

**TOWN OF YARROW POINT  
PLANNING COMMISSION SPECIAL MEETING MINUTES  
January 23, 2020**

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

**CALL TO ORDER:**

Carl Hellings Planning Commission Chairman called the meeting to order at 7:04pm

**PRESENT:**

Chairman: Carl Hellings  
Commissioners: Trevor Dash  
Chuck Hirsch  
Amy Pellegrini  
Jennifer Whittier

Staff: Austen Wilcox – Town Deputy Clerk  
Mona Green – Town Planner

Guests: Dennis Buchanan - Resident  
Ronnie McGlenn - Resident  
Robert Afzal – Resident

Chairman Hellings introduced himself as newly appointed Chairman of the Planning Commission and thanked former chairperson Amy Pellegrini for her service in this role.

**MINUTES:**

**MOTION:** Commissioner Dash moved to approve the minutes of the December 17, 2019 special meeting as amended. Commissioner Hirsch seconded the motion.

**VOTE:** 5 For, 0 Against, 0 Abstain. Motion carried.

**APPEARANCES:**

No comments.

**STAFF REPORTS:**

Deputy Clerk Wilcox gave a report on the January 14, 2020 Council meeting:

- Approval of funding for ARCH (A Regional Coalition for Housing)
- Approval of the extension of paved section of 92<sup>nd</sup> Ave pathway from NE 41<sup>st</sup> to NE 40<sup>th</sup> Pl. The project will be done in stages. Next year, the planned pavement extension will take place from NE 40<sup>th</sup> – 39<sup>th</sup>.
- The security cameras approved by the Town Council on a trial basis have not yet been installed. Mayor Cahill is working out the logistics of installation, policies and procedures and a public outreach program.
- Council reviewed the current garbage collection agreement and determined the level of service currently offered is the best one for the town.

**REGULAR BUSINESS:**

**PCAB 20-01 Private Property Tree Code – Continued Discussion**

Chairman Hellings gave an overview the Planning Commission’s review of tree code research.

Deputy Clerk Wilcox distributed to the audience in attendance a copy of an email from Chairman Hellings regarding concepts around the Planning Commission’s review and goals for a potential tree code.

The following aspects were discussed:

- Classification of a “significant tree”
- Preservation
- Mitigation
- Views
- Density
- Replacement for removal
- Trees located on shoreline
- Permitting process
- Notification process for tree removal
- Protection of trees during construction
- Replacement trees

Dennis Buchanan resident at 4015 95<sup>th</sup> Ave NE. asked if there is a defined consequence for taking down a significant tree while also stating that he feels a tree code would be a taking. The Commission shared that a tree code is still in the discussion stages and the intention is for private property owners to still be able to remove trees. Mr. Buchanan discussed replanting and mitigation. Planner Green responded giving examples of mitigation noting that approval of a tree code is ultimately up to the Council’s decision.

Ronni McGlenn resident at 4000 95<sup>th</sup> Ave NE. would like to see trees that border private property and public right of way be considered in tree code discussions including the protection of Eagles. Planner Green responded that the Planning Commission has taken into consideration the protection of wildlife in the tree code discussions and would be part of the permit process. Ms. McGlenn asked if there was a tree code implemented, how it would be managed by the Town. Planner Green responded stating that it is yet to be determined.

Mr. Buchanan resident at 4015 95<sup>th</sup> Ave NE. asked about qualifications regarding the personnel who would be reviewing tree removal permits. Planner Green responded by providing examples of potential review processes and types of personnel who would be responsible for reviewing tree permits. Mr. Buchanan further noted that good practices of contractors can eliminate many of the tree issues the town has faced in the past.

Robert Afzal resident at 9075 NE 40<sup>th</sup> Pl. requested clarification on mitigation trees. The Commission responded that specific mitigation measures have not yet been determined.

Mr. Afzal referenced a private property issue with hedges grown into trees. The Commission responded stating that hedges are not being addressed in the tree code review.

Distance requirement for noticing procedures of tree removal were discussed. The Commission agreed that notifying the adjacent neighbor could suffice.

The Commission decided to create a *concept* to send to Council of their findings to review at their regular February Council meeting to confirm they are on the right track for a potential future tree code proposal.

Protection of species along the shoreline in the Town's Shoreline Master Plan were reviewed and discussed.

Replacement trees must be native and exclude fruit trees.

Tree ordinance items to be further defined:

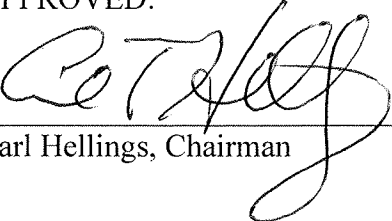
- Tree removal permit requirements; including, noticing adjacent neighbors (not 300' public notice). This would include notifying of removal and *replanting* plan.
- Define enforcement measures. Define consequences for removing trees without a permit and consequences for not carrying out replacement mitigation.
- Include language for compliance with State law for "Eagle Trees."
- Further define 'replacement tree' diameter and species (native trees).
- Further define 'significant tree' species, does not include fruit or ornamental trees even if it meets significant tree diameter requirements.
- Further define replacement requirements that refer to the SMP plant list for parcels within the shoreline area.
- Further address trees (and tree roots) that are on property lines. Notice adjacent property owners and obtain signatures.
- Further define the 1-1 replacement "cap"
- Consider possible minimum spacing of replacement trees so they don't create a 'tree hedge' and consider protecting neighboring views with replacement trees.

Chairman Hellings will draft a concept based on the discussion and forward it to the other commissioners including the Town Planner to review prior to presentation of it at the regular February 11 Council meeting. A quorum of the Planning Commission may be present at this meeting.

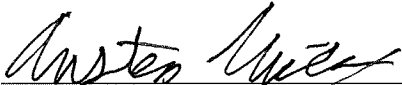
MOTION: Commission Chairman Hellings moved to take the Planning Commission's outline of the draft tree code concept as presently discussed including a list of open items that are not yet decided to bring forth to the Town Council at their regular February 11 meeting for review and discussion. Commissioner Hirsch seconded the motion.  
VOTE: 5 For, 0 Against, 0 Abstain. Motion carried.

MOTION: Commissioner Pellegrini moved to adjourn the meeting at 8:50pm. Commissioner Hirsch seconded the motion.  
VOTE: 5 For, 0 Against, 0 Abstain. Motion carried.

APPROVED:

  
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Carl Hellings, Chairman

ATTEST:

  
\_\_\_\_\_  
Austen Wilcox, Deputy Clerk

