2

The City and its HPC **SHALL/SHOULD** regularly review the local historic preservation ordinance and update where necessary to assure that it achieves the Comprehensive Plan's goals and policies.

Policy LU 29.3 HP 1.3

The City and the HPC **SHALL/SHOULD** develop the City's preferred method of project compliance review and reporting, consistent with state laws and local ordinances.

Policy LU 29.4 HP 1.4

The City and HPC **SHALL/SHOULD** coordinate with tribal communities and other interested stakeholders who have an interest in historic resources on the Island.

GOAL LU-30 2

Identification and Evaluation of Historic Resources – Historic property inventory and context statements inform planning efforts by identifying areas where resources worthy of preservation exist or are likely to occur.

Policy LU 30.1 HP 2.1

The City and HPC **SHALL/SHOULD** recognize historic resources listed on, or eligible for, the local registry as significant historic properties.

Policy LU 30.2 HP 2.2

The City and HPC **SHALL/SHOULD** continue to inventory historic resources, thereby maintaining an up-to-date site database using the latest affordable technologies available.

Policy LU 30.3 HP 2.3

The City and HPC **SHALL/SHOULD** continue to support and expand the Local Historic Register program.

Policy LU 30.4 HP 2.4

The City and HPC **SHALL/SHOULD** develop protocols for the consistent evaluation of historic resources on the Island.

Policy LU 30.5 HP 2.5

The City and HPC **SHALL/SHOULD** define and identify its “iconic” structures and sites (those intended for permanent preservation), which are deemed essential elements of the community's character, history and **identify identity**.

GOAL LU-31 3

Preservation and Enhancement of Historic Resources – An effective historic preservation program provides meaningful practical incentives and policies for property owners and developers to preserve historic resources.

Policy LU 31.1 HP 3.1

The City **SHALL/SHOULD** encourage preservation of existing historic structures and sites as an important tool in building a sustainable and unique community.

Policy LU 31.2 HP 3.2

The City **SHALL/SHOULD** encourage the preservation, rehabilitation and restoration of existing structures through the adoption and implementation of the International Existing Building Code (IEBC).

Policy LU 31.3 HP 3.3

The City and HPC **SHALL/SHOULD** collaborate with the Design Review Board to develop design guidelines for projects within or adjacent to significant historic properties and/or neighborhoods to ensure compatible development.

Policy LU 31.4 HP 3.4

The City and HPC **SHALL/SHOULD** develop guidelines to ensure review of potential direct and indirect impacts to significant historic properties when planning and/or permitting projects.

Policy LU 31.5 HP 3.5

The City and HPC **SHALL/SHOULD** identify and support practical owner/operator economic incentives and policies to encourage the rehabilitation and preservation of significant historic resources.

Policy LU 31.6 HP 3.6

The City **SHALL/SHOULD** engage in cooperative efforts with owners to encourage the preservation of historic resources.

GOAL LU-32 4

Public Participation – Establishing a broad base of support from citizens and their city government will strengthen the community’s commitment to historic preservation.

Policy LU 32.1 HP 4.1

The City and HPC **SHALL/SHOULD** support an on-going education program to increase awareness of the historic resources on the Island.

Policy LU 32.2 HP 4.2

The City and HPC **SHALL/SHOULD** support efforts to publicly recognize preservation efforts within the Island community.

Policy LU 32.3 HP 4.3

The City and HPC **SHALL/SHOULD** collaborate with interested stakeholders to promote historic preservation on the Island.

Policy LU 32.4 HP 4.4

The City and HPC **SHALL/SHOULD** identify, and give public access to, an appropriate repository for curating historic preservation records and documentation.

Siting of Essential Public Facilities

GOAL LU-33 1

The needs of the community **SHALL/SHOULD** be met by providing **essential** public facilities and services that are equitably distributed throughout the community; that are located and designed to be safe and convenient to the people they serve; that provide flexibility of use and maximum efficiency; and that are compatible with adjacent uses, the environment, and preservation of public health and safety.

Discussion: The Growth Management Act requires that all jurisdictions planning under the Act must provide a process for siting essential public facilities **such as airports, correctional facilities, sewage treatment plants, etc.** These goals and policies are intended to guide the siting process, and therefore, in accordance with RCW 36.70A.200(2), they do not preclude the siting of essential public facilities. Site specific consideration of a proposed essential public facility would occur during the development application review process.

Policy LU 33.1 PF 1.1

The City **SHALL/SHOULD** develop a list of essential public facilities of a local nature that may potentially be sited on Bainbridge Island and coordinate with the Kitsap Regional Coordinating Council in the development of a list of state and countywide public facilities.

Policy LU 33.2 PF 1.2

When an **essential** public facility of a statewide or countywide nature is proposed for Kitsap County, the City **SHALL/SHOULD** appoint representatives as members of the Facility Analysis and Site Evaluation Advisory Committee or any other established siting committee to evaluate proposed public facility siting.

Policy LU 33.3 PF 1.3

New **essential** public facilities **SHALL/SHOULD** not be located in designated resource lands, critical areas, or other areas where the siting of such facilities would be incompatible.

GOAL LU-34 2

The process for siting essential public facilities **SHALL/SHOULD** create an environment of cooperation and include adequate and early public review to promote trust between government agencies and the community.

Policy LU 34.1 PF 2.1

If an **essential** public facility is proposed for Bainbridge Island that is an “essential public facility,” as defined in RCW 36.70A.200, the Mayor **SHALL/SHOULD** appoint, and the City Council confirm, a Facility Analysis and Site Evaluation Committee composed of

citizens, City staff, elected officials and appropriate technical experts which **SHALL/SHOULD** consider in determining a recommendation to City Council, at a minimum, the following:

- Analysis of the need for such facility;
- The development of specific siting criteria for the proposed project;
- Identification, analysis, and ranking of potential sites;
- Consistency with the goals and policies of the City's Comprehensive Plan;
- Identification of potential physical impacts including, but not limited to, those relating to land use, the environment, transportation, utilities, noise, odor and public safety;
- Identification of potential cumulative impacts, including the likelihood of a related development locating in proximity to the proposed essential public facility;
- Identification of potential fiscal impacts to the local economy; and
- Measures to minimize and/or mitigate such impacts.

Policy LU 34.2 PF 2.2

The City or other government agency, if responsible for construction of an essential public facility, **SHALL/SHOULD** develop a community notification and communications plan that will ensure ongoing contact with the community during the planning and construction phase of a project. The plan should include identification of all departments that will play a role in the planning or construction of an essential public facility; identify other governmental regulatory requirements; identify strategies for coordinating interdepartmental and interagency activities and strategies for responding to emergency or problem situations; and identify a conflict resolution process.

EXISTING CONDITIONS

The Built Environment

The built environment is that portion of the land that has been developed in some way with manmade structures or other artificial (not natural) physical alteration of the landscape.

On January 1, 1992, the City published a *Land Use Inventory Report* which provided an inventory of existing land uses on the Island and an analysis of the remaining development potential, based on current zoning. The 1992 Inventory took into account constraints on future development as a result of critical areas, lot configuration, market forces, and property owner choices. A range of constraints was applied to the number of potential units of development from undeveloped and underdeveloped land. The estimated population which could be accommodated by the potential units was determined and then reduced by 50%, (to assume a high level of constraint) and by 10% (to assume a low level of constraint). Based on current zoning, a range of build-out potential was developed to account for the many factors that can potentially limit development, such as environmentally sensitive areas, lot configuration, water availability, sewage disposal requirements, location of existing buildings on developable parcels, and the public and private decision-making process.

Likely potential additional units on undeveloped and underutilized land are between 5,500 and 8,200. Based on the assumption that there will be an average of 2.4 persons per household in the future, this means a potential additional population range of 11,000 to 20,000 persons. Added to the 1992 population of 16,500, this means a total population of 27,500 to 36,500 persons.

In November 1993, the *Land Use Inventory* was re-analyzed. The re-analysis was entitled: *Bainbridge Island Land Use Re-Analysis – November, 1993*. The re-analysis was completed after a work group was convened to discuss the issues. The Re-analysis findings were similar to those of the 1992 *Land Use Inventory*.

According to the 1992 inventory, Bainbridge Island encompasses approximately 17,779 acres, or about 28 square miles. Of the 9,717 land-based (excluding tidelands) parcels, slightly over one-half (51%) have been developed to some degree, 7% are devoted to rights-of-way and the balance is undeveloped (42%). The inventory also revealed that the Island has over 1,400 non-conforming lots and over 1,500 conforming, platted lots.

Residential Development

Residential land uses occupy the largest percentage (73%) of developed land and 38% of all land on the Island (about 7,000 total units). Single-family homes account for 84%, while 16% are multi-family units in condominiums and apartment buildings of various sizes, mostly concentrated in Winslow. (Multi-family units are those units containing more than one living unit in a single structure.)

The most densely developed areas are in Winslow and along the shoreline of the Island. The Winslow area, which is a mix of single-family, multi-family, and mixed use units, is developed at about 2.5 units per acre.

Commercial Development

Commercial development is also mainly concentrated in the Winslow area and in the three neighborhood centers: Rolling Bay, Island Center, and Lynwood Center. However, there are numerous commercial uses scattered about the Island in areas not zoned for commercial use. These uses were approved by Kitsap County as conditional uses, previously existing uses which are now nonconforming, or are home occupations.

Winslow

The 1992 *Land Use Inventory* had only a brief analysis of commercial land and commercial uses because of inadequacies in data available at the time. The inventory shows approximately 190 acres in Winslow zoned for commercial use, with 37 acres underdeveloped. A subsequent detailed study was conducted, dated May 6, 1993, that analyzed each parcel in the commercially zoned areas of Winslow for its development or redevelopment potential. That study found that there are today 600,000 square feet of commercial development in Winslow, or about 33 square feet of commercial space per person.

The study further found that under existing conditions, assuming no changes in land use policy, there is development potential for an additional 625,000 square feet of commercial space.

The results of the *Potential Buildout Study* were re-examined during the Vision Winslow Design Workshop, and the findings of the May 6, 1993 study were confirmed.

Neighborhood Centers

Commercial activity in the neighborhood centers of Rolling Bay, Island Center, and Lynwood Center has developed not in response to neighborhood demand, but more as a function of the location of the centers themselves: each is located at or near a major Island crossroads. With the exception of the convenience stores found at each, virtually all businesses in the neighborhood centers draw Island-wide trade.

Zoning in these areas has served more to legitimize what already exists rather than in response to an overall plan. As a result, there is little or no undeveloped, commercially zoned land in the centers.

Neighborhood Service Center Commercial Activity				
Center	Total Acres Zoned Comm.	Undeveloped	Acres Residential	Commercial Square Feet
Rolling Bay	7.00	0.34	0.68	32,300
Island Center	8.00	0	0	42,500
Lynwood Center	24.00	3.00	5.38	30,000
TOTAL	39.00	3.34	6.06	104,800

The neighborhood centers offer a limited range of goods and services from convenience stores, which mainly serve the local neighborhoods, to specialty businesses, such as auto repair, hair salons, art galleries, nurseries, and restaurants, that serve clientele not only Island-wide but from off-Island as well. The Island's only movie theater is located at Lynwood Center.

The total commercial space available goes through periodic cycles of high and low vacancy rates. There is a rather high turnover in small rental spaces in the centers, while the larger owner-occupied businesses remain relatively steady.

Business/ Industrial

Business/ Industrial -zoned areas are intended for low-impact, low-intensity manufacturing activities, including research, testing, warehousing of goods, and fabrication, assembly, and processing of products. Business/ Industrial (B/I) uses are mainly confined to the Day Road Industrial Park area near the intersection of Day Road and SR 305. The 40-acre Day Road area contains approximately 277,000 square feet of Business/ Industrial space (approximately 7,000 square feet per acre) and houses roughly 30 businesses with a total of over 450 employees. Businesses range from a newspaper publisher, soil analysis company, manufacturers of pottery, fishing equipment, and office furniture to a smoked salmon

business. Only 5 acres currently zoned for B/I are undeveloped.

There are three other single-use, Business/ Industrial sites and one four-parcel B/I site (two are developed, two are undeveloped) scattered about the Island. These sites account for another 100,000 square feet of space. However, 90,000 square feet of this is in storage space at New Brooklyn Road and Madison Avenue, a use that is also permitted in the neighborhood centers.

Business/ Industrial Areas			
Business/ Industrial Areas	Total Acres Zoned B/I	Existing Square Feet Business/ Industrial	Total Acres Vacant
Day Road	40.00	277,012	5
New Brooklyn	4.35	90,440	
Sportsman Club	4.08	7,200	1.14
Fletcher Bay Road	1.14	3,894	
Eagledale Marina	2.36		
TOTAL	51.93	378,546	6.14

Industrial

There are two industrial sites on Bainbridge Island. One is the Washington State Department of Transportation ferry repair facility and Bainbridge Marine and Boat Yard located in Eagle Harbor, just west of the ferry terminal. The other is the Pacific Resources (formerly Wyckoff) site at the southeast entrance to Eagle Harbor. Pacific Resources operated as a creosoting plant for many years and is now out of that business. It does, however, still perform minor industrial operations not involving chemical processing. It is the only land-based portion of the Eagle Harbor Superfund cleanup site designated by EPA Region 10.

2004 Update – The Built Environment

Build Out Estimations – The 1992 estimate of build-out ranges from 27,500 to 36,500. The Office of Financial Management estimate for 2003 population is 21,350. Several more recent estimates of build-out have produced figures of 30,000 and 33,000. This is within the bracket set by the 1992 study and is therefore consistent with those estimates.

Residential Development

County land use codes were used to analyze the level of development that has occurred since 1992. In this analysis a single family residence situated on any size lot is listed as a developed lot. In 1992, 38% of all the land on the Island was listed as developed for residential use. This figure does not include open space in separate parcels in subdivisions or parcels in some type of Kitsap County Current Use Assessment program. The number of dwelling units on the Island has increased from about 7,000 units in 1992 to 9,100 units as of April 1, 2003.

Commercial Development

The general location of commercial development has not changed since 1992. Development

~~NEED PC DIRECTION~~ ~~UPDATE~~ ~~DELETE~~ ~~ADD~~ ~~TO APPENDIX~~ ~~TO TEMPORARY MOORAGE~~

is concentrated primarily in the Winslow area and in the three neighborhood centers: Rolling Bay, Island Center, and Lynwood Center. Most of the new commercial development has occurred in the Winslow area, much of which has been in the Hildebrand Lane area south of High School Road. The only significant new commercial development in the three neighborhood centers is a new grocery store at Lynwood Center. This business was, however, previously located in another building at Lynwood Center.

Business/ Industrial

Since the Comprehensive Plan was adopted, four additional areas have been designated Business/ Industrial. A 35-acre area located to the north of the existing Day Road Business/ Industrial area was designated Business/ Industrial in 1997. This new area has not yet been developed and is awaiting approval of master plan development permit. Another 4.77-acre parcel located east of SR 305 on the south side of Day Road was designated and zoned Business/ Industrial in 1999. This property has also not been developed.

Two other properties were designated and zoned Business/ Industrial in 1999. These are located north of New Brooklyn Road, on or near Sportsman Club Road. One of these properties contains two parcels with 16 acres and is located on the north side of New Brooklyn Road and east of Sportsman Club Road. This property has not yet been developed and is currently operated as a Christmas tree farm. The other area is located on the east side of Sportsman Club Road northeast of Sakai Intermediate School. This 7.28-acre property contains two parcels and remains undeveloped.