



Council Message

Sarah Blossom, South Ward



I recently had the opportunity to speak with members of the Bainbridge Island Chapter of Moms Demand Action and learned that Washington State has a “red flag” law that allows a judge to remove firearms from the possession of someone deemed a threat. The law, which took effect in 2017, is known as an Extreme Risk Protection Order (ERPO). Having never heard of this myself, I thought I would use my turn in the Council Message to help spread the word about this important tool.

According to Washington State Courts, an ERPO is designed to temporarily prevent people who are at high risk of harming themselves (or others) from accessing firearms. Family members and police can petition the court for an ERPO when there is demonstrated evidence that the person poses a significant danger.

A person can apply for an ERPO at the Bainbridge Island Municipal Court. Forms are available at the court or City’s website: www.bainbridgewa.gov/602/Protection-Orders. Since the law took effect, the Bainbridge court has not received any requests for protection orders.

Council moving closer to new rules for ADUs, tiny houses

Tiny houses could soon be coming to Bainbridge Island. The City Council has finalized new rules for accessory dwelling units (ADUs) that include provisions for tiny houses. An ADU, also known as a mother-



Photo Courtesy of American Tiny House Association

in-law suite or backyard cottage, is a separate living space located on the same lot as a single-family house. ADUs can be up to 900 square feet in size. The new regulations (Ordinance 2019-09), discussed at the Oct. 22 business meeting, require common ownership of the primary residence and ADU, and remove the ADU from lot coverage calculations for properties less than 40,000 square feet.

If approved, the new regulations would also allow a tiny house, a dwelling that does not exceed 400 square feet, in lieu of one traditional-sized ADU. Earlier this year, the legislature approved State Senate Bill 5383, which directed the State Building Council to adopt standards specific to tiny houses by Dec. 31, 2019. This legislation allows the City to amend its building code to include tiny house provisions.

Tiny houses will need to meet the same requirements as ADUs for parking spaces, placement, and access. The municipal code requires one parking space be provided for an ADU in addition to one or two parking spaces required for the primary dwelling.

“A key recommendation from the 2018 Affordable Housing Task Force was to seek ways to encourage greater use of ADUs,” said City Manager Morgan Smith. “These new rules are an important first step, and we hope they will lead to increased use of ADUs and tiny houses as affordable housing alternatives within the community.”

Continued on page 3

Green building features planned for police-court project

City staff have started work on final design and permitting for the new Police Station-Municipal Court replacement project. At the Oct. 15 study session, staff provided the City Council with an update on recent progress and an inventory of the green building features that are planned as part of the pro-

ject’s design.

During Quarter 3 (July, August, September), the project team submitted land use permit applications to the Department of Planning and Community Development to initiate the project review process. The project team is proceeding with design development by fi-

nalizing floor plans with the Police and Court staff and developing design criteria for the renovated spaces.

Earlier this year, City Manager Morgan Smith signed a purchase and sale agreement for the Harrison Medical Center Building, located

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Council considers Suzuki Project next steps

During the Oct. 22 business meeting, City Council moved forward two changes to the Housing Design Demonstration Projects (HDDP) program ordinance. The changes are proposed to support the selected site plan for the affordable housing project the City intends to develop at the Suzuki site, a 14-acre property at the intersection of New Brooklyn and Sportsman Club Road. Currently, HDDP is set to expire on Dec. 31, 2019. The proposed changes include extending the HDDP program through 2021 and removing a requirement that HDDP projects must be 100% affordable.

The ability to move forward with 100 units on the Suzuki property is dependent on the project's HDDP eligibility, which would allow additional development above base zoning.

The HDDP program promotes development of innovative residential housing projects to provide a greater diversity of housing options and affordability, while utilizing progressive sustainable development practices. The HDDP program is only available within the Winslow Study Area of the Winslow Master Plan and the Winslow Sanitary Sewer System Service Area.

In late August, the City Council approved a site plan that includes approximately 100 housing units for the Suzuki property (60 rental units, 39 units for sale and 1 management unit). The 60 rental units would be designated as "affordable," or pricing at or below 120% of area median income (AMI). The 39 for sale units would be sold at below-market prices, through the use of

a community land trust structure, and the price for these units would not exceed 140% of AMI.

On Oct. 1, City Council directed City Manager Morgan Smith to prepare an ordinance extending the HDDP program. The Council also requested the draft ordinance remove

the existing requirement that a project must include 100% affordable units (pricing at or below 120% of AMI) in order to apply for HDDP incentives. These changes are intended to allow the Suzuki project to be eligible to receive increased development density in return for providing at least 50% of the project's units as affordable housing.

At the Oct. 1 study session, Council also authorized Smith to move forward with the process to formally "surplus" the Suzuki property. This is the procedure used by public agencies, like the City, to transfer ownership of real property and other assets. A memo outlining the steps in the surplus process was provided to the Council in the Oct. 1 agenda packet.

The first step would be to hold a public hearing on whether to surplus the Suzuki property. Additional steps include the approval of a formal surplus resolution and the completion of an appraisal to determine



the property's value. The Council indicated their intent to initiate the surplus process in the coming weeks.

The Planning Commission will review the HDDP ordinance and develop a recommendation. The Planning Commission is expected to hold a public hearing on Nov. 7.

Stay informed!

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- City Council agenda items & discussion
- Updates on City projects
- Upcoming meetings, events, and more

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(Don't forget to confirm your subscription, which might go to your junk folder)

YOU'RE INVITED

MEET THE POLICE CHIEF CANDIDATES

★ ★ ★ ★ ★

Meet the finalists for the Bainbridge Island Police Chief position at a reception on Wednesday, Nov. 20 from 6 to 8 p.m. at City Hall.

Volunteers needed to serve on Commissions

The City is looking for volunteers to serve on the Civil Service Commission and Salary Commission.

Applications for both Commissions are due by 4 p.m. on Friday, Nov. 15, 2019. Interviews will be held in late November and/or early December.

Civil Service Commission

The Civil Service Commission oversees the hiring processes for the Police Department, including entry level and promotional testing, adoption of rules and regulations, and hearing appeals and complaints.

Commissioners are appointed by the City Manager and serve four-year terms. The Civil Service Commission is made up of five appointed Commissioners and one Chief Examiner; there are three positions to be filled beginning in January 2020.

A member of the Commission must be a citizen of the United States, a resident of Bainbridge Island, and an elector of Kitsap County.

The Commission meets at 3 p.m. on the first Tuesday of every month at City Hall.

For more information on the Civil Service Commission and to complete the online application, please visit:

www.bainbridgewa.gov/223.

Salary Commission

Seven volunteers are needed to serve on the Salary Commission, which helps deter-

mine how much members of the City Council should be paid.

City Council salary data was last reviewed in 2009. Beginning this year, a new salary commission will be appointed every seven years to perform a salary review. Currently, Council members receive \$1,000 per month. The Council member selected to be Mayor receives \$1,250 in recognition of additional duties assigned to the position.

Members of this Commission will be appointed by the Mayor with approval of the City Council.

Commissioners will serve for approximately 120 days, during which time the group will meet as needed. The meetings are open to the public and subject to the Open Public Meetings Act.

A member of the Commission may not include a City employee or official, or an immediate family member of a City employee or official. An "immediate family member" means the parents, spouse, siblings, children, or dependent relatives of a City employee or official.

For more information about the Salary Commission and to complete the online application, please visit:

www.bainbridgewa.gov/241.

If you have questions about the openings, please contact Human Resources Analyst Eileen McSherry at 780-8632 or by email at emcsherry@bainbridgewa.gov.

Council approves fireworks ban

The City Council approved a ban on the use and sale of consumer fireworks on Bainbridge Island following concerns related to wildfire risk, noise, safety and environmental impacts. The ban will go into effect October 2020 - one year after the adoption - which means the upcoming July 4, 2020 holiday will be the last opportunity for people to discharge consumer fireworks.



Consumer fireworks include firecrackers, bottle rockets, sparklers, and more. According to Fire Chief Hank Teran, sparklers, a hand-held firework popular among children that burns slowly while emitting sparks and colored flames, pose a danger similar to other consumer fireworks, as they burn at a high temperature and can cause injuries and fires.

Currently, City code allows the sale of consumer fireworks within the City between the hours of 12 p.m. and 11 p.m. July 1 through July 4 each year and allows the discharge of consumer fireworks within the City for a six-hour period on July 4 of each year.

People can still request a permit from the fire marshal for a public display of fireworks.

ADUs continued from page 1

The Planning Commission will begin review of Ordinance 2019-09 at its Nov. 7 meeting. Once the Planning Commission completes its review and recommendation of the ordinance, then the ordinance will return to the Council for final approval.

When Council took up the effort to expand options for ADUs, the question of a common ownership requirement emerged as an early topic. The intent of this requirement is to

encourage increased use of ADUs for rental housing. As of Oct. 18, the City has issued 218 permits for ADUs. In 2017, a survey was sent to 196 property owners with ADUs seeking information on the use of ADUs. The City received 31 responses and learned that some ADUs were being used for storage, out of town guests, or caregivers. Only 16 respondents said their ADUs were being used as rentals (or had rented, may rent again).

As part of the review of policies for ADUs

and tiny houses, the Council also considered whether to allow recreational vehicles (RVs) to be used as permanent housing and regulations for tiny house communities. During the Sept. 10 business meeting, the Council directed staff to draft a separate ordinance to allow RVs as permanent houses while also providing for review and regulation of public health and safety issues. A future discussion on that topic and tiny house communities is planned for early 2020.

Development Moratorium Update

On Dec. 4, 2019, the scope of the development moratorium will significantly narrow. From that point forward, the moratorium will apply only within the Winslow Master Plan Study Area (WMPA), excluding a) the Central Core Overlay District and b) projects that provide 10% of the total residential units as affordable.

Development projects in the WMPA that already completed a pre-application meeting before Jan. 9, 2018 (when Council approved the moratorium) are also not subject to the moratorium. Subdivisions will be allowed to proceed citywide.

For other projects, the moratorium will remain in effect until April 3, 2020. The re-

maining four months of the moratorium extension will allow the Council to continue work to develop new incentives for affordable housing, including possible inclusionary zoning and multifamily tax exemption programs. The Council has scheduled a next discussion on these programs for the Tuesday, Dec. 3 study session.

If Council completes their work on affordable housing tasks before the April deadline, then the moratorium could be lifted early.

When the moratorium was initiated, the Department of Planning and Community Development created a workplan to address the identified issues of concern. A

high-level overview of the status of that workplan is provided below.

JOIN US

Staff will host two open houses on the moratorium workplan and address common questions regarding planning and building.

Wed., Nov. 13, 5 - 8 p.m.
Thurs., Nov. 14, 10 a.m. - 1 p.m.
 @ City Hall

For more information:
www.bainbridgewa.gov/154/Planning-Community-Development

Subdivisions

Interested in dividing your property to create new lots?



New regulations (Ordinance 2019-03), which became effective Oct. 24, include:

- Increased open space (i.e. natural areas)
- Community space for residents
- Clustered development pattern
- Site design guidelines

Each parcel being subdivided now must designate a maximum homesite size for the primary residence, accessory dwelling unit, and infrastructure (parking, fences, septic, etc.). A few zoning districts limit the maximum home size and require a variety of housing designs and sizes.

Design Standards and Guidelines

To enhance the quality of buildings, sites, landscape, and the public realm, Design for Bainbridge (a new manual containing standards and guidelines) became effective September 2019 (Ordinance 2019-25). These design standards are applied when a property is going through a land use permit such as a Site Plan Review or Subdivision application. Standards are not applicable to building a single-family home on an existing lot.



The standards will:

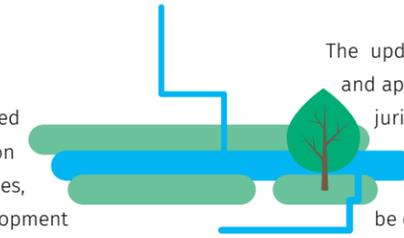
- apply citywide
- require early "context analysis" so that the characteristics of each individual property and surrounding development inform how future development is planned
- focus on positive outcomes for how the built environment relates to public spaces and natural areas

Design for Bainbridge is just one part of the development review process and requirements. Additional City standards for zoning, transportation, stormwater management, and protection of the shoreline and critical areas will continue to apply to development projects, as applicable.

Critical Areas Ordinance (CAO)

The Critical Areas Ordinance (CAO) includes regulations for critical aquifer recharge areas, flood hazard areas, steep slopes, wetlands, and streams.

You may be affected by the updated CAO if you have a critical area on your property, including steep slopes, wetlands, and streams. New development meeting certain criteria is subject to a new aquifer recharge protection area (ARPA) requirement.



The updated CAO became effective in April 2018 and applies to all properties outside the shoreline jurisdiction. An amendment to the City's shoreline master program to include new critical areas regulations is expected to be completed in 2019. An administrative review of the CAO is underway and will be completed in early 2020.



Affordable Housing

The City Council is exploring options and opportunities to increase the amount of affordable housing.

These options are based largely on the 2018 Affordable Housing Task Force Final Report and an economic market analysis and program feasibility study related to inclusionary zoning, Multi-family Tax Exemptions (MFTE) and transfer of development rights (TDR) public benefit programs.



The affordable housing tools would likely be focused in the City's more urban areas (Winslow area and neighborhood centers - Rolling Bay, Island Center and Lynwood Center).



Changes may include an increase in the amount of designated affordable housing and an increase in the overall number of rental units. It's likely that the overall size of developments (i.e. the amount of square feet) would be increased to facilitate the development of affordable housing units and/or new rental housing units.

City Council will continue discussion on the MFTE and inclusionary zoning during the Dec. 3 study session.

Land Use Review Procedures and Decision Criteria

Developing your land?



The process review for site plan and design review permits (SPR), conditional use permits (CUP), and subdivisions now requires an earlier review by the Design Review Board and a public participation meeting with the Planning Commission.

Land use review procedures are complete (Ordinance 2018-20). Council is expected to discuss updates to SPR and CUP decision criteria in late November (Ordinance 2019-24).



Honoring our COBI veterans

City Hall is closed Monday, Nov. 11 in observance of Veterans Day. Please take a moment to say “Thank You” to the veterans in our community, especially those who now serve the City of Bainbridge Island! We hope you enjoy learning more about their stories below.



Dave Erbes, a Permit Specialist in Planning & Community Development, is a retired Yeoman First Class of the U.S. Navy who served 20 years. He was stationed at Naval Base Kitsap - Bangor, Naval Air Station Whidbey Island, USS Horne, USS California, NCIS Silverdale, and Naval Underwater Warfare Center in Keyport.



Ofc. Chuck Kazer was an Operations Specialist Petty Officer 2nd Class (Surface Warfare) in the U.S. Navy. He served onboard USS Arleigh Burke DDG 51 (Guided Missile Destroyer) from 2000 to 2004.



Ellen Fairleigh, a Planner, served five years in the U.S. Coast Guard stationed on a high endurance cutter and at a small boat station in California. She participated in a wide variety of law enforcement and search and rescue operations.



Cpl. Gary Koon served in the U.S. Marine Corps as an infantry officer and enlisted Marine. Koon deployed overseas numerous times, including three combat tours (two to Iraq and one to Afghanistan).



Ofc. Eric Huska served in the U.S. Army from 1990 to 2002. He served as a team leader in an Air Defense Artillery Branch (surface to air missiles). He reclassified to water purification where he served as a Platoon Sergeant.



Barry Loveless, Project Executive for the police-court facility project and former Public Works Director, is a Naval Academy graduate. He served 28 years in the U.S. Navy, from 1977-2005. He served with the SEABEES during Operation Desert Shield in 1990-1991 (first Gulf War) and served overseas in Japan, Okinawa, Philippines, Saudi Arabia, and Puerto Rico.



Chris Munter, a Public Works Project Engineer, served 9.5 years in the Civil Engineer Corps of the U.S. Navy Reserve. He served on duty with Naval Mobile Construction Battalion 18 (NMCB18), Amphibious Construction Battalion 1 (ACB-1), and Commander Naval Engineering Forces Korea (CNEFK).



Paul Nylund, a Development Engineer, is a 1991 Naval Academy graduate and served 22 years in the U.S. Navy from 1991 to 2013. Nylund was designated a Naval Flight Officer and received his Wings of Gold in February 1993 and was assigned to the S-3B Viking.



Aaron Pool, Code Compliance Officer, served four years in the U.S. Coast Guard. He served on active duty participating in a search and rescue and law enforcement capacity with USCG District 9 on the Great Lakes.



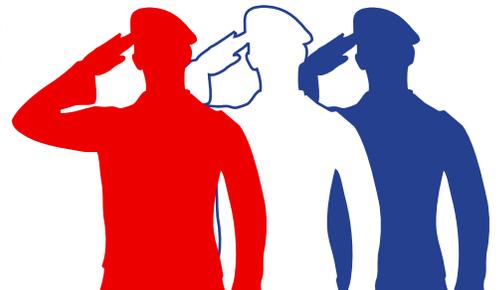
Ralph Scott, a Wastewater Treatment Plant Operator, served in the U.S. Air Force from 1988 to 1991 as a helicopter mechanic. Ralph was stationed in Germany in support of Desert Shield/Desert Storm. He was stationed in Cocoa Beach, Florida in support of the Space Shuttle mission.



Ron Logghe, a Senior Financial Analyst, was an electrician (EM3) in the U.S. Navy from 1991-1993. He was involved in a few repairs of submarines that were involved in traffic incidents that made news headlines, including a submarine incident off Kola Peninsula in March 1993.



Todd Cunningham, Building Official, served in the Army National Guard from 1977 to 1999. He served with the 579th Engineers Battalion, 49th MP Brigade and the 40th Infantry Division. His occupational specialties included Combat Engineer, Concrete-Asphalt Specialist, Carpentry-Masonry Specialist, and Construction Supervisor.



Council resumes work on Green Building codes to support Comprehensive Plan goals

As part of the work to implement the current Comprehensive Plan (adopted in 2017), the City Council identified the effort to develop Green Building policies as a top priority. During 2018 and much of 2019, the City's efforts on land use were focused on the workplan items related to the development moratorium. With several complex moratorium topics now completed, the Council and staff have the capacity to resume work on options for Green Building codes. These changes are intended to encourage an increased use of sustainable materials, environmentally efficient design elements, and "green" construction techniques across a wide range of projects. At the study session on Nov. 5, staff will provide a briefing on next steps and a proposed workplan.

Previously, the City adopted the International Green Construction Code as an optional regulatory code for new structures. In addition, the City has an optional innovative building design ordinance (Housing Design Demonstration Projects) that requires green building certification in one of five existing programs (e.g. LEED or Living Building Challenge).

On Nov. 5, City staff will propose a workplan to the Council that includes detailed assessment of two policy tools, a mandatory program and a set of voluntary incentives.

A potential mandatory program would apply to certain buildings, as identified by either type and/or size. For example, a mandatory program could apply to public, commercial and multifamily projects over 5,000 square feet, and to remodels of those building types that are over 5,000 square feet.

The use of voluntary Green Building incentives would be intended to encourage an increased number of smaller projects, including single family homes, to adopt a higher standard for construction and design.

Staff will also suggest the City review a selected list of existing Green Building codes to assess for feasibility as a model code for Bainbridge. This list of potential model codes includes Built Green, US Green



Building Council (LEED), and CalGreen.

If the Council supports the proposed workplan, staff will work to engage the Design Review Board and the Climate Change Advisory Committee to provide input on the program options. The results and recommendations will be delivered to Council for review and discussion. Once the foundations of the new program have been approved, work to draft and implement a new ordinance can be completed. This process will include multiple opportunities for public outreach and engagement.

Police-court building continued from page 1

at 8804 Madison Avenue North, for approximately \$9 million. The City will renovate the building to support a new, combined police and court facility. The approximate cost for the project, including property purchase and renovations, is estimated to be \$20 million.



In September, the Council approved moving forward with \$12 million of funding from existing City resources and \$8 million of funding from long-term debt, and to issue Councilmanic bonds, also known as Limited Tax General Obligation (LTGO) bonds. LTGO bonds are repaid using existing City revenues and will not increase property taxes.

The Oct. 15 discussion also included information about the sustainable building features of the existing building and plans to incorporate additional green building efficiencies during the renovation. Renovation plans include the use of sustainable building materials, energy efficiency

fixtures, water conservation features, demolition waste reduction, and investigation of the site's potential for renewable energy. The Council requested further review of any other enhanced sustainable building options that could contribute to reduced facility costs over the life of the building. Additional information will be provided once the project team has completed this review.

In January 2020, CHI Franciscan Health plans to vacate the building, which will allow the City to close on the property purchase and take ownership of the existing building. The current project schedule anticipates construction will begin in 2020 and will complete in 2021. The Council is scheduled to receive regular quarterly briefings on the project as the planning and construction phases move forward.

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- **November 5:** Election Day
- **November 11:** City Hall closed for Veterans Day
- **City Council Study Sessions**
 - November 5:** 5 p.m.
 - November 19:** 6 p.m.
- **City Council Business Meetings**
 - November 12:** 6 p.m.
 - November 26:** 6 p.m.
- **November 14:** PCD and Public Works-Engineering counters are closed for Process Improvement Day
- **November 28-29:** City Hall closed for Thanksgiving holiday
- **Ward Meetings**
 - November 2:** South Ward, 10 a.m. at Island Center Hall
 - November 9:** North Ward, 10 a.m. at Seabold Hall

Meetings, times, and agenda topics are subject to change. Please see the calendar on the City's website for the latest information.

Buoy installation in Eagle Harbor begins

If you've been near Eagle Harbor recently, then you might have noticed activity involving some large equipment and divers. In late October, a contractor for the City began the installation of new buoys in the Dave Ullin Open Water Marina (DUOWM).



A diver and boat operator remove an anchor in the Dave Ullin Open Water Marina (DUOWM) in Eagle Harbor Oct. 22 as part of the City's new buoy installation project.

In 2018, the City Council voted to provide funding to expand the number of residential moorage sites in the DUOWM from 11 to 16, as allowed under the terms of the City's lease with the Washington State Department of Natural Resources (DNR).

The DUOWM includes approximately 600,000 square feet of moorage, just south of the City dock and east of the Harbour Public House. The new moorage layout for the DUOWM will accommodate four 60-foot boats, four 50-foot boats, four 40-foot boats, and four 30-foot boats and increases the width of the navigation fairway south of the marina area.

The layout decision was approved after

months of discussion to determine the best way to address the needs of both the liveboard community and recreational users.

During construction, liveboard tenants of the DUOWM will be temporarily relocated to the City dock. There is still space for guest moorage at the City dock.

During the work, there will be days with little or no activity on the water, as the contractor works with subcontractors to assemble materials. The project completion is expected around Friday, Nov. 15.

The lease area is known as the Dave Ullin Open Water Marina in honor of a beloved resident of Eagle Harbor who died in 2017.

Enjoy S'mores with the squad as the Christmas ships pass through Eagle Harbor.

Saturday, Nov. 30, 7-8 p.m. Waterfront Park