



**CITY OF BAINBRIDGE ISLAND
REGULAR PLANNING COMMISSION MEETING
THURSDAY, JULY 23, 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

ORDINANCE 2015-23, WIRELESS COMMUNICATIONS REGULATIONS - Study Session

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE

2016 COMPREHENSIVE PLAN UPDATE: *Land Use Element*

1. Confirm Drafting committee Proposed Revisions re: Island-wide Conservation Strategy, High School Road District and Food Security Policies
2. Comprehensive Plan Amendment Applications Under Consideration
 - Submitted by S. Thomas, to change the designation from OSR-2 to NSC for a property located at 4552 Point White Drive, immediately west of the Lynwood Center NSC area
 - Submitted by A. Cainion, to change the designation from OSR-0.4 to NSC for a property on Fletcher Bay Road, immediately south of the Island Center NSC area
 - Submitted by BI Metro Park and Recreation District, to create a new "Park" Zone for parks

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE

ORDINANCE 2015-04, TREE AND LANDSCAPING REGULATIONS - Study Session

NEW/OLD BUSINESS

ADJOURN

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

Vice Chair William Chester called the meeting to order at 6:03 PM. Commissioners in attendance were Michael Lewars, Maradel Gale, John Thomas and Julie Kriegh. Chair J. Mack Pearl arrived at 6:27 PM. Jon Quitslund was absent and excused. City Staff in attendance were City Attorney Lisa Marshall, Special Project Planner Jennifer Sutton and Administrative Specialist Jane Rasely who monitored recording and prepared minutes. City Consultant Joe Tovar was also present.

The agenda was reviewed and there were not any conflict disclosures.

PUBLIC COMMENT - Accept public comment on off agenda items

None.

ORDINANCE 2015-23, WIRELESS COMMUNICATIONS REGULATIONS - Study Session

City Attorney Lisa Marshall gave an overview of the proposed ordinance implementing new changes. (Power Point presentation attached to minutes.) She mentioned that poor wireless coverage has been the most common complaint to City Manager Doug Schulze since his arrival here. Commissioner Gale asked if all towers could ostensibly qualify as public safety towers without a height requirement. Ms. Marshall

replied that was not the case. Commissioner Lewars asked if there were currently any applications for wireless towers going through review. Ms. Marshall stated to her knowledge, there had not been any applications for wireless towers since she had been with the City. Commissioner Kriegh asked if the 10% or 20 foot maximum applied to the original base or could it include any previous additions to the base. Ms. Marshall said she could not give a hard and fast rule at this time, but would be looking into that further to advise the Planning Department in that regard.

Commissioner Lewars asked about the timeframe to get the ordinance to Council. Ms. Marshall stated she hoped to have it to City Council in September. Commissioner Gale asked on what kind of property wireless antennas could be placed. Ms. Marshall stated any private property owner was allowed to lease their property in this manner including the City. Commissioner Gale asked if there was a provision for consulting with the neighbors before placing an antenna on their property. Commissioner Pearl asked if they were able to require camouflaging of towers. Ms. Marshall agreed that if a new tower were erected, the City could require camouflage, but to locate on a current tower or pole, the City would not have a say in what the tower looked like. She went on to state that this ordinance encouraged cell phone companies to co-locate on other towers, lights, utility poles, etc. Commissioner Chester confirmed that macro tower installation would still require site plan review, etc.

Lewars/Gale Motion: I move that we schedule the public hearing on this topic for our next meeting on August 13, 2015.

Passed: Unanimously, 6-0

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE

Pegeen Mulhern, Citizen – Had a couple of comments about the Land Use Element revisions that Mr. Tovar had included for you. The first I noted was that he had included the architects' suggestions. I only saw a couple of them incorporated into the Land Use Element, one of them being number 8, the suggestion of a green building code provision. She thought that sounded like a very sensible thing to do in this day and age but she was a little confused when looking at the Land Use Element 2.8 where it suggested that if a portion of a property was devoted to conservation or open space there could be increased density. There was a second sentence requiring that there be green building practices used but if there were already a green building requirement, this would seem to be either superfluous or potentially at odds with the code. She was wondering whether both were needed or if they could make sure there was actually a green building requirement to make that provision unnecessary. Also, in Land Use Element 2.8, it states, "If a portion of the property is dedicated to conservation or open space," she thought they might do the City some good if some quantum of the portion (of property) because if it were really minimal, it would not do the good they were trying to accomplish with that kind of policy. In the Land Use Element Introduction there was a description of the Neighborhood Service Centers (NSC) and the Business Industrial Centers (BIC) on page 2 where base density was referred to in the NSC and she wondered if it was defined somewhere and there needed to be a reason for calling out the base density. Perhaps it related to the Special Planning but there should be some explanation in there. She had been talking to some of the people who were on the committee for the Island Center Special Area Planning Process (SAPP) and they seemed to think there wasn't really any opposition to it and that all that work over two years could be referenced in this new plan to the fact that it was done instead of just saying it needs to be under a Special Planning Area, make some reference that the background work has been done, public meetings were held, people were consulted and maybe in that way the process could be accelerated at least for the Island Center NSC. She commented there was one parcel designated as BIC and she did not know whether they were meaning to keep it there. She knew the person was at the last Planning Commission meeting discussing the possibility of changing that designation. She did not know if it made sense to keep it in there and the definition of BIC if it was going to be changed.

Ron Peltier, Citizen – Wanted to comment on the Island Center Special Area Planning Process and whether the Planning Commission had actually seen the public record of what occurred when that SAPP was

happening and when it was postponed or suspended. He knew that Ms. Cook had commented during one of the Planning Commission meetings that the reason it had stopped was because there wasn't neighborhood support for the expansion of the NSC. We have had a couple of different accounts there so it might be nice to see the record so the Planning Commission could base their decision on what happened and not hearsay and so they know exactly what happened. He wanted to comment on the SAPP itself. He looked at it in the code and one of the things that was troubling to him was that one person living in the neighborhood can request a SAPP. The purpose of the SAPP was to expand the boundary of the NSC. That was confirmed by Ms. Cook at the last meeting. What he was hearing from the Commissioners was that some of them wanted the process once it was started it was carried through which sounded to him like if one property owner decided to initiate a SAPP it would result in expanding the NSC. Commissioners Lewars and Chester both stated that was not a forgone conclusion. Mr. Peltier re-stated that was not what he was hearing. Commissioner Lewars replied that it may or may not result in expansion. Mr. Peltier thought it would be nice to clarify that because it was his understanding that was one of the primary purposes of the SAPP (to expand the NSC). He stated there was not general support in Rolling Bay for a SAPP and during the Comp Plan workshops, people from the neighborhood made it clear they wanted to have plenty of input into anything that happens in Rolling Bay. He felt it seemed a little counter to that to allow one property owner to request a SAPP and that it would move forward and somehow it would be written into the Comprehensive Plan and Code that once started, it had to go all the way through. Perhaps it needed to be clarified as to what the actual purpose of the SAPP was.

Mike Killion, Citizen – Wanted to share a recent experience he had recently that spoke to the Introduction of the Comprehensive Plan, the Vision and Guiding Principles. He knew they had spent a lot of time on those but he happened to catch a radio broadcast from KUOW and there were some folks from Seattle talking about growth and change in Seattle. Someone said, "How do we preserve what people love about Seattle as we are making these changes and going through this growth. How do we preserve that over that?" The answer that came in that discussion was values? He thought that was very interesting and went to the Vision Statement where there are values and high-ranking values identified in the Goals and he read through those. The values are defined but not really identified as core values. What made sense to him about that was what people valued here 20 years ago, they probably value today but what you'd like the Comprehensive Plan to do is not get in the way of changing those values 20 years from now so people say the same thing. He went to his first 4th of July parade in 1984 and this past July 4th was no different than the one in 1984 which was good. That helps keep the small town environment, but nevertheless, he felt it was important to identify what those core values are because that's what you can hang on from year to year, decade to decade. They had some friends over who were 50 year residents of Bainbridge Island and they were talking about what was it people like - what do we like - about Bainbridge Island and the interesting comment was, one thing we all liked was that people are friendly. He did not know how to convert that to a value but there WAS a value there and he did not know what causes people to change from being friendly, but as Commissioners, if you can do something in this Comprehensive Plan to make sure that we don't change those kinds of things.

Charles Schmid, Citizen – He did not know why TDRs, which had not worked for 25 years were still in there and economically they're still going to have problems. Felt there was something wrong on page 24 with up there under the Gateway Overlay District where it said, "The area along 305 Winslow Way passed the Vineyard Lane to the north." He thought they needed to fix the wording. Ms. Sutton stated the property to the north of Vineyard Lane was still part of that district. Mr. Schmid thought the wording could say "to the parcel" and not just "keep going north." On page 26, Figure 2, showed where auto oriented uses and drive thru businesses were allowed. He did not see that on any of the other drafts. He recalled it used to be smaller on the east side but not go over to the west side. He asked if the Commissioners had approved that. Ms. Sutton stated the Drafting Committee worked on policies relating to the High School Road Districts at their last meeting. They considered some of the suggestions from the architects and given that discussion, the Drafting Committee put in this section of the draft in Goal LU 20 on pages 25-27. She continued that

was a new concept although auto oriented uses were permitted in both the High School I and II Districts throughout. The graphic they were looking at limited them to a specific part of that zone. Commissioner Pearl stated it was a narrowing of the use now. Mr. Schmid asked if it included formula food restaurants. Commissioner Gale stated it did if the restaurant had a drive thru. Commissioner Gale confirmed that it did not change City Code about formula food restaurants. On page 35, Mr. Schmid commented that the Business Industrial should say the reason for that was to provide additional employment opportunities. That was such a loose thing. He ended by acknowledging the hard work put into this process by everyone from the citizens to the Commissioners to City Consultant Joe Tovar.

William Palmer, Private Planning Consultant – Had two questions the first of which related to a comment he made the last time he was before the Planning Commission. The question he asked at that point in time was whether there was any intent on the part of the City in this Comprehensive Plan update process to incorporate county-wide planning policies. Particularly the amendments that were adopted by the Kitsap Regional Coordinating Council (KRCC) in late 2010. He didn't get a response to that question the last time he was here. The second question was whether or not he was confused as to whether testimony was closed on Cainion's site specific application. Commissioner Pearl stated they would discuss it again tonight. As to the first question, Commissioner Pearl stated that the people on Bainbridge Island do not wholesale about anything anyone else does. They write their own policies. Ms. Sutton weighed in stating, "City Council adopts county-wide planning policies and then amendments to them periodically whenever they're proposed usually through the Kitsap Regional Coordinating Council." She knew the Council adopted county-wide planning policies last year and she believed that in the last couple of months, they adopted another set of amendments to those county-wide planning policies. Mr. Palmer stated it was his understanding of the Growth Management Act that county-wide planning policies are adopted by all the participating agencies with the exception of the Tribes. The policies that KRCC adopted and subsequent jurisdictions adopted were supposed to be the framework guide for how the Comprehensive Plan was prepared. The degree to which policies in the plan either reflect the county-wide policies or incorporate them directly into their plan, that's what was of interest to him. In 2011, he and another individual tried to appeal those county-wide planning policies but were told they couldn't because they were not a City or County or a participating agency. The only access they had to address those policies was when they were incorporated or when those policies had influenced the policies in their Comprehensive Plan. He had some serious concerns about the county-wide planning policies and if they were going to be incorporated in their plan, either way he would probably go through it and probably object if the wording was anything like the wording in the county-wide planning policies. What he said last time was a compliment to the City's process. This time around when policies were drafted, they have the appearance of policies and not mandates. That's essentially the problem he had with county-wide planning policies.

Sarah Blossom, Citizen – Spoke as the daughter of someone with Diabetic Neuropathy who was not very steady on his feet. She was a little offended. She understood that they wanted this pedestrian oriented, everyone out of their cars utopia, but there's also reality and there are some people who are not very mobile and they need those drive-thrus. She wanted the Planning Commission to consider the effects of these kinds of decisions. Parents and grandparents who care for small children and have sleeping babies in their cars. Maybe none of the Commissioners had noticed how busy Coyote Coffee was because people are driving across the bridge to get their coffee so they do not have to wake the sleeping child out of the car seat. So they go get their cheap gas and coffee off the Island. She wanted them to consider these impacts on other people.

Charles Schmid, Citizen - Stated he did not mean there shouldn't be any drive thru places and certainly we have all the banks and he realized it was important for older people too. He did not want Ms. Blossom to think he was saying they shouldn't have any of these things and apologized if she did.

2016 COMPREHENSIVE PLAN UPDATE: *Land Use Element*

Special Project Planner Jennifer Sutton gave an overview of the policy direction the drafting committee took after the July 9, 2015 meeting. She asked for the Planning Commission to give feedback on the items that were struck through or added. She also spoke about the proposed food policies and their feedback on putting those in different parts of the Comp Plan that would be more appropriate.

City Consultant Joe Tovar gave an overview of building the plan using feed forward loops. (See attached Power Point.) He also reviewed all the changes to the Land Use Goals and Policies. Mixed use Neighborhood Service Centers (NSC) were discussed in detail as well as to whether a density bonus in exchange for dedicated open space should be allowed. Commissioners also discussed whether it was appropriate to approve Comprehensive Plan Amendments that ask for incremental increases to a NSC without going through a SAPP. Also discussed was that when applications are received for an amendment, the applicants deserve an answer and should not be left without one for years.

The Planning Commission directed staff to send out notices to the neighborhoods affected by the Comprehensive Plan Amendment applications and plan the public meeting for August.

Ron Peltier, Citizen – Stated we keep talking about finishing the Special Area Planning Process that started for the Cainion property. Are there records for what was done so far? Ms. Sutton stated the Draft Island Center Plan was on the Navigate Bainbridge Resource Website. She went on to say the Council never took action on it. Mr. Peltier wanted to know if there were records showing minutes from public meetings and that sort of thing so that they could actually see what people had to say. He wanted to know if any of the Commissioners had seen the public records for the Island Center NSC that petered out. Commissioner Lewars mentioned that he understood in 2010, the Planning Commission recommended approval of the Cainion Comprehensive Plan Amendment and City Council said no.

ORDINANCE 2015-04, TREE AND LANDSCAPING REGULATIONS - Study Session

Chair Pearl began by introducing the changes to the ordinance since the 5/28/15 Planning Commission meeting. There were two. The first was whether they were going to allow trees in buffers to count toward the tree unit development in a Mixed Use Town Center. The Tree Ad Hoc Committee Consensus was that they should NOT count the trees in the buffer. The second was the penalty for losing a tree that was not supposed to be cut. The Committee determined that the penalty would be automatic as three times the pre-determined value and not at the Director's discretion.

Motion Gale/Lewars: I move that we send this forward to public hearing.
Passed: Unanimously, 6-0

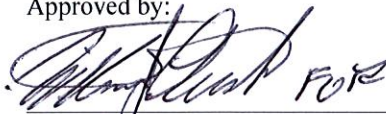
NEW/OLD BUSINESS

Commissioner Kriegh passed out copies of the document she referenced from the Environmental Element Workshop the previous night.

ADJOURN

Meeting was adjourned at 9:05 PM.

Approved by:


J. Mack Pearl, Chair


Jane Rasely, Administrative Specialist

PLEASE PRINT

[illegible]