

ORDINANCE NO. 2025-07

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to the regulation of design review procedures, amending Sections 2.14.040, 2.16.010, 2.16.020, 2.16.040, 2.16.070, 2.16.080, 2.16.110, 2.16.125, and 17.12.040 of the Bainbridge Island Municipal Code (BIMC); repealing Section 17.12.020 Municipal Code (BIMC); Repealing Ord.2021-12; adopting a new “Design by Bainbridge” design review manual; and providing for severability.

WHEREAS, the Washington State Legislature passed House Bill 1293 (HB 1293) codified as RCW 36.70A. in 2023 requiring municipalities to streamline their design review processes; and

WHEREAS, pursuant to Section One of HB 1293 municipalities are required to apply only clear and objective development regulations governing the exterior design of new development; and

WHEREAS, Section One of HB 1293 also requires municipalities to conduct their design review process concurrently, or otherwise logically integrated, with the consolidated review and decision process for project permits and that no design review process may include more than one public meeting; and

WHEREAS, Section One of HB 1293 requires municipalities to comply with the new design review regulations within six months after their next periodic comprehensive plan update under RCW 36.70A.130; and

WHEREAS, the City of Bainbridge Island (“City”) regulates design review both in Chapter 2 and in Chapter 17 of the BIMC; and

WHEREAS, the City maintains “Design for Bainbridge” which operates as the official design review manual for the City and includes the both the standards and guidelines used during the design review process; and

WHEREAS, the current version of the “Design for Bainbridge” was adopted by Ord. 2021-12; and

WHEREAS, the City is in the process of finalizing its comprehensive plan periodic update and is required to adopt the updated plan pursuant to RCW 36.70A.130; and

WHEREAS, the City is required to comply with the requirements of HB 1293 by June 2025; and

WHEREAS, the Bainbridge Island City Council finds that it is necessary to amend its design review codes, and repeal and replace the “Design for Bainbridge” design review manual in order to comply with the state-mandated design review regulations required by HB 1293.

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

Section 1. The Bainbridge Island City Council adopts the above recitals and legislative findings in support of this ordinance.

Section 2. Amend. Section 2.14.040 of the Bainbridge Island Municipal Code is hereby amended as shown on Exhibit A, which is attached hereto and incorporated herein by this reference.

Section 3. Amend. Section 2.16.010 of the Bainbridge Island Municipal Code is hereby amended as shown on Exhibit B, which is attached hereto and incorporated herein by this reference.

Section 4. Amend. Section 2.16.020 of the Bainbridge Island Municipal Code is hereby amended as shown on Exhibit C, which is attached hereto and incorporated herein by this reference.

Section 5. Amend. Section 2.16.040 of the Bainbridge Island Municipal Code is hereby amended its as shown on Exhibit D, which is attached hereto and incorporated herein by this reference.

Section 6. Amend. Section 2.16.070 of the Bainbridge Island Municipal Code is hereby amended as shown on Exhibit E, which is attached hereto and incorporated herein by this reference.

Section 7. Amend. Section 2.16.080 of the Bainbridge Island Municipal Code is hereby amended as shown on Exhibit F, which is attached hereto and incorporated herein by this reference.

Section 8. Amend. Section 2.16.110 of the Bainbridge Island Municipal Code is hereby amended as shown on Exhibit G, which is attached hereto and incorporated herein by this reference.

Section 9. Repeal. Section 17.12.020 of the Bainbridge Island Municipal Code is hereby repealed in its entirety.

Section 10. Amend. Section 2.16.125 of the Bainbridge Island Municipal Code is hereby amended as shown on Exhibit H, which is attached hereto and incorporated herein by this reference.

Section 11. Amend. Section 17.12.040 of the Bainbridge Island Municipal Code is hereby amended as shown on Exhibit I, which is attached hereto and incorporated herein by this reference.

Section 12. Repeal. Ord. 2021-12 adopting the current “Design by Bainbridge” manual is hereby repealed in its entirety.

Section 13. Adopt. The City hereby adopts the “Design for Bainbridge” design review manual as shown in Exhibit J, which is attached hereto and incorporated by reference.


Section 14. 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 15. Upon approval of the City Attorney, the City Clerk and the code reviser is authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules or regulations; or ordinance numbering and section/subsection numbering.

Section 16 . This ordinance shall take effect and be in force five (5) days from and after its passage and publication as required by law.

PASSED by the City Council this 27th day of May 2025.

APPROVED by the Mayor this 27th day of May 2025.


Ashley Mathews, Mayor

ATTEST/AUTHENTICATE:


Christine Brown, MMC, City Clerk

FILED WITH THE CITY CLERK:	May 23, 2025
PASSED BY THE CITY COUNCIL:	May 27, 2025
PUBLISHED:	May 30, 2025
EFFECTIVE DATE:	June 3, 2025
ORDINANCE NUMBER:	2025-07

Exhibit A

BIMC 2.14.040

2.14.040 Design review board.

A. Membership – Appointment – Term.

1. There is created a design review board (board) for the city. The design review board shall consist of seven members, and the appointments and confirmations of those members shall be governed by Chapter [2.01](#) BIMC. Board membership shall include at least one representative with expertise in the following disciplines and/or groups: landscape architecture; urban design; public art committee or local artist; developers; at-large community member; and at least two architects. The members of the design review board shall not be officers or employees of the city or appointed to another city committee, board or commission, except for specialized committees or task forces of limited duration.

2. The members of the board shall serve without compensation. The terms for appointed members shall be three years, commencing on July 1st and ending on June 30th three years later. Members shall be appointed to a position number, and the terms are to be staggered, with no more than three positions expiring in any given year. A member may indicate interest in reappointment for additional terms, although reappointment is not guaranteed, and shall hold office until his or her successor has been appointed and has qualified. No member shall serve more than three consecutive terms unless the city council determines that special expertise is required, or there are no other qualified applicants.

B. Vacancies – Removal. In the event of a vacancy, the mayor, subject to the confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. The removal and resignation of members shall be governed by Chapter [2.01](#) BIMC.

C. Organization.

1. The board shall select one member to serve as chair for a one-year term at the first regular meeting of each year. Demotion of the chair shall be governed by Chapter [2.01](#) BIMC.

2. The board shall adopt such rules and regulations as are necessary to accomplish its duties and responsibilities. These rules and regulations shall be published on the city's web site.
3. The city shall provide necessary supplies and support staff to the board, consistent with available resources.
4. The city shall provide city email accounts to board members and related training on the use of email accounts, including personal computer privacy expectations while serving on the board.

D. Duties and Responsibilities. The board shall have the following duties and responsibilities:

1. Review and make recommendations on all ~~preliminary large lot subdivisions, preliminary long subdivisions,~~ major site plan and design reviews, and major conditional use permits, except for applications related to utility facilities and to non-city outdoor recreation facilities., ~~and major shoreline conditional use permits.~~ Additionally, Applications related to single-family residences such as family day care homes, minor/major home occupations, and single-family residential height variations are exempt from design review board consideration. In addition, applications related to utility facilities and to non-city outdoor recreation facilities are exempt from design review board consideration.
2. ~~Review and make recommendations on preliminary short subdivisions if requested by the director.~~
3. Review and make recommendations to the planning commission and the city council on changes, amendments, and/or additions to the design ~~guidelines~~standards.
4. Serve in an advisory and review capacity to housing design demonstration project applications pursuant to BIMC [2.16.020.S](#), including those design demonstration project applications involving land subdivision.
5. Review and serve in an advisory capacity to the city regarding major public projects.
6. Such other duties and responsibilities as may be provided by resolution or ordinance of the city council.
7. Report annually to the city council prior to the start of the budget process.

E. Open Meetings. All board meetings shall be open to the public and held in accordance with the Open Public Meetings Act (Chapter 42.30 RCW). The board, in its discretion, may allow interested citizens to speak and submit documents.

F. Public Records. For meetings consisting of a majority of the then serving members, the board shall provide public notice of the meeting and shall keep a record of its meeting minutes.

Minutes of each meeting, including a record of attendance, shall be prepared by the secretary and approved and signed at a subsequent meeting. The minutes do not need to reflect the actual discussion, but only the formal actions taken by the design review board. The approved meeting minutes shall be posted on the city's web site.

G. Quorum. A majority of the appointed members then serving on the board shall constitute a quorum.

H. Conflict of Interest. Design review board members shall sign a conflict of interest statement in accordance with the city's ethics program upon appointment and any reappointment. If a design review board member is an applicant for an application under review by the board, has a financial interest in a project, or is a paid or unpaid advocate, agent or representative for such applicant, the board member shall not participate in review of and recommendation on the application, and he or she will be asked to leave the meeting facility prior to commencement of discussion of that agenda item.

Exhibit B
BIMC 2.16.010

2.16.010 Land use procedures summary table.

Table 2.16.010-1: Summary Table of Land Use Procedures

R = Review and Recommendation, (R) = Optional Review, D = Decision, A = Appeal, P = Public Hearing, (P) = Optional Public Hearing						
	DRB	Planning Comm.	Director	Hearing Examiner	City Council	Courts
Administrative Approvals						
Tree Removal/Vegetation Maintenance Permit			D	A		
Conversion Option Harvest Plan Permit			D	A		
Minor Conditional Use	(R)	(R)	D	A		
Minor Variance		(R)	D	A		
Agricultural Conditional Use			D	A		
Large Lot Subdivisions (Prelim)	R	R	D	A		
(Final)			D			A
Minor Shoreline Variance [1]		(R)	D	A		A [2]
Minor Shoreline Conditional Use [1]		(R)	D	A		A [2]
Public Works Administrative Decisions			D			A
SEPA Determinations			D	A		
Shoreline Substantial Development Exemption [1]			D	A		
Shoreline Substantial Development [1]		(R)	D	A		A [2]

Table 2.16.010-1: Summary Table of Land Use Procedures

R = Review and Recommendation, (R) = Optional Review, D = Decision, A = Appeal, P = Public Hearing, (P) = Optional Public Hearing						
	DRB	Planning Comm.	Director	Hearing Examiner	City Council	Courts
Short Subdivisions (Prelim)	(R)	(R) ³	D	A		
(Final)			D	A		A
Sign Permits			D			A
Minor Site Plan and Design Review <u>outside the Winslow Master Plan Study Area</u>	(R)	(R)	D	A		
<u>Minor Site Plan and Design Review within the Winslow Master Plan Study Area</u>	(R)		D	A		
Major Site Plan and Design Review (Any SPR in the B/I district must be processed through a major SPR)	R	R	D	A		
Critical Area Permit – Major and Minor			D	A		
All other administrative decisions: This includes agricultural retail plans, boundary line adjustments (see BIMC 2.16.090), building and other construction permits, building administrative decisions, BIMC interpretations, extension of construction noise hours (see BIMC 16.16.025), and any other administrative land use decision authorized by this code to be made by the director.						
			D	A		
Quasi-Judicial Decisions by the Hearing Examiner						
Conditional Use Permits	R	R	R	D/P		A
Variances		(R)	R	D/P		A
Reasonable Use Exception		(R)	R	D/P		A

Table 2.16.010-1: Summary Table of Land Use Procedures

R = Review and Recommendation, (R) = Optional Review, D = Decision, A = Appeal, P = Public Hearing, (P) = Optional Public Hearing						
	DRB	Planning Comm.	Director	Hearing Examiner	City Council	Courts
(See BIMC 16.20.080)						
Major Shoreline Variances [1]		(R)	R	D/P		A [2]
Major Shoreline Conditional Use Permits [1]	R	R	R	D/P		A [2]
Long Subdivisions (Prelim)	R	R [±]	R	D		A
Quasi-Judicial Decisions by City Council						
Long Subdivisions (Final)			R		D	A
Site-Specific Rezones		(R)	R	R/P	D	A
Consolidated Project Review						
See BIMC 2.16.170						
Legislative Approvals						
Adoption or Amendment of Development Regulations		R/P	R		D (P)	A
Comprehensive Plan Amendments		R/P	R		D (P)	A
Legislative Area-Wide Rezones		R/P	R		D (P)	A
Special Area Plans		R/P	R		D (P)	A

[1] City decisions on shoreline variances, shoreline substantial development permits, and shoreline conditional use permits must be reviewed by the Washington Department of Ecology pursuant to WAC [173-27-130](#) and RCW [90.58.140\(10\)](#). The Department of Ecology may approve, approve with conditions, or deny the application.

[2] The hearing examiner's decision is forwarded to the Department of Ecology (DOE) for decision. The DOE decision is then appealable to the Shoreline Hearings Board.

[3] The planning commission shall review all requests for departures for three or more lot short subdivisions from the applicable subdivision standards pursuant to the criteria in BIMC 17.12.040.

[4] The planning commission shall review all requests for departures from applicable subdivision standards for long subdivisions pursuant to the criteria in BIMC 17.12.040.

Exhibit C
BIMC 2.16.020

2.16.020 General provisions.

A. Jurisdiction. Jurisdiction of the department director or the hearing examiner is limited to those issues where ordinance or other appropriate authority grants the authority to issue a decision, recommendation, or issue an order.

B. State Environmental Policy Act May Apply. The State Environmental Policy Act (SEPA) and the Bainbridge Island SEPA ordinance (Chapter [16.04](#) BIMC) may also apply to applications processed under this section. For a consolidated land use application subject to Chapter [43.21C](#) RCW and Chapter [16.04](#) BIMC, the SEPA threshold determination shall be issued and any required public comment period shall be completed prior to a public hearing.

C. Types of Land Use Applications. Land use applications are classified into four major categories based on the review process: (1) administrative, (2) quasi-judicial decisions by a hearing examiner, (3) quasi-judicial decisions by city council, and (4) legislative approvals. The specific types of applications in each category are shown in the table in BIMC [2.16.010](#).

1. Administrative land use decisions are made by a department director pursuant to the process in BIMC [2.16.030](#), and pursuant to specific standards in BIMC [2.16.040](#) through [2.16.090](#) as applicable.

2. Quasi-judicial decisions by a hearing examiner are made pursuant to the process in BIMC [2.16.100](#), and pursuant to specific standards in BIMC [2.16.110](#) through [2.16.120](#) as applicable.

3. Quasi-judicial decisions by city council are made pursuant to the process in BIMC [2.16.130](#), and pursuant to specific standards in BIMC [2.16.140](#) through [2.16.160](#) as applicable. This category includes consolidated project review, which is an option available for a land use proposal that requires more than one related land use permit, and in which decisions are made pursuant to BIMC [2.16.170](#). In some cases, consolidated project reviews may be quasi-judicial decisions by a hearing examiner.

4. Legislative approvals are non-site-specific decisions related to land use in the city but not related to a specific land use application filed by a property owner. These decisions are made pursuant to BIMC [2.16.180](#), and pursuant to specific standards in BIMC [2.16.180](#) through [2.16.210](#) as applicable.

D. Who Can Apply.

1. A property owner, a contract purchaser, or an agent of the owner with authorized written proof of agency may apply for any type of permit.
2. A resident who is not the owner of the dwelling may apply for permits and licenses pertaining to a home occupation.
3. Any person may request an interpretation of the zoning code, shoreline master program, or subdivision regulations. The director of planning and community development may issue interpretations of the zoning code, shoreline master program, or subdivision regulations as needed, and shall post issued interpretations on the city website.

E. Prohibited Ex Parte Communications.

1. Except as permitted under Chapter [42.36](#) RCW, a proponent or opponent, or his or her agent or representative, of a quasi-judicial matter that is pending before the hearing examiner or council, shall not communicate ex parte, directly or indirectly, with the examiner or a council member concerning the merits of the pending matter or a factually related quasi-judicial matter. This rule shall not prohibit ex parte communications concerning procedural matters.
2. Except as permitted under Chapter [42.36](#) RCW, the hearing examiner or a council member shall not communicate ex parte, directly or indirectly, with a proponent or opponent, or his or her agent or representative, of a quasi-judicial matter that is pending before the hearing examiner or council concerning the merits of the pending matter or a factually related quasi-judicial matter. This rule shall not prohibit ex parte communications concerning procedural matters.
3. If a prohibited ex parte communication is made to or by the hearing examiner or a council member, the examiner or council member shall comply with Chapter [42.36](#) RCW. Any violation of this subsection E shall be deemed a misdemeanor and may be punished pursuant to Chapter [1.24](#) BIMC.

4. Any person seeking to rely on the provisions of this section to disqualify the hearing examiner or a council member from participating in a decision must raise the challenge as soon as the basis for disqualification is made known to the person. Where the basis is known or reasonably should have been known prior to the issuance of the decision and is not raised until after the issuance of the decision, it may not be relied on to invalidate the decision.

F. Design Review Board Review.

1. The design review board shall review and make recommendations on all land use applications as set forth in this section. This design process reflects a collaborative effort between an applicant, the design review board, and the community to better incorporate the vision of the city as outlined in the adopted design standards and guidelines.

2. Subsequent to submittal of ~~preapplication materials~~ a complete application, the board shall review a proposal for conformance with applicable design standards and guidelines. The board's written recommendations shall be included in the staff report transmitted to the planning commission.

3. A board recommendation is not a decision and there is no city appeal of the recommendation.

G. Zoning Verification Letter. Applicants may request a zoning verification letter. A zoning verification letter is intended to provide to an applicant information related to the subject property, including related to legal land uses, zoning, zoning district standards, development history, and compliance.

H. Consultation. Applicants may request and participate in an informal 30-minute meeting prior to a formal preapplication meeting or application submittal. The purpose of the consultation is to discuss in general terms project permit application questions. Staff will not prepare for the consultation, nor will they produce any written or electronic documentation of the discussions. It is the applicant's responsibility to take notes. As no project permit application will have been submitted at the time of such a meeting, the city will not make any binding commitments.

I. Preapplication Procedure.

1. Subject to certain exemptions, all projects are subject to and must complete the site assessment review process set forth and in accordance with Chapter [15.19](#) BIMC, and projects requiring a preapplication conference have the option of proceeding with the two processes concurrently. Chapter [15.19](#) BIMC is designed to ensure that future development

integrates low impact development practices to the maximum extent practicable, as required by Chapters [15.19](#) and [15.20](#) BIMC.

2. The preapplication conference is an informal discussion between a potential applicant and city staff. A preapplication conference shall not include extensive field inspection or correspondence. The purpose of the preapplication conference is to assist the applicant by identifying the following:

- a. Requirements for submittal, including types of permits necessary to complete the proposal and whether SEPA review is required, pursuant to the State Environmental Policy Act (SEPA), Chapter [43.21C](#) RCW.
- b. Compliance with applicable city plans, goals, policies, codes or guidelines and possible revisions to the proposed project that will enhance the proposal with respect to these requirements.
- c. Required plans, studies, reports, and/or other materials specific to the proposal that will provide necessary information for staff to review the project.
- d. Whether or not the project will likely qualify as a housing design demonstration project, and/or feedback about how to qualify, if applicable.

3. A preapplication conference may be recommended by the department director for any type of land use application that the director believes may be complex or controversial, but is required prior to submitting an application for the following land use applications unless a waiver is obtained pursuant to this subsection I.3:

- a. Minor or major conditional use;
- b. Minor or major variance;
- c. Minor or major site plan and design review approval;
- d. Preliminary long subdivision and short subdivision;
- e. Shoreline substantial development permit, shoreline variance, and shoreline conditional use permit;

- f. Shoreline substantial development exemption for new shoreline armoring (including bulkheads, revetments, and soft shore designs);
- g. Comprehensive plan amendment;
- h. Reasonable use exception;
- i. Consolidated project review; and
- j. Major critical area permit.

4. Except in the case of (a) preliminary short subdivisions and long subdivisions, or (b) shoreline substantial development exemptions or permits for new shoreline armoring (including bulkheads, revetments, and soft shore designs), or (c) where the HDDP process is being used, or (d) where DRB review is required, a preapplication conference may be waived in writing by the director if the director determines the following:

- a. The application is consistent with applicable codes and ordinances;
- b. The proposed use is clearly listed as a permitted use or a conditional use in the zoning district in which it is located; and
- c. The applicant demonstrates knowledge and understanding of the city's permit processing procedures.

As an additional basis for such a waiver, a preapplication conference may be waived in writing by the director if the director determines that the applicant has attended a consultation meeting within one year of their preapplication meeting, and the director determines that the applicant is in compliance with subsections I.4.a through c of this section.

~~5. Applications requiring design review board review shall be first reviewed at a department-facilitated preapplication conference and followed up by a summary letter that provides application submittal requirements, as described in this section. The applicant shall then meet with the design review board to discuss the design concept and proceed through the design-review process.~~

For those project subject to design review, the preapplication conference application shall be provided to the design review board and the planning commission. Up to two members of the design review board and the planning commission may attend the preapplication

conference with the intent of listening and reporting the proposal to the full design review board and planning commission at a subsequent meeting

6. The review process for long subdivisions, major site plan and design review permits, and major conditional use permits shall include a public participation meeting following the procedures outlined in Resolution No. 2021-07. The meeting will be held after the ~~design-review board concept review, during the project proposal phase~~ preapplication letter has been completed.

7. An applicant shall arrange for a preapplication conference by submitting forms and plans as required in the administrative manual, and the Design for Bainbridge appendices where design review is required.

8. The discussion at the preapplication conference shall not bind or prohibit the city's future application or enforcement of applicable codes and ordinances.

J. Application.

1. Application Submittal Requirements.

a. An application for a specific type of land use decision shall be filed with the appropriate department on forms prescribed by that department and shall include fees as required by resolution of the city council. Each application has specific submittal requirements that are described in the administrative manual. Additional requirements may be requested on the application form.

b. The address indicated on the application shall be, for the purposes of this title, the mailing address of the applicant, and all correspondence relating to the application shall be directed to that address.

c. The applicant or designated representative must be present at any public meeting that has been publicly advertised to hear the application or when the applicant has been personally notified of such a meeting.

d. The director may waive specific submittal requirements determined to be unnecessary for review of an application.

e. The director or city engineer may require additional material such as, but not limited to, maps, studies or models when the director determines such material is needed to accurately assess the proposed project.

2. Determination of Complete Application.

a. A land use application shall be deemed complete when all submittal requirements and all required fees as set forth in the administrative manual or by resolution of the city council have been submitted to the appropriate department and staff has confirmed that the level of detail in submitted materials is sufficient to allow accurate review, even though additional information may be required or subsequent project modifications may occur (see subsection L.4 of this section for timelines).

b. A determination of a complete application shall not preclude the department director from requesting additional information or studies, if new information is required to complete final review or if substantial changes in the application are proposed.

c. If a land use application is determined to be incomplete, the city shall return the application for modification or correction with a request in writing for the missing information. The applicant shall respond to such a request within 60 days of the date of the request.

3. Design Review Board Review of Complete Application.

a. Once an application has been deemed complete, the application materials shall be forwarded to the Design Review Board and the project permit shall be scheduled on the next available Design Review Board meeting agenda.

34. Voiding Application Due to Inactivity. A land use application for which a decision has not yet been made may be canceled for inactivity if the city returns the application for modification or correction (including a request for additional information for an incomplete or complete application) and the applicant fails to respond to the city's request within 60 days of the request. The planning director may extend the response period beyond 60 days if within that time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections, or other information needed by the requesting department.

K. Fees.

1. Fees and charges payable to the city prior to issuance of a land use permit or approval, except impact fees, shall be paid in an amount established by ordinance or resolution as of the date on which the land use application is accepted, except as provided in subsections K.2 and 3 of this section.

2. Fees and charges payable to the city prior to the issuance of a building permit, including utility participation and connection charges, but except impact fees and fees for which an hourly charge has been established, shall be paid in an amount established by ordinance or resolution as of the date of the permit application.

3. Fees and charges payable to the city in relation to the issuance of land use permits or approvals do not vest except as provided in this chapter. Hourly rate charges shall be imposed for all work done by the city on and after the effective date(s) of the hourly charges, at the rate in effect on the date that work is performed by the city. Hourly charges shall be in addition to any amounts previously collected relative to the permits, approvals, or actions for which hourly fees are either now or subsequently imposed except that amounts paid prior to the imposition of hourly charges shall be considered a nonrefundable deposit against future charges for the same permits or approvals.

L. Application Time Frames.

1. Final decisions on land use applications should be issued within 120 days from the date the application is determined to be complete pursuant to subsection J.2 of this section, except in the case of subdivisions. A preliminary plat for a short subdivision, long subdivision or large lot subdivision must be approved, disapproved, or returned to the applicant for modification or correction within 90 days from the date of filing a complete application, unless the applicant consents to an extension. A final plat for a short subdivision, long subdivision, or large lot subdivision must be approved, disapproved, or returned to the applicant for modification or correction within 30 days from the date of filing a complete application, unless the applicant consents to an extension.

2. Where there is a conflict in time periods of state statutes, the state statute with the more restrictive time period shall govern. The time period for making a final decision as established by this section may be extended for any reasonable period of time mutually agreed upon by the applicant and the city.

3. For purposes of calculating time periods and counting days of permit processing, the time period shall begin on the first day following the date the application is determined to be complete. The following periods shall be excluded from the 120-day period:

- a. Any period during which an application has been returned for correction or modification with a request for missing or additional information necessary for review, in accordance with subsection J.2 of this section;
- b. Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter 43.21C RCW;
- c. Any period during which an appeal of a project permit is being reviewed; and
- d. Any extension of time mutually agreed upon by the applicant and the city.

4. The time limits established by this section do not apply if a land use application includes one of the following:

- a. An amendment to the comprehensive plan or an amendment to a land use development regulation; or
- b. Siting of an essential public facility as provided in RCW 36.70A.200; or
- c. An application substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete under subsection J.2 of this section; or
- d. An application for a street or right-of-way vacation.

5. If the city is unable to issue its final decision on a land use application within the applicable time periods, the city shall provide written notice of this fact to the project applicant. The notice will include a statement of reasons why the time periods have not been met and an estimated date for issuance of the notice of final decision.

M. Notice Requirements.

1. Land Use Notice Summary Table.

Table 2.16.020-1 Land Use Notice Summary Table [1]

	Mail, Fax, E-mail, or Other to Applicant	Mail, Fax, or E-mail to Depts., Public, and Others	Publishing in Newspaper	Posting Notice at Official Locations	Posting Sign on the Property
Notice of Complete Application	✓				
Notice of Application and Public Comment Period*		✓	✓	✓	✓
Notice of Public Hearing	✓	✓	✓	✓	✓
Notice of Decision and Appeal Period	✓	✓**			

[1] Additional noticing may be required by other titles of the BIMC.

* May be combined with SEPA notice.

** Notice only goes to parties that commented during the public comment period and any agencies with jurisdiction.

2. Exemptions from Public Notice Requirements on Land Use Decisions. The following land use applications do not require a notice of application and public comment period or notice of decision:

- a. A building permit or other construction permit.
- b. An administrative decision that is categorically exempt under SEPA (Chapter 43.21C RCW), unless the permit application procedures require a public comment period or public hearing. Flexible lot design short or long plats are not exempt from notice requirements.

3. Notice of Complete Land Use Decision Application.

- a. Within 28 days after receiving a land use permit application, the department director shall provide to the applicant a written determination, stating either that the application is complete or that the application is incomplete and what is necessary to make the application complete. If the application is determined to be incomplete, the department director will request additional information in writing.
- b. Within 14 days after an applicant has submitted all additional information identified by the department director as being necessary for a complete application, the department director shall notify the applicant whether the application is complete or what additional information is necessary.
- c. If the department director does not provide a written determination as to whether the application is complete within the 28 days, the application shall be deemed complete as of the twenty-eighth day.

4. Notice of Application and Public Comment Period.

- a. Time of Notice. Within 14 days of a notice of complete application, the department director shall issue a notice of application for any land use application except for those applications that are exempted pursuant to subsection M.2 of this section. The notice of application shall provide a minimum comment period of 21 days. However, for projects requiring review under the State Environmental Policy Act (SEPA), the notice of application shall provide a minimum comment period of 14 days; the SEPA threshold determination shall not be issued prior to the expiration of the notice of application comment period.
- b. Method of Notice. The notice of application shall be provided to the public and other government agencies with jurisdiction over some aspect of the application by the following means:
 - i. Distributing written notice to property owners at addresses listed on the property tax records of Kitsap County within 500 feet of any boundary of the subject property and including any property within 500 feet of any contiguous property in the applicant's ownership;
 - ii. Posting notice in the official posting places of the city, including the city website;

- iii. Publishing notice in the official newspaper of the city;
- iv. Posting the subject property in a manner prescribed by the city; and
- v. Distributing notices to government agencies.

c. Notice of Application Contents. The content of the notice shall comply with the requirements of state law and shall contain that information set forth in the administrative manual.

d. Transportation Notice. If the application is for a short subdivision or a large lot subdivision that is adjacent to the right-of-way of a state highway or within two miles of the boundary of a state or municipal airport, not later than 10 days after the short subdivision application is filed, the director shall provide a notice of the application, including a legal description and location map, to the State Secretary of Transportation. The Department of Transportation shall, within 15 days after receiving the notice, submit a statement to the director who furnished the notice, including any information that the Department of Transportation deems to be relevant about the effect of the proposed short subdivision or large lot subdivision upon the legal access to the state highway, the traffic carrying capacity of the state highway and the safety of the users of the state highway. If comments are not received within 15 days, the director may extend the comment period by an additional 15 days to allow for Department of Transportation comments.

5. Notice of Public Hearing. Notice for an application requiring a public hearing shall be provided in the following manner:

a. Time of Notice. The hearing examiner shall provide notice of the public hearing at least 15 days prior to the hearing or as otherwise provided by law.

b. Method of Notice. The hearing examiner shall provide notice of an appeal hearing as provided in this subsection and shall provide public notice for any other public hearing by:

- i. Posting notice in the official posting places of the city, including the city website; and

- ii. Publishing notice in the official newspaper of the city at least 14 days prior to the hearing or as otherwise provided by law; and
- iii. Distributing notice to the applicant and appellant, if applicable; and
- iv. Distributing written notice to property owners at addresses listed on the property tax records of Kitsap County within 500 feet of any boundary of the subject property and including any property within 500 feet of any contiguous property in the applicant's ownership; and
- v. Distributing notice to any person who has submitted a written request for notice of the hearing; and
- vi. Posting the subject property in a manner prescribed by the city.

c. Public Hearing Notice Contents. The content of the notice shall comply with the requirements of state law and shall contain that information set forth in the administrative manual.

6. Notice of Land Use Decision and Appeal Period. A notice of decision shall be issued upon a final decision on a land use application. The decision-maker shall distribute the notice of decision to the applicant, the applicable department director and any persons requesting notice or submitting comments on the application prior to the decision. Notice of decision shall include:

- a. A statement indicating that the application is approved, approved with conditions, denied, or remanded; and
- b. A statement of any conditions included as part of a decision for approval or approval with conditions; and
- c. A statement of facts upon which the decision, including any conditions, is based and the conclusions of law derived from those facts; and
- d. The SEPA threshold determination and mitigation conditions as specified in Chapter [16.04](#) BIMC, if applicable; and
- e. Procedures for appeal under subsection R of this section if applicable.

7. Combining Public Notices on Land Use Applications. If a land use application is subject to environmental review under Chapter 16.04 BIMC (Chapter 43.21C RCW) and requires a SEPA threshold determination, the SEPA public notice and notice of SEPA public comment period, if any, shall be combined with other land use application notices when possible. A combined notice shall include a statement that a single comment letter may be submitted to the SEPA official, addressing impacts as well as other issues subject to review under the decision criteria for the land use application.

8. Notice Required for Legislative Review Procedures. Unless subsection M.9 or 10 of this section requires otherwise, notice of the date, time and place of any scheduled hearing shall be provided to the public by the following means:

- a. Publishing notice in the official newspaper of the city at least 10 calendar days prior to the public hearing.
- b. Posting notice in the official posting places of the city.

9. Notice Required for Adoption and Amendment of Land Use Regulations.

a. The city shall give notice of the public hearing in a way that is reasonably calculated to provide notice to property owners and other affected and interested individuals, tribes, government agencies, businesses, and organizations. Examples of reasonable notice include:

- i. Posting the property for site-specific proposals;
- ii. Publishing notice in the official newspaper of the city;
- iii. Notifying public or private groups who have notified the city of an interest in a certain proposal or in the type of proposal being considered.

b. Notice of the public hearing shall state when the public may submit written comments on the proposed development regulation; provided, that the public shall be given at least 10 days prior to the scheduled public hearing to submit written comments to the city.

c. Errors in exact compliance with this chapter shall not render the development regulation invalid if the spirit of the procedures established by this chapter is observed.

10. Notice Required for Special Area Plan Process. The interdepartmental staff team described in BIMC [2.16.210.D](#) shall provide notice to the public of the initial public meeting by (a) mailing notice, by regular mail, at least 10 days prior to the date of the meeting, to all interested persons and groups identified by the interdepartmental staff team, and to all persons requesting such notice; and (b) publishing notice in the city's official newspaper at least 10 days prior to the date of the meeting.

N. Land Dedication. The following provisions apply to applications for short or long subdivisions, and to development permits for multifamily residential development.

1. The applicant shall submit with the application (a) a proposal for dedication of land for any public rights-of-way and parks, open spaces, or recreational lands required to serve the proposed development, and (b) any proposed open space covenants for private parks or recreational facilities for which the applicant seeks approval. Those proposals shall be incorporated in the underlying application.

2. Except in the case of short subdivisions, the city council shall then determine whether to require the dedication of land, and/or approve any proposed open space covenants for private parks or recreational activities. In the case of short subdivisions, staff shall determine whether to require dedication of land and/or approve any proposed open space covenants for private parks or recreational activities, but no required land dedication shall be final until accepted by city council.

3. In the instances where staff or the city council determines to require dedication of land, the dedication shall occur:

a. In the case of a short or long subdivision, at the time of final plat approval;

b. In the case of development permits for multifamily development, land dedications of public rights-of-way shall be required at the time of approval of the earliest application at which the number of dwelling units and related traffic generation from the property can be calculated. Land dedications for parks, open spaces, and recreational lands shall be due at the time of approval of the earliest application at

which the number of dwelling units on the property can be calculated. All land dedications shall be completed prior to the issuance of any building permits.

O. Time Limits and Extensions.

1. A land use permit automatically expires and is void if the applicant fails to file for a building permit or other necessary development permit within three years of the effective date of the permit unless (a) the applicant has received an extension for the permit; or (b) the permit provides for an extended time period.
2. The director may grant one extension to the permit, in writing, for a period not to exceed one year if:
 - a. Unforeseen circumstances or conditions necessitate the extension of the permit; and
 - b. Termination of the permit would result in unreasonable hardship to the applicant, and the applicant is not responsible for the delay; and
 - c. The extension of the permit will not cause substantial detriment to existing uses in the immediate vicinity of the subject property; and
 - d. The extension request is received by the department no later than 30 days prior to the expiration of the permit.

P. Required Notices on Title. Where any provision of the Bainbridge Island Municipal Code requires the recording of a notice on title related to a land condition or land use approval condition, the applicant shall record those notices in the form shown in the Bainbridge Island Municipal Code or administrative manual. In the case of long, short, or large lot subdivisions, the notice shall be recorded prior to or at the recording of the final plat. In the case of other approvals, the notice shall be recorded before the issuance of any building permit related to the approval.

Q. Approval Binding. No person, firm or corporation shall locate or expand a use for which any land use approval is required without first obtaining that land use approval. Once a land use application has been approved, no building or development of any sort shall occur contrary to the approved land use application unless this title includes a procedure for adjustments or modifications and the city has approved those adjustments or modifications.

R. Appeals.

1. Appeal of an Administrative Review Decision.

a. **Applicability.** All administrative decisions, departmental rulings and interpretations made in accordance with administrative review procedures of BIMC [2.16.030](#) and administrative decisions made under BIMC [1.26.070](#) may be appealed to a hearing examiner. Administrative decisions of the public works director and decisions on sign permits may not be appealed to the hearing examiner.

b. **SEPA Appeals.** Appeals of decisions made in accordance with Chapter [16.04](#) BIMC, the city's SEPA rules, shall be made according to the procedures in that chapter. Where the appeal concerns a substantive approval, denial, or conditional approval of a development application based on a SEPA determination (a "substantive SEPA appeal"), the appeal hearing shall be pursuant to subsection R.1.i of this section. Where the appeal concerns a threshold determination regarding the applicability of SEPA or the level of SEPA review required (a "procedural SEPA appeal"), the appeal shall also be pursuant to subsection R.1.i of this section, but, if heard on the same date, the procedural SEPA appeal shall be heard first and the record of the proceeding closed before the substantive appeals are heard.

c. **Rules.** The rules of procedure adopted under BIMC [2.14.030.C.2.b](#) shall address appeal hearings before the hearing examiner. Such rules of procedure for appeal hearings will be published on the city's website and available from the office of the city clerk upon request.

d. **Timing.** An appeal of an administrative decision shall be filed with the city clerk within 14 days of the date of the decision. This provision applies when the application (i) is exempt from SEPA or (ii) is subject to SEPA and uses the "optional process." An appeal of an administrative decision shall be filed with the city clerk within 21 days of the date of decision when the project is subject to SEPA and requires a SEPA threshold determination public comment period pursuant to WAC [197-11-340](#).

e. **Written Appeal Required.** All appeals shall be filed in writing with the city clerk, shall identify the decision appealed and the date of the decision, and shall contain a summary of the grounds for the appeal.

f. Content of Appeal. Appeal hearings shall be limited to the issues specified in the written appeal.

g. Hearing Date. Following receipt of a notice of appeal and payment of the appropriate fee, a public hearing shall be set by the hearing examiner.

h. Related Documents. All written comments and related documents received prior to the appeal hearing shall be transmitted to the hearing examiner no later than the hearing date. In the case of complex or controversial appeals, the city may require that some or all materials be submitted two or more days in advance of the hearing date.

i. Appeal Hearing. As stated in RCW 43.21C.075, because a major purpose of SEPA is to combine environmental considerations with public decisions, any appeal brought under this section shall be linked to a specific governmental action. The State Environmental Policy Act provides a basis for challenging whether governmental action is in compliance with the substantive and procedural provisions of this chapter. The State Environmental Policy Act is not intended to create a cause of action unrelated to a specific governmental action. The appeal shall be heard in accordance with RCW 43.21C.075. The appeal shall be held at an open record public hearing. Participation in an appeal hearing is limited to the applicant, the applicant's representative, the appellant, the appellant's representative, appropriate city staff and consultants, any witnesses called by each and any nonparty who submitted written comments during the public comment period if the hearing examiner determines that the testimony will be relevant to the issue on appeal and nonrepetitive of the testimony of other witnesses.

i. In a SEPA procedural appeal, the procedural determination by the city's SEPA official shall carry substantial weight.

ii. In an appeal of a substantive decision made by the city, the criteria shall be whether (A) the proceedings were materially affected by failure to comply with adopted procedures, or (B) the decision is inconsistent with the BIMC criteria for that type of approval, or (C) the evidence in the record was not adequate to support the decision.

iii. In an appeal on the substance of a SEPA determination, or substantive conditions attached to an approval through the SEPA review process, the determination by the city's SEPA official shall carry substantial weight.

j. Continuation of Hearing. A hearing may be continued to a date certain without additional notice.

k. Decision. Upon completion of the appeal hearing, the hearing examiner shall (i) affirm the decision, (ii) reverse the decision, (iii) affirm the decision with conditions, or (iv) remand the decision to the department director for further consideration of identified issues. The decision of the director shall be accorded substantial weight by the hearing examiner. The hearing examiner may include conditions as part of a decision granting or granting with conditions an appeal to ensure conformance with BIMC, the city's comprehensive plan and other applicable laws or regulations.

l. Timing of Written Decision. The hearing examiner shall issue a written decision on the appeal within 20 working days after completion of the public hearing unless the appellant and the hearing examiner have consented to an extension of time. The written decision shall include (i) the decision of the hearing examiner granting or denying the appeal in whole or in part; (ii) any conditions included as part of the decision on the appeal; (iii) findings of facts upon which the decision, including any conditions, is based and the conclusions of law derived from those facts; and (iv) a statement of the right of a person with standing to appeal the decision of the hearing examiner in accordance with Chapter 36.70C RCW.

m. Distribution. The hearing examiner or designee body shall provide a copy of the written decision to the applicant, the appellant, the applicable department director, and any person requesting the written decision or who submitted substantive comments on the application prior to the decision.

2. Appeal of a Decision of the Hearing Examiner. The decision of the hearing examiner shall be final unless, within 21 days after issuance of a decision, a person with standing appeals the decision in accordance with Chapter 36.70C RCW or its successor.

3. Appeal of a City Council Decision on a Quasi-Judicial Matter. The decision of the city council shall be final unless, within 21 days after issuance of a decision, a person with standing appeals the decision in accordance with Chapter 36.70C RCW or its successor.

4. Appeals of a City Council Decision on a Legislative Matter. Appeal of a city council decision on a development regulation, area-wide rezone and comprehensive plan amendment is governed by state law.

S. Housing Design Demonstration Projects.

1. Purpose and Goals. The purpose of this subsection S is to allow the development of housing design demonstration projects that increase the variety of housing choices available to residents across underserved portions of the socioeconomic spectrum, and to promote compact, low-impact development where it is most appropriate. Further, its purpose is to encourage high quality and innovation in building design, site development, and “green” building practices.

The goals of this program are to increase the housing supply and the choice of housing styles available in the community; to promote socioeconomic diversity by adding to the stock of income-qualified housing; to encourage development of smaller homes, at reasonable prices, in neighborhoods attractive to a mix of income and age levels; and to demonstrate that innovative design and building techniques (conserving water and energy, using sustainably sourced materials, limiting environmental impacts) are compatible with market considerations.

2. Applicability. This subsection S is applicable to all properties located within the Winslow sanitary sewer system service area or Winslow Subarea Plan study area, as those areas exist or are defined on the effective date of the ordinance codified in this chapter. 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 projects outlined in this section to two projects after the effective date of the ordinance codified in this chapter.

3. Review and Approval Process. Housing design demonstration project applications shall be reviewed as specified in the same manner as other applications for the same type of underlying land use permit (see BIMC [2.16.030](#) through [2.16.210](#)), with additional review steps done in the order outlined in BIMC [2.16.040](#) (Site plans and design review), [2.16.070](#) (Short subdivisions), [2.16.110](#) (Major conditional use permit), [2.16.125](#) (Preliminary long subdivisions), and as outlined in this subsection.

a. **Conceptual Proposal Review.** Applicants proposing a demonstration project shall meet with city staff during the conceptual phase to discuss the goals and evaluation parameters of the proposed project. The conceptual proposal review is an informal discussion between the applicant and city staff regarding a proposed project. There are no required application materials for this stage. Applicants shall contact the planning department staff to request a meeting, and the meeting shall be scheduled by staff for no more than three weeks after the request date. The purpose of the conceptual proposal review is to determine if the proposal is eligible to be considered as an application for a housing design demonstration project and to assist the applicant by identifying (i) requirements for submittal, including types of supplemental materials for application; (ii) compliance with applicable city plans, goals, policies, codes, or guidelines and possible revisions to the project that will enhance the proposal with respect to these requirements; (iii) areas of BIMC Titles [17](#), Subdivisions and Boundary Line Adjustments, and [18](#), Zoning, where the applicant seeks flexibility; and (iv) required plans, studies, reports, and/or other materials specific to the proposal that will provide necessary information for staff and the design review board, and to review the project under the criteria outlined in subsection S.4 of this section.

b. **Preapplication Conference.** The applicant shall apply for a preapplication conference pursuant to subsection I of this section. Housing design demonstration projects shall be reviewed by both staff and the design review board, pursuant to subsection F of this section. The applicant shall submit an HDDP proposal consistent with the requirements in the administrative manual. The applicant shall consider input received during the public meetings and conceptual review with city staff in crafting the proposal. The proposal will be evaluated pursuant to subsection S.4 of this section by city staff ~~with the design review board serving in an advisory role, in addition to their review of applicable design guidelines.~~ The director shall prepare written findings of fact, and applicants will receive preliminary notification from the director whether the proposal will qualify as a housing design demonstration project, or feedback about how to improve the proposal to qualify. If the applicant changes the proposal in any significant manner other than a response to feedback from the public meeting, conceptual review, or the preapplication review, an additional preapplication conference may be required.

c. **Application Submittal.** An applicant may submit a land use permit application (subdivision, site plan and design review, or conditional use permit) for a housing design demonstration project after completion of a required conceptual and preapplication review and notification by the city that the proposal qualifies as a housing design demonstration project. Upon receipt of an application, the director shall provide notice to the applicant and public in accordance with subsection M of

this section and commence the application review process. Housing design demonstration projects that require more than one land use permit must utilize the consolidated project review process outlined in BIMC [2.16.170](#). All housing design demonstration project applications, including subdivisions, shall be reviewed by the design review board and the planning commission at public meetings. The design review board and the planning commission shall make recommendations on all housing design demonstration projects.

d. Permit Decision. The decision to approve or deny a housing design demonstration project shall be made as part of underlying land use permit approval. The decision shall be based upon the decision criteria of the underlying planning permit, and the decision criteria outlined in subsection S.5 of this section. Housing design demonstration project approval conditions shall be included in the final permit approval and shall address any ongoing compliance requirements, including compliance with approved design plans. The city may require that the applicant record covenants to ensure ongoing compliance or maintenance for required project components.

e. Building Permit. The applicant shall submit a building permit that is consistent with all conditions of the land use permit approval. The applicant shall also submit documentation that the project has applied for required certification by a green building rating system, such as Evergreen Sustainable Development, LEED, or BuiltGreen. Proof of ongoing certification shall be required during construction and project certification must be completed prior to final occupancy.

f. Living Building Challenge. For projects pursuing the Living Building Challenge standard of the International Living Building Institute, the applicant must show proof of pursuing ongoing certification during construction for all required elements. After construction, and prior to issuance of the certificate of occupancy, the applicant must show proof of initial project compliance as to the site, materials, indoor quality and beauty/inspiration components of the Living Building Challenge and that the project is likely to achieve the elements of energy and water following 12 months of occupancy as required under Living Building Challenge certification. For those elements of energy and water that require occupancy of the building for 12 months for Living Building Challenge certification, the applicant must submit a report to the city following 12 months of occupancy, demonstrating its progress towards meeting these

remaining elements of the Living Building Challenge standard. If certification of those elements has not been achieved, the applicant must provide quarterly reports of progress towards certification of these elements, including additional steps and timeline that will be taken to achieve certification.

4. Evaluation Method. Each project will be evaluated for innovation and achievement of the goals of this subsection S using a number of factors. The evaluation factors are divided into three categories. Examples of sustainable development methods do not limit other mechanisms of meeting the evaluation factor. Projects that qualify as housing design demonstration projects are eligible to use the flexible development standard incentives outlined in subsections S.6 and 7 of this section, and are eligible for the residential incentives outlined below and in subsection S.8 of this section. Table 2.16.020.S-1 shows how projects are evaluated to qualify for the housing design demonstration project program.

Table 2.16.020.S-1: Housing Design Demonstration Project Scoring System		
Density Incentives	Requirements to Receive Incentives	
	Green Building and Innovative Site Development	Housing Diversity
2.5 x Base Density (for properties in residential zones) OR Max. Bonus Mixed-Use FAR (for properties in the MUTC and HS Road zoning districts)	<ul style="list-style-type: none"> • LEED Silver, BuiltGreen 4, or Evergreen Sustainable Development • Project meets innovative site development methods requirements of subsection S.4.b of this section 	<ul style="list-style-type: none"> • 50% affordable housing • Home size not larger than 1,600 sq. ft.
<p>NOTE: For required affordable housing units:</p> <ul style="list-style-type: none"> o Required affordable housing units must serve low-income households with an income less than or equal to 80% AMI. (See BIMC 18.21.020.A and 18.36.030.) o Rental projects: 50% of required affordable house units must serve households with an income less than or equal to 60% AMI. 		

Table 2.16.020.S-1: Housing Design Demonstration Project Scoring System		
Density Incentives	Requirements to Receive Incentives	
	Green Building and Innovative Site Development	Housing Diversity
o Accessory dwelling units (ADUs) are not counted towards meeting affordable housing requirements of the HDDP program.		

a. Housing Diversity. Evaluation will review:

i. Unit Size. HDDP housing units cannot be larger than 1,600 square feet; and

ii. Affordable Housing. The project includes at least 50 percent of housing units that are affordable to households at or below low-income, as described in Chapter 18.21 BIMC, Affordable Housing, and BIMC 18.36.030. For rental projects: 50 percent of required affordable housing units must serve households with an income less than or equal to 60 percent AMI. Designated affordable housing shall remain affordable for 99 years from the time of final inspection on the affordable unit. The applicant shall record covenants that demonstrate how the unit will remain affordable and be managed for 99 years. Any ADUs constructed on lots where the primary unit is designated as required affordable housing must also be maintained as designated affordable housing.

b. Innovative Site Development. All HDDP projects will follow the Washington State Department of Ecology’s 2019 Stormwater Management Manual for Western Washington. The project must integrate at least two of the 14 sustainable site methods listed across the four sustainable site categories below (water quality and conservation, landscaping, open space, and transportation). For projects which designate at least 75 percent of units as affordable housing, compliance with the innovative site development requirements is optional, not required.

i. Water Quality and Conservation. Projects use methods to decrease water usage and improve stormwater runoff quality through an integrated approach to stormwater management such as:

(A) Greywater. At least 30 percent of dwelling units integrate greywater use.

(B) Cisterns. At least 30 percent of total project roof area stormwater collection is directed to cisterns.

(C) Green Roofs. At least 30 percent of total project roof area qualifies as a “green” or vegetated roof.

(D) Covered Parking. At least 80 percent of total project parking spaces are covered (e.g., parking garage, carport).

ii. Landscaping. The project uses low maintenance landscaping and 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.

(A) Native or Drought Tolerant Plants. Project landscaping integrates at least 60 percent native or drought tolerant plants.

(B) Private Yards. All private yard areas within the project designed to have less than or equal to 20 percent turf/grass.

(C) Heritage Trees. The project preserves one or more tree that has been approved as a “heritage tree” under the city’s program.

iii. 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.

(A) Open Space. The project integrates at least 25 percent of the lot area as common open space.

(B) Neighborhood Garden. The project incorporates a neighborhood garden or pea patch.

iv. Transportation. The project uses a design that provides enhanced sensitivity to pedestrian and bicycle travel and internally preserves existing informal, internal connection to external trail(s), or creates new connections where appropriate, to

implement the Island-Wide Transportation Plan (IWTP). The project design strives to reduce reliance on automobiles and trip counts, and promotes alternative transportation and public transit.

(A) Electric Vehicle (EV) Charging. The project integrates EV charging facilities for at least 10 percent of vehicle parking capacity, locating rechargeable electric vehicle (EV) parking in a conspicuous and preferred location close to a main building entrance.

(B) Car Sharing. The project integrates a parking space for a vehicle sharing program, such as Zipcar™.

(C) Public Nonmotorized Facilities. The project provides public walkways, sidewalks, separated paths, or bike lanes not otherwise required by the IWTP. Facility location and design is subject to approval by the department of public works.

(D) Covered Bike Parking. The project provides covered, consolidated bike parking.

(E) Bus Shelter. The project provides a covered bus shelter(s) for Kitsap Transit and school bus riders. Shelter location and design must be consistent with any Kitsap Transit, city, or school district requirements.

c. Innovative Building Design. The project shall be constructed under a green building certification program that requires third-party verification such as the Evergreen Sustainable Development, Living Building Challenge standard of the International Living Building Institute, Passive House Institute US/International, LEED or the BuiltGreen Program of the Master Builders of King and Snohomish Counties.

permit or approval, an application for a housing design demonstration project may be approved if the following criteria are met:

a. The applicant clearly demonstrates that the evaluation factors listed in subsection S.4 of this section will be met, as evaluated by the planning and public works departments;

- b. The applicant has demonstrated how relief from specific development standards, including setback reductions, lot coverage and/or design guidelines, is needed to achieve the desired innovative design and the goals of this chapter;
- c. The project does not adversely impact existing public service levels for surrounding properties;
- d. The project complies with all other portions of the BIMC, except as modified through this housing design demonstration project process;
- e. If a project will be phased, each phase of a proposed project must contain adequate infrastructure, open space, recreational facilities, landscaping and all other conditions of the project to stand alone if no other subsequent phases are developed; and
- f. The applicant is meeting required housing diversity standards. Management of long-term affordability for designated affordable housing will be monitored through the use of recorded covenants and/or other agreements.

6. Development Standard Incentives for Development Projects in the Mixed-Use Town Center. The applicant may request that development standards from BIMC Titles [17](#) and [18](#) be modified as part of a housing design demonstration project. The city will review the request to modify development standards through the project review process outlined in subsection S.3 of this section. Requirements of BIMC Title [16](#) may not be modified. The following development standards may be modified:

- a. Minimum Lot Dimensions and Size. Reductions in lot size or dimensions are subject to approval by Kitsap County health district.
- b. Maximum Lot Coverage. Maximum lot coverage can be increased above zoning district requirements with no maximum.
- c. Natural Area. For MUTC projects developed under BIMC Title [17](#), the prescriptive natural area requirements in Table 17.12.070-1 do not apply. Instead, the project shall integrate at least 50 square feet of natural area per unit.
- d. Residential Parking. The parking requirements outlined in BIMC [18.15.020](#) may be modified to require one parking space for homes under 800 square feet and one and one-half parking spaces for homes between 800 and 1,200 square feet. This reduction

may not be combined with any other reductions to result in less than one space per unit, and additional guest parking may be required pursuant to Table 18.15.020-1. A limited number of parking spaces may be designed to accommodate alternative fuel or subcompact vehicles such as Smart™ cars, with parking stall dimensional standards reduced from the standards outlined in BIMC [18.15.020.J](#). The applicants are encouraged to work with neighboring property owners to ensure street parking is not overburdened. If the project is requesting a reduction in required parking through the housing design demonstration project program, then the development shall integrate at least one guest parking space for every five dwelling units.

i. For projects which designate 100 percent affordable housing and within one mile of the ferry terminal, for units less than 900 square feet in size, the parking requirement is reduced to one-half space per unit.

e. Setbacks. Unless required for public safety purposes, such as sight distance, setbacks may be reduced as described below. This section does not supersede lesser setback requirements in the MUTC/HS Road district zones, as outlined in Tables 17.12.070-1 and 18.12.020-3, as applicable.

i. Zoning Setback Reductions.

(A) Front setback within project: 10 feet.

(B) Rear setback within project: minimum of five feet.

(C) Side setback within project: minimum of five feet.

ii. Subdivision Setback Reductions.

(A) All interior subdivision setbacks: zero feet.

(B) Building to exterior subdivision boundary: five feet.

(C) Building to right-of-way or on-site private access: 10 feet.

f. Building Height. Buildings within the Mixed-Use Town Center or High School Road districts may achieve a maximum building height not to exceed the optional height outlined in Table 18.12.020-3.

7. Development Standard Incentives for Development Projects in Residential Zones. The applicant may request that development standards from BIMC Titles [17](#) and [18](#) be modified as part of a housing design demonstration project. The city will review the request to modify development standards through the project review process outlined in subsection S.3 of this section. Requirements of BIMC Title [16](#) may not be modified. The following development standards may be modified:

- a. Minimum Lot Dimensions and Size. Reductions in lot size or dimensions are subject to approval by Kitsap County health district.
- b. Maximum Lot Coverage. Maximum lot coverage can be increased above zoning district requirements with no maximum.
- c. Natural Area. For residentially zoned projects developed under BIMC Title [17](#), the prescriptive natural area requirements in Table 17.12.070-1 do not apply. Instead, the project shall integrate at least 400 square feet of natural area per unit.
- d. Residential Parking. The parking requirements outlined in BIMC [18.15.020](#) may be modified to require one parking space for homes under 800 square feet and one and one-half parking spaces for homes between 800 and 1,200 square feet. This reduction may not be combined with any other reductions to result in less than one space per unit, and additional guest parking may be required pursuant to Table 18.15.020-1. A limited number of parking spaces may be designed to accommodate alternative fuel or subcompact vehicles such as Smart™ cars, with parking stall dimensional standards reduced from the standards outlined in BIMC [18.15.020.J](#). The applicants are encouraged to work with neighboring property owners to ensure street parking is not overburdened. If the project is requesting a reduction in required parking through the housing design demonstration project, then the development shall integrate at least one guest parking space for every five dwelling units.
 - i. For projects which designate 100 percent affordable housing and within one mile of the ferry terminal, for units less than 900 square feet in size, the parking requirement is reduced to one-half space per unit.
- e. Setbacks. Unless required for public safety purposes, such as sight distance, zoning and subdivision setbacks may be reduced as described below. This section does not supersede lesser setback requirements as outlined in Tables 17.12.070-1 and

18.12.020-2, as applicable. Additional vegetative landscaping screen may be required by the director when reducing setbacks.

i. Zoning Setback Reductions.

(A) Front setback to on-site access: 10 feet.

ii. Subdivision Setback Reductions.

(A) All interior subdivision setbacks: zero feet.

(B) Building to on-site access: 10 feet.

8. Density Bonus Incentives. An increase in residential base density may be permitted as outlined in Table 2.16.020.S-1.

9. Housing Project Visit. In order to learn from the innovative design practices, if used, all projects completed under this subsection S shall allow city staff to conduct occasional site tours. City staff will make a request of the property owner prior to conducting a tour and will not access the properties for tours more than once every three months. The site tours will be limited to the exterior and common grounds of the property and conducted during regular business hours. Visits will be coordinated through the staff and property owner, and the owner will receive written notice no less than two weeks in advance of each visit. Any additional access to private property or at alternative times shall be at the permission and cooperation of the individual homeowner only.

10. Demonstration Period. This subsection S and related provisions of BIMC Titles [2](#), [17](#), and [18](#) shall expire when an updated affordable housing program is adopted to replace code provisions of BIMC [18.12.030.D](#) and [.E](#) and Chapter [18.21](#) BIMC.

Exhibit D
BIMC 2.16.040

BIMC 2.16.040 Site plans and design review

A. Purpose. The purpose of this section is to establish a comprehensive site plan and design review process that ensures compliance with the adopted plans, policies, and ordinances of the city. The overall goal of this chapter is to minimize land alteration, provide greater site development flexibility and consequently provide more creative and imaginative design than generally is possible under conventional zoning regulations. It is further intended to provide for the review of development proposals with respect to overall site design and to provide a means for guiding development in a logical, safe, attractive, and expedient manner, while also allowing property to be developed in phases. An additional purpose is to promote those specific purposes for each zoning district stated in Chapter [18.06](#) BIMC.

B. Applicability.

1. Site plan and design review shall be required prior to the issuance of construction permits in any of the following circumstances:

- a. The new construction of a nonresidential building or other structure; or
- b. The expansion, remodel, or alteration of any building or other structure by more than five percent of its existing floor area, or overall size in cases where floor area is not applicable; or expansion that creates a new dwelling unit; or
- c. A change of use, where traffic, parking, noise or other impacts are greater than the impacts for the previously existing use, as determined by the director; or
- d. The construction of new wireless communication support structures (but not the location of wireless facilities on existing buildings).

review pursuant to this section. Properties within jurisdiction of the shoreline master program, as defined by Chapter [16.12](#) BIMC, or containing critical areas or critical area buffers, as defined by Chapter [16.20](#) BIMC, may require review pursuant to those chapters.

- a. Permits authorizing residential construction for detached single-family residential use and accessory dwelling units.

- b. Any activity that does not require a building permit or is not considered a change in use, as determined by the director.
- c. Any activity on the exterior of a building that does not exceed 25 percent change in any existing facade or roof form.
- d. Interior work that does not alter the exterior of the structure or affect parking standards as determined by the director.
- e. Normal building maintenance and repair.
- f. Maintenance or expansion of existing parks where the proposed activities are exempt from SEPA review in accordance with WAC [197-11-800](#).
- g. Construction of public communications towers.

3. The provisions of this section supplement those of BIMC [2.16.020](#) and [2.16.030](#) when the application is for site plan or design review. In the event of a conflict between the provisions of BIMC [2.16.020](#) or [2.16.030](#) and this section, the provisions of this section shall govern.

C. Major and Minor. This section provides two methods of site plan and design review: major and minor. Application materials for both major and minor site plan and design review can be found in the administrative manual.

1. Minor. Minor site plan and design review is required for minor projects that can clearly meet the decision criteria in subsection F of this section, as determined by the director. Examples of minor administrative projects include: (a) a fourplex multifamily development; (b) minor commercial remodel or the addition of a small room; and (c) a minor change in use, such as from a church to a preschool.

2. Major. Major site plan and design review requires design review board and planning commission review and recommendation, and is required for projects that: (a) are determined by the director to be more complicated than those in subsection C.1 of this section, due to site constraints or the complexity of the project; or (b) receive written public comment(s) during the public comment period concerning the effect on the land use application of the comprehensive plan, shoreline master program, or matters not addressed

by specific provisions of this code; or (c) are located on property zoned business/industrial after November 22, 1999.

D. Review Procedures – Proposal Stage. Review of site plan and design review proposals shall include all of the following in the order listed:

1. Preapplication Conference. The applicant shall participate in a preapplication conference in accordance with the provisions and requirements in BIMC [2.16.020.I](#).

~~2. Conceptual Review. The conceptual review will be held at a meeting of the design review board. The applicant will present a short project description, zoning summary, and a thorough narrative of design context in accordance with the Design for Bainbridge manual and appendices. This meeting is a means of providing feedback on projects in their earliest stages before applicants are committed to a particular design. The conceptual review is an opportunity to ensure that the applicant understands the design review process, and the design standards and guidelines. This early touch allows the design review board and applicant to consider optional concepts for a project that may be better suited to the Island community, to dialogue in an informal manner with the applicant, and review the design standards and guidelines applicable to the project. Project design submittal requirements are described in the Design for Bainbridge appendices.~~

~~3. Public Participation Meeting. As part of the project proposal phase, applicants are required to participate in a community meeting through the city's public participation program at a planning commission meeting and as outlined in Resolution No. 2021-07. The public participation meeting is a meeting of public engagement, and the applicant's opportunity to respond to questions, comments, and assessments of the proposed project. A second public participation meeting may be required if significant project changes occur after completion of the design guidance review.~~

~~4. Design Guidance Review. The design guidance review will be held at a meeting of the design review board. The design guidance review meeting is intended to provide input and guidance to an applicant that the proposed project is responding adequately to the Design for Bainbridge standards and guidelines, including recommendations for how the project could be revised to achieve greater consistency. The applicant shall also make known the potential need and rationale for any departure from the design standards and guidelines. The design submittal requirements are described in the Design for Bainbridge appendices. Additional design guidance review may be required if significant project changes occur after the initial design guidance review.~~

~~5. Final Design Review and Recommendation. The design review board reviews and makes a final determination of project consistency with Design for Bainbridge standards and guidelines. The design review board will forward written findings, their determination of the project's consistency with the standards and guidelines, the design guideline checklist, and their recommendation, including any conditions, to the staff planner. Any condition attached to a recommendation must be intended to achieve consistency with one or more specific standards or~~

~~guidelines. The design review board's written findings will be included in the staff report transmitted to the director or planning commission. The design review board shall recommend approval, approval with conditions or departures, or denial. A design review board recommendation is not a final decision and therefore there is no appeal of the recommendation. The planning commission may determine that additional design review is required if significant project changes occur following the final design review and recommendation.~~

E. Review Procedures – Application Stage. Review of site plan and design review applications shall include all of the following:

1. Application. An applicant may submit an application for site plan and design review at any time after completion of the required steps in subsection D of this section or approval of a waiver in accordance with BIMC [2.16.020.I.3](#) or I.4 or subsection D.1 of this section. The applicant shall submit a complete application with all required submittal requirements listed in the administrative manual including design review submittals.

2. Review by Design Review Board. Upon receipt of the application and determination of completeness, the Director shall schedule the applicant on the next available agenda for a Design Review Board meeting. The applicant shall make a presentation to the Design Review Board per the requirements of the Design Review Board manual. The Design Review Board reviews the project materials and makes a recommendation on project consistency with Design for Bainbridge standards. A Design Review Board recommendation is not a final decision and therefore there is no appeal of the recommendation. The Design Review Board's recommendation will be forwarded to the Planning Department and may include recommended changes to the design (to be evaluated by staff before issuing the permit) as well as recommended conditions on the permit related to design. Any recommended changes to the design or conditions on the permit must be intended to achieve consistency with one or more specific standards in the Design for Bainbridge manual.

~~23. Review by Kitsap Public Health District.~~

- ~~a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the health district.~~
- ~~b. The health district shall provide written recommendation of approval, approval with conditions, or disapproval of the preliminary long subdivision application pursuant to the decision criteria in subsection F of this section.~~

~~34. Review by City Engineer.~~

- ~~a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the city engineer.~~

b. The city engineer shall provide written recommendation of approval, approval with conditions, or disapproval of the preliminary long subdivision application pursuant to the decision criteria in subsection F of this section.

45- Review and Recommendation by Planning Commission.

a. In the case of a major site plan and design review application, the planning commission shall review the application prior to the review and final decision by the director.

b. The purpose of the planning commission review and recommendation meeting is to review a proposed project for consistency with applicable design guidelines, BIMC Title [17](#), and the comprehensive plan.

c. The planning commission shall consider the application at a public meeting where public comments will be taken. The planning commission shall recommend approval, approval with conditions or denial of an application. In making a recommendation, the planning commission shall consider the applicable decision criteria, all other applicable law, and the recommendation of the design review board. If the applicable criteria are not met, the planning commission shall recommend the proposal be modified or denied.

d. The design review board's recommendation shall hold substantial weight in the consideration of the application by the planning commission. Any deviation from the recommendation shall be documented in their written findings of facts and conclusions.

e. The planning commission will forward its written findings of facts and conclusions, their determination of the project's consistency with the comprehensive plan, and their recommendation, including any conditions attached by the planning commission and design review board, to the staff planner. The planning commission's written findings will be included in the staff report transmitted to the director. The planning commission's recommendation shall be given substantial weight by the director in making a decision.

f. A planning commission recommendation is not a final decision and therefore there is no appeal of the recommendation.

56. Review and Approval by Director.

a. The director shall review the application materials, information provided by the health district and city engineer, staff report, any public comments received, the recommendations of the design review board and, in the case of major site plan and design review applications, the recommendations of the planning commission, and shall make a final decision based on:

i. In the case of a minor site plan and design review application, the final decision on an application is made by the director based on (A) decision criteria in subsection F of this section, (B) the DRB recommendation, and (C) consideration of any public comments received.

ii. In the case of a major site plan and design review application, the director will make the final decision based on (A) the decision criteria in subsection F of this section, (B) the recommendation of the planning commission, (C) the recommendation of the design review board, and (D) consideration of any public comments received. The design review board's and planning commission's recommendations shall hold substantial weight in the consideration of the application by the director. Any deviation from those recommendations shall be documented in the director's report.

b. The director shall make compliance with the recommendations of the design review board and/or planning commission a condition of approval, unless the director concludes that the recommendations:

i. Reflect inconsistent application of design guidelines or any applicable provisions of this code;

ii. Exceed the authority of the design review board or planning commission;

iii. Conflict with SEPA conditions or other regulatory requirements applicable to the project; or

iv. Conflict with requirements of local, state, or federal law.

c. The director shall adopt a planning commission recommendation of denial of an application unless the director concludes that the recommendation:

- i. Reflects inconsistent application of design guidelines, the comprehensive plan, or any applicable provisions of this code;
- ii. Exceeds the authority of the design review board or planning commission;
- iii. Conflicts with SEPA conditions or other regulatory requirements applicable to the project; or
- iv. Conflicts with requirements of local, state, or federal law.

~~67.~~ Relationship to Other Land Development Applications – Consolidated Project Review.

- a. If requested by the applicant, a site plan and design review application that is part of a proposal requiring multiple land use permits may be combined in a consolidated project review. Related applications requiring a public hearing shall be considered at one public hearing in accordance with BIMC [2.16.170](#).
- b. If a site plan and design review application is part of a consolidated project, the director will review the site plan and design review application as prescribed under subsection E.6.a or E.6.b of this section, as appropriate, and forward the findings and decision to the appropriate hearing body for any required public hearing.

F. Decision Criteria. The director and planning commission shall base their respective recommendations or decisions on site plan and design review applications on the following criteria:

- 1. The site plan and design is consistent with all applicable provisions of the BIMC, design guidelines, the comprehensive plan, and applicable subarea and master plans; and
- 2. The locations of the buildings and structures, open spaces, and landscaping result in a context-sensitive design; and
- 3. The Kitsap public health district has determined that the site plan and design meets the following decision criteria:
 - a. The proposal conforms to current standards regarding domestic water supply and sewage disposal; or if the proposal is not to be served by public sewers, then the lot has sufficient area and soil, topographic and drainage characteristics to permit an on-site sewage disposal system; and

- b. If the health district recommends approval of the application with respect to those items in subsection F.3.a of this section, the health district shall so advise the director; and
 - c. If the health district recommends disapproval of the application, it shall provide a written explanation to the director; and
4. The streets and nonmotorized facilities, as proposed, are adequate to accommodate anticipated traffic; and
5. The city engineer has determined that the site plan and design meets the following decision criteria:
- a. The site plan and design conforms to regulations concerning drainage in Chapters [15.20](#) and [15.21](#) BIMC; and
 - b. The site plan and design will not cause an undue burden on the drainage basin or water quality and will not unreasonably interfere with the use of properties downstream; and
 - c. The streets, nonmotorized facilities, locations of the buildings, structures, and vehicular circulation systems as proposed align with and are otherwise coordinated with streets and nonmotorized facilities serving adjacent properties and are adequate, safe, efficient and consistent with the island-wide transportation plan; and
 - d. If a traffic study shows that the proposed development will have an adverse impact on traffic, including nonmotorized traffic, the impact shall be mitigated as required by the city engineer; and
 - e. If the site will rely on public water or sewer services, there is capacity in the water or sewer system (as applicable) to serve the site, and the required service(s) can be made available at the site; and
 - f. The site plan and design conforms to the “City of Bainbridge Island Engineering Design and Construction Standards and Specifications,” unless the city engineer has approved a deviation from the standards; and
6. No harmful or unhealthful conditions are likely to result from the proposed site plan; and

7. If the subject property contains a critical area or buffer, as defined in Chapter [16.20](#) BIMC, the site plan and design review permit conforms to all requirements of that chapter; and
8. If the subject property is within the shoreline jurisdiction, as defined in Chapter [16.12](#) BIMC, the site plan and design review permit conforms to all requirements of that chapter; and
9. If the applicant is providing privately owned open space and is requesting credit against dedications for park and recreation facilities required by BIMC [17.20.020.C](#), the requirements of BIMC [17.20.020.D](#) have been met; and
10. The Bainbridge Island fire department has reviewed the application and determined that the site plan has been properly designed to ensure fire protection; and
11. The site plan and design has been prepared consistent with the purpose and review procedures of this chapter.

Exhibit E

BIMC 2.16.070

BIMC 2.16.070 Short Subdivisions

A. Purpose. This section provides an administrative procedure for approving subdivision plats including four lots or less.

B. Applicability. This procedure applies to all short subdivisions. Short subdivisions involve the division or redivision of land into four lots or less when those plats meet the criteria set forth in BIMC Title [17](#).

C. General Procedures.

1. Short subdivisions shall be approved through the general administrative review procedures described in BIMC [2.16.030](#) except as described below. Application materials for short subdivisions can be found in the administrative manual.

2. Short subdivisions shall not be used, either by a person alone or by persons acting together, at one time or over a period of time, as a means to circumvent compliance with the more stringent subdivision requirements that control the subdivision of land into five or more lots. When an application for a short subdivision is filed within five years after the approval of a short subdivision on a contiguous land parcel, a presumption of an attempt to circumvent short subdivision requirements may be invoked by the director as a basis for further investigation to assure compliance with the intent of this provision.

3. The provisions of this section shall supplement those of BIMC [2.16.020](#) and [2.16.030](#) when the application is for a short subdivision. In the event of a conflict between the provisions of BIMC [2.16.020](#) or [2.16.030](#) and this section, the provisions of this section shall govern.

4. Vesting. A proposed short subdivision shall be considered under the subdivision ordinance, zoning or other land use control ordinances, and the State Environmental Policy Act in effect at the time a fully completed application for preliminary approval of the subdivision has been submitted to the city. The requirements for a fully completed application shall be defined by the administrative manual.

5. Timeline for Review. The city has 90 calendar days from the filing of a complete application in which to approve, disapprove, or return the application to the applicant for modification. The timeline for review can be extended beyond 90 calendar days if the city determines it has incomplete or insufficient application materials and/or if there are significant changes to application materials. If no action can be taken to approve or disapprove the application within the 90 calendar days, the director must notify the applicant of the reasons for the delay and steps necessary to complete the application.

~~D. Review Procedures – Proposal Preapplication Stage. Review of short subdivision proposals shall include all of the following in the order listed except that the division or redivision of land into two lots shall not be required to comply with subsections D.2, D.3, and D.5 of this section:~~

- ~~1. Preapplication Conference. The applicant shall participate in a preapplication conference in accordance with the provisions and requirements in BIMC [2.16.020.I](#).~~

- ~~2. Conceptual Review. The conceptual review will be held at a meeting of the design review board. The applicant will present a short project description, zoning summary, and a thorough narrative of design context in accordance with the Design for Bainbridge manual and appendices. This meeting is a means of providing feedback on projects in their earliest stages before applicants are committed to a particular design. The conceptual review is an opportunity to ensure that the applicant understands the design review process, and the design standards and guidelines. This early touch allows the design review board and applicant to consider optional concepts for a project that may be better suited to the Island community, to dialogue in an informal manner with the applicant, and review the design standards and guidelines applicable to the project. Project design submittal requirements are described in the Design for Bainbridge appendices.~~

- ~~3. Public Participation Meeting. As part of the project proposal phase, applicants are required to participate in a community meeting through the city's public participation program at a planning commission meeting and as outlined in Resolution No. 2021-07. The public participation meeting is a meeting of public engagement, and the applicant's opportunity to respond to questions, comments, and assessments of the proposed project. A second public participation meeting may be required if significant project changes occur after completion of the design guidance review.~~

- ~~4. Design Guidance Review. The design guidance review will be held at a meeting of the design review board. The design guidance review meeting is intended to provide input and guidance to an applicant that the proposed project is responding adequately to the Design for Bainbridge standards and guidelines, including recommendations for how the project could be revised to achieve greater consistency. The applicant shall also make known the potential need and rationale for any departure from the design standards and guidelines. The design submittal requirements are described in the Design for Bainbridge appendices and the administrative manual and include documentation of the four-step design process, schematic design, and completed subdivision design guidelines checklist. The four-step design process includes:~~

a. ~~Delineate Natural Space.~~ The applicant shall prioritize natural resources on the site in terms of their highest to least appropriateness for inclusion in the proposed natural area. On the basis of those priorities and practical considerations given to the site's configuration, its context in relation to natural areas on adjoining and neighboring properties, and the applicant's subdivision objectives, natural space shall be delineated in a manner clearly indicating boundaries as well as the types of resources. The amount of natural space required is provided in Chapter ~~17.12~~ BIMC.

b. ~~Locate Homesites and Community Space.~~ After delineating natural space, homesite areas and community space shall be identified (a "sketch" diagram is acceptable), using the site analysis and context maps produced for the conceptual proposal review meeting as a base map. The amount of community space required is provided in Chapter ~~17.12~~ BIMC.

e. ~~Define Access.~~ After locating the natural space, homesites, and community space, the access network shall be defined. The access network shall provide a safe, convenient, and efficient system for vehicular, pedestrian, and bicycle circulation and minimize impacts on proposed natural space.

d. ~~Draw Lot Lines.~~ Upon completion of the preceding three steps, draw lot lines to delineate the boundaries of individual lots.

~~Additional design guidance review may be required if significant project changes occur after the initial design guidance review.~~

5. ~~Final Design Review and Recommendation.~~ The design review board reviews and makes a final determination of project consistency with Design for Bainbridge standards and guidelines. The design review board will forward written findings, their determination of the project's consistency with the standards and guidelines, the design guideline checklist, and their recommendation, including any conditions, to the staff planner. Any condition attached to a recommendation must be intended to achieve consistency with one or more specific standards or guidelines. The design review board's written findings will be included in the staff report transmitted to the director or planning commission. The design review board shall recommend approval, approval with conditions or departures, or denial. A design review board recommendation is not a final decision and therefore there is no appeal of the recommendation. The planning commission may determine that additional design review is required if significant project changes occur following the final design review and recommendation.

E. Review Procedures – Application Stage. Review of short subdivision applications shall include all of the following:

1. Application. An applicant may submit an application for a short subdivision at any time after completion of the required steps in subsection D of this section ~~the preapplication conference~~ or approval of a waiver in accordance with BIMC ~~2.16.020~~.I.3 or I.4 or subsection D.1 of this section. The applicant shall submit a complete application with all required submittal requirements listed in the administrative manual.

2. Review by Kitsap Public Health District.

a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the health district.

b. The health district shall provide written recommendation of approval, approval with conditions, or disapproval of the preliminary short subdivision application pursuant to the decision criteria in subsection F of this section.

3. Review by City Engineer.

a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the city engineer.

b. The city engineer shall provide written recommendation of approval, approval with conditions, or disapproval of the preliminary short subdivision application pursuant to the decision criteria in subsection F of this section.

4. Review and Recommendation by Planning Commission.

a. Review and recommendation by the planning commission is optional unless the project proposal includes a three or more lot short subdivision and a request for a departure from applicable subdivision standards. Requests for departures pursuant to BIMC 17.12.040 for three or more lot short subdivisions shall be reviewed by the planning commission. The director shall determine whether review is necessary based on the major issues and specific aspects of the project, the design review board recommendation, and any written public comments received during the public comment period.

b. The purpose of the planning commission review and recommendation meeting is to review a proposed project for consistency with applicable design guidelines, BIMC Titles [17](#) and [18](#), and the comprehensive plan. If the proposed project includes a three or more lot short subdivision and a request for departure from subdivisions standards, the planning commission shall review the request pursuant to the criteria in BIMC 17.12.040.

c. The planning commission shall consider the application at a public meeting where public comments will be taken. The planning commission shall recommend approval, approval with conditions or denial of an application. In making a recommendation, the planning commission shall consider the applicable decision criteria, all other applicable law, and the recommendation of the design review board. If the applicable criteria are not met, the planning commission shall recommend the proposal be modified or denied.

d. The design review board's recommendation shall hold substantial weight in the consideration of the application by the planning commission. Any deviation from the recommendation shall be documented in their written findings of facts and conclusions.

e. The planning commission will forward its written findings of facts and conclusions, their determination of the project's consistency with the comprehensive plan, and their recommendation, including any conditions attached by the planning commission and design

review board, to the staff planner. The planning commission's written findings, conclusions and recommendation will be included in the staff report transmitted to the director.

f. A planning commission recommendation is not a final decision and therefore there is no appeal of the recommendation.

5. Review and Approval by Director.

a. The director shall review the application materials, information provided by the health district and city engineer, staff report, any public comments received, the recommendations of the design review board and the recommendations of the planning commission.

b. The director will make the final decision based on (i) the decision criteria in subsection F of this section, (ii) the recommendation of the planning commission, and (iii) ~~the recommendation of the design review board, and~~ (iv) consideration of any public comments received. The ~~design review board's and~~ planning commission's recommendations shall hold substantial weight in the consideration of the application by the director. Any deviation from those recommendations shall be documented in the director's report.

c. The director shall make compliance with the recommendations of the design review board and/or planning commission a condition of approval, unless the director concludes that the recommendations:

- i. Reflect inconsistent application of design guidelines or any applicable provisions of this code;
- ii. Exceed the authority of the design review board or planning commission;
- iii. Conflict with SEPA conditions or other regulatory requirements applicable to the project; or
- iv. Conflict with requirements of local, state, or federal law.

d. The director shall prepare written findings of facts and conclusions in support of the decision made. If the director disapproves the application he or she shall provide a written explanation of the reasons for the disapproval to the applicant.

A. Purpose. This section provides an administrative procedure for approving subdivision plats including four lots or less.

B. Applicability. This procedure applies to all short subdivisions. Short subdivisions involve the division or redivision of land into four lots or less when those plats meet the criteria set forth in BIMC Title [17](#).

C. General Procedures.

1. Short subdivisions shall be approved through the general administrative review procedures described in BIMC [2.16.030](#) except as described below. Application materials for short subdivisions can be found in the administrative manual.
2. Short subdivisions shall not be used, either by a person alone or by persons acting together, at one time or over a period of time, as a means to circumvent compliance with the more stringent subdivision requirements that control the subdivision of land into five or more lots. When an application for a short subdivision is filed within five years after the approval of a short subdivision on a contiguous land parcel, a presumption of an attempt to circumvent short subdivision requirements may be invoked by the director as a basis for further investigation to assure compliance with the intent of this provision.
3. The provisions of this section shall supplement those of BIMC [2.16.020](#) and [2.16.030](#) when the application is for a short subdivision. In the event of a conflict between the provisions of BIMC [2.16.020](#) or [2.16.030](#) and this section, the provisions of this section shall govern.
4. Vesting. A proposed short subdivision shall be considered under the subdivision ordinance, zoning or other land use control ordinances, and the State Environmental Policy Act in effect at the time a fully completed application for preliminary approval of the subdivision has been submitted to the city. The requirements for a fully completed application shall be defined by the administrative manual.
5. Timeline for Review. The city has 90 calendar days from the filing of a complete application in which to approve, disapprove, or return the application to the applicant for modification. The timeline for review can be extended beyond 90 calendar days if the city determines it has incomplete or insufficient application materials and/or if there are significant changes to application materials. If no action can be taken to approve or disapprove the application within the 90 calendar days, the director must notify the applicant of the reasons for the delay and steps necessary to complete the application.

Exhibit F

BIMC 2.16.080

2.16.080 Large Lot Subdivisions

A. Purpose. This section provides an administrative procedure for approving subdivisions in which all of the created lots are generally larger than five acres.

B. Applicability. This procedure applies to all large lot subdivisions. Large lot subdivisions include divisions or redivisions of land so that each created lot contains at least five acres of land (or 1/128th of a section of land, whichever is less)

C. General Procedures.

1. The provisions of this section shall supplement the general administrative review provisions of BIMC [2.16.020](#) and [2.16.030](#) when the application is for a large lot subdivision. In the event of a conflict between the provisions of BIMC [2.16.020](#) or [2.16.030](#) and this section, the provisions of this section shall govern.

2. Large lot subdivisions shall be reviewed and approved through the procedures described for short subdivisions in BIMC [2.16.070](#).D through F, ~~with the exception that design review board and planning commission review and recommendation are required, not optional.~~

3. Vesting. A proposed large lot subdivision shall be considered under the subdivision ordinance, zoning or other land use control ordinances, and the State Environmental Policy Act in effect at the time a fully completed application for preliminary approval of the subdivision has been submitted to the city. The requirements for a fully completed application shall be defined by the administrative manual.

4. Timeline for Review. The city has 90 calendar days from the filing of a complete application in which to approve, disapprove, or return the application to the applicant for modification. The timeline for review can be extended beyond 90 calendar days if the city determines it has incomplete or insufficient application materials and/or if there are significant changes to application materials. If no action can be taken to approve or disapprove the application within

the 90 calendar days, the director must notify the applicant of the reasons for the delay and steps necessary to complete the application.

D. *Repealed by Ord. 2018-20.*

E. *Repealed by Ord. 2018-20.*

F. Civil Plan Review.

1. The applicant shall submit civil engineering plans and designs to the city for review by city staff and acceptance by the city engineer before submitting an application for final large lot subdivision approval.

2. No construction on or to the site may take place until civil engineering plans have been received and approved by the city.

3. After the preliminary large lot subdivision and civil engineering plans have been approved the subdivider is authorized to develop the subdivision's facilities and improvements in strict accordance with the standards established by this title, related standards in Titles [17](#) and [18](#), and any conditions imposed.



G. Review of Final Large Lot Subdivision Application.

1. Timeline for Review. Final large lot subdivisions shall be approved, approved with conditions, disapproved or returned to the applicant by the director within 30 working days from the date of filing of a complete application, unless the applicant consents to an extension of such time period.

2. Submittal of Final Plat. The submittal requirements shall be the same as those for short subdivisions as described in BIMC [2.16.070.I.2](#).

3. Duties of Surveyor. The duties of the surveyor shall be the same as those for a short subdivision as described in BIMC [2.16.070.I.3](#).

4. Review, Recommendation, and Approval.

a. The city engineer shall review the final large lot subdivision to determine the compliance with the requirements of RCW [58.17.160](#), the “City of Bainbridge Island Engineering Design and Development Standards Manual” (except as varied by the city engineer during the preliminary large lot review process), and any conditions imposed on the approved preliminary subdivision plat, and forward written recommendations for approval, approval with conditions, or disapproval to the director.

b. After receiving the city engineer’s recommendation pursuant to subsection G.4.a of this section, the director shall approve, approve with conditions, or disapprove the final large lot subdivision.

c. The large lot subdivision shall be approved if the director determines that:

i. The final large lot plat meets all standards established by state law, this title and related standards in BIMC Titles [15](#) through [18](#); and

ii. The proposed final large lot plat bears the certificates and statements of approval required by the administrative manual; and

iii. The facilities and improvements required to be provided by the subdivider have been completed or assurances in accordance with BIMC [2.16.070.N](#) have been provided.

d. If the application conforms to the criteria in subsection G.4.c of this section, the director shall signify his or her approval by signing the approval line on the face of the large lot subdivision. If the director disapproves the application, he or she shall provide a written explanation to the applicant.

**Final
Large Lot Subdivisions**



5. Amendment of Disapproved Application. When an application is disapproved, an applicant shall have the same rights to submit an amended application that apply to short subdivisions as described in BIMC [2.16.070.I.5](#), except that any amended application filed within the 180-day time frame shall be reviewed as set forth in this subsection G.

H. Improvements.

1. All large lot subdivisions shall have the following improvements developed and/or installed prior to recording the final plat:

- a. Streets shall be cleared and grubbed; and
- b. Streets shall be rocked or graveled to provide adequate year-round passage; and

c. Appropriate drainage, including erosion control, facilities consistent with Chapters [15.20](#) and [15.21](#) BIMC shall be provided on a plan approved by the city engineer prior to clearing and construction of any plat improvements.

2. All street rights-of-way within the large lot subdivision shall be dedicated to the city of Bainbridge Island unless the only access between the large lot subdivision and a developed, publicly owned road is a private road and there is no easement providing public access on that private road. That dedication shall not reduce the number of parcels allowable in a large lot subdivision if such parcels are based on a section subdivision and/or comprise 1/128th of a section or more.

3. On any approved large lot no further lot divisions shall be approved until the required improvements are installed and approved by the city.

I. Assurance of Improvements. Large lot subdivisions shall be subject to the same requirements for assurance of required improvements that apply to short subdivisions as described in BIMC [2.16.070.N](#).

J. Modification of Preliminary or Final Large Lot Subdivisions before Filing.

1. An alteration to an approved preliminary large lot subdivision that does not change the general plat layout, increase off-site impacts of the subdivision, or modify a provision or condition that was a matter of dispute by any party during the preliminary approval process may be made by the director after notice and opportunity to comment are provided to the applicant and all parties of record. The director shall review and approve or disapprove the request for modification following the process set forth in BIMC [2.16.030](#).

2. Other modifications to an approved large lot subdivision must be reviewed in accordance with the process for a new large lot subdivision application, including payment of fees, and shall be approved consistent with the procedures and requirements of this chapter.

3. The following exemptions shall not constitute changes in the preliminary large lot subdivision approval and do not require further review as provided for under subsections J.1 or J.2 of this section:

a. Engineering detail, unless the proposed detail modifies or eliminates features specifically required as an element of the preliminary large lot subdivision approval.

For purposes of this section, “engineering detail” shall mean minor changes to proposed road or lot grading or drainage design that do not significantly affect the location of those facilities, and minor changes to locations of utility pipes, swales, or wires that do not significantly affect their visibility from adjacent roads or properties; and similar minor changes;

b. Minor changes in lot lines or lot dimensions; or

c. Minor alterations regarding homesite location and/or open space usage.

K. Disclaimer as to Streets. Streets within a large lot subdivision shall not be constructed or maintained by the city unless such streets have been improved to current standards and have been accepted into the city street system. Unless so improved and accepted, the responsibility for maintenance shall lie with the owners of the lots. In such cases the face of each large lot subdivision plat shall contain the following disclaimer:

Responsibility and expense for maintenance of roads leading to or serving lots within this Large Lot Subdivision (unless such roads have been accepted into city’s road system) shall rest with the lot owners.

L. Further Division. No lot in an approved large lot subdivision may be divided further within five years of recording the approved final large lot subdivision plat without following the subdivision requirements in effect at the time of such application. Short or long subdivision procedures may apply, depending on the number of additional lots proposed to be created.

M. Requirements for Filing Plat. In addition to the requirements of subsections J and K of this section, approved large lot subdivisions shall be subject to the same requirements for filing plats that apply to short subdivisions as described in BIMC [2.16.070.K](#).

N. Amendment to Approved Large Lot Subdivision. Proposals for amendment of a large lot subdivision shall follow the provisions of RCW [58.17.215](#). Alterations of a subdivision are also subject to the provisions of RCW [64.04.175](#).

Exhibit G
BIMC 2.16.110

2.16.110 Major CUP Review procedures

A. Purpose. A major conditional use permit is a mechanism by which the city may require specific conditions on development or the use of land to ensure that designated uses or activities are compatible with other uses in the same zone and in the vicinity of the subject property. If imposition of conditions will not make a specific proposal compatible the proposal shall be denied.

B. Applicability.

1. As determined by the director, a major conditional use permit shall be secured from the city prior to establishing or expanding a use according to situations that include, but are not limited to: (a) the proposed use or expansion covers 50 percent or greater of the total lot area; (b) the proposed use is accessed by a local or private road; (c) the proposed use or expansion generates more than 36 total trips per day; (d) the proposed use or expansion contains four or more units in a multifamily dwelling; or (e) requests for additional nonresidential building height pursuant to Table 17.12.070-1, 18.12.020-2 or 18.12.020-3.

2. Any activity that is exempt from the request for a minor conditional use permit pursuant to BIMC [2.16.050.B.2](#) is also exempt from the request for a major conditional use permit.

3. The provisions of this section supplement those of BIMC [2.16.020](#) and [2.16.100](#) when the application is for a conditional use permit. In the event of a conflict between the provisions of BIMC [2.16.020](#) or [2.16.100](#) and this section, the provisions of this section shall govern.

4. Temporary uses and events may be exempt from some or all of the major conditional use permit requirements if the director determines that their impacts on the immediately surrounding area will be minimal.

C. General Procedures. Major conditional uses shall be approved through the general procedures applicable to quasi-judicial decisions by the hearing examiner in BIMC [2.16.100](#) except as described below.

D. Review Procedures – Proposal Stage. Review of major conditional use permit proposals shall include all of the following in the order listed:

1. Preapplication Conference. The applicant shall participate in a preapplication conference in accordance with the provisions and requirements in BIMC [2.16.020.1](#).

2. Conceptual Review. The conceptual review will be held at a meeting of the design review board. The applicant will present a short project description, zoning summary, and a thorough narrative of design context in accordance with the Design for Bainbridge manual and appendices. This meeting is a means of providing feedback on projects in their earliest stages before applicants are committed to a particular design. The conceptual review meeting is an opportunity to ensure that the applicant understands the design review process, and the design standards and guidelines. This early touch allows the design review board and applicant to consider optional concepts for a project that may be better suited to the Island community, to dialogue in an informal manner with the applicant, and review the design standards and guidelines applicable to the project. Project design submittal requirements are described in the administrative manual and include a statement of intent, site analysis, and context map. An applicant may request a waiver from the conceptual proposal review if the applicant demonstrates knowledge and understanding of the city's permit processing procedures.

3.2. Public Participation Meeting. As part of the project proposal phase, applicants are required to participate in a community meeting through the city's public participation program at a planning commission meeting and as outlined in Resolution No. 2021-07. The public participation meeting is a meeting of public engagement, and the applicant's opportunity to respond to questions, comments, and assessments of the proposed project. A second public participation meeting may be required if significant project changes occur after completion of the design guidance review application.

4. Design Guidance Review. The design guidance review will be held at a meeting of the design review board. The design guidance review meeting is intended to provide input and guidance to an applicant that the proposed project is responding adequately to the Design for Bainbridge standards and guidelines, including recommendations for how the project could be revised to achieve greater consistency. The applicant shall also make known the potential need and rationale for any departure from the design standards and guidelines and construction standards and specifications. Submittal requirements are described in the administrative manual and include a schematic design and completed design guidelines checklist. Additional design guidance review may be required if significant project changes occur after the initial design guidance review.

5. Final Design Review and Recommendation. The design review board reviews and makes a final determination of project consistency with Design for Bainbridge standards and guidelines. The design review board will forward written findings, their determination of the project's consistency with the standards and guidelines, the design guideline checklist, and their recommendation, including any conditions, to the staff planner. Any condition attached to a recommendation must be intended to achieve consistency with one or more specific standards or guidelines. The design review board's written findings will be included in the staff report transmitted to the director or planning commission. The design review board shall recommend

~~approval, approval with conditions or departures, or denial. A design review board recommendation is not a final decision and therefore there is no appeal of the recommendation. The planning commission may determine that additional design review is required if significant project changes occur following the final design review and recommendation.~~

E. Review Procedures – Application Stage. Review of major conditional use permit applications shall include all of the following:

1. Application. An applicant may submit an application for a major conditional use permit at any time after completion of the required steps in subsection D of this section or approval of a waiver in accordance with BIMC 2.16.020.I.3 or I.4 or subsection D.1 of this section. The applicant shall submit a complete application with all required submittal requirements listed in the administrative manual including design review submittals.

2. Review by Design Review Board. Upon receipt of the application and determination of completeness, the Director shall schedule the applicant on the next available agenda for a Design Review Board meeting. The applicant shall make a presentation to the Design Review Board per the requirements of the Design Review Board manual. The Design Review Board reviews the project materials and makes a recommendation on project consistency with Design for Bainbridge standards. A Design Review Board recommendation is not a final decision and therefore there is no appeal of the recommendation. The Design Review Board's recommendation will be forwarded to the Planning Department and may include recommended changes to the design (to be evaluated by staff before issuing the permit) as well as recommended conditions on the permit related to design. Any recommended changes to the design or conditions on the permit must be intended to achieve consistency with one or more specific standards in the Design for Bainbridge manual.

~~23.~~ Review and Recommendation by Planning Commission.

a. In the case of a major conditional use permit application, the planning commission shall review the application prior to the review and final decision by the director.

b. The purpose of the planning commission review and recommendation meeting is to review a proposed project for consistency with ~~applicable design guidelines, BIMC Title 17,~~ and the comprehensive plan.

c. The planning commission shall consider the application at a public meeting where public comments will be taken. The planning commission shall recommend approval, approval with conditions or denial of an application. In making a recommendation, the planning commission shall consider the applicable decision criteria, all other applicable law, and the recommendation of the design review board. If the applicable criteria are not met, the planning commission shall recommend the proposal be modified or denied.

d. The design review board's recommendation shall hold substantial weight in the consideration of the application by the planning commission. Any deviation from the recommendation shall be documented in their written findings of facts and conclusions.

e. The planning commission will forward its written findings of facts and conclusions, their determination of the project's consistency with the comprehensive plan, and their recommendation, including any conditions attached by the planning commission and design review board, to the staff planner. The planning commission's written findings will be included in the staff report transmitted to the director.

f. A planning commission recommendation is not a final decision and therefore there is no appeal of the recommendation.

34. Review by Director.

a. The director shall review the application materials, staff report, and the recommendations of the planning commission and shall prepare a report to the hearing examiner recommending approval, approval with conditions, or disapproval of the application.

b. The planning commission's recommendation shall hold substantial weight in the consideration of the application by the director. Any deviation from that recommendation shall be documented in the director's report.

c. The director shall adopt a planning commission recommendation of denial of an application unless the director concludes that the recommendation:

i. Reflects inconsistent application of design guidelines, the comprehensive plan, or any applicable provisions of this code;

ii. Exceeds the authority of the design review board or planning commission;

iii. Conflicts with SEPA conditions or other regulatory requirements applicable to the project; or

iv. Conflicts with requirements of local, state, or federal law.

45. Review and Public Hearing with Hearing Examiner.

a. The hearing examiner shall consider the application materials and the director's recommendation at a public hearing following the procedures of BIMC [2.16.100.C](#) and applicable provisions of BIMC [2.16.020](#).

b. The hearing examiner shall make compliance with the recommendations of the planning commission a condition of approval, unless the hearing examiner concludes that the recommendations:

- i. Reflect inconsistent application of design guidelines or any applicable provisions of this code;
- ii. Exceed the authority of the design review board or planning commission;
- iii. Conflict with SEPA conditions or other regulatory requirements applicable to the project; or
- iv. Conflict with requirements of local, state, or federal law.

c. The hearing examiner shall adopt a planning commission recommendation of denial of an application unless the hearing examiner concludes that the recommendation:

- i. Reflects inconsistent application of design guidelines, the comprehensive plan, or any applicable provisions of this code;
- ii. Exceeds the authority of the design review board or planning commission;
- iii. Conflicts with SEPA conditions or other regulatory requirements applicable to the project; or
- iv. Conflicts with requirements of local, state, or federal law.

d. The hearing examiner may approve, approve with conditions, deny, or remand an application.

F. Decision Criteria. A conditional use may be approved or approved with conditions if:

- 1. The conditional use is consistent with applicable design guidelines in BIMC Title [18](#). The conditional use is compatible with the established and intended character of the neighborhood, considering factors that include, but are not limited to, hours of operation, the type of activities generated by the use, and the predictable levels of any adverse impacts; and

2. The conditional use will not be materially detrimental to uses or property in the vicinity of the subject property; and
3. The conditional use is consistent with the comprehensive plan and other applicable adopted community plans, including the Island-Wide Transportation Plan; and
4. The conditional use complies with all other applicable provisions of the BIMC; and
5. All necessary measures have been taken to eliminate or reduce to the greatest extent possible the impacts that the proposed use may have on the vicinity of the subject property; and
6. Noise levels shall be in compliance with BIMC [16.16.020](#) and [16.16.040.A](#); and
7. The streets and nonmotorized facilities as proposed are adequate to accommodate anticipated traffic; and
8. The city engineer has determined that the conditional use meets the following decision criteria:
 - a. The conditional use conforms to regulations concerning drainage in Chapters [15.20](#) and [15.21](#) BIMC; and
 - b. The conditional use will not cause an undue burden on the drainage basin or water quality and will not unreasonably interfere with the use of properties downstream; and
 - c. The streets, nonmotorized facilities, locations of the buildings, structures, and vehicular circulation systems as proposed align with and are otherwise coordinated with streets and nonmotorized facilities serving adjacent properties and are adequate, safe, efficient and consistent with the Island-Wide Transportation Plan; and
 - d. If a traffic study shows that the use will have an adverse impact on traffic, including nonmotorized traffic, the impact shall be mitigated as required by the city engineer; and
 - e. If the conditional use will rely on public water or sewer services, there is capacity in the water or sewer system (as applicable) to serve the conditional use, and the required service(s) can be made available at the site; and

f. The conditional use conforms to the “City of Bainbridge Island Engineering Design and Construction Standards and Specifications” unless the city engineer has approved a deviation to the standards; and

9. The Kitsap public health district has determined that the conditional use meets the following decision criteria:

a. The proposal conforms to current standards regarding domestic water supply and sewage disposal; or if the proposal is not to be served by public sewers, then the lot has sufficient area and soil, topographic and drainage characteristics to permit an on-site sewage disposal system; and

b. If the health district recommends approval or disapproval of the application the health district shall so advise the director; and

10. The Bainbridge Island fire department has reviewed the application and determined that the conditional use will ensure fire protection.

11. If a major conditional use is processed as a housing design demonstration project pursuant to BIMC [2.16.020.S](#), the above criteria will be considered in conjunction with the purpose, goals, policies, and decision criteria of BIMC [2.16.020.S](#).

12. A conditional use may be approved, or recommended for approval, with conditions. If no reasonable conditions can be imposed that ensure the permit meets the decision criteria of this chapter, then the permit shall be denied.

G. Additional Decision Criteria for Institutions in Residential Zones. Applications to locate any of those uses categorized as educational facilities, governmental facilities, religious facilities, health care facilities, cultural facilities, or clubs in Table 18.09.020 in residential zones shall be processed as major conditional use permits and shall be required to meet the following criteria, in addition to those in subsection F of this section:

1. All sites must front on roads classified as residential suburban, collector, or arterial on the Bainbridge Island functional road classification map.

2. The scale of proposed construction including bulk and height and architectural design features is compatible with the surrounding area.

3. If the facility will have attendees and employees numbering fewer than 50 or an assembly seating area of less than 50, the director may waive any or all the above requirements in this subsection G, but may not waive those required elsewhere in the BIMC.

H. Approval of Additional Height.

1. In the NC zone district a maximum height of 45 feet can be approved through the major conditional use permit process if the director determines that all conditional use permit requirements are met and that: (a) view opportunities are not substantially reduced; (b) fire flow is adequate; and (c) solar access of neighboring lots is not substantially reduced.

2. In the B/I zone district a maximum height of 45 feet can be approved through the major conditional use process if the director determines that all conditional use permit requirements are met and that: (a) view opportunities are not substantially reduced; (b) fire flow is adequate; (c) solar access of neighboring lots is not reduced; and (d) the appearance of the neighborhood will not substantially change.

3. In the WD-I zone district a maximum height of 45 feet can be approved through the major conditional use process if the director determines that all conditional use permit requirements are met and that: (a) view opportunities are not substantially reduced; (b) fire flow is adequate; (c) solar access of neighboring lots is not reduced; and (d) each setback requirement shall be increased one foot for each additional foot of building height allowed. In portions of the WD-I district located within the shoreline jurisdiction regulated by Chapter [16.12](#) BIMC, a shoreline variance may be needed before additional height can be approved.

I. Effect of Approval.

1. Once a conditional use permit is approved, no building, use or development shall occur contrary to that specified in the conditional use permit.

2. The owner shall record a declaration with the Kitsap County auditor showing the land to be bound by a conditional use permit. No building permit shall be issued for structures other than those specified in the conditional use approval.

a. The declaration shall reference the official files of the city through which the permit was granted; and

- b. The declaration shall be a covenant running with the land; and
- c. No building permit shall be issued unless such declaration is recorded.

J. Amendments to Approved Major Conditional Use Permit.

1. Minor adjustments to an approved major conditional use permit may be made after review and approval by the director. Minor adjustments are those that entail small changes in dimensions or siting of structures or the location of public amenities, but do not entail changes to the intensity or character of the use.
2. Major adjustments to an approved major conditional use permit require an amended application and shall be processed in the same manner as a new conditional use permit application. Major adjustments are those that change the basic design, intensity, density, and/or use.

Exhibit H

BIMC 2.16.125

11. 2.16.125 Long Subdivisions Review procedures

A. Purpose. This section provides a procedure for review and approval of preliminary long subdivision applications in compliance with the provisions of RCW Title 58, BIMC Title 17, and other applicable provisions of Washington State law and this municipal code.

B. Applicability. This procedure applies to all applications for preliminary long subdivisions. Long subdivisions involve the division or redivision of land into more than four lots.

C. General Procedures.

1. Long subdivisions shall be approved through the quasi-judicial hearing examiner approval procedures described in BIMC [2.16.100](#) except as described below.
2. The provisions of this section shall supplement those of BIMC [2.16.020](#) and [2.16.030](#) when the application is for a long subdivision. In the event of a conflict between the provisions of BIMC [2.16.020](#) or [2.16.030](#) and this section, the provisions of this section shall govern.
3. Vesting. A proposed long subdivision shall be considered under the subdivision ordinance, zoning or other land use control ordinances, and the State Environmental Policy Act in effect at the time a fully completed application for preliminary approval of the subdivision has been submitted to the city. The requirements for a fully completed application shall be defined by the administrative manual.
4. Timeline for Review. The city has 90 calendar days from the filing of a complete application in which to approve, disapprove, or return the application to the applicant for modification. The timeline for review can be extended beyond 90 calendar days if the city determines it has incomplete or insufficient application materials and/or if there are significant changes to application materials. If no action can be taken to approve or disapprove the application within the 90 calendar days, the director must notify the applicant of the reasons for the delay and steps necessary to complete the application.

D. Review Procedures – Proposal Stage. Review of long subdivision proposals shall include all of the following in the order listed:

1. Preapplication Conference. The applicant shall participate in a preapplication conference in accordance with the provisions and requirements in BIMC [2.16.020.I](#).

2. Conceptual Review. The conceptual review will be held at a meeting of the design review board. The applicant will present a short project description, zoning summary, and a thorough narrative of design context in accordance with the Design for Bainbridge manual and appendices. This meeting is a means of providing feedback on projects in their earliest stages before applicants are committed to a particular design. The conceptual review is an opportunity to ensure that the applicant understands the design review process, and the design standards and guidelines. This early touch allows the design review board and applicant to consider optional concepts for a project that may be better suited to the Island community, to dialogue in an informal manner with the applicant, and review the design standards and guidelines applicable to the project. Project design submittal requirements are described in the Design for Bainbridge appendices and administrative manual, and include a statement of intent, site analysis, and context map. An applicant may request a waiver from the conceptual proposal review meeting if the applicant demonstrates knowledge and understanding of the city's permit processing procedures.

3. Public Participation Meeting. As part of the project proposal phase, applicants are required to participate in a community meeting through the city's public participation program at a planning commission meeting and as outlined in Resolution No. 2021-07. The public participation meeting is a meeting of public engagement, and the applicant's opportunity to respond to questions, comments, and assessments of the proposed project. A second public participation meeting may be required if significant project changes occur after completion of the design guidance review.

4. Design Guidance Review. The design guidance review will be held at a meeting of the design review board. The design guidance review meeting is intended to provide input and guidance to an applicant that the proposed project is responding adequately to the Design for Bainbridge standards and guidelines, including recommendations for how the project could be revised to achieve greater consistency. The applicant shall also make known the potential need and rationale for any departure from the design standards and guidelines. The design submittal requirements are described in the Design for Bainbridge appendices and the administrative manual and include documentation of the four-step design process, schematic design, and completed subdivision design guidelines checklist. The four-step design process includes:

a. Delineate Natural Space. The applicant shall prioritize natural resources on the site in terms of their highest to least appropriateness for inclusion in the proposed natural area. On the basis of those priorities and practical considerations given to the site's configuration, its context in relation to natural areas on adjoining and neighboring properties, and the applicant's subdivision objectives, natural space shall be delineated in a manner clearly indicating boundaries as well as the types of resources. The amount of natural space required is provided in Chapter [17.12](#) BIMC.

b. Locate Homesites and Community Space. After delineating natural space, homesite areas and community space shall be identified (a "sketch" diagram is acceptable), using the site analysis

and context maps produced for the conceptual proposal review meeting as a base map. The amount of community space required is provided in Chapter ~~17.12~~ BIMC.

~~e. Define Access.~~ After locating the natural space, homesites, and community space, the access network shall be defined. The access network shall provide a safe, convenient, and efficient system for vehicular, pedestrian, and bicycle circulation and minimize impacts on proposed natural space.

~~d. Draw Lot Lines.~~ Upon completion of the preceding three steps, draw lot lines to delineate the boundaries of individual lots.

~~Additional design guidance review may be required if significant project changes occur after the initial design guidance review.~~

~~5. Final Design Review and Recommendation.~~ The design review board reviews and makes a final determination of project consistency with Design for Bainbridge standards and guidelines. The design review board will forward written findings, their determination of the project's consistency with the standards and guidelines, the design guideline checklist, and their recommendation, including any conditions, to the staff planner. Any condition attached to a recommendation must be intended to achieve consistency with one or more specific standards or guidelines. The design review board's written findings will be included in the staff report transmitted to the director or planning commission. The design review board shall recommend approval, approval with conditions or departures, or denial. A design review board recommendation is not a final decision and therefore there is no appeal of the recommendation. The planning commission may determine that additional design review is required if significant project changes occur following the final design review and recommendation.

E. Review Procedures – Application Stage. Review of long subdivision applications shall include all of the following:

1. Application. An applicant may submit an application for a long subdivision at any time after completion of the required steps in subsection D of this section or approval of a waiver in accordance with BIMC ~~2.16.020~~.I.3 or I.4 or subsection D.1 of this section. The applicant shall submit a complete application with all required submittal requirements listed in the administrative manual.2. Review by Kitsap Public Health District.

a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the health district.

b. The health district shall provide written recommendation of approval, approval with conditions, or disapproval of the preliminary long subdivision application pursuant to the decision criteria in subsection F of this section.

3. Review by City Engineer.

a. Upon receipt of the application and determination of completeness, the director shall transmit a copy of the application to the city engineer.

b. The city engineer shall provide written recommendation of approval, approval with conditions, or disapproval of the preliminary long subdivision application pursuant to the decision criteria in subsection F of this section.

4. Review and Recommendation by Planning Commission.

a. The purpose of the planning commission review and recommendation meeting is to review a proposed project for consistency with ~~applicable design guidelines, BIMC Titles 17 and 18, and~~ the comprehensive plan.

b. The planning commission shall consider the application at a public meeting where public comments will be taken. The planning commission shall recommend approval, approval with conditions or denial of an application. In making a recommendation, the planning commission shall consider the applicable decision criteria and all other applicable law, ~~and the recommendation of the design review board~~. If the applicable criteria are not met, the planning commission shall recommend that the proposal be modified or denied.

~~c. The design review board's recommendation shall hold substantial weight in the consideration of the application by the planning commission. Any deviation from the recommendation shall be documented in their written findings of facts and conclusions.~~

~~d. The planning commission will forward its written findings of facts and conclusions, their determination of the project's consistency with the comprehensive plan, and their recommendation, including any conditions attached by the planning commission and design review board, to the staff planner. The planning commission's written findings, conclusions, and recommendation will be included in the staff report transmitted to the director.~~

d. The planning commission shall review and recommend requests for departures from the applicable subdivision standards for long subdivisions pursuant to the criteria in BIMC 17.12.040.

e. A planning commission recommendation is not a final decision and therefore there is no appeal of the recommendation.

Exhibit I

BIMC 17.12.040

17.12.040 Administrative Departures

A. A departure from existing subdivision standards may be requested only by an applicant to allow use of an alternative standard not listed among the applicable requirements of BIMC [17.12.050](#) through [17.12.070](#). Departures are not variances and are not required to meet the criteria associated with a variance application. Rather, departures allow adjustment of existing standards to achieve better outcomes in cases where strict application of the existing standard would result in an inferior subdivision design.

B. Departures from the subdivision standards in BIMC [17.12.050](#) through [17.12.070](#) may be permitted as part of the subdivision review process. In order for such a departure to be allowed, it must satisfy the intent of the four-step design process, and the resulting subdivision must be consistent with the general purpose and intent of the subdivision ordinance and the specific standard(s). A departure shall not be allowed from the following standards:

1. Natural area;
2. Community space;
3. Homesite size.

C. Any request for one or more departures shall be made ~~at the design guidance review meeting as part of the preapplication phase of the project~~ the time of application. Departures shall be reviewed concurrently with review of a preliminary application for subdivision application. ~~The design review board may include an administrative departure in its recommendation to the planning commission~~ Departures may be granted if all of the following criteria are met:

1. Because of unusual shape, exceptional topographic conditions, environmental constraints or other extraordinary situation or condition in connection with a specific piece of property, strict adherence to the existing standard would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the subdivision ordinance as provided in BIMC [17.04.010](#);
2. The granting of the departure results in a subdivision with greater natural resource conservation value, less adverse impact to adjoining properties, or more practical design because of topography, critical area, or other extenuating circumstance; and

3. All possible efforts to comply with the standard or minimize potential harm or adverse impacts have been undertaken. Economic consideration may be taken into account but shall not be the overriding factor in approval; and

4. The departure is consistent with other applicable regulations and standards; and

5. The granting of any departure will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity in which the property is located.

~~D. If the design review board's recommendation is to grant the departure(s), the departure shall be included as a component of the project in subsequent reviews pursuant to BIMC 2.16.110.D.1 and 2.16.110.E. the dDeparture(s) shall be included in the staff report to the director in the case of a short subdivision, or in the director's recommendation to the hearing examiner in the case of a long subdivision, unless a deviation from the recommendation is documented in the director's report pursuant to BIMC 2.16.110.E.3.b.~~

~~E. The Director shall review and make recommendations for departures from the applicable subdivision standards for two lot short subdivisions. The planning commission shall review and make recommendations for departures from the applicable subdivision standards for three or more lot short subdivisions and large subdivisions. Any and all recommendations for departures shall made by pursuant to the criteria set forth by this chapter. For short subdivisions not requiring design review board review, request for departures shall be made at the preapplication conference. The director may approve one or more departures, if the criteria in subsection C of this section are met, as part of their administrative decision for the preliminary subdivision in accordance with BIMC 2.16.070.F.~~



**DESIGN REVIEW
MANUAL**

DESIGN FOR BAINBRIDGE

2025

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2021 VERSION DONE BY

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1

DESIGN ON BAINBRIDGE

The Island

Bainbridge Island is a close-knit community with several neighborhood centers and a lively, walkable downtown in Winslow with a mix of shops, services and activities. The Island attracts residents and visitors with its magnificent natural setting and mix of rural and small-town charm, all a short ferry commute from Downtown Seattle. The City's residents are committed to preserving the Island's sense of community and green spaces, and deeply value the Island's natural lands, shorelines and enduring connection to local agriculture.

The City's Design Standards are based on the existing policies, principles and values established in Bainbridge Island's Comprehensive Plan and through community engagement. Each of these values and principles as they relate to the design of new development is articulated in the following section, and the standards draw on these principles and offer specific guidance to inform design at various scales and stages, including site design, building design and composition, and architectural detailing. The Standards were carefully crafted to ensure that new development reflects Bainbridge Island's common values and culture, and that it contributes to and enhances the City's built environment.





Goals + Principles

The Bainbridge Island community values authenticity and design that is specific to Bainbridge. Generic approaches to design for sites, streets, buildings, and other elements are inconsistent with the island character and values.



DESIGN FOR BAINBRIDGE

Bainbridge Island's architecture is diverse, spanning a range of eras and architectural styles, but its urban fabric maintains a defining character and continuity within its varied buildings, streets and neighborhoods. Good design is the thoughtful composition of buildings, landscape and public spaces that creates a meaningful relationship to a building's surroundings and contributes to the public realm and neighborhood fabric. These standards define the responsibility of new development as respecting neighborhood context, responding sensitively to the surrounding built and natural environment, and contributing to the community.

DESIGN FOR SUSTAINABILITY & CLIMATE RESILIENCE

Bainbridge residents cherish the Island's natural environment and are committed to protecting and restoring the ecological and hydrological functions of its natural lands and water bodies. Sustainable design and green building practices help reduce the burden of development on natural systems and help ensure Bainbridge Island is climate resilient. Concentrating growth in the Island's urban center through the zoning code and around shared infrastructure conserves natural habitat, ecological functions, open space and areas designed for recreational use. Specific elements of site design, building design, construction, and operation, such as efficient use of energy and water, integration of renewable energy, and use of sustainable and ethical materials can mitigate the environmental toll of new development and address local climate vulnerabilities.

DESIGN FOR A CONNECTED COMMUNITY

Part of a safe, healthy and sustainable community is a walkable, bikeable and transit-friendly built environment that encourages active transportation. Walkable, bike- and transit-friendly development that reduces reliance on cars can help improve air quality and help residents live healthier more active lives. New development should support alternative travel modes and contribute to an individual's connection to place. Thoughtful design can further both these goals enhancing the public realm that ties together the city's buildings, which in turn improves the experience of walking and biking.

HEALTH, EQUITY, AND INCLUSION

Healthy housing development and expansion of educational and civic institutions support diverse and inclusive growth and help build thriving neighborhood centers. Design can have an effect not only on the community's look and feel, but also on housing affordability for people of different means, and the comfort of people from different backgrounds. Building an accessible community that supports transit and that creates a quality pedestrian experience can help grow employment locally, improve quality of life, and lay the foundation for a more diverse community.

DESIGN TO FOSTER CULTURE AND SOCIAL WELL-BEING

The contributions of Bainbridge Island's residents through the arts, agriculture, and active organizations are a piece of what defines the City. Bainbridge Island's rich history and dynamic cultural life are supported by the City's buildings, parks, and public spaces. They represent the community's experiences and foster a robust public life in Bainbridge Island's downtown, in distinct neighborhoods, and in the Island's rural areas. New development should contribute to and create spaces that are accessible and reflect local culture and identity.

DESIGN FOR CONNECTIONS TO THE NATURAL ENVIRONMENT

Bainbridge Island's natural environment is not simply a scenic backdrop for its built environment – the two are intimately connected. New development should draw inspiration from and preserve natural areas, responding to natural features like slopes, streams, heritage trees, and wetlands in ways that minimize disturbance and leave ecological functions intact.

How to Use this Document

Design for Bainbridge provides guidance for applicants to successfully navigate the design review process. This section highlights key elements of the design review process to improve clarity and predictability for the City, applicants, and the public.

When is Design Review Required?

The Bainbridge Island Municipal Code (BIMC) specifies when design review is required in [Table 2.16.010-1: Summary Table of Land Use Procedures](#). The requirement for design review is based on the type of land use review required for the type of development or other activities proposed.

Design review is required for the following project types:

- a. Major site plan and design review
- b. Major conditional use permits
- c. Minor site plan and design review within the Winslow subarea

Design review is optional for the following project types:

- a. Minor site plan and design review outside the Winslow subarea
- b. Minor conditional use permits

The development of single-family homes and minor activities or improvements like routine maintenance, interior work, or projects that don't require a building permit, or a change of use are exempt.

Design Intent and Design Standards

Design for Bainbridge includes both Design Intent and Design Standards. Design Intent represents the overall design goal; Design Standards are clearly defined, mandatory requirements of all projects. **For a project to be approved, it must comply with all applicable Design Standards. The project's designers must demonstrate, through graphics, writing, and oral presentation, how the project's spatial, material, and cultural concepts comply with the Design Standards.**

Relationship to Other Regulations, and Permit Review

Design review is part of an integrated land use and development review process. As described in Chapter 2, the first step is a pre-application conference, in which materials are provided to the design review board. Up to two members of the Design Review Board may attend the pre-application conference with the intent of listening to and reporting the proposal to the full Design Review Board. Applicants may then submit for land use permits after the pre-application conference is complete; after a land use application submittal has been deemed complete, the materials are forwarded to the Design Review Board, and the project is scheduled on the next available Design Review Board meeting agenda. The Design Review Board (DRB), in coordination with City staff, is responsible for design review which focuses on compliance with Design Standards contained in this document. The final permit decision varies by the permit type but is typically made by the Planning Director or the City's Hearing Examiner. For more information on the permit review processes please refer to the City's [Administrative Manual](#) and Municipal Code:

- Zoning [BIMC 18](#)
- Subdivisions [BIMC 17](#)
- Building [BIMC 15](#)
- Shoreline [BIMC 16.12](#)
- Critical Areas [BIMC 16.20](#)
- SEPA [BIMC 16.04](#)

Departures

Design for Bainbridge is intended to provide flexibility in meeting the Design Standards. However, there may be circumstances where the applicant proposes a design solution that meets the guiding principles and intent of the standards but is not in strict compliance. Departures may be approved by the final decision-maker with a recommendation on approval or denial by the DRB for projects under their review.

Any request for one or more departures shall be made at the Design Review Board meeting. The Design Review Board may include departures in its recommendation to the Planning Commission, if one of the following criteria are met. Departures from the design standards may be approved based on the following criteria:

- a. The departure is related to a variance from a standard in the BIMC that also impacts the ability to meet one or more of the design standards;
- b. The departure meets the intent of the design standards and the proposed departure is equal or greater to complying with the design standard;
- c. The granting of the departure results in a project with greater natural resource conservation value, less adverse impact to adjoining properties, or more practical design because of topography, critical area, or other extenuating circumstance.

Definitions

The definitions contained in this section are applicable only to this document and its contents. For complete list of definitions, visit [BIMC 18.36](#).

Active means fostering human activity and interaction, often to describe streets and public spaces with pedestrian traffic, events and programming, or uses that draw, facilitate, or serve as a backdrop for human interactions such as shops and restaurants.

Built Environment means the parts of our physical surroundings that are created by and for humans and serve as the setting for human activity.

Character is the distinctive qualities of a place, building or street.

Civic Uses are public buildings or institutions owned and operated by governmental or other public agencies. This includes government offices, courthouses, police and fire stations, and schools.

Context is the physical (including natural and human-made) and cultural environment around a specific site and how the site relates to those surroundings. Every architectural work exists in the presence of a multitude of contexts that can impart meanings to and, in turn, derive meaning from their association with a project.

Development means all structures and other modifications of the natural landscape (both above and below ground) on a particular site.

Design Standards mandate planning and design actions that the applicant must incorporate in their project application. Compliance with standards is mandatory and failure to meet a mandatory standard may be used as a basis for the City's denial of a project application.

Fenestration is the arrangement, proportioning, and design of windows and doors in a building.

Frontage means street-facing façade of a building and its relationship to the street.

Heat Island Effect is the tendency for built areas to be hotter than their surroundings because of absorbed solar radiation and lack of vegetation, in particular, trees.

Human Scale is the scale at which humans can comfortably interact with their environment based on the physical and cognitive characteristics and capabilities of the human body.

Impervious Surface means a non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of stormwater.

Massing: the shape, form and size of buildings.

Natural Systems such as ecosystems or water and nutrient cycles are systems that exist in nature independent of human involvement and are composed of physical and biological materials and processes.

Permeable materials allow stormwater to infiltrate into the ground.

Public Realm means the spaces around, between and within buildings that are publicly accessible, both physically and visually, and support public life and social interaction.

Resilience or climate resilience is the ability to anticipate, prepare for, and respond to hazardous events, trends, or disturbances related to climate.

Stormwater Runoff is the rainfall that flows over land, paved surfaces, and building rooftops.

Right-of-Way means all public streets and property granted or reserved for, or dedicated to, public use for streets, walkways, sidewalks, bikeways, parking, and horse trails, whether improved or unimproved, including the air rights, subsurface rights, and related easements.

Scale means a proportionate size, extent, degree, or level of detail typically in relation to a standard point of reference. Scale is dependent on context.

Stormwater Infiltration is the process by which rainfall and stormwater runoff flows into and through the subsurface soil.

Sense of Place is the relationship with the place and its identity as felt by residents and visitors and shaped through experiences of a place's natural, human-made, cultural, and historical features.

Street Types are the classifications for each street on the Island according to common functions and existing or desired characteristics. The permitted building frontages for each Street Type specify setback requirements and treatments between the building and the right-of-way.

Transpiration is the process by which water moves through a plant and evaporates into the atmosphere from its leaves and exterior surfaces.

SUSTAINABILITY DEFINED

The term “sustainability” has become a frequently used buzz word. Sometimes it is even used in an attempt to “green wash” a project or a proposal. Because sustainability is such a fundamental value in Bainbridge Island’s design standards, a clear definition is needed. In common parlance, sustainability is defined as follows:

The ability to be maintained at a certain rate or level. Common examples are: “the sustainability of economic growth”; “the long-term sustainability of the project.”

In the realm of ecology and the survival of the planet and all its inhabitants, sustainability is best defined in the context of living systems. Thus, “sustainability” means, simply, “to align with natural forces, or at least not to defy them,” and is about everything we do as humans. To use the phrase “environmental sustainability,” for example, or “sustainable agriculture” or a “sustainable economy,” while grammatically correct, does not exemplify the true definition of, nor foster application of the real meaning of, sustainability. Sustainability, properly used, is about the entire planet as a living system, including all life forms.

Viewing a community as a living system recognizes that the “rules of the house” are non-negotiable biophysical principles and the elements of sustainability rest upon those principles.

To further understand this approach to community, it helps to know that “ecology” and “economics” have the same root: eco from the Greek oikos, or home. Ecology is the knowledge or understanding of the house, and economics is the management of the house—and it is the same house. Therefore, understanding our community as a living system—an ecosystem—will give us not only a new understanding of “economy” and “economics,” but also will foster a vision of the future, along with strategies for its realization, that focus on resiliency, adaptability, and attunement with nature.

If we perceive ourselves and all we create as part of an ecosystem, it is easy to understand that our community is a living system within which there are nodes of wealth: social, natural and financial. All interact as a system and are linked together through nutrient cycles and energy flows, and the maintenance and health of these networks is essential to the overall health and prosperity of our community.

- Jane Rein, Design Review Board

2

DESIGN REVIEW

Design Review Process

1 Preapplication Conference

The Preapplication Conference with City staff is intended to provide information to the applicant in response to the submittal of a preliminary site plan and a conceptual design for the project, showing how it responds to site characteristics and the context of neighboring uses. City staff shall identify potential issues/concerns related to applicable City development regulations and standards including, but not limited to, zoning, environmental, utilities, transportation and stormwater regulations, relevant Comprehensive Plan goals and policies, and relevant goals and principles from Design for Bainbridge. Up to two members of the Design Review Board may attend the preapplication conference with the intent of listening and reporting the proposal to the full Design Review Board at a subsequent meeting.

City staff shall ensure that the applicant is aware of the standards and criteria involved in review and approval of the project, both in the Bainbridge Island Municipal Code and the Design for Bainbridge manual. Planning staff shall prepare a summary letter detailing the pre-application guidance, to be provided to the applicant and the Design Review Board.

2 Public Participation Meeting

Before application, applicants shall make a formal and complete presentation of their concept(s) to the public at a Planning Commission meeting, providing the applicant with an opportunity to respond to questions and comments from the public and Planning Commissioners.

3 Application Submittal

See Appendix A for a complete list of submittal requirements.

4 Design Review and Recommendation

At this meeting, the Board will complete the review of submitted drawings and ensure that the project reflects compliance with the design standards. The Board will document its findings and transmit a signed written recommendation.

The Board's recommendation may include conditions to ensure compliance with all standards. If a majority of the Board members find that standards essential to the project's success have not been met, the Board shall recommend denial of the project.

3

CONTEXT ANALYSIS AND ARCHITECTURAL NARRATIVE

Design Process

Submittal requirements including a context analysis drawing and a written architectural narrative serve as the basis for Design Review Board's understanding of the driving forces behind the architectural design of a project.

Context analysis ensures project applicants and review board members have a thorough understanding of all aspects of the site, giving rise to a design that fits with and contributes to Bainbridge Island's unique built and natural environments.

An effective context analysis will carefully examine the relationship between the site, potential development, and the surrounding environment.

When paired with the Architectural Narrative, the context analysis creates a foundation for a design that takes cues from patterns in the surroundings, and contributes to the Island's unique character, while preserving, supporting, and repairing the natural environment.

Applicants are encouraged to tie all elements of design and project choices to both the context analysis and Architectural Narrative such that the Design Review Board can follow a cohesive thread throughout an applicant's presentation and materials during the Design Review Board meeting.



4 DESIGN STANDARDS

Introduction

The Design Standards establish the minimum requirements in *Design for Bainbridge* necessary to take advantage of the opportunities of the surrounding context and site while contributing to the neighborhood.

SITE DESIGN STANDARDS

- S1** Natural Systems
- S2** Wildlife Habitat
- S3** Systems of Movement
- S4** Public Realm

PUBLIC REALM STANDARDS

- P1** Walking & Cycling
- P2** Vehicles in the Public Realm
- P3** Connections to Public Spaces
- P4** Block & Frontage Patterns
- P5** Activity on Commercial Streets

BUILDING DESIGN STANDARDS

- B1** Sustainable Design
- B2** Materials & Detailing

LANDSCAPE STANDARDS

- L1** Landscape & Architecture
- L2** Public Realm
- L3** Sustainable Features
- L4** Green Infrastructure
- L5** Wildlife Habitat
- L6** Views & View Corridors



S

SITE DESIGN STANDARDS

Building on an understanding of the site and its context, site design defines how a building relates to its context. The placement, orientation and massing of buildings should support broader patterns in Bainbridge Island's built and natural environment as well as livable neighborhoods and communities.

S1

Protect and repair natural systems

S2

Preserve and enrich wildlife habitat

S3

Fit the project into the systems of access and movement, prioritizing pedestrians and bicycles

S4

Support and contribute to a vibrant public realm

S1 PROTECT AND REPAIR NATURAL SYSTEMS

Intent

Design for new development should protect existing natural systems and mitigate disturbance to the maximum extent possible. In addition, designers should look for ways to heal and repair the Island's natural systems that have been impacted by previous development. Site design should embrace relationships to larger natural systems, and use these systems to inform sustainable design at the site and building level.



IslandWood worked with a 255-acre site on Bainbridge to minimize disturbance to natural systems and restore natural areas on site

STANDARDS

- a. Use natural topography to inform project design, stepping up or down hillsides.
- b. Minimize soil disturbance and excavation, and preserve natural topsoil.
- c. Preserve the hydrological functions of the site and create opportunities for natural stormwater infiltration.
- d. Incorporate natural water features, habitat, and native plant communities on-site into project design so that they are ecologically functional.
- e. Minimize and disconnect impervious cover to reduce runoff.



The Bullitt Center in Seattle integrates native vegetation in the street and public spaces with gray- and rainwater harvesting and filtration

S2 PRESERVE, RESTORE AND ENRICH WILDLIFE HABITAT

Intent

Urban growth often comes at the expense of natural habitat, degrading and fragmenting sensitive plant communities, wetlands, and riparian corridors that provide habitat for local fish, wildlife and pollinators. New development in Bainbridge Island should protect and restore habitat on site and connect to local habitat corridors.

STANDARDS

- a. Incorporate existing natural habitat and landscape into site design.
- b. Connect new landscaped areas and fragmented habitat to networks of open space and larger habitat corridors wherever possible.
- c. If fencing is proposed at property edges, utilize porous fencing or hedging and shrubs with gaps to reduce barriers to wildlife.
- d. Repair gaps in identified wildlife corridors wherever possible.

Cedar Creek Watershed Education Center in North Bend, maintains a continuous wildlife habitat along the shore of Rattlesnake lake with green roofs and native plantings.



Island Wood on Bainbridge Island is built to preserve and study wildlife habitat, with native plantings complementing existing natural features.



S3

FIT THE PROJECT INTO THE SYSTEMS OF ACCESS AND MOVEMENT, PRIORITIZING PEDESTRIANS AND BICYCLES

Intent

Livable and sustainable communities are walkable and bikeable. Good design in Bainbridge Island will favor pedestrian and bicycle scale, and carefully consider the project's place in the network of streets, sidewalks and trails in decisions about entries, ADA access, and location of vehicular access. Projects should prioritize the pedestrian environment and encourage sustainable transportation choices.

The Ericksen Cottages in Bainbridge Island connect to Ericksen Avenue with a network of pedestrian paths and shared parking areas that minimize impacts on pedestrian areas.



STANDARDS

- a. Locate and orient primary pedestrian access to the site toward major pedestrian and bicycle travel routes and transit facilities.
- b. Incorporate dedicated pedestrian access that connects and aligns with existing public and private pedestrian infrastructure.
- c. Integrate access for people of all abilities into the project design so that all visitors are welcome through primary entries and access points.
- d. Locate at-grade parking and vehicular access away from active pedestrian areas wherever possible and screen at-grade parking from public view.
- e. Provide bicycle parking near access points to and active areas to maximize visibility and convenience.
- f. If project includes public space, ensure it is pedestrian-oriented to facilitate informal community gathering.
- g. All public areas shall be easily navigable for individuals of all ages and abilities.

The Oliver at Wyatt and Madison has integrated pedestrian access making for a convenient and pleasant walk from street to interior.



S4 SUPPORT AND CONTRIBUTE TO A VIBRANT PUBLIC REALM

Intent

The public realm should be considered at the site planning level. Some projects will be fully private, but experienced from people passing by. Residential development will have a relationship to passers-by and visitors as well as the residents. Retail buildings and civic buildings have important relationships to the public realm, where dedicated space may be warranted. For all of these project types, the visual and physical relationship to the public realm begins at the site planning level for the most appropriate and beneficial interaction with the community.

The BelRoy in Seattle has a strong relationship with the street, with a visible and welcoming pedestrian entrances and storefronts and seating that interact with the street.



STANDARDS

- a. Arrange site elements to define a clear 'public front' facing toward the primary street.
- b. Incorporate natural systems into public spaces in the site where possible and appropriate.
- c. Create a comfortable and inviting scale for pedestrians, using elements like benches, canopies, and landscaping. Individual pedestrian entries must be emphasized by using all of the following:
 - Provide a porch, at least 24 square feet, or other architectural weather protection that provides cover for a person entering the unit and a transitional space between outside and inside the dwelling.
 - Provide a planted area in front of each pedestrian entry of at least 20 square feet in area, with no dimension less than three feet.
 - Provide a combination of shrubs, groundcover or trees.
 - Pedestrian walks shall be separated from structures by at least three feet for landscaping.

The Courtyards on Madison project at Sadie Lane in Winslow showcases an inviting scale for pedestrians with thoughtful transitions from public to private.





P

PUBLIC REALM STANDARDS

Bainbridge Island's network of streets, trails and public spaces are the setting for public life in the city. They support community events and local activities, build the experience of the Island and express local identity. New development should contribute to streetscapes, public and open spaces, and street frontages, and foster activity at street level where appropriate.

P1

Create a safe and comfortable environment for walking and cycling.

P2

Minimize impact of vehicles on the public realm

P3

Strengthen public space connections

P4

Foster interest and activity along commercial streets

P1

CREATE A SAFE AND COMFORTABLE ENVIRONMENT FOR WALKING AND CYCLING

Intent

Whether a project is located in the Island's downtown, neighborhood centers, or rural areas, new development should consider the site's relationship to the pedestrian environment, and how the project can contribute to safety, comfort and continuity in the pedestrian realm.

The Camelia Apartments in Bainbridge Island integrate public walkways through the site with landscaping to provide access to Island Village and Hildebrand Lane.



STANDARDS

- a. Connect on-site pedestrian walkways with existing public or private routes where projects can improve the network for people walking.
- b. Integrate lighting for pedestrian pathways and entrances to provide safety, mark entry locations and highlight design features.
- c. Orient primary entrances toward the site's most active public street frontage.
- d. Contribute to the network of safe bicycle routes where possible.
- e. Provide bicycle parking at access points to open spaces and buildings, and coordinate bike racks and fixtures with other outdoor furniture on site, along adjacent streets, or nearby public spaces.
- f. Canopies or other coverings are required on building frontages abutting public streets and sidewalks.

This outdoor dining area connects pedestrian walkways with access to businesses and waterfront trails, providing a robust network for people walking.



P2 MINIMIZE THE IMPACT OF VEHICLES ON THE PUBLIC REALM

Intent

Public realm design should focus on people rather than cars and vehicular access. Projects should strive to keep conflicts between motorists and people walking and biking to a minimum, and support active and inviting streets by reducing the visual impact of service areas, parking, and

Homestreet Bank on Hildebrand demonstrates a parking lot with clearly defined pedestrian walkways.



STANDARDS

- a. Screen service and utility uses and parking when near public space using ground floor uses and/or landscaping.
- b. Create clearly defined pedestrian paths through parking areas with sidewalks or other dedicated facilities.

This local example shows how inadequate design, where parking areas and pedestrian paths are intermingled, can create conflicts that hinder pedestrian movement.



Harbor Square prioritizes dedicated pedestrian paths with physical separation from parking areas.



P3

STRENGTHEN PUBLIC SPACE CONNECTIONS

Intent

Design for new development on Bainbridge Island should pay careful attention to how the building will interact with the public realm— street, sidewalk, open spaces and landscape. Projects should look for opportunities to make stronger connections in the Island’s network of public spaces wherever possible.

Madrone Lane in Downtown Winslow provides public seating that supports engagement with the street and public realm.



STANDARDS

- a. Locate primary entrances along the main street to contribute to the character of the street.
- b. Align public spaces, passages and access with existing pedestrian paths or desired lines where no formal paths exist. Public-through routes in Winslow are excellent examples of pedestrian-scale connections.
- c. Where appropriate, provide open spaces adjacent to the sidewalk and design public frontages to support direct engagement with the street and pedestrian activity.
- d. Connect on-site pedestrian walkways with existing public or private routes. If property is within ¼ mile of a bus stop or public park, provide convenient pathways or entries to facilitate access to these amenities for both residents and the general public.
- e. Limit the length of at-grade building façade and walls without openings (windows or doors) to 15 feet

Lynwood Center uses the space between buildings as both a pedestrian connection and as a gathering space that has been used as an outdoor stage for local events.



P4

FOSTER INTEREST AND ACTIVITY ALONG COMMERCIAL STREETS

Intent

Bainbridge Island is fortunate to have strong and active retail “main streets” in Winslow, Lynwood and Rolling Bay. New development should reinforce the scale and positive attributes of these commercial streets with pedestrian-scale interest and activities.

A mural connects the building to the street at the Oliver in Winslow.



STANDARDS

- a. Locate utility areas away from active spaces on commercial streets.
- b. Buildings with street frontages in neighborhood centers shall provide weather protection along those facades.

Weather protection and intentional stewardship of public spaces ensures a comfortable pedestrian experience on Madrone Lane.





B

BUILDING DESIGN STANDARDS



Bainbridge Island's diverse buildings types and architectural styles work together with the Island's unique natural setting to create a beloved character. New development should reinforce the character of Bainbridge with thoughtful, well-designed, high quality buildings.

B1

Create varied facades at all scales

B2

Celebrate and prominently feature sustainable design

B3

Use high quality, sustainable materials and well-crafted details

B1

CREATE VARIED FACADES AT ALL SCALES

Intent

Buildings are expected to have a clear architectural concept that is internally consistent, appropriate to the building's site and functions, and elegantly expressed.

An office building on Hildebrand Lane in Bainbridge Island uses detailing and alternation of two primary materials to create a sense of texture and human scale.



STANDARDS

- a. Electric service meters, air compressor units, and other utility facilities shall be located to be unobtrusive, and shall be screened if visible from adjacent rights of way.
- b. Street-facing facades shall be designed to include a variety of materials, colors, textures, and depths.
- c. Interior and exterior project lighting shall not spill out and be visible from adjacent properties or rights of way.

The Bainbridge Island Museum of Art presents a clear architectural concept developed around public spaces and nearby streets with a clear rhythm and organization of uses.



B2

CELEBRATE AND PROMINENTLY FEATURE SUSTAINABLE DESIGN

Intent

Projects in Bainbridge Island are expected to be environmentally responsible and resource efficient throughout their life cycle. Buildings will need to meet the requirements of the City and County that require sustainable design; the Design Guidelines are intended to express the values of a healthy environment in the design expression of each project.

The Vineyard Lane apartments in Bainbridge Island use sustainable materials, building practices and design to help reduce energy use.



STANDARDS

- a. Reuse existing structures whenever possible, recognizing that the most sustainable buildings are those that already exist.
- b. Use building materials that are recycled, renewable, or locally sourced.
- c. Highlight regenerative materials and renewable energy generation such as solar panel or turbines as visible expressions of the community's aesthetic and values.
- d. Offer access to natural light and ventilation in living and working spaces for comfort and reduced energy consumption.
- e. Manage direct sunlight with solar control and shading devices, and integrate these features into the overall design, with each façade responding to solar orientation.
- f. Consider green or living walls and/or roofs with plants adapted to Bainbridge Island's microclimate; make them visible where possible.
- g. Design for flexibility so that the building can be adapted in the future, including reuse of structured parking for non-vehicular future uses.

The Grow Community in Bainbridge Island incorporates reusable energy, efficient heating and cooling systems, and building materials that support thermal



B3

USE DURABLE QUALITY MATERIALS AND WELL-CRAFTED DETAILS

Intent

Building materials should be selected for their appropriateness to place, a minimal ecological footprint, and long-term aesthetic value. Thoughtful composition and detailing will express a level of quality and a sense of scale inherent in excellent architectural design.

STANDARDS

- a. Choose durable, low-impact materials that are appropriate for the climate and seasonal shifts in weather conditions.
- b. Select materials that are locally sourced and supportive of Bainbridge Island's economy where possible.
- c. Materials used for architectural detailing shall be selected to be proportional to overall building massing.

Grace Episcopal Church in Bainbridge Island uses locally appropriate style and materials that help integrate the building into the site and surrounding natural setting.



The Parfitt Building demonstrates durable materiality with detailing that complements the massing.





LANDSCAPE STANDARDS



Landscape design is expected to fit the building into its setting, contribute to a comfortable and welcoming pedestrian environment, and support natural systems with habitat-friendly and sustainable features.

L1

Integrate the landscape concept to complement the architectural concepts

L2

Support the public realm with landscape design

L3

Integrate sustainable features into the landscape and make them visible wherever possible

L4

Integrate and highlight green infrastructure practices

L5

Support healthy habitat in the landscape

L6

Preserve and enhance important views and view corridors

L1

INTEGRATE THE LANDSCAPE CONCEPT TO COMPLEMENT THE ARCHITECTURAL CONCEPT

Intent

Landscape architecture and building architecture are expected to be mutually complementary, working together toward an overall design that is functional, sustainable and pleasing. To this end, the landscape should be designed in tandem with the architecture, rather than as an afterthought.

The Kitsap Regional Library Bainbridge Branch utilizes landscape design to define walkways and create inviting focal points such as this pond.



STANDARDS

- a. Design the landscape to enhance elements of the site and architectural concept by strategies such as defining pathways, zones and edges; creating focal points; softening building massing; highlighting entries, and adding scale, texture and interest to the site.
- b. Locate deciduous trees to complement passive solar strategies, providing shade in summer and allowing sun in the winter.
- c. Use plantings where privacy is needed for more intimate and private spaces, or for screening traffic and/or service uses.
- d. Choose plantings that complement the proportions and scale of the building and offer color and interest throughout the year.

Landscape features help screen service uses in this multilayered planting at the Grow community.



L2

SUPPORT THE PUBLIC REALM WITH THE LANDSCAPE DESIGN

Intent

Landscape design is expected to be an integral part of public spaces, enhancing the functions, activities and character of the public realm.

STANDARDS

- a. Use landscape design to connect a network of open spaces, appropriate to the project context. This open space network could include the streetscape and building frontages, spaces between buildings, or a series of planted areas and hardscape intended for outdoor use.
- b. Encourage interaction between the building's interior uses and exterior public space, by utilizing plazas, seating areas and other hardscape areas to support positive public activities appropriate to the context and building use.

Gateway Park provides accessible public space through thoughtfully designed seating and other outdoor features.



A landscaped plaza in Harbor Square in Bainbridge Island provides pedestrian access that weaves together open spaces and connects residents with open space.



L3

INTEGRATE SUSTAINABLE FEATURES INTO THE LANDSCAPE AND MAKE THEM VISIBLE WHEREVER POSSIBLE

Intent

Sustainable landscape design helps build a network of productive ecosystems that promote local biodiversity, water and energy conservation, and provide a natural experience for the public in the built environment. Human-made landscapes in Bainbridge Island should strive to conserve water and material resources, support healthy and porous soils, and reduce the need for fertilizers and pesticides that damage natural ecosystems.

STANDARDS

- a. Prioritize native, climate-adapted, and drought tolerant species.
- b. Use plantings to provide shade and buffer from wind exposure.
- c. Locate trees to provide shading of paved surfaces and reduce heat island effect
- d. Use local, low impact, recycled, or sustainably sourced materials.

This planted water garden at the Rowing Center demonstrates sustainable plantings that provide for a natural experience for the public.



This rain garden at Bay Hay and Feed provides sustainable stormwater management integrated into the site.



L4

INTEGRATE AND HIGHLIGHT GREEN INFRASTRUCTURE PRACTICES

Intent

Landscape design is expected to embrace hydrological functions and reduce the impact of development with green infrastructure. Green spaces offer opportunities for water treatment, infiltration and storage on developed sites in order protect water quality, relieve the burden on stormwater infrastructure, and reduce water use and heating and cooling costs.

Residential entries at the Expo in Seattle are lined with rain gardens that reduce development impacts while creating a balance of private, semi-private and public spaces.



STANDARDS

- a. Preserve or restore hydrological functions of the natural landscape, improving stormwater quality through sustainable landscape and civil design practices including stormwater retention and infiltration where appropriate.
- b. Use green stormwater infrastructure (GSI) strategies to reduce flooding by slowing and reducing stormwater discharges.

Winslow Way stormwater treatment ensures water quality and resilience to flooding within the public right of way.



L5

SUPPORT HEALTHY HABITAT IN THE LANDSCAPE

Intent

Supporting and creating habitat strengthens a network of ecologically productive landscapes. Designing landscapes that are well adapted to unique microclimates of a project can help provide natural food sources and refuge from predators and inclement weather and mitigate the effects of human disturbance on wildlife populations.

Hawley Cove Park in Bainbridge Island protects native forest and wetland that provide rich wildlife habitat and connect to other natural shoreline areas.



STANDARDS

- a. Preserve large trees and other significant existing vegetation that contributes to larger biological and ecological systems.
- b. Design plantings to support stormwater retention, infiltration and aquifer recharge.
- c. Promote biodiversity through plantings that are attractive to birds, pollinators and other wildlife.
- d. Prioritize low maintenance, drought resistant native plantings.

Islandwood utilizes native vegetation and contextual ecological habitat.



L6

PRESERVE AND ENHANCE IMPORTANT VIEWS AND VIEW CORRIDORS

Intent

For some sites in Bainbridge Island, views of the water, mountains and forested areas are defining features. Landscape design should be sensitive to existing view corridors, take advantage of views, and reinforce visual connections with the public realm.

Eagle Harbor Waterfront Park provides waterfront access and views from trails and gathering spaces while retaining existing trees and using low-lying native plantings.



STANDARD

- a. Prevent view blockage from the public realm, using lower scale plantings where appropriate and pruning existing trees with best practices of limbing-up rather than topping.

The view from the street at Doc's Marina Grill provides visual interest, preserved by the open space dedicated between buildings.



5

STREET TYPES & FRONTAGES

Introduction

Each public street in Bainbridge Island has a distinct character that is defined by the configuration of the right-of-way and the building frontages, public and open spaces and landscape that form the edges of each street. This chapter focuses on improvements related to new development or redevelopment that shape the pedestrian realm and the buildings that contribute to a distinct streetscape and together reflect a desired future state for the street.

This chapter is intended to inform design decisions on-site and in the public right-of-way that contribute to the character and experience of the streetscape. **The street types, frontages and guidelines described in this chapter do not replace or supersede the requirements of the “City of Bainbridge Island Engineering Design and Construction Standards and Specifications”.**

Key streets on the island are categorized into street types that are not defined by the same conditions but share a similar vision and raise similar design considerations (see Street Types map on p46). Each street type defines common characteristics and guidelines that offer design direction and align with the vision for these streets. The street types regulate building orientation and façade design through specific building frontage typologies that are permitted only on certain street types. These building frontages outline how buildings should relate to each street and contribute to the public realm through greenery, public spaces, and entries consistent with the character of each street type.

STREET TYPES

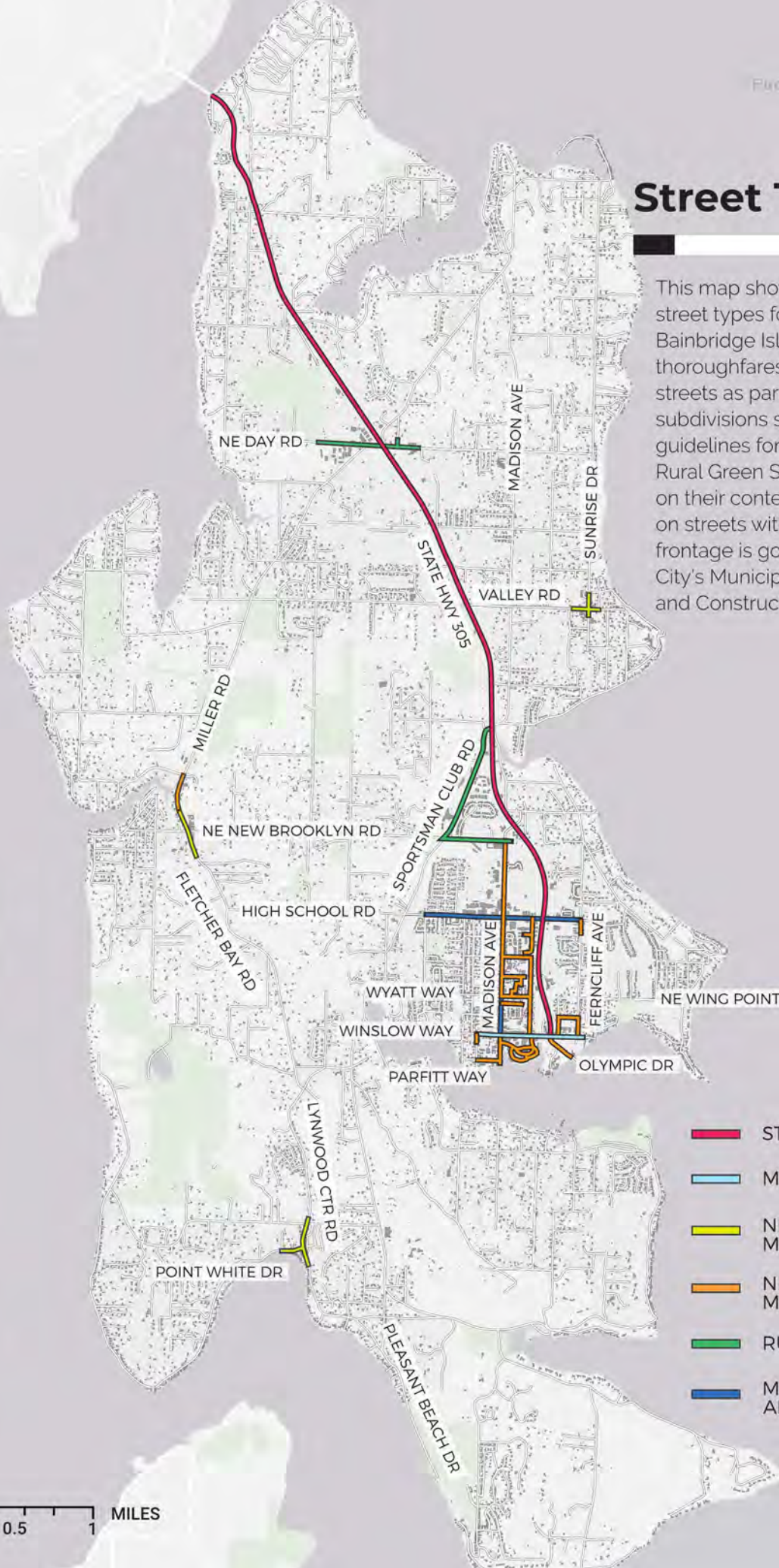
- 1 State Route
- 2 Main Street
- 3 Neighborhood Main Street
- 4 Neighborhood Mixed Use
- 5 Mixed Use Arterial
- 6 Rural by Design
- 7 Green Street
- 8 Rural Green Street

FRONTAGE TYPES

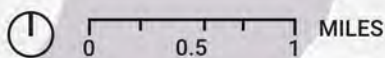
- 1 Linear / Storefront
- 2 Landscape
- 3 Plaza
- 4 Forecourt
- 5 Stoop / Terrace
- 6 Vegetated Buffer
- 7 Parking

Street Types

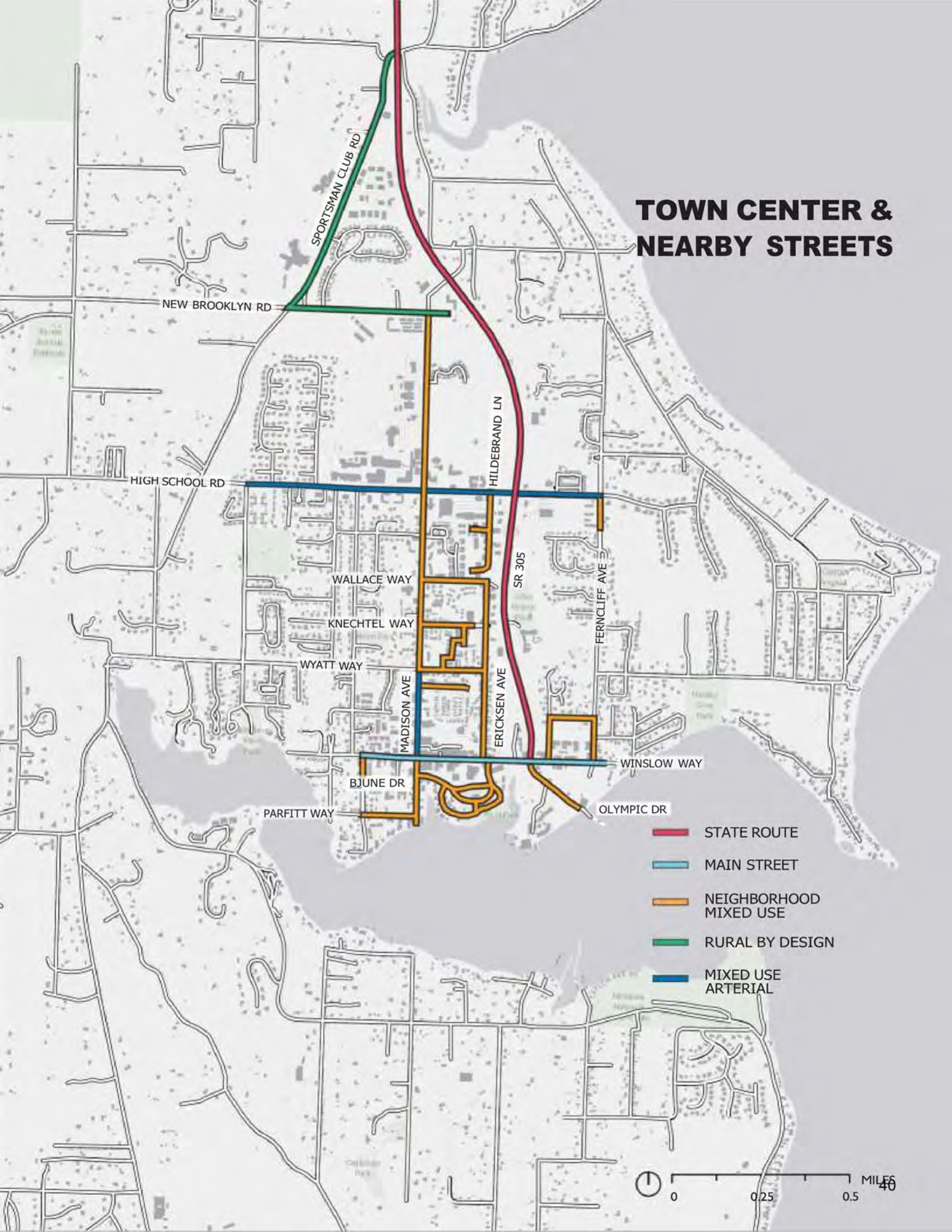
This map shows the assigned street types for sections of Bainbridge Island's major thoroughfares. Design for new streets as part of site plans or subdivisions should follow the guidelines for Green Streets or Rural Green Streets types based on their context. Development on streets with no designated frontage is governed by the City's Municipal Code, Design and Construction Standards.



- STATE ROUTE
- MAIN STREET
- NEIGHBORHOOD MAIN STREET
- NEIGHBORHOOD MIXED USE
- RURAL BY DESIGN
- MIXED USE ARTERIAL



TOWN CENTER & NEARBY STREETS



NEW BROOKLYN RD

SPORTSMAN CLUB RD

HIGH SCHOOL RD

WALLACE WAY

KNECHTEL WAY

WYATT WAY

BJUNE DR

PARFITT WAY

MADISON AVE

HILDEBRAND LN

SR 305

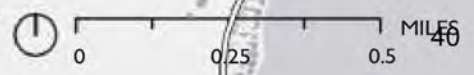
ERICKSEN AVE

FERNCLIFF AVE

WINSLOW WAY

OLYMPIC DR

- STATE ROUTE
- MAIN STREET
- NEIGHBORHOOD MIXED USE
- RURAL BY DESIGN
- MIXED USE ARTERIAL





1

STATE ROUTE



CHARACTERISTICS

- a. Lane configuration per WSDOT
- b. No pedestrians or activation at edge
- c. Limited access

INTENT

- a. Minimize direct access from private property
- b. Support off-road trail system
- c. Restore native vegetation
- d. Preserve and enhance Pacific Northwest forested character
- e. Conform with state signage laws
- f. Minimize site disturbance

2

MAIN STREET



CHARACTERISTICS

- a. On-street parking
- b. Wide sidewalks
- c. Building to property line
- d. Many glazed storefronts
- e. Varied architectural style
- f. Pedestrian through-routes
- g. Fine-grained scale

INTENT

- a. Encourage activation of street frontage
- b. Encourage through-routes
- c. Integrate landscape and public art

3

NEIGHBORHOOD MAIN STREET



CHARACTERISTICS

- a. Walkable neighborhood node
- b. Sidewalk or other dedicated pedestrian facilities

INTENT

- a. Develop on-street parking
- b. Activate the street with pedestrian oriented street level uses such as storefronts, restaurants, galleries etc.
- c. Activate area between buildings and right-of-way with seating, art, gardens
- d. Encourage sidewalks or other high quality pedestrian facilities

4

NEIGHBORHOOD MIXED USE



CHARACTERISTICS

- a. Lower traffic volume
- b. Typically walkable/bikeable route to access the downtown and ferry
- c. Varied building frontage types
- d. Generally landscaped edges

INTENT

- a. Infill or add to pedestrian and bike connections
- b. Provide a landscaped setback to buffer residential uses
- c. Enhance the varied character

5

MIXED USE ARTERIAL



CHARACTERISTICS

- a. Arterial level street capacity
- b. Varied land uses
- c. Varied edge conditions

INTENT

- a. Provide landscaped setback to buffer residential uses
- b. Provide, curb, gutter, sidewalk bike lane
- c. Minimize curb cuts
- d. Create on-street parking where appropriate

6

RURAL BY DESIGN



CHARACTERISTICS

- a. Pedestrian shoulder or trail wherever possible
- b. Green edge conditions
- c. Narrow travel lanes

INTENT

- a. Retain green edge conditions and character
- b. Protect or create swale drainage
- c. Retain pedestrian shoulder or trail wherever possible
- d. Maintain native vegetation



DESCRIPTION

The green street is intended to serve as a model for interior streets as part of subdivisions and larger commercial developments in commercial, industrial, mixed use and urban residential districts. It is not a designation for existing public streets but included to guide street design as part of new development.

The examples on the following page show the application of Green Street guidelines for different types of roads, and accessways.

INTENT

- a. Minimize impervious cover and consider permeable paving
- b. Integrate stormwater infiltration and retention into landscaped areas
- c. Use curb alternatives to channel runoff into landscaping
- d. Keep traffic speeds low with narrower travel lanes.
- e. Emphasize pedestrians and open space as part of a shared space
- f. Minimize paved area with shared driveways, access and parking areas.
- g. Use trees to transpire water and mitigate heat island effects

EXAMPLE: SHARED STREET



Heavily landscaped shared pedestrian, bike, and vehicle street with large rain gardens and infiltration areas, and curb alternatives that channel stormwater into drainage and landscape areas

EXAMPLE: SHARED ALLEY ACCESS



Internal garage access via a shared alleyway with distinct paving and substantial rain gardens without curbs or with gaps in curbs and grading to direct runoff into landscape areas.

8**RURAL GREEN STREET****DESCRIPTION**

The rural green street is intended to serve as a model for interior streets as part of subdivisions in non-urban residential districts. It is not a designation for existing public streets, but included to guide street design as part of new development.

INTENT

- a. Minimize impervious cover and consider permeable paving
- b. Create a soft edge along the street and direct runoff into landscaped areas
- c. Mitigate erosion along slopes and banks with vegetation and permeable stone fill
- d. Integrate stormwater infiltration and retention into landscaping
- e. Create a comfortable walking environment with lower traffic speeds
- f. Use trees to transpire water and mitigate heat island effects

Building Frontages

Each street type is associated with a set of building frontages that would be permitted along streets of that type. Permitted frontage types for designated street typology, and the setbacks for each frontage type are shown in Table 1 below.

Each building frontage specifies an appropriate setback that applies across all street types. **On designated streets these required setbacks will supersede setback requirements contained in the Bainbridge Island Municipal Code.**

**TABLE 1:
PERMITTED
FRONTAGES BY
STREET TYPE &
SETBACKS**

	LINEAR / STOREFRONT	LANDSCAPE	PLAZA	FORECOURT	STOOP / TERRACE	VEGETATED BUFFER
STATE ROUTE						⊗
MAIN STREET	⊗		⊗	⊗		
NEIGHBORHOOD MAIN STREET	⊗		⊗	⊗		
NEIGHBORHOOD MIXED-USE	⊗	⊗	⊗	⊗	⊗	
MIXED-USE ARTERIAL	⊗	⊗	⊗	⊗	⊗	
RURAL BY DESIGN		⊗				⊗

50 FT UNLESS OTHERWISE APPROVED BY DIRECTOR

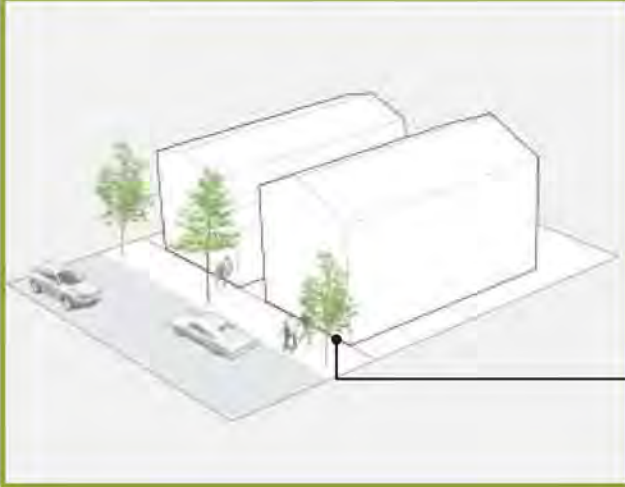
SETBACK BY FRONTAGE	0 FT	10 FT - 20 FT	10 FT - 20 FT	0 FT	5 FT - 15 FT	25 FT - 50 FT
---------------------	------	---------------	---------------	------	--------------	---------------

COURTYARD WIDTH: 10 FT - 30 FT
COURTYARD DEPTH: 10 FT - 30 FT

BUFFER

1

LINEAR / STOREFRONT



The linear or storefront building frontage has no setback from the right-of-way. It is the primary building frontage for pedestrian-oriented retail streets and is appropriate for active ground floor uses as part of non-residential or mixed-used development.

SETBACK: 0 Feet

2

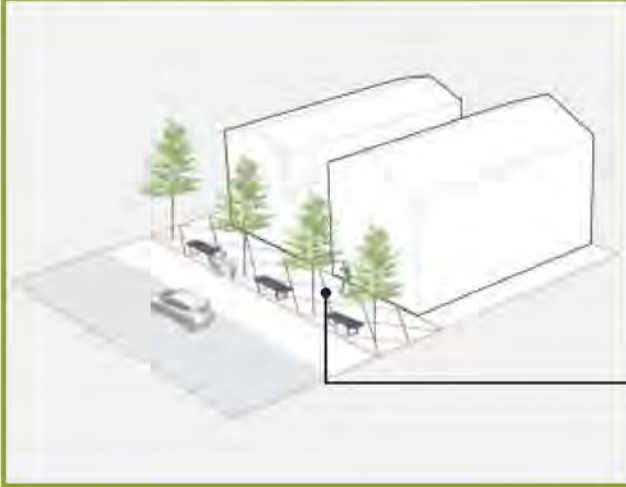
LANDSCAPE



The landscape building frontage includes a landscaped setback between the building and the right-of-way. This frontage type is permitted on mixed-use and residential streets and is appropriate for office and residential uses particularly when on the ground floor.

SETBACK: 10 - 20 Feet

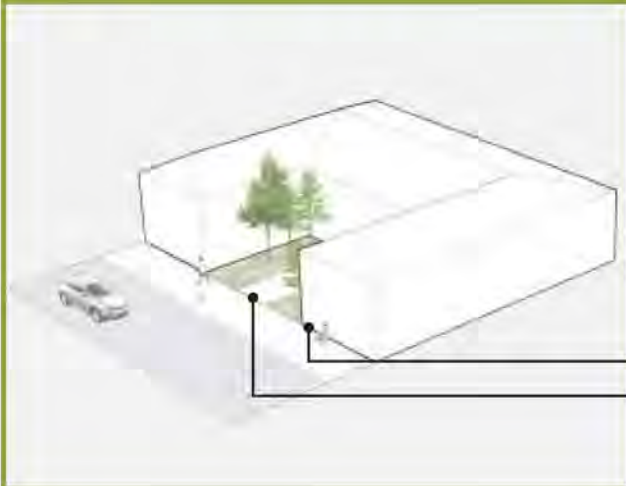
3 PLAZA



The plaza building frontage includes a pedestrian-oriented public space in the setback between the building and the right-of-way. This frontage type is permitted on retail and mixed-use streets and is appropriate for active uses such as retail, dining or civic and cultural uses. The plaza must contribute to a welcoming streetscape, and should support human activity, with amenities such as seating, outdoor dining and activation.

SETBACK: 10 - 20 Feet

4 FORECOURT



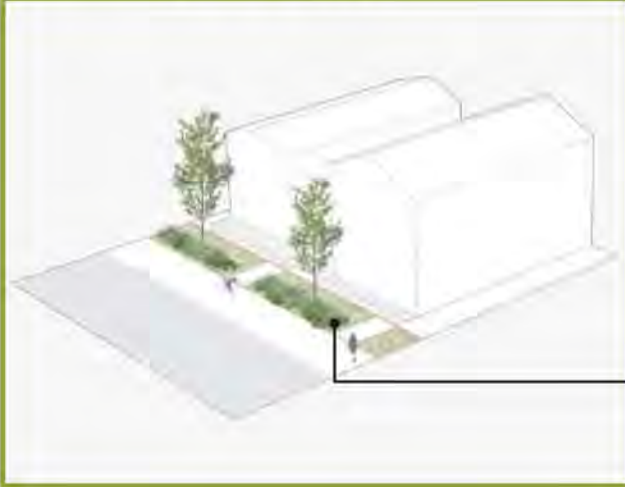
The forecourt building frontage has a defined open or public space at the entrance along the right-of-way. This frontage type is permitted along retail and mixed-use streets and is appropriate for a wide range of land uses and mixed-use development.

SETBACK: 0 Feet

COURTYARD: 10 - 30 Feet Depth
10 - 30 Feet Width
Must contain primary building entrances and open onto the primary public street

5

STOOP / TERRACE



The stoop / terrace building frontage includes a landscaped setback from the right-of-way that accommodates a porch, stoop or terrace at the building's primary entrance. This frontage type is permitted on mixed-use and residential streets and is appropriate for residential and non-retail commercial uses.

SETBACK: 5 - 15 Feet

6

VEGETATED BUFFER



The vegetated buffer building frontage uses a deep setback to screen development from the right-of-way. This is the only frontage type permitted on SR 305, where access is limited, and it also appropriate for light industrial and inactive non-residential uses on Rural by Design streets. Vegetated buffers can be either natural, where vegetation has arisen naturally or deliberately landscaped to provide an effective screen where there is little natural context.

BUFFER: 50 Feet along SR 305

NATURAL: Preserve or restore native vegetation consistent with conditions and species nearby.

LANDSCAPE: Create a landscaped screen with trees and understory plantings that are native or drought tolerant and compatible with the local microclimate.

PARKING



The parking frontage is the only frontage type with parking along the right-of-way. This frontage type is permitted only as an interim condition, where other frontages may be infeasible with parking requirements where a departure may be necessary. A landscaped area with trees and understory plantings is required between the right-of-way and the parking area.

SETBACK: 10 Feet Minimum

6 SUPPLEMENTAL STANDARDS + GUIDELINES

Introduction

The supplemental standards in this chapter are intended to address specific conditions of the site and surrounding context that require additional design guidance to ensure compatibility of new development. These conditions include larger sites (over 1 acre in size), historic places, and civic uses that each present unique design challenges and opportunities. New development and redevelopment that include these specific conditions are required to conform to the Design Standards in this chapter in addition to those outlined earlier in this document.



Larger Sites

Intent: To develop larger sites (over 1 acre) to fit within the surrounding context and reinforce desired patterns of development including street typologies, frontage types, and minimizing the visual and physical impact of parking on the public realm.

1

Design sites to minimize the visual impact of parking on the public realm

STANDARD

- a. Use landscaping to buffer and minimize the visual impact of parking.
- b. Locate parking under the building.
- c. Provide on-street parking on public streets.
- d. Provide a series of smaller groupings of parking to minimize the visual and functional impacts.

Shopping center retail in University Village in Seattle is oriented toward public spaces and streets with human scale design and pedestrian amenities



2

Design the site by clustering buildings and arranging them with frontages on public streets, public spaces, or open space

STANDARDS

- a. Design the site so buildings front on a public street.
- b. Design the site with buildings fronting on a public space with a variety of activities and functions.
- c. Design the site with buildings fronting on public or semi-public open space with human-scaled design elements.

Parking in University Village is located in screened parking structures with active uses at the base



Historic Places

Intent: To ensure that new and infill development are compatible with historic areas, sites, and buildings on the Island. Historic properties are those with structures that are 50 years or older and would be eligible for the national, state or local register of historic places, or sites that are listed on those registers.

1

Design the site, building(s), and landscape to be compatible with historic buildings without directly mimicking historic architectural styles.

STANDARDS

- a. Design sites and buildings in historic areas to meet the Secretary of the Interior's standards for modifications to existing historic buildings and infill development.
- b. Design buildings to be consistent with the scale of nearby historic buildings or districts based on the context analysis.
- c. Consider historic landscaping that contributes to the context of historic buildings.



A new building in Rolling Bay complements the scale and architecture of the historic Bay Hay & Feed.

2

Maintain the historic integrity of buildings over 50 years old listed or eligible for the national or local register of historic places.

STANDARDS

- a. Minimize alterations to historic buildings and properties that are inconsistent with the original design of the building.
- b. Restore buildings to their original historic design elements when previously altered.



A conversion of a historic guardhouse in Fort Ward retains the historic façade and detailing of the original building.

Civic Uses

Intent: The design of civic uses and public spaces should be prominent, highlight their unique role in the community and reflect local values and civic identity. Civic projects should maximize opportunities for public benefits through integrated design.

1

Design civic sites and buildings to serve multiple functions such as public space, community gatherings, public art, and other compatible uses.

STANDARD

- a. Civic uses may use unique frontage types to highlight uses, and public amenities with larger open spaces, gardens, art and other elements between the street and the building.
- b. Integrate public open space in the design of civic sites including plazas, parks, seating areas, natural areas, and other amenities.

The Historical Museum offers a gathering space and a place to interact with parts of the Island's history.



Photo Credits

Photographer or firm listed by page and position.

PAGE: Section	POSITION: Source	POSITION: Source
COVER	Coates Design Architects	
Design on Bainbridge		
PG 1: Design on Bainbridge	WikiMedia Commons	
PG 2: Design on Bainbridge	Framework	
PG 3: Values and Principles	Framework	
Context Analysis		
PG 13: Context Analysis	The Island Gateway	
Site Design		
PG 18: Site Design	APsystems Solar / A+R Solar	
PG 19: Site Design - S1	TOP: Berger Partnership	BOTTOM: Berger Partnership
PG 20: Site Design - S2	TOP: Seattle Public Utilities	BOTTOM: PWL Partnership
PG 21: Site Design - S3	TOP: Wenzlau Architects	BOTTOM: Framework
PG 22: Site Design - S4	TOP: Framework	BOTTOM: Framework
PG 23: Site Design - S5	TOP: Framework	BOTTOM: Framework
PG 24: Site Design - S6	TOP: Framework	BOTTOM: Framework
Public Realm		
PG 25: Public Realm	Framework	
PG 26: Public Realm - P1	TOP: Camelia Apartments	BOTTOM: Southern Living
PG 27: Public Realm - P2	TOP: Framework	BOTTOM: Flatrock Productions
PG 28: Public Realm - P3	TOP: Berger Partnership	BOTTOM: Curbed Los Angeles
PG 29: Public Realm - P4	TOP: Framework	BOTTOM: Framework
PG 30: Public Realm - P5	TOP: Framework	BOTTOM: Framework
PG 31: Public Realm - P6	TOP: Building Salt Lake	BOTTOM: Framework

PAGE: Section	POSITION: Source	POSITION: Source
Building Design		
PG 32: Building Design	CTA Design Builders Inc.	
PG 33: Building Design - B1	TOP: Coates Design Architects	BOTTOM: Framework
PG 34: Building Design - B2	TOP: Wenzlau Architects	BOTTOM: Culter Anderson Architects
PG 35: Building Design - B3	TOP: Framework	BOTTOM: Framework
PG 36: Building Design - B4	TOP: Kriegh Architects	BOTTOM: Framework
PG 37: Building Design - B5	TOP: Framework	BOTTOM: Johnston Architects
Landscape		
PG 38: Landscape	Berger Partnership	
PG 39: Landscape - L1	TOP: Berger Partnership	BOTTOM: Miller Company Landscape Architects
PG 40: Landscape - L2	TOP: Uptown Normal	BOTTOM: Framework
PG 41: Landscape - L3	TOP: SvR Design Company	BOTTOM: Berger Partnership
PG 42: Landscape - L4	TOP: Berger Partnership	BOTTOM: Berger Partnership
PG 43: Landscape - L5	TOP: Bainbridge Island Parks & Recreation	BOTTOM: Berger Partnership
PG 44: Landscape - L6	TOP: Walker Macy	BOTTOM: Framework

PAGE: Section	POSITION: Source	POSITION: Source
Street & Frontage Types		
PG 46: Street Types	Framework	
PG 47: Street Types	Framework	
PG 48: Street Types	TOP LEFT: Framework	TOP RIGHT: Framework
PG 48: Street Types	BOTTOM LEFT: Framework	BOTTOM RIGHT: Framework
PG 49: Street Types - 1	Google, 2019	
PG 50: Street Types - 2	Google, 2019	
PG 51: Street Types - 3	Google, 2019	
PG 52: Street Types - 4	Google, 2019	
PG 53: Street Types - 5	Google, 2019	
PG 54: Street Types - 6	Google, 2019	
PG 55: Street Types - 7	Kevin Robert Perry, Urban Rain Design	
PG 56: Street Types - 7	TOP: Google, 2019	BOTTOM: City of Auckland, NZ
PG 57: Street Types - 8	Framework	
PG 59: Building Frontages	TOP: Framework	BOTTOM: Framework
PG 60: Building Frontages	TOP: Framework	BOTTOM: Framework
PG 61: Building Frontages	TOP: Framework	BOTTOM: Framework
PG 62: Building Frontages	Framework	
Subdivision Guidelines		
PG 63: Subdivision Guidelines	Google, 2019	
Supplemental Guidelines		
PG 67: Supplemental Guidelines	Google, 2019	
PG 68: Supplemental Guidelines	TOP: Hewitt Architects	BOTTOM: Hewitt Architects
PG 69: Supplemental Guidelines	TOP: Framework	BOTTOM: Jennifer Pells
PG 70: Supplemental Guidelines	TOP: Framework	BOTTOM: Framework

Appendix

- A Documents Required for Design Review**
- B Presentation Requirements at DRB Meeting**
- C Acknowledgements for 2021 D4B**

A

APPENDIX

DOCUMENTS REQUIRED FOR DESIGN REVIEW

1. Written Project Overview
 - Project name and description
 - Zoning requirements summary including number of units and parking stalls
2. Context Analysis Drawing
 - Property lines
 - Topography including contours
 - Physical and natural features on site including critical areas per BMC 16.20, prevailing wind, tidal inundation
 - Trees
 - Surrounding properties' uses, zoning, and structures
 - Unique and prominent features including views
 - Known wildlife habitat
 - Streets, nearby active transportation facilities, and existing formal / informal trails
3. Site Plan
 - Label streets and property lines
 - Show roadways, parking areas, pedestrian and vehicular circulation
 - Label square footage for commercial/residential space
4. Landscape Plan
 - All streetscape and landscape elements
5. Written Architectural Narrative
 - Define a clear design narrative that guides all aspects of the project, including aesthetics, materials, and form.
 - Explain how the project is sustainable as defined on page 11
6. Explain how the following were informed by the context analysis and design narrative:
 - Building form
 - Site design
 - Façade design choices and detailing
 - Materials and landscaping
7. Requested Departures
 - Include rationale for request
 - Anticipated community or project benefits
8. Site Section Drawings
 - Minimum of two site sections (both longitudinal and transverse) extending to adjacent buildings within 100 feet of the property line
 - Show preliminary floor to floor heights and overall height
9. Building Elevation Drawings
 - Elevations of each structure (all sides) and of adjacent structures at same scale.
10. Rendering Drawings
 - At least one eye level perspective from major street location.
 - At least one 3-dimensional rendering of entire project
11. Exterior Lighting Plan
 - final location of exterior lights and indication of light spillage at night
12. Materials Palette
 - Color and materials board with reference to drawings
 - Landscape color and materials board

Naming Convention: All submittals shall be named "DRB_SubmittalTide_ProjectName"

APPENDIX

B PRESENTATION REQUIREMENTS AT DESIGN REVIEW BOARD MEETING

Presentation Objectives

- **Present Design Vision:** Clearly articulate the architectural narrative and goals of the project, including how the design aligns with community values and needs.
- **Showcase Key Features:** Highlight relevant aspects of the design such as unique architectural elements, sustainable practices, and functional spaces.
- **Demonstrate Compliance:** Provide evidence that the design meets municipal code, building codes, and other regulatory requirements.
- **Visual Representation:** Use submitted visuals to effectively convey design intent and context.
- **Address Community Impact:** Discuss how the project will affect the community, including economic, social, and environmental considerations.
- **Outline Next Steps:** Clearly define the project's timeline and immediate next steps post-review, setting expectations for further review by staff.

Presentation Parameters

- Presentations should take approximately 30 minutes.
- Afterward, the Design Review Board will facilitate a discussion that encourages feedback from board members. Applicants are expected to hear and discuss concerns and suggestions.

C

APPENDIX

2021 VERSION ACKNOWLEDGEMENTS

ACKNOWLEDGMENTS

DESIGN REVIEW BOARD

Joe Dunstan
Alan Grainger
Jim McNett
Peter Perry
Jane Rein
Jason Wilkinson
Carl Yurdin

CITY COUNCIL

Sarah Blossom
Kol Medina, Mayor
Ron Peltier
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