



CITY OF
BAINBRIDGE ISLAND

PLANNING COMMISSION SPECIAL MEETING
AND PUBLIC PARTICIPATION MEETING
THURSDAY, FEBRUARY 28, 2019
6:00 – 9:00 PM
COUNCIL CHAMBER
280 MADISON AVE N
BAINBRIDGE ISLAND, WA 98110

AGENDA

- 6:00 PM **PUBLIC PARTICIPATION MEETING**
Hyla Middle School ([PLN51288 PRE](#))
Kelly Tayara, Senior Planner
- 6:05 PM **Project Presentation**
Studio Hamlet Architects
- 6:30 PM **Question and Answer Time**
Studio Hamlet Architects and Kelly Tayara
- 6:55 PM **Closing Remarks**
- 7:00 PM **REGULAR MEETING CALL TO ORDER**
Call to Order, Agenda Review, Conflict Disclosure
- 7:05 PM **REVIEW AND APPROVE MINUTES**
February 13, 2019
- 7:10 PM **PUBLIC COMMENT**
Accept public comment on off agenda items.
- 7:20 PM **ORDINANCE 2019-03 - SUBDIVISION STANDARDS UPDATE**
Public Hearing and Recommendation
Christy Carr, AICP, Senior Planner
- 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 206-780-3750 or at pcd@bainbridgewa.gov**

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
REVIEW OF MINUTES – January 24, 2019
PUBLIC COMMENT – Accept public comment on off agenda items
ISLAND CENTER SUBAREA PLANNING PROCESS – Briefing
SUBDIVISION UPDATE – Presentation
ORDINANCE 2019-03 SUBDIVISION UPDATE – Public Hearing and Discussion
NEW/OLD BUSINESS
ADJOURN

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

Chair William Chester called the meeting to order at 6:33 PM. Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Kimberly McCormick Osmond, Don Doman and Joe Paar. Lisa Macchio was absent and excused. City Staff present were Planning Director Gary Christensen, Long Range Senior Planners Jennifer Sutton and Christy Carr and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

Chair Chester welcomed Joe Paar as the newest Planning Commissioner.

The agenda was reviewed. There were not any conflicts noted.

REVIEW OF MINUTES – January 24, 2019

Motion: I move approval of the minutes for meeting on January 24, 2019 as distributed.

Quitslund/Pearl: Passed Unanimously

PUBLIC COMMENT – Accept public comment on off agenda items

None.

ISLAND CENTER SUBAREA PLANNING PROCESS – Briefing

Senior Planner Jennifer Sutton provided an overview of the “Existing Conditions Report” and “Draft Goals” from the Island Center Subarea Planning Process Steering Committee.

SUBDIVISION UPDATE – Presentation

Senior Planner Christy Carr provided an overview that was given to City Council in January 2019.

ORDINANCE 2019-03 SUBDIVISION UPDATE – Public Hearing and Discussion

The public hearing was opened at 7:09 PM.

Public comment was transcribed verbatim at Chair William Chester’s request.

David Dunn, Citizen – “Hi, my name is David Dunn. I live in Fort Ward. I own two parcels down there that are zoned R-6 and I am currently building a house on Ridge Lane on 5 acres that’s zoned R-1. I appreciate the opportunity to talk with you this evening. First and foremost, I want to call out the fearmongering that was presented just now showing the development on Wyatt Way and discussing property zoned R-4.3 and trying to compare that with property that is zoned R-1 or R-.4. I think that’s pretty disingenuous and it’s a development on the island that a large number of islanders think is ugly but that we as an island, have to take ownership of because we’ve made the building process so difficult the only people that are willing to take the risk are the “Quadrants” who know to the penny how much development’s going to cost. As it relates to clustering on R-.4 and R-1, I’m a 5th generation Bainbridge Islander, my family’s been here since 1853. My kids are the 6th generation and probably will be the last. I find as a kid growing up on this island, most of my friends grew up on 2 and a half acre lots. I ran around in the woods. They had privacy and that’s what their families sought on this island. As a homeowner, when I bought my property, my 5 acres on Ridge Lane, I sought the ability to have privacy on my lot and to eventually subdivide it as a retirement property and either give my children 1 or 2 acre lots on the southern portion of my property or to retain some value from that. The clustering is wholesale theft. Is, and nothing more than that. If you require people to build smaller homes on smaller lots and then devote the remainder of it to open space, you are requiring them to create a public park, essentially. You are not allowing them full use of their land. The City’s already stolen my property through ARPA and the CAO and now they’re trying to take even more from myself and other landowners. The rural character of Bainbridge Island is not cul-de-sacs in R-.4. That is not rural character putting 4 homes on a 10-acre lot right next to the road and I can guarantee you that if you pass this and you force clustering, Quadrant’s going to love that because they know exactly what they have to do. They’re going to put in a 100-foot road, they’re going to cluster 4 homes. They know exactly what they’re cost is to build that. Putting in a 150-foot driveway that’s 10 feet wide on an R-.4, that’s, you’re looking at a 115,000 square foot lot, right? You put in a 150-foot driveway, that’s 1500 square foot of driveway; it’s 1%, just over 1% of the total surface area. Are we really impacting the aquifer in any appreciable way? I don’t think so and what – please show me on this island where in a rural area we’ve done this and how it is in any way keeping with the character on this island. People buy those parcels because they want privacy and they want space. People do not wholesalely clear cut their properties on this island. It doesn’t happen, that is, it’s a false narrative that is not occurring on this island and I would just implore you to respect the land rights particularly as it relates to R-.4, R-1 and R-2. People, those are not small lots. You can put a 2,000 square foot footprint, a 4,000 square foot house on R-1 and that’s 4% of the total surface area of that lot. You’re not, it’s not a monstrosity and I’m not advocating for 4,000 square foot homes but trying to build these tiny villages is absolutely not in keeping with the rural character of this island. Granted, I’m sure people that own 15-acre parcels that have 10-acres of wetland garbage love it because they can cluster them all up next to the road and make some money off it but for people that own buildable land and for families that want that, this is, this is just, it’s wrong. It’s

morally and ethically wrong to do this to people and I hope you see through the lies that you were told and the lies in that presentation because for, that, that slide is not true, and it should be called out. Thank you.

Brian Wilkinson, Citizen – Hello, Planning Commission, my name is Brian Wilkinson. I live in Fort Ward. I built our timber frame home out there. I've got three lots out there in Fort Ward. I've got 15-acres on High School Road zoned R-0.4. Currently, I've got the two tax parcels of just over 7-acres each zoned, or it's set aside in the forestry, small family forestry with one acre on each tax parcel for me to build on. My dreams were to build our family home out there because as time has gone by and I've saved my money and worked hard serving our country and working as a public servant to serve you as a first responder, I've put every penny I've ever made back into this property for the hopes that I could secure a footprint for my children. And with that being said, I have no ambition of having my children live 25 feet away from my house. I don't want our homes to be clustered as we grow out. My idea of the rural character of Bainbridge Island, is driving down the road you got beautiful trees, beautiful scenery, rolling hills, zoned R-0.4, which is the largest zoning on Bainbridge Island, two and a half acre parcels. I don't mind seeing one home and a shop on two and a half acres. Another 300 feet down the road, there might be another house and another shop. My 15-acres has no critical areas on it. For the last year, as I've been sleeping with one eye open because I'm paranoid that somebody's coming to take away my property, it's been very hard. And now reading this clustering is, is concerning. I don't want to see it on the island, and I don't trust the concept of clustering here because when I see it, Winslow Grove, the, the development on Winslow Grove, the development off of Finch, so I can speak to it in three different ways. As a first responder, I don't like it because it's, there's, it's a – it's not very safe for the public. There's no sidewalks, there's no curb and gutter, there's no street lamps. Why didn't we require that wealthy builder to put in the infrastructure? Because we wanted to preserve the rural character of Bainbridge Island when we didn't have sidewalks or curb and gutter? It just makes no sense to me. It's absolutely absurd. Somebody walks their dog at three o'clock in the morning and they can't do it on a sidewalk in town. I just don't get it. And then we want to cram that in the R-0.4 areas? I'm sorry, but that becomes very attractive to developers because their footprint, where they're going to build, it's economical. They're not spread out. They don't have to come up with a robust landscaping plan. They love it. You're only allowing them 10% of the footprint on that building lot with homes 25 feet from each other and then -- let's back up a little bit to remote parking. So, as a native from here, 5th generation just, just off the island, right? I've got a boat on a boat trailer. I like to fish and remote park? Where am I going to put that stuff? I've got two and a half acres and I'm supposed to have remote parking? I mean, please, step outside of Winslow condominiumized lifestyle and realize that we have a rural element to this community that responsible people, responsible citizens like David, myself, the Blossoms are trying to preserve because what you are doing is making me look at the Excel spreadsheets that these people with finances, that are financially wise, they come to me, they're like, "Look at this, Brian. Look at the economics of this. The CAO. If you clear cut 500,000 board feet of timber and put \$500,000

in your pocket, you take the six-year moratorium, you already increased the value of your land because now you got sunny lots. Nobody else can have sunny lots on Bainbridge Island.” So, I put \$500,000 in my pocket, sit on it for six years and then short plat it, subdivide it, don’t care about your clustering, let Quadrant do whatever they’re going to do. So, you are manifesting exactly what you don’t want. I don’t want to sell, but this CAO land grab, 6.2-billion-dollar land grab, as soon as I pull a permit for my property, I have to sign 10-acres of it against my deed of trust? I have no critical areas on my property, people. I looked for a long time so I could buy a very nice piece of property so that I could manage responsibly, but shame on me, because I’m displacing 19 families on this island. I’m a public servant. I’m a firefighter. I came on the island, lived in an ADU after I got out of the military. ADU’s? That’s a whole other topic that’s going be coming. Don’t get rid of ADU’s. That’s essential to affordable housing. I think I’m done here, but what I’m getting at is I’m the epitome of what we’re trying to save and what we want here, I believe. My family, my kids are 6th generation. I’m trying to create a footprint for them. One home, two and a half acres. I’m not asking for any exemptions. I don’t want to up zone. I’m not trying to do anything crazy. Don’t force crazy condominiumization down my throat, please. Thanks.

The public hearing was continued to February 28, 2019.

Further discussion was held by the Planning Commissioners.

NEW/OLD BUSINESS

Planning Director Gary Christensen presented a draft Planning Commission Recorded Motion (see attached) and project schedule.

ADJOURN

The meeting was adjourned at 8:40 PM.

Approved by:

William Chester, Chair

Jane Rasely, Administrative Specialist

ORDINANCE NO. 2019-03

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to subdivision standards, revising Title 17, repealing Chapter 17.12, and adopting an updated Chapter 17.12, repealing Table 18.12.020-1, and revising Chapter 18.12.040, 18.15.010, 18.15.020, and 18.18.030 of the Bainbridge Island Municipal Code.

WHEREAS, the City Council of the City of Bainbridge Island (“City”) updated the City’s Comprehensive Plan in February of 2017; and

WHEREAS, the City Council has expressed significant concerns about development and growth in the City under current regulations in the context of the vision and goals of the City’s Comprehensive Plan, and wishes to revise development regulations to best accommodate growth and development in both general and specific ways; and

WHEREAS, Ordinance No. 2018-02 imposed a temporary six-month moratorium on the acceptance of certain development, stating the City Council’s concerns regarding likely adverse impacts related to growth and development under existing regulations; and

WHEREAS, based on these and related concerns, the City Council required additional time to review the regulations and policies at issue to ensure that the vision and goals of the City’s Comprehensive Plan are being met to the Council’s satisfaction; and

WHEREAS, a number of priorities to address the items at issue in the moratorium were identified at a joint meeting of the City’s Design Review Board and Planning Commission on February 22, 2018, including the following:

- (1) Initiate rewrite of subdivision design standards (BIMC 17.12)
- (2) Identify specific development standards to review/revise (BIMC 18.12 and 18.15);
and
- (3) Consider alternatives and identify preference for design guidelines framework

WHEREAS, at an April 3, 2018 City Council study session, the City’s Department of Planning and Community Development provided a briefing on the Design Review Board and Planning Commission joint meeting wherein the City Council authorized staff to proceed with a work plan addressing the priorities identified at the joint meeting; and

WHEREAS, on May 7 and 21 and on June 4, 2018, the City’s Design Review Board discussed alternatives for land use review procedures; and

WHEREAS, on May 10 and 24, June 7, 14, and 21, July 12, and November 8 and 27, 2018, the City’s Planning Commission discussed alternatives for revisions to the City’s land use review procedures; and

WHEREAS, each of the eleven Design Review Board and Planning Commission meetings included an opportunity for public comment on the alternatives for revisions to the City’s land use review procedures; and

WHEREAS, staff forwarded the Planning Commission’s recommendations related to land use approval bodies, land use review procedures, and land use decision-making authority to the City Council at its July 24, 2018 regular meeting; and

WHEREAS, the City Council reviewed and considered the alternatives for revisions to the City’s land use review procedures and decision-making authority at regularly scheduled meetings on September 4 and 11, October 9, and December 4, 2018; and

WHEREAS, the City issued a State Environmental Policy Act (“SEPA”) Determination of Non-Significance for this Ordinance No. 2019-03 on June 8, 2018, which was revised and reissued on September 24, 2018; and

WHEREAS, the City notified the Department of Commerce on June 11, 2018 of its intent to revise its development regulations relating to land use review procedures; and

WHEREAS, the City Council conducted a public hearing on Ordinance No. 2019-03 on October 23 and December 11, 2018; and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands.

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

Section 1. Section 17.04.010 of the Bainbridge Island Municipal Code is hereby amended as follows.

A. The purpose of this title is to regulate the division of land into short subdivisions, long subdivisions, and large lot subdivisions ~~to promote the public health, safety and general welfare of the citizens of the city in accordance with state law and the city’s comprehensive plan. To carry out this purpose and further the comprehensive plan policies addressing residential subdivision of land, this title establishes a flexible lot process for short and long subdivisions that promotes the preservation and consolidation of open space and clustering of development within residential subdivisions. This process facilitates the fair and predictable division of land, maintains the current character of the city, encourages efficient and cost-effective provisions for~~

~~infrastructure, limits the development impact area, minimizes impervious surface area and provides for greater flexibility in the division and establishment of residential lots. in a manner consistent with the established zoning classifications for residential and other uses, in order to promote the public health, safety, and general welfare of citizens. In accordance with state law and the city's comprehensive plan, this title establishes a planning process for short and long residential subdivisions that promotes the preservation and consolidation of natural areas and the clustering of homes, in order to facilitate the fair and predictable division of land, limit the environmental impacts of development, achieve efficient and cost-effective provisions for utilities and infrastructure, and maintain the current character of the city.~~

~~B. A further purpose of this title is to:~~

- ~~1. Prevent the overcrowding of land;~~
- ~~2. Lessen congestion in the streets and highways;~~
- ~~3. Provide for adequate light and air;~~
- ~~4. Facilitate adequate provision for water, sewage, storm water drainage, parks and recreation areas, sites for schools and school grounds and other public requirements;~~
- ~~5. Provide for proper ingress and egress;~~
- ~~6. Provide a variety of housing opportunities; and~~
- ~~7. Maintain the quality of life of the city.~~

~~C. Through this title, the city will also allow for the subdivision of land for nonresidential, multifamily, and mixed use, and accomplish uniform monumenting of land divisions and conveyance by accurate legal description.~~

~~D. An additional purpose of this title is to provide criteria for summary administrative approval of boundary line adjustments that satisfy public concerns of health, safety and welfare, or where arranging or rectifying boundary lines is otherwise requested.~~

~~E. A ~~final~~ further purpose of this title is to comply with the provisions of RCW Title 58 (Boundaries and Plats) or its successors, and other applicable law of Washington State, and no provision of this title shall be interpreted to authorize or require actions inconsistent with those laws. (Ord. 2011-02 § 2 (Exh. A), 2011)~~

Section 2. Section 17.04.020 of the Bainbridge Island Municipal Code is hereby amended as follows.

B. Location of Review and Approval Procedures and Application Materials. The procedures for approval of short, long, large lot, nonresidential and multifamily subdivisions, as well as the vesting of rights related to those types of approvals, are set forth in BIMC Title 2 (Administration and Personnel). All such provisions require consistency with the requirements of RCW Title 58 (Boundaries and Plats) or its successors as applicable to the type of land division being proposed. Required application materials are provided in the Bainbridge Island administrative manual.

~~E. Application Materials. Materials required to be submitted with an application for a short or long subdivision, subdivision, large lot subdivision, nonresidential or multifamily subdivision or boundary line adjustment are available in the Bainbridge Island administrative manual.~~

Section 3. Section 17.08.020 of the Bainbridge Island Municipal Code is hereby amended as follows.

~~H. Short subdivisions shall not be used, either by a person alone or by persons acting together, at one time or over a period of time, as a means to circumvent compliance with the more stringent subdivision requirements that control the subdivision of land into five or more lots. When an application for a short subdivision is filed within five years after the approval of a short subdivision on a contiguous land parcel, a presumption of an attempt to circumvent short subdivision requirements may be invoked by the director as a basis for further investigation to assure compliance with the intent of this provision. (Ord. 2011-02 § 2 (Exh. A), 2011)~~

Section 4. Chapter 17.12 of the Bainbridge Island Municipal Code is hereby repealed.

Section 5. An updated Chapter 17.12 BIMC is hereby adopted, as set forth in Exhibit A and as incorporated herein.

Section 6. Chapter 17.28 of the Bainbridge Island Municipal Code is hereby amended as set forth in Exhibit B and as incorporated herein.

Section 7. Table 18.12.020-1, *Flexlot Subdivision Dimensional Standards for Residential Zone Districts*, is hereby repealed.

Section 8. Chapter 18.12.040 of the Bainbridge Island Municipal Code is hereby amended as follows.

A. Permitted Setback/Height Modifications. Minimum and maximum setbacks and maximum heights established in Tables 18.12.020-1, 18.12.020-2, and 18.12.020-3 and in BIMC 18.12.030 may be encroached as set forth in Table 18.12.040 and may also be modified by applicable provisions of adopted fire codes, the shoreline master program, and/or the building code. These modifications are not permitted in required perimeter or roadside buffers.

Section 9. Section 18.15.005 of the Bainbridge Island Municipal Code is hereby amended as follows.

G. BIMC 17.12.030, ~~flexible lot design open space/cluster~~ general subdivision standards; BIMC 17.20.020, dedication of land for parks and open space facilities;

Section 10. Table 18.15.010-1, *Landscape Requirements by Zone District*, of the Bainbridge Island Municipal Code is hereby amended as follows.

| Landscape Requirements for Land Uses and Districts | Significant Tree and Tree Stand Retention | Perimeter Landscape | Roadside Buffer | Parking Lot Landscaping | Total Site Tree Unit Requirements | Planting Requirements | Irrigation | Maintenance |
|--|---|----------------------------------|-----------------|-------------------------|-----------------------------------|-----------------------|------------|-------------|
| Single-Family Residential Short Plats and Subdivisions | ✕ | ✕ (Cluster Subdivisions Only) | ✕ | - | - | ✕ | ✕ | ✕ |

Section 11. Table 18.15.010-3, *Perimeter Landscaping Requirements by Land Use and Zoning District*, of the Bainbridge Island Municipal Code is hereby amended as follows.

| Abutting Zoning or Land Use District | Perimeter Landscape Type | Perimeter Width (ft.) | Minimum Perimeter Width (ft.) |
|--|--------------------------|-----------------------|-------------------------------|
| Short Plats and Subdivisions in Residential Zoning Districts [1] | | | |
| Residential subdivision in the R-0.4, R-1, and R-2 districts (cluster option only) | Edge Planting Standard | 25 | 25 |
| Multifamily subdivision in the R-2, R-1, and R-0.4 zoning districts (cluster option only) | Full Screen | 25 | 25 |
| Park and conservation land buffer: applies to all single family subdivisions (OS) [2] | Edge Planting Standard | 25 | 25 |
| Winslow Town Center Mixed Use District [3] [1] | | | |
| Non-B/I | Full Screen [4] [2] | 50 | 35 |
| <p>[1] Properties with less than one acre being subdivided are not subject to perimeter buffer requirements.</p> <p>[2] (OS) indicates that the buffer may be calculated in the required open space area for the subdivision.</p> <p>[3] [1] For perimeter landscaping requirements in the ferry terminal district transition area, north of Winslow Way, reference BIMC 18.12.030.C.</p> <p>[4] [2] This perimeter buffer applies even when a private access road separates a B/I property from non-B/I property.</p> | | | |

Section 12. Section 18.15.010.D of the Bainbridge Island Municipal Code is hereby amended as follows.

~~3. Perimeter Buffers in Residential Cluster Short Subdivisions, Cluster Long Subdivisions, and Multifamily Subdivisions in the R-2, R-1, and R-0.4 Zoning Districts. for residential and commercial subdivisions are required pursuant to BIMC 17.12.060.N. The buffers shall be pursuant to the standards set forth in subsection D.4 of this section. The tree retention, replacement, and protection standards of subsection C of this section apply to perimeter buffers for residential and commercial subdivisions.~~

- ~~a. When the cluster development option is selected pursuant to BIMC [17.12.030.B](#) for property with a gross area of one acre or more and that is located in the R-0.4, R-1, R-2 and R-2.9 districts, a 25-foot wide, edge planting standard landscape perimeter shall be required along the subdivision boundary.~~
- ~~b. When the cluster development option is selected pursuant to BIMC [17.12.030.B](#) for property with a gross area of one acre or more and that is located in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 zone districts, a 10-foot wide, edge planting standard landscape perimeter shall be required along the subdivision boundary.~~
- ~~c. In order to buffer the visual impact of the proposed subdivision and protect off site views, additional landscaping shall be planted within landscape perimeter buffers where mature trees and shrubs cannot provide such screening, pursuant to subsection D.4 of this section.~~
- ~~d. Required landscape buffer width may be reduced through buffer averaging in accordance with the criteria in subsection D.5 of this section, perimeter landscape requirements. For example, buffers may be adjusted when such adjustments contribute to the neighborhood character by incorporating significant trees and native vegetation, incorporate a unique landscape feature, or accommodate a unique situation that allows continuation of an existing use, such as a utility or other easement providing continued use.~~
- ~~e. Landscape buffers may be included in the required open space calculations for a subdivision as noted in Table 18.15.010-3. Table 18.15.010-3 depicts the landscape buffer requirements for subdivisions by zoning district and denotes when the buffer may be included in the open space calculations. These standards apply unless alternative buffers are required pursuant to critical area review, the requirements of the Shoreline Management Act, conditioned by SEPA review, or required for public health or safety reasons.~~
- ~~f. When a multifamily subdivision is created within the R-2, R-1, and R-0.4 zoning districts, a 25-foot wide, full screen landscape perimeter shall be required along the subdivision boundary~~

Section 13. Section 18.15.010.E of the Bainbridge Island Municipal Code is hereby amended as follows.

2. Roadside Buffers for Residential and Commercial Subdivisions are required pursuant to BIMC 17.12.070.O. ~~Roadside buffers are required for both residential and commercial subdivisions—see Table 18.15.010-4. The type and width of the required buffer varies by the type of roadway the subdivision is adjacent to, as well as the condition of the existing roadside vegetation. The buffers shall be pursuant to the standards set forth in subsection D.4 of this section and Table 18.15.010-4. The tree retention, replacement, and protection standards of subsection C of this section apply to roadside buffers for residential and commercial subdivisions.~~ These requirements do not apply to projects involving only interior renovations of existing buildings.

~~a. Roadside Buffer General Requirements. All residential subdivisions and short subdivisions subject to landscape buffering requirements shall comply with the standards in this subsection, including those in Table 18.15.010-4.~~

~~b. Roadside Buffers in Residential Short Subdivisions:~~

~~i. Except for properties containing a gross area of less than one acre, on a property located adjacent to public roads that are designated as collector or arterial roads on the adopted road classification map, a 25-foot wide vegetative buffer shall be maintained. However, in the R-3.5, R-4.3, R-5, R-6, R-8 and R-14 districts a roadside buffer is not required unless it is determined that a landscape buffer is necessary to maintain the character of the neighborhood or to reflect neighboring development patterns.~~

~~ii. Where there are no mature trees and shrubs that contribute to the existing forested character of these roads, the character of the neighborhood shall be maintained by establishing building setbacks equal to or greater than the existing building setbacks on the adjacent properties. At no point shall the building setback be less than requirements in this title.~~

~~iii. To accommodate an existing house that is located within 25 feet of the property line adjacent to a collector or arterial road, the roadside buffer area width shall be reduced to the width adjoining the existing home between the existing house and the property line adjacent to the collector or arterial road.~~

~~c. Roadside Buffers in Residential Long Subdivisions:~~

~~i. For subdivisions located in the R-0.4, R-1, R-2 and R-2.9 districts located adjacent to public roads that are designated as collector or arterial roads on the adopted road classification map, a 25-foot wide vegetative buffer shall be maintained. In the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 districts a roadside buffer is not required unless it is determined that a landscape buffer is necessary to maintain the character of the neighborhood or to reflect neighboring development patterns.~~

ii. For property with a gross area of one acre or more and that is located in districts R-0.4, R-1, R-2 and R-2.9, where there is no existing vegetation that contributes to the existing vegetation character of the roads, a 25-foot full screen landscape buffer shall be planted consistent with the requirements of subsection D.4.a of this section, except as noted below in this subsection.

iii. To accommodate an existing house that is located within 25 feet of the property line adjacent to a collector or arterial road (or within 25 feet of such a property line if subsection E.2.c.ii of this section applies), and to maintain the character of the neighborhood and reflect neighboring development patterns, the roadside buffer area width shall be reduced to the width adjoining the existing home between the existing house and the property line adjacent to the collector or arterial road. At no point shall the building setback be less than requirements in this title.

iv. For subdivisions designating open space that is intended for agricultural use and would be adversely impacted by the addition of screening landscaping, a 25-foot roadside buffer as prescribed in subsection E.2.c.ii of this section shall not be required.

d. Roadside Buffers in Multifamily and Commercial Subdivisions. A minimum 50-foot vegetative buffer shall be established adjacent to all designated scenic roads. The buffer shall be consistent with the requirements for a full screen buffer, pursuant to subsection D.4.a of this section.

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

Section 14. Table 18.15.010-4, *Roadside Buffer Requirements by District and Land Use*, of the Bainbridge Island Municipal Code is hereby amended as follows.

| Existing Zoning/Use | Adjacent Right-of-Way Type | |
|--|---|-------------|
| | Right-of-Way (not including Highway 305) | Highway 305 |
| Residential Subdivision in the R-0.4, R-1, R-2, and R-2.9 Districts [4] | 25' Full Screen or maintain existing vegetation within 25' buffer (OS) [5][6]; Applies only to collectors and arterial roads | |

| Existing Zoning/Use | Adjacent Right-of-Way Type | |
|--|--|-------------|
| | Right-of-Way (not including Highway 305) | Highway 305 |
| Residential Subdivision in the R 3.5, R 4.3, R 5, R 6, R 8, and R 14 Districts [4] | No requirement unless necessary to reflect neighboring development patterns (OS) [5]; Applies only to collectors and arterial roads | |
| <p>[1] All roadside buffers must be planted if not already existing.</p> <p>[2] For perimeter landscaping requirements in the ferry terminal district transition area, north of Winslow Way, reference BIMC 18.12.030.C.</p> <p>[3] Beginning 100' north of Winslow Way.</p> <p>[4] Properties being subdivided with less than one acre are not subject to roadside buffer requirements.</p> <p>[5] (OS) indicates that the buffer may be calculated in the required open space area for open space subdivision.</p> <p>[6] Existing vegetation must remain in the 25 foot buffer area. When existing vegetation does not constitute a full screen, the applicant will not be required to plant a full screen. If existing vegetation within the 25 foot buffer area does constitute a full screen, but dense vegetation is not part of the neighborhood character, then the applicant may choose between maintaining a 25 foot full screen roadside buffer, or averaging that buffer to retain trees and vegetation elsewhere on the property and eliminating the roadside buffer.</p> | | |

Section 15. Section 18.15.020.D of the Bainbridge Island Municipal Code is hereby amended as follows.

3. Parking spaces serving dwelling units shall be located on the same lot with the building they serve, except in subdivisions where parking spaces may be located on a separate lot or tract. In the central core, gateway, and ferry terminal districts, one parking space per unit must be located on site and any additional spaces may be located off site. All off-site spaces must be within a 1,000-foot radius of the edge of the development parcel and must be acquired through fee-in-lieu, fee simple ownership, or a leasehold permanently linked to the unit.

Section 16. Section 18.18.030 of the Bainbridge Island Municipal Code is hereby amended as follows.

A. ~~Detached Single Family Residential Developed Using the R-8SF Urban Single Family Overlay District. Detached single family residential developed in accordance with the R-8SF~~

~~urban single family overlay district transfer of development rights program shall comply with those regulations contained in “Design Guidelines for R-8SF Urban Single Family Overlay District” if they want to develop at overlay zone densities.~~ Residential subdivision development in all zoning districts except Neighborhood Center and Mixed Use Town Center shall comply with those regulations contained in “Design Guidelines for Residential Subdivisions.”

Section 17. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 18. This ordinance shall take effect and be in force five (5) days after its passage, approval, and publication as required by law.

PASSED by the City Council this ___ day of _____, 2019.

APPROVED by the Mayor this ___ day of _____, 2019.

Kol Medina, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK: **April XX**, 2019
PASSED BY THE CITY COUNCIL: _____, 2019
PUBLISHED: _____, 2019
EFFECTIVE DATE: _____, 2019
ORDINANCE NUMBER: 2019-03

Chapter 17.12

SUBDIVISION STANDARDS

Note: **Blue text highlights concepts and policy questions under consideration for which specific regulatory language is not yet drafted.**

17.12.010 Applicability.

This section sets forth standards for short subdivisions, long subdivisions, large lot subdivisions, and nonresidential and multifamily subdivisions. Specific requirements relevant to each individual type of subdivision are provided throughout various chapters of this title.

17.12.020 Subdivision Design Guidelines.

All residential subdivisions outside the Neighborhood Center and Mixed Use Town Center zoning districts shall comply with those design guidelines contained in “Design Guidelines for Residential Subdivisions” set forth in BIMC 18.18 and its reference documents, which are adopted as part of this title by reference.

The purpose of subdivision design guidelines is to define the qualities of subdivisions that meet the guiding principles, goals, and policies of the city’s Comprehensive Plan and to serve as a tool for guiding individual projects to meet those expectations through the city’s land use review procedures. The design guidelines offer a forum for the public to participate in discussions about new subdivisions in their neighborhood, and as a means of allowing flexibility in the application of development standards and zoning requirements. An applicant may be granted a departure from the design guidelines by demonstrating that an alternative design better meets the intent of the design guidelines.

17.12.030 Four-Step Design Process

The city’s subdivision approach requires a four-step system that places the identification and conservation of resources as the primary and leading goal. This approach reverses the conventional site planning approach which typically begins by laying out the streets, lot lines and building footprints as the first part of the process. Instead of first identifying development areas, the design process begins by analyzing on-site resources and the site’s connections to surrounding resources to identify what areas are best for preserving and those areas of the site that can best accommodate development.

The four-step design process is required for all residential subdivisions except the division or redivision of land into two lots. The process, further defined in BIMC 2.16.125.D, consists of four steps: 1) Delineate Natural Area; 2) Locate Homesites and Community Space; 3) Define Access; and, 4) Draw Lot Lines.

17.12.040 Administrative Departures

A. A departure is a request by the applicant to meet or exceed a particular subdivision standard through the use of a technique or alternative standard not otherwise listed under the applicable requirements of BIMC 17.12.050 through BIMC 17.12.070. Departures are not variances and are not required to meet the criteria associated with a variance application. Rather, departures allow adjustment of standards to achieve better outcomes in cases where strict application of the standard would result in an inferior subdivision design.

B. Departures from the subdivision standards BIMC 17.12.050 through BIMC 17.12.090, may be permitted as part of the subdivision review process. In order for a departure from subdivision standards to be allowed, an applicant must demonstrate that the overall development, including departures from the standards, would better serve the

public interest, and a finding shall be made in the affirmative that each proposed departure meets or exceeds the intent of the respective standard as compared to a strict application of the established standard.

C. Any request for one or more departures shall be made at the Design Guidance Review Meeting as part of the pre-application phase of the project. Departures shall be reviewed concurrently with an application for subdivision.

D. Upon affirmative recommendation of approval from the Planning Commission, the hearing examiner may grant a departure from the subdivision standards BIMC 17.12.050 through BIMC 17.12.090 if it is shown that the proposal is consistent with the following criteria:

1. Because of unusual shape, exceptional topographic conditions, environmental constraints or other extraordinary situation or condition in connection with a specific piece of property, strict adherence to the standard would create undue hardship or result in an undesirable plat; or
2. The granting of the departure results in better plat and/or lot design. Better plat and/or lot design means situations such as creating plats that result in greater natural resource conservation value, less adverse impact to adjoining properties, or more practical design because of topography, critical area, or other extenuating circumstance; and
3. All possible efforts to comply with the standard or minimize potential harm or adverse impacts have been undertaken. Economic consideration may be taken into account but shall not be the overriding factor in approval; and
4. The departure is consistent with other applicable regulations and standards; and
5. The granting of any departure will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity in which the property is located.

17.12.050 Natural Area and Community Space.

A. Natural Area Required. All residential subdivisions shall provide natural area consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

1. Natural Area Objectives. Natural areas shall accomplish one or more of the following objectives:
 - a. Conservation natural resources, including wildlife habitat;
 - b. Protection of groundwater recharge;
 - c. Conservation of native soils;
 - d. Expansion or enhancement of the value to adjacent or neighboring open space, parks, forested areas, conservation easements, shorelines, or critical areas;
 - e. Preservation of unique natural land or rock features;
 - f. Preservation of visual qualities along highway, road and street corridors or scenic vistas.
2. Amount of Natural Area Required. The minimum natural area shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.
3. Designation of Natural Area. Natural area shall be designated as the first step in the four-step design process defined in BIMC 2.16.125.D. Natural areas are made up of primary and secondary natural areas. If the primary natural areas make up less than the required percentage of natural area, the balance of the required natural area shall be made up of secondary natural areas.
 - a. Primary Natural Areas (PNA). PNAs form the core of the natural area to be protected. PNA's include the following:
 - i. Critical areas other than critical aquifer recharge areas;
 - ii. Critical area buffers;
 - iii. Aquifer recharge protection area as required by BIMC 16.20.100;

b. Secondary Natural Areas (SNA). SNAs are locally noteworthy or significant features of the natural landscape. SNA's include the following:

- i. Mature woodlands;
- ii. Freestanding significant trees;
- iii. Wildlife corridors;
- iv. Greenways and trails;
- v. Scenic viewsheds;
- vi. Mature vegetation on ridgelines

c. Aquifer Recharge Protection Area (ARPA). Subdivisions in the R-0.4, R-1, and R-2 zoning districts shall include designation of an ARPA in accordance with BIMC 16.20.100 and the following standards:

- i. If a proposed subdivision includes more than one parcel, the ARPA shall be calculated based on the total square footage of all parcels;
- ii. If the required ARPA is greater than the required natural area, the natural area shall be increased to achieve the required ARPA area;
- iii. If the required ARPA is less than the required natural area, the natural area shall include other PNAs or SNAs to achieve the required natural area.

4. Natural Area Configuration. Designated natural areas shall be configured in a manner that enhances and promotes the natural character of the island and natural resource characteristics of the property and surrounding area. Natural area configuration shall satisfy the following guidelines:

- a. Natural area should be concentrated in large, consolidated areas; and
- b. Natural area should connect to adjacent off-site open space areas, designated wildlife corridors and trails, and/or critical areas; and
- c. Natural area should be designed to preserve views from off site of the subject property; and
- d. Natural area should be delineated with a low perimeter-to-area ratio with a minimum width of fifty (50) feet; and
- e. Natural area may be included as a portion of one or more lots or may be contained in a separate tract.

5. Natural Area Fencing and Signage. Either fences and/or signs delineating the boundary of natural areas are required. The director shall determine which option (fence or sign) is required, based on the recommendations from the Design Guidance Review Meeting.

- a. If fencing is required:
 - i. Low-impact fences are preferred and must be constructed in accordance with the definition in BIMC 17.28.020; and
 - ii. Fencing is not required at the exterior boundary of the subdivision; and
 - iii. Gaps in fencing not exceeding five (5) feet are permitted.
- b. If signs are required:
 - i. They shall be constructed in accordance with the definition in BIMC 17.28.020; and
 - ii. They shall be generally spaced at intervals of 50 feet, unless otherwise approved by the director due to reasons such as topography, configuration of open space, distance from other features, etc.
- c. If signage is required and encroachments into the designated natural area occur, the director may require that the owner install fencing and/or additional signage to prevent future encroachments. Required fencing and signs must be maintained in good repair, with repair or replacement to occur within 60 days of notification from the city that repair or replacement is required.

6. Natural Area Ownership. Ownership of natural area shall be established consistent with one of the following forms of ownership:

- a. Private Ownership. Natural area may be held in private ownership if established by easements, restrictive covenants, natural area management plan, or other similar legal means; or
- b. Common Ownership. Natural areas may be held in common by a home or property owners' association or other similar organization. For the purposes of this title, ownership of and/or conservation easement being held by a land trust, or other similar conservancy organization, shall be considered common ownership. If this ownership pattern is selected, covenant, conditions, and/or restrictions shall be required; or
- c. Public Ownership. Designated natural areas shall not be required to be dedicated to the city or other public agency, and the owner shall not be required to permit public access to designated natural areas. However, if the owner offers to dedicate, the city or other public agency may choose to accept ownership of natural areas. Consequently, upon approval and acceptance by the city council, natural areas shall be dedicated to the public.

7. Natural Area Maintenance. An applicant shall submit a draft natural area management plan (NAMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the NAMP will occur at the time of final plat approval. The natural area management plan shall include:

- a. A list of all approved uses for the natural areas. Where uses in separate natural areas vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for natural areas that clearly describes the frequency and scope of maintenance activities for natural areas and that meets all requirements set forth in subsection 7 herein and the Bainbridge Island administrative manual.
- c. The approved NAMP must be filed with the Kitsap County Auditor. In the event that the natural area is not maintained consistent with the NAMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision and shall, if unpaid, become a tax lien on such property or properties.

8. Allowed Uses in Natural Area. Allowed uses within natural areas include:

- a. Installation of native plants.
- b. Maintenance pruning of trees and shrubs provided the structural integrity and long-term health of the vegetation is preserved.
- c. Wildfire mitigation activities, other than tree removal, within a 30-foot defensible space around a primary structure, in accordance with the Bainbridge Island community wildfire protection plan and as described by Section 603 of the International Wildland Urban Interface Code.
- d. Removal of invasive plant species.
- e. Passive recreation, including pervious trails.
- f. Potable water wells and well houses.
- g. Low impact fencing or signs marking the natural area boundary.
- h. On-site sewage drainfield facilities, if construction of the system will not require the use of heavy equipment or removal of significant trees.
- i. Storm drainage facilities if the applicant can demonstrate that (i) the system meets the low impact design (LID) standards of Chapter 15.20 BIMC, and (ii) construction of the system will not require the use of heavy equipment or removal of significant trees.
- j. Accessory solar panels, small wind energy generators, composting bins, rainwater harvesting barrels, and cisterns, as defined in Chapter 18.36 BIMC.
- k. Other structures or hard surfaces with a total footprint of no greater than 200 square feet.

B. Community Space Required. All residential subdivisions shall provide community space consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

1. Community Space Objectives. Community space shall accomplish one or more of the following objectives:

- a. Provide a place for residents to gather in shared space.
- b. Provide common buildings, open space, or gardens.
- c. Provide space for unstructured recreation.
- d. Enhance a felt and actual sense of security, identity, and community.
- e. Provide a protected, traffic-free environment.

2. Amount of Community Space Required. The minimum community space shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.

3. Community Space Configuration. Community space shall adjoin the largest practicable number of lots within the development. Non-adjoining lots shall be provided with safe and convenient pedestrian access to community space.

4. Community Space Ownership. Ownership of community space shall be established consistent with one of the forms of ownership set forth in BIMC 17.12.050.A.5.

5. Community Space Maintenance. An applicant shall submit a draft community space management plan (CSMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the CSMP will occur at the time of final plat approval. The community space management plan shall include:

- a. A list of all approved uses for the community space. Where uses in separate community spaces vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for community space that clearly describes the frequency and scope of maintenance activities and that meets all requirements set forth in subsection 5 herein and the Bainbridge Island administrative manual.
- c. The approved CSMP must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval. In the event that the community space is not maintained consistent with the CSMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision and shall, if unpaid, become a tax lien on such property or properties.

6. Allowed Uses in Community Space. Community space may include uses such as crop and animal agriculture, meadows, orchards, pastures, turf fields, and common buildings. Prohibited and allowed uses within community space shall be included in the draft terms, conditions, covenants, and agreements proposed for the subdivision, which shall be submitted with the preliminary subdivision application. Final terms, conditions, covenants, and agreements must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval.

17.12.060 Homesites. All single-family residential subdivisions require homesites located and designed consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

A. Homesite Area.

1. A homesite area with the maximum area shown in Table 17.12.070-1 shall be provided for each lot and shall be depicted on the face of the plat.
 2. The homesite area shall include the primary residential dwelling, accessory buildings, and on-site parking, if provided for each lot within the subdivision.
 3. Other allowed uses and structures include residential landscaping, pathways, and turf; individual water, stormwater, and septic infrastructure; and fences.
 4. Homesites shall not contain any critical areas, except for critical aquifer recharge areas, or their buffers or setbacks, shoreline buffers, or any portion of required natural areas.
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B. Homesite Clustering. All single-family subdivisions resulting in four or more lots require homesite clustering. The purpose of clustering is to facilitate the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions, and roadways. Homesites shall be located in cluster groups and the efficient location of infrastructure shall be used to maximize the undeveloped area.

1. Cluster groups shall be a minimum of four homesites.
2. No more than three cluster groups are allowed within any subdivision.
3. All homesites in a cluster grouping shall adjoin or be located a maximum of 50 feet from another homesite. ***Is additional language needed to prevent “daisy-chaining”?****
4. Homesite cluster groups shall be located to minimize adverse impacts to adjacent, previously existing residential development.
5. The location of homesite cluster groups is not required to be located near any existing home on the property.
6. Homesite cluster groups shall be configured to maintain the natural features of the site and minimize topographic alteration and clearing of existing vegetation.

17.12.070 General residential subdivision standards.

A. Constrained lots. If, due to site or design constraints, no homesite with supporting infrastructure can be located on a subject property, no division of land is permitted.

B. Preexisting lots. Lots that have previously received final approval from the city, or that have previously received final approval from Kitsap County prior to inclusion within the city boundaries, and that do not comply with standards of this chapter shall be considered existing nonconforming lots, but any future resubdivision of any such lots shall comply with the requirements of this title.

C. Short subdivisions shall not be used, either by a person alone or by persons acting together, at one time or over a period of time, as a means to circumvent compliance with the more stringent subdivision requirements that control the subdivision of land into five or more lots. When an application for a short subdivision is filed within five years after the approval of a short subdivision on a contiguous land parcel, a presumption of an attempt to circumvent short subdivision requirements may be invoked by the director as a basis for further investigation to assure compliance with the intent of this provision.

D. Remaining area. Any area not designated as public or private access, lots, or utility tracts shall be designated as either natural area or community space, in accordance with the objectives in either BIMC 17.12.050.A.1 or 17.12.050.B.1.

E. Site Disturbance. Land disturbing activities, as defined in BIMC 15.20.020.22 shall be limited to the maximum extent feasible. ***Can site disturbance be further limited; e.g., site disturbance cannot exceed 10 percent greater than homesite area (depending on where utilities are)?***

F. Compatibility with Adjacent Development

1. Subdivisions shall be designed and located to ensure compatibility with existing adjacent development.
2. Views of house lots from exterior roads and abutting properties shall be minimized by preserving the natural topography and existing vegetation to the furthest extent possible.
3. An alternative design of portions of the site plan may be required in order to fulfill subsections 1 and 2 above.

G. Dimensional standards. Table 17.12.070-1 sets forth required dimensional standards. Where a property is located in more than one zone district, units permitted by density calculations within each zone district must be constructed on the portion of the property located within that zone district and required setbacks for each zone district must be met. Permitted densities are not “blended” across the zone district line.

H. Septic Systems. Locations of individual or community drainfields and associated reserve drainfields shall comply with all applicable standards established by the Kitsap Public Health District or Washington Department of Health.

Reserve drainfield areas shall remain undisturbed until such time their use is required. This standard shall be noted on the face of the preliminary and final plat.

I. Streets and Vehicle Access. Subdivisions shall comply with the following standards unless modified by the City Engineer:

1. Subdivisions shall comply with all applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications,” as amended. Deviations from the “City of Bainbridge Island Design and Construction Standards and Specifications” may be granted by the City Engineer upon evidence that such deviations are in the public interest and that they are based on sound engineering principles and practices. All requirements for safety, function, appearance and maintainability must be fully met. Desired deviations must be requested at the Design Guidance Review Meeting during the pre-application phase of the project.
2. Each lot in a residential subdivision shall have direct access to a public or private street, except for those with shared driveways or alternative lot designs that provide shared or clustered parking outside of individual lots.
3. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision to the maximum extent feasible or to create a connection beneficial to the overall circulation of the surrounding area, as determined by the City Engineer.
4. Interior street layout shall be oriented on the east/west axis, if feasible, to maximize active and passive solar access.
5. To minimize impervious surfaces, public rights-of-way, access easements, private streets, and driveways shall not be greater than the minimum dimensions required to meet standards.
6. Street names and traffic regulatory signs shall be provided, and their locations shall be indicated on the plat/plan. The location of mailboxes and traffic regulatory signs is only required to be indicated on the plat/plan when other public improvements are required.
7. Transit stops shall be provided as recommended by Kitsap Transit.

J. Parking and Garages.

1. Parking shall be provided consistent with BIMC 18.15.020, except as modified by this subsection.
2. Parking spaces provided on individual lots must be located within the designated homesite.
3. Parking spaces may be located outside of individual lots, consolidated in a remote or satellite parking area, or in individual or shared garages.
4. Consolidated parking areas shall be landscaped in accordance with BIMC 18.15.010.F.
5. Shared garages are limited to five vehicle spaces and shall not exceed 60 feet in length or 144 square feet total.
6. Garages, including detached garages, located on individual homesites facing a public street shall be:
 - a. Limited to two vehicles; and
 - b. Either accessed from the side or rear or set back from the most front-facing exterior wall of habitable space a minimum of five feet unless the house is not visible from the public street.

K. Circulation and Access.

1. All subdivisions shall include a circulation and access system of walkways, paths, sidewalks, or trails that interconnect lots, natural area, community space, and adjacent access facilities.
 2. Multi-modal facilities shall be consistent with the applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications.”
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3. Subdivisions may be required to provide dedicated access easements if one or more “trail connection zones” are located on the site as shown on Map C and D (Non-Motorized System Plan) of the Island-Wide Transportation Plan.
4. Pursuant to RCW 58.17.110(1) sidewalks or other planning features shall be provided to assure safe walking conditions for students who walk to and from school.

L. Fencing.

1. Sight obscuring fencing is prohibited at the exterior boundary of a subdivision along a public right of way.
2. Fencing at the exterior boundary of a subdivision along a public right of way shall not exceed 3 feet, 6 inches in height. ****option for higher fences to be set back minimum 5 feet from edge of ROW and planted in front****
3. Fencing at the exterior boundary of a subdivision along a public right of way is prohibited within the roadside buffer or at the edge of right of way.
4. Fencing around surface stormwater ponds shall not exceed 3 feet, 6 inches in height unless required by the City Engineer for safety reasons.

M. Landscaping

1. Turf grass shall be limited to ≤ 20 percent of individual homesite areas. Turf grass is not permitted on individual lots outside of homesites.
2. Landscaping on individual lots shall include at least 60 percent native vegetation.
3. Landscaping within community space shall:
 - a. Be limited to ≤ 30 percent turf grass; and
 - b. Include at least 40 percent native vegetation; except that, plants and vegetation used for gardening or agriculture shall are not required to be native vegetation.

N. Perimeter Buffers. The intent of perimeter buffers is to visually and physically separate adjacent land uses, when necessary, to minimize impacts of new development on adjacent properties.

1. Perimeter buffers shall be provided at the exterior boundary of all subdivisions. The minimum width of perimeter buffers shall equal the minimum homesite boundary to exterior plat boundary required in accordance with Table 17.12.070-1.
2. Perimeter buffers shall be shown on the face of the preliminary plat. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, public and private streets, utility lines, and trails may be located within perimeter buffers provided no significant trees are removed.
3. Existing, native vegetation, including significant trees and tree stands, shall be preserved within perimeter buffers. The tree retention, protection, and replacement requirements of BIMC 18.15.010.C apply to perimeter buffers unless modified by this section.
4. If existing vegetation provides an effective visual screen, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:
 - a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a.. Any additional plant material shall be native species and no turf or lawn is permitted.
 - b. In the R-0.4, R-1, and R-2 zoning district, additional plant material is not required if:
 - i. The perimeter buffer meets natural area designation objectives and designation standards in BIMC 17.12.050.1 and 17.12.050.3 or;
 - ii. The nearest structure within the subdivision is located a distance at least two times the required homesite boundary to exterior plat boundary dimension provided in Table 17.12.070-1.

5. Perimeter buffers may be included as a portion of one or more lots or may be contained in a separate tract.
6. Perimeter buffers may be included as a portion of the natural area required in BIMC 17.12.050.A if the buffer meets the standards of that subsection.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.

O. Roadside Buffers. The intent of roadside buffers is to enhance or retain Island character through the minimization of disturbance of existing roadside vegetation and screen new development from more highly traveled roads.

1. Roadside buffers are required for all subdivisions along collector or arterial roads in the R-0.4, R-1, and R-2 zoning designation. The minimum width of roadside buffers is 25 feet.
2. Roadside buffers shall be shown on the face of the preliminary plat. Roadside buffers may not be part of individual lots and must be contained in a separate tract.
3. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, public and private streets, utility lines and boxes, and trails may be located within roadside buffers provided no significant trees are removed. ****Entry signs/treatment – limited/prohibited****
4. Existing, native vegetation, including significant trees and tree stands, must be preserved within roadside buffers. Tree retention, protection, and replacement requirements in BIMC 18.15.010.C apply to roadside buffers.
5. If existing vegetation provides an effective visual screen, or is consistent with existing roadside character, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:
 - a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a. Any additional plant material shall be native species and no turf or lawn is permitted;
 - b. Additional plant material is not required if mature forest or other dense vegetation is not part of the existing roadside character.
6. Roadside buffers may not be included as a portion of the natural area or community space required in BIMC 17.12.050.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.
9. For subdivisions designating community space that is intended for agricultural use and would be adversely impacted by the addition of screening landscaping, a roadside buffer shall not be required.
10. To accommodate an existing house that is located within 25 feet of the subdivision boundary adjacent to a collector or arterial road, the roadside buffer width shall be reduced to the width adjoining the existing home between the existing house and the subdivision boundary adjacent to the collector or arterial road.

P. Design Diversity. Subdivisions shall avoid monotonous rows of duplicative dwellings and incorporated measures that promote design diversity by:

1. Providing a mixture of lot sizes and/or front setbacks; and/or
 2. Providing a diversity of floor plans and façade treatments.
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Q. No City Maintenance of Streets in Short Subdivisions. Streets within a short subdivision shall not be maintained by the city unless such streets have been dedicated as a right-of-way, improved to current city standards, and accepted as part of the approved short subdivision. Therefore, unless accepted, the responsibility for maintenance shall lie with the owners of the lots.

R. Improvements.

1. Where the buildout of a subdivision is divided into phases, land dedications and infrastructure development will be required on a pro rata basis as each phase is developed unless the applicant negotiates an alternative phasing schedule with the city. This will be required to be documented on a plat note.
2. On any approved large lot, no further lot divisions shall be approved until the required improvements are installed by the applicant and approved by the city.
3. All large lot subdivisions shall have the following improvements developed and/or installed prior to recording:
 - a. Streets shall be cleared, grubbed, and rocked or graveled to provide adequate year-round passage.
 - b. Appropriate drainage, including erosion control, facilities shall be provided consistent with a plan approved by the city engineer prior to clearing and construction of any plat improvements.

17.12.080 Multifamily and nonresidential subdivisions.

A. Subdivisions established for multifamily and nonresidential shall comply with all provisions of BIMC Title 18 (Zoning) applicable to the zone district where the property is located and the type of development anticipated. This requirement shall include, without limitation, compliance with lot areas, dimensions, and design, mobility and access, landscaping, screening, and vegetative buffers.

17.12.090 Special requirements for critical areas and shoreline.

A. Critical Areas. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision that contains a critical area as defined in Chapter 16.12 BIMC must conform to all requirements of that chapter.

B. Shoreline. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision located within the jurisdiction of the shoreline master program, as defined in Chapter 16.12 BIMC, must conform to all requirements of that chapter.

Table 17.12.070-1 Subdivision Dimensional Standards

[Numbers in brackets indicate additional requirements listed at the end of the table.]

| ZONING DISTRICT DIMENSIONAL STANDARD | R-0.4 | R-1 | R-2 | R-2.9 | R-3.5 | R-4.3 | R-5 | R-6 | R-8 | R-14 | NC | MUTC |
|---|---|----------------|--------------------|----------------|----------------|----------------|---------------|---------------|---------------|---------------|---------------|---------------|
| MINIMUM LOT AREA | | | | | | | | | | | | |
| Short and Long Subdivision | If the site is not served by a public sewer system, the minimum individual lot area shall be determined by the Kitsap Public Health District in accordance with Section 15 of the Kitsap County Board of Health Ordinance 2008A-01, Amended June 7, 2011, <i>Onsite Sewage System and General Sewage Sanitation Regulations</i> , as amended. If the site is served by a public sewer system, there is no minimum lot area. Individual lots may contain portions of natural and community space and access easements. | | | | | | | | | | | |
| Large Lot Subdivision | 5 ac or 1/128th of a section, whichever is smaller. | N/A | | | | | | | | | | |
| MAXIMUM DENSITY (Minimum lot area per dwelling unit) | | | | | | | | | | | | |
| Note: Subdivisions containing irregularly shaped lots and lots containing critical areas may not be permitted to achieve maximum density. Additional regulations on density may apply pursuant to BIMC 16.20. | | | | | | | | | | | | |
| Short, Long and Large Lot Subdivisions | The maximum number of lots permitted shall be calculated by dividing the total lot area of the property (without deducting areas to be dedicated as public rights-of-way or areas to be encumbered by private road easements) by the minimum lot area for standard lots in the zone district. | | | | | | | | | | | |
| Base Density (minimum lot area) | 100,000 sq. ft. | 40,000 sq. ft. | 20,000 sq. ft. [1] | 15,000 sq. ft. | 12,500 sq. ft. | 10,000 sq. ft. | 8,500 sq. ft. | 7,260 sq. ft. | 5,400 sq. ft. | 3,100 sq. ft. | 8,500 sq. ft. | See FAR table |
| Bonus Density pursuant to BIMC 18.12.030.A (minimum lot area) | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 3,630 sq. ft. | 2,074 sq. ft. | N/A | N/A |
| NATURAL AREA | | | | | | | | | | | | |
| Minimum percentage of total site | 55% | 45% | 30% | 25% | 25% | 20% | 15% | N/A | 10% | 5% | 15% | 5% |
| Minimum width | 50 ft. | | | | | | | | | | | |
| COMMUNITY SPACE [x] [x] Instead of providing the required 5% community space, that area may be added to the required natural area if it can be demonstrated that greater conservation area can be achieved. | | | | | | | | | | | | |
| Minimum percentage of total site | 5% [x] | 7.5% | 10% | 15% | | | | | | 10% | 15% | 10% |

| ZONING DISTRICT DIMENSIONAL STANDARD | R-0.4 | R-1 | R-2 | R-2.9 | R-3.5 | R-4.3 | R-5 | R-6 | R-8 | R-14 | NC | MUTC |
|--|--|------------------------------|--------------------------|---------------|------------------------------|-----------------------------|-----------------------------|---------------|--------------------------|---------------|--------------------------|---------------|
| HOMESITE | | | | | | | | | | | | |
| Note: Refer to definition of homesite and standards for homesites. | | | | | | | | | | | | |
| Maximum size | 10,000 sq. ft. | 7,500 sq. ft. | 6,500 sq. ft. | 5,500 sq. ft. | 4,500 sq. ft. | 3,500 sq. ft. | 3,500 sq. ft. | N/A | 3,000 sq. ft. | 2,250 sq. ft. | 3,500 sq. ft. | 2,250 sq. ft. |
| Maximum separation – homesite | 25 ft. | | | | | | | | | | | |
| Maximum separation – homesite cluster group | 50 ft. | | | | | | | | | | | |
| HOME SIZE | | | | | | | | | | | | |
| Maximum size | N/A | | | | | | | 1,600 sq. ft. | | | | |
| MAXIMUM LOT COVERAGE [3] | | | | | | | | | | | | |
| Short and Long Subdivision | Same as applied to the entire property that is the subject of the subdivision application, a portion of which shall be assigned to each lot at the time of preliminary plat approval. **May want to consider eliminating maximum lot coverage, particularly in higher density zones. Homesite requirement lessens need for lot coverage standard.** | | | | | | | | | | | |
| Large Lot Subdivision | 10% | 15% | 20% | N/A | N/A | N/A | N/A | N/A | 25% | 40% | N/A | N/A |
| MINIMUM SETBACKS | | | | | | | | | | | | |
| Note: Additional setbacks may be required by: | | | | | | | | | | | | |
| (a) Chapter 16.08 or 16.12 BIMC, or | | | | | | | | | | | | |
| (b) Chapter 16.20 BIMC, Critical Areas, or | | | | | | | | | | | | |
| (c) BIMC 16.28.040, mining regulations, or | | | | | | | | | | | | |
| (d) BIMC 18.09.030, Use-specific standards, or | | | | | | | | | | | | |
| [x] Attached or zero lot line allowed in all districts but R-0.4 if building is 1,600 sf or less | | | | | | | | | | | | |
| [y] ADUs do not need to meet TOTAL building to homesite boundary setback – only minimum setback; must be located within homesite. | | | | | | | | | | | | |
| Building to homesite boundary Net building size 1,600 sq. ft. or less Minimum/total [x] [y] | 5 ft. min., 10 ft. total | | | | | | 3 ft. min., 10 ft. total | | | | | |
| Building to homesite boundary Net building size 1,601 sq. ft. or more Minimum/total | 15 ft. min., 50 ft. total | 10 ft. min., 25 ft. total | 5 ft. min., 20 ft. total | | 10 ft. min., 20 ft. total | 5 ft. min., 20 ft. total | 5 ft. min., 15 ft. total | N/A | 5 ft. min., 10 ft. total | | 3 ft. min., 10 ft. total | |

| 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 | NC | MUTC |
|---|---|--------|--------|--------|--------|--------|-------|-----|--------|--------|--------|--------|
| DIMENSIONAL STANDARD | | | | | | | | | | | | |
| Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or less | 50 ft. | 25 ft. | | 10 ft. | | 5 ft. | | | | | | |
| Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or more | 50 ft. | 25 ft. | | 10 ft. | | 10 ft. | | | | 5 ft. | | |
| Homesite to exterior plat boundary line | 50 ft. | 25 ft. | | 10 ft. | | 5 ft. | | | | | | |
| Any building to SR 305 right-of-way | 75 ft. | 75 ft. | 75 ft. | N/A | 25 ft. | N/A | N/A | N/A | 25 ft. | N/A | 25 ft. | 25 ft. |
| Homesite to edge of arterial and collector right-of-way | 25 ft. | | | 10 ft. | | | | | | | | |
| Building outside homesite to edge of arterial and collector right-of-way | 25 ft. | | | 10 ft. | | | | | | | | |
| Any building to all other streets | 10 ft. | | | | | | 5 ft. | | | | | |
| Building to trail, natural or community space or access easement (except for natural areas that are also perimeter buffers) | 10 ft. | | | | | 5 ft. | | | | 10 ft. | 5 ft. | |
| Shoreline Jurisdiction | See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030.F, Shoreline Structure Setbacks. For properties abutting the shoreline, dimensional standards in BIMC 16.12 replace the zoning setbacks along the water. | | | | | | | | | | | |
| GARAGE DIMENSIONAL STANDARDS | | | | | | | | | | | | |
| Shared garage to public ROW | 0 feet | | | | | | | | | | | |
| Private garage to public ROW | 10 feet | | | | | | | | | | | |
| Garage to private access | 0 feet | | | | | | | | | | | |
| Shared garage to shared garage | 10 feet | | | | | | | | | | | |
| Shared garage maximum size | 60 feet long or 144 square feet total | | | | | | | | | | | |
| MAXIMUM BUILDING HEIGHT | | | | | | | | | | | | |
| Note: Bonus may not be available in the shoreline jurisdiction | | | | | | | | | | | | |
| Short, Long, and Large Lot Subdivisions | Height requirements for standard lots apply | | | | | | | | | | | |

[1] The base density for that parcel in the Lynwood Center special planning area designated as R-2 is one unit per 20,000 sq. ft., but may be increased up to 3 units per acre; provided, that a public access easement is granted for that portion of the parcel that lies to the south of Point White Drive along the waters of Rich Passage. The base density of some parcels in the Fort Ward historic overlay district may be increased as shown in BIMC 18.24.070.

Chapter 17.28

DEFINITIONS

Sections:

- 17.28.010 Rules of construction.
17.28.020 Definitions.

17.28.010 Rules of construction.

Rules of construction shall be those listed in BIMC 18.36.010. (Ord. 2011-02 § 2 (Exh. A), 2011)

17.28.020 Definitions.

1. “Arterial” means an arterial road as defined in the City of Bainbridge Island Islandwide Transportation Plan, major thoroughfare used mainly for through traffic rather than access to nearby property. Arterials have greater traffic carrying capacity than collector or local streets and are designed for continuously moving traffic.
2. “Block” means ~~a group of lots, tracts or parcels within well defined and fixed boundaries.~~
23. “Buffer” means as defined in Chapter 18.36 BIMC.
4. “Circle template” means ~~as defined in Chapter 18.36 BIMC.~~
5. “Cluster development” means ~~a group of adjoining homesite areas situated in a suitable area of a property, designed in such a manner that facilitates the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways, while providing for the protection of valued open space features.~~
36. “Cluster grouping” means ~~a grouping of two or more homesite areas for short subdivisions and a grouping of four or more homesites for long within a subdivisions regulated by BIMC 17.12.030.B.~~
47. “Code” means the City of Bainbridge Island Municipal Code.
58. “Collector” means a collector road as defined in the ~~e~~City of Bainbridge Island ~~comprehensive plan~~ Islandwide Transportation Plan.
6. “Community space” means the portion of a subdivision reserved in perpetuity designated for the common use and enjoyment of property owners within the subdivision.
79. “Comprehensive plan” means as defined in Chapter 18.36 BIMC.
840. “Contiguous land” means land adjoining and touching other land regardless of whether or not portions of the parcels have separate tax numbers, or were purchased at different times, in different sections, are in different government lots or are separated from each other by public or private easement or right-of-way.
944. “Critical areas,” as used in this title, means critical areas, and their protective buffers, and aquifer recharge protection areas as described by Chapter 16.20 BIMC.
1042. “Dedication” means the deliberate assignment of land by an owner for any general and public uses, reserving to the owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat of a short or long subdivision, a large lot subdivision, or a nonresidential or multifamily subdivision showing the dedication. Acceptance of the filing shall be by approval of the final plat by the city.
1143. “Department” means as defined in Chapter 18.36 BIMC.
1244. “Director” means as defined in Chapter 18.36 BIMC.

~~1315.~~ “Division” means a portion of property within an approved preliminary subdivision that is authorized to be recorded separately by the specific terms and conditions of the preliminary and/or final subdivision approval.

~~1416.~~ “Easement” means a right of use granted by a property owner to specific persons or to the public for use of land for a specific purpose.

~~1517.~~ “Effective visual screen” means a sight-obscuring barrier provided by: (a) a topographic variation, (b) a physical condition, such as an existing native forest, or (c) installed vegetation that provides a visual barrier within five years of planting.

~~1617.~~ “Farms” and “farmland” mean land used for crop agriculture or livestock agriculture, as those terms are defined in Chapter 18.36 BIMC.

~~1718.~~ “Final subdivision” or “final plat” means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in Chapter 58.17 RCW or its successors and the Bainbridge Island Municipal Code.

~~19.~~ “Flexible lot design” is the design process the city uses that permits flexibility in lot development and encourages a more creative approach than traditional lot by lot subdivision. The flexible lot design process includes lot design standards for the placement of buildings, use of open spaces and circulation that best addresses site characteristics. This design process permits clustering of lots, with a variety of lot sizes, to provide open space, maintain Island character and protect the island’s natural systems.

~~1820.~~ “Footprint” means a building footprint as defined in BIMC 18.12.050.

~~1921.~~ “Greenway” means a system composed of land areas and connector links. The land areas include, but are not limited to: large open areas, public lands, farmlands, critical areas, forests, shoreline areas, and parks. The features of the connector links include trail systems, riparian areas, visual or scenic views of ridgelines, wildlife corridors or any combination of these.

~~2022.~~ “Health district” means the Kitsap Public Health District ~~County health district~~.

~~2123.~~ “Hearing examiner” means the official designated as the hearing examiner for the city pursuant to BIMC Title

~~2224.~~ “Homesite area” means the area that portion of a lot depicted on the face of a plat that is intended for development of the primary residential dwelling and accessory buildings and necessary infrastructure within a cluster subdivision.

~~2325.~~ “Island character” is the term used to describe the special character of the island – winding, narrow and vegetated roadways and forested areas, meadows, farms, areas that contain much of the island’s wetlands and streams, aquifer recharge areas and fish and wildlife habitat areas. For the purposes of this title, it does not refer to a level of service, or type of development, or measure of development intensity.

~~24.~~ “Landscaping” means as defined in Chapter 18.36 BIMC.

~~2526.~~ Large Lot Subdivision. A “large lot subdivision” means the division or redivision of land into two or more lots for the purpose of sale, lease or transfer of ownership where each lot is not smaller than five acres or 1/128th of a section (whichever is smaller); provided, that this shall not include division or redivision of land where all parcels are greater than 20 acres or 1/32nd of a section.

~~2627.~~ “Laws of descent” means the rules of inheritance law established by the state of Washington and the federal government that apply in cases where there is no will naming the persons to receive the possessions of a person who has died.

~~2728.~~ “Long subdivision” means the division or redivision of land into five or more lots, tracts (except tracts specifically reserved as ~~open space~~ natural area), parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, but shall not include a short subdivision.

~~2829~~. “Lot” means a lot as defined in Chapter 18.36 BIMC.

~~2930~~. “Low-impact fencing” means a fence designed to preserve views into an area and wildlife access to and from the area while providing a physical barrier to prevent livestock or humans from easily or inadvertently entering the area. Low-impact fencing includes without limitation two- or three-tier split-rail or horse-rail fencing not exceeding five feet in height, four-inch by four-inch wooden posts with two or three strands of cable in between, or other fencing with similar visual, barrier, and access characteristics as determined by the director.

~~3031~~. “Mature vegetation on ridgelines” means as defined in Chapter 18.36 BIMC.

~~3132~~. “Meadow” means an open, nonforested area formed by the land’s natural features and events of nature.

~~3233~~. “Native forest” means established forest areas primarily consisting of native trees and plants.

~~3334~~. “Native vegetation” means as defined in Chapter 18.36 BIMC.

34. “Natural area” means the undeveloped portion of a subdivision that contains natural resources features such as critical areas, significant tree stands, forested areas, native vegetation, and designated wildlife corridors, that is preserved in perpetuity designated or reserved for public use or enjoyment, or used for the private use and enjoyment of property owners within the subdivision.

35. “Off-site views” or “views from off site” means as defined in Chapter 18.36 BIMC.

~~36. “Open space” means any area of land that is predominantly undeveloped and that provides physical and/or visual relief from the developed environment in perpetuity, that is generally unimproved and set aside, designated or reserved for public use or enjoyment, or used for the private use and enjoyment of property owners. Open space may consist of undeveloped areas, such as pastures and farmlands, woodlands, greenbelts, critical areas, pedestrian corridors and other natural areas that provide recreational opportunity and visual relief from developed areas. Open space excludes tidelands, areas occupied by buildings, and any other developed areas such as driveways, all rights-of-way and any other impervious surfaces not incidental to open space purposes.~~

~~3637. “Open space Natural area sign” means a sign used to delineate the boundaries of designated open space, critical areas, and/or their buffers. Open space/critical areas signs shall be made of metal or similar durable material and shall be between 64 and 144 square inches in size.~~

~~3738~~. “Orchard” means as defined in Chapter 18.36 BIMC.

~~3839~~. “Pasture” means land used for grazing.

39. “Perimeter buffer” means a vegetated space retained or established at the exterior plat boundary of a subdivision that provides an effective visual screen between, and minimizes potentially adverse impacts to, adjacent properties.

40. “Phasing” means the use of limits on construction, permitting or occupancy to reduce the immediacy or severity of impacts of the subdivision on the environment or to better achieve the requirements of state law for the concurrence of the facilities and services with the needs generated by development.

41. “Plat” is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

42. “Planning commission” means the Bainbridge Island planning commission, as described in BIMC 2.14.020.

43. “Platted lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area and the flexible lot development standards contained within this title. The term includes tracts or parcels.

44. “Preliminary plat” is a drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of this title. The preliminary plat shall be the basis for the approval or disapproval of the layout of a subdivision.

45. “Public way” means a dedicated street, easement allowing public access, and other forms of access open to the public.

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

47. “Road” means as defined in Chapter 12.38 BIMC.

48. “Roadside buffer” means a vegetated space retained or established that provides an effective visual screen of new development or preserves existing roadside character, forested character, or scenic views.

~~49~~48. “Short plat” means the map or representation of a short subdivision.

~~50~~49. “Short subdivision” is the division or redivision of land into four or fewer lots, tracts (except tracts specifically reserved as open space natural area), parcels or sites, for the purpose of sale, lease or transfer of ownership, ~~except that the division or redivision of two or more existing lots into up to nine lots consistent with the procedures and standards contained in BIMC 17.12.030.A shall constitute a short subdivision if an applicant dedicates additional open space area pursuant to BIMC 17.12.030.A.5.~~

~~51~~50. “Significant tree” shall have the meaning defined in Chapter 18.36 BIMC.

~~52~~51. “Stormwater” shall have the meaning defined in Chapter 15.20 BIMC.

~~53~~52. “Street” shall have the meaning defined in Chapter 18.36 BIMC.

~~54~~53. “Testamentary provisions” means provisions of a last will or testament of a person who has died concerning land or property owned or controlled by that person, which provisions are generally carried out by an executor appointed by a court or public official on behalf of the deceased.

~~55~~54. “Wetland” shall have the meaning defined in Chapter 16.20 BIMC. (Ord. 2017-02 § 21, 2017; Ord. 2011-02 § 2 (Exh. A), 2011)

Exhibit C
BIMC 18.18 -- Subdivision Design Guidelines

| Topic | Design Guideline |
|--|---|
| | Words/phrases in bold will have a definition in Title 17. |
| Island Character | <p>Intent: Preserve and maintain Island character.</p> <p>Guideline: Subdivisions should reflect the special character of the island which includes downtown Winslow’s small town atmosphere and function, neighborhood centers, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.</p> <p>**Subsequent discussion that this guideline would be too challenging to implement.</p> |
| Neighborhood Context | <p>Intent: To reflect and/or enhance the context provided by existing roadway character and neighboring properties.</p> <p>Guideline: Site design should support the purpose of the zoning district in which the development is located, complement the existing character of specific neighborhoods, provide continuity with adjoining properties and, where necessary, provide transition between land uses and protect privacy of residents on adjacent properties.</p> |
| Natural Area | <p>Intent: To incorporate forested and/or other natural areas into site design in such a way that ecological and aesthetic integrity, qualities, and values are preserved or restored.</p> <p>Guideline: The required natural area shall be treated as a feature intrinsic to the subdivision design in order to maintain existing on- and off-site ecological processes and provide an asset of value to subdivision residents.</p> |
| Natural Site Conditions | <p>Intent: To preserve and integrate existing natural site patterns and features throughout the site.</p> <p>Guideline: Site development should be designed to preserve and integrate the natural conditions of the site, including existing topography, native trees and vegetation, drainage patterns, and ecological features based on an inventory and analysis of existing conditions. Homesite and infrastructure placement should complement natural topography and retain native vegetation to the maximum extent feasible.</p> |
| Historic and Cultural Resources | <p>Intent: To preserve important historic and cultural resources.</p> <p>Guideline: Site design should maximize opportunities for preserving historic and cultural structures, and retain historic landscape features and connections.</p> |
| Stormwater | <p>Intent: Integrate stormwater facilities in site design with emphasis on infiltration and dispersion practices.</p> <p>Guideline: Stormwater facilities shall utilize existing drainage patterns and be designed as a site amenity, where feasible. Low impact development practices shall be used throughout the site to minimize the size of ponds or vaults. Open stormwater facilities (ponds and bioswales) shall</p> |

| Topic | Design Guideline |
|----------------------------------|--|
| | provide a natural appearance through layout, design and landscape treatment, including shallow side slopes, curvilinear configuration, and use of native vegetation. |
| Septic Systems | <p>Intent: To minimize impact of septic facilities.</p> <p>Guideline: Design and locate sewage facilities to minimize site disturbance and native vegetation removal and utilize shared systems where feasible.</p> |
| Water Conservation | <p>Intent: To protect the Island’s finite groundwater resources and adapt to the impacts of a changing climate.</p> <p>Guideline: Water conservation measures shall be considered in site design including use of native and drought tolerant vegetation, rainwater capture, and water reuse.</p> |
| Community Space | <p>Intent: To promote a shared sense of community.</p> <p>Guideline: Community spaces should function as an integral part of the development and be located adjacent to as many homesites as is feasible.</p> |
| Cluster Homesites | <p>Intent: To promote interaction within the community and facilitate the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways.</p> <p>Guideline: Homesites shall be located in cluster groupings and, to the extent feasible, the efficient location of infrastructure shall be used to maximize the undeveloped area.</p> |
| Solar Access | <p>Intent: To provide solar access for wellbeing and energy production.</p> <p>Guideline: Site design, including street, lot, and homesite layout and orientation, should allow for passive and active solar access. Massing of buildings, tree retention, and introduced vegetation should take into account the effects of shade.</p> |
| Access and Circulation | <p>Intent: To provide a practical and pleasant network of multi-modal circulation.</p> <p>Guideline: Adequate provisions for pathways and other pedestrian/bicycle amenities connecting various parts of the development, the surrounding road or trail network, and adjacent parcels should be included in site design.</p> |
| Motor Vehicles | <p>Intent: To minimize the prominence of motor vehicle use and storage.</p> <p>Guideline: Site design and features related to motor vehicle use and storage should be minimized. Site design shall consider shared driveways, minimum road widths, traffic calming measures such as Woonerfs and chicanes, and shared or clustered parking areas or structures.</p> |
| Homesite Design | <p>Intent: To efficiently configure building footprint(s) and allowed uses within a homesite.</p> <p>Guideline: Homesite configuration should consider compact and energy-efficient home and site design with massive houses on small lots strongly discouraged.</p> |
| Diversity in House Design | <p>Intent: To provide a range of home sizes and designs to achieve diversity in visual appearance and affordability.</p> <p>Guideline: House designs should be varied in size, massing, and frontage character using methods such as varied floor plans, staggered front yard setbacks, building modulation, and</p> |

| Topic | Design Guideline |
|------------------------------|--|
| | changes in exterior materials. Houses should display shared architectural features to establish continuity and harmony. |
| Facing Public Streets | Intent: To reinforce neighborliness of homes along a public street. Guideline: Houses along interior public streets should orient the entry toward the street and avoid the use of solid walls and fences. Garages along the front façade should be de-emphasized by recessing vehicular entrances or locating the garage behind or on the side of the house. |

COMMENTS AND RECOMMENDATIONS FROM
PLANNING COMMISSION SUBDIVISION STANDARDS SUBCOMMITTEE

**Chapter 17.12
SUBDIVISION STANDARDS**

Note: ~~Blue text**~~ highlights concepts and policy questions under consideration for which specific regulatory language is not yet drafted.**

17.12.010 Applicability.

This ~~chapter~~ section sets forth standards for short subdivisions, long subdivisions, large lot subdivisions, and nonresidential and multifamily subdivisions. Specific requirements relevant to each individual type of subdivision are provided throughout various chapters of this title.

17.12.020 Subdivision Design Guidelines.

All residential subdivisions outside the Neighborhood Center and Mixed Use Town Center zoning districts shall comply with ~~these~~ design guidelines contained in “Design Guidelines for Residential Subdivisions,” set forth in BIMC 18.18 and its reference documents, which are adopted as part of this title by reference.

The purpose of subdivision design guidelines is to define the qualities of subdivisions that meet the guiding principles, goals, and policies of the city’s Comprehensive Plan, and to serve as a tool for guiding individual projects to meet those expectations through the city’s land use review procedures. The design guidelines offer ~~reference points~~ a forum for the public to participate in discussion ~~of~~ ~~about~~ new subdivisions ~~in their neighborhood~~, and ~~they as a means of~~ allow ~~applicant~~ ~~ing~~ flexibility in ~~meeting response to design~~ the application of ~~development~~ development standards and zoning requirements. An applicant may be granted a departure from the ~~development standards design guidelines~~ by demonstrating that an alternative design better meets the intent of the design guidelines.

17.12.030 Four-Step Design Process

The city’s ~~subdivision~~ approach ~~to planning for subdivisions~~ requires a four-step ~~process~~ system that ~~gives places~~ the ~~highest priority to~~ identification and conservation of resources. ~~on an undeveloped area of the site as the primary and leading goal~~. This ~~process~~ approach reverses the conventional site planning approach, which typically begins by laying out the streets, lot lines and building footprints ~~as the first part of the process~~. Instead of first identifying ~~the development~~ areas ~~to be cleared for development~~, the design process begins by analyzing on-site resources and the site’s ~~relationship connections~~ to surrounding ~~properties, in order~~ resources to identify what ~~resource areas~~ are ~~most worthy of best for~~ preservation ~~ing~~ and ~~what those~~ areas ~~of the site that~~ can best accommodate development.

This ~~four step~~ design process is required for all residential subdivisions except the division or redivision of land into two lots. The process ~~is~~, further defined in BIMC 2.16.125.D: ~~it~~, consists of four steps: 1) Delineate Natural Area; 2) Locate Homesites and Community Space; 3) Define Access; and, 4) Draw Lot Lines.

17.12.040 Administrative Departures

A. A departure ~~from existing subdivision standards may be requested by an applicant or required by the City to allow use of an~~ ~~is a request by the applicant to meet or exceed a particular subdivision standard through the use of a technique or~~ alternative standard not ~~otherwise~~ listed ~~among~~ ~~under~~ the applicable requirements of BIMC 17.12.050 through BIMC 17.12.0970 ~~(?)~~. Departures are not variances and are not required to meet the criteria associated with a variance application. Rather, departures allow adjustment of ~~existing~~ standards to achieve better outcomes in cases where strict application of the ~~existing~~ standard ~~is not feasible due to physical characteristics of the property, or~~ would result in an inferior subdivision design.

B. Departures from the subdivision standards in BIMC 17.12.050 through BIMC 17.12.090⁽²⁾, may be permitted as part of the subdivision review process. ~~In order for such a departure from subdivision standards to be allowed, it an applicant must demonstrate that the must satisfy the intent of the four step design process, and the resulting development design must better serve the public interest. resulting overall development, including departures from the standards, would better serve the~~

~~public interest. A departure shall not be allowed from the following standards; and a finding shall be made in the affirmative that each proposed departure meets or exceeds the intent of the respective standard as compared to a strict application of the established standard.~~

~~1. Natural area~~

~~2. ~~ete~~ Community space~~

~~3. Homesite size~~

C. Any request for one or more departures shall be made at the Design Guidance Review Meeting as part of the pre-application phase of the project. Departures shall be reviewed concurrently with an application for subdivision. It must be shown that the proposal is consistent with the following criteria:

1. Because of unusual shape, exceptional topographic conditions, environmental constraints or some other extraordinary characteristics of the property, strict adherence to the existing standard would create undue hardship or result in an undesirable plat; or

2. The granting of the departure results in better plat and/or lot design, such as a plat with greater natural resource conservation value, less adverse impact to adjoining properties, or homes designed to be better suited to the site's topography and other features; and

~~3. All possible efforts to comply with the standard or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in approval; and~~

4. The departure is consistent with other applicable regulations and standards; and

5. The granting of any departure will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity in which the property is located.

D. Upon affirmative recommendations ~~by the Design Review Board and of approval from~~ the Planning Commission, the director shall review the record and render a decision on the specified departure(s), subject to review by the hearing examiner. ~~may grant a~~ departure from the subdivision standards BIMC 17.12.050 through BIMC 17.12.090 ~~may be granted~~ if it is shown that the ~~departure meets the criteria in 17.12.040 (C).~~ proposal is consistent with the following criteria:

~~1. Because of unusual shape, exceptional topographic conditions, environmental constraints or other extraordinary situation or condition in connection with a specific piece of property, strict adherence to the standard would create undue hardship or result in an undesirable plat; or~~

~~2. The granting of the departure results in better plat and/or lot design. Better plat and/or lot design means situations such as creating plats that result in greater natural resource conservation value, less adverse impact to adjoining properties, or more practical design because of topography, critical area, or other extenuating circumstance; and~~

~~3. All possible efforts to comply with the standard or minimize potential harm or adverse impacts have been undertaken. Economic consideration may be taken into account but shall not be the overriding factor in approval; and~~

~~4. The departure is consistent with other applicable regulations and standards; and~~

~~5. The granting of any departure will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity in which the property is located.~~

17.12.050 Natural Area and Community Space.

A. Natural Area Required. All residential subdivisions shall provide natural area consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

1. Natural Area Objectives. ~~The n~~Natural area(s) shall support accomplish one or more of the following objectives:

a. Conservation of natural resources, including wildlife habitat;

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- b. Protection of groundwater recharge;
- c. Conservation of native soils;
- d. Expansion or enhancement of the value to adjacent or neighboring open space, parks, forested areas, conservation easements, shorelines, or critical areas;
- e. Preservation of unique natural land or rock features;
- f. Preservation of visual appealqualities along highway, road and street corridors or scenic vistas.

2. Amount of Natural Area Required. The ~~zone specific~~ minimum natural area shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.

3. Designation of Natural Area. ~~The n~~Natural area(s) shall be designated as the first step in the four-step design process defined in BIMC 2.16.125.D. Natural areas ~~consistare made up~~ of primary and secondary natural areas. If the primary natural areas make up less than the required percentage of the total site natural area, the balance of the required natural area shall ~~consistbe made up~~ of secondary natural areas.

a. Primary Natural Areas (PNA). PNAs form the core of the natural area to be protected. PNA's include the following:

- i. Critical areas other than critical aquifer recharge areas;
 - ii. Critical area buffers;
 - iii. Aquifer recharge protection area as required by BIMC 16.20.100.;
-

b. Secondary Natural Areas (SNA). SNAs are locally noteworthy or significant features of the natural landscape. SNA's include the following:

- i. Mature woodlands;
- ii. Freestanding significant trees;
- iii. Wildlife corridors;
- iv. Greenways and trails;
- v. Scenic viewsheds;
- vi. Mature vegetation on ridgelines.

c. Aquifer Recharge Protection Area (ARPA). Subdivisions in the R-0.4, R-1, and R-2 zoning districts shall include designation of an ARPA in accordance with BIMC 16.20.100 and the following standards:

i. If a proposed subdivision includes more than one parcel, the ARPA shall be calculated based on the total square footage of all parcels;

ii. If the required ARPA is greater than the required natural area, the natural area shall be increased to achieve the required ARPA area;

iii. If the required ARPA is less than the required natural area, the natural area shall include other SNAs ~~other PNAs or SNAs~~ to achieve the required natural area.

4. Natural Area Configuration. Designated natural areas shall be configured in a manner that enhances and promotes the ~~+~~natural character of the island and ~~+~~natural resource characteristics of the property and surrounding area. Natural area configuration shall satisfy the following guidelines:

- a. Natural area should be concentrated in large, consolidated areas; and
- b. Natural area should connect to any adjacent off-site open space areas, designated wildlife corridors and trails, and/or critical areas; and
- c. Natural area should be designed to preserve views from off site of the subject property; and
- d. Natural area should be delineated with a low perimeter-to-area ratio, with a minimum width of fifty (50) feet; and
- e. Natural area may be included as a portion of one or more lots, or may be contained in a separate tract.

5. Natural Area Fencing and Signage. ~~FEither~~ fences and/or signs delineating the boundary of natural areas are required. The director shall determine which option (fence or sign) is required, based on the recommendations from the Design Guidance Review Meeting.

- a. If fencing is required:
 - i. Low-impact fences are preferred and must be constructed in accordance with the definition in BIMC 17.28.020; and
 - ii. Fencing is not required at the exterior boundary of the subdivision; and
 - iii. Gaps in fencing not exceeding five (5) feet are permitted, as are gates.
- b. If signs are required:
 - i. They shall be constructed in accordance with the definition in BIMC 17.28.020; and
 - ii. Typically, they shall be ~~generally~~ spaced at intervals of 50 feet, allowing for variation unless otherwise approved by the director due to ~~reasons such as~~ topography, configuration of open space, distance from other features, etc.
- c. If signage is required and encroachments into the designated natural area occur, the director may require that the owner install fencing and/or additional signage to prevent future encroachments. Required fencing and signs shall must be maintained in good repair, with repair or replacement to occur within 60 days, ~~of notification from the city that repair or replacement is required?~~

6. Natural Area Ownership. Ownership of natural area shall be established consistent with one of the following forms of ownership:

- a. Private Ownership. Natural area may be held in private ownership if ~~so~~ established by easements, restrictive covenants, the natural area management plan, or ~~other~~ similar legal means; or
- b. Common Ownership. Natural areas may be held in common by a home or property owners' association or other similar organization. For the purposes of this title, if a land trust or a similar conservancy maintains ownership ~~of and/ or a~~ conservation easement ~~being held by a land trust, or other similar conservancy organization,~~ that shall be considered common ownership. If this ownership pattern is selected, covenant, conditions, and/or restrictions shall be required; or
- c. Public Ownership. Designated natural areas shall not be required to be dedicated to the city or other public agency, and the owner shall not be required to permit public access to designated natural areas. However, if the owner offers to dedicate, the city or other public agency may choose to accept ownership of natural areas. Consequently, upon approval and acceptance by the city council, the natural areas shall be dedicated to the public.

7. Natural Area Maintenance. An applicant shall submit a draft natural area management plan (NAMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the NAMP will occur at the time of final plat approval. The natural area management plan shall include:

- a. A list of all approved uses for the natural areas. Where uses in separate natural areas vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for natural areas, stipulating that clearly describes the frequency and scope of maintenance activities for natural areas, and meeting that meets all requirements set forth in subsection 7 herein, and in the Bainbridge Island administrative manual.
- c. The approved NAMP must be filed with the Kitsap County Auditor. In the event that the natural area is not maintained consistent with the NAMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision, and - ~~This assessment and-~~ shall, if unpaid, become a tax lien on such property or properties.

8. Allowed Uses in Natural Area. Allowed uses within natural areas include:

- a. Installation and care of native plants.
- b. Maintenance pruning of trees and shrubs, provided the structural integrity and long-term health of the vegetation is preserved.
- c. Wildfire mitigation activities, other than tree removal, within a 30-foot defensible space around a primary structure, in accordance with the Bainbridge Island community wildfire protection plan and as described by Section 603 of the International Wildland Urban Interface Code.
- d. Removal of invasive plant species.
- e. Passive recreation, including pervious trails.
- f. Potable water wells and well houses.
- g. Low impact fencing or signs marking the natural area boundary.
- h. On-site sewage drainfield facilities, if construction of the system will not require the use of heavy equipment or removal of significant trees.
- i. Storm drainage facilities if the applicant can demonstrate that (i) the system meets the low impact design (LID) standards of Chapter 15.20 BIMC, and (ii) construction of the system will not require the use of heavy equipment or removal of significant trees.
- j. Accessory solar panels, small wind energy generators, composting bins, rainwater harvesting barrels, and cisterns, as defined in Chapter 18.36 BIMC.
- k. Other structures or hard surfaces with a total footprint ~~of~~ no greater than 200 square feet.

B. Community Space Required. All residential subdivisions shall provide community space consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

1. Community Space Objectives. Community space shall accomplish one or more of the following objectives:

- a. Provide a place for residents to gather in shared space.
- b. Provide common buildings, open space, or gardens.
- c. Provide space for unstructured recreation.
- d. Enhance a felt and actual sense of security, identity, and community.
- e. Provide a protected, traffic-free environment.

2. Amount of Community Space Required. The minimum community space shown in Table 17.12.070-1 shall be provided and shall be depicted on the face of the plat.

3. Community Space Configuration. Community space ~~shall~~ should adjoin the largest practicable number of lots within the development. Non-adjoining lots shall be provided with safe and convenient pedestrian access to community space.

4. Community Space Ownership. Ownership of community space shall be established consistent with one of the forms of ownership set forth in BIMC 17.12.050.A.5.

5. Community Space Maintenance. An applicant shall submit a draft community space management plan (CSMP) as described in the Bainbridge Island administrative manual, for review as part of the preliminary plat application. Final approval of the CSMP will occur at the time of final plat approval. The community space management plan shall include:

- a. A list of all approved uses for the community space. Where uses in separate community spaces vary, the specific location of each use shall be depicted graphically.
- b. A maintenance plan for community space that clearly describes the frequency and scope of maintenance activities, and that meets all requirements set forth in subsection 5 herein and the Bainbridge Island administrative manual.
- c. The approved CSMP must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval. In the event that the community space is not maintained consistent with the CSMP, the city shall have the right to enter the property for necessary maintenance, with the cost of such maintenance assessed against the landowner or, in the case of a homeowner's association, the owners of the properties within the subdivision and shall, if unpaid, become a tax lien on such property or properties.

6. Allowed Uses in Community Space. Community space may include uses such as crop and animal agriculture, meadows, orchards, pastures, turf fields, and common buildings. Prohibited and allowed uses within community space shall be included in the draft terms, conditions, covenants, and agreements proposed for the subdivision, which shall be submitted with the preliminary subdivision application. Final terms, conditions, covenants, and agreements must be filed with the Kitsap County Auditor within thirty (30) days of final plat approval.

17.12.060 Homesites. All single-family residential subdivisions require homesites located and designed consistent with BIMC 17.28, Definitions, Table 17.12.070-1, and the following standards:

A. Homesite Area.

1. A homesite area ~~no greater than~~ with the maximum area shown in Table 17.12.070-1 shall be provided for each lot and shall be depicted on the face of the plat.

2. The homesite area shall include the primary residential dwelling, accessory buildings, and on-site parking, if provided for each lot within the subdivision.

3. Other allowed uses and structures include residential landscaping, pathways, ~~and~~ turf, and fences; individual water, stormwater, and septic infrastructure; ~~and fences.~~

4. Homesites shall not contain any critical areas, ~~except for critical aquifer recharge areas,~~ or their buffers or setbacks, shoreline buffers, or any portion of required natural areas. Homesites may include critical aquifer recharge areas.

B. Homesite Clustering. ~~Clustering is the preferred design model for all single family subdivisions. In All single family subdivisions resulting in four or more lots require homesite clustering, clustering of homesites is the preferred design model.~~ - The purpose of clustering is to facilitate the efficient use of land by ~~limiting~~~~reducing~~ ~~disturbed~~ areas ~~of disturbance~~, impervious surfaces, utility extensions, and roadways. ~~Homesites shall be located in cluster groups and the efficient location of infrastructure shall be used to maximize the undeveloped area.~~

The four-step design process outlined in section 17.12.030 BIMC is intended to allow the characteristics of the land to determine the most suitable location of homesites. Section 17.12.040 BIMC also provides for departures from certain standards, if it is found that the adjustment achieves a better outcome.

- ~~1. Cluster groups shall be a minimum of four homesites.~~
- ~~2. No more than three cluster groups are allowed within any subdivision.~~
- ~~3. All homesites in a cluster grouping shall adjoin or be located no more than a maximum of 50 feet from another homesite. ~~***Is additional language needed to prevent "daisy chaining"??**~~~~
4. Homesite cluster groups shall be located to minimize adverse impacts to adjacent, previously existing residential development.
5. ~~H~~The location of homesite cluster groups ~~are~~is not required to be located near any existing home on the property.
6. Homesite cluster groups shall be configured to maintain the natural features of the site and minimize topographic alteration and clearing of existing vegetation.

17.12.070 General residential subdivision standards.

A. Constrained lots. If, due to site or design constraints, no homesite with supporting infrastructure can be located on a subject property, no division of land is permitted.

B. Preexisting lots. Lots that have previously received final approval from the city, or that have previously received final approval from Kitsap County prior to inclusion within the city boundaries, and that do not comply with standards of this chapter shall be considered existing nonconforming lots, but any future resubdivision of any such lots shall comply with the requirements of this title.

C. Platted lots. The platted lot defines the extent of private ownership of land within the subdivision. The size, shape and potential uses of a lot depend on many factors that will be considered in the subdivision design process. Establishing lot lines is the last step in the design process, but a desired result will affect decisions throughout the process, and the physical characteristics of the entire property will present both constraints and opportunities. Standards applicable to lots are found in BIMC 17.12.070 and Table 17.12.070-1.

~~D. The s~~Short subdivision process shall not be used, either by a person alone or by persons acting together, at one time or over a period of time, ~~as a means~~ to circumvent compliance with the more stringent ~~subdivision~~ requirements that control the subdivision of land into five or more lots. When an application for a short subdivision is filed within five years after the approval of a short subdivision on a contiguous land parcel, ~~a~~ presumption of an attempt to circumvent short subdivision requirements may be invoked by the director as a basis for further investigation, ~~to assure compliance with the intent of this provision~~ and the requirements of a long subdivision.

D. Remaining area. Any area not designated as public or private access, buffers, lots, or utility tracts shall be designated as either natural area or community space, in accordance with the objectives in either BIMC 17.12.050.A.1 or 17.12.050 B.1.
~~17.12.050.B.1.~~

E. Site Disturbance. ~~The extent of~~ and disturbing activities, as defined in BIMC 15.20.020.22, shall be limited to the minimum required for site preparation and construction. ~~maximum extent feasible. ~~***Can site disturbance be further limited; e.g., site disturbance cannot exceed 10 percent greater than homesite area (depending on where utilities are)?**~~~~

F. Compatibility with Adjacent Development

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1. Subdivisions shall be designed and located to ensure compatibility with existing adjacent development.
2. Views of house lots from exterior roads and abutting properties shall be minimized by preserving the natural topography and existing vegetation to the greatest-furthest extent possible.
- ~~3. An alternative design of portions of the site plan may be required in order to satisfy fulfill subsections 1 and 2 above.~~

G. Dimensional standards. Table 17.12.070-1 sets forth certain minimum and maximum~~required~~ dimensional standards. Where a property is located in more than one zone district, units permitted by density calculations within each zone district must be constructed on the portion of the property located within that ~~zone~~ district, and required setbacks for each zone district must be met. Permitted densities are not “blended” across the zone district line.

H. Septic Systems. Locations of individual or community drainfields and associated reserve drainfields shall comply with all applicable standards established by the Kitsap Public Health District or Washington Department of Health.

Reserve drainfield areas shall remain undisturbed until such time as their use is required. This standard shall be noted on the face of the preliminary and final plat.

I. Streets and Vehicle Access. Subdivisions shall comply with the following standards unless modified by the City Engineer:

1. Subdivisions shall comply with all applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications,” as amended. Deviations from the “City of Bainbridge Island Design and Construction Standards and Specifications” may be granted by the City Engineer upon evidence that such deviations are in the public interest and that they are based on sound engineering principles and practices. All requirements for safety, function, appearance and maintainability must be fully met. Desired deviations should must be requested at the Design Guidance Review Meeting during the pre-application phase of the project.

2. Each lot in a residential subdivision shall have direct access to a public or private street, except for those with shared driveways or alternative lot designs that provide shared or clustered parking outside of individual lots.

3. The street system of a proposed subdivisions shall be designed to connect with any existing, proposed, or planned streets outside of the subdivision ~~to the maximum extent feasible or~~ to create a connection beneficial to the overall circulation of the surrounding area, as determined by the City Engineer. ~~{Delete “to the maximum extent . . .” to end of sentence?}~~

4. Interior street layout shall be oriented on the east/west axis; if feasible, to maximize active and passive solar access.

5. To minimize impervious surfaces, all public rights-of-way, access easements, private streets, and driveways shall not be greater than the minimum dimensions required to meet standards.

6. Street names and traffic regulatory signs shall be provided, and their locations shall be indicated on the plat/plan. The locations of mailboxes and traffic regulatory signs are only required ~~to be indicated~~ on the plat/plan when other public improvements are required.

7. Transit stops shall be provided as recommended by Kitsap Transit.

J. Parking and Garages.

1. Parking shall be provided consistent with BIMC 18.15.020, except as modified by this subsection.
2. Parking spaces provided on individual lots must be located within the designated homesite.
3. Parking spaces may be located outside of individual lots, consolidated in a remote or satellite parking area, or in individual or shared garages.
4. Consolidated parking areas shall be landscaped in accordance with BIMC 18.15.010.F.
5. Shared garages are limited to five vehicle spaces and shall not exceed 60 feet in length or 144 square feet total.
6. Garages, including detached garages, located on individual homesites facing a public street shall be:
 - a. Limited to two vehicles; and
 - b. Either accessed from the side or rear or set back from the most front-facing exterior wall of habitable space a minimum of five feet unless the house is not visible from the public street.

K. Circulation and Access.

1. All subdivisions shall include a circulation and access system of walkways, paths, ~~sidewalks,~~ or trails that interconnect lots, natural area, community space, and adjacent access facilities. Trails that provide connection to streets, public areas or other trails contribute to a network beyond through the subdivision boundaries shall provide public access.
 2. Multi-modal facilities shall be consistent with the applicable standards of the “City of Bainbridge Island Design and Construction Standards and Specifications.”
-

3. Subdivisions may be required to provide dedicated access easements if one or more “trail connection zones” are located on the site as shown on Map C and D (Non-Motorized System Plan) of the Island-Wide Transportation Plan, as amended.
4. Pursuant to RCW 58.17.110(1), sidewalks or other planning features shall be provided to assure safe walking conditions for students who walk to and from school.

L. Fencing.

1. Sight obscuring fencing is prohibited at the exterior boundary of a subdivision along a public right of way.
2. Fencing at the exterior boundary of a subdivision along a public right of way shall not exceed 3 feet, 6 inches in height. ****option for higher fences to be set back minimum 5 feet from edge of ROW and planted in front****
3. Fencing at the exterior boundary of a subdivision along a public right of way is prohibited within the roadside buffer or at the edge of right of way.
4. Fencing around surface stormwater ponds shall not exceed 3 feet, 6 inches in height unless required by the City Engineer for safety reasons.

M. Landscaping

Individual homeowners are responsible for the maintenance and modification of landscaping on their lots, subject to any rules and guidelines established by a homeowners’ association or similar body. Native vegetation on the site should be retained and maintained where possible and landscaping should be responsive to the natural contours of the lot.

- ~~1. Turf grass shall be limited to ≤ 20 percent of individual homesite areas. Turf grass is not permitted on individual lots outside of homesites.~~
- ~~2. Landscaping on individual lots shall include at least 60 percent native vegetation.~~
- ~~3. Landscaping within community space shall:
a. Be limited to ≤ 30 percent turf grass; and
b. Include at least 40 percent native vegetation; except that, plants and vegetation used for gardening or agriculture shall are not required to be native vegetation.~~

N. Perimeter Buffers. The intent of perimeter buffers is to visually and physically separate adjacent land uses, when necessary, to minimize impacts of new development on adjacent properties.

1. Perimeter buffers shall be provided at the exterior boundary of all subdivisions. The minimum width of perimeter buffers shall equal the minimum homesite boundary to exterior plat boundary required in accordance with Table 17.12.070-1.
2. Perimeter buffers shall be shown on the face of the preliminary plat. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, public and private streets, utility lines, and trails may be located within perimeter buffers provided no significant trees are removed.
3. Existing, native vegetation, including significant trees and tree stands, shall be preserved within perimeter buffers. The tree retention, protection, and replacement requirements of BIMC 18.15.010.C apply to perimeter buffers unless modified by this section.
4. If existing vegetation provides an effective visual screen, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:
 - a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a.. Any additional plant material shall be native species and no turf or lawn is permitted.
 - b. In the R-0.4, R-1, and R-2 zoning district, additional plant material is not required if:
 - i. The perimeter buffer meets natural area designation objectives and designation standards in BIMC

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17.12.050.1 and 17.12.050.3 or;

- ii. The nearest structure within the subdivision is located a distance at least two times the required homesite boundary to exterior plat boundary dimension provided in Table 17.12.070-1.



5. Perimeter buffers may be included as a portion of one or more lots or may be contained in a separate tract.
6. Perimeter buffers may be included as a portion of the natural area required in BIMC 17.12.050.A if the buffer meets the standards of that subsection.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.

O. Roadside Buffers. The intent of roadside buffers is to enhance or retain Island character through the minimization of disturbance of existing roadside vegetation and screen new development from more highly traveled roads.

1. Roadside buffers are required for all subdivisions along collector or arterial roads in the R-0.4, R-1, and R-2 zoning designation. The minimum width of roadside buffers is 25 feet.
2. Roadside buffers shall be shown on the face of the preliminary plat. Roadside buffers may not be part of individual lots and must be contained in a separate tract.
3. No structures, buildings, or parking facilities may be located within perimeter buffers, except that, ~~public and private streets,~~ utility lines and boxes and entry signs, may be located within roadside buffers, and driveways and trails may be located within roadside buffers, provided no significant trees are removed. ~~**Entry signs/treatment—limited/prohibited**~~

4. Existing, native vegetation, including significant trees and tree stands, ~~shall~~ must be preserved within roadside buffers. Tree retention, protection, and replacement requirements in BIMC 18.15.010.C apply to roadside buffers.
5. If existing vegetation provides an effective visual screen, or is consistent with existing roadside character, no additional planting is required. If existing vegetation does not provide an effective year-round visual screen, additional plant material shall be installed, consistent with the following:
 - a. Additional plant material shall be installed to achieve the full screen landscape standard provided in BIMC 18.15.010.D.4.a. Any additional plant material shall be native species and no turf or lawn is permitted;
 - b. Additional plant material is not required if mature forest or other dense vegetation is not part of the existing roadside character.

6. Roadside buffers may not be included as a portion of the natural area or community space required in BIMC 17.12.050.
7. The performance and maintenance assurances requirements of BIMC 18.15.010.H apply to perimeter buffers.
8. The irrigation and maintenance standards of BIMC 18.15.010 apply to perimeter buffers.

9. For subdivisions designating community space that is intended for agricultural use and would be adversely impacted by the addition of screening landscaping, a roadside buffer shall ~~not~~ be required to use screening landscaping that does not adversely impact the proposed agricultural use.

10. To accommodate an existing house that is located within 25 feet of the subdivision boundary adjacent to a collector or arterial road, the roadside buffer width shall be reduced to the width adjoining the existing home between the existing house and the subdivision boundary adjacent to the collector or arterial road.

P. Design Diversity. Subdivision designs shall avoid monotonous rows of duplicative dwellings ~~by~~ and incorporating measures that promote design diversity, ~~including: by:~~

1. Providing a mixture of lot sizes and/or front setbacks; and/or
-

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2. Providing a ~~variety~~^{diversity} of floor plans and façade treatments.

Q. No City Maintenance of Streets in Short Subdivisions. Streets within a short subdivision shall not be maintained by the city unless such streets have been dedicated as a right-of-way, improved to current city standards, and accepted as part of the approved short subdivision. Therefore, unless accepted, the responsibility for maintenance shall lie with the owners of the lots.

~~R. Improvements.~~

- ~~1. Where the buildout of a subdivision is divided into phases, land dedications and infrastructure development will be required on a pro rata basis as each phase is developed unless the applicant negotiates an alternative phasing schedule with the city. This will be required to be documented on a plat note.~~
- ~~2. On any approved large lot, no further lot divisions shall be approved until the required improvements are installed by the applicant and approved by the city.~~
- ~~3. All large lot subdivisions shall have the following improvements developed and/or installed prior to recording:
 - ~~a. Streets shall be cleared, grubbed, and rocked or graveled to provide adequate year round passage.~~
 - ~~b. Appropriate drainage, including erosion control, facilities shall be provided consistent with a plan approved by the city engineer prior to clearing and construction of any plat improvements.~~~~

17.12.080 Multifamily and nonresidential subdivisions.

~~A.~~ Subdivisions established for multifamily and nonresidential uses shall comply with all provisions of BIMC Title 18 (Zoning) applicable to the zone district where the property is located, and for the type of development anticipated. This requirement shall include, without limitation, compliance with design guidelines and with standards for lot areas, dimensions, ~~and design~~, mobility and access, landscaping, screening, and vegetative buffers.

17.12.090 Special requirements for critical areas and shoreline.

A. Critical Areas. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision that contains a critical area as defined in Chapter 16.12 BIMC must conform to all requirements of that chapter.

B. Shoreline. Any portion of a short or long subdivision, large lot subdivision, nonresidential or multifamily subdivision located within the jurisdiction of the shoreline master program, as defined in Chapter 16.12 BIMC, must conform to all requirements of that chapter.

Table 17.12.070-1 Subdivision Dimensional Standards

[Numbers in brackets indicate additional requirements listed at the end of the table.]

| ZONING DISTRICT DIMENSIONAL STANDARD | R-0.4 | R-1 | R-2 | R-2.9 | R-3.5 | R-4.3 | R-5 | R-6 | R-8 | R-14 | NC | MUTC |
|---|---|----------------|--------------------|----------------|----------------|----------------|---------------|---------------|---------------|---------------|---------------|---------------|
| MINIMUM LOT AREA | | | | | | | | | | | | |
| Short and Long Subdivision | If the site is not served by a public sewer system, the minimum individual lot area shall be determined by the Kitsap Public Health District in accordance with Section 15 of the Kitsap County Board of Health Ordinance 2008A-01, Amended June 7, 2011, <i>Onsite Sewage System and General Sewage Sanitation Regulations</i> , as amended. If the site is served by a public sewer system, there is no minimum lot area. Individual lots may contain portions of natural and community space and access easements. | | | | | | | | | | | |
| Large Lot Subdivision | 5 ac or 1/128th of a section, whichever is smaller. | N/A | | | | | | | | | | |
| MAXIMUM DENSITY - (MINIMUM LOT AREA/Minimum lot area per dwelling unit) | | | | | | | | | | | | |
| Note: Subdivisions containing irregularly shaped lots and lots containing critical areas may not be permitted to achieve maximum density. Additional regulations on density may apply pursuant to BIMC 16.20. | | | | | | | | | | | | |
| Short, Long and Large Lot Subdivisions | The maximum number of lots permitted shall be calculated by dividing the total lot area of the property (without deducting areas to be dedicated as public rights-of-way or areas to be encumbered by private road easements) by the minimum lot area for standard lots in the zone district. | | | | | | | | | | | |
| Minimum Lot Area Base Density - (minimum lot area) | 100,000 sq. ft. | 40,000 sq. ft. | 20,000 sq. ft. [1] | 15,000 sq. ft. | 12,500 sq. ft. | 10,000 sq. ft. | 8,500 sq. ft. | 7,260 sq. ft. | 5,400 sq. ft. | 3,100 sq. ft. | 8,500 sq. ft. | See FAR table |
| Minimum Lot Area - Bonus Density - pursuant to BIMC 18.12.030 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 3,630 sq. ft. | 2,074 sq. ft. | N/A | N/A |
| NATURAL AREA | | | | | | | | | | | | |
| Minimum percentage of total site | 55% | 45% | 30% | 25% | 25% | 20% | 15% | N/A | 10% | 5% | 15% | 5% |
| Minimum width | 50 ft. | | | | | | | | | | | |
| COMMUNITY SPACE [x] [x] Instead of providing the required 5% community space, that area may be added to the required natural area if it can be demonstrated that greater conservation area can be achieved. | | | | | | | | | | | | |
| Minimum percentage of total site | 5% [x] | 7.5% | 10% | 15% | | | | | | 10% | 15% | 10% |

| 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 | NC | MUTC |
|--|---|------------------------------|--------------------------|---------------|------------------------------|-----------------------------|---|-----|--------------------------|---------------|--------------------------|---------------|
| DIMENSIONAL STANDARD | | | | | | | | | | | | |
| HOMESITE | | | | | | | | | | | | |
| Note: Refer to definition of homesite and standards for homesites. | | | | | | | | | | | | |
| Maximum size | 10,000 sq. ft. | 7,500 sq. ft. | 6,500 sq. ft. | 5,500 sq. ft. | 4,500 sq. ft. | 3,500 sq. ft. | 3,500 sq. ft. | N/A | 3,000 sq. ft. | 2,250 sq. ft. | 3,500 sq. ft. | 2,250 sq. ft. |
| Maximum separation—homesite | 25 ft. | | | | | | | | | | | |
| Maximum separation—homesite-cluster group | 50 ft. | | | | | | | | | | | |
| HOME SIZE | | | | | | | | | | | | |
| Maximum size | N/A | | | | | | | | 1,600 sq. ft. | | | |
| MAXIMUM LOT COVERAGE [3] | | | | | | | | | | | | |
| Short and Long Subdivision | Same as applied to the entire property that is the subject of the subdivision application, a portion of which shall be assigned to each lot at the time of preliminary plat approval. **May want to consider eliminating maximum lot coverage, particularly in higher density zones. Homesite requirement lessens need for lot coverage standard.** | | | | | | | | | | | |
| Large Lot Subdivision | 10% | 15% | 20% | N/A | N/A | N/A | N/A | N/A | 25% | 40% | N/A | N/A |
| MINIMUM SETBACKS | | | | | | | | | | | | |
| Note: Additional setbacks may be required by: | | | | | | | | | | | | |
| (a) Chapter 16.08 or 16.12 BIMC, or | | | | | | | | | | | | |
| (b) Chapter 16.20 BIMC, Critical Areas, or | | | | | | | | | | | | |
| (c) BIMC 16.28.040, mining regulations, or | | | | | | | | | | | | |
| (d) BIMC 18.09.030, Use-specific standards, or | | | | | | | | | | | | |
| [x] Attached or zero lot line allowed in all districts but R-0.4 if building is 1,600 sf or less | | | | | | | | | | | | |
| [y] ADUs do not need to meet TOTAL building to homesite boundary setback – only minimum setback; must be located within homesite. | | | | | | | | | | | | |
| Building to homesite boundary Net building size 1,600 sq. ft. or less Minimum/total [x] [y] | 5 ft. min., 10 ft. total | | | | | | | | 3 ft. min., 10 ft. total | | | |
| Building to homesite boundary Net building size 1,601 sq. ft. or more Minimum/total | 15 ft. min., 50 ft. total | 10 ft. min., 25 ft. total | 5 ft. min., 20 ft. total | | 10 ft. min., 20 ft. total | 5 ft. min., 20 ft. total | 5 ft. min., 15- 20 ft. total | N/A | 5 ft. min., 10 ft. total | | 3 ft. min., 10 ft. total | |

| 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 | NC | MUTC |
|---|---|--------|--------|--------|--------|--------|-------|-----|--------|--------|--------|--------|
| DIMENSIONAL STANDARD | | | | | | | | | | | | |
| Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or less | 50 ft. | 25 ft. | | 10 ft. | | 5 ft. | | | | | | |
| Building outside homesite to exterior plat boundary line Net building size 200 sq. ft. or more | 50 ft. | 25 ft. | | 10 ft. | | 10 ft. | | | | 5 ft. | | |
| Homesite to exterior plat boundary line | 50 ft. | 25 ft. | | 10 ft. | | 5 ft. | | | | | | |
| Any building to SR 305 right-of-way | 75 ft. | 75 ft. | 75 ft. | N/A | 25 ft. | N/A | N/A | N/A | 25 ft. | N/A | 25 ft. | 25 ft. |
| Homesite to edge of arterial and collector right-of-way | 25 ft. | | | 10 ft. | | | | | | | | |
| Building outside homesite to edge of arterial and collector right-of-way | 25 ft. | | | 10 ft. | | | | | | | | |
| Any building to all other streets | 10 ft. | | | | | | 5 ft. | | | | | |
| Building to trail, natural or community space or access easement (except for natural areas that are also perimeter buffers) | 10 ft. | | | | | 5 ft. | | | | 10 ft. | 5 ft. | |
| Shoreline Jurisdiction | See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030.F, Shoreline Structure Setbacks. For properties abutting the shoreline, dimensional standards in BIMC 16.12 replace the zoning setbacks along the water. | | | | | | | | | | | |
| GARAGE DIMENSIONAL STANDARDS | | | | | | | | | | | | |
| Shared garage to public ROW | 0 feet | | | | | | | | | | | |
| Private garage to public ROW | 10 feet | | | | | | | | | | | |
| Garage to private access | 0 feet | | | | | | | | | | | |
| Shared garage to shared garage | 10 feet | | | | | | | | | | | |
| Shared garage maximum size | 60 feet long or 144 square feet total | | | | | | | | | | | |
| MAXIMUM BUILDING HEIGHT | | | | | | | | | | | | |
| Note: Bonus may not be available in the shoreline jurisdiction | | | | | | | | | | | | |
| Short, Long, and Large Lot Subdivisions | Height requirements for standard lots apply <u>C. Carr to provide code citation</u> | | | | | | | | | | | |

[1] The base density for that parcel in the Lynwood Center special planning area designated as R-2 is one unit per 20,000 sq. ft., but may be increased up to 3 units per acre; provided, that a public access easement is granted for that portion of the parcel that lies to the south of Point White Drive along the waters of Rich Passage. The base density of some parcels in the Fort Ward historic overlay district may be increased as shown in BIMC 18.24.070.

COMMENTS AND RECOMMENDATIONS FROM
PLANNING COMMISSION SUBDIVISION STANDARDS SUBCOMMITTEE

Chapter 17.28

DEFINITIONS

Sections:

- 17.28.010 Rules of construction.
17.28.020 Definitions.

17.28.010 Rules of construction.

Rules of construction shall be those listed in BIMC 18.36.010. (Ord. 2011-02 § 2 (Exh. A), 2011)

17.28.020 Definitions.

1. “Arterial” means an arterial road as defined in the City of Bainbridge Island Islandwide Transportation Plan, major thoroughfare used mainly for through traffic rather than access to nearby property. Arterials have greater traffic carrying capacity than collector or local streets and are designed for continuously moving traffic.

~~2. “Block” means a group of lots, tracts or parcels within well defined and fixed boundaries.~~

~~3. “Buffer” means as defined in Chapter 18.36 BIMC.~~

~~4. “Circle temple” means as defined in Chapter 18.36 BIMC.~~

~~5. “Cluster development” means a group of adjoining homesite areas situated in a suitable area of a property, designed in such a manner that facilitates the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways, while providing for the protection of valued open space features.~~

36. “Cluster grouping” means a grouping of two or more homesite areas for short subdivisions and a grouping of four or more homesites for long within a subdivision to facilitate the efficient use of land by limiting areas of disturbance, impervious surfaces, utility extensions and roadways. s regulated by BIMC 17.12.030.B.

47. “Code” means the City of Bainbridge Island Municipal Code.

~~58. “Collector” means a collector road as defined in the eCity of Bainbridge Island comprehensive plan Islandwide Transportation Plan.~~

6. “Community space” means the portion of a subdivision maintained reserved in perpetuity and designated for the common use and enjoyment of property owners within the subdivision.

~~79. “Comprehensive plan” means as defined in Chapter 18.36 BIMC.~~

~~840. “Contiguous land” means land adjoining and touching other land regardless of whether or not portions of the parcels have separate tax numbers, or were purchased at different times, in different sections, are in different government lots or are separated from each other by public or private easement or right-of-way.~~

~~94+. “Critical areas,” as used in this title, means critical areas, their protective buffers, and aquifer recharge protection areas as described by Chapter 16.20 BIMC.~~

~~1042. “Dedication” means the deliberate assignment of land by an owner for any general and public uses, reserving to the owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat of a short or long subdivision, a large lot subdivision, or a nonresidential or multifamily subdivision showing the dedication. Acceptance of the filing shall be by approval of the final plat by the city.~~

BIMC Chapter 17.28 DEFINITIONS

~~1143.~~ “Department” means as defined in Chapter 18.36 BIMC.

~~1244.~~ “Director” means as defined in Chapter 18.36 BIMC.

~~1315.~~ “Division” means a portion of property within an approved preliminary subdivision that is authorized to be recorded separately by the specific terms and conditions of the preliminary and/or final subdivision approval.

~~1416.~~ “Easement” means a right of use granted by a property owner to specific persons or to the public for use of land for a specific purpose.

~~1517.~~ “Effective visual screen” means a sight-obscuring barrier provided by: (a) a topographic variation, (b) a physical condition, such as an existing native forest, or (c) installed vegetation that provides a visual barrier within five years of planting.

~~1617.~~ “Farms” and “farmland” mean land used for crop agriculture or livestock agriculture, as those terms are defined in Chapter 18.36 BIMC.

~~1718.~~ “Final subdivision” or “final plat” means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in Chapter 58.17 RCW or its successors and the Bainbridge Island Municipal Code.

~~19.~~ “Flexible lot design” is the design process the city uses that permits flexibility in lot development and encourages a more creative approach than traditional lot by lot subdivision. The flexible lot design process includes lot design standards for the placement of buildings, use of open spaces and circulation that best addresses site characteristics. This design process permits clustering of lots, with a variety of lot sizes, to provide open space, maintain Island character and protect the island’s natural systems.

~~1820.~~ “Footprint” means a building footprint as defined in BIMC 18.12.050.

~~1921.~~ “Greenway” means a system composed of land areas and connector links. The land areas include, but are not limited to: large open areas, public lands, farmlands, critical areas, forests, shoreline areas, and parks. The features of the connector links include trail systems, riparian areas, visual or scenic views of ridgelines, wildlife corridors or any combination of these.

~~2022.~~ “Health district” means the Kitsap Public Health District ~~County health district~~.

~~2123.~~ “Hearing examiner” means the official designated as the hearing examiner for the city pursuant to BIMC Title

~~2224.~~ “Homesite area” means ~~the area that portion~~ of a lot depicted on the face of a plat that is intended for development of the primary residential dwelling, onsite parking, and accessory buildings and necessary infrastructure. Individual stormwater and septic also is allowed within a cluster subdivision.

~~2325.~~ “Island character” is the term used to describe the special character of the island – winding, narrow and vegetated roadways and forested areas, meadows, farms, areas that contain much of the island’s wetlands and streams, aquifer recharge areas and fish and wildlife habitat areas. For the purposes of this title, it does not refer to a level of service, or type of development, or measure of development intensity.

24. “Landscaping” means as defined in Chapter 18.36 BIMC.

~~2526.~~ Large Lot Subdivision. A “large lot subdivision” means the division or redivision of land into two or more lots for the purpose of sale, lease or transfer of ownership where each lot is not smaller than five acres or 1/128th of a section (whichever is smaller); provided, that this shall not include division or redivision of land where all parcels are greater than 20 acres or 1/32nd of a section.

~~2627.~~ “Laws of descent” means the rules of inheritance law established by the state of Washington and the federal government that apply in cases where there is no will naming the persons to receive the possessions of a person who has died.

~~2728.~~ “Long subdivision” means the division or redivision of land into five or more lots, tracts (except tracts specifically reserved as open space-natural area), parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, but shall not include a short subdivision.

~~2829.~~ “Lot” or “platted lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area and the development standards contained within this title. The term includes tracts or parcels. ~~means a lot as defined in Chapter 18.36 BIMC.~~

~~2930.~~ “Low-impact fencing” means a fence designed to preserve views into an area and wildlife access to and from the area while providing a physical barrier to prevent livestock or humans from easily or inadvertently entering the area. Low-impact fencing includes without limitation two- or three-tier split-rail or horse-rail fencing not exceeding five feet in height, four-inch by four-inch wooden posts with two or three strands of cable in between, or other fencing with similar visual, barrier, and access characteristics as determined by the director.

~~3031.~~ “Mature vegetation on ridgelines” means as defined in Chapter 18.36 BIMC.

~~3132.~~ “Meadow” means an open, nonforested area formed by the land’s natural features and events of nature.

~~3233.~~ “Native forest” means established forest areas primarily consisting of native trees and plants.

~~3334.~~ “Native vegetation” means as defined in Chapter 18.36 BIMC.

34. “Natural area” means the undeveloped portion of a subdivision that contains natural resources features such as critical areas, significant tree stands, forested areas, native vegetation, and designated wildlife corridors, that is ~~maintained~~ preserved in perpetuity and designated or reserved for public use or enjoyment, or used for the private use and enjoyment of property owners within the subdivision. Natural area also may be designated or reserved for public use or enjoyment pursuant to Chapter 17.12 BIMC.

35. “Off-site views” or “views from off site” means as defined in Chapter 18.36 BIMC.

~~36.~~ “Open space” means any area of land that is predominantly undeveloped and that provides physical and/or visual relief from the developed environment in perpetuity, that is generally unimproved and set aside, designated or reserved for public use or enjoyment, or used for the private use and enjoyment of property owners. Open space may consist of undeveloped areas, such as pastures and farmlands, woodlands, greenbelts, critical areas, pedestrian corridors and other natural areas that provide recreational opportunity and visual relief from developed areas. Open space excludes tidelands, areas occupied by buildings, and any other developed areas such as driveways, all rights-of-way and any other impervious surfaces not incidental to open space purposes.

~~3637.~~ “Open space Natural area sign” means a sign used to delineate the boundaries of designated natural areas, open space, critical areas, and/or their buffers. ~~Open space/critical areas signs shall be made of metal or similar durable material and shall be between 64 and 144 square inches in size.~~

~~3738.~~ “Orchard” means as defined in Chapter 18.36 BIMC.

~~3839.~~ “Pasture” means land used for grazing.

39. “Perimeter buffer” means a vegetated space retained or established at the exterior plat boundary of a subdivision that provides an effective visual screen between and minimizes potentially adverse impacts to adjacent properties.

40. “Phasing” means the use of limits on construction, permitting or occupancy to reduce the immediacy or severity of impacts of the subdivision on the environment or to better achieve the requirements of state law for the concurrence of the facilities and services with the needs generated by development.

41. “Plat” is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

42. “Planning commission” means the Bainbridge Island planning commission, as described in BIMC 2.14.020.

~~43.~~ “Platted lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area and the flexible lot development standards contained within this title. The term includes tracts or parcels.

44. “Preliminary plat” is a drawing of a proposed subdivision showing the general layout of streets and alleys, lots,

blocks, and other elements of a subdivision consistent with the requirements of this title. The preliminary plat shall be the basis for the approval or disapproval of the layout of a subdivision.

45. “Public way” means a dedicated street, easement allowing public access, and other forms of access open to the public.

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

47. “Road” means as defined in Chapter 12.38 BIMC.

48. “Roadside buffer” means a vegetated space retained or established that provides an effective visual screen of new development or preserves existing roadside character, forested character or scenic views..

~~49~~48. “Short plat” means the map or representation of a short subdivision.

~~50~~49. “Short subdivision” is the division or redivision of land into four or fewer lots, tracts (except tracts specifically reserved as open space natural area), parcels or sites, for the purpose of sale, lease or transfer of ownership, ~~except that the division or redivision of two or more existing lots into up to nine lots consistent with the procedures and standards contained in BIMC 17.12.030.A shall constitute a short subdivision if an applicant dedicates additional open space area pursuant to BIMC 17.12.030.A.5.~~

~~51~~50. “Significant tree” shall have the meaning defined in Chapter 18.36 BIMC.

~~52~~51. “Stormwater” shall have the meaning defined in Chapter 15.20 BIMC.

~~53~~52. “Street” shall have the meaning defined in Chapter 18.36 BIMC.

~~54~~53. “Testamentary provisions” means provisions of a last will or testament of a person who has died concerning land or property owned or controlled by that person, which provisions are generally carried out by an executor appointed by a court or public official on behalf of the deceased.

~~55~~54. “Wetland” shall have the meaning defined in Chapter 16.20 BIMC. (Ord. 2017-02 § 21, 2017; Ord. 2011-02 § 2 (Exh. A), 2011)

**COMMENTS AND RECOMMENDATIONS FROM
PLANNING COMMISSION SUBDIVISION STANDARDS SUBCOMMITTEE**

**Exhibit C
BIMC 18.18 -- Subdivision Design Guidelines**

| Topic | Design Guideline |
|--|---|
| | Words/phrases in bold will have a definition in Title 17. |
| Island Character | <p>Intent: Preserve and maintain Island character.</p> <p>Guideline: Subdivisions should reflect the special character of the island which includes downtown Winslow’s small town atmosphere and function, neighborhood centers, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.</p> <p>**Subsequent discussion that this guideline would be too challenging to implement.</p> |
| Neighborhood Context | <p>Intent: To reflect and/or enhance the context provided by existing roadway character and neighboring properties.</p> <p>Guideline: Site design should support the purpose of the zoning district in which the development is located, complement the existing character of specific neighborhoods, provide continuity with adjoining properties and, where necessary, provide transition between land uses and protect privacy of residents on adjacent properties.</p> |
| Natural Area | <p>Intent: To incorporate forested and/or other natural areas into site design in such a way that ecological and aesthetic integrity, qualities, and values are preserved or restored.</p> <p>Guideline: The required natural area shall be treated as a feature intrinsic to the subdivision design in order to maintain existing on- and off-site ecological processes and provide an asset of value to subdivision residents.</p> |
| Natural Site Conditions | <p>Intent: To preserve and integrate existing natural site patterns and features throughout the site.</p> <p>Guideline: Site development should be designed to preserve and integrate the natural conditions of the site, including existing topography, native trees and vegetation, drainage patterns, and ecological features based on an inventory and analysis of existing conditions. Homesite and infrastructure placement should complement natural topography and retain native vegetation to the maximum extent feasible.</p> |
| Historic and Cultural Resources | <p>Intent: To preserve important historic and cultural resources.</p> <p>Guideline: Site design should maximize opportunities for preserving historic and cultural structures, and retain historic landscape features and connections.</p> |
| Stormwater | <p>Intent: Integrate stormwater facilities in site design with emphasis on infiltration and dispersion practices.</p> <p>Guideline: Stormwater facilities shall utilize existing drainage patterns and be designed as a site amenity, where feasible. Low impact development practices shall be used throughout the site to minimize the size of ponds or vaults. Open stormwater facilities (ponds and bioswales) shall</p> |

| Topic | Design Guideline |
|----------------------------------|--|
| | provide a natural appearance through layout, design and landscape treatment, including shallow side slopes, curvilinear configuration, and use of native vegetation. |
| Septic Systems | <p>Intent: To minimize impact of septic facilities.</p> <p>Guideline: Design and locate sewage facilities to minimize site disturbance and native vegetation removal and utilize shared systems where feasible.</p> |
| Water Conservation | <p>Intent: To protect the Island’s finite groundwater resources and adapt to the impacts of a changing climate.</p> <p>Guideline: Water conservation measures shall be considered in site design including use of native and drought tolerant vegetation, rainwater capture, and water reuse.</p> |
| Community Space | <p>Intent: To promote a shared sense of community.</p> <p>Guideline: Community spaces should function as an integral part of the development and be located adjacent to as many homesites as is feasible.</p> |
| Cluster Homesites | <p>Intent: To promote interaction within the community and facilitate the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways.</p> <p>Guideline: <u>The preferred design for homesites is to cluster them and, to the extent feasible, to locate infrastructure efficiently to maximize the undeveloped area. Homesites shall be located in cluster groupings and, to the extent feasible, the efficient location of</u></p> |
| Solar Access | <p>Intent: To provide solar access for wellbeing and energy production.</p> <p>Guideline: Site design, including street, lot, and homesite layout and orientation, should allow for passive and active solar access. Massing of buildings, tree retention, and introduced vegetation should take into account the effects of shade.</p> |
| Access and Circulation | <p>Intent: To provide a practical and pleasant network of multi-modal circulation.</p> <p>Guideline: Adequate provisions for pathways and other pedestrian/bicycle amenities connecting various parts of the development, the surrounding road or trail network, and adjacent parcels should be included in site design.</p> |
| Motor Vehicles | <p>Intent: To minimize the prominence of motor vehicle use and storage.</p> <p>Guideline: Site design and features related to motor vehicle use and storage should be minimized. Site design shall consider shared driveways, minimum road widths, traffic calming measures such as Woonerfs and chicanes, and shared or clustered parking areas or structures.</p> |
| Homesite Design | <p>Intent: To efficiently configure building footprint(s) and allowed uses within a homesite.</p> <p>Guideline: Homesite configuration should consider compact and energy-efficient home and site design with massive houses on small lots strongly discouraged.</p> |
| Diversity in House Design | <p>Intent: To provide a range of home sizes and designs to achieve diversity in visual appearance and affordability.</p> <p>Guideline: House designs should be varied in size, massing, and frontage character using methods such as varied floor plans, staggered front yard setbacks, building modulation, and</p> |

| Topic | Design Guideline |
|------------------------------|--|
| | changes in exterior materials. Houses should display shared architectural features to establish continuity and harmony. |
| Facing Public Streets | Intent: To reinforce neighborliness of homes along a public street. Guideline: Houses along interior public streets should orient the entry toward the street and avoid the use of solid walls and fences. Garages along the front façade should be de-emphasized by recessing vehicular entrances or locating the garage behind or on the side of the house. |