



TOWN OF WOODWAY

PLANNING COMMISSION MINUTES April 15, 2009

CALL TO ORDER: The meeting was called to order at 7:01 p.m. by Chair Tom Whitson. Commissioners present were Tom Whitson, Jim Wilmer, Jennifer Ange, Jan Ostlund, Tom Howard, and Heather Frank. Robert Allen had an excused absence. Planner Bill Trimm; Amie Broadsword, PACE Engineers; and Deputy Clerk Heidi Napolitano were also present.

MINUTES: February 18, 2009

Following a minor amendment, *Commissioner Howard* moved to approve the minutes of February 18, 2009 as amended. *Commissioner Ange* seconded the motion. The motion carried unanimously.

PUBLIC HEARING: Proposed Amendments to the Environmentally Critical Area Ordinance (Woodway Municipal Code Section 16.10)

Chair Whitson opened the public hearing at 7:02 p.m. and explained the purpose of the public hearing was to receive testimony on the proposed amendments to WMC Title 16.10 Critical Areas Ordinance from the public and agencies with jurisdiction. He described the procedures for the public hearing.

Planner Bill Trimm introduced Amie Broadsword, PACE Engineers, Margaret Clancy, ESA Adolfson, and Dennis Stettler, Landau Associates who assisted with revising the Environmentally Critical Areas Ordinance. He explained the revisions to WMC Code 16.10 Critical Areas Ordinance were intended to ensure the Town's Critical Areas Ordinance was consistent with Best Available Science (BAS).

Mr. Trimm explained a State Environmental Policy Act (SEPA) Declaration of Non Significance (DNS) was issued on March 12, 2009 and no appeals were filed. The public hearing was noticed and advertised on April 2 as required. He entered the following exhibits into the record:

- Exhibit A: Amendments to Title 16.10
- Exhibit B: Staff Report
- Exhibit C: Declaration of Non-Significance
- Exhibit D: Public Notice Affidavit
- Exhibit E: Environmental Sensitive Areas Audit conducted by ESA Adolfson
- Exhibit F: Summary of suggested revisions to 16.10.600 regarding geologically hazardous areas presented to the public on January 6 and 7

Mr. Trimm described the GMA requirement for the Town to update its Critical Areas Ordinance, the goal in the Town's Comprehensive Plan to use BAS techniques to ensure successful protection of critical areas, ESA Adolfson's identification of inconsistencies in the code and BAS, and recommendations provided by Landau Associates to update the code with regard to geologic hazard areas. The audit and proposed revisions were reviewed by the Planning Commission at ten meetings over the past year as well as two meetings with property owners related to proposed revisions to geologic hazardous areas.

Mr. Trimm briefly reviewed the findings of the environmental audit conducted by ESA Adolfson and review by Landau Associates. He summarized revisions made to specific code sections that would accomplish the following:

- Expand and clarify definitions
- Require better documentation that avoidance of impacts to critical areas is not feasible prior to proposing a development alternative with critical area impacts and mitigations

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- Require critical area reports to include specific information
- Revise the methodology for categorizing wetlands from primarily a size, vegetation, and species observed basis to a methodology that evaluates the wetland's actual function and value in its location
- Increase the buffer widths for wetlands and establish buffers for other critical areas utilizing BAS
- Allow for and provide criteria for utilizing off-site and other alternative methods for wetland and fish and wildlife habitat mitigation
- Establish specific performance standards for development within and/or in the vicinity of 1) aquifer recharge areas, 2) wetland and stream areas, 3) geologically hazardous areas, and 4) fish and wildlife habitat conservation areas.

Mr. Trimm reviewed Findings and Conclusions with regard to the revisions to Title 16.10 and relayed staff's recommendation for approval by the Planning Commission and for the Planning Commission to forward a recommendation for approval to the Town Council.

Amie Broadsword, PACE Engineers, pointed out page 5 of the staff report should state in Section 16.10.610 the geotechnical engineer would be hired by the applicant rather than the Town. She also pointed out revisions made to Section 16.10.620 that were not summarized in the staff report.

Chair Whitson opened the public participation portion of the public hearing.

Bo McFadden, GeoEngineers, expressed support for the proposed language regarding geologic hazard areas.

Jeff Critchlow, 21720 Chinook Road, voiced his support for the proposed revisions that would allow them to move forward with repairing a broken pipe on the bluff.

Chair Whitson closed the public hearing at 7:32 p.m.

CONSIDERATION OF RESOLUTION NUMBER 09-01: Approving the Amendments to the Environmentally Critical Area Ordinance and Recommending that the Town Council Approve the Amendments to the Woodway Municipal Code Section 16.10.

Mr. Trimm briefly reviewed the resolution.

ACTION: *Commissioner Wilmer* moved to adopt Resolution Number 09-01. *Commissioner Ange* seconded the motion. The motion carried unanimously.

ADJOURNMENT: *Commissioner Frank* moved to adjourn the meeting. *Commissioner Wilmer* seconded the motion. The motion carried unanimously. The meeting was adjourned at 7:35 p.m.

APPROVED BY THE PLANNING COMMISSION

Heidi K. S. Napolitino
Secretary to the Planning Commission

Tom Whitson, Chairman

(These minutes accurately reflect what was said at the Planning Commission Meeting. Publication does not vouch for the veracity of these statements.)