CITY OF
BAINBRIDGE ISLAND

TREE & LOW IMPACT DEVELOPMENT
AD HOC COMMITTEE
REGULARLY SCHEDULED MEETING
WEDNESDAY, FEBRUARY 1, 2017
3:00 – 4:30 PM
COUNCIL CONFERENCE ROOM
280 MADISON AVE N
BAINBRIDGE ISLAND, WA 98110

AGENDA

1.	Review and Approve Notes from January 18, 2017 Meetings (if available)	3:00
2.	Review and approve meeting agenda	3:05
3.	Public comment on agenda-related items	3:05
4.	Ongoing Business A. Low Impact Development regulations – Planning & Public Works Staff	3:15
	B. Discuss vegetation management and land clearing chapters (BIMC 16.22 & 16.18, respectively)	3:45
5.	Public comment on agenda-related items	4:20
6.	For the Good of the Order	4:25

For special accommodations, please contact Jane Rasely, Planning & Community Development 206-780-3758 or at jrasely@bainbridgewa.gov

Tree & Low Impact Development
Ad Hoc Committee
Meeting Notes (Draft)
Wednesday, January 18, 2017
3:00 – 4:30 PM
Council Conference Room
280 Madison Ave N
Bainbridge Island, WA 98110

Committee Members in Attendance: Jon Quitslund, Sarah Blossom, Mack Pearl, Kol Medina
COBI Staff: Jennifer Sutton, Barry Loveless, Janelle Hitch, Josh Machen
Public: Kelsey Laughlin, Peter Perry, Charles Schmid

Item 1: Notes from the meetings on Nov. 30 and Dec. 21, 2016, were approved as distributed. Item 2: The meeting agenda was reviewed and approved.

Item 3: Public comment. Kelsey Laughlin said that she has conferred with other professionals whose work will be impacted by LID regulations, and she is concerned about the costs that will be added to small-scale building projects if elaborate site assessment requirements are imposed with the current low thresholds. She had attended a Council meeting to make a comment and was referred to the Ad Hoc Committee.

Item 4 A: Planning and Public Works staff spoke about the current status of work on the Site Assessment and Development Permit (BIMC 15.19). Kol asked how the Ad Hoc Committee could help in the completion of Phase I and the move into Phase II of LID policies.

Discussion in the rest of the meeting dealt mostly with issues arising from an unfinished draft of BIMC 15.19. The chapter had been introduced to the Council and referred back to staff for further work. Jon had seen and studied the draft, and was surprised that (A) it covered only development on single-family residential lots, and (B) it did not describe either the rationale for a site assessment or the kinds of professional work and analysis of the site that would be required before the permit can be issued.

Josh sought to explain why it's too complicated to cover everything at this point, in this chapter. Development on individual residential lots does not now require a site assessment, while for other projects involving a preapplication conference, site assessment is already an important part of the process. Josh thought that developing standards and procedures fully consistent with LID principles would take several months, and it would be a mistake to delay completion of BIMC 15.19.

Jennifer said that plans were in the works for an 'outreach' meeting at the end of January to introduce LID regulations to interested parties (in geotech,

environmental, design, building, and real estate fields). The intent of staff is to take the BIMC chapter to the Council by the middle of February.

Kol asked the members of the committee what they thought. Jon's response was the most emphatic: LID principles and best practices need to be explained and justified, and they should not be implemented gradually, but with some sense of urgency. Peter Perry, representing the interests of the DRB, emphasized that the DRB is eager to work with property owners and developers as early as possible, prior to the formation of ideas about a building, to ensure that new development will be harmonious with the 'lay of the land' and protective of aquifers and Puget Sound.

Earlier in the meeting, Barry had expressed a concern that with different parties' interests in managing the process and results of development, we were heading toward a very time-consuming, confusing, and expensive series of hurdles or obstacles. Among the participants in the discussion, there were divergent views of the City's regulatory and planning authority.

The 90-minute meeting ended without taking account of the several parts of Phase II in the LID work plan, and without discussing the policy questions related to revision of BIMC 16.18 and 16.22. (Mack wanted to connect policies in 16.22 with the site assessment goals and processes in 15.19.)

Kol asked Jennifer if it would be possible to develop a schedule or calendar for getting things done. Jon told Jennifer and Janelle that he would like to work on revising the Purpose statement for the Site Assessment and Development Permits chapter (15.19).

The next meeting will be on Feb. 1.

Phased Approach to Issues Surrounding LID

Phase I – to be completed by 12/31

☒ 1. Adopt the 2014 version of the SWMMM.

☐ 2. Develop a Site Development Permit (SDP) – moving as a separate ordinance to City Council only.

- Develop fees for the SDP.

☒ 3. Request for "references in the code to the SWMMWW" -> Summary Section in the code to provides a brief summary of the minimum requirements and thresholds included in the Ecology manual (and Phase II permit).

☒ 4. Maintaining clearing limits – add to construction inspection section (15.20.070) as a City inspection item.
☒ 5. Add a third party requirement for ongoing annual inspections for private facilities. Include in Phase I.
☒ 6. Confirm that site development tools focus on native vegetation retention – to the extent possible, but overriding zoning, requesting variances or exceptions to set backs would be handled in Phase II.

<u>Other</u>

- Notes on Design Drawings for bicycle pathways.

Phase II – Proposed to Planning Commission to be taken up in 2017

☐ 1. Moving from the 800 sq. foot trigger to 2000 sq. foot to encourage smaller foot prints.
☐ 2. Variance Issues.
☐ 3. Propose an approach for dealing with cumulative impacts. (Retrofitting and off site issues).

☐ 4. Redevelopment changes (additions, etc.?).
☐ 5. SMP limited amendments.
☐ 6. Refer to section of code regarding penalties for cutting down trees.
☐ 7. Any gaps in 16.22 (Vegetation Management).
☐ 8. Confirm that site development tools focus on native vegetation retention.

Added
☐ 9. Review and improve enforcement as needed. How will enforcement be accomplished? (**Kol**)

<u>Other – from my notes</u>

- Work on triggers for LID and "off ramps":
  - (feasible vs. infeasible criteria).
  - ID loop holes
- Continue to evaluate direct discharge requirements.
- Should we revise the .3" / hour infiltration rate to less to encourage more infiltration? (Mack)
- R1/R2 LID standards.
- Combine Land Clearing and / Vegetation Chapters.
  - Maintain clearing limits and associated enforcement if not maintained
- Buffers – perhaps part of the Variance issue above.
- Title 18 Design Guidance – included in Herrera's proposal.
- Limiting house sizes?
- Common area considerations

Tree Committee Table

Phase II Issue	Effected Title	Explanation / Clarification
Increase new/redevelopment trigger from 800 to 2000 sq. ft.	15.20	Encourage smaller foot prints.
Variance Issues	Various	When will you allow LID to vary setbacks, special conditions, etc.
Retrofitting and off site issues		Propose an approach for dealing with cumulative impacts.
Redevelopment changes – *same as above?*		Additions and other impervious surface increases.
SMP limited amendments	16	Implement required changes to T 16 that were not implemented in Phase I. See 2016_0802_Title 16_Environment
Vegetation Management	16.22	Gaps in 16.22 – See SMP Limited Amendments above.
Vegetation Management	16.22	Confirm that site development tools focus on native vegetation retention.
Enforcement - Kol	Various	Refer to section of code regarding penalties for cutting down trees and, in general, beef up enforcement if LID isn't installed or properly maintained. Also for violating clearing limits or removing trees that were either required to reduce LID installations or, in some other way, part of LID installed during development or redevelopment.
"Off ramps"	15?	Work on triggers for LID - (feasible vs. infeasible criteria) - ID loop holes
Direct discharge requirements		Evaluate direct discharge requirements. These projects were held to a higher than "Ecology required" standard because Planning Commission felt that these project were being let off the hook. Is that true or are we making projects evaluate LID options that aren't needed or would never apply. This subject might also might be dealt with under "off ramps".
.3" / hour infiltration rate - (Mack)	15	Should we revise the .3" / hour infiltration rate to less to encourage more infiltration?
R1/R2 LID standards.		
Combine Land Clearing and / Vegetation Chapters.	16	Rewrite of these chapters has been an ongoing request by TC. Since we'll be updating this code to get LID requirements in, perhaps this is the time to do it?
Maintain clearing limits and associated enforcement if not maintained	Various	See enforcement above
Buffers – road side, setbacks, etc.		Perhaps part of the Variance issue above.
Title 18 Design Guidance		Update T 18 Design Guidance - included in Herrera's proposal.
Limiting house sizes?		Perhaps an "off ramp" issue.
Common area considerations		

Policy Questions to Consider for Amending BIMC Chapter 16.22 *Vegetation Management*

1. Right now 16.22 is triggered generally when someone needs a Class 4 DNR Forest Practices Permit- clearing more than 5,000 board feet of timber). Keep this threshold? NOTE: Clearing permit required to remove 6 significant trees (1 sig. tree in MUTC) up to 5,000 board feet in a 12-month period.

2. Do we want to apply (pre-plan) subdivision open space/ buffer requirements to properties proposed for clearing that will eventually subdivide?

3. What standards should be applied to undeveloped property that is not big enough to subdivide?

4. What standards should be applied to lots developed with a single-family home, but are not further subdividable?

5. What standards should be applied to property being cleared to expand existing agriculture or for creating new agriculture?

6. Do we want to combine 16.22 with 16.18 *Land Clearing*? Rename resultant chapter? Rename permits "Minor" and "Major" Tree Removal Permit?