



July 29, 2020

Vance Rehder
PO Box 10880
Bainbridge Island, WA 98110

Re: Preapplication Conference Summary City File No. PLN50583A PRE

Dear Mr. Rehder,

Thank you for meeting with City staff and the Deputy Fire Marshal on July 28 to discuss single-family residential development of the 4.75 acre undeveloped property located on Pine Way (T.P.N. 022402-1-005-2007). A summary of the conference discussion and City staff review follows, along with submittal requirements for project application review.

The property is encumbered by wetland critical areas and their buffers, in addition to a stream and related buffer in the southwest corner of the property. Critical areas are regulated through [BIMC 16.20](#) Critical Areas.

The proposal for single-family residential development requires a Reasonable Use Exception (RUE), which requires a quasi-judicial decision by a Hearing Examiner. The project is subject to review under the State Environmental Policy Act (SEPA).

The submitted wetland delineation was conducted in August, 2015, and in accordance with BIMC 16.20.140, wetland delineations are valid for five years from the date of the delineation. As discussed during the conference, in order to avoid the requirement to provide a new delineation, I encourage you to submit complete application for the RUE within a timeframe which allows staff sufficient time to intake, route and review the application for completeness (within the next week or two).

The submitted wetland report contains a soils discussion which confirms that there are hydric soils on the site, and refers the reader to figure 3 of the report for the U.S.D.A Natural Resources Conservation Service soils mapping, but figure 3 does not contain this information, nor am I able to find the information elsewhere in the report.

During the conference, both the Development Engineer and I expressed concern about the planned foundation of the home with respect to the hydric soils on the site. The International Building Code requires that buildings and structures be constructed to safely accommodate all loads and foundation construction must be capable of transmitting the loads to the supporting soil. Fill soils that support footings and foundations must be designed, installed and tested in accordance with accepted engineering practice.

Because the RUE application must demonstrate that the proposed impact to the critical area is the minimum necessary to allow reasonable use of the property, and that the proposal does not pose an unreasonable threat to the public health, safety, or welfare, on and off the property, the supporting materials for the application must include a geotechnical evaluation of the location and foundation system of the residence and related elements, including the drainfield and stormwater elements. The

evaluation must be conducted by a geotechnical engineer licensed to practice in the State of Washington.

Because I realize that it may take some time to obtain this evaluation, I ask that you provide the estimated date that the geotechnical evaluation will be submitted to the City when you submit application for the RUE; this will allow the City to publish with some degree of accuracy the date of the hearing upon deeming the application complete.

Please do not hesitate to contact me ktayara@bainbridgewa.gov or 206.780.3787 in the event you have any questions.

Thank you,



Kelly Tayara, Senior Planner

Footnote

¹ BIMC 18.12.050 Rules of measurement.

- 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, rain barrels/cisterns, and covers designed to shade ground-mounted heat pumps and air conditioners to increase their efficiency.

Please note that information provided at the pre-application conference and in this letter reflects existing codes and standards, currently available information about the site and environs, and the level of detail provided in the pre-application conference submittal. Comments provided pursuant to pre-application review shall not be construed to relieve the applicant of conformance with all applicable fees, codes, policies, and standards in effect at the time of complete land use permit application. The comments on this proposal do not represent or guarantee approval of any project or permit. While we have attempted to cover as many of the Planning, Engineering, Building and Fire related aspects of your proposal as possible during this preliminary review, subsequent review of your land use permit application may reveal issues not identified during the initial review. If the city's pre-application review indicates that the City intends to recommend or impose one or more conditions of permit approval, and if the applicant objects to any of said conditions, the applicant is hereby requested and advised to provide written notice to the City of which conditions the applicant objects to and the reasons for the applicant's objections.

General Information	
Pre-Application Conference Date:	July 28, 2020
Project Name and Number:	Rehder PLN50583A
Project Description:	Habitat buffer reduction to construct single family residence and drainfield on a property encumbered by wetland and buffer.
Project Address:	xxxx Pine Way
Tax Parcel Number(s):	022402-1-005-2007
Lot Size:	4.75 acre
Zoning/Comp Plan Designation:	R-1 / Residential
City Project Manager:	Kelly Tayara, Senior Planner ktayara@bainbridgewa.gov 206.780.3787

Land Use Review Process			
Required Land Use Application / Review			
<ul style="list-style-type: none"> To request an application submittal appointment, sign up here https://www.bainbridgewa.gov/1110/Planning-and-Building-Submittal-Appointm The basic submittal requirements are found in the Administrative Manual Required additional plans, studies, reports, and any other requirements for application submittal: <ul style="list-style-type: none"> SEPA checklist Geotechnical Evaluation or the estimated date that this will be submitted to the City The Master Land Use Application is here https://www.bainbridgewa.gov/DocumentCenter/View/7982/Master-Application-PDF Permit fees for applications / reviews identified in this letter (Due at application submittal): <table border="1" data-bbox="334 1360 1385 1413"> <tr> <td>Reasonable Use Exception</td><td>\$ 3,816.00</td></tr> </table> 		Reasonable Use Exception	\$ 3,816.00
Reasonable Use Exception	\$ 3,816.00		
Application Review Process / Timeline			
<p>Land use review procedures are found in BIMC 2.16</p> <ul style="list-style-type: none"> Public Notice Requirements for Land Use Applications BIMC 2.16.020.K <ul style="list-style-type: none"> Within 28 days after receiving a land use permit application, the Department will deem the application complete or incomplete. Within 14 days of complete application, the Department shall publish a Notice of Application, Hearing, and SEPA comment period, as applicable. Application Time Frames <ul style="list-style-type: none"> Within 120 days of complete application, the Department should issue decision on land use applications. Any period during which a request for correction, modification, or additional information necessary for review remains outstanding is excluded from the 120 day period. 			

Bainbridge Island Municipal Code Requirements
Critical Areas BIMC 16.20
BIMC 16.20.080 Reasonable Use Exception
BIMC 16.20.100 Aquifer Recharge Area
Zonng BIMC Title 18
<p>Zoning: R-1</p> <p>Building setback: Front lot line (2) 25 feet; Side lot line (2) 10 feet; rear lot line N/A</p> <p>Note: Add 4 feet to each front setback and five feet to each side setback for each story over two. A story is that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. For example, two floors above a garage would be considered a three-story home.</p> <p>Allowable lot coverage² 15% = approximately 31,036 square feet maximum</p> <p>Maximum height 30 feet</p> <p>Please see Rules of Measurement and Permitted Setback / Height Modifications</p>

Department/Agency Comments
Public Works Department:
Development Engineer Paul Nyland provided the comment during the conference. Mr. Nyland can be reached at 206.780.3783 or panyland@bainbridgewa.gov
Bainbridge Island Fire District Comment:
Deputy Fire Marshal Jackie Purviance, who may be reached at jpurviance@bifd.org or 206.842.7686, provided the attached comment.



MEMO

Date: July 8, 2020
To: Kelly Tayara, Planning Department
From: Jackie Purviance, Deputy Fire Marshal
Re: Rehder PRE PLN50583A PRE

The submittal has been reviewed resulting in the following comments:

1. Any future development shall comply with all provisions of the adopted Fire Code.
2. Fire apparatus access roads shall be not less than 12' wide with 13.5 feet overhead clearance. Dead ends greater than 150' require approved turnarounds.
3. The grade of existing private fire apparatus access roads shall not exceed 12%. Private fire apparatus access roads where grades are greater than 12% but not exceeding 15% shall be paved, or in lieu of paving, shall have an automatic fire sprinkler system installed in any new structure. Grades exceeding 15% will require the fire apparatus access road to be paved, all new structures to be equipped with automatic fire sprinkler systems, and special approval by the fire code official.
4. Residential fire sprinklers or a fire hydrant may be required to meet fire flow for future development.



DEPARTMENT OF PUBLIC WORKS - ENGINEERING

MEMORANDUM

Date: July 28, 2020
To: Kelly Tayara, Sr. Planner, Planning and Comm. Development
From: Paul Nylund, P.E., Development Engineer
Subject: PLN50583A PRE – Rehder RUE for SFR

Project Description:

The proposal is to construct a single-family residence (SFR) within a wetland buffer. The subject parcel is identified by tax id 022402-1-005-2007 and is located along the southern edge of NE Pine Way in the City of Bainbridge Island. A pre-application conference was held via online conferencing software on Tues, 28 July 2020.

Comments:

1. Decision criteria for review of an RUE by the City includes a determination of whether the application has proven no reasonable alternative to the proposal with less impact to the critical area or its buffer is possible and whether the impact is the minimum necessary to allow reasonable use of the property. Supporting information addressing the possible minimization of impacts and incorporation of the following recommendations should be provided with the application:
 - a. Preventing further encroachment into the wetland buffer from exterior access points (i.e. exterior walkways through the wetland buffer should utilize a handrail or barrier.
 - b. Hardscaping should be constructed of permeable materials or contain wide permeable jointing where feasible to allow infiltration or shallow subsurface filtration of surface stormwater prior to discharging to the wetland.
 - c. Reduction of construction and long-term use impacts by installing boardwalk style raised external walkways on pier foundations in the wetland buffer should be assessed versus at grade constructed walkways and hardscaping.
 - d. Minimization of other hard surfaces by reduction of the driveway to the minimum necessary.

- e. Consideration of stilt construction or grade beam on pier foundations versus of traditional slab on grade or retained earth and spread footing foundation construction and the impacts of each system should be addressed in the application through an assessment by the wetland biologist.
- 2. The land use application shall demonstrate how storm water shall be handled in conformance with current Bainbridge Island Municipal Code (BIMC) 15.20. The Site Assessment Review (SAR) recommendation letter issued on 7/13/2020 contains further information regarding implementation of Low Impact Development (LID) design.
 - a. Roof stormwater shall be treated according to List No. 1 of the stormwater manual. Diffuse flow methods (i.e. BMP C206: Level Spreader, or, BMP T5.10B: Downspout Dispersion Systems) should be used to discharge roof surface stormwater towards the wetland where full-infiltration on-site is not feasible.
- 3. New access to the COBI ROW shall be improved to the standard paved residential driveway approach detail DWG. 8-170. Road approach may remain as existing gravel approach if determined by City Engineer during Land Use or Building permit review that the adverse effect of additional hard surface from a paved road approach in a wetland buffer would justify overriding COBI policy on paved road approaches in the Public Right of Way.
- 4. The site is not located within the COBI water or sewer service areas.
- 5. Transportation Impact Fees (TIFs) per BIMC 15.30 shall be required for issuance of a building permit for a new single-family residence.
- 6. The driveway access to the site from Pine Way is over 150 feet. Access driveway shall be considered a fire apparatus access road and comply with surfacing, dimensional and loading requirements in addition to any other comments provided by fire marshal.

Please note that information provided in this letter reflects existing codes and standards, currently available information about the site and environs. Comments provided pursuant to preapplication review shall not be construed to relieve the applicant of conformance with all applicable fees, codes, policies, and standards in effect at the time of complete land use permit application. The comments on this proposal do not represent or guarantee approval of any project or permit. While we have attempted to cover as many of the Planning, Engineering, Building and Fire related aspects of your proposal as possible during this preliminary review, subsequent review of your land use permit application may reveal issues not identified during the is initial review.