City of Bellevue

MEMORANDUM

DATE: August 18, 2015

TO: Chair Capron and Members of the East Bellevue Community Council

FROM: Catherine Drews, Legal Planner, 452-6134, cdrews@bellevuewa.gov
Development Services Department

Paul A. Bucich, P.E., Assistant Director of Engineering
Phyllis A. Varner, NPDES Permit Manager
Utilities Department

SUBJECT: Low Impact Development Principles – Project Introduction

Action Required
No action is required by the Commission.

This is an informational briefing to the East Bellevue Community Council (EBCC) on the Low Impact Development (LID) Principles Project and upcoming opportunities to participate in exploring opportunities to further integrate LID Principles into development-related codes and standards.

Background
The 2013-2018 NPDES Western Washington Phase II Municipal Stormwater Permit ("NPDES Permit") *requires the City to review and revise its development-related codes and standards to incorporate and require low impact development ("LID") principles.* 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." The intent for the revisions is to make LID the preferred and commonly-used approach to site development. LID principles are different from LID Best Management Practices (BMPs), which include rain gardens, permeable pavement, and will be addressed in a separate project that will not come before the EBCC.

Bellevue's review project is called the LID Principles Project (the Project) and the Project deadline is December 31, 2016. The Project Lead Team provided a project update to City Council on July 6, 2015 (Attachment 1) and received approval of the:

- Areas of Focus in the development-related codes and standards to be explored for opportunities to further integrate LID Principles into development-related codes and standards;
- Project Interest Statement
- Project Principles, with some additional language (Attachment 2).

The Project's Public Participation Plan was also introduced to Council and this informational briefing begins implementation of that Plan. Work is underway on the following elements of the public participation plan

- Development of the LID Principles Project webpages on the City Internet site.
- Public Workshops
    - September 30 at City Hall
    - October 6 at Lewis Creek Park
    - October 15* at Location TBD in North Bellevue (*date subject to change depending on availability of venue).
- Planning Commission, September 9 at Bellevue Community College
- Transportation Commission, September 10 at City Hall
- Parks Board, October 13 at City Hall

It is possible that Land Use Code Amendments (LUCA or LUCAs) may be required to integrate LID Principles into the City's development-related codes. As with any LUCA, the EBCC will hold a courtesy hearing on the draft amendments followed by a final public hearing on any adopted ordinances. A final hearing is tentatively scheduled for December 1, 2016, to allow any adopted LUCAs meet the effective date of December 31, 2016.

Staff will provide a short presentation on the Project to the Commission.

Attachments

1 LID Principles Project Update July 6, 2015 City Council Study Session Agenda Memo
2 Final LID Principles Project Interest Statement, Project Principles and Areas of Focus

July 6, 2015

CITY COUNCIL STUDY SESSION ITEM

SUBJECT
Update on the Low Impact Development Principles Project and Introduction of Areas of Focus

STAFF CONTACT

Catherine A. Drews, Legal Planner (Project Manager)	452-6134
Development Services Department	
Paul Bucich, Assistant Director of Engineering	452-4596
Phyllis Varner, NPDES Permit Manager	452-7683
Utilities Department	

POLICY CONSIDERATION
Should Council approve the Areas of Focus developed as part of Phase I of the LID Principles Project as the starting point to explore what revisions, if any, are appropriate for the City's development-related codes and standards to make LID the preferred and commonly-used approach to site development? The NPDES Permit requirement is included as Attachment A.

Comprehensive Plan
POLICY UT-23. Manage the storm and surface water system in Bellevue to maintain a hydrologic balance in order to prevent property damage, protect water quality, provide for the safety and enjoyment of citizens, and preserve and enhance habitat and sensitive areas.

POLICY EN-1. Consider the immediate and long-range environmental impacts of policy and regulatory decisions and evaluate those impacts in the context of the City's commitment to provide for public safety, infrastructure, economic development, and a compact Urban Center in a sustainable environment.

POLICY EN-17. Establish land use regulations that limit the amount of impervious surface area in new development and redevelopment city-wide.

POLICY EN-18. Implement land use incentives to minimize the amount of impervious surface area below that allowed through prescriptive standards, in new development, redevelopment, and existing development city-wide.

POLICY EN-27. Implement the citywide use of low impact development techniques and green building practices that provide benefits to critical areas functions.

POLICY EN-39. Restrict the runoff rate, volume, and quality to predevelopment levels for all new development and redevelopment.

DIRECTION NEEDED FROM COUNCIL
__X_Action
__X_Discussion
__X_Information

At the conclusion of the presentation, **staff seeks approval from Council to move forward with the Areas of Focus. Staff also seeks Council's approval of the Project Interest Statement and Project Principles**.

BACKGROUND/ANALYSIS

This memorandum presents an Executive Summary providing Council with an overview of the LID Principles Project and its status. Following the Executive Summary the memorandum provides Council with information on the following topics:

1. The proposed Project Interest Statement and Principles;
2. Overview of the City's NPDES Stormwater Permit and corresponding requirements;
3. Project status and phase 1 of the work;
4. Discussion of the Areas of Focus, the process to distill the areas, and the next phase of work
5. Information on the proposed Public Participation Plan; and
6. Next Steps

Executive Summary

The 2013-2018 NPDES Western Washington Phase II Municipal Stormwater Permit ("NPDES Permit") requires the City to review and revise its development-related codes and standards to incorporate and require low impact development ("LID") principles. 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." LID principles are different from LID Best Management Practices ("BMPs"), which are on-site stormwater control and treatment facilities such as rain gardens and permeable pavement. LID BMP requirements will be addressed in a different project. The intent for the revisions is to make LID the preferred and commonly-used approach to site development. A copy of the NPDES Permit requirement is included as Attachment A.

The permit, however, doesn't provide any metrics for reducing impervious surfaces and native vegetation loss, thus providing jurisdictions flexibility to determine appropriate measures. This allows development of Bellevue-appropriate recommendations that are area and context sensitive, thus avoiding a one-size-fits all approach. The permit does require, however, that the City's review of its development-related codes and standards be similar to the process described in *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership 2012). Reviewing to integrate LID principles is a new requirement and process for all the Phase II permittees, including Bellevue. In addition to reviewing the City's development-related codes and standards, the process requires identifying and engaging stakeholders early in the process and ensuring successful implementation.

Bellevue's review project is called the LID Principles Project (the "Project") and the Project deadline is December 31, 2016. Early on, the Project team recognized the need for the Project to be context and area sensitive, recognizing that Bellevue has varying levels of urban development and targeted areas for growth. Consequently a one-size-fits-all approach is inappropriate. For example, what is appropriate for the highly urbanized Downtown, will not be appropriate in Bridle Trails, with its large, treed single-family lots and the community's strong desire to maintain neighborhood character. Bellevue also has development goals for the Downtown, Bel-Red, and Eastgate. Concentrating density in certain areas of the City, such as the Downtown, achieves two things. First, it helps the City meet its GMA obligations to meet growth targets (population and employment) and concentrating growth in areas alreadygrowing provides for concentrated impervious areas while maintaining reduced impervious cover in other areas of the City, which is a LID technique. Balancing environmental benefits with Bellevue's goals for economic development is important and will also be considered.

The Project not only supports permit compliance now and in the future, but it also has the potential to support or advance other Council goals and priorities and certain City programs. For example, minimizing native vegetation loss could result in increased tree canopy, helping to meet proposed tree canopy targets, decreased greenhouse gas emissions, reduced stormwater flows, and reinforcing Bellevue's reputation as a City in a Park. Other efforts that will benefit from the Project include aiding salmon recovery, supporting the Environmental Stewardship Initiative, implementing aspects of the Storm and Surface Water System Plan, and championing the Council's vision of a high quality built and natural environment for Bellevue. In the 2014 Budget Survey, Bellevue's

citizens ranked protecting Bellevue's water quality in its lakes and streams fifth in importance; only public safety issues ranked higher.

The internal Project team, with the assistance of the consulting firm AHBL, has completed reviewing the development-related codes and standards, and from that work has developed Areas of Focus. The Areas of Focus will be the starting point for discussions with the City's boards and commissions and stakeholders about what revisions are appropriate for Bellevue. At the conclusion of the Study Session, staff seeks Council approval of the Areas of Focus. Once approved, the Project may then move forward and begin the public participation process. The Project team will provide updates to the Council throughout the process and ensure Council's questions and concerns are addressed.

If the City adopts any land use code amendments, the adoption must occur before November 2016 to allow the East Bellevue Community Council ("EBCC") to hold a final public hearing on the adopted amendments in early December. Once the EBCC completes its final hearing, the City will have completed the Project and met the compliance deadline of December 31, 2016. A report detailing the review process, revisions which incorporate LID principles, and discussing measures to minimize impervious surfaces, loss of native vegetation, and other measures to reduce stormwater runoff is due to the Washington State Department of Ecology in March of 2017.

Project Principles

The Project Interest Statement and Principles will establish Council-approved guidelines for the Project. This document will guide staff and boards and commissions as they explore the feasibility of the Areas of Focus and develop recommendations to better align the City's codes and standards with the LID principles. These principles require consideration of:

- Bellevue-appropriate options (area and context sensitive);
- Engaging stakeholders (educate and seek input);
- Building on existing City programs;
- Maintaining Bellevue's compliance record with its NPDES permit; and
- Recognizing and seeking to balance competing needs.

A copy of the proposed Interest Statement and Project Principles is included as Attachment B to this memorandum. At the conclusion of the Study Session, staff seeks Council's approval of the Interest Statement and Project Principles or alternative direction.

NPDES Permit: Stormwater Management Program

LID principles are but one component of the City's Stormwater Management Program, required under the City's NPDES Permit, which is a requirement of the federal Clean Water Act ("CWA"). The CWA goal is to protect water quality and beneficial uses of the nation's surface waterbodies, such as aquatic life support, recreational activities and drinking water supply. The Stormwater Management Program is designed and intended to reduce pollutants discharged to and from the municipal storm drainage systems into waterbodies.

The NPDES Permit continues and builds upon the prior permit's Stormwater Management Program requirements by increasing and adding new requirements that are phased in over the 5-year permit term, including LID principles. Examples of increased or new requirements that staff are implementing include:

Requirement	2013-2018 Change
Municipal O&M	Reduce inspection/maintenance cycle from 4 to 2years for over 21,000 catch basins
Illicit Discharge Detection & Elimination (IDDE)	Field screen at least 40% of municipal storm system for illicit discharges

Monitoring	Participate in collectively-funded regional monitoring program
Public Education & Outreach	Measure a targeted audience's adoption of water quality protective measures
Controlling Runoff from New Development, Redevelopment & Construction Sites	Make LID (Principles and BMPs) the preferred and commonly-used approach to site development

Project Status – Phase I Work

Staff introduced the Project to Council on September 16, 2013. The September Study Session materials are included as Attachment C. Since introducing the Project, the City selected AHBL, Inc. as its consultant to assist in the required review. AHBL authored the guidebook *Integrating LID into Local Codes* for the Puget Sound Partnership that contains the review process the City must undertake for this project. Additionally, AHBL has provided consulting services for numerous jurisdictions seeking to integrate LID into codes and standards, including the cities of Newcastle, Redmond, Issaquah, and Kirkland.

The Project's first substantive work was the Opportunity Analysis of the City's Comprehensive Plan. Between February and June 2014, the consultant, with assistance and input from staff, reviewed the Comprehensive Plan to identify opportunities to integrate LID principles into the policy document. As a result of the analysis, it was concluded that, although the Comprehensive Plan provides excellent policy support for earlier LID requirements, opportunities exist to better align the City's polices with the new LID principle requirements. Based on this conclusion, on September 24, 2014, staff presented recommended policy amendments to the Planning Commission as part of the City's major Comprehensive Plan Update.

The Planning Commission's recommendation, which incorporated policy updates addressing LID, was presented to the Council on April 6, 2015. Council specifically reviewed the Environment Element policies, including LID on June 8. During that Study Session, Council raised questions about proposed policy EN-X6, in response to questions about the policy wording and the objectives of the NPDES Permit. A written response to Council's questions was provided with the July 6 Study Session materials for the Comprehensive Plan update. Staff will also be available to address Council's questions at the July 6 Study Session.

The Opportunity Analysis of the City's development codes and standards is also complete. To complete the analysis, AHBL conducted a thorough review of Bellevue's development codes and standards and development guidelines, including the:

- Transportation Code (Title 14);
- Land Use Code (Title 20);
- Construction Codes (Title 23);
- Utilities Codes (Title 24);
- Clearing and Grading Code and Development Standards;
- Critical Areas Handbook;
- Design Guidelines Building/Sidewalk Relationships, Central Business District;
- Environmental Best Management Practices & Design Standards;
- Pedestrian Corridor and Major Public Open Space Design Guidelines;
- Storm and Surface Water Engineering Standards; and
- Transportation Design Manual and Standards.

The Opportunity Analysis was presented to the internal staff team, which includes staff from Development Services, Transportation, Parks, Fire, and Utilities departments, and discussed over six working meetings. Like the Comprehensive Plan polices, the consultants and staff found the City's development-related codes and standards generally support LID Principles, and found opportunities exist to better align the City's development codes and standards with LID principles.

Moving to Next Phase of Work: Evaluating Appropriate Revisions
To better align the City's development codes and standards, themes or Areas of Focus were identified in the Opportunity Analysis for further consideration and discussion with stakeholders, the City's commissions and boards, and interested citizens. The goal of this next phase of work is to determine what revisions, if any, are appropriate to the City's development-related codes and standards to make LID the preferred and commonly-used approach to site development. The Areas of Focus Memorandum is included as Attachment D to this memorandum.

The internal team considered numerous issues when evaluating the appropriateness of the Areas of Focus, including:

- Providing site flexibility similar to allowed modifications to critical area buffers and setbacks;
- Ensuring the right vegetation in the right place;
- Thinking outside of the box for creative solutions, such as the use of incentives;
- Understanding impacts to public and private projects;
- Considering neighborhood concerns and goals;
- Implementing programs related to preserving and protecting trees;
- Improving processes – such as elevating site analysis to the forefront;
- Understanding what the market supports;
- Balancing competing interests and needs;
- Acknowledging known issues with LID BMPs;
- Focusing on solutions that support other Council goals and priorities; and
- Engaging in the process without pre-conceived ideas.

From these discussions, the following Areas of Focus emerged:

- Land Use Code
  - Evaluate use of LID principles (and BMPs) early in the site design process
  - Reduce impervious surface lot coverage
  - Preserve and enhance tree canopy
  - Improve options for clustering development
- Transportation Code and Design Standards
  - Reduce impervious surfaces in road rights-of-way
  - Increase tree canopy in transportation facilities.

For each area of focus, both the opportunities and challenges to implement each area were vetted and considered. The Areas of Focus were also presented to directors or their representatives from Parks, Utilities, and Transportation because their respective departments undertake development in the City that may be affected by incorporating LID Principles into the City's development codes and standards. Staff was interested in learning their impressions, questions, and concerns, and having the opportunity to inquire about possible stakeholders to invite to participate in the Project as it moves forward.

The next phase of work for the Project is to engage the public, stakeholders, commissions and boards and initiate discussions about what revisions to the City's development-related codes are appropriate for Bellevue. To initiate this next phase of work, staff is seeking Council's input on and approval of the Areas of Focus. The Council-approved Areas of Focus will be the starting point for the next project phase. If additional areas of focus in the codes and standards are identified by stakeholders, including the City, these additional areas will be evaluated for feasibility for inclusion in the Project or addressed during the next permit cycle.

Draft Public Participation Plan

A robust public participation plan is an important element of the Project. A copy of the draft public participation plan is included with this Memorandum as Attachment E. The goal of the public participation plan is to educate the public about low impact development, the NPDES Permit and its requirements, and Bellevue's approach to meeting the LID permit requirement. The public participation effort is intended to achieve specific desired outcomes, including:

- Providing clear information to the public on the purpose of the LID Principles project and the project process;
- Providing opportunities for interested parties to comment, and for people to listen and learn from one another;
- Conducting public participation events in multiple locations to capture an area's priorities and to make citizen participation easier;
- Seeking broad participation of all interested groups and individuals to capture different viewpoints;
- Harnessing the energies and knowledge of a broad range of stakeholders to ensure issues and concerns are understood, considered, and addressed wherever possible; and
- Creating a transparent process which documents all public input and makes that input readily available for review.

Components of the plan include public workshops, open houses, and presentations before the City's boards, commissions, and the East Bellevue Community Council. To provide easy access to information, the Project will establish a web page on the City's website where the public may access information, schedules, and contact information.

Next Steps

After Council direction, staff will next meet with the City's Parks Board and Environmental, Transportation and Planning Commissions to introduce the Project, explain the process, and identify roles and responsibilities as the Project moves forward. Staff will contemporaneously finalize the public engagement plan and begin engaging stakeholders and community members on exploring the feasibility of each of the Areas of Focus. Staff will provide Council with a status report this fall.

ALTERNATIVES

- Direct staff to explore the six Areas of Focus and approve the Project Interest Statement and Guidelines.
- Provide alternative direction to staff.

RECOMMENDATION

- Direct staff to explore the six Areas of Focus and approve the Project Interest Statement and Guidelines

ATTACHMENT(S)

A. NPDES Permit Requirement
B. Draft Project Interest Statement and Principles
C. September 16, 2013 Study Session materials
D. Areas of Focus Memorandum, AHBL
E. Draft Public Participation Plan

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

Document	Information Summary	Meeting Date & Recommended Reading
Integrating LID into Local Codes	Guidance for required review	July 6 Study Session. Introduction.

	process	Reviewing Steps 2 and 3 illustrates project status to date

The public may access this document here:
http://www.psp.wa.gov/downloads/LID_Guidebook/20120731_LIDguidebook.pdf

Low Impact Development (LID) Principle Condition and Definitions from the 2013-2018 NPDES Western Washington Phase II Municipal Stormwater Permit

S5.C.4 Controlling Runoff from New Development, Redevelopment and Construction Sites Special Condition S5.C.4.f.i. and ii. (pages 30-31):

f. Low impact development code-related requirements.

i. No later than December 31, 2016, Permittees shall review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs.

The intent of the revisions shall be to make LID the preferred and commonly-used approach to site development. The revisions shall be designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations. Permittees shall conduct a similar review and revision process, and consider the range of issues, outlined in the following document: *Integrating LID into Local Codes: A Guidebook for Local Governments (Puget Sound Partnership, 2012).*

ii. Each Permittee shall submit a summary of the results of the review and revision process in (i) above with the annual report due no later than March 31, 2017. This summary shall include, at a minimum, a list of the participants (job title, brief job description, and department represented), the codes, rules, standards, and other enforceable documents reviewed, and the revisions made to those documents which incorporate and require LID principles and LID BMPs. The summary shall include existing requirements for LID principles and LID BMPs in development related codes. The summary shall be organized as follows:

a) Measures to minimize impervious surfaces;
b) Measures to minimize loss of native vegetation; and
c) Other measures to minimize stormwater runoff.

DEFINITIONS AND ACRONYMS

Low Impact Development 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.

LID means Low Impact Development.

Low Impact Development Principles means 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.

Low Impact Development Best Management Practices means distributed stomwater 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, vegetated roofs, minimum excavation foundations, and water re-use.

BMP means Best Management Practice.

Low Impact Development Principles Project

For Council Consideration and Comment
Low Impact Development Principles Project
Draft Interest Statement and Project Principles
July 6, 2015

Purpose

The interest statement and project principles are intended to guide staff and the City's commission's and boards as they explore and develop appropriate options and recommended amendments to Bellevue's development codes and standards to make low impact development (LID) the preferred and commonly used approach to site development in Bellevue.

Background

The 2013-2018 NPDES[1] Western Washington Phase II Municipal Stormwater Permit requires the City to review and revise its development-related codes and standards to incorporate LID principles. The intent of the revisions is to make LID the preferred and commonly used approach to site development. The permit defines LID principles as 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. LID principles are different from LID best management practices (BMPs), which are on-site stormwater control and treatment facilities such as rain gardens and permeable pavement. LID BMP requirements will be addressed in a different project. The LID principles are the focus of this project.

The review and revision process the City is undertaking must be similar to that described in *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership 2012). Under the terms of the permit, this project must be completed by December 31, 2016. A report detailing how the project satisfies the permit conditions is due to Ecology in March of 2017.

Interest Statement

Bellevue has a long history of supporting low impact development principles in its development policies and regulations; from early (1987) sensitive or critical areas protection and long-standing significant tree and maximum impervious surface coverage regulations to the clustering and LID incentive regulations included in the recent (2009) Bel-Red Rezone. Bellevue supports the objective of maintaining the region's quality of life, including that of making low impact development the preferred and commonly used approach to site development.

[1] NPDES means National Pollutant Discharge Elimination System. The NPDES Permit is a Federal Clean Water Act permit intended to protect water quality and fishable, swimmable uses of the nation's surface water resources.

Project Principles

The Project Principles are intended to ensure the community's visions and goals are achieved while developing a program that supports development and redevelopment and meets LID Principles. The following Council-approved Project Principles will guide the LID Principles Project:

Bellevue Appropriate. Proposed amendments to Bellevue's development codes and standards will be area and context sensitive. Attention will be paid to the differing levels of urban development, watershed conditions, impervious surface coverage, tree canopy coverage, and areas of direct discharge. Proposed amendments, where feasible, will provide flexibility, incentives, and innovation in achieving the goal of making LID the preferred and commonly used approach to site development in Bellevue.

Engage Stakeholders. Provide a public participation process that seeks and includes input from a wide range of stakeholders. The process will provide opportunities for interested stakeholders to learn about LID principles, participate in developing options, and provide meaningful and informed comments.

Maintain Bellevue's Compliance Record with its NDPES Stormwater Permit. The LID principles project shall be timely completed to ensure compliance with the requirement that the amendments are effective by December 31, 2016.

Build On Existing Information and Programs. The LID Principles Project will build on existing City information and programs to develop and evaluate options to make LID the preferred and commonly used approach to site development.

Recognize and Seek to Balance Competing Needs. The LID Principles Project will recognize and seek to balance competing laws applicable to development and redevelopment, by considering and developing effective, innovative, flexible, and/or area-specific options.

Council Approved Areas of Focus for the LID Principles Project.

The City Council directs staff to begin exploring, in accordance with the Project Principles listed above, the following six Areas of Focus:

1. Land Use Code
    a. Evaluate use of LID principles (and BMPs) early in the site design process;
    b. Reduce impervious surface coverage
    c. Preserve and enhance tree canopy
    d. Improve options for clustering development

2. Transportation Code and Design Standards
    a. Reduce impervious surfaces in road rights-of-way
    b. Enhance tree canopy in transportation facilities

Item No. SS 2(b)
September 16, 2013

CITY COUNCIL STUDY SESSION ITEM

SUBJECT
New NPDES Western Washington Phase II Municipal Stormwater Permit
(NPDES = National Pollutant Discharge Elimination System)

STAFF CONTACT
Nav Otal, Director, 452-2041
Paul Bucich, SSW Technical and Policy Advisor, 452-4596
Phyllis Varner, NPDES Permit Manager, 452-7683
Utilities Department

Chris Salomone, Director, 452-6191
Planning and Community Development Department

Mike Brennan, Director, 425-4113
Development Services Department

POLICY ISSUES
The Washington State Department of Ecology (Ecology) issued a new National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit, effective August 1, 2013. Bellevue, along with over 80 other Western Washington municipalities, is required to comply with the new 5-year (2013-2018) Permit conditions. Provisions of the new permit will require Bellevue to modify existing regulations and practices.

DIRECTION NEEDED FROM COUNCIL
___Action
___Discussion
_X_Information

This briefing provides information on the new Permit. No action is required of Council.

BACKGROUND/ANALYSIS

Overview and Background
The National Pollutant Discharge Elimination System (NPDES) municipal stormwater permits are federal Clean Water Act permits. The goal of the federal Clean Water Act (CWA) is to protect water quality and restore waters of the nation for "fishable, swimmable" uses. The permit requirements are intended to reduce pollutants discharged from municipal storm drainage systems to help achieve this goal.

NPDES Permit requirements are phased in over the 5-year permit term and apply to functions across municipal organizations. Within Bellevue government, departments take the lead for implementing

permit conditions that apply to their programs and, for permit conditions which apply to multiple department functions, a lead department will manage implementation of the condition through cross-departmental coordination or teams. Overall permit management is provided by the Utilities Department with oversight from a citywide Steering Committee reporting to the City Manager's Office. Enforcement provisions for the CWA permit include fines, imprisonment and 3rd party lawsuits.

Attachment 1 contains further background information on the NPDES permit.

Permit Status

In August 2012, Ecology:

- Extended the existing (2007-2012) Permit to July 31, 2013 with no new permit conditions;
- Issued a new 5-year Permit (2013-2018) effective August 1, 2013; and
- Issued a new 2012 Ecology Stormwater Manual containing significantly revised low impact development (LID) stormwater facility requirements (e.g., rain gardens, bioretention facilities, pervious pavement) for new development and redevelopment projects.

Although a Coalition of Phase II municipalities (including Bellevue) appealed certain conditions in the new Permit, there is no stay on permit conditions. For 2013, Bellevue has continued implementation of the remainder of the one year Permit conditions and began processes to implement the new 2013-2018 NPDES Permit conditions by the permit-specified deadlines. There are no new Permit conditions for 2013. Bellevue remains in compliance with current Permit requirements as documented in the March 2013 submittal of the 6th NPDES Annual Report to Ecology.

New 2013-2018 Permit

The new permit, effective August 1, 2013, retains the first permit's Stormwater Management Program structure and phased implementation approach. It continues and builds upon the first permit's Program requirements by:

1. Increasing permit requirements for the illicit discharge detection and elimination (IDDE) and municipal storm drainage system operation and maintenance (O&M) programs. Specifically, the:

   - Old Permit required field assessing storm drainage outfalls in three waterbodies for illicit discharges per a prescribed methodology, then tracking pollutants back to the source and taking steps with property owners to eliminate sources in a 4-year time period;

     New Permit requires developing a methodology to field assess 40% of the city-owned storm drainage system for illicit discharges, and then tracking pollutants back to the source and taking steps with property owners to eliminate sources in a 4 year, 5 month time period.

     Ecology is expected to issue guidance on implementing this new Permit requirement. If the guidance allows municipalities to utilize existing programs and the outfall approach from the first permit to meet the 40% requirement, then cost and resource impacts will be reduced.

   - Old Permit requires inspecting municipal storm drainage catch basins (over 23,000) once within the 5-year term;

New Permit requires inspecting municipal storm drainage catch basins in 4-years (by August 1, 2017) and, thereafter, inspecting them on a 2-year frequency.

Ecology subsequently issued guidance to clarify options and alternatives to meet the increased catch basin inspection frequency that may help mitigate resource and cost impacts for this new requirement. Utilities' surface water operations and maintenance staff will be evaluating Bellevue's options to comply with the requirement, protect water resources and minimize program resource and cost impacts.

2. Adding a new monitoring requirement;

   - Old Permit required Phase II municipalities to prepare to implement a stormwater monitoring program in the next (new) permit.

   - New Permit adds a 3-part monitoring program requirement and provides permittees with the option of either:
     - Paying to participate in a regional stormwater monitoring program (RSMP) to meet the new requirement (fee option)

     or
     - Conducting an independent monitoring program to meet the new monitoring program requirement (independent option).

     The 3-part monitoring program is intended to provide information on the:
     - Status and trends of water quality in urban and rural small streams and the marine nearshore ("Are our streams and marine shorelines getting better or worse?")
     - Effectiveness of stormwater activities required by the permit, ("Is this activity making stormwater cleaner?")
     - Improving protocols and sharing information about removing sources of pollution ("Is there someone I can ask about solving this type of pollution problem?").

     The regional program fee option will provide better data and cost Bellevue approximately $85,000 annually compared to the approximately $800,000 to $1 million annual cost for the independent program. For this permit requirement, Council approved the 2014 Utilities budget which includes the annual $85,000 funding for the RSMP fee option.

3. Adding two significant new development requirements and project vesting requirements;

   - Old Permit required adoption of the development stormwater standards in the 2005 Ecology Stormwater Manual for Western Washington which included allowing low impact development techniques.

   - New Permit requires adoption of two new low impact development (LID) requirements by December 31, 2016. The intent of the new requirements is that municipalities "shall make low impact development the preferred and commonly used approach to site development."

     - *The first requirement* is to amend codes and standards to require LID stormwater facilities for on-site stormwater management unless infeasible and to do so by adopting the new 2012 Ecology Stormwater Management Manual or an equivalent Phase I

Manual. The 2012 Ecology Manual requires all property owners developing or redeveloping property to do a site assessment and implement certain LID stormwater BMPs unless infeasible. The LID stormwater facilities include rain gardens, bioretention facilities, and pervious pavement.

Permit compliance will require amending three City codes, revising standards, and modifying development services programs and processes and documentation. There will also be post-development impacts for on-going inspection and maintenance of these dispersed new facilities to consider. A multi-department project team lead by Utilities will implement this permit requirement.

- *The second requirement* is to conduct a review and revision process of citywide land use policies, codes and standards with the intent of minimizing impervious surfaces and native vegetation loss. No metric is provided for impervious surfaces or native vegetation and each jurisdiction is given the flexibility of determining what is sufficient to that locale. Ecology requires a good faith effort be conducted that includes business and community members.

  Examples of land use code revisions provided by Ecology to meet this requirement include:
  - Site assessment, pre-application and review process
  - Reduce street lane widths
  - Eliminate curb and gutter requirements
  - Provide setback and height flexibility
  - Impervious surface limits
  - Native vegetation percent area requirements
  - LID stormwater facilities as part of open space/landscaping/rights-of-ways
  - LID design standards (streets, parking lots, driveways, sidewalks)
  - Allowance for clustered housing and efficient roads.

  The first step to implementing this requirement is to conduct an opportunity analysis of existing policies, codes and standards to help define the scope of the review and revision process. After this analysis is completed, the multi-departmental project team will develop a recommended project plan and public and/or stakeholder process for City Council direction. Policies, codes, and standards that Ecology requires municipalities to review include:
  - Comprehensive Plan
  - Subdivision and PUC development codes
  - Critical areas and shoreline management regulations
  - Zoning code
  - Open Space code
  - Fire Code
  - Bulk and dimensional consideration
  - Impervious surface limits
  - Landscaping/native vegetation/street landscaping standards

- Parking
- Design standard and guidelines for building and site design elements
- Street standards.

- *Vesting* - the new Permit also specifies vesting requirements for development projects. The requirements are generally consistent with the City's vesting regulations with the exception of a one-year window for subdivisions.

Next Steps

The first NPDES Annual Report under the new Permit is required to be submitted by March 31, 2014. Ecology has waived submittal of a compliance report for the 2013 transition year which means the first Annual Report under the new Permit will only contain the 2014 Stormwater Management Program Plan (SWMPP). The SWMPP describes the actions the City will take in 2014 to implement the new permit requirements. The City is currently in the process of performing a gap analysis between the old and the new permit conditions and developing a citywide 5-year work plan for the new permit. The 2014 SWMPP will be based on this work plan.

Multi-department project teams have begun work on the two new LID permit requirements and Utilities' staff has begun assessing options to meet the increased program requirements for the illicit discharge detection and elimination (IDDE) and municipal storm drainage O&M programs.

The budgetary impacts of the new Permit are being assessed and will be brought forward through the 2015-2016 budget process.

Staff will keep City Council informed and seek Council direction as the new Permit is implemented.

ALTERNATIVES: N/A

RECOMMENDATION: N/A

ATTACHMENT
Attachment 1: NPDES Permit Background Information.

AVAILABLE IN COUNCIL OFFICE FOR REVIEW
New 2013-2018 NPDES Western Washington Phase II Municipal Stormwater Permit

Attachment 1

Background Information on the NPDES Western Washington Phase II Municipal Stormwater Permit

The National Pollutant Discharge Elimination System (NPDES) municipal stormwater permits are federal Clean Water Act permits. The goal of the federal Clean Water Act (CWA) is to protect water quality and restore waters of the nation for "fishable, swimmable" uses. The permit requirements are intended to reduce pollutants discharged from municipal storm drainage systems to help achieve this goal.

The permit affects local governments and property owners. The CWA created a Phase I permit for large cities and counties[1] and a Phase II permit for medium and small cities and counties[2]. Bellevue is a Phase II permittee. The federal Environmental Protection Agency specified minimum permit requirements and delegated permit authority to state environmental agencies. State agencies can add additional requirements. In Washington, the permit authority is the state Department of Ecology.

In 2007, Ecology issued the first Western Washington Phase II municipal stormwater permit. The permit was issued to over 80 Phase II municipalities, including Bellevue, for a 5-year term, 2007-2012. A Coalition of Phase II municipalities (including Bellevue) appealed certain conditions in the Permit. Ecology modified the permit in 2009 in response to appeal rulings by the Washington State Pollution Control Hearings Board (PCHB).

The Permit requires municipalities to implement a Stormwater Management Program (Program) consisting of over 100 permit-specified "best management practices" (BMPs). The Program is intended to meet the federal compliance standard to protect water quality and reduce the discharge of pollutants to the "maximum extent practicable" (MEP) and meet state AKART (all known, available, and reasonable methods of prevention, control and treatment) waste discharge requirements.

The Program's best management practices are grouped under the following categories:

- Public Education and Outreach;
- Public Involvement and Participation;
- Illicit Discharge Detection and Elimination (IDDE);
- Controlling Runoff from New Development, Redevelopment and Construction Sites; and
- Pollution Prevention and Operations and Maintenance for municipal operations

In addition, the Permit requires:

- Water Quality Monitoring;
- Reporting (e.g., permit compliance documentation); and
- Implementation of waterbody-specific clean-up plans developed by Ecology, if applicable. To date, Ecology has not developed such plans for Bellevue waterbodies.

---

[1] Phase I municipalities are those which had 100,000 or more in population in the 1990 census, includes Seattle, Tacoma; King, Snohomish, Pierce, Clark counties and WA Department of Transportation(WSDOT).

[2] Phase II municipalities are those which had between 10,000 and 100,000 in population in the 1990 census.

Attachment 1

Background Information on the NPDES Western Washington Phase II Municipal Stormwater Permit

NPDES Permit requirements are phased in over the 5-year permit term and apply to functions across municipal organizations. Within Bellevue government, departments take the lead for implementing permit conditions that apply to their programs and, for permit conditions which apply to multiple department functions, a lead department will manage implementation of the condition through cross-departmental coordination or teams. Overall permit management is provided by the Utilities Department with oversight from a citywide Steering Committee reporting to the City Manager's Office. Enforcement provisions for the CWA permit include fines, imprisonment and 3rd party lawsuits.

PROJECT MEMO

TO:	Catherine Drews and Phyllis Varner City of Bellevue	**DATE:**	May 5, 2015
FROM:	Wayne Carlson and Annalisa McDaniel AHBL	**PROJECT NO.:**	2130786.30
	Seattle – (206) 267-2425	**PROJECT NAME:**	Bellevue LID Principles Project
SUBJECT:	Bellevue LID Principles Project – Areas of Focus		

Introduction

The City is required under the 2013-2018 NPDES[1] Western Washington Phase II Municipal Stormwater Permit (NPDES Permit), to review and revise its development codes and standards to incorporate low impact development principles with the intent of making low impact development (LID) the preferred and commonly-used approach to site development. The NPDES Permit defines LID principles as 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. The review and revision process the City is undertaking must be similar to that described in *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership 2012). Under the terms of this permit, this project must be complete by December 2016. A report detailing the project is due to Ecology in March of 2017.

The first phase of this work, the opportunity analysis, is complete. This memorandum contains the results of the opportunity analysis of Bellevue's land use and development-related codes and standards for application of LID principles. Between November 2014 and April 2015, AHBL reviewed the City's codes and standards and met with City staff to address LID principles.

Based on our review of the City's codes and standards and discussions with City staff, we found that the City of Bellevue's land use and development-related codes and standards generally support the LID principles. There are opportunities to better align the City's codes and standards with the LID principles. This memorandum recommends six areas of focus in the codes and standards for further consideration and review.

Background

AHBL is assisting City of Bellevue staff in implementing the LID principles requirement of Special Condition S5.C.4.f of the NPDES Permit. The focus of this work is on the LID principles to minimize impervious surfaces, native vegetation loss and stormwater runoff in site development rather than on the LID Best Management Practices (BMPs).[2] Additionally the work analyzes how implementing these principles may affect the City's development codes, rules, and standards, some of which have not traditionally been considered part of the State's regulation of stormwater. Special Condition S5.C.4.f, as summarized below, states:

---

[1] NPDES means National Pollutant Discharge Elimination System. The NPDES Permit is a federal Clean Water Act permit intended to protect water quality and fishable, swimmable uses of the nation's surface water resources.

[2] The NPDES Permit requires municipalities to revise their stormwater development standards to require LID BMPs where feasible for new development and redevelopment. LID BMPs are stormwater management facilities such as rain gardens, bioretention facilities and permeable pavement. The City will address the LID BMP requirement in a separate project revising the City's stormwater engineering and clearing and grading codes and standards. The new LID BMPs condition is also required to be in place by December 31, 2016.

f. Low impact development code-related requirements.

i. No later than December 31, 2016, Permittees shall review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs. [...] The intent of the revisions shall be to make LID the preferred and commonly-used approach to site development. The revisions shall be designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations. Permittees shall conduct a similar review and revision process, and consider the range of issues, outlined in the following document: Integrating LID into Local Codes: A Guidebook for Local Governments (Puget Sound Partnership, 2012).

ii. [E]ach Permittee shall submit a summary of the results of the review and revision process in (i) above with the annual report due no later than March 31, 2017. ... The summary shall be organized as follows:

a) Measures to minimize impervious surfaces;
b) Measures to minimize loss of native vegetation; and
c) Other measures to minimize stormwater runoff.

Between February and June 2014, AHBL reviewed the Bellevue Comprehensive Plan to identify opportunities to integrate LID principles into that policy document. We generally found that the City's Comprehensive Plan provided excellent policy support for the LID principles. There were, however, some opportunities to better align the City's policies with the LID principles. Our policy recommendations were presented to the Bellevue Planning Commission on September 24, 2014 as part of the City's broader eight-year, periodic update to its Comprehensive Plan. Amendments to the Comprehensive Plan, including LID policy recommendations, are scheduled to be considered and adopted by the Bellevue City Council in June of 2015.

AHBL next reviewed the Bellevue City Code and development standards for opportunities to integrate the LID principles identified in Special Condition S5.C.4.f.ii. The following codes and standards were analyzed:

- Transportation Code (Title 14)
- Land Use Code (Title 20)
- Construction Codes (Title 23)
- Utilities Codes (Title 24)
- Clearing and Grading Code and Development Standards
- Critical Areas Handbook
- Design Guidelines Building/Sidewalk Relationships, Central Business District
- Environmental Best Management Practices & Design Standards
- Pedestrian Corridor and Major Public Open Space Design Guidelines
- Storm and Surface Water Engineering Standards
- Transportation Design Manual and Standards

The results of our opportunity analysis of the codes and standards were presented to the City's internal LID Principles Team for review and discussion. We met with Bellevue's LID Principles Team on six occasions between December 2014 and April 2015 to discuss the integration of LID principles into the City's codes and standards. The following generally describes the nature of each meeting:

December 8, 2014	• Introduction by Bellevue's Project Manager about the permit requirements • Preliminary discussion of opportunities within the City's development codes and standards to minimize impervious surface cover and vegetation loss
January 6, 2015	• Transportation opportunities to minimize impervious surface cover
January 20, 2015	• Discussion of opportunities within the land use code to minimize impervious surface cover and native vegetation loss

	• Discussion of differences among various Bellevue neighborhoods and the implications for city-wide versus neighborhood-specific standards
February 5, 2015	• Discussion of strategies to encourage and/or require the preparation of site analyses at the initial phases of project conception • Discussion of opportunities for narrower streets including reduction of required street, bicycle lane, and sidewalk widths. • Discussion of vegetation retention strategies
February 18	• Detailed discussion of vegetation retention strategies
April 28	• Discussion of areas of focus

Our findings and recommendations are described below.

Findings and Recommendations

Like our findings for the Comprehensive Plan, we found that the City of Bellevue's existing land use and development-related codes and standards generally support the LID principles identified in the NPDES Permit. There are opportunities to better align the City's codes with the LID principles within the Permit. Based on our opportunity analysis and discussions with the LID team, we identified six areas of focus to elevate for further consideration for potential amendments to codes and standards.

The six areas of focus are:

1. Land Use Code
    a. Evaluate use of LID principles (and BMPs) early in the site design process
    b. Reduce impervious surface coverage
    c. Preserve and enhance tree canopy
    d. Improve options for clustering development

2. Transportation Code and Design Standards
    a. Reduce impervious surfaces in road rights-of-way
    b. Increase tree canopy in transportation facilities

---

1. Land Use Code

Four areas of focus in the Land Use Code (BCC Title 20) were identified through our code review and meetings with staff. Areas of focus include site analysis and design, reducing impervious surfaces coverage, tree canopy preservation and enhancement, and clustering development, specifically reducing obstacles to clustering. These areas are interconnected, and it may be helpful to consider new code language and amendments that address more than one of these areas at once.

a. Site Analysis / Site Design

The Phase II NPDES Permit requires that LID is the preferred and commonly used approach to site development. Currently there are no requirements in Bellevue City Code that state that LID principles must be considered at the beginning of the development or redevelopment process. Early analysis in the site design process is critical to identify suitable areas for LID infrastructure within the constraints of a project site.

Opportunity

i. Evaluate use of LID principles (and BMPs) early in the site design process. At the outset of site development or redevelopment, evaluate LID principles and LID BMP

feasibility. Ensure that reviewers from all departments consider LID during development review.

Challenge

i. Designing a project to factor in LID at the beginning of site development will require a paradigm shift for developers and reviewers.

ii. Geotechnical, soil, and other analysis required before a property owner or developer can determine site feasibility may be costly.

b. *Impervious Surface Coverage*

Minimizing impervious surfaces is a low impact development principle. As a developed urban area, it is challenging for Bellevue to address this requirement. Opportunities to incorporate low impact development principles will largely be provided as properties redevelop.

Opportunities

i. Reduce impervious surface lot coverage in the City by reducing maximum allowed impervious surface coverage proportional to the area of the lot.

ii. Replace the term "Impervious Surface" with Ecology's definition of "Hard Surface" in BCC 20.20.010 and BCC 20.20.460 to reduce impervious surface coverage. "Hard surface" includes permeable surfaces such as permeable driveways, patios, and sport courts.

iii. Reduce vegetation loss by allowing site design flexibility similar to the flexibility provided in the Critical Areas Ordinance for setback and buffer requirements. Flexibility in site design will allow developers more options in site planning to meet LID goals.

Challenges

i. Reducing allowed impervious surface coverage might be perceived as the City taking away development rights of private property owners.

ii. It will need to be shown how a reduction in impervious surface coverage can both benefit the City and allow property owners to develop or redevelop their lots.

c. *Tree Preservation and Canopy Enhancement*

Tree canopy preservation and enhancement is a low impact development principle. Tree canopy in Bellevue decreased 20 percent between 1986 and 2006[3]. Preserving and increasing tree canopy is a priority of the City of Bellevue Environmental Stewardship Initiative.

[3] City of Bellevue Environmental Stewardship Initiative Strategic Plan, 2013-2018.

Opportunities

iii. Numerous opportunities were identified by staff. These opportunities likely need to be further refined and prioritized. The opportunities include:

a) Amend the definition of significant tree;

b) Enhance fencing and other requirements to reduce vegetation loss caused by construction staging;

c) Establish a fee in lieu program to replace trees removed on private property with trees planted at publicly owned priority sites; and

d) Establish innovative programs and/or incentives to preserve trees.

Challenges

i. There is an apparent cultural shift occurring in the City, moving away from tree preservation and toward view protection and tree removal.

ii. Land Use Code lacks the flexibility to accommodate development and vegetation preservation on R5 and higher intensity zoned lots.

iii. There is a limited number of staff available for enforcement.

d. Clustering Development

As noted above, opportunities to incorporate low impact development principles will largely be provided as properties redevelop. To increase the likelihood of clustered residential development and redevelopment, add tools to the Land Use Code to improve opportunities for clustering and allow for zero lot line development.

Opportunities

i. Amend Land Use Code criteria to improve clustering provisions and provide for zero-lot line development. This is possible through permitting short plats for clustered development that would not meet current lot size, setback, and access standards.

ii. Clustering and zero-lot line development may lead to less vegetation loss, more affordable housing options, and denser development compared to traditional single family development.

Challenges

i. The success of clustered development is dependent on market demand.

ii. There are currently no provisions for zero lot line development in the Bellevue City Code.

iii. Clustering and native vegetation preservation may be difficult to achieve without flexibility in setback and buffer requirements.

2. Transportation

a. *Impervious Surface (Road Rights-of-Way)*

Minimizing impervious surfaces is a low impact development principle. As a developed urban area, it is challenging for Bellevue to address this requirement. There are opportunities to explore variants to the City's existing street standards that serve to reduce impervious surface coverage. This may result in designs that may differ amongst the City's neighborhoods.

Opportunities

i. Minimize impervious surfaces by:

a) Reducing the overall impervious nature of improved Rights-of-Way by potentially reducing or eliminating lanes and/or widths and associated pedestrian and bicycle facilities.

Challenges

i. Loss of parking.

ii. Providing adequate fire access (IFC 503).

iii. Bicycle and pedestrian groups may object to changes within the City's street standards.

iv. The City wants to design complete streets for all users, but complete streets require a substantial amount of impervious surface coverage.

v. Reduction of impervious surface coverage may penalize non-polluting modes of transportation.

b. *Tree Canopy within Transportation Facilities*

Achieving City-wide tree canopy coverage of 40 percent is a central element within the Bellevue Environmental Stewardship Initiative Strategic Plan (ESI). The tree canopy enhancement goals of the Environmental Stewardship Initiative can be furthered by leveraging opportunities to integrate tree canopy within transportation facilities. Enhancing the tree canopy will serve two goals: integrating LID principles and increasing the tree canopy, which is a goal of the ESI.

Opportunities

i. Enhance City-wide tree canopy by increasing landscaping areas and/or integrating additional tree canopy into new and retrofit transportation designs.

ii. Specify coniferous species, where appropriate, to facilitate stormwater interception during the rainy winter months when deciduous species may not be fully leafed.

Challenges

i. A limited number of conifer species are suitable for use in street rights-of-ways.

WEC/AM/am

Low Impact Development Principles Project

DRAFT Public Participation Plan

Introduction

The City of Bellevue is updating its codes and standards to be consistent with the Low Impact Development Principles condition in the 2013-2018 National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit. As a Phase II Permittee, the City is required to review and update its development codes and standards to make Low Impact Development (LID) the preferred and commonly-used approach to site development.

The intent of this Public Participation Plan is to describe opportunities for stakeholders to participate in the process and provide input on potential code and standard revisions to make LID the preferred and commonly-used approach to site development.

The public participation effort is intended to achieve specific desired outcomes, which include:

- Provide clear information to the public on low impact development, the LID Principles Project and project proposals;
- Involve commissions and boards early in and throughout the project;
- Provide opportunities for interested parties to comment and for people to listen and learn from one another;
- Conduct public participation events in multiple locations to capture an area's priorities and to make citizen participation easier;
- Seek broad participation of interested groups and individuals to capture differing viewpoints;
- Harness the energies and knowledge of a broad range of stakeholders to ensure issues and concerns are understood, considered, and addressed wherever possible;
- Create a transparent process which documents public input and makes it available for review.

The Public Participation Plan may be modified if necessary to meet the NPDES Permit compliance deadline of December 31, 2016. If the Public Participation Plan is modified, stakeholders are welcome to submit comments directly to the project contacts or participate through the City's boards, commissions, and City Council meetings.

Website

The LID Principles Project website is available at: *website address*

- The website provides education, project schedule and links to project documents, and contact information for the project team.

Stakeholder Notification

We will develop a notification process for distribution to a wide range of stakeholder groups. The notices will contain a brief description of the project and the opportunities for public participation in the project. The stakeholder groups identified so far, include:

- Neighborhood groups
- Environmental groups
- Developer groups
- Bicycle/Pedestrian groups
- Business associations
- Building associations
- Architecture, engineering, and planning professionals

Boards, Commissions, and EBCC: http://bellevuewa.gov/boards_commissions.htm

Four City boards and commissions which represent Bellevue citizen's interests and the East Bellevue Community Council (EBCC), representing Bellevue residents in the East Bellevue area, will be asked to provide input on the LID Principles Project early and periodically throughout the project. The public has the opportunity to attend and provide comments at these meetings. Early and periodically through the process.

Informational Briefings

The project team will provide informational briefings to the four boards and commissions after receiving Council direction for the project in June 2015.

- Planning Commission
- Environmental Services Commission
- Transportation Commission

- Parks and Community Services Board

The project team will also provide an informational briefing to East Bellevue Community Council (EBCC).

Public Workshops

The objective of the public workshops is to introduce and educate the public on Low Impact Development and the City of Bellevue's Low Impact Development Principles Project, respond to questions, gain public input, and ensure issues and concerns are understood, considered, and addressed wherever possible.

Three public workshops are proposed for September 2015 at different locations to facilitate broader participation and provide several opportunities to attend:

- One public workshop to be held at City Hall.
- One public workshop to be held in North Bellevue.
- One public workshop to be held in South Bellevue.

Public Open Houses on Proposed Changes to Codes and Standards

The objective of the public open houses obtain public input on initial code and standard proposals. It also is consistent with the code and standard evaluation process outlined in *Integrating LID into Local Codes: A Guidebook for Local Government* by having internal and external stakeholders review documents, particularly proposed regulations and standards, and provide feedback. City staff and the project consultant team will present proposed changes to City codes and standards for public input.

City staff and consultants will consider public input, and revise the documents to address identified concerns where appropriate. The intent is for City staff and the project consultant team to get detailed input from a range of stakeholders to create a balanced set of regulations and standards that reflect the permit requirements and community vision.

The following open houses are proposed to be held in early 2016:

One public open house to be held at City Hall.
One public open house to be held in North Bellevue.

- One public open house to be held in South Bellevue.

Stakeholder Groups

The project team will meet with stakeholders groups as requested or necessary. Our goal will be to obtain as much input through the public workshops, open houses and at commissions and boards listed above as much as possible because of the constraints imposed by the Permit and efficient use of resources.

Boards and Commissions and EBCC: http://bellevuewa.gov/boards_commissions.htm

Update Briefings on Proposed Changes to Codes and Standards

Proposed changes to codes and standards will be presented to the boards and commissions for their comment. Public input gained at the three public workshops, three open houses and stakeholder meetings preceding this update will be discussed. The proposed changes will reflect and respond to the public's input wherever possible. Public comment is welcome at the board and commission meetings.

The following update briefings are tentatively scheduled for April 2016:

- Planning Commission
- Environmental Services Commission
- Transportation Commission
- Parks and Community Services Board
- EBCC

Opportunities for Public Comment During Council Consideration of Amendments

Planning Commission Public Hearing

- The Planning Commission will hold one public hearing in June 2016 to provide stakeholders with the opportunity to officially comment on the LID Principles Project.

City Council Study Sessions

- Following the public workshops, open houses, stakeholder meetings, boards and commission meetings and the Planning Commission Public Hearing on the LID Principles proposed code amendments, City Council will consider the proposed amendments and take action per the following schedule:
- Consideration of proposed amendments at three study sessions: August TBD, September 12, and October 10.
- Action on proposed amendments either November 21 or November 28.

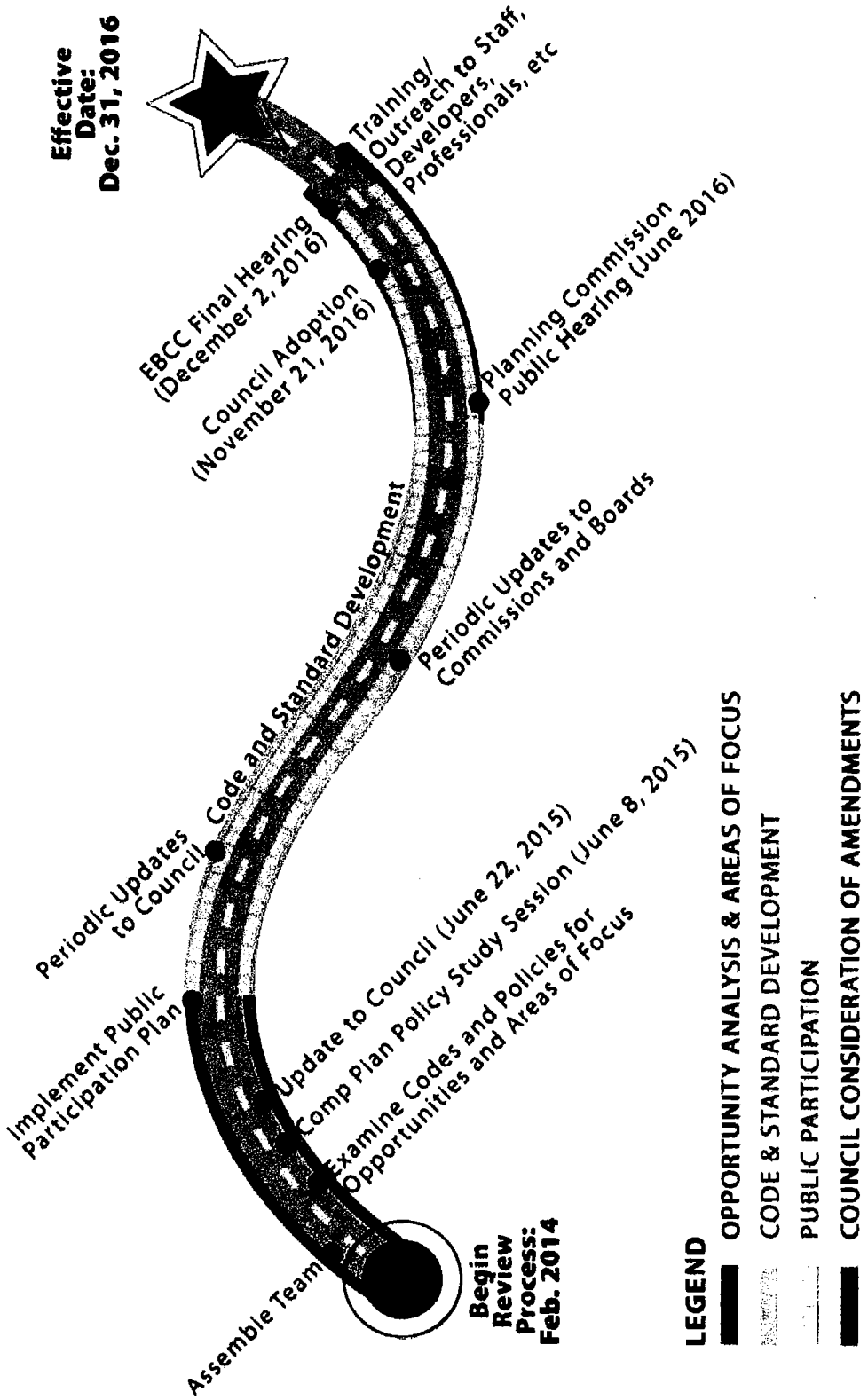
East Bellevue Community Council Final Hearing

- A final hearing is scheduled with EBCC for December 6, 2016.

Project Contacts: LIDPrinciplesProject@bellevuewa.gov

- The Project Team can be contacted at 425-452-6134.
- City of Bellevue project leads may be emailed at the addresses below:
    - Catherine Drews, Project Manager, cdrews@bellevuewa.gov
    - Phyllis Varner, NPDES Permit Manager, pvarner@bellevuewa.gov
    - Paul Bucich, Assistant Director of Engineering, Utilities, PBucich@bellevuewa.gov

Low Impact Development Principles Project



Low Impact Development Principles Project

For Council Consideration and Comment
Low Impact Development Principles Project
Draft Interest Statement and Project Principles
July 6, 2015

Purpose

The interest statement and project principles are intended to guide staff and the City's commission's and boards as they explore and develop appropriate options and recommended amendments to Bellevue's development codes and standards to make low impact development (LID) the preferred and commonly used approach to site development in Bellevue.

Background

The 2013-2018 NPDES[1] Western Washington Phase II Municipal Stormwater Permit requires the City to review and revise its development-related codes and standards to incorporate LID principles. The intent of the revisions is to make LID the preferred and commonly used approach to site development. The permit defines LID principles as 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. LID principles are different from LID best management practices (BMPs), which are on-site stormwater control and treatment facilities such as rain gardens and permeable pavement. LID BMP requirements will be addressed in a different project. The LID principles are the focus of this project.

The review and revision process the City is undertaking must be similar to that described in *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership 2012). Under the terms of the permit, this project must be completed by December 31, 2016. A report detailing how the project satisfies the permit conditions is due to Ecology in March of 2017.

Interest Statement

Bellevue has a long history of supporting low impact development principles in its development policies and regulations; from early (1987) sensitive or critical areas protection and long-standing significant tree and maximum impervious surface coverage regulations to the clustering and LID incentive regulations included in the recent (2009) Bel-Red Rezone.

Bellevue supports the objective of maintaining the region's quality of life, including that of making low impact development the preferred and commonly used approach to site development.

[1] NPDES means National Pollutant Discharge Elimination System. The NPDES Permit is a Federal Clean Water Act permit intended to protect water quality and fishable, swimmable uses of the nation's surface water resources.

Project Principles

The Project Principles are intended to ensure the community's visions and goals are achieved while developing a program that supports development and redevelopment and meets LID Principles. The following Council-approved Project Principles will guide the LID Principles Project:

Bellevue Appropriate. Proposed amendments to Bellevue's development codes and standards will be area and context sensitive. A one-size-fits-all is inappropriate. Attention will be paid to the differing levels of urban development, watershed conditions, impervious surface coverage, tree canopy coverage, and areas of direct discharge. Proposed amendments, where feasible, will provide flexibility, incentives, and innovation in achieving the goal of making LID the preferred and commonly used approach to site development in Bellevue.

Engage Stakeholders. Provide a public participation process that seeks and includes input from a wide range of stake holders. The process will provide opportunities for interested stakeholders to learn about LID principles, participate in developing options, and provide meaningful and informed comments.

Maintain Bellevue's Compliance Record with its NDPES Stormwater Permit. The LID principles project shall be timely completed to ensure compliance with the requirement that amendments are effective by December 31, 2016.

Build On Existing Information and Programs. The LID Principles Project will build on existing City information and programs to develop and evaluate options to make LID the preferred and commonly used approach to site development.

Recognize and Seek to Balance Competing Needs. The LID Principles Project will recognize and seek to balance competing laws applicable to development and redevelopment, by considering and developing effective, innovative, flexible, and/or area-specific options. The LID Principles Project will also recognize that supporting growth in urban areas is appropriate and that balancing environmental benefits with economic development goals is important.

Council Approved Areas of Focus for the LID Principles Project.

The City Council directs staff to begin exploring, in accordance with the Project Principles listed above, the following six Areas of Focus:

1. Land Use Code
    a. Evaluate use of LID principles (and BMPs) early in the site design process;
    b. Reduce impervious surface coverage
    c. Preserve and enhance tree canopy
    d. Improve options for clustering development

2. Transportation Code and Design Standards
    a. Reduce impervious surfaces in road rights-of-way
    b. Enhance tree canopy in transportation facilities