Summary

Faced with increasing population growth, Washington State’s Growth Management Act in 1990 required that Bainbridge Island plan for a 28% increase in population. In order to preserve open space and the Island’s small town character, Bainbridge Island developed an ambitious goal to accommodate 50% of the City’s projected growth in Winslow, the Island’s small urban center. The Winslow Master Plan promotes intensifying commercial use and increasing density in the urban center. The plan and municipal codes also have design standards geared to enhance the walkability and connectivity of commercial districts.

Bainbridge Island limits large-store retail to three commercial zones, and limits auto-oriented development to two of three of these zones. Bainbridge Island does not have an overall cap on retail square footage, however it does have size limits in certain overlay districts and zones. Size caps in overlay districts and zones are intended to keep new development in scale with existing development.

Bainbridge Island also limits the location and size of formula take-out food restaurants on the Island. Originally, a 1989 ordinance banned all formula take-out food restaurants within the City. Today, the municipal code has been modified so that formula take-out food restaurants are permitted in only one zone and may not exceed 4000 square feet, nor occupy more than 50% of any building.

Community Background

Location: 35 minutes west of downtown Seattle by ferry. Winslow is Bainbridge Island’s urban center and the terminus port for the Bainbridge Island ferry.

Size: Winslow – 4000; City of Bainbridge – 20,308.

Economic Base: Commuter-based economy; maritime related light industry, furniture manufacturing, retail and services.

Planning/Governing Structure: Mayor/City Council. Planning and Community Development Department.

Existing Town: Winslow was incorporated in 1947; Winslow annexed all communities on Bainbridge Island and changed its name to City of Bainbridge Island in 1990.
Located on the Puget Sound thirty-five minutes by ferry west of downtown Seattle, residents of Bainbridge regard the island as a slow-paced, small town with a pastoral character. Originally home to timber mills and strawberry farms, Bainbridge is an increasingly popular place to live for people who work in downtown Seattle but wish to live in a more rural setting. Farms and pastures still dot the Island, many roads can be characterized as narrow “country lanes” and there are few traffic lights. Spectacular views of the Seattle skyline and the surrounding mountains, as well as good schools, a large artist community, thriving locally owned businesses, and a strong tourist base make Bainbridge Island one of the most desirable places to visit and live in the Puget Sound region.

A 1992 community survey found that residents of Bainbridge Island valued most the diversity of their community, the Island’s rural character and its natural environment (Bainbridge Island Comprehensive Plan 1992). Bainbridge’s popularity as a rural place to live, ironically, threatens what residents love most about the Island. In response to a spate of large-scale, auto-oriented developments and the fast subdivision of land for housing in the 1980s, an overwhelming majority of residents and elected officials have become committed to preserving the small town feel and open space on the Island. The Island’s strategies have been to create strict guidelines and standards for commercial development and to intensify commercial and high-density residential growth in Winslow, the Island’s urban center, in order to take development pressure off of the more rural parts of the Island.

Bainbridge’s popularity also threatens its diversity and affordability. The population is over 93% white, with Asians (Japanese, Filipino and Vietnamese) as the largest minority (BICP 1992). The population has grown approximately 2.5-3% every year since 1970 (BICP 1992). A lack of affordable housing is a serious issue facing the community and threatens the socio-economic diversity of the population. In 1990, as required by the State of Washington’s Growth Management Act, Bainbridge Island was required to plan for an additional 7000 new residents by 2012. The Island’s Comprehensive Plan calls for increasing density within downtown Winslow. New housing developments are primarily mixed-use with apartments or condominiums.

Over 58% of the residents commute to Seattle to work; the remaining residents work in retail, service and manufacturing (furniture and maritime supplies); others are artists, farmers, retirees or provide professional services to the community. From 1980-1990 employment increased by approximately 48% on the Island; this growth was mostly accounted for by job growth in retail and services (BICP 1992).
Position and Actions on Large-Store Retail

Bainbridge Island has a Safeway, Thriftway (formerly a Kroger owned grocery store) and a Rite-Aid. Commercial businesses are limited to the Mixed-Use Town Center and High School Road zones, with the exception of limited commercial activities in three designated Neighborhood Centers.

There is no overall size cap for large-store retail on Bainbridge Island, however the Island limits the square footage in certain zones and overlay districts. These restrictions are based on the Comprehensive Plan’s goals of creating a pedestrian-oriented environment and new development that does not conflict with the existing town scale. In the Mixed-Use Town Center “a variety of land uses are allowed which promote a pedestrian atmosphere and enhance the viability of the town center allowing development in a manner which is harmonious with the scale of the town center” (BIMC 18.40.010). Within this zone, retail exceeding 5000 square feet is permitted only on Winslow Way and Madison Avenue (BIMC 18.40.020, footnote 2). (See Appendix A for Winslow Zoning Map.)

Both High School Road I and II zones allow “auto-oriented” businesses due to their proximity to Highway 305. High School Road I zone, where Safeway Village, gas stations and McDonald’s are located, does not have any retail size restrictions. High School Road II zone limits retail spaces to 14,400 square feet and requires a conditional use permit if a retail space exceeds 5000 square feet (BIMC 18.40.020 footnote 4). Both zones, while permitting auto-oriented businesses, still require that developments be pedestrian-friendly. Commercial zones have landscaping standards as well. All of the commercial zones on Bainbridge Island allow and encourage mixed-use with housing (BIMC 18.40.020). “High School Road zones are intended to provide commercial uses that complement downtown Winslow and benefit from automobile access near the highway, while creating a pedestrian-friendly retail area” (BIMC 18.40.010).
Size and Location Restrictions For Formula Take-Out Food Restaurants

While Bainbridge Island does not have a size cap on large store retail, it does have tough restrictions on formula take-out food restaurants. In 1989, McDonald’s applied for a permit to open a franchise in Winslow. Despite the public’s protest against a McDonald’s in Winslow, the City had no codes in place to keep the chain out. Subsequent to McDonald’s arrival, the City (then the City of Winslow) in response to the public outcry, passed an ordinance that banned all “formula take-out food restaurants” within city limits. The ordinance stated that “formula take-out food restaurants represent a type of business that is automobile oriented or of a particular nature that the existence of one such restaurant in the High School Road zone is a sufficient maximum number of that use for the village character of Winslow to be preserved” and that “other or additional restaurants of that type should not be permitted” (New Rules Project 2003).

Today, Bainbridge Island Municipal Code permits formula take-out food restaurants in only one zone, High School Road I, east of Highway 305. Codes and design standards are also restrictive. Formula take-out food restaurants are limited to 4000 square feet and cannot make up more than 50% of any one building. Furthermore, no more than one formula take-out food restaurant can occupy one building. No drive-through windows are allowed (BIMC 18.41.050). In other words, no stand-alone or collection of fast-food restaurants are allowed in the City of Bainbridge Island. Design standards require that a formula take-out food restaurant’s exterior take its form from the larger complex and that its signs use natural materials such as wood or stone. Furthermore, exterior receptacles with company logos or colors are prohibited (BIMC 18.41.050). McDonald’s has no golden arches and no neon signs.

In 2000, fast-food pizza franchise Papa Murphy’s applied for a permit to open a store outside of the zone where formula take-out food restaurants are permitted. When denied a permit, Papa Murphy’s sued the City on the grounds that the franchise did not fit the City’s definition of a formula take-out food restaurant and that the ordinance illegally discriminated in favor of local businesses. The City, after spending $115,000 in legal fees, settled with Papa Murphy’s out of court. Papa Murphy’s was given a permit, but despite its victory, the franchise chose not to open in Winslow. The zoning and design standards for formula take-out food restaurants are still in place.

“Formula fast-food restaurants may not exceed 4,000 square feet and may not occupy more than 50 percent of any building in the zone in which they are allowed. Only one formula take-out restaurant is permitted in any building. No drive-through windows are allowed.” (Bainbridge Island Municipal Code 18.40.020, footnote 7)
Outcomes

Winslow has a vibrant and walkable downtown, especially within the Mixed-Use Town Center zone. Other than a Safeway, Rite-Aid and Thriftway (grocery), Bainbridge Island does not have any other large store retail. Both High School Road zones, despite their auto-oriented businesses and larger scale buildings are pedestrian-friendly. The Mixed-Use Town Center and High School Road zones are also within walking distance of each other and are well connected by pedestrian trails and sidewalks.

Small retail businesses in Winslow are thriving and there are no vacant storefronts. To promote local business the Chamber of Commerce has implemented a “Think Global, Buy Local” campaign.

However, like Homer, despite residents’ efforts to keep chains and fast food out of their community, residents make weekly or monthly trips to outlying cities, such as Silverdale, to do non-grocery shopping at large retail stores like Target, Home Depot and Costco. According to a Bainbridge Island Planning Technician, a native of Bainbridge Island, most residents, including herself, do not mind the thirty minute drive to Silverdale or 35 minute ferry ride to downtown Seattle. A 2000 survey of Bainbridge Island residents confirms this attitude, finding that 60% of residents do their shopping in Winslow and 79% believe the Island does not need more places to shop (Bainbridge Island Community Values Survey 2000).

Whether Bainbridge Island’s restrictive zoning of formula take-out food restaurants is legal or illegal is uncertain. However, the ordinance and public opinion seem to impede chain stores from opening on Bainbridge Island. Starbucks Coffee has approached the City twice for permits to open in Winslow but has withdrawn both times after the public protested (Waldo 2002).

Bainbridge Island has not conducted any economic studies on the potential lost revenues from sales tax as a result of residents shopping outside of Winslow. Neither Planning and Community Development Department employees, nor Chamber of Commerce members interviewed showed any concern over this issue. Interviewees were proud and almost strident about the Island’s efforts to maintain a small town feel. The 2000 Community Values Survey also found that only 5% of residents surveyed were concerned about reduced economic opportunity on the Island and that 90% were most concerned by loss of natural features, traffic congestion and urban sprawl (BICVS 2000).
Maintaining a Small Town Feel While Accommodating Growth

One of the main goals of the Island’s Comprehensive Plan is to preserve the rural and natural features of the Island while still meeting the state’s projected population growth figures for 2012 as required by Washington’s Growth Management Act. In order to curb suburban sprawl on the Island, the Winslow Master Plan has a goal to accommodate 50% of Bainbridge’s projected growth within the urban center of Winslow. This goal has resulted in numerous mixed-use and moderate density housing developments. These new residential developments are all within convenient walking distance to Winslow Way, High School Road and the ferry terminal.

“Winslow is the heart of Bainbridge Island. Higher intensity residential and commercial development, and human activity is encouraged within Winslow’s central core to create a vibrant city center; place growth where infrastructure exists, reduce reliance on the automobile; provide opportunities for affordable housing; and absorb growth that would otherwise be scattered in outlying areas.”

_Bainbridge Is. Comprehensive Plan 1992_

In fall of 2002, the Bainbridge Island Review reported that 12 new mixed-use residential developments in downtown Winslow were in various stages of the planning process. These new developments would provide over 500 new units of housing in the form of apartments, condominiums, town houses and clustered cottages. Mayor Sutton, when questioned about the fast growth of new housing in downtown Winslow responded that, “Those who might be uncomfortable with the prospect of 500 new residents in Winslow should look at the alternative – 500 homes elsewhere [on the Island]” (Waldo 2002). In addition to preserving open space on the Island, concentrating development in Winslow also saves the Island from spending money on new infrastructure, such as roads, sewer and water (BICP 1992).

“[T] hose who might be uncomfortable with the prospect of 500 new residents in Winslow should look at the alternative – 500 homes elsewhere”

~John Waldo 2002
One of the strategies for increasing density in downtown Winslow has been to require that any new retail building more than one-story tall must contain a residential component (BIMC 18.40.020). In order to avoid a conflict of scale between lower density and higher density zones, any new multiple-story building that adjoins a lower density residential zone for the first 30 feet of the new building must be the same height as the building height of the adjoining lower residential property (BIMC 18.40.030).

Bainbridge Island’s Comprehensive Plan, as well as its municipal code, prioritizes the pedestrian experience. The following are land uses and development standards that promote a visually engaging, pedestrian-friendly atmosphere:

- To enliven Winslow Way, the main commercial street in downtown Winslow, buildings must have customer entrances on the street (BIMC 18.40.020 footnote 5).

- Professional and personal services, traditionally business types that do not make use of storefront displays, may be located anywhere south of Winslow Way on less heavily used pedestrian streets (BIMC 18.40.020 footnote 5).
• To create an intimate, humanscaled environment in commercial areas the maximum setback from the sidewalk in the front of commercial businesses is 5 feet in the Central Core and 10 feet in the larger scale High School Road zones (BIMC 18.40.030).

• Parking lots in front of buildings in the Mixed-Use Town Center and High School road zones are not allowed. All parking must be to the side, behind or beneath buildings. On street parking is allowed on all streets (BIMC 18.81.050.A).

• To encourage walk-on ridership of the BainbridgeSeattle ferry, developments in the Gateway zone must include pedestrian trails to the ferry terminal (BIMC 18.40.020 footnote 2).

• All developments must include 10% of landscaped or natural vegetation (BIMC 18.40.020 footnote 10).
References


Appendices

Appendix A:  Winslow – Bainbridge Island Zoning Map
Appendix F: *Bainbridge Island Comprehensive Plan, General Land Use.
Appendix G: *Bainbridge Island Comprehensive Plan, Greenways.
Appendix H: *Winslow Master Plan.
Appendix I: *Bainbridge Island Community Values Survey.
Appendix K: *Parking flier from Department of Planning and Community Development, Bainbridge Island.

* These documents are included within the Extended Resource provided to the Chamber of Commerce with this document. Due to their breadth of detail and length, they were not included as a part of the standard document, but are available by request to the Chamber of Commerce.
Appendix B: MIXED USE TOWN CENTER AND HIGH SCHOOL ROAD COMMERCIAL ZONES*

Chapter 18.40

Sections:

18.40.010 Purpose.
18.40.020 Land uses.
18.40.030 Development standards.
18.40.031 Transition standards in the ferry terminal district, north of Winslow Way.
18.40.035 Structures.
18.40.040 Affordable housing requirement in the Mixed Use Town Center and High School Road districts.
18.40.050 Optional residential and commercial FAR bonus in the Mixed Use Town Center and High School Road districts.
18.40.060 Utility defined.

*Ord. 96-08 14 provides:

The locations and boundaries of the Mixed Use Town Center and High School Road I and II zoning districts and the five overlay districts of the Mixed Use Town Center zone, as shown on the comprehensive plan land use map, as amended, shall be shown on the map entitled “City of Bainbridge Island Official Zoning Map” which is amended hereby.

18.40.010 Purpose.

A. Mixed Use Town Center Zone. The purpose of this chapter is to implement the Winslow Mixed Use Town Center and High School Road sections of the city’s comprehensive plan. The Mixed Use Town Center and High School Road zones should strengthen the vitality of downtown Winslow as a place for people to live, shop and work.

The purpose of the Mixed Use Town Center is to provide a strong residential component to encourage a lively community during both the day and night. The Mixed Use Town Center zone, consisting of five overlay districts, includes a diversity in types of housing, shopping, civic facilities, recreation and employment. A variety of land uses are allowed which promote a pedestrian atmosphere and enhance the viability of the town center allowing development in a manner which is harmonious with the scale of the town center. Land uses which require outdoor storage or which have an auto orientation, such as drive-through establishments, are not permitted within the Mixed Use Town Center.

1. Central Core Overlay District. The central core overlay district is the most intense district within the Mixed Use Town Center. Within this overlay district, residential uses are encouraged, but exclusive office and/or retail uses are permitted.

2. Ericksen Avenue Overlay District. The purpose of the Ericksen Avenue overlay district is to preserve the unique and historical features of the Ericksen Avenue neighborhood and should provide for a mix of residential and small-scale nonresidential development. Retail development is permitted within the Ericksen Avenue overlay district only if it is ground-floor retail, with residential or residential and office development in the upper floors. Historic (pre-1920) single-family residential structures on Ericksen may be converted to nonresidential use. However, any additions to the structure must be added to the rear and must be compatible with the character of the original structure.

3. Madison Avenue Overlay District. The purpose of the Madison Avenue overlay district is to provide for a mix of residential and small-scale nonresidential development. Within the Madison Avenue overlay district, all retail and office development shall include a residential component. Retail development is permitted only if it is ground-floor retail.
4. Gateway Overlay District. The purpose of the gateway overlay district is to provide protection for the ravine. The district permits low-intensity, tourist-oriented, commercial, multifamily and agricultural uses which would have limited parking and minimum traffic impact. Limited impervious surface coverage is allowed.

5. Ferry Terminal Overlay District. The purpose of the ferry terminal district is to provide the ferry services and associated transportation-oriented uses, and primarily residential development at higher densities, in an attractive setting that serves as the entry-point into Winslow. The intention for the ferry terminal district is that it transforms over time from an area dominated by surface parking lots for commuters to residential with small amounts of commuter-oriented retail and office development. Residential development at higher densities is appropriate for this area because of its proximity to the ferry and downtown and because it is a prime view location. North of Winslow Way, development shall be accompanied by height restrictions and landscaping requirements to protect the adjacent residential neighborhoods.

B. High School Road Zones. The High School Road zones are intended to provide commercial uses that complement downtown Winslow and benefit from automobile access near the highway, while creating a pedestrian-friendly retail area. A variety of commercial uses are allowed that offer goods and services for the convenience of Island residents and that may have an auto orientation. (Ord. 99-64 4, 1999; Ord. 96-08 9, 1996)

18.40.020 Land uses.

No use is allowed except as indicated in the following table:

Permitted Uses. Uses designated by the letter “P” are permitted on any lot in the zones indicated, subject to all applicable regulations and the design guidelines contained in Chapter 18.41 BIMC.

Conditional Uses. Uses designated by the letter “C” may be authorized as conditional uses, in accordance with the provisions of this title and the design guidelines contained in Chapter 18.41 BIMC.

Uses Not Allowed. Uses not allowed in a particular zone or overlay district are designated by the letters “NP”.

<table>
<thead>
<tr>
<th>Uses</th>
<th>Central Core</th>
<th>Madison Avenue</th>
<th>Ericksen Avenue</th>
<th>Gateway1</th>
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**P = permitted use C = conditional use NP = use not permitted**

1. Any development in the gateway district shall include provisions for a public trails system within the ravine and/or pedestrian links to the ferry terminal.
2. Retail development in the central core district exceeding 5,000 square feet per building footprint is...
allowed only on Winslow Way and Madison Avenue.

3For new buildings of more than one story, retail has to contain a residential component.

4In the H.S. Rd. II district, retail use up to 5,000-square-foot building footprint is permitted and between 5,000 and 14,400-square-foot building footprint per building is permitted through a conditional use permit.

5In the district north of Winslow Way, commuter-oriented retail is permitted only along Winslow Way, within 100 feet north of Winslow Way. Buildings shall have customer entrances on Winslow Way. Commuter-oriented retail may be located anywhere south of Winslow Way.

6In the district north of Winslow Way, personal and professional services are permitted only along Winslow Way, within 100 feet north of Winslow Way. Buildings shall have customer entrances on Winslow Way. Personal and professional services may be located anywhere south of Winslow Way.

7Formula take-out food restaurants may not exceed 4,000 square feet and may not occupy more than 50 percent of any building in the zone in which they are allowed. Only one formula take-out restaurant is permitted in any building. No drive-through windows are allowed.

8Limited to the 1,121 commuter parking spaces in the ferry terminal and core districts, and the 173 commuter parking spaces in the gateway district, as shown on Figure 18 of Exhibit B of Ordinance 98-11, the Winslow Master Plan. The rights to these spaces may be bought, sold, traded, leased or otherwise exchanged between the properties.

9Only single-family dwellings that were in existence and being used as such prior to the enactment of the ordinance codified in this chapter. R-4.3 zoning shall apply to such single-family dwellings.

10All development shall include at least 10 percent of landscaped or naturally vegetated open space. Parking may be located under the open space.

11Development south of Winslow Way shall include pedestrian walkways that connect to Winslow Way East and Olympic Drive Southeast, and/or that align with Cave Avenue and Ferncliff Avenue.

12South of Winslow Way only.

13Permanent noncommuter ferry parking is permitted in accordance with BIMC 18.81.052.A. Temporary noncommuter ferry parking is permitted only with a conditional use permit, in accordance with BIMC 18.81.052.B.


18.40.030 Development standards.

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<th>Central Core</th>
<th>Madison Avenue</th>
<th>Ericksen Avenue</th>
<th>Gateway</th>
<th>Ferry Terminal</th>
<th>High School Road Districts I and II</th>
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</tr>
<tr>
<td>Commercial and Other Nonresidential Uses</td>
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<td>0.6</td>
<td>0.3</td>
<td>0.2</td>
<td>0.6</td>
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<td>Building Height when property adjoins a lower density residential zone</td>
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<td>35’ opt hght south of Parfitt</td>
<td>35’ opt bldg hght south of Winslow Way</td>
<td>Bldg hght north of Winslow Way: Ref. BIMC 18.40.031</td>
<td>Opt bldg hght north of Winslow Way: Ref. BIMC 18.40.031</td>
<td>45’ opt bldg hght south of Winslow Way</td>
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</tr>
<tr>
<td>100%, excluding setbacks</td>
<td>35%</td>
<td>35%</td>
<td>75%</td>
<td>50%</td>
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<td>Front Yard Setback</td>
<td>Comm: 5’ max. from sidewalk</td>
<td>10’ min.</td>
<td>15’ min.5</td>
<td>0’ from sidewalk</td>
<td>5’ max. from sidewalk</td>
<td>Except as modified by transition standards in BIMC 18.40.031</td>
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<tr>
<td>Side Yard Setback</td>
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<td>0’</td>
<td>5’</td>
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<td>0’</td>
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<tr>
<td>Building Setback when property adjoins single-family residential zone</td>
<td>Building setback shall be in accordance with the landscape ordinance perimeter landscaping requirements</td>
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<tr>
<td>Rear Yard Setback</td>
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<td>5' when property abuts the Madison Avenue or Ericksen Avenue districts</td>
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<tr>
<td>5' when property abuts the central core or Madison Avenue districts</td>
<td>5' when property abuts the central core or Madison Avenue districts</td>
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</tbody>
</table>

**Parking Requirements**

| Commuter-Oriented Retail | NP | NP | NP | 1 parking space per employee per peak shift | NP |

**Other Commercial and Nonresidential Uses**

| Minimum Spaces per 1,000 sq. ft. | 4 | 4 | 4 | 4 | 1 | 4 |
| Maximum Spaces per 1,000 sq. ft.8, 9 | 5 | 5 | 5 | 5 | 3 | 5 |
| Residential Minimum Spaces per dwelling unit | Per BIMC 18.81.030.D |
| Residential Maximum Spaces per dwelling unit | 1.5 | 2 | 2 | 2 | 1.5 | 2 |

**Access along Winslow Way**

| For properties along Winslow Way, there shall be no driveway from private property to the street except as approved as a conditional use. Driveways in existence prior to July 1, 1987, are excepted from this requirement. (Formerly BIMC 18.69.070.D.) |

1 Exception from the base FAR: If the existing FAR for a developed property as of the effective date of the ordinance codified in this chapter is higher than the base FAR for that district, then the existing FAR will be considered the base FAR for that developed property.
2 In mixed use development, the established FAR in the residential and commercial components shall not be exceeded.
3 Maximum level of commercial, residential and mixed use development may be achieved through the use of FAR bonus provisions, in accordance with BIMC 18.40.050.
4 These setbacks apply along Madison Avenue only.
5 Porches, bay windows and eaves may intrude up to five feet into the front yard.
6 South of a point 100 feet north of Winslow Way.
On street parking legally created in conjunction with and adjacent to a project may be included in the parking space calculation.

Up to a maximum of four spaces per 1,000 square feet for restaurant use, using procedures set out in BIMC 18.81.030.M.

Exceptions to the maximum commercial parking may be granted in accordance with BIMC 18.81.056.C.

In mixed use development in the ferry terminal district, an additional .2 FAR is permitted in accordance with BIMC 18.40.050.G. The additional FAR may be applied to either the residential or commercial component of the mixed use development.

(Ord. 99-64 6, 1999: Ord. 99 -17 5, 1999: Ord. 97-06 4, 1997; Ord. 96-08 9, 1996)

18.40.031 Transition standards in the ferry terminal district, north of Winslow Way.

Chapter 18.81
PARKING AND ACCESS REQUIREMENTS

Sections:

18.81.010 Purpose.
18.81.020 General requirements.
18.81.030 Spaces required.
18.81.040 Reductions allowed.
18.81.050 Location of spaces.
18.81.056 Commercial parking or commercial parking businesses other than ferry commuter parking and noncommuter ferry parking.
18.81.060 Joint use.
18.81.070 Design standards.
18.81.080 Circulation and walkways in multifamily and nonresidential development.
18.81.100 Setback requirements.
18.81.110 Landscaping requirements.
18.81.120 Screening.
18.81.130 Lighting for multifamily and nonresidential developments.
18.81.140 Bicycle facilities for multifamily and nonresidential developments.

18.81.010 Purpose.

The purpose of this chapter is to provide for safe, efficient and well-designed access and parking while minimizing the environmental impact of motor vehicle facilities. (Ord. 92-08 2, 1992)

18.81.020 General requirements.

A. Driveways, parking, and walkways shall accommodate pedestrians, motor vehicles and bicycles used by occupants or visitors of a structure or use. Location is subject to review of the planning and engineering departments.

B. No building permit shall be issued until the applicant has submitted satisfactory plans demonstrating that required parking facilities will be provided and maintained. These plans must be approved by the city in conjunction with a permit review process or stamped approved and signed by the city engineer.

C. Unless authorized by a conditional use permit or this title, the use of property in a residential zone for commercial parking is prohibited.

D. Parking lots may be gravel if (1) the parking lot contains less than 10,000 square feet, or (2) the parking lot has less than a five percent slope. All driveways and other parking areas except those serving single-family residences, shall be hard surfaced with permanent materials such as asphalt, concrete or unit pavers, and shall be designed to dispose of surface water, and pollutants from motor vehicles as provided in the city’s code.

E. Unless approved by the city, only a single access to public right-of-way is allowed for an individual lot. Joint use of required access ways may be required at the discretion of the city.

F. With the exception of single-family and duplex buildings on individual lots, access and parking spaces shall be designed so that no backing movement by a vehicle shall be allowed onto a public right-of-way.
G. No parking space may block access to other parking spaces unless tandem parking has been approved for a single residence or individual dwelling units of a multifamily structure. (Ord. 92-08 2, 1992)

18.81.030 Spaces required.

A. All parking lots shall comply with the minimum requirements for handicapped parking spaces, as required by Washington State regulations related to barrier-free facilities.

B. Parking lots exceeding the number of spaces required by this section are not allowed unless approved by the planning commission.

C. In determining the number of parking spaces required by this section, all fractions greater than .5 shall be rounded up to the nearest whole number.

D. Two spaces for each permanent dwelling unit are required; provided, that each dwelling unit situated above a commercial use in commercial zones shall require one parking space, and an accessory dwelling unit shall require one parking space, except as modified by BIMC 18.81.040.

E. For retail, commercial and personal services in a building with less than 1,000 square feet of floor area, two spaces for each employee shall be provided, except as modified by BIMC 18.40.030.

F. For retail, commercial and personal services in a building with 1,000 square feet of floor area or more, four spaces per 1,000 square feet shall be provided, except as modified by BIMC 18.40.030.

G. Industry and light manufacturing uses shall require one stall for each employee plus one stall for each 250 feet of office space.

H. For places of public accommodation serving food and beverage, one space for each four occupants as determined by the department shall be provided.

I. For motels/hotels, and bed and breakfasts, one space is required for each sleeping room.

J. For places of assembly, including auditoriums, theaters and banquet rooms, 10 spaces for each 1,000 square feet of floor area or one space for each four fixed seats is required.

K. The parking requirements for schools shall be as follows:
   1. One space per 50 students and one space per employee for elementary, middle, and junior high schools.
   2. One space per 10 school students and one per employee for high schools.

L. The parking requirements for religious institutions shall be as follows: One space per five fixed or movable seats in the main assembly area.

M. For other educational, governmental, health care and recreational facilities not covered in subsections K and L of this section, the number of spaces must be adequate to accommodate the peak shift as determined by the director.

N. Child day care centers shall require one stall for each on-duty shift employee plus one stall for each 12 children served by the facility. Capacity is determined by state license requirements.

O. For other uses or special cases, parking requirements shall be established by the director. For determination by the director, the applicant shall supply:
   1. Documentation regarding actual parking demand for the proposed use; or
   2. Technical studies relating the parking need for the proposed use; or
   3. Required parking for the proposed use as determined by other comparable jurisdictions.

P. Subject to approval as part of site plan review, the parking requirement in the central core overlay district of the Mixed Use Town Center zoning district may be met by contributing into a public or cooperative commercial effort to create new structured or surface parking in that zone. The amount of the contribution shall be equivalent to that necessary to provide the required number of parking spaces.

Q. In the central core overlay district of the Mixed Use Town Center zoning district, new parking spaces will not be required for additions to existing buildings that are less than 25 percent of the existing floor area and less than 1,000 square feet. This exception to the parking requirement may be utilized only
once per property and does not apply to additions or remodeling for the purpose of adding residential units. (Ord. 99-17 8, 1999; Ord. 98-35 4, 1999; Ord. 96-08 11, 1996; Ord. 92-08 2, 1992)

18.81.040 Reductions allowed.

Residential parking requirements may be reduced by 50 percent for dwelling units located within a one-half mile radius and 25 percent for dwelling units located within a mile radius of the ferry terminal providing scheduled service to Seattle. This provision may not be used in conjunction with senior housing or other parking reduction arrangements. (Ord. 96-08 12, 1996; Ord. 92-08 2, 1992)

18.81.050 Location of spaces.

A. Parking in the Mixed Use Town Center and High School Road I and II zoning districts shall be located behind, to the side or under buildings. Parking shall not be located between a building and the front lot line, unless an applicant can demonstrate that locating parking between a building and the front lot line is the only feasible location.

B. Parking outside of the Mixed Use Town Center and High School Road I and II zoning districts is encouraged to be located behind, under or to the side of buildings.

C. Parking spaces serving dwelling units shall be located on the same lot with the building they serve, or, if approved by the director, within 200 feet of dwelling unit if consolidated with other spaces on a remote lot.

D. Parking spaces serving nonresidential uses may be consolidated in a remote location as permitted by this title or as approved by the planning commission. (Ord. 96-08 13, 1996; Ord. 92-08 2, 1992)

18.81.052 Noncommuter ferry parking.

Noncommuter ferry parking is permitted in the ferry terminal district as provided below.

A. Permanent noncommuter parking spaces may be developed in under-building or below grade parking in the ferry terminal overlay district, providing:

1. For each existing surface ferry parking space identified in Exhibit B of Ordinance 98-11 (the Winslow Master Plan) that is moved under-building or below grade, one noncommuter additional parking space may be developed under-building or below grade.

2. The total number of noncommuter additional parking spaces may not increase the total parking inventory of 1,121 spaces, as shown in Figure 18 of Exhibit B of Ordinance 98-11 (the Winslow Master Plan), by more than 353 spaces. No property owner of an existing surface parking lot may increase the total number of spaces on that property by more than 225 spaces.

3. These noncommuter additional parking spaces are only for use by noncommuter ferry passengers.

4. No grade level, under-building parking shall be adjacent to Winslow Way. Ingress and egress to the parking shall be allowed from Winslow Way.

5. Any level of parking contained within or under the structure that is visible from a public street shall be fully screened. Means of screening can include another use, landscaping which provides a vertical screen, street trees or other vegetation.

6. In addition to the screening required in subsection A.5 of this section, the street facade of the parking structure shall be enhanced by architectural detailing, art work (such as a mosaic, mural, decorative masonry pattern, sculpture, relief) or similar visual interest features.

7. A plan to mitigate visual impact of the parking structure, including the proposed landscaping and street facade treatment, shall be required as a condition of development application approval.
8. As a condition of development application approval, the property owner shall include a plan for designating parking for only noncommuter use and shall demonstrate how restriction of spaces for noncommuter parking will be enforced. Failure to enforce shall subject the owner to the provisions of Chapter 1.26 BIMC.

B. Temporary noncommuter ferry parking spaces may be developed as surface parking in the ferry terminal overlay district under the following conditions:

1. The property owner shall submit an application for approval for the construction of permanent noncommuter ferry parking spaces under subsection A of this section.

2. The property owner shall apply for and obtain a conditional use permit authorizing the use of the property for temporary noncommuter ferry parking. Such applications shall be processed as an administrative conditional use under BIMC 18.108.020 C.

3. Temporary noncommuter parking lots shall comply with the design and construction requirements of this chapter, except that:
   a. Temporary parking lots and associated driveways may be gravel; provided, that all drainage requirements are met.
   b. Temporary parking lots shall be exempt from the requirements of BIMC 18.81.080 B.
   c. Temporary parking lots shall be exempt from the requirements of BIMC 18.81.080 D.
   d. Temporary parking lots are exempt from the landscaping requirements of BIMC 18.81.110 and the screening requirements of BIMC 18.81.120.

4. Notwithstanding BIMC 18.108.060, a conditional use permit authorizing temporary noncommuter ferry parking spaces shall automatically expire 180 days after the date that the permit is issued. The temporary noncommuter parking shall be removed within 10 days after the permit expires.

5. Notwithstanding BIMC 18.108.070, the department may grant one extension of a conditional use permit authorizing temporary noncommuter ferry parking spaces for a period not to exceed 180 days if:
   a. A request for an extension is received by the department no later that 30 days prior to the expiration of the permit;
   b. Termination of the permit would result in an unreasonable hardship to the applicant, and the applicant is not responsible for the delay in obtaining the approval of the permanent noncommuter ferry parking spaces;
   c. An extension of the permit will not cause substantial detriment to existing uses in the immediate vicinity of the subject property; and
   d. The temporary noncommuter parking shall be removed within 10 days after the permit expires. (Ord. 2000-10 2, 2000: Ord. 99-64 9, 1999)

18.81.056 Commercial parking or commercial parking businesses, other than ferry commuter parking and noncommuter ferry parking.

Commercial parking may be developed for general public use at no fee, or as a commercial parking business. Commercial parking businesses must comply with provisions of Chapter 5.10 BIMC.

A. Surface Parking Lots. Surface parking lots for commercial parking only, developed by public or private concerns, or developed by a public or cooperative commercial effort as provided for in BIMC 18.81.030 O are permitted in the core and gateway districts, providing:

1. Parking lots shall be sited on parcels within 200 feet of Winslow Way or lower Madison (south of Wyatt).
2. Parking lots shall not be sited adjacent to a parcel containing a parking lot or structure in which parking is the primary use.

3. Parking lots shall not exceed 30 spaces.

4. A plan to ensure that parking spaces are not used by ferry commuters shall be provided as a condition of development application approval.

B. Structured Parking. Structured parking for commercial parking only, developed by public or private concerns, or developed by a public or cooperative commercial effort as provided for in BIMC 18.81.030 O is a conditional use in the core district west of SR 305, providing:

1. Structures shall not be sited adjacent to a parcel containing a parking lot or structure in which parking is the primary use.

2. A plan to ensure that parking spaces in the structure are not used by ferry commuters shall be provided as a condition of development application approval.

3. Any level of parking contained within or under the structure that is visible from a public street shall be fully screened. Means of screening can include landscaping which provides a vertical screen; a facade that incorporates artwork (such as a mosaic, mural, decorative masonry pattern, sculpture, relief) over a substantial portion of the facade; or trees and other vegetation.

4. A plan to mitigate visual impact of the parking structure, including the proposed landscaping and/or artwork, shall be required as a condition of development application approval.

C. Exception to the Commercial Parking Requirement in the Core District. Commercial parking that is accessory to the parking associated with the primary use and in excess of the maximum commercial parking provided for in BIMC 18.40.030 is permitted in the core district. Such parking shall be placed under building or underground. (Ord. 99-179, 1999)

18.81.060 Joint use.

The required parking for two or more complementary uses may be reduced up to 50 percent when provided by a common parking lot. The reduction shall be authorized by the issuance of a conditional use permit. (Ord. 92-082, 1992)

18.81.070 Design standards.

A. Parking lots shall be designed according to the chart below. Space depth shall be measured exclusive of access drives and aisles. Small car spaces may total no more than 30 percent of the required number.

B. Parking lots shall have direct access to a street or road easement and shall provide unobstructed access driveways exclusive of the required parking areas.

C. Multifamily and nonresidential developments shall use access standards as shown in the chart below.

D. Where possible, single-family residences shall share access drives.

E. Access drive widths for single-family residences shall be determined by the city engineer or fire marshal.
<table>
<thead>
<tr>
<th>Parking Angle</th>
<th>Curb Length</th>
<th>Stall Width</th>
<th>Stall Depth</th>
<th>Aisle Width (paved surface)</th>
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</tbody>
</table>

Parking Chart and Diagram

*An additional 18 inches shall be added to stall depth for overhang.

(Ord. 99-17 10, 1999: Ord. 92-08 2, 1992)
18.81.080 Circulation and walkways in multifamily and nonresidential development.

A. Parking lots and driveways shall provide well-defined, safe and efficient circulation for motor vehicles, bicycles and pedestrians.

B. Landscaped islands with raised curbs shall be used to define entrances from public rights-of-way, define pedestrian walkways from the public rights-of-way to all buildings, define ends of parking aisles and indicate the pattern of circulation.

C. Pedestrian walkways shall be provided around buildings to the extent necessary to assure safe access to the building from parking areas and the public right-of-way. Where appropriate, as determined by the approving body, pedestrian walkways may be required to assure safe access to adjacent properties.

D. Internal walkways shall be surfaced with nonskid hard surfaces, meet accessibility requirements and be designed to provide a minimum of five feet of unobstructed width. Where walkways cross vehicular driving lanes, the walkways shall be constructed of contrasting materials or with maintained painted markings. Walkways shall be curbed and raised six inches above adjacent vehicular surface grade, except where the walkway crosses vehicular driving lanes or are required to meet accessibility standards. (Ord. 92-08 2, 1992)

18.81.100 Setback requirements.

A. All parking spaces and driving aisles serving adjacent parking spaces, except those serving single-family residences, shall not be located within required front, rear or side yards or front, rear or side setbacks.

B. The city may approve reductions of up to 50 percent of the setback requirements and the limits on contiguous stalls if major trees are saved and incorporated in the design of circulation and parking. (Ord. 99-17 11, 1999; Ord. 92-08 2, 1992)

18.81.110 Landscaping requirements.

Parking lots shall be landscaped in accordance with Chapter 18.85 BIMC. (Ord. 96-09 3, 1996; Ord. 92-08 2, 1992)
18.81.120 Screening.

When a parking lot or vehicular circulation abuts side or rear yards, or side or rear setbacks, except when serving only single-family residences, a sight-obscuring fence or vegetation barrier in accordance with Chapter 18.85 BIMC shall be installed within adjacent yards. Fences shall be at least five but not more than six feet in height, and may be planted with climbing ivy or other evergreen vine. In commercial or mixed use zones, this requirement may be waived as part of the final decision on the permit, upon written agreement from adjoining property owners. (Ord. 99-17 12, 1999: Ord. 96-09 4, 1996; Ord. 92-08 2, 1992)

18.81.140 Bicycle facilities for multifamily and nonresidential developments.

All parking facilities, except those serving single-family residences, shall contain bicycle parking facilities that allow secure locking of both the frame and wheels of a bicycle. One bicycle space shall be provided for every three parking spaces with a minimum of five spaces provided for each parking lot. (Ord. 92-08 2, 1992)
18.41.050 Formula take-out restaurant design guidelines.

A. 1. There should be no exterior vending machines such as soft drink dispensers, ice cube freezers, and the like. Newspaper racks are acceptable if they are designed to be integrated with the design of the structure.

   2. Trash receptacles shall be placed at the entrances to any building containing formula take-out food restaurants, and shall be maintained by those businesses. Exterior receptacles shall not exhibit logos, company colors/contours, or advertising.

B. The building and site design shall meet the design guidelines established in BIMC 18.41.030.

   1. The activity shall be part of a larger complex of activities such as continuous storefront area, or existing structure, or shopping center, and shall take its form and design characteristics from the larger complex.

   2. Outdoor storage areas, mechanical equipment, and utility vaults shall not be visible from adjacent streets and pedestrian walkways.

   3. Site services should be located on the least visible side of a building or site or within interior building spaces.

   4. All signs shall use natural materials such as wood, metal, masonry or stone. (Ord. 98-03 2, 1998)