

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;

BIMC Chapter 17.12 SUBDIVISION STANDARDS

- 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 appeal qualities 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.;
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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. ~~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~~ land 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

BIMC Chapter 17.12 SUBDIVISION STANDARDS

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.”
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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, 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

BIMC Chapter 17.12 SUBDIVISION STANDARDS

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 incorporate ing measures that promote design diversity, ~~including: by:~~

1. Providing a mixture of lot sizes and/or front setbacks; and/or
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BIMC Chapter 17.12 SUBDIVISION STANDARDS

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.
