



CITY OF
BAINBRIDGE ISLAND

TREE & LOW IMPACT DEVELOPMENT
AD HOC COMMITTEE
REGULARLY SCHEDULED MEETING
WEDNESDAY, SEPTEMBER 28, 2016
1:00 – 4:00 PM
COUNCIL CHAMBER
280 MADISON AVE N
BAINBRIDGE ISLAND, WA 98110

AGENDA

- | | | |
|----|--|------|
| 1. | Review and Approve Notes from September 14, 2016 Meeting | 1:00 |
| 2. | Review and approve meeting agenda | 1:05 |
| 3. | Public comment on agenda-related items | 1:05 |
| 4. | Low Impact Development Case Studies Presentation by City Development Engineers- Janelle Hitch & Peter Corelis | 1:10 |
| 5. | Low Impact Development Code Recommendations Presentation & Discussion with City Staff and Herrera | 2:10 |
| 6. | Public comment on agenda-related items | 3:50 |
| 7. | For the Good of the Order | 3:55 |

City of Bainbridge Island Draft Revisions - Discussion Form

Name of Document/Code/Policy Reviewed: [Title 1 – General Provisions](#)

Purpose of Discussion Form: The purpose of this discussion form is to walk through the gaps identified during the preliminary code review process, categorize the gaps into three different types (required, preferred, and optional), discuss proposed revisions to existing text or development of new language, and determine the City’s preferred approach to addressing each gap. If no change is selected as the preferred approach, a reason should be provided.

| <i>Section/Page Reference</i> | <i>Existing Text</i> | <i>Type of Gap</i> | <i>Proposed Revisions to Existing Text</i> | <i>Preferred Approach</i> |
|--|---|--------------------|--|---|
| 1.28.010 Miscellaneous fees charged Page 22 of 25 | A. The city shall charge an appropriate fee in the amount established by the city by resolution for the following services provided or permits issued by the city: <ol style="list-style-type: none"> 1. Boundary line adjustment review; 2. Bulkheads and seawalls – repairs and new bulkheads; 3. Forest practices review; 4. Grading permits; 5. Clearing permits; 6. Open space review; 7. Preapplication conferences (this fee is not refundable); 8. Public dance permits; 9. Visa/citizen/immigration document processing; 10. Escheat transaction processing; 11. Notary services; 12. Concealed weapons permit duplicates; 13. House moving permits; 14. Written reports to escrow companies; 15. Reports to insurance companies; 16. Fingerprint card processing; 17. Administrative code interpretation; 18. Buffer reduction or averaging review; 19. Land use consultation; 20. Vegetation management plan review; 21. Planned unit development applications; and 22. Extensions of planned unit development applications. | Optional | A. The city shall charge an appropriate fee in the amount established by the city by resolution for the following services provided or permits issued by the city: <ol style="list-style-type: none"> 1. Boundary line adjustment review; 2. Bulkheads and seawalls – repairs and new bulkheads; 3. Forest practices review; 4. Grading permits; 5. Clearing permits; 6. Open space review; 7. Preapplication conferences (this fee is not refundable); 8. Public dance permits; 9. Visa/citizen/immigration document processing; 10. Escheat transaction processing; 11. Notary services; 12. Concealed weapons permit duplicates; 13. House moving permits; 14. Written reports to escrow companies; 15. Reports to insurance companies; 16. Fingerprint card processing; 17. Administrative code interpretation; 18. Buffer reduction or averaging review; 19. Land use consultation; 20. Vegetation management plan review; 21. Planned unit development applications; and 22. Extensions of planned unit development applications. <li style="color: red;">23. Stormwater site plan review fees <li style="color: red;">24. Construction inspection fees <li style="color: red;">25. Post construction stormwater facility inspection fees | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Add fees for stormwater-related site plan review and inspections to ensure performance of LID BMPs. |

City of Bainbridge Island Draft Revisions - Discussion Form

Name of Document/Code/Policy Reviewed: [Title 2 – Administration, Personnel, and Land Use Procedures](#)

Purpose of Discussion Form: The purpose of this discussion form is to walk through the gaps identified during the preliminary code review process, categorize the gaps into three different types (required, preferred, and optional), discuss proposed revisions to existing text or development of new language, and determine the City’s preferred approach to addressing each gap. If no change is selected as the preferred approach, a reason should be provided.

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|--|-------------|--|---|
| Table 2.16.020.Q-3 Innovative Site Development Scoring Method Page 36-38 of 171 | All HDDP projects will follow the WA State DOE 2012 Stormwater Management Manual for Western Washington, as amended in December 2014. | Preferred | All HDDP projects will follow the WA State DOE 2012 Stormwater Management Manual for Western Washington, as amended in December 2014 the adopted stormwater manual in BIMC 15.20.050. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update reference to the 2014 SWMMWW. |
| Table 2.16.020.Q-3 Innovative Site Development Scoring Method Page 36-38 of 171 2.16.020.Q.4.b General provisions Page 39 of 171 | “Green roofs” | Preferred | Green roofs Vegetated roof | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update terminology to “vegetated roofs” for consistency with the 2014 SWMMWW. |
| Table 2.16.020.Q-3 Innovative Site Development Scoring Method Page 36-38 of 171 | [Improving Water Quality] Treat 91% of total runoff volume with 90% TSS removal (Level 1 treatment) ... Treat 95% of total runoff volume with 90% TSS removal (Level 2 treatment) | Preferred | This text has been removed | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change This text has been removed with Ordinance 2016-27. |
| 2.16.040 Site plans and design review Page 46 of 171 | D.1. Site Analysis. a. An applicant shall first conduct a site analysis identifying existing watercourses/wetlands, significant trees and vegetation, critical areas and other natural features, and open space in accordance with the design process, and development standards of BIMC 18.12.020 if applicable. b. An applicant for a site plan and design review proposal shall prepare maps, site plan(s) and studies (as specified in the submittal requirements) to show how the proposal promotes the purpose and meets the standards of the zoning district and chapter. | Required | D.1. Site Analysis. a. An applicant shall first conduct a site analysis identifying existing watercourses/wetlands, significant trees and vegetation, critical areas and other natural features, and open space in accordance with the design process, and development standards of BIMC 15.20 and BIMC 18.12.020 if applicable. b. An applicant for a site plan and design review proposal shall prepare maps, site plan(s) and studies (as specified in the submittal requirements) to show how the proposal promotes the purpose and meets the standards of the zoning district and chapter. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Add reference to BIMC 15.20. |
| 2.16.040 Site plans and design review Page 49 of 171 | E.4.f. The site plan and design conforms to the “City of Bainbridge Island Engineering Design and Development Standards Manual,” unless the city engineer has approved a variation to the road standards in that document based on his or her determination that the variation meets the purposes of BIMC Title 18. | Preferred | E.4.f. The site plan and design conforms to the “City of Bainbridge Island Engineering-Design and Development Construction Standards Manual ,” unless the city engineer has approved a variation to the road standards in that document based on his or her determination that the variation meets the purposes of BIMC Title 18. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update reference to City Design Standards |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|--|-------------|---|--|
| 2.16.040 Site plans and design review Page 49 of 171 | E.12. For applications in the B/I zoning district, the site plan and development proposal include means to integrate and re-use on-site storm water as site amenities. | Preferred | E.12. For applications in the B/I zoning district, the site plan and development proposal include means to integrate and re-use on-site storm water as site amenities. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change The requirement in BIMC 15.20 to incorporate LID on all projects where feasible addresses the intent of this language. |
| 2.16.120 Major variances Page 77 of 171 | 1. The major variance process may be used for deviations from zoning standards in BIMC Title 18 that the director determines exceed the threshold for minor variances under BIMC 2.16.060. A variance is authorized only for lot coverage, size of structure or size of setbacks. Variances are not authorized for changes in density requirements, building or structure height requirements, open space requirements, or expanding a use otherwise prohibited. | Optional | A potential variance for height limits or change to dimensional standards to promote site design flexibility for the installation of a vegetated roof or other LID BMPs is still under discussion – proposed language to be determined. | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change |

City of Bainbridge Island Draft Revisions - Discussion Form

Name of Document/Code/Policy Reviewed: [Title 12 – Streets, Sidewalks, and Public Places \(Chapters 12.28, 12.32, and 12.38\)](#)

Purpose of Discussion Form: The purpose of this discussion form is to walk through the gaps identified during the preliminary code review process, categorize the gaps into three different types (required, preferred, and optional), discuss proposed revisions to existing text or development of new language, and determine the City’s preferred approach to addressing each gap. If no change is selected as the preferred approach, a reason should be provided.

| <i>Section/Page Reference</i> | <i>Existing Text</i> | <i>Type of Gap</i> | <i>Proposed Revisions to Existing Text</i> | <i>Preferred Approach</i> |
|--|---|--------------------|--|---|
| 12.28.010 Map adopted Page 26 of 49 | That certain map labeled “Comprehensive Sidewalk Plan,” dated June, 1984, a copy of which has been on file in the office of the city clerk for use and examination by the public, is adopted by reference as the city’s comprehensive sidewalk plan. | Preferred | 12.28.010 Map adopted That certain map labeled “Comprehensive Sidewalk Plan,” dated June, 1984, a copy of which has been on file in the office of the city clerk for use and examination by the public, is adopted by reference as the city’s comprehensive sidewalk plan. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change The Comprehensive Sidewalk Plan is no longer in use. The City uses the Non-Motorized Transportation Plan and the Design and Construction Standards instead. |
| 12.28.020 Sidewalk required – Exception Page 26 of 49 | All projects requiring a building permit and located on property abutting any proposed sidewalk as shown on the comprehensive sidewalk plan or as required by Chapter 12.36 BIMC shall provide sidewalks and curbs along the street front. | Preferred | All projects requiring a building permit and located on property abutting any proposed sidewalk as shown on the comprehensive sidewalk plan in the Non-Motorized Transportation Plan or as required by Chapter 12.36 BIMC shall provide sidewalks and curbs along the street front. Curb cuts are allowed to facilitate stormwater runoff to enter a bioretention facility. | <input checked="" type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Update outdated reference to the Comprehensive Sidewalk Plan. Allow curb cuts to facilitate stormwater runoff entering a bioretention facility. |
| 12.28.025 Deferral of construction authorized Page 26 of 49 | The covenant shall provide that the improvements shall be installed to city standards when any one of the following first occurs: A. The grade of the abutting street is established; B. The abutting street is improved through an LID, ULID, or other funding method; C. Similar improvements are constructed on adjacent property; or D. When existing sidewalks and/or curbs are inadequate in the opinion of the city. | Preferred | The covenant shall provide that the improvements shall be installed to city standards when any one of the following first occurs: A. The grade of the abutting street is established; B. The abutting street is improved through an LID, ULID, local improvement district, utility local improvement district , or other funding method; C. Similar improvements are constructed on adjacent property; or D. When existing sidewalks and/or curbs are inadequate in the opinion of the city. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Spell out “local improvement district” to avoid confusion with “low impact development”. |
| 12.28.030 Construction standards Page 26 of 49 | Construction standards for sidewalks shall be the same as required for subdivisions and shall be in compliance with the engineering design and development standards. | Preferred | Construction standards for sidewalks shall be the same as required for subdivisions and shall be in compliance with the engineering design and development construction standards. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Clarifies document reference. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|--|-------------|--|---|
| 12.28.040 Methods of compliance Page 26 of 49 | At the discretion of the city, developers may satisfy the requirement for sidewalk construction by one of the following methods: (1) actual construction, if approved by the city; (2) by posting a bond or other suitable security in an amount approved by the city sufficient to cover the estimated costs of construction; (3) by execution of an agreement not to protest formation of a LID for construction of sidewalks. | Preferred | At the discretion of the city, developers may satisfy the requirement for sidewalk construction by one of the following methods: (1) actual construction, if approved by the city; (2) by posting a bond or other suitable security in an amount approved by the city sufficient to cover the estimated costs of construction; (3) by execution of an agreement not to protest formation of a LID local improvement district for construction of sidewalks. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Spell out “local improvement district” to avoid confusion with “low impact development”. |
| 12.38.010 Definitions Page 41 of 49 | B. “Roadway” means the road wearing surface, including shoulders, and any drainage system constructed to protect the adjoining properties and the road base. | Preferred | B. “Roadway” means the road wearing surface, including shoulders, and any drainage system conveyance system, and stormwater treatment and/or flow control facilities (in accordance with BIMC 15.20) constructed to protect the adjoining properties and the road base. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Broaden the Roadway definition to include stormwater treatment and/or flow control facilities (which would include LID BMPs). |
| 12.38.010 Definitions Page 41 of 49 | Not applicable | Preferred | Consider adding a definition for “stormwater treatment and/or flow control facilities”. | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change Decided to refer to BIMC 15.20 instead of adding a definition for stormwater treatment and/or flow control facilities. |
| 12.38.020 Existing public right-of-way Page 41 of 49 | Maintenance of existing public ROW shall be as follows: A. Paved Roads. The city will maintain all paved roads in accordance with city procedures and within budgetary constraints. B. Unpaved Roads. The city will perform minimum maintenance on unpaved roads in accordance with city procedures and within budgetary constraints. | Preferred | Maintenance of existing public ROW shall be as follows: A. Paved Roads and Permeable Pavement Roads . The city will maintain all paved and permeable pavement roads in accordance with city procedures and within budgetary constraints. B. Unpaved Roads. The city will perform minimum maintenance on unpaved roads in accordance with city procedures and within budgetary constraints. C. Refer to BIMC 15.20 for pavement maintenance exemptions to determine if stormwater requirements will be triggered. | <input checked="" type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Add reference to permeable pavement roads. Add reference to BIMC 15.20 for pavement maintenance exemptions. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|--|------------------|---|--|
| <p>12.38.030 Upgrading unpaved roads Page 41 of 49</p> | <p>Upgrading of unpaved roads in public ROW, at the request of the adjoining property owners, shall be done through the local improvement district (LID) process, property owner funding, or with other sources of funds. Upon completion of the upgrade project to city standards, the city will accept the road for perpetual maintenance in accordance with BIMC 12.38.020.A.</p> | <p>Preferred</p> | <p>Upgrading of unpaved roads in public ROW, at the request of the adjoining property owners, shall be done through the local improvement district (LID) process, property owner funding, or with other sources of funds. Refer to BIMC 15.20 for the pavement maintenance exemptions to determine if stormwater requirements will be triggered. Permeable pavement is preferred where feasible for upgraded surfaces. Upon completion of the upgrade project to city standards, the city will accept the road for perpetual maintenance in accordance with BIMC 12.38.020.A.</p> | <p><input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Remove “(LID)” to avoid confusion with “low impact development” terminology. Add reference to BIMC 15.20 for pavement maintenance exemptions. Promote installations of permeable pavement with local improvement district upgrades.</p> |

City of Bainbridge Island Draft Revisions - Discussion Form

Name of Document/Code/Policy Reviewed: [Title 13 – Public Services \(Chapters 13.04, 13.14, 13.18, and 13.24\)](#)

Purpose of Discussion Form: The purpose of this discussion form is to walk through the gaps identified during the preliminary code review process, categorize the gaps into three different types (required, preferred, and optional), discuss proposed revisions to existing text or development of new language, and determine the City’s preferred approach to addressing each gap. If no change is selected as the preferred approach, a reason should be provided.

| <i>Section/Page Reference</i> | <i>Existing Text</i> | <i>Type of Gap</i> | <i>Proposed Revisions to Existing Text</i> | <i>Preferred Approach</i> |
|--|---|--------------------|---|--|
| 13.04.060 Compatible pollutant Page 3 of 61 13.04.110 Incompatible Pollutant Page 4 of 61 | “Compatible pollutant” means biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in an NPDES permit if the publicly owned treatment works is designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree...” “Incompatible pollutant” means any pollutant which is not a compatible pollutant...” | Optional | “Compatible pollutant” for wastewater discharges means biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in a National Pollutant Discharge Elimination System (NPDES) wastewater discharge permit an NPDES permit if the publicly owned treatment works is designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree...” “Incompatible pollutant” for wastewater discharges means any pollutant which is not a compatible pollutant as defined in “compatible pollutant.” | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Clarify definitions to avoid confusion with stormwater requirements. |
| 13.24.050 Definitions Page 39 of 61 | “Developed” shall mean that condition of real property altered from its natural state by the addition to or construction on such property of impervious ground cover or other manmade physical improvements (such as clearing or grading) such that the hydrology of the property or portion thereof is affected. | Required | “Developed” shall mean that condition of real property altered from its natural state by the creation or addition to or construction on such property of impervious ground cover hard surfaces; expansion of a building footprint, addition or replacement of a building or other structure; structural development including construction, installation or expansion of a building or other structure; replacement of hard surface that is not part of a routine maintenance activity; and or other manmade physical improvements land disturbing activities (such as clearing or grading) such that the hydrology of the property or portion thereof is affected. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update definition to be consistent with the SWMMWW. |
| 13.24.050 Definitions Page 39 of 61 | Not applicable | Required | “Hard surface” shall mean an impervious surface, a permeable pavement, or a vegetated roof. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Add definition to be consistent with the SWMMWW. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|---|-------------|---|--|
| 13.24.050 Definitions Page 39 of 61 | <p>“Impervious ground cover” shall mean those hard surfaces which either prevent or impede the entry of water into the soil in the manner that such water entered the soil under natural conditions preexistent to development, or which cause water to run off the surface in greater quantities or at an increased rate of flow than that present under natural conditions preexistent to development, including, without limitation, such surfaces as rooftops, greenhouses, asphalt or concrete sidewalks, paving, unnamed ways-of-travel, driveways and parking lots, walkways, artificial turf playing fields, patio areas, storage areas, and gravel, oiled macadam or other surfaces which similarly affect the natural infiltration or runoff patterns that existed prior to development.</p> <p>Lawns, pastures, agricultural land, and landscaped areas, including playgrounds with soft ground cover, are not impervious ground cover. Permeable pavement areas that have been designed to completely infiltrate water applied to the surface, as documented in a drainage report submitted and approved for the developed property, are not impervious ground cover.</p> | Required | <p>“Impervious ground cover” shall mean those hard surfaces which either prevent or impede the entry of water into the soil in the manner that such water entered the soil under natural conditions preexistent to development, or which cause water to run off the surface in greater quantities or at an increased rate of flow than that present under natural conditions preexistent to development, including, without limitation, such surfaces as rooftops, greenhouses, asphalt or concrete sidewalks, paving, unnamed ways-of-travel, driveways and parking lots, walkways, artificial turf playing fields, patio areas, storage areas, and gravel, oiled macadam or other surfaces which similarly affect the natural infiltration or runoff patterns that existed prior to development.</p> <p>Lawns, pastures, agricultural land, and landscaped areas, including playgrounds with soft ground cover, are not impervious ground cover. Permeable pavement areas that have been designed to completely infiltrate water applied to the surface, as documented in a drainage report submitted and approved for the developed property, are not impervious ground cover.</p> <p>“Impervious surface” shall mean a non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater..”</p> | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Replace definition to be consistent with the SWMMWW. |
| 13.24.050 Definitions Page 39 of 61 | <p>“Low intensity development” shall mean any development, excluding single family, which creates or utilizes less than 15 percent impervious ground cover on a parcel.</p> | Optional | <p>No change. Considered revising “low intensity development” to avoid confusion with low impact development.</p> | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change No change to existing terminology (“low intensity development”). |
| 13.24.050 Definitions Page 39 of 61 | Not applicable | Preferred | <p>“On-site stormwater management facility” means low impact development best management practices as defined in BIMC 15.20.</p> | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Add a definition for on-site stormwater management facility. |
| 13.24.131.B Rate Reductions Page 41 of 61 | <p>For any property other than a single-family residence (including mobile homes, condominiums and duplexes), if the property owner (1) has been required by either the city or Kitsap County since January 1, 1985, to construct an on-site storm water mitigation facility as a condition of the property’s development or (2) has constructed voluntarily since January 1, 1985, an on-site storm water mitigation facility serving the property and exceeding city standards at the time of construction...</p> | Preferred | <p>For any property other than a single-family residence (including mobile homes, condominiums and duplexes), if the property owner (1) has been required by either the city or Kitsap County since January 1, 1985, to construct an on-site storm water mitigation stormwater management facility as a condition of the property’s development or (2) has constructed voluntarily since January 1, 1985, an on-site storm water mitigation stormwater management facility serving the property and exceeding city standards at the time of construction...</p> | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update term to “on-site stormwater management facility.” |

| <i>Section/Page Reference</i> | <i>Existing Text</i> | <i>Type of Gap</i> | <i>Proposed Revisions to Existing Text</i> | <i>Preferred Approach</i> |
|--|--|--------------------|---|---|
| 13.24.180 Inspections – Right of entry – Emergency Page 43 of 61 | The engineer or other city officials or employees of the city may enter any building or property to perform duties imposed by this chapter in accordance with Chapter 1.16 BIMC. | Optional | No change. Considered adding a reference to BIMC 15.20. | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change Right of entry requirements for ongoing annual inspections of permanent stormwater BMPs/facilities are covered elsewhere and are not necessary in this title. |

City of Bainbridge Island Draft Revisions - Discussion Form

Name of Document/Code/Policy Reviewed: [Chapter 15.21 - Storm Water Facilities Maintenance Program](#)

Purpose of Discussion Form: The purpose of this discussion form is to walk through the gaps identified during the preliminary code review process, categorize the gaps into three different types (required, preferred, and optional), discuss proposed revisions to existing text or development of new language, and determine the City's preferred approach to addressing each gap. If no change is selected as the preferred approach, a reason should be provided.

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|---|-------------|--|--|
| General | "Storm water" | Preferred | Global edits to Title 15: "Storm water" to "stormwater" (two words to one word) | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update terminology for consistency with the 2014 SWMMWW |
| 15.21.020 Definitions Page 64 of 102 | A. "Best management practice (BMP)," means physical, structural, and/or managerial practices that, when used in the singular or in combination, prevent or reduce pollution of water, and have been approved by the Washington State Department of Ecology. BMPs are listed and described in the storm water management manual. | Preferred | A. "Best management practice (BMP)," means physical, structural, and/or managerial practices that, when used singly in the singular or in combination, prevent and or reduce the release of pollutants and other adverse impacts to waters of Washington State pollution of water, and have been approved by the Washington State Department of Ecology. BMPs are listed and described in the storm water management manual. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate language from Ecology's SWMMWW definition. |
| 15.21.020 Definitions Page 64 of 102 | Not applicable | Preferred | B. Property owner means any person having title to and/or responsibility for, a building or property, including a lessee, guardian, receiver or trustee, and the owner's duly authorized agent. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Add definition for property owner. |
| 15.21.020 Definitions Page 64 of 102 | F. "Storm water management manual (manual)" means the manual adopted by reference and prepared by the Washington State Department of Ecology which contains BMPs to prevent or reduce pollution. | Preferred | F. "Storm water Stormwater management manual (stormwater manual)" means the manual adopted in BIMC 15.20 by reference and prepared by the Washington State Department of Ecology which contains BMPs to prevent or reduce pollution. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Refer to BIMC 15.20. |
| 15.21.020 Definitions Page 64 of 102 | Not applicable | Preferred | "Waters of the State" includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in chapter 90.48 RCW which includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Adds definition from Phase II Permit (referenced in new BMP definition). |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|---|------------------|--|--|
| <p>15.21.040 General requirements Page 64 of 102</p> | <p>B. Minimum Standards. The following are the minimum standards for the maintenance of storm water facilities: 1. Facilities shall be inspected annually and cleared of debris, sediment and vegetation when they effect the functioning and/or design capacity of the facility. 2. Grassy swales and other biofilters shall be inspected monthly and mowed or replanted as necessary. Clippings are to be removed and properly disposed of. 3. Where lack of maintenance is causing or contributing to a water quality problem, immediate action shall be taken to correct the problem. Within one month, after initial recognition of problem, the city inspector shall revisit the facility to assure that the problem has been rectified.</p> | <p>Required</p> | <p>B. Minimum Standards. The following are the minimum standards for the inspection and maintenance of storm waterstormwater facilities: 1. Stormwater treatment and/or flow control Ffacilities shall be inspected annually by a city inspector or a qualified third party. 2. Property owners shall be responsible for and clearinged of debris, sediment and vegetation from their stormwater facility when they affect effect the functioning and/or design capacity of the facility. 3-2. Grassy swales and other biofilters Biofiltration swales shall be inspected monthly and mowed or replanted as necessary. Clippings are to be removed and properly disposed of. Additional maintenance criteria are included in the stormwater manual. 4. Bioretention/rain garden routine maintenance shall include weeding, removal of noxious weeds, clearing vegetation within 1 foot of inlets/outlets, replenishment of mulch, and irrigation during the summer months and as needed during prolonged dry periods. Additional maintenance criteria are included in the stormwater manual. 5. Permeable pavement routine maintenance shall include cleaning surface debris at a minimum of once or twice per year. Additional maintenance criteria are included in the stormwater manual. 6-3. Where lack of maintenance is causing or contributing to a water quality problem, immediate action shall be taken to correct the problem. Within one month, after initial recognition of problem, the city inspector, or designee, shall revisit the facility to assure that the problem has been rectified.</p> | <p><input checked="" type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Clarify inspection vs. maintenance requirements. Add basic maintenance requirements for bioretention and permeable pavement.</p> |
| <p>15.21.040 General requirements Page 64 of 102</p> | <p>D. Compliance. Property owners are responsible for the maintenance, operation or repair of storm water drainage systems and BMPs. Property owners shall maintain, operate and repair these facilities in compliance with the requirements of this chapter and the storm water management manual.</p> | <p>Preferred</p> | <p>D. Compliance. Property owners are responsible for the maintenance, operation or repair of storm water stormwater drainage systems and BMPs located on their property. Property owners shall maintain, operate and repair these facilities in compliance with the requirements of this chapter and the storm water management stormwater manual.</p> | <p><input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Clarify which facilities are being referred to. Update stormwater manual reference.</p> |

City of Bainbridge Island Draft Revisions - Discussion Form

Name of Document/Code/Policy Reviewed: [Title 16 – Environment \(Chapters 16.08, 16.18, and 16.20\), Chapter 16.12 is not included, but will be addressed in the 2017 limited amendments](#)

Purpose of Discussion Form: The purpose of this discussion form is to walk through the gaps identified during the preliminary code review process, categorize the gaps into three different types (required, preferred, and optional), discuss proposed revisions to existing text or development of new language, and determine the City’s preferred approach to addressing each gap. If no change is selected as the preferred approach, a reason should be provided.

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|---|-------------|---|---|
| General | “Biofiltration” “Pervious pavement” and “pervious surfaces” “Storm water” | Preferred | Global edits to Title 16: <ul style="list-style-type: none"> “Biofiltration” to “bioretention” where appropriate “Pervious pavement” and “pervious surfaces” to “permeable pavement” where appropriate “Storm water” to “stormwater” (two words to one word) | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update terminology for consistency with the 2014 SWMMWW |
| 16.18.020 Definitions Page 235 of 317 | Not applicable | Required | “Low impact development (LID)” means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate Ecology’s SWMMWW definition. |
| 16.18.020 Definitions Page 235 of 317 | Not applicable | Required | “Low impact development best management practices (LID BMPs)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to: bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate Ecology’s SWMMWW definition. |
| 16.18.020 Definitions Page 235 of 317 | “Vegetation” means plant matter, including trees, shrubs and ground cover. | Preferred | “Vegetation” means all organic plant life growing on the surface of the earth matter, including trees, shrubs and ground cover. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update for consistency with the 2014 SWMMWW |
| 16.18.030.D Applicability Page 236 of 317 | D. In the event of a conflict between the requirements of this chapter and any other requirement of the Bainbridge Island Municipal Code, the more restrictive requirement shall apply. Additional permits may be required if the activities are regulated by other chapters such as, but not limited to, Chapter 15.20 BIMC, Surface and Storm Water Management, Chapter 16.12 BIMC, Shoreline Master Program, Chapter 16.20 BIMC, Critical Areas, and Chapter 16.22 BIMC, Vegetation Management. Clearing of more than 7,000 square feet shall meet the stormwater management minimum standards outlined in Chapter 15.20 BIMC. See tree removal permit process flow chart, Figure 16.18. | Required | D. In the event of a conflict between the requirements of this chapter and any other requirement of the Bainbridge Island Municipal Code, the more restrictive requirement shall apply. Additional permits may be required if the activities are regulated by other chapters such as, but not limited to, Chapter 15.20 BIMC, Surface and Storm Water Management, Chapter 16.12 BIMC, Shoreline Master Program, Chapter 16.20 BIMC, Critical Areas, and Chapter 16.22 BIMC, Vegetation Management. Clearing Land disturbing activity of more than 7,000 square feet or more shall meet the stormwater management requirements minimum standards outlined in Chapter 15.20 BIMC. See tree removal permit process flow chart, Figure 16.18. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Revise threshold to 7,000 square feet or more. Modify “clearing” to “land disturbing activity” for consistency with Ecology’s terminology. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|---|-------------|---|--|
| 16.18.040 Clearing activities not requiring a permit Page 236 of 317 | 16.18.040 Clearing activities not requiring a permit. | Preferred | 16.18.040 Minor c learing and grading activities not requiring a permit. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Rename this section “Minor clearing and grading” to highlight the fact that this threshold in subsection B is different from the SWMMWW threshold. |
| 16.18.040.C Clearing activities not requiring a permit Page 236 of 317 | C. Clearing as part of a development where clearing limits and/or tree retention and landscape requirements have been set and erosion control plans approved as part of the approval for the development; provided, that land clearing in connection with such projects shall take place only after a land use or development permit has been issued by the city and shall be in accordance with such permit; | Preferred | C. Clearing as part of a development where clearing limits and/or tree retention and landscape requirements have been set and erosion control plans construction stormwater pollution prevention in accordance with BIMC 15.20 has been approved as part of the approval for the development; provided, that land clearing in connection with such projects shall take place only after a land use or development permit has been issued by the city and shall be in accordance with such permit; | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Add a reference to 15.20 BIMC for Construction Stormwater Pollution Prevention requirements. |
| 16.18.040.F Clearing activities not requiring a permit Page 237 of 317 | F. Routine gardening and landscape maintenance of existing landscaped areas on developed lots, including pruning, weeding, planting, mowing, and other activities associated with maintaining an already established landscape; | Preferred | F. Routine gardening and landscape maintenance of existing landscaped areas and LID BMPs on developed lots, including pruning, weeding, planting, mowing, and other activities associated with maintaining an already established landscape or stormwater facility ; | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Add reference to maintenance activities for LID BMPs. |
| 16.18.040.H Clearing activities not requiring a permit Page 237 of 317 | H. Routine maintenance activities, including tree removal, removal of invasive vegetation, and thinning required to control vegetation on road and utility rights-of-way; | Preferred | H. Routine maintenance activities, including tree removal, removal of invasive vegetation, and thinning required to control vegetation in roadside LID BMPs and on road and utility rights-of-way; | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Add reference to maintenance activities for LID BMPs. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|---|-----------------------|---|---|
| <p>16.18.050.A General requirements Page 237 of 317</p> | <p>A. Submittal Requirements. A complete application for a land clearing permit shall be submitted on the application form provided by the city, together with information required under Chapter 15.20 BIMC for a completed application, and including the following: 1. A plot plan on a base map provided by the applicant or by the city containing the following information: a. Date of drawing or revision, north arrow, adjoining roadways and appropriate scales; b. Prominent physical features of the property including, but not limited to, geological formations, critical areas and watercourses; c. General location, type, range of size, and conditions of trees and ground cover; d. Identification by areas, of trees and areas of ground cover that are to be removed, and information on how the trees or areas are delineated in the field; e. Any existing improvement on the property including, but not limited to, existing cleared areas, structures, driveways, ponds, and utilities; f. Information indicating the method of drainage and erosion control during and following the clearing operation; and g. Information on how property lines are identified.</p> | <p>Not applicable</p> | <p>No change – Administrative Manual will include a LID Site Planning section</p> | <p><input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change This text is proposed to be shifted to the City's Administrative Manual</p> |
| <p>Figure 16.18 Tree Removal Permit Process Page 238 of 317</p> | <p style="text-align: center;">Figure 16.18 Tree Removal Permit Process</p> | <p>Not applicable</p> | <p>No change</p> | <p><input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change Stormwater management requirements for properties that are larger than 2 acres are covered elsewhere in the BIMC and do not need to be referenced in this flowchart.</p> |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|--|-------------|--|---|
| 16.20.030 Definitions Page 243 of 317 | <p>5. “Best management practices (BMPs)” means conservation practices or systems of practices and management measures that:</p> <p>a. Control soil loss and protect water quality from degradation caused by nutrients, animal waste, toxins, and sediment; and</p> <p>b. Minimize adverse impacts to surface water and groundwater flow, and to the chemical, physical, and biological characteristics of critical areas.</p> <p>BMPs are defined by the United States Department of Agriculture, the State of Washington Department of Agriculture, the Washington State Department of Ecology, Washington State Department of Health, Kitsap Conservation District, and other professional organizations.</p> | | <p>5. “Best management practices (BMPs)” means physical, structural, and/or managerial conservation practices, or systems of practices and management measures that when used singly or in combination, prevent and reduce the release of pollutants and other adverse impacts to waters of Washington State.</p> <p>a. Control soil loss and protect water quality from degradation caused by nutrients, animal waste, toxins, and sediment; and</p> <p>b. Minimize adverse impacts to surface water and groundwater flow, and to the chemical, physical, and biological characteristics of critical areas.</p> <p>BMPs are defined by the United States Department of Agriculture, the State of Washington Department of Agriculture, the Washington State Department of Ecology, Washington State Department of Health, Kitsap Conservation District, and other professional organizations.</p> | <p><input checked="" type="checkbox"/> Amend existing language</p> <p><input type="checkbox"/> Develop new language</p> <p><input type="checkbox"/> No change</p> <p>Incorporate language from Ecology’s SWMMWW definition.</p> |
| 16.20.030 Definitions Page 243 of 317 | <p>6. “Buffer” means an area adjoining to and a part of a critical area that is required for the continued maintenance, functioning, and/or structural stability of that critical area, or an area adjacent to a stream or wetland that (a) surrounds and protects the functions and values of the stream or wetland from adverse impacts, (b) is an integral part of a stream or wetland ecosystem, and (c) provides shading, input of organic debris and coarse sediments, room for variation in stream or wetland edge, habitat for wildlife, and protection from harmful intrusion, to protect the public from losses suffered when the functions and values of the wetland or stream are degraded.</p> | Preferred | <p>6. “Buffer” means the zone contiguous with an area adjoining to and a part of a critical area that is required for the continued maintenance, functioning, and/or structural stability of that critical area, or an area adjacent to a stream or wetland that (a) surrounds and protects the functions and values of the stream or wetland from adverse impacts, (b) is an integral part of a stream or wetland ecosystem, and (c) provides The critical functions of a riparian buffer (those associated with an aquatic system) include shading, input of organic debris and coarse sediments, uptake of nutrients, stabilization of banks, interception of fine sediments, overflow during high water events, protection from disturbance by humans and domestic animals, maintenance of wildlife habitat, and room for variation of aquatic system boundaries over time due to hydrologic or climatic effects. in stream or wetland edge, habitat for wildlife, and protection from harmful intrusion, to protect the public from losses suffered when the functions and values of the wetland or stream are degraded. The critical functions of terrestrial buffers include protection of slope stability, attenuation of surface water flows from stormwater runoff and precipitation, and erosion control.</p> | <p><input checked="" type="checkbox"/> Amend existing language</p> <p><input type="checkbox"/> Develop new language</p> <p><input type="checkbox"/> No change</p> <p>Update for consistency with Ecology’s SWMMWW definition.</p> |
| 16.20.030 Definitions Page 243 of 317 | <p>8. “Critical areas” means aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas, and wetlands.</p> | Preferred | <p>8. “Critical areas” means, at a minimum, areas which include wetlands, areas with a critical recharging effect on aquifers used for potable water aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas, including unstable slopes, and associated areas and ecosystems wetlands.</p> | <p><input checked="" type="checkbox"/> Amend existing language</p> <p><input type="checkbox"/> Develop new language</p> <p><input type="checkbox"/> No change</p> <p>Update for consistency with definition in other BIMC sections and Ecology’s SWMMWW definition.</p> |
| 16.20.030 Definitions Page 244 of 317 | <p>12. “Engineering geologist” means a practicing engineering geologist who has at least four years of professional employment as an engineering geologist with experience in landslide evaluation, and a Washington State specialty license in engineering geology as specified in Chapter 18.220 RCW.</p> | Preferred | <p>12. “Engineering geologist” means a person who has earned a degree in geology from an accredited college or university or who has equivalent educational training and has at least five years of experience as a practicing geologist or four years of experience and at least two years post-graduate study, research or teaching. The practical experience shall include at least three years work in applied geology and landslide evaluation, in close association with qualified practicing geologists or geotechnical professional/civil engineers, practicing engineering geologist who has at least four years of professional employment as an engineering geologist with experience in landslide evaluation, and a Washington State specialty license in engineering geology as specified in Chapter 18.220 RCW.</p> | <p><input checked="" type="checkbox"/> Amend existing language</p> <p><input type="checkbox"/> Develop new language</p> <p><input type="checkbox"/> No change</p> <p>Update for consistency with Ecology’s SWMMWW definition.</p> |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|--|-------------|--|--|
| 16.20.030 Definitions Page 245 of 317 | 20. “Geologically hazardous areas” means areas susceptible to significant erosion, sliding, or other geological events. They pose a threat to the health and safety of citizens when used as sites for incompatible commercial, residential or industrial development. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas. | Preferred | 20. “Geologically hazardous areas” means areas susceptible to significant erosion, sliding, earthquake , or other geological events. They pose a threat to the public health and safety of citizens when used as sites for incompatible commercial, residential or industrial development. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate language from Ecology’s SWMMWW definition. |
| 16.20.030 Definitions Page 245 of 317 | Not applicable | Preferred | “Hard surface” means an impervious surface, a permeable pavement, or a vegetated roof | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate Phase II permit definition. |
| 16.20.030 Definitions Page 246 of 317 | Not applicable | Required | “Impervious surface” means a non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate Ecology’s SWMMWW definition. |
| 16.20.030 Definitions Page 246 of 317 | Not applicable | Required | “Low impact development (LID)” means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate Ecology’s SWMMWW definition. |
| 16.20.030 Definitions Page 246 of 317 | Not applicable | Required | “Low impact development best management practices (LID BMPs)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to: bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate Ecology’s SWMMWW definition. |
| 16.20.030 Definitions Page 247 of 317 | 36. “Native or equivalent vegetation” means species which are indigenous to the Puget Sound lowlands eco-region; or a species that is equivalent in providing the same site-specific functional arrays as would the native species and which is selected from a list of preferred acceptable equivalent vegetation prepared by the planning department. Functional arrays may include forage, floodwater restraint, hiding habitat, or other physical or biologic roles in the ecosystem, that singly or in combination correspond to those of the native species. As with natives, the role mix of an alternative species may vary depending on the site and its surrounding ecosystem. Invasive/exotic species shall not be considered equivalent species. | Preferred | 36. “Native or equivalent vegetation” means plant species that which are indigenous to the coastal region of the Pacific Northwest Puget Sound lowlands eco-region and which reasonably could have been expected to naturally occur on the site; or a compatible species that is equivalent in providing the same site-specific functional arrays as would the native species and which is selected from a list of preferred acceptable equivalent vegetation prepared by the City , where vegetation is required to comply with aesthetic and screening requirements of BIMC 18.15.010 planning department. Functional arrays may include forage, floodwater restraint, hiding habitat, or other physical or biologic roles in the ecosystem, that singly or in combination correspond to those of the native species. As with natives, the role mix of an alternative species may vary depending on the site and its surrounding ecosystem. Invasive/exotic species and noxious weeds shall not be considered native or equivalent species. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate language from Ecology’s SWMMWW definition. Require native vegetation where function is the primary goal, but allow equivalent vegetation where aesthetics are the primary goal. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|--|-------------|---|--|
| 16.20.030 Definitions Page 247 of 317 | Not applicable | Required | “New development” is defined in BIMC 15.20. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate reference to BIMC 15.20. |
| 16.20.030 Definitions Page 247 of 317 | 37. “Normal maintenance” means those usual acts to prevent a decline, lapse or cessation from a lawfully established condition. Normal maintenance includes removing debris from and cutting or manual removal of vegetation in crossing and bridge areas. Normal maintenance does not include: a. Use of fertilizer or pesticide application in wetlands, fish and wildlife habitat conservation areas, or their buffers; b. Re-digging ditches in wetlands or their buffers to expand the depth and width beyond the original ditch dimensions; c. Re-digging existing drainage ditches in order to drain wetlands on lands not classified as existing and ongoing agriculture under BIMC 16.20.040.C (Exemptions). | Preferred | 37. “Normal maintenance” means activities conducted on currently serviceable structures, facilities, and equipment that involves no expansion or use beyond that previously existing and results in no significant adverse hydrologic impact. It includes those usual acts activities to prevent a decline, lapse or cessation in the use of structures and systems from a lawfully established condition. Normal maintenance includes removing debris from and cutting or manual removal of vegetation in crossing and bridge areas. Normal maintenance does not include: a. Use of fertilizer or pesticide application in wetlands, fish and wildlife habitat conservation areas, or their buffers; b. Re-digging ditches in wetlands or their buffers to expand the depth and width beyond the original ditch dimensions; c. Re-digging existing drainage ditches in order to drain wetlands on lands not classified as existing and ongoing agriculture under BIMC 16.20.040.C (Exemptions). | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate language from Ecology’s SWMMWW definition. |
| 16.20.030 Definitions Page 248 of 317 | Not applicable | Required | “Redevelopment” is defined in BIMC 15.20. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate Ecology’s SWMMWW definition. |
| 16.20.030 Definitions Page 248 of 317 | 45. “Site” means the entire lot, series of lots, or parcels on which a development is located or proposed to be located, including all contiguous undeveloped lots or parcels under common ownership. | Preferred | 45. “Site” means the area defined by the legal boundaries of a parcel or parcels of land that is (are) subject to new development or redevelopment. For road projects, the length of the project site and the right-of-way boundaries define the site. entire lot, series of lots, or parcels on which a development is located or proposed to be located, including all contiguous undeveloped lots or parcels under common ownership. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update for consistency with definition in other BIMC sections and Ecology’s SWMMWW definition. |
| 16.20.030 Definitions Page 249 of 317 | Not applicable | Preferred | “Watershed” means a geographic region within which water drains into a particular river, stream, or body of water as identified and numbered by the State of Washington Water Resource Inventory Areas (WRIAs) as defined in Chapter 173-500 WAC. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Currently included in BIMC 15.20, but should also be added to BIMC 16.20. |
| 16.20.030 Definitions Page 249 of 317 | Not applicable | Preferred | “Waters of the State” includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in chapter 90.48 RCW which includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Adds definition from Phase II Permit (referenced in new BMP definition). |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|--|-------------|--|---|
| 16.20.030 Definitions Page 249 of 317 | 50. “Wetland” means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined in Department of Ecology Publication No. 96-94, Washington State Wetlands Identification and Delineation Manual or the current Washington State Department of Ecology methodology. Wetlands generally include swamps, estuaries, marshes, bogs, and similar areas. | Preferred | 50. “Wetland” means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined in Department of Ecology Publication No. 96-94, Washington State Wetlands Identification and Delineation Manual or the current Washington State Department of Ecology methodology. Wetlands generally include swamps, estuaries, marshes, bogs, and similar areas. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Incorporate language from Ecology’s SWMMWW definition. |
| 16.20.040.C.4 Applicability, exemptions, and prior development activity Page 251 of 317 | Exemptions. The following activities are exempt from the requirements of this chapter: ... 4. Normal and routine maintenance and operation of pre-existing retention/ detention facilities, biofilters and other stormwater management facilities, irrigation and drainage ditches, farm ponds, fish ponds, manure lagoons, and livestock water ponds; provided, that such activities shall not involve conversion of any wetland not currently being used for such activity. Any maintenance of ponds located in stream habitat areas shall require appropriate approval from the Washington Department of Fish and Wildlife. | Preferred | Exemptions. The following activities are exempt from the requirements of this chapter: ... 4. Normal and routine maintenance and operation of pre-existing retention/ detention facilities, biofilters LID BMPs and other stormwater management facilities, irrigation and drainage ditches, farm ponds, fish ponds, manure lagoons, and livestock water ponds; provided, that such activities shall not involve conversion of any wetland not currently being used for such activity. Any maintenance of ponds located in stream habitat areas shall require appropriate approval from the Washington Department of Fish and Wildlife. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update terminology related to “retention/ detention facilities, biofilters and other stormwater management facilities.” |
| 16.20.090 Application requirements Page 257 of 317 | c. Geologically hazardous area study: engineering geologist; geotechnical engineer; provided, that: i. An engineering geologist may provide a study, including interpretation, evaluation, analysis, and application of geological information and data and may predict potential or likely changes in types and rates of surficial geologic processes due to proposed changes to a location, provided it does not contain recommended methods for mitigating identified impacts, other than avoidance, structural impacts to, or suitability of civil works; and ii. Engineering geologists may not provide engineering recommendations or design recommendations, but may contribute to a complete geotechnical report that is co-sealed by a geotechnical engineer; | Preferred | c. Geologically hazardous area study: engineering geologist; geotechnical engineer; provided, that: i. An engineering geologist may provide a study, including interpretation, evaluation, analysis, and application of geological information and data and may predict potential or likely changes in types and rates of surficial geologic processes due to proposed changes to a location, provided it does not contain recommended methods for mitigating identified impacts, other than avoidance, structural impacts to, or suitability of civil works; and ii. Engineering A geologists may not provide engineering recommendations or design recommendations, but may contribute to a complete geotechnical report that is co-sealed by a geotechnical engineer; | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Updating terminology related to “geologist.” |
| 16.20.100.B.7 Minimizing impacts to critical areas Page 259 of 317 | Provide protective measures such as siltation curtains, hay bales and other siltation prevention measures, schedule the regulated activity to avoid interference with wildlife and fisheries rearing, resting, nesting or spawning. | Required | Provide protective measures such as siltation curtains, hay bales and other siltation prevention measures, schedule the regulated activity to avoid interference with wildlife and fisheries rearing, resting, nesting or spawning. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Straw bales are no longer an approved BMP in the SWMMWW. Remove “hay bales” from this list. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|---|-------------|---|---|
| 16.20.160.E.6 Wetlands Page 285 of 317 | The following storm water management activities may be allowed within wetland or buffer areas only if they meet the following requirements, in addition to the development standards in this section and in conformance with Chapter 15.20 BIMC: a. Surface water discharges from storm water facilities or structures; provided, that the new surface water discharges to regulated wetlands from retention/detention facilities; b. Presettlement ponds or other surface water management structures; provided, that the discharge does not significantly increase or decrease the rate of flow and/or hydroperiod, nor decrease the water quality of the wetland. Water quality treatment best management practices will be required prior to discharge. Pretreatment of surface water discharge through biofiltration or other means shall be required. | Required | The following storm water stormwater management activities may be allowed within wetland or buffer areas only if they meet the following requirements, in addition to the development standards in this section and in conformance with Chapter 15.20 BIMC: a. Surface water discharges from storm water stormwater facilities or structures; provided, that the new surface water discharges to regulated wetlands from retention/detention facilities; b. Presettlement ponds or other surface water stormwater management structures; provided, that the discharge does not significantly increase or decrease the rate amount of flow and/or hydroperiod as specified in BIMC Chapter 15.20 , nor decrease the water quality of the wetland. Water quality treatment best management practices will be required prior to discharge. Pretreatment of stormwater stormwater surface water discharge through biofiltration or other means shall be required. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update for consistency with the 2014 SWMMWW, focusing on Minimum Requirement #8. |
| 16.20.160.F.7.e Wetlands Page 286 of 317 | Trails shall be constructed with pervious materials unless otherwise approved by the director. | Preferred | Trails shall be constructed with pervious materials permeable pavement or a lightly-compacted, non-paved material such as dirt or mulch unless otherwise approved by the director. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update “pervious materials” terminology to clarify that this means more than just permeable pavement. |

City of Bainbridge Island Draft Revisions - Discussion Form

Name of Document/Code/Policy Reviewed: [Title 18 – Zoning](#)

Purpose of Discussion Form: The purpose of this discussion form is to walk through the gaps identified during the preliminary code review process, categorize the gaps into three different types (required, preferred, and optional), discuss proposed revisions to existing text or development of new language, and determine the City’s preferred approach to addressing each gap. If no change is selected as the preferred approach, a reason should be provided.

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|---|----------------|---|--|
| 18.06.050.C.1 Neighborhood service center Page 9 of 165 | 1. Drainage. Surface and storm water shall be managed in accordance with the management standards in Chapter 15.20 BIMC. Storm water runoff shall be detained and disposed of on site or disposed of in a system designed for such runoff and that does not flood or damage adjacent properties. Systems designed for runoff detention and control shall comply with specifications provided by the city and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.20 BIMC, pertaining to community facilities. | Preferred | 1. Drainage. Surface and storm water shall be managed in accordance with the management standards in Chapter BIMC 15.20-BIMC. Storm water runoff shall be detained and disposed of on site or disposed of in a system designed for such runoff and that does not flood or damage adjacent properties. Systems designed for runoff detention and control shall comply with specifications provided by the city and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.20 BIMC, pertaining to community facilities. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Simplify language to reference the stormwater requirements in BIMC 15.20. |
| 18.06.070.B.1 Water-dependent industrial zone Page 11 of 165 | B. Performance Standards in WD-I. 1. Pollution. Pollution prevention and water quality protection shall be required of all development and operations of facilities that are located within the shoreline jurisdiction by employing current best management practices and best available facilities practices and procedures for marine facilities provided by the Washington State Department of Ecology. ... | Preferred | B. Performance Standards in WD-I. 1. Pollution. Pollution prevention and water quality protection shall be required of all development and operations of facilities that are located within the shoreline jurisdiction by employing current best management practices and best available facilities practices and procedures for marine facilities in accordance with BIMC 15.20 and 15.22 provided by the Washington State Department of Ecology. ... | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Add a reference to the stormwater requirements in BIMC 15.20 and 15.22. |
| 18.09.030.A.1.b.i Use-specific standards Agriculture, Animal Page 26 of 165 | b. Management Standards. All agricultural facilities must comply with applicable governmental standards and guidelines, including those established by the U.S. Department of Agriculture, the U.S. Environmental Protection Agency, the Washington State Department of Ecology, and the Kitsap County health district. i. Compliance with Storm Water Regulations. All agricultural uses shall comply with those storm water regulations in Chapter 15.20 BIMC. ii. Access to Streams... iii. Grazing Areas... iv. Accessory Buildings and Heavy Use Areas... v. Manure Management... vi. Egg-Laying Facility... | Not applicable | No change | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change Stormwater requirements apply to all zones and uses. It was determined that this reference should be retained to highlight the importance of stormwater management for agricultural practices. |
| 18.09.030. D.7.v Use-specific standards Page 40 of 165 | In the MUTC, HSR, NSC, and B/I districts, all trucks or tents and associated parking shall be located on asphalt, concrete, or equivalent surface unless the applicant demonstrates no adverse effect on drainage, access, or the intent of this code, as determined by the director. | Preferred | In the MUTC, HSR, NSC, and B/I districts, all trucks or tents and associated parking shall be located on asphalt, concrete, permeable pavement, or an equivalent surface unless the applicant demonstrates no adverse effect on drainage, access, or the intent of this code, as determined by the director. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Explicitly allow permeable pavement. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach | | | | | | | | | | | | | | | | | | |
|--|---|-----------------------------------|-------------------------------------|------------------------------|--|--------------------------|--------------------------------------|--|-------------------------------------|---|-------------------------------------|--|-------------------------------------|----------------------------|---|---|---|--------------------------------|---|---|--------------------------------|--|
| Table 18.12.040: Permitted Setback/Height Modifications Page 75 of 165 | Permitted Setback Modifications: <table border="1" data-bbox="469 294 1146 516"> <thead> <tr> <th>Type of Encroachment</th> <th>Encroachment Permitted</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>Rain garden/ swales</td> <td>In side or rear setbacks</td> <td></td> </tr> <tr> <td>Rainwater harvesting barrels</td> <td>In side or rear setbacks</td> <td></td> </tr> </tbody> </table> | Type of Encroachment | Encroachment Permitted | Conditions | Rain garden/ swales | In side or rear setbacks | | Rainwater harvesting barrels | In side or rear setbacks | | Preferred | <table border="1" data-bbox="1420 233 2654 415"> <thead> <tr> <th>Type of Encroachment</th> <th>Encroachment Permitted</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>Rain garden/ swales Bioretention/ rain gardens</td> <td>In side or rear setbacks In any required setback</td> <td>In accordance with BIMC 15.20.</td> </tr> <tr> <td>Rainwater harvesting barrels/cisterns</td> <td>In side or rear setbacks In any required setback</td> <td>In accordance with BIMC 15.20.</td> </tr> </tbody> </table> | Type of Encroachment | Encroachment Permitted | Conditions | Rain garden/ swales Bioretention/ rain gardens | In side or rear setbacks In any required setback | In accordance with BIMC 15.20. | Rainwater harvesting barrels/cisterns | In side or rear setbacks In any required setback | In accordance with BIMC 15.20. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update terminology for consistency with the 2014 SWMMWW. Allow bioretention, rain gardens, rain barrels, and cisterns in any required setback. Add a reference to 15.20. |
| Type of Encroachment | Encroachment Permitted | Conditions | | | | | | | | | | | | | | | | | | | | |
| Rain garden/ swales | In side or rear setbacks | | | | | | | | | | | | | | | | | | | | | |
| Rainwater harvesting barrels | In side or rear setbacks | | | | | | | | | | | | | | | | | | | | | |
| Type of Encroachment | Encroachment Permitted | Conditions | | | | | | | | | | | | | | | | | | | | |
| Rain garden/ swales Bioretention/ rain gardens | In side or rear setbacks In any required setback | In accordance with BIMC 15.20. | | | | | | | | | | | | | | | | | | | | |
| Rainwater harvesting barrels/cisterns | In side or rear setbacks In any required setback | In accordance with BIMC 15.20. | | | | | | | | | | | | | | | | | | | | |
| Table 18.12.040: Permitted Setback/Height Modifications Page 75 of 165 | Permitted Setback Modifications: <table border="1" data-bbox="469 747 1146 989"> <thead> <tr> <th>Type of Encroachment</th> <th>Encroachment Permitted</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>At or near grade structures such as uncovered patios, sidewalks, and driveways</td> <td>In any required setback</td> <td>May not exceed 4 inches in height</td> </tr> </tbody> </table> | Type of Encroachment | Encroachment Permitted | Conditions | At or near grade structures such as uncovered patios, sidewalks, and driveways | In any required setback | May not exceed 4 inches in height | Not applicable | No change | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change No restrictions to permeable pavement use for these surfaces in the current language. | | | | | | | | | | | | |
| Type of Encroachment | Encroachment Permitted | Conditions | | | | | | | | | | | | | | | | | | | | |
| At or near grade structures such as uncovered patios, sidewalks, and driveways | In any required setback | May not exceed 4 inches in height | | | | | | | | | | | | | | | | | | | | |
| Table 18.12.040: Permitted Setback/Height Modifications Page 75 of 165 | Permitted Height Modifications: <table border="1" data-bbox="469 1030 1146 1661"> <thead> <tr> <th>Type of Encroachment</th> <th>Encroachment Permitted</th> </tr> </thead> <tbody> <tr> <td>Small wind energy generators</td> <td>Up to 18 in. above max. bldg. height</td> </tr> <tr> <td>Solar panels</td> <td>Up to 18 in. above max. bldg. height</td> </tr> <tr> <td>Noncommercial, nonparabolic antennas ...</td> <td>Up to 50 feet in height above grade</td> </tr> <tr> <td>One flagpole per parcel</td> <td>Up to 45 feet in height above grade</td> </tr> <tr> <td>Distribution utility poles</td> <td>Up to 55 feet in height above grade</td> </tr> <tr> <td>Transmission utility poles</td> <td>Up to a 25 percent increase above existing pole height above grade...</td> </tr> <tr> <td>Utility structures existing on the effective date of the ordinance...</td> <td>Existing height</td> </tr> </tbody> </table> | Type of Encroachment | Encroachment Permitted | Small wind energy generators | Up to 18 in. above max. bldg. height | Solar panels | Up to 18 in. above max. bldg. height | Noncommercial, nonparabolic antennas ... | Up to 50 feet in height above grade | One flagpole per parcel | Up to 45 feet in height above grade | Distribution utility poles | Up to 55 feet in height above grade | Transmission utility poles | Up to a 25 percent increase above existing pole height above grade... | Utility structures existing on the effective date of the ordinance... | Existing height | Optional | A potential variance for height limits or change to dimensional standards to promote site design flexibility for the installation of a vegetated roof or other LID BMPs is still under discussion – proposed language to be determined. | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change | | |
| Type of Encroachment | Encroachment Permitted | | | | | | | | | | | | | | | | | | | | | |
| Small wind energy generators | Up to 18 in. above max. bldg. height | | | | | | | | | | | | | | | | | | | | | |
| Solar panels | Up to 18 in. above max. bldg. height | | | | | | | | | | | | | | | | | | | | | |
| Noncommercial, nonparabolic antennas ... | Up to 50 feet in height above grade | | | | | | | | | | | | | | | | | | | | | |
| One flagpole per parcel | Up to 45 feet in height above grade | | | | | | | | | | | | | | | | | | | | | |
| Distribution utility poles | Up to 55 feet in height above grade | | | | | | | | | | | | | | | | | | | | | |
| Transmission utility poles | Up to a 25 percent increase above existing pole height above grade... | | | | | | | | | | | | | | | | | | | | | |
| Utility structures existing on the effective date of the ordinance... | Existing height | | | | | | | | | | | | | | | | | | | | | |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
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| <p>18.12.050.K Rules of measurement Page 77 of 165</p> | <p>K. Lot Coverage. “Lot coverage” means that portion of the total lot area covered by buildings, excluding up to 24 inches of eaves on each side of the building, any building or portion of building located below predevelopment and finished grade. Any portion of a slatted or solid deck located more than five feet above grade shall be counted towards lot coverage. Also excluded are ground-mounted accessory small wind energy generators, solar panels, composting bins, rainwater harvesting barrels, and covers designed to shade ground-mounted heat pumps and air conditioners to increase their efficiency.</p> | <p>Preferred</p> | <p>K. Lot Coverage. “Lot coverage” means that portion of the total lot area covered by buildings, excluding up to 24 inches of eaves on each side of the building, any building or portion of building located below predevelopment and finished grade. Any portion of a slatted or solid deck located more than five feet above grade shall be counted towards lot coverage. Also excluded are ground-mounted accessory small wind energy generators, solar panels, composting bins, rainwater harvesting barrels/cisterns, and covers designed to shade ground-mounted heat pumps and air conditioners to increase their efficiency.</p> | <p><input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update terminology for consistency with the 2014 SWMMWW.</p> |
| <p>18.15.010.A Landscaping, screening, and tree retention, protection, and replacement Page 80 of 165</p> | <p>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, and between development and roads. 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 short plats and subdivisions in residential districts, 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.</p> | <p>Preferred</p> | <p>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, and between development and roads. 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 f. Preserve, protect, and enhance critical areas g. Protect the natural forested areas 2. Specific Zone Districts. a. For single-family residential short plats and subdivisions in residential districts, 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.</p> | <p><input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Shift “Preserve, protect, and enhance critical areas” and “Protect the natural forested areas” to the General section to apply to all zone districts.</p> |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
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| <p>18.15.010.C Landscaping, screening, and tree retention, protection and replacement Page 100 of 165</p> | <p>C. Tree Retention, Protection and Replacement ... 4. Protection During Construction and Development a. Intent. The intent of these regulations is to provide the best protection for existing vegetation, trees and tree stands, including protection for trees on adjacent properties, and to preserve the ecological function of the landscaping area by protecting existing soil. b. Requirements i. No cutting of trees... ... viii. Wherever this subsection C.4 allows or requires the involvement of a consulting arborist...</p> | <p>Preferred</p> | <p>C. Tree Retention, Protection and Replacement ... 4. Protection During Construction and Development a. Intent. The intent of these regulations is to provide the best protection for existing vegetation, trees and tree stands, including protection for trees on adjacent properties, protect LID BMPs during construction and development activities, and to preserve the ecological function of the landscaping area by protecting existing soil. b. Requirements ... ix. LID BMPs shall be protected during construction and development activities in accordance with BIMC 15.20.</p> | <p><input checked="" type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Add a reference to Element 13 of Minimum Requirement #2 for protection of LID BMPs during construction.</p> |
| <p>18.15.010.H.2.i Landscaping, screening, and tree retention, protection and replacement Page 100 of 165</p> | <p>Existing and/or compacted soils may need to be augmented with fully composted organic material or aerated.</p> | <p>Required</p> | <p>Existing and/or compacted soils shall be amended in accordance with BIMC 15.20 may need to be augmented with fully composted organic material or aerated.</p> | <p><input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Add a reference to Chapter 15.20 for compost amendment requirements.</p> |
| <p>18.15.010.J Landscaping, screening, and tree retention, protection, and replacement Page 100 of 165</p> | <p>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.</p> | <p>Preferred</p> | <p>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. b.e. Landscape areas shall be kept free of trash. c.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.</p> | <p><input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Requirements ‘a’ and ‘b’ are redundant – combine for clarity. Remove “life of project” language which could be confusing to a post-construction (existing) site.</p> |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|---|----------------|---|---|
| 18.15.020.B.4 Parking and loading Page 102 of 165 | <p>4. All driveways and other parking areas except those serving single-family residences, shall be surfaced with permanent materials such as asphalt, concrete, unit pavers, or pervious materials acceptable to public works department, and shall be designed to dispose of surface water, and pollutants from motor vehicles as provided in the BIMC.</p> <p>5. Parking lots may be gravel if (a) the parking lot contains less than 10,000 square feet, or (b) the parking lot has less than a five percent slope.</p> | Preferred | <p>4. All driveways and other parking areas except those serving single family residences, shall be surfaced with permanent materials such as asphalt, concrete, unit pavers, or pervious materials acceptable to the public works department, and shall be designed to manage stormwater runoff in accordance with dispose of surface water, and pollutants from motor vehicles as provided in the BIMC 15.20.</p> <p>5. Parking lots may be gravel if (a) the parking lot contains less than 10,000 square feet, or (b) the parking lot has less than a five percent slope. Residential parcels are encouraged to have two-track driveways (also known as Hollywood or wheel strip driveways).</p> | <input checked="" type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Clarify existing language. Remove examples of permanent materials. Remove allowance for gravel on new parking lots. Explicitly allow two-track driveways for residential parcels. |
| Table 18.15.020-2 Page 104 of 165 | <p>[3] Residential parking requirements may be reduced by 50 percent for dwelling units located within a one-half-mile radius and 25 percent for dwelling units located between one-half mile and a one-mile radius of the ferry terminal providing scheduled service to Seattle. This provision may not be used in conjunction with senior housing or other parking reduction arrangements, and the required number of parking spaces shall not be reduced below one space per parking unit. This provision does not preclude the authority of the director to require guest parking as described in this table.</p> | Not applicable | No change | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change Flexibility to reduce minimum parking requirements is already provided. |
| 18.15.020.D.1 Parking and loading Page 106 of 165 | <p>Parking in the Mixed Use Town Center and High School Road I and II zoning districts shall be located behind, to the side of or under buildings. Parking shall not be located between a building and the front lot line, unless an applicant can demonstrate that locating parking between a building and the front lot line is the only feasible location.</p> | Not applicable | No change | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change Parking is allowed to the rear or side of the buildings. Allowing parking in the front setback is inconsistent with the city's master planning for providing a pedestrian oriented environment. |
| 18.15.020.D.2 Parking and loading Page 106 of 165 | <p>Parking outside of the Mixed Use Town Center and High School Road I and II zoning districts is encouraged to be located behind, under or to the side of buildings.</p> | Not applicable | No change | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change Parking is allowed in the front of buildings, but encouraged in areas less visible from the streetscape. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|---|------------------|--|--|
| <p>18.15.020.G.1 Parking and loading Page 106 of 165</p> | <p>1. Surface Parking Lots. Surface parking lots for commercial parking only, developed by public or private concerns, or developed by a public or cooperative commercial effort shall be treated as special cases under Table 18.15.020-2 and are permitted in the core, gateway, and ferry terminal districts, providing:</p> <p>a. Parking lots shall be sited on parcels within 200 feet of Winslow Way or lower Madison (south of Wyatt).</p> <p>b. Parking lots shall not be sited adjacent to a parcel containing a parking lot or structure in which parking is the primary use.</p> <p>c. Parking lots shall not exceed 30 spaces.</p> <p>d. As a condition of development application approval, the property owner shall include a plan for designating parking for only noncommuter use and shall demonstrate how restriction of spaces for noncommuter parking will be enforced. Failure to enforce shall subject the owner to the provisions of Chapter 1.26 BIMC.</p> | <p>Preferred</p> | <p>1. Surface Parking Lots. Surface parking lots for commercial parking only, developed by public or private concerns, or developed by a public or cooperative commercial effort shall be treated as special cases under Table 18.15.020-2 and are permitted in the core, gateway, and ferry terminal districts, providing:</p> <p>a. Parking lots shall be sited on parcels within 200 feet of Winslow Way or lower Madison (south of Wyatt).</p> <p>b. Parking lots shall not be sited adjacent to a parcel containing a parking lot or structure in which parking is the primary use.</p> <p>c. Parking lots shall not exceed 30 spaces.</p> <p>d. As a condition of development application approval, the property owner shall include a plan for designating parking for only noncommuter use and shall demonstrate how restriction of spaces for noncommuter parking will be enforced. Failure to enforce shall subject the owner to the provisions of Chapter 1.26 BIMC.</p> <p>e. Surface parking lots shall integrate LID BMPs in accordance with BIMC 15.20.</p> | <p><input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Require LID BMPs for surface parking.</p> |

| Section/Page Reference | Existing Text | | | | | Type of Gap | Proposed Revisions to Existing Text | | | | | Preferred Approach | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------------------|--------------------------------------|---------------------|--|--------------------|--|----------------------------|--------------------------------------|---------------------|-----|--|----|----|-------|-----|----|----|-------|-----|----|----|-------|-----|----|----|-------|-----|-----|----|----|-------|-----|------|------|-------|-----|----|----|-------|-----|------|----|-------|-----|-----|----|------|-------|-----|----|------|-------|-----|----|----|-------|-----|----|----|-------|-----|-----|----|----|-------|-----|----|----|-------|-----------|---|--|--|--|--|--------------------|------------------------|----------------------------|--------------------------------------|---------------------|-----|-----|------------------|----|-------|-----|------------------|----|-------|-----|------------------|----|-------|-----|------------------|----|-------|-----|-----|------------------|----|-------|-----|----------------------|------|-------|-----|------------------|----|-------|-----|----------------------|----|-------|-----|-----|------------------|------|-------|-----|------------------|------|-------|-----|------------------|----|-------|-----|------------------|----|-------|-----|-----|------------------|----|-------|-----|------------------|----|-------|----------|----|-----|----|-------|----|-----|----|-------|--|
| Table 18.15.020-3: Parking Space and Lot Design and Dimensions Page 111-112 of 165 | <table border="1"> <thead> <tr> <th>A Parking Angle</th> <th>B Stall Width (ft.)</th> <th>C [2] Stall Depth (ft.)</th> <th>D Aisle Width (paved surface ft.)</th> <th>Direction of Travel</th> </tr> </thead> <tbody> <tr> <td rowspan="4">45°</td> <td>7.5</td> <td>16</td> <td>11</td> <td>1-way</td> </tr> <tr> <td>8.5</td> <td>19</td> <td>13</td> <td>1-way</td> </tr> <tr> <td>7.5</td> <td>16</td> <td>18</td> <td>2-way</td> </tr> <tr> <td>8.5</td> <td>19</td> <td>20</td> <td>2-way</td> </tr> <tr> <td rowspan="4">60°</td> <td>7.5</td> <td>16</td> <td>14</td> <td>1-way</td> </tr> <tr> <td>8.5</td> <td>20.5</td> <td>14.5</td> <td>1-way</td> </tr> <tr> <td>7.5</td> <td>16</td> <td>20</td> <td>2-way</td> </tr> <tr> <td>8.5</td> <td>20.5</td> <td>20</td> <td>2-way</td> </tr> <tr> <td rowspan="4">75°</td> <td>7.5</td> <td>16</td> <td>17.5</td> <td>1-way</td> </tr> <tr> <td>8.5</td> <td>21</td> <td>18.5</td> <td>1-way</td> </tr> <tr> <td>7.5</td> <td>16</td> <td>20</td> <td>2-way</td> </tr> <tr> <td>8.5</td> <td>21</td> <td>20</td> <td>2-way</td> </tr> <tr> <td rowspan="2">90°</td> <td>7.5</td> <td>16</td> <td>20</td> <td>2-way</td> </tr> <tr> <td>8.5</td> <td>20</td> <td>24</td> <td>2-way</td> </tr> </tbody> </table> | | | | | A Parking Angle | B Stall Width (ft.) | C [2] Stall Depth (ft.) | D Aisle Width (paved surface ft.) | Direction of Travel | 45° | 7.5 | 16 | 11 | 1-way | 8.5 | 19 | 13 | 1-way | 7.5 | 16 | 18 | 2-way | 8.5 | 19 | 20 | 2-way | 60° | 7.5 | 16 | 14 | 1-way | 8.5 | 20.5 | 14.5 | 1-way | 7.5 | 16 | 20 | 2-way | 8.5 | 20.5 | 20 | 2-way | 75° | 7.5 | 16 | 17.5 | 1-way | 8.5 | 21 | 18.5 | 1-way | 7.5 | 16 | 20 | 2-way | 8.5 | 21 | 20 | 2-way | 90° | 7.5 | 16 | 20 | 2-way | 8.5 | 20 | 24 | 2-way | Preferred | <table border="1"> <thead> <tr> <th>A Parking Angle</th> <th>B Stall Width (ft.)</th> <th>C [2] Stall Depth (ft.)</th> <th>D Aisle Width (paved surface ft.)</th> <th>Direction of Travel</th> </tr> </thead> <tbody> <tr> <td rowspan="4">45°</td> <td>7.5</td> <td>1615</td> <td>11</td> <td>1-way</td> </tr> <tr> <td>8.5</td> <td>1918</td> <td>13</td> <td>1-way</td> </tr> <tr> <td>7.5</td> <td>1615</td> <td>18</td> <td>2-way</td> </tr> <tr> <td>8.5</td> <td>1918</td> <td>20</td> <td>2-way</td> </tr> <tr> <td rowspan="4">60°</td> <td>7.5</td> <td>1615</td> <td>14</td> <td>1-way</td> </tr> <tr> <td>8.5</td> <td>20.519.5</td> <td>14.5</td> <td>1-way</td> </tr> <tr> <td>7.5</td> <td>1617</td> <td>20</td> <td>2-way</td> </tr> <tr> <td>8.5</td> <td>20.519.5</td> <td>20</td> <td>2-way</td> </tr> <tr> <td rowspan="4">75°</td> <td>7.5</td> <td>1615</td> <td>17.5</td> <td>1-way</td> </tr> <tr> <td>8.5</td> <td>2120</td> <td>18.5</td> <td>1-way</td> </tr> <tr> <td>7.5</td> <td>1615</td> <td>20</td> <td>2-way</td> </tr> <tr> <td>8.5</td> <td>2120</td> <td>20</td> <td>2-way</td> </tr> <tr> <td rowspan="2">90°</td> <td>7.5</td> <td>1615</td> <td>20</td> <td>2-way</td> </tr> <tr> <td>8.5</td> <td>2019</td> <td>24</td> <td>2-way</td> </tr> <tr> <td rowspan="2">Parallel</td> <td>20</td> <td>8.5</td> <td>12</td> <td>1-way</td> </tr> <tr> <td>20</td> <td>8.5</td> <td>12</td> <td>2-way</td> </tr> </tbody> </table> <p>[Note: Based on a review of other jurisdictions, most are planning on incorporating an 18' or 19' parking stall length as the standard stall length through the LID code review process. A typical, traditional pickup truck is ~ 17' long. A standard cab and long bed pickup is ~ 18.5' long. A double cab and regular bed pickup is ~ 19' long. A crew cab and a short box pickup is ~ 19' long. A larger crew cab and standard box pickup is ~ 20' long.]</p> | | | | | A Parking Angle | B Stall Width (ft.) | C [2] Stall Depth (ft.) | D Aisle Width (paved surface ft.) | Direction of Travel | 45° | 7.5 | 16 15 | 11 | 1-way | 8.5 | 19 18 | 13 | 1-way | 7.5 | 16 15 | 18 | 2-way | 8.5 | 19 18 | 20 | 2-way | 60° | 7.5 | 16 15 | 14 | 1-way | 8.5 | 20.5 19.5 | 14.5 | 1-way | 7.5 | 16 17 | 20 | 2-way | 8.5 | 20.5 19.5 | 20 | 2-way | 75° | 7.5 | 16 15 | 17.5 | 1-way | 8.5 | 21 20 | 18.5 | 1-way | 7.5 | 16 15 | 20 | 2-way | 8.5 | 21 20 | 20 | 2-way | 90° | 7.5 | 16 15 | 20 | 2-way | 8.5 | 20 19 | 24 | 2-way | Parallel | 20 | 8.5 | 12 | 1-way | 20 | 8.5 | 12 | 2-way | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Reduce stall depth to reduce impervious area associated with parking. Add parallel parking as a parking lot option. |
| A Parking Angle | B Stall Width (ft.) | C [2] Stall Depth (ft.) | D Aisle Width (paved surface ft.) | Direction of Travel | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 45° | 7.5 | 16 | 11 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 19 | 13 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 7.5 | 16 | 18 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 19 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 60° | 7.5 | 16 | 14 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 20.5 | 14.5 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 7.5 | 16 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 20.5 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 75° | 7.5 | 16 | 17.5 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 21 | 18.5 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 7.5 | 16 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 21 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 90° | 7.5 | 16 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 20 | 24 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| A Parking Angle | B Stall Width (ft.) | C [2] Stall Depth (ft.) | D Aisle Width (paved surface ft.) | Direction of Travel | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 45° | 7.5 | 16 15 | 11 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 19 18 | 13 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 7.5 | 16 15 | 18 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 19 18 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 60° | 7.5 | 16 15 | 14 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 20.5 19.5 | 14.5 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | 8.5 | 20.5 19.5 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 75° | 7.5 | 16 15 | 17.5 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 21 20 | 18.5 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 7.5 | 16 15 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 21 20 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 90° | 7.5 | 16 15 | 20 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8.5 | 20 19 | 24 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Parallel | 20 | 8.5 | 12 | 1-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 20 | 8.5 | 12 | 2-way | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18.15.030.A.2 Mobility and access Page 112 of 165 | Landscaped islands with raised curbs shall be used to define entrances from public rights-of-way, define pedestrian walkways from the public rights-of-way to all buildings, define ends of parking aisles and indicate the pattern of circulation. | | | | | Preferred | Landscaped islands with raised curbs shall be used to define entrances from public rights-of-way, define pedestrian walkways from the public rights-of-way to all buildings, define ends of parking aisles and indicate the pattern of circulation. Curb cuts or grates can be incorporated to allow water to enter stormwater facilities and LID BMPs. | | | | | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Allow curb cuts for stormwater facilities. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|--|---|-------------|---|---|
| 18.15.020.J.3.b Parking and loading Page 112 of 165 | Permeable paving materials are permitted and encouraged in both accessory and primary parking lots. The following permeable paving materials have been found to perform well in the Puget Sound climate when properly designed: porous concrete, porous asphalt, plastic grid systems, and interlocking pavers. | Required | Permeable paving materials Permeable pavement is preferred are permitted and encouraged in both accessory and primary parking lots. The following permeable paving materials types of permeable pavement have been found to perform well in the Puget Sound climate when properly designed: porous pervious concrete, porous asphalt, plastic grid systems, and interlocking permeable pavers. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Strengthen existing language (preferred, not permitted and encouraged). Update terminology for consistency with Ecology. |
| 18.15.030.A.4 Mobility and access Page 112 of 165 | 4. Internal walkways shall be surfaced with nonskid hard surfaces, meet accessibility requirements and be designed to provide a minimum of five feet of unobstructed width. Where walkways cross vehicular driving lanes, the walkways shall be constructed of contrasting materials or with maintained painted markings. Walkways shall be curbed and raised six inches above adjacent vehicular surface grade, except where the walkway crosses vehicular driving lanes or is required to meet accessibility standards. | Preferred | 4. Internal walkways shall be surfaced with nonskid hard surfaces, such as permeable pavement , meet accessibility requirements and be designed to provide a minimum of five feet of unobstructed width. Where walkways cross vehicular driving lanes, the walkways shall be constructed of contrasting materials or with maintained painted markings. Walkways shall be curbed and raised six inches above adjacent vehicular surface grade, except where the walkway crosses vehicular driving lanes or is required to meet accessibility standards and at inlets to stormwater facilities and LID BMPs . | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Clarify that permeable pavement is considered to be a nonskid hard surface. Allow curb cuts for stormwater facilities. |
| 18.18.010 Applicability Page 119 of 165 18.24.070.G Fort Ward historic overlay district Page 136 of 165 | All development, exterior renovation and redevelopment shall comply with the following regulations and guidelines: <ul style="list-style-type: none"> • Design Guidelines for R-8SF Urban Single-Family Overlay District • Guidelines for Commercial and Mixed Use Projects – Including Guidelines for Lynwood Center, Island Center, and Rolling Bay • Design Guidelines for Mixed Use Town Center and High School Road Zoning Districts • Central Core Overlay District Design Guidelines • Design Guidelines for Light Manufacturing • Design Guidelines for Fort Ward | TBD | City staff to review Design Guidelines and determine if there are any gaps related to LID. | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change |
| 18.18.020 Encouraging sustainability Page 119 of 165 | The site designs of all developments and redevelopments are encouraged to accommodate solar panels, small wind energy generators, and rain garden/swales where practical. | Preferred | The site designs of all developments and redevelopments are encouraged to accommodate solar panels, small wind energy generators, and rain garden/swales bioretention/rain gardens, permeable pavement, and other LID BMPs where practical feasible . | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Update “rain garden/swales” terminology. Encourage evaluation of other LID BMPs, such as permeable pavement. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|---|----------------|---|--|
| 18.18.030.F.1, G.1, and H.1. Specific design regulations and guidelines Page 119-120 of 165 | 1. Street trees shall be provided in an amount equivalent to at least one every 30 feet in planting pots or beds covered by a tree grate, pavers or planted area. Trees may be grouped and are encouraged to have a varied meandering effect. Tree size, location and species shall be approved by the city. See street tree diagram in Central Core Overlay District Design Guidelines (subsection E of this section). | Preferred | 1. Street trees shall be provided in an amount equivalent to at least one every 30 feet in planting pots or beds covered by a tree grate, pavers or planted area. Structural grid systems with a minimum soil volume ratio of 1 cubic foot of soil per 1 square foot of tree canopy area are encouraged. Trees may be grouped and are encouraged to have a varied meandering effect. Tree size, location and species shall be approved by the city. See street tree diagram in Central Core Overlay District Design Guidelines (subsection E of this section). <i>Note: James Urban recommends 1-3 cubic feet of soil per 1 square foot of tree crown area.</i> | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Promote structural grid systems and minimum soil quantities to support tree health and longevity. |
| 18.36.030 Definitions Page 148 of 156 | 35. Best Management Practices. When used in the context of critical area regulations, “best management practices” are as defined in Chapter 16.20 BIMC. When used in the context of agricultural practices, “best management practices” are those practices defined in BIMC 18.09.030.A.1.b (use-specific standards for agricultural uses). | Not applicable | No change | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change BIMC Chapter 16.20 definition has been updated for consistency with the SWMMWW and this definition refers to that section. |
| 18.36.030 Definitions Page 150 of 156 | 70. Diameter/Diameter-Breast-Height. When used in connection with trees, “diameter/diameter-breast-height” means the diameter of a tree trunk measured at four feet above average grade. | Required | Diameter/Diameter-Breast-Height. When used in connection with trees, “diameter/diameter-breast-height” means the diameter of a tree trunk measured at four and one-half feet above average grade. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Revise definition to be consistent with the significant tree definition and industry standard. |
| 18.36.030 Definitions Page 151 of 156 | 85. “Established vegetation” means mature trees and shrubs. | Preferred | “Established vegetation” means mature trees, and shrubs, or groundcovers. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Broaden established vegetation definition to include mature trees, shrubs, or groundcovers. |
| 18.36.030 Definitions Page 156 of 165 | 152. “Mature trees and shrubs” means “significant trees” as defined in this chapter and/or native shrubs, ferns and forbs established at a density that provides a predominantly continuous cover. | Optional | “Mature trees and shrubs” means vegetation with well-established root systems that provide a predominantly continuous cover “significant trees” as defined in this chapter and/or native shrubs, ferns and forbs established at a density that provides a predominantly continuous cover. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Revise definition for clarity – ferns and forbs are not trees or shrubs. A tree may also be fairly mature prior to reaching “significant tree” status. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|---|----------------|---|---|
| 18.36.030 Definitions Page 156 of 165 | 153. "Mature vegetation on ridgelines" means existing "significant trees" as defined in this chapter located on those dominant natural topographic features that are prominently visible from off-site public rights-of-way and lands. | Optional | "Mature vegetation on ridgelines" means all existing vegetation that is well-established and exists along the line formed by the highest points of a ridge "significant trees" as defined in this chapter located on those dominant natural topographic features that and are prominently visible from off-site public rights-of-way and lands. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Revise definition for clarity – applies to more than just significant trees. |
| 18.36.030 Definitions Page 156 of 165 | 154. "Maximum extent feasible" means no feasible and prudent alternative exists and that all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic consideration may be taken into account but shall not be the overriding factor in determining "maximum extent feasible." | Not applicable | No change | <input type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input checked="" type="checkbox"/> No change There is only one instance of this term in Title 18 and it is not related to stormwater management. |
| 18.36.030 Definitions Page 157 of 165 | 162. "Native forest" means mature trees and shrubs consisting of native trees and plants. | Preferred | "Native forest" means mature trees and shrubs, and groundcovers consisting of native species, but dominated by native trees and providing at least 50 percent tree canopy and plants. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Revise definition to include groundcover. Add a percent canopy requirement. |
| 18.36.030 Definitions Page 157 of 165 | 164. "Native vegetation" means tree, shrub, or ground cover species that are indigenous to the Central Puget Sound lowland region. | Preferred | "Native vegetation" means tree, shrub, or ground cover species that are indigenous to the Central Puget Sound lowland region. plant species which are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. Invasive/exotic species shall not be considered native species. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Revise for consistency with 2014 SWMMWW. |
| 18.36.030 Definitions Page 159 of 165 | 205. "Rain garden/swale" means a ground-level sited design feature designed to detain rainwater for infiltration and reuse consistent with water rights laws. | Required | "Rain garden/swale" means a ground level sited design feature designed to detain rainwater for infiltration and reuse consistent with water rights laws. "Rain garden" means a non-engineered shallow, landscaped depression, with compost-amended native soils and adapted plants. The depression is designed to pond and temporarily store stormwater runoff from adjacent areas, and to allow stormwater to pass through the amended soil profile. "Bioretention" means an engineered facilities that store and treat stormwater by passing it through a specified soil profile, and either retain or detain the treated stormwater for flow attenuation. | <input checked="" type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Update for consistency with the 2014 SWMMWW. Ecology now makes a distinction between rain gardens and bioretention facilities. |

| Section/Page Reference | Existing Text | Type of Gap | Proposed Revisions to Existing Text | Preferred Approach |
|---|---|-------------|---|--|
| 18.36.030 Definitions Page 159 of 165 | 206. "Rainwater harvesting barrels" means a barrel designed for the on-site harvest and storage of rainwater used to offset the potable water needs for a building and/or landscape. | Required | "Rainwater harvesting barrels" means a barrel cistern designed for the on-site harvest and storage of rainwater for nonpotable uses such as irrigation, toilet flushing, and laundry used to offset the potable water needs for a building and/or landscape. | <input checked="" type="checkbox"/> Amend existing language <input type="checkbox"/> Develop new language <input type="checkbox"/> No change Rain barrels typically only store a small amount of rainwater and do not significantly offset the amount of potable water needs for a building and/or landscape. A larger cistern system could be used for this purpose. |
| 18.36.030 Definitions Page 161 of 165 | 226. Site. When used in connection with historic preservation, "site" means a place where a significant event or pattern of events occurred. It may be a location of prehistoric or historic occupation or activities that may be marked by physical remains or it may be the symbolic focus of a significant event or pattern of events, although not actively occupied. A site may be the location of a ruined or now nonexistent building or structure if the location itself possesses historic, cultural or archaeological significance. | Preferred | 226. Site. When used in connection with historic preservation, "site" means a place where a significant event or pattern of events occurred. It may be a location of prehistoric or historic occupation or activities that may be marked by physical remains or it may be the symbolic focus of a significant event or pattern of events, although not actively occupied. A site may be the location of a ruined or now nonexistent building or structure if the location itself possesses historic, cultural or archaeological significance. When used in connection with new development or redevelopment, "site" means the area defined by the legal boundaries of a parcel or parcels of land that is (are) subject to new development or redevelopment. | <input type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Add language to "site" definition for new development/redevelopment context. |
| 18.36.030 Definitions Page 162 of 165 | 250. "Tree canopy" means the total area of the tree or trees where the leaves and outermost branches extend, also known as the "dripline." | Preferred | "Tree canopy" means the total area of the tree or trees where the leaves and outermost branches extend, also known as the "dripline." "Dripline" means the outermost circumference of a tree canopy where water drips from and onto the ground. | <input checked="" type="checkbox"/> Amend existing language <input checked="" type="checkbox"/> Develop new language <input type="checkbox"/> No change Clarify difference between tree canopy and dripline. Add new definition for dripline. |

Chapter 15.20

SURFACE ~~WATER~~ AND ~~STORM WATER~~STORMWATER MANAGEMENT¹

Sections:

- 15.20.010 Purpose.
- 15.20.020 Definitions.
- 15.20.030 General provisions.
- 15.20.040 Regulated activities and allowed activities.
- 15.20.050 General requirements.
- 15.20.060 Approval standards.
- 15.20.070 Administration.
- 15.20.080 Enforcement.
- 15.20.090 Repealed.
- 15.20.100 Repealed.

15.20.010 Purpose.

The provisions of this chapter are intended to establish regulation for all new development, redevelopment or construction activities within the city that will or may impact surface ~~water~~ or ~~storm waters~~stormwater. The provisions of this chapter establish the minimum requirements that must be met to permit a property to be developed, redeveloped or proceed with construction activities within the city. The purpose of this chapter is to:

- A. Preserve and enhance the suitability of waters for contact recreation, fishing, and other beneficial uses;
- B. Minimize water quality degradation and sedimentation in streams, ponds, lakes, wetlands and other water bodies;
- C. Minimize the impact of increased runoff, erosion and sedimentation caused by land development and poor maintenance practices;
- D. Maintain and protect ground water resources;
- E. Minimize adverse impacts from projects on ground and surface water quantities, locations and flow patterns;
- F. Decrease potential landslide, flood and erosion damage to public and private property;
- G. Promote site planning and construction practices that are consistent with natural topographical, vegetational and hydrological conditions;
- H. Maintain and protect the city ~~storm water~~stormwater management infrastructure and downstream systems and properties. (Ord. 2009-13 § 1, 2009: Ord. 98-31 § 1, 1999)

15.20.020 Definitions.

1. "Approval" means the proposed work or completed work conforms to this chapter in the opinion of the director.

~~2. "As graded" means the extent of surface conditions on completion of grading.~~

~~3. "Basin plan" means a plan and all implementing regulations and procedures including but not limited to land use management adopted by ordinance for managing surface and storm water management facilities and features within individual sub-basins.~~

~~4. "Bedrock" means the more or less solid rock in place either on or beneath the surface of the earth. It may be soft, medium, or hard and have a smooth or irregular surface.~~

~~5. "Bench" means a relatively level step excavated into earth material on which fill is to be placed.~~

~~26.~~ “Best management practice (BMP)” means physical, structural, and/or managerial practices that, when used singly or in combination, prevent ~~and/or~~ reduce the release of pollutants and other adverse impacts to waters of Washington State ~~pollution of water. BMPs are listed and described in the manual.~~

~~37.~~ “Certified erosion and sediment control lead (CESCL)” means an individual who has current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Department of Ecology (see BMP C160 in the manual). A CESCL is knowledgeable in the principles and practices of erosion and sediment control. The CESCL must have the skills to assess site conditions and construction activities that could impact the quality of ~~storm water~~stormwater and the effectiveness of erosion and sediment control measures used to control the quality of ~~storm water~~stormwater discharges. Certification is obtained through an Ecology-approved erosion and sediment control course. Course listings are provided online at Ecology’s web site.

~~48.~~ “City” shall mean the city of Bainbridge Island.

~~9.~~ “Civil engineer” means a professional engineer licensed in the state of Washington in civil engineering who is experienced and knowledgeable in the practice.

~~10.~~ “Civil engineering” means the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials and to the evaluation, design and construction of civil works.

~~544.~~ “Clearing” means the destruction and removal of vegetation by manual, mechanical, or chemical methods.

~~642.~~ “Commercial agriculture” means those activities conducted on lands defined in RCW 84.34.020(2), and activities involved in the production of crops or livestock for wholesale trade. An activity ceases to be considered commercial agriculture when the area on which it is conducted is proposed for conversion to a nonagricultural use or has been idle for more than five years, unless the idle land is registered in a federal or state soils conservation program, or unless the activity is maintenance of irrigation ditches, laterals, canals, or drainage ditches related to an existing and ongoing agricultural activity.

~~743.~~ “Compaction” means densification of a fill by mechanical means.

~~14.~~ “Critical areas” means, at a minimum, areas which include wetlands, areas with a critical recharging effect on aquifers used for potable water, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas, including unstable slopes, and associated areas and ecosystems. Reference Chapter 16.20 BIMC.

~~15.~~ “Design storm” means a prescribed hyetograph and total precipitation amount (for a specific duration recurrence frequency) used to estimate runoff for a hypothetical storm for the purposes of analyzing existing drainage, designing new drainage facilities or assessing other impacts of a proposed project on the flow of surface water. (A hyetograph is a graph of percentages of total precipitation for a series of time steps representing the total time during which the precipitation occurs.)

~~846.~~ “Detention” means the release of ~~storm water~~stormwater runoff from a specific site at a slower rate than it is collected by the ~~storm water~~stormwater facility system, the difference being held in temporary storage.

~~947.~~ “Detention facility” means an above or below ground facility, such as a pond or tank, that temporarily stores ~~storm water~~stormwater runoff and subsequently releases it at a slower rate than it is collected by the drainage facility system. There is little or no infiltration of stored ~~storm water~~stormwater.

~~18.~~ “Drainage basin” means a geographic and hydrologic subunit of a watershed. Further clarification is located in the drainage reconnaissance study or basin assessment.

~~1049.~~ “Earth material” means any rock, natural soil or fill and/or any combination thereof.

~~20.~~ “Engineering geologist” means a geologist experienced and knowledgeable in engineering geology.

~~21.~~ “Engineering geology” means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

1122. “Erosion” means the wearing away of the land surface by running water, wind, ice, or other geological agents, including such processes as gravitational creep, or the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

1223. “Excavation” means the mechanical removal of earth material.

~~24. “Experimental BMP” means a BMP that has not been tested, evaluated and approved for general use by the Department of Ecology in collaboration with local governments and technical experts. These include BMPs known as emerging technologies.~~

1325. “Fill” means a deposit of earth material placed by artificial means.

1426. “Forest practice” means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, as defined by RCW 76.09.050.

~~27. “Frequently flooded areas” means the 100-year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program. Reference Chapter 15.16 BIMC.~~

1528. “Geologically hazardous areas” means areas susceptible to significant erosion, sliding, earthquakes, or other geological events. They pose a threat to the public health and safety ~~of citizens~~ when used as sites for incompatible commercial, residential or industrial development. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas. ~~Reference to~~ Chapter 16.20 BIMC.

~~29. “Grade” means the slope of a road, channel, or natural ground, the finished surface of a canal bed, roadbed, top of embankment, or bottom of excavation or any surface prepared for the support of construction such as paving or the laying of a conduit.~~

~~a. “Existing grade” means the grade prior to grading.~~

~~b. “Rough grade” means the stage at which the grade approximately conforms to the approved plan.~~

~~c. “Finish grade” means the final grade of the site which conforms to the approved plan.~~

~~30. “Grade, to” (“to grade”) means to finish the surface of a canal bed, roadbed, top of embankment or bottom of excavation.~~

~~31. “Gradient terrace” means an earth embankment or a ridge and channel constructed with suitable spacing and an acceptable grade to reduce erosion damage by intercepting surface runoff and conducting it to a stable outlet at a stable nonerosive velocity.~~

1632. “Ground water” means water in a saturated zone or stratum beneath the surface of land or a surface water body.

~~33. “Hydroperiod” means the seasonal occurrence of flooding and/or soil saturation; it encompasses depth, frequency, duration, and seasonal pattern of inundation.~~

17. “Hard surface” means an impervious surface, a permeable pavement, or a vegetated roof.

1834. “~~Illicit~~ Illegal discharge” and “illegal connections” are as defined in BIMC 15.22.020.

1935. “Impervious surface” means a hard-non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of ~~storm water~~stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for purposes of

determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.

~~2036.~~ “Interflow” means that portion of rainfall that infiltrates into the soil and moves laterally through the upper soil horizons until intercepted by a stream channel or until it returns to the surface; for example, in a wetland, spring or seep.

~~2137.~~ “Land disturbing activity” means any activity that results in ~~movement of earth, or~~ a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices are not considered land disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

~~22.~~ “Low impact development (LID)” means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

~~23.~~ Low impact development best management practices (LID BMPs)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to: bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

~~24.~~ “LID principles” are land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

~~2538.~~ “Mitigation” means, in the following order of preference:

- a. Avoiding the impact altogether by not taking a certain action or part of an action;
- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
- c. Rectifying the impact by repairing, rehabilitating or restoring the affected environment;
- d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

~~39.~~ “Natural location” means the location of those channels, swales, and other nonmanmade conveyance systems as defined by the first documented topographic contours existing for the subject property, either from maps or photographs, or such other means as appropriate.

~~26.~~ “Native vegetation” means plant species that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. Invasive species and noxious weeds shall not be considered native species.

~~2740.~~ “New development” land disturbing activities, including Class IV – general forest practices that are conversions from timber land to other uses; structural development, including construction or installation of a building or other structure; creation of ~~impervious hard~~ surfaces; and subdivision, short subdivision and binding site plans, as defined and applied in Chapter 58.17 RCW. Projects meeting the definition of redevelopment shall not be considered new development.

~~28.~~ “Pervious surface” means any surface material that allows stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavement.

2941. “Pollution” shall be construed to mean such contamination or other alteration of the physical, chemical, or biological properties of waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquids, gaseous, solid, radioactive or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life; as defined in RCW 90.48.020 as now existing or hereafter amended.

30. “Pollution-generating hard surface (PGHS)” means hard surfaces considered to be a significant source of pollutants in stormwater runoff. See the listing of surfaces under pollution-generating impervious surface.

31. “Pollution-generating impervious surface (PGIS)” means impervious surfaces considered to be a significant source of pollutants in stormwater runoff. Such surfaces include those which are subject to: vehicular use; industrial activities (as further defined in the glossary of the Stormwater Management Manual for Western Washington (SWMW)); storage of erodible or leachable materials, wastes, or chemicals, and which receive direct rainfall or the run-on or blow-in of rainfall; metal roofs unless they are coated with an inert, non-leachable material (e.g., baked-on enamel coating); or roofs that are subject to venting significant amounts of dusts, mists, or fumes from manufacturing, commercial, or other indoor activities.

32. “Pollution-generating pervious surfaces (PGPS)” means any non-impervious surface subject to vehicular use, industrial activities (as further defined in the glossary of the Stormwater Management Manual for Western Washington (SWMW)); or storage of erodible or leachable materials, wastes, or chemicals, and that receive direct rainfall or run-on or blow-in of rainfall, use of pesticides and fertilizers, or loss of soil. Typical PGPS include permeable pavement subject to vehicular use, lawns, and landscaped areas including: golf courses, parks, cemeteries, and sports fields (natural and artificial turf).

3342. “Redevelopment” means, on a site that is already substantially developed (i.e., has 35 percent or more of existing impervious surface coverage), the creation or addition of impervious surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of impervious surface that is not part of a routine maintenance activity; and land disturbing activities.

~~43. “Regional retention/detention system” means a storm water quantity control structure designed to correct existing excess surface water runoff problems of a basin or sub basin for two or more properties. The area downstream has been previously identified as having existing or predicted significant and regional flooding and/or erosion problems. This term is also used when a detention facility is used to detain storm water runoff from a number of different businesses, developments or areas within a catchment.~~

~~44. “Retention/detention facility (R/D)” means a type of drainage facility designed either to hold water for a considerable length of time and then release it by evaporation, plant transpiration, and/or infiltration into the ground; or to hold surface and storm water runoff for a short period of time and then release it to the surface and storm water management system.~~

34. “Replaced hard surface” means, for structures, the removal and replacement of hard surfaces down to the foundation. For other hard surfaces, the removal down to bare soil or base course and replacement.

35. “Replaced impervious surface” means, for structures, the removal and replacement of impervious surfaces down to the foundation. For other impervious surfaces, the removal down to bare soil or base course and replacement.

3645. “Site” means the area defined by the legal boundaries of a parcel or parcels of land that is (are) subject to new development or redevelopment. For road projects, the length of the project site and the right-of-way boundaries define the site.

~~46. “Slope” means the degree of deviation of a surface from the horizontal, measured as a numerical ratio, percent, or in degrees. Expressed as a ratio, the first number is the horizontal distance (run) and the second is the vertical distance (rise), as 2:1. A 2:1 slope is a 50 percent slope. Expressed in degrees, the slope is the angle from the horizontal plane, with a 90 degree slope being vertical (maximum) and 45 degrees being a 1:1 or 100 percent slope.~~

~~47. "Soil" means the unconsolidated mineral and organic material on the immediate surface of the earth that serves as a natural medium for the growth of land plants.~~

~~3748. "Source control BMP" means a structure or operation that is intended to prevent pollutants from coming into contact with storm waterstormwater through physical separation of areas or careful management of activities that are sources of pollutants. The manual separates source control BMPs into two types. Structural source control BMPs are physical, structural, or mechanical devices, or facilities that are intended to prevent pollutants from entering storm-waterstormwater. Operational BMPs are nonstructural practices that prevent or reduce pollutants from entering storm-waterstormwater. See Volume IV of the manual for details.~~

~~3849. "Storm waterStormwater" means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland, interflow, channels or pipes into a defined surface water channel, or a constructed infiltration facility.~~

~~3950. "Storm waterStormwater drainage system" means constructed and natural features which function together as a system to collect, convey, channel, hold, inhibit, retain, detain, infiltrate, divert, treat or filter storm-waterstormwater.~~

~~4051. "Storm waterStormwater facility" means a constructed component of a storm waterstormwater drainage system, designed or constructed to perform a particular function, or multiple functions, including but not limited to pipes, swales, ditches, culverts, street gutters, detention basins, retention basins, constructed wetlands, infiltration devices, catch basins, oil/water separators, sediment basins and modular pavement.~~

~~4152. "Storm waterStormwater management manual" or "manual" means the Stormwater Management Manual for Western Washington adopted by reference in BIMC 15.20.050 and prepared by Washington State Department of Ecology, dated February 2005, Publication Numbers 05-10-029 through 05-10-033 including subsequent publications which contains BMPs to prevent or reduce pollution.~~

~~53. "Toe of slope" means a point or line of slope in an excavation or cut where the lower surface changes to horizontal or meets the exiting ground slope.~~

~~54. "Top of slope" means a point or line on the upper surface of a slope where it changes to horizontal or meets the original surface.~~

~~55. "Unstable slopes" means those sloping areas of land which have exhibited past and present history of mass movement of earth.~~

~~4256. "Vegetation" means all organic plant life growing on the surface of the earth. Reference to Chapter 16.22 BIMC.~~

~~57. "Watershed" means a geographic region within which water drains into a particular river, stream, or body of water as identified and numbered by the State of Washington Water Resource Inventory Areas (WRIAs) as defined in Chapter 173-500 WAC.~~

~~43. "Waters of the State" includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in chapter 90.48 RCW which includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington.~~

~~4458. "Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support (and under normal circumstances do support) a prevalence of vegetation typically adapted for life in saturated soil conditions, such as swamps, marshes, bogs, and other similar areas. This definition includes wetlands created, restored or enhanced as part of a mitigation procedure; it does not include constructed wetlands or the following surface waters of the state intentionally constructed from sites that are not wetlands: irrigation and drainage ditches, grass-lined swales, canals, agricultural detention facilities, farm ponds, and landscape amenities. Reference to Chapter 16.20 BIMC.~~

(Ord. 2009-13 § 2, 2009; Ord. 2005-10 § 1, 2005; Ord. 2003-22 § 22, 2003; Ord. 2001-49 § 1, 2001; Ord. 98-31 § 1, 1999)

15.20.030 General provisions.

A. Procedures. The department of public works/engineering department is authorized to adopt written procedures for the purpose of carrying out the provisions of this chapter. Prior to fulfilling the requirements of this chapter, the administrator or assigns shall not grant any approval or permission to conduct a regulated activity, including but not limited to the following:

1. Building permits, commercial or residential;
2. Comprehensive plan amendments;
3. Conditional use permits;
4. Final plats (short/long/large lot);
5. Forest practices;
6. Grading or clearing permits;
- ~~7. Planned unit developments;~~
- ~~78.~~ Plats;
 - a. Subdivide, preliminary and final (short/long/large lot);
- ~~89.~~ Preliminary plats (short, long, large lot);
- ~~940.~~ Reasonable use exceptions;
- ~~1044.~~ Right-of-way permits;
- ~~1142.~~ Shoreline substantial development permits;
- ~~1243.~~ Shoreline variance/shoreline conditional use permits;
- ~~1344.~~ Site plan reviews;
- ~~1445.~~ Variances;
- ~~1546.~~ Zone reclassification (rezones); or
- ~~1647.~~ Any subsequently adopted permit or required approval not expressly exempted by this chapter.

B. The following agencies may also require a drainage review to assess a site's impact. Any requirements imposed by these agencies are separate from the city mandates. It is the applicant's sole responsibility to resolve any conflicting issues that may arise from submittal reviews.

1. U.S. Army Corps of Engineers;
2. Washington State Department of Natural Resources;
3. Bremerton-Kitsap County Health District;
4. Washington State Department of Ecology: general permit is required for sites that disturb one acre or more;
5. Washington State Department of Fish and Wildlife;

6. Washington State Department of Transportation. (Ord. 2005-10 § 2, 2005: Ord. 98-31 § 1, 1999)

15.20.040 Regulated activities and allowed activities.

A. Regulated Activities. Consistent with the minimum requirements contained in the [stormwater](#) manual, the administrator shall approve or disapprove the following activities:

1. New Development.

- a. Land disturbing activities;
- b. Structural development, including construction, installation or expansion of an existing building or other structure;
- c. Creation of ~~800 square feet or more of~~ new [impervious-hard](#) surfaces ~~greater than 800 square feet~~;
- d. Class IV general forest practices that are conversions from timber land to other uses; and
- e. Subdivision, short subdivision and binding site plans, as defined in RCW 58.17.020.

2. Redevelopment. On an already developed site, the creation or addition ~~800 square feet or more of~~ [impervious hard](#) surfaces ~~greater than 800 square feet~~; structural development including construction, installation or expansion of a building or other structure; any land disturbing activity, and/or replacement of [impervious-hard](#) surface (that is not part of a routine maintenance activity); and land disturbing activities associated with structural or [impervious-hard surface](#) redevelopment. (Ord. 2009-13 § 3, 2009: Ord. 2005-10 § 3, 2005: Ord. 98-31 § 1, 1999)

15.20.050 General requirements.

A. Stormwater Management Manual Adopted. The ~~February 2005 Edition of~~ Washington State Department of Ecology's [2012 Stormwater Management Manual for Western Washington, as amended in 2014](#), is hereby adopted by reference and is hereinafter referred to as the [stormwater](#) manual; provided, that certain provisions of the [stormwater](#) manual are amended as stated in BIMC 15.20.060.

B. ~~Illicit~~ [Illegal](#) discharges and ~~illegal-illicit~~ connections to the ~~storm-water~~[stormwater](#) drainage system are prohibited by ~~Chapter BIMC 15.22~~ [BIMC](#).

C. Low Impact Development Manual Adopted. The ~~2012~~[2009 Edition of the](#) Low Impact Development (LID) [Technical Guidance Manual for Puget Sound—A Practical Guide to LID Implementation in Kitsap County](#) is hereby adopted by reference and is hereinafter referred to as the LID manual ~~for use in meeting the relevant sections of the manual~~. (Ord. 2009-13 § 4, 2009: Ord. 2005-10 § 4, 2005: Ord. 98-31 § 1, 1999)

15.20.060 Approval standards.

A. ~~In Volume I, Section 2.3 of the manual, Definitions Related to Minimum Requirements, the definition of “The use of threshold discharge areas, as defined by the stormwater manual” is not adopted.~~

~~B. In Volume I, Section 2.5.6 of the manual, Minimum Requirement No. 6 Runoff Treatment, and Section 2.5.7, Minimum Requirement No. 7 Flow Control, and Section 4.2, BMP and Facility Selection Process, references to “threshold discharge area” are deleted.~~

~~C. The hard surface threshold for triggering Minimum Requirements No. 1 through No. 5 for new development and redevelopment is 800 square feet or greater of new plus replaced hard surface area. In Volume I, Section 2.4.1 of the manual, New Development is amended to read as follows:~~

~~All new development that shall be required to comply with Minimum Requirement No. 2. In addition, new development that exceeds certain thresholds shall be required to comply with additional Minimum Requirements as follows. The following new development shall comply with Minimum Requirements No. 1 through No. 5:~~

~~1. Creates or adds 800 square feet, or greater, of new, replaced, or new plus replaced impervious surface area, or~~

~~2. Has land disturbing activity of 7,000 square feet or greater.~~

~~The following new development shall comply with Minimum Requirements Nos. 1 through 10:~~

~~1. Creates or adds 5,000 square feet, or more, of new impervious surface area, or~~

~~2. Converts 3/4 acres, or more, of native vegetation to lawn or landscaped areas, or~~

~~3. Converts 2.5 acres, or more, of native vegetation to pasture.~~

~~D. In Volume I, Section 2.4.2 of the manual, Redevelopment, is amended to read as follows:~~

~~All redevelopment shall be required to comply with Minimum Requirement No. 2. In addition, all redevelopment that exceeds certain thresholds shall be required to comply with additional Minimum Requirements as follows:~~

~~The following redevelopment shall comply with Minimum Requirements No. 1 through No. 5 for the new and replaced impervious surfaces and the land disturbed:~~

~~1. The new, replaced, or total of new plus replaced impervious surfaces is 800 square feet or more, or~~

~~2. 7,000 square feet or more of land disturbing activities.~~

~~The following redevelopment shall comply with Minimum Requirements Nos. 1 through 10 for the new impervious surfaces and converted pervious areas:~~

~~1. Adds 5,000 square feet or more of new impervious surfaces, or~~

~~2. Converts 3/4 acres, or more, of native vegetation to lawn or landscaped areas, or~~

~~3. Converts 2.5 acres, or more, of native vegetation to pasture.~~

~~If the runoff from the new impervious surfaces and converted pervious surfaces is not separated from runoff from other surfaces on the project site, the stormwater treatment facilities must be sized for the entire flow that is directed to them.~~

~~The administrator may allow the Minimum Requirements to be met for an equivalent (flow and pollution characteristics) area within the same site. For public roads projects, the equivalent area does not have to be within the project limits, but must drain to the same receiving water.~~

~~Additional Requirements for the Project Site~~

~~For road related projects, runoff from the replaced and new impervious surfaces (including pavement, shoulders, curbs, and sidewalks) shall meet all the Minimum Requirements if the new impervious surfaces total 5,000 square feet or more and total 50% or more of the existing impervious surfaces within the project limits. The project limits shall be defined by the length of the project and the width of the right of way.~~

~~Other types of redevelopment projects shall comply with all the Minimum Requirements for the new and replaced impervious surfaces if the total of new plus replaced impervious surfaces is 5,000 square feet or more, and the valuation of proposed improvements—~~

~~including interior improvements—exceeds 50% of the assessed value of the existing site improvements.~~

~~E. In Volume I, Section 2.5.10 of the manual, Minimum Requirement No. 10: Operation and Maintenance, is amended to read as follows:~~

~~An operation and maintenance manual that is consistent with BIMC 15.21 and the provisions in Volume V of this manual shall be provided for all proposed private stormwater facilities and BMPs, and the party (or parties) responsible for maintenance and operation shall be identified. For private facilities, a copy of the manual shall be provided to the city prior to occupancy and a copy retained onsite or within reasonable access to the site, and shall be transferred with the property to subsequent owners. The copy of the manual shall be retained in the Public Works Department. A log of maintenance activity that indicates what actions were taken shall be kept and be available for inspection by the Administrator.~~

~~FC. In Volume I, Section 2.6.1 of the manual, Optional Guidance No. 1: Financial Liability/Bonding, is not adopted.~~

~~GD. In Volume I, Section 2.6.2 of the manual, Optional Guidance No. 2: Off Site Analysis and Mitigation, and Volume I, Section 3.1.3, Perform an Offsite Analysis, are adopted by reference and established is required for projects creating 5,000 square feet or more of impervious-hard surface area.~~

~~H. In Volume I, Section 2.6.2 of the manual, Optional Guidance No. 2: Off Site Analysis and Mitigation Development, is amended to read as follows:~~

~~Development projects that discharge stormwater off-site shall submit an off-site analysis report that assesses the potential off-site water quality, erosion, slope stability, and drainage impacts associated with the project and that proposes appropriate mitigation of those impacts. An initial qualitative analysis shall extend downstream for the entire flow path from the project site to the receiving water or up to one mile, whichever is less.~~

~~If a receiving water is within one-quarter mile, the analysis shall extend within the receiving water to one-quarter mile from the project site. The analysis shall extend one-quarter mile beyond any improvements proposed as mitigation. The analysis must extend upstream to a point where any backwater effects created by the project cease. Upon review of the qualitative analysis, the local administrator may require that a quantitative analysis be performed.~~

~~The existing or potential impacts to be evaluated and mitigated shall include:~~

- ~~1. Conveyance system capacity problems;~~
- ~~2. Localized flooding;~~
- ~~3. Upland erosion impacts, including landslide hazards;~~
- ~~4. Stream channel erosion at the outfall location;~~
- ~~5. Violations of surface water quality standards as identified in a Basin Plan or a TMDL (Water Clean-up Plan); or violations of ground water standards in a wellhead protection area.~~

~~Projects shall be required to initially submit, with the permit application, a qualitative analysis of each downstream system leaving a site. The analysis should accomplish four tasks:~~

~~Task 1—Define and map the study area.~~

~~Submission of a site map showing property lines; a topographic map (at a minimum a USGS-1:24000 Quadrangle Topographic map) showing site boundaries, study area boundaries, downstream flowpath, and potential/existing problems.~~

~~Task 2—Review all available information on the study area.~~

~~This should include all available basin plans, ground water management area plans, drainage studies, floodplain/floodway FEMA maps, wetlands inventory maps, Critical Areas maps, stream habitat reports, salmon distribution reports, etc.~~

~~Task 3—Field inspect the study area.~~

~~The design engineer should physically inspect the existing on and off site drainage systems of the study area for each discharge location for existing or potential problems and drainage features. An initial inspection and investigation should include:~~

- ~~1. Investigate problems reported or observed during the resource review;~~
- ~~2. Locate existing/potential constrictions or capacity deficiencies in the drainage system;~~
- ~~3. Identify existing/potential flooding problems;~~
- ~~4. Identify existing/potential overtopping, scouring, bank sloughing, or sedimentation;~~
- ~~5. Identify significant destruction of aquatic habitat (e.g., siltation, stream incision);~~
- ~~6. Collect qualitative data on features such as land use, impervious surface, topography, soils, presence of streams, wetlands;~~
- ~~7. Collect information on pipe sizes, channel characteristics, drainage structures;~~
- ~~8. Verify tributary drainage areas identified in Task 1;~~
- ~~9. Contact the local government office with drainage review authority, neighboring property owners, and residents about drainage problems; and~~
- ~~10. Note date and weather at time of inspection.~~

~~Task 4—Describe the drainage system, and its existing and predicted problems.~~

~~For each drainage system component (e.g., pipe, culvert, bridges, outfalls, ponds, vaults) the following should be covered in the analysis: location, physical description, problems, and field observations. All existing or potential problems (e.g., ponding water, erosion) identified in tasks 2 and 3 above should be described. The descriptions should be used to determine whether adequate mitigation can be identified, or whether more detailed quantitative analysis is necessary. The following information should be provided for each existing or potential problem:~~

- ~~1. Magnitude of or damage caused by the problem;~~
- ~~2. General frequency and duration;~~
- ~~3. Return frequency of storm or flow when the problem occurs (may require quantitative analysis);~~
- ~~4. Water elevation when the problem occurs;~~
- ~~5. Names and concerns of parties involved;~~
- ~~6. Current mitigation of the problem;~~
- ~~7. Possible cause of the problem; and~~
- ~~8. Whether the project is likely to aggravate the problem or create a new one.~~

~~Upon review of this analysis, the administrator may require mitigation measures deemed adequate for the problems, or a quantitative analysis, depending upon the presence of existing or predicted flooding, erosion, or water quality problems, and on the proposed design of the onsite drainage facilities. The analysis should repeat Tasks 3 and 4 above, using quantitative field data including profiles and cross sections.~~

~~The quantitative analysis should provide information on the severity and frequency of an existing problem or the likelihood of creating a new problem. It should evaluate proposed mitigation intended to avoid aggravation of the existing problem and to avoid creation of a new problem.~~

~~E.~~ In Volume I, Section 2.7 of the [stormwater](#) manual, Adjustments, is not adopted.

~~J.~~ In Volume III, Section 3.1.2 of the [stormwater](#) manual, Downspout Dispersion Systems, is modified for use with additional standard details as prescribed by the city.

~~K.~~ In Volume III, Section 3.1.3 of the [stormwater](#) manual, Perforated Stub Out Connections, is modified for use with additional standard details as prescribed by the city.

~~F.~~ In Volume III, Section 3.2 of the [stormwater](#) manual, Figure 3.12, Pond Signage, is amended to include the following language:

Developers shall provide the required signage for constructed ponds as a part of the project.

~~G.~~ In Volume V, Section 4.3, Setbacks, Slopes and Embankments, is amended to include the following language:

All stormwater facilities and infiltration systems constructed within 200 feet of a geologically hazardous area shall have the concurrence of a Geotechnical Engineer.

~~N.~~ In Volume V, Section 5.3.1 of the ~~the~~ [stormwater](#) manual, BMP T 5.10 Downspout Dispersion, is modified for use with additional standard details as prescribed by the city.

~~H.~~ Instead of following the Better Site Design BMP (BMP T5.41) in Volume V, Section 5.3.2 of the [stormwater](#) manual, BMP T 5.21 Better Site Design: Build Narrower Streets, ~~the applicant shall conduct a site assessment following the guidance in the LID Manual adopted in BIMC 15.20.050. The applicant shall comply with is amended to include the following language:~~

~~Streets and roadways must, however, comply with the City of Bainbridge Island Design and Construction Standards for streets and roadways and Specifications unless an exception is granted in writing by the administrator.~~

~~I.~~ The 2013 Rain Garden Handbook for Western Washington shall be used to supplement the Rain Garden (BMP T5.14A) design guidelines in the [stormwater](#) manual for projects triggering Minimum Requirements #1-5. ~~Instead of applying the rain garden sizing chart provided in the Rain Garden Handbook for Western Washington, applicants shall apply the List #1 sizing requirement which is that rain gardens shall have a horizontally projected surface area below the overflow which is at least 5% of the total impervious surface area draining to it. If land/landscape area will also be draining to the rain garden, the horizontally projected surface area below the overflow shall be increased by 2% of the lawn/landscape area.~~

~~P.~~ In Volume V, Section 5.3.3 of the [stormwater](#) manual, BMP T 5.30 Full Dispersion, is modified for use with additional standard details as prescribed by the city.

~~Q.~~ In Volume V of the [stormwater](#) manual, Chapter 12, Emerging Technologies, is not adopted.

~~R.~~ In Volume I, Section 2.5.2 of the [stormwater](#) manual, Minimum Requirement No. 2: Construction Stormw Water Pollution Prevention (SWPP), the following language replaces or amends the language found in Section 2.5.2 of the manual:

~~All new development and redevelopment projects are responsible for preventing erosion and discharge of sediment and other pollutants into receiving waters.~~

~~Sediment and erosion control BMPs shall be consistent with the BMPs contained in Chapters 3 and 4 of Volume II of the manual.~~

~~The SWPPP shall include a narrative and drawings. All BMP's shall be clearly referenced in the narrative and marked on the drawings. The SWPPP narrative shall include documentation to explain and justify the pollution prevention decisions made for the project.~~

~~1. Volume I, Section 2.5.2 of the manual, Minimum Requirement No. 2: Construction Storm Water Pollution Prevention Plan (SWPPP) Elements. The following language replaces or amends the language found in the Elements Section 2.5.2 of the manual:~~

~~Element 2.c. Wheel wash or tire baths shall be located on site, if the stabilized construction entrance is not effective in preventing sediment from being tracked onto public roads.~~

~~Element 6.c. Temporary pipe slope drains shall handle the expected peak 10 minute flow velocity from a type 1A, 10 year, 24 hour frequency storm for the developed condition.~~

~~The hydrologic analysis shall use the existing land cover condition for predicting flow rates from tributary areas outside the project limits. For tributary areas on the project site, the analysis shall use the temporary or permanent project land cover condition, whichever will produce the highest flow rates. If using the Western Washington Hydrology model to predict flows, bare soil areas should be modeled as "landscaped area."~~

~~Element 7. Protect Drain Inlets~~

~~All sediment and street wash water shall not be allowed to enter storm drains without prior and adequate treatment unless treatment is provided before the storm drain discharges to waters of the State.~~

~~Element 9. Control Pollutants~~

~~Permittees shall require construction site operators obtain written approval from the Department prior to using chemical treatment other than CO₂ or dry ice to adjust pH.~~

~~S. Volume I, Section 2.5.6 of the manual, Minimum Requirement No. 6 Runoff Treatment. The following language replaces the language found in Section 2.5.6 of the manual:~~

~~Project Thresholds~~

~~The following require construction of stormwater treatment facilities (see Table below):~~

- ~~• Projects in which the total of effective, pollution-generating impervious surface (PGIS) is 5,000 square feet or more in a threshold discharge area of the project, or~~
- ~~• Projects in which the total of pollution-generating pervious surfaces (PGPS) is three-quarters (3/4) of an acre or more in a threshold discharge area, and from which there is a surface discharge in a natural or man-made conveyance system from the site.~~

~~Treatment Type Thresholds~~

~~1. Oil Control:~~

~~Treatment to achieve Oil Control applies to projects that have "high use sites." High use sites are those that typically generate high concentrations of oil due to high traffic turnover or the frequent transfer of oil. High use sites include:~~

- ~~a. An area of a commercial or industrial site subject to an expected average daily traffic (ADT) count equal to or greater than 100 vehicles per 1,000 square feet of gross building area;~~
- ~~b. An area of a commercial or industrial site subject to petroleum storage and transfer in excess of 1,500 gallons per year, not including routinely delivered heating oil;~~
- ~~c. An area of a commercial or industrial site subject to parking, storage or maintenance of 25 or more vehicles that are over 10 tons gross weight (trucks, buses, trains, heavy equipment, etc.);~~

Treatment
Requirements
by Threshold
Discharge
Area

| | | | |
|-------|-------|-------|-------|
| <3/4 | >3/4 | < | > |
| acres | acres | 5,000 | 5,000 |
| of | of | sf of | sf of |
| PGPS | PGPS | PGIS | PGIS |

Treatment
Facilities

X

X

Onsite
Stormwater
BMPs

X

X

X

X

PGPS =
pollution-
generating-
pervious-
surfaces

PGIS =
pollution-
generating-
impervious-
surfaces

sf = square
feet

- ~~d. A road intersection with a measured ADT count of 25,000 vehicles or more on the main roadway and 15,000 vehicles or more on any intersecting roadway, excluding projects proposing primarily pedestrian or bicycle use improvements.~~

2. Phosphorus Treatment:

The requirement to provide phosphorus control is determined by the local government with jurisdiction (e.g., through a lake management plan), or the Department of Ecology (e.g., through a waste load allocation). The local government may have developed a management plan and implementing ordinances or regulations for control of phosphorus from

~~new/redevelopment for the receiving water(s) of the stormwater drainage. The local government can use the following sources of information for pursuing plans and implementing ordinances and/or regulations:~~

~~a. Those waterbodies reported under section 305(b) of the Clean Water Act, and designated as not supporting beneficial uses due to phosphorus;~~

~~b. Those listed in Washington State's Nonpoint Source Assessment required under section 319(a) of the Clean Water Act due to nutrients.~~

~~3. Enhanced Treatment:~~

~~Enhanced treatment for reduction in dissolved metals is required for the following project sites that discharge to fish bearing streams, lakes, or to waters or conveyance systems tributary to fish bearing streams or lakes:~~

~~Industrial project sites,~~

~~Commercial project sites,~~

~~Multi family project sites, and~~

~~High AADT roads as follows:~~

~~Within Urban Growth Management Areas:~~

~~• Fully controlled and partially controlled limited access highways with Annual Average Daily Traffic (AADT) counts of 15,000 or more~~

~~• All other roads with an AADT of 7,500 or greater~~

~~Outside of Urban Growth Management Areas:~~

~~• Roads with an AADT of 15,000 or greater unless discharging to a 4th Strahler order stream or larger;~~

~~• Roads with an AADT of 30,000 or greater if discharging to a 4th Strahler order stream or larger (as determined using 1:24,000 scale maps to delineate stream order).~~

~~However, such sites listed above that discharge directly (or, indirectly through a municipal storm sewer system) to Basic Treatment Receiving Waters (Appendix I C of the manual), and areas of the above listed project sites that are identified as subject to Basic Treatment requirements, are also not subject to Enhanced Treatment requirements. For developments with a mix of land use types, the Enhanced Treatment requirement shall apply when the runoff from the areas subject to the Enhanced Treatment requirement comprise 50% or more of the total runoff within a threshold discharge area.~~

~~4. Basic Treatment:~~

~~Basic Treatment generally applies to:~~

~~• Project sites that discharge to the ground, UNLESS:~~

~~1) The soil suitability criteria for infiltration treatment are met; (see Chapter 3 of Volume III of the manual for soil suitability criteria) or~~

~~2) The project uses infiltration strictly for flow control—not treatment—and the discharge is within 1/4 mile of a phosphorus sensitive lake (use a Phosphorus Treatment facility), or within 1/4 mile of a fish bearing stream, or a lake (use an Enhanced Treatment facility).~~

- ~~• Residential projects not otherwise needing phosphorus control as designated by USEPA, the Department of Ecology, or by the Permittee; and~~
- ~~• Project sites discharging directly to salt waters, river segments, and lakes listed in Appendix I C of the manual; and~~
- ~~• Project sites that drain to streams that are not fish bearing, or to waters not tributary to fish bearing streams;~~
- ~~• Landscaped areas of industrial, commercial, and multi-family project sites, and parking lots of industrial and commercial project sites that do not involve pollution-generating sources (e.g., industrial activities, customer parking, storage of erodible or leachable material, wastes or chemicals) other than parking of employees' private vehicles. For developments with a mix of land use types, the Basic Treatment requirement shall apply when the runoff from the areas subject to the Basic Treatment requirement comprise 50% or more of the total runoff within a threshold discharge area.~~

~~Treatment Facility Sizing~~

~~Water Quality Design Storm Volume: The volume of runoff predicted from a 24-hour storm with a 6-month return frequency (a.k.a., 6-month, 24-hour storm). Wetpool facilities are sized based upon the volume of runoff predicted through use of the Natural Resource Conservation Service curve number equations in Chapter 2 of Volume III of the manual, for the 6-month, 24-hour storm. Alternatively, the 91st percentile, 24-hour runoff volume indicated by an approved continuous runoff model may be used.~~

~~Water Quality Design Flow Rate~~

~~1. Preceding Detention Facilities or when Detention Facilities are not required:~~

~~The flow rate at or below which 91% of the runoff volume, as estimated by an approved continuous runoff model, will be treated. Design criteria for treatment facilities are assigned to achieve the applicable performance goal at the water quality design flow rate (e.g., 80% TSS removal).~~

~~2. Downstream of Detention Facilities:~~

~~The water quality design flow rate must be the full 2-year release rate from the detention facility. Alternative methods may be used if they identify volumes and flow rates that are at least equivalent. That portion of any development project in which the above PGIS or PGPS thresholds are not exceeded in a threshold discharge area shall apply On-site Storm Water Management BMPs in accordance with Minimum Requirement #5.~~

~~Treatment Facility Selection, Design, and Maintenance~~

~~Stormwater treatment facilities shall be:~~

- ~~• Selected in accordance with the process identified in Chapter 4 of Volume I of the manual;~~
- ~~• Designed in accordance with the design criteria in Volume V of the manual, and~~
- ~~• Maintained in accordance with the maintenance schedule in Volume V of the manual.~~

Additional Requirements

~~The discharge of untreated stormwater from pollution-generating impervious surfaces to ground water is not authorized, except for the discharge achieved by infiltration or dispersion of runoff from residential sites through use of On-site Stormwater Management BMPs.~~

(Ord. 2009-13 § 5, 2009; Ord. 2005-10 § 5, 2005; Ord. 2001-49 § 2, 2001; Ord. 98-31 § 1, 1999)

15.20.070 Administration.

A. Administrator. The public works director or a designee shall administer this chapter and shall be referred to as the administrator. The administrator shall have the authority to develop and implement administrative procedures to administer and enforce this chapter.

B. Review and Approval. The administrator may approve, conditionally approve or deny an application for activities regulated by this chapter.

C. Enforcement Authority. The administrator shall enforce this chapter.

D. Inspection. All activities regulated by this chapter shall be inspected by the administrator. The administrator shall inspect projects at various stages of the work requiring approval to determine that adequate control is being exercised. Stages of work requiring inspection include, but are not limited to,

1. Prior to clearing and construction (preconstruction) for all sites that have a high potential for sediment transport

2. During construction to verify proper installation and maintenance of erosion and sediment control BMPs

3. Every 6 months during construction for new residential development until 90% of the lots are constructed (or when construction has stopped and the site is fully stabilized) to identify maintenance needs for permanent stormwater facilities

4. Upon completion of construction and prior to final approval or occupancy to ensure proper installation of land-disturbing activities, installation of utilities, permanent stormwater control facilities, landscaping, retaining walls and completion of project.

5. Ongoing annual inspections of permanent stormwater facilities designed to meet Minimum Requirement #6 (Runoff Treatment) and/or Minimum Requirement #7 (Flow Control)

When required by the administrator, a special inspection and/or testing shall be performed. (Ord. 2009-13 § 6, 2009; Ord. 2005-10 § 6, 2005; Ord. 98-31 § 1, 1999)

15.20.080 Enforcement.

A. Failure to Comply. It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter.

B. Emergency Access and Reparation. In the event the violation constitutes an immediate danger to public health or safety, the administrator is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. Any expense related to such remediation undertaken by the city shall be fully reimbursed by the property owner and/or responsible party. Any relief obtained under this section shall not prevent the city from seeking further relief or applying other penalties as provided in this chapter.

C. Civil Infraction. Except as provided in subsection D of this section, conduct made unlawful by this chapter shall constitute a civil infraction and is subject to enforcement and fines as provided in BIMC 1.26.035. A civil infraction under this section shall be processed in the manner set forth in Chapter 1.26 BIMC.

D. Misdemeanor. Any person who again violates this chapter within 12 months after having been found by the Bainbridge Island municipal court to be in violation of this chapter, commits a misdemeanor and any person who is convicted thereof shall be punished as provided in BIMC 1.24.010.A.

E. Civil Penalty. 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 chapter 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.

F. Additional Remedies.

1. In addition to any other remedy provided by this chapter or under the Bainbridge Island Municipal Code, 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 chapter to prevent, enjoin, abate, and/or terminate violations of this chapter 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 chapter shall be liable for the costs and reasonable attorneys' fees incurred by the city in bringing, maintaining and/or prosecuting such action.

2. Any person who violates any provision of this chapter may also be in violation of the Federal Clean Water Act, NPDES Phase II permit, and/or Chapter 90.48 RCW and may be subject to sanctions including civil and criminal penalties. Any enforcement action authorized under this chapter shall also include written notice to the violator of such potential liability. (Ord. 2009-13 § 7, 2009: Ord. 2005-10 § 7, 2005: Ord. 98-31 § 1, 1999)

15.20.090 Exceptions and appeals.

Repealed by Ord. 2009-13. (Ord. 2005-10 § 8, 2005: Ord. 2003-25 § 6, 2003; Ord. 98-31 § 1, 1999)

15.20.100 Severability.

Repealed by Ord. 2003-24. (Ord. 98-31 § 1, 1999)