



CITY OF
BAINBRIDGE ISLAND

PLANNING COMMISSION
SPECIAL MEETING
THURSDAY, APRIL 25, 2019
6:00 – 9:00 PM
COUNCIL CHAMBER
280 MADISON AVE N
BAINBRIDGE ISLAND, WA 98110

AGENDA

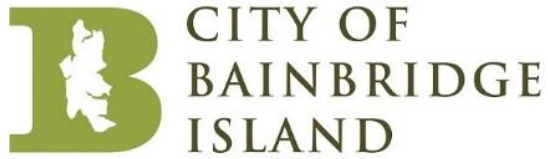
- 6:00 PM PUBLIC PARTICIPATION MEETING
Bainbridge Hildebrand Apartments ([PLN51281 PRE](#))
Senior Planner Kelly Tayara
- 7:00 PM CALL TO ORDER
Call to Order, Agenda Review, Conflict Disclosure
- 7:05 PM PUBLIC COMMENT
Accept public comment on off agenda items.
- 7:10 PM HOUSEKEEPING & CLARIFICATION OF LAND USE CODE
Long Range Senior Planner Jennifer Sutton
- 8:00 PM AFFORDABLE HOUSING
Long Range Senior Planner Jennifer Sutton
- 8:55 PM NEW/OLD BUSINESS
- 9:00 PM ADJOURN

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

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

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

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: April 25, 2019
To: Planning Commission
From: Jennifer Sutton, AICP
Senior Planner
Subject: Development Code “Housekeeping” Changes

I. BACKGROUND

The Department of Planning and Community Development staff have identified many areas of the development code ([BIMC Chapters 2.14, 2.16 and Titles 17 and 18](#)) that could be clarified, updated or where there are errors in need of correction. For Planning Commission review, the proposed updates have been divided into two categories:

- 1) General “Housekeeping” and
- 2) Updates to the [BIMC Sections 2.16.040 \(Site Plan and Design Review\)](#) and [2.16.050/110 \(Conditional Use Permits\)](#).

The Planning Commission will first have the opportunity to review and ask staff questions about the general “Housekeeping” changes. Changes that are more than clarifying or fixing errors are attached in strikeout/underline format.

II. NEXT STEPS

May 9: Planning Commission Study Session on Proposed Update to Site Plan and Design Review (SPR, BIMC Section 2.16.040) and Minor/Major Conditional Use Permit Chapters (CUP, BIMC Section 2.16.050/110). Additional general housekeeping changes from the City Surveyor and City Attorney will be brought forward at this study session.

May 23 or June 13: Planning Commission Public Hearing on “Housekeeping”, SPR & CUP Development Code Update. Possible Recommendation to City Council

2.14.030.C.2.b Hearing Examiner

b. Develops ~~procedural rules~~ rules of procedure for the scheduling and conduct of hearings and related matters, which shall be adopted by the city council by resolution. Such rules of procedure may be amended from time to time by resolution of the city council. ~~Such rules shall be available from the office of the city clerk upon request;~~

2.16.020.R.1.c General Provisions- Appeals

c. Rules. The rules of procedure adopted under BIMC 2.14.030.C.2.b shall address appeal hearings before the hearing examiner. Any rules of procedure for appeal hearings adopted by the hearing examiner shall be kept on file with the office of the city clerk and shall be provided to any person filing an appeal upon request.

2.16.020.R.2 General Provisions- Appeals

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

2.16.060 Minor variance.

B. Applicability.

1. The minor variance process may be used for minor deviations from zoning standards in BIMC Title [18](#) as determined by the director. Minor projects should be limited to: (a) projects that are exempt from review under the State Environmental Policy Act (SEPA), or (b) proposals for less than a 25 percent encroachment in required yards, or (c) proposals of less than a 25 percent increase in lot coverage, **or (d) proposals to locate a single-family residence on an existing lot.** All other variances shall be processed using the procedures set forth in BIMC [2.16.120](#).
2. This process may also be used for minor variation(s) from the engineering requirements of the adopted city of Bainbridge Island engineering and development standards if the requested variation will further the purposes of the BIMC and is approved by the department director, after recommendation by the city engineer and/or the fire marshal.
3. For projects participating in a housing design demonstration project pursuant to BIMC [2.16.020.S](#), design guidelines may be varied if the applicant can demonstrate that deviation from the guidelines will facilitate meeting goals of the housing design demonstration program.
4. This procedure is not available to obtain variances from subdivision standards in BIMC Title [17](#) or to obtain variances from BIMC Title [18](#) zoning standards cross-referenced in BIMC Title [17](#) as part of a short subdivision, long subdivision, or large lot subdivision approval or amendment process, except for those engineering standards covered by subsection B.2 of this section.
5. This procedure is not available to allow the siting for an accessory dwelling unit where it would not otherwise be permitted.
6. A variance shall not be granted solely because of the presence of nonconformities in the vicinity of the subject site.
7. The provisions of this section shall supplement those of BIMC [2.16.020](#) and [2.16.030](#). In the event of a conflict between the provisions of BIMC [2.16.020](#) or [2.16.030](#) and this section, the provisions of this section shall govern.

2.16.070 Short Subdivisions

- D. Review Procedures – Proposal Stage. Review of short subdivision proposals shall include all of the following except that the division or redivision of land into two lots shall not be required to comply with subsections D.1 and D.2 of this section:
1. Conceptual Proposal Review Meeting. The conceptual proposal review meeting is a means of screening short subdivision proposals in their earliest stages of design before proponents are committed to a particular design. The conceptual proposal meeting is an opportunity to ensure that the proponent understands the objectives of the review process, design guidelines, and comprehensive plan goals and policies. This early touch allows review bodies to dialogue in an informal manner with the applicant, review the design guidelines and comprehensive plan goals and policies applicable to the site, and explore design concepts and/or options. It is also a means for staff to acquaint the prospective applicant with the procedural steps for subdivision review. The conceptual proposal review meeting will be held at a meeting of the design review board. Submittal requirements are described in the administrative manual, and include a statement of intent, site analysis, and context map. An applicant may request a waiver from the conceptual proposal review meeting if the applicant demonstrates knowledge and understanding of the city's permit processing procedures.
 2. Design Guidance Review Meeting. The design guidance review meeting is intended to provide input and guidance to an applicant on consistency with applicable design guidelines and comprehensive plan goals and policies, including recommendations for how the project could be revised to achieve greater consistency. The applicant should also make known the potential need and rationale for any departure from the design guidelines or the city of Bainbridge Island design and construction standards and specifications. The design guidance review meeting will be held at a meeting of the design review board. Submittal requirements are described in the administrative manual and include documentation of the four-step design process, schematic design, and completed subdivision design guidelines checklist. The four-step design process includes:
 - a. Delineate Natural Space. The applicant shall prioritize natural resources on the site in terms of their highest to least appropriateness for inclusion in the proposed natural area. On the basis of those priorities and practical considerations given to the site's configuration, its context in relation to natural areas on adjoining and neighboring properties, and the applicant's subdivision objectives, natural space shall be delineated in a manner clearly indicating boundaries as well as the types of resources. The amount of natural space required is provided in Chapter [17.12](#) BIMC.
 - b. Locate Homesites and Community Space. After delineating natural space, homesite areas and community space shall be identified (a "sketch" diagram is acceptable), using the site analysis and context maps produced for the conceptual proposal review meeting as a base map. The amount of community space required is provided in Chapter [17.12](#) BIMC.
 - c. Define Access. After locating the natural space, homesites, and community space, the access network shall be defined. The access network shall provide a safe, convenient, and efficient system for vehicular, pedestrian and bicycle circulation and minimize impacts on proposed natural space.
 - d. Draw Lot Lines. Upon completion of the preceding three steps, draw lot lines to delineate the boundaries of individual lots.
 3. Preapplication Conference. The applicant shall participate in a preapplication conference in accordance with the provisions and requirements in BIMC [2.16.020](#).I. As part of the preapplication phase, applicants are required to participate in a community meeting through the city's public participation program outlined in Resolution No. 2010-32, except that the community meeting shall be held at a planning

commission meeting. The division or redivision of land into two lots shall not be required to participate in a community meeting. The preapplication conference application shall be provided to the design review board and planning commission.

2.16.100.C.4 Quasi-judicial Review by HEX

4. Public Hearing. The hearing examiner shall hold a public hearing prior to issuing a decision. The purpose of the public hearing is to review a proposed project for consistency with the BIMC, appropriate elements of the comprehensive plan and all other applicable law, and to provide an opportunity for the public to comment on the project and its compliance with the municipal code, the comprehensive plan and all other applicable law. The hearing examiner shall maintain a record of the exhibits presented and a recording of the testimony and arguments presented, which shall be kept by the city clerk. ~~Any rules of procedure for hearings adopted by the hearing examiner shall be kept on file with the office of the city clerk.~~ A hearing may be continued to a date certain without additional notice.

Subsection 2.16.100.C.6.a Quasi-judicial Review by HEX

a. The hearing examiner may approve, approve with conditions, deny, or remand an application.

Subsection 2.16.100.C.7 Quasi-judicial Review by HEX

7. Motion for Reconsideration. The rules of procedure adopted under BIMC 2.14.030.C.2.b shall allow a party of record to file, within a reasonable period of time specified by such rules, a motion for reconsideration of a recommendation or decision issued by the hearing examiner. A motion for reconsideration may be filed to correct substantive errors. Such motion shall be filed in writing 10 days from the date the hearing examiner's decision was filed. The motion shall be decided on the record unless, at the hearing examiner's discretion, further public hearing is necessary. If a timely and appropriate request for reconsideration is filed, the appeal period shall begin from the date the decision on the reconsideration is issued.

Subsection 2.16.100.C.9 Quasi-judicial Review by HEX

a. On matters that do not involve shoreline conditional uses or shoreline variances, the decision of the hearing examiner is the final decision of the city, subject to the appeal provisions in BIMC 2.16.020.R.2.

b. Pursuant to RCW 90.58.140(10) and WAC 173-27-130, final decisions involving shoreline conditional use permits and shoreline variances are made by the Washington State Department of Ecology. For these types of applications, the hearing examiner's decision is a recommendation subject to approval, approval with conditions, or denial by that department.

16.16.030 (NOISE) Variance procedures.

A variance from the provisions of BIMC [16.16.020](#) may be granted by the Director of Planning and Community Development ~~planning commission~~ pursuant to the procedures outlined in [2.16.030 Administrative review – In general](#). For any such variance, application shall be made in writing and upon forms provided by the city and no variance shall be granted for longer than 30 days, except after a public hearing has been held. ~~The planning commission may, in its discretion, hold a public hearing on any application when substantial public interest is shown.~~ Any person may appeal the granting or denial of a variance by the planning commission by filing an appeal with the Pollution Control Hearing Board pursuant to Chapter [43.21B](#) RCW under the procedures of Chapter [371-08](#) WAC.

UPDATED Housekeeping & Clarification Code Updates in Development Code

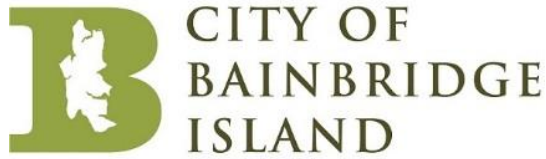
Code Section	Suggested Edit, Correction
2.14.030	Legal: Subsection 2.14.030.C.2.b updated related to Hearing Examiner (HEX) <i>Rules of Procedure</i>
2.16	Review all permit chapters: <ul style="list-style-type: none"> ● to check reference to submittal requirements in permit code, not the term “application materials”. Admin Manual may need to be updated ● review which subsection of permit chapters the review process flowchart is in, they belong in procedures section. SPR flowchart in 2.16.030
2.16.010/020	Legal: Should noticing requirements be applied to Legislative Code Applications 2.16.180 or Comprehensive Plan Amendments 2.16.190
2.16	Legal: Consider a cross-reference at the beginning of 2.16 to ensure that the standards, definitions and methods of Titles 18, 16, 17 and 15 apply to the permits processed under 2.16.
2.16.020-1	Amend double asterisk under Table 2.16.020-1 could be revised to omit the language about sending decisions to SEPA agencies – decisions go to “agencies with jurisdiction”.
2.16.010-1 & 2	Tables Merge to address noticing requirements Have a table ONLY for noticing that includes the projects and when noticing is required, rather than the existing table which doesn’t accurately reflect when a project is required for noticing. 2.16.020-1 removed and row(s) added to 2.16.010-1 to capture noticing for each project.
2.16.020.M	BIMC 2.16.020.M.2, “Types of Notifications for Land Use <u>Decisions</u> ” should be revised to say “Types of Notifications for Land Use <u>Applications</u> ”, because this section is not about decisions.
2.16.020.M.5(b)	“government agencies” is mentioned multiple times. I think we should align with the SEPA language, if “government agencies” refers to SEPA. (agency distribution=Dept of ECY, all agencies with jurisdiction, affected tribes, local agencies or political subdivisions whose public services would be affected)
2.16.020.M	The exemptions from the public notice requirements should get moved to the top of 2.16.020.M, for consistency with other code sections
2.16.020.M	Add Notice of Intent in table. Include 30-day comment period for applicable shoreline permits, with reference to 2.16.165. Consider updates to Table 2.16.020-1 , and consider having either the text of M.2 or the Table, but not both. Move exemptions from noticing and combining notices (M.8) to beginning of section.
2.16.020.M	Check 2.16.020.K.6 (a) and (b) 15 days vs. 14 days. Revise 6.b.v. to send public hearing notice to all commenters. Make consistent with current Hearing Examiner procedures.

2.16.020.R	Legal: Subsection 2.16.020.R.1.c updated related to Hearing Examiner <i>Rules of Procedure</i> and subsection R.2 is clarified
2.16.030	Add how to amend an administrative decision; currently only corrections and clarifications can occur after a decision to correct clerical. Provide for minor adjustments like SPR & SUB's as well as major adjustments.
2.16.030.M.4	"Within 28 days after receiving a land use permit application, the department director shall <u>[either mail, fax, or otherwise]</u> provide to the applicant a written determination..." Any reference similar to that underlined above should be removed, unless an original copy of something is required. "The director shall provide..." is clearer and more concise.
2.16.060.B.1	Check that minor variances are limited to these situations specifically. Consider if variances related to single-family residential development should always be considered minor.
2.16.070	Survey: In both short and long subdivision sections 2.16.070.I & J, and 2.16.160.M the terminology needs to be changed to "alteration" from amendment pursuant to RCW 58.17.215. Make sure what qualifies as amendment vs. alteration
2.16.070	2.16.070 Integrate RCW 58.17.140.3.a into process- re: time limits.
2.16.070.D	Reconsider requiring a Public Participation Meeting (PPM) for short plats as part of the preapplication process, 2.16.070.D.3. This PPM at the Planning Commission is a new requirement for short plats that was adopted in December as part of the larger <i>Land Use Permit Review Procedures</i> ordinance. A PPM has long been required for Long Subdivisions, and Major SPRs and CUPs, although the requirement for these to take place at a Planning Commission meeting was new. The city processes many more short plats (absence the moratorium) than any other type of permit, and this requirement, if it remains, will add substantially to the Commissions work schedule.
2.16.080	2.16.070 Integrate RCW 58.17.140.3.a into process- re: time limits. Check all subdivision chapters
2.16.100	Legal: 2.16.100.C.4,C.6 & C.9 updated related to HEX <i>Rules of Procedure</i>
2.16.125	2.16.070 Integrate RCW 58.17.140.3.a into process- re: time limits. Check all subdivision chapters
2.16.130 & 2.16.160	Legal: 2.16.130 Quasi-judicial review by city council – In general. & 2.16.160 Final long subdivisions. Add language about closed record hearing. Also add "closed record hearing" for land use review procedure table in 2.16.010
2.16.160.M	Survey: Check the terminology needs to be changed to "alteration" from amendment pursuant to RCW 58.17.215 Make sure what qualifies as amendment vs. alteration
2.16.160	Final Subdivisions Make sure is consistent with RCW 58.17.140 time limits and what state law requires.
2.16.165.E.2.f	References the same section of WAC twice- 2 nd reference can be deleted

2.16.165.F.1	Revise SSDP section “.....fair market value exceeds \$7,047 \$6,416 or any development...” to reflect State 2017 adjustment for inflation, which occurs on a five-year cycle.
2.16.165.G.2	Update Section G.2.a to cross reference G.3.b (instead of G.2.b). and delete reference to zoning standards?
2.16.165.F	Needs to state that SSDP decisions get filed with ECY and attorney general
2.16.165.H.3(b) and (c)	This is the SCUP section, but it references variances (typo)
2.16.165	Clarify when decisions are sent to ECY (within 8 days of decision, or within 8 days of expiration of appeals – both languages are used at the moment). The administrative appeals section and SVAR/SCUP appeals section needs revising for consistency with the WAC, based on comments from Misty.
2.16.180	Include a better description of the process for legislative review of land use regs – as written, it describes the process for area-wide rezones.
16.16.030	Change Noise Variance Procedure from Planning Commission Public Hearing to Administrative Decision by Planning or Public Works Director. Process would consider project information, nature of work to be done, mitigation measures.
18.06.020	Legal: And 18.06.030, Could zoning district purpose statements better reflect Comp Plan?
18.09.020	PW/Planning: And 18.09.030.XX Consider if temporary contractor parking should be allowed outside of the MUTC or commercial zones. Also consider adding construction staging area to the permitted use table. NOTE: internal discussion ongoing
18.09.030.B.2.b	Delete- no more R-8 overlay district
18.09.030.B	18.09.030.B 3. Commercial/Residential Mixed Use Development. Principal and accessory uses shall comply with the applicable development standards and performance standards of the B/I and NC districts as well as the other standards listed here. CHANGE: MIXED USE DEVELOPMENT SHOULD ONLY HAVE TO MEET STANDARDS AND GUIDELINES FOR THE ZONE THAT IT IS IN.
18.09.030.D.7.c	Should have been deleted during 2018 Business/Industrial ordinance. Consider alongside definition of professional services. Update the reference to the use specific standards in the permitted use table.
18.12.020	Table 18.12.020—1 Table 18.12.020- 2 Header for Maximum Building <u>& Structure</u> Height
18.12.020	Table 18.12.020—Tables 1-3 Reference to BIMC 18.12.030.F should be BIMC 16.12.040.I.h
18.12.020	Table 18.12.020.-3 Footnote 6 re: how to earn optional 10 ft. & building height, and definition of building footprint. See note below on FAR
18.12.040	Table 18.12.040 EXEPTION BELOW IS FOR OVERHEAD OR UNDERGROUND accessory utilities , NOT ABOVE GROUND, LIKE PROPANE TANKS

18.12.040	Table 18.12.040 Rockeries less than 4 ft in height allowed in setback <u>WALLS OVER 4 FT MAY BE PERMITTED WITH</u> Qualified geotechnical engineer determination and city concurrence, that it is necessary for slope stabilization
18.12.050.I	At end of description of “Grade” update WAC reference: should read WAC 173-27-030(3), rather than 173-14-030.(
18.12.050.G	18.12.050 G. Floor Area Ratio (FAR). “Floor area ratio” is a figure that expresses the total floor area as a multiple of the lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area prior to removal of lot area for dedication. Portions of parking located underneath a building footprint are not counted in floor area ratio calculations. See also definition/rules of measurement for building footprint. Change: either FAR or building footprint Similar discussion related to Optional 10 feet building height incentive related to put parking under building in MUTC Zones- see note on Table 18.12.020-3 Footnote 6 above
18.15.010.C	Confirm that ISA hazard review refers to TRAQ certification, not TRACE (Global Search). Consider moving Section C to the end of the chapter.
18.15.010.D & E	Tables 18.15.010-3 and -4 Make sure that left column header is correct re: adjacent development/zoning
18.15.010.D	Consider adding section about permitted encroachments in perimeter or roadside buffers, see allowed uses in setbacks, 18.12.040
18.15.020.B.12	18.15.020.B.12: We want promote sustainability and shared parking when possible. So perhaps a CUP not needed, and reduction can just be considered along with whatever other permit already being reviewed, don’t want to add extra burden.
18.15.020	Table 18.15.020-2 Parking requirement missing for commercial and nonresidential in the Madison, Ericksen and Gateway Districts
18.15.020	Table 18.15.020.D 3 Delete comma after “serve”
18.30.030.C	18.30.030.C Change “square footage” to “floor area”
18.36.030.5	18.36.030.5 Accessory Ag Retail, Minor (b) does not conduct more than 4 <u>non-agricultural</u> special events
18.36.030.6	18.36.030.6 Accessory Ag Tourism. Does this need to be amended to include overnight stays? See the “farm-stay” use at Hey Day farm on Old Mill
18.36.030	ADD need definition for “adjacent” not just “adjoining”
18.36.030	18.36.030 “affordable housing” definition needs to reference 18.21.020 not “described below”
18.36.030	ADD definition for “mixed-use”
18.36.030	69. Review definition of “day care”; need to clarify that before and after school care is different than a day care and has been treated as an educational use.

18.36.030	165. "Motor vehicle sales lot " means any land or buildings used primarily for the sale of new or used motor vehicles fit for transportation.
18.36.030	188. "Parfitt-Waterfront area" is defined as that area south of the boundary created by the following parcels and streets; starting at the northern property line of 272502-4-1130-2000; proceeding eastward along Blue <u>Bjune</u> Drive to its western intersection with Brien Drive; proceeding eastward along Brien Drive to its intersection with Bjune and Shannon Drives; and proceeding southward along Shannon Drive to the south property line of 4114-005-001-0003; and proceeding eastward to Winslow Ravine. Clarify where on the property line the area starts. Refer to Graphic in Winslow Master Plan
18.36.030	192/193. Consider adding "camping" to definition of Parks, passive or Parks, active or both
18.36.030	206. "Professional service" means a business or agency that provides services in an office environment and includes, but is not limited to, legal services, counseling services, real estate offices, financial services, insurance services, and government offices. Professional service does not include a health care clinic <u>or facility</u> , such as a hospital.
Global Code Search	Check whole code for references to LM or "Light manufacturing" related to zone and switch with B/I. Same for Neighborhood Service Center and Neighborhood Center



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: April 25, 2019
To: Planning Commission
From: Jennifer Sutton, AICP
Senior Planner
Subject: Phase 1: Development Code Changes to promote Affordable Housing

I. BACKGROUND

The [Affordable Housing Task Force \(AHTF\)](#) was created by City Council resolution on May 9, 2017, and its fifteen initial members, all citizen volunteers, were appointed by action of the City Council on June 20, 2017. It was instructed to make recommendations for specific actions, programs and strategies the City of Bainbridge Island (City) and the City Council can take in the near-term to improve access to affordable housing across the economic spectrum. While the AHTF was instructed to focus on the [Housing Element of the Comprehensive Plan](#), it was also advised to consider all elements of the [Comprehensive Plan](#). Where any of the goals and policies of the various elements seem to be in conflict, the AHTF was tasked with recommending solutions that balance costs and benefits to the community.

The AHTF had its first meeting on July 8, 2017. It next met on September 6, 2017 and then met twice monthly through June of 2018. In addition, it created small work groups that met independently to study tools and strategies based on specific policies in the [Housing Element](#), reporting back to the full group on a regular basis. The AHTF also heard numerous presentations by City staff and other experts on specific topics, as well representatives of local governments, nonprofits and other groups that advised on shared concerns and interests. Public comment was accepted and encouraged at every meeting.

The AHTF gave an Interim Report to the Council at the City Council meeting on [March 6, 2018](#). The AHTF presented the [final report](#) to the Council at the City Council meeting [July 24, 2018](#). The City Council discussed the [final report](#) and its recommendations again on [August 21, 2018](#). At that meeting, a majority of the City Council affirmed general support for the City to further consider the [Priority and Quick Wins recommendations of the final report](#). The recommendations range from community partnerships and City financial support for affordable housing to new programs and land use code changes. The Council endorsed pursuing several discrete development code changes that were recommended as items that would be quicker to accomplish, compared to some of the bigger or more complicated recommendations.

Coinciding with the AHTF completing their [final report](#), the City contracted with the firms ECONorthwest and Forterra to produce an real estate economic analysis to assist the City is adopting workable inclusionary zoning ([AHTF report Priority Recommendation 1A](#)) and transfer of development rights programs. That final economic analysis report was presented to the City Council on [February 19, 2019](#). All City Council meeting agenda packets, recordings and approved minutes can be found [here](#).

II. PHASE 1 AFFORDABLE HOUSING CODE CHANGES

The discrete land use code changes that are part of Phase 1 affordable housing work are described in [Priority Recommendation 1B of the AHTF final report](#). See pages 12-16 of the [AHTF final report](#) for an expanded discussion of the AHTF rationale for promoting each code change.

A. Flexible Mixed Use Floor Area Ratio

In the Mixed Use Town Center (MUTC) and High School Road zoning districts, the City's zoning code incentivizes mixed use development over straight residential or commercial development with higher allowed floor area ratios (FAR) for mixed use development than commercial or residential development (see [BIMC Table 18.12.020-3](#)). The real estate economics have changed since the [Winslow Master Plan](#) was originally approved in 1998, establishing the FAR provisions. There is greater demand now for residential development compared to commercial development. The central Puget Sound region as a whole is experiencing a housing shortage. The change to Footnote 2 [BIMC Table 18.12.020-3](#) (see excerpt of [BIMC Table 18.12.020-3](#), attached) would allow mixed use development to have a higher ratio of residential to commercial development.

Floor Area and FAR are the way that development potential is regulated in the MUTC and High School Road zoning districts, along with setbacks, lot coverage and building height. In these areas, FAR provides the allowed "density" as opposed to the units per acre standard of the residential zoning districts. [BIMC Section 18.12.050](#) has the definitions of both terms (see below).

F. Floor Area. Floor area is measured as the total area of all floors within the exterior vertical walls of a building. If any room has a sloping ceiling, no portion of the room measuring less than five vertical feet from the finished floor to the finished ceiling shall be included in the computation of total area.

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

B. Reduce Parking Requirements

The City's parking requirements are outlined in [BIMC Section 18.15.020](#). That section generally requires 2 parking spaces for each new dwelling units, a requirement that is then reduced in the following circumstances:

- Reduced to 1 space per unit for studio and one bedroom units in commercial and mixed use zones.
- Reduced to 1 space per unit for dwelling units situated above commercial use or commercial parking and live/work units.
- In the MUTC/High School Road zones, reduced by 50% (to 1 space per unit) for dwelling units located within ½ mile of the Washington State Ferry (WSF) Terminal and reduced by 25% (to 1.5 spaces per unit) within 1 mile of the WSF Terminal.

The [AHTF final report \(see page 16\)](#) and the [final report by ECONorthwest \(see pages 22-28\)](#) identified parking requirements as a hurdle for building affordable housing, and multifamily housing in general, recommending 0.5 parking spaces for small dwelling units within 1 mile of the WSF Terminal and 0.75 spaces per dwelling unit (note: only Ferry Terminal, Core and High School Rd. districts modeled), respectively. See attached suggested changes to [BIMC Tables 18.15.020-1 and 18.15.020-2](#) (NOTE: tables excerpted to show only parking requirements for residential uses).

III. MEETING PURPOSE AND NEXT STEPS

The purpose of the Planning Commission meeting on April 25 is to discuss the proposed code changes. The Commission could also discuss the [AHTF final report](#) more broadly.

The Planning will hold a public hearing on these Phase 1 Affordable Housing code changes at a meeting in May, still to be determined based on other Planning Commission agenda items. After closing the public hearing, the Commission will make a recommendation to the City Council on the proposed changes.

Excerpt of Table 18.15.020-1: Off-Street Parking Spaces Required for Residential, Neighborhood Center, Business/Industrial, and Water-Dependent Industrial Zone Districts

Land Use	Spaces Required
Residential dwelling unit in a single-family residential district [1]	2 spaces for each primary dwelling unit and 1 space for each accessory dwelling unit.
Residential dwelling unit in a multifamily residential [1] , NC, or B/I district	1 space per primary dwelling unit that is a studio or 1 bedroom unit, and 2 spaces for all other primary dwelling units. Dwelling units situated directly above a commercial use or directly above parking serving a commercial use in the NC district or live/work units in the B/I districts shall require 1 parking space. Dwelling units separate from the commercial use or its parking by one or more intervening floors shall not be considered to be located “directly above” that use, and therefore 2 parking spaces are required.
	The director may require guest parking in excess of the required parking spaces, whether or not the required parking is reduced pursuant to BIMC 18.15.020.B.12 , up to a maximum additional 0.5 stall per dwelling unit, if there is inadequate guest parking on the subject property.

[1] Residential parking requirements may be reduced by 50 percent for dwelling units located within a one-half mile radius and 25 percent for dwelling units located within one-half mile and a one mile radius of the ferry terminal providing scheduled service to Seattle. This provision may not be used in conjunction with senior housing or other parking reduction arrangements, and the required number of parking spaces shall not be reduced below [one 0.5](#) space per parking unit. This provision does not preclude the authority of the director to require guest parking as described in this table.

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

Land Use	Spaces Required					
	Central Core Overlay	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay	High School Road I and II
Residential Uses						
Minimum spaces per unit [3]	<p>1 space per primary dwelling unit that is a studio or 1 bedroom unit, and 2 spaces for all other primary dwelling units.</p> <p>Each dwelling unit situated directly above a commercial use or directly above parking serving a commercial use in the NC or B/I districts shall require 1 parking space. Dwelling units separate from the commercial use or its parking by one or more intervening floors shall not be considered to be located “directly above” that use.</p> <p>The director may require guest parking in excess of the required parking spaces, whether or not the required parking is reduced pursuant to BIMC 18.15.020.B.12, up to a maximum additional 0.5 stall per dwelling unit, if there is inadequate guest parking on the subject property.</p>					
Maximum above-ground spaces per unit	2					

[1] For properties along Winslow Way, there shall be no driveway from private property to the street except as approved as a conditional use. Driveways in existence prior to July 1, 1987, are excepted from this requirement.

[2] Applies to uses in the food and beverage, office and services, and retail categories in Table 18.09.020.

[3] Residential parking requirements may be reduced by 50 percent for dwelling units located within a one-half-mile radius and 25 percent for dwelling units located between one-half mile and a one-mile radius of the ferry terminal providing scheduled service to Seattle. This provision may not be used in conjunction with senior housing or other parking reduction arrangements, and the required number of parking spaces shall not be reduced below one 0.5 space per parking unit. This provision does not preclude the authority of the director to require guest parking as described in this table.

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

ZONING DISTRICT DIMENSIONAL STANDARD	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I
	Central Core Overlay	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay [See BIMC 18.12.030.C]				
MAXIMUM FAR (Floor Area Ratio) [1]									
Basic Maximum									
Commercial and Other Nonresidential Uses	0.6	0.4	0.3	0.15	0.1	0.3	No max.; limited by other standards		
Residential	0.4	0.4	0.3	0.5	0.4	0.3	No FAR limit: R-2 standards apply		
Mixed Use [2]	1.0	0.5	0.5	0.5	0.5	0.3	No max.; limited by other standards		
Maximum with Bonus									
Commercial and Other Nonresidential Uses	1.0	0.6	0.6	0.3	0.2	0.6	Bonus densities require compliance with BIMC 18.12.030.D	N/A	N/A
	Bonus densities require compliance with BIMC 18.12.030.E								
Residential	1.0	0.6	0.6	1.0	1.1	0.6		N/A	N/A
	Bonus densities require compliance with BIMC 18.12.030.E								
Mixed Use [2]	1.5	1.0	1.0	1.0	1.3 (1.5 pursuant to note [3])	1.0		N/A	N/A

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

ZONING DISTRICT	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I
	Central Core Overlay	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay [See BIMC 18.12.030.C]				
	Bonus densities require compliance with BIMC 18.12.030.E								

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

[2] In mixed use development, the established FAR in of the residential and or commercial components shall be at least 10% of total FAR, not be exceeded. For the residential FAR bonus provisions for qualifying housing design demonstration project, refer to the bonus density provisions in BIMC [2.16.020.S.8](#).

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

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

[5] When property adjoins a lower density residential zone, except in the ferry terminal district, north of Winslow Way, for the first 30 feet of the building from the property line of an adjoining lower density residential zone, the building height shall be the building height of the adjoining lower density residential zone. Optional building height allowed in the adjoining lower density residential district through a conditional use permit may be requested for projects within the Mixed Use Town Center and High School Road zones through the site plan review process. For building height requirements in the ferry terminal district, north of Winslow Way, reference BIMC [18.12.030.C](#).

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