

**TOWN OF YARROW POINT
PLANNING COMMISSION MEETING MINUTES
PARK BOARD MEETING MINUTES
February 26, 2010**

The following is a condensation of the proceedings and is not a verbatim transcript. The meeting is recorded, and the audio recording is public record.

CALL TO ORDER:

Town Clerk-Treasurer Sara McMillon called the meeting to order at 6:12 p.m.

PLANNING COMMISSION MEMBERS:

Chairman: David Feller

Commissioners: Richard Cahill
Amy Pellegrini
Dan Williams
Peter Braman (excused)

Staff: Mona Green – Town Planner
Sara McMillon – Clerk-Treasurer
Wayne Stewart – Town Attorney

PARK BOARD MEMBERS:

Chairman: John McGlenn (excused)

Board Members: Mary Elmore
Doug Waddell (excused)
Kelly Almeleh
Carolyn Whittlesey

Guests: Ray Jensen – 3802 94th Ave. NE
Tim Dillon – 9425 NE 37th Pl.

APPEARANCES:

Yarrow Point resident Ray Jensen addressed the planning commission and park board. He said there is nothing in the draft ordinance that should be frightening to a property owner. Trees on public property only are regulated in the ordinance. The essential thing the ordinance accomplishes is increasing awareness of trees and the ecological necessity of them. Creating the message that trees are important is a good first step.

Mr. Jensen said ideally the ordinance would regulate trees on private property, but the Town does not seem ready for that yet. He said he thinks people moved to Yarrow Point because of the trees and preserved habitat. Yarrow Point has a history of being a community that values trees, Mr. Jensen said, and he would like this culture to continue.

MINUTES:

MOTION: Park Board member Mary Elmore motioned to approve the park board minutes from January 26, 2010. Planning Commissioner Carolyn Whittlesey seconded the motion.

Vote: 3 For, 0 Against, 1 Abstain. Motion carried.

MOTION: Planning Commissioner Richard Cahill motioned to approve the commission meeting minutes from January 19, 2010. Planning Commissioner David Feller seconded the motion.

Vote: 3 For, 0 Against, 1 Abstain. Motion carried.

REGULAR BUSINESS:

PC-AB 10-003 – Discussion of Draft Ordinance Regulating Trees on Public Property and Recommendation from Tree Committee

Planning Commissioner David Feller said he thinks that a tree with a 2-inch diameter is too small to be considered a protected tree. He said at the previous planning commission meeting, board members decided the diameter should be decreased and the language should read that anything planted by the Town regardless of size is protected. Town Planner Mona Green said the changes from the previous meeting have not yet been incorporated into the draft.

Mrs. Green asked if in general the ordinance is the direction that the park board and planning commission would like to recommend. Park Board member Carolyn Whittlesey, who also served on the tree committee, said she thinks the current draft reflects the hard work of the tree committee. The committee members thought the ordinance was not too restrictive, but provided the Town with written guidance to be used in processing a complaint about a tree on public property where none previously existed.

Town Attorney Wayne Stewart said this draft ordinance is not at all similar to what other communities in the area have adopted. At the council-staff retreat last year, the consensus was that the Town should create an ordinance that is the minimum required to earn Tree City status. The current ordinance draft is more than is required. Councilmember Tim Dillon asked Mr. Stewart if the ordinance could be called a “public landscaping” ordinance rather than a “tree ordinance”. Mr. Stewart said the ordinance is only regulating trees. Planning Commissioners and Park Board members agreed the regulation could be called the “Town Tree Preservation Code”.

Mr. Stewart said some portions of the draft tree ordinance are in conflict with the Town’s existing encroachment process. Trees or other landscaping are not allowed without a recorded encroachment agreement. To preserve parking in the Town, the only things

allowed in the public right of way are gravel or sod. This does not pertain to trees on the Town pathway. Planning Commissioner Richard Cahill said the Town does want to encourage property owners with existing vegetation in the right of way to maintain it. He agreed with Mr. Jensen that the ordinance is a first step. The Town can become a “Tree City” and increase awareness about the importance of trees. Mr. Dillon also said the Town has to start somewhere.

Planning Commissioner Dan Williams said the Town could decide that one zone needs more side of road parking than others. But, limiting the Town’s options might not be desirable, he said. Mr. Feller said the diameter of a protected tree should be changed to four inches. Mr. Williams agreed that two inches is too small.

Town Attorney Stewart said he does not think the Town will plant very many trees. Parking needs to be preserved. Park Board Member Mary Elmore said trees were planted as part of the 92nd Avenue pathway project, and those trees are growing five feet a year. Mr. Stewart said the zoning code in existence only allows grass or gravel. The Town can’t encroach on its own property, so the Town can plant a tree on public property if it decides to, he explained.

Mr. Williams asked if the existing Park Board could be the Tree Board. Mrs. Green explained that the tree board will be the town arborist. The arborist has the expertise to determine if a tree is hazardous. A \$5,000 penalty for removing a protected tree is not enough of a deterrent, commissioner Williams said. Mrs. Elmore agreed that \$10,000 a piece would be more appropriate. This penalty would not be appropriate for a tree with a 2-inch diameter, Mr. Feller said. Planning commissioners and Park Board members agreed that the diameter of a protected tree should be four inches. They decided section seven should be eliminated.

Mr. Feller began a discussion on what the difference is between an evergreen and a conifer. Park Board member Carolyn Whittlesey said substantial hedges, plants such as a laurel or rhododendron should also be protected. She suggested including evergreens, deciduous trees and conifers. A substantial hedge is valuable.

Mrs. Elmore asked if the current proposed ordinance would allow the Town to become a Tree City. The ordinance is nothing like what other cities have, but it would qualify the Town for Tree City status. Mr. Stewart suggested that the planning commission review the ordinance again next month. After that meeting, the ordinance can be reviewed by the people who award the Tree City designation. The public should be invited to participate.

Mrs. Green agreed Yarrow Point’s proposed ordinance is unique, but said it’s a good first step in a town that has not previously had any tree regulation. Yarrow Point is the only municipality in the region that does not regulate trees on private property. However, the Arbor Day Foundation’s criteria are broad. All agreed that regulating trees on public property only is the only step the Town is ready to take at this time.

ADJOURNMENT:

David motion to adjourn Carolyn second. 7 p.m.

MOTION: Planning Commissioner David Feller motioned to adjourn at 7:00 p.m. Park Board Member Carolyn Whittlesey seconded the motion.

Planning commissioners Richard Cahill and Dan Williams previously left the meeting, and there was no quorum.

The meeting adjourned.

APPROVED:

David Feller, Chair

ATTEST:

Sara McMillon, Clerk-Treasurer