



Town Planning Commission Regular Meeting

Tuesday, April 18, 2023 – 7:00 PM

Town Hall/Virtual

4030 95th Ave NE, Yarrow Point, WA. 98004

Commission Chairperson: Carl Hellings

Commissioners: Chuck Hirsch, David Feller, Jeffrey Shiu, Lee Sims, Ex officio Councilman Carl Scandella

Town Planner: SBN Planning

Town Attorney: Emily Romanenko

Deputy Clerk: Austen Wilcox

Meeting Participation

Members of the public may participate in person at Town Hall or by phone/online. Town Hall has limited seating available, up to 15 public members. Individuals who call in remotely who wish to speak live should register their request with the Deputy Clerk at 425-454-6994 or email depclerk@yarrowpointwa.gov and leave a message before 7:00 PM on the day of the Planning Commission meeting. Wait for the Deputy Clerk to call on you before making your comment. If you dial in via telephone, please unmute yourself by dialing *6 when it is your turn to speak. Speakers will be allotted 3 minutes for comments. Please state your name (and address if you wish.) You will be asked to stop when you reach the 3-minute limit.

Join on computer, mobile app, or phone

1-253-215-8782

Meeting ID: 833 4517 2748#

<https://us02web.zoom.us/j/83345172748>

1. **CALL TO ORDER:** Commission Chairperson, Carl Hellings
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Commissioners, Chuck Hirsch, David Feller, Jeffrey Shiu, Lee Sims, Ex officio Councilman Carl Scandella
4. **APPROVAL OF AGENDA**
5. **STAFF REPORTS**
6. **PUBLIC COMMENT**

Members of the public may speak concerning items that either are or are not on the agenda. The Planning Commission takes these matters under advisement. Please state your name (and address if you wish) and limit comments to 3 minutes. If you call in via telephone, please unmute yourself by dialing *6 when it is your turn to speak. Comments via email may be submitted to depclerk@yarrowpointwa.gov or regular mail to: Town of Yarrow Point, 4030 95th Ave NE, Yarrow Point, WA 98004.
7. **APPROVAL OF THE MINUTES**

March 21, 2023 Regular Planning Commission Meeting

8. REGULAR BUSINESS

8.1 – Comprehensive Plan Update

8.2 – Short Term Rentals

9. PUBLIC COMMENT

10. ADJOURNMENT

**TOWN OF YARROW POINT
PLANNING COMMISSION REGULAR MEETING MINUTES
March 21, 2023**

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

1. CALL TO ORDER:

Commission Chairman Carl Hellings called the meeting to order at 7:00 p.m.

PRESENT:

Chairman: Carl Hellings

Commissioners: Chuck Hirsch
Jeffrey Shiu – *Excused absence*
David Feller
Lee Sims – *Attended virtually*
Ex officio Planning Commissioner Carl Scandella

Staff: Austen Wilcox – Deputy Clerk

Guests: Josh Gribble
Dana Gribble
Councilmember Kathy Smith

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL/AMENDMENTS TO AGENDA

MOTION: Motion by Commissioner Hirsch, seconded by Chairman Hellings to approve the agenda as presented.

VOTE: 4 for, 0 against. Motion carried.

5. STAFF REPORTS:

Deputy Clerk Wilcox gave a report of the March 14 regular Council meeting.

Planner Aleksandr Romanenko discussed house bills currently in legislation relating to zoning changes.

Ex officio Planning Commissioner Carl Scandella shared discussion Council had regarding the house bills in legislation.

6. PUBLIC COMMENT

None.

7. MINUTES:

- January 17, 2023 Special Meeting

MOTION: Motion by Commissioner Feller, seconded by Commissioner Hirsch to approve the January 17, 2023 special meeting minutes as presented.

VOTE: 4 for, 0 against. Motion carried.

8. REGULAR BUSINESS:

8.1 Comprehensive Plan Update

The Commission discussed a survey the Town Planner sent to Commissioners intended to gather the Commissioners' sentiments and level of satisfaction with the Town's approach to the broad themes the Plan will cover. The Commission reviewed an exhibit that covers the results of this survey and how Commission responses could impact the development of questions for the broader public survey.

The process of updating the comprehensive plan this month included conducting a Land Capacity Analysis, reviewing MSRC's Plan Review checklist, and preparing materials for a public launch of mailers and a web page in the coming months.

8.2 – Hedge Code

The Commission discussed the need to look at existing hedge complaints within the Town, and to apply the draft code to see where amendments may be made to refine and finalize the draft. The Mayor, two commissioners, and Town Planner visited several sites and reviewed the hedge complaints.

The Planning Commission discussed:

- Grandfathering of existing hedges;
- Neighbor maintenance agreements staying with the property after change of ownership;
- Leave the Town's role in enforcement as-is.
- Additional consideration for trees comprising a hedge by current draft definition. The draft code was found to be applicable to all visited sites and would define the subject of the complaints as hedges in all instances.
- Retain the current code definition of a hedge;
- Mediation; and
- Create a hedge code summary/FAQ handout for public.

MOTION: Motion by Chairman Hellings, seconded by Commissioner Hirsch to recommend that the Town Council approve the draft development standards code amendments as presented by the Planning Commission.

VOTE: 4 for, 0 against. Motion carried.

8.3 – Development Standards Code HB-1220

Town Council reviewed the draft amendments during their February meeting and directed the Town Planner to develop amendments that were strict, concise, and clear. Council direction also included a focus on parking, mitigating neighborhood impacts, and making sure safety is considered.

The Planning Commission reviewed the updated draft code.

MOTION: Motion by Chairman Hellings, seconded by Commissioner Hirsch to recommend that the Town Council approve the draft development standards code updates with two amendments; add or substitute the radius of a half a mile width minimizing the number of units allowed on Yarrow Point, and address waste nuisance and blight through cross reference or definition of the existing Town Code.

VOTE: 4 for, 0 against. Motion carried.

Commissioner Hirsch left the meeting at 9:09 p.m.

8.4 – SEPA Overview

A recommendation has been made to the Mayor to review the SEPA flexible exemption thresholds (State Environmental Policy ACT). The Planning Commission has been asked to determine if a change should be made to the Town's fill and excavation threshold as it relates to SEPA. The Town's current SEPA threshold is 100 cubic yards of fill and excavation. The range for the fill and excavation threshold is 100 – 1000 cubic yards WAC 197-11-800. A brief overview of SEPA from the WA State Department of Ecology has been included in the packet, along with WAC 197-11-800.

The Planning Commission discussed.

MOTION: Motion by Commissioner Feller, seconded by Chairman Hellings to make no change to the Town's 100 cubic yard SEPA threshold.

VOTE: 3 for, 0 against. Motion carried.

8.5 – Eagle Protections

Commissioner Lee Sims has brought to the attention of the Town Mayor and Staff a lack of explicit protections to eagles provided by the Town. The Town is home to several known eagle nests. While Federal protections exist for eagles, the Town could do more in the way of protecting specific sites and making explicit the existing Federal protections for future development projects in the Town. Staff will discuss the general options as outlined by state and federal agencies.

The Planning Commission discussed measures for protection.

Ex officio Planning Commissioner Carl Scandella suggests modifying the existing tree code to designate trees for eagle protection.

Councilmember Kathy Smith discussed a permit process for developers to go through regarding building around protected trees.

MOTION: Motion by Commissioner Feller, seconded by Chairman Hellings recommending that the Town Council add eagle protection as an item to the Planning Commission's 2023 Work Plan noting, sooner the better.

VOTE: 3 for, 0 against. Motion carried.

9. PUBLIC COMMENT:

Resident Dana Gribble discussed hedges relating to views and the definition of a hedge compared to a tree. She discussed hedge maintenance costs and the privacy that hedges offer. Some residents appreciate privacy while others want a view. Property taxes are higher now and many appreciate paying for their view.

10. ADJOURNMENT:

MOTION: Motion by Chairman Hellings, seconded by Commissioner Feller to adjourn the meeting at 9:37 p.m.

VOTE: 3 for, 0 against. Motion carried.

APPROVED:

ATTEST:

Carl Hellings, Chairman

Austen Wilcox, Deputy Clerk

Comprehensive Plan Update	Proposed Planning Commission Action: Discussion
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Presented by:	Town Planner
Exhibits:	<ul style="list-style-type: none">• Grant scope and budget update• TYP GMA Full Update Overview

Summary:

Since the last Planning Commission meeting, the Town planner has worked with the Department of Commerce (DOC) to update the grant deliverables and scope to more closely reflect the Town’s needs based on the initial review of existing documents. Deliverables reflecting the new scope are being prepared for the DOC review and will be included in next month’s Town Council packet. This will include a staff report, initial conditions report, and an audit of the existing plan including the recommended and required update elements.

Action Items

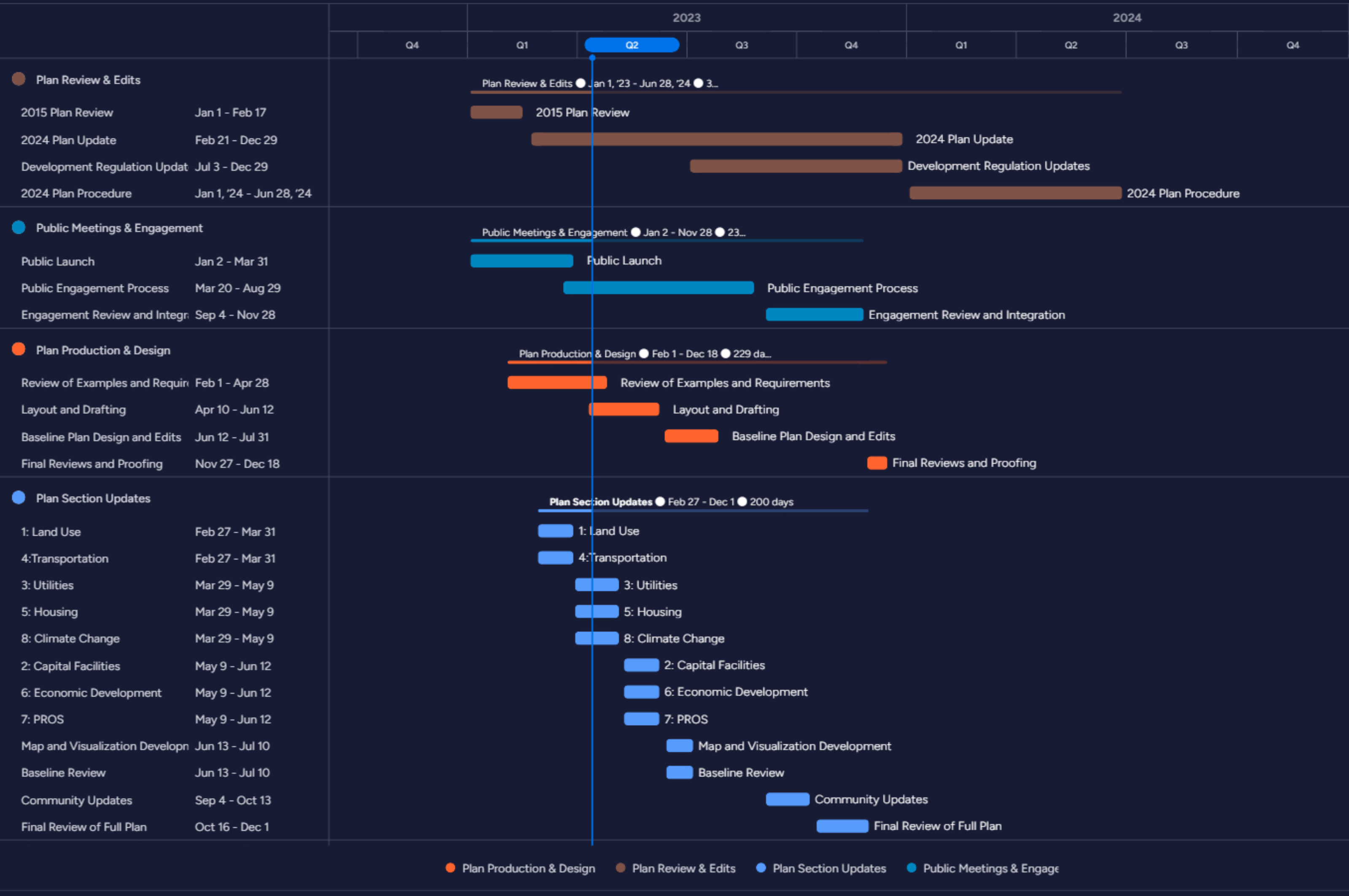
- Staff Presentation on the Comprehensive Plan Process (15 min)

Commission Options:

- Take no action
- Continue Discussion

Recommended Motion:

- NA



Amendment 1

Task 1	Establish Comp Plan compliance and develop work plan	Sept - Nov '22
Action 1.1	Review existing comprehensive plan and municipal code with the periodic update checklist	Oct 7, 2022
Action 1.2	Review relevant regulations to complete the critical area ordinance checklist	Oct 14, 2022
Action 1.5	Create list of interdepartmental and external needs for comp plan update	Oct 21, 2022
Action 1.6	Create list of requirements for comp plan update process, including inter-jurisdictional cooperation	Oct 21, 2022
Action 1.7	Reviewing existing correspondence, previous work, and updates to the existing Comp Plan	Oct 28, 2022
Action 1.8	Incorporate results from actions 1.1 through 1.7 to develop a working plan for the GMA Update	Oct 31, 2022
Deliverable 1.1	Periodic Update & Critical Areas Ordinance Checklist Review	Oct 31, 2022
Deliverable 1.2	Comprehensive Plan Update Work Plan	Nov 30, 2022
Task 2	Develop Initial Conditions Report & Community Engagement Plan	Nov - Feb '22
Action 2.1	Review previous public engagement in town for opportunities to involve town voices in plan development	Nov 25, 2022
Action 2.2	Review town demographics and planning context, identify changes since last update	Dec 16, 2022
Action 2.3	Review changes to town's place in regional context since last update	Dec 20, 2022
Action 2.4	Develop Community Engagement plan	Dec 20, 2022
Action 2.5	Develop GMA Update website linked to from YP Town website for Public Reference	Jan 20, 2023
Deliverable 2.1	Initial Conditions Report on Yarrow Point detailing	Jan 31, 2023

Amendment 1

	demographics and planning context	
Deliverable 2.2	GMA Update Website	Feb 28, 2023
Deliverable 2.3	Community Engagement Plan & roadmap	Feb 28, 2023
Task 3	Public Kickoff and High-Level Review	Feb - April '23
Action 3.1	Review existing comprehensive plan for internal consistency and identify any potential high-level issues or improvements	Feb 24, 2023
Action 3.2	Review Yarrow Point PROS and Trail plans for consistency with the existing Comprehensive Plan	Mar 10, 2023
Action 3.3	Community Survey Development	Feb 22, 2023
Action 3.4	Public Kickoff at Planning Commission Meeting	Mar 14, 2023
Deliverable 3.1	Staff Report on consistency issues or high-level opportunities for improvement in comp plan	Mar 31, 2023
Deliverable 3.2	Public Kickoff: Send out Mailer, and Newsletter	Mar 31, 2023
Task 4	Feedback Review & Second-Year Planning	April - June '23
Action 4.1	Continue Community Outreach at Town community events	Ongoing
Action 4.2	Review Comp Plan for opportunities to update in accordance with checklist needs and community visioning	Apr 14, 2023
Action 4.5	Update existing relevant maps for Comprehensive Plan	May 19, 2023
Action 4.6	Review and update Introductory Section(s) of Comp Plan	May 26, 2023
Action 4.7	Review 2023-24 Schedule and update grant status	June 1, 2023
Deliverable 4.1	Draft Introductory Section of Comp Plan and Maps	May 31, 2023
Deliverable 4.2	Staff Report on GMA Update Status: Existing drafts, opportunities, challenges	Jun 30, 2023

Amendment 1

SFY 2023 Task/Deliverable	SFY 2023 Amount
Deliverable 1.1: Periodic Update & Critical Areas Ordinance Checklist Review	\$5,000.00
Deliverable 1.2: Comprehensive Plan Update Work Plan	\$5,580.00
Deliverable 2.1: Initial Conditions Report on Yarrow Point detailing demographics and planning context	\$5,300.00
Deliverable 2.2: GMA Update Website	\$4,900.00
Deliverable 2.3: Community Engagement Plan & roadmap	\$6,820.00
Deliverable 3.1: Staff Report on consistency issues or high-level opportunities for improvement in comp plan	\$6,200.00
Deliverable 3.2: Public Kickoff: Mailer and Newsletter Campaign	\$4,000.00
Deliverable 4.1: Draft Introductory Section of Comp Plan and Maps	\$5,400.00
Deliverable 4.2: Staff Report on GMA Update Status: Existing drafts, opportunities, challenges & Grant Update	\$6,800.00
Total Grant (SFY 2023 only)	\$50,000.00

Short Term Rentals	Proposed Planning Commission Action: Discussion
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Presented by:	Town Planner
Exhibits:	Short term rental regulatory overview from the APA

Summary:

The Town has the ability to regulate short-term rentals. Currently no such regulations, taxes, or codes are in place. The Town council placed the topic of short-term rentals (STR) on the 2023 Planning Commission work plan. Short term rentals can be regulated by creating a permit system along with various fees, and taxes. At the April meeting, the goal is to decide on the direction with the Town would like to take with regards to the regulation of STRs.

With possible changes coming from the state legislature, and the demand for high-quality short-term rentals for business professionals visiting the area, the Town may see an increase in the number of STRs. With this increase comes an increase in public facilities and infrastructure usage.

Staff has done a preliminary look at possible pathways for the Town which fall generally into three categories; first is to do nothing relating to STRs, second would be to create a system for basic tracking of STRs and perhaps a permit system, third would be the creation of a permitting process along with instituting fees or taxes which are in line with what the state and county allow the Town to collect. The third option may also include the creation of a business license program, or other business-related regulatory actions which have not previously been undertaken by the Town.

Action Items

- Staff Presentation (10min)
- Discussion (20min)
- Public Forum Discussion – As needed (20min)
- Vote (5min)

Commission Options:

- Recommend to the Council that STR regulation is not worth considering at this time.
- Continue Discussion at next meeting
- Direct Staff to do further research

Recommended Motion:

- I move to continue discussion of this topic at the next meeting without any additional staff action or research
- I move to recommend to council that STR regulation not be considered at this time and that the topic be removed from the 2023 PC work calendar.
- I move to direct to staff to research short term rentals further as discussed during the meeting.

4 Data-Driven Tips for Regulating Short-Term Rentals

STRs like AirBnB can generate local tax revenue — but only if municipalities identify them. Here's how.

TOOLS HOW-TO



Cities can recoup revenue by using data to track short-term rental bookings. Photo by Wavebreak Media Ltd/Alamy.

Nov. 4, 2022

By NICK DEL PEGO

Unlike hotels, short-term rentals (STRs) remained resilient throughout the pandemic — and in many locations, even grew in number. Currently, of the 86 million single-family residential homes in the U.S., 1.3 million are estimated to be available as STRs on any given night.

But also unlike hotels, STRs can pop up in residential neighborhoods, impact rural areas not zoned for commercial business, and contribute to housing scarcity. And with an average of five to 10 people staying at an STR (multiplied several times over), the stress on local infrastructure can be significant: more trash, reduced parking, and greater wear and tear of streets.

Ensuring that communities collect locally mandated STR or hotel taxes is a necessary step toward the ability to support fire departments, schools, and other necessary services. However, it can be difficult to identify STR addresses — and whether owners of the properties, which are often businesses, have the necessary permits and are paying their fair share.

Understanding each situation requires leveraging data, just as rental platforms do. Otherwise, mandated revenue might not be recouped, and resources could be stretched thin. To better forecast the ways tourism might impact local infrastructure and residents, start with these data-driven best practices.

1. PLAN AHEAD WITH DATA.

Local governments need to be able to assess their specific situations, including where issues may occur, to put plans in place. That requires past, current, and future public data on bookings: where, when, and how many people will be in the area for the next three to six months. This information can create a basis for creating policy decisions, enforcing compliance, and protecting residential areas.

2. CREATE A PERMIT THRESHOLD — AND REASSESS IT AS CONDITIONS CHANGE.

Consider Placer County, a mountain community near Lake Tahoe, California. When the pandemic led to an increase in tourists there, officials saw a jump in second-home ownership that reduced workforce housing. The county decided to create a permit threshold by putting a moratorium on new STR permits.

3. REGULATE THROUGH ZONING.

Distance or zoning restrictions can be effective in limiting STR saturation to avoid over-taxing local resources, including housing stock. For instance, counties can look at the distance between STRs or the percentage in certain districts. They can also set neighborhood density limitations. The city of La Quinta, California, for instance, only allows STRs in certain neighborhoods, which helps create more affordable micro housing markets.

4. INVEST IN DATA MANAGEMENT.

[Rentalscape](#), [AirDNA](#), and other applications are emerging that allow users to easily access real-time public data from STR companies. Rentalscape — the platform created by my company, [Deckard Technologies](#) — matches STR listing data with parcel data to determine owner information and exact addresses. When Placer County started using Rentalscape, they discovered that some properties on the county border had been mislocated by a major STR company. Officials were able to work with the platform to reapportion tax revenue and divert dollars to the appropriate county coffers.

Nick Del Pego is a mathematician, U.S. SpecOps veteran, seasoned corporate senior leader, avid outdoorsman, father, and CEO of [Deckard Technologies](#). His joint mission with Deckard is to provide software, analytics, and insights for communities to create tax equity and fairness. He can be reached at nrd@deckard.com.
