

1 **CITY OF NORTH BEND PLANNING COMMISSION MEETING MINUTES**

2 Thursday, May 24, 2012 at 7:00 PM

3 City Hall Conference Room,

4 211 Main Avenue North, North Bend, WA 98045

5 *Please Note: A complete audio recording of this meeting is available on the City of North Bend website,*
6 *www.northbendwa.gov, under Commissions - Planning Commission - Meeting Audio.*

7
8 **CALL TO ORDER**

9 The meeting was called to order at 7:00 PM.

10
11 **ROLL CALL**

12 Planning Commissioners present: Bruce Bjorklund, Brenden Elwood, Gary Fancher, Rob McFarland (Chair), and
13 Piper Muoio. Commissioner Luckey and Commissioner Lee had advised staff that they would be unable to
14 attend, and have been excused from tonight's meeting. City Staff present: Mike McCarty, Senior Planner; Gina
15 Estep, Director of Community & Economic Development; Ron Garrow, Director of Public Works.

16
17 **AGENDA ITEM #2 – MINUTES FROM THE MAY 10, 2012 PLANNING COMMISSION**
18 **MEETING**

19 Chair McFarland asked if there was a motion to approve the Minutes from the May 10, 2012 Planning
20 Commission Meeting. Commissioner Fancher Motioned to Approve the Minutes; Commissioner Bjorklund
21 seconded the Motion. Commissioner Muoio requested that a line be added that the Commissioners had requested
22 from staff an inventory of green practices used in construction of the new fire station. There was a consensus to
23 agree to Commissioner Muoio's suggestion. There were no further comments, questions or corrections to the
24 Minutes offered. The Minutes were Approved as Amended, 4:0 (Note: Commissioner Elwood arrived after this
25 vote was taken).

26
27 **AGENDA ITEM #3 – PUBLIC COMMENT ON NON-AGENDA ITEMS (LIMITED TO 3**
28 **MINUTES PER PERSON)**

29 Chair McFarland asked if anyone would like to make comment on any non-agenda item. No one from the public
30 was in attendance at the meeting when Chair McFarland called for public comment.

31
32 **AGENDA ITEM #4 – FLOODPLAIN DEVELOPMENT PLAN: POSSIBLE RECOMMENDA-**
33 **TION BY THE PLANNING COMMISSION**

34 Chair McFarland said that the document was easier to read with the changes, corrections, and table of contents.
35 Chair McFarland noted that it is still missing the Appendices. Mike McCarty said that internally, staff had felt
36 that if there was something specifically referenced in the document to the appendix, then perhaps it should be
37 included in the appendix. Otherwise, staff had thought they could provide a listing of the documents that were
38 used in preparation of the plan and mention that we have those on file with the city, but not necessarily include
39 them in the document.

40
41 Chair McFarland asked if there was a motion to approve recommendation of the Floodplain Development Plan to
42 the City Council. Commissioner Muoio motioned to Approve; Commissioner Bjorklund seconded the motion.
43 Chair McFarland asked for discussion, comments, changes or corrections.

44
45 Chair McFarland said that on page 1-2, first sentence under Background, the word 'north' in north Bend needs to
46 be capitalized.

47
48 Commissioner Fancher said he had general comments on the document's grammar, appearance, figures, bullet
49 points. Mr. McCarty asked Commissioner Fancher if he had his comments electronically so as to forward them
50 onto the consultant. Commissioner Fancher replied no, but that he would put them together.

1 At 7:15 PM, Commissioner Elwood arrived.

2
3 Chair McFarland said that we have had this discussion before, about the document errors, and that it is an
4 embarrassment to receive a document so full of errors. Chair McFarland asked staff to direct the consultant to
5 have the document cleaned up before it is presented to council. Commissioner Fancher continued with stating
6 improvements that could be made to the document. Chair McFarland stated that he hoped staff would not receive
7 or pay for another bill for correcting the edits, and that if the consultant can't clean it up the first two times we
8 have paid them, the third time should be on them.

9
10 There was ongoing discussion between city staff and the Commissioners on the Floodplain Development Plan.

11
12 There was still a motion on the table. Chair McFarland offered a friendly amendment to Commissioner Muoio's
13 motion: Motion to Approve recommendation of the Floodplain Development Plan to the City Council as to
14 content, with the provision that the full document be reviewed and edited for format, spelling, and grammar
15 consistency. Commissioner Muoio accepted Chair McFarland's friendly amendment. Commissioner Bjorklund
16 also accepted the friendly amendment and again seconded the motion, as amended. Chair McFarland called for a
17 vote. The motion was Approved, 5:0.

18
19 **AGENDA ITEM #5 –URBAN FORESTRY PLAN AND STREET TREE REGULATIONS -**
20 **INTRODUCTION**

21 Mr. McCarty briefed the Commissioners on the Street Tree Regulations and the Urban Forestry Plan, including
22 the grant provided by the Department of Natural Resources to do a tree inventory in the city. Mr. McCarty said
23 that council had passed a resolution that named the Parks Commission as the city's Tree Board. With the Parks
24 Commission, city staff had worked on preparing the Urban Forestry Plan and the corresponding Street Tree
25 Regulations. Mr. McCarty also described the proposed permit process for planting, pruning and removal of street
26 trees. Mr. McCarty stated that the Parks Commission provided a recommendation on both the Urban Forestry
27 Plan and Street Tree Regulation, and staff was requesting the Planning Commission's recommendation as well,
28 since it is also a land use issue.

29
30 There was a discussion between city staff and the Commissioners concerning the Urban Forestry Plan and the
31 Street Tree Regulation documents recommended by the Parks Commission. Chair McFarland had a comment on
32 section 4.b., under "Responsibilities for Care of Public Trees", and that he totally gets the first three subsections
33 regarding trees under the City's care, but wondered why the final two were being singled out versus all the other
34 cross streets. Gina Estep answered why those two sections were included. Chair McFarland said that he gets why
35 we are focused on main corridors, and he understands the logic of the last two locations included, but that we
36 should be giving some consideration to new businesses, and what business build up there is, and that if it is a
37 business corridor, the city is going to take that responsibility (to maintain public trees), where we have zoned for a
38 lot more business development. Chair McFarland said it seems inconsistent as we grow, and we should give
39 some thought to that. Chair McFarland's second comment is under section 4.c., where it talks about responsibility
40 falling to owners associations, and wondered whether any current Home Owners Associations (HOA) do not have
41 within their Covenants, Conditions, and Restrictions (CCR) that responsibility, and that we need to be very
42 careful about posting a new regulation on them. Mr. McCarty said that part of this effort will be a public outreach
43 program to let people know how these standards apply. Chair McFarland said he questions the legal grounds for
44 changing a CCR agreement that had been previously signed off on by the city, unless they are grandfathered
45 without the new regulation. Ron Garrow said that he would like to suggest in section 4.c., the second to the last
46 sentence, to put a comma and add language to the end of this sentence "unless precluded by previous
47 Development Agreement." There was a consensus among the Commissioners to agree to Mr. Garrow's
48 suggestion. Commissioner Muoio questioned the last sentence in this section that the city additionally reserves
49 the right to perform...maintenance, and does that mean the city is going to charge the HOA for this maintenance.
50 Mr. McCarty said that staff would clarify that. Mr. Garrow said there needs to be an enforcement element in the
51 document.

52
53 There was continued discussion between city staff and the Commissioners concerning the Urban Forestry Plan
54 and the Street Tree Regulation. Mr. Garrow and Ms. Estep described the enforcement options used by their two

1 departments. Chair McFarland requested that there be a reference to that enforcement code in the Urban Forestry
2 Plan.

3
4 There was continued discussion between city staff and the Commissioners concerning the Urban Forestry Plan
5 and the Street Tree Regulation. Chair McFarland questioned the cost/benefit ratio of a tree inventory. Mr.
6 McCarty answered, and discussed what the benefit is to the city to have a tree inventory.

7
8 Commissioner Muoio led a discussion on street tree varieties. As part of that discussion, Mr. McCarty stated he
9 would add in a description of the area of the downtown core. After discussion, there was a consensus to change
10 the title of “Tree Provision and Species Selection Standards” on page 5 of the Urban Forestry Plan to “*Street Tree*
11 *Provision and Species Selection Standards*”. Also concerning this section, there was a consensus to change a
12 word section 2 “Species of new street trees shall be selected by the Community and Economic Development
13 Director in consideration of the list of *approved* tree species...” to change the word *approved* to *selected*.

14
15 Chair McFarland asked why we are not considering devolving the responsibility of the maintenance of downtown
16 street trees to the downtown merchant association, since homeowners are required to upkeep their trees, why
17 shouldn’t merchants. Ms. Estep answered that right now it is the responsibility of the downtown merchants to
18 maintain their trees. Ms. Estep also said that just this week the downtown merchants have formed a Downtown
19 Merchant Association.

20
21 There was discussion of hazardous trees between the Commissioners and city staff.

22
23 Chair McFarland suggested that on page 6, section 5.c.vii where it reads “...consistent with the figure below” to
24 remove the word “*the*” and “*below*” and to name the figure. Mr. Garrow said that on this same page 6, it is not
25 usual to continue with roman numeral progression from one section to another. Example is number 5, using i to
26 vi, then number 6 starting at vii. Mr. McCarty said he would have that corrected.

27
28 Chair McFarland said that on page 10, Tracking Expenditures, that it seems we are trying to capture anything
29 reasonable related to the cost, then why aren’t we getting from the HOA’s their cost to maintain, and from that we
30 may be able to calculate the cost of any homeowner to maintain.

31
32 There was continued discussion between city staff and the Commissioners concerning the Urban Forestry Plan.

33
34 Chair McFarland asked that on page 1, third paragraph of the Findings, Conclusions & Recommendation to
35 clarify that section on permit fees. Mr. McCarty said that he would.

36
37 Mr. McCarty clarified that staff is not seeking a Planning Commission recommendation tonight, but following a
38 public hearing at the next Planning Commission meeting.

39
40 **ADJOURNMENT:**

41 Chair McFarland asked if there was a motion to adjourn. Commissioner Muoio motioned to adjourn the meeting;
42 Commissioner Fancher seconded the motion. The meeting adjourned at 9:30 PM.

43
44 **NEXT PLANNING COMMISSION MEETING:**

45 The next Planning Commission meeting will be held June 14, 2012 at the City Hall Conference Room.

46
47 ATTEST:

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50 _____
51 Rob McFarland, Chair

Mike McCarty, City of North Bend