



**Tree Ad Hoc Committee Meeting
Tuesday, December 1, 2015, 9:00 – 11:00 AM
280 Madison Ave N
Bainbridge Island, WA 98110
Council Conference Room**

AGENDA

1. Review and Approve Notes from October 27 & November 1 Meetings
2. Public Comment
3. Discuss Phase 2 Tree Ordinance 2016-01
4. Draft End-of-year report for City Council

**Ad Hoc Tree Committee
Meeting Notes
October 27, 2015**

Committee Members in attendance: Roger Townsend, Mack Pearl, Jon Quitslund, Sarah Blossom

COBI Staff: Jennifer Sutton, Josh Machen

Public: Olaf Ribeiro

The meeting came to order at 8:40. We discussed the meeting notes from September 29, which were approved, subject to some clarification of a reference to a hypothetical tree unit requirement on subdivision lots. We also reviewed the notes from the Urban Forestry Seminar in Poulsbo on August 25. In that connection, Josh mentioned that we have a street tree inventory for Winslow, and Jennifer mentioned the Community Forestry inventory and management plan from 2007.

Jon raised some questions about the scope of the work remaining for the committee. What will be included in another ordinance revising BIMC 18.15.010? What should be said in a wrap-up report to the Planning Commission and the Council?

Josh was present to offer his perspective on the Committee's interest in considering substantial changes in the Subdivision Design Standards (BIMC 17.22), such as eliminating the "cluster" option and introducing a tree unit requirement, either in addition to or in place of dedicating at least 25% of the subdivision area to open space features.

The Committee heard that Planning Director Kathy Cook is opposed to the Committee's amending the subdivision regulations at this time. In addition, Josh said there were good reasons for having two options. He mentioned a development at Springridge and Hansen, an R-1 property, where the cluster option was chosen.

Josh provided some background on the impact of a WA Supreme Court decision in a case known as *Isla Verde Int'l Holdings, Inc. v. City of Camas*. As a consequence, COBI completed a wide-ranging open space study, resulting in the City able to require that up to 25% of square footage in a development shall be dedicated to open space (including buffers and critical areas if present).

Mack opined that a tree unit requirement might be more effective than the 25% rule. We also discussed the fact that depending on the density determined by zoning, together with characteristics of the site, the 25% rule will be more or less effective in preservation of open space. And there are situations where more than 25% of a property is impacted by critical areas conditions. Josh would make the point that regulating tree preservation on existing lots would be burdensome.

We discussed the need to strengthen provisions for protection of open space. Josh mentioned that as of 2016, LID practices will be required to protect soils from damage in the course of site development.

ORDINANCE NO. 2016-01

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to tree and landscaping maintenance and requirements; amending Bainbridge Island Municipal Code Sections 18.12.030, 18.15.010 and 18.36.030.

WHEREAS, in January 2014, the City Council convened an Ad Hoc Committee consisting of two Planning Commissioners and three Councilmembers to review and make recommendations on the City's tree regulations; and

WHEREAS, the Ad Hoc Committee organized their review by first focusing on regulations that apply to the Mixed Use Town Center and High School zoning districts, which resulted in Ordinance 2015-04, approved by the City Council on September 8, 2015; and

WHEREAS, the Ad Hoc Committee continued to review tree and landscaping regulations that apply to the rest of the island, outside of the Winslow commercial zoning districts; and

WHEREAS, the City Council directed staff to bring forward ordinances to implement the suggested changes; and

WHEREAS, the Planning Commission reviewed the draft Ordinance No. 2016-01 at study sessions on December 10 and 17, 2015; and

WHEREAS, the Planning Commission conducted a public hearing on Ordinance No. 2016-01 on **January 14, 2016**, and recommended approval of the ordinance to the City Council after the public hearing; and

WHEREAS, the City Council conducted a public hearing on Ordinance No. 2016-01 on **XXXX, 2016**; and

WHEREAS, notice was given on **XXXX, 2016** to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN, AS FOLLOWS:

Section 1. Chapter 18.15.010 of the Bainbridge Island Municipal Code is amended to read as follows:

18.15.010 Landscaping, screening, and tree retention, protection and replacement.
All development shall comply with the following regulations addressing landscaping and screening unless other applicable regulations require additional or different forms of landscaping or screening, in which case the more specific standard or criteria shall govern.

A. Purpose.

1. General. The purpose of this section is to preserve the landscape character of the community, link the Island's natural amenities with landscape greenbelts along scenic roads, improve the aesthetic quality of the built environment, promote retention and protection of existing vegetation, reduce the impacts of development on wetlands, streams and the natural environment, enhance the value of current and future development and increase privacy for residential zones, and encourage preservation of significant and heritage trees by:

- a. Retaining existing vegetation, tree stands and significant trees by incorporating them into the site design.
- b. Incorporating native vegetation and drought resistant plant material into new landscape developments.
- c. Providing vegetated screening between different intensities of residential uses.
- d. Providing visual relief of parking areas in the neighborhood service centers, the Winslow Mixed Use Town Center, and the light manufacturing, (water dependent) industrial, High School Road and urban multifamily districts.
- e. Providing vegetated screening between residential and nonresidential areas.

2. Specific Zone Districts.

- a. For single-family residential uses outside the Winslow Mixed Use Town Center, NSC, and B/I districts that require more than just a building permit (i.e., lots created through the flexlot design process), the additional specific intent is to preserve, protect and enhance critical areas, protect the natural forested areas and preserve the greenbelts along designated scenic roadway corridors.
- b. In the R-8 and R-14 multifamily residential districts, the additional specific intent is to screen urban multifamily projects from adjacent lower density residential properties and to soften the appearance of surface parking areas.
- c. For nonresidential uses outside the Winslow Mixed Use Town Center, High School Road I and II, NSC, B/I, and WD-I districts, the additional specific intent is to retain the natural landscape qualities of the Island by retaining existing vegetated buffers to screen views of structures and parking areas and to buffer between areas of high and low intensity uses.
- d. In the Winslow Mixed Use Town Center central core and ferry terminal overlay districts, the additional specific intent is to provide an urban character by incorporating landscape standards; and to provide landscape development to screen uses from single-family residential properties and to soften the appearance of surface parking areas.
- e. In the Winslow Mixed Use Town Center, Ericksen Avenue and Madison overlay districts, the additional specific intent is to retain the character of landscape front

yards; and to provide landscape development to screen uses from single-family residential properties; and to soften the appearance of surface parking areas.

f. In the Winslow Mixed Use Town Center gateway overlay district, the additional specific intent is to retain the greenbelt located adjacent to SR 305 consistent with the greenways plan and to provide landscape development to screen uses from single-family residential properties.

g. In the High School Road I and II districts, the additional specific intent is to provide landscape development to screen uses from adjacent single-family residential properties and to soften the appearance of surface parking areas.

h. In the NSC district, the additional specific intent is to incorporate landscape standards that support pedestrian scale neighborhood uses compatible with the intensity of the surrounding residential neighborhood; to minimize the impact of lighting, noise and views of surface parking areas; and to provide a buffer between higher and lower intensity uses.

i. In the B/I district, the additional specific intent is to provide a year-round vegetated screen and a noise and site lighting buffer of industrial development from adjacent nonindustrial properties and roadways.

j. In the WD-I district, the additional specific intent is to provide landscape development that screens parking lots and large structures, but allows visual access to the shoreline and small scale active industrial facilities.

B. Applicability.

1. All new development, except single-family residential building permits, shall be subject to the requirements of this section, except as required by subsections B.2 and B.3 of this section.
2. Projects subject to the conditional use permit process may be required to exceed the requirements of this chapter.
3. Specific submittal requirements for landscaping plans (tree protection, retention and planting plans) are included in the city's administrative manual.
4. Specific landscape requirements applicable to development in each zone district are summarized in the following Table 18.15.010-1.

Table 18.15.010-1: Landscape Requirements by Zone District								
Landscape Requirements	Significant Tree & Tree Stand Retention (BIMC 18.15.010.C)	Perimeter Landscape (BIMC 18.15.010.D)	Roadside Buffer (BIMC 18.15.010.E)	Parking Lot Landscaping (BIMC 18.15.010.F)	Total Site Tree Unit Requirements (BIMC 18.15.1010.G)	Planting Requirements (BIMC 18.15.010.H)	Irrigation (BIMC 18.15.010.I)	Maintenance (BIMC 18.15.110.J)
Land Districts	Use							
Single-Family Residential for which Only a Building Permit is Required (Existing Non-Flex Lots)								
Single-Family Residential Development Outside Winslow Mixed use, NSC, and B/I Districts (R-.04 through R-6 Districts) Other than Existing Lots for which Only a Building Permit is Required (Flexible Lot Design Process)	X	X (Cluster Subdivisions Only)	X			X	X	X
R-8 and R-14 Multifamily Districts	X	X	X	X	X	X	X	X
Nonresidential Uses in Areas Outside Winslow Mixed Use, HSR, NSC, B/I, WD-I Districts	X	X	X	X	X	X	X	X
Winslow Mixed Use Town Center [1]	Central Core Overlay	X	X	X [2]	X	X	X	X
	Ericksen Ave. Overlay	X	X	X [2]	X	X	X	X
	Madison Ave. Overlay	X	X	X [2]	X	X	X	X
	Gateway Overlay	X	X	X [2]	X	X	X	X
	Ferry Terminal Overlay	X	X	X [2]	X	X	X	X
High School Road District	X	X	X [2]	X	X	X	X	X
NSC District	X	X	X	X	X	X	X	X
B/I District	X	X	X	X		X	X	X
WD-I District	X	X	X	X		X	X	X
[1] Refer to Chapter 18.18 BIMC for additional landscape requirements specific to the Mixed Use Town Center districts. [2] Roadside buffer requirement is adjacent to Highway 305 only.								

C. Tree Retention, Protection and Replacement. Where Table 18.15.010-1 indicates that development must comply with the requirements of this subsection C, all development shall comply with the following requirements. These requirements are intended to supplement any regulations in Chapters [16.12](#) (Shoreline Master Program) and [16.20](#) (Critical Areas) BIMC, which remain the primary source of regulation for environmentally sensitive areas in Bainbridge Island. In the event of any inconsistency between the requirements of this subsection C and the requirements of Chapters [16.12](#) and [16.20](#) BIMC, the requirements of Chapters [16.12](#) and [16.20](#) BIMC shall apply.

1. Retention.

a. Intent. The intent of these regulations is to preserve the forested character of the Island by preserving significant trees and tree stands, and incentivizing tree protection and replacement in certain districts through a tree unit system, thereby mitigating the development impacts of increased storm water runoff, impervious surface, and loss of carbon dioxide absorption capacity. This shall be accomplished in a manner consistent with the comprehensive plan and the requirements of Washington law and to discourage the removal of significant tree(s) and tree stands.

b. Perimeter Tree Retention Requirements. Significant trees and tree stands located in the perimeter areas required to be landscaped pursuant to subsections D and E of this section shall be retained. Perimeter landscape widths may be averaged to save significant trees, but shall not be reduced to less than the allowed minimum perimeter dimension.

c. Exceptions. Significant trees and tree stands may be removed if it is determined by a consulting arborist who is certified by the American Society of Consulting Arborists, or a TRACE certified professional as established by the PNW Chapter of the International Society of Arboriculture, and whose services are paid for by the applicant, that the vegetation is:

- i. A safety hazard due to potential root, trunk, or primary limb failure, or due to exposure of mature trees that have grown in a closed, forested situation; or
- ii. Damaged, diseased, or standing dead trees.

d. Protection of Tree Stands. Notwithstanding a determination under subsection C.1.c of this section, if significant trees have been removed from a closed, forested location, a buffer of smaller trees shall be retained or planted on the fringe of the closed, forested area. The buffer of smaller trees shall be adequate to protect the health of the remaining mature trees in the closed, forested area, as determined by a consulting arborist who is certified by the American Society of Consulting Arborists, and whose services are paid for by the applicant.

2. Replacement. **ADD LANGUAGE ABOUT PERMITTED REMOVAL REQ.**

a. Intent. The intent of these regulations is to discourage the unauthorized removal of significant tree(s) and tree stands; and to establish a replacement or fine if such activity occurs.

b. Requirements. If trees required to be retained pursuant to subsection C.1 of this section are not retained, they shall be replaced by at least one-and-one-half times (150 percent) of the number of tree units removed. The trees removed shall be replaced with trees of the same type, evergreen or deciduous. Native shrubs and ground cover shall also be replaced when replacing tree stands due to unauthorized removal. Shrubs shall be one-gallon size planted four feet on center spacing; ground cover shall be one-gallon size planted three feet on center spacing. The shrubs and ground cover shall be planted within the limits of the previous tree stand canopy.

3. Enforcement and Penalties. Failure to retain, replace or transplant trees will be enforced as follows; provided, that any fine shall be no less than three times the value of the trees, as determined by the current standards of the International Society of Arboriculture. If unauthorized tree(s) or vegetation removal occurs within the public right-of-way, all permits in force on the subject property shall be suspended and no new permits issued until the tree(s) or vegetation has been replaced or all penalties have been satisfied. The director is authorized to make site inspections and take such actions as are necessary to enforce this title in accordance with Chapters [1.16](#), [1.24](#), and [1.26](#) BIMC. The director may require an evaluation by a tree professional, a qualified engineer, landscape architect, soils engineer, testing lab, or other specialist at any time during the tree plan review process or tree removal inspection as necessary to ensure compliance with the provisions of this subsection C and/or the terms of the clearing permit. Applicant shall be responsible for any associated costs.

a. Notice of Infraction. It is unlawful for any person to:

- i. Initiate or maintain, or cause to be initiated or maintained, the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city contrary to the provisions of this subsection C.
- ii. Misrepresent any material fact in any application, plans or other information submitted to obtain permits or authorizations under this title or not following the conditions of an approval.
- iii. Remove or deface any sign, notice, complaint, or order required by or posted in accordance with this subsection C.
- iv. Fail to submit or implement a planting plan as required by this section.

b. Stop Work Orders. The city shall have the authority to issue a stop work order to cease all development work, and order restoration, rehabilitation, or replacement measures, including applicable sureties, at the owner's or other responsible party's expense to compensate for the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city contrary to the provisions of this subsection C.

c. Additional Remedies. In addition to any other remedy provided by this subsection C or under the BIMC, the city may initiate injunction or abatement proceedings or any other appropriate action in courts against any person who violates or fails to comply

with any provision of this subsection C to prevent, enjoin, abate, and/or terminate violations of this title and/or to restore a condition which existed prior to the violation. In any such proceeding, the person violating and/or failing to comply with any provisions of this subsection C shall be liable for the costs and reasonable attorneys' fees incurred by the city in bringing, maintaining and/or prosecuting such action.

d. Notice of Infraction. Except as provided in subsection C.3.f of this section, conduct made unlawful by the city under this subsection C shall constitute a civil infraction and is subject to enforcement and fines as provided in BIMC [1.26.035](#), and additionally, is subject to fines as provided in Table 18.15.010-2. A civil infraction under this section shall be processed in the manner set forth in Chapter [1.26](#) BIMC.

e. Civil Penalty.

i. In addition to any civil infraction fine, criminal penalty, and/or other available sanction or remedial procedure, any person engaging in conduct made unlawful by this subsection C shall be subject to a cumulative civil penalty in the amount of \$1,000 per day for each violation from the date set for compliance until the date of compliance. Any such civil penalty shall be collected in accordance with BIMC [1.26.090](#).

ii. A person who fails to comply with the requirements of this subsection C or the terms of a permit issued hereunder, who undertakes an activity regulated by this subsection C without obtaining a permit, or fails to comply with a cease and desist or stop work order issued under this subsection C shall be subject to a civil penalty as set forth in Table 18.15.010-2. Each unlawfully removed or damaged tree shall constitute a separate violation.

iii. Any person who aids or abets in the violation shall be considered to have committed a violation for purposes of the civil penalty.

iv. In addition to the penalties addressed under subsection C.3.e.ii of this section, failure to retain, replace or transplant trees will be enforced as provided in this code; provided, that any financial penalty assessed will be the greater of the amount indicated in Table 18.15.010-2 or three times the value of the trees, as determined by the current standards of the International Society of Arboriculture, whichever is greater. 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.

Exception to director's discretion statement above: Any tree identified on a development project's required landscaping plan as retained and given a monetary value per subsection G.3.a.iii of this section that is removed, or dies during the surety period due to improper protection during construction, shall be subject to an automatic fine of three times the tree's stated value. All of the project's active permits shall also be suspended until the fine is paid and all restoration work completed.

Table 18.15.010-2: Penalties

Types of Violations	Allowable Fines per Violation
1. Removal of tree(s) approved to be removed, but prior to final tree retention and planting plan approval or issuance of a city tree removal permit	\$100.00 per tree
2. Removal or damage of tree(s) that are or would be shown to be retained on an approved tree retention and planting plan or any other violation of approved tree protection plan	\$1,000 per tree
3. Removal of tree(s) without applying for or obtaining a required city land use permit	\$1,000 per tree
4. Removal of tree(s) without applying for or obtaining a required city clearing permit	\$1,000 per tree

f. Repeat Offenders. Any person who again violates this subsection C within 12 months after having been found by the Bainbridge Island municipal court to be in violation of this subsection C commits a misdemeanor and any person who is convicted of that misdemeanor shall be punished as provided in BIMC [1.24.010.A](#).

4. Protection During Construction and Development.

a. Intent. The intent of these regulations is to provide the best protection for significant trees and tree stands, including protection for trees on adjacent properties.

b. Requirements.

i. No cutting of significant trees shall be allowed on a site until the tree retention and planting plans have been approved by the director.

ii. In order to preserve future ecological function, the applicant shall identify areas of prohibited disturbance, generally corresponding to the dripline or critical root zone (as identified by a consulting arborist) of the significant trees and/or tree canopy of tree stands to be retained, buffers, areas of existing vegetation to be maintained, future rain gardens, and future planting areas larger than 400 square feet (i.e. landscape islands in parking lots). The prohibited disturbance areas shall be reviewed and approved by the director as part of the land use permit review process.

iii. A temporary five-foot-high chain link fence with tubular steel poles or “T” posts shall delineate the area of prohibited disturbance defined in subsection C.4.b.ii of this section, unless the director has approved the use of a four-foot-high plastic net fence as an alternative. The fence shall be erected before

construction starts and shall remain in place until construction has been completed, and shall at all times have affixed to it a sign indicating the protected area.

iv. No impervious surfaces, fill, excavation, vehicle operations, compaction, removal of native soil or storage of construction materials shall be permitted within the area defined by the required construction fencing. If avoiding construction and compaction in future planting areas is unavoidable, the landscape plan for the project shall include methods for aerating and/or augmenting compacted soil to prepare for new planting, pursuant to subsection H.2 of this section.

v. A rock well shall be constructed if the grade level around the tree is to be raised more than one foot. The inside diameter of the well shall be equal to the diameter of the dripline or critical root zone (as identified by a consulting arborist) of the tree or tree canopy of tree stands.

vi. The grade level shall not be lowered within the larger of (A) the dripline or critical root zone (as identified by a consulting arborist) of the tree, or the tree canopy of tree stands, or (B) the area recommended by a consulting arborist.

vii. Alternative protection methods may be used if recommended by a consulting arborist and determined by the director to provide equal or greater tree protection.

viii. Wherever this subsection C.4 allows or requires the involvement of a consulting arborist, that individual shall be selected from the city's list of current arborists certified by the American Society of Consulting Arborists and his or her services shall be paid for by the applicant.

5. Modification of Requirements. If the significant tree and tree stand retention requirements of this section create an unnecessary hardship, the applicant may request a modification. The director may administratively approve a modification of the significant tree and tree stand requirements of this section if the director finds that the following standards have been met:

a. The modification is necessary because of special circumstances relating to the location of existing significant trees and tree stands that prevent compliance with this section; and

b. The special circumstances of the subject property make the strict enforcement of the provisions of this section an unnecessary hardship to the property owner; and

c. The special circumstances of the subject property are not the result of the actions of the applicant; and

d. The approving of the modification will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and land use district in which the subject property is located; and

- e. The modification is consistent with the purpose and intent of this chapter; and
- f. The site design incorporates the retention of other natural vegetation in consolidated locations that promotes the natural vegetated character of the site.

D. Perimeter Buffering and Screening.

1. Intent. The intent of this subsection D is to provide an effective vegetated screen over time between uses or land use districts, to screen parking areas and structures located adjacent to public rights-of-way, and to allow visual and physical access to pedestrian and other nonmotorized oriented uses, such as a multipurpose trail or bikeway if those trails could be accommodated without compromising significant vegetation or hazardous slopes. Additional buffers may be required per BIMC [16.20.170](#), The Winslow Ravine – Special rules in Mixed Use Town Center.

2. Requirements by District. In addition to meeting the general requirements of subsection D.4 of this section, applicants shall meet the specific requirements of Table 18.15.010-3 applicable to the zone district or overlay district in which the property is located. In the case of a conflict between the requirements of this subsection D.2 and the requirements of subsection D.4 of this section, the requirements of this subsection D.2 shall apply. These perimeter landscape requirements are in addition to required roadside landscaping in subsection E of this section and parking lot landscape requirements in subsection F of this section. These requirements do not apply to projects involving only interior renovations of existing buildings.

Table 18.15.010-3: Perimeter Landscaping Requirements by <u>Zoning District</u>			
Abutting zoning or land use district	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
Multifamily in R-2, R-1 & R-0.4 Districts [1]			
Single-family residential	Full Screen	25	N/A
R-8 and R-14 Multifamily Districts			
Single-family Residential R-4.3 (Urban Residential)	Partial Screen Landscape Buffer	20	15
Urban multifamily Note: this applies to R-8 & R-14	Filtered Screen	15	10
Nonresidential Uses in Areas Outside Winslow Mixed Use, HSR, NSC, B/I , WD-I Districts			
Residential including multifamily	Full Screen	25	15 NA
Nonindustrial uses	Full Screen Landscape Buffer	20	10
Winslow Town Center Mixed Use District [12]			
Single-family residential	Full Screen	20	15
HSR I and II Districts			
Single-family residential	Full Screen	20	15
NSC Districts			
Residential including multifamily	Full Screen	20 15	10 15
NSCs	Filtered Screen	10	10

Table 18.15.010-3: Perimeter Landscaping Requirements by <u>Zoning District</u>			
Abutting zoning or land use district	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
B/I Districts			
B/I Non-B/I	Full Screen ^[23]	50	35
Non-B/I	Partial Screen	15	10
WD-I Districts			
Residential including multifamily	Full Screen	40	20 <u>30</u>
Industrial uses	Partial Screen	10	0
Nonindustrial uses	Full Screen	10 <u>25</u>	<u>15</u>
[1] The perimeter buffer for multifamily to single-family may be eliminated when new building is far away from relevant property line. [12] For perimeter landscaping requirements in the ferry terminal district transition area, north of Winslow Way, reference BIMC 18.12.030.C. [23] Notwithstanding subsection D.2 above, all native shrubs and significant trees shall be retained within all landscape buffers, except that limited removal may be allowed for permitted activities located within the buffer area. If necessary, the existing vegetation shall be supplemented to attain the required screening density. This perimeter buffer applies even when a private access road separates a B/I property from non B/I property.			

3. Perimeter Buffers in Residential Cluster Short Subdivisions, Cluster Long Subdivisions, and Multifamily Subdivisions in the **R-2, R-1, and R-0.4 Zoning Districts.**

- a. When the cluster development option is selected pursuant to BIMC 17.12.030.B for property with a gross area of one acre or more and that is located in the R-0.4, R-1, R-2 and R-2.9 districts, a 25-foot-wide, filtered screen landscape perimeter shall be required along the subdivision boundary.
- b. When the cluster development option is selected pursuant to BIMC 17.12.030.B for property with a gross area of one acre or more and that is located in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 zone districts, a 10-foot-wide, filtered screen landscape perimeter shall be required along the subdivision boundary.
- c. In order to buffer the visual impact of the proposed subdivision and protect off-site views, filtered screen landscaping, pursuant to subsection D.4 of this section, shall be required within landscape perimeter buffers where mature trees and shrubs cannot provide such screening.
- d. Required landscape buffer width may be reduced through buffer averaging in accordance with the criteria in subsection D.5 of this section, perimeter landscape requirements. For example, buffers may be adjusted when such adjustments contribute to the neighborhood character by incorporating significant trees and native vegetation, incorporate a unique landscape feature, or accommodate a unique situation that allows continuation of an existing use, such as a utility or other easement providing continued use.
- e. Landscape buffers may be included in the required open space calculations for a subdivision as noted in Table 18.15.010-4. Table 18.15.010-4 depicts the landscape

buffer requirements for subdivisions by zoning district and denotes when the buffer may be included in the open space calculations. These standards apply unless alternative buffers are required pursuant to critical area review, the requirements of the Shoreline Management Act, conditioned by SEPA review, or required for public health or safety reasons.

f. When a multifamily subdivision is created within the **R-2, R-1, and R-0.4 Zoning Districts**, a 25-foot-wide, full screen landscape perimeter shall be required along the subdivision boundary. **This buffer may be eliminated if the resultant building envelope(s) on the multifamily subdivision property is located far from the relevant property line.**

Table 18.15.010-4: Perimeter and Roadside Buffer Landscape Requirements for Flexlot Subdivisions [1]

Type of Subdivision	Landscape Perimeter Buffer (Cluster Option Subdivision Perimeter Buffer (BIMC 17.12) Only)	Park and Conservation Land Buffer (Required for Both Cluster and Open Space Subdivision Options)	Roadside Buffer for Right-of-Way along Arterial and Collector Roads MOVED FROM TABLE 18.15.010-6
Residential subdivision in the R-0.4, R-1, R-2, and R-2.9 districts	25' – Filtered Screen Edge Planting Area	25' – Filtered Screen Edge Planting Area (OS) [2]	50' – Mature Trees and Shrubs or 25' – Full Screen [2] No requirement, unless necessary to reflect neighboring development patterns (OS) [2]
Residential subdivision in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 districts	10' – Filtered Screen Edge Planting Area	25' – Filtered Screen Edge Planting Area (OS) [2]	No requirement, unless necessary to reflect neighboring development patterns (OS) [2]
Multifamily subdivision in the R-2, R-1, and R-0.4 zoning districts	25' – Full Screen	N/A	50' – Full Screen adjacent to all designated scenic roads
Commercial and Multifamily Subdivisions			25'-50' – Full Screen adjacent to all designated scenic roads

[1] Properties being subdivided with less than one acre are not subject to landscape buffer requirements.

[2] (OS) indicates that the buffer may be calculated in the required open space area for the subdivision.

4. General Requirements

a. Full Screen

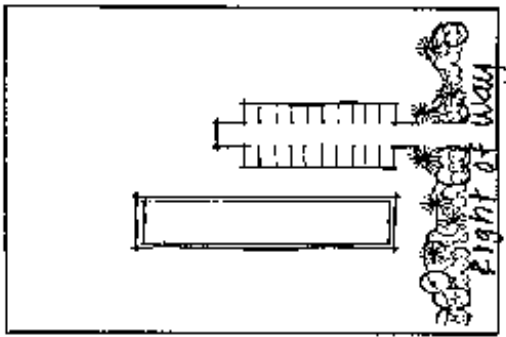
The intent of this buffer is to provide an effective vegetated screen over time between uses, land use districts, or to screen parking areas and structures from the public rights-of-way.
Where full screen perimeter landscaping is required, the applicant must provide:

- i. Minimum 70 percent evergreen trees ranging in height from four feet to six feet at the time of planting with at least 50 percent being six feet high; and
- ii. Deciduous trees with a caliper of at least two inches at the time of planting; and
- iii. At least ~~20~~ 50 percent of the trees shall be native species ~~and-or~~ drought resistant; and
- iv. The number of trees is determined by calculating the area of the perimeter buffer and dividing the length of the landscape perimeter by 40 feet ~~250 square feet~~; and
- v. Minimum 70 percent eEvergreen shrubs at least 21 inches in height at the time of planting, ~~spaced no more than three feet on center~~, to achieve minimum ~~four~~ six feet height at maturity; and
- vi. The number of shrubs is determined by calculating the area of the perimeter buffer and dividing the length of the perimeter by four feet ~~50 square feet~~; and
- vii. Living ground cover shall be planted and spaced to achieve total coverage within ~~three~~ five years; and
- viii. Trees and shrubs shall be spaced to result in a full screen over time. ~~Plants may be clustered within the perimeter to screen structures and parking areas.~~

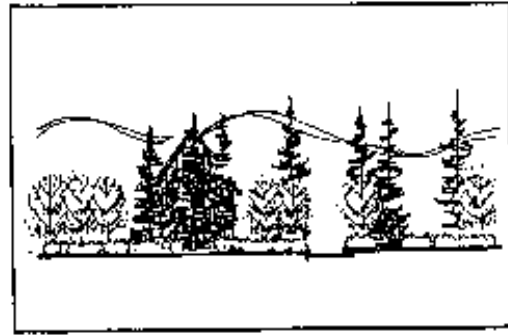
b. Landscape Buffer Partial Screen

Where partial screen perimeter landscaping is required, the applicant must provide:

- i. Minimum 50 percent evergreen trees ranging in height from four feet to six feet at the time of planting with at least 50 percent being six feet high; and
- ii. Deciduous trees with a caliper of at least two inches at the time of planting; and
- iii. At least ~~20~~ 50 percent of the trees shall be native species ~~and-or~~ drought resistant; and
- iv. The number of trees is determined by calculating the area of the perimeter buffer and dividing the length of the landscape perimeter by 20 feet ~~400 square feet~~; and
- v. At least 50 percent eEvergreen shrubs at least 21 inches in height at the time of planting, ~~spaced no more than three feet on center~~, to achieve minimum ~~four~~ six feet height at maturity; and
- vi. The number of shrubs is determined by calculating the area of the perimeter buffer and dividing the length of the landscape perimeter by five feet ~~100 square feet~~; and
- vii. Living ground cover shall be planted and spaced to achieve total coverage within ~~three~~ five years; and
- viii. Plants may should be clustered within the landscape perimeter to screen structures and parking areas.



Partial-Screen Landscape Buffer Plan



Partial-Screen Landscape Buffer Section

c. Filtered-Screen Edge Planting Area

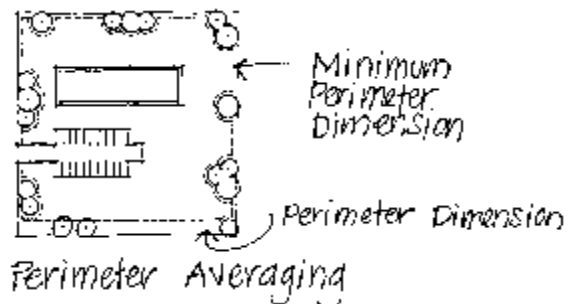
Where filtered screen perimeter landscaping is required, the applicant must provide:

- i. One hundred percent deciduous trees two-inch caliper spaced no more than 30 feet on center; and
- ii. Evergreen shrubs minimum 21 inches in height at the time of planting spaced no more than three feet on center to provide a continuous hedge achieving a maximum height of ~~three~~six feet at maturity; and
- iii. Living ground cover shall be planted and spaced to achieve total coverage within ~~three~~five years.

5. Standards

The following standards apply to the full screen, ~~partial-screen landscape buffer~~ and ~~filtered screen edge planting area~~ perimeter landscape requirements contained in this section.

- a. Existing vegetation may be used in lieu of new plant material ~~if not already being used to meet another requirement.~~ Although existing vegetation may meet the minimum number of trees or shrubs for a required full screen, the Director may require additional trees and/or shrubs to achieve an effective full screen.
- b. A full screen will be required to screen utilities located above ground from adjacent uses.
- c. Perimeter landscaping shall be clustered in areas to screen structures, utility structures, loading areas, parking lots, trash enclosures, storage areas and mechanical equipment.
- d. The director may approve the averaging of perimeter landscape widths to provide adequate screening if it meets the criteria contained in this section.
- e. Earth berms in combination with shrubs and trees may be used to achieve the initial planting height requirement.
- f. Minimum landscape perimeter dimensions are allowed when perimeter averaging is applied. The landscape perimeter can be averaged only if the total required perimeter



dimension square footage is achieved. The director may allow landscape perimeter averaging if the following criteria is met: (i) plant material is being clustered to more effectively screen parking areas and structures; and (ii) the quality of the perimeter landscape is not diminished; (iii) significant trees are being retained.

6. Park Buffers and Buffers for Dedicated Conservation Lands.

- a. Notwithstanding the provisions of subsections D.2, D.3, and D.4 of this section, a 25-foot-wide buffer shall be provided along a property line where the land immediately adjacent to the subdivision boundary is a park or a future park in a municipal plan, or dedicated conservation land area that has been set aside for open space, wildlife habitat or public conservation purposes by deed or conservation easement.
- b. In order to buffer the visual impact of the proposed subdivision and protect off-site views, filtered screen landscaping, pursuant to subsection D.4 of this section, shall be required within park buffers and buffers for dedicated conservation lands buffers where mature trees and shrubs cannot provide such screening.

E. Street Frontage Landscaping.

1. Roadside Buffers for Commercial, Institutional and Multifamily Development. The following table indicates the type of landscaping required when the subject property directly abuts a right-of-way. Roadside buffers may be required for commercial, institutional, or multifamily development where a site plan review or conditional use permit is required. The buffers shall be pursuant to the screening standards set forth in subsection D.4 of this section. Required landscape buffer widths may be reduced to the minimum widths stated in Table 18.15.010-5 through buffer averaging in accordance with the criteria in subsection D.5 of this section. These requirements do not apply to projects involving only interior renovations of existing buildings.

2. Roadside Buffers for Residential and Commercial Subdivisions. Roadside buffers are required for both residential and commercial subdivisions- see Table 18.15.010-4. The type and width of the required buffer varies by the type of roadway the subdivision is adjacent to, as well as the condition of the existing roadside vegetation. The buffers shall be pursuant to the standards set forth in subsection D.4 of this section. These requirements do not apply to projects involving only interior renovations of existing buildings.

Table 18.15.010-5: Roadside Buffer Requirements by District [1]		
Existing Zoning/Use	Abutting Use	
	Right of Way (not including Hwy 305)	Highway 305 [2]
Neighborhood Service Center Add Street Trees to NSC Design Guidelines	40' Filtered Screen/5' Minimum	50' Filtered Screen/35' Minimum- <u>NA</u>
Mixed Use Town Center [3]	N/A	50' Full Screen [4] /35' Minimum
High School Road	N/A	50' Full Screen/35' Minimum

Table 18.15.010-5: Roadside Buffer Requirements by District [1]		
Existing Zoning/Use	Abutting Use	
	Right of Way (not including Hwy 305)	Highway 305 [2]
Urban Multifamily Development	20' Partial Screen Landscape Buffer	50' Partial Screen Full Screen /35' Minimum
Conditional-Non-residential Uses within Residential Zone Districts	25' Partial Screen Landscape Buffer /15' Minimum	50' Partial Screen Full Screen /35' Minimum
Business/Industrial (B/I)	50' Full Screen/35' Minimum	50' Full Screen/35' Minimum
Water Dependent Industrial	40' Partial Screen 25' Full Screen /5' 15' Minimum	50' Partial Screen /35' Minimum NA
1. All roadside buffers must be planted if not already existing. 2. A buffer is required along Highway 305, which is designated as a scenic highway. The 50' roadside buffer requirement can be reduced up to 25% by the director, after consultation with an acceptable tree professional as identified in subsection C.1.c, if it is determined that (a) a 50' buffer would cause the property to be undevelopable, and (b) the reduced buffer will provide as much screening of site activities from Highway 305 as practicable in light of site topography and conditions. 3. For perimeter landscaping requirements in the ferry terminal district transition area, north of Winslow Way, reference BIMC 18.12.030.C. 4. Beginning 100' north of Winslow Way.		

SECTION 2 MOVED ABOVE TABLE 18.15.010-5

2. Roadside Buffers for Residential and Commercial Subdivisions. Roadside buffers are required for both residential and commercial subdivisions. The type and width of the required buffer varies by the type of roadway the subdivision is adjacent to, as well as the condition of the existing roadside vegetation. The buffers shall be pursuant to the standards set forth in subsection D.4 of this section. These requirements do not apply to projects involving only interior renovations of existing buildings.

NOTE: This Table Integrated with Subdivision Perimeter Buffer Table 18.15.010-4 above

Table 18.15.010-6: Subdivision Roadside Buffer Requirements

Type of Subdivision	Right-of-Way (Buffers Required for Both Open Space and Cluster Flexlot Subdivision Options along Arterial and Collector Roads [1],[2])
Residential Subdivision in the R-0.4, R-1, R-2, and R-2.9 Districts	50'—Mature Trees and Shrubs or 25'—Full Screen
Residential Subdivision in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 Districts	No requirement, unless necessary to reflect neighboring development patterns (OS) [3]
Commercial and Multifamily Subdivisions	25'—Full Screen adjacent to all designated scenic roads
[1]—Properties being subdivided with less than one acre are not subject to roadside buffer requirements. [2]—Roadside buffers: A 25-foot full screen buffer must be planted along applicable roadways when no mature trees and shrubs exist along the property boundary in zones R-0.4, R-1, R-2 and R-2.9. [3]—(OS) indicates that the buffer may be calculated in the required open space area for open space subdivisions.	

a. Roadside Buffer General Requirements. All residential subdivisions and short subdivisions subject to landscape buffering requirements shall comply with the standards in this subsection, including those in Table 18.15.010-6.

b. Roadside Buffers in Residential Short Subdivisions.

- i. Except for properties containing a gross area of less than one acre, where mature trees and shrubs of a forested nature are located adjacent to public roads that are designated as collector or arterial roads on the adopted road classification map, a 50-foot-wide vegetative buffer shall be maintained. However, in the R-3.5, R-4.3, R-5, R-6, R-8 and R-14 districts a roadside buffer is not required unless it is determined that a landscape buffer is necessary to maintain the character of the neighborhood or to reflect neighboring development patterns. The provisions for buffer averaging provided in subsection D.5 of this section shall apply.
- ii. Where there are no mature trees and shrubs that contribute to the existing forested character of these roads, the character of the neighborhood shall be maintained by establishing building setbacks equal to or greater than the existing building setbacks on the adjacent properties. At no point shall the building setback be less than requirements in this title.
- iii. To accommodate an existing house that is located within 50 feet of the property line adjacent to a collector or arterial road, the roadside buffer area width shall be reduced to the width adjoining the existing home between the existing house and the property line adjacent to the collector or arterial road.

c. Roadside Buffers in Residential Long Subdivisions.

- i. For subdivisions located in the R-0.4, R-1, R-2 and R-2.9 districts where mature trees and shrubs of a forested nature are located adjacent to public roads that are designated as collector or arterial roads on the adopted road classification map, a 50-foot-wide vegetative buffer shall be maintained. In the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 districts a roadside buffer is not required unless it is determined that a landscape buffer is necessary to maintain the character of the neighborhood or to reflect neighboring development patterns. The provisions for buffer averaging provided in subsection D.5 of this section shall apply.
- ii. For property with a gross area of one acre or more and that is located in districts R-0.4, R-1, R-2 and R-2.9, where there are no mature trees and shrubs that contribute to the existing forested character of the roads, a 25-foot full screen landscape buffer shall be planted consistent with the requirements of subsection D.4.a of this section, except as noted below in this subsection.
- iii. To accommodate an existing house that is located within 50 feet of the property line adjacent to a collector or arterial road (or within 25 feet of such a property line if subsection E.2.c.ii of this section applies), and to maintain the character of the neighborhood and reflect neighboring development patterns, the roadside buffer area width shall be reduced to the width adjoining the existing home between the existing

house and the property line adjacent to the collector or arterial road. At no point shall the building setback be less than requirements in this title.

- iv. For subdivisions designating open space that is intended for agricultural use and would be adversely impacted by the addition of screening landscaping, a 25-foot roadside buffer as prescribed in subsection E.2.c.ii of this section shall not be required.

d. Roadside Buffers in Multifamily and Commercial Subdivisions. A minimum 25-foot vegetative buffer shall be established adjacent to all designated scenic roads. The buffer shall be consistent with the requirements for a full screen buffer, pursuant to subsection D.4.a of this section.

e. Multiple Street Frontages. For properties subject to the roadside buffers requirement along two property boundaries, the roadside buffer abutting the street with the lower classification may be reduced to 25 feet in width. For properties that abut more than two streets requiring roadside buffers or in situations where both abutting streets are of the same road classification, one roadside buffer of the full required width shall be required and all other roadside buffers may be reduced to 25 feet; provided, that the full required width buffer is located where a greater number of significant trees can be incorporated into the buffer.

F. Parking Lot Landscaping. The requirements of this subsection F are in addition to required perimeter landscaping under subsection D of this section. When more than one building is placed on a lot or a building is placed in the center of the lot with parking all the way around it, the street perspective is used to determine which landscaping standards to follow for parking lot landscaping.

1. NSC, B/I, and WD-I Districts and Nonresidential Uses Outside Winslow Mixed Use Town Center Overlay Districts and High School Road Mixed Use Districts. All applicants in these areas shall provide the following types and amounts of landscaping. Parking lots shall meet the requirements of BIMC [18.15.020](#). Applicants may refer to the standards contained in this section for optional planting locations within parking areas.

a. Intent. The intent of this section is to screen views of parking lots. To provide shade and visual relief within parking lots, to limit impacts of impervious surfaces and to reinforce safe pedestrian access to buildings.

b. Requirements for Parking Lots Located Adjacent to Public Rights-of-Way.

- i. One tree for every four parking stalls; and
- ii. Minimum 30 percent evergreen trees; and
- iii. Deciduous trees minimum two-inch caliper, evergreen trees minimum six feet high at the time of planting; and
- iv. Evergreen shrubs minimum 18-inch height at the time of planting spaced no more than three feet on center, to provide a continuous hedge achieving a maximum height

- of three feet at maturity located adjacent to the rights-of-way (this may be achieved with the perimeter landscape); and
- v. Evergreen ground cover planted and spaced to achieve total coverage within two years; and
- vi. A landscaped area at the end of parking aisles.



Parking Adjacent to Right-of-Way



Safe Pedestrian Access

- c. Requirements for Parking Lots Not Abutting Public Rights-of-Way.
 - i. One tree for every eight parking stalls; and
 - ii. One hundred percent of the trees may be deciduous; and
 - iii. Deciduous trees minimum two-inch caliper, evergreen trees minimum four feet height at the time of planting; and
 - iv. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years; and

- v. A landscaped area at the end of parking aisles.



d. Standards.

- i. Maintain shrubs at a maximum three feet height within parking lots so views between vehicles and pedestrians will not be blocked.
- ii. Landscape in planting islands or strips shall have an area of at least 100 square feet and with a narrow dimension of not less than five feet if wheel stops are provided to prevent vehicle overhang. A narrow dimension of not less than eight feet may be provided if the vehicle overhang area is included in the planting area.
- iii. Provide permanent curbs or wheel stops to protect the plantings.
- iv. Significant trees and tree stands may be used in lieu of new landscape requirements if they are in addition to the significant tree and tree stand retention requirements.
- v. Clustering of new plant material within parking lots may be approved or required by the director if the intent of this section is met.
- vi. Refer to the landscape materials matrix in the administrative manual for tree species appropriate for parking lots.

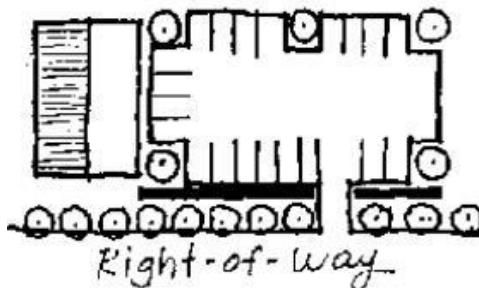
2. Winslow Mixed Use Town Center Overlay Districts, High School Road Districts, R-8 and R-14 Districts. All applicants in these areas shall provide the following types and amounts of landscaping. Parking lots shall meet the requirements of BIMC [18.15.020](#). Applicants may refer to the standards contained in this section for optional planting locations within parking areas.

a. Intent. The intent of this section is to soften the appearance of surface parking lots. To provide more intensive landscaping when surface parking lots are exposed to public view.

b. Parking Lots Located in the Front of Buildings and Adjacent to Public Rights-of-Way.

- i. One tree for every two parking stalls; and

- ii. One hundred percent of the trees may be deciduous; and
 - iii. Deciduous trees minimum two-inch caliper; and
 - iv. Evergreen shrubs planted to form a hedge, minimum 18-inch height at the time of planting, spaced no more than three feet on center, not to exceed a mature height of three feet located adjacent to the public rights-of-way (this may be achieved with the perimeter landscape); and
 - v. Deciduous trees minimum two-inch caliper spaced no more than 30 feet on center located along the public rights-of-way (this may be achieved with the perimeter landscape); and
 - vi. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years; and
 - vii. A landscaped area at the end of parking aisles.
- c. Requirements for Parking Lots Located to the Side of Buildings and Adjacent to Public Rights-of-Way.
- i. One tree for every four parking stalls; and
 - ii. One hundred percent of the trees may be deciduous; and
 - iii. Deciduous trees minimum two-inch caliper; and
 - iv. Evergreen shrubs planted to form a hedge, minimum 18-inch height at the time of planting, spaced no more three feet on center, not to exceed a mature height of three feet located adjacent to the public rights-of-way (this may be achieved with the perimeter landscape); and
 - v. A landscaped area at the end of aisles; and
 - vi. Deciduous trees minimum two-inch caliper spaced no more than 30 feet on center located along the public rights-of-way (this may be achieved with the perimeter landscape); and
 - vii. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years.



d. Requirements for Parking Lots Located Behind Buildings and Not Adjacent to Public Rights-of-Way.

- i. One tree for every eight parking stalls; and
- ii. One hundred percent of the trees may be deciduous; and
- iii. Deciduous trees minimum two-inch caliper, evergreen trees minimum four feet height at the time of planting; and
- iv. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years; and
- v. A landscaped area at the end of aisles.

e. Standards.

- i. Maintain shrubs at a maximum three feet height within parking lots so views between vehicles and pedestrians will not be blocked.
- ii. Landscape in planting islands or strips shall have an area of at least 100 square feet and with a narrow dimension of not less than five feet if wheel stops are provided to prevent vehicle overhang. A narrow dimension of not less than eight feet may be provided if the vehicle overhang area is included in the planting area.
- iii. Provide permanent curbs or wheel stops to protect the plantings from vehicle overhang.
- iv. Significant trees and tree stands may be used in lieu of new landscape requirements if they are in addition to the significant tree and tree stand retention requirements.
- v. Clustering of new plant material within parking lots may be approved or required by the director if the intent of this section is met.
- vi. Refer to the suggested landscape materials matrix in the administrative manual for tree species appropriate for parking lots.

G. Total Site Tree Unit Requirements.

1. Intent. The overall purpose of BIMC [18.15.010](#) is to preserve the landscape character of the community through development standards by encouraging the retention of existing vegetation and significant trees by incorporating them into site design. The intent of this subsection G is to ensure that, to the degree practicable, (a) each development approval in the MUTC, HSR I and II, R-8, R-14, and NSC zone districts and (b) each development approval for nonresidential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts leaves the development parcel with at least a specified minimum amount of tree coverage, measured in tree units per acre, that reflects the degree of tree coverage

prior to development or redevelopment and that discourages avoidable site disturbances that would require tree removal.

2. Applicability. The regulations of this subsection G apply to each development application involving (a) any modification to a development parcel located in the MUTC, HSR I and II, R-8, R-14, or NSC districts or (b) a permitted nonresidential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts. If a significant portion of a significant tree trunk, dripline and/or critical root zone extends onto an adjacent property, both properties may use the tree units for retaining the trees to meet the requirements of subsection G.4 of this section, upon mutual agreement. These provisions shall not apply to projects involving only interior renovation of existing buildings.

3. Site Specific Evaluation of Total Impact on Tree Coverage.

a. In order to show how the tree unit requirements of subsection G.4 of this section are being met, the applicant shall submit the following information as part of the landscaping plan information for a land use permit application:

- i. Identify and survey all existing trees to be retained as part of the proposed development;
- ii. If opting to meet tree unit requirements pursuant to subsection G.4.a.iii of this section, the applicant shall identify the species and DBH of each tree to be removed;
- iii. The applicant shall also submit valuation of all trees to be retained, using the valuation standards of the International Society of Arboriculture (see administrative manual for submittal requirements for landscaping plans).

4. Requirements.

a. A development application covered by subsection G.2 of this section shall only be approved if it complies with the requirements of subsections C (Tree Retention, Protection, and Replacement), D (Perimeter Buffering and Screening), E (Street Frontage Landscaping), and F (Parking Lot Landscaping) of this section, and also complies with subsection G.4.a.i, ii or iii of this section.

- i. In the MUTC central core and ferry terminal overlay districts, the development parcel shall have at least 30 tree units per acre following the proposed development or redevelopment.
- ii. In the MUTC Ericksen Avenue, Madison Avenue, and gateway overlay districts, and each site in the R-8, R-14, HSR I and II, and NSC districts, and for permitted nonresidential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts, the development parcel shall have at least 40 tree units per acre following the proposed development or redevelopment.
- iii. As an alternative to subsections G.4.a.i and ii of this section, and at the applicant's option, the development parcel will contain at least the same number

of tree units after the proposed development or redevelopment as it had before that development or redevelopment.

b. Existing and new trees in roadside, perimeter, and shoreline buffers and/or critical areas and their buffers do not count towards the tree unit requirements of this section. If an applicant is choosing to meet their tree unit requirements using subsection G.4.a.iii of this section, the existing trees in those protected areas and buffers will not count towards the “pre-development” amount of tree units.

5. Calculation of Tree Units.

a. Each tree preserved on a development parcel shall earn the number of tree units shown in Table 18.15.010-67, based on its diameter at breast height (DBH) as measured in inches. If the DBH measurement results in a fraction, the requirement shall be rounded to the nearest whole number (greater than or equal to 0.5 is rounded up; less than 0.5 is rounded down).

Table 18.15.010-67: Tree Unit Conversion Table for Preserved Trees [1]

DBH	Tree Units	DBH	Tree Units	DBH	Tree Units
3 – 5	1.0	16 – 18	3.2	27 – 28	7.0
6 – 10	1.2	19 – 20	3.8	29 – 30	7.8
11 – 12	1.4	21 – 23	4.6	30+	8.2
13 – 15	2.0	24 – 26	6.2		

[1] For multi-stemmed trees, measure the DBH of each trunk separately, multiply each of these measurements by itself, add up these amounts, and calculate the square root of that total to find the DBH for the tree as a whole.

b. Tree Retention Bonus.

i. If retained trees occur in a tree stand, they shall earn 1.2 times the tree unit value shown in Table 18.15.010-67.

ii. If the retained trees occur in a tree stand that is adjacent to a tree stand on an adjacent lot that is already protected as part of a land use permit or conservation easement, they shall earn one and one-half times the tree unit value shown in Table 18.15.010-67 instead of the bonus described in subsection G.5.b.i of this section.

iii. If the retained tree is one designated through the city’s heritage tree program it shall earn two times the tree unit value shown in Table 18.15.010-67, and the tree shall not receive additional bonus in subsections G.5.b.i and ii of this section for location in a tree stand.

iv. If the retained tree is located within a designated Wildlife Corridor Network, it shall earn one and one-half times the tree unit value shown in Table 18.15.010-67.

c. Each new or replacement tree planted shall earn one tree unit. New trees planted to meet the minimum parking lot landscaping requirements of subsection F of this section do not count towards meeting tree unit credits under this section. New trees planted in or around a parking lot that exceed the minimum requirements of subsection F of this section can be counted towards meeting required tree units.

d. If, after complying with subsections C, D, E, and F of this section, additional trees need to be planted to meet the minimum tree unit requirements in subsection G.4 of this section:

- i. In the MUTC central core and ferry terminal overlay districts, those trees may be planted either at ground level or above ground level (such as a patio, terrace, or rooftop); and
- ii. In the MUTC Ericksen Avenue, Madison Avenue, and gateway overlay districts, R-8, R-14, HSR I and II, NSC districts, as well as for nonresidential developments within residential districts, those trees shall be planted at ground level.

H. Planting Requirements.

1. Intent. The intent of this section is to encourage the use of native species and recommend planting conditions adaptive to Bainbridge Island.

2. Requirements. Landscape designs shall conform to the following provisions:

- a. Areas not devoted to landscape required by this chapter, parking, structures and other site improvements are encouraged to be planted or remain in existing vegetation.
- b. New plant materials shall include native species or nonnative species that have adapted to the climatic conditions of the coastal region of the Puget Sound region.
- c. New plant materials shall consist of drought resistant species, except where site conditions within the required landscape areas assure adequate moisture for growth.
- d. New tree plantings shall be a minimum of two inches in caliper if deciduous or six feet in height if evergreen. New shrubs planted in roadside or perimeter buffers shall be of a variety that achieves a minimum six feet height at maturity. Soil planting types and depth shall be sufficient for tree planting.
- e. When the width of any landscape strip is 20 feet or greater, the required trees shall be staggered in two or more rows.
- f. Existing vegetation may be used to augment new plantings to meet the standards of this chapter.
- g. Grass may be used as a ground cover where existing or amended soil conditions assure adequate moisture for growth.

- h. Ground cover areas shall contain at least two inches of composted organic mulch at finish grade to minimize evaporation. Mulch shall consist of materials such as composted yard waste, composted sawdust, and/or manure that are fully composted.
- i. Existing and/or compacted soils may need to be augmented with fully composted organic material or aerated.
- j. Specific submittal requirements for landscaping plans (tree protection, retention and planting plans) are included in the city's administrative manual.

3. Performance Assurance.

- a. Performance assurance is required to assure the city that the landscape required by this section is properly installed and will become established and be adequately maintained.
- b. The required landscape shall be installed prior to the issuance of a temporary certificate of occupancy for the project. The Washington landscape architect, Washington certified nursery professional or Washington certified landscaper shall submit a landscaping declaration to the director to verify installation in accordance with the approved plans.
- c. The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season as approved if the director determines that a performance assurance device, for a period of not more than one year, will adequately protect the interests of the city. The performance assurance device shall be for 150 percent of the cost of the work or improvements covered by the assurance device. In no case may the property owner delay performance for more than one year.
- d. The form and type of the performance assurance device shall be determined by the director.

4. Maintenance Assurance.

- a. The property owner shall replace any unhealthy or dead plant materials in conformance with the approved planting plan.
- b. A maintenance assurance device shall be required for a period of five years after acceptance by the city of the new planting or transplanting of vegetation to ensure proper installation, establishment, and maintenance.
- c. The maintenance assurance device amount shall not be less than 20 percent of the cost of replacing materials covered by the assurance device.
- d. The form and type of the maintenance assurance device shall be determined by the director.

I. Irrigation.

1. Intent. The intent of this section is to provide temporary or permanent irrigation within new planting areas that do not have high soil moisture conditions. These regulations shall not apply where provisions of Chapter [16.12](#) or [16.20](#) BIMC or any state or federal law restricts irrigation, and in case of conflict with any provision of those laws, the provisions of those laws shall govern.
2. Requirements.
 - a. Except for areas of undisturbed existing vegetation, all landscape areas that do not have high soil moisture conditions shall have temporary or permanent irrigation systems. Temporary systems may be removed after 24 months or two growing seasons, whichever occurs first; provided, that the plantings are established.
 - b. Areas where existing site conditions assure adequate soil moisture for growth within the required landscape area shall have temporary irrigation systems only as required to sustain new plantings.
 - c. Landscape areas consisting of drought resistant vegetation may require temporary irrigation systems. Permanent irrigation systems located within required landscape areas should include the following features:
 - i. Moisture or precipitation sensors; and
 - ii. Automatic timers set for operation to assure adequate moisture levels; and
 - iii. Head-to-head spacing, if sprinkler heads are proposed; and
 - iv. Pressure regulating devices; and
 - v. Backflow prevention devices; and
 - vi. Separate irrigation zones for grass and planting beds; and
 - vii. Other features required to comply with applicable state and city codes.
 - d. Irrigation water shall be applied with goals of avoiding runoff, low head drainage, overspray, or other similar conditions where water flows onto adjacent property, nonirrigated areas and impervious surfaces by:
 - i. Considering soil type and infiltration rates; and
 - ii. Using proper irrigation equipment and schedules, including features such as repeat cycles, to closely match application rates with infiltration rates; and
 - iii. Considering special problems posed by irrigation on slopes and in median strips.
 - e. Irrigation systems shall be subject to the following additional provisions:

- i. Systems in landscape strips less than five feet in width shall be designed to ensure that overspray and/or runoff does not occur by use of system design options such as low volume emitters; and
- ii. Sprinkler heads with consistent application rates shall be selected for proper area coverage, operating pressure, and adjustment capability; and
- iii. Separate control valves shall be used to irrigate plants with differing water needs.

J. Maintenance.

1. Intent. All new landscape plantings and significant trees and tree stands to be retained shall be maintained to preserve the Island's forested character.
2. Requirements.
 - a. All landscaping, significant trees and tree stands shall be maintained for the life of the project.
 - b. All landscaped areas required by this chapter, significant trees and tree stands, except within critical areas or their protective buffers (defined in Chapter [16.20](#) BIMC), should be maintained in a healthy growing condition.
 - c. Landscape areas shall be kept free of trash.
 - d. All plant material shall be managed by pruning so that plant growth does not conflict with public utilities, restrict pedestrian or vehicular access, or create a traffic hazard.

K. Screening of Certain Facilities.

1. Outdoor Storage. In the NSC and B/I districts, outdoor storage areas shall be screened. The screen height is determined by the height of the material or equipment being screened. Chain link fencing with neutral colored slatting is permitted along with vegetative screening when vegetative screening alone is not sufficient to block the outdoor storage from public view and where the fencing is not visible from a street. Exterior storage should be confined to portions of the site least visible from public view.
2. Trash Dumpsters and Outdoor Equipment.
 - a. In the NSC and B/I districts, trash dumpsters or any outdoor equipment, whether on roof or side of a structure, or on the ground, shall be screened from view. Screening shall be architecturally consistent with the adjacent structure in terms of materials. Mechanical equipment should be located below the highest vertical element of the building.
 - b. In the B/I districts, trash and recycling containers shall be located to mitigate noise impacts to nearby residential properties.
 - c. Small wind energy generators do not need to be screened.

3. Business/Industrial. In the B/I districts, light manufacturing uses shall visually screen the development year-round from adjacent, nonindustrial properties and from adjacent roadways. Landscape screening shall be provided in accordance with subsection D of this section. (Ord. 2015-04 §§ 2 – 8, 2015; Ord. 2012-11 § 2 (Exh. A), 2012)

Section 2. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL this ____ day of ____, 2016.

APPROVED BY THE MAYOR this ____ day of ____, 2016.

XXXX, Mayor

ATTEST/AUTHENTICATE:

Rosalind D. Lassoff, CMC, City Clerk

FILED WITH THE CITY CLERK: XXXX, 2016

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NUMBER: 2016-01