



CITY OF BAINBRIDGE ISLAND
Planning Commission
Special Meeting and Public Hearing Minutes
August 13, 2015 at 2:00 p.m.
City Council Chamber
280 Madison Ave N
Bainbridge Island, Washington 98110

CALL TO ORDER - Call to Order, Agenda Review, Conflict Disclosure
REVIEW AND APPROVAL OF MINUTES - June 11, 2015 Planning Commission Meeting
PUBLIC COMMENT - Accept public comment on off agenda items
ORDINANCE 2015-23, WIRELESS COMMUNICATIONS REGULATIONS - Public Hearing
ORDINANCE 2015-04, TREE AND LANDSCAPING REGULATIONS - Public Hearing
PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE
2016 COMPREHENSIVE PLAN UPDATE

Land Use Element

1. Confirm Drafting committee Proposed Revisions re: Island-wide Conservation Strategy, High School Road District and Food Security Policies
2. Consider adding a "Glossary" to the Land Use Element
3. Comprehensive Plan Amendment Application Under Consideration Submitted by BI Metro Park and Recreation District, to create a new "Park" land use designation for parks, including new "Park" designation policies

Environmental Element

REVIEW PUBLIC COMMENT FROM July 22 WORKSHOP
PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE
NEW/OLD BUSINESS
ADJOURN

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

Chair Mack Pearl called the meeting to order at 6:02 PM. Commissioners in attendance were Michael Lewars, Jon Quitslund, Maradel Gale, John Thomas and William Chester. Julie Kriegh was absent. City Staff in attendance were Planning Director Kathy Cook, City Attorney Lisa Marshall and Special Project Planner Jennifer Sutton. City Consultant Joe Tovar was also present. Administrative Specialist Jane Rasely monitored recording and prepared minutes.

REVIEW AND APPROVAL OF MINUTES - June 11, 2015 Planning Commission Meeting

Commissioner Gale pointed out a missing word (continued) on page 7 and asked for the minutes to be amended.

Motion: I move the minutes of June 11th be approved as amended.

Gale/Quitslund – Passed unanimously, 4-0

PUBLIC COMMENT - Accept public comment on off agenda items
None.

ORDINANCE 2015-23, WIRELESS COMMUNICATIONS REGULATIONS - Public Hearing

City Attorney Lisa Marshall gave an overview of the removal of the old code under BIMC 18.09.030(F)(3) and adding the new BIMC Chapters 1810 and 1811 (see attached copy of presentation). Commissioner Pearl asked if this new ordinance kept new macro towers from being placed on the Island. City Attorney Marshall stated no, but a new macro tower or mono pole would have to go through a full Planning permit process as well as show that another less intrusive technology would not suffice. Commissioner Gale asked about the time limit to the permit process and whether there should be a

time limit to the installation just as there was a time limit for other building permits. 180 days with one extension was discussed as the norm for building permits and the Commissioners agreed that was appropriate for this ordinance as well.

Public Hearing began at 6:33 PM. There was not any public comment.

**Motion: I move transfer this ordinance to City Council as amended with a recommendation.
Chester/Quitslund – Passed 4-0, 1 abstention (Thomas)**

ORDINANCE 2015-04, TREE AND LANDSCAPING REGULATIONS - Public Hearing

Special Project Planner Jennifer Sutton gave an overview of the proposed changes to this ordinance stating work was not completed with all the ordinance. Planning Director Kathy Cook asked about a numbering discrepancy. Planner Sutton stated the two sections skipped were quite lengthy and did not have any changes so were not added.

Public Hearing for Ordinance 2015-04 began at 6:41 PM.

Olaf Ribeiro, Citizen – Asked how soil compaction was going to be measured. Commissioner Pearl responded by saying that he thought it referred to NOT moving over parts of the soil to keep it from becoming compacted. Planner Sutton clarified saying, “Most of the language related to soil compaction is in Section C4 which begins on the bottom of page 4 and basically the Committee has recommended augmenting the protection during construction section of the Code to beef up the requirements to have areas that are going to be preserved, fenced off, prior to construction beginning. They made clear that includes future planting areas if at all possible to be protected and not run over with trucks...So it’s a kind of disturbance area...that’s a little bit more global than a tree protection area.” Mack further clarified saying it meant there was no compaction allowed at all in these areas which would be identified on the plan. Mr. Ribeiro stated he understood and felt everything else in the Ordinance looked good.

Public Hearing closed at 6:44 PM.

**Motion: I move that the Planning Commission forward Ordinance 2015-04 Tree and Landscaping Regulations to the City Council with a recommendation for adoption.
Gale/Quitslund: Passed, 5-0**

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE

Melanie Keenan, Citizen – Thanked the Commission for transcribing her information and stated she could get the disc of her presentation. She had been somewhat following the process when she could (based upon her other responsibilities). She was concerned that the process was chugging along without the appropriate level of citizen input. That it was not reflective of what citizens were providing them as their input. It seemed to her the City was in possession of a pretty much finalized updated Comp Plan and they’re trying their best to get that through as opposed to generating an updated Comp Plan with citizen input as they went along for each topic. That was the sense she had from a lot of citizens here. She was also concerned about how their input would be incorporated and she was also concerned about the water supply. She noted the City Council and City Manager had been spending money hand over fist this summer. It was pretty frightening. But she had never seen any monies allotted to making sure they were fulfilling the current Comp Plan in terms of the environmental and water usage. She did not see, for instance, since the City had cutback, that proper water samples and monitoring had been occurring. The City was spending more money on art projects and making sure the City could have more HDD projects. She was concerned that when a new center like Sportsman Triangle was designated that it was not in keeping with the current Comp Plan in terms of the Winslow area was supposed to receive the majority of the growth and the rest of the Island would have a rural feel. Where was the City with this basic concept? She thought there was a double standard going on with the City promoting this Comp Plan in terms of not actually supporting the current tax payers and residents of the Island but instead rolling a program forward where tax dollars, instead of insuring the quality of life and preserving the quality of life here, the monies are being spent for the profit of a few to develop the Island. Most of the tax money being used to support this program are the monies coming from the existing residents. She did not think they should have to literally pave the way for future residents. She suggested there should be a transportation funding from large projects, but saw that had now been skewed and distorted so that single family homeowners would be contributing no matter what, but big developments again get to get out. There were all kinds of caveats where they could escape from having to contribute to traffic inputs. For example, HDDP would get a cut again. They get a pass. The research still has not been done on HDDP; why was this being flaunted around all the topics as far as giving away the City

owned land to the Police Station. It touched everything but it was really prevalent in the Comp Plan. She thought there seemed to be a culture here where the citizens were really second rate and she would like to see that change. She was noticing some of the definitions. She wanted to tell them her concerns about some of the definitions contained in the Comp Plan. She felt many of them were lacking. She was discouraged by the Comp Plan process. She had participated in the agriculture, the code update; she had participated in a lot of processes and she saw a really common theme where they were just rolling over the citizen processes. It was theater, it was not actually putting in citizen input.

Chair Pearl disagreed with Ms. Keenan's take on the lack of citizen input. He stated everyone there was a citizen of Bainbridge Island and he was participating because he was a citizen concerned about the future of Bainbridge Island and so his input he believed was citizen input. He felt they listened to all the citizens and he felt there was a long and involved citizen process going on and which would continue for another 6 months. He stated Ms. Keenan's main concern seemed to be water and that report had not been released yet but he felt there would be a lot to say when it did come out and he encouraged her to keep participating but to also have belief that everyone was trying to make the Island better. Ms. Cook also added they were only about 1/10th of the way through the Comp Plan update and had already had 30 public meetings and provided multiple opportunities for people to participate. She felt as though a lot of changes had been made to the Land Use Element and thought there would be changes to the Environmental Element as well.

2016 COMPREHENSIVE PLAN UPDATE

Planner Sutton reviewed what the Commission would be looking at in the Land Use Element stating that when they were through discussing it, they would look at public comment received at the Environmental Element Workshop held July 22, 2015. Conversation ensued about design guidelines and whether they would be revised by this (No) and open space in Neighborhood Service Centers (NSC) versus more densely developed areas. Green building as opposed to LEED Certification was canvassed with an agreement of taking out the density bonus for building green since "green" had become the building standard. Commissioner Chester brought up the Transfer Development Rights (TDRs) program. Director Cook stated the City currently had two separate studies going on about TDRs. Parking and drive thru services were brought up with discussion centering on auto oriented services uses allowed within the High School zoning area.

Commissioner Gale departed at 7:17 PM.

Commissioner Quitslund questioned the grammar of the Land Use Element Glossary recommending different punctuation. It was suggested and accepted that any terms that crossover into other City documents (such as the Shoreline Master Plan) should remain consistent.

Conversation about whether there should be a "Park" designation within the Land Use Element with the Perry Barrett representing the Bainbridge Island Metro Park and Recreation District (BIMPRD). Language from both BIMPRD and the City of Poulsbo were discussed. Mr. Barrett offered up clarification on the information provided by his organization and contributed to dialogue about what a "Park" designation would mean for the planning process. Commissioner Quitslund asked for distinct verbiage specific to Bainbridge Island before he could go further in his deliberation of the park subject. He asked that BIMPRD come back with specific suggestions. Chair Pearl asked if Mr. Barrett would be willing to help draft language by coming to the Comprehensive Plan Drafting Committee meetings. Director Cook confirmed with the Commissioners that they did not want to hold the Land Use Element back for this process but that it would be concurrent with the continuing Comp Plan process.

PUBLIC COMMENT ON COMPREHENSIVE PLAN UPDATE

Melanie Keenan, Citizen – Gave suggestions for the definitions she felt were important to have in the Glossary. In keeping aquifer more sufficient, the definition needs to be tailored to the fact that the Island was a sole source aquifer, an all-island UGA and the only all-island sole source in Washington. It is a unique area and if it was desired to include that, separate it out into a separate definition too. There needed to be a definition of sea water intrusion, aquifer conservation zones, rural (or something similar). There needs to be a definition for the overall stance on providing an environmental and green areas, open spaces, agriculture and maintaining the character of the Island. She did not feel the definition for recharge was very scientifically accurate. It demonstrated a lack of understanding of water supply and needed to be looked at and definitely addressed. She felt up-zoning needed to include the concept that this was a variance and an exception driven process. She felt there was currently enough zoning to provide for the numbers the City had been assigned to update the Comp Plan under the Growth Management Act rules. Ms. Keenan thought it seemed that this was

a very aggressive Comp Plan update that supersedes or exceeds the requirements for the growth that the City had been directed to accommodate. She wanted to go over some of the things she had quickly looked over on the Land Use Element but suggested there should be a more user friendly draft presented. She stated there had been a tremendous amount of language that had been crossed out and a tremendous amount of citizen input that had been cut with no explanation why or where they were going with that. Was it being referenced somewhere else, being totally thrown out or no longer applicable. She suggested they develop six categories as reasons/explanations for getting rid of most of the language that protected the Island. Commissioner Quitslund asked for an example of something that had been cut that Ms. Keenan regarded as a loss of some valuable protection or principle. Ms. Keenan stated she could do that the next meeting that she was available. She went on to say there needed to be better checks and balances so that the codes or laws would honor the Comp Plan. Continual problems occurred because there was one gatekeeper – the Planning Director that approved development, variances and interpreting the Code. She felt the Planning Commissioner's input did not have authority. She offered ideas such as elected Planning Commissioners that actually had authority or a citizen oversight committee. She expressed concern over the idea that the Rolling Bay Neighborhood Service Center (NSC) could potentially be developed per a Special Area Planning Process. She wanted to know where the required studies were to determine that HDDP was viable per the approval of HDDP. She wanted that information made available to the citizens. She felt it would help with the Land Use Element. She mentioned the phrase "context sensitive" used on page 5 was a very nebulous term. Ms. Keenan thought the aquifer conservation zones should be included in more than one Element of the Comprehensive Plan because they were a huge land use consideration. She felt it needed to be identified, defined and well brought out in all the Elements. A discussion ensued as to the Critical Area Overlay District and its importance/relevance to protecting land. Ms. Sutton explained that it did not actually have anything to do with protection but transfer of development rights. Ms. Keenan concluded by giving the areas/page numbers of sections she was concerned about and stated she would provide her concerns in written comment.

Stacey Nordgren, EcoAdapt Consultant – Asked a question about the "should" versus "shalls" throughout the documents. She wanted to know whether the intention was that the Plan in its entirety was a guidance and policy document and no part of the Comp Plan had regulatory enforcement. Ms. Cook stated "shall" was used in the Comp Plan when there was a State or some other legal requirement. Where possible, they tried to move to "should" or just speak in the active tense. Ms. Nordgren mentioned that LU 20.2 and 20.3 where one was a "should" and one was a "shall." Ms. Sutton clarified their use.

Mike Killion, Citizen – Suggested creating a citizen comment and response matrix to put on the website.

Discussion of public comment from the Environmental Element workshop centered on forming a power utility on the Island.

Tom Brobst, PSE – Answered questions from the Commissioners regarding clean and coal-fired power as well as energy efficiency.

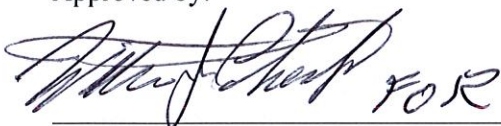
NEW/OLD BUSINESS

None.

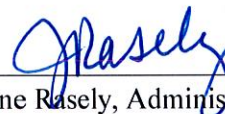
ADJOURN

Meeting was adjourned at 9:05 PM.

Approved by:



J. Mack Pearl, Chair



Jane Rasely, Administrative Specialist

PLEASE PRINT

[illegible]

**Proposed Code
Revisions to
Improve Wireless
Coverage and
Comply with §6409
of the Spectrum Act**

City of Bainbridge Island

What are we doing with this ordinance?

- **Eliminating BIMC 18.09.030(F)(3)**
- **Adding a new BIMC Chapter 18.10 to address the location of and development standards associated with new WCFs**
- **Adding a new BIMC Chapter 18.11 to address eligible facilities modifications**

Why are we doing it?

1. To improve wireless coverage on Bainbridge Island

- Poor wireless coverage the most frequent complaint from citizens heard by the City Manager**
- The City Council directed the City Manager to improve wireless coverage in 2015**
- AT&T identified the City of Bainbridge Island as a municipality in need of improved coverage and suggested several code revisions to accomplish improved coverage**

Why are we doing it?

2. To comply with §6409 of the Spectrum Act

- **What is that?**
 - Sec. 6409 of the Spectrum Act is one part of the “Middle Income Tax Relief and Job Creation Act of 2012.” Aside from enactment of the Spectrum Act, The Middle Income Tax Relief and Job Creation Act accomplished the following:
 - extended payroll tax exemptions
 - extended unemployment benefits,
 - provided for the auction of electromagnetic spectrum
 - provided for the creation of a broadband communications network for first responders (“FirstNet”).

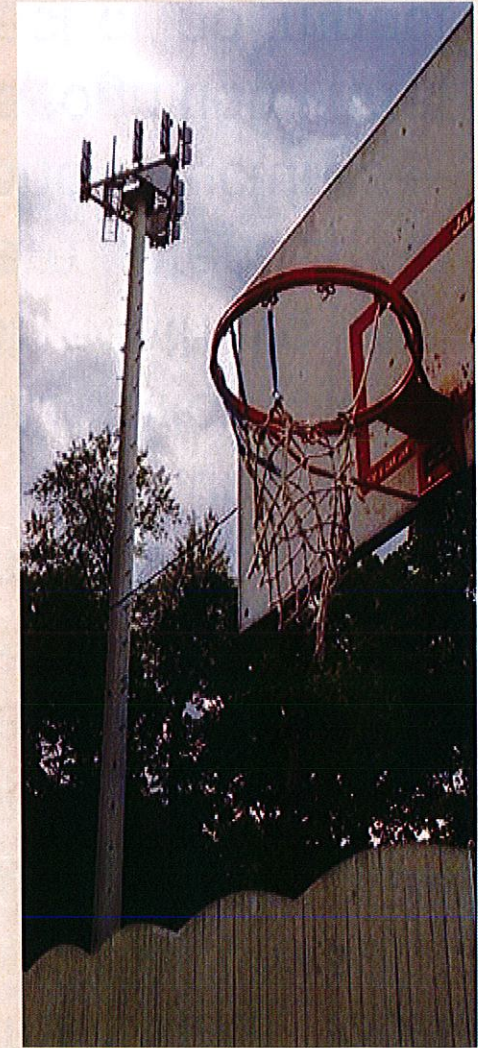
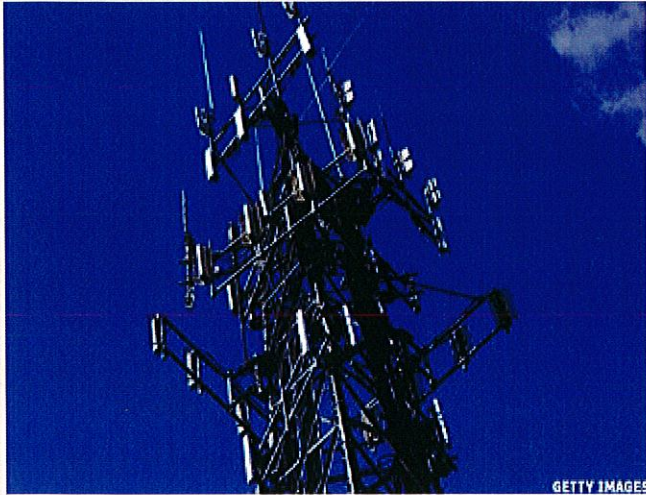
§6409 of the Act, entitled “Wireless Facilities Deployment” was passed to address the growing need for wireless deployment. The Act, among other things, contains the following requirements:

- **“A state or local government may not deny, and shall approve any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.”**
- **Eligible facilities requests (EFRs) are exempt from SEPA review (RCW 43.21C.0384).**
- **Local review must be completed within 60 days including any review to determine if an application is complete.**
- **Deemed granted – an EFR will be deemed granted if not approved within the 60 day period, accounting for any tolling.**

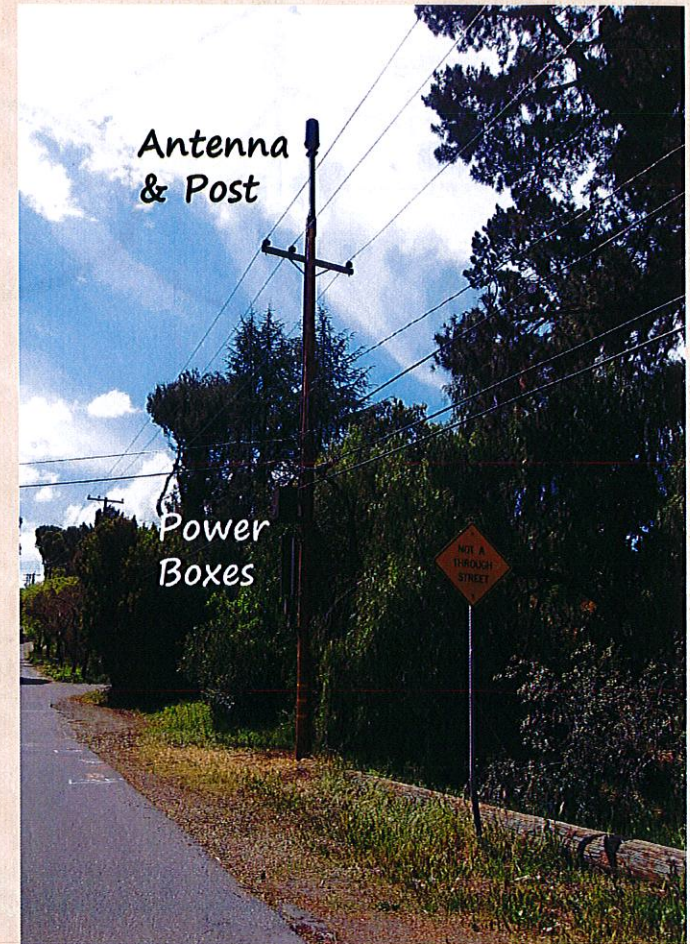
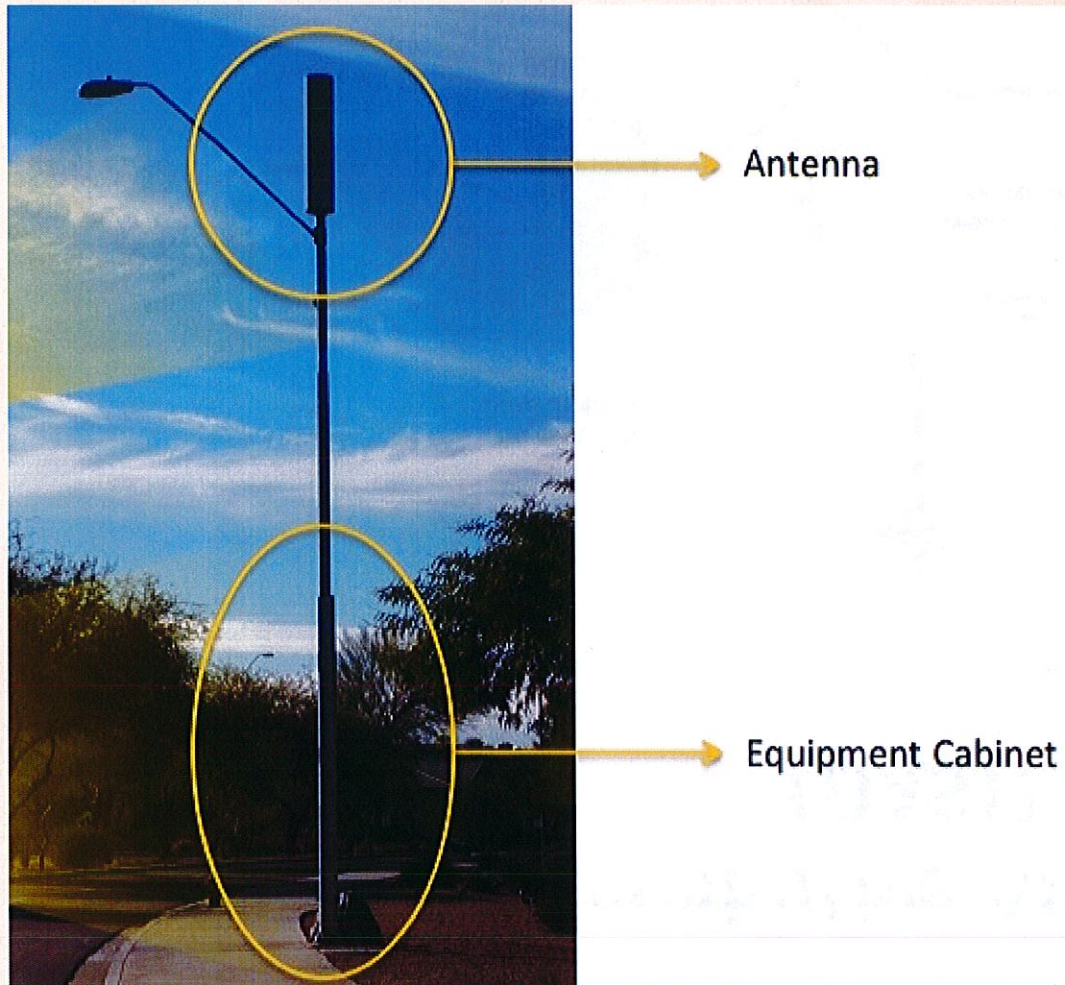
“Our actions recognize that a technological revolution has changed the wireless network landscape. The Commission’s current rules for deploying infrastructure were drafted at a time when antennas were huge and bolted to the top of enormous towers. While that kind of macrocell deployment still exists and will continue to exist, there are now a variety of complementary and alternative technologies that are far less obtrusive. Distributed antenna system (DAS) networks and other small-cell systems use components that are a fraction of the size of macrocell deployments, and can be installed—with little or no impact—on utility poles, buildings, and other existing structures. We are revising our rules to reflect this technological progress.

“At the same time, however, we recognize that State, local and Tribal governments play important roles in this process, including with respect to their own land use regulation and as part of our historic preservation review process. While we eliminate review procedures that are not necessary for small-size facilities collocated on existing structures, we do so in a manner that preserves local zoning requirements and rules requiring camouflage or concealment measures. In particular, the rules we adopt today will allow local jurisdictions to retain their ability to protect aesthetic and safety interests. Accordingly, our actions are intended to encourage deployments on existing towers and structures—rather than entirely new towers—in recognition that collocations almost always result in less impact or no impact at all.” *FCC Report and Order 14-153, October 21, 2014*

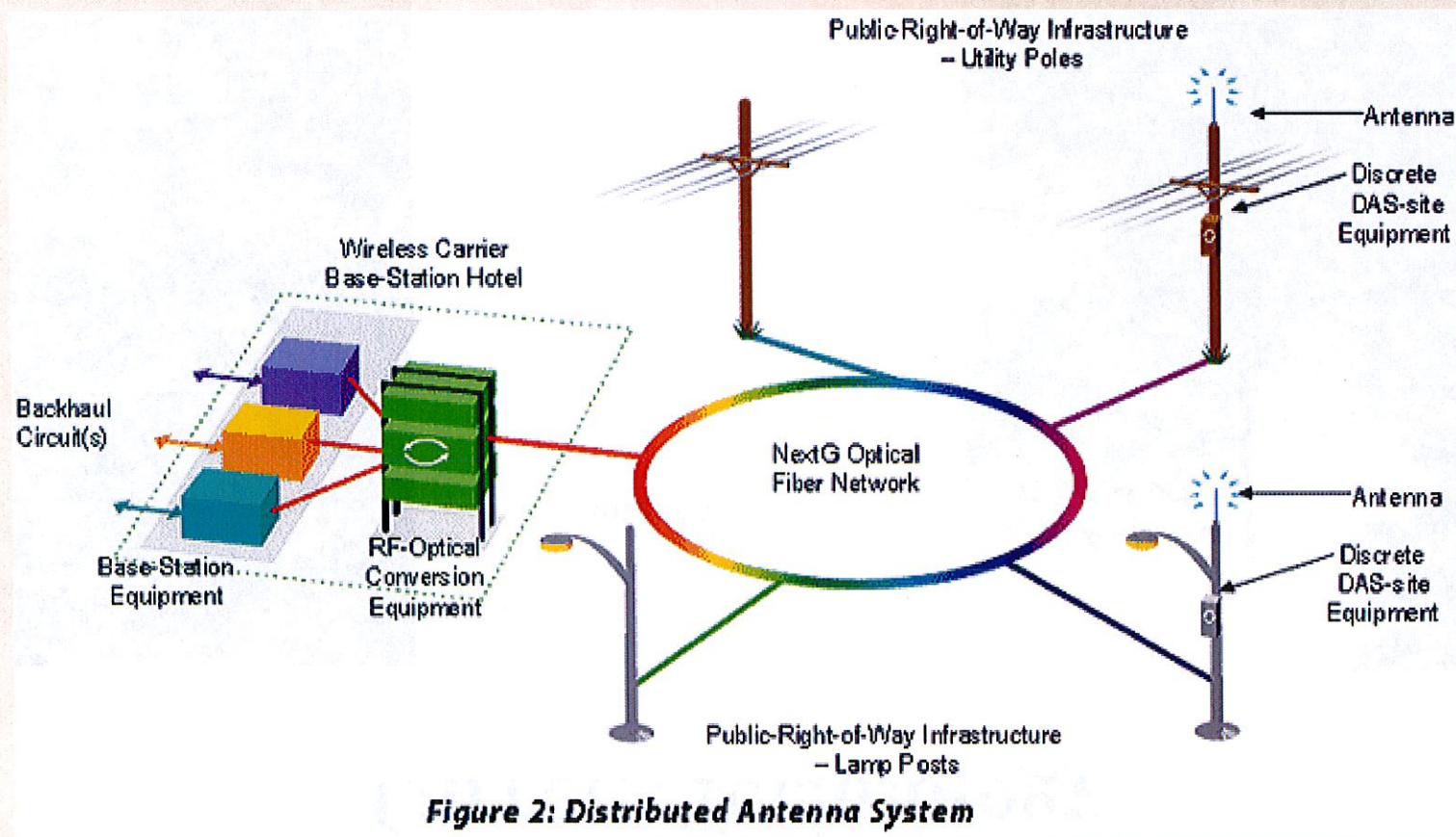
Typical wireless facility (macrocells) - 1997

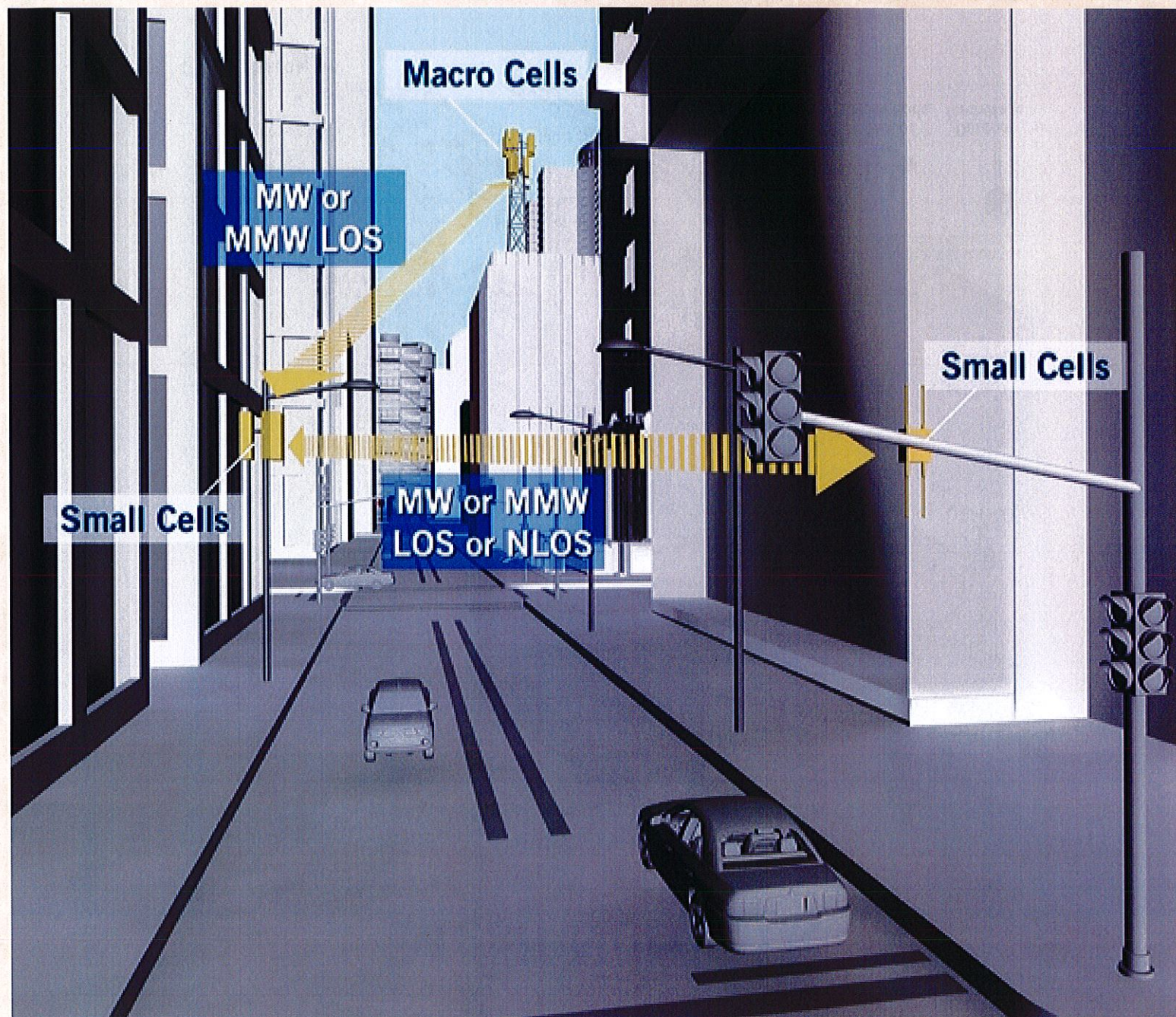


Current Technology

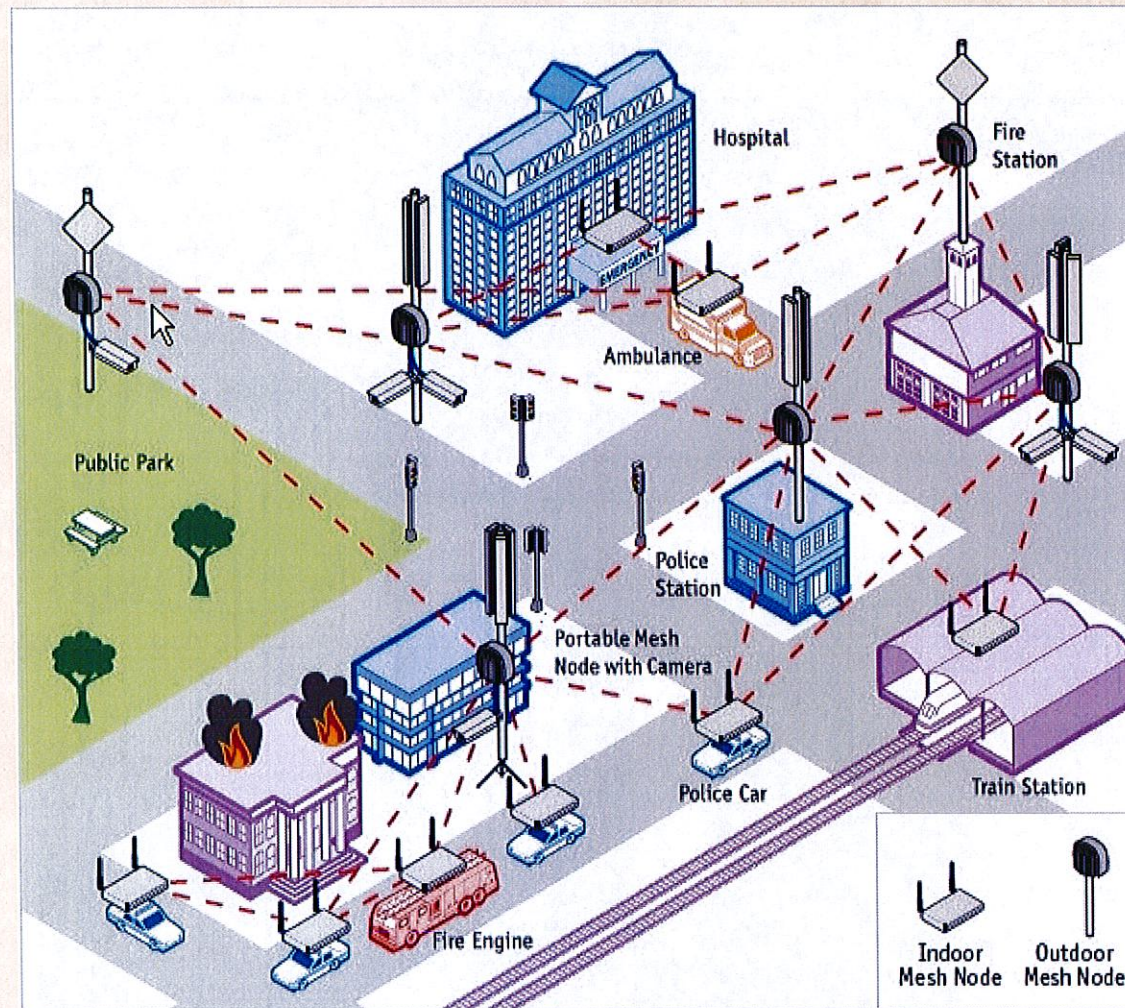


What is Distributive Antenna System? (DAS)?





Mesh Network



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What does “substantially change” mean?

A modification is a substantial change if any one of the following is met:

- Towers outside the public ROW:
 - Increases the height of tower or existing base station by more than 20 feet or 10%, whichever is greater;
- Towers in public ROW and for all base stations:
 - Increases height of tower or existing base station base station by more than 10% or 10 feet, whichever is greater;
 - Protrudes from the edge of the structure more than 6 feet;

What does “substantially change” mean?

- **Involves installation of more than the standard number of new equipment cabinets for the technology not to exceed 4 cabinets;**
- **Entails any excavation or deployment outside the current site of the tower base station;**
- **Would defeat existing concealment of the tower base station; OR**
- **Does not comply with conditions associated with the prior approval of the tower or base station unless non-compliance is due to the factors listed above**

What is an “base station?”

- “The term includes any structure other than a tower that, at the time an eligible facilities modification application is filed with the City under this Chapter, supports or houses equipment described in paragraphs (i)–(ii) above, and that has been reviewed and approved under the applicable zoning or siting process, or under another State, county or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.”

Is a street light or utility pole containing no wireless facilities an “existing base station” for purposes of 18.11?

No. The initial placement of a wireless facility on a utility pole or street light would undergo review pursuant to 18.10.

Subsequent co-locations of wireless facilities, assuming they met the definition of an EFM, would be processed under 18.11.

Application Review Process and Remedies

- Local review must be complete in 60 days
 - Exceptions are when mutual agreement to extend time; or
 - The locality informs the applicant within 30 days of the submission that the application is incomplete
- If the City determines that §6409 does not apply to a particular siting application, then the *Shot Clock* ruling will apply – the *Shot Clock* standard is a December 21, 2009 FCC declaratory ruling stating that local jurisdictions must act on an application in a reasonable amount of time. Presumptively reasonable timeframes are 90 days for co-locations, and 150 days for non co-locations

Visconsi Tree Unit Calculation

Property Size

8.16 acres

**Tree Unit Requirements HS Rd.
District**

40 units per acre

Total Tree Unit Required

326.4

Total Tree Units Retained

508

New Tree Units

136

Total Final Tree Units

644

Other Heritage/Landmark Tree Programs

	Program Name & Code Section	Description of Qualifying Trees	Voluntary Designation?	Designation Committee	Recorded on Title?	NOTES/ How to remove designation
Seattle (SDOT)	Heritage Tree Program <i>not in code</i>	Broad: Specimen, Historic, Landmark, or Collection (group of trees)	Yes	Volunteer committee of residents/ arborists	Voluntary	Notification to SDOT
Redmond	Landmark Tree <i>RMC 21.72</i>	Any healthy tree > 30" dbh	No	NA	No	Permit required, arborist must determine that tree is hazardous/diseased/ dead or apply for exception. Must be replaced w/ 3 PNW native trees
Olympia	Landmark Tree <i>OMC 16.56</i>	Tree(s) that are historic, rare/ unusual species or exceptional aesthetic quality	Yes	Planning Director decision; Forestry Advisory Board hears appeal	Yes	Tree Removal Permit required prior to removal, Director has discretion depending on reasons for removal.
Lynwood	Heritage Tree <i>LMC 17.15.070</i>	Size, Age, Usual Species, Historical Association	Yes	Park and Rec Board	Yes	Director of PW evaluates if heritage tree designation can be revoked based on criteria in subsection (G)
Lacey	Historical Tree <i>LMC 14.32</i>	Tree(s) designated by City b/c of historical value	Yes	Planning Director decision	Yes	Land clearing permit required for removal; Director has discretion depending on reasons for removal.
Lake Forest Park	Landmark tree <i>Ch. 16.14</i>	Any tree ≥ 28" dbh	No	NA	No	Permit required to remove significant and landmark trees; minimum amount of tree canopy required varies by zone and lot size
Port Orchard	Lg. Significant trees <i>POMC 16.50</i>	Any trees ≥ 36" dbh	No	NA	No	City Council will vote to allow removal under POMC 16.50.180
Mercer Island	Landmark Trees & Groves <i>MICC 19.10.140</i>	Grove: mature, distinctive, or historically important. L. Tree: Any tree ≥ 36" dbh, unique, or historic	Yes	City Arborist	Yes	Requires tree permit, justification for removal because of hazard, or construction impacts can't be avoided.
Woodinville	Heritage Tree Program <i>not in code</i>	Tree(s) that are historic, rare/ unusual species or exceptional aesthetic quality	Yes	City Tree Board makes recommendation to City Council	No	Notification to the City
Issaquah	1. Landmark Tree <i>(IMC 18.12)</i> 2. Heritage Tree <i>(not in code)</i>	1. Any trees ≥ 30" dbh 2. Distinctive in Size/Age/ Historic or Ecological Value	1. No 2. Yes	1. NA 2. Park Board	No	1. Requires tree permit, justification for removal, and may require replanting 2. Removed From registry upon notification

Local jurisdictions without any sort of Landmark/ Heritage Tree Program (limited to Jennifer's survey)

Kirkland, Poulsbo, Bellingham, Port Townshend

Recommendations for revision to the Bainbridge Ordinance 2015-05 hereafter referred to as the "Tree Ordinance" of the Municipal Code.

A Tree Board has been appointed to draft changes to what I am calling the "Tree Ordinance". In case the folks here are not aware- the Tree Board is made by a purely volunteer group the tree board

- Jennifer Sutton
- Mac Pearl
- John Quitzlund
- Sarah Blossom
- Roger Townsend

They deserve our thanks for their service and hard work

The "Tree Board" makes recommendations to the Planning Commission.

In case the folks here are not aware the Planning Commission – these folks in front of you all - are also unpaid volunteers. Their recommendations are passed up to the City Council who may choose to accept or ignore Planning Commission recommendations.

Everyone involved in these code reviews is sincere and trying their best to protect Bainbridge island on their own unpaid time.

Let's take a moment to define a tree-An arborvitae in a concrete edged bed between the footpath and a building is not my idea of a tree. A tree is a symbiotic ecosystem. Trees make the air you breathe, the soil your food grows in, its roots house vast cities of fungi and bacteria, its leaves are home to birds and insects. Without trees you die. With a few less trees you die slower , with a lot less trees you are living in drought stricken LA. Yet on Bainbridge Island you can cut down an 200 year old tree 30+ inches diameter and replace it with 8 arborvitae and call that a fair swap. I don't think so.

The City uses tree units as a way to measure what is removed and how it should be replaced. For example a tree of 30" diameter, measured at about waist high can be replaced by 8 cedars and arbor vitae that are expected to take 20+ years to mature. While this is a poor way to do things, it is better than nothing. I suggest using a new tree measuring tool that calls for replacing a matching area of lost canopy, like for like, within a reasonable time period, is better than the unit measure.

My personal goal for this evening is to ask the Planning commission not to send this draft to the City Council YET.

It is very unfortunate that no arborist was available to volunteer on the tree board. It may seem incredible that the future of many trees on the island, many insects, much soil biology, your air, your water can be determined without expert tree advisors on the board. Making long term decisions about trees without an arborist is like asking your motor mechanic to assist in your open heart surgery. I am sure that the Tree Board will value these suggestions to help improve upon their great work.

Recommendations

Many of us believe that the proposed ordinance could be improved to include 7 key provisions or revisions.

1. Establish a tree fund into which all tree related ordinance infractions fines are paid. (the city attorney has already stated such a fund is legal and has numerous precedents on ordinances across the USA)
Rules can be borrowed from existing examples

2. Tree fund is separate from city finances and managed by a volunteer board to include qualified arborist, expert landscaper etc. Board rules will follow the precedents of other effective Tree Boards

3. Existing residential rules state that a home owner may remove up to 6 trees of any size per year. The ordinance should be amended to include

"A homeowner can remove no more than (x % -suggested 30%) of existing canopy in perpetuity. Replacement value fines apply as suggested above."

4. On undeveloped land a home owner/ developer can clear to the limit of the property.

The ordinance should be amended to include- (Based on a table that takes total land area into consideration -higher % on small blocks, lesser % on large blocks) ***A homeowner can remove no more than (x % -suggested 30%) of existing canopy in perpetuity. Replacement value fines apply as suggested above.***

5. Presently a developer may include trees in existing wetlands and other buffers as part of their tree unit count. These trees are protected anyway.

The ordinance should be amended to include-**"Tree unit and or canopy area calculations will apply to all areas regardless of existing buffers"**

6. See present ordinance-Top of page 4.

"The director may elect not to seek penalties if he or she determines that the circumstances do not warrant imposition of civil penalties in addition to restoration."

Change the sentence to **"The director may elect to reduce penalties to the following minimums based on the following table TBD"**

- Refusal to comply with ordinance 3.5 times tree value
- Credible accidental damage 2 times tree value

7. Penalties and Enforcement. Penalties average \$1000 per offence. Fines should be calculated based on language such as "trees will be replaced by a tree with equal canopy within 5 years or by payment of a fine equal to the assessed tree value using the values in suggestion 7.

Ordinance 2015-04
Amending Tree & Landscaping Regulations

Planning Commission
Study Session
July 23, 2015

Changes to Ordinance 2015-04 since 5/28 Planning Commission meeting

- Modification to Director's discretion in the Enforcement and Penalties section (page 4)
- Existing and New Tree Units in protected areas (i.e. wetland and roadside buffers) WILL NOT count towards meeting Tree Unit/acre requirements (page 8)

Tree Ordinance Ad Hoc Committee

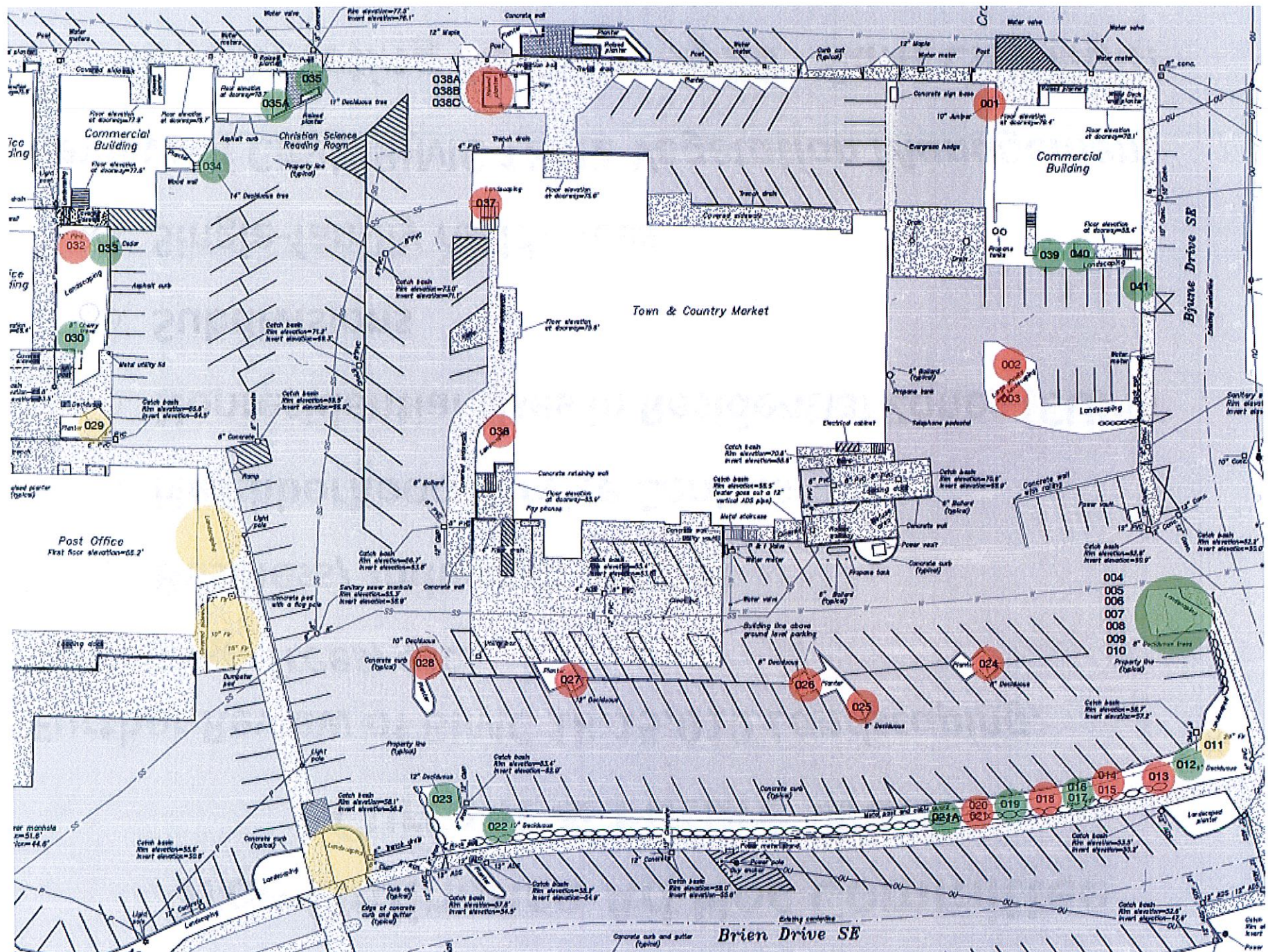
Current & Future Work

Further Review of BIMC 18.15.010 *Landscaping, Screening, Trees, etc.*

- **Business/ Industrial District**
- **Neighborhood Service Centers**
- **Nonresidential Uses in Residential Zones (CUPs)**
- **Subdivisions**
- **Single-family residences**

Review of City's BIMC 16.22 *Vegetation Management*

Next Meeting Tuesday 7/28 9am City Hall!



Tree Retention Analysis

Project: T&C Remodel
Performed by: Fischer Bouma Partnership
Date: 10/15/2013

Town & Country

REQUIRED TREE UNITS

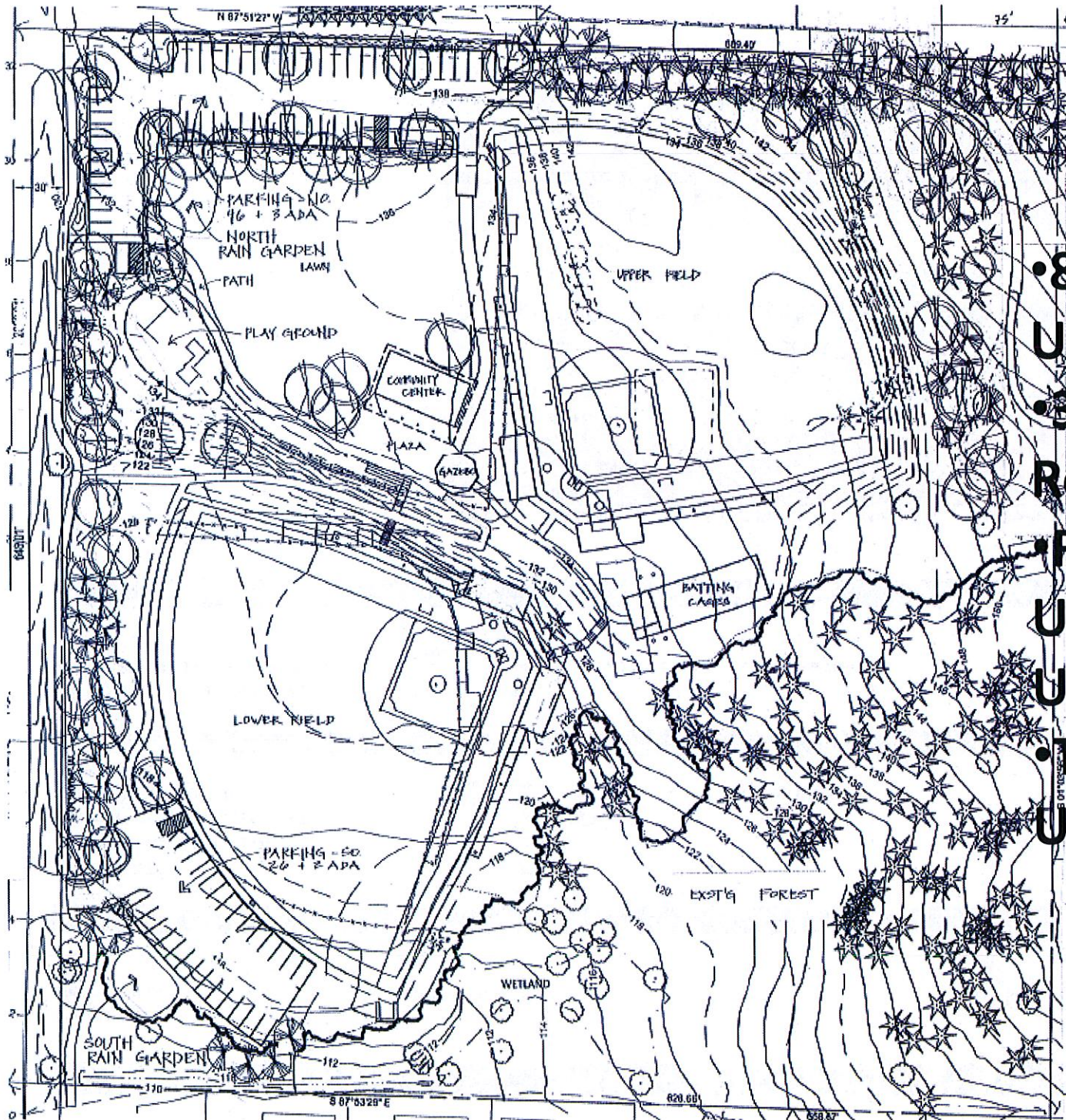
PROJECT SITE: 3.072 Acres
CURRENT TOTAL TREE UNITS: 72.6 TUs
CURRENT TREE UNITS PER ACRE: 23.6 TUs/AC
TREE UNITS REQUIRED: 72.6 Total per 18.15.010.G.4.iii

SUMMARY OF TREE UNITS RETAINED & NEW REQUIRED

TREES RETAINED (SEE DATA BELOW): 38.0
NEW TREE UNITS REQUIRED (MIN.): 34.6 (~70 TREES @ 0.5 TU per new tree)
TOTAL TREE UNITS: 72.6

TREE UNIT DESIGNATIONS PER CODE

Tree No.	Species	Size (DBH)	TU Retained	TU Removed	Notes
001	Juniper	15	0.0	2.0	
002	Cedar	18	0.0	3.2 (3) stems: 10", 11", 11"	
003	Cedar	23	0.0	4.6 (2) stems: 16", 17"	
004	Cherry	9	1.2	0.0	Not healthy, in tight stand with others
005	Cherry	9	1.2	0.0	Not healthy, in tight stand with others
006	Cherry	8	1.2	0.0	Not healthy, in tight stand with others
007	Cherry	10	1.2	0.0	Not healthy, in tight stand with others
008	Cherry	15	2.0	0.0	Not healthy, in tight stand with others
009	Cherry	13	2.0	0.0	Not healthy, in tight stand with others
010	Norway Maple	13	2.0	0.0	
011	Douglas Fir	29	0.0	0.0	On corner out of property line
012	Norway Maple	7	1.2	0.0	
013	Bigleaf Maple	6	0.0	1.2 (6) stems: 2" each , volunteer tree	
014	Douglas Fir	2	0.0	1.0	volunteer tree, thin out
015	Douglas Fir	3	0.0	1.0	volunteer tree, thin out
016	Douglas Fir	4	1.0	0.0	volunteer tree
017	Douglas Fir	4	1.0	0.0	volunteer tree
018	Douglas Fir	3	0.0	1.0	volunteer tree, thin out



Rotary Park

- 890 Existing Tree Units
- 372 Tree Units Required
- Removed 72 Units; Planted 92 Units
- Total Final Tree Units: 910

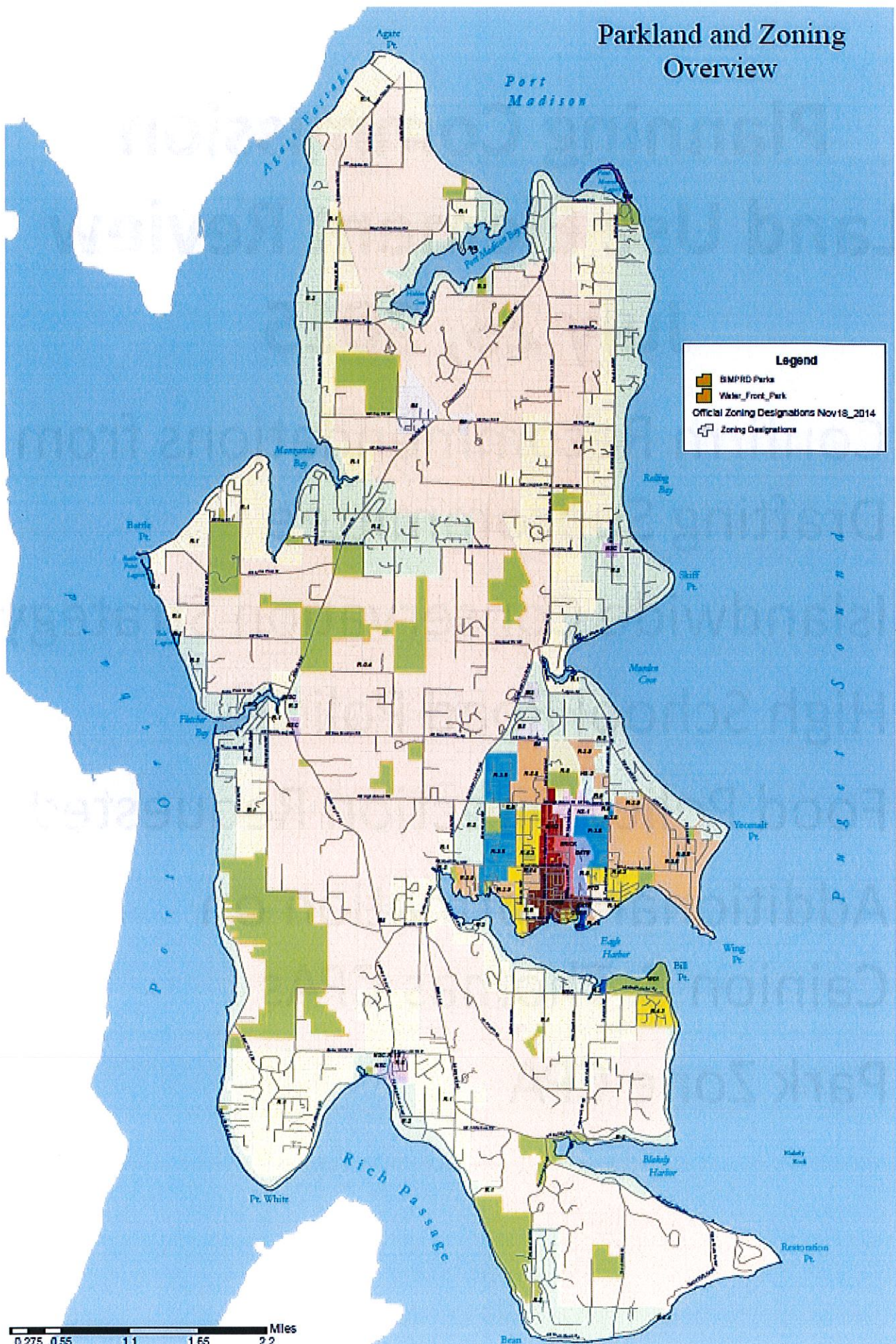
Planning Commission

Land Use Element Review

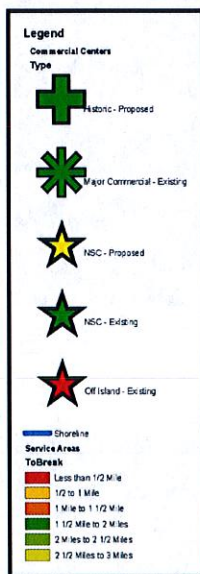
July 23, 2015

- Confirm Recommendations from Drafting Subcommittee
- Islandwide Conservation Strategy
- High School Road Policies
- Food Policy Direction Requested
- Additional information on Cainion & Thomas CPAs
- Park Zone CPA

Parkland and Zoning Overview



Emerging Centers for Sustainable Community Development



0 0.25 0.5 1 1.5 2 Miles

Emerging Centers

SJM 4/16/07
PNB 5/4/07

City of Bainbridge Island Official Zoning Map & Shoreline Designations

Legend

Designs

- Island Conservancy
- Natural
- Shoreline Residential
- Shoreline Residential Conservancy
- Urban

Land Use Designations

- Business/Industrial District
- CORE
- Ericksen Avenue District
- Ferry Terminal District
- Gateway District
- High School Road 1
- High School Road 2
- Limited to Current Use
- Madison Avenue District
- Neighborhood Service Center
- Neighborhood Service Center R-12 Units per Acre
- Water Dependent Industrial
- R-0.4 1 Unit per Acre Zone (100,000 sq. ft.)
- R-1 1 Unit per Acre Zone (40,000 sq. ft.)
- R-2 2 Units per Acre Zone (20,000 sq. ft.)
- R-2.9 2.9 Units per Acre Zone (15,000 sq. ft.)
- R-3.5 3.5 Units per Acre Zone (12,500 sq. ft.)
- R-4.3 4.3 Units per Acre Zone (10,000 sq. ft.)
- R-5 5 Units per Acre Zone (8,500 sq. ft.)
- R-6 6 Units per Acre Zone (6,543 sq. ft.)
- R-8 8 Units per Acre Zone (5,400 sq. ft.)
- R-14 14 Units per Acre Zone (3,100 sq. ft.)

Critical Overlay Districts

Floor Area Ratio (FAR) Table

Zone	Central Core	Medium Density	Ericksen Avenue	Gateway District	Ferry Terminal District	High School Road 1 & 2
Commercial	0.5	0.5	0.5	0.5	0.5	0.5
Residential	0.5	0.5	0.5	0.5	0.5	0.5
Medium Density	0.5	0.5	0.5	0.5	0.5	0.5
Maximum FAR with Bonus	1.0	1.0	1.0	1.0	1.0	1.0
Maximum FAR	1.0	1.0	1.0	1.0	1.0	1.0

City of Bainbridge Island

City Clerk

City Council

City Manager

City Engineer

City Planner

City Surveyor

City Attorney

City Auditor

City Treasurer

City Historian

City Librarian

City Parks & Recreation

City Public Works

City Police Department

City Fire Department

City Health Department

City Social Services

City Housing Department

City Planning Department

City Zoning Department

City Building Department

City Public Utilities

City Transportation Department

City Environmental Services

City Cultural Services

City Information Services

City Safety Services

City Security Services

City Emergency Services

City Disaster Services

City Crisis Services

City Support Services

City Administrative Services

City Financial Services

City Legal Services

City Technical Services

City Information Technology Services

City Communications Services

City Public Information Services

City Public Relations Services

City Public Affairs Services

City Public Works Services

City Police Services

City Fire Services

City Health Services

City Social Services

City Housing Services

City Planning Services

City Zoning Services

City Building Services

City Public Utilities Services

City Transportation Services

City Environmental Services

City Cultural Services

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City Safety Services

City Security Services

City Emergency Services

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City Transportation Services

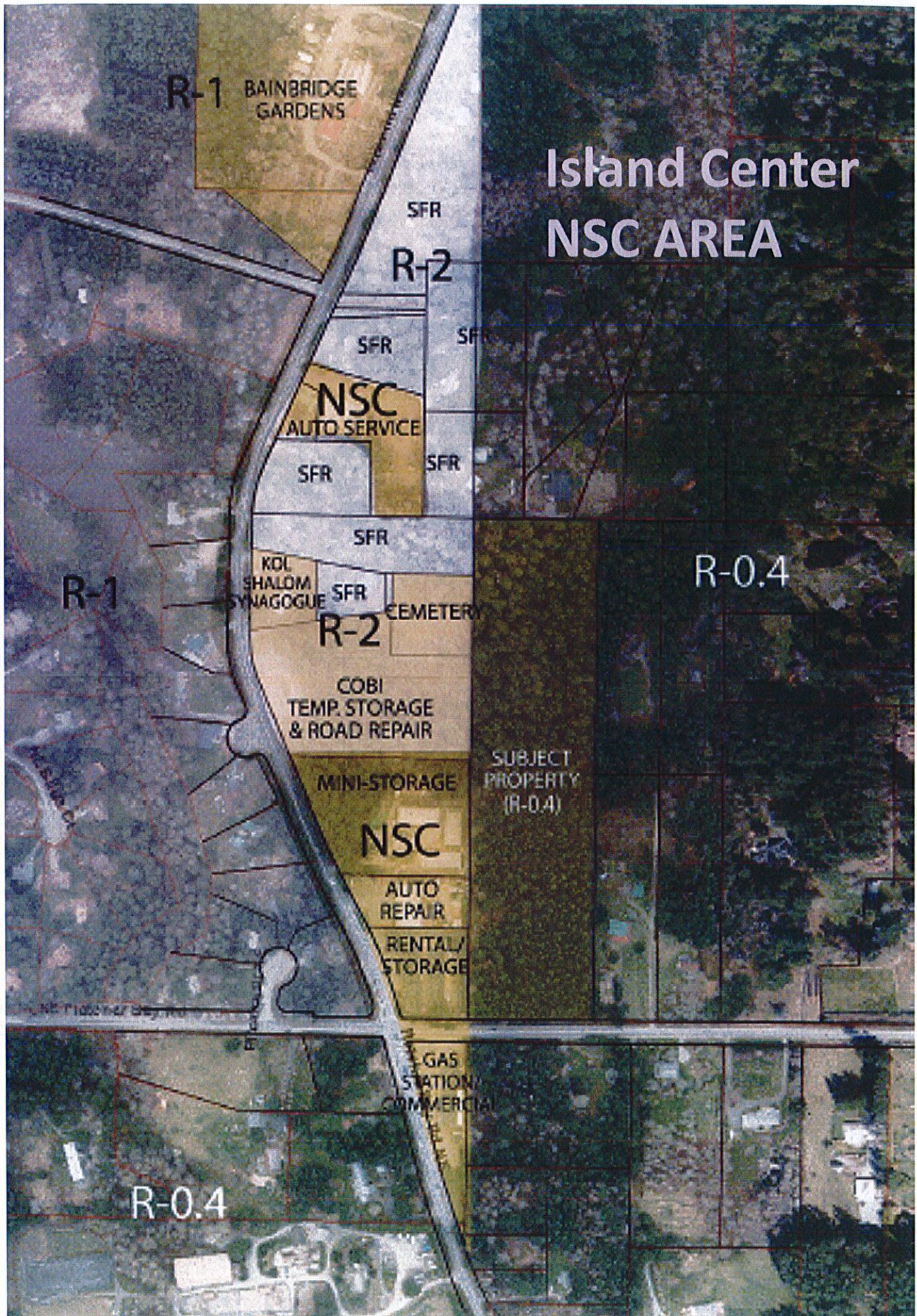
City Environmental Services

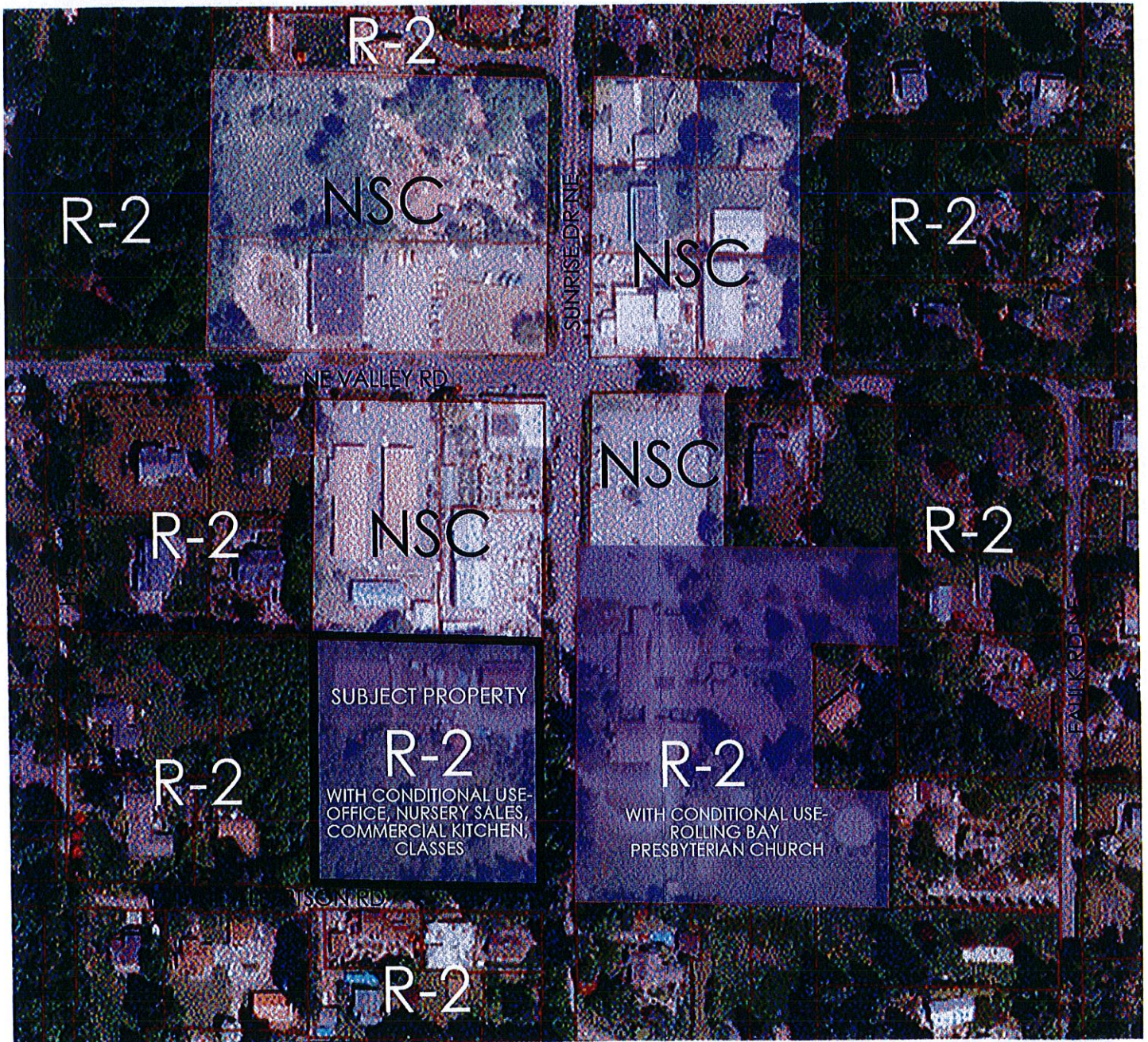
City Cultural

Wood Use Town Center						
Control	Madison Avenue	Crivens Avenue	Gateway District	Ferry Terminal Channel	High School District 1 & 2	
Floor Area Ratio (FAR)						
Commercial	0.6	0.6	0.3	0.15	0.1	0.3
Residential	0.6	0.6	0.3	0.3	0.4	0.3
Mixed Use	1.0	1.0	0.5	0.5	0.6	0.5
Maximum FAR with Bonus						
Commercial	1.0	0.9	0.5	0.3	0.2	0.6
Residential	1.0	1.0	0.6	1.0	1.1	0.9
Mixed Use	1.5	1.0	1.0	1.2	1.3 (1.34)	1.0

DATE	ISSUANCE	SIGNATURE
April 1, 1988	Continued 90-8	Misses Marie and Carl K. H. H.
April 20, 1988	Continued 90-9	Continued 90-8
October 1, 1988	Continued 90-10	Continued 90-9
November 1, 1988	Continued 90-11	Continued 90-10
April 1, 1989	Continued 90-12	Continued 90-11
October 1, 1989	Continued 90-13	Continued 90-12
December 20, 1989	Continued 90-14	Continued 90-13
January 20, 1990	Continued 90-15	Continued 90-14
February 20, 1990	Continued 90-16	Continued 90-15
March 20, 1990	Continued 90-17	Continued 90-16
April 20, 1990	Continued 90-18	Continued 90-17
May 20, 1990	Continued 90-19	Continued 90-18
June 20, 1990	Continued 90-20	Continued 90-19
July 20, 1990	Continued 90-21	Continued 90-20
August 20, 1990	Continued 90-22	Continued 90-21
September 20, 1990	Continued 90-23	Continued 90-22
October 20, 1990	Continued 90-24	Continued 90-23
November 20, 1990	Continued 90-25	Continued 90-24
December 20, 1990	Continued 90-26	Continued 90-25
January 20, 1991	Continued 90-27	Continued 90-26
February 20, 1991	Continued 90-28	Continued 90-27
March 20, 1991	Continued 90-29	Continued 90-28
April 20, 1991	Continued 90-30	Continued 90-29
May 20, 1991	Continued 90-31	Continued 90-30
June 20, 1991	Continued 90-32	Continued 90-31
July 20, 1991	Continued 90-33	Continued 90-32
August 20, 1991	Continued 90-34	Continued 90-33
September 20, 1991	Continued 90-35	Continued 90-34
October 20, 1991	Continued 90-36	Continued 90-35
November 20, 1991	Continued 90-37	Continued 90-36
December 20, 1991	Continued 90-38	Continued 90-37
January 20, 1992	Continued 90-39	Continued 90-38
February 20, 1992	Continued 90-40	Continued 90-39
March 20, 1992	Continued 90-41	Continued 90-40
April 20, 1992	Continued 90-42	Continued 90-41
May 20, 1992	Continued 90-43	Continued 90-42
June 20, 1992	Continued 90-44	Continued 90-43
July 20, 1992	Continued 90-45	Continued 90-44
August 20, 1992	Continued 90-46	Continued 90-45
September 20, 1992	Continued 90-47	Continued 90-46
October 20, 1992	Continued 90-48	Continued 90-47
November 20, 1992	Continued 90-49	Continued 90-48
December 20, 1992	Continued 90-50	Continued 90-49
January 20, 1993	Continued 90-51	Continued 90-50
February 20, 1993	Continued 90-52	Continued 90-51
March 20, 1993	Continued 90-53	Continued 90-52
April 20, 1993	Continued 90-54	Continued 90-53
May 20, 1993	Continued 90-55	Continued 90-54
June 20, 1993	Continued 90-56	Continued 90-55
July 20, 1993	Continued 90-57	Continued 90-56
August 20, 1993	Continued 90-58	Continued 90-57
September 20, 1993	Continued 90-59	Continued 90-58
October 20, 1993	Continued 90-60	Continued 90-59
November 20, 1993	Continued 90-61	Continued 90-60
December 20, 1993	Continued 90-62	Continued 90-61
January 20, 1994	Continued 90-63	Continued 90-62
February 20, 1994	Continued 90-64	Continued 90-63
March 20, 1994	Continued 90-65	Continued 90-64
April 20, 1994	Continued 90-66	Continued 90-65
May 20, 1994	Continued 90-67	Continued 90-66
June 20, 1994	Continued 90-68	Continued 90-67
July 20, 1994	Continued 90-69	Continued 90-68
August 20, 1994	Continued 90-70	Continued 90-69
September 20, 1994	Continued 90-71	Continued 90-70
October 20, 1994	Continued 90-72	Continued 90-71
November 20, 1994	Continued 90-73	Continued 90-72
December 20, 1994	Continued 90-74	Continued 90-73
January 20, 1995	Continued 90-75	Continued 90-74
February 20, 1995	Continued 90-76	Continued 90-75
March 20, 1995	Continued 90-77	Continued 90-76
April 20, 1995	Continued 90-78	Continued 90-77
May 20, 1995	Continued 90-79	Continued 90-78
June 20, 1995	Continued 90-80	Continued 90-79
July 20, 1995	Continued 90-81	Continued 90-80
August 20, 1995	Continued 90-82	Continued 90-81
September 20, 1995	Continued 90-83	Continued 90-82
October 20, 1995	Continued 90-84	Continued 90-83
November 20, 1995	Continued 90-85	Continued 90-84
December 20, 1995	Continued 90-86	Continued 90-85
January 20, 1996	Continued 90-87	Continued 90-86
February 20, 1996	Continued 90-88	Continued 90-87
March 20, 1996	Continued 90-89	Continued 90-88
April 20, 1996	Continued 90-90	Continued 90-89
May 20, 1996	Continued 90-91	Continued 90-90
June 20, 1996	Continued 90-92	Continued 90-91
July 20, 1996	Continued 90-93	Continued 90-92
August 20, 1996	Continued 90-94	Continued 90-93
September 20, 1996	Continued 90-95	Continued 90-94
October 20, 1996	Continued 90-96	Continued 90-95
November 20, 1996	Continued 90-97	Continued 90-96
December 20, 1996	Continued 90-98	Continued 90-97
January 20, 1997	Continued 90-99	Continued 90-98
February 20, 1997	Continued 90-100	Continued 90-99
March 20, 1997	Continued 90-101	Continued 90-100
April 20, 1997	Continued 90-102	Continued 90-101
May 20, 1997	Continued 90-103	Continued 90-102
June 20, 1997	Continued 90-104	Continued 90-103
July 20, 1997	Continued 90-105	Continued 90-104
August 20, 1997	Continued 90-106	Continued 90-105
September 20, 1997	Continued 90-107	Continued 90-106
October 20, 1997	Continued 90-108	Continued 90-107
November 20, 1997	Continued 90-109	Continued 90-108
December 20, 1997	Continued 90-110	Continued 90-109
January 20, 1998	Continued 90-111	Continued 90-110
February 20, 1998	Continued 90-112	Continued 90-111
March 20, 1998	Continued 90-113	Continued 90-112
April 20, 1998	Continued 90-114	Continued 90-113
May 20, 1998	Continued 90-115	Continued 90-114
June 20, 1998	Continued 90-116	Continued 90-115
July 20, 1998	Continued 90-117	Continued 90-116
August 20, 1998	Continued 90-118	Continued 90-117
September 20, 1998	Continued 90-119	Continued 90-118
October 20, 1998	Continued 90-120	Continued 90-119
November 20, 1998	Continued 90-121	Continued 90-120
December 20, 1998	Continued 90-122	Continued 90-121
January 20, 1999	Continued 90-123	Continued 90-122
February 20, 1999	Continued 90-124	Continued 90-123
March 20, 1999	Continued 90-125	Continued 90-124
April 20, 1999	Continued 90-126	Continued 90-125
May 20, 1999	Continued 90-127	Continued 90-126
June 20, 1999	Continued 90-128	Continued 90-127
July 20, 1999	Continued 90-129	Continued 90-128
August 20, 1999	Continued 90-130	Continued 90-129
September 20, 1999	Continued 90-131	Continued 90-130
October 20, 1999	Continued 90-132	Continued 90-131
November 20, 1999	Continued 90-133	Continued 90-132
December 20, 1999	Continued 90-134	Continued 90-133
January 20, 2000	Continued 90-135	Continued 90-134
February 20, 2000	Continued 90-136	Continued 90-135
March 20, 2000	Continued 90-137	Continued 90-136
April 20, 2000	Continued 90-138	Continued 90-137
May 20, 2000	Continued 90-139	Continued 90-138
June 20, 2000	Continued 90-140	Continued 90-139
July 20, 2000	Continued 90-141	Continued 90-140
August 20, 2000	Continued 90-142	Continued 90-141
September 20, 2000	Continued 90-143	Continued 90-142
October 20, 2000	Continued 90-144	Continued 90-143
November 20, 2000	Continued 90-145	Continued 90-144
December 20, 2000	Continued 90-146	Continued 90-145
January 20, 2001	Continued 90-147	Continued 90-146
February 20, 2001	Continued 90-148	Continued 90-147
March 20, 2001	Continued 90-149	Continued 90-148
April 20, 2001	Continued 90-150	Continued 90-149
May 20, 2001	Continued 90-151	Continued 90-150
June 20, 2001	Continued 90-152	Continued 90-151
July 20, 2001	Continued 90-153	Continued 90-152
August 20, 2001	Continued 90-154	Continued 90-153
September 20, 2001	Continued 90-155	Continued 90-154
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November 20, 2001	Continued 90-157	Continued 90-156
December 20, 2001	Continued 90-158	Continued 90-157
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February 20, 2002	Continued 90-160	Continued 90-159
March 20, 2002	Continued 90-161	Continued 90-160
April 20, 2002	Continued 90-162	Continued 90-161
May 20, 2002	Continued 90-163	Continued 90-162
June 20, 2002	Continued 90-164	Continued 90-163
July 20, 2002	Continued 90-165	Continued 90-164
August 20, 2002	Continued 90-166	Continued 90-165
September 20, 2002	Continued 90-167	Continued 90-166
October 20, 2002	Continued 90-168	Continued 90-167
November 20, 2002	Continued 90-169	Continued 90-168
December 20, 2002	Continued 90-170	Continued 90-169
January 20, 2003	Continued 90-171	Continued 90-170
February 20, 2003	Continued 90-172	Continued 90-171
March 20, 2003	Continued 90-173	Continued 90-172
April 20, 2003	Continued 90-174	Continued 90-173
May 20, 2003	Continued 90-175	Continued 90-174
June 20, 2003	Continued 90-176	Continued 90-175
July 20, 2003	Continued 90-177	Continued 90-176
August 20, 2003	Continued 90-178	Continued 90-177
September 20, 2003	Continued 90-179	Continued 90-178
October 20, 2003	Continued 90-180	Continued 90-179
November 20, 2003	Continued 90-181	Continued 90-180
December 20, 2003	Continued 90-182	Continued 90-181
January 20, 2004	Continued 90-183	Continued 90-182
February 20, 2004	Continued 90-184	Continued 90-183
March 20, 2004	Continued 90-185	Continued 90-184
April 20, 2004	Continued 90-186	Continued 90-185
May 20, 2004	Continued 90-187	Continued 90-186
June 20, 2004	Continued 90-188	Continued 90-187
July 20, 2004	Continued 90-189	Continued 90-188
August 20, 2004	Continued 90-190	Continued 90-189
September 20, 2004	Continued 90-191	Continued 90-190
October 20, 2004	Continued 90-192	Continued 90-191
November 20, 2004	Continued 90-193	Continued 90-192
December 20, 2004	Continued 90-194	Continued 90-193
January 20, 2005	Continued 90-195	Continued 90-194
February 20, 2005	Continued 90-196	Continued 90-195
March 20, 2005	Continued 90-197	Continued 90-196
April 20, 2005	Continued 90-198	Continued 90-197
May 20, 2005	Continued 90-199	Continued 90-198
June 20, 2005	Continued 90-200	Continued 90-199
July 20, 2005	Continued 90-201	Continued 90-200
August 20, 2005	Continued 90-202	Continued 90-201
September 20, 2005	Continued 90-203	Continued 90-202
October 20, 2005	Continued 90-204	Continued 90-203
November 20, 2005	Continued 90-205	Continued 90-204
December 20, 2005	Continued 90-206	Continued 90-205
January 20, 2006	Continued 90-207	Continued 90-206
February 20, 2006	Continued 90-208	Continued 90-207
March 20, 2006	Continued 90-209	Continued 90-208
April 20, 2006	Continued 90-210	Continued 90-209
May 20, 2006	Continued 90-211	Continued 90-210
June 20, 2006	Continued 90-212	Continued 90-211
July 20, 2006	Continued 90-213	Continued 90-212
August 20, 2006	Continued 90-214	Continued 90-213
September 20, 2006	Continued 90-215	Continued 90-214
October 20, 2006	Continued 90-216	Continued 90-215
November 20, 2006	Continued 90-217	Continued 90-216
December 20, 2006	Continued 90-218	Continued 90-217
January 20, 2007	Continued 90-219	Continued 90-218
February 20, 2007	Continued 90-220	Continued 90-219
March 20, 2007	Continued 90-221	Continued 90-220
April 20, 2007	Continued 90-222	Continued 90-221
May 20, 2007	Continued 90-223	Continued 90-222
June 20, 2007	Continued 90-224	Continued 90-223
July 20, 2007	Continued 90-225	Continued 90-224
August 20, 2007	Continued 90-226	Continued 90-225
September 20, 2007	Continued 90-227	Continued 90-226
October 20, 2007	Continued 90-228	Continued 90-227
November 20, 2007	Continued 90-229	Continued 90-228
December 20, 2007	Continued 90-230	Continued 90-229
January 20, 2008	Continued 90-231	Continued 90-230
February 20, 2008	Continued 90-232	Continued 90-231
March 20, 2008	Continued 90-233	Continued 90-232
April 20, 2008	Continued 90-234	Continued 90-233
May 20, 2008	Continued 90-235	Continued 90-234
June 20, 2008	Continued 90-236	Continued 90-235
July 20, 2008	Continued 90-237	Continued 90-236
August 20, 2008	Continued 90-238	Continued 90-237
September 20, 2008	Continued 90-239	Continued 90-238
October 20, 2008	Continued 90-240	Continued 90-239
November 20, 2008	Continued 90-241	Continued 90-240
December 20, 2008	Continued 90-242	Continued 90-241
January 20, 2009	Continued 90-243	Continued 90-242
February 20, 2009	Continued 90-244	Continued 90-243
March 20, 2009	Continued 90-245	Continued 90-244
April 20, 2009	Continued 90-246	Continued 90-245
May 20, 2009	Continued 90-247	Continued 90-246
June 20, 2009	Continued 90-248	Continued 90-247
July 20, 2009	Continued 90-249	Continued 90-248
August 20, 2009	Continued 90-250	Continued 90-249
September 20, 2009	Continued 90-251	Continued 90-250
October 20, 2009	Continued 90-252	Continued 90-251
November 20, 2009	Continued 90-253	Continued 90-252
December 20, 2009	Continued 90-254	Continued 90-253
January 20, 2010	Continued 90-255	Continued 90-254
February 20, 2010	Continued 90-256	Continued 90-255
March 20, 2010	Continued 90-257	Continued 90-256
April 20, 2010	Continued 90-258	Continued 90-257
May 20, 2010	Continued 90-259	Continued 90-258
June 20, 2010	Continued 90-260	Continued 90-259
July 20, 2010	Continued 90-261	Continued 90-260
August 20, 2010	Continued 90-262	Continued 90-261
September 20, 2010	Continued 90-263	Continued 90-262
October 20, 2010	Continued 90-264	Continued 90-263
November 20, 2010	Continued 90-265	Continued 90-264
December 20, 2010	Continued 90-266	Continued 90-265
January 20, 2011	Continued 90-267	Continued 90-266
February 20, 2011	Continued 90-268	Continued 90-267
March 20, 2011	Continued 90-269	Continued 90-268
April 20, 2011	Continued 90-270	Continued 90-269
May 20, 2011	Continued 90-271	Continued 90-270
June 20, 2011	Continued 90-272	Continued 90-271
July 20, 2011	Continued 90-273	Continued 90-272
August 20, 2011	Continued 90-274	Continued 90-273

Island Center NSC AREA





Rolling Bay NSC Area

Baker Hill Rd W

NE Baker Hill Rd

R-2

R
O
S
T

NSC-R-12

R-5

Pleasant Beach Village

Point White Dr NE

NSC

Messenger House

Lynwood Center
NSC Area

Bluff
R-2