

**CITY OF BAINBRIDGE ISLAND
CITY COUNCIL COMMITTEE
RECOMMENDATION SHEET**



Subject: New Business: Approve Land Use Committee Recommendation to
Defer Effective Date of Ordinance 2006-17

Date: 10-22-08

CITY COUNCIL COMMITTEE:

Community Relations

Finance & Personnel

Land Use

Public Works & Transportation

REVIEWED BY:

City Attorney

Department Director:

DESCRIPTION / ISSUE:

On October 11, 2006, the City Council passed Ordinance 2006-17 (attached), implementing a set of parking recommendations from the Winslow Tomorrow planning process that included reducing commercial parking requirements in the Core District and allowing all or part of commercial parking requirements to be met off-site in other districts of the Mixed Use Town Center. The primary purpose of the amendments was to allow flexibility for infill development and redevelopment of smaller parcels. The Council also determined that the effective date should be deferred until November 1, 2007, with the stipulation that the November 1st effective date would be contingent upon the amount of progress achieved on other parking management strategies.

On September 26, 2007, the City Council conducted a workshop on the City's progress on the parking management strategies and *determined that more progress was needed before Ordinance 2006-17 took effect*. On October 1, 2007, the Council passed Ordinance 2007-36, deferring the effective date of Ordinance 2006-17 until November 1, 2008. As part of its 2008 work plan, the Land Use Committee was charged with developing recommendations for a coordinated parking management strategy for the downtown.

Due to staffing and organizational changes with the Planning Department, the Land Use Committee has only been able to work in earnest on the parking issues over the past several months. Their work has focused on staff's recommendations for the remainder of 2008:

- Allow Ordinance 2006-17 to take effect on November 1, 2008, as scheduled.
- Adopt Ordinance 2008-04, allowing temporary parking lots for construction workers and displaced employees associated with development projects, thereby reducing pressure on on-street parking and private parking lots. This ordinance has been reviewed by the Planning Commission and first and second readings have been held.
- Work with the Chamber of Commerce to expand and increase the effectiveness of employee parking program administered by the Chamber.

The Land Use Committee has discussed a variety of concerns regarding the implementation of Ordinance 2006-17, and identified three options which were considered at the October 14 LUC meeting:

- 1) Allow the ordinance to take effect as scheduled.
- 2) Repeal the ordinance. This would require a repeal ordinance to be processed through both Planning Commission and Council.
- 3) Defer the effective date of the ordinance again, to allow the Land Use Committee more time to work on other recommended strategies.

The Land Use Committee is planning a special Committee meeting on October 21 to finalize their recommendation to the full Council. This recommendation will be made available to the full Council as soon as possible, and also included in the Land Use Committee report at the October 22 meeting.

COMMITTEE RECOMMENDATION:

Defer the effective date for Ordinance 2006-17 by six months, to May 1, 2009, and direct the LUC to immediately proceed with development of recommended actions to increase off site parking opportunities in Winslow.

STAFF COMMENT:

CITY OF BAINBRIDGE ISLAND

ORDINANCE NO. 2006-17

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to parking requirements in the Winslow Core; modifying the location parameters for required parking in the Central Core, Gateway, and Ferry Terminal Overlay Districts; amending Sections 18.40.020 and 18.40.030 of Chapter 18.40 Mixed Use Town Center and High School Road Commercial Zones and repealing Section 18.81.130 and amending Sections 18.81.030, 18.81.040, 18.81.056, 18.81.060, and 18.81.140 of Chapter 18.81 Parking and Access Requirements of the Bainbridge Island Municipal Code.

WHEREAS, the City Council is authorized to modify the city code in accordance with Washington State laws; and

WHEREAS, Resolution 2006-05 sets a goal to revise the municipal code to reflect the parking recommendations generated by the Winslow Tomorrow effort; and

WHEREAS, notice was given on June 5, 2006, to the Office of Community Development in conformance with RCW 36.70A.106; and

WHEREAS, the Planning Commission conducted public hearings on the amendments proposed for Title 18, Zoning, on April 27, 2006 and May 25, 2006; and

WHEREAS, the Planning Commission recommended approval on May 25, 2006;

WHEREAS, the City Council conducted a public hearing on the amendments proposed for Title 18, Zoning, on August 9, 2006; now, therefore,

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

Section 1. Section 18.40.020 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

"18.40.020 Land uses.

No use is allowed except as indicated in the following table:

Permitted Uses: Uses designated by the letter "P" are permitted on any lot in the zones indicated, subject to all applicable regulations and the design guidelines contained in Chapter 18.41 BIMC.

Conditional Uses: Uses designated by the letter "C" may be authorized as conditional uses, in accordance with the provisions of this title and the design guidelines contained in Chapter 18.41 BIMC.

Uses Not Allowed: Uses not allowed in a particular zone or overlay district are designated by the letters "NP".

Uses Table

Uses	Mixed Use Town Center					High School Road Districts I and II
	Central Core	Madison Avenue	Ericksen Avenue	Gateway ¹	Ferry Terminal ^{10, 11}	
Commercial						
Retail, except drive-through businesses	P ²	P (with residential) ³	P (with residential) ³	P	NP	P/C ⁴
Retail, with screened outdoor storage	NP	NP	NP	NP	NP	P/C ⁴
Uses which service the automobile (e.g., gasoline service station, car wash, auto repair shops)	NP	NP	NP	NP	NP	C
Commuter-Oriented Retail ³	NP	NP	NP	NP	P ⁵	NP
<u>Office Business</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Personal and Professional Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ⁶	<u>P</u>
<u>Professional Service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Entertainment	P	NP	NP	NP	NP	P (in Mixed Use)
Hotels, Motels and Inns	P	NP	NP	C	P ¹²	P
Bed and Breakfasts	P	P	P	P	P	P
Formula Take-Out Food Restaurant	NP	NP	NP	NP	NP	P (in District I, east of SR 305 only) ⁷
Agricultural	NP	NP	NP	P	NP	P

Processing						
Ferry Terminal and associated docks, ramps, walkways, trails, waiting rooms and holding areas	NP	NP	NP	NP	P	NP
Ferry Commuter Parking⁸	P	NP	NP	P	P	NP
Temporary Ferry Commuter Parking (Reference BIMC 18.81.054)	C	NP	NP	C	C	NP
Noncommuter Ferry Parking (Reference BIMC 18.81.052)	NP	NP	NP	NP	P/C ¹³	NP
Commercial Parking (Reference BIMC 18.81.056)	P/C	NP	NP	P	NP	NP
Marinas, Boardwalks, Public Piers	P	NP	NP	NP	P	NP
Day Care	P	P	P	C	P	P
Miscellaneous						
Government, Educational, Cultural and Religious Institutions	P	P	P	C	C ¹²	P
Health Care Facilities	P	P	C	C	C ¹²	P
Utilities	C	C	C	C	C	C
Park and Ride Lots	NP	NP	NP	NP	NP	C
Home Occupations	P	P	P	P	P	P
Parks	P	P	P	P	P	P
Residential						
Multifamily Dwellings	P	P	P	P	P	P
Single-Family Dwellings	P ⁹	P ⁹	P ⁹	NP	NP	NP

P = permitted use C = conditional use NP = use not permitted

¹Any development in the gateway district shall include provisions for a public trails system within the ravine and/or pedestrian links to the ferry terminal.

²Retail development in the central core district exceeding 5,000 square feet per building footprint is allowed only on Winslow Way and Madison Avenue.

³For new buildings of more than one story, retail has to contain a residential component.

⁴In the H.S. Rd. II district, retail use up to 5,000-square-foot building footprint is permitted and between 5,000 and 14,400-square-foot building footprint per building is permitted through a conditional use permit.

⁵In the district north of Winslow Way, commuter-oriented retail is permitted only along Winslow Way, within 100 feet north of Winslow Way. Buildings shall have customer entrances on Winslow Way. Commuter-oriented retail may be located anywhere south of Winslow Way.

⁶In the district north of Winslow Way, personal and professional services are permitted only along Winslow Way, within 100 feet north of Winslow Way. Buildings shall have customer entrances on Winslow Way. Personal and professional services may be located anywhere south of Winslow Way.

⁷The footnote is revised and added as BIMC 18.41.050.B.1, formula take-out restaurant design guidelines.

⁸Limited to the 1,121 commuter parking spaces in the ferry terminal and core districts, and the 173 commuter parking spaces in the gateway district, as shown on Figure 18 of Exhibit B of Ordinance 98-11, the Winslow Master Plan. The rights to these spaces may be bought, sold, traded, leased or otherwise exchanged between the properties.

⁹Only single-family dwellings that were in existence and being used as such prior to the enactment of the ordinance codified in this chapter. R-4.3 zoning shall apply to such single-family dwellings.

¹⁰All development shall include at least 10 percent of landscaped or naturally vegetated open space. Parking may be located under the open space.

¹¹Development south of Winslow Way shall include pedestrian walkways that connect to Winslow Way East and Olympic Drive Southeast, and/or that align with Cave Avenue and Ferncliff Avenue.

¹²South of Winslow Way only.

¹³Permanent noncommuter ferry parking is permitted in accordance with BIMC 18.81.052.A. Temporary noncommuter ferry parking is permitted only with a conditional use permit, in accordance with BIMC 18.81.052.B."

Section 2. Section 18.40.030 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

"18.40.030 Development standards.

	Mixed Use Town Center					High School Road Districts I and II
	Central Core	Madison Avenue	Ericksen Avenue	Gateway	Ferry Terminal	
Base Floor Area Ratio (FAR)¹						
Commercial and Other Nonresidential Uses	0.6	0.4	0.3	0.15	0.1	0.3
Residential	0.4	0.4	0.3	0.5	0.4	0.3
Mixed Use ²	1.0	0.5	0.5	0.5	0.5	0.3
Maximum FAR with Bonus³						
Commercial and Other Nonresidential Uses	1.0	0.6	0.6	0.3	0.2	0.6
Residential	1.0	0.6	0.6	1.0	1.1	0.6
Mixed Use ²	1.5	1.0	1.0	1.0	1.3 (1.5) ¹⁰	1.0
Building Height (bldg hgt) Limit	35' 25' bldg hgt south of Parfitt	25' 35' bldg hgt north of High School Road	25'	35'	Bldg hgt north of Winslow Way: Ref. BIMC 18.40.031 35' bldg hgt south of Winslow Way	35'

Optional Height (opt hght) Limit w/under building parking	45' 35' opt hght south of Parfitt	35' 45' opt hght north of High School Road	35'	45'	Opt bldg hght north of Winslow Way: Ref. BIMC 18.40.031 45' opt bldg hght south of Winslow Way	45'
Building Height 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 18.40.031					
Maximum Lot Coverage	100%, excluding setbacks	35%	35% 2,500 sq. ft. max. building footprint south of Wyatt	35%	75%	50%
Front Setback	Comm: 5' max. from sidewalk Res: 10' min. from sidewalk 4 20' max. from sidewalk	10' min. 20' max	15' min. 5 20' max.5	0' from sidewalk	5' max. from sidewalk Except as modified by transition standards in BIMC 18.40.031	10' max. from sidewalk
Side Setback	0' 5' when	0' 5' when	5'	0'	0'	0'

	property abuts the Madison Avenue or Ericksen Avenue districts	property abuts the central core district				
Rear Setback	0' 5' when property abuts the Madison Avenue or Ericksen Avenue districts	0' 5' when property abuts the central core or Ericksen Avenue districts	0' 5' when property abuts the central core or Madison Avenue districts	0'	0'	0'
Building Setback when property adjoins single-family residential zone	Building setback shall be in accordance with the landscape ordinance perimeter landscaping requirements					
Parking Requirements (The below provisions replace the requirements listed in BIMC Chapter 18.81 for development located within the Mixed Use Town Center and the High School Road Districts.)						
Uses	Central Core	Madlson Avenue	Ericksen Avenue	Gateway	Ferry Terminal	High School Road Districts I and II
Commuter-Oriented Retail	NP	NP	NP	NP	1 parking space per employee per peak shift	NP
Other Commercial and Non-residential Uses (For non-residential uses not specified						

below, refer to BIMC 18.81.030.)

Minimum Spaces per 1,000 sq. ft. of Commercial Uses (retail, office, restaurants and taverns) ^{7, 8, 12}	<u>2</u> 4, except 3 in the in the Parfitt – Waterfront area ¹⁴	4	4	4	1	4
Maximum Spaces per 1,000 sq. ft. of Commercial Uses ^{8, 9, 13}	5	5	5	5	3	5
Movie Theaters	<u>1 space per each 4 fixed seats</u> ¹¹	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>1 space per each 4 fixed seats</u>
Residential Minimum Spaces per dwelling unit	Per BIMC 18.81.030. <u>E D.</u>					
Residential Maximum Spaces per dwelling unit ⁹	<u>2</u> 4.5	2	2	2	2	2
Bicycle Parking	Per BIMC 18.81.140					
Access along Winslow Way	For properties along Winslow Way, there shall be no driveway from private property to the street except as approved as a conditional use. Driveways in existence prior to July 1, 1987, are excepted from this requirement. (Formerly BIMC 18.69.070.D.)					

1. Exception from the base FAR: If the existing FAR for a developed property as of the effective date of the ordinance codified in this chapter is higher than the base FAR for that district, then the existing FAR will be considered the base FAR for that developed property.

2. In mixed use development, the established FAR in the residential and commercial components shall not

be exceeded.

3. Maximum level of commercial, residential and mixed use development may be achieved through the use of FAR bonus provisions, in accordance with BIMC 18.40.040.

4. These setbacks apply along Madison Avenue only.

5. Porches, bay windows and eaves may intrude up to five feet into the front yard.

6. South of a point 100 feet north of Winslow Way.

7. On street parking legally created in conjunction with and adjacent to a project site may be included in the parking space calculation.

8. In the core, gateway, and ferry terminal districts, the following provisions shall apply: For parcels less than 8,000 sq. ft., 100 percent of required parking can be met off-site. For parcels between 8,000 and 12,000 sq. ft., up to 75 percent of the required parking can be met off-site. For sites larger than 12,000 sq. ft., up to 50 percent of required parking can be met off-site. For commercial and residential development, off-site parking must be located within a 1,000 foot radius to the edge of the development parcel. In addition, off-site spaces must be acquired through the city's fee-in-lieu program, through fee simple ownership by the developer, or through irrevocable easements/agreements.

~~8. Up to a maximum of four spaces per 1,000 square feet for restaurant use, using procedures set out in BIMC 18.81.030.M.~~

9. Exceptions to the maximum commercial parking may be granted in accordance with BIMC Section 18.81.030 B 18.81.066C.

10. In mixed use development in the ferry terminal district, an additional .2 FAR is permitted in accordance with BIMC 18.40.040.G. The additional FAR may be applied to either the residential or commercial component of the mixed use development.

11. In the core, up to 75 percent of the required parking for movie theaters can be met off-site if located within 400 feet walking distance to the edge of the development parcel.

12. In the core, for parcels containing 8,000 sq. ft. or less a credit equal to one parking space for each 10 feet of public street frontage shall be applied to the required parking calculations. Credit for up to five parking spaces may be attained utilizing this method.

13. The parking space maximums shall not apply to underground garages.

14. The Parfitt - Waterfront Area is defined as that area south of the boundary created by the following parcels and streets: starting at the northern property line of 272502-4-1130-2000; proceeding eastward along Biune Drive to its western intersection with Brien Drive; proceeding eastward along Brien Drive to its intersection with Biune and Shannon Drives; proceeding southward along Shannon Drive to the south property line of 4114-005-001-0003; and proceeding eastward to the Winslow Ravine.

Section 3. Section 18.81.030 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

“18.81.030 Spaces required.

- A. All parking lots shall comply with the minimum requirements for handicapped parking spaces, as required by Washington State regulations related to barrier-free facilities.
- B. ~~Above-ground parking spaces~~ Parking lots exceeding the number of spaces required by this section are not allowed unless approved by the planning commission. Spaces provided in underground parking garages are exempt from parking maximums.
- C. In determining the number of parking spaces required by this section, all fractions greater than .5 shall be rounded up to the nearest whole number.
- D. ~~Two parking spaces for each dwelling unit are required, except that:~~ For primary dwelling units located within single family residential zones, two spaces for each dwelling unit are required. For accessory dwelling units located within single family residential zones, one parking space shall be required.
- E. For dwelling units located within the Mixed Use Town Center, High School Road Commercial Districts, Multifamily Residential Districts, and the Neighborhood Service Centers, two parking spaces must be provided per unit, except that:
1. Only one parking space is required for each studio or one-bedroom unit.
 - ~~2.1.~~ Each dwelling unit situated directly above a commercial use or directly above parking serving a commercial use in commercial zones shall require one parking space. Dwelling units separate from the commercial use or its parking by one or more intervening floors shall not be considered to be located “directly above” that use.
 - ~~2.~~ ~~An accessory dwelling unit shall require one parking space, except as modified by BIMC 18.81.040.~~
 3. ~~For residential uses, including an accessory dwelling unit, the~~ The director may require guest parking in excess of the required parking spaces, whether or not the required parking is reduced pursuant to BIMC 18.81.040, up to a maximum additional 0.5 stall per dwelling unit, if there is inadequate guest parking on the subject property.
- ~~F.B.~~—For retail, commercial and personal services in a building with less than 1,000 square feet of floor area, five spaces per 1,000 square feet of floor area, except as modified by BIMC 18.40.030.
- ~~G.F.~~ For retail, commercial and personal services in a building with 1,000 square feet of floor area or more, four spaces per 1,000 square feet of floor area shall be provided, except as modified by BIMC 18.40.030.
- ~~H.G.~~ Industry and light manufacturing uses shall require one stall for each employee plus one stall for each 250 feet of office space.
- ~~I.H.~~ For places of public accommodation serving food and beverage, including but not limited to restaurants and taverns, one space for each four occupants as determined by the department shall be provided.
- ~~J.I.~~ For motels/hotels, and bed and breakfasts, one space is required for each sleeping room.
- ~~K.J.~~ For places of assembly, including auditoriums, theaters and banquet rooms, 10 spaces for each 1,000 square feet of floor area or one space for each four fixed seats is required.
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L.K. The parking requirements for schools shall be as follows:

1. One space per 50 students and one space per employee for elementary, middle, and junior high schools.
2. One space per 10 school students and one per employee for high schools.

M.L. The parking requirements for religious institutions shall be as follows: One space per five fixed or movable seats in the main assembly area.

N.M. For other educational, governmental, health care and recreational facilities not covered in subsections K and L of this section, the number of spaces must be adequate to accommodate the peak shift as determined by the director based on information submitted by the applicant in accordance with subsection O of this section.

O.N. Child day care centers shall require one stall for each on-duty shift employee plus one stall for each 12 children served by the facility. Capacity is determined by state license requirements.

P.O. For other uses or special cases, parking requirements shall be established by the director. For determination by the director, the applicant shall supply:

1. Documentation regarding actual parking demand for the proposed use; or
2. Technical studies prepared by a qualified professional relating to the parking need for the proposed use; or
3. Required parking for the proposed use as determined by other comparable jurisdictions.

Q.P. Subject to approval as part of site plan review, the city and the developer of a site in the central core overlay district of the Mixed Use Town Center zoning district may voluntarily enter into an agreement to allow the parking requirement to be met by contributing into a public or cooperative commercial effort to create new structured or surface parking in that zone. This option shall only be available upon initiation of a project to create new structured or surface parking in that zone. The amount of the contribution shall be equivalent to that necessary to provide the required number of parking spaces. Monies so contributed shall be held, expended, or refunded in accordance with RCW 82.02.020.

R.Q. In the central core overlay district of the Mixed Use Town Center zoning district, new parking spaces will not be required for additions to existing buildings that are less than 25 percent of the existing floor area and less than 1,000 square feet. This exception to the parking requirement may be utilized only once per property and does not apply to additions or remodeling for the purpose of adding residential units."

Section 4. Section 18.81.040 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

"18.81.040 Reductions allowed.

Residential parking requirements may be reduced by 50 percent for dwelling units located within a one-half mile radius and 25 percent for dwelling units between a one-half-mile and within a mile radius of the ferry terminal providing scheduled service to Seattle. This provision may not be used in conjunction with senior housing or other parking reduction arrangements and the required number of parking spaces shall not be reduced below one

space per dwelling unit. This provision does not preclude the authority of the director to require guest parking pursuant to MIMC 18.81.030.D.”

Section 5. Section 18.81.050 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

“18.81.050 Location of spaces.

A. Parking in the Mixed Use Town Center and High School Road I and II zoning districts shall be located behind, to the side or under buildings. Parking shall not be located between a building and the front lot line, unless an applicant can demonstrate that locating parking between a building and the front lot line is the only feasible location.

B. Parking outside of the Mixed Use Town Center and High School Road I and II zoning districts is encouraged to be located behind, under or to the side of buildings.

C. Parking spaces serving dwelling units shall be located on the same lot with the building they serve. In the 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 parking spaces must be within a 1,000-foot radius of the edge of the development parcel and must be acquired fee-in-lieu, fee-simple ownership, or a lease-hold permanently linked to the unit, or, if approved by the director, within 200 feet of dwelling unit if consolidated with other spaces on a remote lot.

D. Parking spaces serving nonresidential uses may be consolidated in a remote location as permitted by this title. ~~or as approved by the planning commission.~~

E. For on-street parking spaces, handicap parking shall be distributed throughout the street and in any case, handicap spaces shall be separated by at least 10 non-handicap spaces, except as required by the Building Official.”

Section 6. Section 18.81.056 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

“18.81.056 Commercial parking or commercial parking businesses, other than ferry commuter parking and noncommuter ferry parking.

Commercial parking may be developed for general public use at no fee, or as a commercial parking business. Commercial parking businesses must comply with provisions of Chapter 5.10 BIMC.

A. Surface Parking Lots. Surface parking lots for commercial parking only, developed by public or private concerns, or developed by a public or cooperative commercial effort as provided for in BIMC 18.81.030.O are permitted in the core, ~~and gateway, and ferry terminal~~ districts, providing:

1. Parking lots shall be sited on parcels within 200 feet of Winslow Way or lower Madison (south of Wyatt).
2. Parking lots shall not be sited adjacent to a parcel containing a parking lot or structure in which parking is the primary use.
3. Parking lots shall not exceed 30 spaces.

4. A plan to ensure that parking spaces are not used by ferry commuters shall be provided as a condition of development application approval.
- B. Structured Parking.** Structured parking for commercial parking only, developed by public or private concerns, or developed by a public or cooperative commercial effort as provided for in BIMC 18.81.030.O is a conditional use in the core district west of SR 305, providing:
1. Structures shall not be sited adjacent to a parcel containing a parking lot or structure in which parking is the primary use.
 2. A plan to ensure that parking spaces in the structure are not used by ferry commuters shall be provided as a condition of development application approval.
 3. Any level of parking contained within or under the structure that is visible from a public street shall be fully screened. Means of screening can include landscaping which provides a vertical screen; a facade that incorporates artwork (such as a mosaic, mural, decorative masonry pattern, sculpture, relief) over a substantial portion of the facade; or trees and other vegetation.
 4. A plan to mitigate visual impact of the parking structure, including the proposed landscaping and/or artwork, shall be required as a condition of development application approval.
- ~~C. Exception to the Commercial Parking Requirement in the Core District. Commercial parking that is accessory to the parking associated with the primary use and in excess of the maximum commercial parking provided for in BIMC 18.40.030 is permitted in the core district. Such parking shall be placed under building or underground."~~

Section 7. Section 18.81.060 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

"18.81.060 Joint use.

The required parking for the lesser of two or more complementary uses may be reduced up to 50 percent when provided by a common parking lot. The reduction shall be authorized by the issuance of a conditional use permit."

Section 8. Section 18.81.130 of the Bainbridge Island Municipal Code is hereby repealed in its entirety.

Section 9. Section 18.81.140 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

"18.81.140 Bicycle facilities for multifamily and nonresidential developments.

- A.** Except as provided in subsection B of this section, all parking facilities, except those serving single-family residences (including any use accessory thereto), shall contain bicycle parking facilities that allow secure locking of both the frame and wheels of a bicycle. One bicycle space shall be provided for every five parking spaces with a minimum of four spaces provided for each parking lot.
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- B. An applicant may request, and the director may approve, a reduction or waiver of the requirements of subsection A of this section, based on the following considerations:
1. The population to be served by the proposed use and the likelihood of demand for the bicycle facilities by that population.
 2. The provision of alternative on-site area available for bicycle storage or security.
 3. The operational characteristics of a proposed use and their effect on the likelihood or suitability of bicycle use.
- C. In the core, gateway, and ferry terminal districts, up to 40 percent of the required bicycle parking spaces can be met off-site if the spaces are within 300 feet walking distance of the edge of the development parcel."

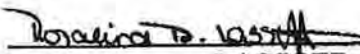
Section 10. This ordinance shall be published in accordance with law and shall take effect on November 1, 2007.

PASSED by the City Council this 11th day of October, 2006.

APPROVED by the Mayor this 12th day of October 2006.


DARLENE KORDONOWY, Mayor

ATTEST/AUTHENTICATE:


ROSALIND D. LASSOFF, City Clerk

FILED WITH THE CITY CLERK:	June 20, 2006
PASSED BY THE CITY COUNCIL:	October 11, 2006
PUBLISHED:	October 18, 2006
EFFECTIVE DATE:	November 1, 2007
ORDINANCE NUMBER:	2006-17

CITY OF BAINBRIDGE ISLAND

ORDINANCE NO. 2007-36

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to parking requirements in the Core District of the Mixed Use Town Center, amending Ordinance 2006-17 to change the effective date of the ordinance from November 1, 2007 to November 1, 2008.

WHEREAS, the City Council is authorized to modify the City code in accordance with Washington State laws; and

WHEREAS, Resolution 2006-05 sets a goal to revise the municipal code to reflect the parking recommendations generated by the Winslow Tomorrow effort; and

WHEREAS, on October 11, 2006 the City Council passed Ordinance 2006-17, amending parking regulations in the Core Overlay District of the Mixed Use Town Center, with a deferred effective date of November 1, 2007; and

WHEREAS, the City Council determined that the effective date of November 1, 2007 would be contingent upon the City making sufficient progress on related parking management strategies; and

WHEREAS, on September 26, 2007 the City Council conducted a workshop to assess progress made on the parking management strategies, and determined that the effective date of Ordinance 2006-17 should be changed to November 1, 2008; now therefore

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

Section 1. Section 10 of Ordinance No. 2006-17 is amended to read as follows:

Section 10. This ordinance shall be published in accordance with law and shall take effect on November 1, ~~2007~~ 2008.


Section 2. Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

PASSED by the City Council this 24th of October, 2007.

APPROVED by the Mayor this 25th day of October 2007.


DARLENE KORDONOWY, Mayor

ATTEST/AUTHENTICATE:


ROSALIND D. LASSOFF, City Clerk

FILED WITH THE CITY CLERK:	October 1, 2007
PASSED BY THE CITY COUNCIL:	October 24, 2007
PUBLISHED:	October 31, 2007
EFFECTIVE DATE:	November 1, 2008
ORDINANCE NUMBER:	2007-36

