

**TOWN OF YARROW POINT
PLANNING COMMISSION REGULAR MEETING MINUTES
October 17, 2022**

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

CALL TO ORDER:

Commission Chairman Carl Hellings called the meeting to order at 7:02 p.m.

PRESENT:

Chairman: Carl Hellings

Commissioners: Chuck Hirsch
Jeffrey Shiu
David Feller – Absent
Lee Sims

Staff: Austen Wilcox – Deputy Clerk
Emily Miner – Town Deputy Attorney
Stacia Schroeder – Town Engineer
Aleksandr Romanenko – SBN Planning
James Eager – SBN Planning
Drey Avila – SBN Planning

Guests: Carl Scandella – Councilmember
Scott Penner – Resident
Robert Afzal - Resident

APPROVAL OF AGENDA

MOTION: Motion by Chairman Hellings seconded by Commissioner Hirsch to approve the amended agenda.

VOTE: 4 For, 0 Against. Motion carried.

STAFF REPORTS:

Deputy Clerk Wilcox gave a report of the October 17 regular Council meeting.

MINUTES:

- July 25, 2022 Special Meeting

MOTION: Motion by Commissioner Hirsch seconded by Commissioner Sims to approve the July 25, 2022 special meeting minutes as amended.

VOTE: 4 For, 0 Against. Motion carried.

APPEARANCES:

Resident Scott Penner discussed the proposed hedge code. He discussed neighbor correspondence for hedge mitigation issues and shared his opinions for enforcement and definition.

Resident Robert Afzal discussed a row of Leland Cypress on his neighbor's property that have turned into trees and the hazards they cause to his property.

REGULAR BUSINESS:

PCAB 22-10 – Introduction of New Town Planner

Aleksandr Romanenko introduced his firm SBN Planning including partners James Eager and Drey Avila.

PCAB 22-11 – Tree Code Amendment Discussion

The Planning Commission has explored various noticing requirements to ensure that future property owners are on notice of the need to comply with YPMC Chapter 20.22 requirements for removal of mitigation trees. Potential noticing options discussed included requiring placement of a notice on title, requiring a notarized document from the buyer confirming their compliance with the code, and requiring a warranty bond for the three-year survival period requirement for mitigation trees. Planning Commission's expressed preference at the July meeting was for a notice requirement in conjunction with a warranty bond.

Staff have prepared draft code amendments to YPMC 20.22 to reflect Planning Commission's direction. Attorney Emily Miner discussed the draft code as presented.

- Performance and warranty bonds
- Administrative procedures for tree permit review
- Fines
- Fees
- Mitigation trees

Commissioner Shiu left the meeting under PCAB 22-11 prior to the following motion.

MOTION: Motion by Chairman Hellings seconded by Commissioner Sims to recommend approval to Council of the proposed revisions from the Planning Commission as presented to the private property tree code.

VOTE: 3 For, 0 Against. Motion carried.

PCAB 22-12 – Hedge Code Discussion As discussed during prior Planning Commission meetings, there are ambiguities in the definition of the Town's Hedge Code that make it difficult to enforce hedge code regulations. The definition of "hedge" is also problematic because it includes the word "tree" which creates a conflict with the private property tree code at Chapter 22.02 YPMC. These ambiguities in the code create challenges for enforcement, as illustrated by the Town Building Official's presentation during the May Planning Commission meeting.

In response to this discussion, staff have prepared a draft code with hedge regulations and a voluntary dispute resolution process for the Planning Commission's consideration. Comments are left in the draft code to assist in guiding the Planning Commission's review. The Planning Commission discussed:

- Definition of a hedge

- Views
- Enforcement
- Examples of current hedge complaints
- Neighborly hedge conflict mitigation
- Examples of hedge codes from other jurisdictions

PCAB 22-13 – Introduction to Comprehensive Plan Update

As part of the Growth Management Act Comprehensive Plan Update, the Town Planners at SBN Planning have developed a high-level preliminary schedule highlighting the commission’s potential involvement. The Town Planners view potential for up to six Agenda Bills at Yarrow Point Planning Commission meetings, at a minimum. Only one of these is required by RCW 36.70A: the final approval of the Comprehensive Plan update. The five proposed agenda bills can be included at the commission's discretion, as well as any additional items from the Comprehensive Plan Update process which the commission would like to discuss.

The Town Planners are executing a grant for \$100K from Department of Commerce.

PCAB 22-14 – HB 1220 Discussion

In July 2021, Engrossed Second Substitute House Bill 1220 (“Bill”) went into effect. This bill eliminates zoning barriers related to the provision of transitional housing, permanent supportive housing, emergency shelters, and emergency housing. While there is no requirement for any ordinance from the Town of Yarrow Point in response to the Bill, nearby jurisdictions such as Medina and Bellevue have discussed and passed related ordinances.

To offer background on the Bill, its impact on the Town, and how to accommodate this impact, staff have provided an article from the Municipal Research and Services Center of Washington (MRSC) to serve as a foundation for this discussion.

The Planning Commission discussed how HB 1220 could pertain to Yarrow Point.

APPEARANCES:

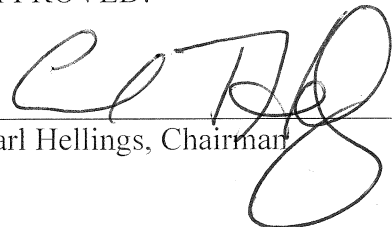
Councilmember Carl Scandella shared his appreciation for the Planning Commission’s work on the tree and hedge codes.

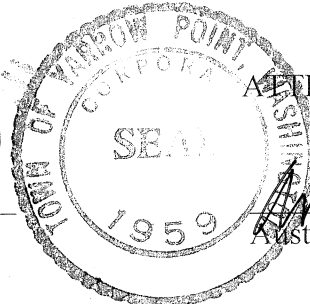
ADJOURNMENT:

MOTION: Motion by Commissioner Hirsch seconded by Commissioner Hellings to adjourn the meeting at 8:37 p.m.


VOTE: 3 For, 0 Against, 0 Abstain. Motion carried.

APPROVED:


 Carl Hellings, Chairman



ATTEST:


 Austen Wilcox, Deputy Clerk