



RENTON PLANNING COMMISSION

Meeting Minutes

January 18, 2006
6:00 PM

City Municipal Building
Council Chambers

Planning Commissioners Present: Robert Bonner, Jimmy Cho, Ray Giometti, Jerrilynn Hadley, Nancy Osborn, Rosemary Quesenberry, Joshua Shearer

Planning Commissioners Absent: None

City Staff Present: Rebecca Lind, Planning Manager; Erika Conkling, Associate Planner; Don Erickson, Senior Planner; Judith Subia, Recording Secretary

1. CALL TO ORDER: Commissioner Giometti opened the meeting at 6:00 PM
2. ROLL CALL: Commissioner Quesenberry called roll; Commissioner Osborn arrived at 6:12 PM
3. APPROVAL OF MINUTES: There were no Minutes available for approval
4. CORRESPONDENCE RECEIVED: Hearing Examiner Minutes of a December 20, 2005 meeting, regarding approval for a 21-lot subdivision of a 6.91-acre site intended for the development of single-family residences; Email from Inez Petersen, dated January 10, 2006, regarding tree preservation; Email from James and Linda St John, dated January 17, 2006, regarding tree preservation; Email from Marsha Rollinger, dated January 18, 2006, regarding tree preservation; Email from Richard and Barbara Peterson, dated January 18, 2006, regarding the Highlands Sub-Area Plan
5. AUDIENCE COMMENTS: None
6. COMMISSIONER COMMENTS: None
7. POLICY/CODE STUDY SESSION: **Tree Preservation Ordinance Discussion**

STAFF PRESENTATION

Erika presented the Commission with follow up work that was done on the tree retention ordinance with comments from the last Planning Commission meeting and meetings with the internal staff design team.

The current code has an exemption level of half acre. Any lot half acre in size if not required to obtain a permit to cut down all trees on the lot. The proposed code changes the exemption to 10,000 square feet. A current platted lot less than 10,000 square feet would be exempt from the tree retention requirements. If a property were subject to a tree retention plan during the platting process, that property would not be exempt in the future. If a lot is greater than 10,000 square feet and less than one acre, or completely undeveloped, a property owner may remove up to 3 trees per year and 6 trees per year if a lot is greater than one acre, without a vegetation management permit.

If a property owner has acreage to clear in order to subdivide, they would submit a tree retention plan in conjunction with the land development permit. If a property owner does not have a land development proposal, but would like to cut trees, a routine vegetation management permit would still be required.

Commissioner Giometti asked how this would be enforced. Erika explained that it would be enforced through a system of complaints. If someone cuts down trees and a neighbor complains, the City would investigate it. Commissioner Giometti feels that this would be difficult to enforce on a day-to-day basis. Erika explained that the intent of the ordinance is to try to get protection when large parcels of land are cleared. There are implications for individual property owners. If a certain number of trees can be retained in a large development, they are more likely to stay in place for a number of years and be removed more slowly, on an individual case-by-case basis.

Continuing, Erika explained that the protection status is based on a protected tree, which has been broadened to include any tree 8" or greater in diameter and any tree that has unique features or character, as determined by the reviewing official. The code also excludes trees that have been listed in the code as priority to remove. This means that the code does not require a property owner to save a percentage of trees that are problematic or should be removed. The current code protects all trees in wetlands or critical areas. The proposed code requires all protected trees to remain in the perimeter of the property.

Twenty-five percent of trees need to be retained in residential zones, and 5% in commercial and industrial zones. Erika gave an example of a residential zoned development with 100 protected trees on site. If the 25% were applied, a property owner would need to show 25 tree credits on their proposal in order to obtain a development permit or routine vegetation management permit. The tree credits can be expressed in a number of ways. Each protected tree counts as one credit. Because it is a priority to save trees that are in clusters or in forested stands, three trees that do not include a protected tree in a cluster count as two credits. Five clustered with at least one protected tree counts as two credits. Any protected tree within 25 feet of a wetland buffer also counts as two credits.

Erika also explained the replacement option. This option is a one for one replacement option. At the last Planning Commission meeting, a two to one ratio was presented. However, if a property owner does not have a big lot, it may not be feasible to re-plant trees without the amount of space that a tree needs to grow at a two to one ratio. The City's arborist highly recommended a one to one replacement ratio. In the current landscaping code, to fulfill landscaping requirements, trees that are planted need to be a minimum of 1½" in diameter. The current code for trees requires a 3" in diameter minimum replacement. For example, if a 21" diameter Douglas fir was removed, it would need to be replaced with seven 3" in diameter trees. Replacement would also be required if a tree that was retained as part of the retention plan was damaged, during construction or later, and needed to be removed. The replacement would be required to maintain a level of tree canopy in the future for the life of the project. Retention plans would be approved by the reviewing official, either the Development Services Director or Hearing Examiner, and subject to general review criteria.

Erika showed the Commission a Tree Inventory Plan from a 60-lot subdivision that showed all trees greater than 6" in diameter. The subdivision is located in an area in which the zoning is split between R-8 and R-10. Using the same inventory plan, Erika showed the clearing line for the subdivision and said that all trees within the outlined area were to be removed. Trees within the property lines, but outside of the clearing area are required to be retained under current standards because they are within a critical area or critical area buffer. These areas are set aside as native growth protection areas. Within the clearing line, there were 387 trees with a diameter of 8" or greater. If the proposed definition of protected tree excludes certain problematic species, the total number of trees within the clearing line is 221 trees. Under the proposed regulations, the developer would need to achieve credit for retaining 55 trees.

Showing another picture of the same inventory plan, Erika showed the Commission the required retention area and said that trees retained within 25 feet of the critical area buffer count as double credit. Since trees within the critical area and buffer are required for retention, this credit helps preserve larger stands of trees in a more natural condition. The developer would only need to retain 28 trees within 25' of the buffer to obtain full retention credit. This could be easily accomplished with only minimal changes to the lot configuration.

Commissioner Cho asked for clarification about the credit being offered for trees being retained along the critical area buffer. Erika explained that extra credit is being offered because when trees are retained in a

group or cluster in a natural setting, they are more likely to stay healthy and less likely to be damaged during construction or future development activities.

Commissioner Shearer asked for clarification about the replacement method, asking if a developer removed all the trees and put the replacement trees in the critical areas. Erika explained that a developer wouldn't be able to do that, however, they could put the replacement trees in a large cluster.

Commissioner Quesenberry asked about the exemption of lots less than 10,000 square feet and its effect on open space. Erika explained that any parcel or open space that is free of development would not be considered part of the exemption. For example, if a lot is 7,500 square feet without development, and the property owner wanted to remove more than 3 trees, a permit would be required.

In another picture, using the same inventory plan, Erika showed the proposed open space where there are 2 trees. By retaining the trees in this open space, a developer can receive 2 credits.

Showing another picture with the same inventory plan, Erika showed where there was a forested stand in the property. The plan shows up to 63 tree credits in this area. Since only trees greater than 6" in diameter are shown on the plan, there may be additional credit for clusters of trees with at least a 3" diameter. If the developer shows these clusters on the tree inventory plan, three smaller trees in a cluster qualify as one tree credit. Reconfiguration of the lots and cul-de-sac, with the potential loss of one or two lots, could yield a large number of retention credits.

Erika gave another example where a developer could still remove all trees within the clearing line under the proposed regulations. However, in this scenario the developer would need to plant a minimum of 115 three-inch diameter trees to replace those that were removed. This assumes a one-to-one replacement ratio (each inch of existing tree diameter removed, replaced with one inch diameter of new tree) of the required 25% retention rate. This is also in addition to the two trees per lot landscaping regulation.

Commissioner Osborn asked if a developer could use a combination of these scenarios, have a cluster of trees, retain 1 or 2 lots and replace trees. Erika said that a developer could use credits as it suits their needs.

Commissioner Osborn asked for clarification regarding the difference between new development and existing lots and their exemptions. Erika gave an example of a property owner who lives in a house whose lot is less than 10,000 square feet and subdivision was platted in 1960. This property owner could cut down 3 trees per year without a permit. This same property owner, the following year, decided to purchase a new home on a lot that is less than 10,000 square feet. If this property owner wanted to cut down any trees, it would need to be determined if the tree on the property was a tree that needed to be retained as part of a tree retention credit during the platting process.

Commissioner Bonner asked if there were any incentives or tax breaks for developers who retained all the trees. Erika said that there were none as the code is currently proposed.

Commissioner Osborn asked for a timeline. Erika said that the landscape changes should be done by the end of the year. Rebecca added that the landscape changes are a high priority for the Development Services Division. The landscape code will follow very closely to the tree retention code.

Commissioner Bonner suggested using an "urban filter" using Downtown as the core. The further a development is from the core area, there should be an increase of retention. This would leave more trees in the rural areas.

Commissioner Cho asked if the age of the tree was taken into consideration. Erika said that trees that would be considered in the diseased or damaged or bad health category are excluded from the protection requirements. She also said that at the discretion of the Director, trees that have unique or unusual characteristics could be preserved.

AUDIENCE COMMENT

Tom Carpenter, 15006 SE 139th Place, Renton, WA 98059: Mr. Carpenter lives in the East Renton Plateau PAA and is encouraged by the quality of the questions discussed today. He feels that a critical part of the future of the plateau depends on the creation of a fundamental understanding of the resources and character of the neighborhood. The vegetation that covers the plateau is highlighted by dense stands of 100-foot tall fir, along with large cedar, maple, alder, and hemlock. Mr. Carpenter feels that maintaining the health and viability of a forest is fundamentally different than maintaining the health and viability of individual trees. He also shared with the Commission an article that describes the concept of an urban forest.

Patrick Gilroy, 1560 140th Ave NE #100, Bellevue, WA 98005: Mr. Gilroy works with Northward Construction and LandTrust Development. He shared with the Commission a letter that was written to City staff regarding a recent property that was developed by LandTrust outlining their tree cutting, tree inventory plan, and land clearing practices. He noted that there was a net loss of 6 trees from 539 affected. He feels that the ordinance as it is today still works in preserving trees. Mr. Gilroy encourages other options such as the tree fund or options for credits and replanting.

Ronda Bryant, 6220 SE 2nd Pl, Renton, WA 98059: Ms. Bryant encouraged the Commission to set this ordinance in place as soon as possible. She feels that slides are being caused by trees being cut down.

Gwendolyn High, 13405 158th Ave SE, Renton, WA 98059: Ms. High is the President of CARE and lives in the PAA. She commented on the enforcement of these policies and said that the enforcement would be the same as policies are enforced now. She also encouraged the Commission to not allow easy credit that does not leave functional trees and to work with developers to give them incentives for saving trees.

Inez Petersen, 3306 Lake Washington Blvd N, Renton, WA 98056: Ms. Petersen asked if any citizen comments that were received since the last meeting were incorporated in the recent revisions of the code.

Erika said that Ms. Petersen's comments were the only correspondence received prior to the meeting, and were included as part of the larger work that needs to be done before the end of the year, specifically the noxious weeds, because more information needs to be received from a specialist.

The meeting recessed at 7:26 PM and reconvened at 7:33 PM.

Highlands Sub-Area Plan Discussion

STAFF PRESENTATION

Don explained that at the last meeting, Land Use Concepts A and B were presented and will present Land Use Concepts C and C2 tonight. These concepts reflect the continuing refinement of the area. The first phase of redevelopment focuses on the center of the subarea, with Sunset Boulevard as the core.

Don discussed the assumptions that were being used for Land Use Concept C2. Cottage housing has an average housing development density of 12 dwelling units per net acre. Lots are 1800 square feet per cottage with common open space and parking. The unit sizes are 1200 square feet, with a minimum of one dedicated off street parking per unit. Staff is also assuming 300 square feet of open space, 105 square feet of neighborhood park, and 153 square feet community park per unit. The average occupancy is 1.4 persons per unit.

Townhouses are at a higher density with a maximum of 27 dwelling units per acre. Staff is assuming 80% of the maximum, with a minimum lot area of 1600 square feet per unit. Within 10 years, 80% of the townhouse designated areas will redevelop at this density. Staff is assuming one on-site and one off-site parking space per unit, 135 square feet of neighborhood park and 196 square feet of community park per unit. The average occupancy is 1.8 persons per unit.

Multi-family developments are 36 dwelling units per acre, with a maximum of 45 dwelling units per acre. With this density, typically there is underground parking and Staff is assuming 1.5 parking spaces per unit. Building heights are 3 to 4 stories, a minimum lot size of 22,000 square feet, 135 square feet for neighborhood park, and 196 square feet of community park per unit.

Mixed Use developments have retail at the ground floor with units above. This assumes multi-level oriented buildings with first and possibly second story retail uses with upper stories being residential and 64 dwelling

units per acre. This also assumes underground parking with 1 space per unit on-site, and 2 off-site parking for each 1,000 square feet of retail space. The minimum lot area is 44,000 square feet, and 1.8 persons per unit.

Retail development is 10,000 square feet or less, neighborhood oriented retail. Staff is assuming 1 to 3 story buildings, with retail on the first floor and offices on the top floors. These structures would be oriented to the streets and sidewalks with parking in the rear. This has grade structured parking with 1 space per 1,000 square feet.

Parks and public open space are 10.03 acres and includes the Jefferson Greenway. Public uses, which include the library and fire station, are 2.79 acres.

Don showed and explained Land Use Concept C to the Commission. Townhouse development is predominately north of NE 12th St, with cottage housing near House Terrace, and multi-family housing to the south. This includes introductions of alleys at the rear and parking from the rear. The area on the south side of NE 12th Street provides opportunities for additional park space. The retail core has 10,000 square feet or less with neighborhood walk-in type retail. Facing Sunset Boulevard has street oriented mixed-use development. The remainder is multi-family development.

The acreage in both Land Use Concepts C and C2 is 81 acres. Land Use Concept C acreage are broken down as follows: area-wide shopping with housing above, 19 acres; cottage housing, 3 acres; multi-family 4-5 story, 14 acres; parks, 12 acres; retail and/or service less than 15,000 square feet, 4 acres; and townhouse, 29 acres.

Land Use Concept C2 acreage are broken down as follows: area-wide shopping with housing above, 13 acres; cottage housing, 3 acres; multi-family 4-5 story, 14 acres; parks, 10 acres; public, 3 acres; retail and/or service less than 15,000 square feet, 4 acres; retail/services less, 6 acres, and townhouse, 29 acres.

Rebecca informed the Commission that Staff had a meeting with the Housing Authority, School District, and Institutional property owners in the study area last week. They discussed a transition plan and replacement housing. Rebecca said that there was discussion with the Housing Authority about a replacement of the subsidized units one for one. As this develops further, it will be brought back to the Commission for further discussion. Rebecca explains that this makes a difference in how Staff does the household size projections.

Commissioner Osborn asked about the difference between Land Use concepts C and C2. Don said that Land Use Concept C has retail with housing above and C2 has retail with no housing. When the housing component is removed, it results in a significant reduction in vehicle trips.

Commissioner Giometti compared the South Renton plan to the Highlands plan. In the South Renton plan, the Commission discussed changing zoning and seeing them gradually. In the Highlands plan, he sees a much more specific plan than what was in the South Renton plan. He asked if the plan would be the same, to make zoning attractive to promote growth.

Rebecca explained that with the South Renton plan was a down-zone. The property had been zoned for high-density multi-family that the market had not responded to. The land was platted into small lots. This could only be achieved if there was a significant consolidation of lots, which was not happening. Meanwhile, the land was developed with older single-family detached housing and the land on the ground didn't match the zoning, which didn't match the vision. With the Highlands, Staff is trying to create a scenario that can be used to do an environmental analysis. Unlike the South Renton plan with a maximum threshold already in place, this needs to be created for the Highlands. This analysis will be a worse case scenario. Rebecca also said that the information presented represents the maximum anticipated development based on the set of assumptions. As Staff refines the land use concepts and begin with the zoning, it may change.

Commissioner Giometti asked if there were incentives for the Renton Housing Authority for tearing down a building. Rebecca explained that the buildings are old and have been well maintained over the years. Decisions will need to be made about further maintenance. Staff is in the process of scheduling a meeting with the Housing Authority to present these concepts.

Rebecca explained the Planning Commission's role of the land use plan. The Commission's task is to work on a land use plan and make recommendations about implanting zoning. It is not to made recommendation on a redevelopment plan or implementation. The Planning Commission will not work on implementation unless the City Council delegates it. The City Council has indicated, through their Business Plan Goals, that the Highlands redevelopment is a stated strategy and is a high priority of the Council.

Commissioner Shearer asked about the retail square footage on both concepts. In Concept C, there is 11 acres designated to retail with 362,000 square feet of retail space and in Concept C2, there is 12.5 acres with 166,000 square feet of retail space. Don said that the major factor was the changing of the area north of NE 10th Street and the southeast side of Sunset Blvd, removing it from mixed-use to retail.

Commissioner Shearer also asked about the Planning Commission's duty regarding land use versus implementation and if it has a bearing on how this plan will affect the residents that are currently there. Rebecca said that as part of the sub-area plan, the Planning Commission will do a transition plan. The intention is to create a set of policies and zoning that stimulate the redevelopment of the duplexes. The goal that the City Council has set is redevelopment of the area. The housing type concept is not a concept for adding additional units to the existing structures.

Commissioner Hadley said that the comments made by citizens that live in this area need to be addressed. The City will not come in and take their houses away, that this is a matter of redevelopment. Commissioner Hadley hears comments about eminent domain and would like to explain to the residents, the way the process works. Rebecca said that the City will consider eminent domain as one of the tools on implementation and don't know yet how that will occur. That is a discussion that will happen with the City Council. It is a tool that might be used for some properties. Rebecca also added that the best scenario would be if developers and property owners got together, and there were enough people to do a first demonstration project that would show what could possibly be in the area. However, some of the feedback that Staff has received from the real estate community is that there will not be investment interest until the entry way is addressed.

AUDIENCE COMMENTS

Howard McOmber, 475 Olympia Ave NE, Renton, WA 98056: Mr. McOmber feels that property values are currently going up and that property values will go down based on the concepts presented. He also feels that property rights are being violated. Property owners are not able to remodel their homes, due to the moratorium, for increased family sizes. There is a strong minority in the Highlands who will not be there after redevelopment.

8. DELIBERATION/RECOMMENDATION: None
9. COMMISSIONER COMMENTS: The Planning Commission will meet on January 28 at 8:00 AM at the City Hall parking lot for the tour to the High Point development.

The next Planning Commission meeting will be on February 1, 2006.

10. ADJOURNMENT: The Meeting was adjourned at 8:43 PM

 3/15/2006

Ray Giometti, Chair



Nancy Osborn, Secretary