
CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
PUBLIC COMMENT – Accept public comment on off agenda items
ORDINANCE 2018-19 AMENDMENTS TO BIMC CHAPTERS 16.18 LAND CLEARING &
18.15.010 LANDSCAPING – Study Session and Recommendation
ORDINANCE 2018-20 SUBDIVISION DESIGN GUIDELINES AND DEVELOPMENT
STANDARDS – Study Session
SMP AMENDMENT – Report from SMP Subcommittee
NEW/OLD BUSINESS
ADJOURN

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure

Chair William Chester called the meeting to order at 6:02 PM. Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Michael Killion, Kimberly McCormick Osmond and Don Doman. Lisa Macchio was absent and excused. City Staff present were Planning Director Gary Christensen, Long Range Senior Planners Jennifer Sutton and Christy Carr and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

The agenda was reviewed. There were not any conflicts disclosed.

PUBLIC COMMENT – Accept public comment on off agenda items

None.

ORDINANCE 2018-19 AMENDMENTS TO BIMC CHAPTERS 16.18 LAND CLEARING & 18.15.010 LANDSCAPING – Study Session and Recommendation

Senior Planner Jennifer Sutton facilitated the discussion which began with deciding to review notes from Commissioners McCormick Osmond, Quitslund and Pearl. Commission Quitslund proposed additional changes (see attached).

Public Comment

Mike Juneau, Arborist – Spoke in favor of nominating, cataloguing and adding plaques to “exceptional” trees to prevent accidentally cutting one down.

Motion: The Planning Commission forwards to the City Council Ordinance 2018-19 as amended proposing amendments to BIMC Chapter 18.15, section 010, and the repeal and replacement of BIMC Chapter 16.18 included as Exhibit A in a DRAFT dated August 6, 2018 with amendments. Further, with reference to Ordinance 2018-25 (the “Landmark Tree Ordinance”) we recommend repeal of the ordinance concurrent with the adoption of Ordinance 2018-19 recognizing that BIMC 16.18 will include provisions for designating and protecting specific “Exceptional” trees including “Landmark” trees.

Quitslund/Pearl: Passed Unanimously

**ORDINANCE 2018-20 SUBDIVISION DESIGN GUIDELINES AND DEVELOPMENT
STANDARDS – Study Session**

Commissioner Quitslund began by asking for opinions on changes he had proposed and comments from Jane Rein on the Design Review Board were discussed.

SMP AMENDMENT – Report from SMP Subcommittee

Commissioner Pearl gave an update on the SMP review saying “No Net Loss” would be the next topic for review and they hoped to meet the week of August 13, 2018.

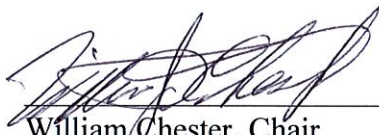
NEW/OLD BUSINESS

None.

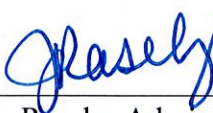
ADJOURN

The meeting was adjourned at 9:11 PM.

Approved by:



William Chester, Chair



Jane Rasely, Administrative Specialist



CITY OF
BAINBRIDGE ISLAND

Planning Commission Special Meeting
Thursday, August 9, 2018
6:00 pm – 9:00 pm

PLEASE PRINT

Name	Address	Phone/ E-Mail	Join ListServ Yes/No
Josh Potter	Puget Sound Energy	Josh.Potter@PSE.com	
Mike Imean	local artist	360-731-6361	
HAROLD SNOW	15670 PTH 269	206-940-7730	
Marian Zivner	4460 Rockaway Blvd	(832) 390-9271	

FROM: Commissioner Quitslund

RE: Page 3 of the August 6 version of Exhibit A, subsection 16.18.040(B) – “Removal of some healthy significant trees . . .”

The Ad Hoc Tree / LID Committee worried over this provision and it has remained unstable. The language now in Exhibit A and up for discussion is considerably more restrictive than what the Ad Hoc Committee settled on, and it relies upon permits for ongoing removal of significant trees after a quota of trees has been removed.

The policy in the current Land Clearing chapter has allowed plenty of tree removal and land clearing, year after year, without a permit. In the chapter we are replacing, 16.18.040(A) reads:

Clearing of up to six significant trees, as defined in 16.18.020 [Definitions], in any 12-month period. This exemption does not apply to: any critical areas, shoreline areas as defined in and regulated by Chapter 16.12 or 16.20 BIMC, other protected areas, or in the Mixed Use Town Center and High School Road zoning districts, pursuant to BIMC 16.18.030.

In the June 1, 2018 DRAFT, the comparable provision read as follows:

Removal of some healthy significant trees (see **16.18.120 Definitions**) is allowed. On a lot that is one acre or larger, a property owner may, without a permit, remove no more than **six** significant trees in any 36-month period. On a lot less than one acre in size, removal of **three** significant trees in any 36-month period is allowed without a permit. This exception does not apply if the tree removal is not consistent with any tree retention provisions of BIMC 18.15.010 (*Landscaping, Screening, and Tree Retention, Protection and Replacement*), BIMC 17.12 (*Subdivision Design Standards*) or requires the designation of a ARPA pursuant to BIMC Section 16.20.100.

If we want to allow, without a permit, continuing strategic removal of trees on larger forested lots, I would recommend the following language for 16.18040(B):

Outside of the Mixed Use Town Center and High School Road zoning districts, removal of some healthy **significant** trees (see **Definitions**, noting that **Exceptional** trees are a different category) is allowed without a permit, except for trees required to meet the tree retention provisions of BIMC 18.15.010, BIMC 17.12, or other applicable provisions of the Code. On a lot that is one acre or larger, a property owner may remove no more than **six** significant trees in any 36-month period. On a lot less than one acre in size, removal of **three** significant trees is allowed, and after this limit has been reached, see sections 16.18.050, .060, and .070 below. **Note:** Removal of trees that have not grown to the significant dimension is allowed without a permit at the discretion of the property owner.

FROM: Commissioner Quitslund

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Comments on Draft COBI Subdivision Design Guidelines, Chapter 17.12 BIMC

Submitted by: Jane Rein, member DRB

August 8, 2018

These comments are listed in no particular order:

1. Revisions to existing Chapter 17.12: **who re-drafted and what was the process?**
2. Title of Chapter 17.12 is confusing as is the language in 17.12.020:

It is my understanding that design standards are fixed, quantitative measures of design attributes and are mandatory. Design guidelines, on the other hand, are flexible, qualitative measures of design attributes that may or may not be mandatory. Including design guidelines in a chapter entitled design standards is confusing. If COBI's design guidelines are intended to be mandatory, I suggest the title of the chapter be Subdivision Design Standards and Guidelines.

3. Typo: 17.12.020 C, line 3:

BIMC 17.12.060 should be 17.12.070

4. Introductory language in Davis-Wenzlau (D and W) Proposed Design Guidelines and Development Standards:

Retain: "The following Guidelines shall be followed for the creation of all residential communities. The Guidelines include specific criteria to identify intent and set basis for compliance. The applicant will need to show familiarity with intent of Guidelines during Concept meeting and then compliance with Guidelines during Pre-App."

5. Proposed Chapter 17.12

17.12.030 **Why are large lot subdivisions NOT required to follow subdivision design guidelines?**

17.12.030 B(3) Change "Promote Community Interactions" to "Promote Community Interaction" (grammatically better)

B(4) Change in Intent: "community interactions" to "community interaction"

General comment: IF guidelines are to be mandatory as suggested in 030 introductory language, this section is quite confusing. "Projects with more than 10 homes MAY create separate homesite clusters...." "Walking paths SHOULD connect homesites with"

Language provided by D and W is much better: Projects shall provide a pedestrian connection through the site to adjacent established trails. Sites without adjacent trails shall provide public easement identifying potential future trail connections. Each project

shall establish a network of walking paths which connect Homesites to Community and Natural Spaces and access ways.”

B(7) Change “House types may feature shared details to provide continuity and harmony” (VERY weak) to “It is preferable that house designs have shared detail to provide continuity and harmony.”

C(11) **Concern about reference to parking: I am assuming there are parking requirements...separate?** Stating that the parking requirement may be met by using “access way” is worrisome and arguable. Also, having parking under impervious surface section is confusing, since, I am assuming there may be some gravel or pervious surface access ways (?) Note type in line 2 of Intent: “where”

OTHER: I strongly urge the CPC to retain D and W sections on Farmland (2); Site Restoration (3); Wildlife Corridors (6) and Housing Diversity (22)

QUESTION: I am hoping that the yet-to-be-developed Design Guidelines will include all of these things as well as everything in 17.12. Is that the case?

Question: Are large lot subdivisions covered by the yet-to-be-developed Design Guidelines?

Chapter 17.12

DESIGN GUIDELINES AND STANDARDS FOR SUBDIVISIONS **SUBDIVISION DESIGN STANDARDS**

Sections:

- 17.12.010 Applicability.
- 17.12.020 General requirements for single-family subdivisions.
- 17.12.030 Residential subdivision design guidelines.
- 17.12.040 General residential subdivision standards.
- 17.12.050 Specific residential subdivision standards.
- 17.12.060 Nonresidential subdivisions.
- 17.12.070 Special requirements for critical and shoreline areas and designated resource lands.

17.12.010 Applicability.

This section sets forth standards for (A) short subdivisions, (B) long subdivisions, (C) large lot subdivisions, (D) multifamily subdivisions, and (E) nonresidential subdivisions. Procedures for boundary line adjustments are set forth in BIMC Title 2.

This section sets forth design guidelines and standards for development of short and long residential subdivisions, and for large lot subdivisions. For multifamily, mixed use, and nonresidential subdivisions, see subsection .XXX.

17.12.020 General requirements for residential subdivisions.

A. Requirement. All subdivisions shall be designed in accordance with the standards and design guidelines of this chapter. If, due to site or design constraints, no homesite with supporting infrastructure can be located on a subject property, no division of land is permitted.

- A. All subdivisions shall be designed in accordance with the design guidelines and standards of this chapter. If, due to site constraints or design requirements, no additional homesite with supporting infrastructure can be located on a subject property, no division of land is permitted. Further, site constraints or design requirements may limit the number of lots and dwellings that can be established on a property.

B. Pre-Existing Lots. Lots that have previously received final approval from the city, or that have previously received final approval from Kitsap County prior to inclusion within the city boundaries, and that do not comply with the development standards and design guidelines of this section shall be considered existing nonconforming lots, but any future resubdivision of any such lots shall comply with current requirements.

- B. Pre-existing Lots. Lots that have previously received final approval from the city, or that previously received approval from Kitsap County prior to inclusion within the city boundaries, shall be considered nonconforming lots if they do not comply with the design guidelines and development standards of this chapter. Any future subdivision of such lots shall comply with current requirements.

- C. Both short and long residential subdivision applications shall demonstrate compliance with the design guidelines in subsection .030, and with the development standards in subsections .040 through .0X0, where applicable. Some design guidelines are not applicable to subdivisions resulting in fewer than four primary dwelling units. In the course of preparation and review of an application, site-specific circumstances may indicate that some design guidelines are not applicable, and/or that the project proposal must be modified to achieve compliance.

C. Large Lot Subdivisions. As authorized by RCW 58.17.040(2) or its successors, the city regulates the division of land into large lots. Large lot subdivisions shall comply with the requirements of BIMC 17.12.040 (General residential subdivision standards), the requirements of BIMC 17.12.060 (Special requirements for critical and shoreline areas and designated resource lands), if applicable, and the requirements of BIMC Title 18 for the zone district in which the property is located. (Ord. 2017-02 § 17, 2017; Ord. 2011-02 § 2 (Exh. A), 2011)

- D. Large Lot Subdivisions. As authorized by RCW 58.17.040(2) or its successors, the city regulates the division of land into two or more lots, where each lot is not smaller than five acres. Large lot subdivisions shall comply with the requirements of BIMC Title 18 for the zone district in which the property is located, with the development standards in subsection .040, and with the requirements of subsection .0X0 (Special requirements for critical and shoreline areas and designated resource lands), if applicable.

17.12.030 Residential subdivision design guidelines.

The purpose of these design guidelines is to define the ~~characteristics~~ qualities of subdivisions that ~~respond to meet~~ the guiding principles, goals, and policies of the city's Comprehensive Plan, and ~~then~~ to serve as a tool for guiding ~~individual~~ projects ~~to that~~ meet those expectations through the city's land use review procedures. The design guidelines also offer a forum for members of the public to participate in discussions about development ~~new subdivisions~~ in their neighborhoods, ~~and as a means of allowing~~ They allow flexibility in the application of development standards; ~~and zoning requirements~~. ~~An~~ applicant may be granted a departure from the development standards ~~and zoning requirements~~ by demonstrating that an alternative design ~~better meets~~ will better achieve the intent of the design guidelines.

~~All residential subdivisions, except large lot subdivisions, shall comply with the residential subdivision design guidelines, and shall also comply with the standards of BIMC 17.12.040 (General residential subdivision standards) and with the standards of BIMC 17.12.060 (Special requirements for critical and shoreline areas and designated resource lands) as applicable.~~

In a manner appropriate to the subject property's zoning classification, adjoining properties, and site-specific characteristics, Natural Area(s) and Community Space(s) shall be integral parts of the subdivision design, and assets to be cared for and enjoyed by residents.

-----END of JQ SUGGESTED EDITS

A. Natural Areas

1. Preserve Existing Natural Areas

Intent: To protect a significant part of the property that is forested and/or contains other sensitive natural resources.

Guideline: Areas such as trees, forests, vegetated slopes, meadows, streams and wetlands shall be features of the subdivision design. **Table XX** prioritizes the list of natural area types and includes existing wildlife corridors, land currently used for pasture or crop production, and stormwater ponds that function as a natural feature or constructed wetland. Construction activities shall not impact Natural Areas and protected trees.

2. Recognize and Protect Significant Trees

Intent: Protect trees that are considered ecologically or aesthetically significant and embody pieces of the Island's history and distinctive identity.

Guideline: If located outside of a Natural Area, significant trees should still be protected when homesites are planned. Historical significance, rarity or scarcity, ecological function and aesthetic appeal are qualities worthy of preservation. **[Wait on recommendations on landmark tree ordinance; revisions to 16.18; new definition of significant tree].** Staff note: will likely also be addressed in "landscaping, screening, and tree retention" section relocated (applicable parts) sections of BIMC 18.15.010. Will also need definition of "significant" tree.

B. Site Design

3. Provide Community Spaces

Intent: Promote community interactions.

Guideline: Community space(s) should be located adjacent to as many homesites as is feasible. Spaces and facilities may include but are not limited to: a central green, play structures, pea patches, a flower garden, an orchard, a greenhouse, a covered or enclosed social space. Natural areas will be given priority over covered or enclosed community spaces.

4. Design Homesites To Promote Community Interaction

Intent: To promote interactions within the community and to reduce infrastructure costs and the impacts of development, homesites should be located in clusters, with safe walking routes within the community and to adjacent neighborhoods.

Guideline: The separation of any homesite from another adjacent to it will vary with the zoning classification and the lay of the land. Projects with more than ten homes may create separate homesite clusters, each with its own Community Space. Projects shall provide pedestrian connections on pervious paths through the site and to adjacent trails if they exist. Sites without adjacent trails should, if feasible, provide public easement(s) to identified potential trail connections. Walking paths should connect homesites with the Community Space and Natural Area.

5. Promote Context Sensitive Design

Intent: To encourage site, landscaping, architectural, or engineering design that is compatible with a development's setting, the contours of the land and natural systems on-site and immediately off-site, and compatible with the character, location and configuration of improvements and uses on adjacent properties.

Guideline: Homes along public streets shall have their entry oriented to the street, with porches and outdoor spaces encouraged. Homes on corner lots may face a side yard to the street. Any garage or covered parking shall be adjacent to the access way. If facing the street, garages shall be limited to two cars; if located toward the rear of the home, they should use a shared driveway.

6. Use an Efficient Homesite Footprint

Intent: Integrate the footprint of impermeable surfaces, useable outdoor spaces, and any access and parking areas within a limited homesite area.

Guideline: Site layout shall include efficiently configured building footprints and outdoor spaces.

7. Provide Variation in Housing Design and Diversity

Intent: Add visual interest and individuality with a range of house designs and sizes.

Guideline: House designs shall be varied in floor plan, elevations and massing. House types may feature shared details to provide continuity and harmony.

8. Provide Useable Sideyards

Intent: Ensure that spaces between houses are useable.

Guideline: The distance between houses shall be at least 10 feet, to provide for various uses and allow for light and privacy, except in zero lot line circumstances.

9. Recognize Historical and Cultural Resources

Intent and Guideline: Identify and preserve any culturally significant artifacts associated with the site of development or redevelopment; consult with the Historic Preservation Commission before modifying or demolishing a historically significant structure.

C. Reduce Development Impacts

10. Promote Sustainability and Solar Access

Intent: Ensure that site planning and building design support strategies for sustainability and provide access to some direct daylight for each homesite for wellbeing and energy production.

Guideline: All homes and community buildings should be designed to minimize their environmental footprint, in accordance with the requirements of locally adopted codes. Orient homesites in relation to open space and forest canopy to maximize solar access for all homes if possible. Massing of buildings, tree retention and plantings should minimize the effects of shade on adjacent homes.

11. Reduce Impervious Surfaces.

Intent: Reduce impervious surfaces by limiting the width and length of roads within the subdivision and by eliminating roads serving individual homesites where feasible.

Guideline: Site design shall use a minimum paved road surface. Parking may be located outside of homesites along an access way, in shared parking areas, or garages.

~~12. Restore Disturbed Areas of the Site~~ Suggest deleting. BMP T5.13 required for subdivisions - Post-Construction Soil Quality and Depth (soil amendment required)

~~Intent: Restore areas disturbed and impacted by construction.~~

~~Guidelines: Restore disturbed areas affected by construction activities.~~

13. Incorporate Efficient Stormwater and Septic System Design

Intent: Integrate stormwater into site layout and design, avoiding isolated facilities where possible, and seek out the most appropriate technology for reducing stormwater and septic system impacts on the natural environment. Design for on-site infiltration of septic system outflow and stormwater.

Guideline: Limit impervious surfaces, design an efficient septic system, and disperse rainfall with such strategies as raingardens, pervious paving, natural vegetation and natural ponds. Encourage shared or community septic systems, if available. Where stormwater retention ponds are necessary, they shall function as a natural feature or a constructed wetland, with gentle slopes and native vegetation. Fencing around stormwater ponds, if used, shall be visually open (split rail, for instance) and less than 3' 6" in height unless otherwise required for public health and safety.

14. Encourage Water Conservation through Use of Native and Drought Tolerant Vegetation

Intent: Reduce water consumption.

Guideline: Whether installed by the developer or homeowner, installed vegetation should be native and drought tolerant species requiring minimal irrigation after establishment.