

City of Lake Forest Park - Planning Commission
Regular Meeting Notes: October 19, 2016
17425 Ballinger Way NE—Forest Room

Planning Commissioners present: Chair Jon Lebo, Connie Holloway; Ray Holmdahl, Doug Gochanour, Richard Saunders

Staff and others present: Steve Bennett, Planning Director; Ande Flower, Principal Planner; Jake Tracy, Assistant Planner; Mike Dee, resident; Mark Phillips, Councilmember

Planning Commissioners absent: Vice-Chair Joel Paisner

Call to order: 7:00

Approval of Meeting Agenda:

Cmr. Gochanour moved to approve the meeting agenda. The motion was seconded by Cmr. Holmdahl and passed unanimously.

Approval of Meeting Notes:

October 12, 2016

Cmr. Gochanour moved to approve the minutes. The motion was seconded by Cmr. Holloway and passed unanimously.

Next meeting:

The next regular meeting on November 8, 2016 is cancelled. Planning Director Steve Bennett mentioned that there will be a discussion at the October 24 Committee of the Whole meeting regarding the tree regulations, and encouraged the commissioners to attend. The next meeting will either be December 13th or January 10th.

Public Comment

Mike Dee – Mr. Dee thanked the commissioners for working hard on the tree regulations. He expressed concern that this meeting conflicts with the Northshore Emergency Management Coalition, and encouraged that these meetings not conflict in the future. He also encouraged the commissioners to attend the upcoming ST3 meeting. Additionally, he expressed concern that the Planning Commission's timeframe for the tree regulations has sped up since the moratorium was imposed, and encouraged them to be thoughtful and deliberative in their review.

Old Business:

Tree Regulations

Discussion of Changes Made Based on October 12th Discussion

Mr. Bennett discussed the changes made to the draft of the updated tree regulations since the last meeting.

One point of discussion was the new canopy coverage definition. Cmr. Saunders asked whether the current language clearly and accurately reflected the Commissioners' decision that tree canopy originating from the adjacent right-of-way should be included in canopy coverage goals. Discussion ensued. Cmr. Lebo suggested that the definition read "Canopy coverage means the area covered by canopy of the trees that are on the lot or adjacent right-of-way."

Commissioners also discussed the issue of trees that straddle property lines. Commissioners decided that the following language be added: "When a tree trunk straddles the property line, the canopy shall be counted at 50% coverage."

Another point of discussion was in reference to proposed language for hedge trees. Cmr. Saunders expressed concern that the definition for hedge trees could inadvertently become a loophole because the definition could be broadly applied to more than a subset of trees. After discussion, commissioners agreed to refine the

definition by removing the words “group or” from the definition, and delete everything after “to act as a screen.”

Other Changes

Mr. Bennett introduced amendment sheets that contained recommended changes to the regulations based on and a table of responses to comments which had been submitted by Don Fiene. The following changes were agreed upon as a result of reviewing these documents:

- Require utilities to follow ANSI A300 and ISA Utility Pruning best practices. Add prohibition on utility topping back into the ordinance.
- Add proposed language stating that new structures, paving, etc. must be placed so as not to cause trees to become nuisance trees within their normal lifespan.
- Add reference to the Community Forest Management Plan to page 12 line 4.
- Delete all references to “minimum” in regards to the critical root zone.
- Clarify on page 21 line 13 that the replacement exemption does not apply to trees that were planted as part of an approved replacement plan.
- On page 25 line 5, remove current language and add ability fine code violators an amount equal to the valuation of the tree. Clarify that it is “appraisal as established in section 1 above.”
- Delete the extra period in the tree conservation easement section.

Assistant Planner Jake Tracy discussed the proposed additions to the maintenance bond section, which clarify that an assignment of funds or other financial instrument may be used. He explained that these are less onerous and more likely to be used than a bond. The commissioners questioned whether any kind of financial instrument was necessary. Principal Planner Ande Flower stated that all tree replacements must be in the ground and signed-off on by the City Arborist prior to building occupancy. Mr. Tracy also mentioned that the code requires replanting of any replacement trees that die prior to meeting the definition of significant tree. Commissioners agreed to remove all of the maintenance bond language and replace it with a requirement for three years of annual monitoring. Mr. Tracy suggested using similar language to what is used for monitoring of a Five-Year Forest Management Plan, and there was agreement to use this language.

Resolution 16-02

Commissioners reviewed the draft resolution recommending the proposed tree regulations to City Council, as well as the accompanying memo.

Cmr. Holmdahl proposed removal of the words “while additional refinements may be needed” on lines 40 and 41, which was agreed upon.

Cmr. Gochanour made a motion to adopt the resolution as amended. Cmr. Holmdahl seconded and the resolution was adopted unanimously.

Memo to Council

Mr. Bennett introduced the draft memo, prepared to accompany the resolution. Ms. Flower pointed out that in a previous meeting, the commissioners had questioned whether double replacement of viable landmark trees, *regardless of canopy coverage*, was overly burdensome on residents, and asked whether commissioners wanted this point included in the memo. The commissioners agreed that this point should be added.

Cmr. Saunders suggested that the memo could also describe policies that have changed related to the tree removal review process. These policies include requiring tree plans to be shown at newly required public meetings, and that the Planning Department has committed to continue posting development-related tree removal permit review documents online. There was consensus to include these points.

New Business:

Councilmember Mark Phillips asked about the update to the sensitive area and LID code. Mr. Bennett stated that these will not go through the Planning Commission as they are generally technical updates and there are regulatory mandates to adopt them by the end of the year. Mr. Bennett also mentioned that the Planning Commission's draft Conservation Cluster Housing regulations had been incorporated into the LID updates to code.

Reports/Communications/Announcements:

Agenda for Next Meeting:

Adjournment: 9:02 PM

APPROVED:

Jon Lebo, Chair