



Commission Chairperson: Carl Hellings
Commissioners: Chuck Hirsch, David Feller, Jeffrey Shiu, and Lee Sims
Town Planner: SBN Planning
Town Attorney: Emily Romanenko
Clerk: Bonnie Ritter
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

<https://us02web.zoom.us/j/83896955005?pwd=dHd2N3JHQ2xjSkVna1VDWFOxWXVoUT09>

Meeting ID: 838 9695 5005#

- 1. CALL TO ORDER:** Commission Chairperson, Carl Hellings
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL:** Commissioners, Chuck Hirsch, David Feller, Jeffrey Shiu, Lee Sims
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF THE MINUTES**
September 19, 2023, Regular Planning Commission Meeting
- 6. STAFF REPORTS**
 - 6.1 SR Comprehensive Plan Update - (25 min)**
- 7. 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.
- 8. REGULAR BUSINESS**
 - 8.1 AB Eagle Protections - (45 min)**
 - 8.2 AB Short Term Rentals - (45 min)**
- 9. PUBLIC COMMENT**
- 10. ADJOURNMENT**

**TOWN OF YARROW POINT
PLANNING COMMISSION REGULAR MEETING MINUTES
September 19, 2023**

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

1. CALL TO ORDER:

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

PRESENT:

Chairman: Carl Hellings

Commissioners: Chuck Hirsch
Jeffrey Shiu
David Feller – Excused absence
Lee Sims – Excused absence

Staff: Austen Wilcox – Deputy Clerk
Aleksandr Romanenko – Town Planner

Guests: Kathy Smith – Resident
Dicker Cahill – Resident
Leslie Schofield – Resident
George Simons – Resident
Lisa Syme – Resident
Melanie Hassler – Resident

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL/AMENDMENTS TO AGENDA

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

VOTE: 3 for, 0 against. Motion carried.

5. MINUTES:

- August 29, 2023 Regular Meeting

MOTION: Motion by Commissioner Hirsch, seconded by Chairman Hellings to approve the August 29, 2023 special meeting minutes as presented.

VOTE: 3 for, 0 against. Motion carried.

6. STAFF REPORTS:

Deputy Clerk Austen Wilcox gave a report of the September Council meeting.

Town Planner Romanenko provided a staff report on Comprehensive Plan and the Council discussion on eagle code. An open house will occur at the next Planning Commission meeting for public involvement regarding the updates to Comprehensive Plan.

7. PUBLIC COMMENT

Resident George Simons asked for the names of the Planning Commissioners.

8. REGULAR BUSINESS:

8.1 – Eagle Protection

Town Planner Romanenko gave an update on the Planning Discussion research and discussion for eagle protection. For the September meeting staff have updated the draft code and have provided a copy of the National bald eagle management guidelines for review and discussion. Because the August special meeting and regular September meeting are only two weeks apart, the final FAQs are still being worked on and input from USFWS on applicable Town permits has not yet been received.

- Planning staff is researching costs to hire a consultant to conduct a town-wide survey/habitat analysis for eagle locations;
- Resident input received for eagle sites;
- Draft Town code to layer onto existing federal and state eagle protection regulations;
- Planning staff has reached out to Fish & Wildlife to determine methods to identify eagle habitats;
- Discussion of existing map of known eagle habitats locations; and
- Permit process.

MOTION: Motion by Chairman Hellings, seconded by Commissioner Hirsch to take no further action and wait to get information from Fish & Wildlife regarding the determination of methods to identify eagle habitats for discussion at the next regular meeting.

VOTE: 3 for, 0 against. Motion carried.

9. PUBLIC COMMENT:

Resident Leslie Schofield asked how roosting trees are identified. Planner Romanenko responded stating that the Planning staff has asked Fish & Wildlife to provide guidance.

Resident Dicker Cahill discussed a concern of unnecessary burden of time and expense relating to things that don't change an outcome. He discussed an article regarding inefficiencies and delays relating to permit processing. He discussed the process, cost of requesting a permit through Fish & Wildlife, and related penalties. He shared a limited timeframe requirement through Fish & Wildlife for construction activity. He suggests not requiring things that do not necessarily require a permit as it would not serve the public or be universal.

Resident Lisa Syme wondered if any other town requires a process for applicants to go through Fish & Wildlife before a permit is applied through the jurisdiction. She stated that this process seems like bureaucratic nightmare.

Resident George Simons questioned if the “habitat area” is defined. He questions a process of residents reporting each other. The Town has begun work in Sally’s Alley and eagles have left the area. He said eagles should not control what is done.

Resident Melanie Hassler discussed concerns regarding clear cutting of trees and potential hazards for the eagle habitat. She thanked the Commission for their research into eagle protection. She strongly supports incorporating federal regulations into the Yarrow Point code.

Resident Kathy Smith responded to Mr. Simons stating that every permit is unique to the circumstances, and she is in full favor of requiring a permit. She discussed a nearby eagles’ nest to her property the value eagles provide.

Resident Melanie Hassler would like to see the Council and Planning Commission take leadership, and race to the top and do what’s right for the entire community.

The Planning Commission discussed clear cutting. The Planning Commission would like to see a requirement to send applicants to Fish & Wildlife to check to see if a permit is required through them because eagles are important to the town. The Planning Commission’s next step is to review further input from Fish & Wildlife regarding the process to identify eagle habitats.

10. ADJOURNMENT:

MOTION: Motion by Chairman Hellings, seconded by Commissioner Hirsch to adjourn the meeting at 8:35 p.m.

VOTE: 3 for, 0 against. Motion carried.

APPROVED:

ATTEST:

Carl Hellings, Chairman

Austen Wilcox, Deputy Clerk

Comprehensive Plan Update	STAFF REPORT
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Presented by:	Town Planner
Exhibits:	Yarrow Point Community Survey Analysis Draft Chapter: Economic Development Draft Chapter: Tribal Planning

Background:

The Comprehensive Plan of Yarrow Point is a strategic policy framework that sets out the community's vision for future growth and development. It serves as a collective vision for the type of town that Yarrow Point residents and visitors aspire to create. The plan outlines how the town will handle population growth, environmental factors, and ensure essential services and facilities are provided to meet the community's needs for the next 20 years. The update is a mandatory process which occurs every 10 years.

For a more detailed overview please visit: <https://yarrowpointwa.gov/comprehensive-plan/>

Summary:

The survey closed on August 11th, 2023 and received 156 responses. The Town Planner has developed a report on the survey which is included with this packet. The Town Planner has received and submitted the SFY24 GMA Grant paperwork from the Department of Commerce (COM) and is awaiting final execution of the grant.

Draft chapters for Economic development and Tribal planning have been included for the Commission to review. The chapter drafts have been annotated with highlights to facilitate review and commenting. These chapter reviews will set up a smooth adoption process in the Spring of 2024, ahead of the December 2024 deadline for the Comprehensive Plan.

Resources

- WA Department of Commerce: [Short Course on Local Planning](#)
- TYP: [Comprehensive Plan Page](#)

Action Items

- Staff Presentation on the Comprehensive Plan Status (25 min)

Town of Yarrow Point Comprehensive Plan Update

Community Survey Analysis



Town of Yarrow Point

SBN Planning

Oct 10, 2023



Table of Contents

Table of Contents.....	1
Community Survey Analysis.....	2
Introduction.....	2
Survey Results.....	3
Household Composition and Affordability.....	3
Housing Development.....	3
Housing Quality and Ability to Remain in Yarrow Point.....	4
Comprehensive Plan Implications.....	6
Parks and Public Spaces.....	7
Access.....	7
Comprehensive Plan Implications.....	8
Transportation and Employment Patterns.....	9
Comprehensive Plan Implications.....	9
Overall Satisfaction and Priorities.....	10
Comprehensive Plan Implications.....	10
Written Response Analysis.....	11
Overall Themes.....	11
Notable Quotes From Residents.....	12
Community.....	12
Housing and Maintenance.....	12
Tree Canopy and Environmental Concerns.....	13
Crime and Safety.....	13
Public Amenities, Walkability, and Utilities.....	13
Appendix: Full Responses.....	A-1
Full Quantitative Responses.....	A-1
Demographics.....	A-1
Housing.....	A-5
Infrastructure and Community Facilities.....	A-7
Community Satisfaction & Priorities.....	A-9
Full Written Responses.....	A-11

Community Survey Analysis

Introduction

As part of the comprehensive plan update's required community engagement component (RCW 36.70A.130), and in line with Yarrow Point's goals to meaningfully engage residents throughout the process, planners administered a survey to gain insight into community members' perceptions on several topics addressed in the comprehensive plan.

In addition to demographic information, the survey focused on questions directly informing comprehensive plan elements, including housing, density, climate change preparedness, environmental goals, multi-modal transportation needs, and utility services. Questions focused on realizing actionable insights to support the planning team in setting priorities and implementation strategies for this Comprehensive Plan update.

The survey ended with a space for residents to provide additional comments. The responses offered a broader view of issues residents cared about, both within and outside the scope of the comprehensive plan. This report presents general themes from the open-ended responses and some select responses from residents.

The demographics of the survey may not reflect the demographics of the community exactly. Comparing the age, employment, and household size responses to results from the American Community Survey (ACS) reveals slight differences. The ACS is an annual demographic survey run by the United States Census Bureau that presents communities with data on the social and economic demographics of their populations. Different levels of government use this data when assessing community needs for funding and investments. The survey responses skewed older and came from smaller households than what the ACS's most recent results present –this difference held true, even when considering the ACS's margins of error. Raw numbers and percentages are presented where possible to offer a more complete picture of the survey responses.

Survey Results

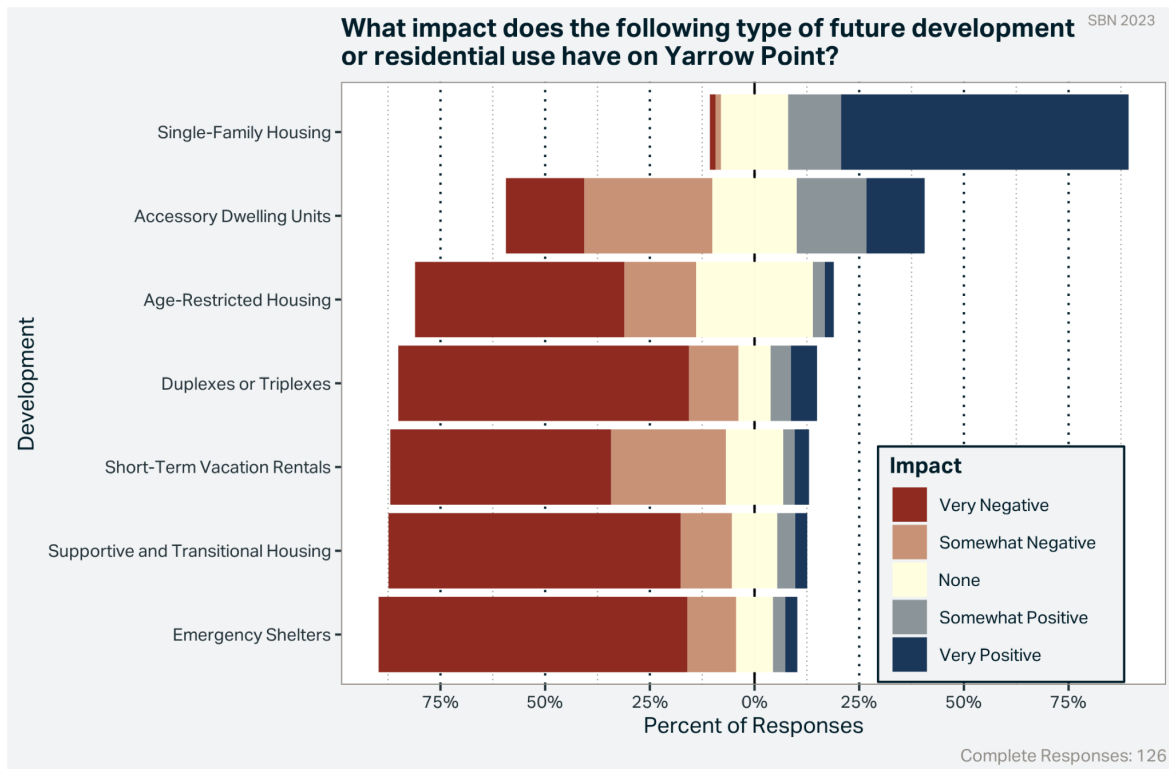
All survey responses are available in the appendix. The following are notable observations based on direct comprehensive planning implications.

Household Composition and Affordability

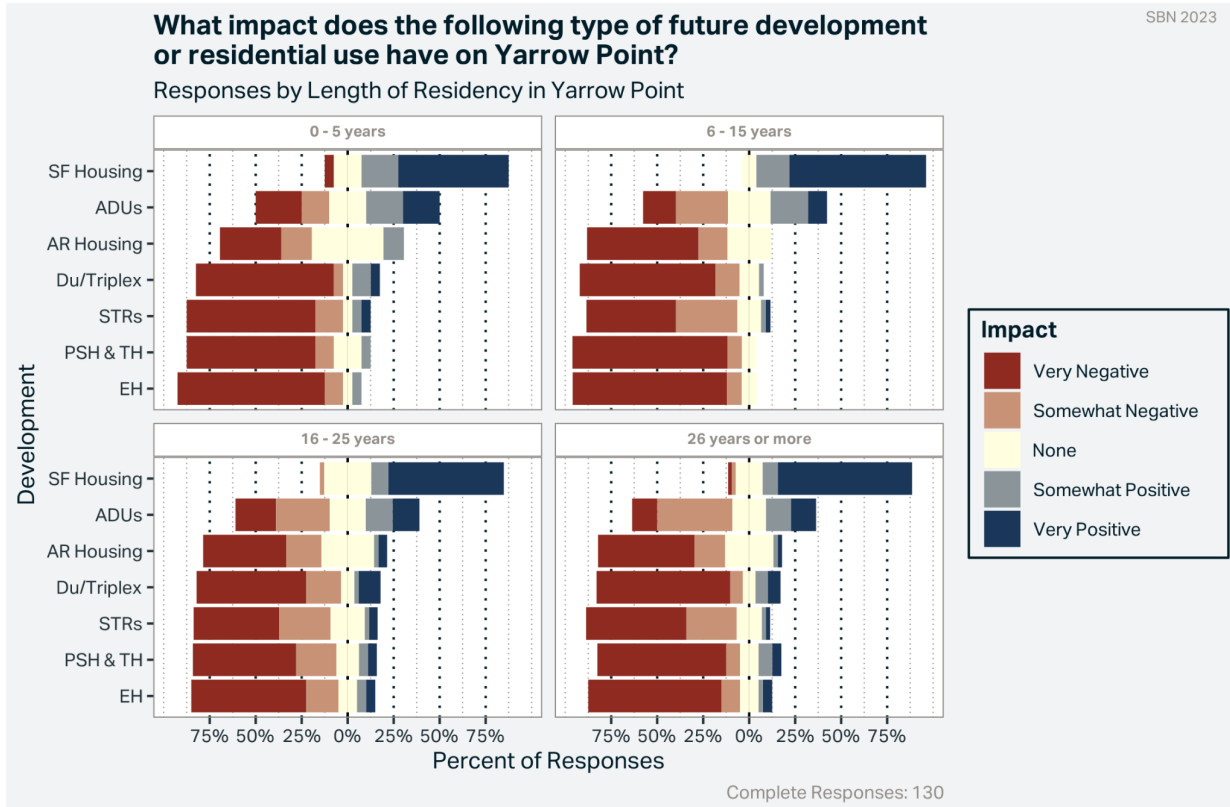
In Yarrow Point, most survey respondents live in households with 1-2 members, though a notable proportion of respondents live in households with 3-5 members. The community displays an age distribution skewed toward those aged 55 and above, emphasizing the importance of adaptive housing, accessibility, and community planning. While most don't anticipate relocating due to housing costs in the next 20 years, roughly one in three respondents expressed that it may be possible for their household. When considering responses from retirees, the portion anticipating relocating rises to nearly half.

Housing Development

The current housing stock is entirely single-family residential, with some properties having accessory dwelling units (ADUs). According to survey results, there is limited interest in duplex or triplex development. Yarrow Point residents overwhelmingly favor the existing land use. Age-restricted housing, short-term rentals, supportive housing, transitional housing, and emergency shelters overwhelmingly had negative survey responses.



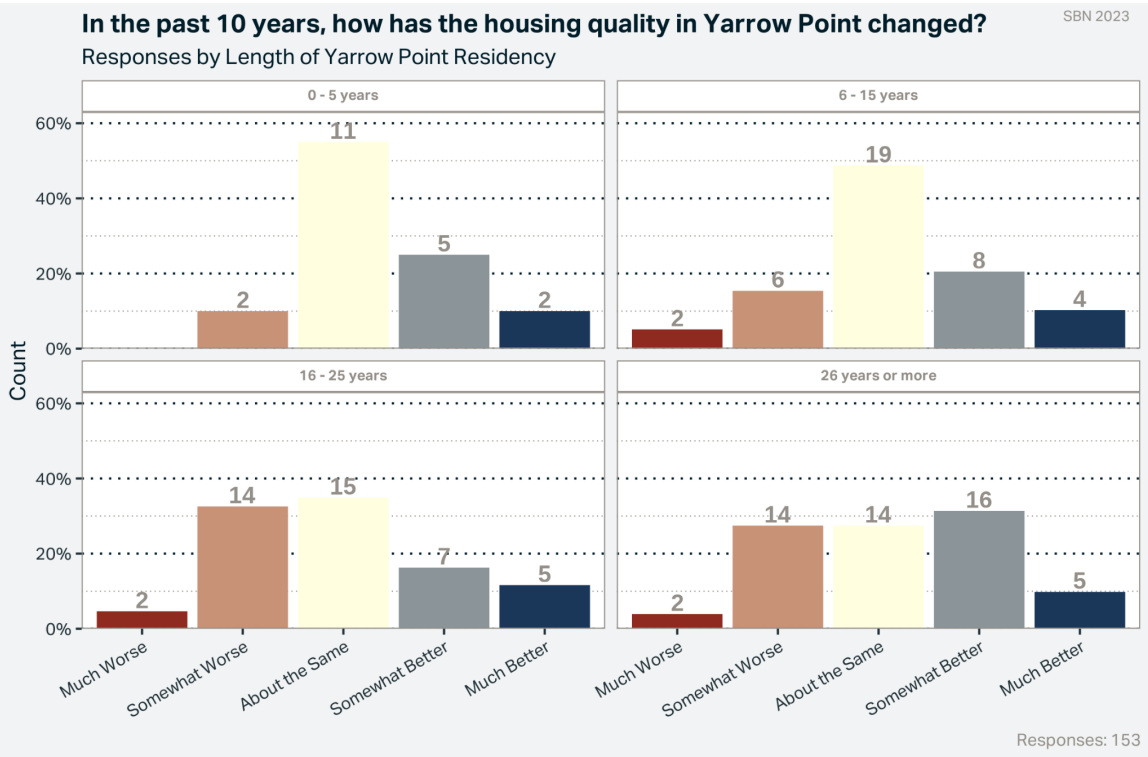
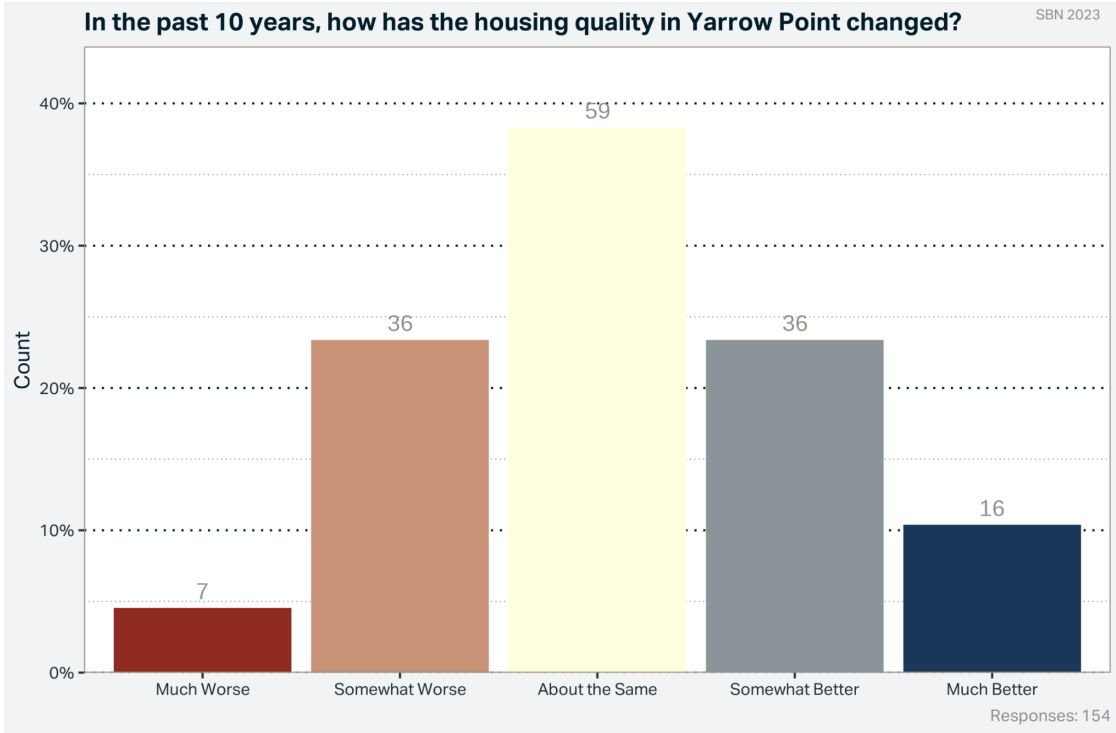
When answers to the same question are evaluated by a respondent's number of years as Yarrow Point resident, this data tells us that new and long-term residents' preferences for single-family housing and ADUs align. However, responses from residents with tenures in the 0 - 5 and 6 - 15 year range answered with less positive or somewhat positive associations with the impacts of all other types of development outside of single-family housing and ADUs.



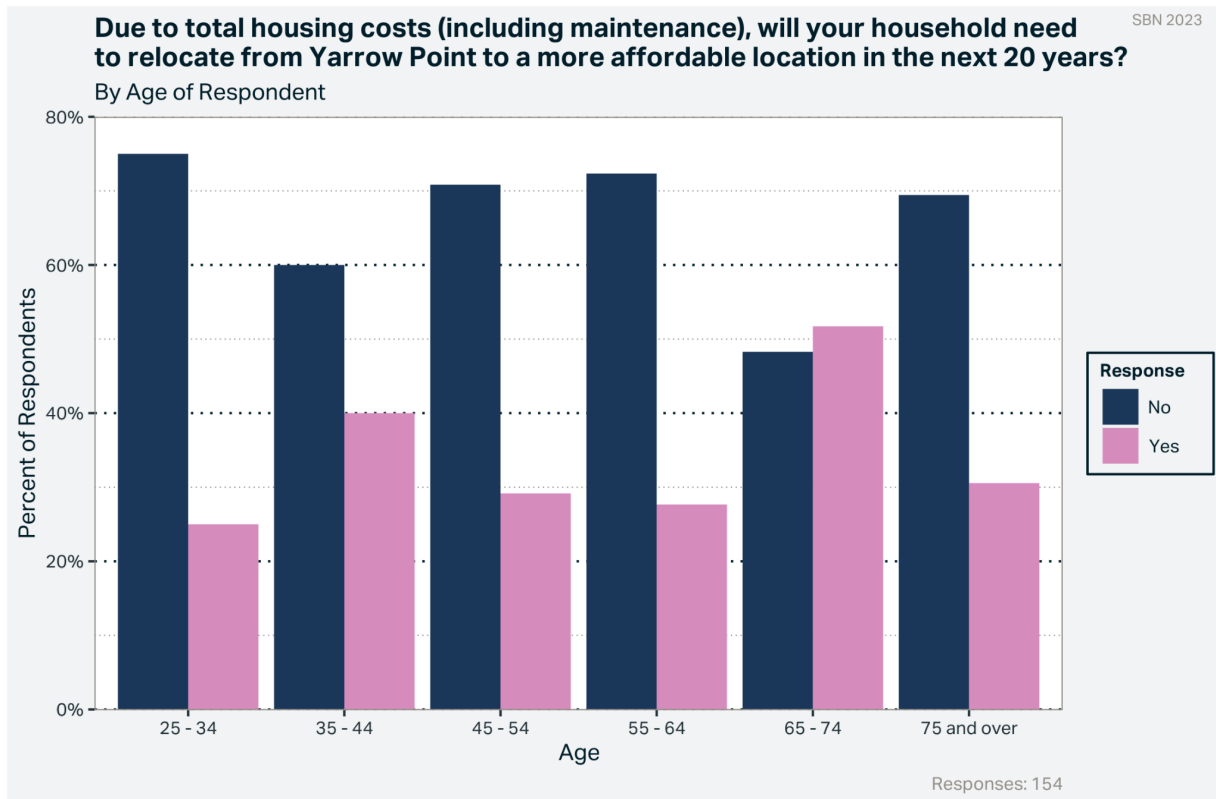
Housing Quality and Ability to Remain in Yarrow Point

The question on housing quality asked respondents to rate their satisfaction with the available housing stock in Yarrow Point, with the survey specifically listing cost, property maintenance, availability, and type of housing as context for what “housing quality” means. According to survey results, 38% of total residents view the housing quality in Yarrow Point as About the Same as it was ten years ago, 34% as Somewhat Better or Much Better, and 28% rated it as Somewhat Worse or Much Worse.

The following graphs show that when evaluated through the length of tenure as a resident, this question yields differences between respondent demographics. The highest rate of About the Same responses came from residents with 0 - 5 and 6 - 15 years of tenure. For respondents living in Yarrow Point 26 years or more, their answers are more evenly distributed between Somewhat Worse and Somewhat Better.



Total housing costs include long and short-term maintenance of property and tax burdens. When asked if respondents due to total costs will need to relocate from Yarrow Point in the next twenty years, 65% of total respondents stated No. When evaluated through age demographics, the highest rate of displacement risk is those between the ages of 65 - 74.



Comprehensive Plan Implications

Respondents overwhelmingly preferred single-family housing, with ADUs being identified by respondents as a solution for increasing density in the Town. The Town has already applied for a grant to fund the drafting of new development regulations to address recent housing legislation and will continue to engage the community to ensure any changes to development regulations balance community needs with legislative requirements.

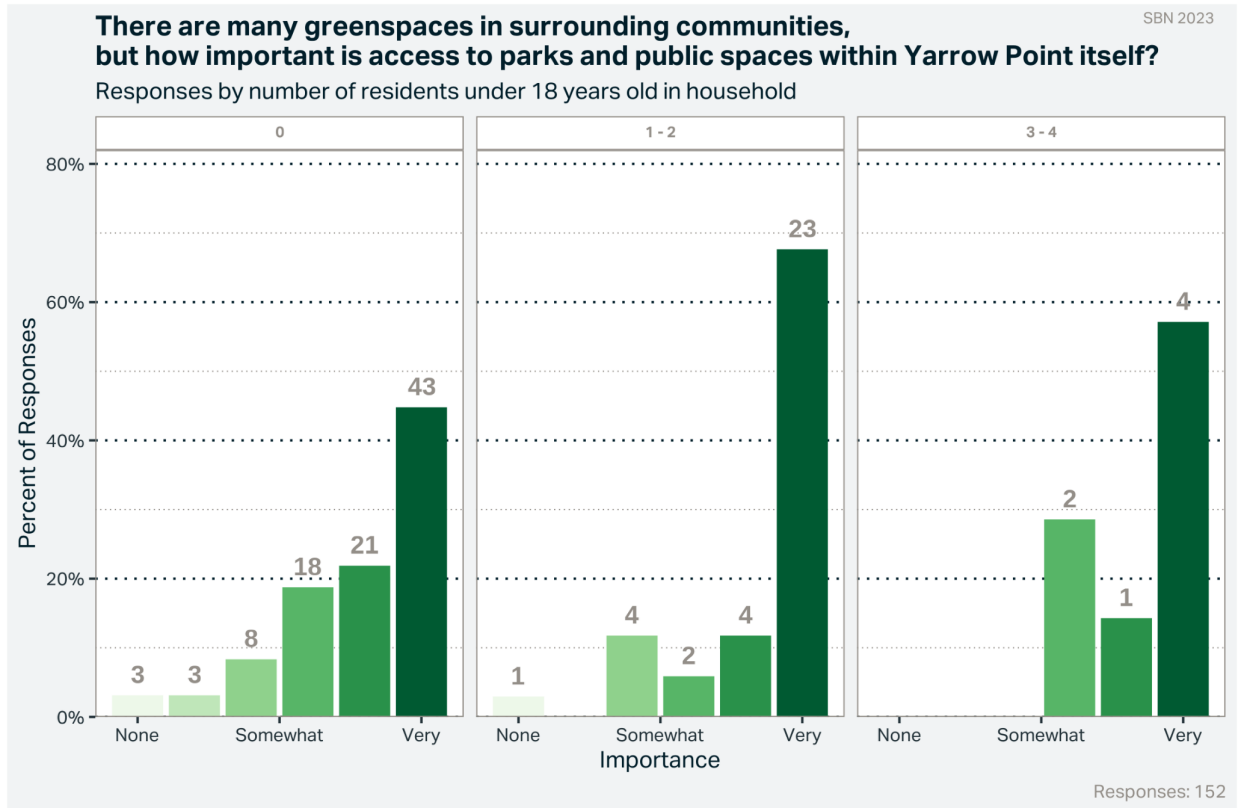
Many respondents (80% answered either Somewhat Negative Impact or Very Negative Impact) had a negative association in the survey regarding short-term rentals, with some respondents re-iterating their negative feedback in the written response section. However, in other written comments, respondents also expressed concern about the Town developing a policy for short-term rentals. Yarrow Point could use this feedback in the future to examine what role, if any, the Town could have in short-term rental use.

The Town recently passed new code to regulate permanent supportive and transitional housing. Based on respondents' answers both in the survey and in the written question, Yarrow Point could include more public discussions and surveys on the topic in the future for how it may impact the community.

Parks and Public Spaces

Access

While communities with various park resources surround Yarrow Point, and many households have green spaces for recreation, the survey results show that access to parks and public spaces within the town's boundaries remains important to residents.

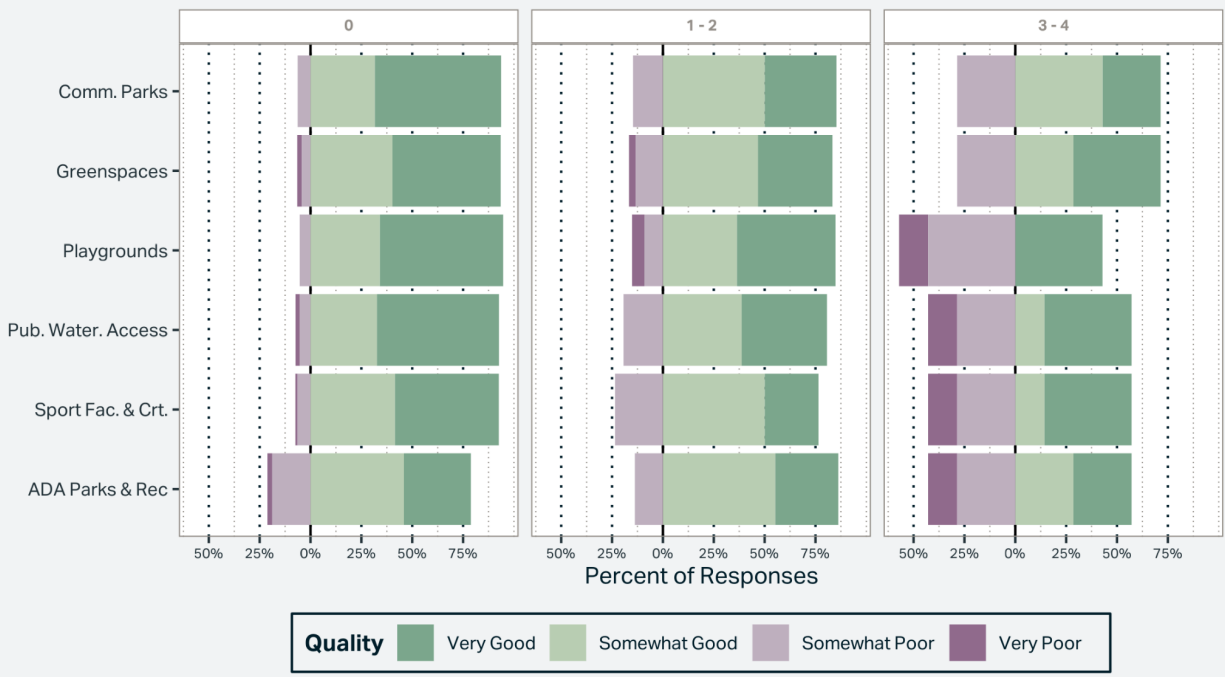


The survey results underscore that households, particularly those with children under 18, place significant importance on ease of access to parks and public spaces within Yarrow Point.

When rating the overall quality and accessibility of Yarrow Point's current parks and recreation amenities, families with children under 18 highlighted gaps in playgrounds, public water access points, sports facilities, and ADA-accessible amenities in parks and recreation areas. Based on the graph below, the more children in a household, the more likely respondents are to rate parks and recreation resources as Poor or Somewhat Poor.

How would you rate the quality and accessibility of Yarrow Point's current parks and recreation?

Responses by Number of Children Under 18 in Household



Complete Responses: 126

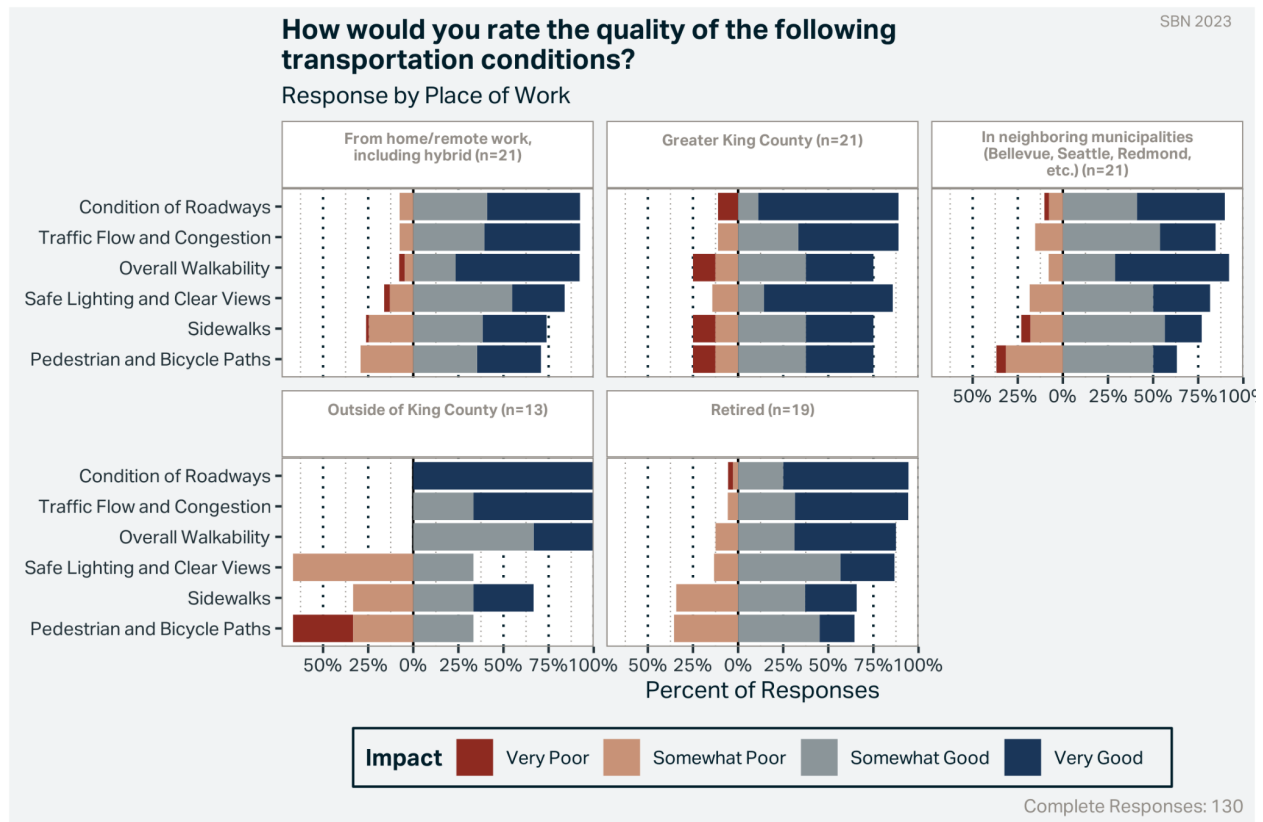
Comprehensive Plan Implications

The emphasis on parks and public spaces by respondents affirms the role of green space in enriching the quality of life, boosting physical and mental health, and nurturing community ties. Yarrow Point could add language to address the needs of youth and families in the plan for future parks and recreation while maintaining a goal for quality and access to amenities for all residents.

Transportation and Employment Patterns

Most respondents (98% of total responses) depend on personal vehicles. In the total responses, 48% reported being retired; for non-retirees, 82 % of residents work remotely or in adjacent municipalities.

Responses to questions about existing transportation quality were generally consistent across working demographics, except for residents working outside of King County, who rated Safe Lighting and Clear Views, Sidewalks, and Pedestrian and Bicycle Paths as far less favorably. Those who work from home/remote work, retired residents, and those who work in greater King County have the most favorable view of transportation across conditions. Yarrow Point rated the pedestrian and bike paths less favorably than other groups and had the most “very poor” responses across all transportation element questions.



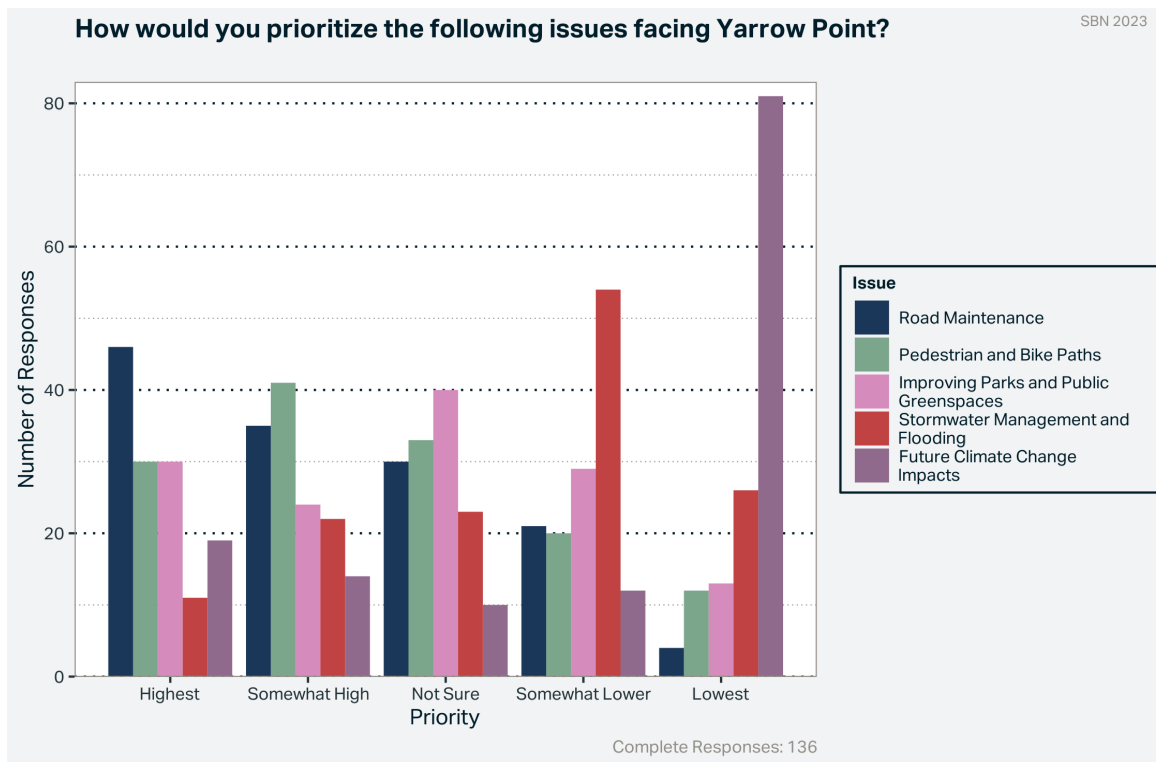
Comprehensive Plan Implications

Multi-modal transportation, including pedestrian and bicycle paths, are shown as a community priority needing attention due to their Very Poor or Somewhat Poor impact. Yarrow Point may evaluate opportunities for addressing bike and pedestrian needs specifically or add to an overall transportation strategy. In the written responses, traffic flow and congestion were mentioned multiple times despite not being rated poorly in the survey.

Overall Satisfaction and Priorities

Survey responses show an overall high satisfaction, with 84% of total responses rating an 8 and above on a scale of 1 - 10.

The results did not indicate that there is a consensus on where Yarrow Point should prioritize improvements. Road maintenance and pedestrian and bike path improvements were respondents' two top priorities, edging out parks and greenspaces.



Comprehensive Plan Implications

Responses indicate that residents would most like to see improvement in road maintenance and multimodal infrastructure. Stormwater management and climate change impact are both rated as Somewhat Lower and Lowest priorities in the survey, however, the written responses mention climate change and environmental concerns multiple times.

Written Response Analysis

Overall Themes

1. Community Safety and Security:

Residents highly value the safety and security of Yarrow Point and have expressed concerns over increasing crime rates.

2. Infrastructure and Maintenance:

Many comments highlight the need for improved infrastructure and maintenance across the town. Residents call for repairing and adding sidewalks, better street lighting, resurfacing streets, improvements to Sally's Alley, and repairs along points drive south of 520. Making the town more accessible, including golf cart-friendly adaptations and adding amenities like additional pickleball courts, is also suggested.

3. Environmental Preservation and Aesthetics:

Environmental preservation, particularly the protection of trees, was a common concern for respondents. Respondents voiced concerns about the Town's tree canopy loss as a result of tree removal by developers. Many responses called for stronger tree ordinances to protect significant trees. Respondents call on the Town to address climate change risks, promote clean energy, and improve the town's aesthetics with approaches such as undergrounding of utility lines and improvements to the Town's entrance landscaping.

4. Governance, Regulations, and Property Maintenance:

Residents express various opinions on governance and regulations, with some appreciating the town government's approach and others advocating for less intervention. Residents raised concerns about high property taxes, inconsistent codes, and neighbors not meeting property maintenance standards.

Notable Quotes From Residents

These quotes were pulled from the total responses as representative of multiple comments with similar feedback.

Community

“It's nice living in a small community, but I think there's an opportunity to create a closer-knit community with more community events.”

“Yarrow Point is a great community and a major part of that is a sense of knowing your neighbors and community events. In the past 10 years, there's been large turnover of residents and it's lost a little of the community spirit which we need to reclaim.”

“Town just fine the way it is. No need to create a whole city out of a quaint small town.”

“It's been a wonderful life for us on Yarrow Point, but we can see changes coming around the corner!”

“Yarrow Point is a very special place. We moved here for its safety and community feel. We love walking the neighborhood as a family and our child with a disability feels welcome, independent, and safe.”

Housing and Maintenance

“Not afraid of an increase in housing density. It would be nice if a centrally located single lot of food retail of sorts accompanied it, similar to Medina next to the post office.”

“I feel YP could benefit from a design quality board as difficult and disliked as that would be from the start.”

“I feel information to a homeowner to be lacking. For example, is there an update on the hedges? Was there a vote? The lack of thorough minutes means a lack of transparency and knowledge.”

“Increasing home values increase taxes and potentially force retired people to move.”

“I have concerns about rental properties and the owner's commitment to maintaining the property. There should be some basic standards.”

“Perfect place to live. No change needed. The number one problem is the increase in real estate taxes.”

“Tree code, hedge code, short term rental code are now infringing on residents rights to use their property as they see fit and have no significant impact on the community resources.”

“ADU can be a good thing AS LONG AS PARKING IS PROVIDED.”

Tree Canopy and Environmental Concerns

“There have been numerous trees that have been removed from the town's right of way over the last 5 years for valid reasons, but the town has not replanted a single tree to replace any of the lost trees.”

“We are losing our canopy. We should have stronger rules for developers. If people want to live here instead of the concrete jungle of Bellevue, then value the natural aspects of protecting the environment”

“Would like Yarrow Point township to operate with ecologically sound decisions and benchmarks.”

“City should adopt and encourage clean energy and be resilient to being cut off from the rest of Bellevue/Kirkland for fire and public safety. the city should consider a tree inventory and planting more climate change resistant plants.”

“We are deeply disappointed with the lack of a Tree Ordinance to protect the ancient trees of Yarrow Point.”

Crime and Safety

“If crime statistics increase, or we can no longer leave our home unattended for vacations, then we will need to move.”

“The biggest impact or change in Yarrow Point in the last 10-20 years is crime. We used to have none of it. Now, it seems pretty consistent with no plans to mitigate. We also have empty homes with owners that are not required to maintain their landscape or properties, which de-values other homes.”

“Keep it clean. Keep it safe. Protect our family-oriented character.”

Public Amenities, Walkability, and Utilities

“Being able to use the King County Library would be nice”

“Parks, playgrounds, water access all need improving. Pool/tennis/library access lacking.”

“Biggest concerns: Electric/Utilities should all be underground, not just on 92nd. Sidewalks, especially near fountain and on 40th, are critical to walkers/bikers' safety and should be a priority.”

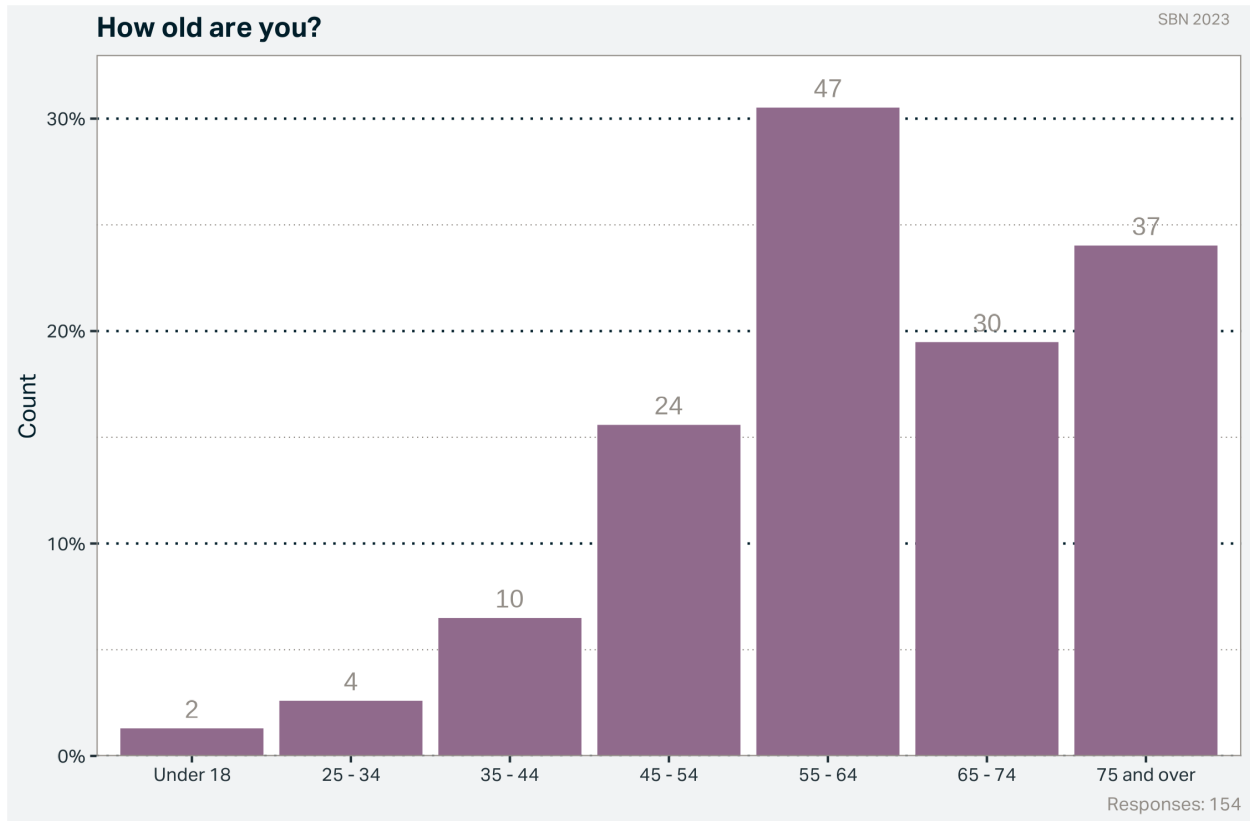
“I would like the town to be more proactive in under grounding power and utility wires”

“Challenge for YP drivers, pedestrians and bikers at the circle - needs to be improved for safety for all. Also, want to highly support efforts by the city to create and maintain a beautiful Sally's Alley path and greenspace. Also funding to maintain Wetherill. Internet is the utility that can be really poor.”

Appendix: Full Responses

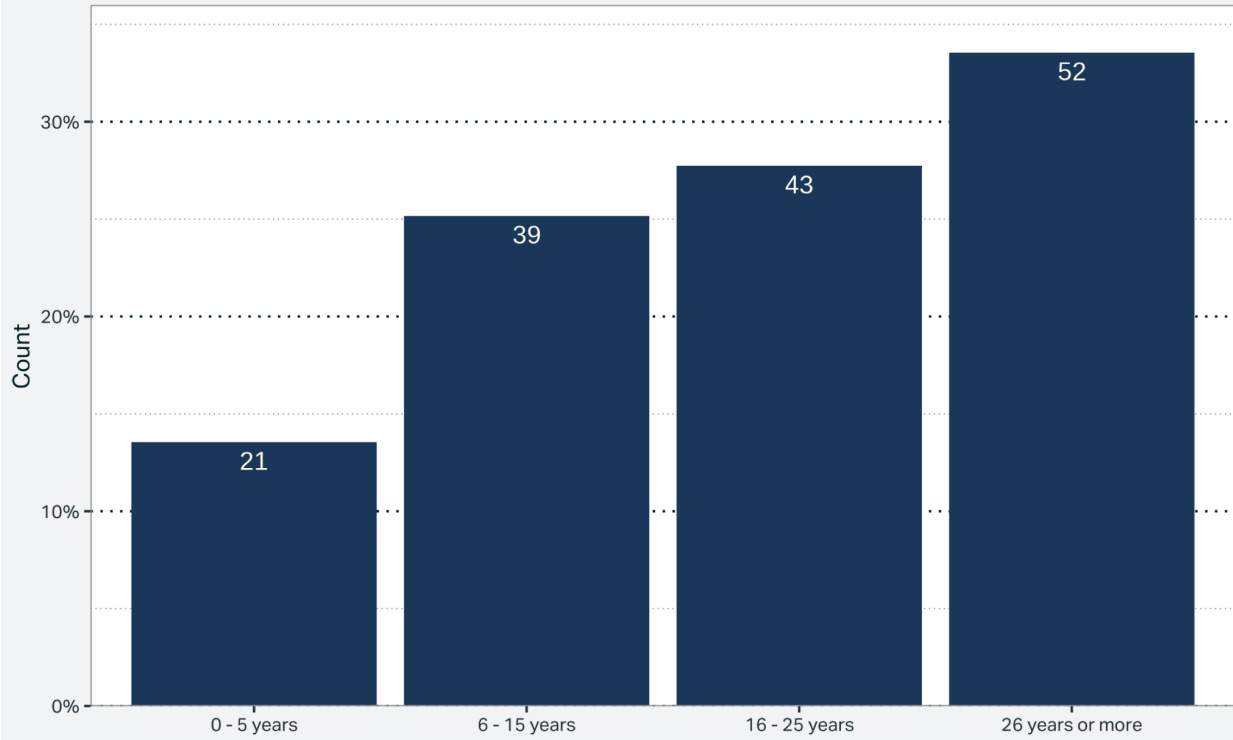
Full Quantitative Responses

Demographics



How many years have you lived in Yarrow Point?

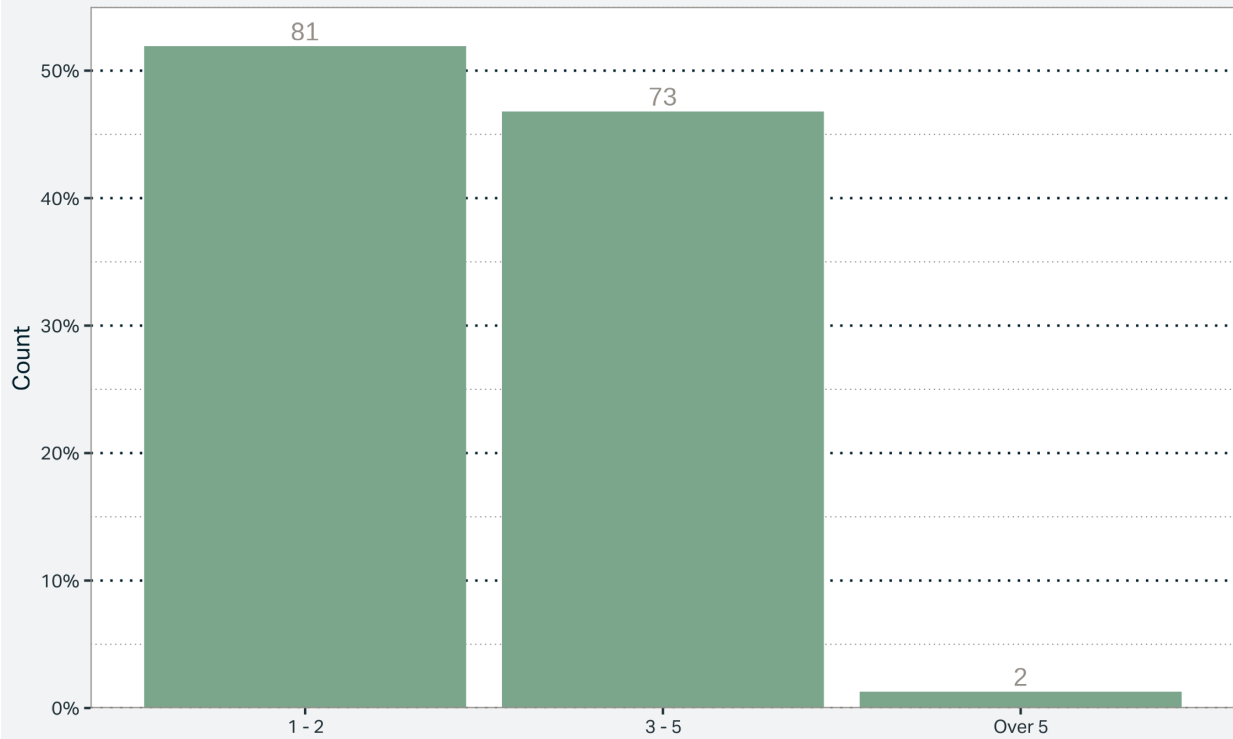
SBN 2023



Responses: 155

How many individuals live in your household?

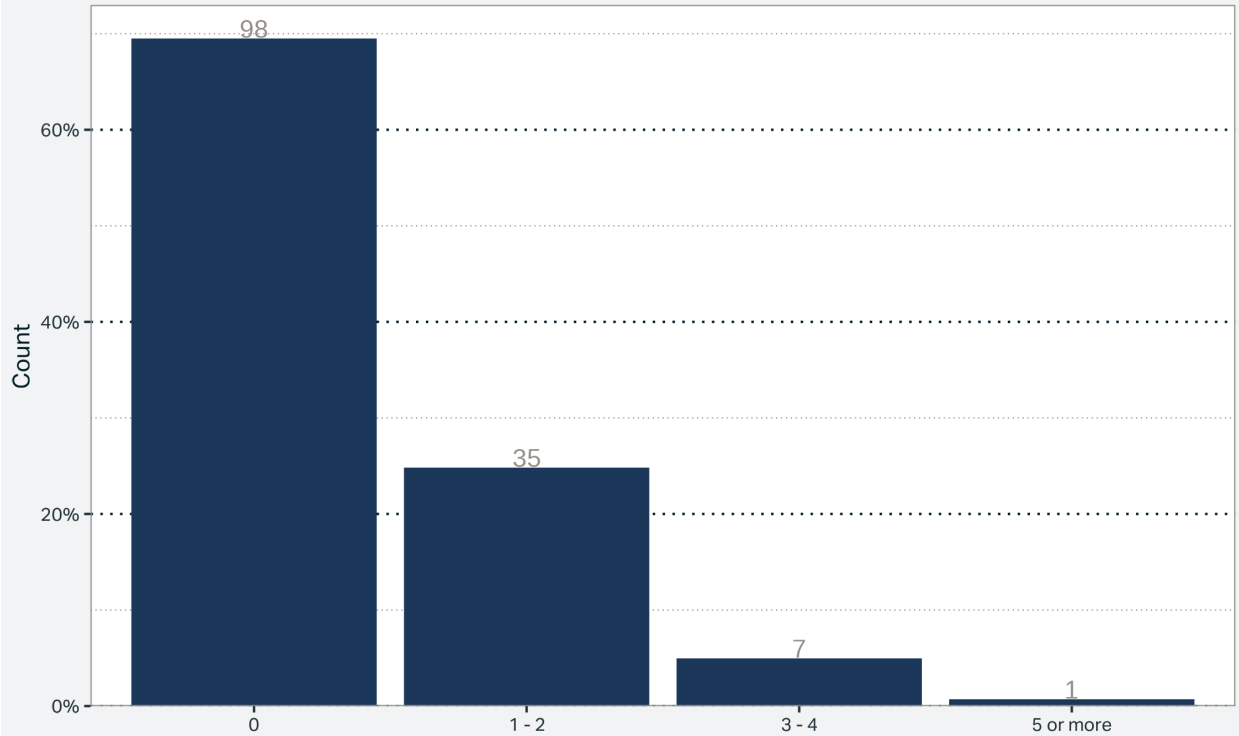
SBN 2023



Responses: 156

How many individuals in your household are under 18?

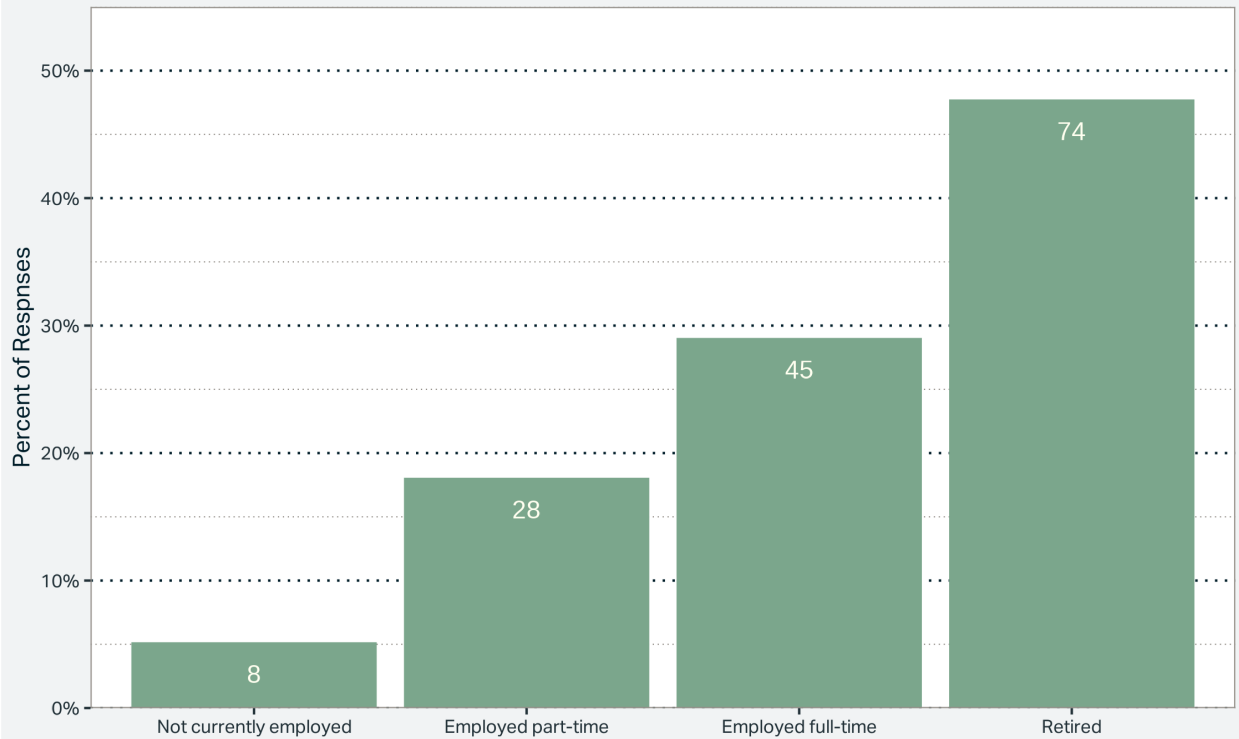
SBN 2023



Responses: 141

What is your current employment status?

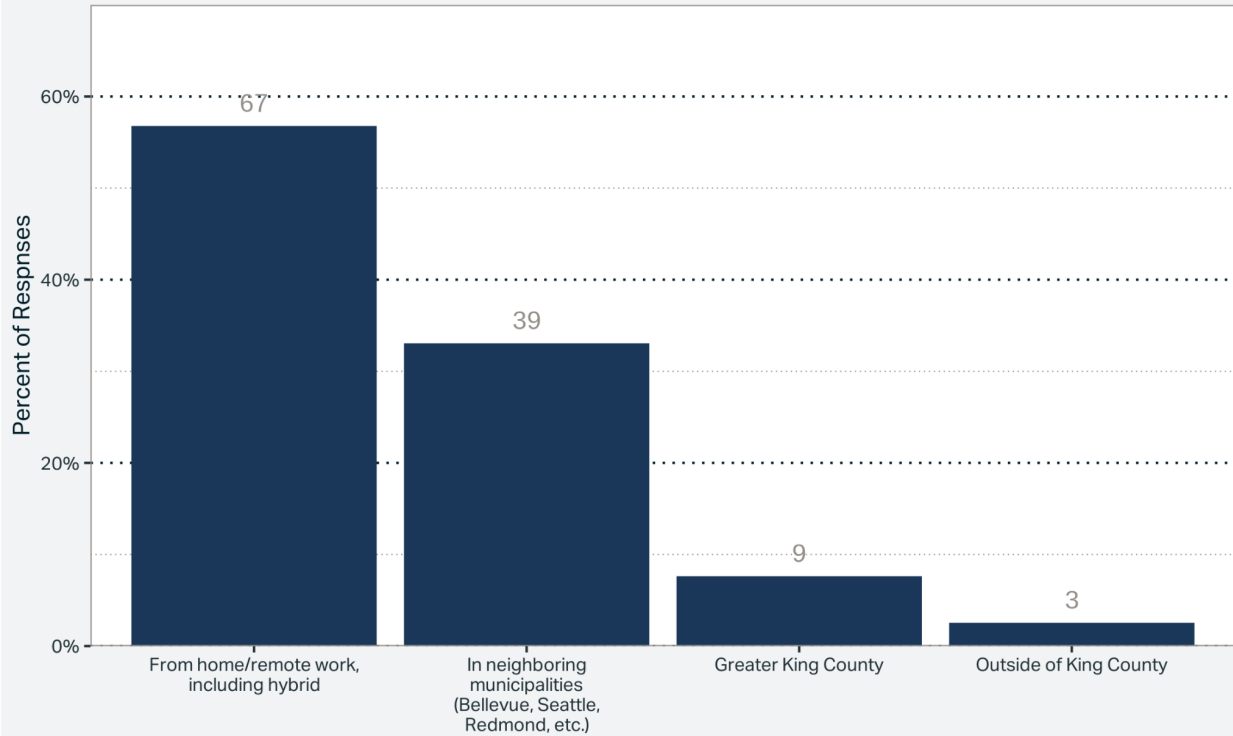
SBN 2023



Responses: 155

Where does your work primarily take place?

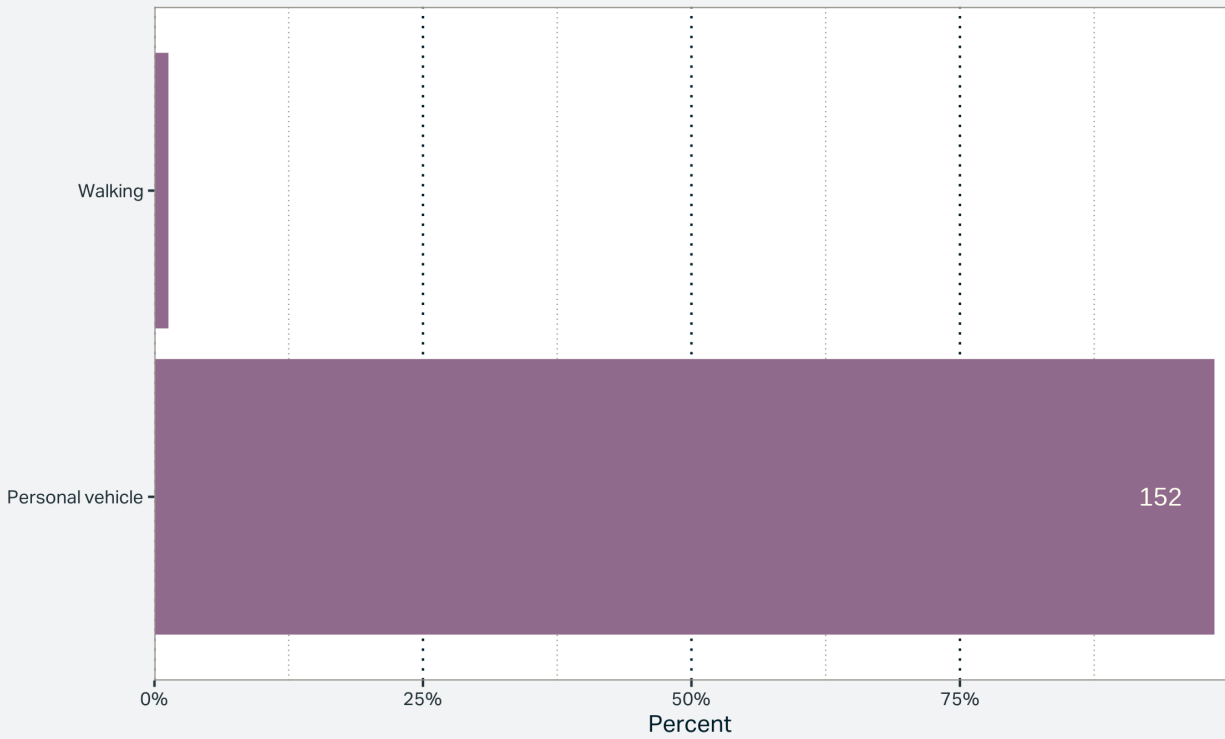
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Responses: 118

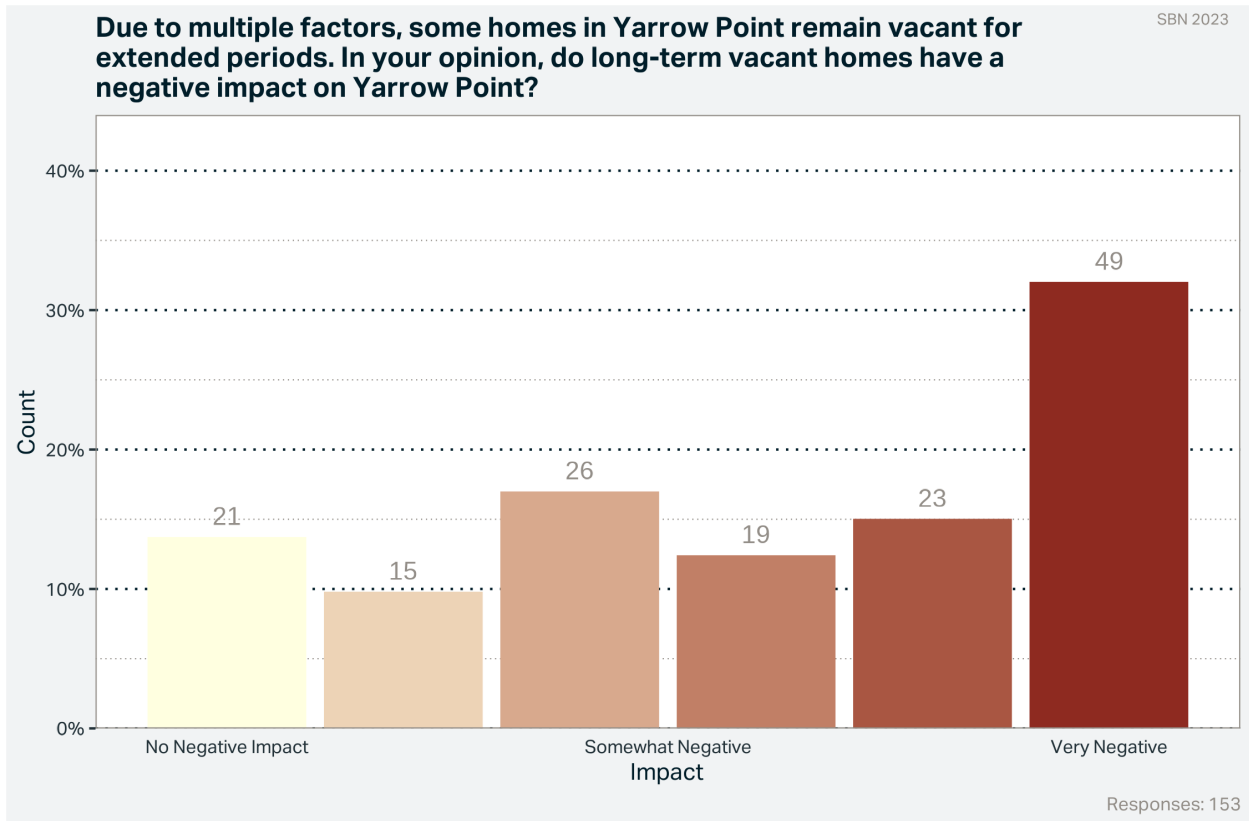
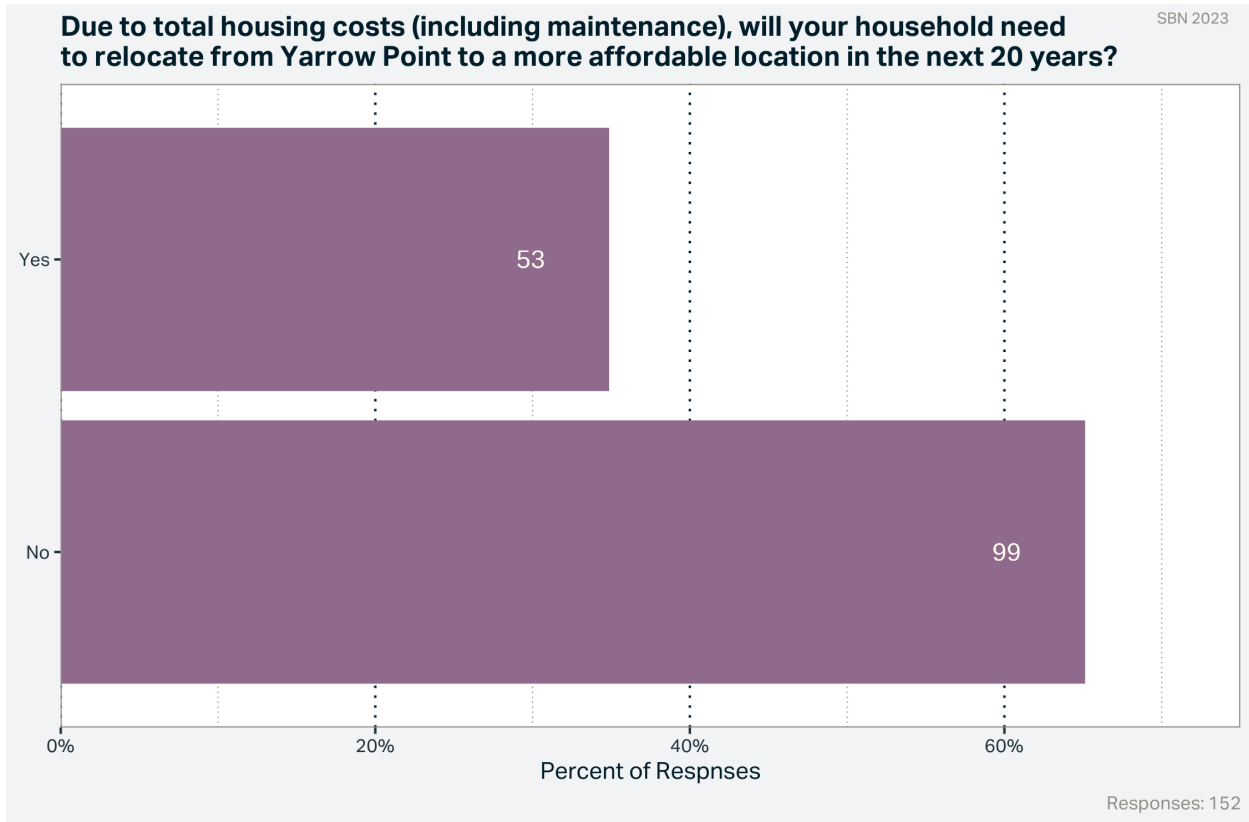
What is your primary mode of transportation?

SBN 2023



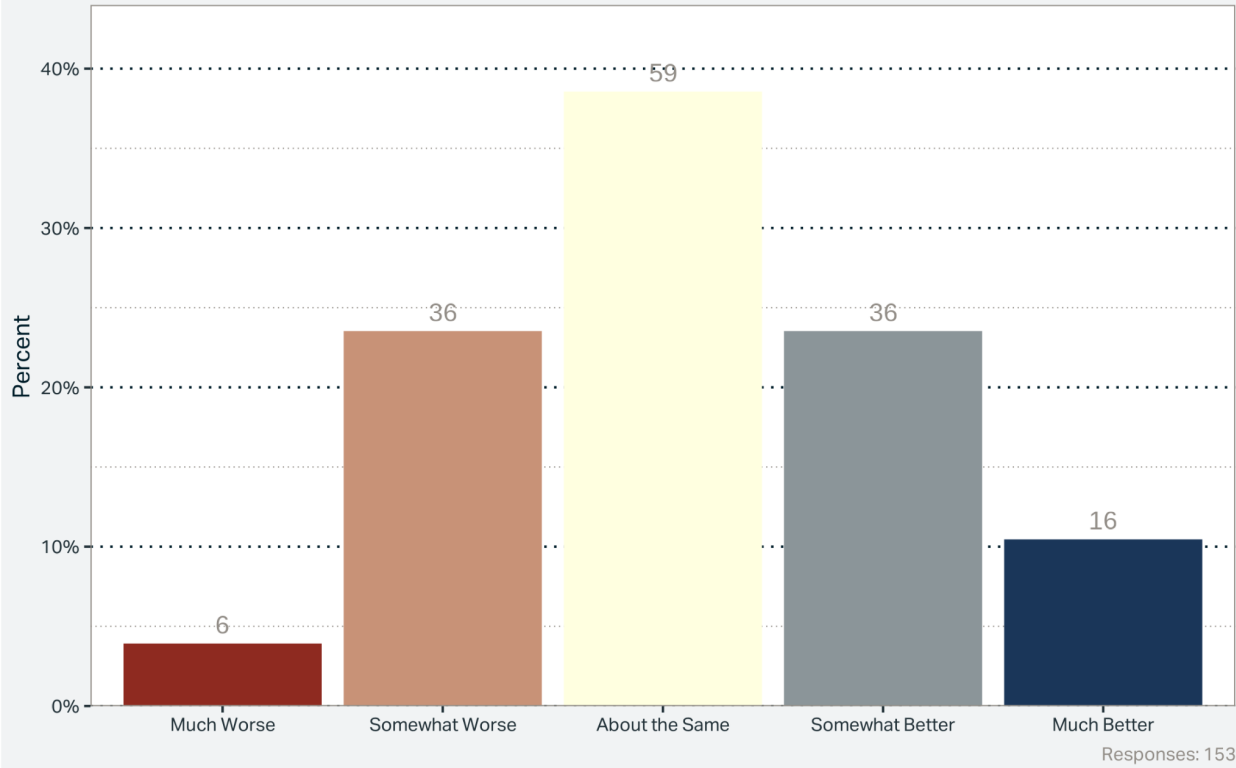
Responses: 154

Housing



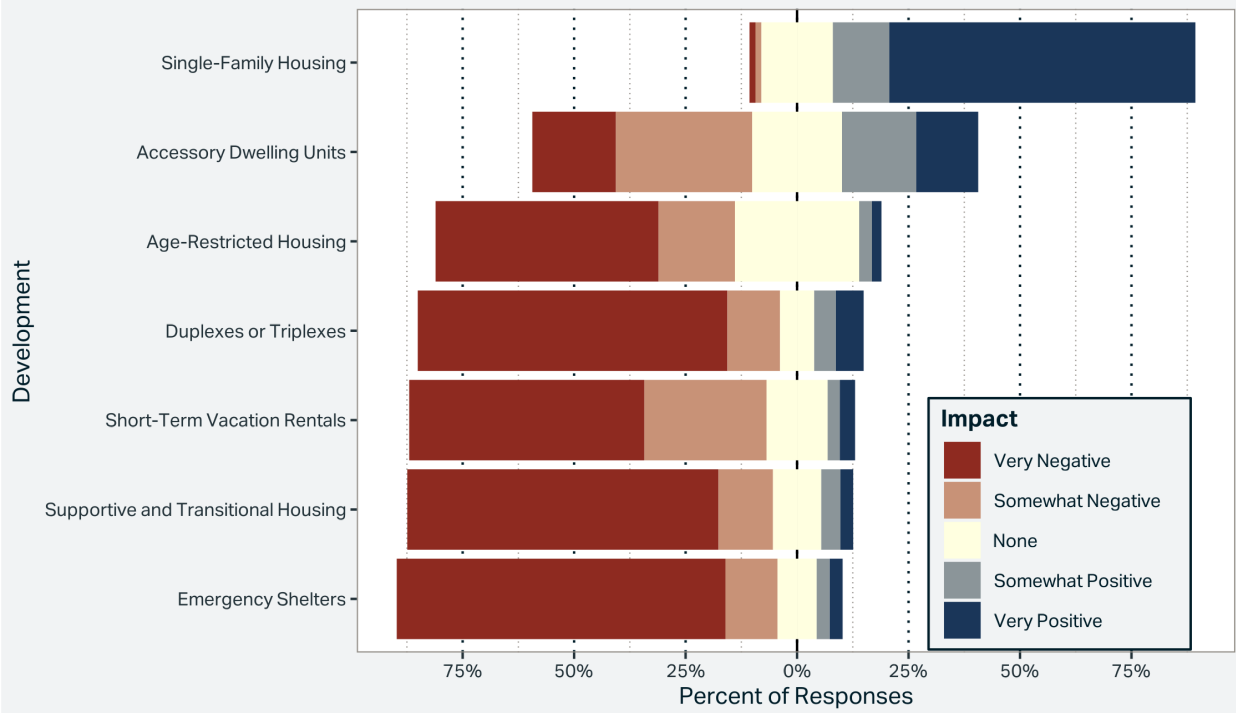
In the past 10 years, how has the housing quality in Yarrow Point changed?

SBN 2023

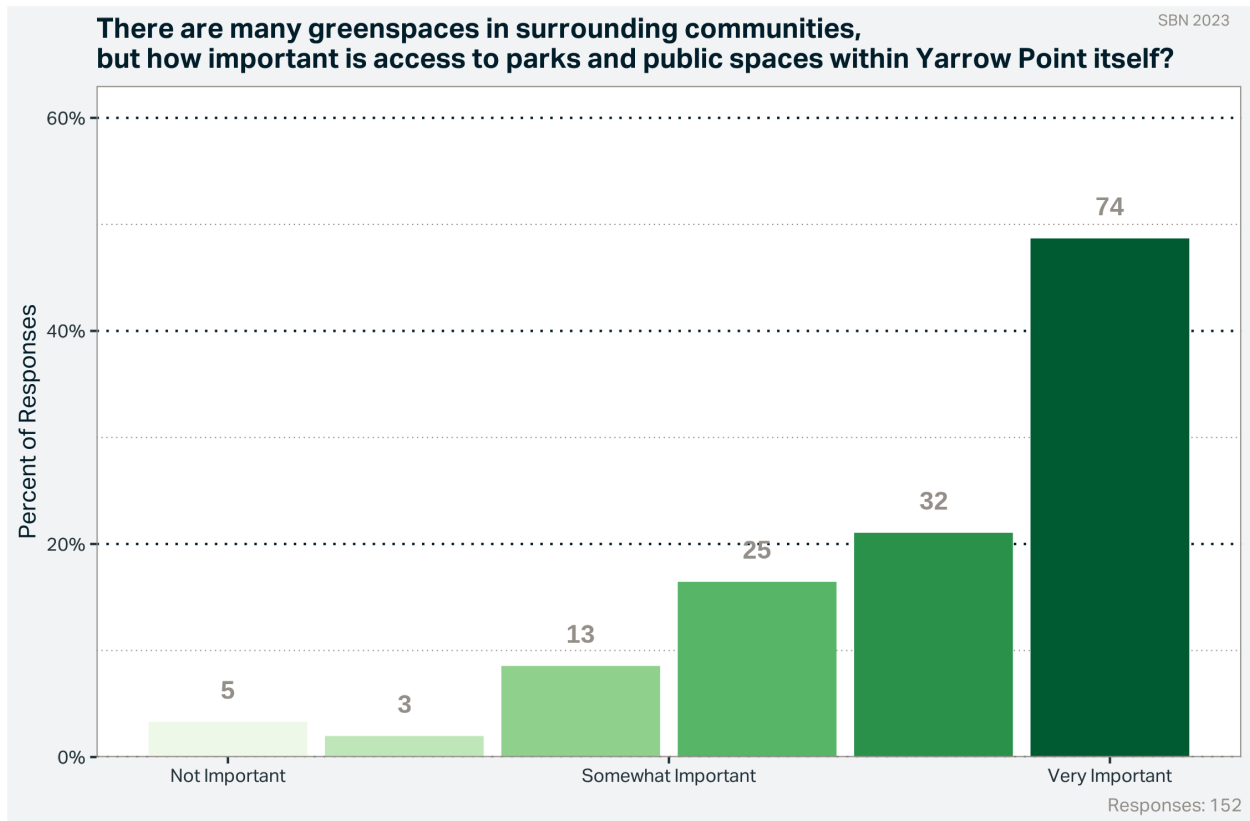
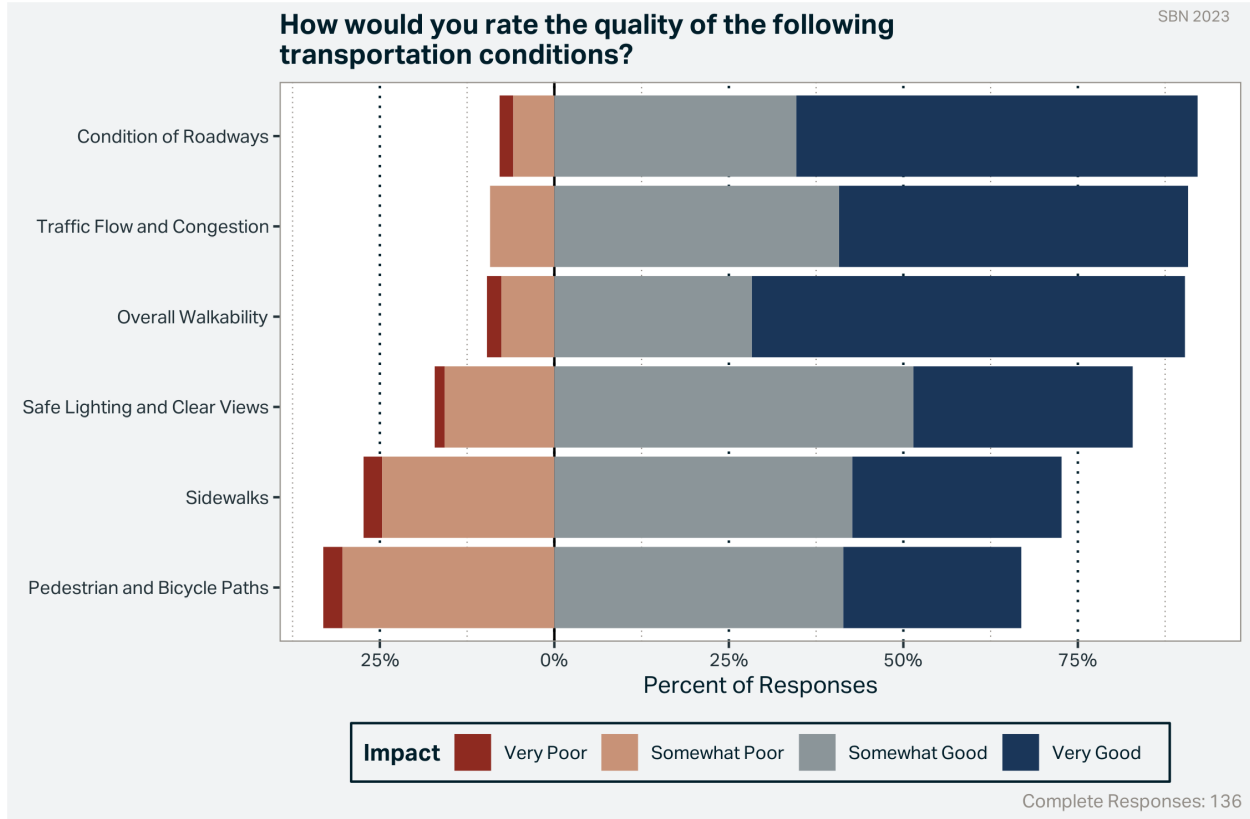


What impact does the following type of future development or residential use have on Yarrow Point?

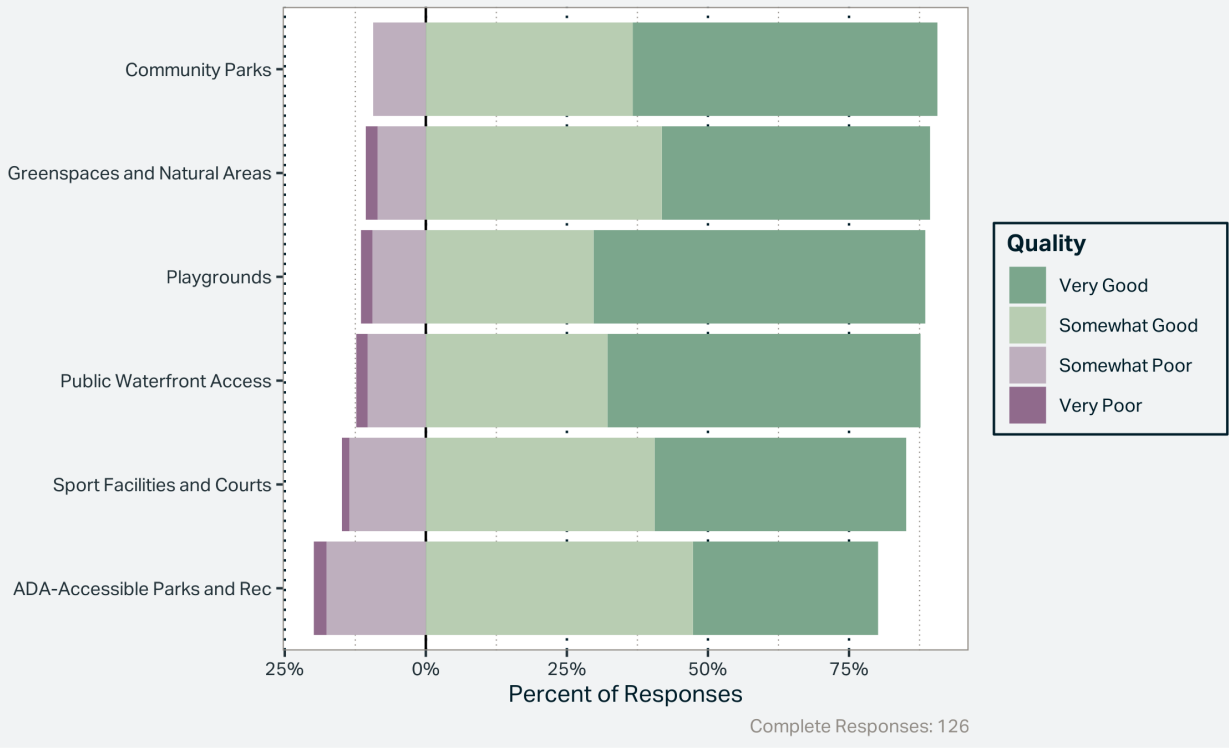
SBN 2023



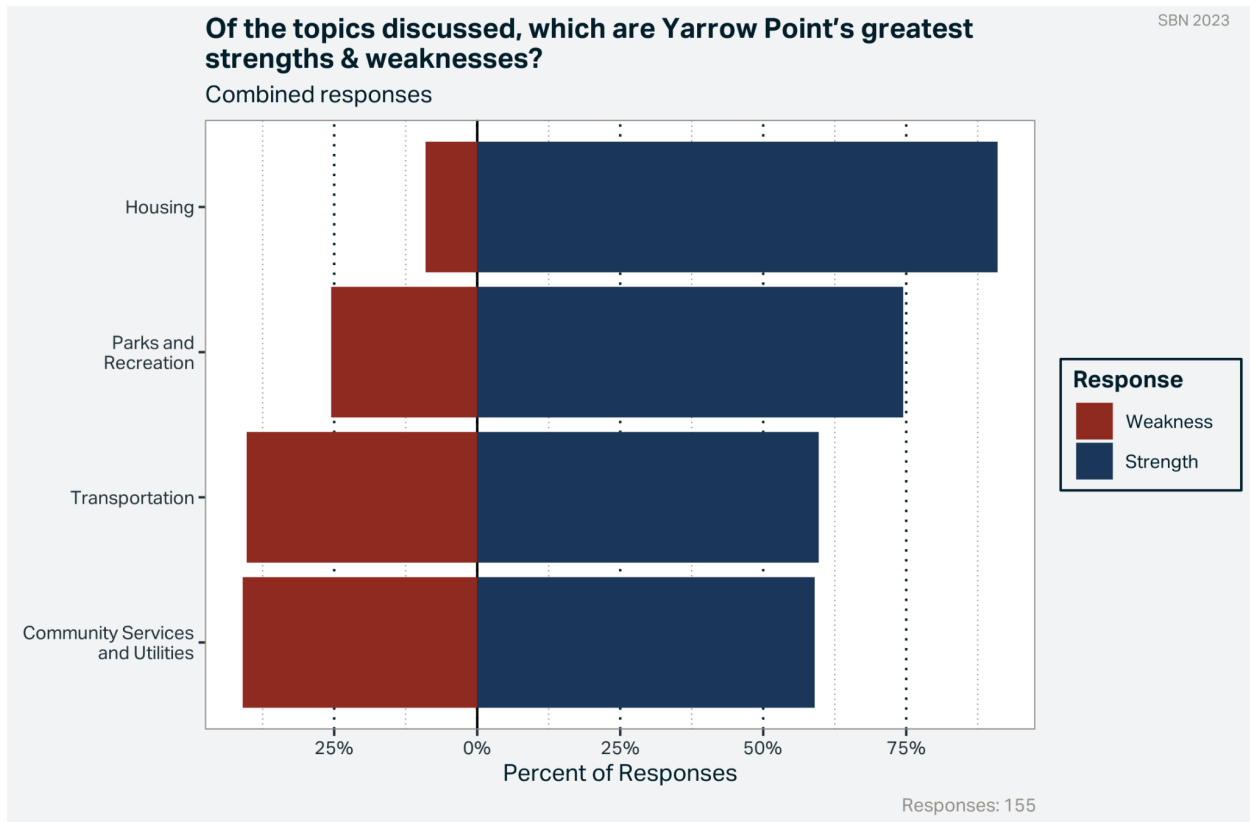
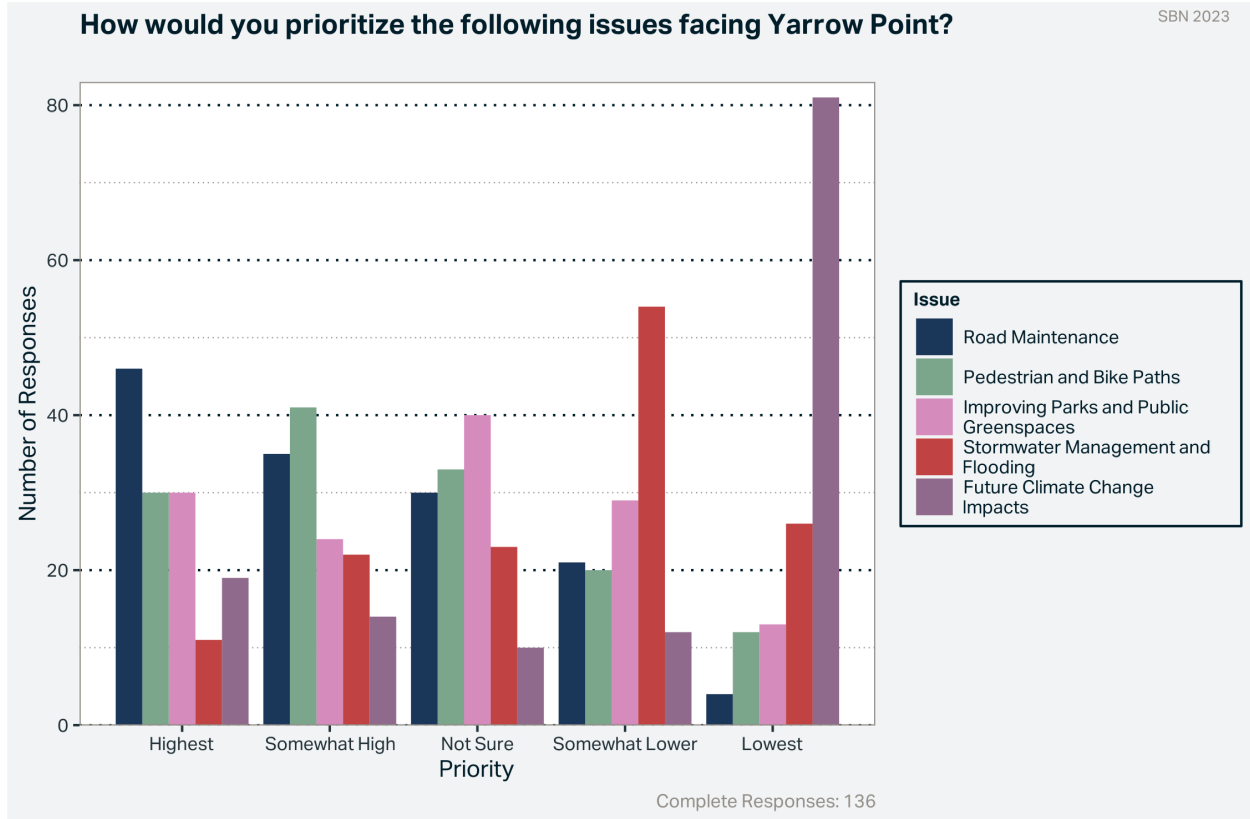
Infrastructure and Community Facilities



How would you rate the quality and accessibility of Yarrow Point's current parks and recreation?

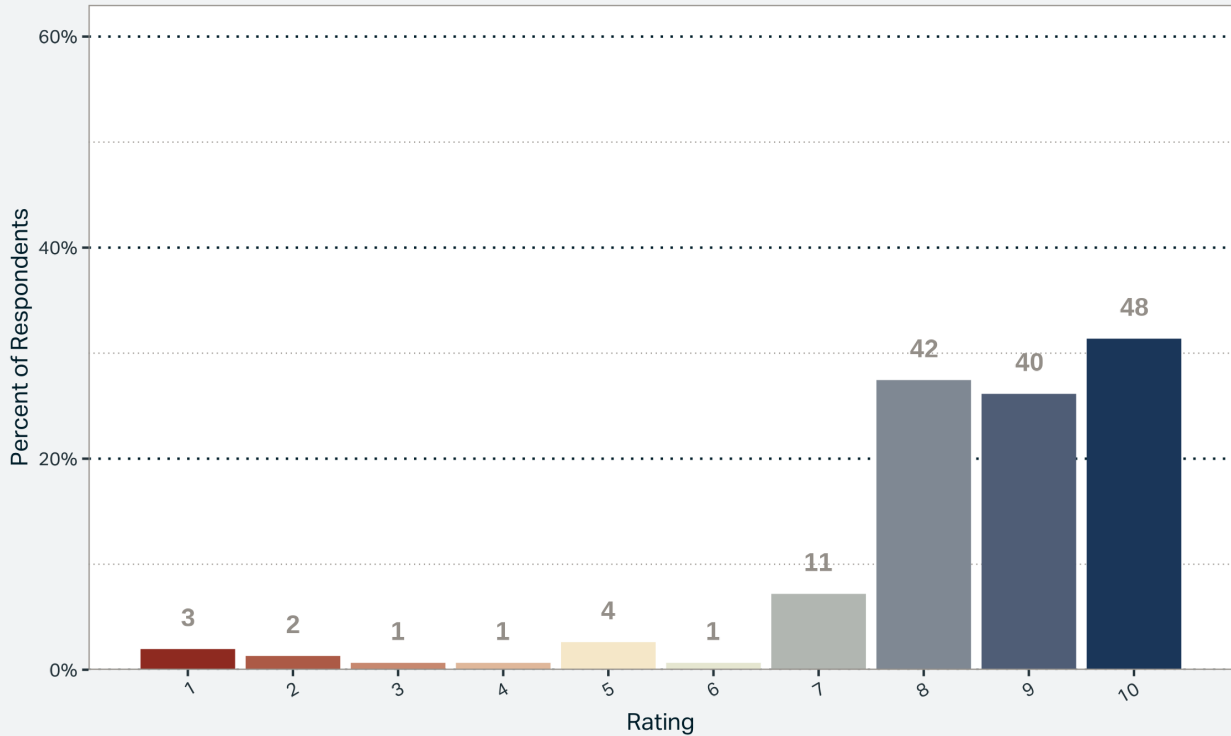


Community Satisfaction & Priorities



What is your overall satisfaction with living in Yarrow Point?

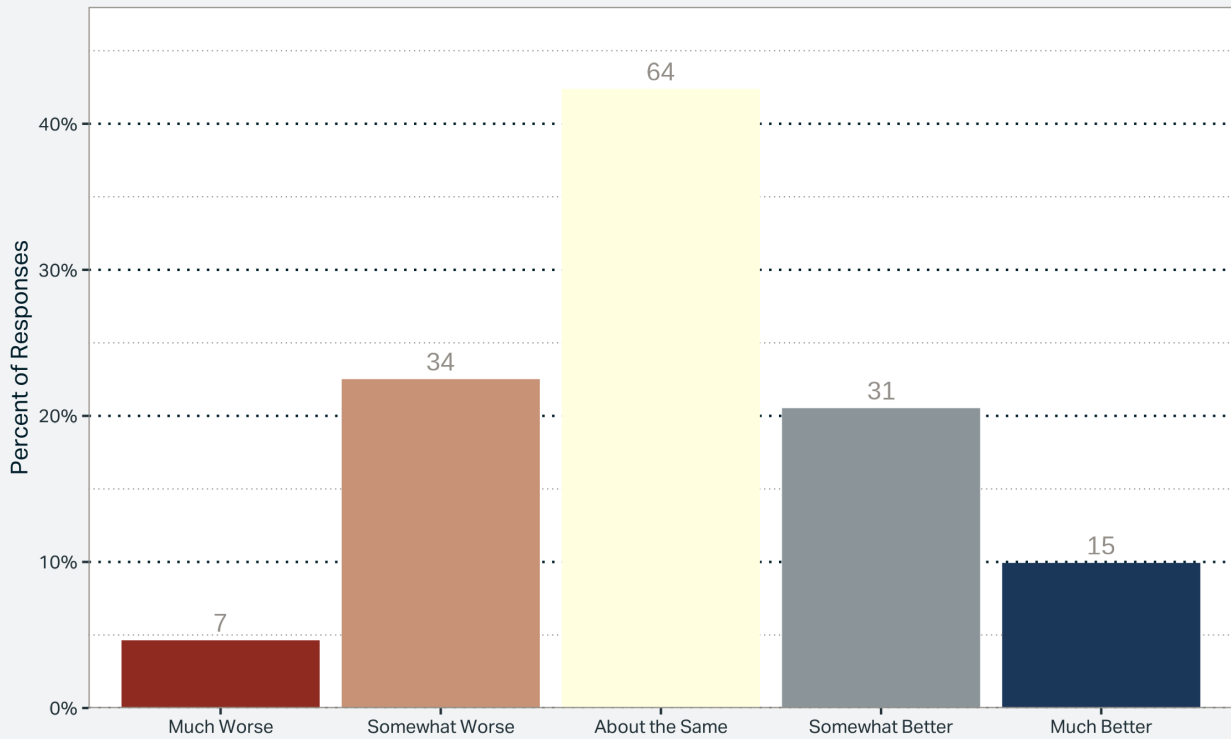
SBN 2023



Responses: 153

Compared to the last ten years, has life in Yarrow Point gotten better or worse?

SBN 2023



Responses: 151

Full Written Responses

This question was optional, so not all respondents chose to add written comments.

Any additional comments or questions?
the comp plan must address the many risks of climate change accelerating drought and flooding and corresponding risks of wildfire and water damage from torrential rains. city should adopt and encourage clean energy and be resilient to being cut off from the rest of Bellevue/Kirkland for fire and public safety. they city should consider a tree inventory and planting more climate change resistant plants. traffic congestion is an issue at the circle (note the past two dangerous accidents of vehicles flying off the highway and not stopping). also the increased traffic on the point and constant construction makes sidewalks more important. finally seems like people are less friendly than when we moved here 15 years ago - not sure how to get folks to just say hello or smile or nod or something as they are walking and listening to their headphones/ipods. still a great place to raise kids.
I found this survey unsatisfactory. ADU can be a good thing AS LONG AS PARKING IS PROVIDED. This is the only space for explanation. Tends to channel responses.
To me the dominant problem is the continued de-nuding of yarrow point as developers buy properties and in process of rebuilding remove all the established trees. My #1 complaint is the planning/town council doesn't do more to temper this behavior.
Save heritage trees, revisit the tree code and reinstate the town as a tree city.
Yarrow Point is a very special place. We moved here for its safety and community feel. We love walking the neighborhood as a family and our child with a disability feels welcome, independent and safe. If crime statistics increase, or we can no longer leave our home unattended for vacations, then we will need to move. We very much enjoy all aspects of living in Yarrow Point as a single family home small town and don't wish to see its character change in a negative way.
Yarrow Point is a wonderful community. We need to protect the community of residents and families and our property values. We can not let the state or county dictate requirements that strip our Town of the ability to preserve it's character or compromise safety. In addition, the Town has a range of inconsistent and poorly written pieces of code that are subject to abuse that need to be resolved. We have an enormous amount of assessed property values (residents) that live on private lanes that receive very little if any Town support although they pay the same property taxes and fees as every other resident (storm drain cleanup, road repair, sidewalks, utility lines, etc, etc). This is a huge mismatch and needs to be addressed given the number of homes that live on so-called "private lanes". The "code" for this lanes is ambiguous, poorly written and subjects people to potential disputes. One more thing, if we are going to spend enormous amounts of time considering how to restrict people's personal property rights in the name of common good (ie, trees, hedges, fences, leaf blowers, etc), we really should address the need for some standard of care around the maintenance of properties and the few (but ridiculous) homes and landscaping that are in complete disrepair. Get the basics right before putting more and more code on the books. Keep the road and sidewalks in good shape. Keep us safe. Preserver our property values. Protect the character of our community. Push back on the intrusion for county and state government. Stop putting any ideology onto our Town code. It's OK that we are not a "high density" Town. Keep it clean. Keep it safe. Protect our family-oriented character.
would like city to sproach and send letters and penaliehomes that do not comply with keeping their yards mowed, trimmed, dead shrubs/trees removed. city to remove trees they planted that have grown up and obstructed views which decrease home value when selling as a view property..
Safety is a top reason for living in Yarrow Point. Anything that jeopardizes

I would like to see an additional pickleball court built.
Challenge for YP drivers, pedestrians and bikers at the circle - needs to be improved for safety for all. Also, want to highly support efforts by the city to create and maintain a beautiful Sally's Alley path and greenspace. Also funding to maintain Wetherill. Internet is the utility that can be really poor.
The addition or accessibility via neighborhood communities to more neighborhood amenities (tennis courts?) and/or designated bike paths would be wonderful
I would prefer to see more attention directed to safety, including the upcoming homeless shelter issues, and less energy spent on hedge height restrictions, trash toters, and tree restrictions and tree replantings
Taxes are driving us out. Don't agree with plans for Sally's Alley - it's a waste of money. Undergrounding power is an excellent use of resources.
Would like to see Town Hall more welcoming to people who come to meetings and disagree with their decisions as they go forward with their plans. Sometimes it's downright unfriendly. Some of the time, it is good
There have been numerous trees that have been removed from the town's right of way over the last 5 years for valid reasons, but the town has not replanted a single tree to replace any of the lost trees.
Increasing home values increase taxes and potentially force retired people to move.
Locks , gates, and security systems attest to a decline in a sense of community
Could use a STOP sign on 95th N
I would love to have library usage. King Country Library in Bellevue
Security of the neighborhood needs to be addressed. I've lived in YP for most of my life and the recent crime (last 24 months) is concerning.
There were some questions where I did not know (like accessibility) and would have liked another choice in the survey.
Thanks for asking our opinion on life here on Yarrow Point.
Question 18 drag and drop did not work. Please give more attention to the area of Yarrow Point that is South of 520. Sidewalks are heaving, lighting is old and of poor quality, speed limit signs are not impressive to drivers. Bike lane is not maintained, cross walks need painting, Yarrow Point sign on Points Drive is not consistent with signage on the rest of Yarrow Point.
The elected officials should focus on the overall quality and safety of the Town and not focus on hedge heights, trees on private property and toters on the right of way staying too long. of the Town worry over hedge hights, toters staying too long on the right of way and treand not
Main complaint is the clear cutting of lots to build a new home. Old established trees actually enhance the home by 'anchoring' it. We are starting to look like tract homes with all the tree cutting. It breaks my heart. I love to walk and see the big beautiful trees.
It's been a wonderful life for us on Yarrow Point, but we can see changes coming around the corner!
Since the newest mayor came into office, the town government has become much more interested and proactive to the needs/wants of citizens. Biggest concern by far is the congestion at the traffic circle when picking up children from the school buses.
I love living on Yarrow Point...can't imagine living anywhere else. It would be nice to turn back the clock to "yesteryear" when YP was perfect.
People seem less friendly than 25 years ago, probably due to vacant houses

It is a wonderful community. Let's not try to fix it.
Install sidewalks on all streets. Goal pedestrian friendly. Many homes in advanced state of decay. Terrible! Such an eyesore in an "affluent" neighborhood. More community events to encourage friendliness.
Add speed display monitors on 95th Ave
My greatest concern about the future of Yarrow Point is the loss of an unfortunate measure of its spirit of being resident centered and community and natural character - more currently seen as climate - sensitive. There seems to be developing an aversion to code enforcement and an acquiescence toward approving permits that allow for disregarding purposefully established and previously enforced regulation and guidance. At issue - lot lines, city rights of way, parking availability, height restrictions.....
It's lost some of its charm due to McMansions and aggressive development of charming, older residences
We are losing our canopy. We should have stronger rules for developers. If people want to live here instead of the concrete jungle of Bellevue, then value the natural aspects of protecting the environment
Thank you for this survey
Great place to live but have seen significant change since roundabout went in - traffic congestion, especially with private school buses, has become very frustrating and crime is increasing, which is the biggest concern. On a smaller scale, the amount of daily noise due to leaf blowers/yard work detracts from being able to enjoy the neighborhood at times.
Perfect place to live. No change needed. The number one problem is the increase in real estate taxes.
Keep Yarrow Point single family homes only.
Question 7 will teach you nothing unless you are willing to have negative comments!
No
We are deeply disappointed with the lack of a Tree Ordinance to protect the ancient trees of Yarrow Point. The Town has allowed developers to clear cut every lot that has been sold in the last few years, and you can even see the difference when you fly over Yarrow Point! Those trees will become even more important as Climate Change affects us! The Town should put a moratorium on cutting large trees until an ordinance can be developed. The path on Sally's Alley needs to be made safer with more gravel, as it gets slippery and muddy. We would like to see some trails developed in Morningside Park, in order to foster appreciation for the Natural environment that still exists here.
Put an immediate moratorium on large tree removal until an equitable solution can be reached. Develop accessibility to natural areas, Morningside and Weatherill.
Better oversight of all projects is needed.
Would like to restrict tree removal by developers. Keep the trees
Tree cutting should be stopped as it alters the satisfaction of living in Yarrow Point. The electric overhead cables look so ugly and antiquated and have not been moved underground on 95th Av. Despite paying such high property taxes the situation is very sad.
Biggest concerns: Electric/Utilities should all be underground, not just on 92nd. Sidewalks, especially near fountain and on 40th, are critical to walkers/bikers' safety and should be a priority.

I feel information to a homeowner to be lacking. For example, is there an update on the hedges? Was there a vote? The lack of thorough minutes means a lack of transparency and knowledge. I know you've become involved with consultants - from another community, I've learned that consultants can change your community in less than ideal ways. Overall, we're happy here but the limited information feeds the insularity.

Sally's alley is one of the only green spaces that we have, and I don't know why a resident is able to use part of it for their driveway. I think that since it's town property, the driveway should be removed, and we should put more resources to improving the quality of Sally's Alley for local residents (no cars). I would also appreciate a second pickle ball court. Having one is great, but it's almost always in use so I haven't actually had a chance to play yet! I also would appreciate making city council meetings at 4pm so that I'm able to attend. I also wish that Yarrow Point was golf-cart friendly. It would make it much easier to access the parks and green spaces. I also would like us to have more community events for residents to attend. It's nice living in a small community, but I think there's an opportunity to create a closer-knit community with more community events.

Is Yarrow Point a Township or an HOA? I get confused because so much town planning is centered on intra-neighbor disputes where political savvy residents use the municipal powers for their personal agendas. Definitely no longer friendly to working families when the Mayor decided due to selfish reasons to change the town council time so that she can have dinner with her family for one time out of the month when yarrow point property owners can voice dissent to her policies. Reminds me of time gerrymandering where she can control more of the agenda by deciding her audience.

Not afraid of an increase in housing density. It would be nice if a centrally located single lot of food retail of sorts accompanied it, similar to Medina next to the post office.

Remove the asphalt driveway over the town property on Sally's Alley and create a better park area with no cars; add a pickleball court at Town Hall; make all town meetings at 4:00 pm (thank you for changing the council meeting from evening time!); make the town golf cart friendly; have quarterly community events

resurface streets put utility (electrical cable) underground add sidewalks water with sprinklers plants on 92nd improve security at entrance 92nd street bring back fireworks stronger tree ordinance

High taxes will be big factor in retiree relocations

I see Yarrow Point run by very vocal minority of residents who have no qualms trampling over their neighbors rights and concerns. Why is the Township on the one hand promoting climate change asking for large donations to pop tons of fireworks on the Fourth of July that emit a lot of carbon dioxide, destroy air quality, and can cause forest fires and then make a big stink about protecting trees. Seems inconsistent don't you think. I am concerned about the lack of diversity in leadership of Yarrow Point and the factors that lead to a homogenous collection of rich, white, old people running a Town that is very diverse in ages and ethnicities. Also the regulations being proposed really are not improving quality of life on the Point because of lack of surveying the ideas of residents on important items.

I have concerns about rental properties and the owner's commitment to maintaining the property. There should be some basic standards. I would like rentals to be a minimum of 1 year (we had an episode with Microsoft interns renting the house next door over the summer hoping to have the lake 'party house'). When I say basic standards I mean simply a request to tidy up the property when it has been neglected too long. If that sort of thing isn't effective we can consider fines for the worst offenders. That empty lot on 94th shouldn't be allowed to become so overgrown - a pack of raccoons are in there not to mention rats.

Good if move away from model of living luxury being the value associated with YP to gain more sense of community if had more parks and recreation with wetlands and green spaces. Develop homes and land trust so some land use for the community meeting space, senior activities, gym, etc. It would add tremendous value to the Yarrow Point community.

Given the growing negative impact of climate change why does Yarrow Point continue to allow the use of gas-powered landscape tools like lawn mowers, leaf blowers, lawn edgers, and snow blowers that result in air and noise pollution? Would like Yarrow Point township to operate with ecologically sound decisions and benchmarks.

I would like the town to be more proactive in under grounding power and utility wires

Biggest worries are potential shift in quality of life due to potential low income housing, homeless housing and the drift from Seattle. We should limit the waterfront park because the folks going there from surrounding areas are taking all the space and creating a crowded non welcoming environment.

Put utilities underground water 92nd plants next to sidewalk add more sidewalks put gate and secure 92 nd entrance with cameras

Parks, playgrounds, water access all need improving. Pool/tennis/library access lacking. Worried about crime

Please stop adding housing and tree codes. Just maintain the current codes

I am concerned about more progressive government overreach infringing on private property rights. Tree code, hedge code, short term rental code are now infringing on residents rights to use their property as they see fit and have no significant impact on the community resources.

Town just fine the way it is. No need to create a whole city out of a quaint small town.

For question 7, why was there not an option to say there is a negative impact? I would have selected that answer for each item other than item #1

Being able to use the King County Library would be nice. Seems to be an uptick in property crimes.

The biggest impact or change in Yarrow Point in the last 10-20 years is crime. We used to have none of it. Now, it seems pretty consistent with no plans to mitigate. We also have empty homes with owners that are not required to maintain their landscape or properties, which de-values other homes.

The best part of Yarrow is the laissez-faire quality of life. The big mistake Yarrow Point administration could make would be to "perfect" things. Instead, let the natural quirks work themselves out. Do not become Hunts Point where everything is over-scripted and creepy-perfect. Let Yarrow be Yarrow. Let residents do their thing.

It's high time to stop raising our taxes and start to be frugal. The city can always find ways to spend more, but all is good enough. Please understand that our income l'm not following the increase of the cost of living. We have a very good life here there is no need to spend more. Be frugal now because we are being taxed out. Thank you.

We need enforcement of hedge guidelines

this is a difficult survey as the lack of comment for decisions is not presented. I think this leaves comments open for interpretation. overall I feel YP has to add design and aesthetics to the consideration of what makes our township better. I have witnessed a complete disregard for this in both maintenance and town projects _ cutting of plants in the R.O.W., dead trees for the sake of "trees" versus canopy, green space flanking 92nd, the dang round-about, too much signage and signage that lacks meaning and/or effectiveness, uncontrolled building of developer housing that is less than attractive or a positive to a community vision. I feel YP could benefit from a design quality board as difficult and disliked as that would be from the start.

Key issues to are the terrible roundabout - too many signs everywhere and no maintenance standards

Would like to power lines buried on 95th

One of the biggest problems we have is the propensity for local and state officials to look to property taxes every time they want more money.

No additional comments or questions

Yarrow is a great place to live - very concerned about future plans for duplex/multi-plex housing in our community, homeless shelter nearby, and security issues increasing.

better road, more lighting ,

Parking is a huge problem, especially if we invite ADU's.

I think the number one priority for Yarrow Point should be developing a long term plan that doesn't involve an increase in property taxes so people can continue to live here.

Yarrow Point is a great community and a major part of that is a sense of knowing your neighbors and community events. In the past 10 years there's been large turnover of residents and it's lost a little of the community spirit which we need to reclaim. Property taxes due to housing evaluations is also significantly higher which is a negative for future fixed income residents. YP has a great opportunity to be part of the local public transit network but the quality of service has diminished (not YP's fault).Overall however, YP is a great place to live.

Some of tye questions do not provide for correct answers. Age under 18. Should have zero option. Not sure real important questions were asked. Things like poor quality of entrance landscaping. Police response parking on streets and during construction. Hedge code violations. The housing unit down the street. What was the purpose of the questionnaire??

Need to underground electric cables on 95th st

I'm especially pleased that we have been able to complete the pathway along 92 nd Ave NE and underground most of the utilities. These have been major improvements in my opinion.

Security is the biggest concern.

Please don't change anything if you don't have to!

Need to underground all power lines, including private lanes

These are really bullshit questions and I am embarrassed that I even answered

These questions were ridiculous. Very poor survey.

Are there more questions I can answer if I have the time and energy?

Chapter XX: Economic Development

Green Highlights: Washington State, King County, or Puget Sound Regional Council Requirements

Orange Highlights: Additional goals or policies that may support requirements but are not explicitly required or part of any formal “best practice” or recommendation.

Blue Highlights: Best practices or recommendations from COM, PSRC, or other planning resources that are not explicitly required.

1. Introduction

Economic development plays a pivotal role in shaping the prosperity and sustainability of communities, and Yarrow Point is no exception. While Yarrow Point's current landscape primarily consists of single-family residential properties, the significance of economic development remains paramount to ensure the town's long-term vitality and well-being.

This chapter of Yarrow Point's comprehensive plan delves into the critical aspects of economic development, focusing on strategic planning and envisioning a vibrant future for the community. While Yarrow Point does not currently contain any commercial property, the community recognizes the value of fostering a resilient and diversified economy that complements its residential character.

Key Definitions

Home occupation: Limited-scale service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or accessory building and is subordinate to the primary use of the site as a residence.¹

¹ King County. 2023. *Kingcounty.Gov*.

<https://kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/bulletins/43a.ashx?la=en>.

Planning Context

Pursuant to [RCW 36.70A.070](#), a comprehensive plan must contain certain essential elements. Given Yarrow Point's residential land use limitations and inability to expand its land area due to its adjacency to Lake Washington, Hunt's Point, Clyde Hill, and Kirkland, the municipality is not obligated to include an economic development element in its comprehensive plan. Because the Town allows for home occupations as covered in the Land Use chapter of the plan, an economic development element has been included to explain the existing regulations.

Yarrow Point municipal code (YPMC) [17.12.040](#) expressly prohibits commercial activity within the corporate limits but does allow for home occupation with restrictions. These restrictions include that all activity must be carried on within the confines of the residence; only one non-family member may be employed in the business; there may be no exterior visibility of the company; no structural changes to the building against character; there may be no noise or other pollution generated by the business; there may be no additional parking for the business; there shall be no more than two visitors per day to the business; there may be no commercial kennels; there may be no boarding at commercial scale; the tranquility of the neighborhood may not be disturbed.

The Town intends to maintain the current home occupancy allowance while establishing a framework for updating the limitations in the municipal code that may arise from public interests. Economic progress for its residents may be achieved in the neighboring municipalities of Bellevue, Kirkland, and Seattle.

2. Goals & Policies

Goal 1: To maintain and update the existing commercial use of property restrictions in the municipal code of the town based on public interests.

Policy 1.1: The town will establish a transparent and accessible system for residents to propose updates to the home occupancy restrictions in the municipal code.

Policy 1.2: The town will regularly inform and encourage residents to engage in the proposal process, review all proposals, and provide feedback to the proposers.

Goal 2: Support existing and emerging home occupations.

Policy 2.1: Remove barriers limiting the growth of home occupations in the Yarrow Point Municipal Code 17.12.040.

Chapter XX: Tribal Planning

Green Highlights: Washington State, King County, or Puget Sound Regional Council Requirements

Orange Highlights: Additional goals or policies that may support requirements but are not explicitly required or part of any formal “best practice” or recommendation.

Blue Highlights: Best practices or recommendations from COM, PSRC, or other planning resources that are not explicitly required.

1. Introduction

The Tribal Planning Chapter for Yarrow Point acknowledges Indigenous peoples' historical and contemporary presence in the region. The purpose of this chapter is to recognize the sovereignty, culture, and rights of Tribal Nations; and to foster meaningful engagement and collaboration between Yarrow Point and local Tribes. The chapter aims to prepare for Tribal perspectives, knowledge, and values to integrate into the town's planning processes to promote respect for the original inhabitants' land, water, and cultural heritage.

Key Definitions

Federally Recognized Tribe: Tribes and groups have a special, legal relationship with the U.S. government.¹

Ceded Land: Lands that tribes have agreed with the United States federal government to cease to own or occupy in exchange for monies, goods, and services as agreed upon in the treaty.

Mutual Memorandum of Understanding: A framework to allow the parties to work collaboratively to accomplish mutual goals, further common interests, and effectively respond to the increasing suite of challenges facing the communities, landscapes, natural resources, and cultural resources.²

¹ "Frequently Asked Questions | GOIA". 2023. *Goia.Wa.Gov*. <https://goia.wa.gov/frequently-asked-questions>.

² 2023. *Fs.Usga.Gov*.

<https://www.fs.usda.gov/sites/default/files/Washington-Shared-Stewardship-MOU-05-08-2019.pdf>.

Planning Context

State law mandates that cities and counties within the Puget Sound region develop comprehensive plans consistent with the multicounty planning policies outlined in VISION 2050 overseen by the PSRC, to ensure that regional environmental and land use goals are aligned. MPP-RC-4 is a significant policy in VISION 2050, emphasizing the importance of collaborating with Native Tribes during the planning process and recognizing their interests, potential benefits, and impacts.³

In accordance with RCW 36.70A.040, municipalities within King County are required to consider federally recognized Indian tribes with ceded lands within their boundaries in their planning efforts.⁴ Yarrow Point is situated on ceded Muckleshoot Tribe land, and as such, must initiate a collaborative planning process if the Muckleshoot Tribe expresses intent to participate. Yarrow Point's municipal may also consider a notification and collaboration process for Tribal involvement in future planning efforts, reflecting the legal requirements and ensuring inclusivity.

The respective chapters of the document appropriately address supplementary tribal considerations concerning the environment, encompassing critical areas concerns and potential land use considerations. It should be noted that Yarrow Point is largely limited in development potential and significant environmental considerations due to its size and geography.

³ "Puget Sound Regional Council". 2023. *Puget Sound Regional Council*. <https://www.psrc.org/>.

⁴ " RCW 36.70A.040". 2023. *Washington State Legislature*. <https://app.leg.wa.gov/rcw/default.aspx?cite=36.70a.040>.

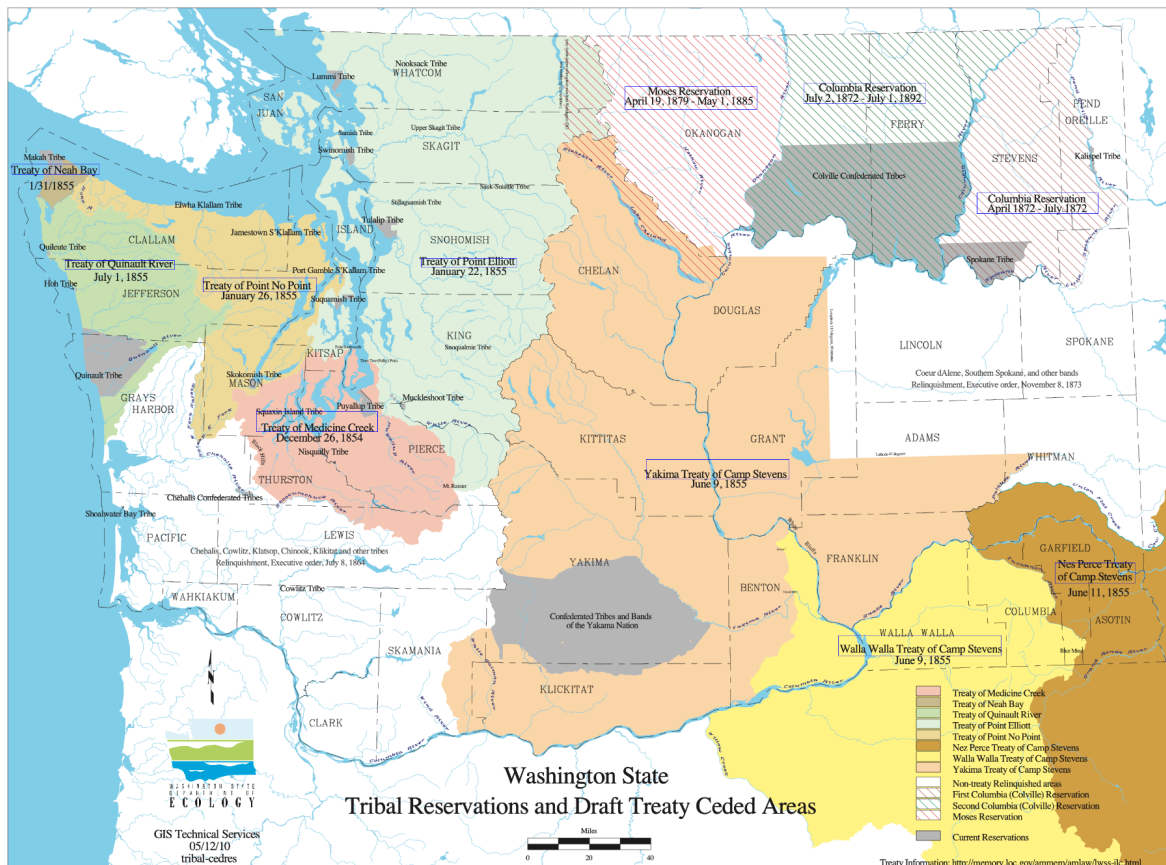


Figure X-1 Tribal Reservations and Ceded Lands in Washington
Washington Department of Ecology⁵

⁵ "State, County, and Watershed Maps for Washington". 2023. Washington Department of Ecology. <https://ecology.wa.gov/Research-Data/Data-resources/Geographic-Information-Systems-GIS/Maps>

2. Tribal Land Acknowledgment:

Yarrow Point acknowledges that it is located on the traditional territories of the Muckleshoot tribe. This section is a formal acknowledgment that recognizes the historical and ongoing presence of these Tribes and their enduring connections to the land.

We, the community of Yarrow Point, humbly acknowledge that the land on which we reside and gather is the traditional territory of the Mucklestoot Tribe. We recognize and honor the Mucklestoot people, who have lived on these lands since time immemorial and continue to steward and protect their ancestral homelands.

We acknowledge that our presence here is possible because of the sacrifices and resilience of the Mucklestoot people, who have maintained their connection to this land, waterways, and sacred sites for countless generations. Their profound knowledge and wisdom have shaped the landscape and enriched its biodiversity, and their cultural contributions have enriched the fabric of our community.

As we move forward, we pledge to promote inclusive and respectful partnerships with the Mucklestoot Tribe, engaging in meaningful consultations and honoring their traditional knowledge and values in our planning processes. Together, we strive to foster mutual understanding, environmental stewardship, and cultural preservation, as we create a more just, sustainable, and harmonious community for all who call Yarrow Point home.

3. Goals & Policies

Goal 1: Ensure the Muckleshoot Tribe is able to participate effectively in Yarrow Point's planning process, should they express interest.

Policy 1.1: Yarrow Point shall engage in good faith efforts to reflect the requirements of RCW 36.70A.040 and collaborate with the Muckleshoot Tribe's presence and potential coordination efforts within the municipal boundaries.

Policy 1.2: Yarrow Point shall initiate a parallel planning process with the Muckleshoot Tribe upon receipt of notification indicating the Tribe's interest in participating (RCW 36.70A.040(8)(a)). The parallel planning process shall aim to create a mutually beneficial planning document that considers the interests of both Yarrow Point and the Muckleshoot Tribe.

Policy 1.3: Yarrow Point shall establish a notification process to inform the Muckleshoot Tribe of upcoming planning efforts that may impact their ceded lands. The notification process shall include a timeline for Tribe input and a clear explanation of the potential impact on the Tribe's cultural, environmental, and economic resources.

Policy 1.4: Should the Muckleshoot Tribe show interest in participating in Yarrow Point's planning process, allow for coordination between the Town's climate change planning efforts and tribal efforts.

Goal 2: Ensure the effective and efficient coordination between Yarrow Point and the Muckleshoot Tribe in coordinated planning efforts.

Policy 2.1: Yarrow Point shall finalize a mutual memorandum of understanding (MOU) with the Muckleshoot Tribe that outlines both parties' coordination efforts and commitments. The MOU shall address data sharing, decision-making, and dispute resolution issues, and shall be reviewed and updated as necessary throughout the planning process.

Policy 2.1: Yarrow Point shall provide resources and support to enable effective participation by the Muckleshoot Tribe in the planning process. This includes providing access to data, information, and technical assistance, as well as ensuring that the process is culturally appropriate and respectful of the Tribe's sovereignty.

Eagle Protection	Proposed Planning Commission Action: Discussion
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Presented by:	Town Planner
Exhibits:	Draft Eagle Protection Code Eagle Permit FAQ Eagle Proximity Map

Background:

The Town is home to several known eagle nests and other eagle habitat. While Federal protections are in place for eagles, the Town has the ability to do more in the way of protecting specific sites. The goal in developing Town regulations to protect eagles is two fold. First it is to inform and facilitate compliance for property owners and persons doing work in the Town, with the existing federal regulations. This is done through the development of Maps of Eagle habitat and FAQs. Second is to create code which incorporates the federal permitting process into the Town’s permitting process. If desired the Town may adopt code and guidelines which are as restrictive or more restrictive than federal and state regulations for the protection of eagles. Even with no action taken, the federal and state protections, their enforcement, and permitting still applies.

Summary:

In April, the subject of Eagle protections was brought to the Planning Commission by commissioner Sims and Council member Smith. General background materials were presented. The commission voted to ask the council to consider adding Eagle Protection to the commission’s work plan.

At the May council meeting, the topic of Eagle Protection was considered. Council voted to add the topic to the Planning Commissions 2023 work plan, with work commencing at the next meeting.

During the May meeting, the planning commission discussed, and then directed staff to have experts on enforcement present on the matter. Staff Invited Special Agent Alec Crook with the U.S. Fish and Wildlife Service Office of Law Enforcement to present on the enforcement elements at the June meeting.

Staff met on site with commissioner Sims and documented the locations of one known nest and two known roosting trees. Two maps were prepared which show their locations, along with the 330’ and 660’ radiuses, and highlight properties which are

affected. This document has been consolidated into one map which shows which properties are within the two radiuses of the known habitat.

At the June meeting, a thorough presentation on enforcement was given by Special Agent Alec Crook, Commission directed staff to prepare questions with input from them for the U.S. Fish and Wildlife Service.

Following the responses and discussion with a biologist from the regional USFWS Migratory Bird Permit Office, the commission directed staff at the July meeting to draft two letters. One to the residents of Yarrow Point, and one to the real estate agents working in the Town. The letter details the Town's position on eagle and migratory bird protections, resources with further detail, and includes the map developed by staff which shows affected properties. Commission also directed staff to draft a preliminary code outline and accompanying FAQ document. The Town's website was updated to include the contact information of the local Migratory Bird Permit Office and the map of affected parcels.

At the August special meeting, staff presented the FAQ, draft code, and public comment was heard. The commission discussed the continued need to develop better guidance for the residents of the Town. Staff was directed to develop the draft code further, finish the FAQs, confirm with USFWS which Town permits should be considered as being associated with work which may adversely impact Eagle habitat, and to contact environmental consultants for eagle habitat identification and documentation quotes and.

At the September meeting staff has updated the draft code, and have provided a copy of the National bald eagle management guidelines for review and discussion. Because the August special meeting and regular September meeting are only two weeks apart, the final FAQs are still being worked on and input from USFWS on applicable Town permits has not yet been received.

Staff has received more guidance from USFWS and researched questions regarding the permitting process, timelines, and costs associated with surveying the Town for eagle habitat and will present on this at the meeting. Staff contacted 18 environmental consulting firms to determine if there is interest in performing a Town wide eagle habitat survey and to establish rough cost estimates for this work. 4 firms indicated they would be interested in the projects, with estimated costs ranging from \$18-35,000. Developing a detailed scope and specific methodology would allow contractors to provide specific estimates which can be directly compared.

Action Items:

- Staff Presentation (15min)
- Discussion (25min)
- Vote (5min)

Commission Options:

- Continue discussion with no staff action
- Direct staff to revise the draft code

Recommended Motion:

- I move to continue discussion of this topic at our next meeting without any additional staff action or research.
- I move to direct staff to revise the draft code as discussed at this meeting.

Yarrow Point Municipal Code
Title 19 Draft Amendments

New: Chapter 19.06 Eagle Protection

19.06.010 Purpose, and intent

The purpose of this chapter is to protect eagles within the Town of Yarrow Point, which are seen as a community resource by requiring property owners to comply with the U.S. Bald & Golden Eagle Protection Act and the U.S. Migratory Bird Treaty Act.

19.06.020 Definitions

“Applicant” means a person who applies for any permit or approval to do anything governed by Yarrow Point Municipal Code chapter [insert development chapter codes] and who is the owner of the subject property, the authorized agent of the owner, or the Town.

“Development” means [insert definition from YPMC].

“Disturb” means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, one or more of the following to occur:

- (1) injury to an eagle,
- (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or
- (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

“Eagle Habitat” means an eagle nest, foraging area, or communal roost site that eagles rely on for breeding, sheltering, or feeding, and the landscape features surrounding such nest, foraging area, or roost site that are essential for the continued viability of the site for breeding, feeding, or sheltering eagles. .

“Eagle nest” means any assemblage of materials built, maintained, or used by bald eagles or golden eagles for the purpose of reproduction.

“Highlighted Parcel” means a parcel which has been highlighted on the Eagle Habitat Map as being within 660 feet of Eagle Habitat.

“Known Eagle Habitat” means Eagle Habitat which is open and notorious in the community

“Take” means pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb.

19.06.030 Statutes Incorporated by Reference

The following federal statutes are incorporated by reference:

[Additional legal review and review for definition continuity is still in progress]

50 CFR Part 21

50 CFR Part 22

19.06.040 Applicability

- A. This Chapter applies to all parcels within the Town of Yarrow Point.
- B. Parcels highlighted on the Eagle Habitat Map are those which have been confirmed as being within the 660 foot radius of known or verified Eagle Habitat and shall comply with YPMC Section 19.06.060 of this chapter.

19.06.050 Location of Eagle Habitat

- A. The Town shall prepare an Eagle Habitat Map.
 - 1. The Eagle Habitat Map shall include the entire Town and contain the following information: jurisdictional boundaries of the Town, roads, parcels, waterways, locations of known or verified eagle habitat, highlighted parcels.
 - 2. The Eagle Habitat Map may be maintained and updated by the Town on an annual basis to modify or update known or verified Eagle Habitat Locations.
- B. Eagle habitat locations not included on the Eagle Habitat Map may be reported to the Town by residents and members of the public. Reports may be submitted to the Town in writing. Reports shall include sufficient detail for the Town to verify the Eagle Habitat from a vantage point located within the public right of way or from private land if permission is granted. [Staff is exploring other verification methods]
- C. Upon receipt of the report, the Town may verify the Eagle Habitat by conducting a visual inspection of the reported site to confirm whether the site is an Eagle Habitat. If the Town determines that the site is an Eagle Habitat, the Town shall update the Eagle Habitat Map in accordance with YPMC 19.06.050(A).
- D. Prior to undertaking any development, the applicant shall review the Eagle Habitat Map to determine if the property includes an Eagle Habitat within 660' of anywhere on the property. If the property is not shown to have Eagle Habitat within 660', the applicant shall contact the Town to determine if there are known or verified Eagle Habitats not yet added to the Eagle Habitat Map.

19.06.060 Permit requirements

- A. Any development which may disturb Eagle Habitat, including but not limited to work which requires a building permit, site development permit, ROW permit, shoreline permit, or tree permit, and is within the 660 foot radius of an Eagle Habitat shall consult the regional U.S. Fish and Wildlife Service Migratory Bird Permit Office to determine if an Incidental Take permit is necessary.
 - 1. If an Incidental Take permit is deemed necessary, the applicant shall provide the approved Incidental take permit to the Town before the Town issues any required permits.
 - 2. If an Incidental Take permit is not deemed necessary by the USFWS, the applicant shall submit to the Town such a determination from the USFWS prior to the Town issuing any Town permits.
- B. Pursuant to 50 CFR § 22.80 (c), USFWS permit holders shall comply with all avoidance, minimization, or other mitigation measures specified in the terms of the Incidental Take permit to mitigate detrimental effects on eagles, including indirect and cumulative effects, of the permitted take. Annual reports and mitigation plans, if required by USFWS, will also be sent to the Town for its records.

19.06.070 Enforcement

- A. It shall be unlawful for any person to build, erect, construct, alter, rebuild, renovate, enlarge or expand any building, structure or use within the 660 foot radius of Eagle Habitat in violation of the provisions of this chapter. Any violation of this chapter may result in a fine not to exceed \$1,000.00 and may be subject to enforcement actions set forth in YPMC chapter 1.08.



Town of Yarrow Point

Eagle Protections FAQs

The Town is aware of bald eagles nesting and roosting in the Town. These eagles are appreciated by residents, visitors, and enthusiasts alike. The goal of these FAQs is to aid property owners in navigating the long standing federal laws, regulations, and permitting process. The Town intends to provide a clearer path to Federal compliance and to protect the eagles' habitat.

How is the Town involved?

The Town is developing municipal code amendments to address the protection of eagles in line with existing federal law. The goal is to help residents and developers remain compliant with federal regulations. The Town feels it is important to heighten the awareness of residents and agents representing sellers/buyers, of the federal laws protecting Bald Eagles. These laws have played a vital role in safeguarding the habitat and populations of bald eagles across the United States, including Lake Washington. Regardless of whether code amendments pass or not, these regulations are in effect at the federal level and remain relevant.

What is an Incidental Take permit and what does it cost?

The Incidental Take permit is a document granting permission to undertake projects that might result in an unintentional disturbance to protected wildlife. The provisions protect a wide array of migratory birds and eagles around the country. These permits are issued by the United States Fish and Wildlife Service (USFWS) under the provisions laid out in the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d) and the Migratory Bird Protection Act (16 U.S.C. 703-712). The permit fee is \$500 as of October 2023.

What is its purpose of the Incidental Take Permit?

These permits intend to protect and preserve at-risk bird populations by determining the impact of development on habitat, migration, nesting, and roosting patterns. Permits are accompanied by measures that intend to avoid, minimize, and/or mitigate development impacts where these activities put wildlife at risk. These measures may include, but are not limited to, payment into an established conservation fund or bank; enhancement or restoration of degraded or a former habitat; adjustment of development timelines; and long-term monitoring of the affected habitat for changes in population.

Who needs an Incidental take permit?

The USFWS recommends that projects within 660 feet of a nest or roost reach out to the local USFWS Permit Office at 503-872-2715 or permitsRIMB@fws.gov to determine if a permit is required for your project. Tree removal permits, shoreline substantial development permits, site development permits, building permits, roof permits, and similar activities that are not permitted could serve as triggers to consult with the USFWS.

What projects are significant enough to require a permit?

There is no specific threshold for a project which may require an incidental permit. The determination is based on the likelihood of a project within 660' of Eagle habitat to adversely impact that habitat. Projects which include tree removal, loud equipment, or construction noise are common projects which may require a permit. Residents should review the "*Pacific Region Bald Eagle Incidental Take (Disturbance) Permit Decision Tree for Home Construction Projects*" which is linked below and then contact the USFWS migratory bird office who's information is listed below.

Do I need an Incidental take permit to cut down a tree on my property?

If you are within 660' of known Eagle habitat you may be required to get an incidental take permit. Please contact the USFWS to help you make this determination. The "*Pacific Region Bald Eagle Incidental Take (Disturbance) Permit Decision Tree for Home Construction Projects*" is linked below.

What are the steps to getting an incidental take permit?

Once you have determined that an incidental take permit is required the general process is as follows:

1. Create work plan must be developed by the applicant for their project. This may include a narrative description, site plans and other pertinent information.
2. Fill out Submit the permit application to the USFWS (See links below for application website). Notify the Town of the application.
Many environmental firms in our region work as agents to property owners in submitting and procuring the USFWS permit.
3. Receive the permit and mitigation guidance, or written correspondence from USFWS indicating the permit and mitigation is not needed.
4. Conduct work in accordance with the permit and mitigation.
5. Report on the project to USFWS using their annual report forms
6. Monitor and report on habitat status based on guidance from USFWS

How long does it typically take to get an Incidental take permit?

Permit timelines vary depending on the complexity of the project, specific scope, and the quality/completeness of the application materials. Complete applications needing little to no back and forth revisions are often issued within 30 days.

Is there an eagles nest near my property?

The Town has developed a known eagle habitat map which highlights properties within 660' and 330' of known habitat. A copy is available at town hall or on our website. This map is meant to act as a starting point for residents, there may be eagle habitat which the Town has not documented in proximity to your project. As the applicant, you are responsible for determining if there are eagle nest(s) near your project and, if so, where the eagle nest(s) are located in relation to your activity. The USFWS does not keep records of the locations of eagle nests.

What does a mitigation plan for a New Single Family Residence Project typically look like?

Permits specify required avoidance, minimization, and mitigation measures. A general example might include but not limited to recommendations and guidance as described below:

1. To the extent possible, activities must be:
 - a. Conducted at the furthest possible distance from the nest
 - b. Started at the furthest point and gradually implemented in the direction of the nest
 - c. Conducted between Sept 1 and Dec 31
2. Dates of activity
 - a. Jan 1 and Jun 19: No exterior work closer than 330' from the nest
 - b. Jun 20 and Aug 31*: No exterior work closer than 100' from the nest
 - c. Sept 1 and Dec 31: No restrictions between these dates
3. Daytime work hours
 - a. Jan 1 to Aug 31*: Exterior work limited to between 2 hours after sunrise to 2 hours before sunset
 - b. Sept 1 and Dec 31: No work hour restrictions
4. Visual barriers
 - a. Jan 1 and Aug 31*: Retain any existing visual barrier between the activity and the nest
 - b. Sept 1 and Dec 31: No visual barrier restrictions
5. Landscape alteration (including site preparation, overstory vegetation clearing or trimming, heavy equipment use, etc.)
 - a. Jan 1 and Aug 31*: No landscape alteration closer than 330' from the nest
 - b. Sept 1 and Dec 31: No landscape alteration restrictions
 - c. Landscape alteration must not affect the survivability of the nest tree. Additional permits are required for the take of trees with eagle nests.

**Aug 31 or until young are no longer present in the nest*

What are the federal penalties?

A violation of the Bald and Golden Eagle Protection Act can result in a fine of \$100,000, imprisonment for one year, or both for a first offense. Penalties increase substantially for additional offenses, and a second violation of the Act is a felony, incurring a penalty of up to \$250,000 and two years imprisonment.

A violation of the Migratory Bird Protection Act can result in fines up to \$5,000 and or imprisonment for not more than six months for a misdemeanor offense. Felony offenses may incur fines up to \$250,000 and/or imprisonment for not more than two years.

Who do I report a violation to?

Please contact the USFWS Office of Law Enforcement using the contact information listed below. Please notify the Town of violations as well.

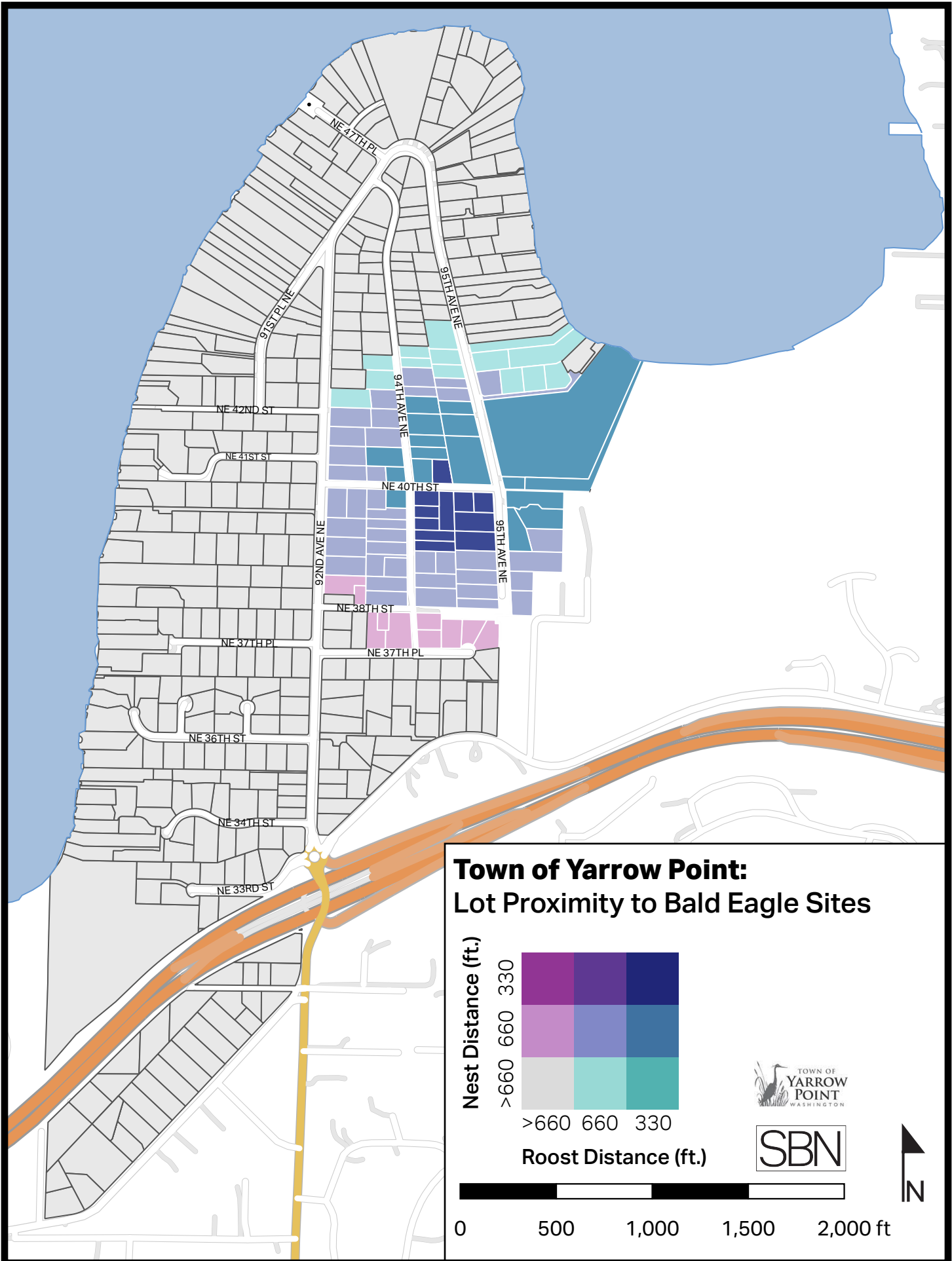
Additional USFWS Resources for Residents and Agents:

- [Incidental Take Permit Page](#)
- [Pacific Region Bald Eagle Incidental Take \(Disturbance\) Permit - Decision Tree for Home Construction Projects](#)
- [National Bald Eagle Management Guidelines](#)
- [Migratory Bird Program](#)
- [Do I need an Eagle Take Permit?](#)

USFWS Contact Information:

U.S. Fish and Wildlife Service
Migratory Bird Permit Office
911 N.E. 11th Avenue
Portland, OR 97232-4181
Tel: (503) 872-2715
Email: permitsRIMB@fws.gov

U.S. Fish and Wildlife Service
Office of Law Enforcement
14852 NE 95th Street
Redmond, WA 98052
(425) 883-8122 (O)
[Website](#)



Short Term Rentals	Proposed Planning Commission Action: Discussion
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Presented by:	Town Planner
Exhibits:	Short Term Rental Draft Code

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. STRs can be regulated by creating a permit system along with various fees, and taxes. The commission's goal is to decide on the direction which the Town would like to take with regards to the regulation of STRs.

With changes to development regulations as a result of HB1110 and HB1337 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 a possible increase or change to 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 are not currently undertaken by the Town.

At the May meeting, the commission discussed the need for a preliminary overview of the current state of STRs in the area. Staff presented a preliminary review of the current STRs which are available in the Town and some adjacent jurisdictions. The commission requested further research, including determining a possible cap to the number of STRs in Yarrow Point. At the June meeting, the Town Planner presented a market analysis of existing STRs in Yarrow Point, as well as active STRs in the nearby Point Communities.

At the July meeting, the Town Planner presented an outline of existing regulations for STRs in predominantly residential jurisdictions as well as regulations for low-density residential neighborhoods in larger cities. The commission discussed possible considerations, regulations, limits on the number or intensity of STRS, and whether steps such as requiring a business license were necessary. The planning team further reviewed existing permitting processes in comparable jurisdictions and outlined a process for the commission's August meeting.

At the August meeting staff presented two processes based on the two predominant methods for permitting STRs. One approach, employed by Clyde Hill, is to review the permits as part of a business

license application. The second, employed by Chelan County, is to review applications as a land use permit, meeting the requirements of the standards outlines by their STR code. The latter approach appears more flexible if the Town does not intend to employ a business license requirement. Requirements imposed by both jurisdictions include occupancy limits, parking requirements, limits on specific activities, submission of a property management plan, and specific contact information for someone who is able to quickly respond to concerns as they may arise.

At the direction of the commission, staff have prepared a draft code which includes optional elements for review and discussion.

Action Items:

- Staff Presentation (15min)
- Discussion (25min)
- Vote (5min)

Commission Options:

- Continue discussion with no staff action
- Direct staff to revise the draft code

Recommended Motion:

- I move to continue discussion of this topic at our next meeting without any additional staff action or research.
- I move to direct staff to revise the draft code as discussed at this meeting.

Yarrow Point Municipal Code
Title XX Draft Amendments

New: Chapter XX Short Term Rentals

Chapter XX.20

SHORT-TERM RENTALS

Sections:

XX.XX.010	Purpose and Intent
XX.XX.020	Definitions
XX.XX.030	Applicability
XX.XX.040	Permit requirements
XX.XX.050	Permit conditions
XX.XX.060	Suspension or revocation procedure.
XX.XX.070	Penalties.

XX.XX.010 Purpose and Intent

To provide regulation for short term rentals in the Town for the purpose of distribution, density, public health, and safety.

XX.XX.020 Definitions

“Property Representative” means any person who is named as a responsible party by the “owner” to respond to and resolve complaints made against the rental property.

"Operator" or "short-term rental operator" means any person who receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term rental unit. **[Definition from RCW 64.37.010]**

"Owner" means any person who, alone or with others, has title or interest in any building, property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement is not considered an owner. **[Definition from RCW 64.37.010]**

"Short-term rental" means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty consecutive nights. **[Definition from RCW 64.37.010]**

XX.XX.030 Applicability

This Chapter applies to all parcels within the Town of Yarrow Point

XX.XX.040 Permit requirements.

Any owner desiring to rent their home on a short-term basis shall make an application for a short term rental permit.

XX.XX.050 Permit Conditions.

A. The following conditions of approval shall apply to permit applications for short-term rentals:

1. **Property Representative.** The property owner must designate a property representative who shall be available 24 hours per day, seven days per week, for the purpose of:
 - a. responding within one hour to complaints regarding the condition, operation, or conduct of occupants of the short-term rental; and
 - b. taking remedial action to resolve any such complaints. The name, address, and telephone contact number of the property owner and the local property representative shall be kept on file at the Town. The failure to provide the contact information, failure to keep the contact information current, failure to respond in a timely manner to complaints, or the occurrence of repeated complaints may result in the suspension or revocation of approval and/or civil or criminal penalties.
2. **Occupancy.** Maximum occupancy of the rental shall be based on the International Building Code standards. The property owner shall be responsible for ensuring that the dwelling unit is in conformance with its maximum occupancy.
3. **Restrictions on Use.** A renter may not use a short-term rental for a purpose not incidental to its use for lodging or sleeping purposes. This restriction includes using the rental for a wedding, banquet, reception, bachelor or bachelorette party, concert, fundraiser, sponsored event, or any similar group activity.
4. **Parking.** There will be no demand for parking beyond that which is normal to a residential area and no unusual or excessive traffic to and from the premises.
5. **Signage.** No outdoor advertising signs related to the rental dwelling shall be allowed on the site.
6. **Informational Packet.** A packet of information shall be provided to renters and posted conspicuously in the common area of the short-term rental summarizing guidelines and restrictions applicable to the short-term rental use, including:
 - a. Information on maximum occupancy;
 - b. Applicable noise and use restrictions;
 - c. Location of off-street parking;
 - d. Direction that trash shall not be stored within public view, except within proper containers for the purpose of collection, and provision of the trash collection schedule;
 - e. Contact information for the local property representative;
 - f. Evacuation routes;
 - g. The renter's responsibility not to trespass on private property or to create disturbances; and
 - h. Notification that the renter is responsible for complying with this chapter and that the renter may be cited or fined by the Town for violating any provisions of this chapter.
7. **Insurance.** The property owner shall maintain on file at the Town an up-to-date certificate of insurance documenting that the dwelling is insured as a short-term or vacation rental.

8. Inspection. The property owner or his/her designee shall maintain on file at the Town an up-to-date certificate of inspection documenting that the dwelling complies with the provisions for transient accommodations in the International Building Code as adopted by the Town and shall obtain an appropriate certificate of occupancy. It shall be the responsibility of the property owner to schedule and pass an annual safety inspection.

9. Compliance with Town Ordinances. All short-term rentals must comply with all Town codes and ordinances

B. A short term rental permit shall be effective for one year, and shall expire one year after the date it was issued.

XX.XX.060 Suspension or revocation procedure.

If the Town has reasonable cause to believe that any of the conditions imposed upon a short-term rental permit under this chapter have been violated, the town shall have the authority to revoke the short term rental permit.

XX.XX.070 Penalties.

Any person violating any provision of this chapter shall be subject to the enforcement procedures, remedies, and the civil and criminal penalties.