



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

AGENDA

- 3:00 PM** **Review and Approve Notes from June 14, 2017 Meeting**
- 3:05 PM** **Review and Approve Meeting Agenda**
- 3:05 PM** **Public comment on agenda-related items.**
- 3:15 PM** **Ongoing Business:**
Phase 2 Low Impact Development Work
- Revisions to Clearing & Vegetation Management BIMC Chapters 16.18 & 16.22
- Review “Parking Lot” Issues
- Ad Hoc Committee Website
- 4:25 PM** **Confirm Ad Hoc Committee Recommendations for 7/18 City Council Meeting**
- 4:45 PM** **Public comment on agenda-related items.**
- 4:55 PM** **Discuss Agenda for Next Meeting: July 19**
- 5:00 PM** **For the Good of the Order**

*****TIMES ARE ESTIMATES****

Public comment time at meeting may be limited to allow time for Commissioners to deliberate. To provide additional comment to the City outside of this meeting, e-mail us at pcd@bainbridgewa.gov or write us at Planning and Community Development, 280 Madison Avenue, Bainbridge Island, WA 98110

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 Minutes
Wednesday, June 14, 2017

Committee Members in Attendance: Jon Quitslund, Sarah Blossom, Ron Peltier, and Bill Chester (subbing for Mack Pearl)

COBI Staff: Jennifer Sutton

Public: Charles Schmid, Stephanie Foster, Debbie Vancil, Mike Juneau

In Kol Medina's absence, Ron chaired the meeting.

Items 1 & 2: The minutes from May 30 were approved as distributed. The agenda was approved with two additions: adding the *Community Forest Management Plan* to discussion topics, and consideration of a role on the City staff for a forester / arborist.

Item 4.A.: With reference to BIMC 18.15.010, Jennifer reviewed the Tree Unit rationale and methodology. It is a site-specific requirement (size of the lot and amount of existing tree cover being factors) that has been in effect since 2012. We made no changes in the proposed requirement of 40 tree units per acre for single family residential lots in the R-2.9, -3.5, and -4.3 zones.

LID and Site Assessment Review policies were discussed in passing. Ron spoke of the value of expert opinion from a forester / arborist in some site assessment reviews.

Item 4.B.: The repeal / replace process dealing with BIMC 16.22 & 16.18 was discussed at a general level. It remains somewhat unclear how the new chapter will interface with BIMC 18.15.010. Jennifer spoke of the need for consistency with LID regulations, since tree removal and soil disturbance up to specific thresholds does not trigger LID procedures and site assessment review. It was also suggested that the current allowance for removing up to six trees in a 12-month period could be replaced by a tree unit calculation, which would establish different limits based on zone and lot size. Debbie brought some historical perspective into the discussion, advising the committee not to undertake reinventing of the wheel.

Item 4.C.: Jennifer distributed another list of 'Parking Lot' issues. We discussed view blocking trees and hedges without deciding on any new policies. Regarding trees and other vegetation in the Right of Way: generally, property owners abutting the ROW may maintain vegetation there as if it were an extension of their own property. Mack said he thought too many trees are taken out.

Item 5: Charles commented that some big trees were saved in connection with the planned road work on Olympic Drive, and power lines are being undergrounded.

Item 6, on the Agenda for the July 5 meeting: Jon said he would put together what he has of a draft for the New BIMC 16.18, and he has been working on a draft Progress Report to be included in the Agenda packet for the Council meeting on July 18. The July 5 meeting is scheduled for 3 p. m.

July 3, 2017

MEMO TO: Jennifer Sutton, Sarah Blossom, Mack Pearl, Kol Medina, Ron Peltier

FROM: Jon Quitslund

Jennifer and I met on Thursday morning last week to discuss the two pieces of work that were sent with the Agenda: the partial draft of a new BIMC chapter 16.18, and my draft of a Progress Report to the City Council.

Please look closely at what there is of the new BIMC chapter. I don't think there will be time for much discussion of it on July 5, but I would like to hear general impressions, and Jennifer may be able to describe what will be done to describe the various permits.

My draft provides for a "Tree Removal Permit" at 16.18.020.A. Jennifer rejected that idea, and I thought her objections were cogent. If citizens come in for permits for every "significant and healthy tree" that they want to take down, the number of requests will be unmanageable. And, on the other hand, if a citizen doesn't realize that a permit is called for and someone complains when the tree is taken down, the unwary citizen may be charged with a code violation, even if there were compelling reasons for removing the tree.

I was trying to find an alternative to the overly broad provision in the current Land Clearing chapter, which allows for the removal of up to six trees in a 12-month period. We need to find some middle ground, and maybe a formula that uses tree unit calculations will be workable.

At the July 5 meeting, discussion of the contents of my draft of a Progress Report is more important, and it probably needs more time than the 20 minutes indicated on the Agenda.

NEW BIMC Chapter 16.18:
Forest Stewardship, Clearing, and Conversion

Different parts of this chapter apply variously to stewardship and clearing activities on developed and undeveloped properties; the applicability of some regulations varies with zoning classifications and lot size.

16.22.010 Findings.

- A. Forested areas and trees on individual lots are integral parts of Bainbridge Island's character; they enhance the City's appearance and livability, as well as providing significant environmental benefits and natural resource values.
- B. Reckless and unnecessary removal of trees and understory vegetation, combined with extensive disturbance of soils, cause loss of habitat and wildlife, runoff and soil erosion, degradation of surface water and aquifer recharge, and adverse impacts on air quality, as well as loss of aesthetic appeal.
- C. The community forest resources of the Island are best understood as a mosaic, with some large and many small pieces, publicly owned and private, developed and undeveloped. When clearing for development further fragments the mosaic, both individual and community interests are affected.
- D. On Bainbridge Island and elsewhere, examples exist to demonstrate that (1) development for residential and other uses can be compatible with careful conservation of forest conditions and other natural features; and that (2) such development can be cost-effective, attractive, energy-efficient, and well adapted to our climate.

16.22.015 Purposes.

- A. To promote the public health, safety, and general welfare of Bainbridge Island citizens without preventing the reasonable use of private property.
- B. To preserve and enhance the City's physical and aesthetic character, and to promote the healthy functioning of our Island's natural systems, for the benefit of present and future generations.
- C. To implement the purposes of the State Growth Management Act relating to conservation of natural resources, pursuant to RCW 36.70A.
- D. To implement goals and policies in the current *Comprehensive Plan* {references TBA}, the *Community Forest Management Plan* (2006), and the *Bainbridge Island Open Space Study* (October 2008).
- E. To promote forest stewardship practices and carefully planned development that results in minimal disturbance to the prior conditions of a property and neighboring properties (e. g., existing residential and other uses, open fields, farms, trees and other vegetation, slopes, soils, streams and wetlands, trails, wildlife corridors).
- F. To implement a long-range policy of no net loss to the Island's forest canopy cover.

- G. To allow clearing as needed to provide for solar access, agriculture and gardens.
- H. To promote infiltration of stormwater and aquifer recharge; to minimize erosion and prevent pollution; to prevent landslides; to protect the waters of Puget Sound and the quality and quantity of water in wells.
- I. To maintain in a healthy state significant trees, clusters of trees, and forested areas, allowing for thinning, limbing, removal of invasive and undesirable vegetation, selective harvest and replanting, developing and maintaining trails, and removal of diseased, dead, or dangerous trees.

16.18.020 Applicability.

Except for activities described in **16.18.030** (Clearing activities not requiring a permit), all tree removal, land clearing, and vegetation management activities shall comply with this section's provisions for permits and related regulations. The Department of Planning and Community Development uses several different permits to set conditions and distinguish between permitted and prohibited activities. The applicability of those permits is described in subsections A through F below. Permits for tree removal and clearing may require the planting of replacement trees.

Provisions of the Critical Areas chapter (BIMC 16.20), the Farmlands and Open Space chapter (BIMC 16.24), the Surface and Stormwater Management chapter (BIMC 15.20) and the Shoreline Management Program (BIMC 16.12) may apply to some clearing activities. For projects involving new development or redevelopment that requires clearing or grading of more than 7,000 square feet, the applicant shall first initiate a Site Assessment Review (BIMC 15.19) or prepare for a pre-application conference in which the site's potential for surface and stormwater management will be determined and the area(s) not to be cleared will be delineated.

If the health and viability of a tree or several trees is a factor in decisions on removal, the applicant shall obtain a report and recommendation from a certified arborist before taking action or applying for a permit.

- A. Prior to removal of a significant and healthy tree, or a clump of two or three trees of the same or similar age, a Tree Removal Permit shall be obtained. {The application shall include photographs of the tree and its surroundings; information on the species, diameter at breast height, and approximate age of the tree; and an account of the property owner's reason(s) for removal. If the tree is near a property line and visible to neighbors, the property owner may be required to post a notice and provide a period for public comment prior to removal. [Move to 16.18.050.]}
- B. For developed properties in the R-2, R-1, and R-0.4 zones, some tree removal is allowed without a permit: see **16.18.030**, subsection I. If trees are being removed to make way for expansion of a house or construction of an

outbuilding, LID regulations may apply, per BIMC 15.19 & 15.20, and a Clearing Permit will be required.

- C. On residential and commercial properties in the higher-density zones, including neighborhood centers, and on public land in those zones, street trees and ornamental species of trees shall be planted and maintained where feasible. Mature trees in these zones, some of which are historically significant, shall be protected from encroaching construction activity and development. A Tree Removal Permit for a significant tree in a higher-density zone shall be granted on a showing that the tree is (i) diseased and dying, or (ii) hazardous on account of its size, conditions in the root zone, and/or exposure to winds; or (iii) that removal is necessary in order to enable construction and reasonable use of the property, in which case a tree or trees of like value shall be planted in restitution.
- D. On an undeveloped lot, prior to planning for a single-family residence a site assessment review shall be conducted in accordance with BIMC 15.19. For any lot one acre or larger, a forester's report will be part of the site assessment if development will involve extensive clearing. A clearing permit will not be issued prior to approval of a site plan.
- E. For a subdivision development in any zone, if the property being subdivided includes significant trees and/or forested area(s), a site assessment review including a forester's report is required. The area(s) to be conserved shall be delineated in the pre-application process. A clearing permit will not be issued prior to approval of a site plan.
- F. Conversion of forested acreage to agricultural use (including land formerly used for agriculture) involves, first of all, a site assessment review and a pre-application conference, to determine how much of the acreage may be cleared and tilled for agriculture. A site plan and a farm management plan will be required before a clearing permit is issued.

16.18.030 Clearing activities not requiring a permit.

Note: Permits are required for certain clearing activities in critical areas, on shoreline properties, and in roadside or perimeter buffers and rights of way. See BIMC 16.20 (Critical Areas), 16.22 (Shoreline Management Program), and 18.15.010 (Landscaping, etc.). Generally speaking, the following activities do not require a permit:

- A. Routine landscaping and maintenance of existing landscaped areas on developed lots, including pruning and planting; removal of invasives and other unwanted vegetation; management of brush and seedling trees.
- B. Removal of diseased, dead, or fallen trees.

- C. Removal of trees and ground cover in emergency situations involving danger to life or property, or substantial fire hazards.
- D. Routine maintenance activities in rights-of-way and roadside buffers, including removal of inferior trees and invasive vegetation, trimming of overgrown hedges, and planting to replace removed vegetation.
- E. Clearing required for the installation and maintenance of water meters, fire hydrants, and other utility lines and infrastructure, provided that the property owner shall agree to the manner in which such work is done and the possible impact on vitally important tree roots.
- F. Agricultural management of existing farmed areas, provided that significant trees are not removed and adequate measures are taken to manage pollution and stormwater.
- G. Limbing of mature trees to remove dead or hazardous branches, or to improve views and access to sunlight; actions such as cabling that improve a tree's stability.
- H. Selective removal of trees or tree limbs where necessary to provide for the efficient functioning of solar panels, in accordance with the plans and requirements of a licensed panel installer.
- I. In forested areas on developed and undeveloped properties in the Open Space Residential zones, selective clearing and logging for personal use, and to improve the health of the remaining trees and underbrush.

16.18.040 General Requirements

16.18.050 Tree Removal Permits

16.18.060 Minor Clearing Permits

16.18.070 Major Clearing Permits

16.18.080 DNR Forest Practices Permits

16.18.090 Vegetation Management Plans

16.18.100 Performance Bond

16.18.110 Appeals

16.18.120 Violations – Enforcement and Penalties

Tree/LID Ad Hoc Committee “Parking Lot”

ISSUE	CODE SECTION
View Blocking Trees and Hedges: currently there are no city regulations that prohibit tree and hedges planted to essentially form a wall. This usually happens along side property lines. Note existing City fence regulations: within SMP area (200 ft. and back from the shoreline) fences in side yards can't be higher than 4 feet. Everywhere else, fences in setbacks (or along property lines) may only be fully screening up to 6 feet high. Current Planning staff indicated that putting height limits on hedges on private property would be difficult to enforce- for instance, when do trees planted close together become a hedge? There are probably many hedges on the Island that would exceed any sort of height limit, triggering an increase in code enforcement. The City of Lynwood has a maximum height of 6 ft. for screening hedges (generally within setbacks); LMC 21.10. The City of Bellingham requires hedges for non-SFR development, with maximum height of 4 feet.	18.15.010
Trees/Vegetation in the ROW The City only maintains or removes trees and vegetation within the ROW when the tree/vegetation is impeding a city function or is a safety concern, think ditch maintenance or trees creating a road safety problem. Generally, property owners abutting the ROW may maintain trees/vegetation in the ROW.	Title 12
What could be done within/under any newly created tree canopy requirements? Suggest wells, well houses, trails, underground utilities or stormwater facilities that can be located without harming tree health, swingsets. YES for reserve drainfields	18.15.010
Code Enforcement: NOTE City Attorney's office is working on global code enforcement changes to BIMC	Titles 1, 16 & 18

DRAFT of a Progress Report to the City Council

The Ad Hoc Tree Protection Committee began meeting early in 2014, with Kathy Cook involved in our first meetings and Jennifer Sutton answering questions and directing our attention to a range of issues. Kathy Cook expressed a hope that we would finish our work before the Planning Commission and the Council became absorbed in the Comprehensive Plan update: fat chance of that!

At the start, the Committee members were Sarah Blossom, David Ward, and Roger Townsend from the Council, with Mack Pearl and Jon Quitslund from the Planning Commission. And as you know, Ron Peltier and Kol Medina came to the Committee when they joined the Council, taking the places of Ward and Townsend.

While several other tasks came our way and we heard from many citizens with problems and criticism of COBI's lapses, Jennifer Sutton focused our wavering attention most of all on a section in the "Development Standards and Guidelines" chapter of the Zoning title in the Municipal Code: section 18.15.010, "Landscaping, screening, and tree retention, protection and replacement."

The regulations in that section determine in detail where trees and other vegetation need to be either left in place or planted to provide perimeter screens and vegetated buffers, and how many trees (determined on a 'tree unit' basis) need to be either retained or planted in connection with various types of new development.

These regulations were introduced in 2012 after a contentious process, because earlier regulations had been partially invalidated by a Supreme Court decision. BIMC 18.15.010 is sometimes termed the "Interim Tree Protection Ordinance," although protection of trees is only one of its functions, and other Code chapters also bear some responsibility for that function.

Our task, I suppose, was to make the ITPO less 'interim' and more protective. We decided not to try to replace the 'tree unit' methodology for calculating minimum requirements for trees on property being developed; instead, we worked patiently through the nitty gritty of Code regulations, eventually producing Ordinances 2015-03, 2015-04, and 2016-01.

We had to return to BIMC 18.15.010 recently. It says, "All new development, *except single-family residential building permits* (emphasis added), shall be subject to the requirements of this section, . . ." Why should there be no tree provisions or protections for single-family residential lots? That question had been raised in Committee discussions, but never adequately addressed. And now, with LID standards and site assessment reviews being applied to single family lots, the issue has become urgent. We are working on it, and almost finished with that job.

There are, of course, other chapters of the Code that pertain to trees, groves, and forested acreage under pressure from development. In the earliest record that I

have of the Ad Hoc Committee's deliberations – a memo from February 14, 2014 – Jennifer Sutton answers the question, "When are Clearing Permits and Vegetation Management Permits Required?" Her answer refers to the Land Clearing chapter and the Vegetation Management chapter (BIMC 16.18 and 16.22).

We decided a long time ago that the purposes served by those two chapters would be better served by bringing together in one place regulations that could prevent reckless removal of significant individual trees and wasteful clear-cutting of forested lots, and could also promote more prudent land use, bringing conservation and development into balance. And now we are finally getting our arms around that critical challenge.

Another important challenge is revision of the Subdivision Design Standards (BIMC 17.12). We have all seen regrettable instances of subdivision development, and some of us have vowed, "Let it not happen again." The Committee has discussed inadequacies in the subdivision regulations: to put it bluntly, the so-called "Cluster" option doesn't result in attractive clusters of modest homes, and the "Open Space" option doesn't conserve much open space of any kind, unless the developer exceeds requirements and just does the right thing.

A thorough review and revision of the subdivision design standards may be more than the Ad Hoc Committee can manage in short order, but we can at least see to it that supportive basic policies are put in place: site assessment procedures, LID standards, and regulations that control land clearing and support conservation of forested areas.

The Committee has learned from experience that a tight focus on the specifics of regulatory language is sometimes necessary, but it's not sufficient when real changes in land use policies are called for. We have accomplished good things with tweaks to the regulations in BIMC 18.15.010, but our planning has needed a broader frame of reference. The updated Comprehensive Plan provides that frame and puts us under an obligation to implement real changes.

Two other important planning instruments ought to be more widely known and made more useful in the day-to-day life of COBI planning. These are the *Community Forest Management Plan* completed in 2006 and the *Bainbridge Island Open Space Study* from October 2008.

The *Plan* and the *Study* both involved City staff and a number of engaged citizens, working with consultants who were paid with public money. And in each case, a very informative and useful report was produced. It was subsequently made available on the City website. However, I am at a loss to see how the City's environmental and land use policies and the day-to-day administration of regulations have been changed in response to these reports.

Here are a few things I've learned from the *Community Forest Management Plan*.

The Community Forest is defined in these terms: “Any individual trees, small stands of trees or forested areas, and associated understory plants, that are found growing in both natural and built environments, and which contribute important ecological, social and/or economic benefits to the community” (p. 4). And: “The community forest on Bainbridge Island is a mosaic of highly altered landscapes and fragments of remaining native ecosystems” (p. 19).

The first of four recommendations from the Community Forestry Commission is this: “Maintain long-term overall canopy coverage goals for the Island while retaining the native forest structure throughout the Island” (p. 4).

The *Management Plan* provides (pp. 4 & 11) detailed information on the Island’s forest canopy cover, based on aerial photography from 2004. (If we have data from more recent aerial photography, there are lessons to be learned from any changes in the percentages.) Overall canopy coverage on the Island is estimated at 72%. The percentages for different zones are as follows: 75% in OSR (R-0.4 to R-1), 47% in high density residential (R-2.9 through R-14), 27% in NSCs, 42% in MUTC & High School Road, 29% in Winslow Core.

In the 2016 Comp Plan (p. IN-5) the canopy cover estimate is 73%. In the accompanying graph of land use types, Residential use accounts for 75%; land devoted to Parks & Recreation is 7%, and land classified as Forest is only 2%. So it is clear that preservation of the community forest and all of its benefits (see pp. 8-10 of the *Management Plan*) is highly dependent on how land zoned Residential is used. Also, it appears that the areas of lowest percentage don’t bring the overall total down very much.

Requiring street trees wherever they are appropriate would provide additional coverage and associated benefits in the more densely developed areas, and existing trees in those areas should be valued and preserved as long as they are healthy, but for preservation of the Island’s canopy cover, what happens in continuing development of the Open Space Residential zones should be our greatest concern.

The *Management Plan* provides data from 2004 on the canopy cover for each of the Island’s twelve watersheds, and recommends incorporating such information in the planning process (pp. 13-14). This would certainly be consistent with LID considerations, and should be taken into account in the Site Assessment Review process.

The *Bainbridge Island Open Space Study* is potentially even more valuable than the *Management Plan* as a foundation for long range planning and the reform of land use regulations. It describes and applies a methodology for evaluating open space areas across the Island, so that protective measures can be taken – not to prevent development but to ensure that its impacts are limited. Part 3 of the *Study*, “Strategies for Open Space Preservation,” offers an insightful critique of

shortcomings in COBI's zoning and land use regulations, which fail to provide effectively for the preservation of open space areas that is called for in our Comprehensive Plan.

Comments on COBI's subdivision regulations include this: "Most cluster ordinances are options to underlying zoning and are much more rigorous than the City's ordinance. Most start with at least 50 percent of site being in open space; some have a sliding scale going up to 80 or 90 percent open space and provide modest density bonuses as inducements to landowners."

It is worth noting that the *Open Space Study* was undertaken during the brief tenure of Greg Byrne as COBI's Director of Planning, as a follow-up to the *Final Report* (2007) of the 2025 Growth Advisory Committee, recommendations of the Open Space Commission, and other studies. (The *Study's* Executive Summary describes its rationale and makes a number of "key recommendations.")

In 2008 and for some years thereafter, the time was not right for acting on the *Open Space Study* recommendations, but with the Comprehensive Plan and the Critical Areas updates behind us, accomplished with no gnashing of teeth, and with LID objectives and metrics coming into play, this *Study* can be used to break up a policy log-jam, responding to citizen discontent and desires that have been features of the Island's civic culture for more than ten years.

The Council may be called upon to approve or endorse the *Community Forest Management Plan* and the *Open Space Study* so that provisions in the Municipal Code can be presented as implementations of the policies recommended in the *Plan* and *Study*.

"Conservation development, also known as **conservation design**, is a controlled-growth land use development that adopts the principle for allowing limited sustainable development while protecting the area's natural environmental features in perpetuity, including preserving open space landscape and vista, protecting farmland or natural habitats for wildlife, and maintaining the character of rural communities. A conservation development is usually defined as a project that dedicates a minimum of 50 percent of the total development parcel as open space."

So begins a Wikipedia article that provides useful background for the *Bainbridge Island Open Space Study*. It explains that the principles and practices of conservation development were formulated in the early 1980s by Randall Arendt. He has advocated conservation development and "conservation subdivision design" with great success in his consulting practice and many publications. Arendt's ideas, in a pamphlet-length publication titled "Growing Greener: Conservation by Design," figured in the toolkit that Joe Tovar provided during the Comp Plan update, and they were introduced years before during the 2025 Growth Advisory Committee's work.

Why shouldn't **conservation design** become the new normal for development in the Open Space Residential zones? It is already being practiced: just ask people at the Bainbridge Island Land Trust what they think of the idea. The earliest and the most prominent examples of conservation subdivision design were on a much larger scale than is possible today on Bainbridge (though not larger than Meadowmeer), but many opportunities for smaller-scale conservation development still exist, and they should not be lost.

Experience with the “no net loss” principle, applied in the Shoreline Master Program, referenced in the Water Resources element of the Comprehensive Plan, and applied again in the Critical Areas update, leads to a question: Why shouldn't the resources and benefits of the Community Forest also be protected by a “no net loss” standard? Not to do so would introduce a fundamental unsoundness into the Island's ecological systems – not to mention that it would, in the course of time, endanger our community's quality of life.

Since, unlike groundwater and the nearshore environment, the Island's canopy cover is conspicuous, stationary, and measurable, net loss would be relatively easy to monitor. Also, since in general the forest is growing faster than it's dying, keeping clearing and development in balance with conservation should be manageable.

The Ad Hoc Committee is now near completion of some changes to BIMC 18.15.010. We also have in hand the two chapters regulating clearing and tree removal – BIMC 16.18 and 16.22. Our approach to them is a “repeal and replace” strategy, leading to a chapter with a broader scope and a simpler structure, in which provisions that were confusing, ineffective, or outmoded have been eliminated. BIMC 16.18 (Land Clearing) dates from 2003, and BIMC 16.22 from 1997. Although they appear in the Environment Title of the Code, they are all about regulating exploitation of the environment. It's time to change that emphasis.

These specific policy ideas are presented for review and discussion.

Pertaining to the Site Assessment Review:

- 1) For all parcels of one acre or more, an arborist or forester will contribute a written report to the site assessment process.
- 2) The Site Assessment Review needs to be context-sensitive, avoiding fragmentation of areas and corridors that provide canopy cover and wildlife habitat. The *Community Forest Management Plan* recommends “planning by watershed,” and a project's location within its watershed should be a factor in the assessment. The *B. I. Open Space Study* also contributes to watershed-level mapping and planning.
- 3) In the Site Assessment Review for a lot that includes a forested area and/or other open space or critical area, the first priority should be identification of the area to be conserved, to protect canopy cover and any other open space features.

Pertaining to the replacement for BIMC 16.18:

4) If “no net loss” is an appropriate standard in shoreline and critical areas regulations, and also in measures to protect our groundwater resources, it is also legitimate to apply a no net loss standard to protection of the community forest resources.

5) On an undeveloped lot, we would permit removal of individual trees, and ‘selective harvest’ within limits, but no land clearing prior to completion of a site plan.

6) In regulations for single family lots and subdivisions, the percentage of open space to be reserved will vary with the zoning classification and the size of the parcel, and in response to site-specific factors. In most cases in Open Space Residential, the conserved area will be at least 50%. Obviously, the larger a project’s acreage, the higher the percentage that should remain undeveloped.

7) We will eliminate the provision that, without a permit, the property owner may clear up to six significant trees in any 12-month period, and another that allows clearing up to 2,500 sq. ft. of land in any 12-month period.

8) BIMC 16.22 (“Vegetation Management”) is best understood as a relic. Its provisions for a ‘Conversion Option Harvest Plan’ ought to be eliminated.

9) DNR Forest Practices permits, if they are still applicable to the clearing of undeveloped land, will be administered by COBI staff.

Pertaining to subdivision design:

10) We find that the “Design Standards and Guidelines” for subdivisions (BIMC 17.12) cannot be relied upon to produce good results. Currently, the Open Space option requires conserving very little open space; the Cluster option misappropriates a respectable planning concept and its guidelines are easy to abuse. Subdivision design standards should be the subject of a public workshop, and in preparation for that discussion, it would be worth knowing what opportunities for long and short plat subdivisions still exist on the Island.

In general:

11) Applicants for clearing and development permits should be expected, at the permit-granting stage, to meet the standards set in Purpose statements that pertain to their project. (Of course, the Purpose statements must be clear and convincing, and sometimes they are not: BIMC 17.12, pertaining to subdivisions, contains no Purpose statement at all.)

12) The Ad Hoc Committee will not complete its work without substantive collaboration with the Bainbridge Island Land Trust, and with interested individuals from the real estate and development communities.