



PLANNING COMMISSION

MEETING PACKET

August 23, 2016

PLANNING COMMISSION

PRE-MEETING

August 23, 2016



**Planning Commission Briefing Agenda
August 23, 2016
7:00 pm**

Members

Greg Wasinger, Chairman
Bruce Freeman, Vice-Chairman
Sandi Peterson
Cecil Pierce
Jes Walker-Wyse
Hal Hovey
Alyssa Merriman

1. Council action update
 - § Medical Marijuana and Cooperatives – Code Amendment
 - § Valley High Investments – Annexation
 - § Impact Fee Deferral – Code Amendment
 - § Transportation Plan
 - § Transportation Improvement Plan
2. Current Planning
 - § Model Home Ordinance
3. Long Range Planning
 - § County Comprehensive Plan, CWPP and Inter-local Agreement
4. Planning Commission questions and comments
 - § Agenda items
 - § General
5. Next Meeting – September 27, 2016

2016
PENDING AGENDA

| Order | Item | Staff | Public Hearing? | CC Anticipated Dates | Notes |
|---------------------------|----------------------------|--------|-----------------|----------------------|-------|
| September 27, 2016 | | | | | |
| 1 | Low Impact Development | Dennis | No | TBA | |
| 2 | SEPA Threshold | Cac | No | TBA | |
| 3 | Model Homes Code Amendment | Ray | Yes | Oct 4 | |
| October 25, 2016 | | | | | |
| 1 | SEPA Threshold | Cac | Yes | TBA | |
| 2 | | | | | |
| November 29, 2016 | | | | | |
| 1 | | | | | |
| 2 | | | | | |
| 12/??/2016 | | | | | |
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |

PLANNING COMMISSION

AGENDA

August 23, 2016

CITY OF OAK HARBOR
PLANNING COMMISSION
REGULAR MEETING
CITY HALL

AGENDA
August 23, 2016
7:30 P.M.

1. ROLL CALL: WASINGER _____ FREEMAN _____
PETERSON _____ PIERCE _____
WALKER-WYSE _____ HOVEY _____
MERRIMAN _____

2. **Approval of Minutes – July 26, 2016**
See Page 8

3. **Public Comment** – Planning Commission will accept public comment for items not otherwise on the agenda for the first 15 minutes of the Planning Commission meeting.

4. **CODE AMENDMENTS – TIME EXTENSIONS FOR PLATS – Public Hearing**
The Planning Commission will conduct a public hearing on code amendments to OHMC 21.20.080 and 21.40.020 to reflect the changes to time limit extensions for preliminary plats and the vesting period for final plats that were adopted by the State Legislature in SSB 6544 and SHB 1074. The time extensions vary based on dates of preliminary plat approval and Shoreline Management Act (SMA) jurisdiction. The Planning Commission is expected to make a recommendation to the City Council on these amendments.
[REF Draft Ordinance No. 1782]
See Page 26

5. **LOW IMPACT DEVELOPMENT – Public Meeting**
Staff will present an update to the Planning Commission on the low impact development code amendment project.
See Page 32

MINUTES

July 26, 2016

**Oak Harbor Planning Commission
Regular Meeting Minutes
July 26, 2016**

1. Roll Call

Present:

Greg Wasinger
Bruce Freeman
Jes Walker-Wyse
Cecil Pierce
Hal Hovey
Alyssa Merriman

Absent:

Sandi Peterson

Staff Present:

Steve Powers, Development Services Director
Cac Kamak, Senior Planner
Dennis Lefevre, Senior Planner
Ray Lindenburg, Associate Planner
Arnold Peterschmidt, Project Engineer

2. Approval of Minutes – June 28, 2016

Motion: Jes Walker-Wyse moved to approve the June 28, 2016 minutes as presented. Motion seconded by Hal Hovey, unanimously approved.

3. Public Comment

No comments.

4. TRANSPORTATION PLAN UPDATE – Public Hearing

Mr. Peterschmidt displayed a PowerPoint presentation (Attachment 1) and reviewed the purpose, background, goals and policies, planning process, community outreach methods and the 20-year project list.

The public hearing was opened at 7:44 p.m.

Planning Commission Discussion

Planning Commission questioned staff about the term “concurrency” and about the Gun Club Road extension project.

Seeing no public comment the public hearing was closed at 7:46 p.m.

Motion: Cecil Pierce moved to recommend that the City Council approve Resolution No. 16-23 adopting the 2016 City of Oak Harbor Transportation Plan. Motion seconded by Bruce Freeman, unanimously approved.

5. SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) – Public Hearing

Mr. Peterschmidt displayed a PowerPoint presentation (Attachment 2) and reported that the TIP has been updated to reflect the Transportation Plan update. Arnie Peterschmidt reported that the City is required by State law to submit an approved six-year Transportation Improvement Program. The primary purpose of the TIP is to facilitate use of Federal transportation funds awarded to the City. The submittal process is accomplished in conjunction with the Regional Transportation Planning Organization (RTPO). Once approved by the Council, the City's TIP is submitted to the RTPO. In turn, the RTPO submits a regional TIP to the State. The State then prepares a statewide TIP. The incorporation of the City's projects into this statewide TIP is what enables the City to spend Federal funds on local transportation projects. Mr. Peterschmidt reviewed the projects listed in the TIP.

The public hearing was opened at 7:53 p.m.

Planning Commission Discussion

Planning Commission questioned staff about what determines whether or not a project receives State funding. Mr. Peterschmidt stated that it is a competitive process that involves submitting an application for evaluation and if the project matches the criteria better than others it will get funded.

Motion: Cecil Pierce moved to recommend that the City Council adopt the 2017-2022 Six-Year Transportation Improvement Program. Motion seconded by Hal Hovey, unanimously approved.

6. CODE AMENDMENTS – TIME EXTENSIONS FOR PLATS – Public Meeting

Cac Kamak displayed a PowerPoint presentation (Attachment 3) and reported that RCW 58.17.140 sets time period to file Final Plats and Preliminary Plats; that time limit is set at 5 years. During the down economic period the State legislature made several changes to extend that time in 2010, 2012 and 2013. Mr. Kamak reviewed the platting process and detailed how the legislature changes applied the time extensions for preliminary plats and vesting period for final plats. Mr. Kamak stated that staff will present the code amendments that implement the legislative changes at the next Planning Commission meeting.

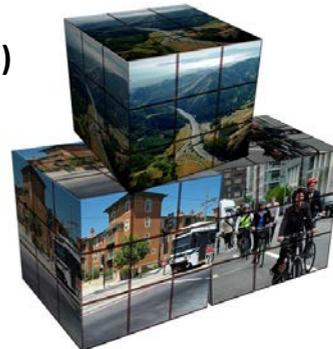
Meeting adjourned at 8:04 p.m.

City of Oak Harbor Transportation Plan



Transportation Plan

- **Required element of City's Comprehensive Plan per the Growth Management Act (GMA)**
- **Consider various modes**
- **Level of Service**
- **Needed facilities and services (20 yrs)**
- **Funding program**
- **Transportation Element Adopted June 2016**
- **Adoption of Complete Plan**



Plan Outline

1. Introduction
2. Conditions and Trends
3. Community & Stakeholder Outreach
4. Transportation Goals & Policies
5. Future Transportation Vision
6. Capital Plan
7. Implementing the Transportation Element

Transportation Goals & Policies

1. Safe for all users
2. Connected and efficient
3. Multimodal
4. Financially and environmentally sustainable
5. Complementary of the City's land use and adopted plans
6. Integrated with the regional transportation network





Community & Stakeholder Outreach

Public Input & Outreach

- **November 2015**
 - Priority Networks
 - Identified Needs
- **February 2016**
 - Draft Project List
 - Feedback
- **Online Survey**
 - How residents travel today?
 - What modes need the most attention?

Community & Stakeholder Outreach

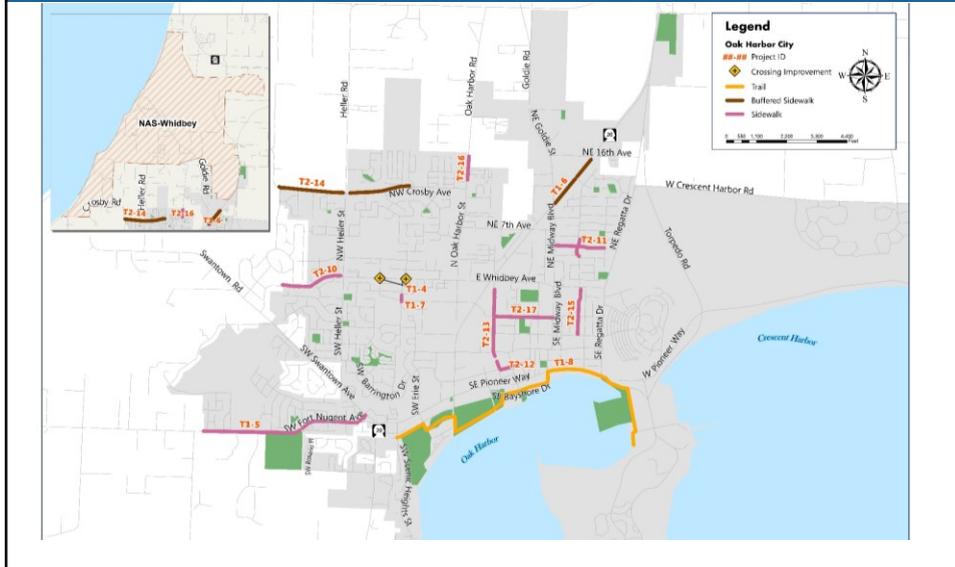


Financially Constrained 20 Year Project List

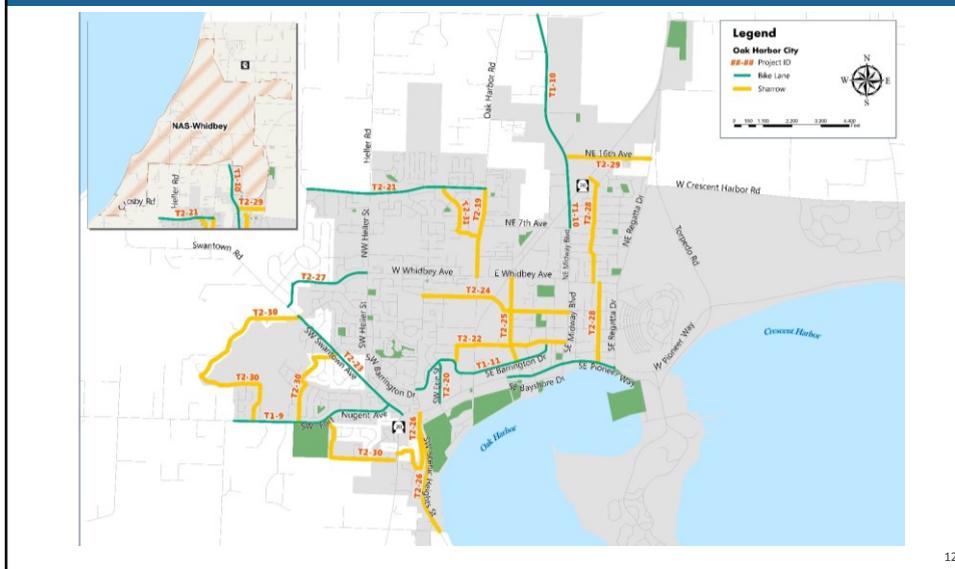
| Project | Description | Planning Level Cost |
|--|---|---------------------|
| Pavement Maintenance | <ul style="list-style-type: none"> Annual pavement maintenance and overlay program | \$2.3M |
| NE 7th Avenue Roadway and Pedestrian Improvements | <ul style="list-style-type: none"> Full reconstruction of the roadway Construction of the missing sidewalks on the north side of road and multiuse path on the south side of the road | \$4.7M |
| | Total | \$ 7M |



20 Year Project List: Pedestrians



20 Year Project List: Bicycles



Questions?

Arnie Peterschmidt

apeterschmidt@oakharbor.org

Dennis Lefevre

dlefevre@oakharbor.org

Kendra Breiland

k.breiland@fehrandpeers.com

Transportation Improvement Program 2017-2022



Planning Commission

7/26/16

Purpose

- Meet the public hearing requirement
- **Seek Planning Commission's recommendation of the 2017-2022 Transportation Improvement Program (TIP) to City Council**



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2

Background

- Required by State Law
- Updated every year
- 6 year plan
- TIP is used to facilitate use of Federal transportation funds on City projects



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3

Background

- Plan is forwarded to the Island Transportation Planning Organization (ITPO)
- ITPO in turn submits a regional TIP to the State
- State prepares statewide TIP in January of each year



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7/26/16

4

Projects

1. NE 7th Avenue Reconstruction – N. Oak Harbor St. to SR-20
2. NW Heller Street Overlay – W. Whidbey Ave. to NW Crosby Ave.



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5

NE 7th Ave Reconstruction

- Federal Surface Transportation Funds
- State Transportation Improvement Board
- Local Match
- Total Estimate \$4.7M
- Design: 2018
- Right-of-Way 2019
- Construction 2020



Planning Commission

10/28/2014

6

NW Heller St. Overlay

- Federal Surface Transportation Funds
- Local Match
- Total Estimate: \$361K
- Design 2017
- Construction 2017



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7

Funding

- No funds required to develop TIP



Planning Commission

7/26/16

8

Requested Action

- Conduct a public hearing for the 2017-2022 TIP
- Recommend that City Council adopt the 2017-2022 six-year Transportation Improvement Program





PLAT EXTENSIONS CODE AMENDMENTS

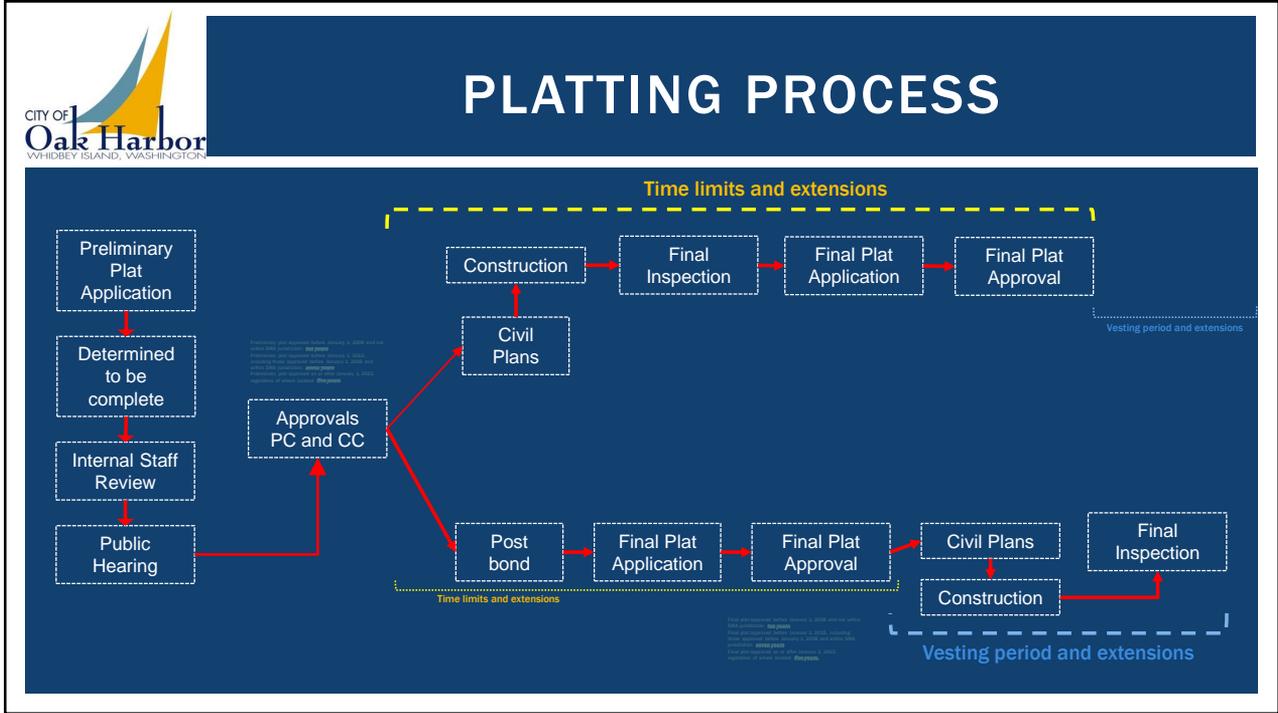
Planning Commissions

7/27/2016



PLAT EXTENSIONS

- RCW 58.17.140 – sets time period to file Final Plats and Preliminary Plats
- That time limit is set at 5 years
- During down economical period legislature made several changes to extend that time – 2010, 2012 and 2013
- The changes extended filing periods to seven, nine and ten years
- The time periods apply differently based on when the Preliminary Plat was approved and whether it is under the SMA
- The time periods apply to preliminary plat extensions and final plat vesting



- **Preliminary plat** approved before January 1, 2008 and not within SMA jurisdiction: **ten years**
- **Preliminary plat** approved before January 1, 2015, including those approved before January 1, 2008 and within SMA jurisdiction: **seven years**
- **Preliminary plat** approved on or after January 1, 2015, regardless of where located: **five years**

- **Final plat** approved before January 1, 2008 and not within SMA jurisdiction: **ten years**
- **Final plat** approved before January 1, 2015, including those approved before January 1, 2008 and within SMA jurisdiction: **seven years**
- **Final plat** approved on or after January 1, 2015, regardless of where located: **five years**

Planning
Commission

Questions?



PLAT EXTENSIONS
CODE AMENDMENTS

Planning
Commission

Code Amendments: Time Extension for Plats

Public Hearing

City of Oak Harbor Planning Commission Report

Date: August 23, 2016
Subject: Code Amendments for
Preliminary and Final Plat
Extensions

FROM: Cac Kamak, AICP, Senior Planner, Development Services Department

PURPOSE

This memo introduces amendments to two sections of the Oak Harbor Municipal Code. One is to amend OHMC 21.20.080 for preliminary plats that extend the time period to complete construction, and the other to OHMC 21.40.020 to extend the time period for filing final plats, and the vesting period for final plats. The purpose of these amendments is to bring the respective OHMC into compliance with the changes made to RCW 58.17.140 and RCW 58.17.170.

BACKGROUND

RCW 58.17.140 sets the time period that an applicant has to file a final plat after the preliminary plat is approved. This time limit is set at five years. In 2010, the legislature (SSB 6544) changed the time period from five to seven years for plats that were approved on or before December 31, 2014. Plats approved after this date revert back to five years.

In 2012 the legislature amended the rule again and provided a nine year period for submitting a final plat, but only for preliminary plats that were approved before December 31, 2007 and that are not subject to the Shoreline Management Act (SMA).

In 2013, the legislature (SHB 1074) amended the rule again and extended that period for filing a final plat to ten years, if the preliminary plat approval was prior to January 1, 2008 and the plat is not subject to the SMA. However, the 2013 amendments did not change the 2012 amendments and the time period for submitting a final plat when the preliminary plat approval was on or after January 1, 2008, or before that date when the plat is subject to the SMA. That period is seven years, if the preliminary plat approval is before January 1, 2015, and five years if the preliminary plat approval is on or after January 1, 2015.

In addition to extending the time period for filing a final plat, SHB 1074 also extended the time period after final plat approval under which the plat approval is vested in a manner similar to the extensions.

SUMMARY

The applicable time periods for filing a final plat as of July 28, 2013 (effective date of SHB 1074) are as follows:

- Preliminary plat approved before January 1, 2008 and not within SMA jurisdiction: *ten years*.
- Preliminary plat approved before January 1, 2015 (including those approved before January 1, 2008) and within SMA jurisdiction: *seven years*.
- Preliminary plat approved on or after January 1, 2015, regardless of where located: *five years*.

The applicable vesting periods for final plats as of July 28, 2013 (effective date of SHB 1074) are as follows:

- Final plat approved before January 1, 2008 and not within SMA jurisdiction: *ten years*.
- Final plat approved before January 1, 2015 (including those approved before January 1, 2008) and within SMA jurisdiction: *seven years*.
- Final plat approved on or after January 1, 2015, regardless of where located: *five years*.

The proposed code amendments (Draft Ordinance No. 1782, Attachment 1) will capture the changes the State made to RCW 58.17.140 and RCW 58.17.170. The amendment to OHMC 21.20.080 *Effect of Approval* will extend the time for construction to be completed after the preliminary plat is approved. This construction period matches the time period extensions for filing of final plats. The amendment to OHMC 21.40.020 *Timeline for Submittal of Final Plat and Extensions for Completion of Improvements* addresses the time period for filing of final plats and the vesting periods.

RECOMMENDATION

- Ø Conduct Public Hearing.
- Ø Recommend approval of the Draft Ordinance No. 1782, which amends OHMC 21.20.080 and 21.40.020 to extend construction times after preliminary plat approval, and extend the period for filing and vesting final plats.

RECOMMENDED MOTION

I move the Planning Commission recommend approval of Draft Ordinance No. 1782 to the City Council.

ATTACHMENT

1. Draft Ordinance No. 1782: amendments to OHMC 21.20.080 *Effect of Approval* and OHMC 21.40.020 *Timeline for Submittal of Final Plat and Extensions for Completion of Improvements*.

ORDINANCE NO. 1782

AN ORDINANCE AMENDING OAK HARBOR MUNICIPAL CODE SECTION 21.20.080 “EFFECT OF APPROVAL” AND SECTION 21.40.020 “TIMELINE FOR SUBMITTAL OF FINAL PLAT AND EXTENSIONS FOR COMPLETION OF IMPROVEMENTS”

WHEREAS, RCW 58.17.140 and RCW 58.17.170 establish the time limits for filing for final plat approval and vesting periods for final plats; and

WHEREAS, the State Legislature adopted SSB 6544 in 2010, EHB 2152 in 2012, and SHB 1074 in 2013 to extend the time limit for filing final plats based on the time of preliminary plat approval and Shoreline Management Act jurisdiction; and

WHEREAS, the City of Oak Harbor finds that it is in the public’s best interest to amend the code to reflect the changes made by the State; and

WHEREAS, the Planning Commission held a public hearing on the code amendments on August 23, 2016; and

WHEREAS, after due and proper notice, public hearings on the amendments were conducted by the City Council on September 6, 2016;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. Oak Harbor Municipal Code, Section 21.20.080 entitled “Effect of approval”, last amended by Ord. 1617 (2011), is hereby amended to read as follows:

21.20.080 Effect of approval.

- (1) Approval of the preliminary plat by the city council shall constitute approval for the applicant to develop construction plans and specifications for facilities and improvements, as required, in strict conformance with the approved preliminary plat, street and utility standards adopted by the city, and any special conditions required by the council.
- (2) Permission shall not be granted for installation of required improvements until all construction plans and specifications have been approved in writing by the city engineer.
- (3) **Time for Performance.** Except as provided for in OHMC 21.40.020, construction shall be completed within five (5) years of the date of the city council resolution approving the preliminary plat or the preliminary plat approval shall terminate and all permits and approvals issued pursuant to such authorization shall expire and be null and void. If construction has been commenced but the work has been abandoned for a period of one (1) year or more, and if no extension of time has been granted as provided in OHMC 21.40.020, the authorization granted for the preliminary plat shall terminate and all

permits and approvals issued pursuant to such authorization shall expire and be null and void except as provided below:

- (a) Construction shall be completed within ten (10) years of the date of city council resolution approving the preliminary plat if it was approved before January 1, 2008; or
- (b) Construction shall be completed within seven (7) years of the date of city council resolution approving the preliminary plat if it was approved before January 1, 2015 and within Shoreline Management Act jurisdiction.

Section Two. Oak Harbor Municipal Code Section 21.40.020, entitled “Timeline for submittal of final plat and extensions for completion of improvements”, last amended by Ord. 1658 (2010), is hereby amended to read as follows:

21.40.020 Timeline for submittal of final plat and extensions for completion of improvements.

- (1) Final plat approval is a Type IV review process, in accordance with Chapter 18.20 OHMC.
- (2) An application for final plat approval shall be submitted to the director within five (5) years of the preliminary plat approval and when either:
 - (a) The subdivider has completed and has received approval of the construction and installation of all improvements; or
 - (b) The subdivider has submitted an approved performance bond in lieu thereof.
- (3) An application for final plat approval shall be submitted to the director within ten (10) years of the preliminary plat approval if the plat was approved before January 1, 2008.
- (4) An application for final plat approval shall be submitted to the director within seven (7) years of the preliminary plat approval if the plat was approved before January 1, 2015 and within Shoreline Management Act jurisdiction.
- (5) The city council may grant a time extension for completion of the requirements for preliminary plat for a maximum of one (1) year. Said extension shall be conditioned upon:

 - (a) ~~The plat meeting all subdivision requirements which are in effect at the time the extension is granted; and~~
 - ~~(b) Upon a showing that the applicant has attempted in good faith to submit the final plat within the five (5) year period.~~

(6) Any lots in a final plat filed for record shall be a valid land use not withstanding any change in zoning laws, in accordance with time periods established in RCW 58.17.170 as hereafter amended.

Section Three. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

Section Four. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication.

PASSED by the City Council this 6th day of September, 2016.

Veto ()
Approve ()

THE CITY OF OAK HARBOR

By _____
Robert Severns, Mayor

Dated: _____

Attest:

Anna Thompson, City Clerk

Approved as to Form:

Nikki Esparza, City Attorney

Published: _____

Low Impact Development

Public Meeting

City of Oak Harbor Planning Commission Report

Date: August 23, 2016
Subject: Low Impact Development –
Code Amendment

FROM: Dennis Lefevre, AICP, Senior Planner, Development Services Department
Brad Gluth, Civil Engineer, Public Works Department

PURPOSE

This report serves as an update to the low impact development (LID) code amendment project.

BACKGROUND

The City of Oak Harbor, a Phase II jurisdiction under the National Pollutant Discharge Elimination System (NPDES), is required to review, revise and make effective code amendments to incorporate and require LID best management practices (BMPs) and principles. Low impact development means a storm water management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrologic functions. Simply put, low impact development requires that most stormwater stays on the site.

As presented to the Planning Commission back in January, the Washington Department of Ecology (DOE) has provided guidance to local jurisdictions in meeting the LID requirements. In addition to training opportunities, DOE prepared a code integration toolkit¹ which identified six steps to successfully integrate LID into our local code. Those steps are:

- Step 1. Assemble the project team;
- Step 2. Understand general topics to address;
- Step 3. Review existing codes and standards;
- Step 4. Amend existing codes and develop new codes;
- Step 5. Public review and adoption process; and,
- Step 6. Ensure successful implementation.

The purpose of this meeting is to update the Planning Commission on the progress made as they relate to these six steps.

DISCUSSION

Step 1. Assemble the project team. A “core” team of staff was assembled the middle of last year to guide the initiation of this project. Core staff members represented Administration, Public Works, Legal, and Development Services. This team provided the guidance to establish other required project components, such as an external and internal stakeholder group, amendment

¹ Low Impact Development – Code Update and Integration Toolkit, 2014, Washington Department of Ecology.

review and revision, and the review and adoption process.

An external stakeholder group was identified and convened in March to present the project framework and receive feed-back on their potential areas of concern or support. Members of this group represented: Oak Harbor Public Schools; Whidbey Island Conservation District; Skagit/Island Counties Builders Association; a local contractor; an engineering firm; and, a realtor. Several members of the City's core team also attended these meetings.

Through a series of five meetings, each of the 12 general topics was discussed. Some of the key points made included providing flexibility and understanding that one size does not fit all; long-term maintenance which included maintenance by a homeowner's association; individual property owners, and the City; and, providing options to a developer in terms of lot size, setbacks, structure height, and lot coverage.

A series of meetings were also held including representatives from City staff that work directly with stormwater, provide fire and garbage service, planning, and other specialty staff. This internal stakeholder group met several times. Road width, location of bioretention facilities, fire and building code conflicts, and issues involved with inspections and maintenance costs were key points raised by this group.

Step 2. Understand general topics to address. The DOE toolkit identified 12 general topics to be understood and addressed. These topics included: site planning and assessment; healthy soils; landscaping, native vegetation, and street landscaping; hard and impervious surfaces; bulk and dimensional considerations; clearing and grading; streets and roads; parking; design guidelines and standards; stormwater management and maintenance; subdivision and planned unit development; and, critical areas and shoreline management. All general topics were presented to the core, external and internal teams with all topics understood.

Step 3. Review existing codes and standards. A complete review of existing policy and regulatory documents was performed to identify incorporation of low impact development techniques and requirements. Because of the technical assistance grant that was awarded in 2007, several areas of the Oak Harbor Municipal Code (OHMC) and Shoreline Master Program (SMP) incorporated low impact development.

In addition to the OHMC and SMP, the Land Use Comprehensive Plan, Parks Comprehensive Plan, Water System Plan, Wastewater Treatment Facility Plan, Design Regulations & Guidelines, and Street Design Standards were reviewed.

Along with the 12 general topics identified in the DOE toolkit, subtopics and considerations were identified for each topic (see Attachment 1). These subtopics and considerations gave guidance as to how the code could address low impact development.

Each topic, subtopic and consideration was reviewed to determine if and how they were

addressed in existing code. A document was prepared that identifies where our existing code focuses (to some degree) on the consideration.

Step 4. Amend existing codes and develop new codes. Staff is currently assessing this step to determine what gaps or barriers may exist and how, based on input from Step 1, code should be amended.

Step 5. Public review and adoption process. As noted under Step 1, public involvement has been initiated with the formation of the external stakeholders group. This group will also be convened to review and discuss draft code amendments. The Planning Commission has been updated regarding project scope and progress and will be a primary reviewing body. Following a public hearing, the Planning Commission will transmit their recommendation to the City Council. The City Council has been briefed of this project and will have an opportunity for draft code amendment review at workshops and will ultimately adopt the amendments by ordinance.

Step 6. Ensure successful implementation. Monitoring of code implementation will be an important task to determine what code amendments have been successful and what areas may need to be adjusted. Efficiency of this monitoring will be dependent on several factors including number of project submittals to which the code amendments are applicable.

RECOMMENDED ACTION

No recommended action at this time.

SUGGESTED MOTIONS

No suggested motion at this time.

ATTACHMENTS

1. DOE Toolkit topics/subtopics/considerations.

Attachment 1

TOOLKIT (WDOE) TOPICS, SUBTOPICS & CONSIDERATIONS

Site Planning and Assessment (Topic)

- Building locations (Subtopic)
Can the code be revised to require that buildings are located away from critical areas and preserve soils with good infiltration potential for stormwater management?
(Consideration)

- Parking area locations
Can the code be revised to encourage positioning parking areas near the entrance to the site to reduce long driveways?
Are there any incentives to developers to provide parking within garages rather than surface parking lots?

- Stormwater treatment/flow control BMP/facility locations
Can the code be revised to require infiltrating LID facilities in areas with good infiltration potential?
Can the code include a site planning approach that emphasizes prioritizing the location of stormwater management facilities on site?

Healthy Soils

- Protecting and restoring healthy soil
Is a soil management plan in place that identifies soil protection zones and describes quantities of compost amendment?
Are protection areas required to be fenced?

- Compost amendments
Can code be revised to require amendment of disturbed soils?
Could compost be provided to incentivize small projects?

- Compaction
Can the code be revised to include types of equipment for clearing and grading that minimize compaction of soils?
Can clearing, grading, and soil disturbance outside the building footprint be limited or restricted?
Consider requiring contractors to reestablish permeability of soils that have been compacted by construction vehicles.

Landscaping, Native Vegetation, and Street Landscaping

- Tree preservation
Are there regulatory controls over tree clearance and removal of mature/forest stands?
Can the code be revised to place greater emphasis on preservation of conifers?
Can the code include strategies to orient retained vegetation and open space to disconnect impervious surfaces?

- Screening
Can the screening requirements be revised to include provisions for retaining native vegetation or replanting?
Can vegetation planted within LID facilities count towards site, parking, or perimeter screening requirements?
- Landscaping requirements for street frontages
Can the street frontage code be revised to include other landscaping between the sidewalk and the street?
Can vegetation planted within LID facilities count towards open space or landscaping requirements?
- Landscaping requirements for parking lots
Are minimum tree canopy or vegetation requirements specified for parking lots?

Hard and Impervious Surfaces

- Maximum impervious surface allowances
Does the code include maximum impervious surface limits for different land use types?
Can the maximum impervious surface limits be reduced in residential areas?
Can a portion of the impervious surface be designated as non-pollution generating impervious surface?
- Shared driveways
Are shared (or common) driveways for multiple single-family dwellings, multi-family structures, and/or commercial development allowed?
Can the use of shared driveways (for up to 4 or 6 houses) be incorporated?
- Minimum driveway width
Is a minimum driveway width specified?
Can the minimum driveway width be reduced to 9 feet or less (one lane), 18 feet (two lanes), or 16 feet (shared driveway)?
- Use of permeable pavement for driveways
Are alternative surfaces (other than conventional concrete or asphalt) allowed?
Can the code be revised to include incentives for use of permeable pavement for driveways?
- Two-track driveway design
Is a two-track driveway design allowed?

Bulk and Dimensional Considerations

- Building setbacks
Can setback distances be minimized in residential areas to increase flexibility in regard to house location?
Can frontage areas requirement be reduced in open space residential developments?

Are irregular lot shapes (pie, flag, zipper, etc.) allowed?

- Height limits

Can the maximum building height be increased if building footprints are reduced?

- Maximum square footage

Can code be revised to incentivize or encourage minimizing building footprints?

- Clustering

Are cluster development designs allowed?

Are cluster development designs allowed “by right” (no special permit or zoning variance required)?

Are flexible site design criteria available for developers that utilize cluster design options?

Clearing and Grading

- Protecting existing infiltration

Do clearing and grading regulations include provisions for minimizing site disturbance and protecting native vegetation and soils?

- Conserving native vegetation/soils

Is there an existing ordinance that requires or encourages the preservation of natural vegetation?

Is wholesale clearing (mass grading) of sites prohibited or limited?

Are developments required to set aside an undeveloped portion of the site?

Are there specific native vegetation retention standards based on land use and density?

Is there any incentive to developers or landowners to conserve land (open space design, density bonuses, stormwater credits, or lower property tax rates)?

Does the native vegetation definition (or other code section) include minimum tree density, minimum retention requirements, protecting native vegetation areas, replanting requirements, soil amendment standards, management plan specifications, and maintenance requirements?

- Construction sequencing

Does the code include methods for effective construction sequencing to minimize site disturbance and soil compaction?

Do engineering and street standards outline construction sequencing and practices for protecting pervious areas and LID BMPs during construction?

Can the code be revised to limit clearing to the building footprint and area needed for maneuvering machinery?

Streets and Roads

- Travel lane widths

What minimum travel lane widths are required based on street classification?

Is the travel lane wider than required by the fire department or other emergency responders?

Can street widths be reduced for local access streets?

Are narrower pavement widths allowed along sections of roadway where there are no houses, building, or intersections, and where on-street parking is not anticipated?
Are queuing lanes (i.e., cars wait between parked cars while approaching traffic passes) allowed?

- Right-of-way (ROW) widths
Can the minimum ROW width be reduced or include flexibility for LID considerations?
Can sidewalks be placed on one side of the street only in low-density residential areas?
Can alternate pedestrian networks (e.g. trails through common areas) be substituted for sidewalks?
- Use of permeable pavement for streets and roads
Can permeable pavement be used for road shoulders, parking lanes, and emergency parking areas?
Does the code require or encourage use of permeable pavement for future street/road resurfacing projects?
- Placement of utilities under paved areas in the ROW
Does the code allow utilities to be placed under the paved section of the ROW?
- Required turn around area (e.g., fire, USPS)
Is the minimum street section necessary for safe access and emergency response being used?
- Sidewalk widths
What is the minimum sidewalk width allowed?
Can sidewalk width requirements be reduced in areas where LID BMPs are present?
- Sidewalk slope
Does the code contain sidewalk slope direction requirements?
- Use of permeable pavement for sidewalks
Is permeable pavement allowed for sidewalks?
- Minimum cul-de-sac radius
What is the minimum cul-de-sac radius?
Can a landscaped island be placed in the center of the cul-de-sac and used for stormwater flow control and treatment?
- Alternatives to cul-de-sacs
Can hammerhead turnarounds or loop roads be used instead of standard cul-de-sacs?

Parking

- Minimum/maximum parking ratios
What is our minimum parking ratio for the following:
Professional office building
Shopping center

Single family home

Can the number of required parking spaces be reduced due to shared parking, proximity to transit, car sharing, etc.?

Are the parking requirements set as maximum or median (rather than minimum) requirements?

Can a maximum number of parking spaces be specified?

- Use of permeable pavement for parking lots (e.g., parking stalls, driving aisles)
Can permeable pavement be used for parking areas, parking lanes, and/or parking spaces?
Can permeable pavement be incentivized for spillover (infrequently used) parking areas?
- Parking stall dimensions
What is the minimum stall length and width for a standard parking space?
Can the parking stall length and/or width be reduced?
Are a fixed percentage of stalls (15 to 35%) assigned to compact cars?
- Driving aisle dimensions
Is the driving aisle wider than required by the fire department or other emergency responders?
Can one-way aisles be used in conjunction with angled parking stalls instead of two-way aisles?
- Off-street parking regulations
Can mechanisms be integrated to reduce parking requirements (e.g. shared parking, proximity to transit, car share, etc.)?
Can structured or tuck-under parking be incentivized?

Design Guidelines and Standards

- Trees and bioretention
Are specific street tree species included in the design guidelines and standards?
Can flexibility be incorporated to allow alternative tree species that are compatible with bioretention and can also meet similar street tree aesthetic requirements?
- Continuous curb requirements
Are conventional curbs and gutters required?
Can the curb and gutter requirements be eliminated or adjusted to allow the use of curb cuts (breaks that allow runoff to flow into bioretention cells) or “invisible” curbs (flush with the road surface)?
- Curb radii
Are minimum curb radii requirements specified for street intersections or pedestrian bulbs?
Can curb radii requirements be reduced to provide additional space for LID BMPs?

Stormwater Management and Maintenance

- Maintenance provisions
Does the adopted stormwater manual outline maintenance standards and/or procedures?
- Inspection access (covenants, easements)
Does the code allow access to inspect, maintain, and repair the facility if a private property owner fails to maintain the facility?
- Enforcement
Does the code include mechanisms to ensure reimbursement for any maintenance activities conducted?
Are public easements, maintenance covenants, or other legal agreements required?
Are incentives (reduction in stormwater fees) provided for private property owners that meet their maintenance requirements?

Subdivision and Planned Unit Development

- Individual open space requirements
Does a minimum percentage of open space have to be managed in a natural condition?
Can the open space requirement be increased?
Are open space areas required to be consolidated into larger units?
- Passive vs. active open space requirements
Are allowable and prohibited uses for open space defined?
Can LID BMPs such as bioretention count towards passive open space requirements?
Are native vegetation areas that integrate previous passive recreation areas, stormwater dispersion facilities, and/or stormwater restoration projects allowed?
- Opportunities for performance based designs (PUDs)
Are PUDs required for high density areas, such as city centers?
Are native vegetation and maximum impervious surface standards for PUDs and high density dwellings specified?

Critical Areas and Shoreline Management

- Allowance of LID BMPs in critical areas/shorelines when compatible
Are allowable or prohibited uses of buffers defined?
Are LID BMPs allowed within or adjacent to critical areas/shoreline/sensitive area/wetland buffers?
Can native vegetation associated with LID BMPs be used to meet buffer enhancement requirements?