



PLANNING COMMISSION

MINUTES OF THE MEETING

MEETING SUMMARY

Regular bi-monthly meeting
Thursday, September 15, 2016, 6:30pm
City of Sammamish Council Chambers

COMMISSIONERS PRESENT

Frank Blau, *Pos. 6, Chair*
Shanna Collins, *Pos. 3, Vice-Chair*
Eric Brooks, *Pos. 1*
Larry Crandall, *Pos. 4*
Nancy Anderson, *Pos. 7*
ABSENT: Brian Garvey, *Pos. 2*, Philip Cherian, *Pos. 5*

STAFF PRESENT

Cheryl Paston, Deputy Director – Public Works
Tawni Dalziel, Senior Stormwater Program Manager
Tammy Mueller, Administrative Research Assistant

CONSULTANTS PRESENT

Brittany Porter, AHBL

CALL TO ORDER

Chair Frank Blau called the Sammamish Planning Commission meeting to order at 6:30 pm.

APPROVAL OF AGENDA: Shanna Collins motioned; seconded – **Approved 5:0**
The Agenda was approved as read.

APPROVAL OF MINUTES: Larry Crandall motioned; seconded – **Approved 5:0**
09/01/2016 minutes approved as read.

NON-AGENDA PUBLIC COMMENT: (3 Min Individual / 5 Min Representative)

[Bookmarked Video Link](#)

- Mary Wictor, 408 208th Ave. NE, Sammamish, WA
 - Topic: Tree removal, drainage, steep slope management

Time: 6:33pm

Public Comment Closed

OLD BUSINESS

Surface Water Design Manual Update – Public Hearing

Cheryl Paston, Deputy Director – Public Works and Tawni Dalziel, Senior Stormwater Program Manager presented a PowerPoint presentation ([link](#)) to the Commission regarding the Surface Water Design Manual Update.

Staff and Commission commenced discussion:

- **Overview:** Staff reviewed the significant changes to the Sammamish Addendum discussed during previous work sessions.
- **Public Comments:** Public comment topics were discussed:
 - Abandonment of clearing and grading sites: SMC 27A and Requirement #7 of the 2016 KCSWDM allow the City to collect financial guarantees from developers. Should a developer

not meet the performance or maintenance agreements of their permit, the City can collect the funds from the financial guarantee and perform the necessary work.

- Commission gave the following comment:
 - Request to add restrictions against developers who abandon sites from future work within the City.
 - Clarification from Staff on type of work the financial guarantee would allow the City to perform on an abandoned site.
 - Request for clarification on when a site can be declared abandoned and the financial guarantee pursued for collection by City.
 - Staff agreed to research the matter and follow up with the Commission.
 - Clarification on whether City Staff or contractors perform restoration work.
 - Staff responded that it would be firms contracted with the City.
 - Request for information regarding incentives offered to new developers to pick up and resume abandoned projects.
 - Staff responded that the incentive is that another developer has already paid the cost of the work performed prior to abandonment, thus the City need not apply further incentives.
- Erosion Hazard Near Sensitive Water Body Overlay: A table has been added to the Sammamish Addendum showing city equivalents for ordinances.
- Inglewood Basin flow control and water quality standards: Inglewood Basin study (2011) reviewed. Based on this, Staff proposed to maintain the current level of flow control and water quality treatment in Inglewood Basin.
 - Commission gave the following comment:
 - Clarification on whether the study addressed the area of concern from the public comment.
 - Staff replied that the study will cover the areas of concern. The regional stormwater plan will also include overlap with the Town Center project.
 - Clarification on plans to review the Inglewood Basin flow control and water quality standards for changed conditions.
 - Staff replied that they would be reviewing in five years when the next stormwater manual update will occur, but can inspect earlier should the need arise.
 - Clarification for whether Inglewood Basin is unique as a Tier 3 basin.
 - Staff responded that while Inglewood Basin has unique conditions, Tier 3 is not, citing Thompson and Pine Creek basins.
- Definition of replaced impervious surface: Staff clarified that if an impervious surface is replaced, LID BMPs are not triggered so long as the base course (crushed rock under asphalt) is not disturbed.
 - Commission gave the following comment:
 - Clarification requested for how impervious surfaces that do not have a base course underneath them are handled.
 - Staff stated that so long as the square footage is not altered, the LID BMP will not be triggered.
- **Stakeholder Comments –**
 - Pond vs. Vault: Staff discussed perceived and actual pros and cons of pond vs. vault usage.
 - Commission gave the following comment:
 - Questioned whether vaults have fewer mosquitos than ponds.
 - Staff stated that this is a misconception and that both ponds and vaults have mosquitos.

- Commission requested that Staff work to educate the public on this and other misconceptions about the pros and cons of stormwater ponds vs. vaults.
- Clarification of whether an open concrete storage area with vertical walls is considered a pond or vault.
 - Staff responded that this would be considered a pond under current definitions.
- Recommendation that additional measures be taken to incentivize developers to go above and beyond the minimum requirements for the recreation credit when creating ponds.
- Contributed that ponds offer more flexibility for future change compared to vaults, which could be added to the “pro” list.
- Questioned the long-term maintenance costs associated with ponds vs. vaults.
 - Staff responded that vaults’ infrastructure maintenance does contribute to higher costs than ponds.
 - Commission requested that maintenance for invasive/destructive wildlife or plant species around stormwater ponds be considered.
- Statement that vaults are a better option than ponds in areas, like the Town Center, where space is being maximized.
- Clarification that public comments for pond vs. vault are actually regarding ugly ponds vs. aesthetically pleasing, natural ponds, and that the language should change to show this.
- Requested clarification for process behind combining stormwater facilities to cut down on their number.
 - Staff responded that it is possible and Staff are looking into it.
 - Commission requested incentives for developers to investigate whether they could collaborate with other developers, the City, or neighborhoods on developing combined stormwater facilities.
 - Commission debated on whether the Fee in Lieu option, designed to address this, would be useful in situations where several developers are working on neighboring sites under different timelines. The Town Center project was an example where the situation would allow for collaboration. Otherwise, it is more likely neighborhoods or neighborhoods and developers would be best at successfully collaborating. Requested that the City allocate resources to survey potential sites for regional facilities.
 - Staff responded that the Parks Department is preparing to conduct a survey for open space within the City and Public Works is hoping to utilize this study for stormwater purposes.
 - Commission stated concerns that a recent buildable lands survey does not take environmentally critical areas into account, thus they would not be useful for development purposes. They suggested that new GIS layers would be more helpful in this regard.
- Requested Staff’s opinion on the best practices pertaining to stormwater based on new scientific literature.
 - Staff responded that the literature shows water quantity is managed equally well between ponds and vaults. Quality is slightly better in ponds.
- Requested clarification for whether vaults were costlier for the City than ponds.

- Staff responded that they generally are, especially when developers dedicate land with vaults on them to the City, requiring the City to assume maintenance costs of the vaults. In instances where land is very expensive, ponds are costlier than vaults.
 - Clarification of whether vaults use chemicals to aid in water filtration.
 - Staff stated that vaults use filters but ponds do not need to.
 - Request for photographs of the insides of vaults along with design specs to further public education.
- LID credits toward detention facility sizing: the NPDES Permit requires the City to provide annual inspections on all stormwater treatment and flow control BMPs/facilities that discharge to publicly owned systems. There are proposed credits for full infiltration and full dispersion. There is not a proposed detention facility sizing credit proposed which stakeholder designers and developers disagree with, requesting that a credit be offered, otherwise there is no incentive to maintain the facility.
 - Commission gave the following comment:
 - Suggestion to implement a LID bond process.
 - Staff stated that this would overlap with current M&D bond requirements and would still not cover long-term maintenance or defects.
 - Commission emphasized that the goal is to encourage developers to build quality structures that are more likely to be free of defects.
 - Clarification that the goal of the BMPs is to compensate for lack of a stormwater facility and concern for repercussions should they fail.
 - Staff clarified process.
 - Commission continued with concern over the calculations, how future development could alter the calculations of the BMPs and their effectiveness, and whether the City has taken this into account.
 - Staff responded that the City would be required to address any issues stemming from defective or insufficient infiltration, dispersion, or stormwater facility size. There would be a declaration of covenant on the lots requiring the developer to cover the maintenance should it be needed.
 - Suggestion that the City should contract with a consultant to perform annual inspections.
 - Suggestion that the City make a plan to educate the public on LIDs in an effort to encourage communities to be aware and take ownership of them.
 - Statement that the credits should be for work done above and beyond the requirements, not for the bare minimum which is required by the permit.
 - Staff stated that another option where full infiltration is not possible is reducing the footprint of structures on the property which would require manual measurement of the footprint.
 - Commission was not supportive of promoting this idea as there are possibilities to game the system and receive the credit, then increase footprint or build additional structures later.
 - Commission requested public education to promote ways homeowners can utilize LID BMPs on their existing property or with redevelopment and perhaps obtaining credits.
 - Staff stated that education plans are under development.
- **City Council Comments**
 - Pond mowing: Currently mowing 1x/year. This helps prevent more expensive maintenance later on. City looking to provide non-invasive landscaping other than grass to make more aesthetically pleasing and require less mowing and maintenance.

Chair called a short recess. Called back to order at 8:41pm.

OLD BUSINESS

Low Impact Development (LID) Code Amendments – Work Session

Britany Porter, AHBL presented a PowerPoint presentation ([link](#)) informing the Commission of Staff recommendations for code amendments pertaining to the Low Impact Development (LID) code review and updates required by the City's 2013-2018 Western Washington Phase II Municipal Stormwater Permit (aka: National Pollutant Discharge Elimination System (NPDES) Permit). A draft of the Sammamish Municipal Code (SMC) Chapter 21A.85 changes was provided and discussed. The draft is located in the packet ([link to packet documents](#)).

Staff and Commission commenced discussion:

- **Overview:** Information provided during the September 1, 2016 Planning Commission meeting was reviewed.
- **Sammamish's Permit Requirements:** The intent is to make LID the preferred and commonly-used approach to site development by minimizing impervious surface coverage, native vegetation loss, and stormwater runoff.
- **Integrating LID Principles:** The SMC already integrates various LID principal topics within sections of chapters 20, 21A, and 21B as highlighted in the presentation.
- **Proposed Code Amendments:** SMC 21A.85 will require amending as its current state is difficult to use for LID, providing an all-or-nothing approach according to stakeholders. The outlined proposals attempt to make 21A.85 more usable to encourage developers to employ LID standards beyond the requirements of KCSWDM. The changes would also simplify the code and remove incentives for elements that will be required as part of the KCSWDM update.
 - Commission gave the following comment:
 - Clarification on changing the critical area buffer width, process, and incentives.
 - Clarification between screening for aesthetics vs. safety regarding ponds.
 - Clarification between net density vs. gross density.
 - Clarification on technique points and the process behind their use.
 - Staff agreed to address these questions at the following meeting given the time constraints of this meeting.
- **Proposed Schedule:**
 - October 6, 2016: Planning Commission Open Public Hearing
 - October 20, 2016: Planning Commission Close Public Hearing and Deliberation
 - November 1, 2016: City Council Work Session
 - November 8, 2016: City Council Work Session
 - November 15, 2016: City Council Public Hearing – First Reading
 - December 6, 2016: City Council Public Hearing – Second Reading

Chair closed discussion of LID Code Amendments and opened Public Comment.

Public Comment – Agenda (7 Minutes)

[Bookmarked Video Link](#)

No public comment provided.

Public Comment Closed

Motion to Adjourn: Larry Crandall motioned to adjourn; seconded. **Approved 5:0**

Meeting adjourned at 9:00pm

Chair: Frank Blau

PC Coordinator: Tammy Mueller

[Video Audio Record 09/15/2016](#)

Roberts Rules of Order applied: [RONR (10TH ed.), p. 451, 1. 25-28]