



**CITY OF BAINBRIDGE ISLAND
REGULAR PLANNING COMMISSION MEETING
THURSDAY, JUNE 25, 2015
6:00 p.m.-9:00 p.m.
CITY COUNCIL CHAMBER
280 MADISON AVE N
BAINBRIDGE ISLAND, WASHINGTON**

CALL TO ORDER - Call to Order, Agenda Review, Conflict Disclosure

PUBLIC COMMENT - Accept Public Comment on off agenda items

REVIEW AND APPROVAL OF MINUTES - April 23 and May 14, 2015 Planning Commission Meetings

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE

2016 COMPREHENSIVE PLAN UPDATE

- Review and confirm proposed recommendations on the *Introduction*
- Continue discussion of *Land Use Element* with a focus on:
 - Confirm "Housekeeping" changes
 - Transfer of Development Rights (TDR) policies
 - Neighborhood Service Center (NSC) policies

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE

NEW/OLD BUSINESS

ADJOURN

CALL TO ORDER - Call to Order, Agenda Review, Conflict Disclosure

Chairman J. Mack Pearl called the meeting to order at 6:01 PM. Planning Commissioners also in attendance were Maradel Gale, John Thomas, Jon Quitslund and William Chester. Commissioners Michael Lewars and Julie Kriegh were absent and excused. City Staff in attendance were Planning Director Kathy Cook and Special Project Planner Jennifer Sutton. City Consultant Joe Tovar was present. Administrative Specialist Jane Rasely monitored recording and prepared minutes.

REVIEW AND APPROVAL OF MINUTES - April 23 and May 14, 2015 Planning Commission Meetings

No comments.

**Motion: I move approval of the minutes as distributed.
Quitslund/Chester - Passed Unanimously 5-0**

PUBLIC COMMENT - Accept Public Comment on off agenda items

None.

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE

Ron Peltier, Citizen – Made a comment stating that he knew when decisions are made they are recommendations to the Council. Council has a policy of the 3-touch rule where a proposal comes to them, they do not vote on it right away. He knew that didn't quite apply to the Planning Commission, but he requested they consider for certain important votes they would take, like on changing something that was really significant, they might consider not voting on a proposal they receive that same night, but putting it on the docket for when they would vote on it so people would have a chance to comment on the substance of what they would be voting on. He asked the Planning Commission to give that process some consideration.

Scott Anderson, Citizen – Conveyed his support for land to be considered for NSC (Neighborhood Service Centers) outside the special area planning process. He gave personal background information stating that his family moved to Bainbridge Island in 1968 and other than college and a brief stint to Seattle, he had lived here most of his life and seen a lot of change on Bainbridge Island. When asked, he states it's a good change and a good place to live. In the mid 70's, his family purchased a small business, the land and existing buildings in Island Center that now exists as Bainbridge Island Rental and Island Center Self-Storage. At one time or another, his Mom, Dad and two brothers all worked there doing everything from selling lawn and garden equipment to renting equipment to framing and roofing storage units. Now as a landlord for Bainbridge Rental and owner/operation of Island Center Self Storage, they were trying to resolve the issue of business growth without enough space of the right configuration in the area to adequately serve the Islanders' demand for what was going on out there. Bainbridge Rental was growing and they did not have the right configuration to basically serve people in a reasonable and efficient way. Bainbridge Rental rents lawn and garden, construction equipment, party goods and a variety of other services. He and his family rent storage units. As a matter of reference, if someone called for a 10'x20' storage unit on this island, they would probably not be able to find one – capacity is full. Locals are using the goods and services being provided in that area to a significant extent. There was not much NSC land in that area but if land could be changed to NSC, he felt the Bainbridge Rental business could meet the needs of their customers more efficiently, a more aesthetically pleasing, inviting environment could be achieved because frankly, it was not the most inviting corner on the Island. They would prefer to change that. There was a significant amount of congestion in that area and right on that corner. People entering the businesses create traffic all in one area. Mr. Anderson felt they could improve traffic safety as well both in and out of the businesses. He did not think Miller Road was a friendly road these days. If land were considered for NSC use outside what was currently allocated outside the special planning process, he thought the needs of the community and business owners would be met in a more timely fashion. It would not deter projects people have in mind from being brought forth and generated that would help the community due to the slow process of the special area planning process. One thing he felt should be noted was if NSC land were considered and a project could be started, he felt it would create momentum in those NSC areas that would move towards the 2004 comprehensive plan rather than have an entire area be decided all at once, it could be stair-stepped and a sense of momentum created.

Commissioner Gale confirmed that Mr. Anderson was asking to have the property right behind current development on Miller Road (mini-storage, car repair, etc.) included in the NSC. Commissioner Quitslund asked about the acreage involved (10 acres).

Mr. Anderson went on to state that Island Center has lacked a certain vibrancy and functionality and he felt the additional land (combined with Mr. Cainion's) would really make a difference and improve the area.

Commissioner Gale asked whether the zoning there was 'heritage.' Director Cook stated she believed the land that is now zoned NSC was actually called Island Business Trade District when it was inherited from the County. That was similar in nature to what was allowed. It was changed to NSC to capture the concept of having these three neighborhood service centers in three different parts of the Island.

Charles Schmid, Citizen – Gave a reminder that he had handed information to the Commissioners two weeks before that TDR's "Transfer of Development Rights" have never worked. It's such a great concept but the fact that something doesn't work, it doesn't work. He saw they had addressed the "shalls" and "should" in the Land Use Element and made a good attempt but there were still problems and he hoped they would not just blanket approve all of those that night. He gave an example of Policy LU 17.2 on page 20, that says, "Water dependent industrial development be located in sensitive ecologically valuable shorelines." He hoped they did not want to do that. He appreciated some of the changes they had made but he felt they should not just approve all the "shoulds" and "shalls." He spoke about Lynwood Center and the one parcel along the water that was part of the Lynwood Center plan where the lumber business used to be. The incentive was for the zoning to go from R-2 to R-3 with shoreline access. During the time when the City incorporated, there should have been access to the water given because it was part of the Shoreline Master Plan. Right now people in Lynwood have to walk out to Schelb Chelb to get to the water. Director Cook stated part of the reason some of that verbiage was struck out was because 1. A lot of it had already been implemented and 2. These policies are verbatim in the Lynwood Center Special Plan which is a part of the Comp Plan. She said they would double check. Mr. Schmid felt it should not get lost. Mr. Schmid went on to LU 23 having to do with the Sportsman re-zone area. It reads, "Business Industrial district (BI) is intended to provide opportunities for expansion of existing island businesses for diversity of jobs with a low impact industrial activity that contributes to well-paying jobs where traffic congestion, visual and other impacts on the surrounding neighborhood can be minimized." Mr. Schmid stated this had not been good zoning, it was not good zoning, and the idea that this was going to foster good zoning might be too late. There was an area that was hot with schools, it had all different types of uses, so he did not know what the Commissioners might want to do with that. Commissioner Quitslund asked him if he felt that passage ought to be modified. Mr. Schmid felt anything could fit into it. It was intended to provide opportunities for expansion of existing businesses. Director Cook stated the reason that text was blacked out was because they knew it was an area the Planning Commission wanted to discuss. She mentioned that a lot of the uses at the Coppertop development were all allowed in the BI zone but they are not typical light manufacturing uses so the conversation had been a couple different levels: 1. Are those appropriate uses and 2. Should Coppertop have a different designation than BI – some kind of special commercial designation? Then you would have to look at the other BI zones and whether they should be restricted because as it stood, the other BI zones could be developed the same way Coppertop has. If it was the uses people were concerned about then they look to the zoning code. If the idea was to have some separate commercial zone besides BI, they looked to the Comp Plan. Mr. Schmid replied that was exactly what they were trying to do in the zoning code in 1992. He felt it just didn't make sense to have all these different codes. Ms. Cook replied that around 2003-2004 City Council expanded the light manufacturing code to include different personal services, etc. Mr. Schmid felt that people needed to know about the changes and how they came about because once light manufacturing was removed, it would not get put back in.

Sarah Blossom, Citizen – Felt it was a bad reason to get rid of TDRs for two reasons: 1. Her family was in the process of severing development rights to transfer. They were in a different situation in that it was easier for them because they happen to own property in both a sending and a receiving area, so they do not have to deal with a bank transaction. She understood from Planner Sutton that they would be the first ones to perform a TDR. 2. Ms. Blossom had always had an interest in TDRs and wrote a final paper during law school on advanced land use on TDRs. It may be in the end they do not work for Bainbridge, but it would be silly to do away them when no effort has ever really been put into why the TDR process was not working. She further stated there was no incentive to go out and look for TDRs when you can purchase FARs. She really thought they were a good tool and should be really studied as to whether it could work here and if there were some changes that could be made before they toss TDRs aside.

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City Consultant Joe Tovar began discussion by presenting the revised schedule for the Comprehensive Plan update. He spoke about holding back to back workshops (July 29 and 30) on the Environment and Economic Elements. Commissioner Quitslund asked about requesting suggestions, white papers, etc., ahead of time.

Mr. Tovar continued leading the discussion into the Guiding Principles (changed from Overriding Principles). There was concern expressed about changing the word “Overriding” to “Guiding.” Guiding Policies were brought to the table as they would apply to the Guiding Principles as presented for consideration.

After initial overview, Commissioner Pearl revisited Guiding Policy 2.1 specifically citing information on aquifers presented at the Community Conversation on Water Workshop held on June 18, 2015. He was concerned about the draw down effects of individual wells on the shallow aquifers and how to convey the need for protecting them in this particular policy.

Planner Sutton asked the Commissioners if they were willing to move ahead with the changes they recommended. They agreed.

Planner Sutton began the Land Use Element review giving an overview of the types of changes they would see and how they were notated in their packets. Commissioner Gale brought up some grammatical and wording changes. It was decided that would be addressed at the next Drafting Subcommittee meeting.

Discussion then turned to Neighborhood Service Centers (NSCs) and whether or not the City should be able to accept requests to change designations outside the special planning process within the Comprehensive Plan update process. It was agreed that the Drafting Subcommittee would bring back language requiring the City to begin the Special Planning Area Process as soon as the Comprehensive Plan Update was approved. Commissioner Pearl asked that the starting place be the abandoned Island Center Plan.

Transfer of Development Rights (TDRs) were discussed with moving the program from the Comprehensive Plan to the Bainbridge Island Municipal Code (BIMC). It was recommended that the Planning Commission provide generic referrals to the program in the Comprehensive Plan and develop the details later within the BIMC. Commissioner Quitslund suggested starting a bank for land buying purposes with the money accrued by TDRs. It was decided the Planning Commission would talk about business industrial and manufacturing areas during the Economic Element. It was also decided the Drafting Subcommittee would take a look at the food policy suggestions made by citizens and create language for the Commission to look at during their July 9, 2015 meeting.

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE

Paul Friedler, Citizen – Commented on the “Protect Water Resources” guiding principle. He felt the Council should consider amending the principle to make it clear the Island has no desire to pipe in water from the mainland and new development must therefore be constrained by the available finite water resources. He thought the Council should also consider amending the principle to make it clear that before any new development, the Council shall seek independent expert opinion to determine the short term and long term impact of the development on the Island’s finite water resources.

Charles Schmid, Citizen – Made two observations: 1. TDRs have not worked because the dollars just do not work out. Some people went through the actions to do it so his big worry was that they would suddenly put all these rules in the zoning ordinance without any principles, i.e., one acre of land trade out that would not be equal in value. 2. Rolling Bay residents have gathered and had chats about this issue. The property owners had actually formed a group and hired somebody to look into this. He felt that Guiding Policy 7.6 was weak and did not make a whole lot of sense. He wanted to know where “Grow a green, well planned community” was in the whole Guiding Principles and Policies. He felt the supporting policies were supposed to fall underneath the structure. He felt without the policy being clear it would be easy for people to take advantage of it. He stated that linking all the dollars, well planned communities and maintaining a safe city just did not fit in with the other issues.

Ron Peltier, Citizen – Felt that Guiding Principle 7 did not fit and was a Trojan horse to hide the priority based budgeting process. He wondered where a lot of these changes were coming from. He wondered if the changes came from the drafting committee. Commissioner Quitslund stated it dated back before the Listening Sessions. It was proposed that the template of the budgeting program be used in conjunction with the Guiding Principles. Mr. Peltier replied he only heard that from Council Member Val Tollefson, but did not hear it in any of the workshops supported by any citizens. Maybe one or two people said something. He wondered where the direction for a lot of what was going on here with the revisions was coming from. A couple of times when opinions of citizens have come up, they have been dismissed. The Commission didn’t like it because they had an arbitrary opinion. He thought the whole process was supposed to have meaningful citizen participation. When the Commission made decisions it would be nice if they would refer back to the compiled comments Mr. Tovar put together as to how they are tying it together. Commission Pearl responded by saying they had lots of public participation and the Commissioners had all listened pretty carefully but that he agreed with Mr. Peltier on this principle. Mr. Peltier stated the principle was just a way to get priority based budgeting into the Overriding/Guiding Principles. He could not believe that someone would not stop at anything to get their favorite priority based budgeting into their Overriding/Guiding Principles and that was unbelievable.

Pegeen Mulhern, Citizen – Felt she also had some issues with Guiding Principle 7 and she tried to put that into her written comments. It sounded as though what they were getting at was not really a principle guiding the plan but you’re saying the City’s organizational and operating budget decisions should be reflecting and supporting the Plan. Maybe some wordsmithing would help it, but it definitely needs something if it had to be in there. Regarding the Island Center special planning, she appreciated them going back and looking at it and she did not know what had happened regarding it either. She felt they may have been correct that it was too cumbersome. They (residents of Island Center) were involved and thought something was going to happen and then nothing did. She stated maybe the citizens didn’t really know if anything was going to happen so she encouraged them to go back and keep that in there, dust it off and make it happen a little faster. Right now it was already built out and they could make it nice and useful for the community. She felt they might be on the right track there as the navigated Bainbridge.

Scott Anderson, Citizen – Clarified the 10 acre parcel behind the current Island Center NSC. It had not been their intent to buy 10 acres, but it had been for sale for quite some time and they came up with several different ideas about how to develop it down the road. He stated that when you looked at the vitality of Island Center, there has been something lacking and if it could get going with a toe-hold that might change. He noticed the comment about the types of business there and he felt there could be appealing and inviting to the community by developing Bay Hay and Feed type storefronts along New Brooklyn. If the special planning process was quicker and progress could be seen, it would spur activity and creation of more of a neighborhood.

Sarah Blossom, Citizen – Responded to the comments about priority based budget stating she heard the public comments against it and did not understand the pushback. The term “priority budgeting” means they

were basing their budget on their priorities. The Comprehensive Plan is the City's priorities, so why would you not want a link there? Do we not want to have in our Comprehensive Plan policies about having those elements of our priority budgeting, i.e., the safe city, well connected communities, infrastructure. She did not understand how the connection was not apparent. One is a plan that has our policies, our guiding principles, the things that are important to us some of which need to be funded. Priority based budgeting tells us we need to budget based on what our priorities are.

NEW/OLD BUSINESS

None.

ADJOURN

Meeting was adjourned at 8:50 PM.

Accepted by:


J. Mack Pearl, Chair


Jane Rasely, Administrative Specialist

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