



TREE & LOW IMPACT DEVELOPMENT
AD HOC COMMITTEE
MEETING NOTES
WEDNESDAY, NOVEMBER 1, 2017
3:00 – 4:30 PM
COUNCIL CONFERENCE ROOM

Committee Members in Attendance: Ron Peltier, Jon Quitslund, Sarah Blossom
COBI Staff: Jennifer Sutton
Public: Rob Avery, Marilyn V. Allen, Mike Juneau, Chris Miller, Bill Barrow

In Kol's absence, Ron chaired the meeting. **Agenda Items 1 & 2:** With a correction to the Notes from the Oct. 18 meeting (in Agenda Item 5, #1, limiting the allowance to public schools and parks), the Notes were approved as distributed. The Agenda for the Nov. 1 meeting was approved.

Agenda Item 3, Public Comment: Marilyn Allen spoke from over 40 years of experience in real estate sales on Bainbridge, saying that lately it has been very hard to keep up with complications in the fine print of regulations, and people in sales refer customers to the Planning counter, since they don't trust their own understanding of rules that will apply to specific properties. Rob Avery said that he is not opposed to growth, but it should be 'smart growth.' He is concerned with the effect that changes to regulations will have on land values. Chris Miller said that real estate professionals are concerned on behalf of their neighbors and friends; property owners' rights must be respected, and any policies that result in takings will be problematic for the City. Sarah and Jon offered brief comments in response. The committee's main concern, currently, is with new development on forested property, and we seek to change the way that people approach development. Bill Barrow said that he thought the City's regulations allowed citizens too little discretion when all they wanted was to solve a problem and improve their property. Ron observed that regulations can protect a property owner from the consequences of a neighbor's irresponsible and destructive action; he added that property values will be protected only if the Island's citizens are committed to good stewardship of their land and its environmental resources. Rob made the last comment: How is "native vegetation" going to be defined, considering that no part of the Island remains in a condition unaffected by logging and use by the first waves of settlement?

Agenda Item 4, further work on the New BIMC 16.18: Without deciding anything in the absence of two committee members, those present took a hard look at several items in the current draft.

Jon asked why Forest Stewardship had been omitted from the chapter title, and Jennifer said that Forest Stewardship Plans will be a feature of the Critical Areas chapter. Both Jon and Ron thought that references to such plans had a place in both chapters; Jon suggested that maybe a separate chapter should be devoted to Stewardship Plans, which may be required in some circumstances and optional, but advantageous to property owners, in others. Such plans would be site specific, but a single set of guidelines would determine the fundamental features.

Jennifer observed in passing that the first two sections (Findings and Purposes) were unchanged; Jon pointed out that **A. in .015** is new, and maybe it shouldn't come first in the list of Purposes.

In **.020 Applicability, A.**, Jon asked about the inclusion of properties in the Water-Dependent Industrial zone. Upland portions of some shoreline properties, including deep residential lots, may be covered by this chapter. With reference to **.020.C**, we talked about parcels that have been developed with one residence and are large enough to be subdivided, with another residence, at some future date. If the undeveloped portion is forested, should tree removal and other activities be regulated by this chapter, or by BIMC 16.20? (In this case, a Forest Stewardship Plan might be recommended, so that tree removal and other activities are consistent with a long-term plan.) Jon said that he would propose some alternative language for **.020.C** for consideration at the next committee meeting.

Sarah questioned the relevance of **.020.E**. Moving on to **18.16.030**, we weren't persuaded that **Exemptions** was a better title than **Activities not requiring a permit** (or, perhaps, **Tree removal and maintenance activities allowed without a permit**). Sarah suggested that subsection **030.A** belonged elsewhere, at the beginning of **020 Applicability**. Jon had a couple of comments on **030.B**: first, that "insignificant" is an imprecise and hard-to-define term; second, that the provision for removal of significant trees should prevent reduction of canopy cover on the below some percentage (50%? 60%?).

At this point, we had run out of time.

Agenda Item 5: The next meeting will be on November 15, and we will continue work on BIMC 16.18. Jennifer noted that the public hearing on the Critical Areas chapter will be completed in the Nov. 14 Council meeting, so we may be debriefing on that. Also, the 'white papers' from Herrera will be ready for review by the Committee. And the Planning Commission on Nov. 9 will be devoted to briefing the P. C. on changes to land use and development regulations, preparing for their review of a well-polished draft of BIMC 16.18 in the near future. Presumably, there will be time for public comment at that meeting.

Notes Approved: November 15, 2017