

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: May 10, 2018
To: Planning Commission
From: Christy Carr, AICP
Senior Planner
Subject: Subdivision Standards and Review Procedures – Moratorium Work Plan

I. Background

On January 9, 2018, the City Council passed Ordinance No. 2018-02, declaring a temporary six-month moratorium on the acceptance of certain development applications (“moratorium”). The moratorium prohibits all applications for new short subdivisions, new preliminary long subdivisions, and new large lot subdivisions and expresses the Council’s finding that review of compliance with design review standards and the role of the Design Review Board, Hearing Examiner, Planning Commission, and City Council in the land use development review and decision-making process requires immediate attention to avoid likely adverse impacts related to growth and development under existing regulations. The moratorium is intended to allow additional time for the staff and City Council to develop and review regulations and policies at issue to ensure that the vision and goals of the Comprehensive Plan, including its guiding principal to “Preserve the Island’s special character,” as well as other principals.

Staff has identified several sections of the Bainbridge Island Municipal Code (BIMC) that include regulations and policies at issue within the moratorium:

- BIMC 2.14 – Land Use Approval Bodies
- BIMC 2.16 – Land Use Review Procedures
- BIMC 17.12 – Subdivision Standards
- BIMC 18.12 – Dimensional Standards
- BIMC 18.15 – Development Standards

Staff developed a two-track work plan (included in the agenda packet) to identify and assess alternatives for revisions to the subdivision standards and related dimensional standards and land use review procedures. Preliminary work on each track will include Planning Commission members at one or more of the following:

- Regularly-scheduled Design Review Board meetings (May 7, 21 and June 4)
- Small work group meetings (May 9 and 17)
- Planning Commission meetings (May 24, June 7 and 14)

II. Planning Commission – May 10, 2018

The May 10, 2018 Planning Commission meeting will focus briefly on **subdivision review procedures**, highlighting the following policy topics:

- **Role of Planning Commission:** Consider options, including review with recommendation to Hearing Examiner; review with approval (final approval at City Council); review and final approval (authority delegated by Council)
- **Changes to review procedures:** Where can City staff and Planning Commission have most meaningful impact? Consider options, including existing pre-application conference or public participation meeting; new (required) consultation meeting, Planning Commission meeting
- **Changes to submittal requirements:** Is City staff and Planning Commission getting the right project information at the right point in the process? (Submittal requirements are included in the Administrative Manual.)

Due to limited time, the May 10th meeting is a briefing only. The Design Review Board (DRB) (including a sub-set of Planning Commission members) will provide a recommendation on these policy topics to the full Planning Commission at the end of May. In advance of that meeting, you may wish to familiarize yourself with the background information provided to the DRB:

- BIMC 2.14 and 2.16:
<http://www.codepublishing.com/WA/BainbridgeIsland/#!/BainbridgeIsland02/BainbridgeIsland02.html>
- Preliminary long subdivision review procedure flow chart – existing approval process with input opportunities noted (attached)
- Administrative Manual for Planning Permits: (attached)
- Public Participation meeting background/resolution (attached)



Subdivision Standards and Review Procedures

Draft Work Program
~~April 23, 2018~~ Revised May 3, 2018

Subdivision Standards

April 30 – May 8
Staff + professional advisors develop scope, principals and patterns



May 9 and 17
Small work group meetings



May 21: DRB meeting
May 22: Council briefing
May 24 or 31: PC meeting



Recommendation to Planning Commission

Subdivision Review Procedures

DRB meetings with subset of Planning Commissioners

- May 7
- May 14



Planning Commission meeting

- May 24 or 31



DRB meeting with subset of Planning Commissioners

- June 4



Recommendation to Planning Commission



Planning Commission meetings

June 7 (special meeting)
June 14 (public hearing and recommendation)

City Council meetings

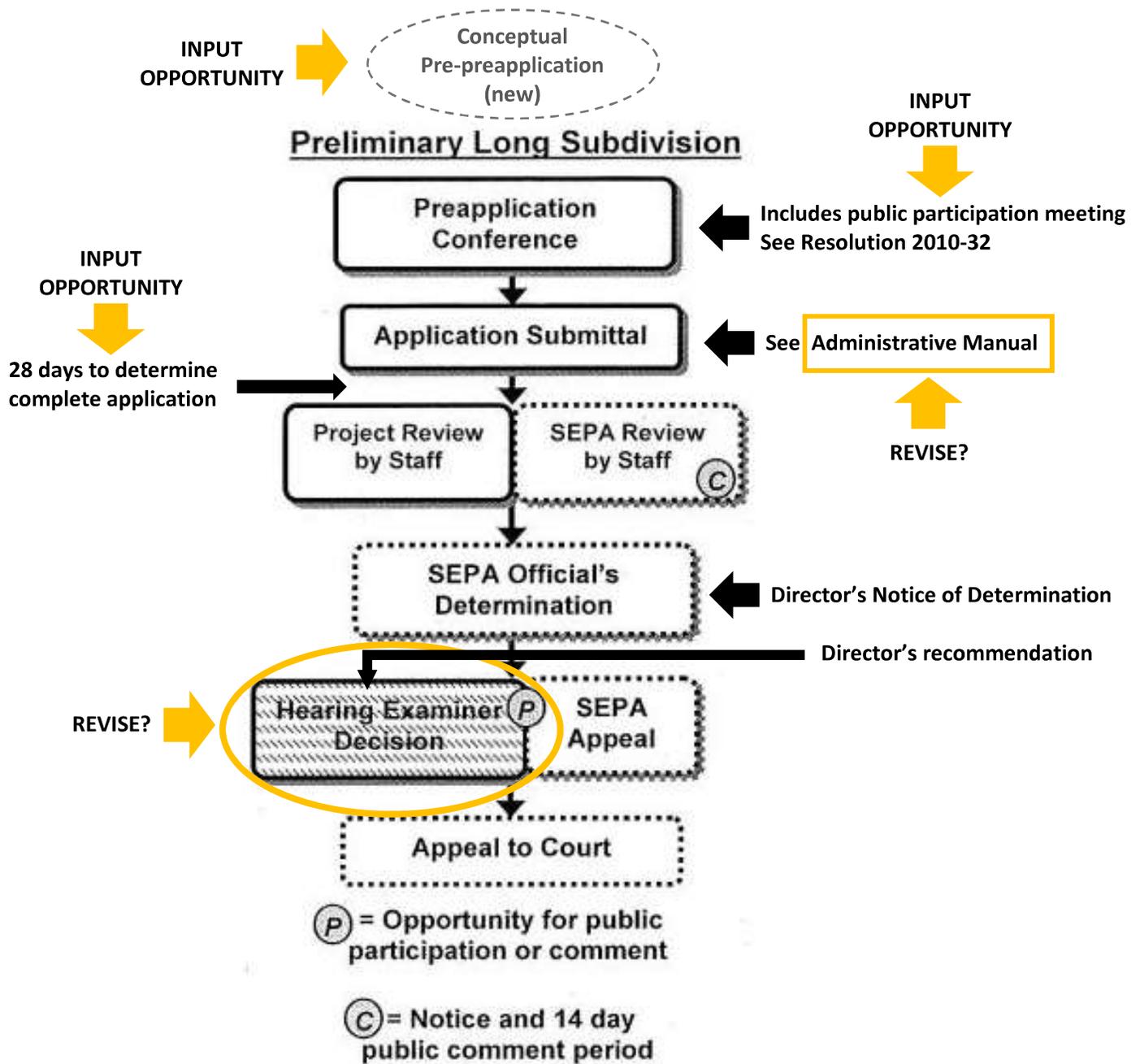
June 19 (schedule public hearing)
July 9 special meeting (adoption)

OUTCOMES

- Revisions to BIMC 17.12 and 18.12
- Scope of work and consultant contract for future work, as needed

OUTCOMES

- Revisions to BIMC 2.14 and 2.16
- Revisions to administrative manual



PRELIMINARY LONG SUBDIVISION APPROVAL PROCESS: EXISTING AND OPPORTUNITIES FOR INPUT

RESOLUTION NO. 2010-32

A RESOLUTION of the City of Bainbridge Island, Washington,
to amend the City's public participation program.

WHEREAS, Framework Goal 7 of the City of Bainbridge Island Comprehensive Plan calls for the development of a meaningful process for citizen participation; and

WHEREAS, in 2001, the City Council adopted Resolution No. 2001-11 establishing a voluntary public participation program in order to inform citizens of proposed projects in their neighborhood, and to provide the development community with an awareness of public concerns; and

WHEREAS, on April 7, 2010, the City Council established the Land Use Public Process small steering group, charged with analyzing and reviewing policies and procedures regarding public involvement in land use permits; and

WHEREAS, the steering group began meeting in May 2010, and quickly identified several ways to better solicit public participation in the land use permit process; and

WHEREAS, upon the recommendation of the steering group, the City Council directed staff to develop an ordinance (Ordinance No. 2010-25) making the City's "Public Participation Program," as outlined in Resolution No. 2001-11, mandatory for certain larger development projects; and

WHEREAS, the steering group wanted the public participation program to involve the community at large for development projects of Island-wide significance; and

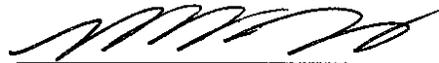
WHEREAS, the City has decided to adopt a new "Public Participation Program" resolution, instead of amending Resolution No. 2001-11; now therefore,

THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

The City Council of the City of Bainbridge Island, Washington, approves the amendments to the City's public participation program, making the program mandatory for larger development projects. The program will be administered by the Department of Planning and Community Development, and is described in Exhibit A attached hereto and made a part hereof by this reference.

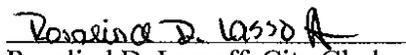
PASSED by the City Council this 13th day of October, 2010.

APPROVED by the Mayor this 13th day of October, 2010.



Bob Scales, Mayor

ATTEST/AUTHENTICATE:


Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK: October 5, 2010
PASSED BY THE CITY COUNCIL: October 13, 2010
RESOLUTION NO: 2010-32

The City of Bainbridge Island's Public Participation Program

Purpose: The program is intended to bring developers and community members together early in the development application process, so that the residents can learn about proposed developments in the community, and the applicant can be aware of their concerns, if any.

Format: The program is designed to be simple, informal and of mutual benefit to all the participants. It involves one meeting between the applicant and the neighbors, typically right before or after a pre-application conference is held. The focus of the meetings is the specific development project and its possible impacts. The meetings are intended to be neighborhood-oriented, but larger projects may be appropriate for a larger public outreach effort. The applicant makes a short presentation on the development project, which is followed by a question-answer session.

City's Role: The meetings are organized and advertised by Planning staff. The City will mail notice of the meeting to property owners within 500 feet of the subject property. Additionally, staff identifies the targeted neighborhood (s) on a case-by-case basis, taking into account the size and type of development project, and may mail the meeting notice more widely. The City will provide the applicant with a sign to post on the property, and publish a display ad in the paper of record. A staff member will serve as a neutral facilitator of the meetings. Current Planning staff attends the meeting to answer questions about the City's code and development regulations. Staff also prepares a written summary of the meeting, which is sent to the meeting participants and to the appropriate City reviewing body (Design Review Board, Director, Planning Commission, City Council, Hearing Examiner). A member of the Design Review Board is encouraged to attend the Public Participation meeting to hear the discussion.

Benefits:

- Several recent development projects have shown that good communication between the developer and the neighborhood resulted in general public support and a smoother approval process. This program is designed to increase trust and communication, and to diffuse potentially adversarial situations.
- Recent experience has also shown that some development projects have run into public opposition because neighbors feel they hear "too little, too late." In some cases, their concerns could have been addressed fairly easily if they had been raised early in the process. This program provides the public with accurate and timely information, and allows them to have more input into developments in their neighborhoods. It provides the applicant with the opportunity to understand and possibly address any neighborhood issues.
- This program is not a "hearing" or a separate approval process. It is an informal dialogue, and any modifications that an applicant chooses to make as a result are voluntary.
- The program provides educational opportunities for the public to learn about City development regulations and their relationship to the Comprehensive Plan. In turn, it helps City staff and officials keep abreast of existing and emerging community concerns.