

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

March 1, 2012
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Wagner
Vice Chair Perkowski
Commissioner Broili
Commissioner Esselman
Commissioner Craft
Commissioner Moss

Staff Present

Rachel Markle, Director, Community and Development Services
Paul Cohen, Senior Planner, Community & Development Services
Miranda Redinger, Associate Planner, Community & Development Services
Steve Szafran, Associate Planner
Jeff Forry, Permit Services Manager
Jessica Simulcik Smith, Planning Commission Clerk

Commissioners Absent

Commissioner Behrens

CALL TO ORDER

Chair Wagner called the regular meeting of the Shoreline Planning Commission to order at 7:03 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Wagner, Vice Chair Perkowski and Commissioners Broili, Esselman, Craft and Moss. Commissioner Behrens was absent.

APPROVAL OF AGENDA

The agenda was approved as presented.

DIRECTOR'S COMMENTS

Ms. Markle welcomed new Commissioner, Easton Craft. She announced that the City received a building permit application for the North City Family Apartments, a 160-unit complex at the old YMCA site.

Ms. Markle also announced that Sara Nikolic is scheduled to speak to the City Council on April 9th about equitable transit communities, and Commissioners are invited to attend. She recalled that Ms.

Nikolic presented at the February 23rd speaker series event, which is available on line. She reminded the Commission that the City Council will be providing direction to Sound Transit regarding the location of light rail stations that will be studied as part of the environmental process. The City Council will also be discussing framework policies for light rail stations to guide future decisions. Information regarding this issue is also available on line.

APPROVAL OF MINUTES

The regular meeting minutes of February 2, 2012 were accepted as presented.

GENERAL PUBLIC COMMENT

No one in the audience indicated a desire to address the Commission during this portion of the meeting.

PUBLIC HEARING ON SHORELINE MASTER PROGRAM (SMP)

Chair Wagner reviewed the rules and procedures for the public hearing and then opened the public hearing. She noted that citizens who live close to the shoreline have worked extensively with the staff and Commission to discuss their issues and concerns related to the SMP Update. She emphasized that the Commission takes the SMP update very seriously, and they appreciate citizens taking the time to stay involved and engaged in the process.

Ms. Simulcik Smith advised that since the public hearing packet was sent out, the City has received the following:

- Exhibit 12 – A comment letter from Jim and Rae Allen received March 1, 2012
- Exhibit 13 – A comment letter from Duane and Jane Engle received March 1, 2012
- Exhibit 14 – A comment letter from Mark Beard received March 1, 2012
- Exhibit 15 – A comment letter from Stanley and Lois Newell received March 1, 2012
- Exhibit 16 – A comment letter from James W. McCurdy received March 1, 2012

Chair Wagner advised that the Commission took time prior to the meeting to review the new comment letters.

Staff Presentation and Questions by the Commission

Ms. Redinger referred to the latest draft of the SMP Update, which is identified as Exhibit 17. In addition to the changes identified in the document that was sent out in anticipation of the January public hearing that was cancelled for snow, staff recently worked with the Richmond Beach Preservation Association to identify more changes. The Muckleshoot Tribe also proposed some changes to the aquaculture regulations. The Department of Ecology's representative, Barbara Nightingale, provided feedback, as well. The Commission reviewed the document section by section as follows:

- Commissioner Moss referred to **SMP 20.200.040**, and recalled that she previously recommended that the goals and objectives in the Recreation and Circulation Elements should be swapped. Ms.

Redinger responded that the goals and objectives were switched as per the email staff received from Commissioner Moss.

- Chair Wagner recalled that she earlier recommended that the date be removed from **SMP 20.200.060.H**. Commissioner Forry explained that DOE requires that the SMP lock in place and time the Critical Area Ordinance (CAO) that is applicable to the SMP, so that subsequent changes to the CAO would not impact the SMP. The DOE's desire is to keep the SMP static so they know what criteria will be applied. He cautioned that when they amend the CAO, they need to make sure they are not affecting the content of the SMP. Otherwise an amendment would be necessary.
- Commissioner Moss referred to the definition for "Community Pier or Dock" found in **SMP 20.210.010** and pointed out that the word "shoreline" appears to be out of place.
- Ms. Redinger referred to the proposed definition for "Aquaculture" found in **SMP 20.210.010**. She explained that because the Washington Administrative Code (WAC) is often very specific about definitions, the proposed changes should be carefully reviewed to make sure they are consistent. Commissioner Moss asked if this definition could be altered after the Planning Commission has taken action and forwarded a recommendation to the City Council. Ms. Redinger answered the proposed amendments would not likely meet the standard of a substantial change.
- Vice Chair Perkowski pointed out that **SMP 20.210.010** does not include a definition for "Joint-Use Dock." Ms. Redinger said this is a common term, but a definition could be added.
- Chair Wagner said she previously asked staff if the definition for "Normal Protected Bulkhead" in **SMP 20.210.010** is intended to apply to single-family residential structures only. Ms. Redinger clarified that bulkheads generally apply to single-family residential neighborhoods, but they may not be completely exclusive. She said the Richmond Beach Preservation Association indicated they prefer the definition proposed for "bulkhead." Rather than being redundant, staff is recommending this definition be deleted.
- Commissioner Esselman suggested that because so many different types of species are listed in the definition for "Native Vegetation" in **SMP 20.210.010**, Madrona should be included as well because it is one of the most plentiful trees growing along the shoreline.
- Vice Chair Perkowski asked if the proposed definitions for "Land Disturbing Activities" and "Landfilling" in **SMP 20.210.010** are consistent with the Use Table. Ms. Redinger answered affirmatively.
- Commissioner Moss asked if all the proposed new language for **SMP 20.220.030** is consistent with the WAC. Ms. Redinger explained that, originally, only some of the WAC exemptions were included in this section. For greater clarity, the consultant recommended that the entire exemption list contained in the WAC be inserted. The proposed new language comes directly from the WAC.
- Commissioner Moss pointed out that the formatting used in **SMP 20.220.030** (particularly on Page 17) is confusing. Staff agreed to review the formatting to ensure consistency with the WAC.
- Chair Wagner asked how the language in **SMP 20.220.040.G** would impact future redevelopment at Point Wells. Ms. Redinger said the City Attorney issued the following statement: *"The variance criterion, which does not show as a change, could be worded better as a criterion to assure consistent enforcement. "Consider issues related to" could refer to no significant loss of natural resources of views from public lands. I don't foresee anything, in particular, that would affect the Point Wells development area should it be annexed to the City, and I don't know if it would be the criteria that would defeat a variance application if one were needed."*

- Commissioner Moss pointed out that the reference to “four dwelling units” in **SMP 20.230.040.A.1.b** is inconsistent with the language in **SMP 20.230.040.B.1**.
- Commissioner Moss referenced **SMP 20.230.040.A.1.c** and asked what guidelines the Director would use to determine if the public access provisions are inappropriate. Mr. Forry said the WAC does not identify specific criteria, and most of the SMP’s he reviewed are general in this regard. He explained that while the policy states that public access provisions should be incorporated into all private and public developments, there are cases where this requirement could result in a taking of private property or there may not be a practical way of providing public access because of topography, etc. He said Item A.1.c is intended to provide flexibility, recognizing that it would be difficult to create clearly defined criteria.
- Commissioner Moss suggested that **SMP 20.230.040.B.3.f** appears to be a separate criterion that is unrelated to the other criteria listed in the section.
- Vice Chair Perkowski suggested that a reference to the map showing the actual shoreline environments should be provided in **SMP 20.230.080**.
- Vice Chair Perkowski suggested that additional language should be added to **Section 20.230.080** to better describe the “Aquatic Environment,” which encompasses all submerged lands waterward of the ordinary high water mark (OHWM).
- Vice Chair Perkowski referred to **Table 20.230.081** and pointed out **that landfilling** would only be applicable to the “Aquatic Environment.”
- Ms. Redinger reference **Table 20.230.080** and recalled that the original language attempted to clarify that pre-existing bulkheads and armoring are protected and can be replaced. She said she recently learned that the WAC interchangeably uses the words “replacement” and “new.” Staff felt it would be appropriate to provide more clarifying language to differentiate between historically armored areas where in-kind replacement will occur over time and the other 3% of the shoreline that still maintains natural conditions. She recommended the following heading changes: Shoreline Stabilization Bulkheads and Revetments; Repair, Replacement and Maintenance of Existing Hard-Shore Armoring, and Hard-Shoreline Armoring where none previously existed.
- Commissioner Moss referenced **SMP 20.230.100.A.2**, which states that over-the-water nonresidential development shall be prohibited. She asked if this provision would prohibit nonresidential development on the existing pier at Point Wells. Mr. Forry explained that the structure would be considered nonconforming, but the property owner would be allowed to work within the confines of the existing structure. Proposed uses that are consistent with the current SMP would be allowed. The pier would not be considered a new, over-the-water structure. Commissioner Moss summarized that a food vendor cart or other type of use would be allowed as long as the property owner does not enlarge or substantially change the footprint. Mr. Forry agreed, as long as it is consistent with the uses allowed in that particular environment. Commissioner Craft clarified that whatever is done with the existing pier at Point Wells would require a conditional use permit and be reviewed by the Director. Mr. Forry said analysis would be provided by both the Director and the Department of Ecology (DOE).
- Commissioner Moss referred to **SMP 20.230.120.B.3**, which restricts parking from being located closer to the shoreline than a permitted structure. She questioned if the language should be specific about how far parking must be setback from the shoreline. She particularly referred to the residential structures along 27th Avenue Northwest, some of which would be considered nonconforming because they are closer to the shoreline than the SMP would allow. Ms. Redinger

said this code provision would only be applicable in the Residential Shoreline Environment, and the setback requirement for structures is 20 feet. Because of the potential for oil and gas spills, Commissioner Moss suggested perhaps the parking setback should be greater.

- Vice Chair Perkowski expressed concern that, as currently proposed, **SMP 20.230.150.B.3** would not require a geotechnical analysis for soft-shore stabilization proposals. He said he understands and supports the concept of offering incentives to protect the shoreline, but he questioned the impact of eliminating the requirement of a geotechnical analysis for soft-shore stabilization projects. Ms. Redinger pointed out that **SMP 20.230.150.B.2** requires a conditional use permit for any soft-shore shoreline modification within all shoreline environments.
- Commissioner Moss pointed out that **SMP 20.230.170.11.e** addresses shared docks or piers for two lots and four or more lots, but it does not address shared docks or piers for three lots. Vice Chair Perkowski suggested that the term “joint-use dock” should replace “shared docks” for consistency throughout the entire SMP.
- Commissioner Perkowski referenced **SMP 20.230.170.11.a** which limits the width of a dock to six feet unless authorized in permitting documents. He suggested that because the development standard is vague, it would be difficult for staff to determine when a shoreline variance would be triggered. **Barbara Nightingale, DOE**, advised that the DOE uses the Corps of Engineers standard for dock width, which is currently set at 6 feet. The Corps has proposed a reduced width standard of 4 feet, but it has not been adopted yet. She said that, from DOE’s standpoint, a 6-foot width limitation would be appropriate and fair. Any width greater than 6 feet would require a variance. Vice Chair Perkowski suggested that the words “unless authorized in the permitting documents approved by WDFW and USACE” be eliminated from **SMP 20.230.170.11.a**. He pointed out that if there is a reason the standard cannot be met, a property owner could apply for a shoreline variance. Ms. Nightingale explained that one positive aspect of the current language is that it avoids conflicts between the Corps’ requirements and the City’s SMP provisions. However, conditions are changing quickly because of the assortment of animals and the variations in their habitats, and the Corps of Engineers is moving away from regional general permits.
- Commissioner Moss recalled that the Commission talked about using stronger language (i.e. shall or should) throughout the SMP. She asked staff for clarification about why the word “may” was used in **SMP 20.230.180.B.1**. Ms. Redinger said it is intended to provide some flexibility for the City. She reminded the Commission that a conditional use permit, which requires more specific criteria, would be required to armor anything that is natural (3% of the shoreline).
- Commissioner Moss referenced **SMP 20.230.180.B.8**, which requires a geotechnical report prepared by a qualified professional. She recalled that at a previous meeting she asked how long the report would remain valid, and staff replied that it would remain valid for as long as the professional remained licensed. She asked if the geotechnical report would become null and void if and when the DOE or another organization approved new standards. Mr. Forry answered that this would be considered a change in conditions, which could potentially impact a geotechnical report. He said that, typically, a licensed professional provides a stamp on the geotechnical report, listing an expiration date. Generally, the City considers the reports valid for the duration of the stamped date. A signing geotechnical engineer can re-evaluate and recertify a geotechnical report as long as his/her license is valid.
- Commissioner Moss recalled that **SMP 20.230.210.B.3.b** used to contain a reference to the stormwater manual. She questioned why this reference was removed. Ms. Redinger said she could not recall why this change was made. Commissioner Esselman reminded the Commission that

rather than including too much information, the goal was to reference manuals and documents that are updated periodically. Mr. Forry added that, in addition to the SMP regulations, the City's stormwater manual would be used to evaluate all landfill activity within the shoreline area.

Public Testimony

Richard Kink, Shoreline, said he was present to speak on behalf of the Richmond Beach Preservation Association. Regarding Commissioner Moss' earlier question, he referenced WAC 173.21.221, which uses the term "four or more residences" when talking about providing public access in residential development.

On behalf of the Richmond Beach Preservation Association, Mr. Kink thanked staff, particularly Ms. Redinger, Mr. Forry and Mr. Tovar, for the numerous hours they spent on the SMP document. He also thanked Barbara Nightingale, DOE representative, for her time and thoughtful advice on the process. He said that over the past 2½ years, the Richmond Beach Preservation Association has worked closely with City staff and the DOE to develop a document that recognizes the unique characteristics of 27th Avenue Northwest. As part of that process, they have done extensive research, and their edits have been based on either approved SMPs or in collaboration with the City and DOE to create appropriate language. Accordingly, the Association requests that the Planning Commission approve the edits as presented by City staff. However, they would like to reserve final judgment based on a complete review of the final SMP document, since some of the edits were just made prior to the meeting. He said that, at this point in time, it appears that many of their concerns are non-material and have to do with general verbiage.

Mr. Kink recalled that the concept of a "common-line setback" has been discussed at previous meetings. He explained that this concept would effectively be a self-imposed regulation by property owners within the SMP jurisdiction. A common-line setback has been part of the Seattle SMP and is also included in the pending Jefferson County SMP. It would maintain existing lines of sight, even if structures are behind the 20-foot buffer. Previously, this has been an issue with some property owners along 27th Avenue Northwest, as well as property owners on Richmond Beach Drive. He said he has asked property owners for their voice of either support or opposition to a common-line setback. Based on feedback, the Association may want to take up inclusion with the City Council on this topic.

Mr. Kink said that, throughout the process, the Association has been quite passionate about their concerns. The regulations directly affect the property owners, and they have commented in meetings with City staff that although the Association and City staff may currently agree on the intent and/or meaning of a particular phrase or sentence, they questioned if someone three or four years down the road would have this same understanding. That is why they have been such sticklers on verbiage. They realize that in the scope of the City, 32 homes are but a small speck. With limited resources, the Association's goal was to make the regulations as clear as possible. Additionally, he commented that there would not be a tidal wave of new bulkheads or redevelopment on 27th Avenue Northwest. The last thing most residents want to do is spend money on a chunk of concrete or a pile of rocks. When a bulkhead repair is necessary, it is an expensive and gut-wrenching process. The Association understands that permits are required, and their goal is to make it as simple of a process as possible. Again, he thanked the Commissioners and the City staff for their time and effort.

Tim Trohimovich, Director of Planning and Law for Futurewise, a statewide, non-profit organization that works to protect working farms, working forests, and shorelines for this and future generations. He thanked the Commissioners for their volunteer work. He commented that they would not have as effective planning in Washington State without planning commissions. Mr. Trohimovich said his organization supports updates to SMPs in Washington State. Most, including the City of Shoreline's, are woefully out of date. This is evident by the number of fish and wildlife species that have been listed as endangered and threatened by the state and federal government. He noted that, in the Puget Sound Basin alone, ten species have been designated as threatened and/or endangered. He said that, clearly, the existing SMPs are failing the citizens of the state who voted for the Shoreline Management Act (SMA) in 1972.

Mr. Trohimovich said Futurewise supports many provisions of the City's SMP update. Particularly, they like the fact that it references sea level rise that is currently occurring and will substantially impact parts of the city. They also support the prohibition on bulkheads in places where they do not currently exist. Bulkheads have been shown to have very significant adverse impacts on the environment. He said Futurewise also recommends the following additional provisions to strengthen the City's SMP:

1. The state report on "mitigation that works" documents that most wetland mitigation does not work. They recognize that the City does not have a lot of wetlands within the shoreline jurisdiction, but Futurewise believes the SMP would be strongly strengthened by having wetland avoidance criteria, which urges people to not fill wetlands. This actually is helpful to both the property owner and the developer. Wetland mitigation is expensive and requires multi-year monitoring and replacement.
2. Futurewise also recommends that the City strengthen the buffer requirements. They agree with the inventory that if Point Wells becomes a part of the City of Shoreline and is redeveloped, there would be significant opportunities for restoration. The buffer requirement for the Point Wells Urban Conservancy Environment is proposed to be 115 feet, and they recommend the buffer be at least 150 feet, which is well justified by science. A 50-foot buffer is proposed for the Point Wells Urban Environment, and they recommend a 150-foot buffer, with the ability to reduce the buffer if native vegetation is provided in the buffer area.
3. Futurewise recommends that the landfilling regulations be strengthened. The regulations contained in **SMP 20.230.210.D.3.a** provide that landfilling is allowed if there is no significant damage to fish and wildlife and other listed resources. He said the standard for SMPs is no net loss of shoreline function. They recommend this be changed from "significant damage" to "no net loss of the listed resources."
4. The public access policies and regulations are somewhat inconsistent. As pointed out earlier by Commissioner Moss, the regulations should be consistent. The policies give very open-ended opportunities to waive the requirements, and the regulations also provide exemptions for when public access would not be required. Futurewise urges the City to delete the exemptions in the policies, and use the exemptions in the regulations, instead. As currently proposed, the policy provides a very broad exemption at the direction of the administrator as well as very specific ones. It could be confusing if the policy allows a very broad exemption but the regulations do not. Also, the policies use the term "should" and the regulations say "shall."
5. The definition for landfilling actually references upland landfills in wetlands and other upland sites, so it might not be a good idea to make it not applicable in the upland environments. There might be a circumstance where it happens.

Ed Somers, Miami Beach Florida, said he owns a house on 27th Avenue Northwest. He said he opposes the common-line setback concept. While most of his neighbors are in favor of the concept, it would severely impact his lot's redevelopment potential. He observed that the common-line setback works great if all the houses are in the same line of development. However, while his house is in line with the other houses to the south, the houses to the north are on a different plane. His setback line would be drawn between the two houses, which would be a major increase in the setback requirement for his property. He said he worked with the common-line setback concept as a planner in the City of Seattle, and it created problems and some lawsuits because setbacks can change depending on what happens on neighboring properties.

Dave Wight, Shoreline, said that while he has lived on 27th Avenue Northwest for the past eight years, he has noticed two amazing changes that support the need for the SMP to be flexible. He said that over the past two weeks, the Burlington Northern Santa Fe (BNSF) Railroad has been dropping ties to replace the old ones on the tracks. The previous bridge on the tracks was made with creosote wood, and the new ties are drenched in toxins that are so lethal that creosote looks like a nourishment. These ties will go all the way along the shoreline, which will have an impact on the sea life. It will leach into the ground and then into the Sound. This change has not been addressed. Secondly, he said that when cruise ships pass the properties on 27th Avenue Northwest, they throw up a wake that was not even thought of when the existing bulkhead was developed in 1950. The wake hits the bulkhead so hard they can feel vibrations inside their homes. He commented that bulkheads have a very finite life with that kind of pounding going on. They need to keep this in mind as they consider future regulations for bulkhead replacement. If the bulkhead is destroyed, the houses along the street will be sucked down into the water. Again, he cautioned that the shoreline is not a static environment, yet the proposed SMP assumes the existing environment.

Doris McConnell, Shoreline, said she also lives on 27th Avenue Northwest. She thanked the Commissioners for working with the Richmond Beach Preservation Association to assure that the revised SMP works for the approximately 30 property owners who live along the shores of Puget Sound. She agreed with Mr. Kink that they have a unique neighborhood, and they are pleased that many of their recommendations have been added as proposed amendments for the Commission's consideration. She also thanked the staff for the role they played in the collaborative effort. The neighborhood strongly hopes the Planning Commission supports their amendments. She thanked them for acknowledging the validity of their concerns. She said she supports the common-line setback concept. However, she also recognized the concern expressed by Mr. Somers.

Ms. McConnell pointed out that the 30-homes in her neighborhood pay an average of \$10,000 to \$15,000 in property taxes per year based on their individual assessed values. She pointed this out to show how valuable the properties are to them, and their concerns are based on wishing to maintain the integrity of the waterfront so their properties remain stable. Without many of the amendments currently proposed, each of their shoreline boundaries could quickly become unstable and subject to great erosion. Again, she thanked the Commission for their fine, outstanding work as a group.

Stan Newell, Shoreline, said he lives on 27th Avenue Northwest. He cautioned that if the setback line is changed, the adjacent property owner would be allowed to develop a home that looks right into their

living room, which is a very private area for them. He encouraged them to maintain the setback lines so they do not have to deal with privacy issues in the future.

The Commission briefly reviewed an email that was submitted by Richard Kink on behalf of the Richmond Beach Preservation Association. While there was very little text, the email contained numerous pictures.

Randy Stime, Shoreline, said the pictures provided in the email illustrate how the surface water runoff comes down the hill and out of a pipe adjacent to a property on the south end of 27th Avenue Northwest. It goes through a culvert, and during heavy storms the beauty bark and other items create a wash. He noted a line that was visible in the pictures, which indicates how far the trash goes and discolors the area. He said he asked City staff how to correct this ecological waterfront damage. The City staff responded that it is the City's problem where it comes down the street. When it hits the railroad tracks, it is BNSF's problem, and when it reaches the beach, it is the owners' problem. This is unacceptable.

Dave Wight said that while it is not shown in the picture, a type of brown/white foam discharges from the pipe and flows into Puget Sound. He said he can't imagine what sort of materials and/or chemicals are being stirred up and brought into the Sound.

Final Questions and Deliberations

Chair Wagner asked staff to respond to the questions and important observations raised by Mr. Trohimovich. Mr. Forry explained that while the actual Critical Areas Ordinance is not reiterated in the SMP, it is adopted by reference. The Critical Areas Ordinance includes protection of wetlands, slopes and other critical areas, and the primary criterion is avoidance of impact to wetlands. Also, the buffers associated with wetlands are protected far and above any of the buffers called out in the actual SMP.

As previously discussed by the Commission, Mr. Forry advised that the policies are intended to be broad statements to help craft the underlying regulations. The policies use general permissive language such as "should, may and might." However, every effort was made to use "shall, must and should" as mandatory language in the regulations.

Mr. Forry explained that the proposed buffers for the Point Wells Urban and Urban Conservancy Environments were recommended by the consultant. The City has not been provided any empirical data until this hearing to suggest there may be better science available. If this had been obtained earlier in the discussions, it could have been incorporated into the draft for the Commission's consideration. Chair Wagner advised that, if the Commission deems it appropriate, they could recommend the City Council consider incorporating updated information. Mr. Trohimovich submitted a summary table from an interim guide titled, "Protecting Near Shore Habitat and Functions in Puget Sound," which was prepared by People for Puget Sound.

Mr. Forry pointed out not a lot of development would be immediately affected by establishing a more restrictive setback or buffer along the Point Wells shoreline. A large buffer for subsequent redevelopment may be a future consideration, and he does not believe it would be a dramatic impact on the SMP, as currently drafted, to impose a greater restriction there.

Mr. Forry reminded the Commission that the overarching policy in the guiding principles of the SMA and the criteria in the SMP is to evaluate any permit or approval by looking at it first in consideration of no net loss. This would be the primary consideration when reviewing a permit application for landfilling. He said he does not see a need to change the language to address this issue further.

Mr. Forry recalled that at a previous study session, the Commission discussed ideas with staff for how the common-line setback concept could be incorporated into the SMP. As proposed by the Richmond Beach Preservation Association it would be a self-imposed restriction. The property owners certainly have the option of entering into restrictive covenants to implement a common-line setback. These covenants would be implemented by the homeowner association, and would not be enforced by the City. He suggested this would be the most equitable and easiest way to implement the concept.

Vote to Recommend Approval or Denial or Modification

COMMISSIONER MOSS MOVED THAT THE COMMISSION FORWARD THE SHORELINE MASTER PROGRAM (SMP) TO THE CITY COUNCIL WITH A RECOMMENDATION THAT IT BE ADOPTED AS PRESENTED BY STAFF AND MODIFIED BY THE COMMISSION DURING THE COARSE OF THEIR DELIBERATION. COMMISSIONER BROILI SECONDED THE MOTION.

Commissioner Moss thanked the staff, citizens of Shoreline and organizations throughout Puget Sound who have contributed a lot of time and energy to the SMP update. It is a clean document, and many of the Commission's questions have been answered. She suggested the Commission review the document page-by-page and make appropriate amendments.

- Commissioner Moss noted that the "acknowledgement" page should be updated to include the names of new City Council Members and Commissioners.
- The Commission discussed the definition for "Aquaculture" found in **SMP 20.210.010**. Ms. Redinger said she has not had an opportunity to examine the WAC, so she is not prepared to propose specific language for the definition.

VICE CHAIR PERKOWSKI MOVED THAT STAFF MAKE THE DEFINITION FOR AQUACULTURE IN SMP 20.210.010 CONSISTENT WITH THE WASHINGTON ADMINISTRATIVE CODE (WAC). COMMISSIONER ESSELMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- **VICE CHAIR PERKOWSKI MOVED THAT A NEW DEFINITION FOR "JOINT USE PIERS AND DOCKS" BE ADDED TO SMP 20.210.010. COMMISSIONER ESSELMAN SECONDED THE MOTION. THE MOTION CARRIED 5-0, WITH COMMISSIONER BROILI ABSTAINING.**

The Commission asked staff to provide proposed language for the joint-use piers and docks definition.

- The Commission agreed to change the definition for “**Community Pier or Dock**” in **SMP 20.210.010** by striking the word “shoreline.”
- At the suggestion of Commissioner Moss, the Commission agreed to change the definition for “**Ordinary High Water Mark**” in **SMP 20.210.010** by placing a period after “thereafter” and capitalizing “in.”
- The Commission agreed to change the definition for “**Native Vegetation**” in **SMP 20.210.010** by adding “madrona” before “douglas fir.”
- **CHAIR WAGNER MOVED THAT THE DEFINITION FOR “NORMAL PROTECTIVE BULKHEAD” IN SMP 20.210.010 BE DELETED. COMMISSIONER MOSS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**
- The Commission agreed to amend **SMP 20.220.070.C** to add the word “or” between “approve” and “approve.”
- Ms. Redinger referred to the proposed definition for “**wave return**” in **SMP 20.210.010**. She expressed her belief that it is reasonable to allow a wave return on top of a bulkhead to prolong the life of an existing bulkhead so it does not have to be torn down and replaced. This compromise was suggested by Ms. Nightingale from the DOE, and the proposed language was provided by the Richmond Beach Preservation Association. To make the language clearer, Commissioner Broili suggested the word “natural” should be added before “ecology.”

COMMISSIONER BROILI MOVED TO INCLUDE THE PROPOSED DEFINITION FOR “WAVE RETURN” IN SMP 20.210.010 AS PROPOSED BY STAFF AND WITH THE ADDITIONAL WORD “NATURAL” BEFORE “ECOLOGY.” COMMISSIONER MOSS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- Ms. Redinger said the proposed definition for “**Wetland Delineation**” in **SMP 20.210.010** was recently suggested by Ms. Nightingale from the DOE to comply with recent legislative changes. The other option for legislative compliance would be to amend the Critical Areas Ordinance.

COMMISSIONER BROILI MOVED TO INCLUDE THE PROPOSED DEFINITION FOR WETLAND DELINEATION IN SMP 20.210.010 AS SUBMITTED. VICE CHAIR PERKOWSKI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- The Commission discussed the inconsistent language used in **SMP 20.230.040.A.1.b** and **SMP 20.230.040.B.1**. They agreed to adopt language that is consistent with the WAC. **COMMISSIONER MOSS MOVED TO AMEND THE LANGUAGE IN SMP 20.230.040.B.1 BY CHANGING “LESS THAN FOUR” TO “FOUR OR LESS.” COMMISSIONER ESSELMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

- Commissioner Moss once again expressed her belief that **SMP 20.230.040.B.3.f** should actually be **SMP 20.230.040.B.4**, and the items that follow should be renumbered consistently. The Commission agreed with this proposed change.
- The Commission agreed that a reference to the map showing the actual shoreline environments should be provided in **SMP 20.230.080**.
- Vice Chair Perkowski suggested that an additional sentence should be added at the beginning of the definition for **Aquatic Environment** in **SMP 20.230.080** for clarity.

VICE CHAIR PERKOWSKI MOVED THAT THE DEFINITION FOR “AQUATIC ENVIRONMENT” IN SMP 20.230.080 BE AMENDED TO ADD THE FOLLOWING SENTENCE AT THE BEGINNING: “ENCOMPASSES ALL SUBMERGED LANDS FROM OHWM TO THE MIDDLE OF PUGET SOUND.” COMMISSIONER CRAFT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- The Commission reviewed the changes to **Table 20.230.081**, which were previously discussed. They agreed that “Shoreline Stabilization Bulkheads and Revetment” should be a heading. The word “new” was deleted.

VICE CHAIR PERKOWSKI MOVED TO REPLACE THE HEADING “MAINTENANCE AND EXISTING” WITH “REPAIR, REPLACEMENT AND MAINTENANCE OF EXISTING HARD-SHORE ARMORING” IN TABLE 20.230.081. CHAIR WAGNER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

COMMISSIONER MOSS MOVED TO AMEND TABLE 20.230.081 BY REPLACING THE HEADING “HARD-SHORE ARMORING” WITH “HARD-SHORE ARMORING WHERE NONE PREVIOUSLY EXISTED.” COMMISSIONER ESSELMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- Given the proposed definitions for “Aquatic Environment” and “Landfilling,” Vice Chair Perkowski once again pointed out that landfilling would be non-applicable in other environments.

VICE CHAIR PERKOWSKI MOVED THAT, OTHER THAN THE AQUATIC ENVIRONMENTS, ALL THE OTHER ENVIRONMENTS FOR LANDFILLING STAY NON-APPLICABLE. COMMISSIONER BROILI SECONDED THE MOTION.

Ms. Redinger recalled Mr. Trohimovich’s comment that landfilling may be applicable to upland wetlands. Vice Chair Perkowski pointed out that “landfilling” has been defined specifically as waterward of ordinary high water. At the invitation of Chair Wagner, Mr. Trohimovich recalled that the definition of “landfill” references fill on wetlands waterward of the ordinary high water mark, and it includes uplands, as well.

AFTER FURTHER DISCUSSION, THE MOTION FAILED UNANIMOUSLY.

The Commission concurred that landfilling should remain on the use chart as a conditional use. Mr. Forry said staff reviewed these two definitions carefully to make sure they did not unduly restrict existing properties. They wanted to keep the conditional use permit requirement for specific landfilling activities that weren't part of a permit or permitted activity. For example, a certain amount of landfilling is permitted in conjunction with single-family residential development. The proposed definition is meant to capture those types of imported landfill that are not in conjunction with a development permit. It overlays the existing Critical Areas Ordinance and coincides with the WAC requirements. The Commission agreed that no changes were needed to the two definitions.

- Commissioner Moss referred to **SMP 20.230.120.B.3** and expressed concern that the provision allows parking to extend no closer to the shoreline than a permitted structure. She said she feels it is important to call out a specific setback standard for parking along the shoreline. Mr. Forry pointed out that the setback requirement for structures varies depending on the environment, and there is actually greater protection based on the required vegetation protection area. Rather than restating a specific parking setback standard, staff recommends the language be open ended so that the applicable bulk and setback standards for each environment could be applied. The Commission agreed no changes should be made.
- **VICE CHAIR PERKOWSKI MOVED THAT SMP 20.230.150.B.3 BE REVISED BY STRIKING "EXCEPT SOFT SHORE." COMMISSIONER ESSELMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**
- Ms. Redinger said the definition for "aquaculture" will come directly from the WAC. She also said the woman who submitted the remainder of the proposed language on behalf of the Muckleshoot Tribe has reviewed numerous SMPs. Staff believes the proposed language would be appropriate based on her explanation.

COMMISSIONER BROILI MOVED THAT THE PROPOSED NEW LANGUAGE FOR SMP 20.230.115 – AQUACULTURE BE ADOPTED AS PRESENTED BY STAFF. COMMISSIONER CRAFT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- Commissioner Moss referred to **SMP 20.230.150.B.5.e** and expressed her belief that structures will cause some type of an impact, and it is important that the impact is not adverse.

COMMISSIONER MOSS MOVED THAT SMP 20.230.150.B.5.e BE AMENDED BY ADDING THE WORD "ADVERSE" BEFORE "IMPACTS." CHAIR WAGNER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- **VICE CHAIR PERKOWSKI MOVED THAT SMP 20.230.170.10.a BE AMENDED BY PLACING A PERIOD AFTER "FEET" AND DELETING THE REST OF THE SENTENCE. COMMISSIONER MOSS SECONDED THE MOTION.**

Commissioner Craft referred to earlier discussions about potential changes in the Army Corps of Engineer's policies. He asked if the Corps can mandate that the City follow their policy. Ms.

Nightingale said the proposed amendment would be consistent with the Corps current policy. Their new policies have not yet been adopted. Commissioner Craft asked if the proposed amendment would conflict with the Corps new policy, if and when it is adopted. Ms. Nightingale answered no.

THE MOTION CARRIED UNANIMOUSLY.

- **COMMISSIONER MOSS MOVED THAT SMP 20.230.170.10.e BE AMENDED BY CHANGING “4” TO “3.” COMMISSIONER BROILI SECONDED THE MOTION. THE MOTION CARRIED 5-0, WITH COMMISSIONER BROILI ABSTAINING.**
- Chair Wagner referred to Mr. Trohimovich’s recommendation that the setback requirement for the Point Wells Urban Conservancy and Point Wells Urban Environments be increased to 150 feet. She asked if this change would create inconsistencies elsewhere in the SMP. Mr. Trohimovich advised that there are no other numeric buffers or setback standards in the proposed SMP, so the change would not create an inconsistency. Ms. Redinger concurred.

COMMISSIONER BROILI MOVED TO CHANGE THE SETBACK REQUIREMENT FOR THE POINT WELLS URBAN AND POINT WELLS URBAN CONSERVANCY ENVIRONMENTS TO 150 FEET.

Ms. Redinger explained that because the proposal would increase the setback requirement for the Point Wells Urban Environment from 50 to 150, it may be prudent to include language that would allow for a setback reduction. Mr. Forry further explained that the ability to reduce setback requirements is available based on hardship through a variance process. For ease of application, he recommended that setback standards be established, and applicants could justify their reasons for reduced setback through the variance process.

VICE CHAIR PERKOWSKI SECONDED THE MOTION.

Commissioner Broili expressed his belief that the City should take every opportunity to increase setback requirements to better protect the shorelines. This concept can be applied in the Point Wells Urban Conservancy and Point Wells Urban Environments without undue hardship on future redevelopment. He questioned if public uses would be precluded in the setback areas. Mr. Forry said the proposed amendment relates to building setbacks in the native conservation area. As proposed, parks and other public uses would not be precluded within the setback areas.

Commissioner Craft requested additional information about why the City’s consultant proposed the original setback numbers. Mr. Forry said the consultant’s goal was to identify the minimum setbacks necessary to accomplish no net loss based on earlier studies and the SMP background documents, such as the Inventory & Characterization Report and Restoration Plan. The background information does not provide a lot of additional analytical information to lead to how the consultant arrived at the proposed setbacks, except that those for the Waterfront Residential Environment were based on historical setbacks.

Chair Wagner asked Mr. Trohimovich to explain how he used the summary table from an interim guide titled, "Protecting Near Shore Habitat and Functions in Puget Sound," to come up with his recommendation for a 150-foot setback. Mr. Trohimovich noted that the table provides a variety of ranges. For many of the functions, the setback range is in the multiple hundreds. He said a 150-foot setback in the Point Wells Urban Conservancy Environment would match the resource the City is trying to create in the Urban Conservancy Environment. He said typical justification for a buffer that is narrower than what science supports is because a site is already developed and would not change appreciably. However, this is not the case with Point Wells, which would likely be totally redeveloped. Chair Wagner summarized that Mr. Trohimovich's recommendation is based on being reasonably close to the recommended setback for the Urban Conservancy Environment.

Chair Wagner asked if the proposed setback requirement for the SMP would be consistent with the setbacks identified in the approved Point Wells Subarea Plan. Ms. Markle said the Point Wells Subarea Plan states that, "any improvements in the westernmost portion (200 feet) within the jurisdiction of the Shoreline Management Act of the northwest and southwest subareas should be limited to walkways and public use or park areas. Outside that shoreline area, buildings should be located and configured to maintain as much openness for public views. . ." Chair Wagner observed that, for consistency with the Point Wells Subarea Plan, the setback requirement for the Point Wells Urban and Point Wells Urban Conservancy Environments should actually be 200 feet.

Ms. Redinger explained that the Point Wells Urban Environment includes most of the area that has already been developed as an industrial use. The southern portion of the Point Wells site, which is not armored, has been identified as the Point Wells Urban Conservancy Environment. The intention was that this area should be identified as "a Native Vegetation Conservation Area, which should be maintained in a predominantly natural, undisturbed and undeveloped vegetative condition, except where necessary to accommodate appurtenances." Mr. Forry clarified that the 200 feet identified in the Point Wells Subarea Plan represents the shoreline jurisdictional boundary.

THE COMMISSION AGREED TO WITHDRAW THE MOTION.

COMMISSIONER ESSELMAN MOVED THAT THE SETBACK REQUIREMENT (TABLE 20.230.082) FOR THE POINT WELLS URBAN AND POINT WELLS URBAN CONSERVANCY ENVIRONMENTS SHOULD BE CHANGED TO 200 FEET. VICE CHAIR PERKOWSKI SECONDED THE MOTION.

Commissioner Esselman observed that a 200-foot setback requirement would be consistent with the Point Wells Subarea Plan. Commissioner Moss asked why the same setback requirement would not be applied to the Shoreline Residential Environment, as well. Ms. Redinger said the currently proposed 115-foot setback requirement for the Shoreline Residential Environment is close to the cliff edge. Extending the buffer an additional 35 feet would potentially impact many more property owners who have not been involved in the process.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Redinger reviewed the following changes to the Cumulative Impact Analysis:

- The dates contained in the opening section were updated.
- Note 2 at the end of Table 11 clarifies that the map referenced in the Cumulative Impacts Analysis still refers to Shoreline Segments A, B, C, D and E, which were developed as part of the first draft Inventory and Characterization Report. Shoreline environment designations have since been developed and incorporated into the draft SMP.
- On Page 147, the reference to “Urban Growth Area” (UGA) was changed to “Potential Annexation Area” (PAA).
- On Page 149, additional language was provided to point out that because most of the houses on 27th Avenue Northwest are non-conforming, expansion of the existing building footprint is less likely because of zoning and Critical Areas Ordinance constraints.
- On Page 152, the conditional use permit requirement was relocated for clarity.
- The remaining changes on Page 152 are intended to be consistent with the City’s existing non-conforming regulations in the Development Code.
- The language on Page 154 was changed to clarify that the primary use along the Puget Sound shoreline is not single-family residential uses. The primary development is actually the railroad tracks. It also identifies that the Point Wells site is expected to be the most extensive redevelopment change along the Puget Sound shoreline.

COMMISSIONER CRAFT MOVED THAT THE COMMISSION ACCEPT ALL OF THE PROPOSED AMENDMENTS TO THE CUMULATIVE IMPACT ANALYSIS AS PRESENTED BY STAFF. COMMISSIONER ESSELMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

THE MAIN MOTION TO FORWARD THE SHORELINE MASTER PROGRAM (SMP) TO THE CITY COUNCIL WITH A RECOMMENDATION THAT IT BE ADOPTED AS PRESENTED BY STAFF AND MODIFIED BY THE COMMISSION WAS UNANIMOUSLY APPROVED.

Closure of Public Hearing

Chair Wagner closed the public hearing.

THE COMMISSION TOOK A SHORT RECESS FROM 10:00 TO 10:05.

STUDY ITEM – TREE CODE AMENDMENTS

Because of time constraints, Chair Wagner invited staff to summarize their report on the tree code amendments. The Commission agreed to allow public comment prior to the staff report. It was noted that the tree code amendments are scheduled for a public hearing on March 15th.

Public Comment

Janet Way, Shoreline, said she was present to speak on behalf of the Shoreline Preservation Society. She thanked the Commission and staff for their remarkable diligence on the SMP Update. She asked

that they please try and provide the same amount of diligence on the tree code amendments, as well. Ms. Way particularly complimented Commissioners Esselman and Moss for their attention to detail.

Ms. Way reminded the Commissioners of the Hippocratic Oath, First Do No Harm. She summarized that the City Council's objective was to adopt amendments to the tree code, adopt a policy of increasing tree canopy through voluntary programs, and become a Tree City USA. The City has already worked on the latter goal, but there seems to be some discrepancy as to whether or not the City has increased their tree canopy. Regardless of whether the tree canopy is better or worse, the Council's goal was to increase the tree canopy. They know that impervious surface has increased significantly; and by not increasing the tree canopy, the problems with stormwater runoff have increased. She noted that photographs were provided during the previous hearing to illustrate how stormwater runoff has impacted the shoreline. Ms. Way recalled that the City Council subsequently adopted a new standard above no net loss to increase the tree canopy. She recommended the City go further than a goal of no net loss.

Ms. Way referred to the proposal to remove non-active or non-imminent, hazardous trees as a category of the code because they would be part of tree removal. She said this makes no sense and implies that all trees are a threat or potentially hazardous. She asked how any of the proposed amendments address the purpose of the tree code as outlined in Section 20.50.290 of the Development Code. She also asked for additional clarification about the relationship between the proposed amendments and the City Council's direction.

Staff Presentation

Mr. Cohen presented a brief staff report and agreed to provide more detailed information at the next Commission meeting. To resolve some of the confusion brought forward in recent public comments, Mr. Cohen emphasized that the proposed amendments are only related to the tree code as it affects private property. He reviewed the five areas included in the City Council's direction to the Commission and staff regarding the scope of the tree code amendments as follows:

- **Modify the exemption for six significant trees removal in a three-year period.** Issues have been raised about whether or not tree removal should be regulated. However, removing the exemption would require City approval for the removal of every significant tree. This would involve a fair amount of administrative costs, which would be borne by private property owners. Because violations have not been excessive and the Urban Tree Canopy (UTC) Report dispels the notion that the tree canopy has been reduced in the past 10 years, staff recommends that the regulation should remain unchanged. Staff further recommends that the City survey the tree canopy periodically to determine the effectiveness of the tree code in maintaining or increasing the canopy.
- **Remove non-active and non-imminent, hazardous trees as a category of the code because they could be part of tree removal.** Mr. Cohen explained that it is quite easy for a professional arborist to find imperfections in significant trees to justify the designation of non-active or non-imminent hazardous. Therefore, the provision does not have any great value as a separate category. He said staff recommends that this provision be removed from the tree code. Trees deemed dangerous by a property owner could be removed as part of the six trees they are allowed to be removed in a three-year period. If they go beyond six trees, they could apply for a clearing and grading permit, which is

simple and would eliminate unnecessary costs for both the City and property owner. He said staff is recommending that the provision remain in the Critical Areas Ordinance where clearing and grading permits is not allowed. There should be a mechanism for people to remove truly hazardous trees in critical areas.

- **Allow active or imminent, hazardous trees to be removed quickly first with documentation and then require a tree removal permit later.** Mr. Cohen said the goal is to make it as easy as possible for people to remove trees that are truly hazardous. The proposed code language would allow an actively hazardous tree to be photographed and cut immediately. After cutting, the property owner must provide the City with photographic proof and, if needed, the appropriate application.
- **Remove the provision that does not allow tree removal without a development proposal.** Mr. Cohen said the current code allows developed properties with no future proposal to remove trees, and “development” is defined as any permitted activity that includes land clearing and tree removal. However, the tree code currently contains a provision that prohibits the removal of trees for the purposes of sale or future development. Due to lack of reasoning, staff recommends that this provision be removed so that property owners are allowed to remove trees to code on properties that do not have development applications. The impacts of the tree removal would be no different whether there is a development proposal for the site or not. In addition, the same protections and tree replacement requirements would apply in both situations.
- **Allow the Director the option of requiring tree maintenance bonds based on the scope of the project.** Mr. Cohen said there is currently a lot of discretion in the code that allows the Director to make decisions about whether to require fewer or allow more trees to be removed. In addition, there is flexibility on the number of replacement trees required. Staff recommends that the Director also have the ability to decide whether or not a maintenance bond should be required for replacement trees. He noted that a replacement bond can be a hardship for a single-family residential property owner. Maintenance bonds are more appropriate for large redevelopment projects.

Commissioner Broili said he is most concerned with staff’s recommendation to maintain rather than modify the current exemption which allows up to six significant trees to be removed in a three-year period. He observed that, at this time, a property owner is allowed to remove up to six significant trees in a three-year period, regardless of the size of the lot. He suggested this is a huge inequity that needs to be addressed. The number of trees that are removed should be related to the number of acres being affected.

Commissioner Broili referred to the pictures that were provided by the Richmond Beach Preservation Association to illustrate the impact of stormwater runoff to the shoreline. He said he believes there is a definite relationship between vegetative cover and stormwater runoff. Rather than a tree code, he said he would prefer a code that speaks to all types of vegetative cover. He said the City spends more than \$3 million on stormwater management, and vegetative cover is a major opportunity to capture up to 60% of stormwater runoff.

Commissioner Broili said the Urban Tree Canopy Report indicates that the tree canopy is consistent at about 31% coverage throughout the City. However, this same report identified a 10% increase in

impervious surfaces, which are not vegetated. Mr. Cohen said there is some overlap between the canopy and impervious surfaces. For example, a tree could be in the middle of a parking lot, and its canopy could actually be over the top of an impervious surface to some extent. Commissioner Broili said there is a direct relationship between impervious surfaces and vegetative cover. If the cover is not vegetated, it is probably impervious surface. He summarized his belief that the City has a problem when the tree canopy has not changed yet impervious surfaces have grown by 10%, and one is directly related to the other. Commissioner Broili encouraged the Commissioners to think about tree and vegetative cover as economic opportunities. The money that is currently spent for stormwater management can be countered by good vegetative management.

DIRECTOR'S REPORT

Ms. Markle did not have any additional items to report to the Commission.

NEW BUSINESS

Brainstorm Annual Report to City Council

This item was discussed at the dinner meeting that took place prior to the regular meeting.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

None of the Commissioners provided reports or announcements.

AGENDA FOR NEXT MEETING

Mr. Szafran said staff would provide an expanded presentation on the tree code amendments on March 15th, followed by a public hearing on the proposed amendments. An additional development code amendment would also be presented to the Commission on March 15th for a public hearing.

ADJOURNMENT

The meeting was adjourned at 10:28 P.M.

Michelle Linders Wagner
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

TIME STAMP
March 1, 2012

ROLL CALL: 0:19

APPROVAL OF AGENDA: 0:38

DIRECTOR'S COMMENTS:

APPROVAL OF MINUTES: 2:34

GENERAL PUBLIC COMMENT: 2:49

PUBLIC HEARING ON SHORELINE MASTER PROGRAM: 3:15

Staff Presentation and Questions by the Commission: 5:40

Public Testimony: 1:09:02

Final Questions and Deliberations: 1:34:12

Vote to Recommend Approval or Denial or Modification: 1:44:05

Closure of Public Hearing: 2:57:53

BREAK: 2:58:00

STUDY ITEM – Tree Code Amendments: 3:02:24

Public Comment: 3:02:26

Staff Presentation: 3:08:03

Commission Questions: 3:16:32

DIRECTOR'S REPORT: 3:21:55

NEW BUSINESS: 3:21:59

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 3:22:08

AGENDA FOR NEXT MEETING: 3:22:10

ADJOURNMENT