

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

May 17, 2018  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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### **Commissioners Present**

Chair Montero  
Vice Chair Mork  
Commissioner Craft  
Commissioner Davis  
Commissioner Lin  
Commissioner Malek

### **Staff Present**

Rachael Markle, Director, Planning and Community Development  
Paul Cohen, Planning Manager, Planning and Community Development  
Julie Ainsworth-Taylor, Assistant City Attorney  
Steve Szafran, Senior Planner, Planning and Community Development  
Carla Hoekzema, Planning Commission Clerk

### **Commissioners Absent**

Commissioner Maul

### **CALL TO ORDER**

Chair Montero called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

### **ROLL CALL**

Upon roll call by Ms. Hoekzema the following Commissioners were present: Chair Montero, Vice Chair Mork, and Commissioners Craft, Davis and Lin. Commissioner Malek arrived at 7:05 p.m. and Commissioner Maul was absent.

### **APPROVAL OF AGENDA**

The agenda was accepted as presented.

### **APPROVAL OF MINUTES**

The minutes of May 3, 2018 were approved as submitted.

### **GENERAL PUBLIC COMMENT**

There were no general public comments.

**STUDY ITEM: TREE RETENTION IN THE MUR-70' ZONE DEVELOPMENT CODE AMENDMENT**

Mr. Cohen advised that on February 26<sup>th</sup>, the City Council considered the Planning Commission's recommendations on the 2017 batch of Development Code amendments. The City Council adopted the Commission's recommendations for 40 of the 41 amendments. He reviewed that the Commission recommended denial of Amendment 25, a citizen-initiated request for removal of MUR-70' as an exempt zone from the Tree Code requirements. Instead, the City Council approved Amendment 25 via Ordinance No. 789, which removed MUR-70' from the list of zones exempt from the Tree Code requirements. Further, they directed staff to return to the Planning Commission to study, propose options and draft additional amendments that may provide a compromise to support tree retention and the City's vision for redevelopment in the MUR-70' zone.

Mr. Cohen advised that the Council understands that the MUR-70' zone is the most intensive zone around the station areas, with up to 90% lot coverage allowed. There are large numbers of existing trees in the MUR zones, and there was concern that most of these trees would be removed to accommodate transit-oriented development. However, there was also concern that the tree retention and replacement requirements would greatly curtail potential redevelopment in the station areas. Along with the tree replacement requirements, all non-exempt zones must currently retain 20% of the existing significant trees. It was discussed that perhaps greater retention requirements are needed on the site perimeters or as a protected reserve on an adjacent parcel. The Council agreed that, per current code, tree removal on properties should be restricted until the City receives a redevelopment application for the property.

Mr. Cohen reported that additional information has become available since the City Council last discussed the topic. First, a recently completed Tree Canopy Study (2011 – 2018) was compared to an earlier study (2000 – 2010) and found that the tree canopy expanded from 31% to 37%. In addition, staff calculated that the MUR-70' zone consists of approximately 314 acres or about 4% of the City. The zone allows a height of 70 feet and a 90% hardscape.

Mr. Cohen advised that staff researched tree codes in other jurisdictions but found it was difficult to draw comparisons because they are all unique. However, they were able to extract key elements related to tree retention in zones similar to MUR-70'. For example:

- Bellevue has no tree retention requirement in the Downtown Land Use District, and only requires tree retention in street frontage areas and on property perimeters between the two sub-districts of the Bel-Red Land Use District. Both the Downtown and Bel-Red Districts will be served by Sound Transit stations.
- Seattle has no retention requirements in their Low-Rise, Mid-Rise and Commercial Districts. However, the Director can designate "exceptional trees" to be preserved. Exceptional Trees are a minimum 24 inches in diameter and must have historic, ecological or specimen attributes.
- Kirkland only has tree retention requirements in single-family areas, residential developments up to three units, and subdivisions.

Mr. Cohen recognized that there is no development in Shoreline that is exactly consistent with the type of development that is envisioned for the MUR-70' zone. However, the Ballinger Apartments Development, which is zoned Commercial Business (CB), is fairly close. He provided an aerial photograph of the site prior to development to illustrate the forested condition. He also provided the site plan, noting the required setbacks and explaining that the maximum lot coverage was 85%. Although tree retention was not required in the CB zone, the developer proposed that three significant trees would be retained. He shared photographs of the nearly completed project, pointing out where significant trees were retained and the fair amount of vegetation that was planted.

Again, Mr. Cohen said the Ballinger Apartment Development is very similar to what is anticipated to occur in the MUR-70' zone, but the MUR-70' zone allows 5% greater lot coverage, an additional story of development, and only a 5-foot setback requirement that leaves very little room for tree retention. In addition, large developments will likely grade the entire site for frontage and underground parking, and the City's right-of-way improvements could either harm or remove trees calculated in the retention standards.

To address the concerns raised by the City Council, Mr. Cohen presented four options for the Commission to consider:

- Option 1 – Affirm the Planning Commission's recommendation to exempt the MUR-70' zone from the Tree Code requirements.
- Option 2 – Confirm the City Council's adoption of Ordinance No. 789 to regulate trees in the MUR-70' zone.
- Option 3 – Consider Council Member Robert's proposed amendment in addition to the Council's inclusion of MUR-70' in the Tree Code (Option 2). As proposed by Council Member Roberts, no trees would be exempt in any zone in the City. The intent is to slow the rate of tree removal by requiring permits to remove trees in all zones. Council Member Roberts is concerned that developers will remove trees prematurely in anticipation of redevelopment. As per his proposed amendments, trees could not be removed until a development permit application has been submitted. However, because tree retention will be difficult in commercial and MUR zones, he is proposing to soften the amendment to allow zones with higher development intensity to be exempt from the tree retention requirements. In addition, he is proposing that there be no replacement requirement for the MUR-45', MUR-70'' and all Commercial zones.
- Option 4 – Confirm the City Council's adoption to regulate trees in the MUR-70'' zone (Option 2), but with the following additional amendments related to proportionality in all zones.
  - Extend the same tree exemption provisions proportionally to all parcel sizes. Currently, up to three trees can be removed without a permit from a 7,200 square foot lot, plus an additional tree for every additional 7,200 square feet of lot size up to 21,000 square feet. Staff is suggesting that, to be equitable, this standard should apply to all lot sizes, including those greater than 21,000 square feet.

- Adjust the minimum tree retention to be proportional to different maximum hardscape percentages (%) in all regulated zones. The maximum lot coverage allowed in each zone increases based on a zone's intensity, and the commercial and MUR-70' zones allow the greatest lot coverage (between 85% and 90%). Currently, the tree retention requirement for all zones throughout the City is 20%. The standard was inherited from King County when the City of Shoreline was considered to be primarily single-family residential. If the Commission confirms the Council's decision to regulate trees in the MUR-70' zone, he suggested the percentage be reduced as the hardscape maximum increases. For example, the requirement could be reduced to 5% for the MUR-45' and MUR-70' zones.
- Amend the current tree reduction criteria to strengthen support for full development potential. A section of the code allows for a reduction in the number of trees that must be retained if certain criteria is met. However, the criteria are tough to meet. For example, one criterion provides very soft language about not curtailing development in the area. Staff recommends that this criterion be strengthened to allow a reduction to accommodate full development of the site.

Vice Chair Mork asked what is involved with obtaining a tree permit. Mr. Cohen answered that someone could apply for a tree removal permit (trees only), or it could be done as part of a development permit review. Vice Chair Mork asked what staff would do as part of the tree permit review that would address Council Member Roberts' concerns. Director Markle said that requiring a permit would allow the City to track every tree that is removed. Vice Chair Mork asked if there is criteria staff could use when making decisions about tree removal permits. Director Markle said that, currently, there are a number of exempt trees. Above that, you can cut trees on your property as long as they are not in critical areas. You must retain 20% of the trees in single-family zones, and trees that are removed must be replaced. The proposed amendment from Council Member Roberts would require a permit for tree removal in the listed zones, but replacement would not be required and there would be no minimum retention. Staff would simply be reviewing for the presence of a permit, and there would be an opportunity to impose conditions for protection of other trees and/or erosion sedimentation control.

Mr. Cohen explained that Council Member Roberts' intent is that properties exempt from the tree retention requirement would be prohibited from cutting trees unless their removal is associated with a building permit. Director Markle recalled that when the City Council adopted the amendment that no longer exempted the MUR-70' zone from the Tree Code requirements, there was some concern that property owners might remove a lot of trees within the 5-day period before the amendment became effective. There was some discussion about enacting an ordinance right away to combat this, but it was decided that it was not likely to occur. However, from that discussion, staff is questioning if the City Council is still concerned that trees will be cut that are not related to a development permit. Council Member Roberts' proposed amendment would include criteria that prohibits the removal of trees in the MUR-70' zone without a building permit to develop. Staff's concern is that the criteria would apply to single-family zones, as well, and property owners would no longer be allowed to remove a tree for whatever reason. She does not believe that is the intent of the proposed amendment. Mr. Cohen reminded the Commission that, currently, lots of a certain size can remove a certain number of trees without a permit.

Vice Chair Mork asked if any consideration was given to allowing a “green roof” to compensate for tree removal. Many roofs now have trees on them. Mr. Cohen answered that City code allows for and encourages green roofs, and there may be incentives for green roofs in the MUR zone. A developer could plant the required replacement trees on a green roof.

Commissioner Davis asked if Option 4 addresses “exceptional trees.” Mr. Cohen answered no. “Exceptional trees” is a term used only by the City of Seattle. He added that when staff reviews the trees a developer is proposing to retain or remove, there is criteria that looks at exceptional and/or clusters of trees. However, this is criteria and not necessarily requirements. The intent is to allow the City to negotiate for trees that are better specimens or in better condition.

Commissioner Malek asked if the 4% total land mass includes all of the MUR zones or just the MUR-70’ zone. Mr. Cohen answered that it measures the total of the MUR-70’ zone only. Commissioner Malek noted that, as per a recent study, the tree canopy has grown by 7% to 8% over the past several years in all zones.

Commissioner Lin asked if the City has assessed the existing tree canopy in the MUR-70’ zones. She suggested this number would be helpful in determining the impacts of the proposed amendment. Mr. Cohen said he does not have that information, but he could ask the Parks Director if the information could be pulled from the study that was recently completed.

Commissioner Lin asked if the City Council was concerned that there would be no open space or trees within the MUR-70’ zone. She asked if human health needs were ever a concern. Mr. Cohen answered that when the MUR zones were being developed, there was a lot of discussion about the need to include parks within the MUR zones. There are some policies about acquiring parkland within these zones, and there are requirements for open space in all commercial zones, including MUR-70’ and MUR-45’. There was significant discussion about the need for trees, landscaping and streetscapes.

Commissioner Malek asked staff to refresh the Commission on the code requirements for plaza areas in the MUR-70’ zone. Mr. Cohen said there is a requirement for public plazas associated commercial/office space and they must be accessible from the public right-of-way or sidewalk. There are also standards for multi-family development based on the number of units. Balconies on residential units do not count as part of the common open space requirement, but it is possible to place the open space on top of buildings.

Chair Montero clarified that staff is recommending Option 1, which is to affirm the Planning Commission’s recommendation to exempt the MUR-70’ zone from the Tree Code requirements. Mr. Cohen agreed that is staff’s recommendation. However, if the Commission agrees with the City Council’s decision to remove the exemption, staff encourages them to recommend Option 4, which is basically Option 2 with a number of additional amendments.

Commissioner Malek said his understanding of Option 1 is that the MUR-70’ zone would be exempt from the Tree Code, which means that no tree retention or replacement would be required and a developer or someone planning to sell to a developer could clear-cut the land. Mr. Cohen concurred but added that the landscape requirements for the MUR-70’ zone would require that as many trees as possible be planted on the site.

Vice Chair Mork asked what would happen if the Commission recommends Option 1, knowing that the City Council is opposed to that approach. Commissioner Craft said the Commission is simply sending its recommendation to the City Council, and the City Council can make whatever decision it wants. Mr. Cohen said the Commission could recommend Option 1 as the preferred amendment, but also include a recommendation for Option 4 as an alternative if Option 1 is not acceptable to the City Council.

Commissioner Craft referred to Option 4 and asked why it would be necessary to expand upon Option 2 given there is already a Tree Code in place. He asked if it would be possible to apply Option 2 to the MUR zones, only. Mr. Cohen said that, if the overall concern is trees, the intent is to provide more proportionality to all zones in the City. Commissioner Craft asked if staff feels there is a problem with proportionality in the current code, and Mr. Cohen answered affirmatively. Every day, staff deals with development review where tree retention is extremely difficult in some zones. It fits okay in residential zones, but in most of the other zones it is much more difficult. More recently, there have been more townhome applications in the MUR-35' and MUR-45' zones, and developers are having a hard time getting projects to meet the tree retention requirements given the lot coverage allowed, the frontage requirements, and the minimum density requirement.

Commissioner Craft observed that the City Council and Commission has heard repeatedly from members of the public about the need for tree retention and protecting and improving the tree canopy. He appreciates there are challenges around meeting the tree retention requirements in various zones, but these challenges were established when the Commission went through the station area planning process.

**Tom Poitras, Shoreline**, said he supports Option 1, which is the Planning Commission's original 2017 recommendation to retain MUR-70' as an exempt zone from the Tree Code. The question is do you want high density within ½ or ¼ mile of the stations or not? Isolated trees and tall buildings do not mix. In that type of environment, the trees would probably die. He questioned the real reason for requiring that a few trees be saved amongst tall buildings.

**Janet Way, Shoreline**, said she was present to represent the Shoreline Preservation Society. She disagreed with Mr. Poitras and said she could think of a number of places where there are large trees in the middle of some tall buildings. There is a huge and magnificent tree in downtown Seattle between Macy's and a building across the street. She acknowledged that tree codes can be challenging, but many other cities have managed to create vibrant tree codes. For example, Lake Forest Park has managed to regulate development and trees effectively via a permitting system that works. If the City were to establish a vigorous permitting system, it could charge for the service, providing income for the City. The benefits of retaining substantial trees are huge. She referred to an article she submitted to the City a few weeks ago called "*SEATTLE MINORITIES SHORTED ON TREE CANOPY A CITY STUDY SHOWS.*" The article was based on a Seattle Forestry Commission study and showed that areas with minority populations had much reduced tree canopy compared to other areas. This is not a good situation. Everyone has a right to have trees in their neighborhoods. They are healthy and provide shade, beauty, peace of mind, quality of life, and habitat for creatures. She emphasized that the three reasons people move to Shoreline are schools, affordability, and trees. She urged the Commission to consider Option 2, which is a hard-fought solution the Council came up with. Requiring a permit to cut trees in the MUR-70' zone is a wonderful

outcome. She pointed out that the City Council has already made the decision, and it is up to the Commission and staff to find a way to retain and replace trees as much as possible.

**Trent Mummy, Landowner in Shoreline**, said he owns four fairly large commercial sites in the City. He urged the Commission to recommend Option 1 to the City Council, which would exempt the MUR zones from the tree retention policies. He likes trees and he is in favor of a tree replacement policy, and the landscape and open space requirements in the current zoning code have provisions for good tree replacement on sites. He provided some real-world examples using his four properties to illustrate the potential impacts of the proposed amendment. The Malmo Apartment Project at 152<sup>nd</sup> was previously an abandoned trailer court with some very large trees. Some of the trees around the perimeter were retained, but the very large trees in the middle of the site were removed. If they had been required to retain the trees, the project would not have been viable. There were no issues with the Paceline Project across from City Hall because there were only some very tiny trees, and the property at 192<sup>nd</sup> is blessed with a Seattle City Light greenbelt that runs along the rear property line. The intent is to retain as many trees as possible, but the proposed building would not be possible if there were large trees in the middle of the site that had to be retained. The current proposal is to develop a cluster of four single-family homes and an apartment building on property directly across from the 185<sup>th</sup> Street Light Rail Station, and fortunately there are no significant trees on the site because it wouldn't work to put a large apartment building in a cluster of four single-family homes if they had to retain large trees in the middle of the site. However, it is sometimes possible to retain trees around the perimeter. He said he is not opposed to planting replacement trees around the perimeter, on the plaza deck, on the roofs, and in the open spaces, but he strongly urged the Commission to not have a tree retention policy in the MUR zones.

**Brett McCain, Shoreline**, said he owns property across the street from the 145<sup>th</sup> Street Station where there is a very large tree between his and his neighbor's house. He is concerned that developers would not be interested in purchasing his property if the tree has to be retained, and he doesn't think anyone would want to purchase a single-family home directly across the street from the train station. The area is destined to be used for mixed-use residential. He strongly recommended Option 1, which would allow developers to remove trees as needed. However, he hopes that they do have a good replacement program because he values trees, as well.

Commissioner Malek expressed his belief that the original thought for the MUR-45' and MUR-70' zones that are part of the 145<sup>th</sup> and 185<sup>th</sup> Street Station Subareas was to maintain green space in the surrounding and intervening areas, but not the areas that are intended to be built upon. Requiring trees and overregulating would end up passing additional costs along to buyers. He recommended that there be no tree retention requirement for either the MUR-45' or MUR-70' zones. The applicable landscape and open space requirements will be adequate. He felt it would be ridiculous to require tree retention and replacement in the 4% land mass that is dedicated to multi-modal transportation right by the freeway, light rail stations, and rapid transit bus service. It is too much to expect developers of residential projects in the MUR-45' and MUR-70' zones to meet the density requirements as well as stringent regulatory policies related to tree retention. Again, he recommended Option 1 with an additional modification that extends the exemption to the MUR-45' zone. Perhaps the MUR-35' tree retention requirement should be reduced to 5%. He summarized that a lot of heart-felt politics went into development of the Light Rail Station Subarea Plans, but the most recent change that required the MUR-70' zone to meet the Tree Code

requirements is an oversight that will be a real liability to the community, developers and the intended purpose of the land.

Commissioner Davis asked if there is anything in Option 4 that would allow developers to go higher with a smaller footprint in order to accommodate tree retention. Mr. Cohen said there is the potential to do a Development Agreement to get a height up to 140 feet, but a lot of conditions would be applied to provide other amenities to the site. Director Markle said one of the conditions is related to tree retention, but the approach has not been used to date.

Commissioner Craft commented that they have heard from both the City Council and the community about the idea of retaining significant trees. Replacement trees are great, but they do not provide the same benefits as a mature tree. He imagines Council Member Roberts' proposed amendments are intended to address this concern. Mature trees have significantly more soil stability, reduce flooding issues, etc. He commented that retaining large trees in the community, especially in critical slope areas, is very important. However, he agreed with Commissioner Malek that a lot of consideration was given to the zoning and design guideline associated with the MUR-70' zones. The design guidelines have significant landscaping and green space requirements, and there are some opportunities for taller buildings to accommodate more affordable housing. He appreciates the City Council's concerns, but he is challenged to understand how implementing the Tree Code requirements in the MUR-70' zone would have any positive impact other than creating more bureaucratic problems for major projects. He voiced support for Option 1.

Commissioner Lin expressed her belief that higher density in the station areas is very important. From a design standpoint, requiring the retention of existing trees will result in significant changes. Many of the properties are currently developed with single-family homes with a large number of significant trees. She suggested that the City could require no tree retention in the MUR-70' zones but offer a significant incentive to developers who retain and preserve large numbers of existing trees.

Because she did not participate in last year's discussion, she asked how big the incentive would be if more of the design decisions are left to developers. Instead of requiring them to preserve 10% of trees, the City could require no tree retention in the MUR-70' zone, but then a large incentive could be offered to developers who retain and preserve large numbers of significant trees. Mr. Cohen said the Tree Code offers an incentive to developers that allows increased development potential (increased lot coverage and/or height) if a higher number of significant number of trees are retained than what is required. However, this incentive has never been used in the 20 years he has been with the City. The incentive could also be used in zones where there is no retention requirement, as long as the developer proposes to retain significant trees.

Commissioner Davis asked if the Development Code could provide a concrete incentive for tree retention. For example, an additional two stories could be allowed for each significant tree that is saved. Mr. Cohen said it would not be possible to be that specific. However, because the incentive has never actually been used, staff doesn't have a clear understanding about whether the provision needs to be more prescriptive or not.

Vice Chair Mork asked if the City Council is aware of the potential incentives, and Mr. Cohen answered affirmatively.



Commissioner Malek pointed out that 96% of the City's land mass has a growing tree canopy, and that is where the incentives for tree retention should be placed. He implored them to think about the intent of the MUR-45' and MUR-70's, which are in close proximity to rapid transit bus service and light rail. Placing this more intense development near the multi-modal stations will allow trees elsewhere to be spared. He referred to the zoning map, which shows that most of the City is zoned single-family residential. If the City wants to create an incentive program to preserve trees, it should be firmly rooted in the single-family residential zones. It does not belong in the light rail station subareas where they struggled hard to outline the boundaries so that they are appropriately sized and scaled. He felt it was inappropriate to hinder the already cumbersome process involved with developing in the MUR-45' and MUR-70' zones.

Vice Chair Mork said there has been a lot of discussion where staff has tried to recall the exact incentives that exist for the MUR-70' zone. She supports Commissioner Malek's comments and concerns and questioned how well the citizens understand the potential incentives that exist but have never been used. Perhaps the Commission should have a discussion about these incentives at their June 7<sup>th</sup> meeting prior to discussing whether to exempt or not.

Commissioner Davis requested information about potential incentives for allowing additional height when significant trees are retained. Both residential units and trees have value. Developers may be more interested in retaining trees if offered additional height to create more units. This could be a win-win situation. She suggested the Commission and staff needs to explore additional opportunities for incentives or discuss how to encourage the use of existing incentives. She would like to learn about incentive programs offered by other cities related to trees.

Commissioner Malek recalled that at the last meeting it was mentioned that a project in the MUR-70' zone had been scoped out and was awaiting a pre-application meeting but was eventually abandoned. Mr. Cohen said that just after the station area subarea plans were adopted, the City received a proposal to build an MUR-70 building on a 7,200 square foot lot. The developer received a permit to demolish the house and submitted an application for design approval. However, it was later determined that the project could not be built because the site was too tight to get parking under the building. As a result, they could not construct the required number of units to meet the maximum density requirement. The applicant proposed to develop the first few floors as storage units, with apartments on the upper floors. The thought was that after the station was developed, the parking requirement could be reduced and the storage units could be converted to residential units. Mr. Cohen summarized that constructing a MUR-70 building on a typical single-family lot would not be feasible. Commissioner Malek commented that requiring tree retention in the MUR-70' zone would further compress opportunities for redevelopment. The geometry, physics and costs associated with building the taller structures anticipated in the MUR zones is much more intense than building single-family residential units. He commented that it makes his heart sing when he drives through Kirkland and Redmond and other places where the main streets are heavily canopied. He loves trees and what they represent, and they are particularly important in denser environments. However, trees also have their place and purpose. He cautioned against sacrificing density in lieu of trees because it would add cost to the buyers and builders and impede the type of growth that is envisioned for the small areas (4%) outlined in the station subareas. He further cautioned that requiring tree retention could result in a backlash when the City finds it cannot meet its Growth Management Act requirements.

Mr. Cohen asked if the Commission would like staff to present the additional information relative to incentives on June 21<sup>st</sup>, followed by a public hearing on the same evening. The Commission felt it would be appropriate to have an additional study session on June 7<sup>th</sup>, followed by a public hearing on June 21<sup>st</sup>.

Chair Montero agreed with Commissioner Malek and said he does not support restricting development in the MUR-70' zone by requiring tree retention.

Mr. Cohen referred to comments about large trees between buildings in Seattle. He noted that, oftentimes, the trees were planted at the same time the buildings were constructed. Most of the large trees in the existing residential neighborhoods were also planted at the same time that the homes were developed. Aside from the finding that the tree canopy seems to be expanding now, maintaining a healthy tree canopy requires a more natural cycle of planting new trees and not just retaining older trees. Smaller replacement trees always adapt faster to changes in environment than existing larger trees.

Vice Chair Mork summarized that the Commission recognizes the City Council's concern about trees, but they are concerned about maintaining constructability in the MUR-70' zones. They need to come up with a solution that addresses both concerns and makes the code better. The Commission is seeking more information from staff to help the City Council understand that the issue may not be as they see it. Personally, she agreed with Mr. Cohen on the "young tree approach" because they grow into old trees that are beautiful. On the other hand, she likes incentives. If the incentives are not robust enough, perhaps the Commission should focus its effort on strengthening them.

## **DIRECTOR'S REPORT**

Chair Montero requested an update on the proposed amendments related to Community Residential Facilities. Mr. Cohen reported that the Commission's recommendation is scheduled to go before the City Council for discussion on June 11<sup>th</sup>. It is anticipated the City Council will take action on the amendments as part of their June 25<sup>th</sup> consent agenda.

## **UNFINISHED BUSINESS**

There was no unfinished business.

## **NEW BUSINESS: PLANNING COMMISSION LETTER TO CITY COUNCIL**

Chair Montero recalled that a few months ago the Commission considered potential amendments to its bylaws but decided against the changes. Since that time, the City Council has asked the Commission to review its bylaws, and a few recommended changes were put forward. He suggested that a subcommittee be formed to work with staff to review the bylaws and present a proposal for the Commission's consideration. Vice Chair Mork, Commissioner Malek and Commissioner Craft agreed to serve on the subcommittee. They agreed to review the bylaws and report back to the Commission in a few months.

## **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

Commissioner Malek said the public hearing on the Point Wells Project is currently underway, and information about the hearing was posted in a variety of publications and locations throughout the community. Assistant City Attorney Ainsworth-Taylor added that she has been attending the hearings that started on May 16<sup>th</sup> and will continue into the next week. The applicant and Snohomish County have both completed their opening statements and the public comment period started on May 17<sup>th</sup> at 1:30 p.m. In addition to Director Markle, the City Manager, Traffic Engineer and City Attorney testified. The public hearing was continued to 7:00 p.m. on May 17<sup>th</sup> and to the morning of May 18<sup>th</sup>. Expert presentations will start on May 21<sup>st</sup>. The entire hearing is open to the public, but there will be no more opportunity for oral public comments after May 18<sup>th</sup>. The Hearing Examiner will continue to accept written comments until the actual hearing is closed on May 23<sup>rd</sup> or 24<sup>th</sup>.

### **AGENDA FOR NEXT MEETING**

Chair Montero reviewed that the agenda for the June 7<sup>th</sup> meeting will be another study session on potential tree retention amendments for the MUR-70' zone. A public hearing on this same item will be on June 21<sup>st</sup>. Mr. Cohen announced that staff is working to prepare the 2018 Development Code amendments, which may be ready for a presentation to the Commission on June 7<sup>th</sup> or June 21<sup>st</sup>.

### **ADJOURNMENT**

The meeting was adjourned at 8:25 p.m.



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William Montero  
Chair, Planning Commission



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Carla Hoekzema  
Clerk, Planning Commission