CITY OF BAINBRIDGE ISLAND
REGULAR PLANNING COMMISSION MEETING
THURSDAY, SEPTEMBER 24, 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
WATERFRONT PARK ROWING CENTER SITE PLAN AND DESIGN REVIEW, PLN50155 SPR - Public Meeting
ORDINANCE 2015-16, ACCESSORY DWELLING UNIT REGULATIONS - Study Session
PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE
2016 COMPREHENSIVE PLAN UPDATE

Land Use Element: Review and confirm new policy LU 1.5
Glossary: Review and confirm modifications and additions in *Glossary*
Environmental Element: Review changes to DRAFT *Element*
Economic Element: Review public comment from July 29 Workshop

1. Review clarifying changes to DRAFT *Element*
2. Review public comment from July 22 Workshop, and resultant suggested policy amendments

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE
NEW/OLD BUSINESS
ADJOURN

CALL TO ORDER - Call to Order, Agenda Review, Conflict Disclosure
Chair J. Mack Pearl called the meeting to order at 6:01 PM. Planning Commissioners in attendance included Maradel Gale, Jon Quitslund, William Chester and Michael Killion. Michael Lewars and John Thomas were absent. City Staff in attendance were Planning Director Kathy Cook, City Attorney Lisa Marshall, Special Project Planner Jennifer Sutton and Senior Planner Heather Beckman. City Consultant Joe Tovar was also present. Administrative Specialist Jane Rasely monitored recording and prepared minutes.

Chair Pearl welcomed new member Michael Killion.

PUBLIC COMMENT - Accept public comment on off agenda items
None.

WATERFRONT PARK ROWING CENTER SITE PLAN AND DESIGN REVIEW (PLN50155 SPR) - Public Meeting

Senior Planner Heather Beckmann gave an overview of the proposal showing design schematics as well as introducing Development Engineer Mark Epstein from the Public Works Department who was available for questions and was also the project coordinator for the City's Waterfront Park improvement project. She mentioned that while the Rowing Center and Park improvements were to happen simultaneously, due to the nature of fundraising for the Rowing Club that may not happen. Commissioner Killion asked whether it was known how much of the sewer/water capacity the Rowing Club would be using. Ms. Beckmann stated the City's Operations and Maintenance Division worked closely with them regarding sewer and water capacity. She also said she could get that figure for the Commissioners. Commissioner Killion then asked about whether the developer had considered climate change in their project.

Bruce Anderson gave a brief description of the project highlighting answers to questions raised by the Commissioners. He mentioned they were trying to stay ahead of the code in regards to energy efficiency and use. He also mentioned they were coordinating with the City's project providing roof runoff being diverted to the City's rain garden as an example. Mr. Anderson also addressed parking needs and the conservative method used to calculate necessary parking if both the community space and the Senior Center were being used at capacity at the same time. He also spoke about the continued coordination necessary between the two projects. Discussion continued with use of the community space and water runoff from washing the rowing shells.

Jennifer Ames-Karren, Bainbridge Rowing - Offered information about fundraising in response to Commissioner Quitslund's question about the difficulty involved with that. She stated they were looking forward to having their permit to be able to continue attracting donors. That was really important to them going forward and their momentum would speed with that. Ms. Ames-Karren also said they had some early commitments from very dedicated people to Bainbridge Island Rowing which helped them be confident about what they could do in the future. There was not a specific date Bainbridge Rowing felt the project would start, but they did want to work in conjunction with the City's project to help alleviate any expense issues for both of them. It was mentioned they were 9 months into the 5 year lease they currently held allowing them to fundraise and begin the project within that timeframe. Commissioner Killion asked what the vision was for the Rowing Club and where they hoped to be in 5 to 10 years. Ms. Ames-Karren responded saying they had been a big part of the community and hoped to remain that way and provide a really attractive environment for rowers of all ages. They hoped to maintain what they had though they recognize there are capacity issues with the shape of Eagle Harbor and they hoped to expand their Master's program and attract people from the Kitsap area as well. They wanted to extend out to the neighboring communities.

Bruce Bal, Bainbridge Rowing - Mentioned they had removed the word "Club" from their organization to keep from seeming exclusive. They wanted to be inclusive to everyone in Kitsap County.

> **Motion: I move to recommend approval of the site plan and design subject to the conditions provided in Heather Beckmann's staff report.**
> **Quitslund/Chester – Passed unanimously 5-0**

ORDINANCE 2015-16, ACCESSORY DWELLING UNIT REGULATIONS - Study Session
Planner Jennifer Sutton gave a brief summary of the ordinance highlighting the increased square footage of an Accessory Dwelling Unit (ADU). She also mentioned the Planning Commission had been tasked with this review by City Council. Chair Pearl stated he felt this subject was a lot bigger than it initially seemed. He continued the discussion by mentioning regulations from other local jurisdictions where their regulations were thought through with more in mind than just size. He suggested the Commission recommend the units had to be within a certain distance of each other and that water capacity should be taken into consideration. Planner Sutton confirmed that ADUs were not considered in the water capacity study. Commissioner Chester felt it was important not to lose sight of ADUs as an affordable housing option. He also spoke about the increased density stating he was not as concerned about the increase due to ADUs as he would be if it was okay to build two full sized houses on a lot. Conversation continued with the Health Department's requirement of a two bedroom drain field which would limit where ADUs could be built. Chair Pearl asked whether sewer capacity took into account the possibility of ADUs. Planner Sutton stated they did not.

Charles Schmid, Citizen – In 1990 our charter was to put the Kitsap Zoning Ordinance together with the Winslow one. In 1992, it was actually approved and the Kitsap one had Accessory Living Quarters. He stated one of the goals was originally to provide affordable housing. Mr. Schmid pointed out that in the "Whereas" they had would support City housing goals. He was worried that as the ADUs got larger they would get more expensive and the goal to have affordable housing units starts to go away. Mr. Schmid was worried that a subdivision could go in with 20 houses and 20 ADUs and that would double the density. Was that part of the goal? He mentioned another reason to have an ADU was to have someone living on site while the owner may be gone traveling. Mr. Schmid was also concerned about the ADUs being sold off or "condominiumized." He felt the Planning Commission needed to look at that and see if they are fulfilling the goals intended? He thought about 10 years ago it was required that the homeowner be in residence in order to maintain an ADU. Director Cook corroborated that but stated it was also removed later because there was not any way to monitor that regulation. Commissioner Quitslund asked Mr. Schmid whether he thought changing the size from 800 to 900 square feet would make a difference. Mr. Schmid replied that was like asking the difference between $10 and $11. He didn't know that it would make that much of a difference. He stated he did understand the stairway thing because stairways took a lot of space.

Discussion of maintaining the current size at 800 square feet ensued.

Scott Lawrence, Citizen – As far as the ownership of the property went, he felt that was really germane because one of the concerns was that there was not an end run around the idea of the ADU or you end up with a situation where you can legally have two parcels which could be owned by separate folks. (Chair Pearl interjected that was the way it currently was). Mr. Lawrence felt that defeated the purpose but stated on the other hand, he felt it was important to realize that if you had a larger home and rented their ADU to folks on the Island who may not be able to afford to buy but could rent and then the homeowner needs to retire or go somewhere else, the owners may not be able to occupy the residence, but they maintain ownership of the property. He wanted to know if the question around the ADU was really about it being a backdoor tool for development. If it remained as part of the single parcel, in other words, owned by one individual. Chair Pearl stated that it was not currently that way to which Mr. Lawrence replied that was a fairly new idea and he felt it was something the Planning Commission needed to look at. Chair Pearl told Mr. Lawrence

that was not something they could regulate. He felt they could at least look at the regulation of requiring the owner to live in the residence.

Teresa Muzzi, Citizen – Informed the Commissioners she had spoken to them back in June when ADUs were being discussed and that she had been pro 900 square feet. She stated she had plans by an architect for 800 square feet and it is fine, but really that 100 square feet is 10' x 10' just makes such a difference with what you can do. Her architect was really having a hard time squeezing in everything into the 500' living area. Ms. Muzzi stated she was one of the people who lived in her ADU and rented her main house and she was waiting for this decision to go through before she began remodeling her very tiny ADU. She hoped that by next year she would submitting her permit application. Ms. Muzzi admitted that 100 square feet did not sound like much and did not know how to convince the Commissioners of that and the people who were concerned that it was too large should know that it was pretty darn small. She reminded the Planning Commission that Bremerton had 1000 square feet and Kitsap County in general was 900 square feet. She admitted 1000 was pushing it but 900 with the stairwell exemption would really help.

Charles Schmid, Citizen – Was wondering what the data for the ADUs that were sold was and did it match the goal of affordable housing. It would be interesting to know if they had increased the price of the ADUs.

Bruce Weiland, Citizen – Felt it was important when considering issues of affordable housing not just in this context but in the entire Comprehensive Plan process, was to realize that affordable housing tended to have a paradigm in people's minds, that there has to be an inexpensive rental so the guy who bags groceries can live in the community. That was one element of affordable housing but responsible and sophisticated affordable housing looks at it as a question of housing diversity. In other words, you want to have housing products at multiple levels. Maybe the young family doesn't need below market rent, what they need is a house they could afford so they could bring their kids into the school system here and become members of the community but they're looking for a house that's under $300,000. When we use the word "affordable" we all jump up and say that's not affordable, but you need to move from affordability to housing diversity. Each one of these vehicles for ADUs, rentals, for selling ADUs separately, etc. Each of those things creates housing diversity with a variety of housing prices being affected by limitations put on those products. Mr. Weiland urged the Commission to bring in the broad thinking and recognize that housing diversity at all levels would be good for this community.

Sarah Blossom, Citizen – Provided full disclosure that she currently had an ADU permit in process and would not be voting on this issue when it arrived at City Council. Her situation was such that she could not have an ADU designed, so she purchased a kit that was 24' x 36' or 864 square feet. She needed to figure out how to chop off 64 square feet to make it work. She knows someone else on the Island who also bought this kit only theirs was 36'x36' so what the City had them do was add a firewall so their upstairs was divided into a living space with a staircase on the outside of the building and an indoor staircase to storage. She was hoping this ADU would be something that would help her afford her property and she would be able to rent it to a family member who was a single mom and for whom she would like to provide a two bedroom home because the one bedroom apartment she was currently living in was tight. She was disappointed because she did not think 900 square feet was a big deal but it certainly made a two bedroom more comfortable. Chair Pearl asked Ms. Blossom if this was a property with drain fields. She responded, "Yes." He asked if that

was creating an issue for her, but she stated it did not because her well was on a separate parcel otherwise it would.

Ron Peltier, Citizen – He mentioned that one of the conversations they had been having earlier in the Land Use discussion was where to put growth by perhaps expanding Neighborhood Service Centers or creating new nodes. Mr. Peltier wanted the Commissioners to take into consideration that ADUs would absorb some of the population growth they had been talking about through their growth allocations the State and County had given them and Council had accepted. He wondered if ADUs had been factored in on the zoning map. He thought it seemed like they should before pushing new growth onto the NSCs. He knew Rolling Bay would be having a meeting on the 30th about expanding the service center there. When the City looks at accommodating the growth, he hoped they would account for the capacity that exists in ADUs.

Chair Pearl asked if the Commissioners were ready to call for a public hearing. Commissioner Gale felt they needed to decide about the square footage issue. She felt 800 feet was adequate whereas Commissioner Quitslund felt there should be a rationale behind keeping it at 800 square feet. Commissioner Chester felt affordability was the only rationale behind not increasing the square footage. He did not feel there was a big enough difference between 800 and 900 square feet to warrant limiting the regulation to 800.

Scott Lawrence, Citizen – Wondered if the solution might have to do with the size of a 2 car garage. He asked if anyone knew what the footprint of a 2 car garage was and therefore that would give you some square footage. Commissioner Chester stated it was about 625 square feet.

Director Cook confirmed that the Commission would like to go ahead and bring forward the Ordinance for a public hearing with a maximum of 900 square feet.

Bruce Weiland, Citizen – Stated that every condominium was made up of common areas owned by both owners together and then unit areas owned individually. The Condominium Statute as it was now written in the State of Washington allows the unit to be defined any way you want so you can do what they do in a high-rise in Seattle which is you define the unit by the interior paint of the apartment or you can do what they do on Madison Cottages right over here where they define the unit to be outside the walls of the structure so the structure itself is actually part of the unit. So, yes, the unit could include land, it's just a matter of where the declarant decides to drawn that line between common area and unit. Mr. Weiland went on to state you could take any piece of real estate and impose a condominium ownership on it and define the unit as any portion of that real estate under State law. Assessment would follow ownership and each owner would have a separate assessment. He thought the Commission should not get caught up in the details of thinking about specific scenarios because each case was so completely individual and no one would be able to have that sort of perspective. Mr. Weiland urged them to not ladle on more obligations. He personally thought 900 square feet made sense simply because that may make the difference between a comfortable second bedroom which would allow actual families to take advantage of it rather than single individuals or couples.

Chair Pearl confirmed they wanted to move to a public hearing which Planner Sutton stated would be at the October 22, 2015 Planning Commission meeting due to noticing requirements.

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE
None.

2016 COMPREHENSIVE PLAN UPDATE
Planner Sutton reviewed the changes requested by the Planning Commission at their last meeting. Highlighted was new policy LU 1.5 which related to existing sub-area plans and the previous silence from the Comprehensive Plan on amendment applications within those sub-areas. Discussion of motions drafted by Commissioner Quitslund ensued with a determination that they were not appropriate at this time.

Planner Sutton continued the review with those changes and drafted language for the Glossary. The Commissioners then went on to review the Environmental Element. There was discussion about regulation of drones and whether there should even be reference to drones in the Comprehensive Plan. Transfer of Development Rights (TDRs) was also reviewed and which areas are eligible or should be eligible to participate in that program. The idea of having farm stands or places to sell farm goods besides on the actual farm was proposed by Commissioner Quitslund.

Ron Peltier, Citizen – Stated he knew the intent was good but the Commissioners might want to consider if they proliferate places to sell produce it would make it hard to verify that produce was grown on the Island or locally grown. That could raise issues of competing with the Farmers' Market, so that would be something to keep in mind.

Commissioner Quitslund suggested Policy EN 22.8 asking the City to consider establishing a Citizen Advisory Group on Agriculture citing a request from Friends of the Farms for such a committee. He felt the time was right to bring the different groups working toward preservation of agricultural land and open space together. Community forests, "green" building and recycling were all canvassed.

Ron Peltier, Citizen – Stated that one thing really needed was a place on the Island where people could drop off toxic household waste, paint products and that sort of stuff. Once a year drop-off means a lot of stuff ends up going in the garbage because it's not convenient for people. When we talk about wanting people to recycle, we have a pretty good recycling center, but we need to make it easy to get rid of the toxic products. The Commission agreed it would be nice to have it more than once a year.

It was decided the Drafting Committee would work on appropriate language in their next meeting.

Commissioner Quitslund thanked Ron Peltier for his comments on the Economic Element. Internet capabilities, lodging and tourism and affordable housing were mentioned in public comment. Commissioner Quitslund was especially concerned about how to influence the real estate market to serve the needs of the community and not the wants/desires of the developers.

Ron Peltier, Citizen – Offered up something Jane Silverstein said about looking at the economy in terms of capital. We tend to look at the economy too much as money, goods and services. The way

Jane had encouraged him to look at it was in terms of financial capital, social capital and natural capital. To have an economy, there has to be all three. Bainbridge Island economy has all of these. One of the important principles to understand was the natural capital part of it was not as adaptable as the others. Mr. Peltier went on to state the Planning Commission had touched on these ideas before and it was mentioned in the Five Overriding Principles that you had to look at finance and society a little differently than you do aquifers which will not adapt. It reminded him of a quote from the current Pope, who stated, "God always forgives, people sometimes forgive, but nature never forgives." The idea was that without natural resources, we do not have much of an economy. The economy had depended a lot on the construction industry and we can't keep doing that forever. We would have re-development but we will not always have this empty slate to keep building on.

Mimi Stewart, Citizen – Said if we looked over at Seattle, she felt quite a bit of the demand over here (on the Island) had been a result of what was happening over in Seattle. She thought we could learn a lot from them about affordable housing but we could not learn so much from them about open space and natural resources. We still have those here, but we can learn from other areas like Portland and the State of Oregon. Ms. Stewart stated she herself was from the City of Roseville in Minnesota that required with each new development there had to be certain percentage of open space with connectivity between that open space and within the open space a certain amount of the natural environment left. The result was interconnected trails, humans and buildings coming in and being a part of the natural landscape. She stated we still had that opportunity over here. She thought the Island would be getting a lot of pressure from Seattle that was pretty much getting paved over and then we would have high-end buyers over here, so unless we become that sort of fabric where humans are part of a bigger natural landscape. So we have to do something now. Thank you.

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE
None.

NEW/OLD BUSINESS
Director Cook asked if the Planning Commission would be available for a third meeting on October 29. The Commissioners were available then.

ADJOURN
The meeting was adjourned at 8:59 PM.

Accepted by

J. Mack Pearl, Chair

Jane Rasely, Administrative Specialist

CITY OF BAINBRIDGE ISLAND
PLANNING COMMISSION - REGULAR MEETING
September 24, 2015

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Name	Address	Phone/ E-Mail	Join ListServ Yes/No	Would like to speak	Subject
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BRUCE ANDERSON	135 VALLEY WAY SW	842-4710		YES	ROW/WG
CHARLES SCHMID	ABC PO 10499				
Mimi Stewart	1112 LOVELL AVE NW	mimistewartbrokers@gmail	YES	NO	
Bruce Weiland					
Theresa Muzzi					

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