

ORDINANCE NO. 2010-15

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to the Fort Ward Historic Overlay District, repealing BIMC Section 18.31.040 relating to the establishment of the Fort Ward Historic Review Committee and amending BIMC Sections 18.31.030, 18.31.050, 18.31.060 and 18.31.080.

WHEREAS, on November 8, 2000, the Bainbridge Island City Council passed Ordinance No. 2000-19 implementing Comprehensive Plan policies related to the Fort Ward area and establishing the Fort Ward Historic Overlay District and related development standards; and

WHEREAS, Ordinance No. 2000-19 also established a Fort Ward Historic Review Committee to serve as the review authority on matters of historic rehabilitation and maintenance; and

WHEREAS, City Council wishes to reduce the number of committees and commissions and terminate the commissions and committees that are not active; and

WHEREAS, the Fort Ward Historic Review Committee is not an active committee, and the Historic Preservation Commission may serve as the review authority under BIMC Chapter 18.31; and

WHEREAS, the City Council has determined it is in the best interest of the City to repeal Section 18.31.040 establishing a Fort Ward Historic Review Committee and amend BIMC Chapter 18.31 to reflect such change, now, therefore,

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

Section 1. Section BIMC Section 18.31.030 is amended to read as follows:

A. Certificate of Review“Certificate of review” means a certificate representing that the ~~Fort Ward Historic Review Committee~~ Historic Preservation Commission has reviewed the proposed changes to a building of historic interest and certified the changes as not adversely affecting the historic characteristics of the property.

B. Emergency repair for historic buildings “Emergency repair for historic buildings” means work necessary to prevent destruction or dilapidation of a building of historic interest immediately threatened or damaged by fire, flood, earthquake or other disaster.

C. Ordinary repair and maintenance for historic buildings "Ordinary repair and maintenance for historic buildings" means work for which a permit issued by the City is not required by law, and where the work does not alter the exterior of a building of historic interest.

D. Rehabilitation "Rehabilitation" is the process of returning a property to a state that makes contemporary use possible, while still preserving those portions of the property that are significant to its historical, architectural and cultural values."

Section 2. Section 18.31.040 of BIMC Chapter 18.31 is hereby repealed.

Section 3. Section 18.31.050 is hereby amended to read as follows:

"Increases in density above the underlying base density are permitted as follows:

A. Residential density bonuses may be available for providing affordable housing pursuant to Chapter 18.90 BIMC.

B. The property tax identified as tax parcel number 112402-3-004-2003 containing a building of historical interest, identified as Building 16 on Attachment 2, shall be permitted an increase in density up to a total of eight units; provided, that the majority of the dwelling units are located inside Building 16; and provided, that the following development standards are met:

1. The exterior of the building is rehabilitated and maintained in accordance with the standards established in BIMC 18.31.070.

2. The proposed work is reviewed by the ~~Fort Ward historic review committee~~ Historic Preservation Commission, and a certificate of review is issued, in accordance with BIMC 18.31.080.

3. A minimum of five feet of partial screen perimeter landscaping shall be provided along side and rear property lines. This requirement may be met by retaining existing vegetation on the property, or planting new vegetation. The perimeter landscaping requirement may be waived as part of the final decision on the permit, upon written agreement from adjoining property owners.

4. Surface parking is encouraged to be located behind the building. Any surface parking that is adjacent to residential uses shall be fully screened so as to prevent headlights from shining on the adjacent residential uses.

5. Parking may be located along the south property line; provided, that it is enclosed within a structure.

6. The applicant shall provide community meeting space of not less than 500 square feet.

a. This community meeting space may be provided within Building 16; or

b. Upon approval by the city, this requirement may be met by the applicant making a financial contribution equal to the cost of constructing a 500-square-foot meeting space and one unisex bathroom stall within Building 16. If this option is used:

i. The applicant shall submit current cost estimates to the city building official for the construction of the meeting space, as described in subsection B.6.b of this section, meeting all code requirements and the same level of finishes and quality of construction as used elsewhere in the interior of the building;

ii. The payment shall be held in a reserve account and may only be expended in support of the construction of a community meeting space in the Fort Ward Historic Overlay District;

iii. The payment shall be expended in all cases within five years of collection; and

iv. Any payment not so expended shall be refunded with interest to the property owners of record at the time of the refund; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

7. The applicant complies with the requirements of BIMC 18.31.090 prior to issuance of an occupancy permit.

C. Certain properties within the Fort Ward Historic Overlay District which contain a structure of historic interest, as identified on Attachment 2, shall be permitted to develop to the historic density as shown in the chart below; provided, that:

1. The exterior of the building is rehabilitated and maintained in accordance with the standards established in BIMC 18.31.070.

2. The proposed work is reviewed by the ~~Fort Ward historic review committee~~ Historic Preservation Commission, and a certificate of review is issued, in accordance with BIMC 18.31.080.

3. The applicant complies with the requirements of BIMC 18.31.090.

Building Number	Tax Parcel Number	Density
Building 13	11240230022005	Up to 3 units
Building 18	41470050010004	2 units
Building 19	41470050020102	2 units
Building 20	41470050030002	2 units
Building 21	41470050040001	2 units"

Section 4. Section 18.31.060 is hereby amended to read as follows:

"A. Buildings B and C, (tax parcel number 80970000000007, a total of 10 units), as identified on Attachment 2, are buildings of historic interest that contribute to the character of the Fort Ward Historic Overlay District. Any project to alter, reconstruct, remodel, or restore the exterior of the subject buildings that requires permits from the city shall require review by the Fort Ward historic design review committee for compliance with the standards established in BIMC 18.31.070, and issuance of a certificate of review in accordance with the procedures established in BIMC 18.31.080.

B. The buildings shown in the chart below, and identified on Attachment 2, are buildings of historic interest that contribute to the character of the Fort Ward historic overlay district. The rehabilitation and maintenance of these buildings is to be encouraged. Any owner who wishes to alter, reconstruct, remodel, or restore the exterior of the subject buildings in a manner that maintains its historic character may request the review services of the ~~Fort Ward historic review committee~~ Historic Preservation Commission. The committee shall be available to review the proposed changes, and to advise the applicant as to design elements, construction techniques and materials that would be compatible with the historic character of the specific building.

Building Number	Tax Parcel Number
Building E	11240220032006
Building 46	41470050050000
Building 47	41460010030002
Building 48	41460010010103
Building 49	41460030050006
Building 50	41460030030008
Building 51	41460030010000
Building 60	41460010050000

The rehabilitation and maintenance of any other buildings of historic interest within the Fort Ward Historic Overlay District is to be encouraged. Any owner who wishes to alter, reconstruct, remodel, or restore the exterior of these buildings in a manner that maintains its historic character may also request the review services of the ~~Fort Ward historic review committee~~ Historic Preservation Commission.”

Section 5. Section 18.31.080 is hereby amended to read as follows:

“A. Certificate of Review Required. No applicant shall alter, reconstruct, remodel, or restore the exterior of the subject buildings pursuant to BIMC 18.31.050.B or C and BIMC 18.31.060.A, and no city permit or approval of such activity shall be issued without review by the ~~Fort Ward historic review committee~~ Historic Preservation Commission and without issuance of a certificate of review by the committee.

B. Preliminary Review.

1. Upon submittal of application for site plan and design review permit or building permit, the applicant shall schedule a preliminary review meeting with the committee. A staff planner shall also attend the preliminary design review meeting.

2. Prior to the review meeting, the applicant shall provide committee members with “as is” photographs of the subject building and site; a site plan showing the location of the building or buildings; the proposed method of cleaning and treating masonry and other surfaces; exterior elevations of the front

and side with a description of the proposed type and finished color of exterior siding, proposed windows and roofing to be used; and proposed architectural features and trim. All diagrams shall be drawn to scale. The committee may request additional information and/or a site visit as necessary for their review and recommendation. Any conditions agreed to in this meeting shall become conditions of approval of the permits granted.

C. Final Review. Prior to issuance of permits, the applicant shall schedule a final review meeting with the committee. A staff planner shall also attend the final review meeting. Upon determination that conditions specified in the preliminary design review and the requirements of this chapter are met, the committee shall issue a final certificate of review in a form to be approved by the city. The final certificate of review shall be attached to the building permit.

D. Exemptions. Emergency repairs, ordinary repair and maintenance and interior remodeling shall not require a certificate of review.”

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

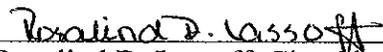
PASSED by the City Council this 28th day of April 2010.

APPROVED by the Mayor this 28th day of April 2010.



Bob Scales, Mayor

ATTEST/AUTHENTICATE:



Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	April 14, 2010
PASSED BY THE CITY COUNCIL:	April 28, 2010
PUBLISHED:	May 7, 2010
EFFECTIVE DATE:	May 12, 2010
ORDINANCE NO.:	2010-15

