CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting
September 19, 2024

Meeting Minutes

1) CALL TO ORDER/LAND ACKNOWLEDGMENT/AGENDA REVIEW/CONFLICT DISCLOSURE

Chair Birtley called the meeting to order at 6:02 PM and read the Land Acknowledgement. Planning Commissioners present in chambers were Ariel Birtley, Sarah Blossom, Peter Schaab, Alex Preudhomme, and Criss Garcia. Excused were Commissioners Ben Deines and Sean Sullivan. COBI staff present were Director Patty Charnas and Senior Planner Jennifer Sutton. Counsel-Liaison Ashley Mathews was present via the Zoom platform.

2) PLANNING COMMISSION MEETING MINUTES

2.a Minutes
Cover Page
PC Minutes 09122024 - Draft.pdf
MOTION: I move to approve the September 12, 2024, minutes, as presented.
Schaab/Garcia: The motion passed unanimously.

3) PUBLIC COMMENT

3.a Public Comment
Cover Page
Instructions for Providing Public Comment at Hybrid Meetings 20240709.pdf
1. Ms. Lisa Neal - offered observations on the Comp Plan/DEIS.
2. Mr. John Van Dyke - has questions regarding the Comp Plan as it relates to the Lynwood Neighborhood center.
3. Ms. Heidi Huber - advocating for Lynwood Center alternative #1 on the DEIS
4. Mr. Doug Hatfield - would like COBI to focus on doing more with less, in regard to the Comp Plan
5. Ms. Carol Ware - concerned that the proposed alternatives of the DEIS doesn't take into consideration impacts to wildlife, traffic, water & sewage systems.

4) UNFINISHED BUSINESS

4.a Presentation on Missing Middle Housing and the Winslow Subarea Plan update

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Commissioner Alex Preudhomme presented housing options "Missing Middle Housing." Presentation / Information Only.

4.b Discuss comprehensive plan update, specific plan elements and Winslow Subarea Plan alternatives.

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Chair Ariel Birtley provided visuals on elements in the alternatives for the Winslow Subarea with additional details provided by Senior Planner Jennifer Sutton. Director Charnas to provide (attached) the Planning Commissioners with a memorandum addressing neighborhood centers and boundary adjustments. Presentation/Information Only.

5) PLANNING DIRECTOR'S REPORT

Director Charnas provided a summary on the recent Comprehensive Plan / DEIS open house events.

6) FOR THE GOOD OF THE ORDER

Commissioner Preudhomme and Chair Birtley thanked staff for all their hard work on the Comprehensive Plan and DEIS.

7) ADJOURNMENT

Chair adjourned at 8:12 PM.

_____/s/_____
Ariel Birtley, Chair

_____/s/_____
Renee Argetsinger, Clerk to the Planning Commission

CITY OF
BAINBRIDGE ISLAND

MEMORANDUM

TO: Mayor Deets and Bainbridge Island City Council

COPY TO: Blair King, City Manager
Patricia Charnas, Director of Planning and Community Development
HB Harper, Planning Manager

FROM: James E. Haney, City Attorney

RE: Relationship between Comprehensive Plan and Subarea Plans

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I have been asked to provide an opinion regarding the relationship between the current periodic comprehensive plan update and the subarea planning process. Specifically, I understand that some citizens have questioned whether the City can proceed with the periodic update without initiating an update to the Lynwood Center Subarea Plan and without initiating the subarea planning process for Island Center, Rolling Bay, Sportsman Triangle, and Day Road. For the reasons set forth below, the City may adopt its periodic comprehensive plan update without engaging in subarea planning for Island Center, Rolling Bay, Sportsman Triangle, and Day Road. The City may also adopt its periodic update without initiating the subarea planning process for Lynwood Center, as long as the Lynwood Center Subarea plan is either repealed or "un-adopted" by the periodic comprehensive plan update or later amended to be consistent with the periodic comprehensive plan update.

At the outset, I would note that there is nothing in the language of the City's current comprehensive plan or in BIMC 2.16 that specifically says subarea planning is required before the comprehensive plan can be amended. This is not surprising, since the comprehensive plan is intended to be the higher-level broader planning document. Under the GMA, a comprehensive plan is required to consist of a future land use map, the planning elements described in the GMA, and descriptive text covering objectives, policies, principles, and standards for the adopting city's development regulations. RCW 36.70A.070. Subarea plans are optional under the GMA and, if adopted, are required to be "consistent with the comprehensive plan" and to "clarify, supplement, or implement jurisdiction-wide comprehensive plan policies" in distinct areas of the adopting city. RCW 36.70A.080(2); RCW 36.70A.130(2)(a)(i). Requiring a subarea planning process to occur prior to the periodic comprehensive plan update would thus turn the planning process on its head by requiring the adoption of subarea plans that clarify, supplement, or implement the comprehensive

plan before the comprehensive plan sets the jurisdiction-wide policies that the subarea plans are to based on.

This is not to say that the subarea planning process is irrelevant to the periodic comprehensive plan update, as least not for the areas covered by the Winslow Master Plan and the Lynwood Center Subarea Plan. Because there are no adopted subarea plans for Island Center, Rolling Bay, Sportsman Triangle, and Day Road, the periodic comprehensive plan update does not conflict with any adopted document and is free to set the overall land use map, goals, and policies that apply to those areas without reference to the subarea planning process. And because the Winslow Master Plan update has been consolidated with the periodic comprehensive plan update, there is no conflict with the subarea planning process in BIMC 2.16 and the adopted subarea plan in the current comprehensive plan.

The 1997 Lynwood Center Subarea Plan is the only adopted subarea plan that has not been specifically included in the periodic update process to date. My understanding is that until a preferred growth alternative is chosen by the City Council, the staff has been unsure as to whether or how the Lynwood Center Subarea Plan would have to be amended. If the Council, for example, decides to adopt a preferred alternative that is consistent with the current Lynwood Subarea Plan (i.e., a modified version of the current action alternatives), then there would be no amendments required. However, if the preferred growth alternative and the resulting comprehensive plan changes render the Lynwood Center Subarea Plan inconsistent with the periodic comprehensive plan update, the inconsistency will have to be resolved, either by repealing or "un-adopting" the Lynwood Center Subarea Plan in favor of the periodic update or by amending the Lynwood Center Subarea Plan to make the subarea plan consistent with the jurisdiction-wide land use map, goals, and policies in the periodic update. Once the preferred growth alternative is selected, further discussion of the necessary steps for resolving any conflict with the Lynwood Center Subarea Plan can be had.

It should also be remembered where the City is in the process. There is no draft comprehensive plan update at the present time and the City is in the middle of an environmental evaluation of potential growth alternatives. No preferred alternative has been selected yet, and the jurisdiction-wide land use map, goals, and policies have therefore not yet been drafted for review. And even if a preferred alternative is selected for environmental analysis, that alternative could change somewhat as the periodic update goes through the steering committee, planning commission, and city council adoption process. The environmental process is intended to assess the range of alternatives available to the City and to inform the City of the potential environmental consequences of its actions, not to dictate the ultimate planning decisions that will be made.

For the reasons set forth above, there is no requirement to initiate the subarea planning process for Island Center, Rolling Bay, Sportsman Triangle, or Day Road prior to adoption of the periodic comprehensive plan update. The amendment of the Winslow Master Plan has been consolidated with the periodic update so the subarea planning process is not an issue. Finally, although the Lynwood Center Subarea Plan will need to be addressed somehow through the periodic update or through a subsequent amendment of the Lynwood Center Subarea Plan, the necessary process will become more apparent once the preferred growth alternative is selected.