

ORDINANCE NO. 2025-21

AN ORDINANCE of the City of Bainbridge Island, Washington, amending BIMC Section 18.12.020 related to affordable housing projects in the Ferry and Central Core zoning districts.

WHEREAS, the Bainbridge Island City Council has identified affordable housing as a City priority and is committed to expanding the supply of housing on the Island that serves lower income households, particularly families with children, employees of Bainbridge Island businesses and public agencies, and seniors who might otherwise be displaced from the community; and

WHEREAS, amending the City's applicable floor area ratio (FAR) requirements, height requirements, and parking requirements to align the same with the financial realities of affordable housing development is an important step toward meeting the City's obligation under the Growth Management Act to plan for and accommodate housing that is affordable to all economic segments of the population; and

WHEREAS, the City staff presented draft amendments to the Bainbridge Island Planning Commission on August 14, 2025 which, among other things, would have increased the FAR for properties in the Ferry and Core zoning districts to 3.0, increased building height to 65 feet, and set the minimum parking requirements at 0.5 spaces per unit, for development projects with 100% of the residential dwelling units designated as affordable; and

WHEREAS, on August 19, 2025, the City Council approved a motion updating its previous request for revised development regulations to the Planning Commission for development of an ordinance for City Council consideration; and

WHEREAS, on August 28, 2025, the Planning Commission voted to hold a public hearing on September 11, 2025, to consider the modified amendments, which, among other things, proposed to change the FAR for properties in the Ferry and Core zoning districts east of State Route 305 to 2.0, and keep the building height as in existing code except that certain rooftop structures would not be counted against the maximum height limit, for development projects with 100% of the residential dwelling units designated as affordable; and

WHEREAS, notice of the September 11, 2025, public hearing on the modified amendments was duly published in the City's official newspaper; and

WHEREAS, with the understanding that the Planning Commission and City Council might desire to make further changes to the modified regulations, a Determination of Nonsignificance under the State Environmental Policy Act (SEPA) was issued on September 5, 2025, for both the original draft amendments and the modified amendments, providing the SEPA Responsible Official's determination on the range of alternatives available for Planning Commission and City Council consideration; and

WHEREAS, on September 11, 2025, the Planning Commission held a public hearing on the draft modified amendments and, after closing the public hearing, continued discussion of the ordinance, and recommended to the City Council that the Council approve the modified amendments with certain changes recommended by the Planning Commission; and

WHEREAS, on September 23, 2025, the City Council discussed the ordinance and voted to set a public hearing on the ordinance for October 14, 2025; and

WHEREAS, notice of the City Council’s public hearing was duly published in the City’s official newspaper; and

WHEREAS, prior to the public hearing, the City staff provided staff’s analysis of the proposed amendments, including the consistency of those amendments with the City’s comprehensive plan; and

WHEREAS, after conducting the public hearing, the City Council considered all testimony received, conducting its deliberations, concurred in the staff’s analysis, and determined to adopt the amendments set forth in this ordinance.

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

Section 1. The amendments to the Bainbridge Island Municipal Code approved by this ordinance shall sunset nine months (estimated June 30, 2026) from the effective date of this ordinance unless first amended or updated as part of the update to the Winslow Subarea Plan and Comprehensive Plan. If the amendments sunset, footnote 8 to BIMC Table 18.12.030-3 and all references to such footnote in the Table shall be deleted and the Table shall read as it did immediately prior to the adoption of this ordinance. Permit applications that vest prior to any amended or updated regulation adopted as part of the Winslow Subarea Plan and Comprehensive Plan or that otherwise vest prior to the sunset date shall remain vested and shall not be affected by the amendment, update, or sunset.

Section 2. Table 18.12.020-3 of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A.

Section 4. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

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

PASSED by the City Council this day of 2025

APPROVED by the Mayor this day of 2025.

Ashley Mathews, Mayor

ATTEST / AUTHENTICATE:

Christine Brown, MMC, City Clerk

PUBLISHED: , 2025
EFFECTIVE DATE: , 2025

DRAFT EXHIBIT A

18.12.020 Tables of dimensional standards.

Tables 18.12.020-2 and 18.12.020-3 set forth applicable 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.

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

ZONING DISTRICT	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I
	Central Core Overlay [8]	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay [See BIMC 18.12.030.C and [8]]				
DIMENSIONAL STANDARD									
MAXIMUM FAR (Floor Area Ratio) [1]									
Basic Maximum									
Commercial and Other Nonresidential Uses	0.6	0.4	0.3	0.15	0.1	0.3	No max.; limited by other standards		
Residential	0.4	0.4	0.3	0.5	0.4	0.3	No FAR limit: R-2 standards apply		
Mixed Use [2]	1.0	0.5	0.5	0.5	0.5	0.3	No max.; limited by other standards		
Maximum with Bonus									
Bonus densities require compliance with BIMC 18.12.030.E and 18.21.050 as applicable.									
Residential	1.0	0.6	0.6	1.0	1.1	0.6	Bonus densities require compliance with BIMC 18.12.030.D	N/A	N/A
Affordable Housing Development on Property Owned or Controlled by a Religious Organization [7]	1.1	0.8	0.75	1.25	1.2	0.75	Bonus densities require compliance with BIMC 18.21.050 and 18.12.030.D	N/A	N/A
Mixed Use [2]	1.5	1.0	0.9	1.0	1.2 (1.4 pursuant to note [3])	0.9		N/A	N/A

DRAFT EXHIBIT A

ZONING DISTRICT	Winslow Mixed Use Town Center					HSR I and II	NC	B/I	WD-I
	Central Core Overlay [8]	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay [See BIMC 18.12.030.C and [8]]				
DIMENSIONAL STANDARD									
MAXIMUM BUILDING AND STRUCTURE HEIGHT [5]									
Note: Bonus may not be available in the shoreline jurisdiction									
Base	35 ft.; 25 ft. max. south of Parfitt	25 ft.; 35 ft. north of High School Road	25 ft.	35 ft.	BIMC 18.12.030.C standard height north of Winslow Way; 35 ft. south of Winslow Way	35 ft.	35 ft.	35 ft.	35 ft. except that Chapter 16.12 BIMC applies within shoreline jurisdiction
Bonus 1 if parking under building [6]	45 ft.; 35 ft. south of Parfitt	35 ft.; 45 ft. north of High School Road	35 ft.	45 ft.	BIMC 18.12.030.C optional height north of Winslow Way; 45 ft. south of Winslow Way	45 ft.			
Bonus 2 for Nonresidential Uses with Major Conditional Use Permit							45 ft.	45 ft.	45 ft.

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

[2] In mixed use development, the established FAR in the residential and commercial components shall not be exceeded. For the residential FAR bonus provisions for qualifying housing design demonstration project, refer to the bonus density provisions in BIMC 2.16.020.S.8.

[3] In mixed use development in the ferry terminal district, an additional 0.2 FAR is permitted in accordance with BIMC 18.12.030.E.2. The additional FAR may be applied to either the residential or commercial component of the mixed use development.

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

DRAFT EXHIBIT A

[5] When property adjoins a lower density residential zone, except in the ferry terminal district, north of Winslow Way, for the first 30 feet of the building from the property line of an adjoining lower density residential zone, the building height shall be the building height of the adjoining lower density residential zone. Optional building height allowed in the adjoining lower density residential district through a conditional use permit may be requested for projects within the mixed use town center and high school road zones through the site plan review process. For building height requirements in the ferry terminal district, north of Winslow Way, reference BIMC 18.12.030.C.

[6] The bonus height is available when parking is located underground or under the occupiable space of the planned building. If parking is located under 50 percent or less of the occupiable space, the bonus may only be used for a portion of the building footprint twice as large as the area with parking located beneath.

[7] The bonus density is available when provisions of BIMC 18.21.050 are met and all bonus FAR is applied to the residential component of the mixed use development.

[8] In the Ferry and Central Core Overlay Districts east of State Route 305, the maximum FAR for development projects with 100% of residential units designated as affordable housing that will be affordable to households earning no more than 80% of the Kitsap County Area Median Income for a period of at least 75 years is 2.5. A maximum of 10% of the project's proposed FAR may be devoted to commercial or other nonresidential uses allowed within the districts, without the limitation described in footnote 2. The maximum building height for such affordable housing projects shall be 55 feet, provided that rooftop structures required for emergency fire and life safety egress shall not be counted toward the maximum building height. The minimum parking requirements in BIMC18.15.020.C shall be met for all residential, commercial, and nonresidential uses in such affordable housing projects, except for residential units less than 900 square feet in size, the parking requirement is reduced to one-half space per unit.