

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure
REVIEW AND APPROVAL OF MINUTES – April 13, 2017
PUBLIC COMMENT – Accept public comment on off agenda items
CRITICAL AREAS ORDINANCE UPDATE
NEW/OLD BUSINESS
ADJOURN

CALL TO ORDER – Call to Order, Agenda Review, Conflict Disclosure

Chair Pearl called the meeting to order at 7:01 PM. Commissioners in attendance were Michael Lewars, Maradel Gale, Jon Quitslund and Michael Killion. Commissioners Lisa Macchio and William Chester were absent and excused. City Staff present were Planning Director Gary Christensen, Senior City Planner Christy Carr and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

Then agenda was reviewed. There were not any conflicts disclosed.

REVIEW AND APPROVAL OF MINUTES - January 21, 2016

Ms. Rasely confirmed that the abstention in the Madrona School vote from the last meeting had been added to the minutes. Chair Pearl pointed out that the second condition should have read “No buffer averaging except to maintain the existing entrance.” Commissioner Gale asked for clarity and a change in the wording of the third condition to read: “Trees shown in tree retention plan proposed in Madrona School’s letter is a condition for development in perpetuity.”

Motion: I move we accept the minutes for Thursday, April 13 as amended tonight.
Gale/Lewars: Passed 4-0

PUBLIC COMMENT – Accept public comment on off agenda items

None.

CRITICAL AREAS ORDINANCE UPDATE

Commissioner Gale read a statement she found posted on the internet about Fort Ward wetlands and spoke about a current project that was dealing with wetlands. She wanted to know what the process was for mitigating development in this type of area. Ms. Carr informed the Commission they would be looking at exactly that type of information during the meeting.

Ms. Carr started her informational briefing with statistics of the number and types of permits the Planning Department had processed. She then went on to describe three different types of projects that underwent review; Special Use Review, Reasonable Use Exception and Habitat Management Plan. (See attached PowerPoint presentation.)

Commissioner Lewars stated he was impressed with Ms. Carr's knowledge and abilities saying he "trusted her implicitly" to guide the Planning Commission through this process. He also asked how they (the Commissioners) could help her as they tackled this update. Ms. Carr responded that she was happy the Commissioners were willing to educate themselves about this subject and that growing their knowledge would help the whole update process move along. Commissioner Quitslund stressed that knowledge of what good stewardship and best management practices meant was important for the future. Commissioner Gale asked if the heron rookery located on Lovell Ave could be mapped so that it would be protected from future development.

Ms. Carr mentioned she had added an additional Planning Commission meeting on May 18 and June 15 and reminded the Commissioners to provide their availability for future meetings to Ms. Rasely.

NEW/OLD BUSINESS

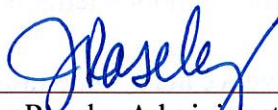
None.

ADJOURN

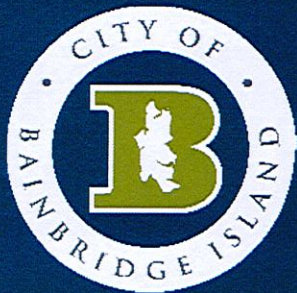
The meeting was adjourned at 9:00 PM.

Approved by:


J. Mack Pearl, Chair


Jane Rasely, Administrative Specialist

CRITICAL AREAS ORDINANCE UPDATE
WETLANDS, FISH & WILDLIFE HABITAT
CONSERVATION AREAS, FREQUENTLY FLOODED AREAS
APRIL 27, 2017



Agenda

- Examples of land use review involving wetlands and/or streams
- Summary of decision points for Planning Commission next week based on BAS review



Special Use Review (SUR)

- Easement established through short plat runs through Category III wetland
- Applicant asked neighboring property owner to relocate easement to avoid wetland impacts – refused
- SUR required pursuant to BMC 16.20.160 – Table 8, Regulated Uses and Activities (private/public road/street)
- SUR administrative decision – decided by Director
- Driveway results in 744 square feet of wetland fill
- Mitigation includes 8,364 square feet wetland enhancement and 10,445 square feet of buffer enhancement. “Enhancement only” mitigation requires 8:1 ratio; project provides 11:1 ratio

Reasonable Use Exception (RUE)

- Lot encumbered by a Category III wetland and 60-foot water quality buffer
- RUE required pursuant to BIMC 16.20.160.D.1:
 - Water quality buffers – An applicant shall provide the prescribed water quality buffer unless a RUE is granted.
- RUE decided by Hearing Examiner
- RUE limits lot coverage to 1,200 square feet (allowable lot coverage in R-0.4 would be 5,272 square feet)
- Proposed mitigation includes wetland and buffer enhancement (1 acre +/-) and impact minimization measures including non-leaching roof material, fencing, dense vegetation, and limiting light
- Mitigation plan required prior to final building permit inspection

Habitat Management Plan (HMP)

- Type F stream bisects site (150-foot buffer required – 100-foot water quality, 50-foot habitat)
- Request to eliminate 50-foot habitat buffer to accommodate alteration/expansion to existing SFR
- HMP required pursuant to BIMC 16.20.130.C.2.b:
 - Habitat buffers – An applicant shall provide either the prescribed habitat buffers or an approved HMP
- Code requires HMP review by ETAC, WDFW and Suquamish Tribe. No comments received by WDFW or Tribe
- Proposed mitigation includes 9,368 square feet of buffer enhancement abutting stream -- including invasive plant removal and native planting -- and fencing.

Summary of Decision Points -- Wetlands

- Review process – clarifying submittal requirements and requiring formal review for all uses (including exemptions and items listed under “development standards”)
- Small wetlands – regulating wetlands of all sizes, no exemptions or buffer reductions
- Buffer scheme – removing water quality buffer, considering impact of land use related to land use designations
- Requiring enhancement of buffer if not averaging/reducing
- Specifying criteria for allowing buffer reduction and averaging (improving wetland function or necessary for reasonable use only)
- What can be in building setback
- Delete Special Use Review process
- Consistency with LID – which stormwater facilities can go in wetlands/buffers?
- Project specific development standards (e.g. trails, agriculture, utilities)

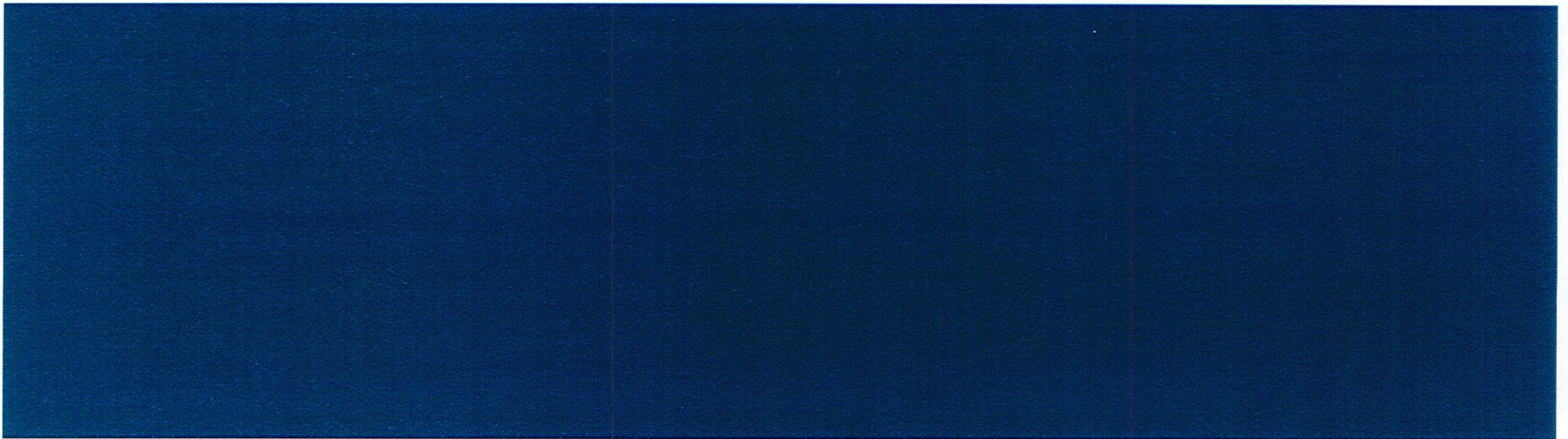
Summary of Decision Points -- FWHCA

- Delete Class I and II classifications – refer to state and federal species lists
 - Adding “biodiversity areas and corridors” classification based on existing (or updated) wildlife corridor network
 - Consider subcategories of streams (e.g.; non-salmonid/salmonid Type F; Ns streams not connected to Np or F streams) and establish different buffers
 - Review process – clarifying submittal requirements and requiring formal review for all uses (including exemptions and items listed under “development standards”)
 - Requiring enhancement of buffer if not averaging/reducing
 - What can be in building setback
 - Project specific development standards (e.g. trails, agriculture, utilities)
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- Blue = same as wetlands

Schedule

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Questions and Discussion





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