

**ORDINANCE 2010- 02  
LAND USE CODE UPDATE  
CHRONOLOGY**

Date	Subject/ Public Meeting	Description
01/15/08	<b>Land Use Committee</b>	The Land Use Committee reviewed the department’s annual work plan and determined that the committee would receive regular updates on the Land Use Code Update process.
02/13/08	<b>City Council</b>	Director Byrne announced that there were six consultants that applied. Three were interviewed the team of Clarion & Associates was recommended. <i>Councilmember Vancil made a motion to approve the Code Update Project with Clarion &amp; Associates. Councilmember Knobloch seconded the motion. The motion passed unanimously.</i>
02/14/08	<b>Planning Commission</b>	Director Byrne provided information on the scheduled Bainbridge Island Municipal Code (BIMC) update. He stated the City Council has approved contracts with consultants and approved an ad hoc joint oversight committee made up of Councilmembers Vancil and Franz, two Planning Commission members; a users group and a cross department staff team.
02/26/08	<b>Code Users’ Group</b>	<p>The purpose in forming the Users’ Group was to bring together people who have used the code and who have various perspectives on the code to assist with the update effort.</p> <p>The intent of the update is to make the code internally consistent and more user-friendly. It is not to modify the policies underlying the code.</p>
02/29/08	<b>Initial Review</b>	Initial review of the existing codes by the staff and the consultant is complete
03/18/08	<b>Land Use Committee</b>	Kelly Dickson reviewed key points from the staff memo, including the project timeline, process, and public participation plan. There was then some discussion about the composition of both the ad hoc committee and the users’ group.
03/21/08	<b>Ad Hoc Committee</b>	The Ad Hoc Committee will be instrumental in helping to communicate the scope and process of this project to other elected officials as well as to the public.
04/22/08	<b>Diagnosis and Annotated Outline (DAO)</b>	The public draft of the Diagnosis and Annotated Outline, which included problem identification and proposed structure, was released
05/01/08	<b>Code Users’ Group</b>	<p>Greg said that there are some cases where policy issues will come up. In those cases what must be considered is “Does the code implement the Comprehensive Plan?” He feels that changes that capture the intent of the Comprehensive Plan policies better than existing code should be considered. Greg also said that there also might be issues that are set aside to be considered as possible amendments to the Comprehensive Plan.</p> <p>Bob responded that reorganizing the code in a more logical format will help staff help applicants. He added that clear purpose and intent statements in the code would guide staff when an interpretation is necessary.</p> <p>Concluding remarks included the need to clarify the historic aspect of Ericksen, the proposed name change for the light manufacturing district, and how the administrative manual will help establish more</p>

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		predictability earlier in the process.
05/06/08	<b>Harbor Commission</b>	Theresa reported that the code update will cover all of Title 17 and all of Title 18. The procedures in Title 2 may also be added. The first step in the Code Update Project is the public review of the Diagnosis and Annotated Outline prepared by the consultant. The diagnosis is on the city's web page and there will be a public meeting to present it at 6:30 p.m. on May 13th (Tuesday). Comments from the Historic Preservation Commission would be welcome.
05/13/08	<b>Land Use Code Update Kick-off Public Meeting</b>	Don completed the presentation by briefly reviewing the proposed outline for how Titles 17 and 18 will be reorganized. He then explained how footnotes and annotations will be used in each draft to note what was consolidated. The first draft will be sent to staff and the committees who are assisting in the project just to make sure there are no technical errors. A revised draft will then be released for public review before the public meeting on that module. Comments from each meeting will be incorporated into a technical memo. Once each phase has been completed, the material in the technical memos will be incorporated as appropriate into the final draft.
05/14/08	<b>Code User's Group</b>	There seemed to be consensus that Code Users' Group is in favor of an administrative manual, although Marc Adam stressed that it will be crucial for the manual to include relevant interpretations.
05/20/08	<b>Land Use Committee</b>	<p>Kathy reported that the Code Update Project reviews titles 17 and 18. Staff and the consultants have been repeatedly told that the procedures in Title 2 must be included for the update to be effective. The Code Update Ad Hoc Committee agreed and a scope of work amendment has been developed in consultation with the consultants and the city attorney. No additional funding will be requested this year and the department will ask for \$40,000 in the 2009 budget.</p> <p>Action: The Land Use Committee recommends that City Council approve the amendment to the contract with Clarion Associates.</p>
08/07/08	<b>Code Users' Group</b>	Generally speaking, Charles thinks Module 1 is more professional and less complex in appearance. Ryan and Marc agreed.
08/12/08	<b>Module 1 Public Meeting</b>	<p>Director Kathy Cook opened the meeting by talking about why the City embarked on the code update project – the existing code is confusing, often contradictory, and very difficult to use.</p> <p>Don Elliott of Clarion told the audience that the consultant team was here to listen and stressed that the document is a draft that will change. He then briefly reviewed the process.</p> <p>Don explained that trees and vegetation, agricultural uses, and telecommunication facilities will be handled separately from this process with the results being rolled into the revised ordinance as each process is completed.</p>
10/07/08	<b>Code Update Agricultural Working Group</b>	After a brief question and answer session and review of the agenda, the attendees split into three groups to discuss: 1) barriers to agriculture, 2) impacts from agriculture, and 3) agricultural potential parcels.
10/27/08	<b>Module 2 Public Meeting</b>	Don's presentation covered the major themes or objectives from the diagnosis, the sections of the existing Title 18 that were covered

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		in Module 1 and those covered in Module 2, the general changes being made and what those changes look like.
11/18/08	<b>Land Use Committee</b>	Kathy told the committee that there are some policy issues coming out of the Code Update process on which guidance is needed. Staff also wants to make sure that City Council is aware of the issues and in agreement on the direction of the code update. The committee agreed that a workshop with the Planning Commission and City Council should be scheduled for January.
03/03/09	<b>Code Update Agricultural Working Group</b>	What was heard at the previous meeting was that the concept of agricultural potential parcels and the existing best management practices don't work. Based on that feedback, staff and the consultants have developed draft management and density standards. Where agriculture is a permitted or conditional use has not been changed.
04/14/09	<b>Module 3 Public Meeting</b>	<p>In Don's PowerPoint presentation, he pointed out that the work on Title 18 has been largely completed. However, modifications will need to be made to 18.15, Development Standards, and 18.36, Definitions, because of overlap with Title 17.</p> <p>He then reviewed how Title 17 is being re-organized to address the problems with the current structure and noted that almost all the changes being proposed in this module are the result of re-combining and restructuring the current codes to better reflect state law. The administration and procedural regulations in Title 17 will be moved to Title 2; vegetation buffers and standards for multifamily and commercial development will be moved to Title 18; and the remaining regulations will be retained in Title 17. The heart of those regulations is found in 17.12, Subdivision Design Standards</p>
09/14/09	<b>Module 4 Public Meeting</b>	<p>The goals for Module 4 were to (1) integrate procedures from current Titles 2, 17, and 18; (2) clarify the relationship with the environmental regulations in Title 16; and (3) ensure consistency with Washington state law.</p> <p>Don then reviewed the chapters in Title 2 that are not included in the code update and the revised structure of those that are, the four types of review covered in Title 2, the administrative manual, and the changes and clarifications that were made.</p>
10/6/09	<b>Land Use Committee</b>	The Director gave an overview of the code update project and the process that has been used to develop draft agricultural regulations. The committee then discussed the process and how they wished to proceed.
12/10/09	<b>Planning Commission</b>	<p>Director Cook provided an overview of the work to date on revisions to the Bainbridge Island Municipal Code (BIMC), Titles 2 (Review Procedures), 17 (Subdivisions) and 18 Zoning.</p> <p>Commissioner Gale asked if formal review will involve a joint City Council/Planning Commission process. The Commission discussed how the revisions will be presented to the public and Director Cook addressed staff involvement in the changes. Commissioner Lewars supported discussions with the City Council regarding streamlining the process.</p>

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01/14/10	<b>Final Drafts</b>	The final drafts of Titles 2, 17, and 18 were posted on the web.
01/28/10	<b>Joint City Council/ Planning Commission</b>	Introduction to the Code Update Project for the decision-makers, scheduled in the Council Chambers for 6:30 p.m.
02/25/10	<b>Planning Commission</b>	Discussion about major issues in Title 2 and by what process Title 2 should be reviewed.
03/11/10	<b>Agricultural Working Group</b>	Attendees voted on whether or not the draft provisions were ready to go to the Planning Commission for review or should be pulled out of the Update. The majority of the provisions will go forward.
03/11/10	<b>Planning Commission</b>	Reviewed the Title 2 issues raised by the Planning Commission at the previous meeting. Issues discussed included the 50% lot coverage requirement for institutional uses in residential zones, the appropriate design guidelines for institutional uses in residential zones, and the threshold for requiring a major conditional use permit.
03/18/10	<b>Planning Commission</b>	Continued review of Title 2 – discussion included a fee-in-lieu program for providing amenities with a subdivision, eliciting comments from WSDOT, the purpose statement for conditional use permits, and the appropriate percentage of property owners who must agree to amend a large lot subdivision.
03/25/10	<b>Planning Commission</b>	Conclusion of Planning Commission review of Title 2 and introduction to Title 17
04/08/10	<b>Planning Commission</b>	Initial review of Title 17