



**CITY OF BAINBRIDGE ISLAND
REGULAR PLANNING COMMISSION MEETING
THURSDAY, AUGUST 13, 2015
6:00 p.m.-9:00 p.m.
CITY COUNCIL CHAMBER
280 MADISON AVE N
BAINBRIDGE ISLAND, WASHINGTON**

- 6:00 PM CALL TO ORDER**
Call to Order, Agenda Review, Conflict Disclosure
- 6:05 PM REVIEW AND APPROVAL OF MINUTES**
June 11, 2015 Planning Commission Meeting
- 6:10 PM PUBLIC COMMENT**
Accept public comment on off agenda items
- 6:20 PM ORDINANCE 2015-23, WIRELESS COMMUNICATIONS REGULATIONS**
Public Hearing
- ORDINANCE 2015-04, TREE AND LANDSCAPING REGULATIONS**
Public Hearing
- 7:00 PM PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE**
- 7:10 PM 2016 COMPREHENSIVE PLAN UPDATE**
Land Use Element
1. Confirm Drafting committee Proposed Revisions re: Islandwide Conservation Strategy, High School Road District and Food Security Policies
 2. Consider adding a "Glossary" to the Land Use Element
 3. Comprehensive Plan Amendment Application Under Consideration Submitted by BI Metro Park and Recreation District, to create a new "Park" land use designation for parks, including new "Park" designation policies
- Environmental Element*
Review public comment from July 22 Workshop
- 8:40 PM PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE**
- 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
Planning Commission**

**Public Hearing Notice
Thursday, August 13, 2015**

**City Council Chambers, Bainbridge Island City Hall
280 Madison Avenue, Bainbridge Island, WA**

YOU ARE HEREBY NOTIFIED that the City of Bainbridge Island Planning Commission will conduct two Public Hearings on the following Ordinances:

6:00 PM Ordinance 2015-23: Repealing Bainbridge Island Municipal Code (BIMC) Section 18.09.030.F.3, and adding new chapters BIMC 18.10 and 18.11, to revise zoning regulations regulating wireless communication facilities.

Ordinance 2015-04: Revising zoning regulations for tree and landscaping maintenance and requirements; amending Bainbridge Island Municipal Code Sections 18.12.030, 18.15.010 and 18.36.030.

You may attend the hearing and provide oral comment. Written comment may be submitted to the Department of Planning and Community Development or emailed to pcd@bainbridgewa.gov.

Questions regarding these ordinances may be directed to:

Jennifer Sutton
Special Project Planner
280 Madison Ave. North
Bainbridge Island, WA 98110
(206) 780-3772 pcd@bainbridgewa.gov



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

PUBLIC COMMENT - Accept Public Comment on off agenda items

ORDINANCE 2015-16, ACCESSORY DWELLING UNIT REGULATIONS - Study Session

REVIEW PROCESS FOR 2016 COMPREHENSIVE PLAN UPDATE - Discussion

2016 COMPREHENSIVE PLAN UPDATE

- Review proposed changes to and make recommendations on the *Introduction*
- Continue discussion of *Land Use Element* with a focus “cleanup/updating” changes and the current Residential Growth Strategy

NEW/OLD BUSINESS

ADJOURN

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

Meeting was called to order by Planning Commission Chairperson Mack Pearl. Commissioners also in attendance were Jon Quitslund, Mike Lewars, Maradel Gale, William Chester and John Thomas (arrived late). Julie Kriegh was absent. Possible conflict of interest was mentioned by Commissioner Quitslund involving a subdivision on family land that may involve ADUs. Ms. Cook stated if he was able to keep an unbiased opinion, he could vote, but if he felt unable to do that, he should abstain. Commissioner Quitslund agreed.

PUBLIC COMMENT - Accept Public Comment on off agenda items

Melanie Keenan, Citizen – (Presentation transcribed. Requests for original power point presentation have been unanswered.)

Water Resource Management Protection & Sustainability

"My name is Melanie Keenan. I am a geologist/hydro-geologist and I have been compiling some basic concepts that are published documentation for the Island's limited water supply. These are concepts I would hope would be considered for the comp plan update. She displayed a map entitled "Water Resource Management Protection Sustainability," a map taken from the USGS study that showed the draw down water levels decreasing in the worst case scenarios up to forty feet in the dark blue area. Basically, we have a sole source aquifer, so as we know, in March 2013, the Island was designated a sole source by the EPA. This means we are 100% reliant on our ground water supply and as a result, we need to protect it. There was information she provided as links on her presentation to provide more

information/documentation if someone wanted to look at it and get more information about it later, they could. Essentially, we need to be accountable and responsible with our governance. We need to use common sense. Bainbridge is 100% dependent upon its aquifers. There is not another readily affordable source of drinking water at this time. The only recharge is rainfall, so we need aquifer conservation zones for adequate recharge. Right now, because we are in the fourth year of a drought on the west coast which is now inclusive of Washington as of May 15, it really brings home the point of managing our water supply. One proposal was aquifer conservation zones. There is an RCW 36.70a550 that has to come to bear since the last comp plan was developed. We need to have a really serious conversation about how much of the island do we have as aquifer conservation zones. What is the health of our current aquifers? How are we using it? Are we using more water than is recharging? We need to get on top of this and establish this before it is too late.

Water is a top priority for citizens. Last survey put a safe, adequate and clean water supply as the top priority. Being a sole source aquifer, this is really important and because the entire island is an urban growth area, it is even more essential that we develop these aquifer conservation zones as set aside in the Growth Management Act to help the only all island UGA in Washington that is a sole source aquifer. We are a very unique situation. What are some of the main concerns we need to address? Sea water intrusion. There is an Ecology Water Resource Inventory Area 15 (Kitsap County area) and the dotted area on this map shows the areas that are at risk for sea water intrusion based on this publication. As seen, the entire island is dappled with this red dot, protection for potential sea water intrusion. There is documentation of about a quarter of a mile in from the shoreline is at risk. The whole island needs to be monitored. Sea water intrusion is a complex concept but she was trying to provide an overview and this was a simplified version. Sea water intrusion is the shoreward movement from the ocean into the confined and unconfined coastal aquifers and the subsequent displacement of fresh water from these aquifers. She displayed a picture showing “up coning” where water is being drawn out of the well to a degree that it brings in the salt water/fresh water interface which would normal exist if we weren’t over-pumping.

Aspect did a report in 2006 and showed historic chloride concentrations in ground water on Bainbridge Island. This map is difficult to see here. There is reporting, it is online. There are several wells that have exceeded some parameters for chloride so this isn’t something that “if” it is a matter of how do we deal with it because it is happening. This COBI sea water assessment shows how there can be increases. Some of the wells on the last slide were over 400. The wells are usually unusable after 200. There are metrics there that are more complex that I won’t get into, but the Fletcher Bay aquifer has had some chloride concentrations increasing during the dry season and that supplies about 30% of the Islands drinking water at this time. This is a matter of documentation.

So are we over-pumping? Lowering of water levels is documented in several top producing drinking wells on the Island, an indication we are possibly using more water than is being recharged with rainfall. This is all the more reason we need aquifer conservation zones to compensate for this. We need to properly manage and monitor the limited water resource for sea water intrusion, water levels and also water quality. The red squares show there are over a hundred acre feet per year being extracted from these wells. This was estimated in a 2006 Aspect report. 2005 ground water withdrawals on Bainbridge Island and you can see the red squares that are easier to observe in this format. You have to wonder. I think some people have come to me and told me about issues they are having with their personal wells and their proximity to some of the big water supply systems on the Island, COBI, North Bainbridge, etc. Are some of these wells impacting private water rights and private wells on the Island? That is another thing that needs to be addressed.

Environmental Impact Studies – One of the ways we need to figure out is for the last 10 years, records requests reveal there have not been any environmental impact studies for large projects. We need to

honestly assess instead of green lighting all development what is going on with the growth we've had to date and what is the growth based on. Responsible growth is evergreen. Water resources should dictate the growth of the Island not the opposite – financial management which makes the numbers for growing and setting aside growth projections. The growth projections so far for the last time was 50% over what Kitsap County grew. These numbers really need to be considered. The Growth Management Act needs to really consider the sole source aquifer island. Bainbridge is the only all island urban growth area (UGA) and really UGAs are more designed for land locked cities, not small islands surrounded by salt water. Ethically, our elected officials need to look at this and wonder, 'Is this appropriate? Do we need to shrink our UGA area on the Island? Is the whole Island appropriate for being a UGA?' What is an urban growth area? You can Google this and look at the RCW and how it relates to the Growth Management Act.

There was talk about increasing the zoning and currently the existing zoning provides for the projected growth so I don't really think we need to up-zone, we need to understand how we are impacting the Island already and we do not have enough metrics to do that. We need to demonstrate there are adequate water resources through environmental studies before increasing development and COBI needs to address the obvious critical issues about the Island's limited resources. The Planning Department already provides numerous variances and bonus incentives for more density than what is already zoned so we need to be realistic. One of the things that I heard was that we would have HDDP island-wide. I do not think enough studies have not been completed as required by the experimental program. It is not sustainable island-wide. Is this more green building or the color of money for developers versus how does this impact taxpayers who are currently island property owners? We need to consider that other areas in Kitsap and King Counties, other UGAs employ impact fees. These are outlined in the GMA for large developments like Visconsi. Let's make sure the current residents are not subsidizing the growth of the infrastructure, but that the actual projects themselves carry their own weight. Bainbridge has a very high profit margin for development and an island that has limited resources should not be one of the most profitable places to develop in the area.

The other thing we talked about were community septic systems. For example, up in Rolling Bay, building out like there is a sewer is not appropriate. We were told they were pretty cost prohibited, so doing community septic systems could put the water supply at risk. We also need to clean-up our hazardous waste sites. We need to trigger the EPA, DOE and Health Department enforcement for large corporate oil companies, big developers and some downtown property owners. That will help as well with the water supply. By maintaining the water supply, we are maintaining the value of our existing island homes and businesses. As the cost of water goes up, the cost of housing will go up. It will become less affordable to live here. There is a direct relationship between the two. When I talk to some Council people about what we will do if we run out of water, I get the response that we'll put a pipe over the Agate Pass Bridge. I call that the 'pipe dream.' The Kitsap peninsula, according to the USGS reporting has a limited water supply like Bainbridge. It's surrounded about 90% by salt water and the WRIA report also shows areas of sea water intrusion problems. Does Bainbridge Island have the costly water rights in place to extract water from Kitsap peninsula? As the region grows, will there be affordable water available to supply Bainbridge from the peninsula as they are growing and have increased demands as well? Who will pay for the high cost of required infrastructure?

Those are my concepts. I appreciate your time. I think they should be employed and really made a priority in several portions of the Comp Plan that it is appropriate to place them in including the Land Use Element."

Commissioner Pearl asked if Ms. Keenan knew about the Water Resources Workshop on June 18. She replied yes, but that she would like to see the new report from Aspect Consulting. Commissioner Pearl stated he had heard they were working on a report containing the latest information but that it would not

be out until the fall. Director Cook addressed this concern and stated there were plans to review the latest work in the fall, but because of the interest in the community about water and how it relates to the Comp Plan, an earlier workshop should be held to talk about what is already known as well.

ORDINANCE 2015-16, ACCESSORY DWELLING UNIT REGULATIONS - Study Session

Planner Jennifer Sutton briefed the Commission with an overview of the information provided for this study session mentioning that while accessory dwelling units (ADUs) are allowed on any home site, when on the shoreline, they are a conditional use permit.

Commissioner Pearl requested the City Attorney give the Commission information on whether it was legal for an ADU to be held under separate ownership. He canvassed the other commissioners as to whether they felt it was an important issue to be discussed at this time. Director Cook stated City Code was “silent” on separate ownership, but the basic planning premise about accessory dwelling units was that they are in common ownership with the primary unit. They are “accessory” to the primary unit which in the planning world means they are under common ownership. Siting a single family home with an ADU was considered single family housing. If two units on one lot are under separate ownership, that is considered multi-family development and it has a different permitting process.

Commissioner Chester felt that allowing an ADU to be a separate tax parcel defeats the purpose of having ADUs contribute to the affordable housing market. Commissioner Lewars felt this was a complex discussion and they should move to the other issues until they could have more information from the City Attorney. A discussion on whether an ADU must share the driveway of the main dwelling ensued with Commissioner Gale suggesting they leave the language as is and that a waiver should be allowed for really compelling situations where two driveways may lead to less impervious surface. Commissioner Chester disagreed and felt that having a second driveway could lead to having a separated dwelling that may be worth more rental money than a typical ADU. Commissioner Pearl thought they should put off discussion until they were able to determine whether it will/can be its own tax parcel. Commissioner Gale requested legal analysis by the City Attorney. Discussion continued with the subject of drain fields and whether a separate drain field was required.

Commissioner Lewars felt they needed to choose whether to move forward or wait for the City Attorney’s report.

Motion: I move we entertain public comment at this point and put this on hold for the following meeting.

Lewars/Gale: Passed 5-0

Public Comment on ADUs

Bruce Weiland, Citizen – Sent each of the commission members, as well as Kathy Cook and the City Attorney a letter late last night. He understood if they had not had time to look at it because they had only had it in their Inbox for the last 12 hours or so. He wanted to make sure they understood the legal parameters of this whole issue about double ownership and two tax lots. He said the important thing (knowing this was just a preliminary part of the conversation and he offered himself to deal with some of these things and had spoken with City Attorney Lisa Marshall about it as well) when talking about two tax parcels, we are simply saying the State Condominium Act allows any piece of real estate to be divided into separate ownerships without changing the lot configuration. In fact, State law specifically addresses that when you create a condominium, by law, each condominium unit has a separate tax parcel number. That is just required. For example, if you own the Homestead Apartments and let’s say it was one large tax parcel now, the owner of that property can condominiumize it and convert it to a condominium, which

happens all the time around the State, and when that happens, each of the hundred or so units become a separate unit that can be sold separately and then it has to have a separate tax parcel number. So what you are really saying is, are you going to recommend that you try to prohibit the application of the condominium statute as applied to a single family lot. That was the vehicle we're talking about here. We're not talking about a disguised short plat because when you build a piece of property with an ADU you have two dwellings on that lot. If you rent that to another family, you have two families living on that single lot. If you sell that to another family, you have two families living on that single lot. It's not about a change in the density, it's a change in the ownership and most importantly, it's a change brought about by the application of the State law that, frankly, local jurisdictions cannot contradict. I urge you to keep in mind two main points:

1. When you talk about a separate tax parcel number that doesn't come about because someone has a surreptitiously created another lot. There's only one lot, one ADU and one main house. What you are talking about is application of a State Condominium Statute to create that measure of ownership and in fact, is very similar to a situation where, if I own a piece of property with my brother and we enter into an agreement that says we own this all together, but you are going to live in the ADU and I'm going to live in the main house for the next 90 years. We can put that into an agreement and record it and that is the same kind of ownership split that a condominium enacts.

I would like the Commission to read my letter carefully and let me know if I can help. I am a real estate attorney and I have personally helped clients probably 6-8 times create ADU condominiums and the sky didn't fall in, it simply stated to people that you can use State Law to own your property as two units as opposed to a single lot. As you'll read in my letter, there is one question of whether it is a good policy; are you helping or hurting affordable housing by trying to prohibit that. But beyond that there is a question of legality and what you can do.

Commissioner Pearl asked if Mr. Weiland was aware of the ordinance in Mercer Island that prohibits this in some way. Mr. Weiland replied he was not but that he would look it up and get back to them.

Commissioner Quitslund asked about new construction that includes an ADU. Could the separate tax parcels be created by the developer at the time of the first sale? Mr. Weiland replied he was talking about was the difference between a new condominium construction and a condominium conversion. If he owned Homestead Apartments, he could make it into a hundred unit condominium by converting it. If he owned a piece of land without anything on it, I can build a multi-family structure if it meets all the City requirements and before one unit is sold, he could start it as a condominium. The State Condominium Act specifically allows either original creation upon development or conversion after the fact. Legally, it was the same thing.

Commissioner Pearl replied that where it seems different to all of us is that seems obvious that if you have an apartment building, you can condominiumize it and you have multi-family housing. But when you have single family housing, to make it into multi-family housing seems contrary to our understanding of what an ADU is. Mr. Weiland mentioned that a duplex as a two unit multi-family dwelling.

Commissioner Pearl stated that was not allowed in most zones on the Island. Mr. Weiland felt there were policy questions about whether somehow there is some sort of gut response that this is not what was meant. He would love to be engaged in that policy conversation because he felt there were so many good things that could come from the ability to separate the ownership but more importantly, he asked them all to be attentive to what your legal requirements are because of State Law and the U.S. Constitution.

Commissioner Gale stated there was not a requirement for the Island to continue having ADUs. Mr. Weiland said that was one way of dealing with the issue but that held more negatives than positives as a policy. The Condominium Act says that local jurisdictions get to control how lots are created and what their density is, but once you build something that meets all the City requirements, how you own that property, whether husband/wife, brother/brother, or co-owners as condominium owners, that's a State

Law matter. Commissioner Chester replied that the only question Mr. Weiland was really saying was that if someone builds or has a single family residence and they have an ADU on it, whether previously or are building a new one, if they wish to, they could decide to split that ownership between themselves and another relative or themselves and a friend or whatever they wanted to do for a dollar or for some equitable amount of money. On the surface of that he did not see why that would be an issue here. The issue was to have one ADU possible on one single family home. Mr. Weiland agreed and said yes, under the zoning code and the current ADU zoning, you could have one main house and one ADU on a single-family lot. You could rent one of them or any number of things and one of the things that State law allows was to create ownership segments called units. He could leave it under common ownership or he could use the Condominium Statute to create two units that may or may not stay common ownership. Mr. Weiland stated he had done that 7 or 8 times with his clients. The ADUs had been sold to other people and it didn't affect density because that same unit could have been rented to someone as well. Commissioner Pearl stated they would like to hear back from Mr. Weiland next time. He offered to answer any questions from the Commissioners.

Teresa Muzzi, Citizen – Purchased her home with a tiny ADU and her goal in buying the home was to increase the size of the ADU. She had plans written up to 800 square feet and then happened to catch on TV that the Commission was considering 900 square feet. It is very scary that the Commission was considering going to make it two tax parcels. She hoped that they would consider those who already had legal ADUs and it was stressful to think they were considering turning them into two tax parcels. She hoped that already had ADUs would be allowed to increase the size of their ADU and not have to have the tax parcel change as well. Commissioner Pearl assured her that no one would take away her single parcel status. Ms. Muzzi went on to say she was in favor of increasing the size to 900 square feet. It is hard to squeeze a lot of stuff into 800 square feet and 900 would be fantastic. She wanted to know more about what they were going to do with setbacks and everything else. She did not want any changes for people who already had an ADU where it would be an adverse effect. Commissioner Lewars assured her that she would not be compelled to create different tax parcels. Ms. Muzzi understood that it was optional. She repeated that she was definitely in favor of increasing the square footage of ADUs. She stated that she was able to purchase her property when she otherwise would not have been able to because she could rent the main house and live in the ADU.

Robert Dashiell, Citizen – Opposed increasing ADU size to 900 square feet. He understood all the arguments but he felt the main argument to increase the size was to allow a two bedroom ADU instead of a one bedroom. Mr. Dashiell stated that ADUs dilute residential zoning. There are so many houses per acre, but as ADUs are allowed they double the number of residences. He further stated that residential zoning became less meaningful as ADUs are built. Bainbridge land cost and housing is increasing. To live here, one of the options is to buy a house and then put an ADU on your property and try to pay for your house. But most of these ADUs go in the 2.5 density area but as we continue to put more houses into the less dense areas, he sensed that it would decrease one of the actual reasons people move here in the first place. What makes Bainbridge really special was that it was not dense now. ADUs will increase density and as the size of the ADUs increases, there will be a move in an incremental way, to build more ADUs because they will be more valuable. If you are a property developer, that's also going to increase the price of land and Bainbridge Island will become less affordable. He felt in the big picture, by increasing and making ADUs larger, he thought they were playing with the special character of the Island they were trying to preserve. What he would like to preserve was a less dense island and he thought what they were doing was putting a carrot out there to increase density in the less dense areas.

Charles Schmid, Citizen – He was part of the original citizen's group who worked on the original zoning ordinance and they never thought of having the ADU as a separate sale. What came to his mind was that they all felt they worked well in rural areas. Imagine if a developer built 20 homes with 20 ADUs and you have all these driveways so all of a sudden you have a development with all these ADUs

that are salable that you can make money from. If you were looking at the price, that would certainly be a consideration.

REVIEW PROCESS FOR 2016 COMPREHENSIVE PLAN UPDATE – Discussion

Planner Sutton introduced the subject by showing where the Commission was currently in the Comprehensive Plan process. She mentioned Commissioner Lewars had called her with concerns about the actual Planning Commission meeting process. She stated the new process would be. All Commissioners agreed.

COMPREHENSIVE PLAN UPDATE

- Review proposed changes to and make recommendations on the *Introduction*
- Continue discussion of *Land Use Element* with a focus “cleanup/updating” changes and the current Residential Growth Strategy

Public Comment

Eric Kuhner, Citizen – Wanted to remind the Planning Commission that the first overriding principle originally read “Preserve the rural character of the Island” which, as we remember, had to be removed. But it was still rural and with respect to the items you were asked to give input to today, with respect to item one, he felt it was a shame the new Vision Statement has lost the original language that outside of Winslow and Neighborhood Centers, Bainbridge should preserve its past rural heritage. The Comprehensive Plan was the only document that speaks to land use outside of population centers which each have or will have their own sub-area plan, it’s very challenging to produce a consistent plan that covers all of the Island because the goals and policies appropriate to population centers and to rural areas can be conflicting and even diametrically opposed. Unfortunately, the new Vision Statement glosses right over this challenge by eliminating most of the specific language of the original. He requested the Planning Commission restore some language better reflecting the rural character of the Island. He had a specific objection to the phrase in the Vision Statement “People of Bainbridge aspire to accommodate inevitable growth.” There is no evidence of the supposed aspiration. In fact, the evidence is the opposite. There is a reason the word “growth” does not appear in our existing vision statement and principles. Results from the last significant surveys done on the Island in 1992 and 2000 concluded that residents appeared to have mixed feelings about past growth and little enthusiasm for future development. Bainbridge Island residents opposed improved services, road expansion, manufacturing, shopping facilities and other infrastructure improvements that support growth. He proposed modifying the language in the vision statement to read: “The people of Bainbridge aspire to protect the wildlife habitat, watersheds, shoreline, open spaces and the air and water quality of the Island by planning for unavoidable increases in population in a way that minimizes impact on these precious natural resources.” He objected to the Vision Statement as it was and request that you not approve it tonight.

The second action item was regarding the Framework Goals and Policies. In his opinion, policies do not belong in the Introduction, they should be moved to an appropriate section. In any case, most of the items labeled as policies here are taken directly from goals and various plan elements. It made no sense to him to pull out these goals, label them as policies and stick them in the introduction. He suggested putting them back where they belonged. With respect to Framework Goal 1, he strongly objected to replacing “bordered by dense vegetation” with “supporting all forms of transportation.” Supporting all forms of transportation is only appropriate to population centers and some arterials. The majority of roads on the Island support all forms of transportation by virtue of the case that there is little traffic and we share the roads. The relevance completely changed the meaning and intent of the principle. If it needed to be changed, he suggested landscape buffers. With respect to Framework Goal six, he felt it should be removed because references to priority budgeting did not have any place in their Comprehensive Plan because priority budgeting was a specific process implemented by this Council and a manager and may or

may not be used by future Councils and should be replaced by general language if it needed to be there. But secondly, the priorities were developed as part of strategic planning for the City as a governmental entity and the priorities should reflect the goals of the Comprehensive Plan as expressed by the citizens. Further, they were not appropriate in the Comprehensive Plan because according to the City, they were developed by Council, staff and consultants. In other words, without public input. They had no business being in the Comprehensive Plan. They were also labeled as policies, but they were not policies. They were simply strategic priorities developed by the City to which had been appended a convenient verb to make them sound active. The entire section makes a joke of public involvement in the planning process and I ask that it be removed.

Commissioner Pearl asked Mr. Kuhner to submit the statement about the Vision in a letter form because the Vision Statement had moved on but would be available for change at the end of the process.

Olemara Peters, Citizen – Had e-mailed her comment on the Comp Plan but also wanted to speak it out. Please uphold and strengthen the overriding function of the five overriding principles. Please do not allow them to be subsumed among the proposed six additional points all of which are euphemism such as the Planning Department and friends have already consistently demonstrated interpreting in developer speak exactly opposite to the intention of the five overriding principles. As opposite as, for instance with “grow a vibrant economy, nurture a healthy and attractive community, grow a green, well-planned community.” For example, the Safeway center with its historically and perpetually empty units and the Visconsi further debacle flying in the face of the Planning Commission’s own unanimous decision. If this direction is allowed to continue to be applied, our water resources and everything else of real value about Bainbridge will be logged off, paved over, dried up and withered along with our public process. Please keep the five overriding principles separate and primary. She especially liked Eric Kuhner’s proposed re-languaging for the Vision Statement.

Ron Peltier, Citizen – Briefly commented on the five overriding principles having become the five framework goals without you really deciding you were going to change the name. He felt the difference was significant. He mentioned the poster of the five overriding principles poster that used to hang on the wall of the Council Chamber and that there was something compelling about overriding principles. They obviously carry more weight than five framework goals. He did not understand why they would be changed other than to make them less compelling and less important. He hoped they would consider that when they were talking about the five overriding principles and maybe not just assume they would be changed to the five framework goals.

Jacqueline Young, Citizen – Was very concerned about what was happening with the Comp Plan. She was concerned that people potentially not even residents of the Island are turning it into a managerial exercise (when you start using words like framework). She stated she knew because she is a consultant and a project manager. She had studied the books and knew the terms and had seen them before and expressed it was very sad seeing them be applied to what should be a reflection of the vision for the people living on this island. She felt it was important to remember that this island, Port Madison, was the local city for the Puget Sound originally. That the lumber mill was the largest lumber mill in the world when it was down at Port Blakely. We were the center of strawberry growing for the U.S. She wanted to know if this place would be turned into another Burien, another Kent or Puyallup. You know, a center where Amazon goods can be stored. She did not feel the changes that were happening to the Comp Plan would protect the Island from going down that path. She was looking at the Constitution of the United States, her country and the Commissions, quoting the opening line and asking if that was written by consultants. Ms. Young stated it was written “by the people.” She asked the Commission to keep in mind what this country stands for and ask whether Bainbridge was becoming just another mass market or whether Bainbridge was still a vision.

Charles Schmid, Citizen – Submitted his comments in writing. He felt the words framework goals did sound like administrative things and that when it was said the goal was to protect the water resource of the Island or force the diversity that was really a principle (looking at the English of it). He would like to see the word landscaping (since vegetation was removed) because that word was in the ordinances and it would be good to have it in the principles as well. He also felt framework goal five should not just say development but “low impact development.” He also wondered about putting a reference in about maintaining Winslow’s downtown small town atmosphere. A lot of cities do not have that downtown feeling and through really good planning, Winslow’s small town atmosphere had been kept. He felt they needed to go back to the listening sessions because a lot of the changes in the Comp Plan were not brought up by citizens at those sessions.

Pegeen Mulhern, Citizen – Wanted to follow up on a couple of things that had already been said to reinforce them. She had written and sent her comments about the framework goals and did believe they were really overriding policies and hoped that would be respected differently from goals and frameworks that were being worked on. She felt, like Charles Schmid, that the word landscaping should be kept in because it was easy enough to make compatible road for bikes, people and cars, but if the roadways started losing that look and feel, that was part of what makes Bainbridge Bainbridge. She felt that was part of the Planning Commission’s charge and agreed with Mr. Schmid that no one in the Listening Sessions said they should ditch these things (vegetation, landscaping, etc.) She had the sense in the Listening Sessions that they would be making some revisions to the plan in following those principles and she hoped they would hold onto them.

The Planning Commission took a short break at 7:11 PM.

Joe Tovar, City Consultant – Began discussion by speaking about the actual structure of the Comprehensive Plan. He introduced the 2004 Comprehensive Plan Vision and Goals, citing a lack of narrative explaining the relationship of the goals to the five overriding principles that guide the Plan. He showed the 2004 Overriding Principles side by side with the proposed 2016 Plan Framework Goals stating that it didn’t really matter what you called them, it was the content that was important. Comparison and Contrast of each Framework Goal was discussed. Continued dialogue resulted in retaining the title Five Overriding Principles and Policies (not Framework Goals).

Discussion continued with the Land Use Element. Planner Sutton introduced the three categories for reviewing the Land Use Element that staff wanted the Commission to give input on:

1. Housekeeping/Clarifying Changes (Agreed with methodology)
2. Current Growth Strategy (
3. Policy Direction

Growth strategy was discussed and an explanation of how population numbers are calculated (2.5 people per single family home and 1.7 people per multi-family dwelling).

Motion: I move that we change the City’s current residential growth strategy to remove numerical quotas and rely on our existing zoning to place the population around the Island.
Gale/Lewars: Passed 6-0

Commissioner Gale started the conversation on the replacement of the word “shall” with “should.” She argued that since the US Constitution uses shall, so should the Comprehensive Plan. They agreed that each one needed review. Mr. Tovar requested the Planning Commission define each so there would be a reference point to decide each use. It was also decided that the Comprehensive Plan would replace the

growth strategy and that neighborhood service centers would still require a special area planning process for increased growth or zoning changes.

Public Comment

Olemara Peters, Citizen – She informed the Commission that the International Building Biology Institute would be having their international annual meeting in the U.S. at Island Wood July 10-12, 2015. This group was the only group she knew of working for green that included substantive standards of bio-compatibility for both natural systems and humans. That conference would possibly be of interest to anyone involved in planning and sustainability.

Jacqueline Young, Citizen – Was very concerned about Framework Goal 6, “Support the Island’s Framework Goals through the City’s priority based budgeting decisions.” Commissioner Pearl informed Ms. Young that the words “priority based” had been eliminated.

Ron Peltier, Citizen – Wondered if the 6th Overriding Principle regarding the character of downtown as the center of commerce and culture Citizen Charles Schmid had recommended could not be added to the 1st Overriding Principle. He asked the Commissioners to think about that.

NEW/OLD BUSINESS

Commissioner Pearl asked the public how they thought the new format of public comment at the beginning and the end of the discussion period. The public did not have any concerns and the Commission felt it worked well.

ADJOURN

Meeting was adjourned at 8:50 PM.

CITY OF BAINBRIDGE ISLAND
WASHINGTON
ORDINANCE NO. 2015-23

AN ORDINANCE OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, RELATING TO WIRELESS COMMUNICATION FACILITIES; ADDING NEW CHAPTERS 18.10 AND 18.11 TO THE BAINBRIDGE ISLAND MUNICIPAL CODE; ESTABLISHING DEVELOPMENT REGULATIONS FOR CO-LOCATION, REMOVAL AND REPLACEMENT OF WIRELESS TRANSMISSION FACILITIES TO CONFORM TO FEDERAL LAW AND REGULATIONS; ESTABLISHING AN APPLICATION PROCESS; PROVIDING FOR TERMINATION OF NON-CONFORMING STRUCTURES; REPEALING BAINBRIDGE ISLAND MUNICIPAL CODE SUBSECTION 18.09.030(F)(3) RELATING TO WIRELESS COMMUNICATION FACILITIES, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, in 1934, Congress enacted the Communications Act of 1934, creating the FCC and granting it authority over common carriers engaged in the provision of interstate or foreign communications services; and

WHEREAS, in 1996 Congress enacted Pub. L. No. 104-104, 110 Stat. 70 (the “1996 Act”), amending the Communications Act of 1934 and implementing regulations applicable to both wireless and wireline communications facilities for the purpose of removal of barriers to entry into the telecommunications market while preserving local government zoning authority except where specifically limited under the 1996 Act; and

WHEREAS, in the 1996 Act, Congress imposed substantive and procedural limitations on the traditional authority of state and local governments to regulate the location, construction, and modification of wireless facilities and incorporated those limitations into the Communications Act of 1934; and

WHEREAS, the City has adopted regulations that have been codified as part of the Bainbridge Island Municipal Code establishing local requirements for the location, construction, and modification of wireless facilities; and

WHEREAS, recent SEPA legislation is intended to shift the focus on wireless communication facilities from antenna size to visual stealth and camouflage; and

WHEREAS, the City has been identified by an AT&T Wireless survey as a city with poor wireless phone coverage; and

WHEREAS, the City desires to expand and improve wireless coverage within and around the City; and

WHEREAS, in 2012 Congress passed the “Middle Class Tax Relief and Job Creation Act of 2012” (the “Spectrum Act”) (Public Law 112-96; codified at 47 U.S.C. § 1455(a)); and

WHEREAS, Section 6409 of the Spectrum Act (hereafter “Section 6409”) implements additional substantive and procedural limitations upon state and local government authority to regulate modification of existing wireless antenna support structures and base stations; and

WHEREAS, Congress through its enactment of Section 6409, has mandated that local governments approve, and cannot deny, an application requesting modification of an existing tower or base station if such modification does not substantially change the physical dimensions of such tower or base station; and

WHEREAS, the 1996 Act empowers the Federal Communications Commission (the “FCC”) to prescribe such rules and regulations as may be necessary in the public interest to carry out the provisions of the 1996 Act, and subsequently added portions of the 1996 Act such as Section 6409; and

WHEREAS, the FCC, pursuant to its rule making authority, adopted and released a Notice of Proposed Rulemaking in September of 2013 (*In re Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59; FCC 13-122) which focused in part upon whether or not the FCC should adopt rules regarding implementation of Section 6409; and

WHEREAS, on October 21, 2014, the FCC issued its report and order, WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59; FCC 14-153, in the above described proceeding (the “Report and Order” or “Order”) clarifying and implementing statutory requirements related to state and local government review of infrastructure siting, including Section 6409, with the intent of facilitating and expediting the deployment of equipment and infrastructure to meet the demand for wireless capacity; and

WHEREAS, the rules adopted by the FCC in its Report and Order implementing Section 6409 are intended by the FCC to spur wireless broadband deployment, in part, by facilitating the sharing of infrastructure that supports wireless communications through incentives to collocate on structures that already support wireless facilities; and

WHEREAS, the Report and Order also adopts measures that update the FCC’s review processes under the National Environmental Policy Act of 1969 (“**NEPA**”) and section 106 of the National Historic Preservation Act of 1966 (“**NHPA**”), with a particular emphasis on accommodating new wireless technologies that use smaller antennas and compact radio equipment to provide mobile voice and broadband service; and

WHEREAS, on January 5, 2015, the FCC released an Erratum to the Report and Order making certain amendments to the provisions of the Report and Order related to NEPA and Section 106 of the NHPA; and

WHEREAS, that part of the Report and Order related to implementation of Section 6409, amends 47 C.F.R. Part 1 (PART 1 – PRACTICE AND PROCEDURE) by adding new Subpart CC § 1.40001 and establishing both substantive and procedural limitations upon local government application and development requirements applicable to proposals for modification to an existing antenna support structure or an existing base station (“**Eligible Facility Request Rules**”); and

WHEREAS, the Order, among other things, defines key terms utilized in Section 6409, establishes application requirements limiting the information that can be required from an applicant, implements a 90-day shot clock for permit processing and related tolling provisions, establishes a “deemed approved” remedy for applications not timely responded to, requires cities to approve a project permit application requesting modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, and establishes development standards that govern such proposed modifications; and

WHEREAS, the Report and Order provides that the Eligible Facility Request Rules will be effective 90 days following publication in the Federal Register; and

WHEREAS, the Order was published in the Federal Register on Thursday, January 8, 2015, Federal Register; Vol. 80; No. 5, resulting in the Eligible Facility Request Rules becoming effective on April 8, 2015; and

WHEREAS, the Order is subject to appeal, however, even if an appeal is filed, the appeal will not automatically result in delay of implementation of the Eligible Facility Request Rules; and

WHEREAS, the City Council finds that it is required under Section 6409 of the Spectrum Act and the Eligible Facility Request Rules established in the Order, to adopt and implement local development and zoning regulations that are consistent with Section 6409 and the Order; and

WHEREAS, an Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act (RCW Chapter 43.21C), pursuant to Washington Administrative Code Chapter 197-11, and a determination of Non-Significance (“**DNS**”) was issued on _____, 2015; and

WHEREAS, in accordance with RCW 36.70A.106 and WAC 365-196-630, a notice of intent to adopt the proposed new development regulations was sent to the State of Washington Department of Commerce and to other state agencies to allow for a 60-day review and comment period, which comment period ended prior to adoption of this ordinance; and

WHEREAS, on July 23, 2015, the Planning Commission held a duly noticed public meeting related to the proposed development and zoning regulations set forth in the proposed ordinance; and

WHEREAS, the City Council considered the proposed development and zoning regulations on _____, 2015; and

WHEREAS, the City Council finds that the proposed development and zoning regulations are reasonable and necessary in order bring the City's development regulations into compliance with the mandate imposed upon the City by Congress pursuant to Section 6409 and the regulations imposed upon the City by the FCC pursuant to its Report and Order, and are therefore in the public interest;

NOW, THEREFORE, the City Council of the City of Bainbridge Island, Washington, do ordain as follows:

Section 1. New BIMC Chapter 18.10, "Use Regulations — Wireless Communication Facilities," Added. Title 18 of the Bainbridge Island Municipal Code is hereby amended to add a new Chapter 18.10, Use Regulations — Wireless Communication Facilities, to read as follows:

Use Regulations — Wireless Communication Facilities.

- 18.10.010 Purpose
- 18.10.020 Definitions
- 18.10.030 Permit required
- 18.10.040 Application requirements
- 18.10.050 Permit conditions
- 18.10.060 Permit enforcement
- 18.10.070 Prioritized locations
- 18.10.080 Development standards
- 18.10.090 Electromagnetic field (EMF) standards compliance
- 18.10.100 Facility removal

18.10.010 Purpose.

This chapter addresses the issues of location and appearance associated with wireless communication facilities ("WCFs"). It provides adequate siting opportunities through a wide range of locations and options which minimize safety hazards and visual impacts sometimes associated with wireless communications technology. The chapter encourages siting of facilities on existing buildings or structures, co-location of several providers' facilities on a single support structure, and visual mitigation measures to maintain neighborhood appearance and reduce visual clutter in the City.

Commented [LM1]: It is appropriate to add a new chapter with a revamped wireless code to accomplish the City's and AT&T's goals for improved wireless services based on stealth and camouflage rather than zone-specific size requirements.

This code section will replace the existing 18.09.030(F)(3), which is repealed by this ordinance.

18.10.020 Definitions.

A. "Antenna(s)" means any system of electromagnetically tuned wires, poles, rods, reflecting discs or similar devices used to transmit or receive electromagnetic waves between terrestrial and/or orbital based points, including, but not limited to:

1. Omni-directional (or "whip") antenna(s), which transmits and receives radio frequency signals in a 360-degree radial pattern;

2. Directional (or "panel") antenna(s), which transmits and receives radio frequency signals in a specific directional pattern of less than 360 degrees;

3. Parabolic antenna(s) (or "dish") antenna(s), which is a bowl-shaped device for the reception and/or transmission of communications signals in a specific directional pattern; and

4. Ancillary antenna(s), which is an antenna less than 12 inches in its largest dimension and is not directly used to provide personal wireless communications services, such as a global positioning satellite (GPS) antenna.

B. "Co-location" means placing and arranging multiple providers' antennas and equipment on a single support structure or equipment pad area.

C. "Electromagnetic field" or "EMF" means the field produced by the operation of equipment used in transmitting and receiving radio frequency signals.

D. "Equipment facility" means any structure used to house electronic equipment, cooling systems and back-up power systems associated with a WCF, including shelters, enclosures, cabinets and other similar structures.

E. "Facility I" means a wireless communication facility consisting of an antenna that is either: (1) four feet in height and with an area of not more than 580 square inches in the aggregate; or (2) if a tubular antenna, no more than four inches in diameter and no more than six feet in length.

F. "Facility II" means a wireless communication facility . . .

G. "Facility III" means a wireless communication facility . . .

H. "Support structure" means any structure, designed and constructed specifically to support an antenna array, including a monopole, self-supporting (lattice) tower, guy-wire support tower and any other similar structures. Any device (attachment device) used to attach a WCF to an existing structure or building (attachment structure) shall be excluded from the definition of and regulations applicable to support structures.

I. "Wireless communication facility" or "WCF" means an unstaffed facility for the transmission and/or reception of radio frequency, microwave or other signals for commercial communications purposes, including and typically consisting of antennas, equipment shelter or cabinet, transmission cables, a support structure required to achieve the necessary elevation, and reception and transmission devices and antennas.

J. "Wireless communication services" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by federal laws and regulations.

Commented [LM2]: Under the existing BIMC 18.09.030(F), the distinction between Facility II and Facility III is defined by the development standards in relation to height (Facility II - structures/antennas that reach no more than 12 feet above the height limitation; Facility III - structures/antennas that reach no more than 15 feet above the height limitation), but the new code moves away from height distinctions as a primary variable in favor of stealth and camouflage instead.

Please consider new classifications based on facility type. For example, in Sammamish, WCFs are classified as:

- Concealed Attached WCFs
- Monopole Style WCFs
- Flush- or Nonflush-mounted antenna on existing support structure
- New concealed antenna support structure

Tukwila and Covington have similar type-oriented classifications.

Another option would be to track Lake Forest Park's classification and definitions, pasted here, but retain COBI's terminology: using "Facility I" instead of "microcell" and "Facility II" instead of "minor facility," and scratching Facility III altogether:

LAKE FOREST PARK DEFINITIONS:

"Microcell" means a wireless communication facility consisting of an antenna that is either: (1) four feet in height and with an area of not more than 580 square inches; or (2) if a tubular antenna, no more than four inches in diameter and no more than six feet in length.

"Minor facility" means a wireless communication facility consisting of up to three antennas, each of which is a microcell with associated equipment facilities six feet or less in height and no more than 48 square feet in floor area.

18.10.030 Permit required.

A. A wireless communication facility (WCF) permit shall be required for the location, installation or construction of any new WCF, and for any modification to an existing WCF that is not governed by Chapter 18.11 BIMC.

B. The Planning and Community Development Department may grant permit approval for:

1. A Facility I, II, or III or a monopole or lattice tower located in a nonresidential zone that does not exceed the maximum height of the zone; or

2. A Facility I, II, or III in a multifamily, business, commercial, or town center zone on an existing building or structure; provided, that the facility is no higher than 15 feet above the existing building or structure or the permitted height for the zone, whichever is higher; or

3. A Facility I, II, or III in a residential zone on a nonresidential building or structure; provided that the facility is no higher than 15 feet above the permitted height in the zone.

C. All other WCFs require conditional use permit review and approval by the City hearing examiner.

D. Additions to the height of public safety communications towers are exempt from the WCF permit requirement, and shall be considered a permitted ("P") use in all zones where WCFs are permitted; provided, that building permits are required for these uses.

18.10.040 Application requirements.

All applications for a WCF must include, at a minimum:

A. A diagram or map showing the primary viewshed of the proposed WCF;

B. A map showing the coverage area of the proposed WCF at the requested height;

C. An explanation of the need for the proposed WCF, including an analysis of alternative sites that supports the selected site over other possible locations, particularly locations in a higher priority zone;

D. An inventory of other WCF sites operated by the applicant that are either in the City or within one mile of its borders, including specific information about location, height and design of each facility;

E. A site/landscaping plan showing the specific placement of the WCF on the site; showing the location of existing structures, trees and other significant site features; and indicating type and locations of plant materials used to screen WCF components;

F. Documentation verifying that the proposed WCF complies with any applicable regulations and specifications in accordance with the Federal Aviation Administration (FAA); and

G. Applications for facilities other than Facility I or Facility II shall also contain:

1. Photosimulations of the proposed WCF from affected properties and public rights-of-way at varying distances; and

2. Documentation of efforts to co-locate on existing facilities.

Commented [LM3]: COBI's existing code requires a building permit for wireless facilities. These proposed revisions instead create a WCF permit for new facilities and an EFM permit for modifications subject to Section 6409.

This section also opens up all zones, with the limitation/protection of subsection (B), requiring conditional use permit approval by the Hearing Examiner for WCFs that do not fall into the categorical allowances. It should be emphasized that there is no FCC requirement that facilities be opened up to all zones, but this was suggested by AT&T to address topographical concerns (lots of forests) unique to Bainbridge Island.

Commented [LM4]: As requested by AT&T, these provisions standardize the height restrictions, leaving the emphasis on stealth & camouflage; see .070 and .080 below.

Commented [LM5]: Preserved from 18.09.030(F)(3)(f) of the existing wireless code.

18.10.050 Permit conditions.

Each permit issued by the City shall be conditioned to:

A. Permit Term/Expiration;

B. Require that construction or installation of the WCF must commence within one year from the date of the permit, with opportunity for a one-year extension; otherwise, the permit shall be revoked without further action of the City and the rights and privileges appurtenant to the permit shall be void;

C. Require the permittee to allow co-location of proposed WCFs on the permittee's site, unless the permittee establishes to the City's satisfaction that co-location will technically impair the existing permitted use(s) to a substantial degree;

D. Require the permittee to maintain the WCF in a state of good repair and to maintain or replace, if necessary, vegetation and landscaping required as a condition of approving the permit;

E. Require the permittee to notify the City of any sale, transfer, assignment of a site or WCF within sixty (60) days of such event; and

F. Require the permittee to comply with the provisions of this title and all other applicable City ordinances and rules and regulations.

Commented [LM6]: The City may wish to attach an expiration date to WCF permits, with or without a renewal clause. If so, this would be the place to do that.

18.10.060 Permit enforcement.

The Planning and Community Development Director, or that officer's designee, shall enforce the provisions of this chapter under the code enforcement provisions of the Bainbridge Island Municipal Code. .

18.10.070 Prioritized locations.

The following sites are prioritized in order of preference for locating proposed WCFs and permits shall be issued so that WCFs will be located on the highest priority site feasible:

A. Co-location.

B. Public buildings and structures located in nonresidential zones.

C. Buildings and structures in business and commercial zoned sites used for research and development, commercial and business uses.

D. Buildings and structures in residential zones not used entirely for residential use; provided, that WCFs will not be sited on vacant residential lots.

Commented [LM7]: This accomplishes AT&T's request to remove the focus on antenna size and instead focus on appearance and camouflage with a prioritization hierarchy.

18.10.080 Development standards.

All WCFs shall be constructed or installed according to the following development standards:

A. WCFs must comply with applicable Federal Communications Commission (FCC), Federal Aviation Administration (FAA), state, and City regulations and standards;

B. Antennas shall be located, mounted and designed so that visual and aesthetic impacts upon surrounding land uses and structures are minimized, and so that they blend into the existing environment. Panel and parabolic antennas shall be screened from residential views and public rights-of-way;

C. WCFs must be screened or camouflaged employing the best available technology, such as compatible materials, location, color, artificial trees and hollow flagpoles, and other tactics to minimize visibility of the facility from public streets and residential properties;

1. A freestanding WCF shall not be allowed whenever an existing structure can meet technical and network location requirements;

2. Monopoles and lattice towers constructed in accordance with subsection (H) of this section shall be the only freestanding support structures allowed in the City, and are the preferred structures where any support structure is necessary, provided that site location and development shall preserve the pre-existing character of the site as much as possible;

3. A freestanding WCF shall comply with all required setbacks of the zoning district in which it is located;

4. WCF shall be designed and placed or installed on the site in a manner that takes maximum advantage of existing trees, mature vegetation, and structures by:

- a. Using existing site features to screen the WCF from prevalent views; and
- b. Using existing site features as a background in a way that the WCF blends into the background;

5. As a condition of permit approval, the City may require the applicant to supplement existing trees and mature vegetation to screen the facility;

6. A WCF shall be painted either in a nonreflective color or in a color scheme appropriate to the background against which the WCF would be viewed from a majority of points within its viewshed, and in either case the color must be approved by the City as part of permit approval;

D. Equipment facilities shall be placed underground if applicable, or, if above ground, shall:

1. Be screened from any street and adjacent property with fencing, walls, landscaping, structures or topography or a combination thereof; and

2. Not be located within required building setback areas;

E. Security fencing shall:

1. Not exceed six feet in height;

2. Be screened from view through the use of appropriate landscaping materials; and

3. If it is a chain-link fence, be camouflaged with appropriate techniques and painted or coated with a nonreflective color;

F. The City shall consider the cumulative visual effects of WCFs mounted on existing structures and/or located on a given permitted site in determining whether the additional permits can be granted so as to not adversely affect the visual character of the City;

G. A WCF shall not be used for mounting signs, billboards or message displays of any kind;

H. In addition to the other development standards of this section, monopoles and lattice towers shall:

Commented [LM8]: This would eliminate the 100-foot setback from residentially zoned property and SR 305, which was a concern for AT&T. However, the City should still review to ensure this new requirement meets both planning purposes as well as the goals for improving wireless services.

Commented [LM9]: Preserved from BIMC 18.09.030(F)(3)(d) of the existing wireless code.

1. Require site plan and design review pursuant to BIMC 2.16.040 to balance the potential impacts upon adjoining and surrounding land uses;
2. Be constructed on legally conforming lots;
3. Be integrated through location, design, and color to blend in with the existing site characteristics to the greatest extent practical. Existing vegetation around the WCF shall be preserved or improved upon to provide vegetative screening over a minimum of two-thirds of the height of the monopole or lattice tower;
4. Be subject to additional screening requirements by the planning director to mitigate visual impacts to adjoining properties or public rights-of-way as determined by site-specific conditions; and
5. Not utilize equipment operated above 45 dB, as measured from the nearest property line on which the attached WCF is located.

18.10.090 Electromagnetic field (EMF) standards compliance.

A. All WCFs shall be operated in compliance with federal standards for EMF emissions. Within six months after the issuance of its operational permit, the applicant shall submit a project implementation report which provides cumulative EMF power densities of all antennas installed at the subject site. The report shall quantify the EMF emissions and compare the results with established federal standards. Said report shall be subject to review and approval by the City for consistency with the project proposal report and the adopted federal standards. If on review the City finds that the WCF does not meet federal standards, the City may revoke or modify the permit. The applicant shall be given a reasonable time based on the nature of the problem to comply with the federal standards. If the permit is revoked, then the facility shall be removed.

B. All WCFs shall be operated in a manner that the WCF will not cause localized interference with the reception of area television or radio broadcasts, garage door openers, portable phones and other similar FCC approved devices. If on review of a registered complaint the City finds that the WCF interferes with such reception, the City may revoke or modify the permit. The applicant shall be given a reasonable time based on the nature of the problem to correct the interference. If the permit is revoked, then the facility shall be removed.

18.10.100 Facility removal.

A. A WCF shall be removed within ninety (90) days of the date the site's use is discontinued, it ceases to be operational, or the permit is revoked; or if the facility falls into disrepair and is not maintained, within ninety (90) days of a notice from the City to effect repairs and maintenance to the satisfaction of the City. The operator of a WCF shall notify the City upon the discontinued use of a particular facility.

B. Should the operator fail to remove the WCF as required herein, and the property owner fails to remove the WCF within ninety (90) days of the date the City notifies the property owner to remove the WCF, then the WCF shall be a nuisance and subject to appropriate legal proceeding.

Section 2. New BIMC Chapter 18. 11, “Eligible Facilities Modifications,” Added.

Title 18 of the Bainbridge Island Municipal Code is hereby amended to add a new Chapter 18.11, Eligible Facilities Modifications, to as follows:

Eligible Facilities Modifications

- 18.11.010 Title
- 18.11.020 Adoption of findings and conclusions.
- 18.11.030 Purpose and intent
- 18.11.040 Definitions
- 18.11.050 Applicability - Relationship to other rules and regulations
- 18.11.060 Permit classification
- 18.11.070 Application submittal requirements
- 18.11.080 Review of application; Approval
- 18.11.090 Substantial change criteria
- 18.11.100 Nonconforming structure; Termination
- 18.11.110 Enforcement

18.11.010 Title.

This chapter shall be known and referred to as the “Eligible Facilities Modification Code” or “EFM Code.”

18.11.020 Adoption of findings and conclusions.

The recitals set forth in the ordinance adopting this code are adopted as findings and conclusions of the City Council.

18.11.030 Purpose and intent.

The purposes and intent of this chapter are to:

A. To implement Section 6409 of the “Middle Class Tax Relief and Job Creation Act of 2012” (the “Spectrum Act”) (Public Law 112-96; codified at 47 U.S.C. § 1455(a)) which requires the City to approve any eligible facilities request for a modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station;

B. To implement the FCC rules set forth at 47 C.F.R. Part 1 (PART 1 – PRACTICE AND PROCEDURE) new Subpart CC § 1.40001 (Wireless Facility Modifications), which rules implement Section 6409 of the Spectrum Act (“Section 6409”);

C. To establish procedural requirements and substantive criteria applicable to review and approval or denial of applications for an eligible facilities modification;

D. To ensure that application submittal requirements are related to information reasonably necessary to the determination of whether or not the proposed modification will result in a substantial change in the physical dimensions of the eligible support structure;

E. To exempt those facilities modifications approved under this chapter as eligible facilities requests from zoning and development regulations that are inconsistent with or preempted by Section 6409;

F. To preserve the City's right to continue to enforce and condition approvals under this chapter on compliance with generally applicable building, structural, electrical, and safety codes and with other laws codifying objective standards reasonably related to health and safety;

G. To promote timely decisions under this chapter;

H. To ensure that decisions are made consistently and predictably;

I. To incorporate provisions of RCW 43.21C.0384 that exempt eligible facilities modifications from review under RCW 43.21C.030(2)(c), (State Environmental Policy Act);

J. To recognize that Section 6409(a)(1) of the Spectrum Act operates to preempt any provision of the State Environmental Policy Act (RCW Ch. 43.21C) to the extent that any such provision, including RCW 43.21C.030(2)(c), would prohibit a City from approving any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station; and

K. To provide for termination of eligible facilities modifications approved pursuant to this chapter as nonconforming structures in the event that Section 6409(a) of the Spectrum Act is found to be unconstitutional or otherwise determined to be invalid or unenforceable and such modifications would otherwise have been in derogation of development regulations in place at the time of receipt of a completed application.

18.11.040 Definitions..

The following definitions shall apply in the interpretation and enforcement of this chapter, unless the context clearly requires otherwise. Any term or phrase not defined herein, shall have the meaning that is given to that term or phrase in Chapter 18.36 BIMC. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. The word "shall" is always mandatory and not merely directory and the word "may" is always discretionary. References to governmental entities (whether persons or entities) refer to those entities or their successors in authority. If specific provisions of law, regulation or rule referred to herein be renumbered or amended, then the reference shall be read to refer to the renumbered or amended provision.

A. "Approval authority" is the Planning and Community Development Director or other public official, or his or her designee, who has authority under the City code to administratively issue project permit approvals.

B. "Applicant" shall mean and refer to the person, and such person's successor in interest, owning and/or operating the transmission equipment proposed in an eligible facilities modification application to be collocated, removed or replaced.

C. "Authorized person" is the person, employees, agents, consultants, and contractors, authorized in writing by an applicant to complete and submit an

Commented [LM10]: For the most part, the definitions below are taken or derived from the FCC's 10/21/2014 Report and Order ("R&O") or have been prepared to give clear meaning to the procedural requirements.

Commented [LM11]: Note that the current land use code may define the terms below differently than the definitions contained herein. The definitions adopted in this chapter are intended to apply only to this chapter.

eligible facilities modification application on behalf of an applicant and who is authorized to receive any notices on behalf of an applicant of any action taken by the City regarding the application.

D. “Base station” shall mean and refer to the structure or equipment at a fixed location that enables wireless communications, licensed or authorized by the FCC, between user equipment and a communications network. The term does not encompass a tower as defined in this chapter or any equipment associated with a tower.

(i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

(iii) The term includes any structure other than a tower that, at the time an eligible facilities modification application is filed with the City under this Chapter, supports or houses equipment described in paragraphs (i)–(ii) above, and that has been reviewed and approved under the applicable zoning or siting process, or under another State, county or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

(iv) The term does not include any structure that, at the time a completed eligible facilities modification application is filed with the City under this section, does not support or house equipment described in paragraphs (i)–(ii) above.

E. “City” shall mean and refer to the City of Bainbridge Island.

F. “City Code” shall mean and refer to the ordinances of the City.

G. “Co-location” shall mean and refer to the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

H. “Conceal” or “Concealment” shall mean and refer to eligible support structures and transmission facilities designed to look like some feature other than a wireless tower or base station.

I. “Deemed approved” shall mean and refer to an eligible facilities modification application that has been deemed approved upon the City’s failure to act, and has become effective, as provided pursuant the FCC Eligible Facilities Request Rules.

J. “Eligible facilities modification application” or “application” shall, unless the context clearly requires otherwise, mean and refer to a written document submitted to the City pursuant to this chapter for review and approval of a proposed facilities modification.

K. “Eligible facilities modification” shall mean and refer to any proposed facilities modification that has been determined pursuant to the provisions of this

Commented [LM12]: Note that the definition of base station includes any structure such as a building, a light pole, a utility pole or a transmission tower, if that structure at the time of the application supported transmission equipment. Also note that the definition of transmission equipment is very broad and is not limited to personal mobile communications. It includes any equipment use in connection with any FCC authorized wireless transmission, including commercial mobile, private mobile, broadcast and public safety services along with fixed wireless services such as microwave backhaul or fixed broadband. See R&O, § 146.

Commented [LM13]: This is the definition from the FCC Rules, 1.4001(b)(2).

Commented [LM14]: This definition is how the FCC described concealed or stealth facility. See R&O, § 200. Unfortunately, this narrow definition would exclude other concealment requirements such as requiring flush mounted antennas. This was certainly purposeful because otherwise, local governments that currently require all antennas to be flush mounted could prohibit any modifications that would otherwise be allowed under Section 6409. This also means that local governments likely cannot require co-location of antennas and replacement of antennas under this chapter to be flush mounted because of the provisions allowing new antennas to be protrude as much as 6-20 feet from the edge of the structure depending upon the type and location of the structure. See, FCC Rules, 1.4001(b)(7). [rule of statutory construction *expressio unius est exclusio alterius*]

Commented [LM15]: The R&O provides for a deemed approved remedy for failure to timely act. See, R&O, § 216 – 233. The FCC rules set forth a process for giving notice of the deemed granted remedy by the applicant and a process for review of this determination. This process is discussed and described at R&O, §§ 234 – 236. Under this process, the City can file suit in a court of competent jurisdiction to challenge the applicant’s assertion of a deemed granted remedy. The lawsuit must be filed within 30 days of the date of notification by the applicant of a deemed granted remedy. This notice must be in writing. See, FCC rules, Section 1.40001(c)(4). “(4) Failure to Act. In the event the reviewing State or local government fails to approve or deny a request seeking approval under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.”

Note: The R&O and FCC rules do not address whether or not a deemed approved remedy is tolled pending a challenge by the City. In the event of a challenge, the City would likely need to contemporaneously seek a stay of the remedy pending resolution of the legal challenge.

chapter to be subject to this chapter and which does not result in a substantial change in the physical dimensions of an eligible support structure.

L. “Eligible facilities modification permit” or “permit” shall, unless the context clearly requires otherwise, mean and refer to a written document issued by the approval authority pursuant to this chapter approving an eligible facilities modification application.

M. “Eligible support structure” shall mean and refer to any existing tower or base station as defined in this chapter, provided that it is in existence at the time the eligible facilities modification application is filed with the City under this chapter.

N. “Existing” shall, for purpose of this chapter and as applied to a tower or base station, mean and refer to a constructed tower or base station that has been reviewed and approved under the applicable zoning or siting process of the City, or under another State, county or local regulatory review process; provided that, a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

O. “Proposed facilities modification” shall mean and refer to a proposal submitted by an applicant to modify an eligible support structure which the applicant asserts is subject to review under Section 6409, and involving:

- (i) Co-location of new transmission equipment;
- (ii) Removal of transmission equipment; or
- (iii) Replacement of transmission equipment.

P. “FCC” shall mean and refer to the Federal Communications Commission or its successor.

Q. “FCC Eligible Facilities Request Rules” shall mean and refer to 47 C.F.R. Part 1 (PART 1 – PRACTICE AND PROCEDURE), Subpart CC § 1.40001 as established pursuant to its Report and Order in, *In re Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59; FCC 14-153, or as may be thereafter amended.

R. “Section 6409” shall mean and refer to Section 6409 of the Spectrum Act, defined below.

S. “Site” shall, for towers other than towers in the public rights-of-way, mean and refer to the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, shall mean and be further restricted to, that area in proximity to the structure and to other transmission equipment already deployed on the ground.

T. “Small cell facility” shall mean and refer to a personal wireless services facility that meets both of the following qualifications:

- (i) Each antenna is located inside an antenna enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and

Commented [LM16]: The FCC explicitly found that Section 6409 allows City to require permits for applications covered under Section 6409. The FCC recognized that local governments must have an opportunity to review applications to determine whether they are covered by Section 6409. See R&O, § 211.

Commented [LM17]: This definition is from the R&O. It should be noted that the FCC’s intent was to ensure that with a structure not built primarily for the purpose of housing transmission equipment, the City retains the right to determine if the structure should house transmission equipment. See R&O, § 168.

Commented [LM18]: Note that Section 6409 only applies to one of these three modifications.

Commented [LM19]: This is the definition from the FCC Rules, 1.4001(b)(6). This definition is important in determining whether or not the proposed facilities modification meets the substantial change criteria. Excavation and protrusions that extend beyond the site boundaries may not meet the substantial change criteria.

Commented [LM20]: Taken from SEPA statute. RCW 43.21C.0384.

(ii) Primary equipment enclosures are no larger than seventeen cubic feet in volume. The following associated equipment may be located outside the primary equipment enclosure and if so located, are not included in the calculation of equipment volume: electric meter, concealment, telecomm demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch.

U. “Small cell network” shall mean and refer to a collection of interrelated small cell facilities designed to deliver personal wireless services.

V. “Spectrum Act” shall mean and refer to the “Middle Class Tax Relief and Job Creation Act of 2012” (Public Law 112-96; codified at 47 U.S.C. § 1455(a)).

W. “Substantial change criteria” shall mean and refer to the criteria set forth in this Chapter at BIMC 18.11.090.

X. “Transmission Equipment” shall mean and refer to equipment that facilitates transmission for any wireless communication service licensed or authorized by the FCC, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

Y. “Tower” shall mean and refer to any structure built for the sole or primary purpose of supporting any antennas and their associated facilities, licensed or authorized by the FCC, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

18.11.050 Applicability - Relationship to other rules and regulations.

A. Sole and Exclusive Procedure. Except as may be otherwise provided in this chapter, and notwithstanding any other provisions in the City code, the provisions of this chapter shall be the sole and exclusive procedure for review and approval of a proposed facilities modification which the applicant asserts is subject to review under Section 6409. To the extent that other provisions of the City code establish a parallel process for review and approval of a project permit application for a proposed facilities modification, the provisions of this chapter shall control. In the event that any part of an application for project permit approval includes a proposed facilities modification, the proposed facilities modification portion of the application shall be reviewed under the provisions of this chapter. In the event that an application for project permit approval includes a proposal to modify an eligible support structure, and the applicant does not assert in the application that the proposal is subject to review under Section 6409, such proposal shall not be subject to review under this chapter and may be subject to review under other applicable provisions of the City code.

B. Non-Conforming Structures. This chapter shall not apply to a proposed facility modification to an eligible support structure that is not a legal conforming or legal non-conforming structure at the time a completed eligible facilities

Commented [LM21]: Taken from SEPA statute. RCW 43.21C.0384.

Commented [LM22]: This is the definition from the FCC Rules, 1.4001(b)(8).

Commented [LM23]: This is the definition from the FCC Rules, 1.4001(b)(9).

Commented [LM24]: The intent of this section is to provide guidance regarding how this chapter relates to other chapters of the City Code, and to incorporate some of the provisions of the R&O that describe proposed modifications that are not subject to Section 6409. We have included specific provisions here at (C) and (D) to recognize provisions in the R&O that are not clearly spelled out in the FCC rules.

Commented [LM25]: The intent of this provision is to provide that this chapter shall be the sole and exclusive process for review of an eligible facilities request and that no other development regulations shall apply. It may be that other provisions of the City code will need to be amended to make reference to this chapter to ensure there is no ambiguity in the event of a conflict.

Commented [LM26]: See R&O, Section 201 This chapter does not apply to proposed modifications to structures that are not a legal conforming or a legal nonconforming structure.

modification application is filed with the City. To the extent that the non-conforming structures and use provisions of the City code would operate to prohibit or condition approval of a proposed facilities modification application otherwise allowed under this chapter, such provisions are superseded by the provisions of this chapter and shall not apply.

C. Replacement of Eligible Support Structure. This chapter shall not apply to a proposed facility modification to an eligible support structure that will involve replacement of a tower or base station.

D. First Deployment; Base Station. This chapter shall not apply to a proposed facility modification to a structure, other than a tower, that does not, at the time of submittal of the application, already house or support transmission equipment lawfully installed within or upon, or attached to, the structure.

E. Interpretation. Interpretations of this chapter shall be guided by Section 6409; the FCC Eligible Facilities Request Rules, the FCC's Report and Order in, *In re Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59; FCC 14-153; and BLMC §§ 18.11.020 and 18.11.030.

F. SEPA Review. Unless otherwise provided by law or regulation, decisions pertaining to an eligible facilities modification application are not subject to, and are exempt from, the requirements of RCW 43.21C.030(2)(c), if:

1. The proposed facilities modification would not increase the height of the eligible support structure by more than ten percent, or twenty feet, whichever is greater; or

2. The mounting of equipment that would involve adding an appurtenance to the body of the eligible support structure would not protrude from the edge of the structure more than twenty feet, or more than the width of the structure at the level of the appurtenance, whichever is greater;* or

3. The authority to condition or deny an application pursuant to Chapter 43.21 RCW is preempted, or otherwise supplanted, by Section 6409 of the Spectrum Act.

*Note: See, RCW 43.21C.0384 and WAC 197-11-800(25)

G. Reservation of Authority. Nothing herein is intended or shall operate to waive or limit the City's right to enforce, or condition approval on, compliance with generally applicable building, structural, electrical, and safety codes and with other laws codifying objective standards reasonably related to health and safety.

18.11.060 Permit classification.

An eligible facilities modification permit shall be classified as an administrative permit subject to review and approval or denial by the approval authority.

18.11.070 Application submittal requirements; Determination of completeness.

A. Purpose. This section sets forth the submittal requirements for an eligible facilities modification application ("EFM application"). The purpose of the submittal requirements is to ensure that the City has all information and documentation that is reasonable necessary to determine if the applicant's proposed facilities modification will substantially change the physical dimensions

Commented [LM27]: This provision addresses the FCC interpretation that replacement of the tower or base station constitutes a substantial change. See R&O, § 180.

Commented [LM28]: This section recognizes and implements the definition of base station which requires that a structure can constitute a base station only if it already supports or houses base station equipment. See R&O, § 179. In other words, a structure cannot constitute a base station for purpose of this Chapter, unless that structure already supports transmission equipment. Note that towers are not included because by definition, a tower is constructed for the purpose of supporting transmission equipment and thus was pre-approved for that purpose.

Commented [LM29]: The R&O recognizes that the FCC would not allow transmission equipment that has been unlawfully installed to transform a structure into a base station. Accordingly, requiring a showing that transmission equipment was lawfully installed is a reasonable requirement consistent with the FCC rules. See R&O, § 179.

Commented [LM30]: Although it is not required to incorporate the SEPA exemptions in the code, this section is added here to highlight these exemptions that were recently enacted (2013) by the state legislature.

Commented [LM31]: This provision is added in to recognize the possibility that Section 6409 likely preempts SEPA. Section 6409 appears to preclude environmental review under SEPA if the proposal qualifies as a eligible facilities modification.

Commented [LM32]: See, R&O §§ 21 and 188, "... for applications covered by Section 6409(a), States and localities may continue to enforce and condition approval on compliance with generally applicable building, structural, electrical, and safety codes and with other laws codifying objective standards reasonably related to health and safety. ..."

Commented [LM33]: The intent of Section 6409 and the FCC rules is to limit review and approval to objective criteria and essentially ministerial review, i.e., checking the boxes to determine if the substantial change criteria have been met. See, R&O, § 227, "The provision [6409(a)] states without equivocation that the reviewing authority 'may not deny, and shall approve' any qualifying application. This directive leaves no room for a lengthy and discretionary approach to reviewing an application that meets the statutory criteria; once the application meets these criteria, the law forbids the State or local government from denying it."

Commented [LM34]: It should be noted that although the FCC imposed this standard in the R&O, it also recognized that, under this standard, State or local governments have considerable flexibility in determining precisely what information or documentation to require. See R&O, § 214.

of an eligible support structure. The submittal requirements are not intended to require the applicant to establish the need for the proposed modifications or to justify the business decision to propose such modifications.

B. Submittal Requirements. No EFM application shall be deemed complete unless it is in writing; accompanied by the applicable application and review fee; includes the required submittals; and attested to by the authorized person certifying the truth and accuracy of the information provided in the application. The application shall include the following submittals, unless waived by the approval authority:

1. The following contact information for the authorized person:
 - a. Name;
 - b. Title;
 - c. Mailing address;
 - d. Phone number; and
 - f. E-mail address (optional);
2. The following contact information for the applicant:
 - a. Legal and dba names, and if applicable, all states of incorporation;
 - b. Mailing address;
 - c. Contact phone number(s);
 - d. Washington State tax identification number;
 - e. The name and address of applicant's registered agent; and
 - f. The names and home addresses of all principals or managing members if applicant is a non-corporate entity, such as a partnership or limited liability company;
3. An assertion that the proposed facilities modification is subject to review under Section 6409 of the Spectrum Act;
4. Copies of any environmental documents required by any federal agency. These shall include the environmental assessment required by 47 C.F.R. Part 1 (PART 1 – PRACTICE AND PROCEDURE), Section 1.1307, as amended, or, in the event that an FCC environmental assessment is not required, a statement that described the specific factors that obviate the requirement for an environmental assessment;
5. *If the applicant is not the owner or person in control of the eligible support structure and/or site* — an attestation that the owner or person in control of the eligible support structure and/or site has consented to the proposed facilities modification. If the eligible support structure is located in a public right of way, the applicant must also attest that applicant has authorization to install, maintain and operate transmission equipment in, under and above the public right of way;
6. *If the applicant proposes a modification involving co-location of transmission equipment or the replacement of transmission equipment* — Complete copies of the underlying land use approvals for siting of the tower or base station proposed to be modified, establishing that, at the time of submittal of the application, such tower or base station constituted an eligible support structure;
7. *If the applicant proposes a modification that will result in an increase in height of the eligible support structure* — Record drawings, as-built plans, or

Commented [LM35]: The intent of the draft submittal requirements is to require information only when it is pertinent to determining if the proposal meets the substantial change criteria.

Note: the City may want to consider less burdensome application requirements for a replacement of equipment with like-sized or smaller equipment. Additionally, it should be noted that when the application proposes removal of existing transmission equipment, the application requirements and review criteria are very limited because such work would never trigger any of the substantial change criteria. However, the City would still have an interest in ensuring that the removal of transmission equipment does not affect public safety.

Commented [LM36]: The adopted rules at subsection (c)(1) provide that the local government obligations are triggered when the applicant asserts in writing that a request for modification is covered by these rules. Accordingly, the written assertion is made a submittal requirement.

Commented [LM37]: This requirement is often overlooked in applications to install or modify wireless facilities, especially for applications in the public right of way.

Commented [LM38]: This requirement is intended to require documentation establishing that the tower or base station was in existence at the time of the application (i.e. not to be constructed or replaced) and that it was a legal conforming use.) See R&O, ¶ 201. This requirement would not apply if the proposal involves only the removal of existing transmission equipment.

the equivalent, showing the height of the eligible support structure (a) as originally constructed and granted approval by the City or other applicable local zoning or similar regulatory authority; or (b) as of the most recent modification received by the City, or other local zoning or regulatory approval, prior to the passage of the Spectrum Act, whichever height is greater;

8. *If the applicant proposes a modification to an eligible support structure, which structure, or proposed modification of the same, is subject to pre-existing restrictions or requirements imposed by a reviewing official or decision-making body pursuant to authority granted under the City code, or an ordinance or a municipal code of another local government authority — A copy of the document (e.g., CUP or SUP) setting forth such pre-existing restrictions or requirements together with a certification that the proposed facilities modification conforms to such restrictions or requirements; provided that, such certification shall have no application to the extent the proposed facilities modification relates solely to an increase in height, increase in width, addition of cabinets, or new excavation, that does not result in a substantial change in the physical dimensions of the eligible support structure;*

9. *If the applicant proposes a modification to an eligible support structure, which structure, or proposed modification of the same, is subject to pre-existing concealment restrictions or requirements, or was constructed with concealment elements — Applicant shall set forth the facts and circumstances demonstrating that the proposed modification would not defeat the existing concealment elements of the eligible support structure. If the proposed modification will alter the exterior dimensions or appearance of the eligible support structure, applicant shall include a detailed visual simulation depicting how the eligible support structure will appear after the proposed modification is complete. The visual simulation shall depict to scale the eligible support structure in relation to the trees, landscaping and other structures adjacent to, or in the immediate vicinity of, the eligible support structure;*

10. *If the applicant proposes a modification that will protrude from the edge of a non-tower eligible support structure — Record drawings, as-built plans, or the equivalent, showing at a minimum the edge of the eligible support structure at the location of the proposed modification;*

11. *If the applicant proposes a modification to an eligible support structure that will (a) include any excavation; (b) would result in a protrusion from the edge of a tower that exceeds an existing protrusion of any transmission equipment attached to a tower; or (c) would protrude from the edge of a non-tower eligible support structure — A description of the boundaries of the site together with a scale drawing based on an accurate traverse, with angular and lineal dimensions, depicting the boundaries of the site in relation to the tower or base station proposed to be modified and depicting the proposed location, elevation and dimensions of the new or replacement transmission equipment. The City may require a survey by a land surveyor licensed in the state of Washington when, in the judgment of the approval authority, a survey is reasonably necessary to verify the boundaries of the site to determine if the proposed facilities*

Commented [LM39]: This provision address the evidence required to ensure the proposed modification does not violate the limitations in the Rules upon cumulative changes. See R&O, §§ 196 & 197. For each application, changes in height are measured from the height of the structure as originally approved, or as it may have been modified prior to passage of the Spectrum act in 2012. To ensure that the City can evaluate whether or not the proposal conforms to the cumulative height limitation requirement, the City will need to know the existing approved height of the structure

Commented [LM40]: This paragraph is added to address conditions that are imposed under a conditional or special use permit or other approval imposing restrictions or conditions. Such conditions will continue to apply with the exception of certain modifications delineated by the FCC. See R&O, § 200. This would also include stealth or concealment requirements

Commented [LM41]: This submittal is required when the existing tower or base station is concealed. The R&O provides that a modification would constitute a substantial change if it would defeat the existing concealment elements. See R&O, § 200. Accordingly, the City should require a submittal showing the modification to a concealed facility if the exterior dimensions or appearance would be altered. Further, because the R&O does not establish an objective standard, this ordinance will include a process for determining if the proposal would “defeat” the concealment elements.

Commented [LM42]: This provision addresses the evidence required when the proposed modification would extend beyond the edge of the non-tower structure which protrusion is limited to 6 feet. See R&O, § 194. To ensure that the City can evaluate whether or not the proposal conforms to this requirement, it will need to know where the edge of the building is in relation to the proposed structure.

Commented [LM43]: This limitation is included because if the modification involves replacement of existing transmission equipment that would not increase the protrusion from the structure, it is probable that an applicant could contest this requirement as not being reasonably related to a determination regarding whether or not the proposal meets the substantial change criteria.

modification would result in a substantial change in the physical dimensions of the eligible support structure;

12. *If the applicant proposes a modification to the eligible support structure that includes hardening through structural enhancement* — A technical report by a qualified engineer accredited by the state of Washington, demonstrating that the structural enhancement is performed in connection with and is necessary to support the proposed co-location, removal, or replacement of transmission equipment and conforms to applicable code requirements. The City may retain the services of an independent technical expert to review, evaluate, and provide an opinion regarding the applicant's demonstration of necessity.

13. *If the applicant proposes a modification to a tower* — A stamped report by a Washington State-registered professional engineer demonstrating that the tower with the proposed modifications will comply with applicable structural, electrical and safety codes, including by way of example, and not limitation, EIA/TIA-222-Revision G, published by the American National Standards Institute (as amended), allowable wind speed for the applicable zone in which the tower is located, and describing the general structural capacity of the tower with the proposed modifications, including:

- a. The number and type of antennas that can be accommodated;
- b. The basis for the calculation of capacity; and
- c. A written statement that the proposal complies with all federal guidelines regarding interference and ANSI standards as adopted by the FCC, including but not limited to nonionizing electromagnetic radiation (NIER) standards.

The City may retain the services of an independent technical expert to review, evaluate, and provide an opinion regarding the applicant's demonstration of compliance;

14. *If the applicant proposes a modification to a base station* — A stamped report by a Washington State-registered professional engineer demonstrating that the base station, with the proposed modifications, will comply with applicable structural, electrical and safety codes;

15. *If the applicant proposes a modification requiring, alteration to the eligible support structure, excavation, installation of new equipment cabinets, or any other activities impacting or altering the land, existing structures, fencing, or landscaping on the site* — A detailed site plan and drawings, showing the true north point, a graphic scale and, drawn to an appropriate decimal scale, indicating and depicting:

- a. The location, elevation and dimensions of the existing eligible support structure;
- b. The location, elevation and dimensions of the existing transmission equipment;
- c. The location, elevation and dimensions of the transmission equipment, if any, proposed to be collocated or that will replace existing transmission equipment;
- d. The location, elevation and dimensions of any proposed new equipment cabinets and the intended use of each;

Commented [LM44]: This provision is intended to address hardening of support structures. The R&O provides that unless the hardening is necessary to support the proposed modification, it would constitute a Substantial Change. See R&O, ¶ 180. Accordingly, the city must require this information and then must determine if the standard has been met. This requires a process in the code to address this determination.

Commented [LM45]: This section is added to ensure that the applicant establishes the proposed modification complies with wind standards adopted by the FCC. The R&O provides that local governments may continue to require compliance with—and condition approval on compliance with—generally applicable building, structural, electrical and safety codes and with other laws codifying objective standards reasonably related to health and safety. See R&O, ¶ 188.

Commented [LM46]: The City resolution adopting application fees will need to, include cost recovery for consultants retained to evaluate the application.

Commented [LM47]: See comment to paragraph 14 above. Note that there are provisions for waiver of the submittal requirements in subsection (C) below, in the event such information is determined not to be necessary.

- e. Any proposed modification to the eligible support structure;
- f. The location of existing structures on the site, including fencing, screening, trees, and other significant site features; and
- g. The location of any areas where excavation is proposed showing the elevations, depths, and width of the proposed excavation and materials and dimensions of the equipment to be placed in the area excavated.

C. Waiver of Submittal Requirement. The approval authority may waive any submittal requirement upon determination that the required submittal, or part thereof, is not reasonably related to the substantial change criteria. A waiver, to be effective, must be in writing and signed by the approval authority.

D. When Received. An EFM application, and any supplemental submittals, shall be deemed received by the City upon the date such application or supplemental submittal is filed with the Planning and Community Development Department. An application, and any supplemental submittals, must be filed in person during regular business hours of the City and must be accompanied by the applicable permit review fee(s). Any application received by the City without contemporaneous payment, or deposit, of the applicable permit review fees will be rejected.

E. Completed Application; Determination; Tolling.

1. Determination of Completeness. The approval authority shall, within thirty (30) days of receipt of the application, review the application for completeness. An EFM application is complete if it includes the applicable permit review fee(s) and contains all of the applicable submittal requirements set forth at BIMC 18.11.070(B) of this chapter, unless waived by the approval authority pursuant to BIMC 18.11.070(C). The determination of completeness shall not preclude the approval authority from requesting additional information or studies either at the time of the determination of completeness or subsequently if new or additional information is required, or substantial changes in the proposed action occur, or the proposed facilities modification is modified by applicant, as determined by the approval authority.

2. Incomplete Application. The approval authority shall notify the applicant within thirty (30) days of receipt of the application that the application is incomplete. Such notice shall clearly and specifically delineate all missing documents or information.

3. Tolling Timeframe for Review. The application review period begins to run when the application is received, and may be tolled when the approval authority determines that the application is incomplete and provides notice as set forth below. The application review period may also be tolled by mutual agreement of the approval authority and applicant. The timeframe for review is not tolled by a moratorium on the review of eligible facility modification applications.

a. To toll the timeframe for review for incompleteness, the approval authority must provide written notice to the applicant within thirty (30) days of the date of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to

Commented [LM48]: These rules are taken from the R&O and thus, there is little room for modification. If the City does not take action within 60 days, the door is opened for the application to be deemed approved. Accordingly, it is prudent that the City take particular care to make sure the rules are carefully drafted to avoid pitfalls and loopholes that may put the City in a position of having to accept a deemed-approved remedy.

Commented [LM49]: See R&O, § 217 and FCC rules, 1.40001 (c)(3).

submittals set forth in BIMC 18.11.070(B) and any supplemental information requested by the approval authority that is reasonably related to determining whether the proposed facilities modification will substantially change the physical dimension of an eligible support structure.

b. The timeframe for review begins running again when the City is in receipt of applicant's supplemental submission in response to the approval authority's notice of incompleteness.

c. Following a supplemental submission, the approval authority shall have ten (10) days to notify the applicant that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this paragraph (3)(c). Except as may be otherwise agreed to by the applicant and the approval authority, second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

d. A notice of incompleteness from the City will be deemed received by the applicant upon the earlier of personal service upon the authorized person, delivery by electronic mail to the authorized person (if such delivery is authorized for receipt of notice by the authorized person), or three (3) days from deposit of the notice in the United States Mail, postage prepaid, in an envelope properly addressed to the authorized person using the address set forth in the application.

4. Modification of Application. In the event that after submittal of the application, or as a result of any subsequent submittals, applicant modifies the proposed facilities modification described in the initial application, the application as modified will be considered a new application subject to commencement of a new application review period; provided that, applicant and the approval authority may, in the alternative, enter into a mutually agreeable tolling agreement allowing the City to request additional submittals and additional time that may be reasonably necessary for review of the modified application.

18.11.080 Review of application; Approval.

A. Review of Application. The approval authority shall review an EFM application to determine if the proposed facilities modification is subject to this chapter, and if so, if the proposed facilities modification will result in a substantial change to the physical dimensions of an eligible support structure.

B. Timeframe for Review. Within sixty (60) days of the date on which the City receives an EFM application, less any time period that may be excluded under the tolling provisions of this chapter or a tolling agreement between the applicant and the approval authority, the approval authority shall approve the application and contemporaneously issue an eligible facilities modification permit ("EFM permit") unless the approval authority determines that the application is not subject to this chapter, or the proposed facilities modification will substantially change the physical dimension of an eligible support structure.

C. Approval; Denial. An EFM application shall be approved, and an EFM permit issued, upon determination by the approval authority that the proposed facilities modification is subject to this chapter and that it does not substantially

Commented [LM50]: Note that this is the poison pill that the FCC included in the rules. If the City overlooks a required submittal in the initial notice of incompleteness, it cannot later ask for it. The "except as" language is added so that the parties can allow requests for additional submittals by agreement, such as a tolling agreement.

Commented [LM51]: The R&O does not address in its rule making what constitutes receipt of filing or notice. Accordingly, we have included a definition in subsection (D) above and have addressed the time frame for calculating the tolling period in this subsection (E).

Commented [LM52]: Language is included here to address what happens to the 60 day review period if the application proposal is amended. Given the short time period for review, it seems prudent to want to address this issue. Further, the City is limited in what information it can ask for after an initial notice of incompleteness. Accordingly, the City needs to be able to ask for more information if it is warranted. Please note that the R&O does not address the issue of how the 60 day review period applies if the application is modified. This leaves it up to the City to decide what process is appropriate.

change the physical dimensions of an eligible support structure. An EFM application shall be denied upon determination by the approval authority that the proposed facilities modification is not subject to this chapter or will substantially change the physical dimensions of an eligible support structure. A proposed facilities modification will substantially change the physical dimensions of an eligible support structure if it meets any of the substantial change criteria as defined in BIMC 18.11.090.

D. Deemed Approved Application. Pursuant to the FCC Eligible Facilities Request Rules, an EFM application may be deemed approved upon the City's failure to act. An application that has been deemed approved shall be and constitute the equivalent of an eligible facilities modification permit, except as may be otherwise determined by a court of competent jurisdiction, and shall be subject to generally applicable enforcement and compliance requirements in the same manner as an EFM permit issued pursuant to this chapter.

E. Denial of Application. A written denial of an EFM application setting forth the reasons for the denial shall be provided to the applicant.

F. Code Requirements. Any EFM permit issued pursuant to this chapter, and any application that has been deemed approved, shall be and is conditioned upon compliance with any generally applicable building, structural, electrical, and safety codes and other laws codifying objective standards reasonably related to health and safety. Violation of any such applicable code or standard shall be deemed to be a violation of the eligible facilities modification, permit, or deemed approved application.

G. Term of Eligible Facilities Modification Permit. An EFM permit issued pursuant to this chapter, and any deemed approved application, shall be valid for a term of 180 days from the date of issuance, or the date the application is deemed approved.

H. Remedies. Notwithstanding any other provisions in the City code, no administrative review is provided for review of a decision to condition, deny or approve an application. Applicant and the City retain any and all remedies that are available at law or in equity, including, by way of example and not limitation, those remedies set forth in the FCC Eligible Facilities Request Rules and remedies available under the Land Use Petition Act. In the event no other time period is provided at law for bringing an action for a remedy, any action challenging a denial of an application or notice of a deemed approved remedy, shall be brought within thirty (30) days following the date of denial or following the date of notification of the deemed approved remedy.*

*Note: The FCC Report and Order in, *In re Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59; FCC 14-153, Par's 234 – 236, provides that the City shall have 30 days from the date of notification by the applicant of a deemed granted remedy to bring a legal action in a court of competent jurisdiction to challenge the deemed granted remedy, and that the applicant shall have 30 days from the date of denial to bring a legal action in a court of competent challenging a denial of the application.

18.11.090 Substantial change criteria.

Commented [LM53]: The intent here is to provide authority for enforcement of a deemed approved application. Additionally, in the event that a deemed approved remedy is subject to challenge by the City, this language takes into account the possibility of a court issuing a stay upon enforcement of the deemed approved remedy, or issuing an order that the application should not have been deemed approved.

Commented [LM54]: See, R&O §§ 21 and 188, "... for applications covered by Section 6409(a), States and localities may continue to enforce and condition approval on compliance with generally applicable building, structural, electrical, and safety codes and with other laws codifying objective standards reasonably related to health and safety. ..."

Commented [LM55]: The 180 days is a suggested time period. The R&O and FCC rules do not specify a time frame for which a deemed approved application or permit is valid to install the modification. In the absence of such a rule or other applicable restriction, it seems prudent to impose a time period to ensure such applications are not open-ended, especially one that is deemed approved. Of course, this provision is potentially subject to challenge.

Commented [LM56]: The criteria are taken directly from the FCC rules.

A proposed facilities modification will substantially change the physical dimensions of an eligible support structure if it meets any of the following criteria:

A. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten (10) feet, whichever is greater;

B. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act;*

C. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

D. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure; and:

1. It entails any excavation or deployment outside the current site;

2. It would defeat the concealment elements of the eligible support structure; or

3. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is noncompliant only in a manner that would not exceed the thresholds identified in this section BIMC 18.11.090.

*Note: The FCC rules refer to the date of passage of the Spectrum Act. The Spectrum Act was enacted on February 22, 2012. Presumably the FCC intended to refer to the date of enactment as the date of passage.

18.11.100. Non-conforming structure; Termination.

A. Application. The provisions of this section BIMC 18.11.100 shall apply to any facilities modification constructed, installed, placed or erected pursuant to an eligible facilities modification permit, or pursuant to a deemed approved remedy, which facilities modification did not conform to zoning and/or development regulations, exclusive of this chapter, in effect at the time the completed eligible facilities modification application was filed.

Commented [LM57]: This provision is intended to protect the city in the event that Section 6409(a) is later invalidated. It provides a mechanism for terminating such modifications in such event. It is likely that carriers will object to this provision because the FCC rules do not allow the City to terminate such modifications as non-conforming uses. However, the intent here is to provide the City with the option of providing notice of non-conformance and termination only if Section 6409(a) is found unconstitutional. Presumably, no person can have standing to challenge this provision because no controversy would be ripe until the City exercises its rights under this provision.

The City may choose to leave this provision out. In such event, the City could still amend its code later, in the event of invalidation of Section 6409(a) making the modification a non-conforming structure and providing for termination. The advantage of including this language now is that the court have looked more favorably upon termination provisions in which the applicant made the improvement with notice that termination was possible. See *Paradise, Inc. v. Pierce County*, 124 Wn. App. 759 (2004).

Note that if this section is removed, section 030(k) which makes reference to this section will also need to be removed.

B. Non-Conforming Structure Determination. A facilities modification to which this section applies is subject to termination as a non-conforming structure upon the following conditions:

1. Final, Non-Appealable Decision. An appellate court, in a final and non-appealable decision, determines that Section 6409(a)(1) of the Spectrum Act is unconstitutional or otherwise determined to be invalid or unenforceable; and

2. Notice of Non-Conforming Structure Determination. The City provides written notice to the applicant that the City has determined that the facilities modification did not conform to zoning and/or development regulations, exclusive of this chapter, in effect at the time the completed eligible facilities modification application was filed and that the facilities modification constitutes a non-conforming structure pursuant to the provisions hereof and must be made conforming or the facilities modification terminated.

C. Conformance; Termination. Upon receipt of notice of the City's non-conforming structure determination, applicant shall abate the non-conformance by either conforming the site to the zoning and development regulations in effect at the time the completed eligible facilities modification application was filed, or removing the facilities modification and returning the site to the condition that existed prior to the construction, installation, placement or erection of the facilities modification. The time period for conformance shall be one (1) year from the date of the City's notice of the non-conforming structure determination.

D. Health and Safety Codes. Nothing in this section shall relieve the applicant from compliance with applicable building, structural, electrical, and safety codes and with other laws codifying objective standards reasonably related to health and safety.

E. Administrative Appeal. The applicant, or its successors or assigns, may appeal the City's determination of non-conformance to the City Hearing Examiner by filing a notice of appeal within fourteen (14) calendar days of the date of the determination of non-conformance, excluding holidays.

18.11.110 Enforcement; Violation.

Compliance with the provisions of this chapter is mandatory. Any violation hereof is subject to enforcement under the code enforcement provisions set forth in City Code.

Section 3. Repealer. Bainbridge Island Municipal Code Subsection 18.09.030(F)(3), entitled "Wireless Communications Facility," is hereby repealed in its entirety.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE ____ DAY OF _____, 2015.

CITY OF BAINBRIDGE ISLAND

Anne Blair, Mayor

ATTEST/AUTHENTICATED:

Rosalind Lassoff, City Clerk

Filed with the City Clerk: _____

Passed by the City Council: _____

Ordinance No.: _____

Date of Publication: _____

Effective Date: _____

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT



MEMORANDUM

TO: Planning Commission

FROM: Jennifer Sutton, AICP
Special Project Planner

DATE: August 13, 2015

RE: Study Session on Ordinance 2015-04 Tree and Landscaping Regulations

The Planning Commission held study sessions on this ordinance on April 9 and 23, and a public hearing on May 28. At that meeting, the Commission had questions regarding two issues:

- Whether or not the director should have flexibility during code enforcement situations when applying penalties and restoration requirements (BIMC Section 18.15.010.C.3 *Enforcement and Penalties*, page 4).
- Should trees in areas required to be preserved (e.g. roadside or critical area buffers) count towards meeting the tree unit requirements of 18.15.010.G.4 *Tree Unit Requirements* (pages 7-8).

The Ad Hoc Committee discussed these issues on June 16, 30 and on July 14, and decided to add language modifying the Director's discretion, and recommended "No" on counting the trees in required buffers towards meeting the tree unit requirement. The Commission considered the DRAFT ordinance with those changes at a study session on July 23.

Planning Commission Action: Hold public hearing and make recommendation to the City Council on Ordinance 2015-04.

Please note that 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

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 retain, 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.

Exception to Directors discretion statement above: Any tree identified on a development project's required Landscaping Plan as retained and given a monetary value per G.3.b.iii, that is removed, or dies during the surety period due to improper protection during construction, shall be subject to an automatic fine of (3) times the trees stated value. All of the projects active permits shall also be suspended until the fine is paid and all restoration work completed.

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 the~~ Tthe

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. Existing and new trees in areas that must be preserved, such as roadside or critical area buffers, do not count towards meeting the tree unit requirements required under this section. If an applicant is choosing to meet their tree unit requirements using subsection a.iii above, the existing trees in those buffers will not count towards the "pre-development" amount of tree units. 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) as measured in inches. 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



TO: Bainbridge Island Planning Commission

FROM: Joseph W. Tovar, FAICP

DATE: August 13, 2015

SUBJ: Revised Land Use Element Goals LU 1 through LU 5 and Definitions

At the July 23 Planning Commission meeting, the staff and I reviewed proposed new Land Use Policies LU-1 through LU-5 that, collectively, describe an “Island-wide Land Use Strategy.” The Planning Commission generally agreed with the draft presented but asked that the Island-wide Land Use Concept map (Figure 1) be clarified. Several Commissioners offered general comments and suggested potential additional policy language. The Commission also asked that we flag certain of these goals and policies to revisit after conclusions are made about Plan Elements in the coming months.

The staff and I met with the Planning Commission Drafting Committee on July 29 to discuss how to respond to the Commission’s direction. As a result, we prepared the 8/13/15 draft of Goals LU 1 through LU 5, including a revised Figure 1. See pages 7-13 of the DRAFT Land Use Element. Following is a brief explanation of the changes to those goals.

The draft of Goals LU-1 through LU-5 that you reviewed on July 23 contained underlined text and strikethroughs to indicate text to be added or deleted, respectively. Those changes were highlighted in yellow in that earlier draft. In the current draft, those strikethroughs and underlinings remain, but we have removed the yellow. We have instead used yellow highlighting in this draft to indicate the changes that the drafting Committee has recommended in response to your direction on July 23.

The Commission asked that the information on Figure 1 (p 8) be more fully explained. Rather than try to do so in the legend, it made more sense to add Policy language explaining what was meant by the different map symbols. Hence, we have suggested edits to Policy LU1.2 and adding new Policies LU 1.4 through LU 1.7. In so doing, it became apparent that the language of Goal LU-1 should be amended to also make reference to the importance of the shoreline and the SR 305 corridor. We have done so with the added text “maximize public access to and protect the shoreline” and “minimize impacts from the SR 305 corridor.”

A review of Fig. 1 shows that we have added “Sportsman Triangle” as a designated center. This area, between Sportsman Road and SR 305, includes Business Industrial lands including Copper Top. The Drafting Committee believed that it was logical to identify the existing commercial uses in this area as some sort of center.

Another substantive edit is Policy LU 4.1 (p 11) regarding whether residential uses should be encouraged, if not required, in all designated centers. The Planning Commission agreed that this issue should be revisited after the more detailed discussion of the Housing Element. Note that we have placed a “pin” in the margin of this and several other policies as a reminder that we may need to revisit this language after the future subsequent review of other plan Elements.

In addition, Commissioner Kriegh suggested that we include in the Plan a definition of commonly used terms. The existing comprehensive plan has an extensive glossary that defines many terms, for example, “affordable housing” and “aquifer recharge area.” However, there are a number of terms that we have already used, and are likely to use in the coming months, that are not included in the glossary.

A preliminary list of proposed additions to the glossary is attached. The sources for most of the suggested terms are listed. The Washington State Department of Commerce directed me to several comprehensive plans that they have recently reviewed, several of which I believe serve our needs for certain terms. Several other terms are defined by the GMA itself or in the City’s recently adopted Shoreline Master Program (SMP). Although there are many terms defined in the SMP or the City’s development code, it will not always be possible to use those definitions for purposes of the comp plan.

Attachments

Proposed additions to the Comprehensive Plan Glossary

Proposed additions to *Glossary*

Term(s)	Definition	Source
Aquifer	A body of soil or rock that contains sufficient saturated material to conduct groundwater and yield usable quantities of groundwater to springs and wells.	City of Redmond Comp Plan
Best Available Science	Current scientific information used in the process to designate, protect, or restore critical areas that is derived from a valid scientific process.	WAC 365-195-900 through 925
Capital Facilities Program	A collection of planning and budget policies and documents working in concert to ensure capital projects are identified and prioritized in a manner that meets the needs of a growing population and promotes a safe and healthy community.	City of Redmond Comp Plan
Capital Improvement Program (CIP)	A six-year plan for future capital expenditures that identifies capital projects packaging, timelines, and funding. The CIP is updated and adopted annually or biennially, along with the City's operating budget.	City of Redmond Comp Plan
Context Sensitive Design	Site, landscaping, architectural, or engineering design that is compatible with a development's setting; e.g., the contours of the land and natural systems on-site and immediately off-site, and compatible with the character, location and configuration of improvements and uses on adjacent properties.	
Comprehensive Plan	A generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter (RCW 36.70A).	RCW 36.70A.030(4)
Conservation easement	A legal agreement that the property owner enters into to restrict uses of the land for purposes of natural resources conservation. The easement is recorded on a property deed, runs with the land, and is legally binding on all present and future owners of the property.	City of Bainbridge Island SMP
Countywide Planning Policies	A series of policies intended to guide the development of city and county comprehensive Plans, including, but not limited to, the allocation of population and employment targets to cities. The GMA gives counties the authority to adopt County-wide Planning Policies.	RCW 36.70A.210(7)

Development Regulation	The controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto.	RCW 36.70A.030(7)
Essential Public Facility	Any facility meeting the definition of Essential Public Facility set forth in RCW 36.70A.200(1), now or as hereafter amended, any facility identified on the statewide list maintained by the Office of Financial Management.	RCW 36.70A.200
Functional Plan	Detailed assessments of existing conditions, current and future facility needs, service targets, and projected funding. Such plans adopted by City Council are incorporated by reference into the Comprehensive Plan's Capital Facilities Element. Other local jurisdictions, such as the Bainbridge Island School District, Bainbridge Island Fire District, and Bainbridge Park District also prepare functional plans.	
Greenhouse Gas (GHG)	A gas is an atmosphere that absorbs and emits radiation within the thermal infrared range and affects the temperature of the earth. Primary greenhouse gases in the earth's atmosphere are water vapor, carbon dioxide, methane, nitrous oxide, and ozone. At present, the two primary sources of carbon dioxide emissions are from burning coal used for electricity generation and petroleum used for motor transport.	City of Redmond Comp Plan
Green Building	A structure and use process that is environmentally responsible and resource efficient throughout a building's life cycle: from siting to design, construction, operation, maintenance, renovation, and demolition. Green buildings are designed to reduce the overall impact of the built environment on human health and the natural environment by efficiently using energy, water, and other resources; protecting occupant health and improving employee productivity; and reducing waste, pollution, and environmental degradation.	City of Redmond Comp Plan
Growth Management Act	A Washington State law requiring urban counties and their cities to adopt comprehensive plans and to adopt development regulations and capital budgets to implement comprehensive plans.	RCW 36.70A
Guiding Principle	A high-rank order value guiding growth and development in the community. Guiding principles are derived from and provide extension of the aspirations and values described in	

	the Vision Statement. Guiding Principles provide policy direction to the Goals and Policies of the Elements in the Comprehensive Plan.	
Level of Service (LOS) Standard	Measure of a public facility's or service's operational characteristics used to gauge its performance.	City of Redmond Comp Plan
Low Impact Development	A stormwater management strategy that emphasizes conservation and use of existing natural site features integrated with distributed, small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial, and industrial settings. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. Practices that adhere to these LID principles include bio-retention facilities, rain gardens, vegetated rooftops, rainwater harvesting (rainbarrels and cisterns) and permeable pavements.	City of Bainbridge Island SMP
Recharge	The process involved in the absorption and addition of water from the unsaturated zone to groundwater.	City of Bainbridge Island SMP
Shoreline Management Act	The Shoreline Management Act of 1971, Chapter 90.58 RCW, as amended.	City of Bainbridge Island SMP
Subarea Plan	An optional comprehensive plan feature authorized by the Growth Management Act. Subarea plans provide detailed land use policies for a geographic subset of a city.	RCW 36.70A.080(2)
Sustainability	Meeting the needs of the present without compromising the ability of future generations to meet their own needs.	UN Bruntland Commission (1987)
Vision	A Vision is a narrative description of a preferred future, describing desired long-term qualities and characteristics of the community 20 or more years in the future.	
Vision 2040	Vision 2040 constitutes the multi-county planning policies for the region consisting of King, Pierce, Snohomish and Kitsap counties and the cities within those counties.	RCW 36.70A.210(7)
Water re-use	Using treated wastewater in place of drinking water for commercial irrigation and industrial processes. Also called wastewater reclamation.	City of Shoreline Comp Plan

GLOSSARY

Accessory Dwelling Unit: Separate living quarters contained within or detached from a single-family residence on a single lot.

Affordable Housing: Housing where the occupant pays no more than 30% of gross monthly income for total housing costs, including the cost of taxes and insurance for homeowners and monthly utilities for owners and renters.

Affordable housing is defined according to the interpretation found in the Growth Management Act - Procedural Criteria [WAC365-195-070(6)]. The term "applies to the adequacy of the housing stocks to fulfill the housing needs of all economic segments of the population. The underlying assumption is that the market place will guarantee adequate housing for those in the upper economic brackets but that some appropriately zoned land, regulatory incentives, financial subsidies, and innovative planning techniques will be necessary to make adequate provisions for the needs of middle and lower income persons."

The Department of Housing and Urban Development (HUD) sets household income limits for five income categories based on the local median household income which is determined each year. They are as follows:

Extremely Low Income	30% or less of median household income
Very Low Income	31% - 50% of median household income
Low Income	51% - 80% of median household income
Moderate Income	81% - 95% of median household income
Middle Income	96% - 120% of median household income

Agricultural Land: Land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees, or livestock, and that has long-term (6 years or longer) commercial significance for agricultural production or which has significance for Bainbridge Island.

Agricultural Operation: Any condition, facility, or activity for the production or intent of production for commercial or family use purposes of dairy, apiary, livestock, vegetable or animal products, and crop products including, but not limited to ornamental crops.

Aquifer Recharge Area: The geological formations in which an aquifer is replenished by the downward percolation of water. Critical recharging areas have the potential to effect potable water where an essential source of drinking water is vulnerable to contamination.

Arterial: A major thoroughfare used mainly for through traffic rather than access to nearby property. Arterials generally have greater traffic carrying capacity than collector or local streets and are designed for continuously moving traffic.

Assisted Housing: Multifamily rental housing that receives governmental assistance and is subject to use restrictions

Average Daily Traffic (ADT): The average number of vehicles passing a point during a 24-hour period.

Base Density: The maximum number of units within an area that can be built under the existing zoning without the use of Transferable Development Rights (TDRs) or a density bonus.

Bicycle Access: An improvement designed to facilitate the use of bicycles, including bicycle trails, bicycle lanes and pedestrian/bicycle trails or pathways.

Bicycle Lane: This facility provides a separate lane for bicycle use. The lane is clearly marked lane of travel on the side of a street or roadway, separated from the automobile by painted strips, curbs or buttons.

Bond and Levy Financing: Local governments can raise revenues by selling tax-exempt municipal bonds or by increasing property taxes through property tax levies. Bonds require a 60 percent voter approval; levies require a simple majority. The City can issue a limited amount of debt without voter approval. This is called limited general obligation or councilmanic debt. Voter approved bonds are retired with property tax revenues.

Capital Facility: A structure, improvement, piece of equipment or other major asset, including land that has a useful life of at least 10 years. Capital facilities are provided by, and for public purposes and services. For the purposes of the *Capital Facilities Element*, capital facilities are government offices and facilities; fire and emergency medical services, parks, sewer, water, and storm water utilities, library, and schools.

Capital Improvement: A project to create, expand, or modify a capital facility. The project may include design, permitting, environmental analysis, land acquisition, construction, landscaping, site improvements, initial furnishings and equipment. The project cost must exceed \$25,000 and have a useful life of at least 5 years.

Carrying Capacity: The level of land use or human activity that can be permanently accommodated without an irreversible change in the quality of air, water, land, or plant and animal habitats. In human settlements, this term also refers to the upper limits beyond which the quality of life, community character, or human health, welfare, and safety will be impaired.

Cluster Development: A development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas. Cluster development allows the reduction of lot sizes below the zoning ordinance's minimum requirements if the remaining land is preserved as permanent open space.

Collector: Roads which collect traffic from local access streets and convey it onto the arterial system.

Commercial Use: An occupation, employment or other enterprise that provides goods or services for compensation.

Community Development Block Grant (CDBG) Program: A federal funding program which provides annual funding for eligible local governments for housing and community development programs targeted primarily to low-income persons and neighborhoods.

Commute Trip Reduction (CTR): Washington State legislation passed in 1992 requiring specified large employers in certain counties to reduce vehicle occupancy according to a specified time frame.

Comprehensive Housing Affordability Strategy (CHAS): A document which is prepared annually to lay out housing affordability strategies that address the needs of homeless, low and moderate income people in ways that promote community and individual stability.

Concurrency Requirement: A program to ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards. (Under the GMA, only transportation facilities and services must satisfy the concurrency requirement.)

Conservation Easement: An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open, or wooded condition; retaining such areas as suitable habitat for fish, plants or wildlife; or maintaining existing land uses. A tool for acquiring open space with less than full-fee purchase; the public agency buys only certain specific rights from the owner. These may be positive rights, giving the public rights to access to the land, or they may be restricted rights, limiting the uses to which the owner may put the land in the future. Scenic easements allow the public agency to use the owner's land for scenic enhancement such as roadside landscaping and vista point preservation.

Contract Rezone District: A Contract Zoning District is a distinct area for which a special zoning designation is developed which reflects uses and/or conditions that are unique to that area, and which would affect future development of the land.

Core Area of Winslow: The area within the Mixed Use Town Center District.

Cottage Industry: An activity undertaken for gain or profit and carried on in a dwelling or building accessory to the dwelling. See Home Occupation.

Critical Areas: Aquifer recharge areas, fish and wildlife habitats, frequently flooded areas, geologically hazardous areas, wetlands and streams.

Critical Habitat: Identified by Washington State Department of Wildlife, Ecology and Fisheries or other source recognized by the City as habitat necessary for survival of endangered, threatened, rare, sensitive, monitor species or identified by Bainbridge Island as species of local significance.

Density: The number of dwelling units allowed in a lot area.

Density Bonus: Additional density provided to a developer to achieve certain policy objectives, such as the construction of affordable housing units. (The developer is allowed to build a certain amount {a percentage} above the base density in exchange for the provision of a certain number of affordable units.)

Development Standards: Requirements or standards imposed on development by regulation or ordinance under land use and environmental planning legislation.

Downzoning: A change in the zoning classification of land to a classification which requires less intensive development, such as a change from multifamily to single family or from commercial to residential. A change which allows more intensive development is upzoning.

Dwelling Unit: A building or portion of a building that provides independent living facilities with provision for sleeping, eating and sanitation. The existence of a food preparation area within a room or rooms is evidence of the existence of a dwelling unit.

Endangered Species: A species or subspecies of bird, mammal, fish, amphibian, reptile or invertebrate for which the prospects of survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition or disease.

Environmentally Sensitive Areas or ESAs: Critical areas and their protective buffers and natural resource lands.

Erosion Hazard Area: A landform or soil type subject to being worn away by the action of water, wind, freeze-thaw or ice and classified in accordance with the U.S.D.A. Soil Conservation Service, U.S. Geological Survey or Department of Ecology Coastal Zone Atlas.

Fair Share Housing: A quantification of each jurisdiction's "share" of middle and low-income housing needs in a region or county, and a plan for how each jurisdiction will satisfy its obligation to provide for its share of the need.

Farm: See Agricultural Land

Fish and Wildlife Habitat: A seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These include areas of relative density or species richness, breeding habitat, winter range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs, streams and wetlands.

Flexible Lot Design Subdivision Process: This process permits development flexibility that will encourage a more creative approach than lot-by-lot development, including lot design, placement of buildings, use of open spaces and circulation, and best addresses the site characteristics of geography, topography, size or shape. This method permits clustering of lots, with a variety of lot sizes, to provide open space and protect the Island's natural systems. The criteria for the layout and design of lots, including a minimum percentage of open space and a minimum lot size for each zone, will be set out in the zoning ordinance.

Forest Land: Land used for growing trees, not including Christmas trees, for commercial purposes (as shown by record of income) that has long-term commercial significance; or unharvested forest land preserved in open space for the environmental benefits and maintenance of rural character.

Frequently Flooded Areas: Lands subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, floodplains adjacent to streams, lakes, coastal areas, and wetlands.

Functional Classification: A technique for assigning categories to transportation facilities based on a facility's role in the overall transportation system.

General Obligation Debt: Local governments can raise revenues by selling tax-exempt municipal bonds and incurring debt. General obligation debt carries an unconditional promise by the local government to levy the taxes necessary to make the interest and principal payments required to retire the debt. General obligation debt is distinguished from limited obligation debt (also known as councilmanic bonds), which does not require a vote of the people and is paid from general operating revenues.

Geologically Hazardous Areas: Areas susceptible to erosion, sliding or other geological events and pose a threat to the health and safety of citizens when used as sites for incompatible commercial, residential or industrial development. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, slopes and seismic hazard areas.

Goal: An expression of a general, ultimate ideal to be sought. It reflects basic community values and establishes the basis for formulating policies.

Ground Water: Subsurface or underground water resource.

Growth Management Act (GMA): Legislation passed in 1990, amended in 1991, requiring counties of a certain size (and cities within them) to develop, among other items, urban growth boundaries, comprehensive plans, and concurrent funding plans.

High Occupancy Vehicle (HOV): Public transportation vehicles and private vehicles carrying no less than a specified number of passengers (usually set at 2 or 3).

High Occupancy Vehicle Improvement: Facilities or priority treatments, such as preferential signalization or queue bypasses, designed to encourage HOV usage.

High Occupancy Vehicle Lane (HOV Lane): A lane of traffic designated for use by public transit vehicles and high occupancy private vehicles.

Historic Preservation: Includes the protection, rehabilitation, restoration, identification, scientific excavation, and reconstruction of districts, sites, buildings, structures and objects significant in American and Washington state history, architecture, archaeology, or culture. (RCW 27.26.901)

Home Occupation: An activity for gainful employment involving the manufacture, provision, or sale of goods and/or services as an accessory use. The home occupation is carried on in the dwelling unit or building accessory to the dwelling unit.

Homeless: Persons whose primary nighttime residence is 1) a public or private place not designed for, or ordinarily used for, sleeping accommodations for human beings, or 2) a residence which is a publicly or privately operated shelter designed to provide temporary living accommodations.

Household: One or more related or unrelated persons occupying a housing unit.

Housing and Urban Development, Department of HUD: The federal Department of Housing and Urban Development which administers most federally sponsored housing and community development programs.

Impact Fees: Charges levied by the City against a new development for its pro-rata share of the capital costs of facilities necessitated by the development. The Growth Management Act authorizes the imposition of impact fees on new development and sets the conditions under which they may be imposed.

Impervious Surface: Any material that substantially reduces or prevents the infiltration of water into previously undeveloped land. It includes surfaces such as compacted sand, limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar surfaces or structures.

Infill Development: Development usually consisting of either 1) construction on one or more lots in an area already developed or 2) new construction between two existing structures.

Infrastructure: A term connoting the physical underpinnings of the built environment including, but not limited to, roads, bridges, transit, waste system, public buildings, and communications networks.

Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA): Legislative initiative by the U.S. Congress restructuring funding for highway and transit programs. ISTEA authorized increased levels of highway and transportation funding and an enlarged role for regional planning commissions/MPOs in funding decisions. The Act also requires comprehensive regional long-range transportation plans extending to the horizon year of 2015.

Island Charter: For purposes of the Bainbridge Island Comprehensive Plan the term is used to describe the special character of the Island - winding, narrow and vegetated roadways and forested areas, meadows, farms, and which contain much of the Island's wetlands and streams, aquifer recharge areas and fish and wildlife habitat.

Kitsap Regional Coordinating Council (KRCC), formerly known as Kitsap Regional Planning Council (KRPC): A Council formed in 1990 by agreement between Kitsap County and the cities of Bainbridge Island, Bremerton, Port Orchard and Poulsbo. The purposes of the council are 1) to provide a forum for cooperative decision making by the region's elected officials in order to bring about a continuous and comprehensive planning process, 2) to foster cooperation and mediate differences among governments throughout the region and 3) to maintain an ongoing planning program and coordinate actions to make the best use of the region's resources and overcome problems of waste and pollution. In 1991, the Port Gamble S'Klallam Tribe and the Suquamish Tribe became members.

Land Use: A term used to indicate the utilization of any piece of land. The way in which land is being used or may be used.

Land Owner Compacts: Adjacent property owners collectively, aggregate and develop their properties under a unified development plan.

Landslide Hazard Areas: Areas which are potentially subject to risk of mass movement due to a combination of factors, including historic failures, geologic, topographic and hydrologic features as identified in the Department of Ecology Coastal Zone Atlas.

Level-of-Service (LOS): A rating of how well some unit of transportation supply or other facility (e.g., street, intersection, sidewalk, bikeway, transit route, water and sewer, park facilities) serves its current or projected demand.

LIHPRHA: The Low-Income Housing Preservation and Resident Home Ownership Act of 1990, or LIHPRHA, is designed to preserve existing assisted housing for permanent low-income use. It provides incentives for current owners of assisted-housing projects to retain ownership for low-income use or to sell them to new owners who will agree to maintain the housing for low-income occupants for the remainder of its useful life.

Manufactured Housing: A broad term including mobile homes, modular homes and other "factory built" housing. The main distinction is that manufactured housing is created in one or more parts in a factory and is designed and constructed for transportation to a site for installation on a permanent foundation and occupancy when connected to required utilities.

Master Plan: A tool to implement the Comprehensive Plan which details land use and circulation plans for a particular area or particular site using the goals and policies contained in the adopted Comprehensive Plan.

Mineral Resource Lands: Land which is primarily devoted to the extraction of gravel, sand, or valuable metallic substances.

Mixed Use Development: The presence of more than one category of use in a structure, for example, a mixture of residential units and office or retail uses in the same building.

Mode Split: The statistical breakdown of travel by alternate modes, usually expressed as a percentage of travel by auto, transit, etc. Mode split is frequently used to describe the percentage of people using private automobiles versus bus transit or other modes.

Multifamily: A structure or portion of a structure containing two or more dwelling units.

Multi-modal Transportation System: A system in which there is accessibility by a variety of travel modes, typically: pedestrian, bicycle, transit and automobile (Single Occupancy Vehicle and High Occupancy Vehicle - carpool/vanpool) and may include water and air transport as well.

Native Vegetation: Plant species which are indigenous to the Puget Sound region.

Natural Resource Lands: Agricultural, forest and mineral resource lands as defined in this section.

Neighborhood: A small, predominantly residential area of the Island in which the residents share a common identity which may focus around an elementary school, park, community business center or similar feature.

Nonpoint Source Pollution: Pollution that enters water from dispersed and uncontrolled sources (such as surface runoff) rather than through pipes.

Open Space: Any area of land which provides physical or visual relief from the developed environment. Open space may be essentially unimproved and set aside, designated or reserved for public use or enjoyment, or for the private use and enjoyment of adjacent property owners. Open space may also consist of undeveloped areas, such as pastures, woodlands, greenbelts, wetlands, pedestrian corridors and other natural areas which provide visual relief from developed areas.

Preservation of open space would 1) conserve and enhance natural or scenic resources, 2) protect streams or water supply, 3) promote conservation of soils, wetlands, beaches or tidal marshes, 4) enhance the value to the public of abutting or neighboring parks, forests, wild preserves, nature reservations or sanctuaries or other open space, 5) enhance recreation opportunities, 6) preserve historic sites, or 7) preserve visual quality along highway, road and street corridors or scenic vistas.

Overlay District: A set of zoning requirements that are described in the ordinance text, are mapped, and subsequently imposed in addition to those of the underlying zone. Development within an overlay zone must conform to the requirements of both zones.

Park-and-Ride: A system in which commuters drive to a common location, park their vehicles, and continue travel to their final destination via public transit or carpooling/vanpooling.

Peak Hour: The hour during which the maximum amount of travel takes place.

Peak Period: The period during which the maximum amount of travel occurs. Usually about 7 to 9 a.m. and 4 to 6 p.m.

Pedestrian-orientation: An area where the location and access to buildings, types of uses permitted on the street level and storefront design are based on the needs of the walking customers and residents. Reduces auto dependence and encourages the use of public transportation.

Peninsula Regional Transportation Planning Organization (PRTPO): The Regional Transportation Planning Organization for Kitsap, Mason, Clallam, and Jefferson Counties. The PRTPO serves as a mechanism for coordinating transportation planning in and among those counties and as a conduit for federal and state transportation funds.

Performance Standards: Regulations which establish standards of performance that are required of any use permitted in a given zoning district. For example, control over the type of a particular development in a particular zone may be accomplished by the establishment of standards which impose maximum levels of smoke, dust, noise, glare, traffic generation or other development impacts which must not be exceeded.

Permeability: The rate at which water moves through undisturbed soil. It depends largely on the texture, structure, porosity and density of the soil.

Policy: An agreed course of action adopted and pursued by decision makers for achieving one or several goals and objectives and which are used to guide the formulation of regulations and programs.

Primary Treatment: A wastewater treatment method that uses settling, skimming and usually chlorination to remove solids, floating materials and pathogens from wastewater.

Public Facilities: Use of land which includes streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

Public Sewer System: Any system which is owned or operated by the City, political subdivision of the state, or other approved ownership consistent of a collection system and necessary trunks, pumping facilities and a means of final treatment and disposal and under permit from the Department of Ecology.

Public Services: Include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

Public Water System: Any system or water supply intended or used for human consumption or other domestic uses where water is furnished to two or more hookups.

PUD: A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. Development through a PUD is a process in addition to the subdivision process, which permits development flexibility that will encourage a more creative approach than lot-by-lot development in design, placement of buildings, use of open spaces, circulation, and best addresses the site characteristics of geography, topography, size or shape.

Puget Sound Council of Governments (PSCOG): Predecessor to the Puget Sound Regional Council. The former area-wide metropolitan planning organization (MPO) responsible for regional planning in the Puget Sound area. (See Puget Sound Regional Council.)

Puget Sound Regional Council (PSRC): Current MPO for the Puget Sound region, including Snohomish, King, Pierce, and Kitsap Counties. The PSRC coordinates transportation planning in those four counties and allocates federal and state transportation funds. The PSRC is also responsible for coordinating transportation planning with air quality emissions requirements.

Pump Station: A facility housing the equipment to pump water from or to a destination to counter gravitational forces. Pumping facilities are also employed to increase the pressure of the water as it travels through the system.

Pumping Station: Used to convey sanitary, wastewater to locations which cannot be reached in a normal downhill gravity collection system.

Purchase of Development Rights (PDRs): A program which would permit an owner of property designated as a TDR "sending area" to sell the right to develop all or the unused zoned capacity of the property to a public entity or non-commercial entity, such as a land trust. In exchange, the seller of the PDR would extinguish the development right on the "sending area" by means of an easement.

Queue Bypass: Route designed to provide a path for transit around traffic queues (or waiting lines), allowing transit to move to the head of traffic flow.

Residential Use: Any land use that provides for living space. Examples include single family residence, multi-family residence, special residence mobile home park, boarding house, caretaker's quarters, accessory dwelling.

Right-of-way: Land in which the state, county, city or other governmental entity owns the fee simple title or has an easement dedicated or required for a transportation or utility use. The right-of-way is the right to pass over the property of another. It refers to a strip of land legally established for the use of pedestrians, vehicles or utilities.

Runoff: That portion of precipitation which flows over land surface and enters the storm drainage system during and immediately following a storm. The rapidity of runoff and the amount of water removed are affected by slope, texture (that is the structure and porosity of the soil surface) vegetation and prevailing climate.

Sanitary Sewer: A facility that carries waterborne wastes of household, industrial and commercial users from the point of origin to treatment plant(s) for treatment and disposal.

Secondary Arterial: Roads which link activity centers and convey traffic onto major arterials. Secondary arterials provide both mobility and access.

Secondary Treatment: A wastewater treatment method that usually involves the addition of biological treatment to the settling, skimming and disinfection provided by primary treatment.

Seismic Hazard Areas: Includes areas subject to severe risk of damage as a result of seismic induced ground shaking, slope failure, settlement, slope failure, soil liquefaction or surface faulting. Ground shaking is a primary risk, followed by some unstable slopes causing damage below them. The muck soils of the Island pose a specific risk of settlement and soil liquefaction. These conditions occur in areas where muck soils and other organic deposits are unsuitable for foundations, generally underlain by cohesion-less soils or poorly consolidated sediments usually in association with a shallow groundwater table.

Shall: Indicates an unequivocal directive.

Should: Signifies a slight less rigid directive than "shall" to be honored in the absence of compelling considerations.

Single Occupant Vehicle (SOV): A vehicle carrying only the driver and no passengers.

Slope: An inclined ground surface, the inclination of which is expressed as a ratio (percentage) of vertical distance to horizontal distance.

Special Needs Populations: Individuals or families who require supportive social services in order to live independently for semi-independently.

Special Planning Area: 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, and services and amenities and protection of natural systems.

Storm Drain: A system of gutters, pipes or ditches used to carry storm water from surrounding lands to streams, lakes or Puget Sound.

Storm Water: Water that is generated by rainfall and is often routed into drainage systems in order to prevent flooding.

Stream: Surface waters, which flow into or become connected with other surface waters generally at least once per year. Streams are classified in accordance with classification system established by the Washington State Department of Natural Resources, as modified by Bainbridge Island.

Subdivision: The division or redivision of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.

Substandard Housing: A dwelling unit that does not meet the criteria for an acceptable standard of living, through lack of maintenance, age of unit, neglect, lack of plumbing facilities, kitchen facilities, or crowded conditions.

Transfer of Development Rights Program (TDRs): A program which would permit an owner of property designated as a TDR "sending area" to sell the right to develop all or the unused zoned capacity of the property to the developer of a TDR "receiving area" who is allowed to add the capacity to the zoned capacity of the site. In exchange, the seller of the TDR would extinguish the development right on the "sending area" by means of an easement.

Transit: Refers to a multiple-occupant vehicle operated on a for-hire, shared-ride basis, including bus, ferry, taxi, shuttle bus, carpool, or vanpool.

Transportation Demand Management (TDM): Policies and programs to motivate people to use public transportation, such as bus pass subsidies, flex-time programs, and limiting free parking.

Transportation System Management (TSM): An array of strategies intended to lead to a reduction in the number of vehicles using the road system while simultaneously serving the same number of travelers.

Threatened Species: Any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

Trip: A one-way movement of a person or vehicle between two points for a specific purpose, sometimes called a one-way trip to distinguish it from a round trip.

Trip Assignment: The process of determining route or routes of travel and allocating the zone-to-zone trips to these routes.

Trip Distribution: The process by which the movement of trips between zones is estimated. The data for each distribution may be measured or be estimated by a growth factor process or by synthetic model.

Undeveloped Rights-Of-Way: Any undeveloped portion of a right-of-way legally established for the use of pedestrians, vehicles or utilities.

Universal Design: The designing of products and environments to be usable by all people, to the greatest extent possible, regardless of age, size, or abilities.

Upzoning: A change in the zoning classification of land to a classification allowing more intensive development, such as a change from single-family to multifamily or from residential to commercial.

Urban Concentration: An area within the urban growth boundary of Bainbridge Island in which urban level of development with urban levels of public services and facilities are concentrated.

Vehicle Miles Traveled (VMT): A measurement of forecasting travel demand; equivalent to one car, bus or truck traveling one mile. VMT is the sum of an individual's vehicle trip lengths - in miles - made over a set period, divided by the number of affected individuals driving that period within the household, study area, zone or facility.

Vision 2020: The regional comprehensive vision for the central Puget Sound area (King, Kitsap, Pierce and Snohomish Counties) adopted in 1990 by Puget Sound Regional Council (PSRC). Vision 2020 describes linking high-density residential and employment centers throughout the region by high capacity transit, promoting a multimodal transportation system.

Watercourse: The areas to which surface and subsurface waters naturally flow and which form a continuous channel through which water descends to natural outlets. A water course includes: a permanent stream; intermittent stream; river, brook, creek, channel or ditch for water, whether natural or man-made.

Watershed: The geographic region within which water drains into a particular river, stream or body of water. A watershed includes hills, lowlands and the body of water into which the land drains.

Wetland: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Priority wetlands are those identified in the City of Bainbridge Island Wetland Inventory Phase II, Wetland Protection Strategies, March 22, 1993, prepared by Sheldon & Associates.



City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Planning Commission

FROM: Jennifer Sutton, AICP
Special Project Planner

Kathy Cook
Director

DATE: August 13, 2015

RE: Study Session on Comprehensive Plan Update: Land Use Element & Environmental
Element Workshop Debrief

The Planning Commission spent the bulk of the time at the July 23 meeting discussing the Thomas and Cainion Comprehensive Plan Amendments (CPA). Both CPAs will be discussed again by the Planning Commission at their September 10 meeting, and as requested by the Commission, the City will notify both surrounding neighborhoods about each CPA.

I. Confirm Drafting Committee's Work

The drafting committee (Commissioners Gale and Quitslund) worked with staff and consultant Joe Tovar on policy language at their meeting on July 14. The committee focused on policies regarding:

- Islandwide Conservation Strategy (see memo from Mr. Tovar; LU Element Goals LU 1-5, pp 7-13)
- High School Road District (LU Element Goal LU 20, pp 26-28)
- New DRAFT Food/Agriculture Goals/ Policies (LU Element Goal 39, pp 46-47)

Their recommendations are shown in strikethrough/underline formatting in the draft *Land Use Element*. The drafting committee discussed both the food and agriculture policies proposed by Ms. Goodwin, Alcala, and Maron and the Puget Sound Regional Council (PSRC). As explained in Mr. Tovar's previous memo, some food/agriculture policies are better suited to the *Economic, Environmental, or Human Service* Elements. The DRAFT of the *Land Use Element* in this meeting packet integrates new food policies that are pertinent to the overall element (see LU Element Goal 39, pp 46-47)

The drafting committee met again on July 28 to review the feedback the Commission provided at the July 23 meeting. At that meeting, Commissioner Kriegh proposed a series of edits to the *Land Use Element*. Most of her suggestions have been integrated into the attached DRAFT *Land Use Element* and

are highlighted in yellow. Commissioner Kriegh suggested that NSC Policy LU 25.7 (p 33) should be modified to require mixed use development in the Neighborhood Service Centers. Staff requests that the full Commission discuss this policy to provide direction.

Planning Commission Action: Confirm amendments to the *Land Use Element*. The changes are shown in strikethrough/underline formatting. Due to time considerations, staff is recommending that the Planning Commission not walk through each change at the August 13 meeting. Instead, please be prepared to identify any changes that raise questions or concerns.

II. Additions to the Comprehensive Plan Glossary

Commissioner Kriegh proposed adding a *Glossary* or *Definitions* section to the Comprehensive Plan. The current 2004 Plan has a *Glossary* at the end of the Plan which is included in this meeting packet. Mr. Tovar suggests many terms that could be added to the current Plan *Glossary*. The *Glossary* is discussed in Mr. Tovar's memo, and suggested terms to add are attached as a table to his memo.

Planning Commission Action: Confirm any additions to the Comprehensive Plan *Glossary*.

III. BI Metropolitan Parks and Recreation District CPA

The Commission has recommended approval of the BI Metropolitan Park and Recreation District (BIMPRD) request to create a new "Park" Zone for parks. Attachment B is a map showing the publicly owned properties that would become designated "Park" with this change. The City requested that the BIMPRD propose new goals and policies for the new land use designation, and the BIMPRD submitted the goals and policies shown in Attachment C. Staff looked for "Park" designation policies from other similar jurisdictions in Western Washington. Several cities have a more generalized "Public" or "Public Use" designations. Poulsbo has a "Park" designation (see Poulsbo Plan policies below). Issaquah has a "Conservancy-Recreation" designation with policies in a *Park, Recreation, Trail & Open Space Element* (attached), not in a *Land Use Element*. The City has adopted the BIMPRD Comprehensive Plan, as part of the City's *Capital Facilities Element*. Consequently, the BIMPRD Plan serves as the City's de facto *Park/Recreation Element*.

Planning Commission Action: The Commission should discuss what type and how detailed new "Park" designation policies should be. The drafting committee would then work of draft goals/policies to bring back to the August 27 meeting.

City of Poulsbo Comprehensive Plan

PARKS The Park (P) land use designation identifies existing City owned parks intended for public use and that provide recreation and open space functions. Lands designated Park are intended for the long-term benefit and enjoyment of City residents, adjacent neighborhoods, and the greater North Kitsap County. As such, use for these lands shall be limited to the development of parks, open space and recreation facilities.

GOAL LU-5 Designate on the City's land use map, City owned parks as a Park (P) land use designation. This designation's intent is to identify and preserve park land that provide the citizens of Poulsbo recreation opportunities, open space functions and protection of environmentally sensitive areas. The City's zoning map shall also identify a Park zoning district.

Poulsbo Comprehensive Plan (cot'd)

Policy LU-5.1

The following City owned parks shall be designated with a Park (P) land use classification and Park zoning district: Net Shed Park, Forest Rock Hills Park, Betty Iverson Kiwanis Park, Austurbruin Park, Nelson Park, Frank Raab Park, American Legion Park, Muriel Iverson Williams Waterfront Park, Myreboe Wilderness Park, Poulsbo's Fish Park, Centennial Park, College MarketPlace ballfields, Lions Park and Hattaland Park. In addition, any land dedicated to the City for the purpose of a public park, and/or any future land acquisition made by the City intended for park use, shall receive the Park (P) designation at the first available comprehensive plan annual amendment cycle.

IV. Debrief on July 22 Environmental Element Workshop

The current *Environmental Element* is included in this packet. Over twenty citizens attended the July 22 workshop. Other citizens submitted comments in writing. Public comment was diverse, ranging from renewable energy, climate change, and air quality, to pesticides and preservation of the dark sky. A table of oral and written comments for the workshop are attached.

Planning Commission Action: The Commission should discuss the public comments and provide the drafting committee with direction on what concepts should be added to, enhanced, or deleting from the *Environmental Element*.

V. Next Steps

At the August 27 Planning Commission meeting, staff will bring back the next draft of the *Land Use Element* reflecting the changes recommended by the Commission tonight's meeting. The drafting committee will work on the changes at their next meeting on Tuesday, August 18. The Commission will also continue review the *Environmental Element* and debrief from the July 29 *Economic Element* workshop

VI. Attachments

- A. DRAFT *Land Use Element*
- B. Map showing "Park Zone" properties
- C. BIMPRD CPA Proposed Goals and Policies
- D. City of Issaquah Park, Recreation, Trail & Open Space Element
- E. 2004 Plan Environmental Element
- F. 7/22 Environmental Element Workshop Comments

LAND USE ELEMENT

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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 guide the Plan:~~

- ~~1) Preserve the special character of the Island which includes forested areas, meadows, farms, marine views, and roads that support all forms of transportation.~~
- ~~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) The Island's environmental resources are finite and must be maintained at a sustainable level.~~

NOTE: GUIDING PRINCIPLES ARE LOCATED IN THE INTRODUCTION TO THE COMPREHENSIVE PLAN

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, such as current or future Neighborhood Service Centers.
- 2) Provide a range of affordable housing affordability.

- 3) Contribute to public infrastructure and public amenities in excess of what is needed to mitigate the impacts of development.
- 4) Reduce citywide greenhouse gas emissions while planning for the effects of climate change.

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 2004 Comprehensive Plan created a *Mixed Use Town Center* (MUTC) ~~which is intended 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.~~

NOTE: THIS CONCEPT OF BONUS FAR IS ADDRESSED IN MUTC GOALS/POLICIES

Five overlay districts are designated to address the distinct neighborhoods and commercial areas within the Mixed Use 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 The Winslow Master Plan will be was developed approved in 1998 to implement the goals and policies of the Plan.~~ The Winslow Master Plan has been since amended, including a substantial update in 2006.

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 base 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 may continue with garden supply sales, nursery, and related uses, and provide for some possible expansion of those uses under a contract zoning district.

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. The Lynwood Center Subarea Plan was approved in 1997 after a~~ A special planning area process (Appendix XX) 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. Business/Industrial (B/I) designated land is concentrated in three distinct areas:~~

- Day Road, east and west of SR 305
- Sportsman Club Road, between New Brooklyn and SR 305
- New Brooklyn Road, west of Madison Avenue

There is an isolated B/I parcel located at the intersection of Fletcher Bay and Bucklin Hill Roads. It was designated as such to recognize an existing development pattern.

Federal, state, and local regulations govern the handling and disposal of hazardous substances and hazardous waste and will be used to evaluate ~~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 City's subdivision and short plat design standards and processes should ~~Plan recommends the creation of flexible lot design subdivision and short plat processes that will encourage a more~~ creative context-sensitive approach than the traditional lot-by-lot development, which. 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 and critical areas and designed to minimize impact to existing neighboring development.

~~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.~~

NOTE: THE CRITICAL AREAS OVERLAY DISTRICT (DELETED ABOVE) IS RELEVANT ONLY AS A SENDING AREA FOR A TRANSFER OF DEVELOPMENT RIGHTS (TDR) PROGRAM.

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.

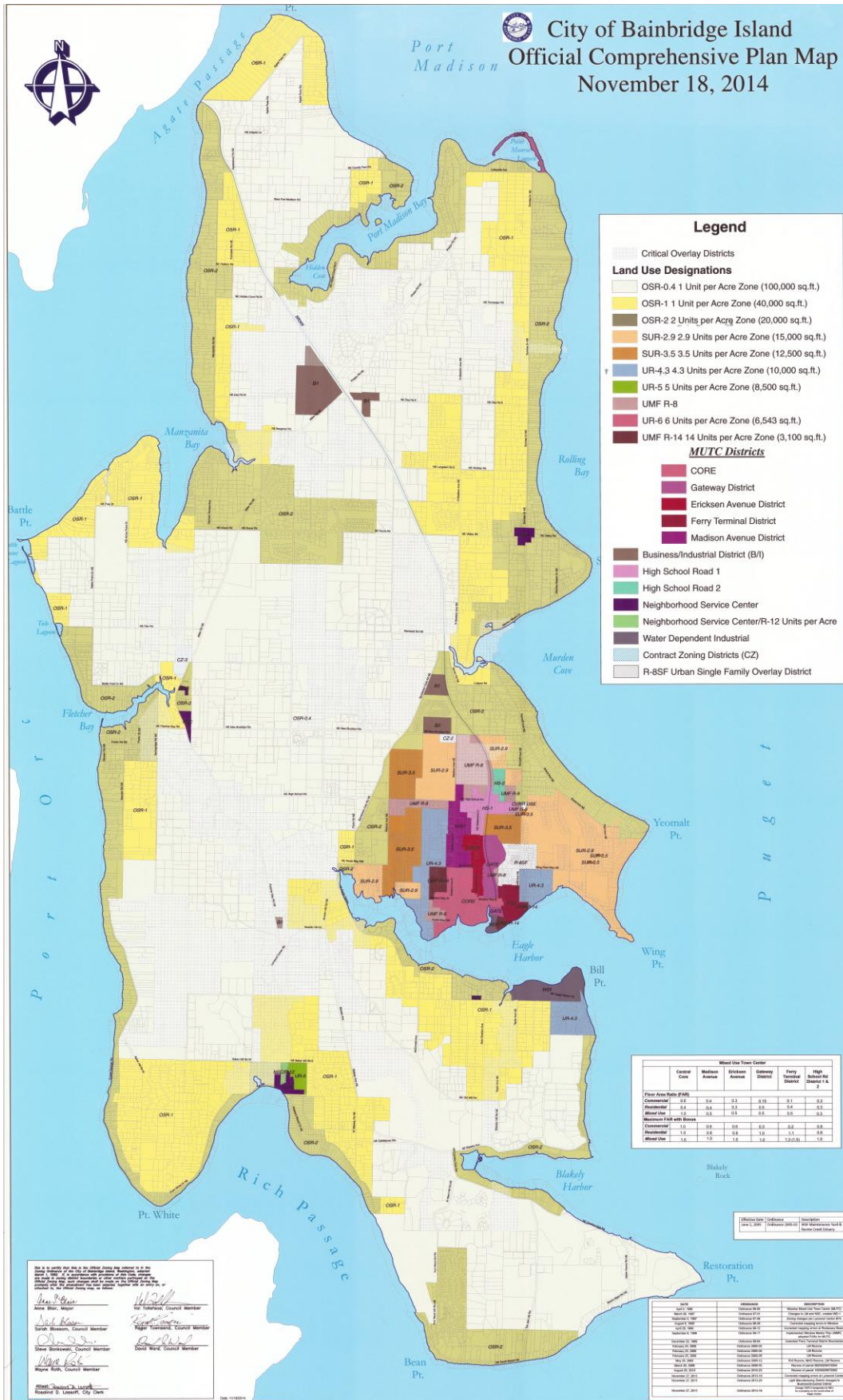
The City is committed to the preservation and enhancement of Bainbridge Island's historic character. Historic resources, including archaeological sites, cultural places, pastoral landscapes and historic structures are important community assets. The City recognizes that these places are an essential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

Comprehensive Plan Land Use Map

The Comprehensive Plan Land Use maps ~~are~~ is 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.

NOTE: Guiding Principles in Introduction chapter

~~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.~~

Island-Wide Land Use Strategy

GOAL LU-1

Island-wide Sustainable Conservation and Development Strategy

As part of a long-term, Island-wide, Conservation and Development Strategy, focus urban development in designated centers, maximize public access to and protect the shoreline, minimize impacts from the SR 305 corridor, and conserve the Island's ecosystems and the green, natural and open character of its visual landscape.

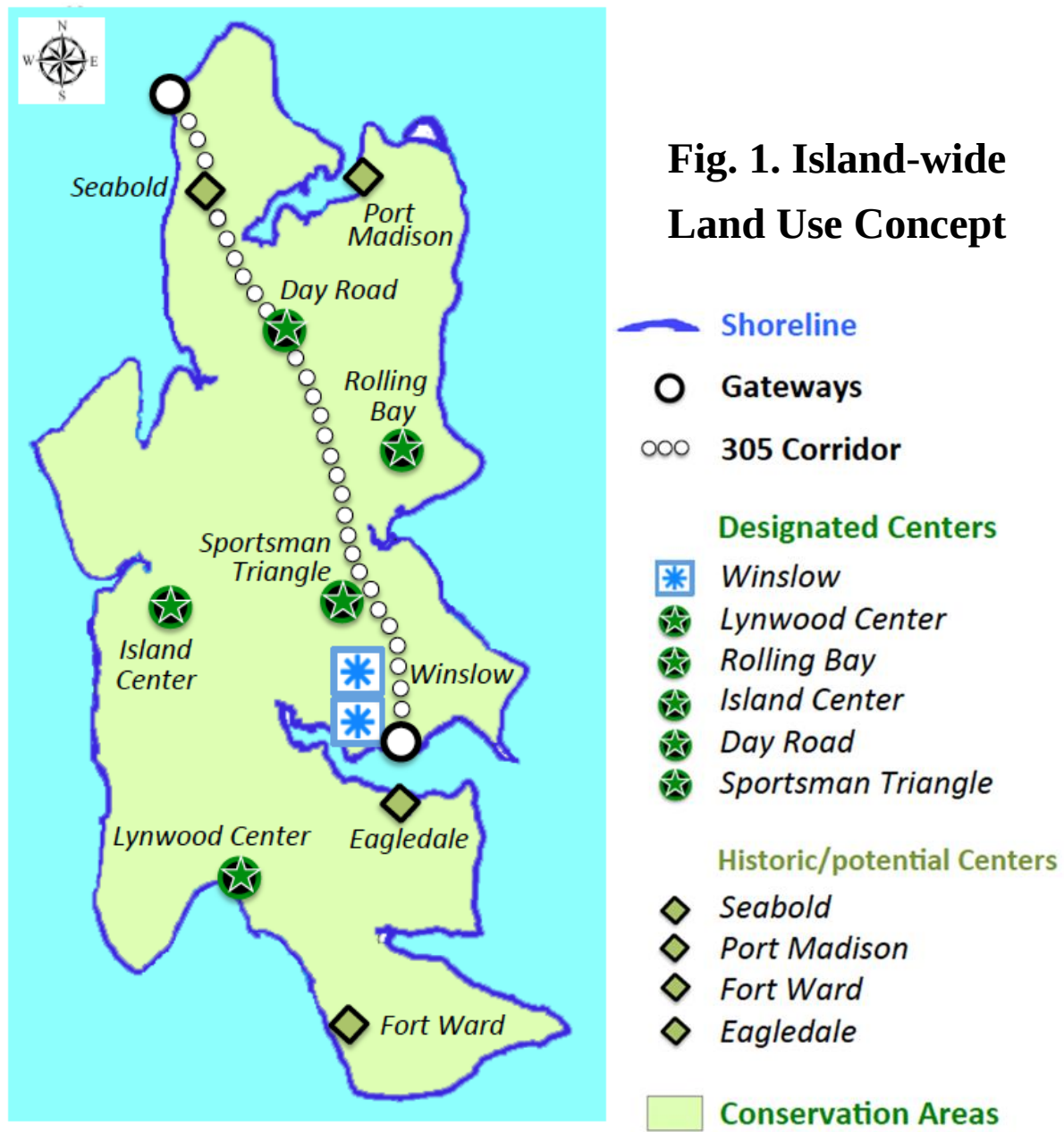
Policy LU 1.1 1.2

The majority of development and redevelopment on the Island will should be accommodated over the next fifty years in central places (i.e., centers) that have or will have urban levels of governmental services and infrastructure. See Fig. 1. These "central places" should conform to the following hierarchy of centers:

- a. Downtown Winslow Master Plan Study Area
- b. Lynwood Center
- c. Neighborhood Service Centers with a residential component
- d. Neighborhood Service Centers without a residential component
- e. Small scale commercial/service neighborhood "nodes."

REVIEW AFTER HOUSING ELEMENT



**Policy LU 1.1**

Map emerging centers for Sustainable Community Development. See Fig. 1. [2025 Growth Advisory Committee Final Report, p. 1]

Policy LU 1.2

The City shall adopt a multi-year work program to undertake the “Special Planning Area Process” for the designated centers of Winslow, Lynwood, Island Center, Rolling Bay, Sportsmen’s Triangle and Day Road. For each center, this process shall engage residents, landowners, businesses and other stakeholders in envisioning the appropriate extent, scale, use mix, and the desired and required services and infrastructure to serve the selected use mix and intensity. The product of the “Special Planning Area Process” will be Subarea Plans for each of the designated centers that will be adopted as part of the Comprehensive Plan.

Policy LU 1.3

The Subarea Plans adopted through the Special Planning Area Process shall be implemented by appropriate amendments to the development code, capital and operating budgets.

Policy LU 1.4

The four “Historic/Potential Centers” of Seabold, Port Madison, Fort Ward and Eagledale may be included in the multi-year work program under Policy 1.2, or if not, simply be candidate emerging centers through the 20 year life of this Plan. In the latter case, conservation priorities and planning for longer-term infrastructure improvements should take account of these potential emerging centers.

Policy LU 1.5

The City shall continue to utilize the goals and use regulations of the Shoreline Master Program to protect the environmental quality of and public access to the Island’s saltwater Shoreline.

Policy LU 1.6

The SR 305 corridor, with its gateways at the Washington State Ferry landing in Winslow and the Agate Pass Bridge, is a major regional facility managed by the Washington State Department of Transportation. See Fig. 1. The City shall actively work with the State and others to minimize the impacts of SR 305 on mobility, safety, air quality and the visual character of Bainbridge Island, while also serving both the motorized and non-motorized needs of Island residents and businesses.

Policy LU 1.7

Lands shown on Fig. 1 as “Conservation Areas” are appropriate for residential, recreational, agricultural, habitat and open space uses. The City will use a variety of conservation tools, including public acquisition of certain properties, regulatory protection of environmentally critical areas, and innovative zoning tools to minimize the development footprint within these Conservation Areas. See Goal LU-2 and related policies.

GOAL LU-2**Conserve the Island’s ecosystems and the green, natural, open character of its landscape****Residential Open Space Goal 1 Policy LU 2.1**

~~Preserve the open space area outside Winslow and the Neighborhood Service Centers through a development land use pattern which will enhance the character of the area – forested areas, meadows, farms, narrow roads bordered by dense vegetation scenic and winding roads that support all forms of transportation – and the valuable functions the open space area serves on the Island (i.e., aquifer recharge, fish and wildlife habitat, recreation). Preservation and protection of the open space area is also addressed elsewhere in this Element of the Plan in the Environmental, Greenways, Forest Lands and Agricultural Lands sections of the Environmental Element.~~

OS 1.1 Policy LU 2.2

Protect open space, critical areas, and agricultural uses through public and private initiatives such as 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.

OS 1.2 Policy LU 2.3

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 greenways through the Island, protect environmentally sensitive areas, and protect the water resources.

Policy LU 2.4

Map the six existing aquifers and their recharge areas on the Island and utilize the best available science to design and adopt Aquifer Conservation Zone regulations to protect the Island's water supply.

Policy LU 2.5

Establish appropriate procedures to monitor the effect of water drawdowns within and between aquifers, and adopt programs and regulations to preclude groundwater contamination, and to encourage water conservation and enhanced aquifer recharge.

Policy LU 2.6

Provide more detailed goals and policies to protect the Island's ecosystems in the Environmental and Water Resources Element. **REVIEW AFTER WATER RESOURCES ELEMENT**

Policy LU 2.7

The City shall work with the County Health Department to allow innovative solutions for on-site sewage treatment, including community septic and grey water systems.

[Island Architects Proposed Policy #8]

Policy LU 2.8

Allow a density bonus in exchange for dedicating a portion of property into conservation as open space, farmland, or public access. Homes must be built green and small with significant reduction in resources in order to qualify for a bonus.

[Island Architects Proposed Policy #9]

REVIEW AFTER HOUSING ELEMENT

GOAL LU-3

Adopt landscape design standards and identify and protect public vantage points, view corridors and scenic vistas to increase support the Island's sense of place, identity and orientation.

OS 1.4 Policy LU 3.1

Existing vegetated buffers should be ~~retained~~ managed to preserve the Island's character and the forested view from the road. Invasive species should be removed in order to keep the native vegetation healthy.

OS 1.5 Policy LU 3.2

New development should be designed to respond ~~strive to be responsive~~ to the natural landscape and should be sited so as to have the least visual and environmental impact on the Island landscape. Features that enhance the Island's character such as barns, fences, fruit or vegetable stands, should be retained and encouraged.

OS 1.6 Policy LU 3.3

Map tree-covered hillsides and hilltops, particularly the ridgelines so valued by the community, ~~shall be particularly protected~~ and adopt regulations and programs to protect them for their visual and aesthetic benefits to the Island as well as their functions as wildlife habitat and erosion and runoff retardation.

GOAL LU-4**Focus urban development in designated centers****Policy LU 4.1**

Adopt a multi-year work program to undertake the "Special Planning Area Process" for the Centers. For each Center, this process shall engage residents, landowners, businesses and other stakeholders in envisioning the appropriate extent, scale, use mix, and the desired and required services and infrastructure to serve the selected use mix and intensity. The product of the "Special Planning Area Process" will be Subarea Plans that will be adopted as part of the Comprehensive Plan.

Policy LU 4.2

The Subarea Plans adopted through the Special Planning Area Process shall be implemented by appropriate amendments to the development code, capital and operating budgets.

Policy LU 4.1

Encourage residential uses in a variety of forms and densities as part of the use mix in Designated Centers.

REVIEW AFTER HOUSING ELEMENT

Policy LU 4.2 4.3

Sustainable development and redevelopment will be focused in the centers through a combination of intergovernmental and public-private partnerships, affordable housing incentive programs, "green" capital projects, and low impact development standards.

Policy LU 4.3 4.4

Implement a green building code or "green factor" for both commercial and multifamily residential projects requiring a permit.

[Island Architects proposed Policy #8]

Policy LU 4.4 4.5

Address mechanisms for retaining and preserving open space in the vicinity of centers.

[2025 Growth Advisory Committee Final Report, p. 3]



Policy LU 4.5 4.6

Design buildings in centers for a long life and adaptability over time to successive uses.

Policy LU 4.6 4.7 Adopt development standards and program public improvements to encourage walkability within each center and to the surrounding areas within an easy walk.

OS 1.8 Policy LU 4.7 4.8

Development should be designed and located so as to avoid or minimize potential conflicts with agricultural activities, and right-to-farm ordinances must be recognized by any development located adjacent to agricultural ~~land~~ uses.

Policy LU 4.8 4.9

Amend the Non-Motorized Transportation Plan to link the centers and reduce vehicle miles traveled and greenhouse gas emissions.

General Land Use GOAL 1**GOAL LU-5**

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

LU 1.1 Policy LU 5.1

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 designated Ccenters. ~~and at the designated Business/Industrial areas.~~

LU 1.2 Policy LU 5.2

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, direct 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 5.3

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.

REVIEW AFTER HOUSING, TRANSPORTATION, WATER RESOURCES ELEMENTS

LU 1.4 Policy LU 5.4

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 5.5

The areas centers 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.

REVIEW AFTER HOUSING, ECONOMIC, AND TRANSPORTATION ELEMENTS

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.

REVIEW AFTER HOUSING, ECONOMIC, AND TRANSPORTATION ELEMENTS

LU 1.6 Policy LU 5.6

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

LU 1.7 Policy LU 5.7

The Future Land Use Map adopted in this Plan ~~shall~~ establishes 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 5.8

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.

OS 1.3 Policy LU 5.9

To reflect the policies in the Housing Element to provide for a variety of housing options in areas designated for residential development, including residential open space, accessory dwelling units shall be considered allowed uses in all residential zoning districts except R-6.(See Housing Element policy H 3.2)

REVIEW AFTER HOUSING ELEMENT

OS1.7 Policy LU 5.10

Water or wastewater infrastructure, which may contribute to system capacity exceeding local need, shall not be used to justify development counter to the City-wide land use policies.

LU 1.9 See Policies LU 1.1, LU 1.2, & LU 1.3**Special Planning Areas**

~~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 is will require an amendment to the Comprehensive Plan, unless no changes to the Plan’s policies are proposed.~~

General Land Use

GOAL 1 LU-6

The City of Bainbridge Island will plan for growth based on the growth targets established by the Kitsap Regional Planning Coordinating Council: 5,635 ~~7,430~~ additional residents from 2010-2036 ~~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 1.1 Policy LU 6.1

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.

On September 24, 2013 ~~June 7, 1995~~, the KRCC 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~~ 28,660 by the year ~~2012~~ 2036. The City Council ratified the amended Countywide Planning Policies on December 11, 2013 by approving Resolution 2013-22, and Resolution 2015-13 on June 16, 2015. The ~~2010-1992~~ Island population was ~~23,025~~ 46,850 persons. With an allocation of 28,660 ~~24,280~~, the Island must plan for an increase in population of 5,635 ~~7,430~~ persons by the year 2036 ~~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 XX

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 previous platted lots.

FRW 1.2 Policy LU 6.2

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 that~~ is consistent with the requirements of the GMA, ~~and~~ yet retains the Island’s character and the quality of life, ~~which that~~ its residents so highly value.

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 that~~ 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 1.3 Policy LU 6.3

The residential densities in the Plan focus residential growth in Winslow and other current and future centers with urban services, such as the Neighborhood Service Centers. This is a change from the 1994 and 2004 Plans, which specified a numeric growth strategy as follows: targets Winslow to accommodate 50% of the population growth in Winslow through the year 2012, and accommodate 5% of population growth in with the Neighborhood Service Centers to accommodate up to 5%. The balance of the growth ~~would~~ was to be absorbed throughout the remainder of the Island. For purposes of allocating 50% of the growth, Winslow was ~~shall~~ be defined as Winslow Master Plan Study Area. (Figure 2.3 of the Winslow Master Plan.)

~~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~~ encourages development of a neighborhood of the Island which contains a strong 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 2 LU-7

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 7.1 Policy LU 7.1

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~~:

- Encourages development in areas where public facilities and services exist or can be provided in an efficient and effective manner.
 - Provides a vibrant, pedestrian-oriented core.
 - Reduces sprawl.
-

- Provides choice of housing location and lifestyle.
- Maintains and protects environmentally sensitive and resource lands.
- Encourages the retention of open spaces.
- Maintains and enhances the fish and wildlife habitat.

FRW-2.2 Policy LU 7.2

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 be consistent with the Winslow Master Plan (contained in the Subarea chapter of this Plan). The level of development ~~shall be~~ is 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 be established as~~ is 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.
- Buildings that qualify under a sustainability program such as LEED or Passive House.

FRW-2.3 Policy LU 7.3

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

GOAL 3-LU-8

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-8.1 Policy LU 8.1

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.

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-3.2 Policy LU 8.2

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-3.3 Policy LU 8.3

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-3.4 Policy LU 8.4

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

Policy LU 8.5

Climate Change and Water Conservation Plan strategy.

Revisit with Environmental and Housing Elements



GOAL 4-LU-9

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

FRW-4.1 Policy LU 9.1

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-4.2 Policy LU 9.2

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

GOAL 5 LU-10

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 not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

GOAL 6 LU-11

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

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-7 LU-12

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

General Land Use

Note: this goal/policies were moved up to become Goal/Policy LU 5/LU5.1 etc.

~~GOAL-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-~~

~~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-~~

~~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-~~

~~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-~~

~~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-~~

~~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.~~

~~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~~

~~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~~

~~The Future Land Use Map adopted in this Plan shall 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~~

~~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.~~

~~LU 1.9~~

~~Special Planning Areas~~

~~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 2 LU-13

Provide attractive, conveniently located, commercial development that is appropriate in scale, configuration, and location. Such development ~~shall~~is be limited to the commercial

and mixed use districts, and the Neighborhood Service Centers, ~~and home occupations.~~

LU 2.1 Policy LU 13.1

The major center for new commercial development ~~shall be~~ is the Mixed Use Town Center and the other commercial districts in Winslow.

LU 2.2 Policy LU 13.2

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

LU 2.3 Policy LU 13.3

~~Nonresidential uses~~ Development should be oriented toward the pedestrian. Retail uses shall ~~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 13.4

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

Parking

GOAL 3 LU-14

Parking lots shall be constructed to minimize visual and environmental impacts.

LU 3.1-

~~Landscaping standards shall 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 14.1

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 4 LU-15-

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

LU 4.1 Policy LU 15.1

Maintain and improve tThe City's Purchase of Development Rights (PDR) and should develop a Transfer of Development Rights (TDR) program to enable

~~transferring development rights from areas intended for conservation to areas suitable for development, 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 15.2

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~~ process that coordinates the purchase and transfer of development rights.
- 4) Initiating an outreach program to educate property owners and potential buyers about the use of the Purchase and Transfer of Development Rights program.

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 15.3

The City ~~should undertake a study to~~ has identified appropriate TDR sending areas and prioritized areas (or resources) of the Island that are valued by the community and are appropriate for conservation through the PDR purchase and/or the ~~transfer of development rights (TDR) programs~~. ~~These areas or resources shall 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 NOTE: MOVED TO POLICY 15.2 ABOVE

~~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 1 LU-16

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 16.1

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 16.2

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~~ that 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 16.3

To ensure the visual appeal and pedestrian-orientation of the land uses, the land development regulations ~~shall~~ include design standards for:

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

W 1.4 Policy LU 16.4

The base levels of development in the Mixed Use Town Center and High School Road Districts ~~shall be~~ are 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 16.5

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 16.6

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, a public parking structure or garage, 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.

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 16.7

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~~ includes 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.

~~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 16.8

Pursue the construction of a complete waterfront trail system.

GOAL 2 LU-17

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

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 17.1

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

Central Core Overlay District

W-2.2 Policy LU 17.2

The Central Core Overlay District is the most densely developed and dynamic ~~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 17.3

Design standards, including open space, parking and landscaping, which recognizes the urban character of the Central Core Overlay District apply to future development, shall 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 17.4

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 17.5

~~Provide improved pedestrian and visual~~ access to the waterfront from the Central Core.

Ericksen Avenue Overlay District

W-2.7 Policy LU 17.6

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 17.7

New multi-story retail development is permitted within the Ericksen Avenue Overlay District only if it is ground-floor retail with a residential component or residential and office development in the upper floors.

W-2.9 Policy LU 17.8

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

~~**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 17.9

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. 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.

~~**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 17.10

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

W-2.12 Policy LU 17.11

~~Within the Madison Avenue Overlay District, all retail and office development shall include a residential component~~ mixed-use development is encouraged. New multi-story retail development is permitted only if it is ground-floor retail with a residential component or ~~residential and office development on the upper floors.~~

Gateway Overlay District

W-2.13 Policy LU 17.12

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

W-2.14 Policy LU 17.13

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

W-2.15 Policy LU 17.14

The ravine is an important, natural feature of Bainbridge Island and ~~should~~ must be protected. A high priority ~~should be given~~ is to ~~purchasing~~ purchase 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 3 LU-18

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 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 18.1

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

W-3.2 Policy LU 18.2

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 18.3

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

W-3.4 Policy LU 18.4

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

Ferry Terminal Planning Area

GOAL 4 LU-19

Planning for the Ferry Terminal and Gateway Districts should be coordinated

W-4.1 Policy LU 19.1

The Ferry Terminal and Gateway Districts ~~should be~~ are 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~~ protection.

~~Commercial~~-High School Road District

GOAL 5 LU-20

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

W 5.1

~~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 20.1

~~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.~~

Policy LU 20.2

Auto-oriented uses and drive-through businesses that benefit from access to SR305 shall be limited to the area shown on Figure 2.



Figure 2. Yellow Dotted Line shows area where auto-oriented uses and drive-through businesses are allowed

Policy LU 20.3

Development in the High School Road District should promote pedestrian-oriented mixed-use and residential development that offers a variety of housing types and sizes.

W 5.3 Policy LU 20.4

The properties designated on the Land Use Map as High School Road District II ~~shall be~~ are each limited to no more than 14,400 square feet of retail use. Retail use between 5,000 and 14,400 square feet ~~shall~~ requires 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 20.5

To ensure visual appeal and pedestrian and bicycle safety, the land development regulations shall 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 20.6

To visually screen development year-round, ~~p~~Properties with frontage along SR 305 shall provide a vegetated buffer along the highway that ~~shall~~ includes 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

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

Water-dependent Industrial District**GOAL 6 LU-21**

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 21.1

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 21.2

Water-dependent industrial development shall 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 21.3

Industrial uses shall 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 optimal ~~um~~ means ~~to~~ for provide prompt and effective clean-up of spills that do occur.)

W-6.4 Policy LU 21.4

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 21.5

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 21.6

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 21.7

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

~~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 ~~7~~ LU-22

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.

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

W-7.1 Policy LU 22.1

Residential development within the Urban Multi-Family District ~~shall be~~ is served by public facilities and services normally associated with urban area development.

W-7.2 Policy LU 22.2

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 22.3

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

W-7.4 Policy LU 22.4

To ensure the compatibility of multi-family developments with adjacent uses and retain the scale of development in Winslow, land use regulations ~~shall 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 ~~8~~ LU-23

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

W-8.1 Policy LU 23.1

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

W-8.2 Policy LU 23.2

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

W-8.3

~~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

~~New development or expansion of development in the Urban Residential District on the Point Monroe sand spit shall 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 not produce substantial adverse effects on the shoreline environment or neighborhood character, and shall 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 9 LU-24

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

W-9.1 Policy LU 24.1

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 24.2

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

W-9.3

~~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 1 LU-25

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.

NSG-1.1 Policy LU 25.1

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

NSG-1.2 Policy LU 25.2 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, and a subarea plan was completed in 1997.

~~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.

NSC-1.3 Policy LU 25.3 Island Center

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.

NSC-1.4 Policy LU 25.4 NSC Contract Zone: Miller Road/Battle Point Drive

The 16.7-acre site on Miller Road ~~will be~~ is 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.

NSC-1.5 Policy LU 25.5 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.

NSC-1.3 Policy LU 25.6

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

NSC-1.7 Policy LU 25.7

Mixed use development is encouraged but not required.

NSC-1.8 Policy LU 25.8

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

NSC-1.9 Policy LU 25.9

The land use regulations ~~shall have~~ include 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~~ developed 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.

NSC 1.10 Policy LU 25.10

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

NSC 1.11 Policy LU 25.11

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

NSC 1.12 Policy LU 25.12

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

NSC 1.13 Policy LU 25.13

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 2 LU-26

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.

NSC 2.1 Policy LU 26.1

The base density of residential development in the Neighborhood Service Centers, as designated on the Land Use Map, ~~shall be~~ is 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 1 LU-27

The Business/ Industrial ~~District~~ Zone (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.

B/I 1.1 Policy LU 27.1

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.

B/I 1.2 Policy LU 27.2

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. Development proposals are evaluated using performance standards for the B/I district. (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, the City would consider 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 in reviewing such a proposal.

B/I 1.3 Policy LU 27.3

The City shall coordinate with the Bainbridge Island Fire Department when reviewing development proposals ~~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.~~

B/I 1.4 Policy LU 27.4

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.

B/I 1.5 Policy LU 27.5

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

B/I 1.6 Policy LU 27.6

Performance standards for the Business/ Industrial District(s) ~~shall~~ 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.

B/I 1.7 Policy LU 27.7

Business/ Industrial uses ~~shall~~ must be visually screened 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.~~

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.~~

B/I 1.9

~~If an existing project redevelops or expands its gross floor area (GFA), compliance with current development standards shall be are based on the size of the redevelopment or expansion. A range of compliance requirements shall 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 2 LU-28

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.

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.~~

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-3 LU-29

Discourage the inappropriate designation of isolated Business/ Industrial Districts.

While seeking to limit isolated Business/ Industrial uses, this Plan also recognizes the concerns of property owners to continue existing businesses at those locations as non-conforming uses. 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.

B/I 3.1 Policy LU 29.1

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

~~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

NOTE: Goal 1, Policies OS1.1 & OS1.2 Moved to Goal LU 2

GOAL 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).~~

Preservation and protection of the open space area is also addressed elsewhere in this Element of the Plan in the Environmental, Greenways, Forest Lands and Agricultural Lands sections.

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.~~

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 character and the protection of its natural systems. The City should encourage the creation of landowner compacts where adjacent landowners collectively aggregate and develop their properties under a unified development plan. This could involve innovative, joint partnerships between nonprofit organizations and developers interested in preserving open space and promoting sensitive development. The City should work with nonprofit agencies to identify techniques for establishing landowner compacts and potential lands that could be aggregated under a compact.~~

OS 1.3

~~To reflect the policies in the Housing Element to provide for a variety of housing options in areas designated for residential development, including residential open space, accessory dwelling units shall be considered allowed uses in all residential zoning districts except R-6. (See Housing Element policy H 3.2)~~

OS 1.4—Moved to LU 3.1

~~Existing vegetated buffers should be retained and augmented where necessary to preserve the Island's character and the forested view from the road.~~

OS1.5—Moved to LU 3.2

~~New development should strive to be responsive to the natural landscape and should be sited so as to have the least visual and environmental impact on the Island landscape. Features which enhance the Island's character, such as barns, fences, fruit or agricultural stands, should be retained and encouraged.~~

OS1.6—Moved to LU 3.3

~~Tree-covered hillsides and hilltops, particularly ridge lines so valued by the community, shall be particularly protected for their visual and aesthetic benefits to the Island as well as their functions as wildlife habitat and erosion and runoff retardation.~~

OS1.7—Moved to LU 5.10

~~Water or wastewater infrastructure, which may contribute to system capacity exceeding local need, shall not be used to justify development counter to the City-wide land use policies.~~

OS1.8—Moved to LU 4.8

~~Development should be designed and located so as to avoid or minimize potential conflicts with agricultural activities, and right-to-farm ordinances must be recognized by any development located adjacent to agricultural land.~~

OS 1.9

~~The City shall develop a Flexible Lot Design Subdivision process that integrates a cluster-zoning requirement in the subdivision process and ensures that the approval process is timely and efficient.~~

Discussion: ~~This process would permit development flexibility that will encourage a more creative approach than lot-by-lot development, including lot design, placement of buildings, use of open spaces, and circulation that best addresses the site characteristics of geography,~~

topography, size, or shape. This method permits clustering of lots, with a variety of lot sizes, to provide open space and protect the Island's natural systems. The criteria for the layout and design of lots, including a minimum lot size for each zone, would be set out in the zoning ordinance.

OS 1.10

In designing a Flexible Lot Design Subdivision process, areas of site disturbance shall be laid out in consideration of the following criteria:

- Location of the most suitable soils for individual, on-site septic systems.
- Location of greenway overlay.
- Location of scenic views from the roadway.
- Location of wooded slopes — trees should not be removed from ridges and structures should not be placed on ridge lines.
- Establishment of perimeter buffers.
- Segregation of farmland.
- Encourage common access.

OS 1.11

The Flexible Lot Design Subdivision shall include:

- Adequate open space — open space should be of a quality, quantity, and configuration to ensure that a significant portion of the site is designated for conservation, passive recreation, and active recreation (where appropriate), and that the open space is reasonably related to all house lots.
- Consideration for dedication of open space for public use.
- Protection of critical areas.
- Preservation of significant trees.
- Creative site design including placement of structures, circulation systems, and utilities that minimize land alteration (e.g., a variety of lot sizes, building types, scale, and design to reduce the bulk of structures).
- Pedestrian orientation, including trails and walking paths.
- Adequate provision of public facilities and amenities.
- Preservation of natural features.
- Preservation or creation of farmland.
- Limited impervious surface/area of site disturbance.
- Public waterfront access and/or view.

OS 1.12

Land that is designated as permanent open space within Flexible Lot Design Subdivisions shall be used only for recreational, conservation, or agricultural use. This land shall be:

- Owned jointly or in common by the owners of the building lots.
- Dedicated to the City, Park District, or to a private, nonprofit organization, subject to acceptance.
- Retained by the original landowner and protected through a permanent conservation easement.

GOAL 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.

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.)

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.

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.

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 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 3 LU-30

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

OS 3.1 Policy LU 30.1

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

OS 3.2 Policy LU 30.2

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.

OS 3.3 Policy LU 30.3

The overall density for residential use ~~shall be~~ is a maximum of one unit per 2.5 acres. However, the landscape should maintain the natural and scenic qualities of the Island.

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 4 LU-31

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.

OS 4.1 Policy LU 31.1

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

OS 4.2 Policy LU 31.2

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

OS 4.3 Policy LU 31.3

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 5 LU-32

Maintain and enhance the unique character of Fort Ward Planning Area (see Figure 4A) ~~due to~~ recognize 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). The Fort Ward Action Plan is a part of the Plan (Appendix XX).

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.~~

~~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.~~

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.~~

OS 5.3 Policy LU 32.1

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.~~

~~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~~ **MOVE POLICY TO HOUSING ELEMENT**

**Historic Preservation****GOAL 1 LU-33**

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

HP 1.1 Policy LU 33.1

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

HP 1.2 Policy LU 33.2

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.

HP 1.3 Policy LU 33.3

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.

HP 1.4 Policy LU 33.4

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

GOAL 2 LU-34

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.

HP 2.1 Policy LU 34.1

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

HP 2.2 Policy LU 34.2

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

HP 2.3 Policy LU 34.3

The City and HPC ~~shall~~ should continue to support and expand the Local Historic Register program.

HP 2.4 Policy LU 34.4

The City and HPC ~~shall~~ should develop protocols for the consistent evaluation of historic resources on the Island.

HP 2.5 Policy LU 34.5

The City and HPC shall 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 identity.

GOAL 3 LU-35

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.

HP 3.1 Policy LU 35.1

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

HP 3.2 Policy LU 35.2

~~The City shall~~ Encourage the preservation, rehabilitation and restoration of existing structures through the adoption and implementation of the International Existing Building Code (IEBC).

HP 3.3 Policy LU 35.3

~~The City and HPC shall~~ Collaborate with the Historic Preservation Commission and Design Review Board to develop design guidelines for projects within or adjacent to significant historic properties and/or neighborhoods to ensure compatible development.

HP 3.4 Policy LU 35.4

~~The City and HPC shall~~ Develop guidelines to ensure review of potential direct and indirect impacts to significant historic properties when planning and/or permitting projects.

HP 3.5 Policy LU 35.5

~~The City and HPC shall~~ Identify and support practical owner/operator economic incentives and policies to encourage the rehabilitation and preservation of significant historic resources.

HP 3.6 Policy LU 35.6

~~The City shall~~ Engage in cooperative efforts with owners to encourage the preservation of historic resources.

GOAL 4 LU-36

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

HP 4.1 Policy LU 36.1

The City and HPC shall Support an on-going education program to increase awareness of the historic resources on the Island.

HP 4.2 Policy LU 36.2

The City and HPC shall Support efforts to publicly recognize preservation efforts within the Island community.

HP 4.3 Policy LU 36.3

The City and HPC shall Collaborate with interested stakeholders to promote historic preservation on the Island.

HP 4.4 Policy LU 36.4

The City and HPC shall Identify, and give public access to, an appropriate repository for curating historic preservation records and documentation.

Siting of Essential Public Facilities

GOAL 1 LU-37

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. 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.

PF 1.1 Policy LU 37.1

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.

PF 1.2 Policy LU 37.2

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.

PF 1.3 Policy LU 37.3

New essential public facilities shall not be located in designated resource lands; and critical areas, ~~or other areas where the siting of such facilities would be incompatible.~~

GOAL 2 LU-38

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.

PF 2.1 Policy LU 38.1

If an essential public facility is proposed for Bainbridge Island that is an “essential public facility,” as defined in RCW 36.70A.200, the City Mayor shall should create 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.

PF 2.2 Policy LU 38.2

The City or other government agency, if responsible for construction of an essential public facility, shall 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.

Local Food Production**GOAL LU-39**

Promote food security, local food production, and public health by encouraging locally-based food production, distribution, and choice through urban agriculture, community gardens, farmers markets, and food access initiatives. Establish partnerships and share resources to promote food access and production.

Policy LU 39.1

Allow community gardening on public land where appropriate.

Policy LU 39.2

Encourage the development of neighborhood community gardens.

Policy LU 39.3

Promote interagency and intergovernmental cooperation and resource-sharing to expand community gardening opportunities.

Policy LU 39.4

Promote the dedication of land for community gardens in new housing developments.

Policy LU 39.5

Support the local farmers market and the direct connection between consumers and farmers.

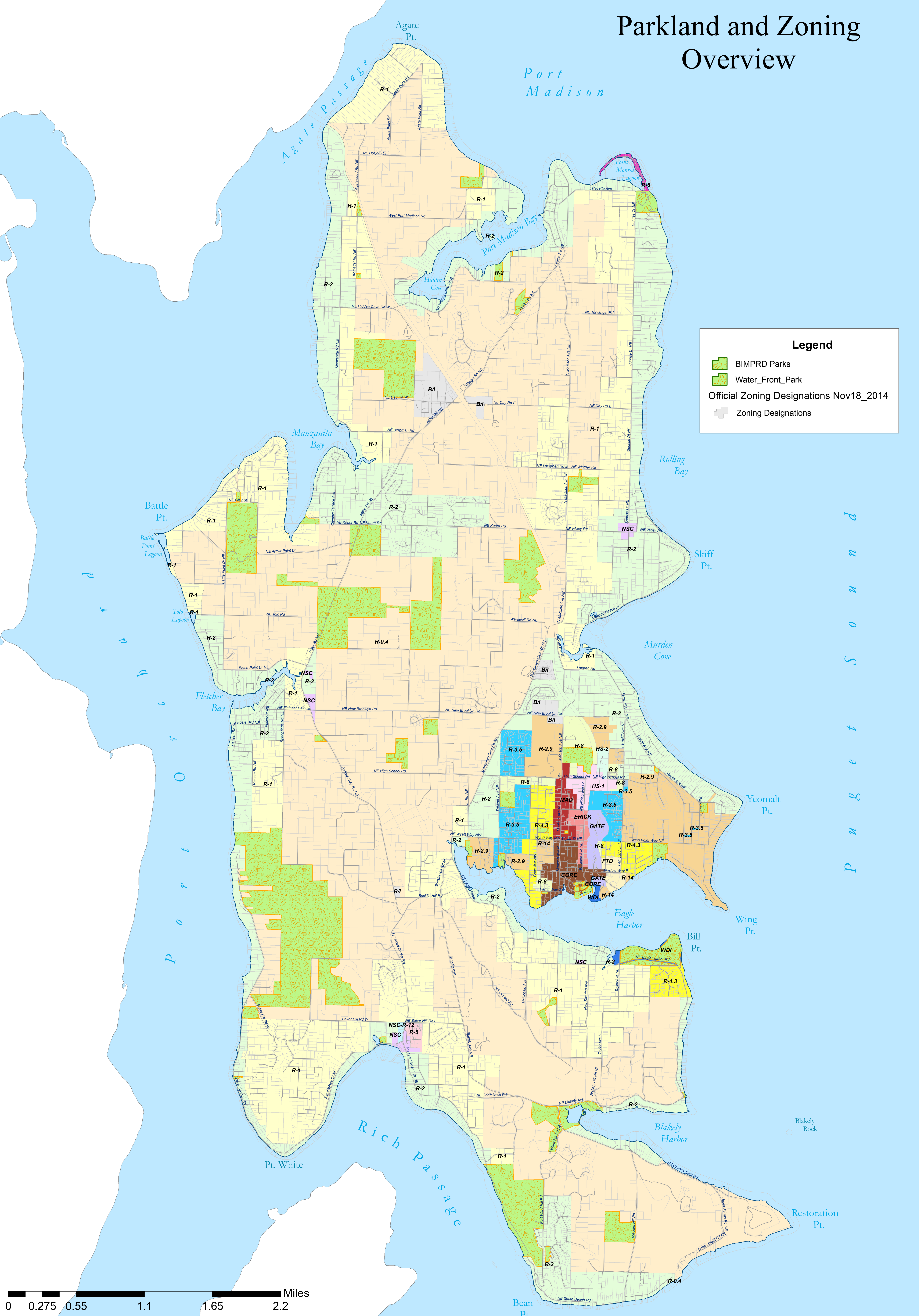
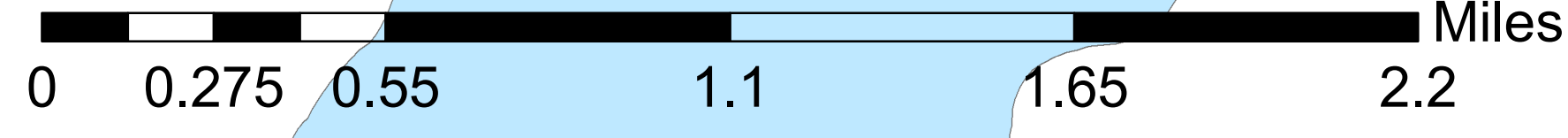
EXISTING CONDITIONS

Note: this section moved to Appendix

Parkland and Zoning Overview

Legend

- BIMPRD Parks
- Water_Front_Park
- Official Zoning Designations Nov18_2014
- Zoning Designations



SOURCE: BIMPRD PARK, RECREATION AND OPEN SPACE

COMPREHENSIVE PLAN 2014 - CHAPTER 2

GOALS & OBJECTIVES

GOAL: RECREATION AND OTHER PROGRAMS

The Park Zone facilitates for designated land that BIMPRD will coordinate, assist, program, and operate recreational and cultural programs and outreach activities of special interest and benefit for island residents at island park sites and community centers.

BIMPRD will coordinate, promote, and work to provide recreation programs with other public, non-profit, and for-profit agencies, organizations, and vendors such as Bainbridge Island Senior Center Non-Profit (BISCC), Bainbridge Island School District (BISD), and others whose agency goals fit the mission statement to advance common community recreation goals. Such programs may be directed towards athletic leagues and sport groups (such as youth soccer, little league, lacrosse, and football), teen and senior age groups, special populations, and island residents of all ages who will benefit from these activities.

Recreation Programs

- Seek to designate and preserve appropriate sites as well as facilitate agreements with user groups and league organizations to operate such recreation activities as basketball, volleyball, tennis, soccer, baseball, softball, and other instruction and participatory programs for all age, skill level, and income groups on the island.

GOAL: CULTURAL ARTS PROGRAMS & HISTORICAL RESOURCES

The Park Zone facilitates for designated portions of land that BIMPRD will organize, coordinate, and selectively develop high quality, diversified cultural arts facilities and programs that increase awareness, attendance, and participation opportunities at BIMPRD parks and properties.

Programs

- Support successful collaborations between BIMPRD, public agencies, non-profits, the business community, service groups, schools, arts patrons, and artists that optimally utilize artistic resources and talents at BIMPRD parks and properties.

Artworks

- Where appropriate, incorporate public artworks including paintings, sculptures, exhibits, and other media for indoor and outdoor display to expand resident access and appropriately furnish public places in BIMPRD parks and properties

- Support the preservation of historical and cultural elements to develop and display artifacts, reports, and exhibits; and conduct lectures, classes, and other programs that document and develop awareness of the island's heritage at BIMPRD park sites and properties.

GOAL: NATURAL AREA PARKS & OPEN SPACE

The Park Zone facilitates for designated land BIMPRD will assume a primary responsibility for the planning, coordination, and preservation of unique environmental areas, wetlands, wildlife habitat, open spaces, forestlands, and scenic areas.

Work with other public and mission related non-profit and private agencies, such as Kitsap County, Washington State Departments of Fish & Wildlife, Natural Resources, and such non-profits as IslandWood, Bloedel Reserve, Bainbridge Island Land Trust and others, to create an effective approach to the following conservation issues and identifying key habitat concerns.

Wildlife habitat

- Identify and conserve critical wildlife habitat including nesting sites, foraging areas, and migration corridors within or adjacent to natural areas, open spaces, and buffers from developing urban areas.
- Preserve sensitive habitat sites that support threatened species and urban wildlife habitat.

Natural areas

- Preserve and protect significant environmental features including unique wetlands, open spaces, woodlands, shorelines, waterfronts and other characteristics that support wildlife and reflect the island's environmental systems.
- Provide public access to environmentally significant areas and sites that are especially unique to the island.

Forest lands

- Identify and conserve forest cover and the scenic attributes woodlands provide.
- Identify and preserve prime examples of heritage forestlands on the island.
- Manage forests for a healthy sustainable ecosystem.

Open spaces

- Define and conserve a system of open space corridors or separators to provide definition between natural areas and urban land uses on the island consistent with public values and State of Washington Growth Management Act strategies.
- Increase natural area and open space linkages to and within the developing urbanizing areas and surrounding neighborhoods such as Rolling Bay, Island Center, Winslow, and Lynwood Center.

Urban growth preserves and set-asides

- Cooperate with other public and private agencies, such as the Bainbridge Island Land Trust, and with private landowners to set aside land and resources necessary to provide high quality open space, trail, and park facilities before the most suitable sites are lost to development, and particularly private lands in and around significant wildlife, woodlands, and shoreline areas.
- Preserve unique environmental features or areas in future land developments and increase public use and public access. Cooperate with other public and private agencies and with private landowners to set aside unique features or areas as publicly accessible resources, such as non-profits, IslandWood and the Bloedel Reserve.

GOAL: RECREATIONAL SHORELINE

The Park Zone facilitates for designated land that BIMPRD will assume a primary responsibility for the planning, development, and operation of a variety of recreational shoreline oriented facilities. These facilities may include fishing sites, boat launch ramps, swimming beaches, picnicking areas, and possibly campgrounds. Recreational shoreline parks provide recreational facilities that are directly related to environmental and especially shoreline resources.

BIMPRD will work with other public and private agencies, particularly COBI, Kitsap County, Washington State Park & Recreation Commission, and WA State Departments of Fish & Wildlife and Natural Resources, to develop and operate appropriate recreational shoreline parks.

Waterfront access and facilities

- Acquire and develop additional shoreline access for fishing, beachcombing, beach walks, wading, swimming, small crafts center related activities and other related recreational activities and pursuits.

Picnicking and day use activities

- Acquire and develop additional island-wide picnic sites, shelters, and day-use group picnic grounds at major natural area and recreational shoreline parks throughout the island.

GOAL: RECREATIONAL TRAILS

The Park Zone facilitates for designated land that BIMPRD is responsible for the planning, development, and operation of recreational trails. Recreational trails may also include water trails. COBI is responsible for on-road bicycle planning, transportation and touring routes, and scenic drives.

BIMPRD will work with other public and private agencies to achieve these goals.

Water trails

- Incorporate and improve a water system of boat ramps, landings, and other improvements to public facilities for appropriate non-motorized craft for a water trail around the island and as an extension of the Cascade Marine Trail from Canada to the southern reaches of Puget Sound and public enjoyment.
- Where appropriate incorporate and extend a water trail network for hand-carry or car-top craft including canoes and kayaks for the circumference of the island using BIMPRD parks, designated COBI road-ends, and Washington State Department of Fish & Wildlife and Natural Resources sites and tidelands.

Off road trail systems

- Create a comprehensive system of trails appropriate to hike, bike, equestrian experiences that access scenic, environmental, historical, and open space attributes on the island, and expand and link the existing trail systems to create island-wide networks.
- Develop a series of trailheads, trailside rest stops, viewpoints, interpretive exhibits, and trail signage systems that integrate hike, bike, and horse trails with specific historical, cultural, environmental, and scenic points of interest, such as former boat landings, sawmills, farmsteads, roads, and bridges, among others.
- Where appropriate, complement continuous trail corridors and/or loop routes with parks, other public facilities, historical sites, and the Winslow urban center, and link to COBI's non-motorized plan.

- Furnish trails with appropriate supporting trailhead improvements where appropriate that include interpretive and directory signage systems, rest stops, restrooms, parking and loading areas, water, and other services.
- Where appropriate, link to trailheads at or in conjunction with park sites, and other community facilities to increase local area access to island-wide trail systems and reduce duplication of supporting improvements.
- Develop trail improvements of a design and development standard that is easy to maintain and access by maintenance, security, and other appropriate personnel, equipment, and vehicles.
- Develop and support a Trails Committee and support volunteer Adopt-A-Trail programs for citizens and organizations to provide park maintenance and litter pick-up activities.

GOAL: PLAYGROUND & ATHLETIC FACILITIES

The Park Zone facilitates for designated land that BIMPRD will assume a primary responsibility for the development of an integrated system of local neighborhood playgrounds, fields, and courts that are of most interest to island residents. It will assume responsibility for the planning of a system of local and regional athletic park facilities including recreational soccer, lacrosse, softball, and baseball fields that are of interest to island residents and league participants.

BIMPRD will work as appropriate with other public and private agencies to achieve these goals, including BISD and island youth sports league organizations. In conjunction with these agencies, BIMPRD will work to site and sponsor the development of major recreational outdoor and indoor athletic facilities for all age and skill groups that are on the island.

Playgrounds and tot lots

- Develop and designate a network of local play sites and facilities that meet playing standards and requirements for all age groups and skill levels.

Athletic fields

- Designate a network of sites that can be developed for organized sports leagues (such as soccer, lacrosse, softball, and baseball fields) to meet the highest quality recreational practice and playing standards and requirements for all age groups, skill levels, and recreational interests, including recreational field sites at Battle Point Park, Strawberry Hill Park, Hidden Cove Ballfield, Sands Avenue Ballfields, and Rotary Park.

GOAL: INDOOR FACILITIES & COMMUNITY CENTERS

The Park Zone facilitates for designated land that BIMPRD will assume a primary responsibility for the planning, development, and operation of specialized indoor facilities including aquatic facilities, gymnasiums, arts and crafts facilities, classrooms, meeting rooms for special populations, youths and teens, seniors, and general population, that are of major interest to island residents of all ages.

BIMPRD will work in conjunction by agreement with other public agencies such as BISD and mission related non-profits among others, to realize the following effective facilities and services are within reasonable geographic service areas of neighborhoods.

Aquatics center

- Continue to develop and maintain the multiple use indoor aquatics center that provides instruction, aerobics, recreation, and competition facilities for all age groups, skill levels, and aquatics interests on a year-round basis, working with groups such as BISD, mission related nonprofits, and other private organizations.

Community recreation centers

- Continue to maintain multiple use indoor recreational centers that provide gymnasiums, physical conditioning, recreational courts, and other athletic spaces for all age groups, skill levels, and community interests on a year-round basis, working with groups such as COBI, BISD, the Teen and Senior Centers and where appropriate non-profit groups to assess need, evaluate alternatives with one alternative to possibly include a new consolidated BIMPRD Community Recreation Center facility within the Winslow urban area.

Community centers and multiple purpose facilities

- Develop and designate a network of multipurpose community center type facilities that can provide arts and crafts, music, classroom instruction, meeting facilities, cooking and health care, daycare, latch key, and other spaces for all age groups including preschool, youth, teens, and seniors on a year-round basis such as the Teen and Senior Centers.
- Support the continued development of relationships with BISD, IslandWood, Bloedel Reserve, and other organizations of special meeting, assembly, and other community facilities that provide general support to school age populations and community-at-large functions.
- Establish a centrally located community recreation center that incorporates athletic and cultural arts facilities.

Arts centers

- Continue to develop, maintain, and support special indoor and outdoor cultural and performing arts facilities including performing arts center and outdoor amphitheater that enhance and expand music, dance, drama, cultural and historical interpretations, and other audience and participatory opportunities for the island at large working where appropriate with others such as the Bainbridge Performing Arts Cultural Center (BPA) and COBI in providing special/festival events within the Winslow urban center.

GOAL: SPECIAL PURPOSE FACILITIES

The Park Zone facilitates for designated land BIMPRD will assume some responsibility, including working with public facilities districts (PFD) and/or participating in joint efforts where appropriate, for the development and operation of facilities that have special or unique interests, impacts or relevance to island residents that may not be provided by another public or private agency.

If practical, BIMPRD will work with other public and private agencies in these joint efforts, including public facilities districts (PFD), COBI, Kitsap County, and WA State historical societies, among others, as well as interpretive centers, museums, and other specialized facilities.

Special enterprises

- Where appropriate and economically feasible (self-supporting), support the operation of specialized and special interest recreational facilities such as historical museums and exhibits, retreats and conference centers, art and performing theaters for these interests in the general population.
- Where appropriate, participate in joint planning and operating programs with other public and private agencies for special activities such as conference and retreat centers, waterfront landings, and day-camping on the island.

GOAL: SUPPORT FACILITIES

The Park Zone facilitates for designated land BIMPRD will continue to be responsible for facilities that provide auxiliary support to BIMPRD service functions such as administrative building, park maintenance facilities, and caretaker residences in parks.

parks, recreation, trails, and open space element

INTRODUCTION

As a part of the natural fabric of Issaquah's community, parks and open spaces are a source of pride and identity. Parks, recreation facilities, and open spaces contribute to the physical and mental well-being of the community. They also provide natural beauty, environmental protection, recreational opportunities and balance to an urban landscape.

The Parks Element establishes policy direction for the continued provision of adequate park and recreation facilities to serve the community's existing and future needs, plus an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand. This Park Element is to be used in conjunction with the *2009 Parks, Recreation, Trails and Open Space Plan* which addresses the park system and its components, open space and recreational facilities, and capital improvement needs in order to secure grant funding for park improvements and/or land acquisition.

PARKS, RECREATION, TRAILS AND OPEN SPACE VISION

Issaquah's parks, recreation, trails and open space vision is to continue to provide high quality, safe and accessible recreational facilities; link City property and park areas with greenbelt, greenway or parkway connections; and preserve the community's natural resources, such as the creeks and forested hillsides. As Issaquah's community grows, the park, recreation, trails and open space system also shall grow providing appropriate recreational opportunities (both active and passive). Issaquah is a beautiful city, full of well-kept and well-maintained park and natural open space areas that provide a variety of passive and active recreational opportunities for citizens and visitors.

STATE REQUIREMENTS

growth management act (gma) requirements

The City of Issaquah has always recognized the importance of planning for parks and recreation since the City adopted its first Parks, Recreation, Trails and Open Space Element in 1995, before this element was required by the State. RCW 36.70A.070 (8) now requires, "A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand."

recreation and conservation office requirements

In addition to GMA requirements, the State of Washington Recreation and Conservation Office (RCO) has requirements for local jurisdictions to examine their levels of service so local agencies

may qualify for grant funding. RCO recommends, utilizing the level of service determination in evaluating park and recreational systems, including both the strengths and areas for improvement of the park and recreational system. RCO grant programs fall into the following categories: Boating facilities Program (BFP); Land and Water Conservation Fund (LWCF); Non-highway and Off-Road Vehicle Activities (NOVA); and Washington Wildlife and Recreation Program (WWRP).

The 2015 Park, Recreation, Trails and Open Space Plan is in process of being updated and due to the Recreation Conservation Office in March 2016. Plans are required to be updated every 6 years.

GROWTH with VISION and PURPOSE

Issaquah is nestled in the heart of a beautiful and natural environment. Built on the valley floor, the City of Issaquah and its downtown core straddle several creeks (Issaquah Creek, the East Fork of Issaquah Creek, and Tibbetts Creek) which are critical waterways for salmon reproduction. The City has slowly migrated into the wooded hillsides of the Valley only to be bound from further expansion due to Native Growth Protection Areas.

The City of Issaquah has coined the term “Green Necklace” as part of its vision for the City. “The intent of the Green Necklace is to saturate the developing urban environment with an array of green elements including Community and neighborhood parks, riparian corridors, tree lined streets, active and passive plazas and other shared urban spaces all connected by Shared Use Routes and Through Block Passages. Natural features will be used as key design elements to create a unique sense of place and enhance the values and functions of the natural environment.” (Refer to Central Issaquah Development and Design Standards, Chapter 7.0 Community Space)

The Central Issaquah Plan’s Guiding Principles emphasizes the importance of the environment as well as Issaquah’s parks, recreation, trails and open space vision is to continue to provide high quality, safe and accessible recreational facilities; link City property and park areas with greenbelt, greenway or parkway connections, and preserve the community’s natural resources, such as the creeks and forested hillsides. The City will serve as the steward for each component of Issaquah’s park, recreation, trails and open space system which is envisioned to perform a variety of functions:

- a. Provide parks for active recreation, relaxation and that serve as community gathering places;
- b. Provide open spaces, forested hillsides and environmentally sensitive areas for visual relief and to protect the community’s ecological resources;
- c. Provide trails, riparian corridors and greenways/greenbelts to link areas of open space and wildlife habitat, and to provide connections between residential areas and other parts of the City;
- d. Create a sense of space through landscaping and street trees throughout the City;
- e. Provide recreational programming and classes for sports and activities;
- f. Provide building maintenance of the City’s owned parks, parks and recreation facilities, buildings and properties;
- g. Act as steward of all City owned parks and recreational land (native or developed), facilities and programming.

GOALS AND POLICIES

The City of Issaquah has adopted the following goals and policies in support of the City of Issaquah's vision for the parks, recreation, trails and open space system.

parks for today and future generations

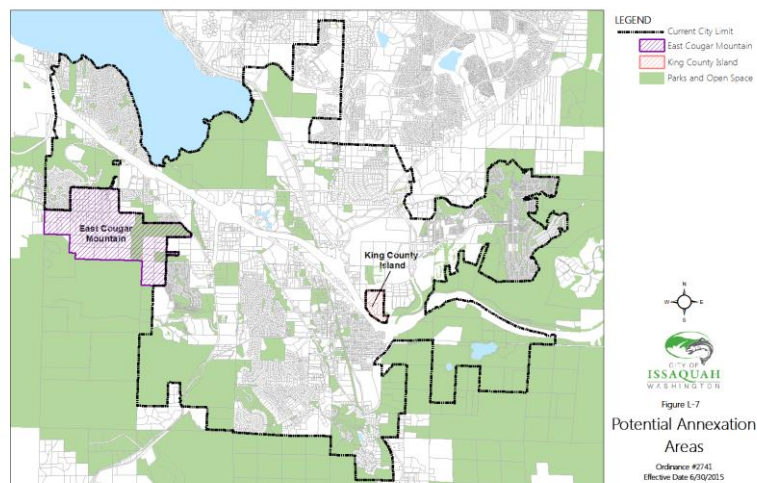
P Goal A. Enhance existing parks, trails, recreational facilities and open space, and to provide additional park and recreation facilities for Issaquah's current and future generations. Strive to provide a park system which is accessible for both passive and active recreation including programs to as many users as possible. Neighborhood parks and plazas are encouraged to be incorporated into new development projects within walking distance of the neighborhoods they serve. Strive to acquire land for future parks, trails, trail connections, recreational facilities, and natural open space when such lands are available to meet present and future recreational needs and demands.

discussion

The GMA requires estimates of park and recreation demands for at least a ten-year period, a level of service analysis, and a review of intergovernmental coordination opportunities to satisfy park and recreational demands. Further information and projection about growth projects and the level of service demands may be found at in the 10-year estimate as discussed in the Capital Facilities Element of the Issaquah Comprehensive Plan, tables CF-3 through CF-11.

Acquisition of property within the City of Issaquah to meet the community's park and natural open space needs is dependent on property availability. Due to increased developmental pressure in and outside the City, property suitable for parks is rapidly disappearing in the Issaquah area. The City has identified, as part of the GMA requirements, Potential Annexation Areas (PAAs) within the designated Urban Growth Area (UGA), which are located adjacent to the City. Due to the proximity of these PAAs, it has been found that the City already provides various public services for the residents located within the PAAs, including recreational opportunities and facilities through the City's park system and recreational programming. Identified PAAs are: King County Island, and East Cougar Mountain.

Figure 1 - From the Land Use Element, Figure 3 Potential Annexation Areas



The two PAAs have limited space available for new active recreational facilities, and would add existing open space land in the Cougar Mountain Regional Wildland Park to the City’s inventory. Development of acquired and currently undeveloped park lands for recreational opportunities should be a top priority. To meet recreational demand for park facilities, the City will need to acquire and develop sites for recreational and sports programs, as well as to provide smaller, neighborhood sites with limited recreational facilities for specific neighborhoods. These sites should be accessible, safe, visible, and efficient to maintain. While reviewing new development options, the City should also be aware of the need to renovate, repair and upgrade existing parks and recreational facilities.

In addition to the use of park impact fees, the City may acquire land to enhance recreational opportunities and in support of the “Green Necklace” vision. Land may be utilized for future parks, trails, trail connections and natural open space. Providing access to park, recreational, trails and open space is deemed as a quality-of-life component to living in Issaquah.

Partnerships with developers can be achieved either through Development Agreements or through the development review process. Parks and recreational facility level of service is based upon the expected build-out or population of the development (as provided in the Rate Study for Parks, Open Space and Recreation Facilities Impact Fees, December 10, 2014). This review process includes implementation of the Parks Impact Fees or allows for the construction of parks and park facilities, dedicated to the City that will offset the number of facilities identified in the review process. On occasion, the developer may both pay a share of the established park impact fees and construct recreational facilities. Developers may provide public spaces, plazas, trails and other pedestrian connections that link with the City’s trail system, through the design of business and/or commercial areas. These public spaces and linkages function as a key part of the City’s park system, as seen in the urban developed areas, including Central Issaquah, Issaquah Highlands, and Talus.

The Central Issaquah Plan establishes the urban mixed-use core to accommodate population by an estimate 8,000 new housing units by 2031 in a 1,100 acre tract. The City of Issaquah’s vision is for the “Green Necklace” to string together public green spaces comprised of community and neighborhood parks, with riparian corridors and tree lined streets, with active and passive plazas and other shared urban spaces. These spaces would be interconnected via various Shared Use Routes and Through Block Passages as well as projects identified in the Walk + Roll Issaquah plan. This urban growth will create unique interface between a built mixed-use environment, recreational opportunities and natural resources.

P Policy A1 Ensure Issaquah's park system has a strong orientation toward providing parks, recreation and open space facilities for today and future generations.

P Policy A1.1 Planning for Future Generations: Envelop all planning and development efforts in order to successfully acquire and preserve land for coming generations, and develop parks to meet both existing and future demand including multi-use recreational facilities and activities, and open space preservation.

P Policy A1.2 Planning for Future Growth: Proactively plan the park

system using future growth estimates and planned growth patterns.

P Policy A1.3 Perpetual Opportunities: Provide a wide variety of unique active and passive recreational facilities, experiences, programming and opportunities which are proportional to the needs of the community. Future needs should also be anticipated within the park and recreation system.

P Policy A2 Acquire land for future parks and recreational facilities, trails (including connections and trailheads), and natural open space when such lands are available and affordable, to meet present and future community and user demands and needs.

P Policy A2.1 Potential Annexation Areas and Subareas: Consider and designate, when possible, locations for City owned parks when annexing property or preparing subarea plans.

P Policy A2.2 Park Land Acquisition: Acquire suitable land when available, to enhance the park and recreation system. Land may be acquired for various active (recreational) or passive (open space) opportunities. With limited flat recreational land available within the city limits, potential land uses should be explored even when they are contrary to current or traditional land use. Acquired land development or enhancements shall be made when supportive maintenance and operating funds have been dedicated.

P Policy A2.3 Community and Neighborhood Needs: When feasible, priority should be given to acquiring and developing sites that provide recreational opportunities within neighborhoods. These areas should be easily accessible, visible, and efficient to maintain and operate. Neighborhood and Community parks are desirable within $\frac{1}{4}$ to $\frac{1}{2}$ mile of each residence. This service area is encouraged to be free of any major road or other physical barriers. Strive to balance sports fields and active recreational locations throughout the community.

P Policy A2.4 Support the Creation of the "Green Necklace": Support the saturation of Issaquah's developing urban environment with an array of publically accessible green elements including community and neighborhood parks, riparian corridors, tree lined streets, active and passive plazas and other shared urban spaces creating a public realm connected by a comprehensive trail system on and off roads. When private development is required to provide a public space, such as urban plazas, parks and/or trails, they are to remain as part of the public realm and should remain accessible and function as if publically owned.

Natural features will be used as key design elements to create a unique sense of place and enhance the values and functions of the natural environment.

P Policy A2.5 Consider Appropriate Enhancement Opportunities:

Where feasible and appropriate, enhance each park property to its fullest potential while honoring all property, deed and natural restrictions to provide users with maximum park and recreational opportunities and benefits.

balance needs within the park system

P Goal B. Foster and support the stewardship of historical, cultural and natural resources within Issaquah's community, in the form of a diverse parks, recreation, trails and open space system which serves the needs of the residents of the City of Issaquah and the surrounding area. Development of park and recreational opportunities shall be balanced with environmental protection of Issaquah's natural resources consisting of waterways, wildlife and diverse habitat. The City will serve as stewards of all the elements within the park system. Resources will be preserved and protected utilizing best management practices in addition to other resource management techniques, strategies and programs. Issaquah's visual and scenic beauty shall be preserved and enhanced through a thoughtfully integrated park system as growth infringes upon natural resources and boundaries.

discussion

Issaquah is nestled on the valley floor between two main creeks and their tributaries: Issaquah Creek and Tibbetts Creeks which flow into Lake Sammamish. The creek systems form the Issaquah Creek Basin, which is a sub-basin of the WRIA #8 Lake Washington/Cedar/Sammamish Watershed. The low mountains of Cougar, Squak, Tiger, Taylor Mountains and Grand Ridge are also known as the "Issaquah Alps", surround the City. Above the city and valley floor, these mountains contain a mix of residential and commercial development and approximately 25,500 acres of public natural open space.

Because these public open space lands and their natural characteristics influence the quality of life for its residents, the City of Issaquah recognizes that protection and preservation of the City's natural resources as an important public amenity. Additionally, through protection of these natural open space areas, these areas also provide significant wildlife habitat areas, aquifer recharge and watershed protection, and low-impact recreational opportunities. Private groups, organizations, and public agencies continue to work cooperatively and in partnership to best preserve these natural resources and provide appropriate levels of recreational use.

The City's parks, recreation, trails and open space system must provide balance between the native environment, development and uses. The City also provides a variety of functions and services, such as serving as gathering places for the community; places of multi-use recreation; preservation of ecological functions and wildlife habitat through protection of natural open space and provision of wildlife corridors; and places of tranquility. In order to achieve and sustain this balance, natural resources and the park system are to be managed with a social and environmental consciousness.

The unique diversity of the City's excellent park system, from an environmental and facility perspective enable the Parks and Recreation Department to offer a wide range of programs. These facilities and programs are tools in providing opportunities for education, socialization, fitness, sports and leadership development.

The City of Issaquah utilizes many management techniques, strategies and methods in order to protect and preserve open space, forested land, and waterways while striving to enhance parks, recreation, trails and open space elements. Plans and strategies include but are not limited to:

- Best Management Practices
- Central Issaquah Plan
- Integrated Pest Management Plans
- Shoreline Master Program
- Parks and Open Space Management Plans
- Standard Operating Procedures
- Stewardship Plans
- Walk + Roll Issaquah

In an urban environment, opportunities to provide visual relief from daily life, advertising and information is essential in providing a balanced living experience. Issaquah is graced with forested hillsides, beautiful escapes and priceless vistas to recharge urban dwellers. Visual relief can be provided by capturing scenic vistas, creating tranquility in the landscape and along boulevards and park/open space areas. Visual relief adds to providing a balance and healthy atmosphere for all.

The Issaquah park system strives to ensure all populations have access to the parks and recreation system, and that the park system is well maintained for the health and well being of the community. The Issaquah park system also strives to provide a sense of security, safety, and well-being. The safety and security of park and recreation areas are critical to the success of recreational programs and managing the park system. Identifying potential concerns, providing solutions with these concerns in mind, and developing programs for these facilities accordingly, can help avoid or limit desirable issues.

The Parks and Recreation Department also provides a wide variety of programs to the community with emphasis on providing recreational programs for all ages, special populations, scholarship programs for Issaquah's underserved, aged and special needs populations. Programs provide educational, social, and recreational opportunities that help build healthy productive lives for Issaquah residents. These facilities and programs are tools in providing opportunities for education, socialization, fitness, sports, and leadership development. Issaquah's Parks and Recreation Department values the importance of education, experienced through both educational programming and opportunities provided through recreational or natural experiences. Providing quality experiences for recreation users is highly valued. User experiences may include, but not be limited to:

- Natural experiences: being in the forest, sitting along a creek, bird watching in native open space or hiking a trail.

- Recreational and programming experiences: youth sports, athletic fields, playgrounds, farmers market, preschool, developmentally disabled programs, cultural arts, concerts on the green, physical fitness classes and pool programs.

Public outreach and inclusion of volunteers and volunteer groups broadens the City's ability to educate users. Volunteers provide needed services efficiently and cost effectively, they also represent a strong commitment toward community ownership of park resources. The City's service and sports organizations have provided countless hours toward the provision of a first-class park system.

Public open space lands and their natural characteristics influence the quality-of-life for residents. The City of Issaquah recognizes that protection and preservation of the City's natural resources as an important public amenity and integral part of the community. These natural resource areas also provide significant wildlife habitat areas, aquifer recharge and watershed protection and low-impact recreational opportunities.

The City shall act as stewards of the land and protect and manage natural resources and strive to balance community needs while providing maximum enjoyment of Issaquah's parks, recreation, trails and open space system.

P Policy B3 The City's adopted *Parks, Recreation, Trails, and Open Space Plan* shall be used to ensure that development of parks is balanced. The City shall promote and protect environmental quality, open space, wildlife habitat, multi-use recreational opportunities, recreational programming, arts and cultural experiences.

P Policy B3.1 Access and Education: Provide access to and educational information within the park system about Issaquah's natural environment, the arts and diverse cultural heritage when feasible.

P Policy B3.2 Cultural Heritage: Preserve and protect the natural integrity of the environment as well as resources and artifacts of significance to the City's cultural heritage.

P Policy B3.3 Connectivity: Strive to promote connectivity of natural and built environments. Connectivity promotes the health, sustainability, interaction, wayfinding and mobility of the natural environment (wildlife and habitat). Strive to link natural features such as open space, waterways and provide built multi-modal trails to maximize user experience within both the built and natural environment. Linkages also promote the "Green Necklace" vision for the City and allows regional connections to adjacent cities and opens natural areas.

P Policy B3.4 Recreation and Habitat Interface: When providing recreational facilities, ensure that these facilities are consistent

with and enhance the park environment, while conserving and protecting natural habitat and resources.

P Policy B3.5 Universal Access: Strive to provide universal access to park and recreational land and opportunities within acceptable and appropriate context at each facility to serve all ages and abilities. Retrofit facilities in accordance to long-term planning goals. Engage outdoor recreational standards where feasible.

P Policy B3.6 Balanced Park and Recreational Experience: Strive to balance passive and active recreational and sensory opportunities, programming, native environments, wildlife, forested hillsides, visual relief, arts and facilities within the City of Issaquah's park system as the population grows and as user needs change.

P Policy B4 Ensure that parks are designed utilizing a thoughtful planning process and that the elements contained within the park system encourage thoughtful play and wise use of vegetation.

P Policy B4.1 Planning: Coordinate collective planning efforts to create a cohesive, balanced, encompassing, sustainable, educational and vibrant park and recreational inventory. Embrace the integration of design elements contained within the Central Issaquah Plan, Mobility Action Plan, Open Space Stewardship Management Plans and other planning documents into the park system.

P Policy B4.2 Sense of Place: Create a park-system which provides a sense-of-place through the integration of landscape, art, buffers, waterways, corridors, trails, parks, courtyards, and plazas.

P Policy B4.3 Multi-Seasonal: Provide a wide variety of recreational and park experiences throughout the year for maximum benefit and enjoyment.

P Policy B4.4 Native Vegetation: Within the City's designated open space natural areas, including Native Growth Protection Areas, restoration, enhancement, and stewardship projects shall use vegetative species native to the State of Washington and as appropriate for the project site's plant community.

P Policy B4.5 Native and Drought Tolerant Vegetation: Within the City's parks and streetscapes, encourage the use of native and drought tolerant plant species as appropriate for the project site and as approved by City permitting and development. Plant material should be used to provide visual interest, create atmosphere and enhance the sense of place.

P Policy B4.6 Play areas: Play areas designed for a variety of ages, activities fine and gross motor skills. Natural, creative play elements for free and/or structured play shall be provided.

P Policy B4.7 Signage: Incorporate the use of signage where appropriate to direct, inform and educate all park and recreational users. Signage should be strategically located ensure it is seen by users as a wayfinding method. The use of signage shall be limited in order to preserve the visual integrity and natural character of all parks, recreational, trails and open spaces and facilities.

P Policy B5 Preserve and enhance the beauty of the City of Issaquah through the parks and open spaces that make up the City's park system.

P Policy B5.1 Visual Relief and Tranquility: Bring visual relief and tranquility to the urban environment to mitigate the impacts of development through the use of maintained parkways including street trees, gardens, lawns, woods, and water throughout the park system.

P Policy B5.2 Native Environment: Promote retention and replication of the area's natural beauty and ecology (mountains, plantings, water etc.), sounds and vistas in the park system.

P Policy B5.3 Boulevard Landscaping: Create a sense of place along main access corridors and/or boulevards (streets and thoroughfares) by utilizing unifying design features such as plantings, site furniture and wayfinding cues.

P Policy B5.4 Scenic Visual Resources: Preserve the quality of surrounding scenic and visual resources provided by the natural open space areas, such as the forested hillsides of the "Issaquah Alps." Encourage orienting park development such that and facilities and activities preserve these picturesque vistas for all to enjoy.

P Policy B6 Create a highly accessible vibrant park system and programming for Issaquah residents.

P Policy B6.1 Active and Passive Park Facilities: Provide active and passive park and recreational facilities to as many persons as possible. Where appropriate, provide multi-use active recreational opportunities within park facilities consistent with the intended use of the particular park facilities.

P Policy B6.2 Healthy Living: Foster the development of recreational scholarships programs which encourage healthy living and active recreation for Issaquah's underserved, aged and special needs populations. The park system should strive to offer a variety of recreational programming and facilities which provide positive alternatives and encourages healthy living for all users and abilities.

local partnerships and regional coordination

P Goal C. Foster regional partnerships with local, state, federal and regional agencies to provide and support Issaquah's park system. Embrace local partnerships with the Issaquah School District, businesses, developers, non-profit organizations, tribal community, and other various user groups to provide and assist in the management and maintenance of a complex park system consisting of parks, recreation, trails and open space.

discussion

A number of opportunities for intergovernmental cooperation on parks, recreation, trails and open space exist for the City of Issaquah. Several facilities owned and operated by the Issaquah School District and/or neighboring jurisdictions are either within the city limits or are within close proximity to Issaquah. These facilities are not included in determining concurrency with any adopted level of service (LOS) standards as referenced.

The City of Issaquah has an established Interlocal Agreement with the Issaquah School District, which allows the City to provide recreational programs and services at district facilities (refer to table PK-A Issaquah School District - Schools within City Limits in the *2015 Parks, Recreation, Trails, and Open Space Plan*). The Issaquah School District amenities help support natural shortcomings in the Issaquah's active parks and recreation facilities.

The Issaquah School District extends beyond city limits into neighboring cities (refer to table PK-B Issaquah School District – Schools Outside City Limits in the *2015 Parks, Recreation, Trails, and Open Space Plan*). This poses additional opportunities for intergovernmental cooperation in the provision of shared recreational programming. The City of Issaquah receives secondary use of school facilities located outside the Issaquah city limits.

King County also offers potential opportunities for intergovernmental cooperation for the provision of walking, hiking, mountain biking and equestrian opportunities within Grand Ridge and Cougar Mountain Regional Wildland Parks, and at Taylor Mountain County Forest. The City and County, along with the state agencies have partnered in providing low-impact recreational opportunities within the "Issaquah Alps" (Cougar, Squak, Tiger, Taylor Mountains and Grand Ridge). (Detailed descriptions of these areas and recreational opportunities are included in the Issaquah *2009 Parks, Recreation, Trails, and Open Space Plan*).

Washington State managed lands offer potential opportunities for intergovernmental cooperation and for the provision of limited recreational programming. Hiking, walking and equestrian opportunities are provided at Lake Sammamish State Park, Squak Mountain State Park and Tiger Mountain State Forest. Mountain biking is permitted at Lake Sammamish State Park and Tiger Mountain State Park. The City of Issaquah has partnered with the Washington State Department of Natural Resources and the Washington State Parks and Recreation Commission to ensure a consistent management approach of public lands located within the "Issaquah Alps" (Cougar, Squak, Tiger, and Taylor Mountains and Grand Ridge). (Detailed descriptions of the state parks and state forest are included in the *2009 Parks, Recreation, Trails, and Open Space Plan*).

The Washington State Dept. of Fish and Wildlife (WDFW) developed the Priority Habitats and Species Program. The program identifies those species and habitats that are of greatest concern

to the WDFW and is used by the Recreation and Conservation Office (RCO) to evaluate critical habitat and proposed urban wildlife habitat projects.

P Policy C7 Ensure Issaquah's park facilities are safe and well managed while providing all segments of the community with quality park and recreational facilities and services.

P Policy C7.1 Stewardship: Promote stewardship projects located within and along the Issaquah and Tibbetts Creeks, including their tributaries, corridors and upland natural open space areas. Uphold existing open space stewardship plans for areas and create new stewardship plans for acquired property when needed. Encourage various stewardship projects in cooperation with outside groups and agencies. Preserve and protect the City's natural resources through the provision of resource management.

P Policy C7.2 Park Programs: Offer a wide variety of recreational programs, services and classes to meet the community's diverse needs. Continue to grow, diversify and expand recreational experiences offered. All programs, services and classes are to be administered in a quality, caring and efficient manner.

P Policy C7.3 Safety: Promote the opportunity for use and minimize conflict potential, through the provision of safe and well-managed park facilities, including open space and active recreation facilities. Anticipate user security and safety concerns and design parks and recreational programs with these concerns in mind. Ensure proper staffing levels for the safety of recreational activities in facilities and fields. Partner with police services in the prevention and management of safety issues through all park and recreational facilities. Proactively address all safety concerns in an effective and appropriate manner.

P Policy C7.4 Citizen Involvement: Utilize citizen involvement and participation in planning, developing, operating, stewarding and maintaining the City of Issaquah's park system. Encourage public process in the consideration of park and recreation development when appropriate. Embrace the volunteers who serve on committees, partner with outside agencies and special interest groups and support the Parks and Recreation Department.

P Policy C7.5 Resource Management: Best management practices will be utilized in the management of Issaquah's parks and recreation system. Supporting management documents include but are not limited to: the Integrated Pest Management Plan, the Open Space Management Plan(s), and other documents, which in

turn preserve the quality of water, soils, plants and general public health. Protect forested lands through sustainable management practices that encourage wildlife and habitat species diversity. Preserve and protect the City's natural resources through the provision of resource management (open space and wildlife) and through the implementation of other environmental programs, stewardship plans, Standard Operating Procedures (SOP) or Maintenance and Operation Manuals.

P Policy C7.6 Facility Management: Design, develop, construct, maintain and operate facilities in a resource efficient and sustainable manner when feasible which minimizes impacts to and improves the quality of the environment, community and economy. Perform routine inspections of facilities and equipment to ensure public safety. Utilize maintenance and operations manuals, and other standard operating procedures to ensure public safety.

P Policy C7.7 Best Management Practice: Utilize existing management documents including but not limited to; the Integrated Pest Management Plan and Open Space Management Plan, standardize operating procedures, and best management practices in the management of the park system.

P Policy C8 Continue or create where beneficial to the public, partnerships with local, state, federal and regional agencies. Partner with the Issaquah School District, businesses, developers, non-profit organizations, user groups and neighborhood groups in order to provide and to assist in the management and maintenance of parks, open space, recreation facilities, services and security.

P Policy C8.1 Interlocal-Agreement: Honor the partnership with the Issaquah School District as a significant component of the City's park system. Work together to improve and maintain safe and vibrant recreational facilities, fields and opportunities for school children and the park system.

P Policy C8.2 Partnerships with Developers: Developers shall mitigate or offset the impacts of their new development by providing parkland and park facilities, and/or payment of impact fees in lieu of such land or facilities, through the process established by the City. Additional on-site design requirements are also appropriate for larger subdivisions and multifamily developments. In the commercial areas of the City, developers shall mitigate by providing public spaces and facilities such as plazas, courtyards, and pedestrian connections on-site through Land Use Code development requirements and/or incentives. When private development is required to provide a public space,

such as urban plazas, parks and/or trails, they are to remain as part of the public realm and should remain accessible and function as if publically owned. Area wide improvement districts are also supported to address the needs for commercial area park facilities.

P Policy C8.3 Neighborhood and Business Partnerships: Encourage partnerships with neighborhoods and existing businesses to provide land or facilities for parks including, but not limited to: cost sharing for acquisition and development, furnishing materials or equipment, or providing maintenance or security. Promote partnerships with non-profit, special-interest and service organizations. These groups provide increased expertise, interest, volunteers, and/or funding for a particular facility or program provided by the Parks and Recreation Department.

P Policy C8.4 Teamwork: Encourage interdepartmental planning, communication and information sharing to optimize the development and the experiences provided within Issaquah's park system.

P Policy C9 Participate in coordination, cooperation and partnership with local, state, and federal agencies on a regional basis in order to provide an effective and efficient regional natural open space and park system, thus providing improved recreational opportunities, services, and facilities for people living in the greater Issaquah area. Key agencies include but are not limited to, the Washington State Department of Fish and Wildlife, Washington State Department of Natural Resources, Washington State Parks and Recreation Commission, Department of Ecology, King County Department of Natural Resources and Parks, and the United States Forest Service.

P Policy C9.1 Cooperative Planning Efforts: Participate in the cooperative regional planning efforts among agencies and jurisdictions in order to provide recreational opportunities and facilities on inter-jurisdictional public lands. The City shall also work together with these jurisdictions and organizations to identify jurisdictional roles and responsibilities in contributing to regional needs, and identify, establish, protect and steward urban and rural open space corridors of regional significance.

P Policy C9.2 Specific Partnerships: Due to the local benefit of regional public open space lands, the City shall strive to continue its coordination as a valued partner and participation in the Issaquah Alps and Upper Snoqualmie Valley Interagency Committee, the Mountains-to-Sound Greenway Trust, Issaquah Alps Trail Club, F.I.S.H. (Friends of the Issaquah Salmon Hatchery), other non-profit groups and local tribal community.

P Policy C9.3 Funding Sources: Continue to seek funding sources in the form of grants, park bonds, levies, partnerships and donations to enhance the City's park system. Funding sources are to supplement the City's contributions to the park system.

implementation

P Goal D. Measure the effectiveness and success of the Comprehensive Plan in achieving community visions, goals and policies.

discussion

Achieving the visions of the Issaquah community for how our City should look, feel and function is dependent on implementation of the goals and policies adopted in this document. While there are not sufficient resources to accomplish all of the implementation strategies simultaneously, the City can make progress to carry out the Comprehensive Plan by identifying priorities and necessary resources. The City has established a list of Implementation Strategies (Appendix B) that are needed to accomplish the Community vision within the Comprehensive Plan, and although not complete, the list is intended to be used as a tool for prioritizing City resources, including budget and staff time. Additionally, the City cannot accomplish all the implementation strategies alone. As part of a much larger and growing metropolitan area, issues such as growth rates, housing supply and demand, and transportation systems require cooperation and partnerships with the public and private sectors as well as local, state and federal agencies.

P Policy D1 Ensure Comprehensive Plan goals and policies are accompanied by related and required implementing actions, including but not limited to those listed in the Implementation Strategy (Appendix B).

INVENTORY SUMMARY

Table(s) PK-1 through PK-8 (in the *2015 Parks, Recreation, Trails, and Open Space Plan*) provides an inventory of current City owned park properties (as of December 2014) and describes the recreational facilities and opportunities at each of the sites, including a location map. Issaquah's Parks, Recreation, Trails and Open Space inventory is categorized as follows:

Figure 2

Parks, Recreation, Trails and Open Space System Summary as of December 2014				
INVENTORY CATEGORY		TOTAL ACRES	TOTAL MILES	NOTES
PK-1	Community Facilities	30.9		
PK-2	Community Parks	174.7		
PK-3	Neighborhood Parks	5.1		
PK-4	Resource Parks	65		
PK-5	Natural Open Space	1325.6		Organized as per the Open Space Management Plan
PK-6	Urban Trails / Parkways		11.34	
PK-7	Natural Trails		13.01	
PK-8	Undeveloped Parks	5.4		
	TOTAL	1606.7 acres	24.35 miles	

The following definitions describe the Park, Recreation, Trails and Open Space System's Components:

- **Community Facility-** A community facility is a building that has public use for gathering space or specialized activities.
- **Community Park** – A community park may range from 1 to 50 acres and would be a park sought after as a destination. Elements provided at a community park may be specialized playground equipment or uses such as a skate park or baseball field. A community park may also provide opportunities for the community to gather together and could house various active or passive opportunities.
- **Neighborhood Park** – A neighborhood park is smaller size, typically less than 5 acres. These parks may be located within neighborhoods or along side streets and offer passive/active activities such as tot lots, picnic areas, tennis and/or sports courts, and play fields. Due to the smaller size, these parks may also serve as respite areas for users.
- **Resource Park** – A resource park is a natural open space with limited development and may provide linkages to other natural open spaces. Development in alignment with resource parks is generally more passive including items such as trails and interpretive signage. Resource Parks shall preserve natural forested areas and support wildlife and habitat conservation.
- **Natural Open Space** – A natural open space is native ground which is to remain relatively undeveloped for the wildlife and habitat preservation. Soft-surface trails and minor site furniture are considered acceptable levels of development in natural open space areas.
- **Urban Trails** – Urban trails are typically paved and wider in construction. Urban trails allow for various methods of movement (from point to point) within the City.
- **Natural Trails** – Natural trails are less developed than urban trails. Natural trails are typically soft-surface or gravel and meander through forested hillsides or along the stream banks. In a rare circumstance a paved trail may be found, but this is not the norm.

- **Undeveloped Parks** – These parks are recently acquired property that have not yet been funded or developed as parkland or recreational facilities, nor designated for other park uses whether active or passive.

Tables PK-A through PK-C (In *2015 Parks, Recreation, Trails, and Open Space Plan*) identify local and regional facilities which supplement the user's experience but are outside the City of Issaquah Parks and Recreational inventory area. These areas are not included in determining an appropriate level of service.

Local and Regional Inventory

- PK-A Issaquah School District – Parks and Facilities within City of Issaquah limits
- PK-B Issaquah School District – Parks and Facilities outside City of Issaquah limits
- PK-C Regional Parks and Facilities

The City of Issaquah's greater recreation service area encompasses an area of more than 75 square miles, which by and large follows the Issaquah School District boundaries, although the City itself covers approximately 11 square miles.

In the *2015 Parks, Recreation, Trails, and Open Space Plan*, the following items will be further discussed:

- Recreational facilities, amenities and programming.
- Private parks within city limits. (Private parks are located within private homeowner associations. These parks are not direct contributors to the park system, since they do not serve the public at large. Private parks are not utilized in calculating the City's level of service.)

FUTURE PARK and RECREATION NEEDS

Future year demand and needs are addressed in the Capital Facilities Element of the Issaquah Comprehensive Plan, tables CF-5 through CF-10. These tables summarize the expected long term demand, available resources and anticipated investments based on the adopted level of service (LOS) for parks, recreation and open spaces. The tables are amended each year.

level of service

To satisfy GMA requirements, the City of Issaquah measures its Level of Service (LOS). The LOS is defined as "the capital investment per person" and is calculated by multiplying the capacity of parks and recreational facilities time the average cost of those items. To determine and calculate a value for future parks and recreational facility needs as the City's population increases, "the capital investment per person" is multiplied by the City's future growth. New residential development is required to satisfy the parks and recreation impact fee assessed per unit to offset the recreational needs associated with the development. This provides a flexible approach for the provision of parks and recreational facilities for city residents. Determination of the current LOS fulfills the GMA requires estimates of demand for at least a ten-year period as identified in the Capital Facilities Element of the Issaquah Comprehensive Plan, tables CF-3 through CF-11.

The City of Issaquah's population is anticipated to significantly increase over the next twenty years. Potential future annexations to the City will also increase the need for more City park, open space

and recreational facilities. This demand plus an increase in the need for facilities in areas and cities surrounding Issaquah is expected as well.

The Land Use Element, Table L-5 Population and Household Projection projects by April 1, 2020 the City's population is anticipated to increase from by approximately 20% with very little of the population growth coming from the PAAs. The vast majority of the growth is anticipated to occur within city limits in the form of new development. With the inclusion of the PAA's the actual geographic size of the City would increase from 7334 acres to 8518 acres. Since the *2009 Parks, Recreation, Trails and Open Space Plan*, approximately 119.54 acres of future park and natural open space property have been added to the City's inventory.

Figure 3

Property Acquired Since <i>2009 Parks, Recreation, Trails and Open Space Plan</i>		
LOCATION	CURRENT PROPERTY USE	ACREAGE
Juniper Property	Natural Open Space	2.31
Squak Valley Park North – 4 parcels	Natural Open Space	11.16
Hope Property (next to South Issaquah Creek Greenway)	Natural Open Space	4.38
Front Street Properties	Natural Open Space	0.69
Park Pointe	Natural Open Space	101
Total Property Acquired		119.54

Additional analysis of future demand, including short and long term goals will be discussed in the *2015 Parks, Recreation, Trails, and Open Space Plan*. A public survey will be conducted to identify public use, other strengths and areas for improvement within Issaquah's park system. Until that survey takes place, information gathered in the 2009 Parks, Recreation Trails and Open Space Plan will have to be utilized.

ENVIRONMENTAL ELEMENT

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ENVIRONMENTAL ELEMENT

INTRODUCTION

This element addresses the natural environment of Bainbridge Island. The Environmental Element includes goals and policies for all lands considered critical areas under the Growth Management Act, such as wetlands, streams, aquifer recharge areas, fish and wildlife habitat, frequently flooded areas, and geologically hazardous areas. This element also addresses natural resources such as forests, agricultural lands, and mineral resources and provides goals and policies concerning air quality and the retention and development of the Greenways trails and open space system.

Preserving and protecting the environmental resources and natural amenities of the Island is an important component for the vision of our city. Bainbridge Island contains interconnected forests, meadows, wetlands and stream systems, and saltwater shorelines, all of which provide wildlife habitat and scenic value, and some of which are protected as public parkland. The Island also contains agricultural lands and land areas that are sensitive due to geological conditions, slope and/or soil types.

As our Island grows and develops, continued protection of varied open space areas and environmentally sensitive landscape is necessary to maintain the quality of life that is currently enjoyed on Bainbridge Island.

Citizens of Bainbridge Island enjoy and value the Island's natural environment. The public parklands, open spaces, and other natural areas contribute to the quality of life on the Island. The Bainbridge Island Community Values Survey – 2000, indicates that the citizens' support for preservation of environmentally sensitive areas and agricultural lands remains high. It also indicates that the community is supportive of providing pedestrian and bicycle trails and increased public access to shorelines.

Understanding the functions of the Island's valuable natural systems and what types of activities may impact these functions is key to protecting these lands and natural resource areas. Retaining the viability and ecological functions of our natural systems and protecting those areas that are sensitive to development is paramount to maintaining a healthy natural environment and a high quality of life.

The goals and policies of the Environmental Element attempt to guide future action such that the quality of the Island's natural environment is protected and maintained, and when possible, restored and improved. Future actions will incorporate the best available science as required by RCW 36.70A.172.

GOALS AND POLICIES

Environment

GOAL 1

Preserve and enhance Bainbridge Island's natural systems, natural beauty, and environmental quality.

EN 1.1

Land use decisions shall be made seriously considering the overall goal of the Comprehensive Plan in protecting the Island's natural environment.

EN 1.2

Taking into account the need to reduce the potential for personal injury, loss of life, or property damage due to flooding, erosion, landslides, seismic events, or soil subsidence, properties adjoining or adjacent to critical areas must be developed in observance of the following principles in descending order:

- Avoid the impact, if possible.
- Minimize or limit the degree or magnitude of the action and its implementation by using appropriate technology to avoid or reduce impacts.
- Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the action.
- Rectify by repair, rehabilitation, or restoration of the affected environment.
- Compensate for unavoidable impacts by replacing, enhancing or providing substitute resources or environments.

Discussion: Critical areas are intended to flag concerns in the review process and to make applicants aware of potential hazards or areas which may be damaged by unsound development decisions. The designations are not intended to eliminate all development. Development in these areas may be constrained. Compatible development will be allowed which avoids designated critical areas, minimizes the impact, or mitigates potential problems through engineering, siting, design, or other techniques. Proposals will be examined on a case-by-case basis to allow for creative solutions and to assure that the special combinations of factors in a particular case are addressed.

EN 1.3

Protect and enhance the natural systems and environmental quality of Bainbridge Island by building a cooperative relationship between the City, citizens, landowners, and other public and private agencies.

EN 1.4

Encourage community land use plans and development patterns that maintain, enhance, or restore natural systems, and protect wildlife, fish resources and open spaces.

EN 1.5

The City shall create overlay maps which show the location of critical aquifer recharge areas, geologically hazardous areas, floodplains, streams, wetlands, and fish and wildlife habitat.

EN 1.6

The City will use the City's Shoreline Management Master Program to address and protect marine fish and marine shoreline habitat.

GOAL 2

Encourage sustainability in City Government operations.

EN 2.1

In managing City government operations, take reasonable steps to reduce impacts to the environment and ecosystems upon which we depend.

EN 2.2

Seek to minimize the quantity and toxicity of materials used and waste generated for City facilities and operations through reduction, reuse, and recycling.

EN 2.3

Use, where feasible, new technologies that demonstrate ways to reduce environmental impacts.

GOAL 3

Whenever there is a subdivision of land, the City shall consider the impact on critical areas.

EN 3.1

The number and design of lots shall be based on avoiding or minimizing the impact to critical areas and protecting natural systems. Development shall be consistent with the objectives of the Critical Areas policies rather than maximizing the number of lots. In order to protect critical areas, the full density permitted under the zoning ordinance might not be achieved.

Discussion: Although it may be possible to obtain maximum density on a site which has one or more critical areas, there may be sites which do not have the capacity to obtain maximum density and protect critical areas.

EN 3.2

Creative solutions (such as flexible lot design, TDRs, and PDRs), which may allow the maximum number of lots while protecting critical areas, should be explored.

EN 3.3

Any lot created by subdivision of land shall include sufficient area to accommodate a building site not in a critical area.

GOAL 4

Encourage sustainable development that maintains diversity of healthy, functioning ecosystems that are essential for maintaining our quality of life and economic viability into the future.

EN 4.1

Encourage planning and land development using conservation design methods and principles such as, low impact development techniques, green building materials and mitigation that offsets impacts to biodiversity.

EN 4.2

Create a program with effective mechanisms intended to offset development impacts to biodiversity, including developing a priority lands map that identifies areas with a high level of biodiversity and considering establishing a habitat bank on the Island.

EN 4.3

Provide incentives for developments to offset unavoidable impacts to biodiversity in areas where high-quality natural habitats exist.

Fish and Wildlife

GOAL 1

Protect and enhance wildlife, fish resources and natural ecosystems on Bainbridge Island.

FW 1.1

The protection and enhancement of wildlife habitat shall be an integral component of the land use planning process. Land uses and developments shall minimize the impacts to priority habitat and priority species as defined by the Washington Department of Fish and Wildlife, and to species or habitat determined to be locally significant.

FW 1.2

The identification of priority habitat shall be based on an evaluation of the species of wildlife on the Island and the habitat requirements of these species.

FW 1.3

The protection and enhancement of priority habitat shall be one of the criteria used when evaluating the preservation of open space as part of development techniques, such as clustering, flexible lot design subdivisions, and transfer of development rights (TDRs).

FW 1.4

The City shall protect priority habitat and limit fragmentation of habitat that isolates wildlife populations (physically and genetically) by identifying an interconnected system of corridors which will provide continuous links east to west and north to south, connecting larger tracts identified as priority habitat.

FW 1.5

Wetlands and riparian areas shall be protected.

FW 1.6

The City shall undertake appropriate, adequate, and timely actions to protect and recover state priority species, species listed under the federal Endangered Species Act, local species of concern, and their habitats located within the City to 1) avoid local extirpation of such species from the lands or fresh waters or nearshore of the City and 2) contribute to the protection and recovery of such species throughout the greater region in cooperation with federal, state, and other local agencies.

Discussion: Local extirpation means the elimination of self-sustaining residential populations from the entire Island and its waters, or adequate habitat to sustain use of the Island's lands and waters by transitory or migratory populations.

FW 1.7

The City shall work closely with the Washington State Department of Fish and Wildlife (the agency with expertise to "preserve, protect, and perpetuate" wildlife resources of the state) in matters involving wildlife.

FW 1.8

The City, in coordination with the Department of Fish and Wildlife and the Bainbridge Island Parks District, shall develop a program to educate the citizens of the Island, particularly those citizens who reside adjacent to priority wildlife habitat, on ways to utilize private property in a manner which will help to protect and enhance priority wildlife habitat.

Aquatic Resources

GOAL 1

Preserve and protect the Island's remaining aquatic resources' functions and values.

Discussion: Aquatic resources include marine nearshore, wetlands, streams, lakes, creeks, and associated vegetated areas.

Over the past decade, awareness has grown of the importance of aquatic resources, particularly wetlands, in our natural and built environment. Aquatic resources have a number of important ecological functions and values. These functions vary from wetland to wetland, stream to stream, but include providing water quality protection, flood plain control, shoreline stabilization, contributions to groundwater and stream flows and wildlife and fisheries habitat. Wetlands and streams also have values as natural areas providing aesthetic, recreational and educational opportunities that need to be preserved for future generations.

AQ 1.1

Achieve no overall net loss of the City's remaining, regulated, aquatic resources.

AQ 1.2

Development shall not be approved in regulated wetlands, streams, or buffer areas, unless a property owner would be denied all reasonable use of property.

Discussion: In some cases, buffer configurations and widths can be modified to allow normal usage of legally established lots. In other cases, the development and implementation of a habitat management plan may provide resource protection to allow development. A variance process should be available to accommodate development in buffer areas. Reasonable use exception should be reserved for development in the critical area if no other process will allow for a reasonable use of the property. A Reasonable Use Exception (RUE) is a form of variance from regulations that allows some use of a legally established lot. A reasonable use must minimize the impact to critical areas. The RUE process is included in the critical areas regulations of the Bainbridge Island Municipal Code, which implements policies of this document.

AQ 1.3

Require that vegetated buffers be maintained between proposed development and the aquatic resource in order to protect the functions and values of such systems. Degraded buffers should be restored to enhance their function. Reductions in vegetated buffers shall be allowed only in areas where such reductions, if consistently applied, would not result in significant cumulative impacts to aquatic resources and fish and wildlife habitat.

AQ 1.4

Require that buffers be retained in their natural condition wherever possible, while allowing for appropriate maintenance. Where buffer disturbance has occurred, require revegetation with appropriate species, with a preference for native species, to restore the buffers' protective values.

Discussion: Vegetated buffers facilitate infiltration and maintenance of stable water temperatures, provide the biological functions of flood storage, water quality protection and groundwater recharge, reduce amount and velocity of run-off, and provide for wildlife habitat.

AQ 1.5

Ensure that development activities are conducted so that aquatic resources and natural drainage systems are maintained and water quality is protected.

AQ 1.6

Prior to any clearing, grading, or construction on a site, all wetlands, streams, and buffer areas should be specifically identified and accurately located in the field in order to protect these areas during development. After construction, permanent visual markers should be placed around the buffer areas.

Discussion: The purpose of this policy is to educate future home owners and users of aquatic resources (i.e. trail users) of the boundary of the aquatic resources.

AQ 1.7

New development using flexible lot design should include any wetlands, streams, or required buffers in separate tracts or easements to remain in common ownership.

AQ 1.8

Herbicides and pesticides should not be used in wetlands, streams, and buffer areas, and should be discouraged in the areas that drain into them.

Discussion: Encourage alternatives to the use of herbicide and pesticide in areas adjacent to buffer areas by providing technical information and educational programs including the use of native vegetation.

AQ 1.9

Develop a community-wide program to educate island residents about alternatives to using and disposing of herbicides, pesticides, and other household chemicals to reduce impacts to marine shoreline areas, wetlands, streams, and other environmentally sensitive areas.

AQ 1.10

Access to regulated wetlands by farm animals should be discouraged. Agricultural activities must be in conformance with Best Management Practices.

AQ 1.11

Restoration, creation or enhancement of wetlands, streams, and their buffers shall be required in order to offset the impacts of alteration of a wetland/stream or buffer area. Compensation for loss of aquatic resources should be determined according to function, acreage, type, location, time factors, and an ability to be self-sustaining.

Wetlands

AQ 1.12

Maintain the Island's wetlands in their natural state by:

- Preservation of native vegetation in and next to the wetlands.
- Restoration of areas that have already been degraded.
- Protection of areas that have not been disturbed.

AQ 1.13

The City should make every effort to purchase or obtain conservation easements for significant wetlands and areas of the shoreline critical to natural habitat.

Streams

AQ 1.14

Maintain the Island's streams and creeks in their natural state by:

- Preservation of their courses, their banks, and the vegetation next to them.
- Restoration of areas that have already been degraded.
- Protection of areas that have not been disturbed.

AQ 1.15

Allow stream relocation only where relocation would result in improved stream habitat and when a property owner would otherwise be denied all reasonable use of the property.

AQ 1.16

Degraded channels and banks should be rehabilitated by various methods (e.g. volunteer efforts, public programs or as offsetting mitigation for new development) to restore the natural function of the riparian habitat.

AQ 1.17

Anadromous fish streams and adjacent land should be preserved and enhanced to ensure the propagation of salmonid fish.

AQ 1.18

Require the construction of necessary roads and utility corridors to avoid wetland and stream crossings and disturbances.

Sand Spits

AQ 1.19

Development on sand spits shall be limited to protect aquatic resources. Newly proposed development on sand spit properties shall be evaluated according to the cumulative impacts of additional requests for like actions on the remainder of lots on the sand spit.

Discussion: Sand spits have limited upland area and, with their proximity to dynamic aquatic environments, are subject to impacts associated with flooding, storm waves, liquefaction, sea level rise, and the cumulative impacts of development on water quality, shoreline habitat, visual resources, and marine environments. However, redevelopment of existing structures, in accordance with legal nonconforming structure regulations, shall not require cumulative impact analysis.

Frequently Flooded Areas

Regulation of frequently flooded areas is important for property and habitat protection. Floodplains are valuable natural resource areas that play a major role in the function of ecosystems. Floods are a natural process where rising water inundates otherwise dry land. Floodplains provide storage for floodwaters, which reduces downstream erosion and improves downstream water quality. Floodplains allow infiltration for aquifer recharge and provide important habitat necessary for the survival of many invertebrate, fish and wildlife species. Flood courses can change naturally, over time. As impervious development covers more land surface and encroaches on floodplains, damage increases to both the built and natural environments.

The Federal Emergency Management Agency (FEMA) has designated frequently flooded areas as areas that have a 1% or greater chance of flooding in any given year. Also known as

the 100-year flood, this level was chosen to manage flooding as a compromise between an economic use of the land and an understanding of the natural benefits of flooding.

Sea level rise may happen as the result of natural or human activity such as geologic subduction or global warming. Here in the Puget Sound we experience the affects of both the geologic and hydrologic events. Regardless of the cause assigned, cumulative sea level rise has serious implications for the shorelines and lowland areas that are potentially affected by beach, bluff erosion and loss of intertidal zones. These areas serve such purposes as nursery habitat, feeding grounds for fish and fowl, stormwater collection and water filtration.

GOAL 1

Protect the natural functions of frequently flooded areas.

Discussion: Frequently Flooded Areas are described in the Critical Areas Ordinance as those lands and floodplains adjacent to streams, lakes, coastal areas and wetlands with a 1% or greater chance of flooding in any given year (i.e. the 100-year floodplain), as determined by the Federal Emergency Management Agency (FEMA).

FL 1.1

Minimize public and private losses due to flood conditions by limiting development in frequently flooded areas as shown on the Flood Insurance Rate Maps.

Discussion: Frequently flooded areas can and do migrate over time. Increased development may affect the level of occurrence and location of frequently flooded areas. The Flood Insurance Rate Maps adopted by the City were originally produced in 1975 and updated in 1977. Opportunities to update flood hazard maps should be pursued as resources become available.

FL 1.2

Limit the alteration of natural floodplains, stream channels, and natural protective barriers which help accommodate, dissipate, or channel floodwaters.

FL 1.3

Emphasize nonstructural methods, such as setbacks and vegetation, to prevent or minimize flood damage.

FL 1.4

Public facilities such as sewer and water lines should be located outside of frequently flooded areas, in order to minimize damage to both the public facility and the natural environment. Public facilities may be located within frequently flooded areas only if no environmentally preferable alternative exists to mitigate existing environmental concerns and additional development is not encouraged in frequently flooded areas.

GOAL 2

Anticipate and prepare for the consequences of sea level rise.

SL1

The City should work with Tribal, Federal, State and local agencies to develop a coordinated water management program that includes issues related to Sea Level Rise.

Geologically Hazardous Areas

GOAL 1

Protect landslide hazard areas and erosion hazard areas from the impacts of use and development for the protection of public safety, property and the environment.

GH 1.1

Land uses on landslide hazard areas and erosion hazard areas should be avoided. If the hazard caused by development can be mitigated, then land use should be designed to prevent damage to persons or property and environmental degradation, and to preserve and enhance existing vegetation to the maximum extent possible.

GH 1.2

As slope increases, development intensity, site coverage, and vegetation removal should decrease to mitigate problems of drainage, erosion, siltation, and landslides.

GH 1.3

In order to protect landslide and erosion hazard areas from damage during construction and from intrusion following construction, an analysis by a geotechnical engineer should be conducted.

GH 1.4

Roads, driveways, and utility corridors should be constructed to preserve the integrity of the existing land forms, drainage ways, and natural systems, minimizing impact to the landslide and erosion hazard areas. Common access drives and utility corridors should be utilized where feasible.

GH 1.5

When clearing, grading, or filling is permitted on sloped areas containing landslide areas and erosion hazard areas, such activity shall be limited to the dry period of the year.

GH 1.6

Any alteration of a landslide hazard area or erosion hazard area should not increase the rate of surface water discharge or sedimentation, and should not decrease slope stability on adjacent property. The altered area shall be landscaped to provide erosion control.

GOAL 2

Identify areas that are at risk due to seismic activity and regulate activities in these areas for public safety and property protection.

GH 2.1

The best available science shall be considered in regulating and permitting land use activities in areas that have a heightened risk from earthquakes, such as liquefaction areas and fault rupture zones, tsunami or other geological hazards, and in mapping these high-risk areas.

Discussion: The primary tectonic structure of concern for Bainbridge Island is the Seattle fault system. One surface strand has been identified south of Blakely Harbor; however, it is likely that this is only part of the system of fault lines. These fault lines result in the need to plan for larger earthquake acceleration than was previously anticipated.

GH 2.2

Tsunami hazards should be considered in regulating land use activities on Bainbridge Island.

Discussion: Preliminary tsunami modeling suggests that the southern end of Bainbridge Island is susceptible to inundation or wave run-up of up to four (4) meters following a large earthquake on the Seattle fault.

GH 2.3

Seismic activity and the potential for earthquake-induced landslides should be considered in the determination of geologically hazardous areas.

Discussion: Areas that are stable under normal conditions can become landslides during earthquake events.

GH 2.4

The City should provide information and educational opportunities to the citizens of Bainbridge Island on the hazards posed by seismic events.

Atmospheric Conditions

GOAL 1

Protect and promote clean air.

Discussion: Clean air is necessary for healthful living. These policies address the desire to protect the residents of the Island from unacceptable impacts.

AT 1.1

Promote land use patterns and transportation policies that ensure that the Island's contribution to regional air quality is consistent with State and Federal standards.

Encourage the retention of existing vegetation and the installation of landscaping in new development that will provide natural filtration of suspended particulate matter.

Consider the impacts of new development on air quality as a part of the environmental review process and require mitigating when appropriate.

Cooperate with the Puget Sound Clean Air Agency in providing information to the community about available and innovative emission controls for residential, commercial, vehicular and light industrial use.

AT 1.2

Strive to ensure beneficial indoor air quality in all renovations and new construction of City-owned facilities, and promote design conditions that enhance beneficial indoor air quality in private construction.

GOAL 2

Promote the reduction of cumulative noise impacts.

AT 2.1

Review the effectiveness of current noise standards and modify these standards as necessary to ensure acceptable noise levels.

AT 2.2

Promote actions such as equipment modifications and operational requirements that reduce noise from transportation modes, construction sites, industrial uses, and commercial business establishments.

GOAL 3

Contribute to regional greenhouse gas reduction efforts.

AT 3.1

Assess municipal, commercial, residential and transportation related greenhouse gas emissions.

AT 3.2

Promote energy conservation measures such as:

- Retrofitting municipal offices, shops and garages with high-efficiency lighting;
- Converting municipal vehicles to hybrid fuel vehicles as replacement or new vehicles are acquired;
- Converting traffic signals to LED; and
- Adopting incentive programs and design standards that encourage the employment of renewable energy sources and energy efficient appliances on the Island.

GOAL 4

Preserve and enhance the view of the dark sky by controlling glare and light trespass.

AT 4.1

Develop regulations that provide standards for appropriate lighting practices and systems that will curtail the degradation of the nighttime visual environment.

Greenways

GOAL 1

Develop and maintain a Greenways Plan for Bainbridge Island.

Discussion: On Bainbridge Island the “greenways” concept encompasses a variety of terms. The greenways system is composed of land areas and connector links. The land areas include, but are not limited to: large open areas, public lands, farmlands, critical areas, forests, shoreline areas, and parks. The features of the connector links include trail systems, riparian areas, visual or scenic views of ridgelines, wildlife corridors or any combination of these. In most cases these land areas and connectors will be public or will be private and encumbered with appropriate conservation easements (or other instrument), to insure that they will not be significantly altered by future development.

The greenways system contributes to the preservation of the rural character of the Island, provides important wildlife habitat, improves the environmental quality of the Island (i.e., water quality, aquifer recharge, air pollution abatement) preserves working farms, and provides pedestrian, equestrian and bicycle trails, as well as other recreational opportunities.

GW 1.1

Each Greenway component should incorporate some or all of the following:

- Refuge, habitat, and functional migration routes for wildlife.
- Trails, free of motorized traffic, that are for use by walkers, joggers, bicyclists, and equestrians to travel to and from schools, recreation areas, public transportation areas, commercial areas, and neighborhoods.
- Recreation opportunities.
- Scenic landscapes and viewpoints.
- Large open spaces, farmlands, forests, shoreline areas and critical areas.
- Public end roads.
- Historic areas.
- Buffers of trees and vegetation that help to maintain the rural character of the Island.

GW 1.2

In creating a Greenways Plan, where feasible, multiple function characteristics should be considered and barrier-free trails that are designed and built expressly for access for persons with disabilities should be provided.

GW 1.3

Encourage the development of City road ends to promote neighborhood access and/or view corridors to the shoreline. Greenways should include access to the shoreline including road ends or rights-of-way leading to saltwater. Shoreline access points should be marked and visible from the shore and water where appropriate for small boat use. Where possible, waterways should be designated between shoreline points for rowboat and kayak access.

GW 1.4

Tax title strips which are of unknown ownership or owned by Kitsap County should be acquired, whenever possible, as part of the greenways system.

Discussion: Tax title strips are usually narrow pieces of land that were left over because of an error in a legal description, a survey, a platting error, or a mis-measurement by the County Assessor's office. An Island-wide inventory of these lands should be conducted and strips appropriate for public use should be identified.

GW 1.5

Wildlife corridors should provide connections to larger protected open space and habitat areas, including public parks and privately held reserves or open space areas.

GW 1.6

The trail, open space and recreational components of the Greenways and Open Space Plan should be coordinated with the Non-Motorized Transportation Plan.

Discussion: See also the Transportation Element, Non-Motorized Transportation Plan.

GW 1.7

Greenways should include connections to recreational opportunities and sites of historical interest.

GOAL 2

The City and the Bainbridge Island Park and Recreation District shall jointly develop a Greenways Master Plan that will identify greenway land areas and connector links, and other large tracts. The overall goal of the Greenways Plan is to provide several continuous links, east to west and north to south, to enhance the quality of life for Island residents.

Discussion: The Bainbridge Island Park and Recreation District and the City of Bainbridge Island are working cooperatively with Kitsap County to plan a county-wide Greenways system to create, adopt and implement a Greenways Master Plan. The Kitsap County Greenways project is being coordinated through the Regional Planning Council. Three planning area teams have been designated – North, Central and South Kitsap County. A Bainbridge Island Greenways Group has been formed as a subcommittee to the North Area Planning Team. Greenways and Open Space have been developed as a part of this Plan.

GW 2.1

Promote and encourage the preservation of a greenways system through the use of property tax reductions, conservation easements, land donations, or other techniques such as land use actions requiring open space for new development, or acquisition through purchase with public funds. Encourage and support community-based, non-profit organizations offering options and alternatives to development in the interest of preserving desirable lands as a public benefit.

GW 2.2

The implementation of part of the Greenways Master Plan shall be one of the criteria used when evaluating the preservation of open space as part of clustering, flexible lot design subdivisions, transfer of development rights (TDRs), and purchase of development rights (PDRs).

GOAL 3

The Bainbridge Island Park and Recreation District should develop and maintain a trails system that establishes non-motorized access throughout the greenways system of Bainbridge Island, maximizes public access to greenway land areas, provides increased recreational opportunities for the public, and provides an alternative to motorized transportation between residential, public transportation, commercial, schools and recreation areas. The City should assist in acquisition of trail easements.

Discussion: Trails are an important component of the connector links to provide human access, where appropriate. Not all greenway connectors will, or should, have trails. Some areas are environmentally sensitive or provide wildlife habitat that would cease to exist if human development were allowed. In some cases the connectors are visual buffers, such as trees along roadsides.

GW 3.1

The multipurpose trail system should serve local and regional users and be linked to the Kitsap County and regional trail systems. Trail linkages should be provided to the Agate Pass Bridge, between residential areas, public transportation, schools, commercial and Neighborhood Service Centers, along the Winslow waterfront and recreation areas.

GW 3.2

Trails should provide for the needs of a diverse population of differently-abled people engaging in non-motorized passive and active pursuits including:

- Recreation and nature study.
- Exercise.
- Shopping.
- Commuting to work and school.

Discussion: See also the Transportation Element, Non-Motorized Transportation Plan.

GW 3.3

The trail system should be recognized and maintained by the City or Parks District as distinct from informal or private pathways.

Discussion: A Trails Plan adopted as part of the Bainbridge Island Park and Recreation District Comprehensive Plan identifies those trails systems recognized and maintained by the City or Parks Districts as primary trails. Primary trails are distinct from informal or private pathways.

GW 3.4

Encourage the retention of existing informal or private pathways and the creation of new pathways which link to the greenways system. These trails should be developed and maintained under joint public/private partnership, if appropriate, or developed privately.

Discussion: Informal or private pathways should form a secondary system with linkages to the public system.

GW 3.5

Linkages should be provided to the Agate Pass Bridge, between residential areas, public transportation, commercial and Neighborhood Service Centers, and recreation areas.

GW 3.6

Unopened road rights-of-way should not be vacated, and unopened easements should not be revoked without a requirement for permanent public trail access. Trails should be planned to avoid conflict with future road development in these rights-of-way easements.

Discussion: See also the Transportation Element.

GW 3.7

New utility rights-of-way and easements should be encouraged to include trail access easements.

Discussion: See also the Utilities Element.

GW 3.8

Existing utility rights-of-way and easements should be reviewed on a case-by-case basis to provide trail access.

Discussion: A survey should be conducted of existing utility easements and rights-of-way that would be appropriate for trail use. This survey should occur in conjunction with implementation of the Non-Motorized Transportation Plan.

GW 3.9

The trails system should include parking areas at trail heads located on public land, and not neighborhood areas, unless it is not feasible to provide parking on public land for a trail

system. Trails that connect with the ferry systems should encourage access for bicyclists and walk-on passengers, and discourage the need to drive an automobile.

Discussion: See also GW 3.1.

GOAL 4

Maintain a system of high quality public parks and recreation facilities on Bainbridge Island.

GW 4.1

The park system for Bainbridge Island should include neighborhood, community, and regional parks with sufficient acreage and facilities to meet the standards contained in the Bainbridge Island Parks and Recreation District Comprehensive Plan.

Discussion: The Parks and Recreation Comprehensive Plan prepared by the Bainbridge Island Park and Recreation District, which is adopted as part of this Plan, contains an analysis of the existing and proposed future parks and recreation system.

GW 4.2

A greenways and open space designation should be created for public parks, dedicated open spaces and trails.

Discussion: The Greenways and Open Space category is for areas devoted to public recreational facilities such as parks and trails and areas that have been preserved as open spaces through a variety of open space methods.

GW 4.3

Promote the use of property tax reductions, conservation easements, and other techniques as incentives to preserve desirable lands as a public benefit.

GW 4.4

Ensure that future development provides adequate recreational facilities and trail linkages to public parks and recreational facilities.

GW 4.5

Whenever new development adjoins a park site, a vegetative buffer shall be required which shall include the preservation and protection of existing vegetation, to visually screen the development year-round from the park.

BAINBRIDGE ISLAND GREENWAYS AND OPEN SPACE PLAN GREENWAY MAPS

A Greenways Plan was developed by staff based on the Greenways Goals and Policies and the work of ongoing greenways-related projects (Bainbridge Island Greenways Committee, Bainbridge Island Parks and Recreation District Trails Committee, Road Ends Advisory Committee, Public Works Transportation Committee and others). The maps will be coordinated with the Non-Motorized Transportation Plan and updated as needed to show new greenways opportunities.

The Greenways Plan has an Open Space and Trails component and a Wildlife and View Corridor component. The Open Space and Trails plan will take shape mainly through the acquisition of land, the development of trails, and the dedication of easements. It is driven largely by land ownership and use. The Wildlife and View Corridor plan will rely primarily on retaining wildlife habitat and natural systems. Existing regulations and preservation incentives rather than acquisition will be the primary tools for implementing this part of the Plan.

Open Space and Trails Map

This map outlines the accessible part of the greenway which will connect large, public open spaces with a trail network. It distinguishes existing opportunities (public land, dedicated trails, water access, etc.) from potential opportunities for acquisition or trails. This map will be administered by the Department of Planning and Community Development and updated by resolution of the City Council without requirement to amend the Comprehensive Plan.

Existing Opportunities

Public recreation areas: This is public land dedicated to recreational use. These park lands are the major open spaces in the publicly accessible part of the Greenways Plan.

Private land with public access: These lands are not publicly owned but do have limited public access and internal trails. Included here are subdivisions on which trails have been obtained as mitigation for development impacts. The developments shown have received at least preliminary approval.

Private trail corridors: This trail network connects the island's large public open spaces along road rights-of-way. The Plan calls for the improvement of these roads to better accommodate pedestrian and bicycle traffic. These trails should be separated from traffic (moved onto undeveloped portions of the right-of-way) as the means become available. Trail easements across private land could also augment or replace roadside trails.

Established trails (other than those along public right-of-way): The map indicates where there are public trails across private property, but there is no attempt to map trail networks on property already designated on the map as public or private open space.

Water access or viewpoint: These are points on the shoreline with public uplands or with access to the shoreline by way of a utility corridor. There is not always access to the beach; some are viewpoints only.

Associated public tidelands: Public tidelands are shown where they adjoin public uplands and where there is potential for public access.

Potential Opportunities

Planned acquisitions: The City or the Parks District plan to purchase this land as the means become available. The Greenways Plan supports the acquisition of these properties; they would make tremendous additions to the greenways network.

Other land where the City should pursue trails: These are public, utility or institutional lands where we cannot assume public access. Also included are proposed residential developments through which we hope to establish public trails.

Potential water access or viewpoint: These locations are being looked into by the Road Ends Advisory Committee as possible City road ends. It should be noted that this map does not claim public access to these areas, but rather acknowledges their potential. The Greenways Plan supports the Road Ends Advisory Committee's work, as the locations shown would help link the trail network to the water.

Wildlife and View Corridor Map

This map delineates critical areas, some important wildlife habitat, and parcels which have some level of protection afforded them by their land use or ownership. Other areas are delineated for their importance to the visual quality of the island. This map will be administered by the Department of Planning and Community Development and updated without requirement to amend the Comprehensive Plan.

This is an inventory map identifying meaningful wildlife corridors and scenic resources. The Bainbridge Island Wildlife Corridor Map, adopted by resolution of the City Council, more specifically identifies habitat links to larger protected open space habitat areas. Work remains to adequately analyze and catalog vegetation and important viewsheds.

Many of the **Wildlife Corridor** elements on this map are already committed to open space use or preserved by conservation easements. Much of the remaining land can be protected through the purchase of development rights (proposed TDR/PDR program) and the enforcement of existing critical areas regulations. The preservation of **View Corridor** elements will rely on conscientious development, the purchase of development rights and the pursuit of conservation easements.

Wildlife Corridor

Regulated critical areas: This shows critical areas including priority wetlands, stream corridors, lakes, ponds and steep slopes. Offshore areas include tidelands, Eelgrass beds, Kelp beds, and Herring and Surf Smelt spawning areas.

Permanent public open space: These parks are in public ownership and typically have large areas of undeveloped land.

Permanent private open space: This includes conservation easements and open space designated in Flexible Lot Designs, subdivisions and short plats.

Current Use open space: These property owners have made a ten-year commitment not to develop their land. This land is much less secure as wildlife habitat.

Farms: Farmland provides valuable habitat because of a low human presence and because of the Edge Effect it produces in the transition zone between field and forest.

View Corridor

Ridgelines: Ridgelines break up views across the island. Their importance should be considered in the review of development proposals; a little creative site design can often provide easy alternatives to clearing a visually significant ridge.

Scenic road corridors: These road corridors are noted for having outstanding buffers to screen the adjacent development. As parcels are developed along these roads it is important to retain that buffer.

Agricultural Lands

The protection and support of existing farms and the preservation of prime agricultural lands and farms of local significance are important goals of the residents of Bainbridge Island, as evidenced in the Bainbridge Island Subarea Plan, testimony from public meetings, and community survey.

Farming on the Island provides an economic and nutritional benefit to the community. Equally important, protection of agricultural lands will enhance the cultural and economic diversity of the community and help retain the rural character of the Island.

Farm operations on the Island are unique. Unlike many other jurisdictions, farms on the Island are not located within one geographical area. Instead, over 40 small farms, ranging in size from 1 acre to 40+ acres, are mostly dispersed throughout the Island, with some clustering of farms in a few locations. The specialty, high-intensity, very small farms will continue to be an important adjunct to farming in the future.

Agriculture is one of the most fragile industries in any rapidly growing area. As land values continue to rise, the threat to small farms on Bainbridge Island increases. Given the nature of farming on the Island – small farms dispersed throughout the Island – the City must use creative solutions to conserving existing farms and encouraging the creation of new farms.

GOAL 1

Conserve and protect the Island's existing agricultural uses by using preservation methods including incentive-based programs.

AG 1.1

Owners of farms should have the option of participating in the transfer of development rights (TDRs)/purchase of development rights (PDRs) program. A set of criteria should be developed to determine farms appropriate for the TDRs program.

AG 1.2

The City should examine whether identifying specific areas on the Island as appropriate for future agricultural operations would provide viable opportunities for new and expanded farming operations.

Discussion: Creating a specific area or areas for future agricultural operations aims to limit conflicts with residential uses and would provide an opportunity for farm operations within the area to share resources such as farm equipment, processing facilities, retail sales area, and road access.

AG 1.3

Existing traditional agricultural lands should be included in the open space of clustered development.

GOAL 2

Minimize conflict between agricultural and non-agricultural uses.

AG 2.1

Development adjacent to areas designated as agricultural land should be designed and located so as to avoid or minimize potential conflicts with agricultural activities.

AG 2.2

Require notification on all plats, development permits, and building permits of the existence of any registered, agricultural lands within 300 feet of the development.

AG 2.3

The Right to Farm Ordinance shall be maintained.

AG 2.4

The City should cooperate with the Washington State Extension Service and the Kitsap Conservation District to facilitate the development of Best Management Practices.

GOAL 3

Encourage and support farming as an economically viable option for land use and as a means to providing diversity of lifestyle.

AG 3.1

Small-scale farming shall be encouraged to adopt Best Management Practices.

AG 3.2

The farming community should work with the Kitsap County Assessor's office and the City to educate the community about the availability of the Tax Reduction Program.

AG 3.3

Elevate and encourage public appreciation and awareness of farms by allowing tours of farms and farming facilities.

AG 3.4

Accessory farm buildings should be allowed as an integral component of farming activity.

AG 3.5

The City should permit the production, processing, and marketing of farm products from Island farms. Processing shall include value-added processing of Island-grown crops.

AG 3.6

The City should support the Farmers' Market.

AG 3.7

The parking requirements for agricultural uses should be minimized (i.e., number of parking spaces, paved parking, and landscaping requirements), due to the seasonal nature of the marketing of farm products.

Forest Lands

Few large tracts of second-growth timber remain on the Island and these will likely be converted to other uses in the near future. As of August 2004, there were approximately 620 acres classified as timberlands by the Kitsap County Tax Assessor. Thirty-eight parcels are classified as Open Space Forest Land (over 20 acres), including the 42-acre Port Madison watershed, and 16 are classified as Open Space Timber (less than 20 acres).

GOAL 4

Encourage the retention of forest land and multiple-aged forests producing commercial timber, since forest land provides benefits such as wildlife habitat and stormwater retention.

FP 4.1

The City shall prepare a Conversion Option Harvest Plan (COHP) process, approved by the Department of Natural Resources, which will establish criteria to review Forest Practices applications for property owners who want to “convert” their property to non-forestry status and yet are not prepared to develop the property.

FP 4.2

To the extent forestry activity is retained on the Island, encourage the retention of the use of multiple-age management of commercial forest land on the Island.

Mining

There are no active mining operations on the Island. Several locations have been reclaimed including a pit on the corner of Fletcher Bay Road and Johnsonville Road and a pit south of Lovgreen Road adjacent to a parcel now owned by the Bainbridge Island Parks and Recreation District.

M 5.1

Rigidly control the excavation of sand and gravel and other minerals.

Community Forestry

GOAL 1

Bainbridge Island seeks to retain, conserve and steward community forests where people live, work and learn, through public education and through management and protection measures that are sufficient to conserve these resources.

Discussion: A community forest is comprised of the street tree system, trees in parks and on other public lands, as well as trees on private properties throughout the Island. Bainbridge Island's urban and rural forests have historically been a source of community identity and civic pride. It is recognized that, in addition to biological benefits, a community forest provides a significant return by creating appealing streets and resulting higher property values in the built environment. In addition, trees and forests provide buffering and screening between differing land uses, reduce surface water runoff, improve water quality, help maintain soil stability, provide wildlife habitat, and reduce energy consumption by providing shade and functioning as windbreaks.

CF 1.1

The City shall encourage protection, restoration and maintenance of existing vegetation that has environmental, wildlife habitat and aesthetic qualities, including tree groves, significant tree stands, forested hillsides, and vegetation associated with wetlands, stream corridors and riparian areas.

CF 1.2

The City shall utilize various tools to understand and monitor existing conditions and changes over time of Island-wide tree cover, significant tree groves and significant individual trees.

Discussion: Monitoring tools could include periodic tree inventories to assess the cover and health of forests and trees.

CF 1.3

In providing information to property owners and as part of the review of development applications, the City shall encourage property owners to maximize the preservation of trees and to maintain and enhance the cohesive quality of tree groves through appropriate site design and construction methods as well as open space dedication of areas that contain these resources.

Discussion: Incentives, such as a building height bonus, could be used to encourage tree preservation during site design. Additionally, the Guidelines for Commercial and Mixed Use Projects including Guidelines for Lynwood Center, Island Center and Rolling Bay should be updated to incorporate tree preservation practices and policies.

CF 1.4

A community-wide program to educate Island residents about the functions and values of trees should be developed.

Discussion: The Community Forestry commission should be supported and maintained to provide leadership in community outreach. City government staff and diverse community groups should be encouraged to participate in outreach and monitoring activities.

CF 1.5

Encourage the use of Best Management Practices to protect and enhance community forests.

CF 1.6

Activities that enhance the community's awareness of the value of trees and a community forest should be encouraged.

Discussion: Focused activities might include celebration of Arbor Day; developing a volunteer tree protection program that identifies and conserves trees that are significant due to size, species, or historical or cultural importance; and provision of expert arborist resources where necessary. A program, such as a "Heritage Tree Program," would be voluntary on the part of the property owner, and would include criteria that must be met to be considered as a resource important for recognition and protection. A Heritage Tree Program might, for example, require that special consideration be given to preservation of Heritage Trees during site development.

EXISTING CONDITIONS - OVERVIEW

Critical Areas

The environmental goals and policies address aquatic resources (wetlands, streams, lakes, creeks, tidal inlets, and mud flats), fish and wildlife habitat, frequently flooded areas, and geologically hazardous areas.

Greenways

The Greenways Goals and Policies establish a framework for the Greenways Plan for the Island.

Agriculture

The Plan seeks to retain and enhance existing farming on the Island and provide additional opportunities for farming and reaffirms the Right to Farm ordinance. Farmers who wish to sell the unused development potential of farmland may opt to use TDRs.

The Natural Environment

The Island's natural systems will play an important role in how and where future development occurs. There are limits to the amount of population growth and physical development that the natural environment can absorb without threatening public health, welfare, and safety through environmental degradation. The purpose of the natural systems inventory is to provide the necessary background information on existing conditions of the Island in order to develop appropriate goals and policies that best protect the natural environment while still allowing compatible uses to occur. The following will include discussions on topography and geology, climate, soils, geologically hazardous areas, surface water (including watersheds, lakes, streams and wetlands), aquifers and aquifer recharge areas. The original reports and surveys from which this overview was compiled can be found in the Bibliography.

Geography of Bainbridge Island

Bainbridge Island is located within the central Puget Sound Basin, east of the Kitsap Peninsula and west of the City of Seattle. It is approximately 3.5 miles wide and 10.5 miles long, encompassing approximately 17,778 acres, or 28 square miles, and is one of the largest Islands in Puget Sound. The Island is characterized by an irregular coastline of approximately 45 miles, with numerous bays and inlets. At the north end of the Island is a large sand spit called Point Monroe and at the sound end is Restoration Point, consisting of raised bedrock.

The formation of Bainbridge Island was a result of the last ice age, 13,000 to 15,000 years ago, when the 3,000-foot-thick Vashon Glacier carved out Puget Sound. The primary shaping influence on topography and soils on the Island was the glaciation. Elevations on the Island range from sea level to 400+ feet. The topography of the Island is generally of low, rolling hills with several ridges oriented mostly north to south at 250 to 300 feet elevation, which form the Island's 12 watersheds. The highest point is Toe Jam Hill on the southeast portion of the Island, approximately 400 feet above sea level.

Soils on the Island are typical of Puget Sound in that dense, compacted, glacial till is present at a rather shallow depth throughout much of the Island with underlying hardpan. This glacial till is made up of clay, silt, sand, and gravel, and overlay bedrock in varying thickness across the Island. There is sedimentary bedrock on the southern part of the Island where soils in some areas are moderately well to poorly drained. A more extensive discussion of soils and their properties can be found in the *USDA Soil Survey of Kitsap County*.

Climate

The climate on Bainbridge Island reflects the moderating influence of Puget Sound and the Pacific Ocean, and is generally characterized by mild wet winters and warm, dry summers. The average winter daytime temperature on the Island is 40° to 50° F; the average summer daytime temperature is 70° to 80° F. Annual rainfall on the Island varies from 35 to 45 inches.

Geologically Hazardous Areas

Geologically hazardous areas are defined by the Growth Management Act as those “areas that, because of their susceptibility to erosion, sliding, earthquake, or other geologic events, are not suited to the siting of commercial, residential, or industrial development consistent with public health and safety concerns.” In some cases, the risk to development from geologic hazards can be minimized or mitigated by engineering design or modified construction practices.

One of the sources available to identify *landslide hazard* areas, as well as other hazardous areas, is the *Quaternary Geology and Stratigraphy of Kitsap County, Washington* written by Jerald D. Deeter. The Deeter report identifies and classifies landslide areas and unstable slopes throughout Kitsap County. The classification system used in the report is similar to the system used in the *Coastal Zone Atlas of Washington*. The Deeter report describes critical hazard areas in terms of geologic age and by steepness of slope (>15% and >30%). Another source being developed uses Lidar terrain mapping and a draft surface geology map developed by the United States Geological Survey. This map is currently (2004) being finalized.

Erosion hazard: These are areas identified as having a severe rill and inter-rill erosion hazard. The Soil Conservation Service defines rill as a steep-sided channel resulting from accelerated erosion which is generally a few inches deep. Rill erosion tends to occur on slopes, particularly those with poor vegetative cover. Erosion hazard areas were studied more extensively to correlate the data from the Deeter report with the information from the *Soil Survey*.

Seismic hazard: These are areas subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction, or surface faulting. Natural and artificial uncompacted materials such as clay and silt deposits, sediments in river deltas, and material used as landfill, generally amplify ground shaking more than consolidated sediments and bedrock. Current and historic slide areas could be activated by seismic activity from a major earthquake. On Bainbridge Island, seismic hazard areas are identified as unstable slopes, recent/historical landslide areas and prehistoric landslide areas, and are identified on

the Slope Stability map as U, URS, and UOS and are also outlined in the Deeter report.

Watersheds

Protection of the integrity of Bainbridge Island's surface waters, which include lakes, ponds, streams, and wetlands, is crucial in maintaining a high quality of life. Beneficial uses include drinking water, salmonid and fish habitat, recreation, stock, and crop watering. Surface waters also provide immeasurable aesthetic value to Island residents. This section will begin with a discussion inventory of watersheds and follow with inventory data on streams, and wetlands.

A drainage basin, or watershed, is an area of land defined by surrounding ridgetops where all precipitation that falls within it eventually drains to a common stream, river, bay, or other water body. As water from rainfall flows over land in a watershed, it may collect pollutants and sediments from the land which flow into a stream or other common body of water. Thus, every activity that occurs within a watershed has the potential to impact the body of water into which the watershed drains. In the case of Bainbridge Island, this is Puget Sound, streams, or lakes. (Refer to Figure 2.)

In 1991, the firm of Kato & Warren undertook the Bainbridge Island Drainage Reconnaissance Study which identified and evaluated the 12 major watersheds and 45 sub-basins that define the Island's significant drainage features. These are listed below with the approximate acreage of each. (Refer to Figure 2.)

Major Drainage Basin	Number of Sub-Basins	Approximate Basin Acreage
Agate Passage	1	590
Blakely Harbor	3	1,350
Eagledale	4	1,180
Fletcher Bay	5	2,190
Gazzam Lake/Crystal Springs	3	850
Manzanita Bay	4	2,090
Murden Cove	4	2,100
North Eagle Harbor	7	2,100
Pleasant Beach	3	1,530
Port Madison	3	1,610
South Beach	2	720
Sunrise	3	1,310
TOTAL	45	17,620

Except for the North Eagle Harbor sub-basin-4 which encompasses historic Winslow, all other watersheds and sub-basins on the Island are drained by natural streams and drainage

ways. The existing drainage system consists of wetlands, streams, springs, ditches, and culverts crossing the roadways. A few piped drainage systems exist in several platted areas or near some wetlands. The natural drainage system does currently remove stormwater, but not without signs of distress from erosion, siltation, and water quality degradation. A natural drainage system, in order to work effectively, requires regular maintenance.

The concern for water quality has become one of paramount importance to the City. The declining quality of water from stormwater runoff, poor agricultural and forestry practices, failing septic systems, and domestic use of fertilizers and pesticides is threatening the viability of streams, wetlands, and the surrounding waters of Puget Sound where shellfish beds can become contaminated. Thus, the City has applied for and has received a grant from the Centennial Clean Water Fund through the Department of Ecology to obtain additional data on the 12 watersheds and to formulate a Watershed Action Plan that will establish a detailed action plan to improve water quality in each of the watersheds. Funding for the Plan began in 1994 and will take two years to complete.

Wetlands

Wetlands are defined as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (EPA, 40 CFR 230.3). Wetlands support predominantly hydrophytic vegetation, the underlying material is predominantly undrained hydric (water-logged) soils, and is saturated or inundated by water for a period of seven days or more during the growing season each year.

Wetlands play a vital role in providing habitat for fish and wildlife, stormwater retention/detention, water quality improvement, groundwater recharge and discharge, recreation, opportunities for scientific research and public education.

In 1991, Sheldon and Associates and Springwood Associates, under a grant from the Department of Ecology, conducted Phase I of the Bainbridge Island Wetland Inventory. That inventory identified some 65 wetlands, with roughly 40% of those field-verified. Phase II of the inventory was conducted by Sheldon and Associates during the fall of 1992, under a grant from the U.S. Environmental Protection Agency. A total of 212 wetlands were identified, with 157 field-verified. This does not mean all wetlands that exist were inventoried. Since the inventories were conducted, the City has been updating the maps as information becomes available. The current wetland maps (2004) show 354 wetlands with a total area of 1,242 acres.

Wetlands are identified by the drainage basin in which they are located, by the U.S. Fish and Wildlife Service vegetation community classification, and by the category based on the Bainbridge Island Critical Areas Ordinance (BIMC 16.20). The definitions of those categories are included in the legend in the Wetlands Map. (Refer to Figure 3.)

Streams

Bainbridge Island has an extensive network of small streams and creeks which all eventually empty directly into Puget Sound or into the bays or inlets surrounding the Island. Streams are created from either rainfall or groundwater. Those created mainly from rainfall are usually referred to as intermittent, or as flowing with water only during the annual, rainy seasons. Groundwater streams usually flow year round.

The Department of Natural Resources has inventoried most of the streams of the state and has classified them according to WAC 222-16-030. This is included in the legend of the Water Type figure (see Figure 3). Not all of the known streams on Bainbridge Island are included in this inventory. Major stream locations were updated based on topography developed from the Lidar data. Not all the streams on the Island have been classified due to lack of information about them.

Fish and Wildlife

The diversity of life on Bainbridge Island can be attributed to the Island's topography and vegetation. The interior part of the Island contains woodlands, meadows, wetlands, and riparian areas, while shoreline habitats include tidelands, shorelands, tidal inlets, and coastal forests typical of the estuarine and marine environment of Puget Sound. Because the Island has so much shoreline, saltwater habitats are a major component of the Island's ecosystem. Oysters, clams, geoducks, and crabs are found on the tidelands. Many species of shorebirds and waterfowl live along the shoreline or use the area for a stop-over point during migration.

On the uplands, stands of second-growth Douglas fir, Western red cedar, big leaf maple, and red alder make up the woodland forests. The forest understory of salal, Oregon grape, huckleberry, and salmonberry provides habitat for deer, coyotes, raccoons, squirrels, and dozens of bird species. Pastures and open meadows support open land wildlife, such as pheasant, quail, and rabbits, while riparian and wetland areas provide cover for fish, birds, mammals, and amphibians. Salmon usage has been verified in Springridge, Hidden Cove, Manzanita and Murden Cove.

The Washington State Department of Wildlife has identified Priority Habitat Species (PHS) on Bainbridge Island that are classified as threatened, endangered, sensitive, or in need of monitoring. They include:

- The bald eagle (State and Federal threatened classification) which is found along the shores of saltwater and freshwater lakes and streams, and found nesting in predominantly coniferous forests.
- The great blue heron (State priority habitat status for breeding areas) typically found at low elevations near all types of fresh and saltwater wetlands, streams, and shorelines and found usually nesting in colonies in the tallest conifers or deciduous trees available.
- The pileated woodpecker (State candidate) that inhabits mature and second growth forests with significant numbers of snags and fallen trees, and usually nest in cavities in snags or live trees.

Other PHS species sighted by citizens, but not officially documented by the Department of Wildlife include osprey, river otter, deer harlequin ducks, and salamander.

Fish and wildlife conservation management is defined as managing land to maintain species of wildlife in suitable habitats within their natural, geographic distribution so that isolated subpopulations are not created. Growth Management guidelines define the following areas as fish and wildlife habitat conservation areas that should be considered for designation:

- Areas with which endangered, threatened, and sensitive species have a primary association.
- Habitats and species of local significance.
- Commercial and recreational shellfish areas.
- Kelp and eelgrass beds.
- Herring and smelt-spawning areas.
- Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish and wildlife habitat.
- Waters of the state.
- Lakes, ponds, streams, and rivers planted with game fish by a government or tribal entity.
- State Natural Area Preserves and Natural Resource Conservation Areas.

Resource Lands

Agriculture

Agriculture is still an important part of life on Bainbridge Island. Throughout the Island there are a number of small-scale farms ranging from strawberry and raspberry farms to a goat dairy, tree farms, and organic vegetable farms. There are currently (2004) 38 parcels with a total acreage of 222 acres classified as agricultural land for tax purposes. There are many more properties that are operated as farms that do not meet the requirements for tax purposes or are non-commercial pasture land.

Forest Land

Few large tracts of second-growth timber remain on the Island and these will likely be converted to other uses in the near future. There are approximately 620 acres classified as timberlands by the Kitsap County Tax Assessor. Thirty-eight parcels are classified as Open Space Forest Land (over 20 acres), including the 42-acre Port Madison watershed, and 16 are classified as Open Space Timber (less than 20 acres). (Refer to Figure 8.)

Mining

There are no parcels where mining is the primary operation. One operation on Miller Road may be doing some mining in conjunction with other construction material handling operations. The pit on Bucklin Hill Road and the Clemetz pit on Lovgreen Road have been reclaimed. The Kitsap County Pit on Lovgreen Road is currently being managed by the Bainbridge Island Park District and is being studied for other uses.

Public comments for the Workshop on the ENVIRONMENTAL ELEMENT

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
A ADAPTING TO AND MITIGATING THE EFFECTS OF CLIMATE CHANGE			
1	We need to factor an additional element of unpredictability into our long range plan, when we actually start doing long range planning. Droughts, for example, seem to be getting more frequent and less predictable likely due to climate change.	Ron Peltier	
2	Sea level rise has the potential to reduce the volume of our aquifers as the height of land mass above sea level is a determining factor in aquifer depth. Sea level rise WILL impact the amount of withdrawal that our aquifers can sustain by reducing their volume.	Ron Peltier	
3	We need to do more than just adapt to Climate Change. We need to reduce our emissions and protect our native vegetation for its contribution to air quality and carbon sequestration. We also need to encourage citizens to walk and ride bike by prioritizing non-motorized road improvements. Says that we should be more than just adapting to climate change – that we should take a leadership role.	Ron Peltier	
4	Sea level rise has the potential of reducing the Island carrying capacity, including a reduction in land mass and fresh water. Responsible planning would take this into consideration	Ron Peltier	
5	Climate Change: We should not simply be adapting to climate change we should be doing our part of reduce emissions and protect trees for carbon sequestration. It's about more than just measureable scientific effects: as an affluent and progressive community we should be setting an example for its symbolic importance. The value of trees to human health: there are documented studies showing how trees and other vegetation contribute to human health. The needs to be acknowledged in our comp plan and cited as a reason for strong tree protections.	Ron Peltier	
Comments 6, 7 and 8 below are excerpts from a memo dated July 21, 2015 from Stacy Justus Nordgren and Lara Hansen of EcoAdapt.			
6	<i>Suggested amendment to Guiding Policies:</i> [I]t is appropriate to be clear in the guiding policies that Bainbridge Island recognizes the ability of climate change to affect all areas of its plan by identifying it as an over-arching policy affecting all elements of the plan. Burying reference to climate change solely within Principle #5 arguably does not give climate change the attention it warrants and puts Bainbridge	Stacy Justus Nordgren Lara Hansen, EcoAdapt	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
	Island at risk. We urge you to elevate it to a new Guiding Principle (#8) that would provide a framework under which the City could make climate-savvy decisions that enable our small island to adapt to whatever climate changes may occur. By doing so, inclusion of the work and findings of the BI-CIA incorporated within the elements will have a strong foundation on which to build.		
7	Land Use Element Climate change mitigation and adaptation activities certainly are appropriate for inclusion within any of the plans' land use goals and policies, and we anticipate that the BI-CIA will identify several for COBIs consideration. We understand that the Planning Committee is now just moving on from its review of the Land Use Element. While we do wish our project had begun sooner, we are optimistic, after talking with City staff, that there may be opportunity and willingness to circle back here as work on the remaining elements shed additional light on the need to revisit Land Use. The implications for climate change in our land use planning are many and the potential costs and risk to our community by not considering climate change explicitly in development of the Land Use Element would likely be detrimental. Taking the time now to include it could help us avoid many pitfalls.	Stacy Justus Nordgren Lara Hansen, EcoAdapt	
8	Environmental Element Attached please find a <u>preliminary draft</u> of the Climate Savvy Environmental Element Briefing. This is a format that EcoAdapt intends to use as it moves forward with the BI-CIA review of each element through the climate lens. We would appreciate your feedback on this format, as our intent is to make it as informative and useful to the COBI staff and Planning Commissioners as possible. • The Plan need to have more reference to and incorporation of perspective of Climate Change. • Would like to have the work they are doing with a grant somehow provide information and provide input into this process. • Says climate change can be added as a “guiding principle” and to look at all future priorities and actions through the climate change lens. Says this will save having to re-do decisions if we take this perspective at the front end. • Sees many impacts that can/should be addressed under this Element, including impacts from changes in precipitation, sea level rise, temperature and the fire regime	Stacy Justus Nordgren Lara Hansen, EcoAdapt	
9	GOAL 3 Reduce greenhouse gas emissions. AT 3.1 Assess municipal, commercial, residential and transportation related greenhouse gas emissions. <u>This includes measuring, or estimating using the best available techniques, the current carbon footprint of the residents of Bainbridge Island so that we have a baseline against which to measure reductions.</u>	Brian Anderson	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
10	AT 3.2 - Promote energy conservation measures such as: - Retrofitting municipal offices, shops and garages with high-efficiency lighting; - Converting municipal vehicles to hybrid fuel or electric vehicles as replacement or new vehicles are acquired; - Converting traffic signals to LED; and - Adopting incentive programs and design standards that encourage the employment of renewable energy sources and energy efficient appliances on the Island. <u>Promote the installation of residential solar panels.</u> <u>Promote residential adoption of energy saving technologies such as led lights, heat pumps, and insulation.</u> <u>Discourage the burning wood for use has a home heating fuel. Not only does in contribute to co2 emissions but it creates significant air pollution. "Smoke resulting from improperly burned wood contains many chemical substances that are considered harmful such as hazardous air pollutants (HAPs), fine particle pollution (ash), and volatile organic compounds (VOC)." EPA website.</u> <u>Encourage the use of high efficiency wood stoves for those people who do burn wood. Discourage large outdoor wood fires, leaf burning, and open fireplaces. Develop an alert system for publicizing regional 'burn bans' due to still air in the Puget Sound region.</u> <u>Reference other sections of this plan which have the benefit of reducing carbon emissions such as trails to encourage non-motorized vehicle travel (bicycling & walking), discouraging the removal of vegetation, particularly trees, which sequester carbon, etc.</u> <u>Discourage the purchase of large, inefficient vehicles.</u> <u>Promote and endorse state level policies that will reduce carbon emissions such as carbon pricing policies, subsidies for solar panels, electric vehicles, etc.</u> <u>Promote the reduction of the use of petroleum powered single occupancy vehicles and the use of mass transit.</u>	Brian Anderson	
B CONSIDER GREEN BUILDING CODE			
1	Gray water capture capability should be required for plumbing in all new houses. This involves segregating gray water from black water fixtures and is not difficult to do. We should also work with the Kitsap Health Department to develop regulations for the reuse of gray water.	Ron Peltier	
2	Low impact development should be the norm not the exception.	Ron Peltier	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
C AQUIFER RECHARGE AREAS			
1	Most of the Island is a recharge area to some extent.	Ron Peltier	
2	Moderate and high recharge areas should be protected to the extent legally possible. We also need to consider the increased possibility of septic systems, and other potential surface pollution impacting the water quality in our aquifers.	Ron Peltier	
3	Septic systems pose a potential threat to water quality compared to sewage treatment facilities. The latter, however, does not allow any recharge of used water into the ground. Bottom line is that development densities, whether served by septic systems or sewers, can or do negatively impact aquifer recharge and water quality.	Ron Peltier	
4	Goal 1 Aquatic Element Goal 1: "The City should consider the impact of septic tank drain field discharges on City streams, aquifers and near-shore marine environment in planning for future development and zoning." The background to my suggestion is further discussed in a document on my website here: https://rsamstag.files.wordpress.com/2015/02/what-is-up-with-water-on-bainbridge.pdf	Randal Samstag	
D WETLANDS & STREAMS/AQUATIC RESOURCES			
1	The impacts to wetlands and streams from shallow aquifer withdrawal should be considered.	Ron Peltier	
2	<u>Page 7 AQ 1.8</u> Add words so that herbicides and pesticides in wetlands, streams, and buffer areas can only be used as a last resort situation. Strike the word "encourage" under Discussion .	Charles Schmid	
3	<u>Page 8 AQ 1.19</u> (Sand Spits) has not been followed at Pt. Monroe.	Charles Schmid	
4	<u>Page 9</u> Second paragraph, second line – shouldn't "affects" be "effects."	Charles Schmid	
5	Aquatic Resources: AQ 1.2: "Development shall not be approved in related wetlands, streams, <u>recharge, watershed</u> or buffer areas unless a property owner would be denied all reasonable use of property. "	Joan Lindley, Island Power	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
6	Aquatic Resources: AQ 1.2: Discussion: Delete	Joan Lindley, Island Power	
7	Aquatic Resources: AQ 1.12a (NEW): <u>All aquatic resources should be protected from acidification by reducing the Island's carbon footprint. We need to work to reduce our carbon emissions by encouraging carbon-neutral systems wherever possible, such as encouraging electric cars with an infrastructure of charging stations, and carbon-neutral electric power (see Island Power's addition Atmospheric Conditions: AT 3.3 below).</u>	Joan Lindley, Island Power	
8	Aquatic Resources: AQ 1.15 Delete	Joan Lindley, Island Power	
9	Engineer who has worked with City as a volunteer • GOAL 1 – to protect island's aquatic resources be “no net loss.” • Said many of Island's streams are not meeting state standards re fecal coliforms. Septic tanks do not remove nitrates which then go into the groundwater, the streams, and the Sound. Tell tale is acres of green algae that blooms. • Cited Oregon study of 20 new technology systems which found that only one was effective in removing nitrogen. • Says a community sewage system is much better suited to control nitrogen than individual drainfields spread out over a large area. • Thinks we should monitor the areas that produce the most coliform and nitrates. Says city needs to continue to support with funds the monitoring of areas that seem to be the most vulnerable. • Cautions against just deferring to the Health Department. Says the City needs to look at criteria dealing with fecal coliform/nitrogen which the Health Department (apparently) does not.	Randall Samstag	
F FISH & WILDLIFE			
1	From our current comp plan: FW 1.7 “The City shall work closely with the Washington State Department of Fish and Wildlife (the agency with expertise to “preserve, protect, and perpetuate” wildlife resources of the state) in matters involving wildlife.” Is this happening or just one more “shall” from our current comp plan that's being ignored?	Ron Peltier	
2	Also from our current comp plan: FW 1.8 “The City, in coordination with the Department of Fish and Wildlife and the Bainbridge Island Parks District, shall develop a program to educate the citizens of the Island, particularly those citizens who reside adjacent to priority wildlife habitat, on ways to utilize private property in a manner which will help to protect and enhance priority wildlife habitat.” Is this happening?	Ron Peltier	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
3	In October 2014, we (Bainbridge Island Land Trust) updated our data to see what shift had occurred – knowing that the information we based our assessment on was largely tied to the quality of information within the COBI and Kitsap County GIS layers (for instance, the wetland layer at COBI does not represent all documented wetlands). In 2014 we did tie in the new Wild Fish Conservancy stream assessment data.	Brenda Padgham BILT	
4	In addition, BILT has analyzed what percentage of the Wildlife Corridors that were established in the previous Comp Plan deliberations have been developed or protected. These narrow bands of land do not necessarily represent ecological habitat types - we believe they were likely established based on where there were already protected lands, or streams, etc. Click the link to view BILT's conservation planning efforts (our initial phase).	Brenda Padgham BILT	
5	There are other robust sources of information to inform the definition of priority habitats, as well as some efforts that need to still take place to better inform protection of our watersheds, forests, wetland, streams and ecological functions. I am attaching two maps that you may find of interest.	Brenda Padgham BILT	
6	Generally, I believe BILT has performed a lot of groundwork on an island wide conservation planning effort. Certainly BILT has its priorities for our work, but as strong conservation partners, we would look forward to discussing an island wide endeavor of conservation planning.	Brenda Padgham BILT	
7	<u>Page 4 FW 1.1</u> Add “and designated Wildlife Corridors” after “habitat.” Note: The City has a Wildlife Corridor map designating these areas.	Charles Schmid	
8	FW 1.4 Add something about the designated Wildlife Corridors which have been mapped. Note: See page 19 of this Element for further discussion of Wildlife Corridor Element. Wildlife Corridor is in caps to show it is an official designation.	Charles Schmid	
9	Fish and Wildlife: FW 1.4: “The City shall protect priority habitat and limit fragmentation of habitat that isolates wildlife populations (physically and genetically) <u>by hiring a qualified scientist to identify</u> identifying an interconnected...”	Joan Lindley, Island Power	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
10	Fish and Wildlife: FW 1.9 (NEW): <u>Freshwater acidification due to elevated CO2 levels are impairing pink salmon larvae.* We need to work to reduce our carbon emissions by encouraging carbon-neutral systems wherever possible, such as encouraging electric cars with an infrastructure of charging stations; and carbon-neutral electric power</u> (see Island Power's addition in Atmospheric Conditions: AT 3.3 below).	Joan Lindley, Island Power	
H AGRICULTURE & AGRICULTURAL LANDS			
1	The absence of a long range plan for the sustainable use of our ground water resources is a threat to agriculture on Bainbridge Island. It is also a threat to home gardens and orchards. Developing our Island, without a plan for long term water sustainability is certain to eventually result in conflict between commercial and residential demand for water and the needs of local farmers.	Ron Peltier	
I FOREST LANDS & COMMUNITY FORESTRY			
1	Forestry on Bainbridge Island should not primarily be about timber harvesting but also recognize their larger value of forests to wildlife, water and air quality, and to the overall quality of life here.	Ron Peltier	
2	From our current Environmental Element: CF 1.2 "The City shall utilize various tools to understand and monitor existing conditions and changes over time of Island-wide tree cover, significant tree groves and significant individual trees." Not aware that this "shall" has ever been implemented.	Ron Peltier	
3	<u>Pages 22-24</u> Somehow these policies and goals under Community Forestry need to better reflect the current work on the code to protect and plant trees and vegetative screening. Hence please add a new section entitled "Trees and Plantings" with goals reflecting current ordinances – and a goal to plant drought resistant plants.	Charles Schmid	
4	Page 13 re State Scenic Highway SR 305 – where at Madison they cut 40 year old trees. If we like trees, we need to encourage WSDOT to leave the trees. Said "good luck on that one". Says keeping trees but excessive limbing defeats the purpose.	Doug Rauh	
5	Sees section on community forestry as looking more like "cutting trees" than preserving them.	Charles Schmidt	
J ATMOSPHERIC CONDITIONS			
1	<u>Page 1</u> 1 I feel the title "atmospheric conditions" is confusing. Why not "Clean Air Quality" Add a policy for retaining tree canopy for carbon sequestration.	Charles Schmid	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
2	<u>Page 12</u> Add policy AT 2.3 The City should work with the Federal Aviation Agency to design flight paths and schedules which minimize the airplane noise over Bainbridge.	Charles Schmid	
3	<u>Page 13</u> AT 4.1 Regulations and standards have been developed to control glare and light trespass – in fact I understand Bainbridge Island’s is a model ordinance. However talking to someone at The Battle Point Astronomical Association, this has not been enforced.	Charles Schmid	
4	Atmospheric Conditions: Goal 1: Discussion: “Clean air is necessary for <u>all living plants and animals healthful living</u>. These policies address the desire to protect the residents of the <u>and</u> Island <u>ecosystems</u> from unacceptable impacts.”	Joan Lindley, Island Power	
5	Atmospheric Conditions: AT 1.1: “Promote land use patterns and transportation policies that ensure that the Island’s contribution to regional air quality is consistent with <u>or better than</u> State and Federal standards.”	Joan Lindley, Island Power	
6	Atmospheric Conditions: AT 3.3 (NEW) <u>Commit to establishing a 100% carbon free electrical system for the island by 2020.</u> Discussion: While worthy these measures will have only a marginal impact on the for most environmental issue we face. 50% of the electricity we use on the island is generated by fossil fuels. At best these measures would cause a 1-5% reduction in the islands contribution to carbon emissions. Climate change is upon us. The time has passed for small measures like LED street lights. The island needs to take bold and practical steps to address climate change in areas we have control over. The island should establish its own electric utility committed to meeting the islands current electric needs with carbon free power from the Bonneville Power Administration, and meeting all future load growth with island based renewable energy resources like solar and energy efficiency.	Joan Lindley, Island Power	
7	Current Atmospheric Conditions policies would reduce green house gases by just a little bit. Policies should be bold. Support eliminating coal from the Bainbridge power portfolio, currently 50% of power used on BIM comes from coal. Add a policy about established a carbon-free community owned power utility. Bainbridge Island could set an example, be a leader.	Steve Johnson	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
8	- Re: atmospheric conditions section. Sees things like LED being good, but very small impact. But fossil fuels is the greatest existential threat which requires bold steps. - Suggests Sec. 18.3 include a commitment to a 100% community owned electrical power system on the Island by 2020. Cited Jefferson County as a place that weaned itself from the Bonneville Power Administration. Blaine, Port Angeles, Seattle City Light are all examples of municipal electrical utilities.	Keith Johnson	
9	- Transportation policies to encourage WSF to convert from diesel to natural gas engines. We should push for cleaner fuels on the boats, such as Liquefied Natural Gas. - EN Goal 3 – says that backups on SR 305 create a tremendous amount of emissions. Thinks the City should work with the Tribe to figure out how the state funds allocated to improve 305 can help improve not just mobility, but reduce GHG emissions. The solution is largely off-island, on Tribe land. - Suggests putting sensors in the roads the way Seattle does to better meter traffic flow through intersections.	Doug Rauh	
K	IDENTIFY BENCHMARKS FOR MEASUREMENT		
1	Benchmarks related to noise pollution, air quality, and levels of service for non motorized transportation. Overall tree canopy on Bainbridge Island is one benchmark we should be measuring and establishing standards for. Trees are scientifically linked to human health in part for their contribution to air quality.	Ron Peltier	
2	We should have benchmarks for staff who are involved making any sort of environmental determination related to reviews and permitting.	Ron Peltier	
3	Community Surveys: can help identify benchmarks and provide one measure of how we are doing relative to those benchmarks. The key, I believe, is to conduct better quality citizen surveys that ask the right questions.	Ron Peltier	
L SUSTAINABILITY IN CITY OPERATIONS			
1	The city's dependence upon revenues from development is in conflict with sustainable land use practices. This needs to be acknowledged and addresses in our comp plan.	Ron Peltier	
2	Staff needs to be qualified to make environmental determinations and committed to the stewardship policies contained in our comprehensive plan.	Ron Peltier	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
M ADDITIONAL ISSUES			
1	SEPA reviews should not continue to be a rubber stamp for development.	Ron Peltier	
2	AT1.1 of the Environmental Element includes this passage: “Consider the impacts of new development on air quality as a part of the environmental review process and require mitigating when appropriate.” There was no consideration of the impact to air quality by the Visconsi project, the largest commercial development on Bainbridge Island in 25 years. It removed over 600 trees and will generate about 1,200 additional vehicle trips per day when fully completed.	Ron Peltier	
3	City officials authorized to conduct environmental reviews should demonstrate that they support the purpose of the State’s Environmental Protection Act and are qualified to conduct meaningful environmental reviews. The Environmental element is full of language that encourages environmentally sound practices. Language such as “should” and “consider” don’t carry any weight. Policies intended to protect the environment need to be more specific or they will continue to be ignored. Disconnect between what the Environmental Element says and what happens in the community. Wonders what it takes to get Enviro. Element goals and policies followed and implemented.	Ron Peltier	
4	GOAL 4 re: preserving dark skies. Thinks this should be strengthened so that we can see the stars from the Island. Not sure how you can actually do that. GW 3.7 re: adding trails. Suggests putting utilities underground which would then allow the above ground easement as a trail.	Doug Rauh	
5	Asks to strengthen language re existing contaminated areas such as the Sportsman’s Club. Wants to see the City assure that the assessments recommended by the state and county are done.		
N OTHER RECOMMENDED EDITS TO ENVIRONMENTAL ELEMENT			
1	Introduction: 5th paragraph: 2nd Sentence: “Retaining the viability and ecological functions of our natural systems and protecting those areas that are sensitive to development is paramount to maintaining a healthy natural environment and a high quality of life. “	Joan Lindley, Island Power	
2	Environment: EN 1.2: Discussion: 2nd and 3rd Sentences: “The designations are not intended to <u>may</u> eliminate all development <u>in some areas</u> . Development in these areas may be constrained <u>or eliminated</u> .”	Joan Lindley, Island Power	

KEY ISSUE (A,B,C, etc.) and COMMENTS (1,2,3, etc.)		Commenter	NOTES
3	Environment: EN 4.2: “Create a program will effective mechanisms intended to offset development impacts to biodiversity, including developing a priority lands map that identifies areas with high level of biodiversity and <u>consider the entire island</u> considering establishing a habitat bank on the Island. ”	Joan Lindley, Island Power	
4	Environment: EN 4.3: “ <u>Prevent</u> Provide incentives for developments to offset unavoidable impacts to biodiversity in areas where high-impact natural habitats exist.”	Joan Lindley, Island Power	
5	<u>Page 3</u> Add EN2.3 after EN 2.2 The City shall follow the policy for Integrated Pest Management (IPM). Note: This IPM was adopted by the City separately.	Charles Schmid	
6	Not covered – Goal to bring our sewer systems to “tertiary” standard so we don’t keep dumping (and paying a fine) effluent into the Sound. Also even though water resources has its own element, it should be bought in.	Charles Schmid	