



TREE & LOW IMPACT DEVELOPMENT
AD HOC COMMITTEE
REGULARLY SCHEDULED MEETING
WEDNESDAY, MARCH 29, 2017
3:00 – 4:30 PM
COUNCIL CONFERENCE ROOM
280 MADISON AVE N
BAINBRIDGE ISLAND, WA 98110

AGENDA

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| 1. | Review and Approve Notes from March 15, 2017 Meeting | 3:00 |
| 2. | Review and approve meeting agenda | 3:05 |
| 3. | Public comment on agenda-related items | 3:05 |
| 4. | Ongoing Business | |
| | A. Discuss Creating New Tree Retention Standards for Single-family Lots
<i>City Staff</i> | 3:15 |
| | B. Discuss Staff Proposal for Modifying BIMC Chapters 16.22 & 16.18
<i>City Staff</i> | 3:45 |
| | C. Discuss Consultant and Process for Phase 2 Low Impact Development
<i>City Staff</i> | 4:05 |
| 5. | Public comment on agenda-related items | 4:15 |
| 6. | Discuss Agenda for Next Meeting
<i>(Wed. 4/12 not available, consider meeting on Th. 4/13)</i> | 4:25 |
| 7. | For the Good of the Order | 4:30 |



TREE & LOW IMPACT DEVELOPMENT
AD HOC COMMITTEE
MEETING NOTES
MARCH 15, 2017
3:00 – 5:00 PM
COUNCIL CONFERENCE ROOM
280 MADISON AVE N
BAINBRIDGE ISLAND, WA 98110

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

COBI Staff: Barry Loveless, Jennifer Sutton, Marilyn Guthrie; Rebecca Dugopolski & Julia Munger from Herrera (consultants)

Public: Pat Fuarer, Nina Cousins, Jim Laughlin, Deb Rudnick, Spencer Evans, Robert Dashiell, Kelsey Laughlin

Item 1: Notes from the meeting of February 15 were approved as distributed.

Item 2: The agenda was approved with the addition of an item regarding the “Celebrate Trees!” Resolution, under discussion by the City Council.

Item 3: Public Comment. Kelsey Laughlin spoke briefly about the Site Assessment Review, and Pat, Nina, Jim, and Robert added their comments.

Item 4A: Barry led off the debriefing from the meeting held on March 2 to explain the intent of the Site Assessment Review in connection with LID standards. (A tabulation of questions, comments, and responses from the meeting has been prepared, running to 5 pp.) Feedback received in the meeting has contributed to further shaping of the policies. Barry noted that the S A is now presented as a “review,” not a “permit”; it can be understood as the first step or phase in the pre-app process. A Public Hearing on the enabling Ordinance is scheduled for the Council meeting on April 11. Approximately 300 pending projects will involve a site assessment review, and it’s estimated that each will involve approximately 4 hours of staff time. Development of the B I policies has involved study of policies in Jefferson Co. and in Olympia. In Olympia the equivalent instrument is termed a “stormwater scoping report.”

{In its current form, the Site Assessment Review is the subject of Ord. # 2017-03, to be found in the City Council agenda packet for March 21, pp. 17-27. It’s accompanied by Resolution # 2017-08, which sets a fee for the SAR at \$400.}

Item 4B: We discussed Tree Clearing regulations with reference to single-family residential development; Herrera consultants can contribute to revision of those policies. Questions arose about the allowance for removing “6 significant trees within a 12-month period”? It is clear that for some undeveloped lots, clearing single-family residential development ought to be more carefully regulated. Will LID standards and the SAR process meet the need? Julia from Herrera said that she could contribute to policies in this area.

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

Jennifer's sheet of bullet points should be the focus for discussion at the next meeting.

Item 4C: Scope of Phase II in development of LID policies. Applicability: If any development above 800 sq ft triggers LID requirements, there is no incentive to design a mid-size house, say between 1200 and 2000 sq ft. There was general agreement that development of small and mid-size houses (rather than boxy and big-footprint houses and excess impervious surface) should be incentivized however possible in LID policies.

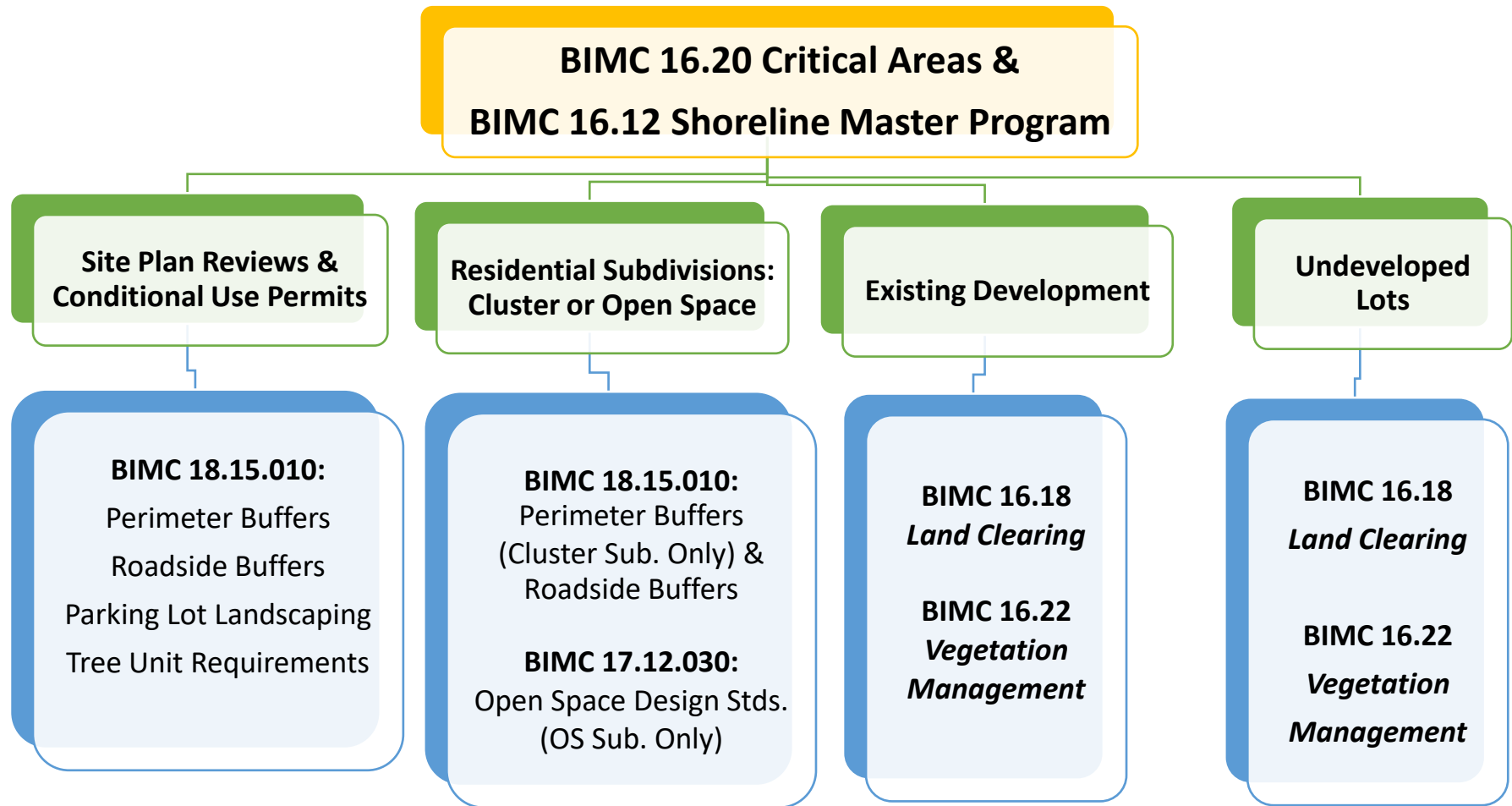
Kol asked if LID-related policies could provide a rationale for expanding open space requirements beyond the current limit of 25% (including vegetated buffers). Rebecca said that the City of Lacey provides a precedent in their code, which emphasizes the value to the community of preserving and promoting an urban forest. Jon suggested that protected open space should not be limited to the streams, wetlands, steep slopes, and frequently flooded areas where the Critical Areas ordinance (BIMC 16.20) limits development. Julia observed that the Phase II gap analysis should look at small lot / single-family regulations; regulations can be zone-specific. Ron mentioned that the overriding aim of LID standards is preservation or mimicking of pre-development hydrology. We need to look closely at BMP off-ramps, not to be too liberal in allowing technological 'solutions.' Another consideration: policies ought to allow tree removal as needed for agriculture, gardens, and solar energy panels.

Work on the Phase II policy changes will take between 6 months and a year. We will get help from the City of Lacey and other already-adopted model codes. Our own Community Forestry report from 2006 is relevant.

Item 4D: The Committee page on the City website is there to be looked at.

As a final item, the Committee discussed a resolution that had been introduced by Ron, on behalf of several citizens, making "**Celebrate Trees!**" COBI's slogan for the month of April, and affirming a number of policies as priorities for implementation. Councilmember Roth had offered an amended draft that removed much of the resolution's substance; committee members affirmed their support for the uncut version.

Development Permits & Tree/Landscaping Regulations



BIMC 18.15.010 *Landscaping, Screening & Tree Retention, Protection & Replacement*
BIMC 17.12 *Subdivision Design Standards*

Combine BIMC 16.18 *Land Clearing* and BIMC 16.22 *Vegetation Management*

- Rename Minor and Major *Clearing and Tree Removal Permit*
- Minor Tree Removal Permit: Required for removing more than 6 significant trees (1 significant tree in MUTC/HS Road) in a 12 month period, up to threshold for Major Permit
- Major Tree Removal Permit/Clearing Permit triggered for removing more than (7,000 square feet OR ¼ acre {10,890 square feet}) of trees or land. Consider 7,000 square feet of clearing because additional stormwater review.
- Cross-reference to new single-family retention requirements of 18.15.010 that must be reviewed and met. Cross-reference to CAO, SMP, and Stormwater Regulations.
- Continue to utilize minor permit used to review any amount of tree/vegetation removal in a preserved area (e.g. designated perimeter buffers, critical areas or shoreline areas/buffers)
- Remove provisions for Major Tree Removal/Clearing Permit that are linked to state DNR forestry permits. Applicants may have to get DNR permits if they meet their thresholds

Major Tree Removal Permit for creation of Farms:

- *Submit farm plan* with Major Clearing application, Minimum retention would not apply. The applicant must make substantial progress on implementing farm plan, and submit a report on progress within 1 yr.
- If substantial progress towards implementation of farm plan not made, revegetation could be required or fines imposed.
- Reword “Non-farmed buffer” to be more of a “agriculture activity setback”.
- Streamline/better describe Conversion Harvest Option & 6 yr moratorium from State requirements.
- Revisit these requirements when the Transfer of Development Rights program is reviewed and when if Agricultural Resource Land designation created.

Add Single-family Retention Requirement to 18.15.010

- **In R-2, R-1 & R-0.4 Zones:** 25% of property set aside as “open space” or “existing vegetation preservation”. Model provisions after subdivision open space design standards from section BIMC 17.12.030.
- Those properties without any substantial forested areas must retain 40 tree units per acre (Table 18.15.010-5). If the property does not have 40 tree units per acre of existing trees, then must have as many tree units after development as before.
- Consider provisions for solar access flexibility for those homes building with solar or adding solar.
- If the property would be required to have a roadside buffer through subdivision, then that same roadside buffer if existing vegetation would be required for single-family development (See Table 18.15.010-4)
- **In R-2.9, R-3.5, R-4.3 & R-5 Zones:** Single family development must retain 40 tree units per acre (Table 18.15.010-5). If the property does not have 40 tree units per acre of existing trees, then must have as many tree units after development as before.
- **In all zones:** Any vegetation required to remain (e.g. critical areas, shoreline or roadside buffers, LID dispersion area) would contribute towards the retention requirement.

New Landmark Tree Regulations (18.15.010):

- Any tree greater than 42 inches dbh MUST be preserved unless:
- Proven hazardous to existing buildings and major infrastructure OR
- If impacts to the landmark tree cannot be avoided by development, generally because of property size or configuration.
- To request removal, minor tree removal permit. Must demonstrate reasoning with arborist report, etc.