



REGULAR BUSINESS MEETING

TUESDAY, SEPTEMBER 13, 2016

**LOCATION: BAINBRIDGE ISLAND CITY HALL
280 MADISON AVENUE N., BAINBRIDGE ISLAND, WASHINGTON**

**AGENDA
(TIMES LISTED ON THE AGENDA ARE APPROXIMATE)**

1. EXECUTIVE SESSION

6:30 PM

A. Current and Potential Litigation (RCW 42.30.110(1)(i))

2. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE

7:00 PM

Mayor: Val Tollefson

Deputy Mayor: Kol Medina

Councilmembers: Sarah Blossom Michael Scott
Ron Peltier Roger Townsend
Wayne Roth

**3. ACCEPTANCE OR MODIFICATION OF AGENDA/
CONFLICT OF INTEREST DISCLOSURE**

4. PUBLIC COMMENT

7:05 PM

5. CITY MANAGER'S REPORT

7:15 PM

A. Comprehensive Plan/Navigate Bainbridge Update

**6. UNFINISHED BUSINESS (PUBLIC COMMENT INVITED ON
EACH ITEM)**

**A. 7:20 PM Ordinance No. 2016-06, Revising Aquaculture Regulations as
a Limited Amendment to the Shoreline Master Program (SMP), 16-046
- Planning (Pg. 4)**

**7. NEW BUSINESS (PUBLIC COMMENT INVITED ON EACH
ITEM)**

- A. 7:40 PM Urban Forestry Restoration Project Cooperative Agreement, AB 16-126 - Planning (Pg. 36)
- B. 7:50 PM Ordinance No. 2016-27, Extending the Housing Design Demonstration Project Program; Amending Bainbridge Island Municipal Code Chapter 2.16.020.Q, AB 16-127 - Planning (Pg. 47)
- C. 8:05 PM Resolution No. 2016-15, Amendments to Planning Administrative Manual Regarding Submittal Requirements for Land Use Permits, AB 16-071 - Planning (Pg. 58)
- D. 8:15 PM Ordinance No. 2016-19, Amending Bainbridge Island Municipal Code Chapter 5.08, Related to Utility Taxes, AB 16-128 - Finance (Pg. 108)
- E. 8:25 PM Memorandum of Understanding Between the City of Bainbridge Island and the Kitsap County Sheriff's Office, Registered Sex/Kidnapping Offender Address and Registry Verification Program for 2016-2017, AB 16-129 - Police (Pg. 114)
- F. 8:30 PM Interagency Agreement Between the Washington State Internet Crimes Against Children Task Force, the City of Bainbridge Island and the Seattle Police Department, AB 16-130 - Police (Pg. 118)
- G. 8:35 PM Interagency Agreement Between the City of Bainbridge Island and the Washington State Traffic Safety Commission, AB 16-131- Police (Pg. 128)
- H. 8:40 PM Housing Trust Fund Grant Application, Housing Resources Bainbridge, AB 16-135- Executive (Pg. 148)
- I. 8:50 PM Discuss City Manager Performance Evaluation Process, AB 16-136 - Mayor Tollefson (Pg. 153)

8. CONSENT AGENDA

9:00 PM

- A. Consent Agenda Coversheet (Pg. 162)
- B. Accounts Payable Voucher and Payroll Approval (Pg. 163)
- C. Regular City Council Business Meeting Minutes, August 23, 2016 (Pg. 248)
- D. Regular City Council Study Session Minutes, September 6, 2016 (Pg. 256)
- E. Interlocal Agreement with Bainbridge Island Fire Department for Fuel Services, AB 16-121 - Public Works (Pg. 259)

9. COMMITTEE REPORTS

9:05 PM

- A. Utility Advisory Committee Liaison Notes, August 22, 2016 - Councilmember Townsend (Pg. 265)
- B. Ad Hoc Tree and Low Impact Development Committee Liaison Notes, September 7, 2016 – Councilmember Peltier (Pg. 267)

10. REVIEW UPCOMING COUNCIL MEETING AGENDAS

9:10 PM

A. Upcoming Meeting Calendar (Pg. 270)

11. FOR THE GOOD OF THE ORDER

9:15 PM

12. ADJOURNMENT

9:20 PM



Americans with Disabilities Act (ADA) accommodations provided upon request. Those requiring special accommodations, please contact the City Clerk at 206-842-2545 (cityclerk@bainbridgewa.gov) by noon on the day preceding the Meeting.



CITY OF
BAINBRIDGE ISLAND

Department of Planning and community development
Memorandum

Date: September 13, 2016

To: City Council

**From: Jennifer Sutton, AICP
Senior Planner**

**Subject: Study Session on Ordinance 2016-27
Revising Housing Design Demonstration Projects (BIMC
2.16.020.Q)**

Background and Summary

The Housing Design Demonstration Projects (HDDP) program (Ordinance 2009-06) was approved in August 2009 after almost a year of discussion at the Planning Commission, Council Land Use Committee, and finally, the City Council. As a pilot program, the original sunset date was August, 2012. The demonstration ordinance was extended once for a year, and then again in 2013 for another three years with the approval of Ordinance 2013-25. The HDDP program is codified in Bainbridge Island Municipal Code (BIMC) Section 2.16.020.Q and currently expires at the end of 2016.

DRAFT Ordinance 2016-27 revises the HDDP program in three ways, described below.

1. The attached map shows how the Winslow Study Area of the Winslow Master Plan (WSAWMP) and the Winslow Sanitary Sewer Area mostly overlap, but not entirely. The existing HDDP program applies to properties located in either area, not just to properties that are in both areas. Draft Ordinance 2016-27 revises this *Applicability* section to apply to properties in the Winslow Sanitary Sewer Area alone. This change recognizes that the nature of HDDP projects requires connection to the public sewer system.
2. The ordinance extends the program for one more year, until the end of 2017. The Planning Commission and City Council are currently working to complete the Comprehensive Plan update, required by the Growth Management Act, by the end of 2016. The Draft 2016 Comprehensive Plan includes several policies related to promotion of sustainable

development and affordable housing. The HDDP program is proposed for a one-year extension, until the end of 2017, to allow time to review the program and compare it to other affordable housing tools the City may choose to utilize, as envisioned by the draft 2016 Comprehensive Plan.

3. The existing HDDP program integrates earned “points” for Low Impact Development (LID) practices and meeting the requirements of the Washington State Department of Ecology (DOE) Stormwater Management Manual for Western Washington. The City is working on state-required LID regulations that will require all development to meet the updated DOE Stormwater Management Manual, therefore no “points” should be earned in meeting those requirements going forward; and

NEXT STEPS

The City Council should discuss Ordinance 2016-27, and consider scheduling a public hearing on the ordinance for September 27, or at a later date.

ATTACHMENTS

- Map of Greater Winslow Area Showing Study Area of the Winslow Master Plan & the boundary of the Winslow Sanitary Sewer System Service Area
- DRAFT Ordinance 2016-27 & its exhibits



City of Bainbridge Island Winslow Sewer Service area & Winslow Master Plan Study Area

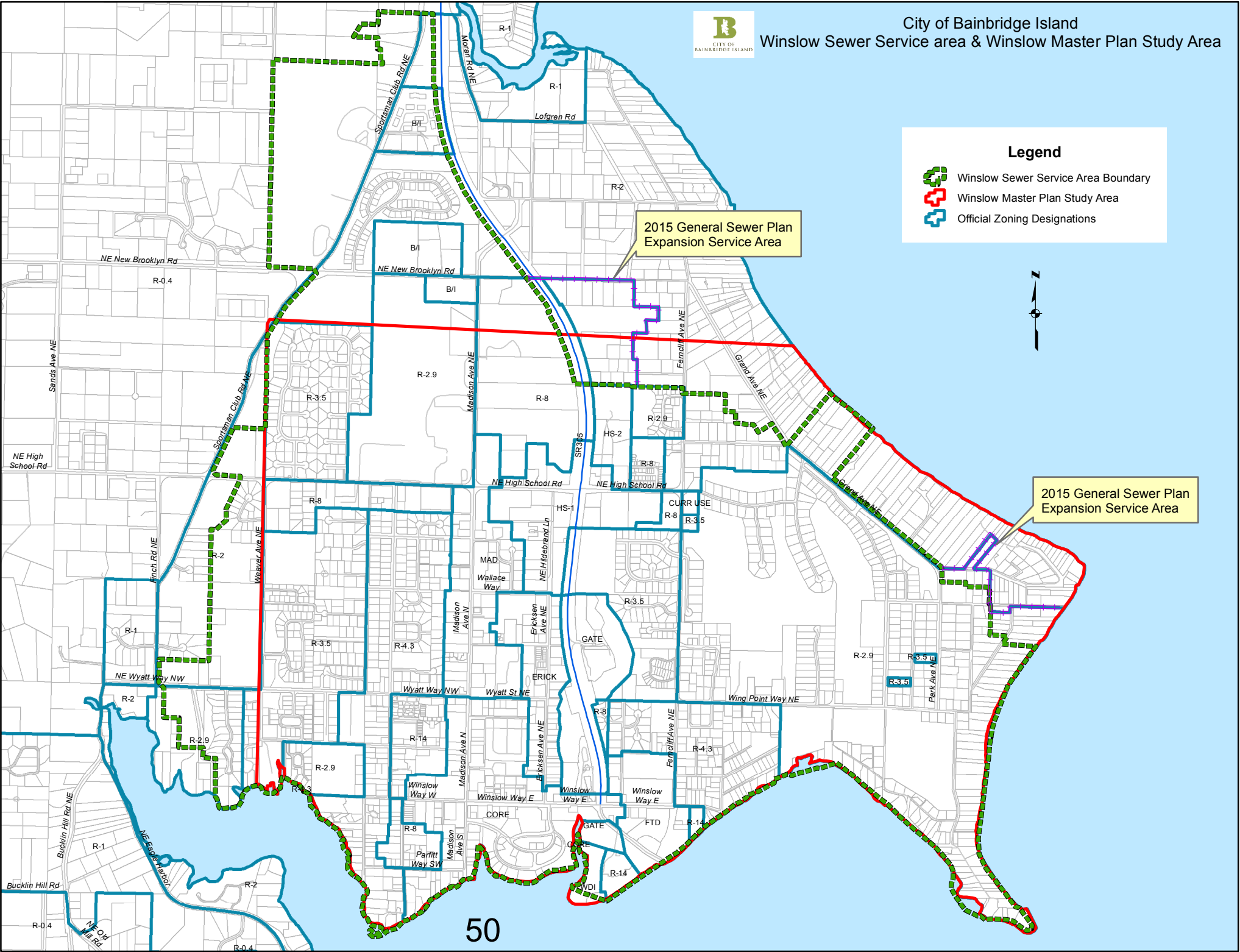
Legend

- Winslow Sewer Service Area Boundary
- Winslow Master Plan Study Area
- Official Zoning Designations



2015 General Sewer Plan
Expansion Service Area

2015 General Sewer Plan
Expansion Service Area



ORDINANCE NO. 2016-27

AN ORDINANCE of the City of Bainbridge Island, Washington, extending and updating the Housing Design Demonstration Project program and amending Bainbridge Island Municipal Code Section 2.16.020.

WHEREAS, the City of Bainbridge Island has the authority to adopt zoning provisions pursuant to RCW 36.70A.390; and

WHEREAS, on August 12, 2009, the City Council adopted Ordinance No. 2009-06, establishing a pilot Housing Design Demonstration Project (HDDP) program to allow for the development of a limited number of projects to increase the variety of housing choices available to residents of all economic segments and to encourage sustainable development through the use of development standard incentives; and

WHEREAS, Ordinance No. 2009-06 established a sunset date of August 26, 2012 for the HDDP program; and

WHEREAS, the City Council approved Ordinance No. 2012-09 on July 18, 2012 extending the HDDP program until the end of 2013 to allow time for the City to further evaluate the program; and

WHEREAS, in 2012, the City Council convened an Ad Hoc Committee made up of a Planning Commissioner, three City Council members, a Design Review Board member, and a representative from the Housing Resources Board to evaluate and make recommendations on the HDDP program; and

WHEREAS, the Ad Hoc Committee recommended changes to the HDDP program, including extending the HDDP program until the end of 2016 in order to allow time for the construction of approved projects; and

WHEREAS, the City Council adopted those recommendations with the approval of Ordinance No. 2013-25 on December 11, 2013; and

WHEREAS, the Planning Commission and City Council are currently working to complete the Comprehensive Plan update, required by the Growth Management Act, by the end of 2016; and

WHEREAS, the draft 2016 Comprehensive Plan includes several policies related to promotion of sustainable development and affordable housing; and

WHEREAS, the HDDP program is proposed for a one-year extension, until the end of 2017, to allow time to review the program and compare it to other affordable

housing tools the City may choose to utilize, as envisioned by the draft 2016 Comprehensive Plan; and

WHEREAS, the existing HDDP program integrates earned “points” for Low Impact Development (LID) practices and meeting the requirements of the Washington State Department of Ecology (DOE) Stormwater Management Manual for Western Washington; and

WHEREAS, the City is working on state-required LID regulations that will require all development to meet the updated DOE Stormwater Management Manual, therefore no “points” should be earned in meeting those requirements going forward; and

WHEREAS, the City Council discussed Ordinance No. 2016-27 at a study session on September [13] and held a public hearing on September [27], 2016; and

WHEREAS, notice was given on September [9], 2016 to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106;

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

Section 1. Section 2.16.020.Q.2 of the Bainbridge Island Municipal Code is amended to read as follows:

2. Applicability. This subsection Q is applicable to all properties located within the Winslow study area of the Winslow master plan and the Winslow sanitary sewer system service area. An application for a housing design demonstration project may be applied to single-family residential subdivisions, mixed-use/multifamily and multifamily developments. Since the purpose is to provide housing projects as demonstrations, the city will accept projects for consideration and approval prior to the sunset date of the ordinance codified in this chapter. The city will limit acceptance of Tier 3 and 4 projects outlined in this section to three projects in each tier.

Section 2. Section 2.16.020.Q.4.b of the Bainbridge Island Municipal Code is amended to read as follows:

- b. Innovative Site Development. Evaluation will review:
 - i. Storm-Water Quality and Conservation Quantity. Projects use methods to decrease water usage and improve stormwater runoff quality through an integrated approach to stormwater management such as greywater use, stormwater collection in cisterns, green roofs and covered parking. All HDDP projects will follow the Department of Ecology’s 2012 Stormwater Management Manual for Western Washington, as amended in December 2014. The project reduces the quantity of storm water produced by a

- ~~development project. Methods could include using a low impact development approach to storm water management through small-scale decentralized practices that infiltrate, evaporate and transpire rainwater, reusing greywater within buildings, green roofs, or directing storm water into cisterns for use on site.~~
- ~~ii. Storm Water Quality. The project reduces water quality impacts from impervious surfaces through use of techniques such as covering pollution-generating surfaces like parking spaces, and treating water to a higher standard than required under Chapters 15.20 and 15.21 BIMC.~~
 - iii. Landscaping. The project uses low maintenance landscaping that integrates a high proportion of native plants or drought-tolerant plants that are climate appropriate. The project limits the amount of “lawn” in private yards in favor of common open space. Projects are encouraged to use cisterns to collect rainwater for irrigation or garden use.
 - ~~iiiv. Common Open Space. The project provides connected common open space area set aside as active open space and designed and integrated into the project. The open space could include active elements such as a neighborhood garden/pea patch and composting facilities, or a playground. Critical areas and their buffers and required roadside buffers do not contribute to “common open space” under the housing design demonstration project program.~~
 - iv. Transportation. The project (A) uses a design that provides enhanced sensitivity to pedestrian travel; (B) internally preserves existing informal, internal connection to external trail(s), or creates new connections where appropriate, to implement the Island-wide Transportation Plan (IWTP) Non-motorized Transportation Plan (NMTP); (C) reduces reliance on automobiles and trip counts, and promotes alternative transportation and public transit; (D) minimizes the visual dominance of automobiles throughout the project; or (E) the project accommodates needs of alternative vehicles through techniques such as parking and charging facilities for electric cars, locating rechargeable electric vehicle (EV) parking in a conspicuous and preferred location close to a main building entrance, and integrating a parking space for a vehicle sharing program, such as Zipcar[™].

Section 3. Section 2.16.020.Q.10 of the Bainbridge Island Municipal Code is amended to read as follows:

10. Demonstration Period

This section 2.16.020.Q and related provisions of BIMC Title 2, Title 17, and Title 18 shall expire on December 31, 2017 2016.

Section 4. Table 2.16.020.Q-1 of the Bainbridge Island Municipal Code is amended to read as shown in Exhibit A.

Section 5. Table 2.16.020.Q-3 of the Bainbridge Island Municipal Code is hereby repealed and replaced as shown in Exhibit B.

Section 6. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL this ____ day of XXX, 2016.

APPROVED BY THE MAYOR ____ XX day of XXX, 2016.

Val Tollefson, Mayor

ATTEST/AUTHENTICATE:

Rosalind D. Lassoff, CMC, City Clerk

FILED WITH THE CITY CLERK: September 8, 2016

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NUMBER: 2016-27

Table 2.16.020.Q-1: Housing Design Demonstration Project Scoring System

Density Incentives	Requirements to Receive Incentives	
	Green Building and Innovative Site Development	Housing Diversity
Tier 4		
2.5 x Base Density OR Max. Bonus Mixed-Use FAR	<ul style="list-style-type: none"> • Living Building Challenge (ILFI) OR Passive House (Passive House Institute US/International) • 36 30 Points in Innovative Site Development Practices 	<ul style="list-style-type: none"> • Home size not greater than 1,600 sq. ft. • 10 pts/10% of units affordable housing
Tier 3		
2.5 x Base Density OR Max. Bonus Mixed-Use FAR	<ul style="list-style-type: none"> • LEED Silver, BuiltGreen 4, or Evergreen Sustainable Development • 30 25 Points in Innovative Site Development Practices 	<ul style="list-style-type: none"> • 50% affordable housing • Home size not larger than 1,600 sq. ft.
Tier 2		
<ul style="list-style-type: none"> • 1.5 x Base Density (R-8 and R-14); OR • 2.0 x Base Density not to exceed R-8 density (R-2, R-2.9, R-3.5, and R-4.3); OR • Max. Bonus Mixed-Use FAR 	<ul style="list-style-type: none"> • LEED Silver, BuiltGreen 4, or Evergreen Sustainable Development • 30 25 Points in Innovative Site Development Practices 	<ul style="list-style-type: none"> • Home size not greater than 1,600 sq. ft. • 10% of units affordable housing • Projects with ≥ 20 units must get 3 points in “Unit Type” category
Tier 1		
No Density Bonus	<ul style="list-style-type: none"> • LEED Certification, BuiltGreen 4, or Evergreen Sustainable Development • 16 14 Points in Innovative Site Development Practices 	<ul style="list-style-type: none"> • Home size not greater than 1,600 sq. ft. • 4 points (projects with < 20 units) in “Housing Diversity” category • 5 points (projects with ≥ 20 units) in “Housing Diversity” category • Projects with ≥ 20 units must get 2 points in “Unit Type” category

NOTE: For Tiers 2 and 3 required affordable housing units:

- o Home ownership projects: 50% of required affordable house units should serve ≤ 80% AMI
- o Rental projects: 50% of required affordable house units should serve ≤ 60% AMI.

Table 2.16.020.Q-3 Innovative Site Development Scoring Method

TIER	Minimum Site Development Point Requirement	Decreasing Stormwater Quantity		Improving Water Quality		Common Open Space			Transportation	
		Requirement	Value	Requirement	Value	% of Open Space	Value	Value if Public	Transportation Components	Value
		<p>The project uses a variety of methods to decrease stormwater quantity by a variety of methods, including LID, rainwater collection or reuse methods. Low Impact development approach to storm water management through small scale decentralized practices that infiltrate, evaporate and transpire rainwater. Invasive species shall not be incorporated into low impact development plantings. Cisterns should be used for irrigation or greywater, and the standard sizing is 1 gallon/0.5 ft² roof area.</p>		<p>Project should limit stormwater runoff from pollution-generating surfaces, and treat water quality on site. Low maintenance landscaping that integrates a high proportion of native plants or drought-tolerant plants that are climate and site appropriate. Projects should be carefully designed to minimize disruption to existing appropriate vegetation. To support healthy vegetation, the project provides adequate soil volume to sustain root development.</p>		<p>Project provides well-designed common open space, with at least 5 percent of the gross land area, set aside as open space and designed as an integrated part of the project rather than an isolated element. The common open space must be outside of critical areas and their buffers and required roadside buffers. Appropriate community amenities such as playgrounds, composting and neighborhood gardens promoting the production of locally grown food are encouraged. Resident neighborhood community gardens can be in common open space areas, and shall be appropriately located for solar exposure, and include water availability, soil amenities, and storage for garden tools. Required growing space for neighborhood gardens is 60 square feet per dwelling unit, not including any existing orchard area. Open space dedicated to the public pursuant to the standards of BIMC Sections 17.12.030. A1, A2, A3, A6 & A7 is encouraged.</p>			<p>Project design provides enhanced sensitivity to pedestrian and bicycle travel to promote the people getting around without a car, a reduced carbon footprint, improved health of humans, and lower pollution levels. Project internally preserves existing informal internal connection to external non-motorized facilities, furthering the Non-motorized Transportation Plan (NMTP) and using such solutions as woonerfs, green streets, and natural trails and paths. Project reduces reliance on automobiles and trip counts, and promotes alternative transportation, such as integrating parking and charging facilities for electric cars, or bus shelters.</p>	
4	36	Project follows WA State DOE 2012 Stormwater Management Manual for Western Washington. No points if required by BIMC.	4	Treat 91% of total runoff volume with 90% TSS removal (Level 1 Treatment)	2	5-10%	2	4	Project preserves, creates or integrates internal and external non-motorized connections.	2
3	30	Project integrates cisterns: % of total roof area directed to cisterns:	5-10% 1 11-20% 2 21-30% 3 Over 31% 4	Treat 95% of total runoff volume with 90% TSS removal (Level 2 Treatment)	4	11-15%	4	6	Provides public walkways, separated paths, or bike lanes. No points for facilities required by NMTP.	3
		Number of dwelling units that integrate greywater reuse components into building design:	10% 1 11-20% 2 21-30% 3 Over 31% 4	All Private yard areas ≤ 20% turf	2	16-20%	6	8	On-site car sharing program	1 per each car
2	30	Percentage of total parking spaces that are covered (i.e. parking garage, carport):	5-20% 1 21-40% 2 41-60% 3 61-80% 4 Over 81% 5	Project landscaping integrates at least 60% native or drought tolerant plants	2	21-25%	8	10	Electric vehicle charging stations for 3% of vehicle parking capacity.	3
		Percentage of total roof area qualifying as "green roofs":	5-10% 2 11-20% 4 21-30% 6 Over 31% 8	Percentage of total parking spaces that are covered (i.e. parking garage, carport):	5-20% 1 21-40% 2 41-60% 3 61-80% 4 Over 81% 5	Greater than 25%	10	12	Covered, consolidated bike parking for subdivisions	3
1	16			Incorporates neighborhood garden	2				Bus Shelter	2
				Preserves tree that qualifies as a "Heritage tree" under City Program. The tree is not otherwise required to be preserved.	2 per tree					

Table 2.16.020.Q-3 Innovative Site Development Scoring Method

TIER	Minimum Site Development Point Requirement	WATER QUALITY & CONSERVATION		LANDSCAPING & OPEN SPACE			TRANSPORTATION																																				
		REQUIREMENT	VALUE	% OF OPEN SPACE	VALUE	VALUE IF PUBLIC	TRANSPORTATION COMPONENTS	VALUE																																			
		<p>WATER QUALITY & CONSERVATION Projects use methods to decrease water usage and improve stormwater runoff quality through an integrated approach to stormwater management such as greywater use, stormwater collection in cisterns, green roofs and covered parking. All HDDP projects will follow the WA State DOE 2012 Stormwater Management Manual for Western Washington, as amended in December 2014.</p>		<p>LANDSCAPING & OPEN SPACE Project provides well-designed common open space, with at least 5 percent of the gross land area, set aside as open space and designed as an integrated part of the project rather than an isolated element. The common open space must be outside of critical areas and their buffers and required roadside buffers. Appropriate community amenities such as playgrounds, composting and neighborhood gardens promoting the production of locally grown food are encouraged. Resident neighborhood community gardens can be in common open space areas, and shall be appropriately located for solar exposure, and include water availability, soil amenities, and storage for garden tools. Required growing space for neighborhood gardens is 60 square feet per dwelling unit, not including any existing orchard area. Open space dedicated to the public pursuant to the standards of BIMC Sections 17.12.030. A1, A2, A3, A6 & A7 is encouraged.</p>			<p>TRANSPORTATION Project design provides enhanced sensitivity to pedestrian and bicycle travel to promote the people getting around without a car, a reduced carbon footprint, improved health of humans, and lower pollution levels. Project internally preserves existing informal internal connection to external non-motorized facilities, furthering the Island-wide Transportation Plan (IWTP) and using such solutions as woonerfs, green streets, and natural trails and paths. Project reduces reliance on automobiles and trip counts, and promotes alternative transportation, such as integrating parking and charging facilities for electric cars, or bus shelters.</p>																																				
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