

**City of Bainbridge Island Shoreline Master Program Amendment  
February 8, 2018 Planning Commission Meeting**

**Agenda Topics**

1. Updates

Staff provided an update on the Council's review of the CAO and showed the Planning Commission the SMP Amendment project webpage on the City's website:

<http://www.bainbridgewa.gov/184/Shoreline-Master-Program>

2. Nonconforming (existing) structures

The Planning Commission had a general discussion about nonconforming (existing) structures as well as the term "nonconforming" itself. Staff suggested it provide a recommendation for terminology as well as regulatory language at the next meeting, with which the Planning Commission agreed.

3. Public comment

There were three (3) public comments, focused on the following points:

- The term grandfathered vs. nonconforming
- Shoreline jurisdiction – OHWM vs. mean high water mark
- Idea of buffers and planting requirement nonsensical due to tidal action eroding property
- Nonconforming status/term affects home loans
- Recommendation for Planning Commission to consider optional approach in WAC for what to call existing nonconforming structures
- Several sections of the SMP highlighted to demonstrate vagueness, "most restrictive clause" default, and confusion of applicability of regulations to existing structures and properties

**Next Meeting – March 9, 2018**

The next meeting will focus on nonconforming structures, the term "nonconforming."

[Note: The Planning Commission is tentatively scheduled to hold a joint meeting with the Design Review Board on February 22, 2018. The SMP Amendment will not be discussed at this meeting.]