



**PLANNING COMMISSION SPECIAL MEETING
THURSDAY, MARCH 24, 2022**

THE PLANNING COMMISSION WILL HOLD THIS MEETING USING A VIRTUAL ZOOM WEBINAR PLATFORM. TONIGHT'S MEETING IS ONLY AVAILABLE ON ZOOM AND WILL NOT BE STREAMED THROUGH THE CITY'S WEBSITE DUE TO TECHNICAL ISSUES.

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WEBINAR ID: 973 4007 2620

AGENDA

**1. CALL TO ORDER/LAND ACKNOWLEDGMENT/AGENDA REVIEW/CONFLICT
DISCLOSURE - 6:00 PM**

We would like to begin by acknowledging that the land on which we gather is within the ancestral territory of the Suquamish, "People of Clear Salt Water." Expert fishermen, canoe builders and basket weavers, the Suquamish live in harmony with the lands and waterways along Washington's Central Salish Sea as they have for thousands of years. Here, the Suquamish live and protect the land and waters of their ancestors for future generations as promised by the Point Elliot Treaty of 1855.

2. PLANNING COMMISSION MEETING MINUTES - 6:05 PM

Review and approve the February 24 and March 10, 2022 meeting minutes.

2.a (6:05 PM) Review and Approve meeting minutes from the February 24 and March 10, 2022 meetings. 15 Minutes

[FEB24DRAFTMINUTES.pdf](#)

[MARCH10DRAFT MINUTES.pdf](#)

3. PUBLIC COMMENT - 6:20 PM

This is your opportunity to provide public comment for topics not already on the agenda. If you would like to provide a public comment for a topic on the agenda, an opportunity will be provided just before the specific agenda item will be discussed by the Planning Commission.

- 3.a **Instructions for Public Comment** 10 Minutes
[Instructions_for_Providing_Public_Comment_at_Remote_Meetings__PlanningCommission.pdf](#)

4. **PUBLIC PARTICIPATION MEETING - Hyla High School - 6:25 PM**

- 4.a **(6:25PM) Hyla High School Public Participation Meeting** 45 Minutes
[Hyla High School_Project Narrative_2022-1-18.pdf](#)
[Hyla High School_Zoning Summary_1-18-22.pdf](#)
[220118 Hyla High School PreApplication plan set.pdf](#)
[Preapplication Summary PLN52173 PRE 16MAR2022.pdf](#)

5. **UNFINISHED BUSINESS - 7:10 PM**

- 5.a **(7:10 PM) Discuss Ordinance No. 2022-02 (formerly 2021-38) to Implement Increased Density Bonus for Affordable Housing Development on Property Owned by Religious Organizations** 60 Minutes
[Staff Memo.pdf](#)
[Ordinance No. 2022-02 \(formerly 2021-38\) Relating to Affordable Housing on Religious Properties.pdf](#)
[Ordinance No. 2022-02 Exhibit A.pdf](#)
[Commissioner Blossom potential motions for 3 24 22.pdf](#)
[Commissioner Macchio FINAL Draft Motions for 3 24 22.pdf](#)
[Commissioner Macchio Whereas Clauses ordered as they should appear if motions are approved.pdf](#)
[Commissioner Subramanian Summary Community Input re Drivers for Bethany Lutheran Projectv3.pdf](#)
[Commissioner Subramanian Summary Slides Address Objections to BL Pilot and 2nd Proposal v8 Post Mtg.pdf](#)
[RCW 36.70A.545 Increased density bonus for affordable housing located on property owned by a religious organization.pdf](#)

6. **NEW BUSINESS - 8:10 PM**

7. **PLANNING DIRECTOR'S REPORT - 8:15 PM**

8. **FOR THE GOOD OF THE ORDER - 8:25 PM**

9. **ADJOURNMENT - 8:30 PM**

GUIDING PRINCIPLES

Guiding Principle #1 - Preserve the special character of the Island, which includes downtown Winslow's small town atmosphere and function, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.

Guiding Principle #2 - Manage the water resources of the Island to protect, restore and maintain their ecological and hydrological functions and to ensure clean and sufficient groundwater for future generations.

Guiding Principle #3 - Foster diversity with a holistic approach to meeting the needs of the Island and the human needs of its residents consistent with the stewardship of our finite environmental resources.

Guiding Principle #4 - Consider the costs and benefits to Island residents and property owners in making land use decisions.

Guiding Principle #5 - The use of land on the Island should be based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level.

Guiding Principle #6 - Nurture Bainbridge Island as a sustainable community by meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Guiding Principle #7 - Reduce greenhouse gas emissions and increase the Island's climate resilience.

Guiding Principle #8 - Support the Island's Guiding Principles and Policies through the City's organizational and operating budget decisions.



Planning Commission meetings are wheelchair accessible. Assisted listening devices are available in Council Chambers. If you require additional ADA accommodations, please contact the Planning & Community Development Department at (206) 780-3750 or pcd@bainbridgewa.gov by noon on the day preceding the meeting.

Public comment may be limited to allow time for the Commissioners to deliberate. To provide additional public comment, email your comment to pcd@bainbridgewa.gov or mail it to Planning and Community Development, 280 Madison Avenue North, Bainbridge Island, WA 98110.



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: March 24, 2022

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (6:05 PM) Review and Approve meeting minutes from the February 24 and March 10, 2022 meetings.

AGENDA CATEGORY: Minutes

PROPOSED BY: Maria Dozeman

**PREVIOUS PLANNING COMMISSION
REVIEW DATE(S):**

PREVIOUS COUCIL REVIEW DATE(S):

RECOMMENDED MOTION:

I move to approve the meeting minutes from the February 24 and March 10 meetings.

SUMMARY:

BACKGROUND:

ATTACHMENTS:



Planning Commission Special Meeting February 24, 2022 Meeting Minutes

CALL TO ORDER/LAND ACKNOWLEDGMENT/AGENDA REVIEW/CONFLICT DISCLOSURE

Chair Sarah Blossom called the meeting to order at 6:00 PM. Commissioners in attendance were Vice-chair Ashley Matthews, Yesh Subramanian, William Chester and Lisa Macchio. City Council Liaison Jon Quitslund was in attendance as well as the following City Staff: Interim Planning and Community Development Director Mark Hofman, Senior Planner Jennifer Sutton and Administrative Specialist Maria Dozeman who monitored the recording and prepared minutes.

The agenda was reviewed and no conflicts of interest were disclosed.

2) PLANNING COMMISSION MEETING MINUTES

2.a [February 10, 2022 Draft Minutes - Review and approve Cover Page DraftMinutes02102022.pdf](#)

Motion: I move to approve the meeting minutes for the 2/10/2022 Planning Commission meeting.
Macchio/Mathews: The motion carried 5-0

3) PUBLIC COMMENT

3.a Instructions for making a public comment.
[Cover Page Instructions_for_Providing_Public_Comment_at_Remote_Meetings__PlanningCommission.pdf](#)

There were no public comments made.

4) UNFINISHED BUSINESS

4.a [Review Ordinance No. 2022-02 \(formerly 2021-38\) to Implement Increased Density Bonus for Affordable Housing Development on Property Owned by Religious Organizations](#)

[Cover Page Staff Memo.docx](#)

Ordinance No. 2022-02 (formerly 2021-38) Relating to Affordable Housing on Religious Properties.docx
Ordinance No. 2022-02 Exhibit A.pdf
RCW 36.70A.545 Increased density bonus for affordable housing located on property owned by a religious organization.pdf

4.a (6:20 PM) Review Ordinance No. 2022-02 (formerly 2021-38) to Implement Increased Density Bonus for Affordable Housing Development on Property Owned by Religious Organizations

Chair Sarah Blossom introduced the agenda item. Commissioners discussed the topic.

Motion: I move to add the following whereas clause which reads
WHEREAS, the City of Bainbridge Island created a short-term Affordable Housing Task Force (AHTF) in 2017 to help achieve the affordable housing goals and policies in the Comprehensive Plan and help the City prioritize a variety of affordable housing actions, recognizing the current housing crisis in the Puget Sound region, Kitsap County and Island-wide.
Matthews/Chester: The motion carried 5-0

Motion: I move to add the following whereas clause
WHEREAS, the City of Bainbridge Island Comprehensive Plan Policy HO 3.4 encourages partnering with non-profit housing organizations, churches, the development community, local lending institutions, elected officials and the community at large to assist in meeting affordable housing goals and implementing strategies.
Matthews/Chester: The motion carried 5-0

Motion: I move to add the following whereas clause
WHEREAS, The City of Bainbridge Island Comprehensive Plan Guiding Principle #3 directs us to foster diversity with a holistic approach to meeting the needs of the Island and the human needs of its residents consistent with the stewardship of our finite environmental resources.
Matthews/Macchio: The motion carried 5-0

Motion: I move to add the following whereas clause
WHEREAS Guiding Policy 3.1 reads Ensure a variety of housing choices to meet the needs of present and future residents in all economic segments and promote plans, projects and proposals to create affordable housing.
Matthews/Subramanian: The motion carried 5-0

Motion: I move to insert into the draft Ordinance at 18.090.B.f new provision says project density bonus
Additional increase in bonus density shall be allowed as provided in the table here:

Zone	60%	100%	150%	200%
R-8				X
R-2.9			X	
R-2		X		
R-1		X		
R-0.4	X			

Macchio/Subramanian: Motion failed 0-5

Motion:
I move to amend Ordinance No 2022-02 so that Section 18.09.030(B)(6)(c) reads as follows: "Project bonus density." The density for projects may be increased above the base density by the following amounts:

- (i) Two units per acre for projects located within the Winslow Master Plan Study Area or within one-quarter mile of the Winslow Master Plan Study Area;
- (ii) Two units per acre for projects located within one-quarter mile of a Neighborhood Center; and
- (iii) One and one-half units per acre for all other projects.

Blossom/Chester: The motion carried 3 - 2

AYES: Blossom, Matthews and Chester

NOES: Macchio, Subramanian

Motion:

I move to revise Section 18.09.030(B)(6) introductory paragraph to read as follows: Affordable Housing Development on Religious Organization Owned Properties including the Bethany Lutheran Affordable Housing Pilot Project: "In order to implement RCW 36.70A.545, the City shall allow a maximum density bonus consistent with section 18.09.030(B)(6)(c) below on properties owned by religious organizations, when requested by such organizations. The projects must meet the requirements listed below and must meet RCW 36.70A.545 and the requirements listed below."

Macchio/Subramanian: The motion carried 5-0

Motion:

I move to amend Ordinance No 2022-02 by adding a new section titled "Pilot Project" that reads: "Projects built under BIMC 18.09.030(B)(6) shall initially be limited solely to the property collectively known as "Bethany Lutheran Church", as a pilot project located at the southwest intersection of NE High School Road and Sportsman Club Road NE (see Figure 18.09.030-I below)."

Blossom/Matthews: The motion carried 5-0

Motion:

I move to amend draft Ordinance 2022-02 at 18.09.030(B)(6) and insert B to read as follows:
B. Pilot Project Evaluation. An evaluation of the Pilot Project shall be developed one year and four years post certificate of occupancy and provided to the Planning Commission, City Council and the community. The evaluation must, at a minimum, address the following elements/questions, and may include other elements if needed:

1. How did the project address local need and if not why?
2. In what ways did the project address and fit with the upcoming Housing Action Plan/Assessment and if not why?

3. How was the project consistent with the elements of the Bainbridge Island Climate Action Plan and Bainbridge Island Community Based Strategies to reduce Greenhouse Gas Emissions. If not, why?
4. Did the project fit with the existing neighborhood/community? If yes, how and if not why?
5. Did the project satisfy any of the goals set forth in Planning for Equity. If yes, how and if not, why?
6. What were any unintended consequences?
7. How might the ordinance be modified to address unforeseen issues and concerns?

Macchio/Blossom: The motion carried 5-0

Motion: I move to amend draft ordinance 2022-02 18.09.030(B)(6)(c) and it shall read as follows:

The affordable housing proposals using the provisions of this section shall follow existing land use permit review procedures, depending on what type of housing development is proposed. Multifamily housing would be reviewed through the Site Plan and Design Review process of Section 2.16.040 BIMC and subdivision would be reviewed through the short- or long- subdivision processes of Sections 2.16.070 or 2.16.125 BIMC (respectively), unless specifically modified by this section.

Amend section A so that if it is a short plat it will be reviewed by the Planning Commission.

Macchio/Matthews: The motion carried 5-0

Motion: I move to amend draft ordinance 2022-02 to include the following wording under 18.09.030...: all projects developed under this code section, in addition to what is provided under Section 2.16.0404 BIMC, shall be subject to the process for Conditional Use Permits (Section 2.16.10.050 or 2.16.110 BIMC) and must be reviewed by the Planning Commission and adhere to the procedures for project review by the Planning Commission.

Macchio/Blossom: The motion carried 5-0

Motion:

I move to revise Exhibit A to Ordinance 2022-02 which is the table at section 1809.020 called the use table. There is a new row in that table and the title will be Affordable Housing on Religious Organization-owned properties including the Bethany Lutheran Affordable Housing Pilot Project and the first column will change from a P to a C.

Maccio/Matthews: The motion carried 5-0

Public Comment: Jim Halbrook not in favor of this ordinance.

Motion: I move to amend Ordinance 2022-02 18.09.030 section B shall read as follows:

all project proposals shall be subject to applicable residential development standards for Titles BIMC 15, 16, 17 and 18, unless specifically modified by this section. The affordable housing project must meet all requirements of the City and/or Kitsap Public Health District for providing drinking water or on- site septic.

Macchio/Matthews: The motion carried 5-0

Motion:

I move to amend 2022-02 section 18.09.030(B)(6)(f) to read as follows:

The maximum dwelling unit sizes shall be limited to 1400 square feet.

Macchio/Matthews: The motion carried 5-0

Motion: I move to amend Ordinance 2022-02 section 18.09.030(B)(6) to read Accessory Dwelling Units (ADU). ADUs are prohibited.

Macchio/Blossom: The motion carried with 4 -1

AYES: Blossom, Macchio, Subramanian, Chester

NOES: Matthews

Motion: I move to amend Ordinance 2022-02 section 10.89.030(B)(6) to include the following provision on Green Building to read as follows:

Green building. The dwelling units must meet either a green building certification standard of International Living Future Institute Core Certification or BuiltGreen 5 Star Certification or Washington State Evergreen Sustainable Standards. The certification program must utilize third-party verification.

Macchio/Subramanian: The motion carried 5-0

Motion:

I move to amend Ordinance 2022-02 so that Section 18.09.030(B)(6)(d), titled "Affordable Housing", reads as follows: All dwelling units planned and constructed under this section must meet the following requirements.

- i. All units must be used exclusively for affordable housing purposes for 99 years;
- ii. Units must be sold or rented to households whose adjusted income is less than eighty percent of the Area Median Income;
- iii. At least ten percent of the units must be sold or rented to households whose adjusted income is less than fifty percent of the Area Median Income;
- iv. At least fifty percent of the units must be rental housing; and
- v. The sales price or rent amount, including utilities other than telephone and cable TV, cannot exceed thirty percent of the monthly income of the household of the income limit for the low-income housing units.

The City shall require documentation to be signed and recorded through the land use and building permitting process to ensure ongoing compliance with the income requirements.

Blossom/Subramanian: The motion carried 5-0

Motion:

I move to amend Ordinance 2022-02 so that Section 18.09.030(B)(6)(h) is titled "Natural Areas and Community Space" and the first sentence is replaced by the following: "All projects must provide Natural Areas and Community Space consistent with the standards in BIMC 17.12.050, except that, at a minimum, all projects shall provide five percent of the total lot area as Community Space, even when the maximum natural area is provided."

Blossom/Chester: The motion carried 4-1

AYES: Blossom, Matthews, Subramanian and Chester

NOES: Macchio

Motion:

I move to amend Ordinance 2022-02 section 18.09.030(B)(6)(e) to include a provision related to parking and that should read as follows: Parking. The amount of parking required will be determined as part of a transportation/mobility assessment.

Macchio/Subramanian: The motion carried 5-0

Motion:

I move to amend Ordinance 2022-02 section 18.09.030(B)(6) to include the following wording: Projects proposed and constructed on the same property(ies) as existing buildings may result in a permitted mixed-use property. However, the affordable density bonus must be based on those portions of the property that are not already occupied by development. In addition, this ordinance shall not apply to religious-owned properties that are expanded or acquired after the effective date of this ordinance, unless the primary purpose of said expansion or acquisition is to provide a new or expanded facility for religious worship.

Macchio/Blossom: The motion failed 1-4

AYES: Macchio

NOES: Blossom, Matthews, Subramanian and Chester

Motion:

I move to amend Ordinance 2022-02 so that section 18.09.030(B)(6) has a new section titled "Projects" and reads Projects proposed and constructed on the same property(ies) as the existing buildings may result in a permitted use property. In addition, this ordinance shall not apply to religious-owned properties that are expanded or acquired after the effective date of this ordinance, unless the primary purpose of said expansion or acquisition is to provide a new or expanded facility for religious worship.

Blossom/Matthews: The motion carried 4-1

AYES: Blossom, Matthews, Subramanian and Chester

NOES: Macchio

Motion:

I move to add the following to section (Commissioner Matthews asked Senior Planner Jennifer Sutton to include appropriate section numbers in the draft ordinance) that we will establish by rule the formula for calculating maximum affordable prices for sales subsequent to the initial sale to allow modest growth in homeowner equity while maintaining long term affordability for future buyers.

Matthews/Blossom: The motion carried 5-0

Motion:

I move to amend Ordinance 2022-02 to move all discussed this evening as ordered under 18.09.030(B) to BIMC Chapter 18.21.

Macchio/Yesh: The motion carried 4-1

AYES: Blossom, Matthews, Subramanian and Macchio

NOES: Chester

[RCW 36.70A.545 Increased density bonus for affordable housing located on property owned by a religious organization.pdf](#)

[RCW 36.70A.545 Increased density bonus for affordable housing located on property owned by a religious organization.pdf](#)

[RCW 36.70A.545 Increased density bonus for affordable housing located on property owned by a religious organization.pdf](#)

5) NEW BUSINESS

No new business

6) PLANNING DIRECTOR'S REPORT

Update: City Council item on appointing 2 people to the PC was put off until March 10th so that all 11 applications can be redacted and posted.

7) FOR THE GOOD OF THE ORDER

Jennifer Sutton explained, at the request of Commissioner Macchio, that the next step with the ordinance would be a public hearing at the next Planning Commission meeting on March 10th.

8) ADJOURNMENT

Sarah Blossom adjourned the meeting at 9:20 PM

Sarah Blossom, Chair

Maria Dozeman, Administrative Specialist



**PLANNING COMMISSION SPECIAL MEETING
MARCH 10, 2022
Meeting Minutes**

1) CALL TO ORDER/LAND ACKNOWLEDGMENT/AGENDA REVIEW/CONFLICT DISCLOSURE

Chair Sarah Blossom called the meeting to order and read the Land Acknowledgement at 6:02 PM. Commissioners in attendance were Yesh Subramanian, William Chester and Lisa Macchio. City Council Liaison Jon Quitslund was in attendance as well as the following City Staff: Interim Planning and Community Development Director Mark Hofman, Senior Planner Jennifer Sutton, Senior Planner Kelly Tayara and Administrative Specialist Maria Dozeman who monitored the recording and prepared minutes. Commissioner.

The agenda was reviewed and no conflicts disclosed.

Commissioner Ariel Birtley and Vice Chair Ashley Matthews joined the meeting shortly before Public Comment began.

Absent: Commissioner Deines.

2) PUBLIC COMMENT - no public comments

[Instructions_for_Providing_Public_Comment_at_Remote_Meetings__PlanningCommission.pdf](#)

3) PUBLIC PARTICIPATION MEETING, HYLA HIGH SCHOOL

Cover Page

[Hyla High School_Project Narrative_2022-1-18.pdf](#)

[Hyla High School_Zoning Summary_1-18-22.pdf](#)

[220118 Hyla High School PreApplication plan set.pdf](#)

Chair Sarah Blossom opened the Public Participation Meeting.

Senior Planner Kelly Tayara introduced the project.

Charles Wenzlau, representing the applicant, presented details of the Hyla High School project.

Public Comment

Ryan Daniel - Concerned about traffic pattern given proximity to residences.

Piper Thornburgh-Supports the project.

Sandra Talcott-Concerned about traffic on a narrow road and does not support the site becoming an educational facility.

Jim Hopper – Supports the project.

Susanne Lindsley – Concerned about traffic impact.

Gerri Harrington - Concerned about traffic and noise.

Jane Greenberg - Concerned about traffic, noise and light pollution

Bob Greenberg – Had questions about what current zoning allows for the site.

4) PUBLIC HEARING, ORDINANCE 2022-02

[Staff Memo.pdf](#)

[Ordinance No. 2022-02 \(formerly 2021-38\) Relating to Affordable Housing on Religious Properties.pdf](#)

[Ordinance No. 2022-02 Exhibit A.pdf](#)

[RCW 36.70A.545 Increased density bonus for affordable housing located on property owned by a religious organization.pdf](#)

Senior Planner Jennifer Sutton gave a presentation on the background that led to Ordinance 2022-02
Chair Sarah Blossom opened the public hearing.

David Swartling-Supports the ordinance but concerned about feasibility of the project given the conditions being suggested by the Commissioners.

Mary Claire Kersten - Spoke in defense of the Comprehensive plan. Concerned about 800% increase in density.

Jim Halbrook - Concerned that greed is driving the project and worried about project impacting quality of his neighborhood

Jim Hopper - Supportive of project

Susan Bisnat – Has several concerns. Would like there to be more communication with the neighborhood.

Jeff Hahto – Concerned about the sewer contaminating existing wells.

Paul Stumme-Diers - Supports the ordinance but supports amending the ordinance to increase flexibility.

Phedra Elliott-Concerned about some of the conditions/requirements being discussed by Commissioners.

Ron Peltier-Concerned about plan to amend ordinance and impact to special nature of property. Spoke about several concerns.

Jason Wilkinson-Supports intent of the policy and believes it is motivated with good intent. Has concerns.

Maria Metzler - Supports the amendment to meet the great need for Affordable Housing.

Joe McMillan- Would like the process to slow down. Worried about destroyed habitat and character of the area when increased density is pushed outside the high density core.

Talis Abolins-Urged the Planning Commission to move forward quickly with the density range originally shared by Bethany Lutheran. A plan that isn't extreme but is a middle ground.

Bob Russell-Supports project moving forward.

Tom Croker- Support project moving forward.

David Smith - Supports project.

Jonathan Davis - Further explained the project and feels that project is rational. Asks for Planning Commission to approve.

Commissioner Subramanian, through a presentation, showed how the public comments broke out in support vs. against the project and why.

Commissioners discussed the ordinance.

From Sarah Blossom - At the next meeting, make changes to Ordinance but unlikely to be resolved until first meeting in April. Commissioners should email staff any motions they would like to make at the March 24 meeting by 9am Friday March 18, in order to include those motions in the March 24 packet.

5) UNFINISHED BUSINESS – None discussed

6) NEW BUSINESS – None discussed

7) PLANNING DIRECTOR'S REPORT

Two Commissioner vacancy positions appointed on Tuesday night at the March 8 City Council meeting.

New Commissioners will be training and will need time to come up to speed.

Work of the Planning Commission needs to be done within the public meeting setting.

Commissioners were invited to provide agenda items to Jennifer Sutton by 9:00 AM Friday for inclusion in the Agenda Packet.

8) FOR THE GOOD OF THE ORDER

Upcoming Preapplication Conference on March 29th regarding New Brooklyn Gardens and two commissioners need to attend to observe. Commissioners Birtley and Mathews will attend. Commissioner Macchio asked about a Long-Term Work Plan expected of the Planning Commission. Climate Action Plan presentation will be included in the agenda for the April 14th Planning Commission Special Meeting.

9) ADJOURNMENT

Meeting adjourned at 9:44 PM

Sarah Blossom, Chair

Maria Dozeman, Administrative Specialist



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: March 24, 2022

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: Instructions for Public Comment

SUMMARY: Public Comment Instructions for review prior to the Planning Commission meeting if you are planning to offer a comment.

AGENDA CATEGORY: Presentation

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION: Please read and review if you plan to provide a public comment during the meeting.

STRATEGIC PRIORITY:

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[Instructions for Providing Public Comment at Remote Meetings PlanningCommission.pdf](#)

FISCAL DETAILS:

Fund Name(s):

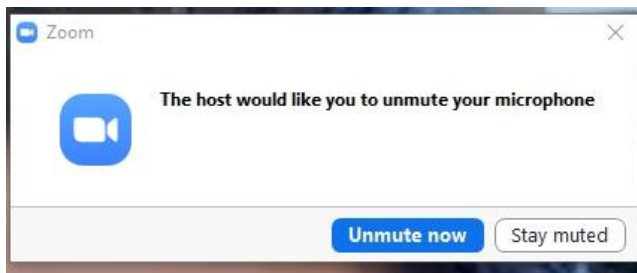
Coding:



Members of the public are encouraged to submit written public comment to the **Planning Commission** at any time by emailing **PCD@bainbridgewa.gov**. Members of the public who wish to provide public comment may participate remotely by following the instructions outlined below. Commissioners and staff are panelists, and members of the public are attendees. Webinar attendees do not interact with one another; they join in listen-only mode. Guidelines for public comment are also attached.

INSTRUCTIONS FOR PROVIDING PUBLIC COMMENT REMOTELY

1. Join the Zoom webinar by following the link posted on the agenda and on the City calendar.
2. Sign in to Zoom with your first and last name in full.
3. The Chair will indicate when it is time for public comment.
4. Attendee indicates desire to speak by clicking on “Raise Hand” option at the bottom of the screen.
5. Attendee clicks button “Unmute now” after they are called to speak by the Chair.



6. Attendee will appear on screen with other panelists, but without video, just name.

IMPORTANT NOTE: If you do not have the latest version of Zoom, the meeting facilitator will promote you to panelist. You will then appear with video enabled. Look for the video icon in the bottom left-hand corner of the screen to turn off your video.

7. Attendee provides their comment.
8. Unless indicated otherwise by the Chairperson, the timer on the screen will track your time.
9. Stop speaking when the timer reaches the 3-minute mark.
10. Attendee is returned to attendee group, and microphone is muted.
11. Public comment is received by the Planning Commission, with no response given.



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: March 24, 2022

ESTIMATED TIME: 45 Minutes

AGENDA ITEM: (6:25PM) Hyla High School Public Participation Meeting

AGENDA CATEGORY: Presentation

PROPOSED BY: Kelly Tayara

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): March 10, 2022

PREVIOUS COUCIL REVIEW DATE(S): None

RECOMMENDED MOTION:

Presentation and Discussion

SUMMARY:

The Public Participation Meeting is required as part of the preapplication phase for Site Plan and Design Review permit, which is required for the proposed development.

BACKGROUND: Hyla High School is proposing to convert existing office buildings (355/365/375/385 Ericksen Avenue) into an educational facility. The applicant participated in a preapplication conference with City staff on February 22, 2022, and Conceptual Design Review meeting with the Design Review Board on March 7, 2022.

An initial Public Participation Meeting before the Planning Commission was held on March 10, 2022. This second Public Participation Meeting is to remedy a public notice mailing error which occurred for the publicly noticed March 10, 2022 meeting.

ATTACHMENTS:

Attn: Planning and Community Development
From: Charles Wenzlau, Wenzlau Architects
Date: January 18, 2022
RE: Hyla High School – PROJECT NARRATIVE
PRE-APPLICATION CONFERENCE

INTENDED USE OF THE LAND: Hyla School, an independent school on Bainbridge Island for grades 6 - 8 has been successfully serving students in for 29 years. Hyla is now expanding their program through high school and this will be Hyla's high school campus. The proposal is to renovate (4) office buildings (circa 1988) from office use to an educational facility; a new independent high school. Education facilities are a permitted use within the MUTC. The school will include grades from 9 thru 12 with a maximum enrollment of 160 students.

PHASING: The project will be constructed in 3-4 phases. The goal is to have one building completed per year in time for Fall enrollment. The first building to be renovated is 355 building, to be followed by 385, then 355 and 365. Buildings 355-365 may be constructed as a single phase.

SEQUENCE AND TIMING: Project will begin as soon as building permit for Building 355 is issued. A small portion of the office space will be occupied until tenant leases expire.

PROPOSED LAND OWNERSHIP: The buildings are owned under one ownership as commercial condominiums.

PLANNING REVIEW: The proposed project is being reviewed in relation to each phase of construction as follows.

355 BLDG: This building is currently under permit review as a tenant improvement.

385 BLDG: This building and related site improvements are being reviewed as a minor SPR.

365-375 BLDGS: These buildings are submitted as major SPR.

FAR: The buildings are existing non-conforming in terms of allowable building area. The FAR will not be increased because of the project. Staff has determined that proposed mezzanine areas do not count as FAR. The proposed footprint increase is limited to (2) new elevators which will not increase FAR.

PARKING: A transportation plan has been submitted as part of the review for 385 building. This plan addresses both on-site parking and managing vehicle trips to the campus. To summarize, the off-street parking requirements for the existing office use exceed the parking required for the

completed campus. A phase-by-phase plan has been provided to ensure adequate parking as the offices use is replaced by education uses. The key features of the plan are as follows:

- (2) On street parking spaces will be dedicated to loading zone use for shuttle vans
- Off-street parking will be dedicated for staff and visitors
- Visitor parking can be used during drop-off and pick-up to increase overall capacity and avoid backups onto Ericksen Avenue
- As the commercial tenants' leases expire, the corresponding amount of commercial parking will be reallocated to support school uses while maintaining code required parking.

TRAFFIC: Key to the overall management of traffic impacts is to create a "walk on and walk off campus". This is achieved in the following ways:

- Off street parking for use only by staff and visitors
- Provide adequate pick-up and drop-off capacity within the site to minimize traffic impacts to Ericksen Avenue
- Provide facilities to encourage biking and private shuttle use
- Establish campus protocols to reduce private vehicle trips to campus

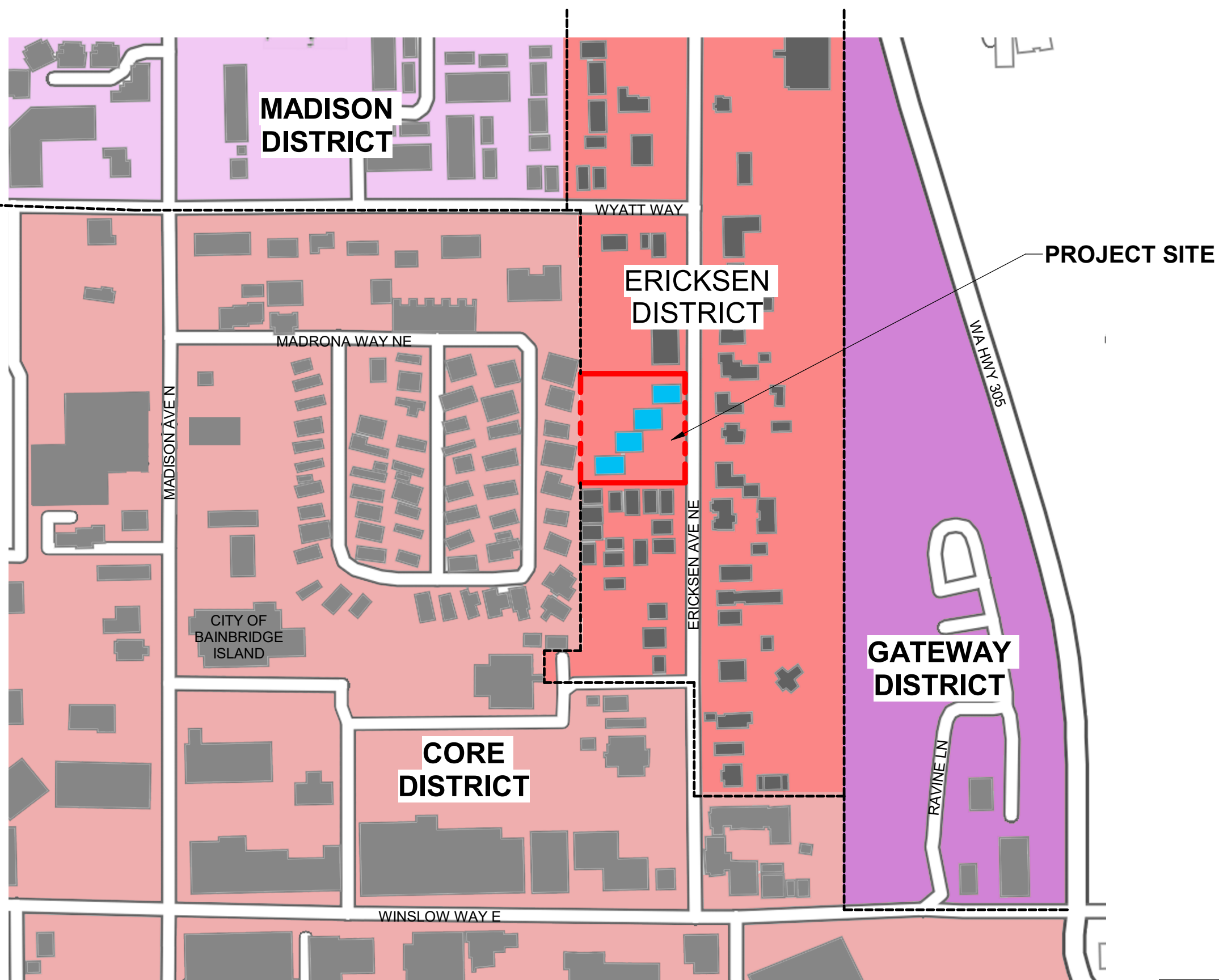
LANDSCAPE: The project does not have any landscape submittal requirements per BIMC 18.15.010, other than tree retention requirements which are indicated on the site plan and parking lot landscaping.

TEMPORARY CLASSROOM SPACE: The overall campus enrollment will increase as each phase is completed. If construction is not completed in time for the next academic year, the school will have a contingency plan to house those students in temporary classroom space, either in modular classroom withing the parking area or within one of existing office buildings. The required parking will be maintained for each stage of the construction.

HYLA HIGH SCHOOL ZONING SUMMARY

January 18, 2022

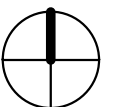
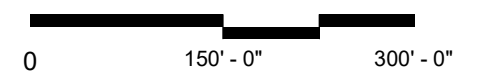
Site Address:	355-385 Ericksen Avenue, Bainbridge Island, WA		
Lot Area:	#8534-000-000-0008 30,056SF (0.69AC) #8534-000-355-0009 2,178SF (0.05AC) #8534-000-365-0007 2,178SF (0.05AC) #8534-000-375-0005 2,178SF (0.05AC) <u>#8534-000-385-0003 2,178SF (0.05AC)</u> 38,768SF (0.89AC)		
Zoning:	MUTC / Ericksen District		
Surrounding Uses:	East: MUTC-Ericksen: Multi-family West: MUTC-Core: Multi-family North: MUTC-Ericksen: Office South: MUTC-Ericksen: Multi-family		
Current Use:	Office (14,260SF, 0.36FAR) Existing non-conforming		
Proposed Uses:	Educational (14,260SF, 0.36FAR) mezzanine, elevator exempt		
Lot Coverage:	Allowable: 35% (13,568SF) Existing: 8,024SF Proposed: 8,500SF (estimated)		
Allowable FAR:	Commercial: 11,630SF (0.30)		
Program:	Educational: 14,260SF (mezzanine and elevators do not count towards FAR)		
Req'd Parking:	Students: 16 spaces <u>Staff: 14 spaces</u> 30 spaces	1/10 students (160 students) 1/staff (14 staff)	
Proposed Parking:	On street: 5 (2 dedicated loading stalls) Off street: 30 (student stalls dedicated as visitor stalls)		
Height Limit:	25' (no change to existing)		
Setbacks:	Front: 15', Side/Rear: 5'		
Landscape:	Roadside Buffers: N/A Perimeter Landscape: N/A Tree Retention: 40 tree units/acre x .89AC = 's 36 tree units		



CONTEXT ANALYSIS

HYLA HIGH SCHOOL, BLDGS 365 & 375

BAINBRIDGE ISLAND, WA



A 1



WENZLAU ARCHITECTS

01/18/2022
PRE-APPLICATION

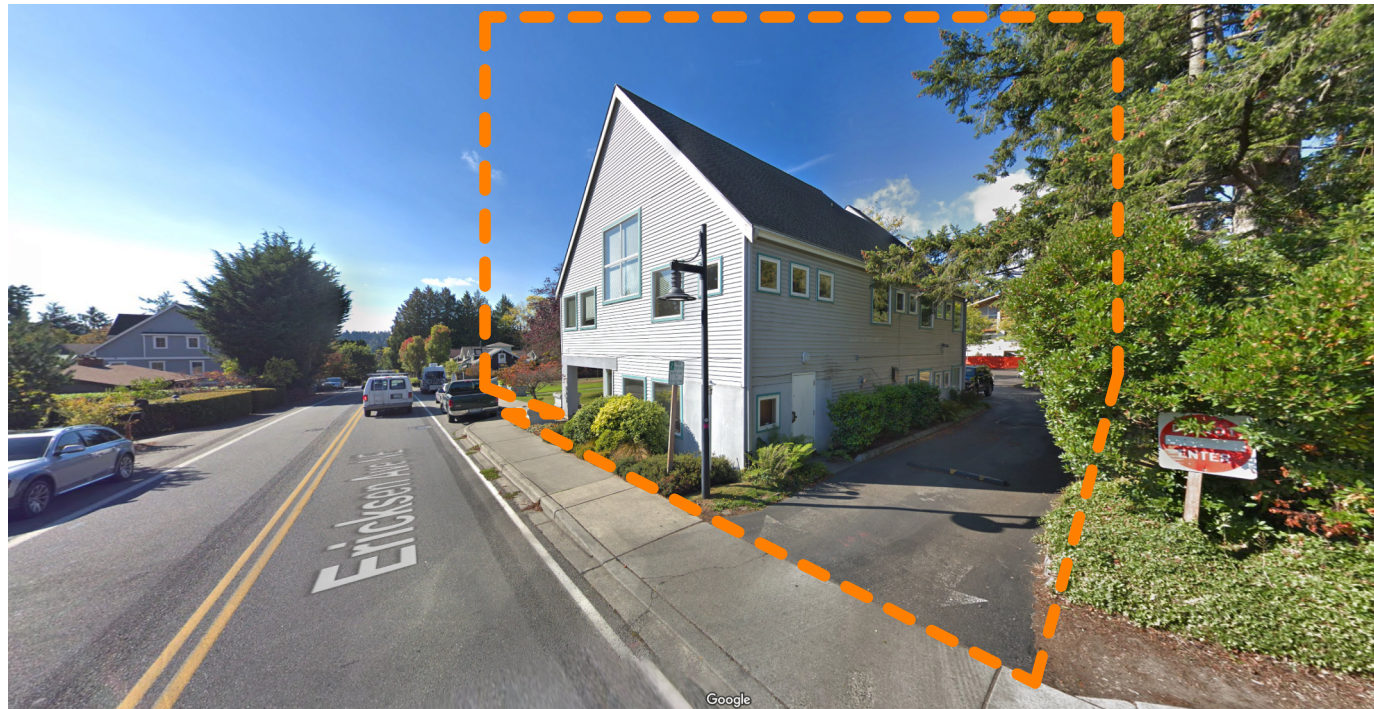


SITE CONTEXT - ADJACENT USES

HYLA HIGH SCHOOL, BLDGS 365 & 375

BAINBRIDGE ISLAND, WA

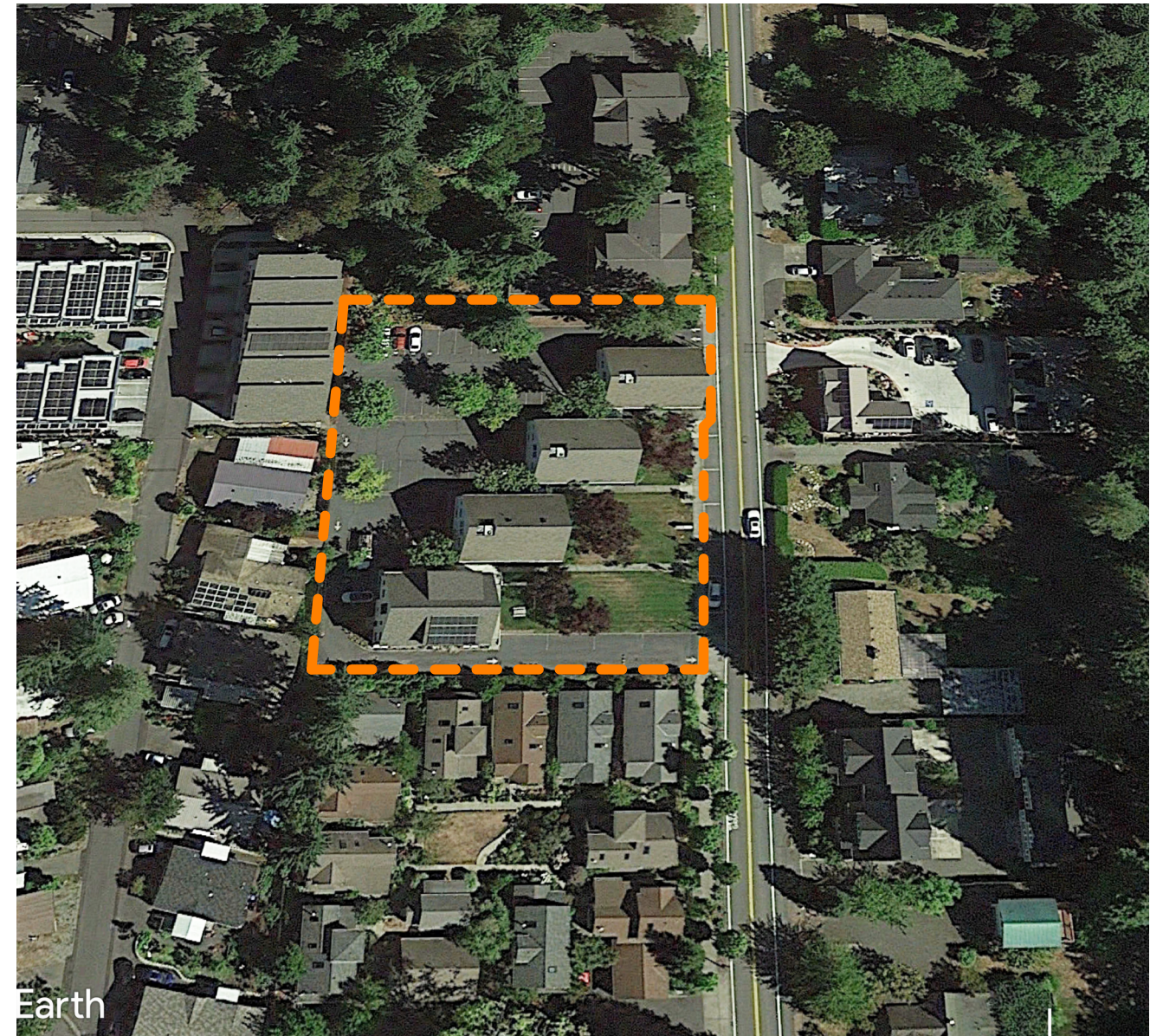
A 2



VIEW FROM NORTH APPROACH



VIEW FROM SOUTH APPROACH



AERIAL VIEW

SITE PHOTOS

HYLA HIGH SCHOOL, BLDGS 365 & 375

BAINBRIDGE ISLAND, WA

A 3

01/18/2022
PRE-APPLICATION



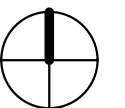
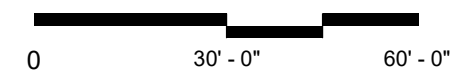
WENZLAU ARCHITECTS



CONCEPTUAL SITE ANALYSIS (EXISTING CONDITIONS)

HYLA HIGH SCHOOL, BLDGS 365 & 375

BAINBRIDGE ISLAND, WA



A 4



WENZLAU ARCHITECTS

01/18/2022
PRE-APPLICATION



HYLA HIGH SCHOOL REMODEL

375 ERICKSEN AVE NE
BAINBRIDGE ISLAND, WA 98110

8534-000-375-0005
UNIT 375, ERICKSEN AVENUE OFFICE PARK CONDOMINIUMS, AS
RECORDED IN VOLUME 10 OF CONDOMINIUMS, PAGES 92 - 94, INCLUSIVE,
UNDER AUDITOR'S FILE NO. 201905160117, ACCORDING TO THE
DECLARATION THEREOF RECORDED UNDER AUDITOR'S FILE NO.
201905160118, RECORDS OF KITSAP COUNTY, WASHINGTON.

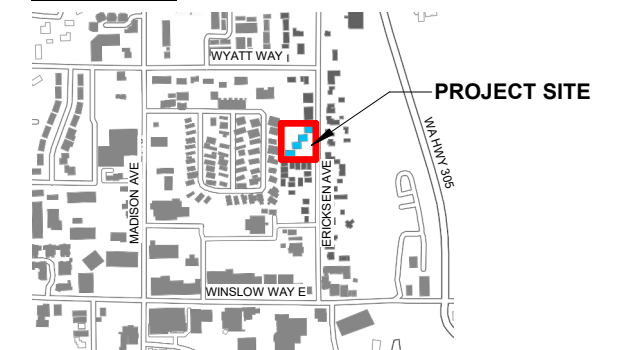
365 ERICKSEN AVE NE
BAINBRIDGE ISLAND, WA 98110

8534-000-365-0007
UNIT 365, ERICKSEN AVENUE OFFICE PARK CONDOMINIUMS, AS
RECORDED IN VOLUME 10 OF CONDOMINIUMS, PAGES 92 - 94, INCLUSIVE,
UNDER AUDITOR'S FILE NO. 201905160117, ACCORDING TO THE
DECLARATION THEREOF RECORDED UNDER AUDITOR'S FILE NO.
201905160118, RECORDS OF KITSAP COUNTY, WASHINGTON.

ZONING CLASSIFICATION:
BASE: MUTC; (MIXED USE TOWN CENTER)
OVERLAY: EA; (ERICKSEN AVENUE OVERLAY DISTRICT)

LOT AREA (PER COUNTY RECORDS) = 0.92 ACRES = 40,075 sf

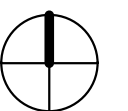
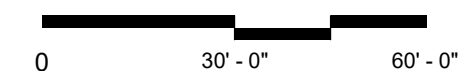
VICINITY MAP



BASIC SITE PLAN

HYLA HIGH SCHOOL, BLDGS 365 & 375

BAINBRIDGE ISLAND, WA

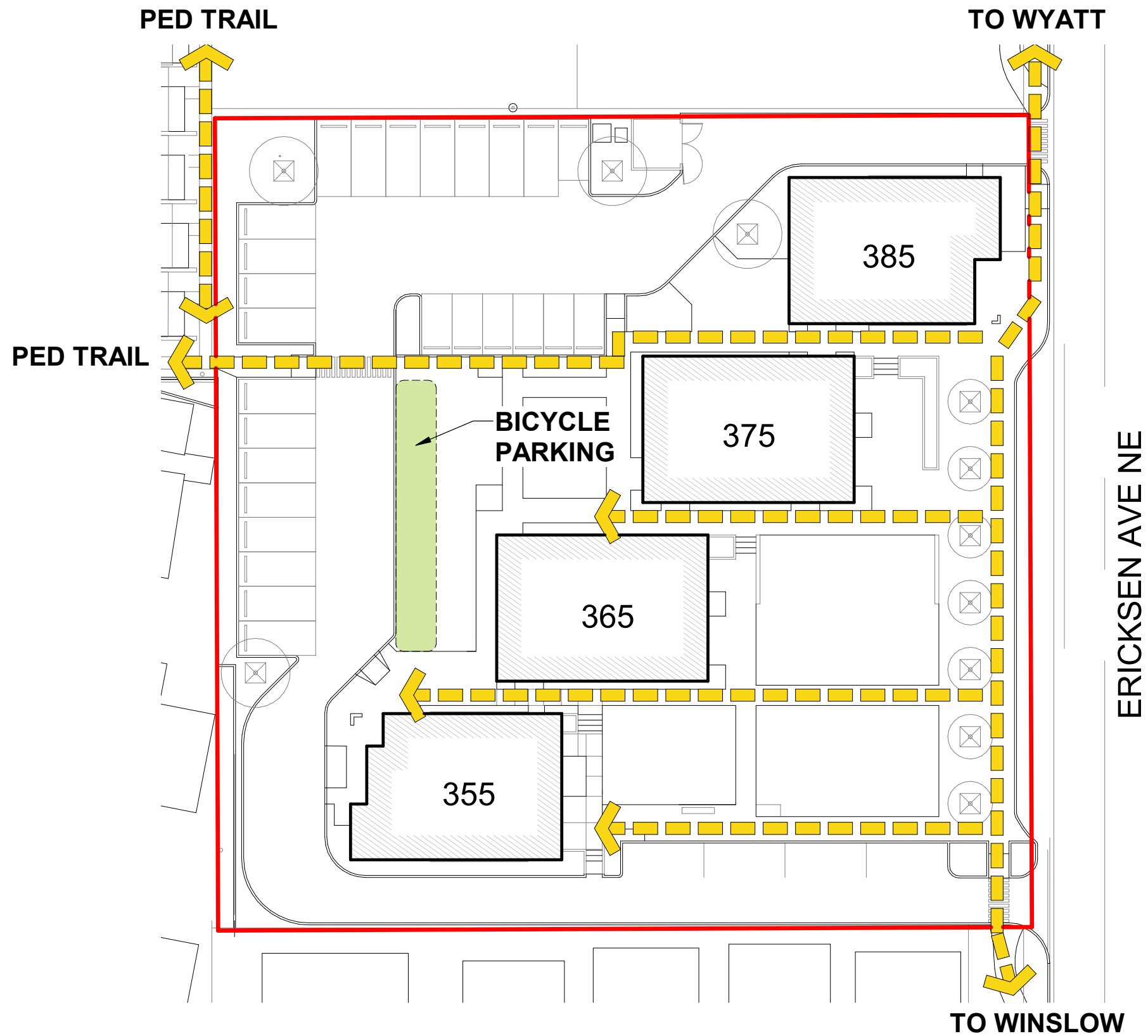


A 5



WENZLAU ARCHITECTS

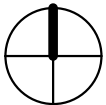
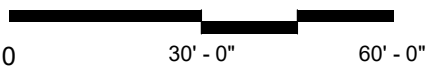
01/18/2022
PRE-APPLICATION



PEDESTRIAN ACCESS

HYLA HIGH SCHOOL, BLDGS 365 & 375

BAINBRIDGE ISLAND, WA

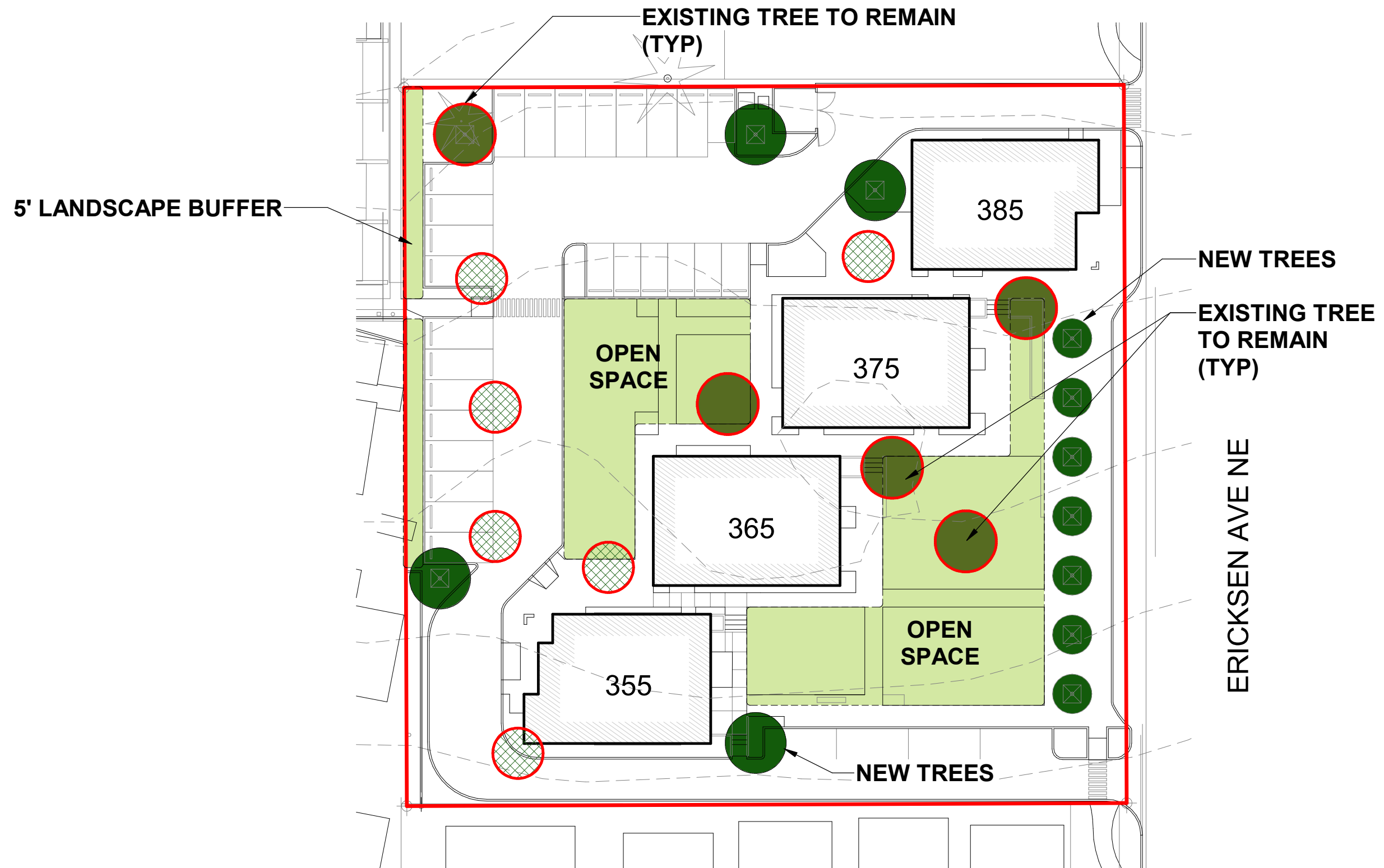


A 6

01/18/2022
PRE-APPLICATION



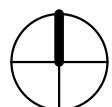
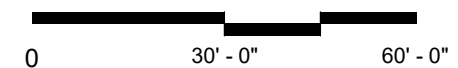
WENZLAU ARCHITECTS



CONCEPTUAL LANDSCAPE PLAN

HYLA HIGH SCHOOL, BLDGS 365 & 375

BAINBRIDGE ISLAND, WA

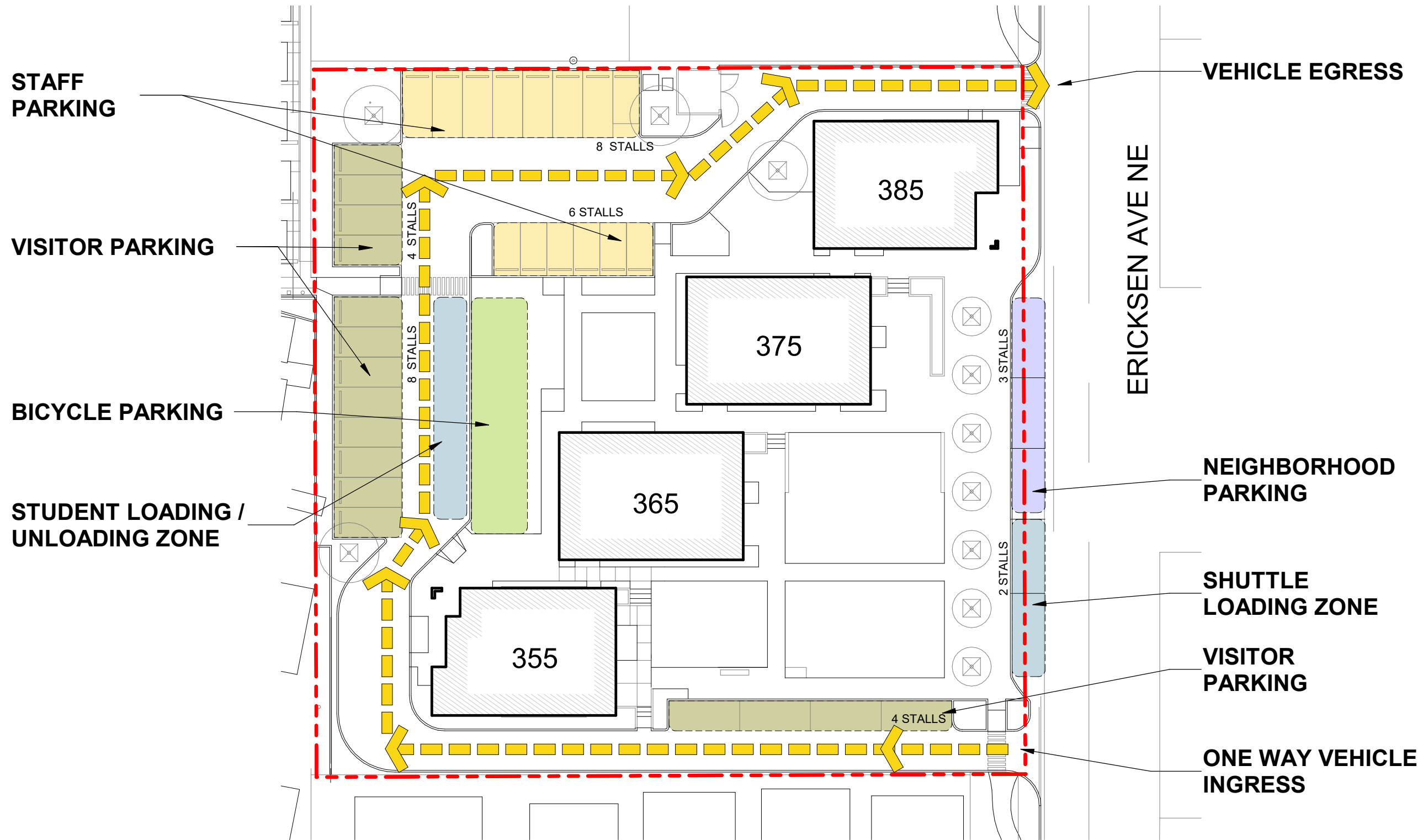


A 7

01/18/2022
PRE-APPLICATION



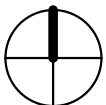
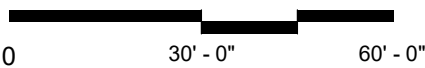
WENZLAU ARCHITECTS



PARKING ACCESS PLAN

HYLA HIGH SCHOOL, BLDGS 365 & 375

BAINBRIDGE ISLAND, WA

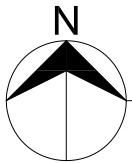
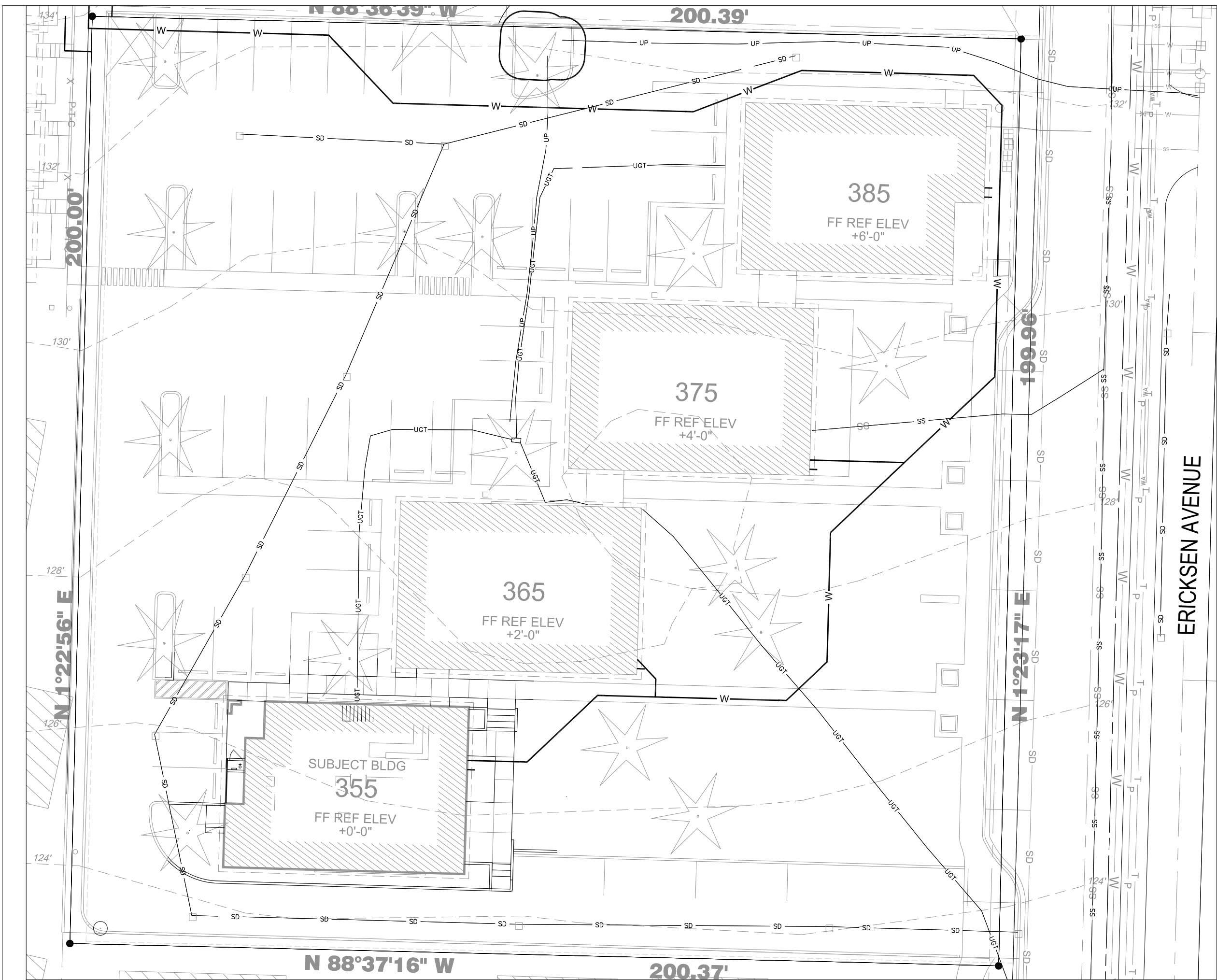


A 8

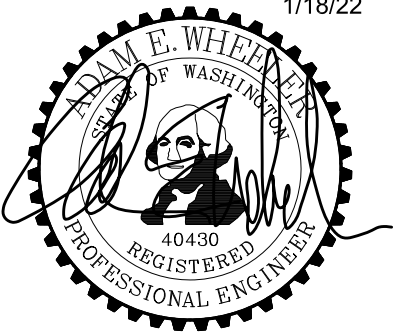
01/18/2022
PRE-APPLICATION



WENZLAU ARCHITECTS



PLAN
SCALE: 1"=20'



BROWNE • WHEELER
ENGINEERS, INC
241 ERICKSEN AVENUE NE
BAINBRIDGE ISLAND, WA 98110
P 206.842.0605 INFO@BrowneWheeler.COM

**CONCEPTUAL UTILITY PLAN
SITE PLAN AND DESIGN REVIEW
HYLA HIGH SCHOOL**

1/18/22



March 16, 2022

Wenzlau Architects
Attn: Charles Wenzlau
490 Madison Avenue North Suite 105
Bainbridge Island, WA 98110

Re: Preapplication Conference Summary: Hyla High School / PLN52173 PRE

Dear Mr. Wenzlau,

Thank you for meeting with City staff on February 22, 2022 to discuss the redevelopment proposal. This letter provides a summary of the conference discussion, City staff review, outside agency review, and submittal requirements for land use application. The summary reflects the information and level of detail provided for the conference, existing codes and standards, and generally available information about the site and environs.

The proposed redevelopment to renovate existing office buildings into an educational facility requires Site Plan and Design Review (major) approval. The City has determined that the phased project involving the buildings at 365, 375 and 385 Ericksen Avenue is subject to major Site Plan and Design Review permit, as well as State Environmental Policy Act (SEPA) review.

Please note that information provided at the pre-application conference and in this letter reflects existing codes and standards, currently available information about the site and environs, and the level of detail provided in the pre-application conference submittal. Comments provided pursuant to pre-application review shall not be construed to relieve the applicant of conformance with all applicable fees, codes, policies, and standards in effect at the time of complete land use permit application. The comments on this proposal do not represent or guarantee approval of any project or permit. While we have attempted to cover as many of the Planning, Engineering, Building and Fire related aspects of your proposal as possible during this preliminary review, subsequent review of your land use permit application may reveal issues not identified during the initial review. If the City's pre-application review indicates that the City intends to recommend or impose one or more conditions of permit approval, and if the applicant objects to any of said conditions, the applicant is hereby requested and advised to provide written notice to the City of which conditions the applicant objects to and the reasons for the applicant's objections.

Please do not hesitate to contact me at ktayara@bainbridgewa.gov or 206.780.3787 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Tayara', with a stylized flourish at the end.

cc: Hyla Middle School suzannem@hylamiddleschool.org

General Information																															
Pre-Application Conference Date: February 22, 2022																															
Project Name and Number: Hyla High School (at Ericksen Avenue Office Park) PLN52173 PRE																															
Project Description: Renovate existing office buildings into new educational facility and includes related site improvements.																															
Project Address: 355, 365, 375, 385 Ericksen Avenue																															
Tax Parcel Number: 8534-000-000-0008, 8534-000-355-0009, 8534-000-365-0007, 8534-000-375-0005, 8534-000-385-0003																															
Lot Size: .89 acre																															
Zoning/Comp Plan Designation: Mixed Use Town Center / Ericksen Avenue Overlay District (MUTC / EA)																															
City Project Manager: Kelly Tayara, Senior Planner ktayara@bainbridgewa.gov 206.780.3787																															
Land Use Review Process																															
Applicable Land Use Application / Review																															
<table border="1"> <thead> <tr> <th>Review / Permit</th> <th>Process</th> <th>Recommendation/Decision</th> <th>Fee \$</th> </tr> </thead> <tbody> <tr> <td>Preapplication Conference</td> <td></td> <td>-</td> <td>500.00</td> </tr> <tr> <td>Conceptual Meeting</td> <td>BIMC 2.16</td> <td>- / -</td> <td>-</td> </tr> <tr> <td>Public Participation Meeting*</td> <td></td> <td>- / -</td> <td>250.00</td> </tr> <tr> <td>Design Guidance Meeting*</td> <td>BIMC 2.16</td> <td>- / -</td> <td>250.00</td> </tr> <tr> <td>Site Plan and Design Review (Major)</td> <td>BIMC 2.16.040</td> <td>Planning Commission / PCD Director</td> <td>8,586.00</td> </tr> <tr> <td>Health District Review / Recommendation</td> <td>-</td> <td>-</td> <td></td> </tr> </tbody> </table>				Review / Permit	Process	Recommendation/Decision	Fee \$	Preapplication Conference		-	500.00	Conceptual Meeting	BIMC 2.16	- / -	-	Public Participation Meeting*		- / -	250.00	Design Guidance Meeting*	BIMC 2.16	- / -	250.00	Site Plan and Design Review (Major)	BIMC 2.16.040	Planning Commission / PCD Director	8,586.00	Health District Review / Recommendation	-	-	
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* One-time fee collected with preapplication conference request																															
To Submit Application																															
• Follow these instructions to submit Submitting a Land Use Permit Application • Additional required plans, studies, reports, and other requirements for application submittal: ○ Land Use Application ○ Traffic Impact Analysis ○ Parking plan addressing combined office and school use over the duration of the phased project ○ Site Specific Evaluation of Total Impact on Tree Coverage ○ Final Review / Recommendation of the Design Review Board (i.e. signed checklist) ○ Include trash / recycling areas and outdoor structures / equipment, whether on the ground or on the rooftop or otherwise attached to a building, in plans. ○ Exterior lighting plans																															

Bainbridge Island Municipal Code Requirements

Dimensional Standards [BIMC 18.12](#)

- Floor Area .3 (30% of lot area)
- Lot Coverage - 35% of the Lot Area
- Setbacks: Front 15 minimum / 20 maximum Side 5 feet minimum / Rear 5 feet minimum
- Building Height: Maximum 25 feet – see Rules of Measurement
- Modifications to required setbacks and height [BIMC 18.12.040](#)
- Rules of Measurement [BIMC 18.12.050](#)

Development Standards and Guidelines [BIMC 18.15](#)

Landscaping, Screening and Tree Retention, Protection and Replacement [BIMC 18.15.010](#)

- Tree Retention, Protection and Replacement BIMC 18.15.010.C
- Perimeter Buffering and Screening BIMC 18.15.010.D
Table 18.15.010-3: 20 feet full-screen from single-family residential (table error)
- Street Frontage Landscaping BIMC 18.15.010.E - None
- Parking Lot Landscaping BIMC 18.15.010.F.2 (only applicable if modifying the parking lot)
- Total Site Tree Unit Requirements BIMC 18.15.010.G / BIMC Table 18.15.010-5
- Provide same number of tree units after redevelopment as before or provide 40 tree units per acre - the choice is the applicant's
- Site Specific Evaluation of Total Impact on Tree Coverage BIMC 18.15.010.G.3
- Identify and survey all existing trees to be retained (if providing same number of units after as prior to development, must also identify species and DBH of trees to be removed).
- Provide valuation of all trees required to be retained using the valuation standards of the International Society of Arboriculture.
- Planting, Irrigation, and Maintenance Requirements BIMC 18.15.010 H – J
- Screening for trash dumpsters, outdoor equipment, loading docks, parking lots
- See also the [Administrative Manual for Land Use Permits](#) (p.7-8) for detailed information regarding landscape / planting plans and tree valuation.

Parking BIMC Table [18.15.020-2](#)

For special cases not covered by this table, parking requirements shall be established by the Director of Planning and Community Development. For determination by the Director, the applicant shall supply (a) documentation regarding actual parking demand for the proposed use; or (b) technical studies prepared by a qualified professional relating to the parking need for the proposed use; or (c) required parking for the proposed use as determined by other comparable jurisdictions.

Mobility and Access (including bicycle facilities) [BIMC 18.15.030](#)

Outdoor Lighting [BIMC 18.15.040](#)

Signs [BIMC 18.15.050](#)

BIMC 18.18.030 – Design Standards

[Design for Bainbridge](#)

BIMC 18.30.030 – Nonconforming Structures and Buildings
A nonconforming structure may remain and be used; provided, that: A. Changes to the structure that would alter or increase the nonconformity are not permitted. 1. Any vertical or horizontal extension of a nonconforming wall must meet the applicable standards. 2. Adding to the footprint of a nonconforming structure is permitted as long as the addition meets the requirements of BIMC Title 18; B. If moved, the structure shall be made to conform to regulations of this code; C. If a building is harmed or destroyed by more than 50 percent of its square footage, the building must be reconstructed in compliance with the requirements for the zone in which it is located and D. Any structure other than a building that is damaged or removed to an extent that exceeds 50 percent of its square footage may be replaced or reconstructed in substantially the same location and of substantially the same design as the pre-damaged or pre-removed structure, if a complete application is submitted for any and all required construction permits within 180 days of the damage or removal.
Department/Agency Comments
Public Works Department:
Development Engineering Manager Paul Nylund provided comment during the conference along with the attached comment and can be reached at 206.780.3783 or pnylund@bainbridgewa.gov
Bainbridge Island Fire District Comment:
Fire Marshal Jackie Purviance provided comment during the conference along with the attached comment and can be reached at 206.842.7686 or jpurviance@bifd.org
Building Official Comment:
Building Official Blake Holmes provided comment during the conference and can be reached at 206.780.3715 or bholmes@bainbridgewa.gov



Department of Public Works - Engineering

Memorandum

Date: March 14, 2022
To: Kelly Tayara, Senior Planner, Planning and Community Development
From: Paul Nylund, P.E., Engineering Manager, Public Works
Subject: PLN52173 PRE – Hyla High School PW-DE Pre-Application Conference Comments

Background:

Following the Pre-Application conference held on 22 February 2022 (online), Public Works Development Engineering (PW-DE) has completed a review of the subject project materials and submits the following comments to be included with and/or attached to the pre-application summary letter generated by Planning and Community Development.

Brief Project Description:

This project proposes renovation of 2 existing buildings and a land use change to provide for a new, private secondary education facility to be known as Hyla High School and associated with the existing Hyla Middle School operating on Bainbridge Island. The existing structures are part of a 4-building office park located on a regular rectangular parcel (TPN 8534-000-000-0008) fronted on the east by Ericksen Ave (public ROW, urban collector), an office complex to the north, and residential developments both west and south. The other two buildings on the parcel are the subject of separate permitting processes currently underway and collectively will comprise the entire high school campus when complete. No significant changes are being made to the structure footprints, although there are relatively significant site changes being proposed both in front of and behind the existing buildings to accommodate the proposed use. This land use permit (PLN52173) represents the overall approval for the educational facility final build and associated changes to the site plan.

Comments:

1. The proposed project creates less than 5000sf of new and replaced hard surfaces. The land use and subsequent building permit submittals shall demonstrate project compliance with Minimum Requirements 1-5 of the Department of Ecology's Stormwater Management Manual of Western Washington (SWMMWW) as currently adopted by COBI at the time of building permit submittal.
2. A site assessment review has been completed in conjunction with the proposal for employment of Low Impact Development Principles. The project as proposed shall fully consider LID principles in all phases of development and will be reviewed with that expectation, so **no further**

SAR analysis or review is required. These comments serve in lieu of a stand-alone SAR letter of recommendation from COBI Development Engineering.

3. The site is located within the COBI water and sewer service areas and is currently being served with both water and sanitary sewer from COBI. The project can be served by the existing connections.
4. A water/sewer availability worksheet application and preliminary utility plan were provided with the preapplication conference materials. A final WSA letter will be independently reviewed and delivered to applicant for use in the subsequent land use applications. Subsequent permitting materials shall include preliminary utility layout plans at submittal.
5. Proposed changes in Drainage Fixture Units and associated sanitary sewer connections and appurtenances shall be calculated, designed, reviewed, installed and inspected per COBI Design and Construction Standards and Specifications and any other Federal, State or Local regulatory standards. This will include a TV inspection of the side sewer connection(s) prior to reconnection as a condition of inspection on the subsequent building permit. The sanitary sewer main line Ericksen has some historical root intrusion and may require some maintenance along the frontage or to the nearest downstream manhole to assure that the increased ERU count can be mitigated to minimize any resultant impacts on the existing line.
6. Cross connection control requirements as established by Washington Administrative code and implemented by COBI as the local water service provider shall be satisfied during the building permit review/construction process.
7. A Traffic Impact Analysis (TIA) sufficient for the City engineer to perform a concurrency test will be required per Chapter 15.40 of the Bainbridge Island Municipal Code (BIMC) unless specifically waived by COBI Development Engineering during the review process. Preliminary trip generation calculation methods per the Institute of Traffic Engineers (ITE) Trip Generation Manual, 7th Edition (or later) indicate trip generation will be beyond the threshold of 50 average daily trips (ADT) or 5 or more AM or PM peak-hour trips added as a result of this project. Therefore, a TIA shall be required during the submittals for the follow-on land use permit(s).
8. Select a consultant to perform the traffic impact analysis (TIA) and submit the proposed scope of work for review by COBI Development Engineering prior to executing the field work and subsequent analysis. The scope shall include but not be limited to discussion of the following: Intersections to be analyzed for Level of Service calculations, recommendations on the one-way traffic flow on site, analysis of pedestrian movement on to, off of, and through the site, line-of-sight considerations for traffic entering Ericksen relative to the potential blind crest to the north, and recommendations regarding proposed use of the parallel parking spaces in the ROW along the project frontage.
9. Project is subject to evaluation for Transportation Impact Fees (TIFs) because there a proposed change in use. Fees are generally due at time of Building permit issuance. A preliminary TIF worksheet has been received.
10. Consistent with the decision criteria considered to recommend approval of a preliminary commercial Site Plan Review (SPR) found in BIMC 2.16 and the COBI Design and Construction Standards and Specifications (DCSS), public frontage improvements may be required. Current

frontage includes a pedestrian sidewalk but is lacking a planter strip separating pedestrian and vehicular traffic per the DCSS, which is found both north and south of the project site. A planter strip may be precluded by the existing parallel parking, which could be construed as an acceptable substitute for a planter strip. A landscape plan was not available for review, so further comment on the project frontage will be held for subsequent reviews.

11. The project site contains compliant accesses (2 total, each part of a one-way directional loop). Special attention shall be paid to the anticipated vehicular/pedestrian interactions at the NE and SE corners of the site. It is anticipated that pedestrian movements may temporarily block access to the site causing backups on Ericksen. Techniques or development to minimize pedestrians crossing the road approaches during high traffic times before and after school shall be strongly considered.
12. An underground fire main connection to the high-pressure water main running in the parcel north of the subject parcel has been proposed for completion under separate permit(s) (C-FIA-UG). The utility plans for follow permits shall include all proposed or existing fire service lines/vaults/backflow prevention/PIVs/FDC's etc.
13. Any civil improvements required as conditions of a preliminary site plan review approval to be constructed in the Public Right of Way require a Right of Way Use permit subject to independent review and additional fee/submittal requirements.

Please note that information provided in this letter reflects existing codes and standards, currently available information about the site and the nature of the immediate environs. Comments provided pursuant to preapplication review shall not be construed to relieve the applicant of conformance with all applicable fees, codes, policies, and standards in effect at the time of complete land use permit application. The comments on this proposal do not represent or guarantee approval of any project or permit. While covering as many of the Planning, Engineering, Building and Fire related aspects of the proposal as possible during this preliminary review, please be advised that subsequent review of any land use permit application may reveal issues not identified during this initial review.



MEMO

Date: February 17, 2022
To: Kelly Tayara, Planning Department
From: Jackie Purviance, Deputy Fire Marshal
Re: Hyla High School PRE PLN52173

The submittal has been reviewed resulting in the following comments. A formal review will be completed at time of building permit submittal.

1. Any future development shall comply with all provisions of the adopted Fire Code.
2. An NFPA 13 compliant fire sprinkler system is required for Educational occupancies with an occupant load of 51 or more. An NFPA 72 compliant voice evac fire alarm system is required for Educational occupancies with an occupant load over 100. Underground work for the fire sprinkler supply line is required to be completed by a Level U contractor. All fire protection system work shall be applied for under separate fire permits.
3. Temporary classrooms located in modulators or office buildings shall be provided with an automatic fire sprinkler system when the occupant load is 51 or more. Fire alarm requirements remain the same for temporary use spaces as in Item 2.
4. Fire lanes may be required to be marked with "No Parking Fire Lane Tow Away Zone".



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting Agenda Bill

MEETING DATE: March 24, 2022

ESTIMATED TIME: 60 Minutes

AGENDA ITEM: (7:10 PM) Discuss Ordinance No. 2022-02 (formerly 2021-38) to Implement Increased Density Bonus for Affordable Housing Development on Property Owned by Religious Organizations

AGENDA CATEGORY: Ordinance

PROPOSED BY: Jennifer Sutton

PREVIOUS PLANNING COMMISSION

REVIEW DATE(S): November 18, 2021, January 13 and 27, February 10 and 24, and March 10, 2022

PREVIOUS COUCIL REVIEW DATE(S): October 26, 2021

RECOMMENDED MOTION:

The Planning Commission may continue discussion of the ordinance and propose amendments. The Planning Commission could make a motion with a recommendation on the ordinance to the City Council, or schedule additional discussion for a future Planning Commission meeting, such as April 14.

SUMMARY:

The purpose of this agenda item is for the Planning Commission to continue review of Draft Ordinance No. 2022-02 (attached), which amends several sections of the City's zoning regulations consistent with local needs, as directed in the October 26, 2021 motion. This Draft ordinance implements what is intended by RCW 36.70A.545 (attached) and as directed by the City Council, specifically to focus on the Bethany Lutheran property as a pilot project.

The Planning Commission discussed the draft ordinance at their meeting on through January and February. The draft ordinance has been updated to reflect that Planning Commission direction.

During the February 24 2022 Planning Commission discussion, the Commission made several changes to the draft ordinance. The attached public hearing draft of the ordinance has been updated to reflect the changes made by the Commission on February 24, and was discussed by the Commission after closing the public hearing on March 10.

BACKGROUND: As described in more detail in the staff memorandum attached with this agenda item, in 2019, the Washington State Legislature approved Substitute House Bill (SHB) 1377 which would facilitate affordable housing projects on properties owned or controlled by eligible religious organizations. The law facilitates affordable housing

development by requiring a density bonus, subject to certain conditions. Although current City affordable housing regulations allow a certain amount of affordable housing on properties owned or controlled by religious organizations, including via a density bonus (see staff memo), it is recommended that the City enact regulations to implement the purpose and intent of the 2019 legislation. The applicable state law provision is RCW 36.70A.545 (see attached). Such development is supported by the City's Comprehensive Plan broadly, and specifically Housing Element Policy HO 3.4.

Policy HO 3.4 Partner with non-profit housing organizations, churches, the development community, local lending institutions, elected officials and the community at large to assist in meeting affordable housing goals and implementing strategies.

On October 26, 2021, the City Council discussed this topic and passed the following motion (6-1) to refer this topic to the Planning Commission:

I move to refer this topic to the Planning Commission to work with City staff to prepare an ordinance to effectuate what is intended by RCW 36.70A.545, including to develop implementing regulations consistent with local needs, specifically to focus on the Bethany Lutheran property and to consider that as a pilot project.

ATTACHMENTS:

MEMORANDUM

Date: March 18, 2022

To: Planning Commission

From: Jennifer Sutton, AICP, Senior Planner

Subject: Ordinance No. 2022-02 (formerly 2021-38) Increased Density Bonus for Affordable Housing Development on Property Owned or Controlled by Religious Organizations

I. MEETING PURPOSE

The purpose of tonight's Planning Commission agenda item is to continue discussion on Draft Ordinance No. 2022-02 (attached), which amends several sections of the City's zoning regulations. The Planning Commission could make additional amendments to the ordinance, and/or consider making a recommendation on the ordinance to the City Council.

Draft Ordinance No. 2022-02 implements what is intended by (1) [RCW 36.70A.545](#) to provide a density bonus for any affordable housing development located on property owned by a religious organization, and (2) directed by the City Council on October 26, 2021, specifically to focus on the Bethany Lutheran Church property as a pilot project.

Bethany Lutheran Properties Bethany Lutheran Church owns 2 properties totaling 8.43 acres located at the southwest intersection of NE High School Road and Sportsman Club Road NE. The properties are zoned R-0.4, which yields a base density of 4 dwelling units. It is located across Sportsman Club Road NE from the R-2 Zone and Winslow Sewer Service Area. Bethany Lutheran Church currently hosts a Kitsap Transit Park and Ride lot, and there is a separated multiuse path along the eastern portion of the property (Sportsman Club Road NE). Paved shoulders and sidewalks are on NE High School Road, east of the Sportsman Club Road NE intersection.



II. DRAFT ORDINANCE 2022-02

Ordinance 2022-02 adds a new type of land use, *Affordable Housing Development on Religious Organization-Owned Properties, including the Bethany Lutheran Affordable Housing Pilot Project*, to the Permitted Use Table, BIMC Table 18.09.020 (see Exhibit A) and new regulations for this use added to BIMC 18.21.050. This new use is added only to the R-0.4 zone, which is the zoning designation for the 2 properties that make up the Bethany Lutheran Church (see above, and Exhibit A). The draft regulations describe that projects which are processed pursuant to [RCW 36.70A.545](#) and must meet any applicable land use and environmental procedures and regulations for BIMC Titles 15, 16, 17, and 18, unless modified by the new regulations, Ordinance No. 2022-02.

Other Standards included by Reference

The additional regulations proposed for a *Bethany Lutheran Affordable Housing Pilot Project* are in addition to underlying land use permitting requirements in BIMC Chapter 2.16 (proposed ordinance new BIMC Section 18.21.050.B) and any applicable land use regulations for BIMC Titles 15, 16, 17, and 18 (proposed ordinance new BIMC Section 18.21.050.D). Examples of BIMC development standards that would apply to a future *Bethany Lutheran Affordable Housing Pilot Project* are:

- Stormwater Management (Chapter 15.20)
- Transportation Concurrency (Chapter 15.32)
- Critical Areas (Chapter 16.20)
- Setbacks, building height (Table 18.12.020.-2)
- Roadside buffers (18.15.010.E)
- *Design for Bainbridge* design guidelines (18.18)
- Permitting Fees (Fee Schedule)

III. NEXT STEPS:

The Planning Commission is tasked with reviewing and possibly revising Ordinance No. 2022-02, holding a public hearing on the ordinance, and eventually, providing a recommendation to the City Council on the ordinance. The City Council will then take up the ordinance for its own review and decision

The Planning Commission may consider additional amendments to the ordinance during its discussion. At the end of the meeting, the Commission could take the following actions:

1. Schedule additional discussion on Ordinance No. 2022-02 for a future Planning Commission meeting.
OR
2. Make a recommendation to the City Council on Ordinance No. 2022-02.

ORDINANCE NO. 2022-02

(formerly Ordinance No. 2021-38)

AN ORDINANCE of the City of Bainbridge Island, Washington, amending BIMC Table 18.09.020, Section 18.09.030 and Chapter 18.21, related to affordable housing on property owned by religious organizations.

WHEREAS, the City of Bainbridge Island Comprehensive Plan Housing Element Policy HO 3.4 encourages partnering with non-profit housing organizations, churches, the development community, local lending institutions, elected officials and the community at large to assist in meeting affordable housing goals and implementing strategies; and

WHEREAS, the City of Bainbridge Island created a short-term Affordable Housing Task Force (AHTF) in 2017 to help achieve the affordable housing goals and policies in the Comprehensive Plan and help the City prioritize a variety of affordable housing actions, recognizing the current housing crisis in the Puget Sound region, Kitsap County and Island-wide; and

WHEREAS, the Comprehensive Plan Guiding Principle #3 directs us to foster diversity with a holistic approach to meeting the needs of the Island and the human needs of its residents consistent with the stewardship of our finite environmental resources; and

WHEREAS, Guiding Policy 3.1 reads *Ensure a variety of housing choices to meet the needs of present and future residents in all economic segments and promote plans, projects and proposals to create affordable housing*; and

WHEREAS, in 2019, the Washington State Legislature enacted Substitute House Bill (SHB) 1377 to facilitate the development of affordable housing projects on property owned or controlled by religious organizations; and

WHEREAS, the applicable state law provision implementing SHB 1377 is RCW 36.70A.545 and the law facilitates affordable housing development on property owned or controlled by religious organizations by requiring a density bonus; and

WHEREAS, the City Council became aware of an ongoing discussion about constructing affordable housing on the Bethany Lutheran Church properties, and on April 20, 2021, the City Council endorsed moving forward with implementing SHB 1377 in advance of completing a Housing Action Plan; and

WHEREAS, on October 26, 2021, the City Council approved a motion to direct the Planning Commission to work with staff to prepare an ordinance to develop implementing regulations consistent with local needs, specifically to focus on the Bethany Lutheran property and to consider that as a pilot project to implement RCW 36.70A.545; and

WHEREAS, the Planning Commission considered draft Ordinance No. 2022-02 (formerly 2021-38) on November 18, 2021, January 13 and 27, February 10 and 24, 2022; and

WHEREAS, the Planning Commission held a public hearing on Ordinance No. 2022-02 (formerly 2021-38), on March 10, 2022, and after closing the public hearing, made a recommendation of XXX of Ordinance No. 2022-02 (formerly 2021-38) to the City Council; and

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

WHEREAS, on XXXX, the City Council reviewed Ordinance No. 2022-02; and

WHEREAS, on XXXX, the City Council approved Ordinance No. 2022-02.

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

Section 1. Table 18.09.020 of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A.

Section 2. Section 18.09.030.C. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

3. Religious Facilities.

- a. In the WD-I district, religious facilities are a conditional (“C”) use. Conference centers with overnight accommodations are not permitted.
- b. In the ferry terminal overlay district, religious facilities are only allowed south of Winslow Way.
- c. Lot coverage for religious facilities in residential zones is reduced by 50 percent of the allowable lot coverage in the zone where the religious facility is located. See Table 18.12.020-2 for lot coverage standards in residential zones. This lot coverage reduction does not apply to Affordable Housing Development on Religious Organization-Owned Properties, as described in Section 18.21.050 BIMC.

Section 3 Chapter 18.21 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

18.21.050 Affordable Housing Development on Religious Organization-Owned Properties, including the Bethany Lutheran Affordable Housing Pilot Project : In order to implement RCW 36.70A.545, the City shall allow a maximum density bonus consistent with Section 18.21.050.E on properties owned by religious organizations, when requested

by such organizations. The projects must meet the provisions of RCW 36.70A.545 and the requirements listed below.

A. Pilot Project. Projects built under BIMC 18.21.050 shall initially be limited solely to the property collectively known as “Bethany Lutheran Church”, as a pilot project, located at the southwest intersection of NE High School Road and Sportsman Club Road NE (see Figure 18.21.050-1 below).

B. The affordable housing proposal shall follow existing land use permit review procedures depending on what type of housing development is proposed. Multifamily housing would be reviewed through the Site Plan and Design Review process of Section 2.16.040 BIMC, and subdivision would be reviewed through the short or long subdivision process of Sections 2.16.070 or 2.16.125 BIMC (respectively), unless specifically modified by this section.

C. All projects developed under this code section, in addition to what is provided under Section 2.16.040 BIMC, shall be subject to the process for Conditional Use Permits (Section 2.16.10.050 or 2.16.110 BIMC) and must be reviewed by the Planning Commission and adhere to the procedures for project review by the Planning Commission.

D. All project proposals shall be subject to applicable residential development standards for Titles BIMC 15, 16, 17 and 18, unless specifically modified by this section. The affordable housing project must meet all requirements of the City and/or Kitsap Public Health District for providing drinking water or on-site septic.

E. Project bonus density. The density for projects may be increased above the base density by the following amounts:

1. Two units per acre for projects located within the Winslow Subarea Plan Study Area or within one-quarter mile of the Winslow Subarea Plan Study Area;
2. Two units per acre for projects located within one-quarter mile of a Neighborhood Center; and
3. One and one-half units per acre for all other projects.

F Accessory Dwelling Units (ADU). ADUs are prohibited.

G. Affordable Housing. All dwelling units planned and constructed through this section must meet the following requirements:

1. All units must be used exclusively for affordable housing purposes for at least ninety-nine years;
2. Units must be sold or rented to households whose adjusted income is less than eighty percent of the Area Median Income;

3. At least ten percent of the units must be sold or rented to households whose adjusted income is less than fifty percent of the Area Median Income;
4. At least fifty percent of the units must be rental housing; and
5. The sales price or rent amount, including utilities other than telephone and cable TV, cannot exceed thirty percent of the monthly income of the household. of the income limit for the low-income housing units.
6. The City shall require documentation to be signed and recorded through the land use and building permitting process to ensure ongoing compliance with the income requirements.
7. The City will establish by rule a formula for calculating maximum affordable prices for sales subsequent to the initial sale to allow modest growth in homeowner equity while maintaining long term affordability for future buyers.

H. Parking. The amount of parking will be determined as part of a transportation study/ mobility assessment.

I. The maximum dwelling unit size shall be limited to 1400 square feet.

J. Green building. The dwelling units must meet either a green building certification standard of International Living Future Institute Core Certification, BuiltGreen 5 Star Certification, or Evergreen Sustainable Development. The certification program must utilize third-party verification.

K. Community space. All projects must provide Natural Areas and Community Space consistent with the standards in BIMC 17.12.050, except that, at a minimum, all projects shall provide five percent of the total lot area as Community Space, even when the maximum natural area is provided. Community space should adjoin the largest practicable number of residences within the development. Nonadjoining residences shall be provided with safe and convenient pedestrian access to community space. The community space must be outside of required roadside buffers. The community space must include a neighborhood garden area, and could include other community amenities such as seating, playground or other recreation features.

L. Projects proposed and constructed on the same property(ies) as existing buildings may result in a permitted mixed-use property. This ordinance shall not apply to religious-owned properties that are expanded or acquired after the effective date of this ordinance, unless the primary purpose of said expansion or acquisition is to provide a new or expanded facility for religious worship.

M. Pilot Project Evaluation. An evaluation of the Pilot Project shall be developed one year and four year post certificate of occupancy and provided to the Planning

Commission, City Council and the community. The evaluation must, at a minimum, address the following elements/questions, and may include other elements if needed:

1. How did the project address local need and if not why?
2. In what ways did the project address and fit with the upcoming Housing Action Plan/Assessment and if not why?
3. How was the project consistent with elements of the Bainbridge Island Climate Action Plan and B.I. Community-based strategies to reduce Green House Gas Emissions (get better title) if not why?
4. Did the project fit with the existing neighborhood/community? If yes, how and if not why?
5. Did the project satisfy any of the goals set forth in the *Planning for Equity*? If yes, how? If not Why?
6. What were any unintended consequences?
7. How might the ordinance be modified to address unforeseen issues and concerns?

Figure 18.21.050-1



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 preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

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

PASSED by the City Council this XXX.

APPROVED by the Mayor this XXX.

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NUMBER:

Exhibit A to Ordinance No. 2022-02

EXCERPT Table 18.09.020 Use Table

"P" = Permitted Use	"A" = Accessory Use										Additional use restrictions for Chapters 16.12 and 16.20 BIMC may apply to shoreline or critical area properties									
"C" = Conditional Use	"CA" = Conditional Accessory Use																			
Blank = Prohibited Use	"T" = Temporary Use																			
ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]					
RESIDENTIAL Note: Residential uses may be subject to additional requirements in BIMC 16.12.040.I, Residential Development.																				
Household Living																				
Single-Family Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			B-1
Single-Family Dwelling existing on 4/15/96											P	P	P							B-1
Multifamily Dwellings	C	C	C	C	C	C	P	C	P	P	P	P	P	P	P	P	P			B-2
Commercial/Residential Mixed Use Developments									P	P	P	P	P	P	P	P	P			B-3
Live/Work Units																		P		B-4
NEW: Affordable Housing Development on Religious Organization-Owned Properties, including the Bethany Lutheran Affordable Housing Pilot Project	C																			18.21.050
PUBLIC AND INSTITUTIONAL																				
Community and Educational Facilities																				
Educational Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	C	P	C		C	C-1
Vocational/Trade Instruction Facilities	C																	P		
Governmental Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	C	P	C		C	C-2
Religious Facility	C	C	C	C	C	C	C	C	C	P	P	P	P	C	C	P	C		C	C-3, 18.21.050

Commissioner Blossom's potential motions for March 24, 2022

1. I move to add the following language to the 6th Whereas clause that begins with "the applicable state law": after "housing development" add the phrase "consistent with local needs".
2. I move to amend the last sentence of Section 18.09.030(C)(3)(c) so that it reads as follows: This lot coverage reduction does not apply to Affordable Housing Development on properties owned or controlled by religious organizations, as described in Section 18.21.050 BIMC.
3. I move to amend 18.21.050 by removing the word "maximum".
4. I move to amend the last sentence of 18.21.050(D) by changing the "or" to an "and" before "on-site septic" and adding ", if applicable".
5. I move to amend 18.21.050(E) by adding ", provided that all other provisions of the code are met" at the end of the sentence.
6. I move to amend the second sentence of 18.21.050(L) so that the first portion reads "This ordinance shall not apply to property owned or controlled by religious organizations . . ."
7. I move to amend 18.21.050 by creating a new, separate section for the second sentence of 18.21.050(L).
8. I move to amend 18.21.050 as follows: Delete sections M, G(3), G(4) and G(5) and add a new section titled "Consistency Analysis" that reads "The applicant shall prepare a Consistency Analysis to be considered by the Planning Commission as part of their review and recommendation. The Consistency Analysis shall describe how the proposed project is consistent with, supported by or addresses the following: i. Housing Needs Assessment; ii. Housing Action Plan (if the project is proposed after completion of the Housing Action Plan); iii. Planning for Equity; iv. Bainbridge Island Climate Action Plan and B.I. Community-based strategies to reduce Green House Gas Emissions; and v. How the project is designed to fit with the neighborhood character (as defined by *Design for Bainbridge*) and mitigate impacts.
9. I move to amend 18.21.050 with the following two changes: First, amend the first paragraph so that it reads "Affordable Housing Pilot Project. To implement RCW 36.70A.545, the City shall allow a density bonus consistent with Section 18.21.050(E) for affordable housing to be planned and constructed on the properties collectively known as "Bethany Luther Church" located at the southwest intersection of NE High School Road and Sportsman Club Road NE (see Figure 18.21.050-1) as a pilot project. The pilot project must meet the requirements listed below and the provisions of RCW 36.70A.545". Second, amend section E so that it reads "Bonus density. The density for the pilot project may be increased above the base density by two units per acre, provided that all other provisions of the code are met." All other parts of section E are to be removed.

Draft Motions being considered by Commissioner Macchio

I move to add the following “where as” clauses in the public hearing draft of ordinance 2022-02 to read as follows:

WHEREAS, VISION 2050, developed by the Puget Sound Regional Council, is the Puget Sound Region’s plan and vision for managing growth over the coming decades. The regional growth strategy is to provide exceptional quality of life, opportunity for all, connected communities, a spectacular natural environment, and an innovative, thriving economy.

WHEREAS the Comprehensive Plan Goal EN 5.1 reads, *Protect and enhance wildlife, fish resources and ecosystems;*and

WHEREAS, the Comprehensive Plan Guiding Policy EN 12.3 reads, *Strive for reduced greenhouse gas emissions by, among other actions, integrating climate change into the city planning process, including land use and transportation planning and management, and making climate change considerations and meeting greenhouse gas emission reduction goals a component of city decision making;* and

WHEREAS, the Comprehensive Plan Guiding Policy EN 12.6 in part reads, *Promote energy conservation measures by all government entities including:*

- *Adopting incentive programs and design standards that encourage the employment of renewable energy sources and energy efficient appliances on the island*

WHEREAS, the Comprehensive Plan Guiding Policy HO 3.6 reads *Develop standards to encourage development of small to mid-size single family housing units. These provisions may include a framework to permit small-unit housing development such as tiny houses, micro units and cottage housing.*

WHEREAS, the Comprehensive Plan Guiding Policy HO 6.4 reads *Create a new conservation villages permit processes to apply outside of designated centers to increase housing choices, including affordable housing and require green building practices, while better conserving open space.*

WHEREAS, the Comprehensive Plan Guiding Principle Guiding #4 directs us to consider the costs and benefits to Island residents and property owners in making land use decisions; and

WHEREAS, the Comprehensive Plan Guiding Policy LU 14.1 reads *The Residential District area is designated for less intensive residential development and a variety of agricultural and forestry uses;* and

WHEREAS, the Comprehensive Plan Guiding Policy LU 14.2 reads

Encourage residential development that is compatible with the preservation of open space, forestry, agricultural activities, and natural systems. Accessory farm buildings and uses are allowable; and

WHEREAS, the Comprehensive Plan Guiding Policy LU 14.3 reads *Maintain the natural and scenic qualities of the Island by limiting residential density; and*

WHEREAS, the Comprehensive Plan Guiding Policy LU-14 reads *Develop context-sensitive regulations for residential development in areas designated R-2, R-1 or R-0.4, in order to limit clearing, soil disturbance, promote low impact development and reconcile development and conservation; and*

WHEREAS, the Comprehensive Plan Guiding Policy Goal LU-4 reads *As part of a long-term Island-wide Conservation and Development Strategy, focus residential and commercial development in designated centers, increase a network of conservation lands, maximize public access while protecting the shoreline, minimize impacts from the SR 305 corridor and conserve the Island's ecosystems and the green and open character of its landscape; and*

WHEREAS, the Comprehensive Plan Guiding Policy LU 4.1 reads *Focus development and redevelopment on the Island over the next fifty years in designated centers that have or will have urban levels of services and infrastructure while increasing conservation, protection and restoration on the Island, including shorelines, especially where there is interaction between the fresh and saltwater environment; and*

I move to revise the 6th “where as” clause in the public hearing draft of ordinance 2022-02 to read as follows:

WHEREAS, the applicable state law provision implementing SHB 1377 is RCW36.70A.545 and the law provides that any city or county fully planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization; and

I move to revise the 8th “where as” clause in the public hearing draft of ordinance 2022-02 to read as follows:

WHEREAS, on October 26, 2021, the City Council approved a motion to direct the Planning Commission to work with city staff to prepare an ordinance to effectuate what is intended by RCW 36.70A.545, including to develop implementing regulations consistent with local needs, specifically to focus on the Bethany Lutheran property and to consider that as a pilot; and

I move to revise 18.21.050 in the public hearing draft of ordinance 2022-02 to read as follows:

18.21.050 Affordable Housing Development on Religious Organization-Owned Properties: In order to implement RCW 36.70A.545, the City shall allow a maximum density bonus consistent with Section 18.21.050.D on properties owned by religious organizations, when requested by such organizations. For the purposes of this section "Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that 1) owns or controls real property and 2) has regular members and 3) its primary activity is to hold regular meetings on the religious owned property that are attended regularly by its members. The projects must meet the provisions of RCW 36.70A.545 and the requirements listed below.

I move to delete the wording in 18.21.050.A. related to Pilot Project.

I move to delete 18.21.050.M related to Pilot Project Evaluation.

**HOW “WHEREAS” SECTION WOULD BE ORGANIZED
IF MACCHIO MOTIONS APPROVED**

AN ORDINANCE of the City of Bainbridge Island, Washington, amending BIMC Table 18.09.020, Section 18.09.030 and Chapter 18.21, related to affordable housing on property owned by religious organizations.

WHEREAS, in 2019, the Washington State Legislature enacted Substitute House Bill (SHB) 1377 to facilitate the development of affordable housing projects on property owned or controlled by religious organizations; and

WHEREAS, the applicable state law provision implementing SHB 1377 is RCW 36.70A.545 and the law provides that any city or county fully planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization; and

WHEREAS, the City Council became aware of an ongoing discussion about constructing affordable housing on the Bethany Lutheran Church properties, and on April 20, 2021, the City Council endorsed moving forward with implementing SHB 1377 RCW 36.70A.545 in advance of completing a Housing Action Plan; and

WHEREAS, on October 26, 2021, the City Council approved a motion to direct the Planning Commission to work with city staff to prepare an ordinance to effectuate what is intended by RCW 36.70A.545, including to develop implementing regulations consistent with local needs, specifically to focus on the Bethany Lutheran property and to consider that as a pilot; and

WHEREAS, the City of Bainbridge Island created a short-term Affordable Housing Task Force (AHTF) in 2017 to help achieve the affordable housing goals and policies in the Comprehensive Plan and help the City prioritize a variety of affordable housing actions, recognizing the current housing crisis in the Puget Sound region, Kitsap County and Island-wide; and

WHEREAS, VISION 2050 developed by the Puget Sound Regional Council, is the Puget Sound Region’s plan and vision for managing growth over the coming decades. The regional growth strategy is to provide exceptional quality of life, opportunity for all, connected communities, a spectacular natural environment, and an innovative, thriving economy; and

WHEREAS, the Comprehensive Plan Guiding Principle #3 directs us to foster diversity with a holistic approach to meeting the needs of the Island and the human needs of its residents consistent with the stewardship of our finite environmental resources; and

WHEREAS, the City of Bainbridge Island Comprehensive Plan Housing Element Policy HO 3.4 encourages partnering with non-profit housing organizations, churches, the development community, local lending institutions, elected officials and the community at large to assist in meeting affordable housing goals and implementing strategies; and

**HOW “WHEREAS” SECTION WOULD BE ORGANIZED
IF MACCHIO MOTIONS APPROVED**

WHEREAS, Guiding Policy 3.1 reads *Ensure a variety of housing choices to meet the needs of present and future residents in all economic segments and promote plans, projects and proposals to create affordable housing; and*

WHEREAS, Guiding Policy HO 3.6 reads *Develop standards to encourage development of small to mid-size single family housing units. These provisions may include a framework to permit small-unit housing development such as tiny houses, micro units and cottage housing.*

WHEREAS, Guiding Policy HO 6.4 reads *Create a new conservation villages permit processes to apply outside of designated centers to increase housing choices, including affordable housing and require green building practices, while better conserving open space*

WHEREAS the Comprehensive Plan Goal EN 5.1 reads, *Protect and enhance wildlife, fish resources and ecosystems; and*

WHEREAS, the Comprehensive Plan Guiding Policy EN 12.3 reads, *Strive for reduced greenhouse gas emissions by, among other actions, integrating climate change into the city planning process, including land use and transportation planning and management, and making climate change considerations and meeting greenhouse gas emission reduction goals a component of city decision making; and*

WHEREAS, the Comprehensive Plan Guiding Policy EN 12.6 in part reads, *Promote energy conservation measures by all government entities including:*

- *Adopting incentive programs and design standards that encourage the employment of renewable energy sources and energy efficient appliances on the island*

WHEREAS, the Comprehensive Plan Guiding Principle Guiding #4 directs us to consider the costs and benefits to Island residents and property owners in making land use decisions; and

WHEREAS, Guiding Policy LU 14.1 reads *The Residential District area is designated for less intensive residential development and a variety of agricultural and forestry uses; and*

WHEREAS, Guiding Policy LU 14.2 reads *Encourage residential development that is compatible with the preservation of open space, forestry, agricultural activities, and natural systems. Accessory farm buildings and uses are allowable; and*

WHEREAS, Guiding Policy LU 14.3 reads *Maintain the natural and scenic qualities of the Island by limiting residential density; and*

WHEREAS, Guiding Policy LU-14 reads *Develop context-sensitive regulations for residential development in areas designated R-2, R-1 or R-0.4, in order to limit clearing,*

**HOW “WHEREAS” SECTION WOULD BE ORGANIZED
IF MACCHIO MOTIONS APPROVED**

soil disturbance, promote low impact development and reconcile development and conservation; and

WHEREAS, Guiding Policy Goal LU-4 reads *As part of a long-term Island-wide Conservation and Development Strategy, focus residential and commercial development in designated centers, increase a network of conservation lands, maximize public access while protecting the shoreline, minimize impacts from the SR 305 corridor and conserve the Island’s ecosystems and the green and open character of its landscape; and*

WHEREAS, Guiding Policy LU 4.1 reads *Focus development and redevelopment on the Island over the next fifty years in designated centers that have or will have urban levels of services and infrastructure while increasing conservation, protection and restoration on the Island, including shorelines, especially where there is interaction between the fresh and saltwater environment; and*

WHEREAS, the Planning Commission considered draft Ordinance No. 2022-02 (formerly 2021-38) on November 18, 2021, January 13 and 27, February 10 and 24, 2022; and

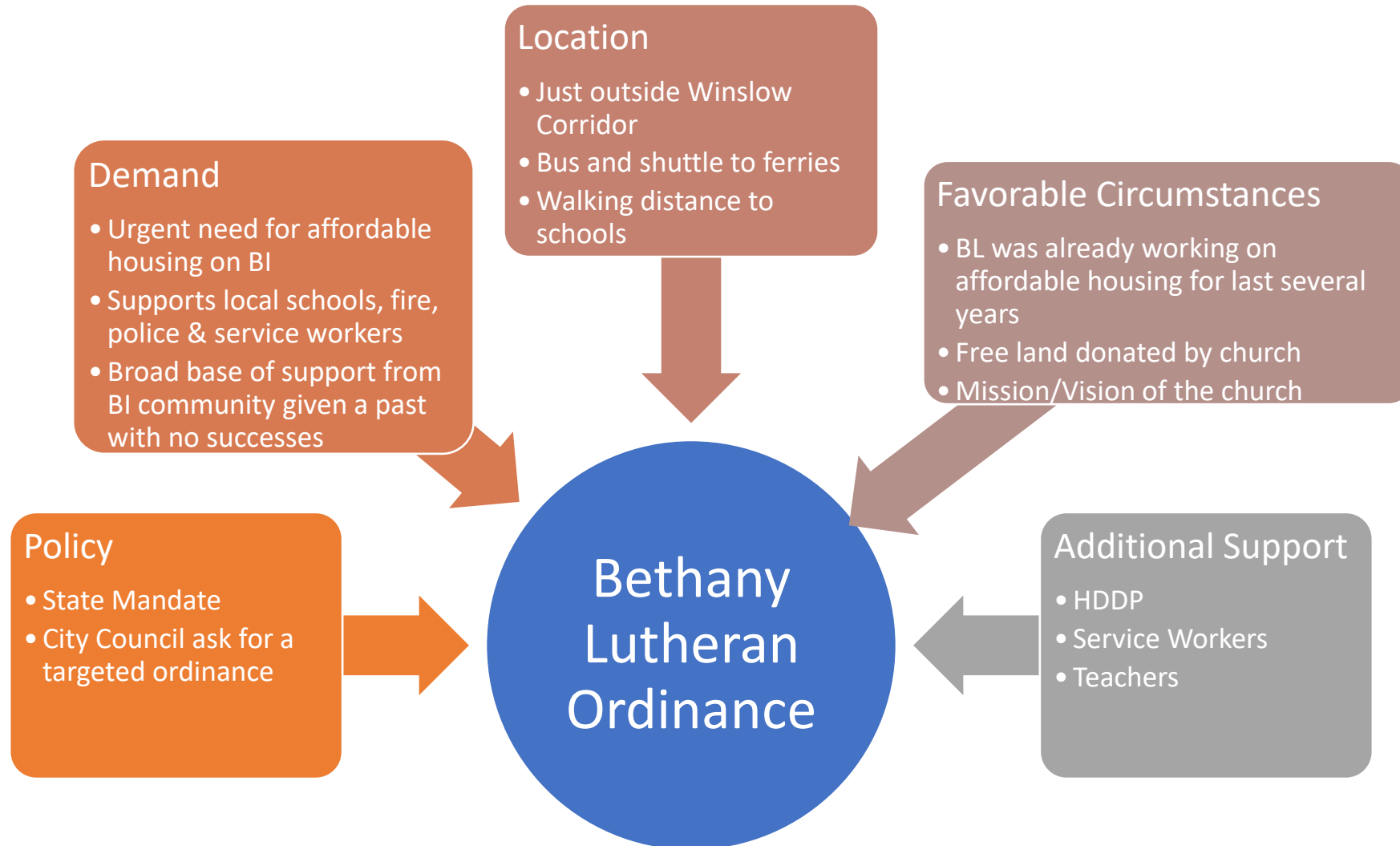
WHEREAS, the Planning Commission held a public hearing on Ordinance No. 2022-02 (formerly 2021-38), on March 10, 2022, and after closing the public hearing, made a recommendation of XXX of Ordinance No. 2022-02 (formerly 2021-38) to the City Council; and

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

WHEREAS, on XXXX, the City Council reviewed Ordinance No. 2022-02; and

WHEREAS, on XXXX, the City Council approved Ordinance No. 2022-02

Community Input re Drivers for Bethany Lutheran Ordinance



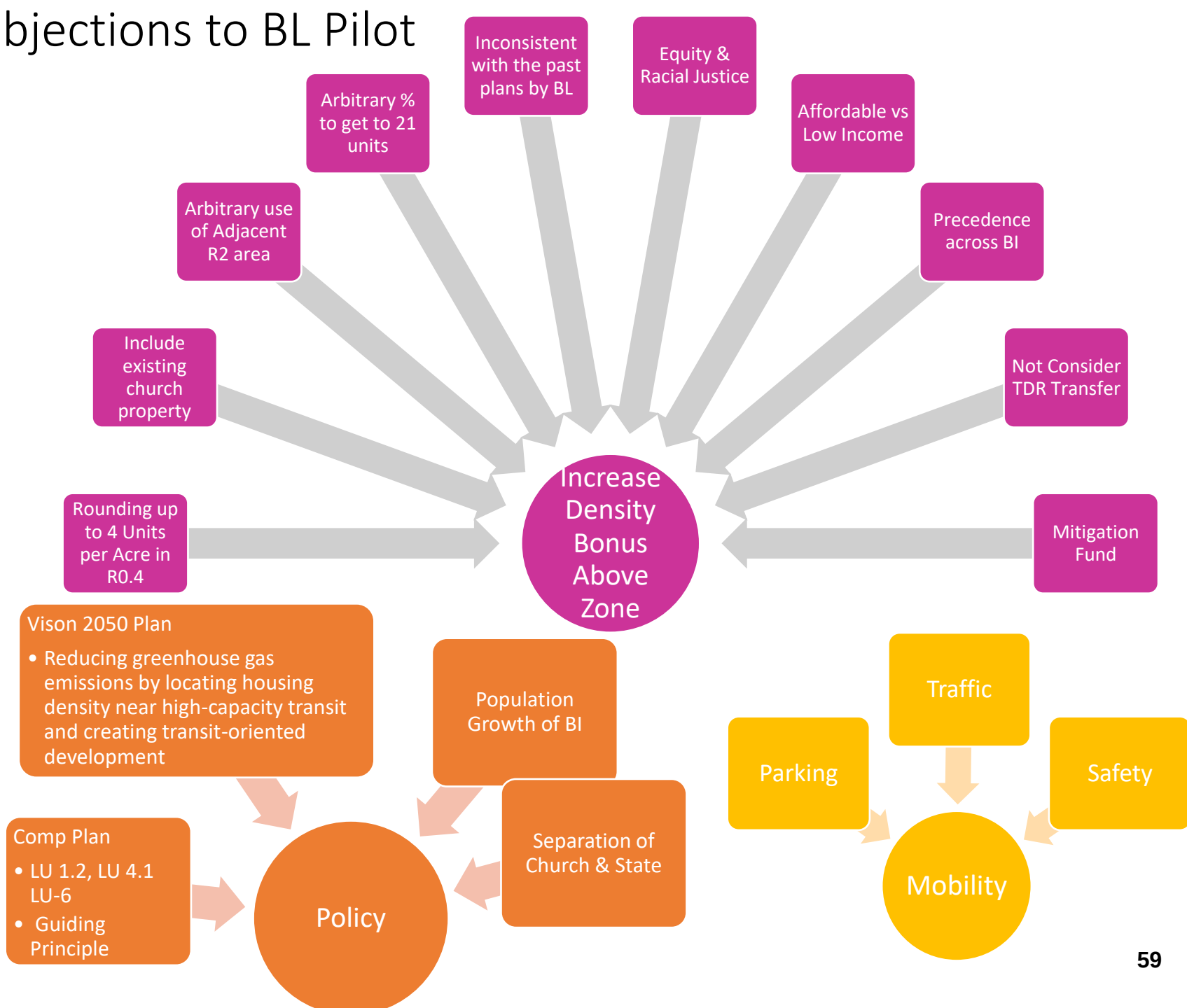
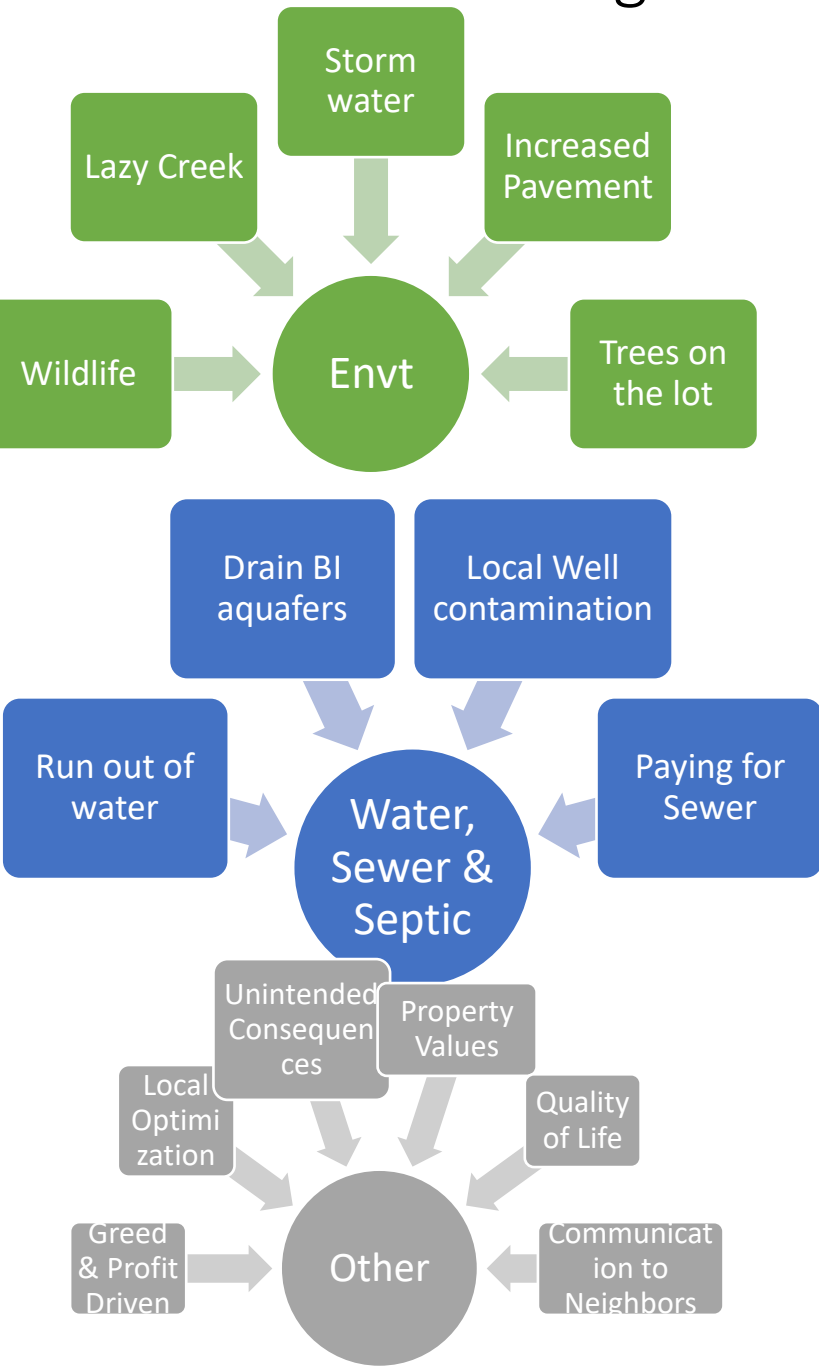
RCW /Bethany Lutheran Pilot

Addressing the Objections from public comments received through 10am today

Commissioner Yesh Subramanian

March 13, 2022

6 Categories Objections to BL Pilot



Addressing Objections (1 of 2)

Objections	Risk Mitigation	Inclusion in Ordinance/Site Plan Review
Environment	• Lazy Creek encroachment protected by Road as buffer for 200 ft required for wetlands Code 16.20 • Increased pavement is not planned/will have to go through City • Trees on the lot addressed to a parallel SEPA plan review as part of Site Review • Storm water covered by city rules on new development/redevelopment (Title 15 Code) • Wildlife corridor needs to be mitigated by site plan/open space allocation (Sec 16.20.110) • Green considerations covered by 18.12.050?. Opportunity to incentivize further?	Addressed by Site plan Review and Code
Water and Sewage	• Water already flowing through the city which is not sourced by BI aquifer (City to validate) • No other water in BI being tapped (City to validate) • Local well proximity governed by prelim plans to the state given septic size ie >100 ft etc and soil logs and part of site plan with setbacks (<i>Need Code ref</i>) • BL will be paying for any additional costs re sewer/no tax payer \$	Addressed by Site plan Review and Code
Mobility	• Mobility & Parking Ordinance addresses these needs • Neighborhood Safety needs to be discussed (if there is any reason to have added concern)	Yes
Other	• Profit Drive-BL or any other application has required HDDP subsidy • Local Optimization-Pilot • Unintended consequences need to be addressed along the way (Site plan, SEPA, Ordinance, Study) • Impact on property values • Quality of Life considerations	City has data Part of Pilot Needs to be addressed

Addressing Objections (2 of 2) the more critical page

Objections	Risk Mitigation	Inclusion in Ordinance/Site Plan Review
Increasing Density Bonus above zone	• 21 arrived at as a compromise between 12 and 28 max units (Backed into from 56 limit from sewer) • 4 units is correct per the explicit language to round up with ≥ 0.5 per 18.12.050 • Exclusion of existing property: Lot coverage based on mixed use neighborhood table (Lynwood) per 18.12.020.3 • Use of adjacent R2 was based on the 0.25 mile radius out of Winslow formula. % were outcome of compromise of 21 units • Yes while BL's ask is inconsistent with prior plans, the RCW allows to address an urgent need so BL has stepped up • Equity and Racial justice addressed by % low vs moderate income and ability to keep some equity upon sale as well as allocation of rental % • Precedence across other churches addressed by limiting this STRICTLY to BL • TDR have been considered in the past but can be considered again • Mitigation fund idea included in planned ordinance	
Policy	• Intent/Need is to balance a number of the Land Use Goals and Policies in the Comprehensive Plan • Intent/Need is to balance with Vision 2050 Plan • The population growth for BI is a moving target and % agreed upon does not materially affect this one pilot decision • The law provides that the city allows the churches to help with affordable housing by providing an increased bonus density.	

Key Observations re Objections



Recommended
Focus for
discussion

Addressed /Will be Addressed

- Environment
- Water & Sewer
- Mobility
- Other

Open/Debated

- Upzoning: Use of R2 and formula based on proximity to Winslow Core
- Policy: Balance with Comprehensive and Vision 2050 Plans

RCW 36.70A.545

Increased density bonus for affordable housing located on property owned by a religious organization.

(1) Any city or county fully planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) A city or county may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development.

(3) An affordable housing development created by a religious institution within a city or county fully planning under RCW 36.70A.040 must be located within an urban growth area as defined in RCW 36.70A.110.

(4) The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.

(5) If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

(6) This section applies to any religious organization rehabilitating an existing affordable housing development.

(7) For purposes of this section:

(a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit;

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and

(c) "Religious organization" has the same meaning as in RCW 36.01.290.

[2019 c 218 § 3.]