



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: February 21, 2019
TO: Gary R. Christensen, AICP, Director of Planning & Community Development
FROM: Olivia Sontag, Planner
SUBJECT: Administrative Code Interpretation, PLN50880 ADM

The applicants submitted the following Administrative Code Interpretation request on January 17, 2019.

REQUEST: The applicant requested an Administrative Code Interpretation of the Bainbridge Island Municipal Code (BIMC) 18.15.010.D Perimeter Buffering and Screening. Specifically, the applicant requests interpretation of the requirements within the Winslow Town Center Mixed Use District in Table 18.15.010-3: Perimeter Landscaping Requirements by Land Use and Zoning District (see table below). The applicant asks the following questions:

1. Does Table 18.15.010-3 apply to both abutting zoning and uses?
2. What qualifies as 'single-family residential'?

Table 18.15.010-3: Perimeter Landscaping Requirements by Land Use and Zoning District

Abutting Zoning or Land Use District	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
Winslow Town Center Mixed Use District [3]			
Single-family residential	Full Screen	20	15

AUTHORITY: This administrative code interpretation is provided pursuant to BIMC 18.03.090, "Interpretation by the director", which states in part:

The director has the authority to provide interpretations of provisions, uses, or definitions in BIMC Titles 16, 17 and 18 and related provisions in BIMC Title 2, and will make these interpretations available to the public. Any person may apply to the director for an interpretation of any provision in these titles.

RESPONSE: Table 18.15.010-3 applies to abutting zone districts or overlay districts and does not apply to uses of the abutting properties. Abutting 'single-family residential', refers to the following zones: R-0.4, R-1, R-2, R-2.9, R-3.5, R-4.3, and R-6.



ANALYSIS: As stated in BIMC 18.15.010.D.2, “applicants shall meet the specific requirements of Table 18.15.010-3 applicable to the zone district or overlay district in which the property is located.” All of the listed abutting zoning or land use districts in Table 18.15.010-3 refer to zones and districts – uses are not specified. The BIMC uses the words ‘zoning district’ and ‘land use district’ interchangeably.

The Comprehensive Plan Land Use Map categorizes residential zones in the following ways: Residential (R-0.4, R-1, R-2), Semi-Urban (R-2.9, R-3.5), Urban Residential (R-4.3, R-5, R-6), and Urban Multi-Family (R-8, R-14). R-5, R-8 and R-14 are the only districts where multi-family dwellings are a permitted use, and are not considered ‘single-family residential’. Multifamily dwellings require a conditional use permit in the R-0.4, R-1, R-2, R-2.9, R-3.5, R-4.3, and R-6 zones.

In Table 18.15.010-3, where perimeter buffers are intended to apply to multifamily development, it is specified. For example, under NC Districts, the table specifies all abutting residential including multifamily warrants a perimeter buffer (see table below).

For these reasons, where ‘single-family residential’ is specified in Table 18.15.010-3, it refers only to the following zones: R-0.4, R-1, R-2, R-2.9, R-3.5, R-4.3, and R-6.

Table 18.15.010-3: Perimeter Landscaping Requirements by Land Use and Zoning District

Abutting Zoning or Land Use District	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
Multifamily in R-2, R-1 and R-0.4 Districts			
Single-family residential	Full Screen	25	25
R-8 and R-14 Multifamily Districts			
R-4.3 (urban residential)	Partial Screen	20	15
Nonresidential Uses in Areas Outside Winslow Mixed Use, HSR, NC, B/I, WD-I Districts			
Residential including multifamily	Full Screen	25	25
Nonindustrial uses	Partial Screen	20	10
Winslow Town Center Mixed Use District [3]			
Single-family residential	Full Screen	20	15
HSR I and II Districts			
Single-family residential	Full Screen	20	15
NC Districts			
Residential including multifamily	Full Screen	20	15
B/I Districts			
Non-B/I	Full Screen [4]	50	35
WD-I Districts			
Residential including multifamily	Full Screen	40	30
Nonindustrial uses	Full Screen	25	15



APPEAL: Any decision of the director may be appealed to the hearing examiner in accordance with the procedures of BIMC 2.16.020.P.

ATTACHMENTS:

- A. Applicant's Letter and Appendices

REFERENCES:

- 1. BIMC (<https://www.codepublishing.com/WA/Bainbridgelsland>)
- 2. Land Use Map (<http://www.bainbridgewa.gov/DocumentCenter/View/8126/Ord-2017-01-Exhibit-B-Future-Land-Use-Map-Feb-28-2017?bidId=>)

A handwritten signature in blue ink that reads 'Gary R. Christensen'.

Gary R. Christensen, AICP
Director of Planning & Community Development

2/22/19

Date