

## Theresa Rice

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**From:** A G [algr@msn.com]  
**Sent:** Tuesday, January 31, 2012 1:13 PM  
**To:** PCD  
**Subject:** Fw: Planning Commission - SMP Buffers and Nonconforming Uses  
**Attachments:** DOE SMP Handbook Chapter11 Veg Buffers.pdf; 011912 pcpacket buffers and nonconforming uses.pdf

Attention: Planning Commission

Ladies and gentlemen of the Planning Commission:

Please do not recommend regulatory structures that exceed the absolute minimum requirement of Washington State code.

Thank you.

Albert and Jola Greiner  
5492 Rockaway beach Rd.

----- Original Message -----

**From:** Gary Tripp  
**To:** \*Bainbridge Citizens  
**Sent:** Tuesday, January 31, 2012 11:57 AM  
**Subject:** Planning Commission - SMP Buffers and Nonconforming Uses

The Planning Commission will meet Thursday the 2<sup>nd</sup> at 6:30 to consider SMP Vegetation Buffers and Nonconforming Development.

This meeting was rescheduled from the snowy Thursday.

PC Packet is attached

Comments can be sent [pcd@ci.bainbridge-isl.wa.us](mailto:pcd@ci.bainbridge-isl.wa.us)  
Be sure to include Attention: Planning Commission

DOE SMP Handbook - Chapter 11 - page 30

### **General recommendations for buffer width**

Small-lot residential development in highly developed areas provides some ecological functions. Buffers or setbacks with vegetation conservation requirements of roughly 30 to 60 feet may be appropriate. If these areas include critical areas, larger buffers likely will be needed.

80% of Bainbridge's shoreline is developed and most of the lots are small, 50 to 200 feet wide. The current 50 ft. buffer is appropriate for Bainbridge.

Buffers, like all other provisions of the SMP, **cannot** be applied retroactively to existing uses and structures. Future development that causes new impacts will require mitigation. A mitigation plan will usually consist of improved storm water management and creation of a vegetation buffer proportional to the new impacts.

The **Good News** is that the draft does allow for homes to be rebuilt in the existing footprint or landward of the footprint, and the expansion is no greater than 25%. *The 25% limitation is Not required by DOE.*

The **Bad News** is that most Nonconforming **Accessory Structures**, like decks, boathouses and stairs can't be rebuilt and rebuilding of garages and carports is limited to one car. *This is NOT required by DOE.*

The **Bad News** is that if you want to change your landscaping you will be forced to plant some no-touch buffer including trees. *This is NOT required by DOE.*

Rebuilding existing Accessory Structures or replacing landscaping does not cause an impact on the environment and does not require mitigation to meet "no net loss".

**Questions:**

1. Why is the PC considering buffers that are 200% larger than those recommended by the DOE?
2. Why does the draft SMP contain provisions and restrictions not required by DOE?
  - a) Why does the draft prohibit rebuilding of decks, gazebos, boathouses, stairs, and sheds, and limiting rebuilding of garages and carports to one car???
  - b) Why is there a 25% limit on expansion if the expansion is landward or upward and there is no net loss of ecological function?
  - c) Why does the draft require creating a buffer if you change your landscaping?
3. Why does the draft require the Administrator's approval at every turn? The regulations should be clear and not subject to the arbitrary decisions of the Administrator (read Staff).

Currently any deck over 3 feet off the ground is consider part of the home's footprint and can be rebuilt and enclosed as part of the home if desired, but the new proposal to declare decks as nonessential and prohibit them from being rebuilt would decrease the footprint and the living area of the home. Decks are important living areas and part of the home. Why is the city considering prohibiting rebuilding decks?

**Please tell the Planning Commission to protect our decks and other existing uses and structures.**  
[pcd@ci.bainbridge-isl.wa.us](mailto:pcd@ci.bainbridge-isl.wa.us) Attention: Planning Commission

**City Council [Council@bainbridgewa.gov](mailto:Council@bainbridgewa.gov)**

Gary Tripp