



**CITY OF BAINBRIDGE ISLAND
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

SMP Regulatory Guidance Memo

Title: Redevelopment vs. Alteration
Number: 15-03
Date: August 4, 2015
SMP Citation: SMP 4.2.1.7 and SMP Appendix B-9 (E)2.b

Background

Various types of development activity, including “redevelopment” and “alteration,” have different regulatory requirements.

Regulatory Language

SMP §4.2.1.7 states, in part:

1. Single-family development and redevelopment, except in the Point Monroe District, that is proposed on a legal nonconforming lot located in the shoreline jurisdiction or proposed for a shoreline property that is significantly encumbered by shoreline or critical area buffers, may be allowed without a shoreline variance when the following criteria are met:

SMP Appendix B-9 (E)2.b states in part:

2. Redevelopment of existing structures
 - a. If an existing structure is damaged or is intentionally demolished the new structure must meet all the provisions of a new structure.
 - b. Structural alteration to an existing legally constructed structure that does not increase the structural footprint and are determined by the City Engineer as having a minimal potential for increasing landslide hazard and meets the minimum buffer dimensions in B-9(E)(3)(i);

Need for Regulatory Clarification

Clarification is needed because the SMP does not provide a definition for “redevelopment” or “alteration” making it difficult for staff to apply the regulations for development activity specifically within nonconforming lots and within geologically hazardous areas. The meaning of the terms is also unclear in other sections of the SMP.

Analysis

The term “redevelopment” is used in the two sections, above, of the Shoreline Master Program (SMP) along with other sections of the SMP. The term, “redevelopment” is not defined by the SMP; however, when this term is read in context with the SMP and other associated regulations in the zoning section of the BIMC, it is clear that the intent of the regulations is to require compliance with current regulations when there is a substantial destruction/demolition of a residence or structure and when reconstruction is necessary.

Accordingly, “redevelopment” shall be interpreted to mean more than 50 percent demolition or destruction of square footage of a building or structure. Defining redevelopment in this manner protects property owners from the stringent redevelopment requirement when performing minor alterations, remodels or additions as allowed by the SMP. This reading of the term redevelopment is consistent with BIMC 18.30.030.C which states, “If a building is harmed or destroyed by more than 50 percent of its square footage, the building must be reconstructed in compliance with the requirements for the zone in which it is located.”

Since “alteration” is also used in the SMP, it is important to clarify the limitations under which development can be considered an alteration. With a clear definition of the term “redevelopment,” “alteration” is interpreted as being any change to an existing structure that does not include the demolition or destruction of more than 50 percent of the square footage of the building or structure.

Conclusion

“Redevelopment” is interpreted to mean more than 50 percent demolition or destruction of square footage of a building or structure. “Alteration” is interpreted to mean any change to an existing structure that does not include the demolition or destruction of more than 50 percent of the square footage of the building or structure.

Approved by:



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Date