



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: June 25, 2019

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (7:00 PM) Ordinance No. 2019-17, Extending the Duration of the Interim Official Control Related to the Preservation of Landmark Trees - Planning,

STRATEGIC PRIORITY: Green, Well-Planned Community

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Ordinance

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION:

I move to approve Ordinance No. 2019-17, Extending the Duration of the Interim Official Control Related to the Preservation of Landmark Trees.

SUMMARY:

On June 11, 2019, the City Council held a public hearing on this ordinance, Ordinance No. 2019-17, and considered the ordinance and the updated work plan that is provided as Exhibit A to the ordinance.

Also at the June 11, 2019 City Council meeting, the City Council made the policy decision to have Chapter 16.32 BIMC, Preservation of Landmark Trees, apply only to "the Winslow area," and directed staff to bring forward a revised ordinance reflecting this policy direction. Staff has interpreted "the Winslow area" to mean those properties located within the Winslow Master Plan Study Area as shown in Figure 2.3 of the Winslow Master Plan, updated November 8, 2006. A map of the Winslow Master Plan Study Area is included as Exhibit B to the ordinance.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

The current municipal code provides similar requirements for the removal of significant trees within a developed property as the landmark tree ordinance (LTO) (codified as Chapter 16.32 BIMC) within the Mixed Use Town Center and High School Road zoning districts. Like the LTO, significant trees can be removed only when: 1) the tree is dead, or determined to be hazardous; 2) removal is necessary to allow reasonable use or enable permitted construction, and no alternative is feasible; or 3) removal is necessary to maintain utilities, provide access, or fulfill the terms of an easement or covenant recorded prior to the adoption of the ordinance codified in Chapter 16.32 BIMC. Unlike the LTO, significant tree replacement is based on tree units per acre rather than the size of a Landmark Tree proposed for removal. The LTO requires either replacement or payment into the tree fund, which is anticipated to be used because of the development potential for lots in the MUTC.

Additionally, while applying to the Winslow Master Plan Study Area, the LTO will apply to those residentially zoned properties surrounding the MUTC. Those areas do not have the same requirements for removal as currently codified and proposed in the LTO extension, but do require replacement trees that meet the tree unit requirements for the property.

The LTO is intended to provide an additional 6 months of protection of Landmark Trees while the City continues to draft and adopt tree regulations. Those regulations may respond to the recommendations of the Tree Protection Code Revision report written by Peninsula Environmental Group, which focuses primarily on canopy per zone rather than tree units per acre.

The attached ordinance includes highlighted text to show changes from the previous version considered by the City Council.

ATTACHMENTS:

[Ord 2019-17 Extending Landmark Tree Regulations - Winslow Area](#)

[Exhibit A to Ord 2019-17 Extending Landmark Tree Regulations](#)

[Exhibit B to Ord 2019-17 Extending Landmark Tree Regulations](#)

FISCAL DETAILS:

The LTO requires replacement of removed Landmark Trees that are necessary to enable construction on or reasonable use of the property or payment of \$500.00 per each replacement inch not accounted for in the replanting of replacement trees into the Bainbridge Island tree fund.

Fund Name(s):**Coding:**