



TREE & LOW IMPACT DEVELOPMENT
AD HOC COMMITTEE
MEETING NOTES
WEDNESDAY, DECEMBER 21, 2016
3:00 – 4:30 PM
COUNCIL CONFERENCE ROOM
280 MADISON AVE N
BAINBRIDGE ISLAND, WA 98110

Committee Members in Attendance: Kol Medina, Mack Pearl, Jon Quitslund, Sarah Blossom

COBI Staff: Marilyn Guthrie, Janelle Hitch, Josh Machen

Public: Peter Perry, Kelsey Laughlin, Charles Schmid, Robert Dashiell

Item 1: Since the Draft of Notes from the previous meeting (11.30.16) had been distributed at the last minute, Kol proposed that the Notes, with any corrections and additions, should be reviewed and approved at the next meeting.

Item 2: The agenda was approved as distributed.

Item 3: There were three brief comments from the public pertaining to LID regulations, the preliminary site assessment, and the Site [Assessment?] Development Permit (SDP or SADP), which is still in the works and not available for discussion. Kelsey, who is familiar with similar regulations elsewhere in Kitsap County, had some questions. Robert asked if the committee would have any say in how administration and monitoring of LID standards are funded: will SWMM funds be used? Peter, from the Design Review Board, said that the DRB has an interest in participating in the very early stages (before the formal pre-application conference) of site assessment and design.

Item 4, discussion of the phased approach to issues surrounding LID: It was decided that this item would require more than 15 minutes. There were questions and differing opinions on the applicability of the LID-related Site Assessment tool in determining the location and extent of impermeable development on a given site. Does the tool apply primarily to single family residences on undeveloped lots, and not to subdivisions? If the Site Assessment process establishes an optimum location and constraints on the footprint size, what sort of wiggle room remains?

Kol said that it was his understanding that if the site conditions enable you to meet LID requirements without technological remedies, that settles the question of where and what to build. Sarah said that she regarded the Site Assessment process as determining where the parts of a development would fit best. Kelsey, on the basis of experience with site assessment, thought there should be alternative ways to meet the LID requirements. Jon said it was his sense that respect for “the lay of the land” (conditions on the property prior to development, and avoidance of adverse impacts on neighboring properties) was of primary importance. Mack expressed doubt that the site assessment process could guarantee results consistent with its findings.

Peter explained the DRB’s interest in improving the results of from residential development. Peter and Jon both spoke of problems that arise from the ways in which undeveloped acreage is

marketed, often without consideration on the part of agents, sellers and buyers of the lay of the land and constraints on development. Ideally, perhaps, a site assessment should be undertaken before a property is put on the market.

With reference to item 6 in Phase I on the page detailing aspects of the LID issues, with its unclear reference to “overriding zoning,” Josh asked, “At what point do LID regulations limit density (i. e., number of units) below the level set by zoning?” (Jon supposed that any disallowed development right would have value in a development bank transaction, and might also result in a lower tax rate.)

Kol responded to Robert’s question about funding for LID administration, saying that it would be none of the committee’s business. Perhaps the Utilities Advisory Committee should be asked to take up this matter.

Item 5: Little time remained for discussion of next steps with the re-drafting of BIMC 16.22. There was general agreement in the absence of a rough draft of parts or the whole of a new chapter, little could be achieved in committee meetings. Kol expressed a hope that Jon would be able to complete a rough draft. Jon said that he had sought a meeting with Jennifer but nothing had yet been arranged. He has several pieces to work with, including input from Ron. Josh observed that the drafting of municipal code language is ordinarily the responsibility of staff – or of a consultant. Regarding Jon’s questions about the relevance of DNR Forest Practices, Josh said that some of them pertain to management of forest lands where marketable timber is being harvested and seedling stock is being planted.

For future reference: Subject to discussion and correction (perhaps involving the DNR and the City Attorney), Jon’s assumption is that we no longer need to provide for clear-cutting and replanting that does not involve *conversion* of the land to another use (residential development or agriculture). We should encourage stewardship of forested acreage more or less in its natural condition, either under private ownership or agreements involving the B. I. Land Trust. We should also allow residential development on a portion or portions of such acreage, with limits on the extent of clearing and due respect for the most valuable trees and the slopes, streams, and wetlands protected by Critical Areas regulations. And a part or parts of the chapter will deal with already developed properties and the individual trees or groves and understory vegetation – especially when such trees and vegetation provide a buffer along the roadway or a neighboring property.

The meeting adjourned at 4:30, without determination of a date for the next meeting.

Notes Approved: January 18, 2017