

**TOWN OF YARROW POINT
PLANNING COMMISSION MEETING MINUTES
May 01, 2017**

The following is a condensation of the proceedings and is not a verbatim transcript.

CALL TO ORDER:

Amy Pellegrini, Planning Commission Chair called the meeting to order at 7:01 p.m.

PRESENT:

Chairperson:	Amy Pellegrini – Excused Trevor Dash-Acting Chair
Commissioners:	Trevor Dash Chuck Hirsch Carl Hellings
Staff:	Town Clerk Anastasiya Warhol Town Planner Mona Green Town Legal Representative Mike Walter
Guests:	Andy Valaas, Council Liaison

APPEARANCES:

MINUTES:

March 27, 2017 Meeting Minutes

MOTION: Commissioner Hirsch moved to approve the minutes of the March 27, 2017 as amended (noting that Ms. Green was *not* in attendance). Commissioner Hellings seconded the motion.

VOTE: 3 For, 0 Against. Motion carried.

STAFF REPORTS:

Planner Mona Green briefly introduced the Planning Commissioner calendar for the following few months. Until recently, the Planning Commission has been focusing on extra-curricular activities including emergency preparedness. Moving forward, the Commission will pivot to deal with critical zoning code updates, taking high priority for the remainder of the year.

REGULAR BUSINESS:

PCAB 17-04 Planning Commission Roles and Responsibilities, Review

Town Planner Mona Green provided a brief overview of the roles and statutory responsibilities of the Planning Commission. The Town Council passes legislation. The Planning Commission is an advisory body which rarely makes final decisions, but is the most important group advising the Council on land-use zoning matters.

The Planning Commission works on two significant planning initiatives based on state mandates. As required by the Growth Management Act, the Planning Commission is charged with updating the Town's Comprehensive Plan, a significant guiding document for Town planning. As required by the State Environmental Policy Act (SEPA), the Planning Commission is also charged with crafting and updating a Shoreline Management Plan. This, too, serves as a critical guiding document which allows for a method of evaluating what the environmental considerations must be for permitted projects within the Town.

Separate from the legislative functions, the Planning Commissioners are charged with hearing quasi-judicial matters pertaining to specific properties in Yarrow Point. Currently, the Planning Commission acts in the quasi-judicial capacity in hearing special use permit requests, and short plat requests. The Town also contracts with a Hearing Examiner to act as an arbiter to hear matters on variances, and shoreline substantial development permits.

In fulfilling these three major tasks, the Planning Commission works to support the welfare and safety of everyone living in the Town.

As a matter of practical application, there are two things that encourage the success of the Planning Commission:

- 1) Clear and consistent communication with the Town Council
- 2) An educated Chairperson who is prepared to run meetings and hearings, especially those of a controversial nature.

PCAB 17-05 Zoning Code Revisions, Discussion

Eaves in the Setbacks YPMC 17.16.040

Ms. Green noted that YPMC 17.16.040, dealing with Setback Requirements, needs a minor amendment. The section has not been modified for many years. At a recent variance hearing, the Town Hearing Examiner made a decision to allow eaves to go into the setbacks of the applicant's property. The Hearing Examiner explained that our Town Code does not explicitly prohibit eaves in the setbacks. The Town would like to make it clear that neither eaves nor gutters are allowed in the setbacks by amending the code to reflect such language.

MOTION: Commissioner Hirsch moved to hold a Public Hearing at the upcoming meeting on the subject of amending YPMC 17.16.040. Commissioner Hellings seconded the motion.

VOTE: 3 For, 0 Against. Motion carried.

Town Planner Green explained that the Council has tasked the Planning Commission with studying the Town's current definition of a *building site* as defined by YPMC 17.16.050. This directive originated from an ambiguity in the Code that resulted in legal action against the Town. Consequently, the Town moved to resolve the legal action and to impose a six-month moratorium on the acceptance of certain building permits for the purpose of allowing time for both the Planning Commission and the Council to thoughtfully deliberate any necessary code updates.

The Planning Commission was also presented with the following information to become more familiar with the issues on hand:

1. The current zoning code language
2. The 1913 Replat of Yarrow Point
3. Legislative History
4. Approach taken by the City of Clyde Hill

The Commissioners took the remainder of the meeting to continue to digest the information provided and ask the Planner Green and Attorney Walter questions. Attorney Walter encouraged the Planning Commissioners to dive deep into the history provided, seek examples of other jurisdictions' approaches by visiting the Municipal Services Research Center, and evaluating various case-law on the subject. The Planning Commission will be forwarded other useful information with their next packet.

Finally, Ms. Green noted that due to the gravity of the work now delegated to the Commission, it is likely that more meetings will be necessary to digest information, and thoroughly evaluate possible updates and clarifications to the code.

Planning Commission tentatively scheduled the next meeting for Monday, May 22nd at 7pm.

ADJOURNMENT:

MOTION: Commissioner Hirsch moved to adjourn the meeting at 9:05 pm. Commissioner Hellings seconded the motion.

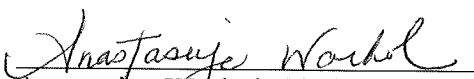
VOTE: 3 For, 0 Against. Motion carried.

APPROVED:



Trevor Dash, Acting Chair

ATTEST:



Anastasiya Warhol, Clerk-Treasurer

