



## PLANNING COMMISSION MINUTES

October 12, 2017  
7:30 PM  
City Hall Annex

### 1. CALL TO ORDER

Chairperson Veltkamp called the Planning Commission meeting to order at 7:35 p.m. on Thursday, October 12, 2017, at the City of Lynden City Hall Annex.

### 2. ROLL CALL

Members Present: Faber, Scott, Strengholt, D. Veltkamp, B. Kok, and G. Veltkamp  
Members Absent: None  
Staff Present: Heidi Gudde, Planning Director; and Dave Timmer, City Planner.

### 3. MINUTES APPROVED

Minutes from the September 28<sup>th</sup>, 2017 meeting were reviewed, one correction was noted, and approved.

### 4. DECLARATION OF CONFLICT

None of the Commissioners reported any ex-parte contact of conflict of interest.

### 5. PUBLIC HEARING

#### A. Work Session on the Critical Area Ordinance Update

D. Veltkamp, PC Chair, opened the public hearing.

**No motion required regarding a work session**

### 6. COMMISSIONERS CORNER

Dave Timmer, Long Range Planner for the City, gave a summary to the Commission about the need for the City to update its Critical Areas Ordinance (CAO). He explained that the update is usually on the same schedule as the Comprehensive Plan updates but in our case it is not. Additionally, Timmer discussed the implications of being out of compliance with the State, as we currently are. Timmer told the Commission that our CAO is a practical code that gets

used often. The department responds to lots of phone calls regarding the City's critical areas – typically what sort of work can and cannot be done within these areas. Planning staff has worked with Vicki Jackson of NW Ecological to prepare the draft changes to the code and has been in contact with agencies for initial review. Timmer also stated that there is currently not a specific date on the calendar that the CAO update would be returning to Planning Commission. It will do so in a public hearing setting.

The Commission's work session discussion focused on a number of topics including:

- Department of Ecology recommended buffer widths and how they compare to the existing and proposed widths in the City's CAO.
- Implications of buffers to existing residences along the Fishtrap Creek.
- Shoreline restrictions and typical mitigation requirements in these areas.
- Hazard trees and the ability of residents to clear these from critical areas.
- Future areas of development that include critical areas such as the Kamm Creek area, along Duffner Ditch, and the floodplain of the Nooksack River.
- Wetland mitigation: required establishment periods for on-site mitigation, off-site mitigation opportunities.
- Application and CAO review of properties when new development is proposed. Code requirements for wetland delineations or evaluations.
- Wetland categories and who makes the determination about function.
- Mapping of our existing critical areas. This map is not currently being revised.
- Potential of launching educational campaigns related to the care of our creeks (Kamm, Fishtrap, Duffner). Examples included sending our mailers or using existing mailers to highlight clean water efforts or creek restoration efforts. Other ideas included links on the City's website page, a list of FAQ's related to the CAO, and highlights in the Tribune.
- Intensity of development and the function of a wetland – both of these are categorized as high, medium, or low. Could there be confusion related to this repeat in terminology regarding ranking?
- The ability of a facility to function as a wetland as well as a stormwater facility. The best available science about this line of thought.
- Historic path of the Nooksack River

## 7. ADJOURNMENT

**Brett motioned to adjourn the meeting at 8:50 PM. Seconded by Faber. The motion passed 5-0.**