

**SPECIAL JOINT
CITY COUNCIL / PLANNING
COMMISSION MEETING /
WORKSHOP**

**January 20, 2015
5:30 p.m.**

AGENDA



"Where Dreams Can Soar"

The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

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The City Council may act on items listed on this agenda, or by consensus give direction for future action. The Council may also add and take action on other items not listed on this agenda.

Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

I. Call to Order: Mayor Neil Johnson

II. Roll Call:

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

Planning Commissioners: Chairperson Grant Sulham, Commissioner David Baus, Commissioner Brad Doll, Commissioner Dennis Poulsen, and Commissioner Winona Jacobsen.

III. Agenda Items:

p. 3 A. **Discussion:** AB15-02 – Resolution 2424 – Planning Commissions 2015-2016 Work Plan.

**** End of Special Joint City Council/Planning Commission Meeting ****

Followed by Regular Council Workshop Items.

B. Council Open Discussion

p. 9 C. **Review of Draft Minutes:** December 8, 2014 Special Meeting, January 6, 2015 Workshop, and January 13, 2015 Meeting.

p. 21 D. **Discussion:** AB15-03 – Resolution 2427 – Initiate Negotiations with Pierce County for an Annexation Interlocal Agreement

p. 31 E. **Discussion:** AB15-06 – Resolution 2429 – Notice of Intent to Adopt the Environmental Conservation Element of the Comprehensive Plan

IV. Executive Session: Pursuant to RCW 42.30.110, the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

V. Adjournment

For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Community Development/ Jason Sullivan – Senior Planner	Meeting/Workshop Date: January 20, 2015	Agenda Bill Number: AB15-02
Agenda Item Type: Discussion	Ordinance/Resolution Number: 2424	Councilmember Sponsor: Donn Lewis

Agenda Subject: Bonney Lake City Council – Planning Commission Joint Meeting and Planning Commission Work Plan

Full Title/Motion:

Administrative Recommendation:

Background Summary: Once a year the City Council and the Planning Commission are required to hold a joint meeting pursuant to BLMC 2.04.1040. Additionally, the City Council adopted Resolution Number 2089 which established a policy for the review and approval of the Planning Commission’s Work Plan for the Biennium. Therefore, the primary focus of the January 20, 2015 joint meeting will be to discuss the draft 2015 – 2016 Work Plan for the Planning Commission.

Attachments: Resolution 2424 and Draft Work Plan.

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW					
Council Committee Review:	Date:	<i>Approvals:</i> Chair/Councilmember	Yes No		
		Councilmember	<table border="1" style="width: 20px; height: 20px;"> <tr><td> </td><td> </td></tr> </table>		
		Councilmember	<table border="1" style="width: 20px; height: 20px;"> <tr><td> </td><td> </td></tr> </table>		
	Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Commission/Board Review:	Planning Commission				
Hearing Examiner Review:					

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: <i>John P. Vodopich, AICP</i>	Mayor:	Date Reviewed by City Attorney: (if applicable):

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RESOLUTION NO. 2424

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON ADOPTING THE PLANNING COMMISSION WORK PLAN FOR THE 2015-2016 BEINNIUM.

WHEREAS, the City Council adopted Resolution 2089 to establish a policy for establishing and maintaining a Work Plan for the Planning Commission to facilitate comprehensive planning and the development of land use regulation of the City pursuant to RCW 35.63; and

WHEREAS, the intention of Resolution 2089 is that the Work Plan is adopted during either the last two months of the previous biennium or the first two months of the new biennium; and

WHEREAS, the City Council and Planning Commission met in joint session on January 20, 2015 to review and discuss the proposed work plan for the current biennium;

NOW, THEREFORE City Council of the City of Bonney Lake do hereby resolve as follows:

Section 1. 2015-2016 Biennial Work Plan Adopted. The Planning Commission Work Plan for the 2015-2016 biennium, attached hereto as Attachment “A”, is hereby adopted.

Section 2. Changes to the Work Plan. Modifications to the Work Plan will be made consistent with the process provided in Resolution 2089 Section 4.

PASSED by the City Council and approved by the Mayor this ____ day of _____, 2015.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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ATTACHMENT A

City of Bonney Lake 2015 - 2016 Planning Commission Work Plan

	Description	Department	PC Review Completion Date	Note	Initiated By
2015	RV Code Amendments	CD	2015 Q1	This amendment would allow RVs to be used for long term residential housing units in Mobile Home Parks. The City's current code prohibiting RVs to be used as a primary residence in mobile home parks violates RCW 35.21.684(3). The amendment was also identified as a mandatory change in the City's recent land use audit conducted by AWC.	Staff
	Comprehensive Plan Update - Economic Vitality Element	CD	2015 Q1		Staff
	Land Use Matrix Amendments	CD	2015 Q1	The amendments to the land use matrix codified in BLCM 18.08.020 would allow SFR in the R-2 zone, allow family day cares in all zones that allow residential developments, and allow essential public facilities (EPFs) in all zoning classifications. The R-2 is intended to be a higher density residential zone and has been applied to the Comprehensive Urban Growth Area (CUGA) proposed to be annexed into the City. However, the R-2 does not allow single family residential which means upon annexation the entire area would be non-conforming. The amendment to allow family day cares in all zones that allow residential developments was identified as one of the mandatory changes in the City's recent land use audit. The amendment to allow EPFs in all zoning districts pursuant to RCW 36.70A.200(5).	Staff
	Midtown Core Amendment	CD	2015 Q1	The amendment will remove the requirement that parking lots can not be located adjacent to 204th in the commercial portion of the WSU forest.	Staff
	Modification Eastown Future Roads Map	CD/PW	2015 Q2	Requested by the Public Works Director. This work will be completed in conjunction with the Comprehensive Plan Periodic Update - Mobility Element	Staff
	Comprehensive Plan Periodic Update - Community Services and Facilities Element.	CD	2015 Q2	This is a new element that combines the Capital Facilities, Utilities, and Parks Elements into one element.	Staff
	Comprehensive Plan Periodic - Mobility Element.	CD	2015 Q2	This element will combine the City's transportation and non-motorized transportation plan into one element focused on the development of a multi-modal transportation system as required by PSRC.	Staff
	Electrical Vehicle Infrastructure Ordinance	CD	2015 Q2	By July 1, 2011, the City was required to develop regulations allowing battery charging stations in all commercially zoned areas pursuant to RCW 36.70A.695(3).	Staff
	Flood Administration Ordinance	CD	2015 Q2	In 2013, the Department of Ecology conducted a Community Assistance Visit (CAV) in order to review how the City was addressing the regulation of floodplains, both under the requirements of State and the NMFS BiOP. The CAV report found a few minor modifications were required to the City's floodplain regulations.	Staff
	Telecommunication Code Amendment	CD	2015 Q2	Changes in Federal Law have required some changes related to the City's Telecommunication Code.	Staff
Comprehensive Plan Periodic Update- Final Adoption	CD	2015 Q2	The Planning Commission will hold the final public hearings on the periodic update of the City's Comprehensive Plan.	Staff	

	Description	Department	PC Review Completion Date	Note	Initiated By
2015	Review the side yard setbacks in the RC-5	CD	2015 Q3	Some Councilmembers are concerned that the setbacks are too small in the RC-5 zoning classification given that the properties are supposed to be larger 5 acre parcels.	Council
	SEPA Code Amendments	CD	2015 Q3	Changes to Chapter 197-11 WAC which governs the implementation of the State Environmental Policy Act as necessitated some modifications to the City's SEPA rules.	Staff
	SMP Amendment	CD	2015 Q3	When the new SMP was prepared Utilities were prohibited in the Aquatic Shoreline Designation; however, the City has a number of utility lines that cross under Lake Tapps. This amendment would resolve this issue.	Staff
	Water System Plan Update	PW	2015 Q4		Staff
2016	Downtown Subarea Plan Update	CD	2016 Q2	This is one of the recommendations from Berk. This purpose is to review and update as necessary based on the recent market analysis.	Staff
	Subdivision Code Review	CD	2016 Q3	The purpose of this work item is for the Planning Commission to review the subdivision code and recommend amendments to improve the code and ensure the code is consistent with any changes in state law. This goal is to start a program to maintain the develop codes over time to ensure that the codes are always up to date	Staff
	Sewer System Plan Update	PW	2016 Q3		Staff
	Easttown Subarea Plan Update	CD	2016 Q4	This is one of the recommendations from Berk. This purpose is to review and update as necessary based on the recent market analysis.	Staff
	Stormwater System Plan Update	PW	2016 Q4		Staff

**SPECIAL JOINT
PARK COMMISSION/
CITY COUNCIL
MEETING**

**December 08, 2014
6:00 p.m.**

DRAFT MINUTES



"Where Dreams Can Soar"

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Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

I. Call to Order: The meeting was called to order at 6:01 p.m.

II. Roll Call: Park Commissioners in attendance were Jim Bouchard – Chair, Chauntelle Hellner - Vice-Chair, Commissioner Randi Riesenberg, Commissioner Scott Anderson, Commissioner Paul Surek, and Commissioner Todd Haueter (arrived 6:32)

Elected Officials in attendance were Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember James Rackley and Councilmember Tom Watson

Absent: Commissioner Terry Reid and Councilmember Katrina Minton-Davis

Staff members in attendance: Facilities & Special Projects Manager Gary Leaf, and Park Commission Clerk Debbie McDonald

III. Approval of Minutes:

Commissioner Anderson moved to approve the minutes from the October 13, 2014 and November 10, 2014 Meetings. Commissioner Riesenberg seconded the motion.

Motion to approved minutes approved 5 - 0

IV. Citizen Comments: None.

V. Correspondence: None.

VI. Staff Reports: None.

VII. Old / Continuing Business: Tabled until the January 2015 Meeting

VIII. New Business:

A. *2015 Planning* – Mayor Johnson requested the formation of an Ad-Hoc Committee to develop a park plan for the Midtown Park, Allan Yorke Park, and the Moriarty property. He would like three Councilmembers and three Park Commissioners to form the Committee. The Committee would start meeting at the first of the year and have approximately 6-8 weeks to form a plan for these areas, and he would like to have a plan of action to carry out the Park Plan prepared by September of 2015.

Councilmember Lewis said there will need to be a conceptual plan to know how to put the pieces together so that the City does not install a permanent parking lot and have to demolish

it later because it was not in the right location. He suggested installing a temporary gravel lot that could be moved later.

Councilmember Rackley said he supports and agrees with the Mayor's plan and he said the plan needs to include items that are low maintenance but will have high usage. He suggested Councilmember Watson, Councilmember Lewis and himself represent the Council on the Ad-Hoc Committee. Councilmember McKibbin said he would also like to be considered for the Committee.

Chair Bouchard said he would like to have a master list of inventory of each park so items are not duplicated by the Ad-Hoc Committee. Park Commissioner Anderson agreed that an inventory of park resources would be useful. She said the City and the Committee will need to make sure projects have the funding to be maintained once installed. Deputy Mayor Swatman responded stating that a funding source has been identified to fund and maintain projects.

Mayor Johnson asked those Park Commissioners that are interested in serving on the Ad-Hoc Committee to please e-mail him.

B. *Parks Work Plan* – See VIII.A. above.

IX. Items for Next Agenda: None.

X. For the Good of the Order: None.

XI. Adjournment:

At 7:04 p.m., Commissioner Anderson moved to adjourn the Park Commission Meeting. Commissioner Haueter seconded the motion.

Motion to adjourn approved 6 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

**CITY COUNCIL
WORKSHOP**

**January 6, 2015
5:30 P.M.**



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DRAFT MINUTES

Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

- I. Call to Order** –Mayor Neil Johnson, Jr. called the meeting to order at 5:30 p.m.
- II. Roll Call:** Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Randy McKibbin, Councilmember Donn Lewis, Councilmember James Rackley, and Councilmember Tom Watson. Councilmember Katrina Minton-Davis was absent.

Deputy Mayor Swatman moved to excuse Councilmember Minton-Davis' absence. Councilmember Lewis seconded the motion.

Motion to excuse Councilmember Minton-Davis' absence approved 6 – 0.

Staff members in attendance were City Administrator Don Morrison, Community Development Director John Vodopich, Public Works Director Dan Grigsby, Chief Financial Officer Cherie Gibson, Police Chief Dana Powers, City Attorney Kathleen Haggard, Senior Planner Jason Sullivan, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

Planning Commission Chair Grant Sulham was also in attendance.

III. Agenda Items:

- A. Council Open Discussion:** Council had no items for discussion during Council Open Discussion.
- B. Review of Council Minutes:** November 25, 2014 Council Meeting, December 2, 2014 Council Workshop, and December 9, 2014 Council Meeting.

Minor corrections were made to the minutes and this item was forwarded to the January 13, 2015 Council Meeting for action.

- C. Discussion:** 2015 Council Retreat.

Deputy Mayor Swatman listed the topics currently being considered for the 2015 Council Retreat. He will email the list to the Councilmembers for their review and any other items the Council would like added to the retreat agenda.

- D.** City Administrator Morrison and Council agreed to schedule the Councils' 2015 Retreat for Saturday, February 21st. Mayor Johnson said he was checking with a location in Seattle to utilize for the retreat, however, Councilmember Rackley advised he would prefer to have the retreat at a more local location. Councilmember McKibbin said it is not considered a retreat if it happens locally, as it would then be considered a meeting. Council consensus was to have the retreat more locally. City Administrator Morrison said he would also like to discuss and review the City's visions and goals at the retreat. There was no action taken, as this item was for discussion purposes only.
- E. Discussion:** AB15-08 – Ordinance D15-08 – Regulation of State-Licensed Marijuana Businesses (Previously AB14-129).

Senior Planner Sullivan advised that the Workshop presentation would be in three parts. He summarized the City's actions on licensed marijuana businesses, since Initiative 502 was approved by the voters. He advised that on November 5, 2014, the Planning Commission held a public hearing regarding two possible proposed ordinances regarding regulation of State-licensed marijuana businesses.

Planning Chair Sulham said the Planning Commission voted 6-1 to recommend that the City Council not adopt Ordinance D14-129A and that the City Council adopt Ordinance D14-129B. This recommendation would authorize state-licensed marijuana retail establishments and ban state-licensed marijuana producers and processors. He said additionally, the Planning Commission voted 7-0 to recommend that the City Council adopt an ordinance that would set aside a percentage of the sales tax that the City receives from the operation of state-licensed marijuana retail establishments within the City for youth drug education programs or other programs that support healthy lifestyles of the City's youth.

City Attorney Haggard provided a PowerPoint presentation to provide an update to the current legislation regarding State-licensed recreational marijuana businesses and the Liquor Control Board ("LCB") Regulations, the Attorney General Opinion regarding municipalities' ability to ban marijuana businesses, Federal regulations, and the City's ability to object to specific licenses. She provided a breakdown of potential revenue from marijuana businesses, environmental issues with production of marijuana, and the temporary moratorium and action needed to be taken by the Council before its expiration. Senior Planner Sullivan provided clarification regarding private parks located throughout the City wherein no licensed marijuana establishments may be located within 1,000 feet. Mayor Johnson asked out potential areas that are or will be dedicated to future open space, parks or trails. Senior Planner Sullivan addressed Mayor Johnson's questions and provided clarification. Councilmember Rackley questioned whether a local dog park or small park would qualify. Councilmember Hamilton had questions regarding other businesses that may want to locate within 1000 feet of a licensed marijuana business and Mr. Sullivan and City Attorney Haggard responded. Councilmember McKibbin and Councilmember Lewis reminded Council of other type of business restrictions within the City, such as adult entertainment.

Councilmember Hamilton asked if the LCB could reallocate the number of allowed marijuana businesses. Attorney Haggard advised that it is possible, but that the LCB would have to give notice. Senior Planner Sullivan said there is a very in-depth rule process that must be followed. Councilmember Hamilton asked Attorney Haggard about his concern with the Federal government's right to enforce federal regulations, especially with a new Attorney General that could force these type of businesses to close down given 60 days' notice. She advised that without an act of Congress, cities are in limbo unless marijuana is removed as a

Schedule 1 drug. She said the Cole Memo is the declaration of the current Federal administration's intention, however, it is not binding and it could be changed. Councilmember Hamilton said the cities do have the powers and control of the zoning wherein they would allow a recreational marijuana business, but asked if the State legislature acted in the next few years that forces cities to allow these business and possibly increase the number that each city is required to have.

Deputy Mayor Swatman reiterated his concern of conflict with federal law.

Councilmember Watson said he visited both facilities in Buckley and didn't feel there were proper controls at these locations. He said he does not want to see this type of business in Bonney Lake which will promote problems with no benefit to the City. He read notes, which he provided to the City Clerk's office to be included with the minutes. In summary, he noted that there would be only one Washington State LCB Officer per licensed premises; facility inspections by the LCB, with no inspection by the FDA, USDA or Health Department, and original inspection by the Department of Agriculture; the harm marijuana chemicals can cause and the addictive nature of marijuana; heavy use of marijuana affecting a person's IQ and average intelligence; advertising of marijuana products; and top three ways teens get alcohol and that there would likely be similar results for marijuana.

Councilmember Hamilton said he has spoken with many friends and family members who support the initiative to decriminalize use of marijuana, however, they believe there are better locations for this type of business than Bonney Lake. Councilmember McKibbin agreed. Councilmember Lewis said his biggest concern are the safeguards that are available and his educated audience throughout the Sumner School District are adamant that they don't want it around the students or in the workplace, where use could cause injury.

Mayor Johnson said his biggest concern is affecting other businesses with the zoning if the Council permitted this type of business. He doesn't agree with it and if the City has a chance to ban it then he would support such a ban. He said if Council supports such a business, he believes the Eastown area would be the best area for zoning purposes. He believes the residents of Bonney Lake do not want this type of establishment in the City.

Councilmember Hamilton said other big concerns for him are financial banking issues, and public safety issues.

Mayor Johnson said the next step is for Council to choose how to proceed. Council consensus was to move Ordinance D14-129A (D15-08A) to the next Council Meeting. Mayor Johnson advised that proposed ordinance D14-129A (D15-08A) be forwarded to the January 13, 2015 Meeting for action. Deputy Mayor Swatman asked that public comments be at the meeting prior to taking action.

IV. EXECUTIVE SESSION: None.

V. ADJOURNMENT:

Councilmember Watson moved to adjourn at 6:50 p.m. Councilmember Lewis seconded the motion.

Motion to adjourn approved 6 - 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council for the January 6, 2015 Workshop:

- Councilmember Tom Watson– *Notes read at the January 6, 2015 Workshop pertaining to marijuana licensing, businesses, and use.* Notes were received from Councilmember Watson via email to the City Clerk’s office on January 7, 2015.

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.

CITY COUNCIL MEETING

**January 13, 2015
7:00 P.M.**



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DRAFT MINUTES

Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:00 p.m.

- A. Flag Salute: Austin Skidmore of Boy Scout Troup #532 led the audience in the Pledge of Allegiance.
- B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Dan Swatman, elected officials attending were Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson. Mayor Neil Johnson, Jr. was absent.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Cherie Gibson, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, Senior Planner Jason Sullivan, and Records & Information Specialist Susan Haigh.

C. Announcements, Appointments and Presentations:

- 1. Announcements: None.
- 2. Appointments:
 - a. **AB15-12** – A Motion Of The City Council Of The City Of Bonney Lake Confirming The Mayor's Re-Appointment Of Civil Service Commissioner David King To A Six-Year Term Ending April 6, 2020.

Councilmember Watson moved to approve motion AB15-12, confirming the re-appointment. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.

- 3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.
- B. Citizen Comments:

George Brown, 8410 Locust Ave, Bonney Lake, spoke about walking on the trails in the WSU Forest (Midtown Park) and his concerns about garbage, safety on the trails, and

evidence that the forest is used for parties and homeless camps. He described issues he has experienced with dogs in the park and asked what rights park visitors have to protect themselves. Deputy Mayor Swatman asked Mr. Brown to contact the Police Department to discuss these concerns and questions.

Dan Packer, 2101 170th Ave E, Bonney Lake, spoke on behalf of the Church of Jesus Christ of Latter Day Saints and Andrew Leer. He invited all to a meeting on January 21st at 7:00-9:00 p.m. in the Bonney Lake Public Safety Building regarding child human trafficking issues. He said attendees will include community leaders and local politicians.

Todd Crouch, 22421 124th St E, Bonney Lake, spoke in favor of allowing a retail marijuana store in Bonney Lake.

Arthur Tsyachuk, 12515 224th Ave E, Bonney Lake, spoke in favor of having a recreational marijuana store in Bonney Lake.

Brenda Howick, 8004 183rd Ave E, Bonney Lake, spoke in favor of allowing a retail marijuana store in Bonney Lake.

Jeff Grassman, 6405 158th Ave E, Bonney Lake, said he is not in favor of retail marijuana stores in Bonney Lake or the surrounding area.

Patrick King, 21261 SR 410, Bonney Lake, spoke in favor of allowing a retail marijuana store in Bonney Lake. He said he works at a local smoke shop and customers simply drive to other cities or use the black market to purchase marijuana.

Austin Skidmore, 9123 189th Ave Ct E, Bonney Lake, spoke against selling marijuana in local stores as it would pose a safety risk to children.

Gwendolyn Fullerton, 9611 183rd Ave E, Bonney Lake, spoke against allowing retail marijuana sales in Bonney Lake. She said the profits of selling marijuana are not worth the costs and safety risks for children and the community.

Zakaria Hazrat, 2224 SE 3rd St, Renton, said he and his business partner, Mr. Bassi, are interested in opening a retail marijuana business in Bonney Lake. He thanked the Council for meeting with them to discuss the issues. He spoke in favor of the Planning Commission's recommendation to allow retail marijuana businesses in Bonney Lake.

Saranjit (Roger) Bassi, 12519 224th Ave E, Bonney Lake, thanked the Council for working with him and Mr. Hazrat over the past months. He asked the Council to reconsider their plan to ban marijuana businesses and said if a ban is put in place they plan to file a lawsuit against the City.

Dan Roach, 9616 180th Ave E, Bonney Lake, said he is the leader of Scout Troop #532 and a Pierce County Councilmember. He described the history of Pierce County's decision to ban marijuana sales and unsuccessful lawsuits against other cities and counties that chose to ban marijuana sales. He spoke against allowing retail marijuana sales in Bonney Lake.

Chris Crew, 210 W Main St, Elma, said he is the attorney for Mr. Bassi and Mr. Hazrat (4ever Healing, LLC). He spoke about legal issues related to banning marijuana businesses, the history of areas that have made marijuana sales legal and the lack of

evidence that it causes harm to communities. He spoke in favor of allowing retail marijuana sales in Bonney Lake.

- C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee/Committee of the Whole: Deputy Mayor Swatman said the Committee met at 5:30 p.m. earlier in the evening as the Committee of the Whole and reviewed meeting minutes, discussed options for bond refinancing with Jim Nelson, discussed a proposed employee recognition resolution, and held a Closed Session regarding labor negotiations.
- B. Community Development Committee: Councilmember Lewis said the Committee met on January 6, 2015. The Committee has requested staff updates on the 186th Avenue corridor project, the Sumner Wastewater Treatment Facility project, and has requested quarterly updates from staff on the Public Works Center project proposal. The Committee forwarded Items D. (Resolution 2430) and E. (motion AB15-10) to the current Consent Agenda for action.
- C. Economic Development Committee: Councilmember Minton-Davis said the Committee met earlier in the afternoon and heard a presentation from Jeffrey Oliphant.
- D. Public Safety Committee: Councilmember Watson said the Committee met on January 5, 2015 and heard a report from East Pierce Fire & Rescue Chief McDonald on staffing cuts and furloughs due to budget cuts. The Committee also discussed use and alternatives for a city vehicle (Mercedes) and heard updates from the Court on the probation program. The Committee will hear a report from Metro Animal Services at their March meeting.
- E. Other Reports: None.

IV. CONSENT AGENDA:

- A. **Approval of Minutes**: November 25, 2014 Meeting, December 2, 2014 Workshop, and December 9, 2014 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: Accounts Payable checks/vouchers #70085-70130 (including wire transfer #'s 14369049, 20141107) in the amount of \$268,280.48.
Accounts Payable checks/vouchers #70131-70137 for utility customer refunds in the amount of \$372.54.
Accounts Payable wire transfer #2014112001 for p-card purchases in the amount of \$31,419.65.
Accounts Payable checks/vouchers #70138-70162 (including wire transfer #'s 20141201, 20141202, 20141203, 20141204, 20141205, and 20141206) in the amount of \$660,966.74.
Accounts Payable checks/vouchers #70163-70214 (including wire transfer #'s 11242014, 20141207, and 20141208) in the amount of \$1,006,998.93.
Accounts Payable wire transfer #2014121701 for p-card purchases in the amount of \$32,687.30.

Accounts Payable checks/vouchers #70215-70286 (including wire transfer #'s 14564443, 20141209, 20141210, and 20141211) in the amount of \$631,842.13.

- C. **Approval of Payroll:** Payroll for December 1-15th, 2014 for checks #32130-32152 including Direct Deposits and Electronic Transfers is \$ 445,985.65.
Payroll for December 16-31st, 2014 for checks #32153-32177 including Direct Deposits and Electronic Transfers is \$ 748,822.84.
- D. **AB15-09 – Resolution 2430** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Sewer Developer Extension Agreement With Isola Capital Management, LLC For The Park Place Multi-Family Project.
- E. **AB15-10** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Sewer Manhole Rehabilitation – 2013/2014 Project With NWCW, LLC.

Councilmember Watson moved to approve the Consent Agenda. Councilmember Lewis seconded the motion.

Consent Agenda approved 7 – 0.

V. **FINANCE COMMITTEE ISSUES:** None.

VI. **COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** None.

VII. **ECONOMIC DEVELOPMENT COMMITTEE ISSUES:** None.

VIII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.

IX. **FULL COUNCIL ISSUES:**

- A. **AB15-08 – Ordinance 1502 [D15-08]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Sections 18.04.030, 18.04.130, And 18.08.030 Of The Bonney Lake Municipal Code, Relating To The Production, Processing, And Retail Sales Of Marijuana. (Previously AB14-129)

Councilmember Watson moved to approve Ordinance 1502. Councilmember Rackley seconded the motion.

Councilmember Watson spoke about safety concerns related to marijuana use by youth. He provided the Council with a report about recreational marijuana legalization and reviewed some of the statistics about use and public safety issues in Colorado and Washington State. He spoke in favor of banning recreational sales of marijuana.

Councilmember Minton-Davis thanked those who came to speak during citizen comments on this topic. She said she was initially opposed to retail marijuana sales, but after talking with residents, getting her questions answered by the proponents, and spending more time for consideration, her position has changed. She said the State did a

disservice in forcing cities to deal with this issue. She said although she is personally not in favor of marijuana use, she supports the Planning Commission’s recommendation to provide zoning for marijuana retail stores, and plans to vote against the proposed ordinance.

Councilmember Hamilton said his opinion has shifted back and forth on this issue, but he has concerns that marijuana sales are against Federal laws, and that a retail marijuana store is not a fit for the community. He said he plans to vote in favor of the proposed ordinance banning retail marijuana sales. He said if marijuana is legalized at the federal level in the future his opinion will likely change on the issue of retail sales.

Councilmember Lewis spoke of his experience in the military and as an educator, and said he has had conversations with the proposed retail marijuana business owners. He said the State legislature needs to take action to align state and federal laws. He said he does not feel a retail marijuana store is a good fit for the community and he plans to vote in favor of banning retail marijuana sales.

Councilmember Rackley said it is important to control accessibility to drugs and alcohol and he plans to vote in favor of the ban.

Councilmember Hamilton confirmed with the City Attorney that a ‘yes’ vote on the proposed ordinance is a vote in favor of banning marijuana retail sales.

**Ordinance 1502 approved 6 – 1.
Councilmember Minton-Davis voted no.**

X. EXECUTIVE SESSION: None.

XI. ADJOURNMENT:

**At 7:49 p.m., Councilmember Watson moved to adjourn the Council Meeting.
Councilmember Lewis seconded the motion.**

Motion to adjourn approved 7 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the January 13, 2015 Meeting:

- City of Bonney Lake Councilmember Tom Watson – “Lessons After Two Years of Marijuana Legalization (1/5/2015)” handout by Smart Approaches to Marijuana.

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Community Development/ Jason Sullivan – Senior Planner	Meeting/Workshop Date: January 20, 2015	Agenda Bill Number: AB15-03
Agenda Item Type: Discussion	Ordinance/Resolution Number: 2427	Councilmember Sponsor: Donn Lewis

Agenda Subject: Initiate Negotiations with Pierce County for an Annexation Inter-local Agreement

Full Title/Motion:

Administrative Recommendation:

Background Summary: The City currently has three affiliated urban growth areas of which two have boundaries that are contiguous with the City for 60% or more of the overall length of the areas boundary: maps of these two areas are attached as Exhibit A and B to Resolution 2427. RCW 35A.14.460 allows the City of Bonney Lake and Pierce County to enter into an inter-local agreement to annex the City’s affiliated urban growth area when at least 60% of the boundary of the area to be annexed and the City are contiguous. The first step in the process is for the City Council to pass a resolution directing staff to commence with the negotiation of an inter-local agreement with Pierce County for the annexation of the areas pursuant to RCW 35A.14.460(1). Following the preparation of the inter-local agreement it must be approved by both the Bonney Lake City Council and the Pierce County Council. Once the inter-local agreement is in place, the areas can be annexed into the City by adoption of an ordinance by the City Council officially annexing the areas into Bonney Lake.

Attachments: Resolution 2427 and RCW 35A.14.460.

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>		Yes No
Date:	Chair/Councilmember		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember		<input type="checkbox"/> <input type="checkbox"/>
Forward to:	Consent Agenda:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: <i>John P. Vodopich, AICP</i>	Mayor:	Date Reviewed by City Attorney: (if applicable):

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RESOLUTION NO. 2427

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON EXPRESSING THE INTENT TO ANNEX PORTIONS OF THE BONNEY LAKE URBAN GROWTH AREA BY INTER-LOCAL AGREEMENT.

WHEREAS, RCW 35A.14.460 allows the City of Bonney Lake and Pierce County to enter into an inter-local agreement to annex the City's affiliated urban growth area when at least 60% of the boundary of the area to be annexed and the City are contiguous; and

WHEREAS, the boundary of two of the City's three urban growth areas have a contiguous boundary of 60% or more; and

WHEREAS, *Vision 2040* has the goal that unincorporated lands within the urban growth area will be annexed into existing cities; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

The City Council of the City of Bonney Lake directs City staff to negotiate an inter-local agreement with Pierce County to annex the areas illustrated in Exhibit A and Exhibit B and bring said inter-local agreement back to the City Council for further consideration.

PASSED by the City Council and approved by the Mayor this _____ day of _____, 2015.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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City of
Bonney Lake

West Tapps Hwy. E.

Church Lake Rd. E.



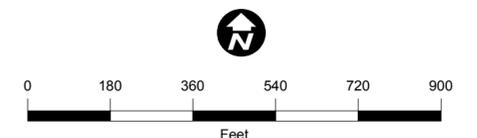
Resolution 2427

Exhibit A

Kelly Creek Vista PAA

Legend

 Kelly Creek Vista PAA Boundaries



Community Development Department
January 12, 2015

The map features are approximate and are intended only to provide an indication of said features. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by aerial survey. ALL DATA IS EXPRESSLY PROVIDED "AS IS" AND "WITH ALL FAULTS". The County makes no warranty of fitness for a particular purpose.

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Resolution 2427

Exhibit B

Delany PAA

Legend

 Delany PAA Boundaries

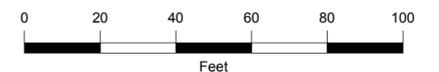


City of
Bonney Lake

SR-410

229th Ave. E.

The map features are approximate and are intended only to provide an indication of site features. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED "AS IS" AND "WITH ALL FAULTS". The County makes no warranty of fitness for a particular purpose.



Community Development Department
January 12, 2015

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RCW 35A.14.460**Annexation of territory within urban growth areas — Interlocal agreement — Public hearing — Ordinance providing for annexation.**

(1) The legislative body of a county or code city planning under chapter 36.70A RCW and subject to the requirements of RCW 36.70A.215 may initiate an annexation process for unincorporated territory by adopting a resolution commencing negotiations for an interlocal agreement as provided in chapter 39.34 RCW between a county and any code city within the county. The territory proposed for annexation must meet the following criteria: (a) Be within the code city urban growth area designated under RCW 36.70A.110, and (b) at least sixty percent of the boundaries of the territory proposed for annexation must be contiguous to the annexing code city or one or more cities or towns.

(2) If the territory proposed for annexation has been designated in an adopted county comprehensive plan as part of an urban growth area, urban service area, or potential annexation area for a specific city, or if the urban growth area territory proposed for annexation has been designated in a written agreement between a city and a county for annexation to a specific city or town, the designation or designations shall receive full consideration before a city or county may initiate the annexation process provided for in RCW 35A.14.470.

(3) The agreement shall describe the boundaries of the territory to be annexed. A public hearing shall be held by each legislative body, separately or jointly, before the agreement is executed. Each legislative body holding a public hearing shall, separately or jointly, publish the agreement at least once a week for two weeks before the date of the hearing in one or more newspapers of general circulation within the territory proposed for annexation.

(4) Following adoption and execution of the agreement by both legislative bodies, the city legislative body shall adopt an ordinance providing for the annexation of the territory described in the agreement. The legislative body shall cause notice of the proposed effective date of the annexation, together with a description of the property to be annexed, to be published at least once each week for two weeks subsequent to passage of the ordinance, in one or more newspapers of general circulation within the city and in one or more newspapers of general circulation within the territory to be annexed. If the annexation ordinance provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice shall include a statement of the requirements. Any territory to be annexed through an ordinance adopted under this section is annexed and becomes a part of the city upon the date fixed in the ordinance of annexation, which date may not be fewer than forty-five days after adoption of the ordinance.

[2003 c 299 § 3.]

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Community Development/ Jason Sullivan – Senior Planner	Meeting/Workshop Date: January 20, 2015	Agenda Bill Number: AB15-06
Agenda Item Type: Discussion	Ordinance/Resolution Number: 2429	Councilmember Sponsor: Donn Lewis

Agenda Subject: Bonney Lake Comprehensive Plan Update – Environmental Stewardship Element

Full Title/Motion:

Administrative Recommendation:

Background Summary: The City is currently updating its comprehensive plan and development regulations as required by RCW 36.70A.130. As part of this periodic review and update, the City has identified a number of changes that are required ensure compliance with the Growth Management Act (GMA). In addition to the required changes, a number of optional changes have been proposed to be made as part of the update process.

The Environment Stewardship Element is a mandatory element, formerly the Natural Environment, which is being rewritten as part of the Comprehensive Plan Update process. The structure and look of the element was updated to be consistent with the new template for all Comprehensive Plan elements as discussed in the *2015 Comprehensive Plan Update – Scope of Work and Public Participation* adopted on October 22, 2013 pursuant to Resolution 2320. In addition to the reformatting and reorganization of the element, a list of the changes that were made to the document, as discussed in the *2015 Comprehensive Plan Update – Consistency Report* adopted on May 13, 2014 pursuant to Resolution 2379, is provided below:

- The critical area maps were updated.
- Maps were added to identify the geologically hazardous areas within the City based on the criteria established for each of the following types of hazards: erosion hazard (WAC 365-190-120(5)); landslide hazard (WAC 365-190-120(6)); seismic hazard (WAC 365-190-120(7)); and volcanic hazards (WAC 365-190-120(8)).
- Goals and policies related to the reduction of ground-level ozone, carbon monoxide, and fugitive dust and incorporate the policies of the Puget Sound Clean Air Agency were added to the Environmental Stewardship Element
- Goals and policies were added related to the reduction of greenhouse gas emissions as required by both the MPPs and CPPs.
- A discussion of impaired water bodies within the City was added to the Environmental Stewardship Element.
- Policies for the enhancement of habitat and the restoration of native vegetation were added to the Environmental Stewardship Element.

Attachments: Resolution 2429, Environmental Stewardship Element, Planning Commission Recommendation Memo, and Comprehensive Plan Update Task Matrix.

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:

Date:

Approvals:

Chair/Councilmember

Councilmember

Councilmember

Yes No

Forward to:

Consent Agenda: Yes No

Commission/Board Review: Planning Commission

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s):

Public Hearing Date(s):

Meeting Date(s):

Tabled to Date:

APPROVALS

Director:

John P. Vodopich, AICP

Mayor:

Date Reviewed

by City Attorney:
(if applicable):

RESOLUTION NO. 2429

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON EXPRESSING THE INTENT TO ADOPT AN ENVIRONMENTAL STEWARDSHIP ELEMENT.

WHEREAS, RCW 36.70A.130(4) requires the City of Bonney Lake to review and revises, if needed, its Comprehensive Plan and development regulations by June 30, 2015 to ensure compliance with the Growth Management Act (GMA) – Chapter 36.70A RCW; and

WHEREAS, Council passed Resolution 2379 directing staff to prepare amendments to the Comprehensive Plan consist with the *Bonney Lake 2035 – Consistency Report*; and

WHEREAS, the Bonney Lake Planning Commission has reviewed the proposed amendments to the Comprehensive Plan related to Environment Stewardship Element on November 19, 2014; and

WHEREAS, the Bonney Lake Planning Commission conducted a public hearing on the proposed amendments to the Comprehensive Plan related to Environmental Stewardship Element on December 3, 2014; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

The City Council of the City of Bonney Lake provides notice of its intent to adopt the Environmental Stewardship Element of the Comprehensive Plan, attached as Exhibit A.

BE IT FURTHER RESOLVED, that the City staff is directed to prepare the final version of the Environment Stewardship Element of the Comprehensive Plan which will be brought back to the City Council for final consideration prior to June 30, 2015.

PASSED by the City Council and approved by the Mayor this ____ day of _____, 2015.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

CHAPTER 7

ENVIRONMENTAL STEWARDSHIP

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7.1 INTRODUCTION

“Land, air and water resources are indispensable to life and, thus, constitute social values. For example, the water contained in underground aquifers is a valuable resource if not polluted. Prevention of erosion, and visual amenity are two social values of existing vegetation. Recognition of these social values, inherent in natural processes, can serve as the basis for wise land use and environmental management.”

*Comprehensive Plan
The City of Bonney Lake
October 23, 1985*

The purpose of the Environmental Conservation Element is to provide a framework to guide decision making in regards to the conservation, management, and utilization of Bonney Lake’s natural resources. The topics of this element overlap with other elements in the Comprehensive Plan including the Community Development, Community Facilities and Services, and Mobility Elements. However, the Conservation Element distinguishes itself by being primarily oriented to the conservation

of natural resources, including air and water quality protection, greenhouse gas reduction, and energy conservation.

While all elements of the Comprehensive Plan have equal weight under the Growth Management Act (GMA) – Chapter 36.70A RCW, four of the fourteen goals of the GMA specifically pertain to environmental conservation:

- **Natural Resource Industries.** Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.
- **Open Space and Recreation.** Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.
- **Environment.** Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water
- **Citizen participation and coordination.** Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

The Element is divided into four sections. The first section address the preservation and protection of environmental critical areas: (1) geological hazards, (2) critical aquifer recharge areas, (3) surface waters, (4) floodplains, (5) wetlands, and (6) fish and wildlife habitat areas. The second section address urban

forestry focused on steps need to maintain, preserve, and enhance Bonney Lake’s tree canopy. The third section address the need for the City to protect agricultural resources lands and promote urban agriculture. The final section provides policies related to regulating air pollution, toxic air contaminates, and greenhouse gas emissions. The policies in the Element are based on best available science and are meant guide day-to-day City decisions on topics such as related to the protection of the environment and the review of new development.

7.2 VISION

Bonney Lake is a City that preserves, enhances, and responsibly uses the areas natural resources which are critical to maintaining Bonney Lake’s natural setting cherished by the City’s residents and contributes to the City’s general quality of life. Bonney Lake is framed within a beautiful natural setting, with open spaces, an abundance of trees and scenic mountain vistas visible for the enjoyment of Bonney Lake residents. Bonney Lake’s surface water provide both habitat functions and recreational enjoyment.

Bonney Lake is a City that prides itself for its environmental stewardship, including an emphasis on sustainable land use and development patterns, while still flourishing as a successful suburban community and protecting the rights property owners’.

7.3 CRITICAL AREAS

The Washington State Growth Management Act (GMA) and implementing rules require cities to protect of environmental critical areas which includes:

- Maintaining functions and values of hydrological ecosystems and watersheds through the protection, preservation, and restoration of wetlands, lakes, rivers, ponds, streams, and floodplains. As part of preventing pollutants from enter the waters of the state, jurisdictions subject to U.S. Environmental Protection Agency (EPA) National Pollution Discharge Elimination System (NPDES) must also comply with all permit requirements and are encouraged to adopted the Department of Ecology’s *Stormwater Manual for Western Washington* or the equivalent, incorporate relevant land-use recommendations from adopted local watershed plans, and adopt a clearing and grading ordinance.
- Identifying and providing policies to conserve, connect, restore, and prevent impacts to fish and wildlife habitat conservation areas (FWHCA), but not every parcel of land that constitutes fish and wildlife habitat.¹ FWHCA include areas where endangered, threatened, and sensitive species have a primary association; habitats and species of local importance (determined locally); commercial and recreational shellfish areas; kelp and eelgrass beds; herring, smelt, and other forage fish spawning areas; naturally occurring ponds under twenty acres and submerged aquatic beds that provide fish or wildlife habitat; waters of the state; lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity; and state natural area preserves, natural resource conservation areas, and state wildlife areas.²

- Designating and providing policies to protect the functions and values of geological hazardous areas and prevent impacts associated with development within geological hazardous areas. Geological hazardous areas are areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development. There is no affirmative mandate associated with this definition except to “protect the functions and values.” However, if a local jurisdiction, as the City has, requires lower densities in geologically hazardous areas, the geologically hazardous areas must be mapped using “best available science.”
- Designating and providing policies to protect the functions and values of Critical Aquifer Recharge Areas (CARAs) and prevent impacts associated with development within CARAs. CARAs are established to protect sources of drinking water that are vulnerable to contamination that would affect the potability of the water or are susceptible to reduced recharging.³ Potable water is an essential life sustaining element for people and once contaminated it is difficult, costly, and sometimes impossible to clean up. Preventing contamination is necessary to avoid exorbitant costs, hardships, and potential physical harm to people and ecosystems.⁴ Therefore, WAC 365-190-100(3) requires cities to classify recharge areas for aquifers according to aquifer vulnerability.

Policies to protect the functions and value of critical areas are mandated to be based “best available science.”⁵ The CPSGMH in *DOE/CTED v. City of Kent* (Kent) referencing *Honesty in Environmental Analysis and Legislation v. Seattle*, 96 Wn. App. 522, 979 P.2d 864 (1999) stated, “...purpose of the best available science requirement is to ensure that critical areas regulations are not based on speculation and surmise, but on meaningful, reliable, relevant evidence.”⁶ The CPSGMHB also found in Kent that there is no bright-line definition of “best available science” but rather a requirement to consider the following factors as established in *Ferry County v. Concerned Friends of Ferry County, et al.*, 155 Wn.2d 824, 123 P.3d 102 (2005):

- (1) The scientific evidence contained in the record;
- (2) Whether the analysis by the local decision-maker of the scientific evidence and other factors involved a reasoned process; and
- (3) Whether the decision made by the local government was within the parameters of the Act as directed by the provisions of RCW 36.70A.172(1).

In other words, a jurisdiction is not required to win the scientific argument, but only demonstrate that the jurisdiction policies and regulations are based on reliable evidences reviewed through a reasoned process.

Maps are presented as references but are not intended to identify precise locations of critical areas or environmental features; rather, at the time of development, best available information including site specific analysis will determine presences or absence of such features.

7.3.1 GEOLOGICAL HAZARDS

Seismic and geological conditions must be taken into account in the planning and development of land. The geological foundation of the Bonney Lake area consists of impermeable sedimentary and bedrock formed by volcanic activity during the Eocene to Miocene age. Receding glaciers left 5 to 100 feet of till,

ranging from porous sand and gravel to hardpan composites. Glaciers, glacial meltwater, and rivers created the Puyallup and Fennel Creek valleys.

The soil map in **Figure 7-1** illustrates soil associations within the City of Bonney Lake. Soil associations consists of one or more major soils and other minor soils and are named for the major soils. Soil association maps provide a broader perspective of the soils in order to identify areas that have soil properties that are either favorable or unfavorable for certain land uses.⁷

Eighty-two percent (82%) of the soils within Bonney Lake are within in the Alderwood - Everett association. This soil association consist of Alderwood, Everett, Indianola Kitsap and small amounts of other soil types and is poor for farming but good for pasture and timber. The soil association is well suited for urban residential and industrial development. Onsite sewerage disposal systems are suited to as much as one-third of this association.⁸

Seventeen percent (17%) of the soils are within the Buckley association. The parent material of this soil association is the lobe of the Osceola mudflow, a portion of Mount Rainier which liquefied and flowed into the Puyallup River valley through Fennel Creek approximately 5,700 years ago⁹. Buckley loam soils make up nearly 70% of this association but includes small amounts of Alderwood, and other minor soil types making it a hydric soil that is favorable for pasture and hay farming and residential developments provided that there is access to community sewage facilities.¹⁰

The remaining 1% consist of the Puyallup-Sultan association which is well suited to both farming and residential development.¹¹

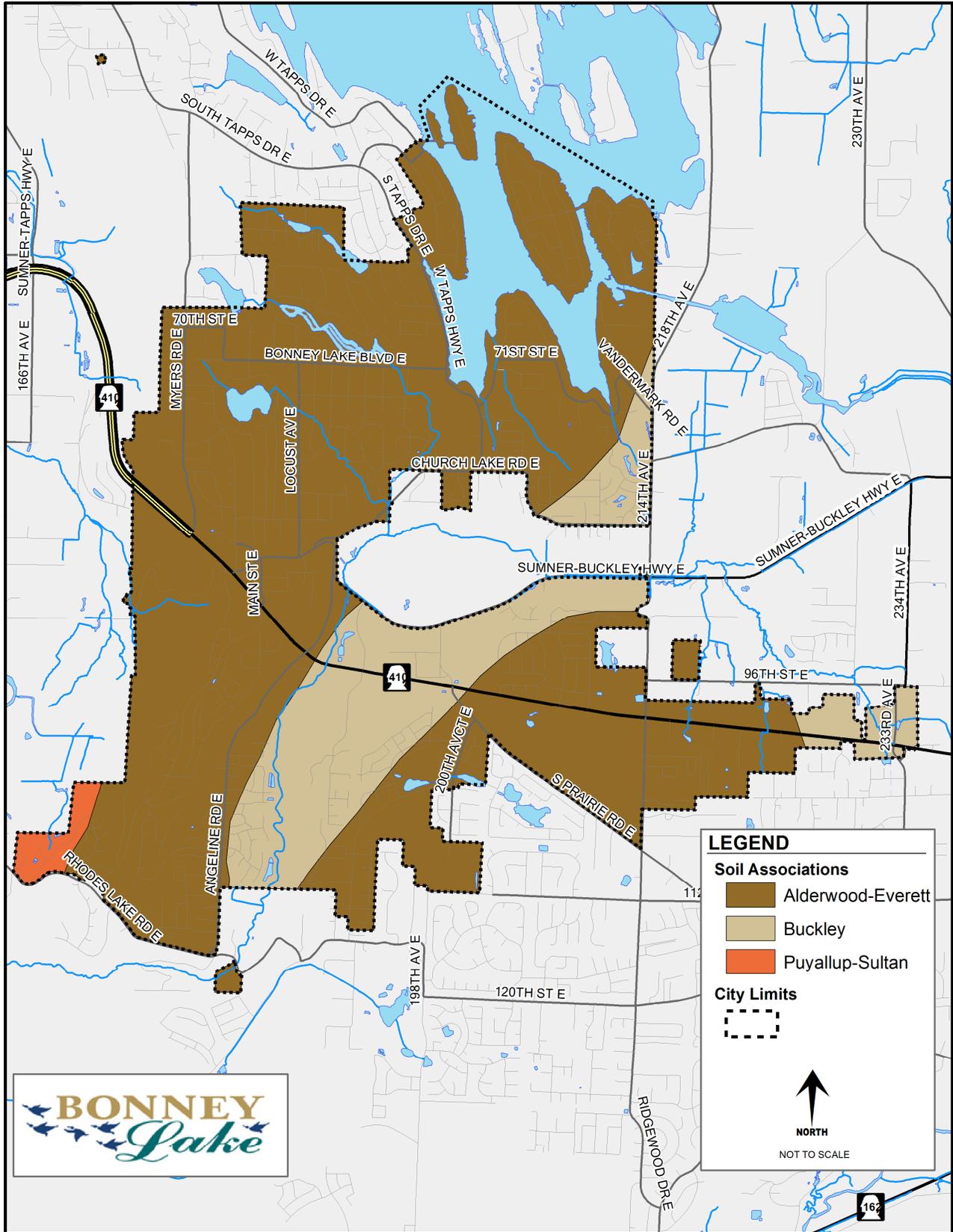


Figure 7-1: Soil Associations

According to RCW 36.70A.030, Geologically Hazardous Areas are “those areas that are susceptible to erosion, sliding, earthquake, or other geological events and are not suited to the siting of commercial, residential, or industrial development consistent with public health and safety concerns”. There are four main hazards in Bonney Lake which are discussed below:

“Bonney Lake is surround by land that is on slopes exceeding 25 percent. These slopes should be retained in their natural state and will help delineate the urban areas since land having slopes exceeding 15 percent are difficult to develop...”

*Plan for Bonney Lake,
Washington May 2, 1964*

Landslide Hazards

The soils in the Bonney Lake area are susceptible to landslide at slopes of 15% or more. The slopes bordering the Puyallup valley are highly dangerous because of their steepness and their soils, which consist of unconsolidated glacial materials. Slopes generally collapse when their soils become oversaturated during rain storms. Such failure is especially likely where a permeable layer lies atop a less permeable layer because percolating water seeps out at the layer boundary. Areas of Bonney Lake with a high and moderate degree of slope instability are illustrated in **Figure 7-2**.

Erosion Hazards

In addition to landslides, land clearing, earth movement, and unmanaged stormwater can cause erosion which damages the site itself, the downstream drainage network, and aquatic habitat. The finer the soil and the steeper the slope, the greater the erosion hazard.

Seismic Hazards

The Puget Sound area is also seismically active. An earthquake could cause improperly built structures to collapse, trigger landslides, and cause liquefaction. Liquefaction occurs when increasing water pressure during an earthquake or other ground vibration causes loose, fine sandy and silty sediments layers below the water table to temporarily behave as a liquid, similar to quick sand.¹² The majority of the City has a low risk of liquefaction as illustrated in **Figure 7-3**.

Volcanic Hazards

Mount Rainier, a dormant volcano, is the highest peak in the Cascade Range and carries a larger load of glacier ice than any other mountain in the contiguous United States posing geologic hazards during both future eruptions and time periods without eruptive activity especially given the Mountain’s great topographic relief.¹³ Bonney Lake is far enough away to avoid lava flows, blown rock, and landslides. However, in addition to these associated hazards, lahars that originate on Mount Rainier could impact the plateau. There are four types or cases of lahars which are described below:

- **Case M:** This is a low-probability and high-consequence lahar. The Osceola Mudflow is an example in this category which occurred about 5,600 years ago and has occurred on Mount Rainier only once in the last 10,000 years.¹⁴
- **Case I:** This type of lahar has occurred once every 500 to 1,000 years during the last 5,600 years. The annual probability of such a flow originating somewhere on Mount Rainier is thus about 0.1 to 0.2 percent. The Electron Mudflow, which reached the Puget Lowland about 600 years ago via the Puyallup River, is the most recent example.¹⁵
- **Case II:** The typical recurrence interval of this type of lahar is near the lower end of the 100- to 500-year range. The annual probability of such a flow is therefore close to 1 percent for the volcano as a whole. For planning purposes, Case II flows are analogous to the 100-year flood commonly considered in engineering practice. Some Case II flows have inundated flood plains well beyond the volcano, and a few have reached the Puget Lowland. Case II flows have a fairly low clay content. The most common origin for this class of flows is melting of snow and glacier ice by hot rock fragments during a volcanic eruption. An example is the National Lahar, which occurred about 2,000 years ago in the Nisqually River valley.¹⁶
- **Case III:** This type of lahar is fairly small but have recurrence intervals of 1 to 100 years for the volcano as a whole. This class of flow includes small debris avalanches as well as lahars. Case III flows are not eruptively triggered, but are largely restricted to the slopes of the volcano and rarely move beyond the National Park boundary.¹⁷

Portions of the City could be impacted by a Case I lahar that flows down either the Carbon River or Puyallup River valleys or by a Case M lahars that flowed down the White River valley. Bonney Lake would not be impacted by Case 1, Case II, Case III lahars that flowed down the White River or by Case M lahars that flowed down either the Puyallup River or Carbon River valleys.¹⁸

Given the extremely low-probability of a Case M lahar, less than 0.1% of all lahars that have originated on Mount Rainier, areas impacted only by this case of lahar are not considered to be within the volcanic hazard area zone as delineated by the Washington State Department of Natural Resources as illustrate in the **Figure 7-4**. Areas impacted by a Case M lahar and the blast zone for an eruption of the Mount Rainier, while not an officially designated as a volcanic hazard area due to the low annual probability of these events, are illustrated in **Figure 7-5**.

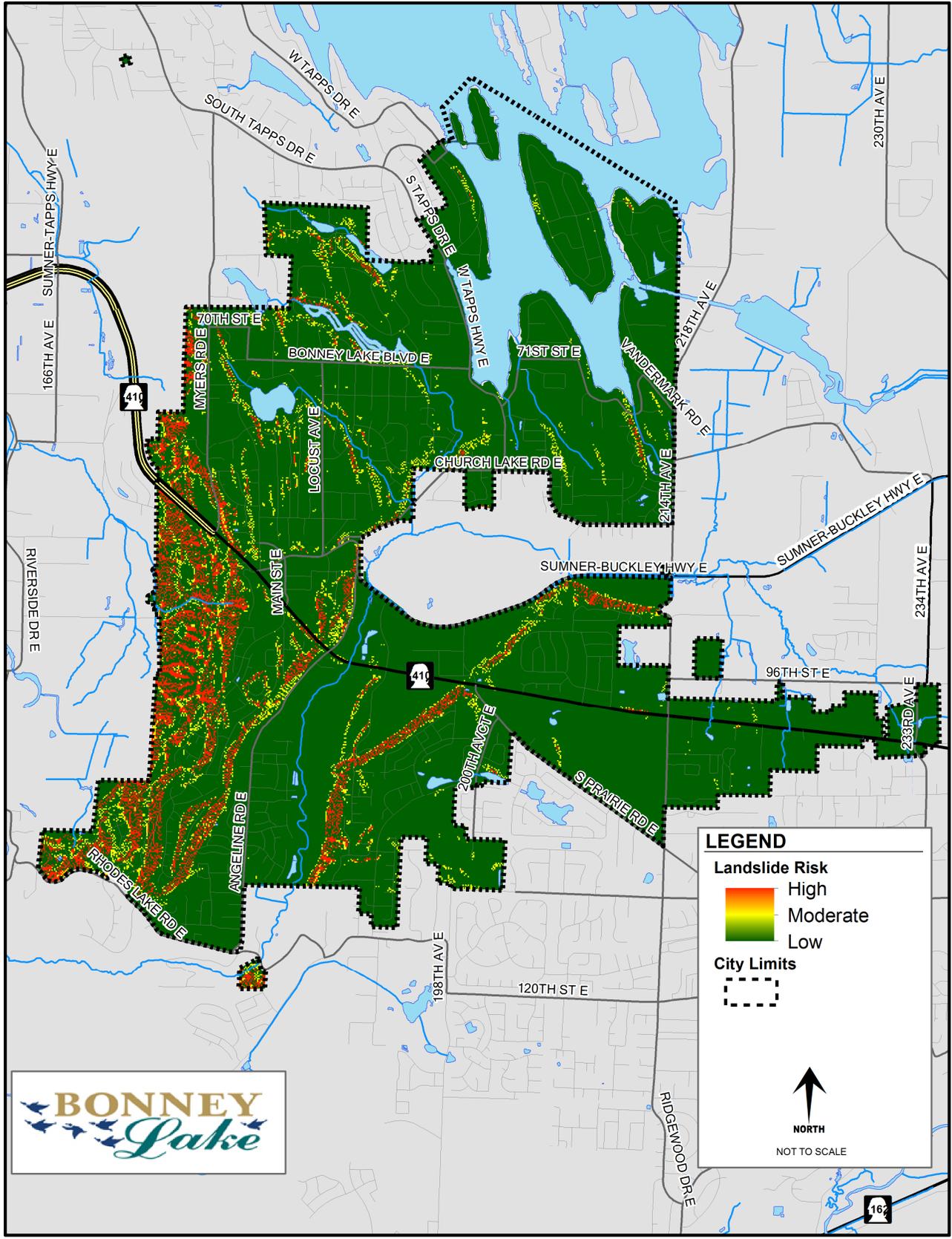


Figure 7-2: Slope Stability

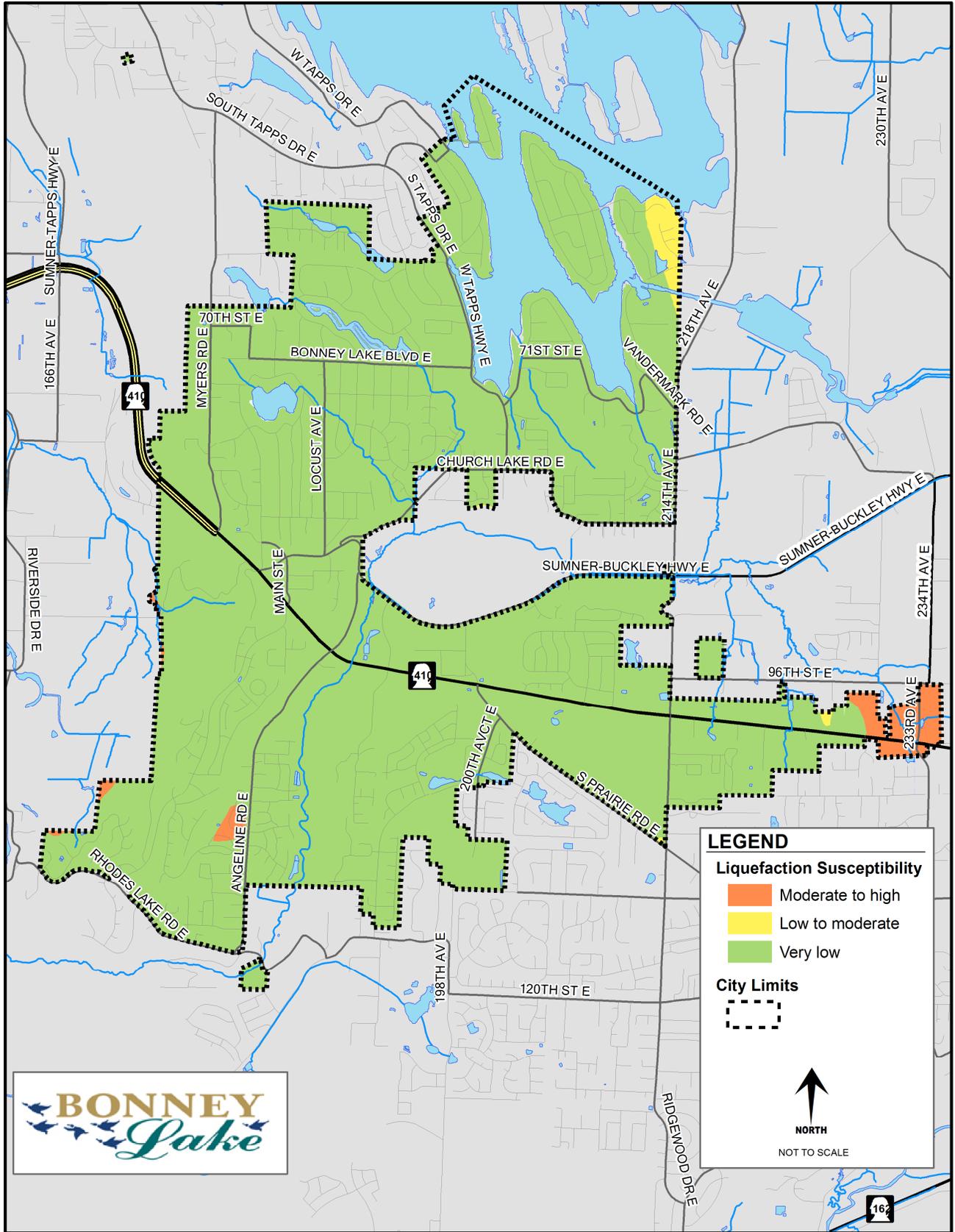


Figure 7-3: Liquefaction Susceptibility

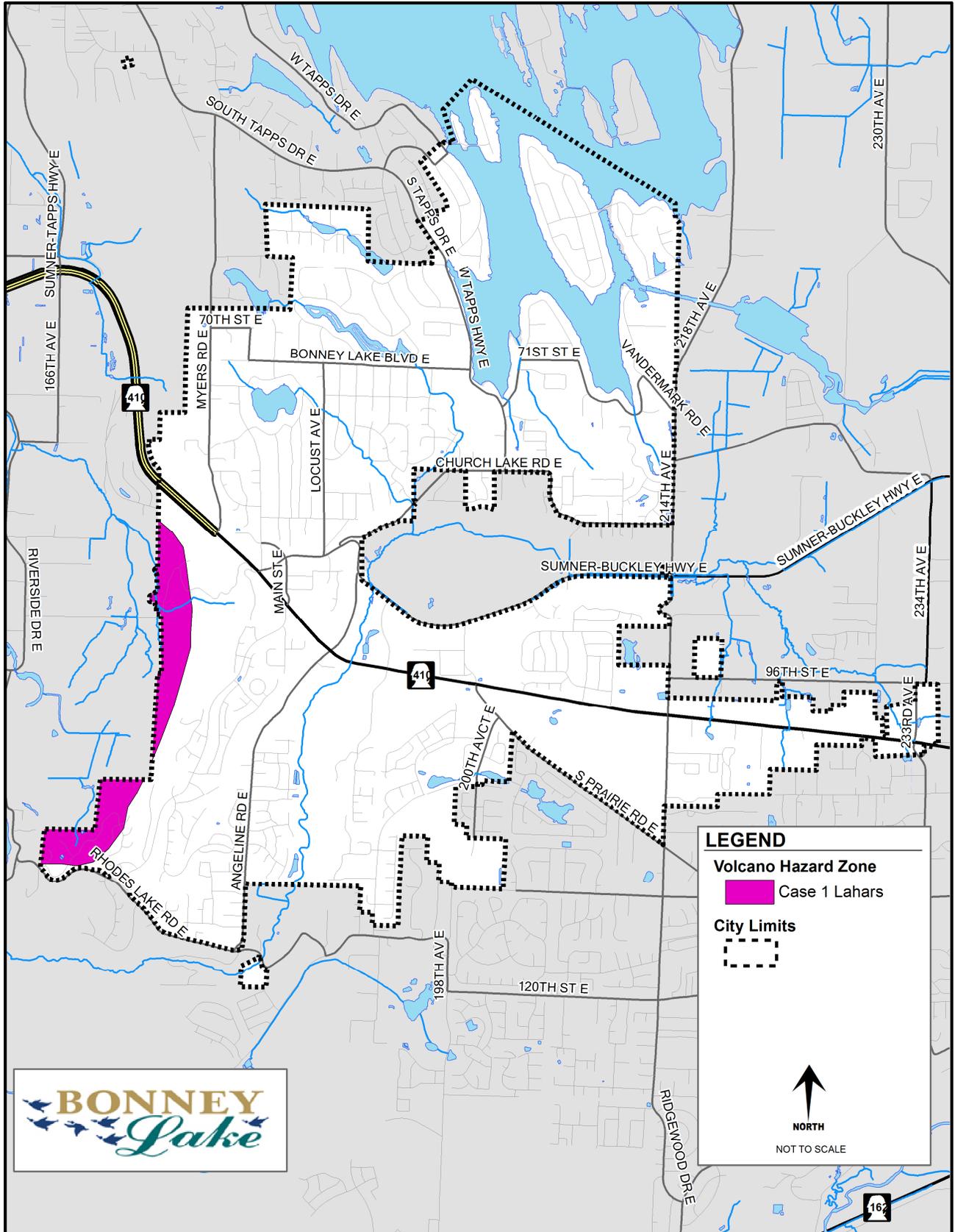


Figure 7-4: Volcano Hazard Zone

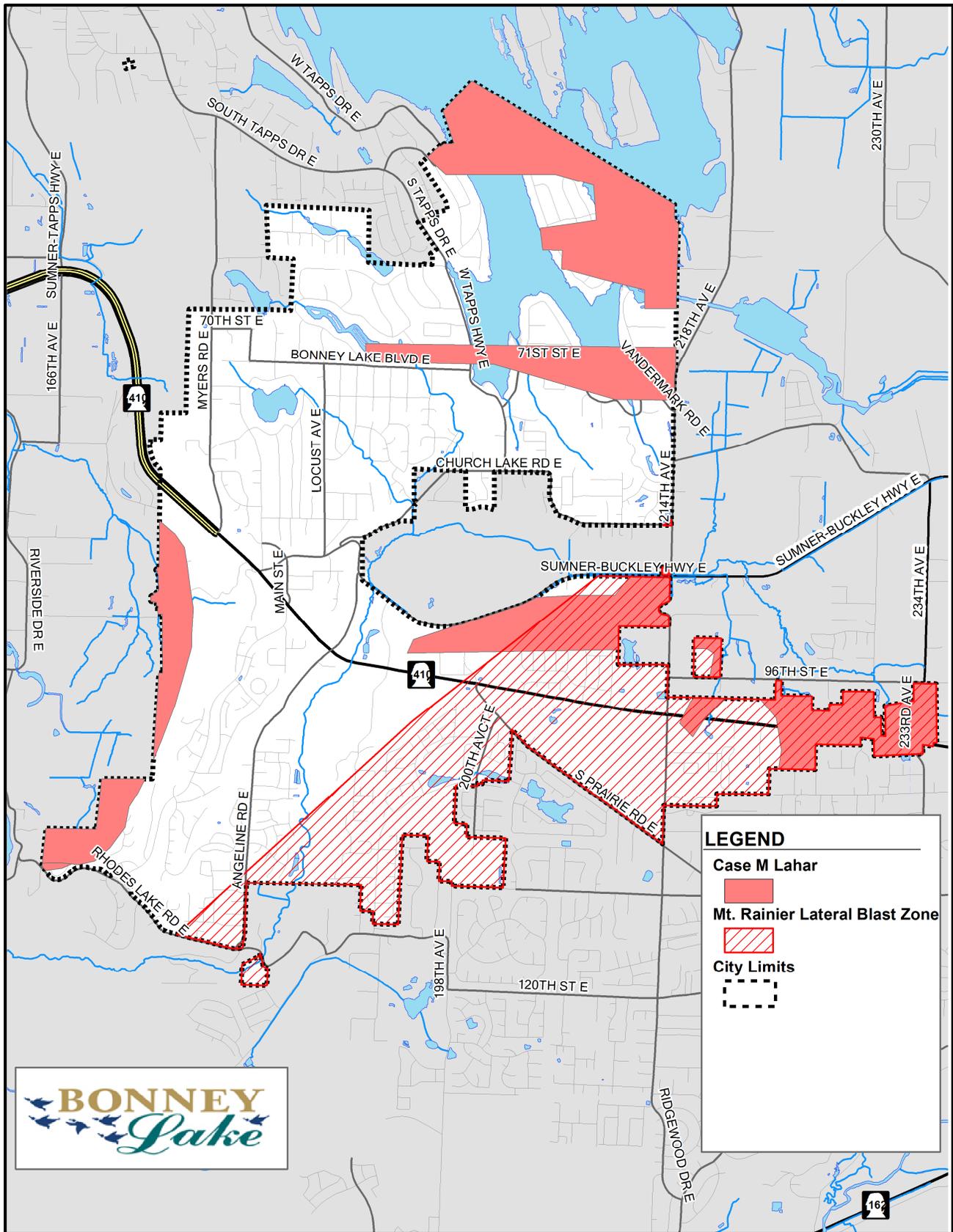


Figure 7-5: Case M Lahar Impact Areas

Goal ES-1: Development accounts for soil conditions and avoids land surface modifications that would induce erosion, create landslides, or unnecessarily scar the land in order to protect the environment, public health, and property.

Policy ES-1.1: Discourage development and disturbance of native vegetation on steep slopes.

Policy ES-1.2: Require buildings to be set back from the toe and top of unstable slopes.

Policy ES-1.3: Require geotechnical or engineering studies to demonstrate that any proposed development in areas that have a high or moderate landslide hazard risk has been designed to withstand the hazard and not aggravate the hazard for other properties.

Policy ES-1.4: Designate areas with a moderate or high risk of slope instability either as Open Space – Conservancy, Open Space – Private, or Open Space – Public to limit the development intensity, site coverage, and vegetation removal within these hazardous areas.

Policy ES-1.5: Ensure that soils are suitable for the development proposed. Where soil suitability is questionable, require review by a geotechnical engineer.

Policy ES-1.6: Maintain existing vegetation to the greatest extent possible in order to prevent erosion. In case where development necessitates removal of vegetation, a reasonable amount of landscaping should be required to replace trees, shrubs, and ground cover removal during construction.

Policy ES-1.7: When erosion hazard areas are disturbed, require erosion control measures and limit the duration of site exposure.

Policy ES-1.8: Enforce building codes designed to prevent earthquake damage.

Policy ES-1.9 Cooperate with other agencies in preparing evacuation plans in the event of eruption.

7.3.2 CRITICAL AQUIFER RECHARGE AREAS

Potable water is an essential life sustaining element for people and once contaminated it is difficult, costly, and sometimes impossible to clean up; therefore, preventing contamination is necessary to avoid exorbitant costs, hardships, and potential physical harm to people and ecosystems.¹⁹ A primary source of potable water in the City is aquifers which are geologic formation that readily transmits water to wells or springs.

The importance of protecting these aquifers and the associated recharge areas for public water supplies is evident by the fact that the GMA address this issue in two different sections: (1) land use elements are required to provide for protection of the quality and quantity of groundwater used for public water supplies pursuant to RCW 36.70A.070 and (2) aquifer recharge areas are designated as environmental critical areas pursuant to WAC 365-190-100. Critical Aquifer Recharge Areas (CARAs) are established to protect sources of drinking water that are vulnerable to contamination that would affect the potability of the water or are susceptible to reduced recharging. Therefore, cities classify recharge areas for aquifers according to aquifer vulnerability which is defined in WAC 365-190-100(3):

Vulnerability is the combined effect of hydrogeological susceptibility to contamination and the contamination loading potential. High vulnerability is indicated by land uses that contribute directly or indirectly to contamination that may degrade groundwater, and hydrogeological conditions that facilitate degradation. Low vulnerability is indicated by land uses that do not contribute contaminants that will degrade groundwater, and by hydrogeological conditions that do not facilitate degradation. Hydrological conditions may include those induced by limited recharge of an aquifer. Reduced aquifer recharge from effective impervious surfaces may result in higher concentrations of contaminants than would otherwise occur.

In order to protect the Bonney Lake's groundwater the City has designated the one-year, five year, and ten year time-of-travel (TOT) zones identified in the *City of Bonney Lake Wellhead Protection and Monitoring Program Phase II* (November 2000) as Critical Aquifer Recharge Areas (CARAs). Additionally, the City has designed the one-year TOT zones as having very high contamination susceptibility, the five-year TOT zones as having high contamination susceptibility, and the 10-year TOT zone as having moderate to low contamination susceptibility.

Goal ES-2: Protect the quality of groundwater used for public water supplies to ensure adequate sources of potable water for Bonney Lake and the region.

Policy ES-2.1: Evaluate the potential impacts of land development on critical aquifer recharge areas to ensure that the level of protection provided corresponds with the potential for contaminating the water supply aquifer.

Policy ES-2.2: Work with Pierce County, the Washington State Department of Ecology, and other agencies to protect Bonney Lake's water supply from contaminants originating outside the city limits.

Policy ES-2.3: Periodically review and update land use policies, regulations, or development or operating standards that ensure appropriate levels of groundwater recharge while prevent degradation of groundwater quality.

Policy ES-2.3: Manage surface water so as to maintain water quality and maximize groundwater recharge.

Policy ES-2.4: Require new subdivisions and commercial development to connect to public sewers.

Policy ES-2.5: Encourage homes and businesses with septic systems to connect to public sewers.

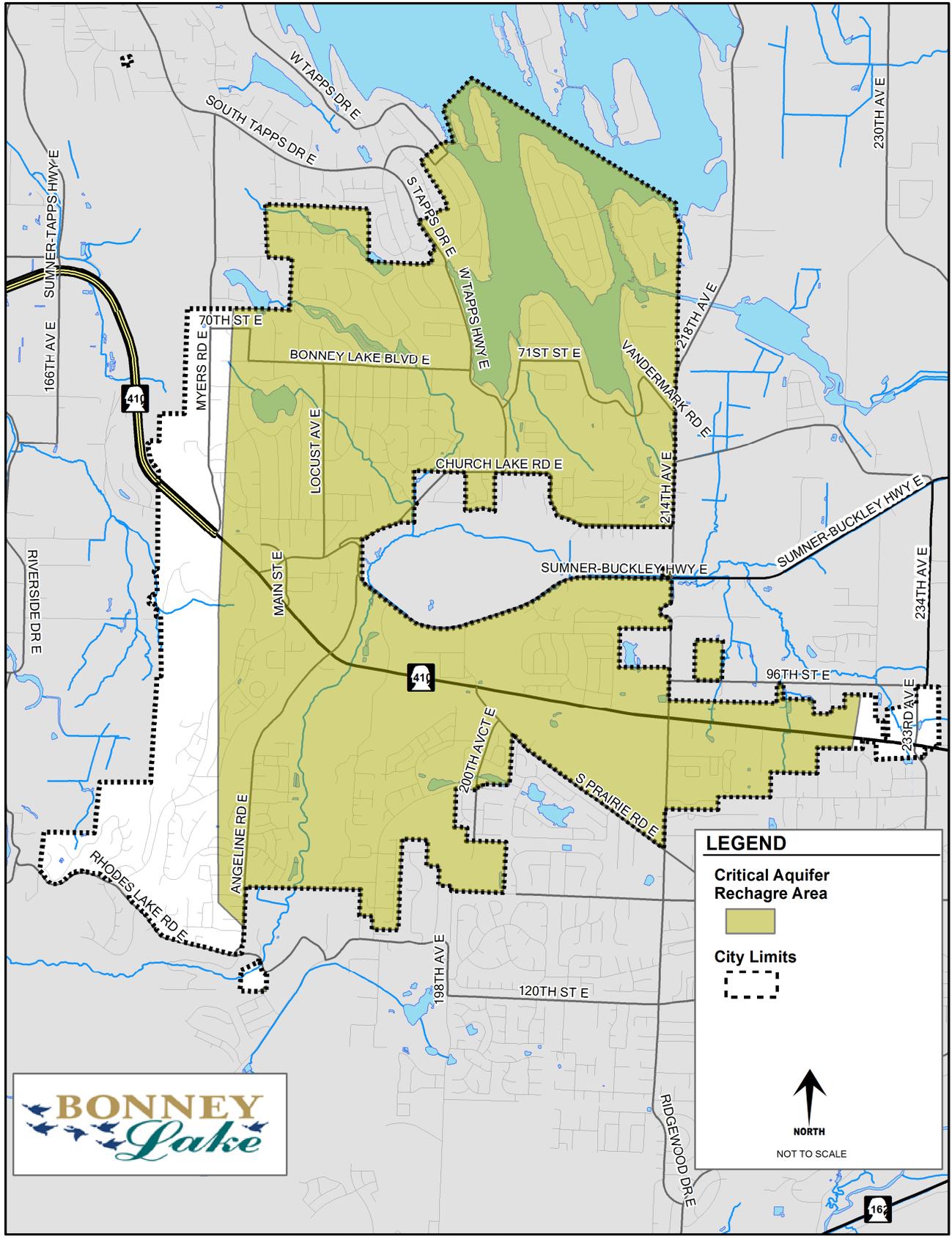


Figure 7-6: Critical Aquifer Recharge Areas (CARA)

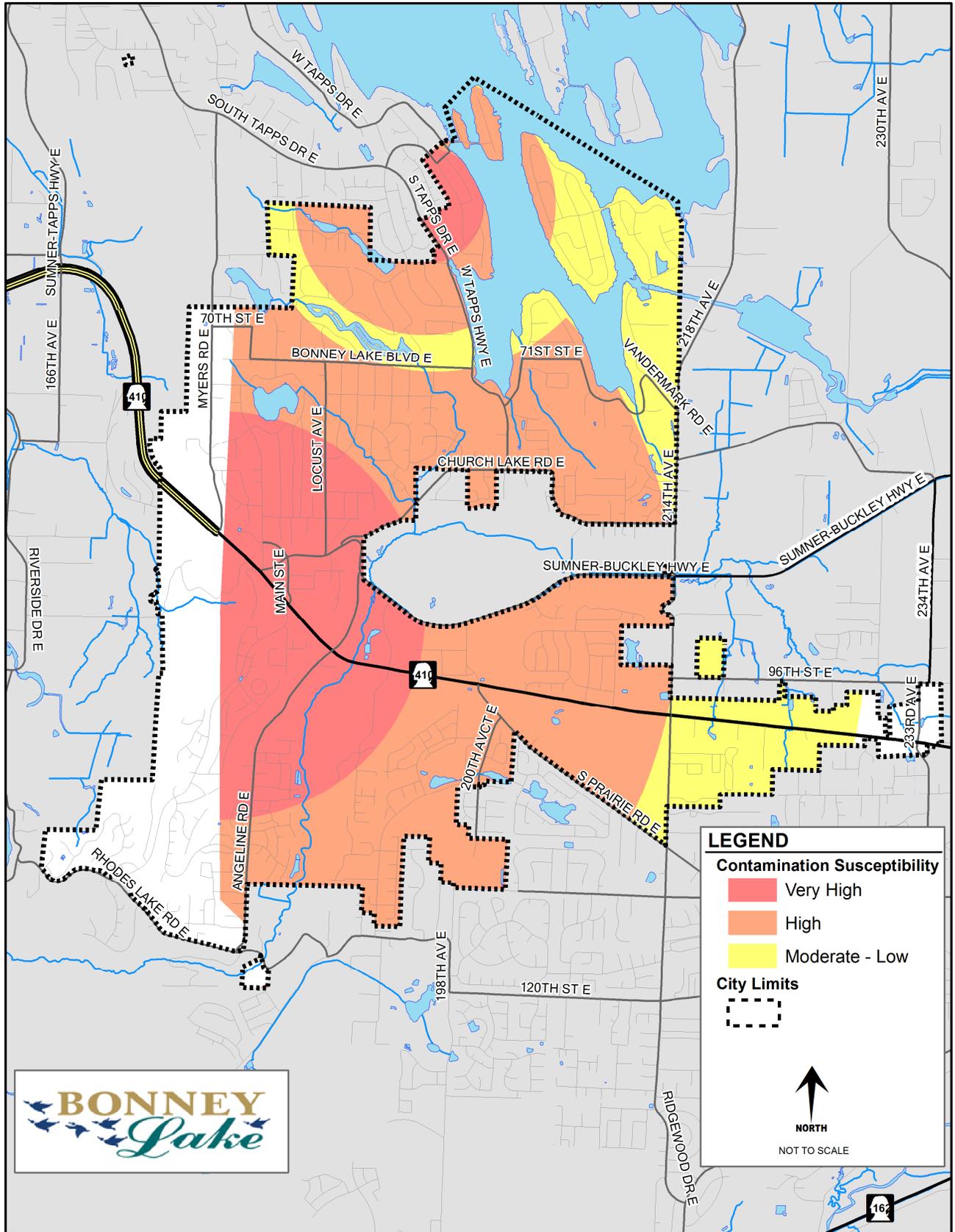


Figure 7-7: Aquifer Contamination Susceptibility

7.3.3 SURFACE WATER

“Maintain and enhance the quality of streams, wetlands, and lakes by retaining their natural characteristics.”

*City of Bonney Lake Comprehensive Plan
August 1985*

Water quality of Bonney Lake’s surface waters is closely tied to the amount of development that occurs nearby, as development has the potential to cause impacts from contaminated runoff and siltation. Poor water quality can adversely impact natural resources, including streams, aquatic, and terrestrial ecosystems,

and the plants and animals that depend on them. Poor water quality also has a negative impact on public health.

The Federal Clean Water Act’s 1987 Amendment requires that storm waste discharge from municipal storm drain systems be regulated under a nationwide surface water permit program referred to as the National Pollutant Discharge Elimination System (NPDES) to prevent impacts to surface waters as the result of development. The City’s Public Works Department is responsible for managing the City’s compliance with the NPDES permit under the guidance of the Washington State Department of Ecology.

Lake Tapps

Pacific Coast Power Company constructed Lake Tapps between 1909 and 1911 by diverting water from the White River into a diked area of the plateau. The 2,500-acre, now owned by the Cascade Water Alliance, is considered a shoreline of statewide significance and as such is discussed in the Shoreline Element of *Bonney Lake 2035* (Chapter 8).

Lake Bonney

Lake Bonney a 17 acre lake that has a mean water depth of 11 feet with a maximum depth of 21 feet located in a depression fed by surface and ground water. Lake Bonney is used for swimming, fishing, and non-power boating. Almost the entire shoreline has been developed for homes. Waterfowl frequent the lake. Between 2004 and 2007 the lake was experiencing a mesotrophic to early eutrophic state of enrichment due to non-point pollution associated with residential development and lawn maintenance that over time will result in eutrophic lake with decreasing water quality and aesthetic value, odor problems, and algae blooms during the summer due to the presence of sunlight and nutrients.²⁰ However, since 2008 this trend has reversed and the lake is now classified as a mesotrophic lake trending toward an oligotrophic lake.²¹ Lake Bonney did exceed the State’s standards for fecal coliform bacteria in 2012 and 2013, but meet the State’s standards in 2014.²²

Lake Debra Jane

A former swamp was altered to create Lake Debra Jane. It is about 15 acres in size and ranges from seven to 15 feet in depth. The lake is used for fishing, swimming, and non-power boating. Waterfowl frequent the lake. Lake Debra Jane is fed by local springs that are augmented in late summer by nearby wells. The lake has little inflow/outflow for two to three months during the year. Algae grow in the weeds along the

shoreline, especially in the summer and is classified as a mesotrophic lake.²³ The lake has a history of total coliform counts that have been in gross excess of the Department of Ecology's standards and occasionally too high for the Pierce County Health Department.²⁴

Fennel Creek

Fennel Creek begins at a spring near the intersection of SR-410 and 234th Ave. E. It flows west then south through a flat, shallow valley to Victor Falls, then west through a deep canyon to the Puyallup River. The creek collects surface and spring runoff all along the corridor, including excess flows from the municipal water supply springs near Victor Falls. The Fennel Creek drainage basin covers about 11 square miles, of which three square miles are located within the City of Bonney Lake.

The reach of Fennel Creek below Victor Falls is within the highest class range (Class AA) established for Washington state surface waters and is classified as an Urban Natural Open Space consisting of a high value riparian corridor with multiple vegetation layers and a predominance of native plant species providing high quality habitat for wildlife species including Coho Salmon, cutthroat trout, and winter steelhead which are considered threatened or endangered under the Endangered Species Act (ESA).²⁵ Human activities above the falls affect the health of salmonid habitat below the falls. This portion of Fennel Creek is also considered a Shoreline of State and is discussed in the Shoreline Element (Chapter 8).

The reach of Fennel Creek above Victor Falls that gently meanders through the plateau has high water quality values (Class A) and moderate habitat values containing a mosaic of vegetation classes including forested uplands, forested wetlands, palustrine emergent wetlands, scrub-shrub wetlands, riverine wetlands, and pastures.²⁶ Bonney Lake's greatest concentration of wetlands are along in the Fennel Creek corridor. The corridor's riparian (streamside) vegetation, its linear nature, and its close association with wetlands make it Bonney Lake's most valuable asset in terms of wildlife habitat and biological potential.

In 1999, the Foster Wheeler Environmental Corporation prepared for the City an Environmental Analysis of the Fennel Creek Corridor. It thoroughly studied the corridor's environmental quality, providing a baseline for future comparison. The Environmental recommended improvements designed to remedy its environmental problems. For example, where the creek has been straightened it recommends that it be restored to its original sinuosity by installing diversion berms and large woody debris. Where riparian vegetation has been destroyed it recommends plantings. Where it floods a road the study recommends culverts. Where wetlands have been damaged it recommends that they be enhanced by hydrological connections and plantings. Because its wetland functions and values can be greatly enhanced at reasonable cost, the corridor has great potential for wetland mitigation. That is, if a wetland outside the corridor is in the path of development and not worth saving, the developer could pay to enhance wetlands inside the corridor, thus preventing a net loss of wetland functions and values.

Other Streams

Figure 7-8 illustrates other small unnamed streams draining Lake Debra Jane and Lake Bonney. These streams join near Church Lake Road then flow into Fennel Creek. Narrow wetlands lie along them.

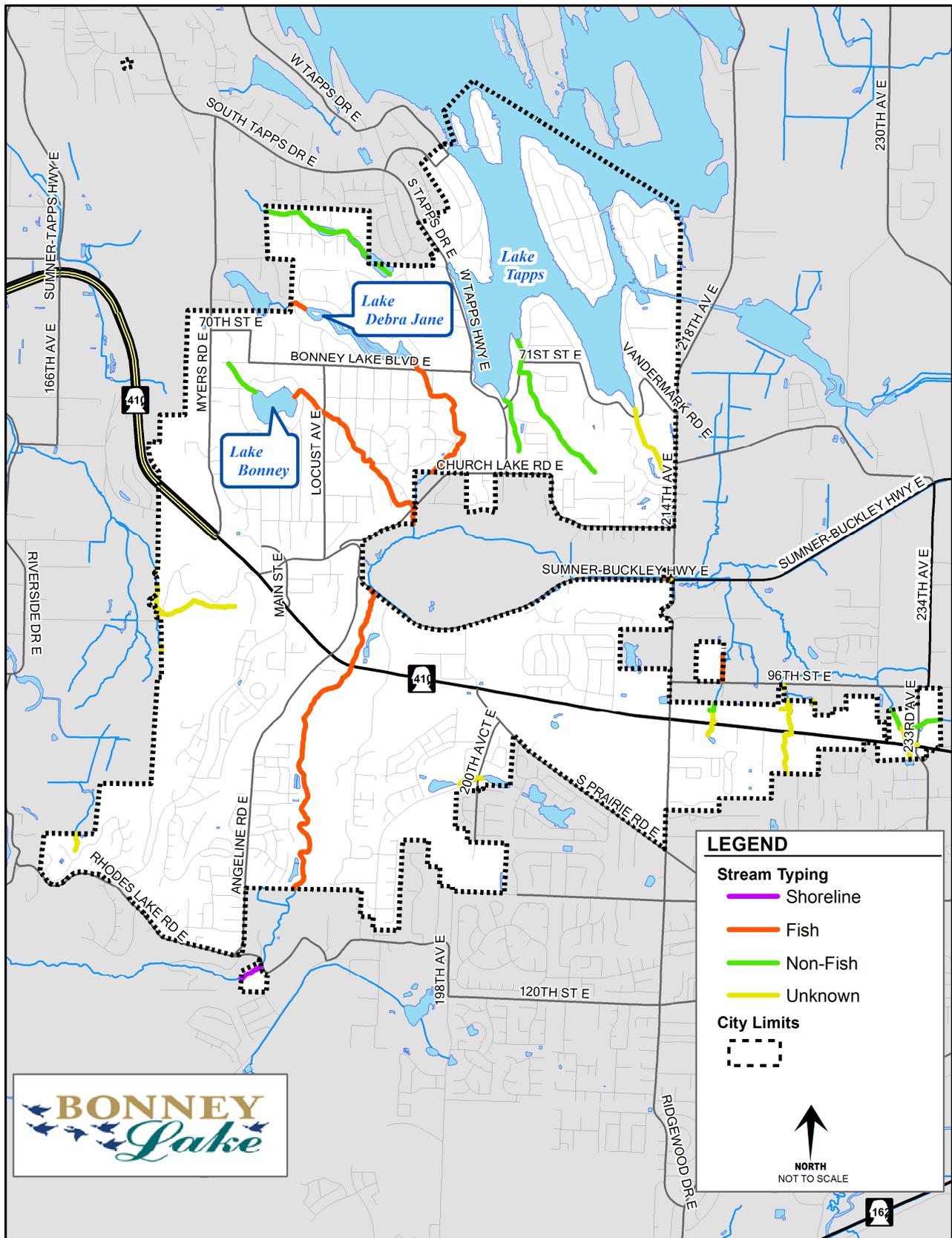


Figure 7-8: Surface Waters and Stream Typing

The federal Clean Water Act, requires that all states restore their waters to be “fishable and swimmable.” Washington's Water Quality Assessment, which meets the federal requirements for an integrated report under Sections 303(d) and 305(b) of the Clean Water Act, does not identify any impaired water bodies within Bonney Lake.

Goal ES-3: Preserve and restore the quality of surface waters to provide high quality natural habitats protected from point and non-point pollution sources.

Policy ES-3.1: Protect water bodies from point and non-point sources of contamination and nitrification.

Policy ES-3.2: Promote the enhancement or restoration of surface waters as adjacent development activities occur.

Policy ES-3.3: Protect against erosion of drainage channels.

Policy ES-3.4: Encourage land developments to maximize stormwater infiltration.

Policy ES-3.5: Promote Low Impact Development techniques as an alternative to standard development practices such as, using natural systems to maintain and enhance environmental quality by having them perform such functions as cleaning air and water, and controlling storm water runoff.

Policy ES-3.5: Preserve vegetative buffers along streams and drainage ways to enhance water quality, protect habitat, and prevent erosion.

Policy ES-3.6: Mitigate stormwater related impacts through best management practices.

Policy ES-3.7: Protect Fennel Creek's natural functions by being especially diligent in applying to the Fennel Creek corridor those policies relating to wetlands and fish and wildlife habitat as stated elsewhere in this Element.

Policy ES-3.8: Construct the Fennel Creek corridor environmental improvements identified in the 1999 Environmental Analysis of the Fennel Creek Corridor.

Policy ES-3.9: Continue to purchase property along the Fennel Creek Corridor to preserve the corridor and consider using property around the creek as wetland mitigation sites.

7.3.4 FLOODPLAINS

Floodplains are regulated to protect the natural functions and habitat value of these areas and to manage potential risks to public safety. Bonney Lake regulates floodplains as special flood hazard areas, which is defined as land within a community subject to a one percent or greater chance of flooding in any given year” (BLMC 16.26.020). To minimize flood damage, and maintain FEMA flood insurance eligibility, the City has administered floodplain regulations since 1982.

Bonney Lake adopted a Comprehensive Stormwater Plan (CSP) Plan in September 2000 to manage stormwater in compliance with Ecology requirements and regional goals. The CSP plan contains a process for evaluating drainage capacities, ranking flood problem areas, and initiating improvement projects.

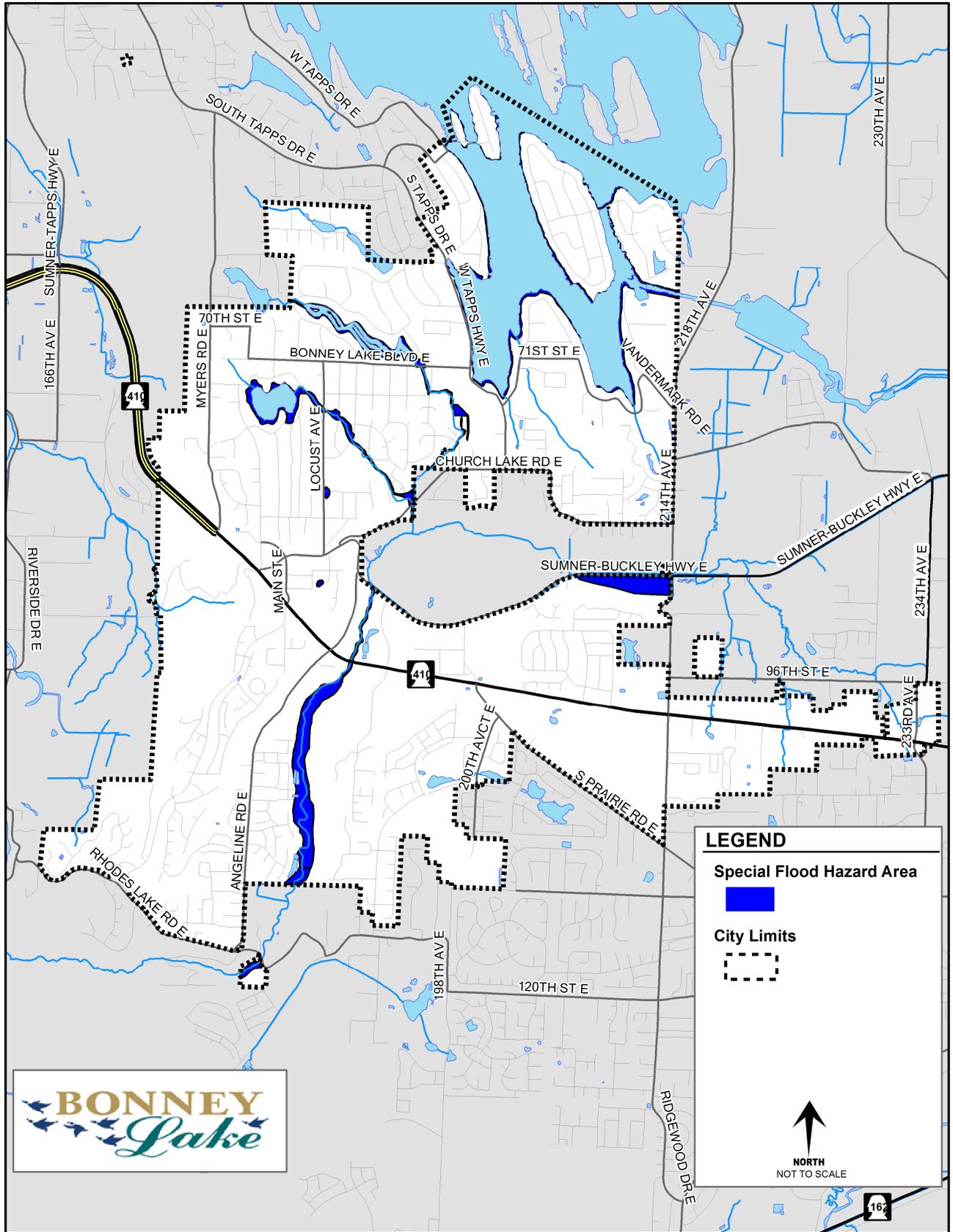


Figure 7-9: Special Flood Hazard Areas

Goal ES-4: Minimize risks to life and property resulting from flooding and preserve habitat associated with floodplains.

Policy ES-4.1: Prohibit new buildings in the 100 year flood zone as determined by the Federal Emergency Management Agency (FEMA) and as shown on the FEMA Flood Insurance Rate Maps (FIRM) unless the base elevation is above the floodplain elevation, the structure has been flood proofed, or the area is removed from the flood zone in the 100-year floodplain.

Policy ES-4.2: Protect floodplains and from filling, excavating, and other activities that would interfere with natural drainage patterns and negatively impact the habitat functions provided in floodplains.

Policy ES-4.3: Preserve floodplains to provide natural flood storage protection and habitat functions.

Policy ES-4.4: Design new development and redevelopment projects to minimize hazards associated with flooding and limit the amount of runoff that contributes to flooding.

7.3.5 WETLANDS

The commonly used wetland definition as issued by the U.S. Environmental Protection Agency (EPA) the U.S. Army Corps of Engineers (Corps), Shoreline Management Act (SMA), Growth Management Act (GMA) and recorded in the Washington Administrative Code (WAC 173-22-030(10)) is:

Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands.

Wetland scientists generally acknowledge that wetlands perform the following eight functions: 1) flood/storm water control, 2) base stream flow/groundwater support, 3) erosion/shoreline protection, 4) water quality improvement, 5) natural biological support, 6) general habitat functions, 7) specific habitat functions, and 8) cultural and socioeconomic values.²⁷ In the past these functions were not understood. Many wetlands were senselessly destroyed by clearing, dredging, draining, and filling. Federal, state, and local government regulations now protect significant wetlands and an undisturbed buffer around the wetland. The higher the wetland's "functions and values," the wider the buffer must be.

The Bonney Lake area contains bogs, forested wetlands, scrub/shrub wetlands, wet meadows, shallow marsh wetlands, and deep marsh. The greatest concentration of wetlands is in the Fennel Creek corridor.

Wetlands also exist along swales draining Lake Bonney and Lake Debra Jane, along the certain lake shoreline, and in a few isolated spots.

Goal ES-5: Protect wetlands and the natural functions they perform.

Policy ES-5.1: Ensure that wetland buffers are adequately size to protect functions and values of wetlands.

Policy ES-5.2: Allow no net loss of wetland functions and values.

Policy ES-5.5: Avoid denying all reasonable use on any parcel.

Policy ES-5.6: Protect wetlands from water quantity or quality impacts stemming from improper stormwater management.

Policy ES-5.7: Encourage environmental stewardship programs aimed at wetland preservation.

Policy ES-5.8: Pursue implementation of a wetland mitigation banking program.

7.3.6 FISH AND WILDLIFE HABITAT

Urbanization and agriculture have reduced Bonney Lake’s wildlife habitat, but the area’s lakes, stream corridors, wetlands, floodplains, and forests support many plants and animals. Urban development and habitat conservation are not entirely incompatible sensitive design, a reasonable balance can be maintained.

According to State rules (WAC 365-190), fish, and wildlife conservation areas (FWHCAs) are “...areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; and areas with high relative population density or species richness.” Areas that are considered FWHCA, as determined by the Department of Natural Resources, are illustrated in Figure 7-9.

Goal ES-6: Preserve and restore fish and wildlife habitat conservation areas.

Policy ES-6.1: Preserve habitats for species which the state or federal government have identified as endangered, threatened, or sensitive.

Policy ES-6.2: Encourage conservation of sites that protect fish and wildlife habitat conservation areas through incentives or acquisition.

Policy ES-6.3: Encourage the restoration of ecological functions and the natural environment in environmentally damaged areas through incentives.

Policy ES-6.4: Protect water quality in lakes and streams.

Policy ES-6.5: Promote clustered developments, common areas, buffers, conservation easements and retention of native vegetation as means of conserving critical habitat.

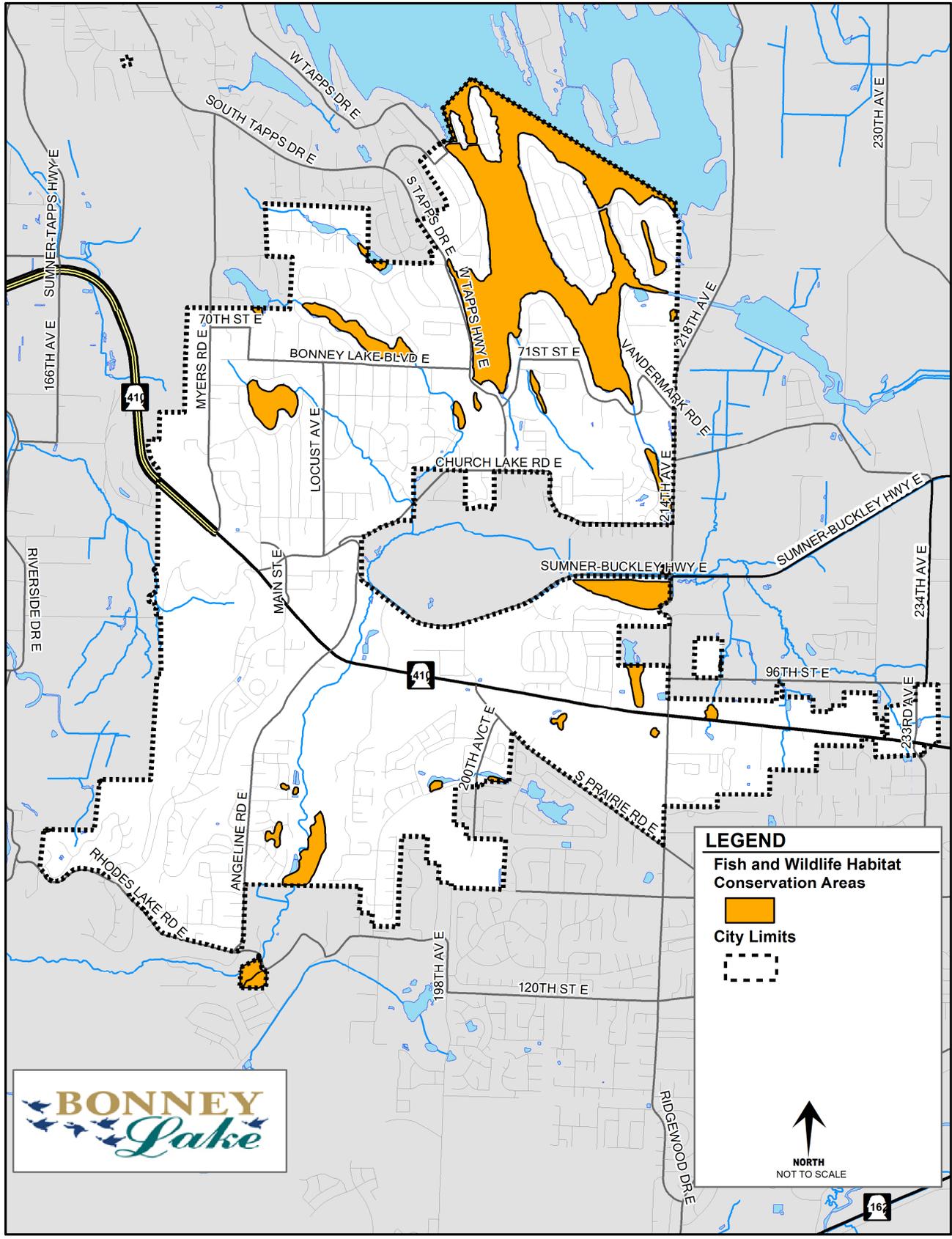


Figure 7-10: Fish and Wildlife Conservation Areas

7.4 URBAN FORESTRY

A healthy urban forest contributes to a sustainable city in a number of ways. Trees consume carbon dioxide (CO₂) (which is a greenhouse gas) and absorb air and water pollutants. They also provide shade (which reduces energy consumption), absorb runoff, reduce soil erosion, provide habitat for plants and animals, and make walking more pleasant. The Center for Urban Forest Research estimates that over a 40 year period 100 urban trees in the Pacific Northwest provide \$202,000 in benefits.²⁸

“Preserve Bonney Lake’s character by maintaining significant trees, tree lines, and wooded lots to the maximum extent possible through the regulation of clearing prior to development.”

*City of Bonney Lake
Comprehensive Plan
August 1985*

As a Tree City, USA, with an active Community Forest Program, Bonney Lake has made a commitment to protect and manage the community’s tree resources. As part of this commitment the City contract with Davey Resource Group to prepare an Urban Tree Assessment which determined that the City of Bonney Lake has an overall tree canopy coverage of 43% slightly higher than the goal of 40% suggested by American Forest.²⁹

Each year, the City plants and prunes trees to expand and maintain the urban forest. The City also has tree-planting requirements in parking lots to help offset air pollution from cars and reduce the heat island effect. In addition, there are many thousands of trees in private yards across the City. These make an important contribution to the aesthetics of the City, as well as the natural environment. However, without a plan to replace trees lost to development, there could be a significant reduction in the overall canopy and the environmental services provided to the community.

Goal ES-7: Promote, preserve, and emphasize a healthy urban forest with an overall tree canopy of 50%.

Policy ES-7.1: Protect and conserve open space, including transition buffers between urban and rural areas.

Policy ES-7.2: Preserve and protect public views of mountains and valley corridors.

Policy ES-7.3: Practice land cover management with includes forest and topsoil preservation, native growth protection easements, dense vegetative zones, and preservation of tree canopy zones.

Policy ES-7.4: Protect significant trees and promote tree replanting, and encourage the use of native plants.

Policy ES-7.6: Promote the preservation of native vegetation and mature trees; revegetation; and appropriate landscaping to improve air and water quality and fish and wildlife habitat.

Policy ES-7.7: Encourage preservation of the urban forest, and promote the use of native plants in residential and commercial landscapes.

7.5 AGRICULTURAL LANDS

The GMA requires jurisdictions to prevent urban conversion of agricultural lands of long-term commercial significance. The City recognizes no such lands in the BLUGA. However, as a suburban community located on the edge of the Pierce County’s urban growth area boundaries, Bonney Lake is surrounded by pockets of agricultural lands of long term commercial significance and as such the City should work cooperatively with the County to preserve and protect these areas. Additionally, two of the City’s proposed additions to the BLUGA, Fennel Creek Corridor Area and 214th Area, contain lands designated as agricultural resource lands (ARL). Areas designated as ARL are considered agricultural lands of long term commercial significance which should be preserved and protected from urban development. The City proposes to retain that designation for those lands by designating the areas as Open Space – Conservancy and zoning the area Residential/Conservancy District which is compare the County’s zoning in both the terms of allowed uses and density.

In addition to preserving agricultural lands of long-term commercial significance, Bonney Lake should also take steps to promote and preserve urban agricultural lands. Urban agriculture is an umbrella term encompassing backyard gardens, community gardens, urban farms, and farmer’s markets involved in a wide range of activities including raising, cultivation, processing, marketing, and distribution of food in urban areas.³⁰ Preserving and promoting urban agriculture would have a number of positive impacts on Bonney Lake which include:

- Promoting community health by expanding access to fresh foods;
- Reducing green-house gas emissions caused transporting food over long distances;
- Increasing social-capital by facilitating community engagement (See Community Development Element for a discussion of the health impacts of social capital); and
- Activating underutilized community spaces.³¹

Goal ES-8: Preserve and protect agricultural resource lands and urban agriculture sites to improve access to healthy foods access, build social connections, and provide local source of food.

Policy ES-8.1: Preserve Pierce County’s designation of “urban agricultural land of long-term commercial significance” for properties so designated in the proposed Fennel Creek Corridor UGA.

Policy ES-8.2: Allow continued agricultural production in areas which currently produce such products but which have not been designated agricultural resource lands if such production is compatible with their urban context.

Policy ES-8.3: Maintain agricultural production as the principal use on agricultural lands by limiting residential development, preventing conversion to non-agricultural uses, and prohibiting uses that are incompatible with long term agricultural production.

Policy ES-8.4: Protect property owner's rights to cultivate gardens to produce fresh vegetables and to keep a limited number of farm animals through the City's development regulations.

Policy ES-8.5: Expand access to community gardens through Bonney Lake to support local farms and also increasing access to fresh produce.

Policy ES-8.6: Remain open to further designations of agricultural resource lands on land shown to merit that designation.

Policy ES-8.7: Ensure that land uses proposed adjacent to resource lands designated as agricultural resource lands are compatible with agricultural activities.

7.6 AIR QUALITY

"The emission of noise, smoke, dust, other obnoxious matter are to be limited and controlled by specific performance standards."

*Plan for Bonney Lake,
Washington May 2, 1964*

While air quality is not specifically identified as critical area, protecting air quality is listed as goal of the GMA and both the MPPs and CPPs include specific provisions that require the City to establish policies related to air quality. In the Puget Sound Region the primary concern is ground-level ozone, carbon monoxide, and fugitive dust which can damage lung tissue leading to respiratory disease, contribute to cancer and cardiovascular disease, and obscure many of our most scenic vistas, such as views of the Olympic and Cascade mountain ranges, including Mount Rainier.³²

Air quality in Bonney Lake is monitored and regulated by the Puget Sound Clean Air Agency (PSCAA) which covers, King Kitsap, Pierce and Snohomish Counties. The PSCAA a special purpose, regional government agency chartered by state law in 1967 under the Washington Clear Air Act and monitors air quality in the basin through a regional network of air pollution monitoring stations to determine if the national and State standards for criteria air pollutants and emission limits of toxic air contaminants are being achieved.

Criteria Air Pollutants

The Federal and Washington Clean Air Act have established ambient air quality standards for different air pollutants. The national ambient air quality standards (NAAQS) were established by the Federal Clean Air Act of 1970 (amended in 1977 and 1990) for six "criteria" pollutants: carbon monoxide (CO), ozone (O3), nitrogen dioxide (NO2), particulate matter (PM10 and PM2.5), sulfur dioxide (SO2), and lead (Pb), which are known to be hazardous to human health. Over the years PSCAA has made great strides toward reducing levels of carbon monoxide, sulfur dioxide, nitrogen dioxide and lead, which are now well below federal air quality standards. However, two air pollutants remain a concern Puget Sound region: particle pollution and ozone (smog) which can cause heart attacks, strokes, asthma attacks and even premature death.³³

Toxic Air Contaminants

In addition to the six criteria air pollutants, the PSCAA increasingly is focusing efforts on reducing air toxics, which is a group of over 400 pollutants known or suspected to cause a number of health problems, including cancer and birth defects, as well as damage to lungs, and immune and nervous systems. In our region, health risk from air toxics comes primarily from fine particles in diesel exhaust.³⁴

“Residential areas should be protected from the dangers of fire, explosions, toxic, noxious matter, and other similar objectionable influences.”

*City of Bonney Lake
Comprehensive Plan
August 1985*

Greenhouse Gas Emissions

In addition to the air quality, cities in the central Puget Sound Region are required to address climate change. While addressing climate change is not specifically addressed in the GMA goals established by RCW 36.70A.020 nor the mandatory elements established by RCW 36.70A.070, the City is required to be consistent with adopted MPPs and CPPs pursuant to RCW 36.70A.100 and RCW 36.70A.210. Both the MPPs and CPPs include specific provisions that require the City to establish goals, policies, strategies, and performance measures related to the reduction of greenhouse gas emissions and to address adaptation to the effects of climate change.

Unlike emissions of criteria pollutants and toxic air pollutants, which have local or regional impacts, emissions of greenhouse gases (GHGs) have a broader, global impact. The principal GHGs are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated compounds. These gases allow visible and ultraviolet light from the sun to pass through the atmosphere, but they prevent heat from escaping back out into space, a process known as the “greenhouse effect”. Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for intensifying the greenhouse effect.

The City’s efforts to reduce GHGs began in 2010 with the passage of Resolution 2049 which adopted policies to reduce emissions of GHGs. As part of Resolution 2049, the City stated that local governments throughout the nation, both large and small, are reducing the production of global warming pollutants through programs that provide economic and quality of life benefits, such as reduced energy bills, green space preservation, air quality improvements, reduced traffic congestion, improved transportation choices, and economic development and job creation through energy conservation and new energy. The City of Bonney Lake adopted the following policies, as part of Resolution 2049, to reduce GHGs:

- The City will strive to assure that all new municipal buildings are models of cost effective, energy-efficient design.
- The City will encourage energy conservation practices in City buildings by raising the awareness of employee energy use.
- The City will use the recently approved shared resource conservation manager position to conduct energy audits of publicly owned buildings, evaluate potential conservation measures, and then carry out those measures that are appropriate.

- The City will monitor the efficiency of the pumps in water and sewer systems, and operate and maintain them at peak efficiency whenever practically feasible. When evaluating new systems, the most cost effective option using the least amount of energy will be preferred.
- The City will participate in the County-wide solid waste management plan which reduces the solid waste stream by recycling and other means, investigates ways to convert nonrecyclable solid waste to energy, and promotes the purchase of recycled and recyclable goods.
- Where and when permitted under the building code, the City will encourage the use of building construction materials made from recycled and recyclable materials.
- The City will publicize energy conservation actions to raise public awareness of the value of wise energy use.
- The City will promote internal recycling programs, purchasing policies, and employee education to reduce the amount of waste produced.
- The City will implement its non-motorized transportation plan, on a funding available basis, to provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.
- The City will continue to support water conservation through the use of conservation based rates and a tiered rate structures for water use

In Puget Sound region, nearly 50% of the GHGs pollution comes from transportation. The goals and policies in the Community Development Element and Mobility Elements attempt to address the GHGs related to transportation by encouraging a local balance of jobs and housing, promote the proximity of shopping, recreational, childcare and other uses to residential areas in order to minimize the number and distance of vehicle trips, encourage higher intensity uses near transit to reduce dependence on the automobile, and encourage the use of alternative transportation modes such as transit, walking and bicycling.

In addition to transportation, GHGs are released during energy production and consumption, such as electricity used to power homes and businesses, and fuel used to power cars and trucks. Reducing the carbon content of the fuel source (e.g. solar or wind power versus fossil fuels) or reducing energy consumption (e.g. using energy efficient appliances or designing buildings for solar access) will help to further reduce overall GHGs emissions.

Goal ES-9: Meet the Washington State goal to reduce greenhouse emissions to 25% below 1990 levels by 2035 established by RCW 70.235.020(1)(a)(ii) and ensuring that overall air quality meets or exceeds State and Federal standards.

Policy ES-9.1: Support efforts of other local, regional and State agencies to improve regional air quality.

Policy ES-9.2: Coordinate land use planning and local transportation planning to reduce the potential for long-term exposure criteria air pollutants and to toxic air contaminants.

Policy ES-9.3: Reduce the air quality impacts created by truck traffic, hazardous materials and development.

Policy ES-9.4: Continue to implement the policies adopted by Resolution 2049

Policy ES-9.5: Encourage energy efficiency in site design, building orientation, landscaping, and utilities/infrastructure for all development and redevelopment projects.

Policy ES-9.6: Encourage renewable energy sources for new and existing buildings and infrastructure.

Endnotes:

¹ *Pilchuck, et al v. Snohomish County*. Final Decision and Order. Case Number 95-3-0047c. (December 6, 1995).

² WAC365-190-130(2)

³ WAC 365-090-030(3)

⁴ WAC 365-190-100(1)

⁵ RCW 36.70A.172(1)

⁶ *Washington State Department of Ecology and Washington State Department of Commerce, Trade, and Economic Development v. City of Kent*. Final Decision and Order. Case Number 05-3-0034. (April 19, 2006).

⁷ Zulauf, A. S., et. al. (February 1979) *Soil Survey of Pierce County Area, Washington*. Prepared for the Natural Resource Conservation Service (formerly Soil Conservation Service).

⁸ *ibid.*

⁹ Dragovich J.D, et. al. (September 1995) *Liquefaction Susceptibility for the Sumner 7.5-minute Quadrangle, Washington*. Prepared for Washington State Department of Natural Resources.

¹⁰ Zulauf, A. S., et. al. (February 1979) *Soil Survey of Pierce County Area, Washington*. Prepared for the Natural Resource Conservation Service (formerly Soil Conservation Service).

¹¹ *ibid.*

¹² Dragovich J.D, et. al. (September 1995) *Liquefaction Susceptibility for the Sumner 7.5-minute Quadrangle, Washington*. Prepared for Washington State Department of Natural Resources.

¹³ Cakir R. and Walsh T. (May 2012) *Loss Estimation Pilot Project for Lahar Hazards from Mount Rainier Washington*. Prepared for the Washington State Department of Natural Resources.

¹⁴ *ibid*

¹⁵ *ibid*

¹⁶ *ibid*

¹⁷ *ibid*

¹⁸ *ibid*

¹⁹ WAC 365-190-100(1)

²⁰ Parati of Oregon, LLC. (February 2007). *Bonney Lake Preliminary Water Quality Assessment: An Analysis of Conditions 2004 through 2007*. Prepared for the City of Bonney Lake.

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- ²¹ Ragland, I. (2014). City of Bonney Lake: Volunteer Lake Monitoring Program. Prepared by Pierce Conservation District for the City of Bonney Lake.
- ²² *ibid.*
- ²³ *ibid.*
- ²⁴ RH2 Engineering, Inc. (June 1998). *City of Bonney Lake Wellhead Protection and Monitoring Program – Phase I*. Prepared for the City of Bonney Lake.
- ²⁵ Foster Wheeler Environmental Corporation. 1999. Environmental Analysis of the Fennel Creek Corridor. Pg. 2-75.
- ²⁶ *ibid.*
- ²⁷ Cooke Scientific Services. (February 2000). *Wetland and Buffer Functions Semi-Quantitative Assessment Methodology (SAM)*.
- ²⁸ Davey Resource Group. (March 2011). *City of Bonney Lake Washington: Urban Tree Canopy Assessment*. Prepared for the City of Bonney Lake.
- ²⁹ *ibid.*
- ³⁰ National Policy & Legal Analysis Network to Prevent Childhood Obesity. (?). *Seeding the City: Land Use Policies to Promote Urban Agriculture*.
- ³¹ *ibid.*
- ³² Puget Sound Regional Council. *Vision 2040*. 2008 pg. 39.
- ³³ PSCAA Website: <http://www.pscleanair.org/airquality/airqualitybasics/airtoxics/Pages/default.aspx> Accessed on 11/5/14
- ³⁴ *ibid.*



Memo

Date : December 3, 2014
To : Mayor and City Council
From : Grant Sulham, Planning Commission Chair
Re : **Resolution 2429 – Environmental Stewardship Element**

The City of Bonney Lake is required to review and, if needed, update its comprehensive plan and development regulations to ensure compliance with the Washington State Growth Management Act (GMA), Chapter 36.70A RCW, by June 30, 2015 pursuant to RCW 36.70A.130. This periodic review and update of the City's comprehensive plan and development regulations is necessary to ensure that the City's comprehensive plan and development regulations reflect current laws, local needs and goals, and new data. The GMA does not exempt any portion of a comprehensive plan or development regulation from being subject to review and evaluation as part of the required period update. Annual amendments made to a Comprehensive Plan typically focus on specific sections or changes, but the periodic update is required to assess the plan as a whole.

At the December 3, 2014 meeting, the Planning Commission held a public hearing and voted 7-0-0 that the City Council pass Resolution 2429 stating the City Council's intent to adopt the Environmental Stewardship Element as part of the Comprehensive Plan update.

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Comprehensive Plan Update Mandatory Task Progress Chart

Task Number	Consistency Report Section	Consistency Report Page Number	Description	Status	Notes
2.1.A	Land Use	4	Update the FLUM	Complete	This work was completed as part of the Community Development Element.
2.1.B	Land Use	4	Update Out of Date Growth Targets	Complete	This work was completed as part of the Community Development Element.
2.1.C	Land Use	4	Correct Inconsistent Population Projections	Complete	This work was completed as part of the Community Development Element.
2.1.D	Land Use	4	Update Buildable Lands Inventory	Complete	This work was completed as part of the Community Development Element.
2.1.E	Land Use	4	Update Out of Date Employment Targets	Complete	This work was completed as part of the Community Development Element.
2.1.F	Land Use	4	Establish Implementation Strategies and Performance Measures		
2.1.G	Land Use	5	Establish Policies Regarding Street Interconnectivity and Transit Use	Complete	This work was completed as part of the Community Development Element.
2.1.H	Land Use	5	Identify Open Space Corridors	Complete	This work was completed as part of the Community Development Element.
2.1.J	Land Use	5	Establish Policies to Encourage the Recreational Use of Open Space	Complete	This work was completed as part of the Community Development Element.

Task Number	Consistency Report Section	Consistency Report Page Number	Description	Status	Notes
2.2.A	Housing	6	Update Out of Date Inventory	Complete	This work was completed as part of the Community Development Element.
2.2.B	Housing	6	Add Housing Capacity Information	Complete	This work was completed as part of the Community Development Element.
2.2.C	Housing	7	Add Policies Regarding the Protection of Existing Neighborhoods	Complete	This work was completed as part of the Community Development Element.
2.2.D	Housing	7	Establish Implementation Strategies and Performance Measures		
2.2.E	Housing	7	Address Comments from PSRC's Certification Report	Complete	This work was completed as part of the Community Development Element.
2.3.A	Mobility	8	Address Inconsistent Land Assumptions	In Progress	
2.3.B	Mobility	8	Update Out of Date Transportation Facility Inventory	In Progress	
2.3.C	Mobility	8	Update Out of Date and Inconsistent Level of Service (LOS) Projections	In Progress	
2.3.D	Mobility	9	Establish Multi-Modal LOS Standards	In Progress	
2.4.A	Public Facilities and Services	12	Identify all Publicly Owned Capital Facilities		
2.4.B	Public Facilities and Services	12	Prepare a Map Identifying all Capitals Facilities		

Task Number	Consistency Report Section	Consistency Report Page Number	Description	Status	Notes
2.4.C	Public Facilities and Services	12	Update the Out of Date Facility Inventory		
2.4.D	Public Facilities and Services	12	Correct the Inconsistent Population Projections		
2.4.E	Public Facilities and Services	12	Update Needs Assessment		
2.4.F	Public Facilities and Services	13	Prepare Implementation Strategies and Performance Measures		
2.4.G	Public Facilities and Services	13	Add Policies To Ensure Consistency Between the CIP and the Comprehensive Plan		
2.4.H	Public Facilities and Services	13	Update List of Projects to be funded with Park Impact Fees		
2.4.I	Public Facilities and Services	13	Establish Reassessment Strategy		
2.4.J	Public Facilities and Services	13	Identify a Process for Siting EPFs		
2.4.K	Public Facilities and Services	13	Remove Criteria that Requires an Alternative Sites Analysis for EPFs		
2.5.A	Environmental Stewardship	16	Update the Out of Date Critical Area Maps	Complete	This work was completed as part of the Environmental Stewardship Element.
2.5.B	Environmental Stewardship	16	Provide Maps of Geological Hazardous Areas	Complete	This work was completed as part of the Environmental Stewardship Element.

Task Number	Consistency Report Section	Consistency Report Page Number	Description	Status	Notes
2.5.C	Environmental Stewardship	16	Add Policies Related to Air Quality	Complete	This work was completed as part of the Environmental Stewardship Element.
2.5.D	Environmental Stewardship	17	Add Policies to Address Climate Change	Complete	This work was completed as part of the Environmental Stewardship Element.
2.5.E	Environmental Stewardship	17	Development Implementation Strategies and Performance Measures		
2.5.F	Environmental Stewardship	17	Establish Policies Related to the Biological Opinion for the Management of Floodplains	Complete	This work was completed as part of the Environmental Stewardship Element.
2.5.G	Environmental Stewardship	17	Update the Out of Date Wetland Classification	Complete	This work was completed as part of the Environmental Stewardship Element.
2.5.H	Environmental Stewardship	18	Identify Impaired Water Bodies	Complete	This work was completed as part of the Environmental Stewardship Element.
2.5.I	Environmental Stewardship	18	Establish Restoration Polices or Goals	Complete	This work was completed as part of the Environmental Stewardship Element.
2.6.A	Shoreline Element	18	Add a Shoreline Element	Complete	DOE approved the City's SMP on October 2, 2014.
2.7.A	Community Health	19	Develop Policies related to Community Health	Partially Complete	The majority of this work is being completed as part of the Community Development Element. Additional health related issues will be covered in the Environmental Conservation Element, the Mobility Element, and the Implementation Chapter

Task Number	Consistency Report Section	Consistency Report Page Number	Description	Status	Notes
3.1.A	Critical Area Regulations	21	Update Floodplain Regulations		
3.3.A	Zoning Code	23	Added Family Day Care Centers to the List of Permitted Use in the C-2 and Easttown Zones		
3.3.B	Zoning Code	23	Develop an Electrical Vehicle Regulations		
3.5.A	Concurrency, Impact Fees, and TMD	25	Extend the Timeframe to Spent School and Park Impact Fees	Partially Complete	The City Council adopted Ordinance 1478 February 25, 2014 adopting new school impact fees. As part of this Ordinance the City Council also extended the time period for spending school impact fees to 10 years.
3.6.A	Essential Public Facilities	26	Amend the Land Use Matrix to Allow EPFs		
3.6.B	Essential Public Facilities	26	Establish a Use Permit for EPFs		
3.7.A	Project Review Process	27	Modify Regulations Related to Public Notice of Permit Applications	In Progress	The Ordinance amending the City's land use procedures has already been developed by staff. The Planning Commission held the public hearing on May 21, 2014 and recommend approval. The draft Ordinance will be presented to the City Council on January 6, 2015.