

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
MEETING MINUTES

November 30, 2005  
7:00 p.m.

Bellevue City Hall  
City Council Conference Room

COMMISSIONERS PRESENT: Chair Bonincontri, Vice-Chair Mathews, Commissioners Bach, Lynde, Orrico, Robertson, Sheffels

COMMISSIONERS ABSENT: None

STAFF PRESENT: Kathleen Burgess, Matthews Jackson, Heidi Bedwell, Michael Paine, Department of Planning and Community Development; Kevin McDonald, Department of Transportation

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 7:02 p.m. by Chair Bonincontri who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Mathews, who arrived at 7:07 p.m.; Commissioner Robertson, who arrived at 7:11 p.m.; and Commissioner Sheffels, who arrived at 9:15 p.m.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS – None

5. PUBLIC COMMENT

Mr. Paul Sanders, 2680 169 Avenue SE, delivered to the Commission a letter from Tim Rodgers who was not able to attend the meeting. He said as chair of the Architectural Control Committee for Beaumont Division 1, he shared with the Commissioners photos taken from the area depicting the views of Lake Sammamish. He said the proposed version of the critical areas ordinance still does not allow for the topping of trees that block views; that is unacceptable. The testimony from the arborist that topping kills trees or causes diseases was unscientific and totally false; residents of Beaumont Division 1 have been topping their trees for 40 years and none of the trees have died. Trees are topped every three years, and there is no disturbance of the roots or the vegetation on the banks. It is contrary to the covenants in Beaumont Division 1 to allow trees to grow to where they block views. There is absolutely no need for the ordinance in its current form that gives the city the power to interfere with private property rights. Already developed residential properties should be excluded from the ordinance, especially those areas that have covenants in place to protect views. The ordinance in its current form will cause certain economic loss.

Mr. Norm Hansen, 3851 136<sup>th</sup> Avenue NE, said Bridle Trails residents are excited about finally having an ordinance in place that will be helpful in protecting trees in the neighborhood. Throughout the process of developing the proposed ordinance there has been general support for preserving significant trees within the perimeter of all sites. The notion raised at the previous meeting about allowing the cutting of two trees per year without regulation is not in keeping with the principles of the ordinance; it would be a loophole that is not warranted. The ordinance has sufficient flexibility to allow property owners to use their properties as they see fit.

Ms. Betty Lou Kapela, owner of Overlake Farm in Bridle Trails, said her concern with the proposed Bridle Trails tree ordinance is how future city staff will interpret it. There is no mention in the ordinance about the equestrian element of Bridle Trails, which is just as important as the wooded character of Bridle Trails. There are a large number of horses in Bridle Trails, all of which need pasture; they cannot be expected to live in underbrush or in heavily wooded areas that see very little light. It is necessary from time to time to remove trees from pasture land. Preservation of the equestrian character of the neighborhood is not called out in the proposed ordinance. Allowing property owners to cut up to two trees each year without a permit should be a part of the ordinance.

Ms. Dana Kapela, 5214 134 Place NE, emphasized the fact that the Overlake Farm property is unique in that it relies on having open pasture land. The equestrian nature of Bridle Trails should be mentioned in the ordinance as worthy of preservation, and more than just in the whereas section. She indicated her general support for the ordinance but suggested it should include an allowance for removing up to two trees per year without a permit. The ordinance will go a long way toward preventing clear cutting, which is the issue behind development of the ordinance.

Mr. Richard Shaw(?), 4460 137<sup>th</sup> Avenue SE, urged the Commission to allow the topping of trees in the critical areas ordinance. He noted that many people living in Bellevue paid a premium to purchase their view properties knowing that there were view protection covenants in place. If ordinances are imposed which will prevent homeowners from topping trees to preserve the views, property values will drop significantly. The city might expect to see the filing of several inverse condemnation cases if the ordinance is applied. In many cases, the view protection covenants were in existence before incorporation into Bellevue. The proposed critical areas ordinance is unfair and will cause a great deal of financial loss and loss of enjoyment. The topping of trees in order to protect views should be allowed. There is no scientific background for the notion that topping kills or harms trees or the stability of a slope.

Tom Kapela, 6652 132<sup>nd</sup> Avenue NE, said the visual buffering with trees along the streets in Bridle Trails is a worthwhile approach. Most of the ordinance, however, is focused on trees and misses the overall orientation of the Bridle Trails area, which is an equestrian focus. The ordinance should include more of a balanced view. For the smaller landowner with pastures occupying as much as 20 percent of their property, the requirement for an excessive peripheral setback for tree retention, in addition to the requirement to retain 25 percent of the trees within the interior of lots, the ordinance presents a great hardship.

Ms. Ellen Kerr, 4255 134<sup>th</sup> Street NE, spoke as co-president of the Bridle Trails Community Club. She said the residents of Bridle Trails have been working collaboratively with the city over the past five years developing the proposed ordinance. An extensive survey that was sponsored by the community and the city uncovered overwhelming support for the notion of tree management. She stated that the Bridle Trails area clearly is oriented toward equestrian uses; horses are a very important element of the community. However, trees are equally important, and close to ten properties in the neighborhood have been clear cut in the past few years. The

ordinance has been carefully crafted to allow for alternative approaches that will give property owners, including equestrian owners, the flexibility they need to use their properties to the fullest.

Mr. Bill Wilson, a resident living near NE 30<sup>th</sup> Street and 134<sup>th</sup> Avenue NE, said he raised the issue of preserving trees within the Bridle Trails community some five years ago after a property was clear cut. The proposed ordinance has been crafted on the understanding that people need to have room on their properties to make changes as they see fit. Most who live in Bridle Trails moved there because they enjoy the trees and the privacy they allow. The provisions of the ordinance as it relates to preserving trees within the border of each property should not be watered down by allowing up to two trees to be cut each year without a permit.

Mr. Brian Hottinger, 2612 168<sup>th</sup> Avenue SE, said the proposed critical areas ordinance puts undue limitations on those who own properties that have steep slopes and views. He said he paid a premium for the house he owns because of the unobstructed views of Lake Sammamish, the Sammamish Plateau and the Cascades. Those views have become obstructed by trees, though the property tax bill does not reflect any reduction as a result. He voiced support for the ordinance revisions proposed by Tim Rodgers that would allow property owners to preserve their views by topping trees. City staff have visited the Beaumont neighborhood on several occasions and they have not been able to identify a single topped tree that is unhealthy as a result. No one is asking for the ability to manage tree height on public properties, greenbelts, or park lands, only on private properties. Any lot of one-third acre or less in developed communities should be exempted from the critical areas ordinance, and tree topping should be allowed as a means of managing tree heights in developed communities.

Mr. John Flaherty, address not given, spoke as president of the Horizons View Citizens Association, a 135-acre site that is within unincorporated King County. He said his neighborhood has issues with the city's past policies on tree topping and trimming. Citizens who live in the county have for many years been allowed to top their trees without a permit of any kind. He said in 2003 it cost him \$12,000 to find out he cannot top a tree on a neighbor's lot even with his permission. The neighborhood will undoubtedly become a part of the city of Bellevue in time and as such the proposed ordinance is a concern to many. The views from the neighborhood are spectacular, and the property tax bill reflects that accordingly. People who have views wish to protect them as a means of keeping their property values high. Property owners should be allowed to replace taller growing trees with lower growing trees without a lot of government oversight or permit.

6. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None

7. PUBLIC HEARING

A. Comprehensive Plan Amendment Package

Comprehensive Planning Manager Kathleen Burgess reminded the Commissioners that the package of amendments for 2005 originally contained more than it does currently. The site-specific Crossroads Plaza amendment has been withdrawn. The Wilburton/NE 8<sup>th</sup> Street corridor study will be before the Commission as a Comprehensive Plan amendment in 2006. The Utilities Element amendment was initiated outside of the annual process and should be wrapped up in 2006. The Crossroads Center Plan will also be made a part of the 2006 package. That leaves only three amendments in the package for consideration in 2005.

B. Comprehensive Plan Amendment

– Factoria Area Transportation Study

Senior Transportation Planner Kevin McDonald said the Council in 2004 gave direction to update the Factoria Area Transportation Study, combining a focus on transportation and land use. After 18 months of working with the community, a final plan was crafted and forwarded to the Council. In June 2005 the Council accepted the plan and directed staff to begin implementing it. The early implementation strategies recommended by the plan are currently either being designed or have been constructed, including adding trees to the median of Factoria Boulevard, constructing a midblock crossing on SE 8<sup>th</sup> Street, developing guidelines for future public investment along Factoria Boulevard, and developing a landmark trailhead for the location where the I-90 trail intersects Factoria Boulevard. The longer-range transportation projects included in the plan are being included in the update to the Transportation Facilities Plan.

The third leg of the implementation strategy involves adoption of the policies and projects. The plan recommends amendments to some policies and new projects in the East Bellevue Transportation Plan, and also to the Factoria Subarea Plan. The scope of amendments proposed for the document include changes recommended by the Planning Commission on October 5, and a recommendation offered by the East Bellevue Community Council on November 1.

With regard to the Factoria Subarea Plan, Mr. McDonald said there are amendments proposed to a number of policies relating to the transportation system, including language that recommends the consolidation of curb cuts where appropriate during redevelopment, establishing boulevard standards for Factoria Boulevard, and gateway standards for the major entrances to the Factoria area. There are proposed new design policies that focus on improving the overall urban design of the Factoria area as redevelopment occurs by being specific with regard to building placement with respect to sidewalks, parking placement with respect to buildings, and the overall pedestrian environment.

Mr. McDonald said there are a couple of Comprehensive Plan map changes recommended as well. One proposal is to shrink the boundaries of District 2 within Factoria. The borders of District 2 are currently drawn to include the single family developments to the east and west of the commercial core along Factoria Boulevard; the FATS study recommending reducing the borders to include only the commercial areas, the multifamily areas, and Newport High School. A second map change proposal relates to a small area of General Commercial zoning that is surrounded by Community Business zoning along Factoria Boulevard located to the north of SE 38<sup>th</sup> Street. The recommendation of the FATS update is to change the General Commercial designation to Community Business. The existing uses are consistent with both zones, but Community Business zoning offers advantages to the property owners by allowing for a greater range of uses and a greater intensity of use, and benefits the community by allowing for the application of design guidelines as redevelopment occurs.

Motion to open the public hearing was made by Commissioner Lynde. Second was by Commissioner Orrico and the motion carried unanimously.

Mr. Kelly O'Neil, 3715 Factoria Boulevard SE, said he owns the property on which the Thai Ginger restaurant is located, one of the sites recommended for a change from General Commercial to Community Business. He said he has discussed the pros and cons with staff and is in complete agreement with the proposal.

Motion to close the public hearing was made by Commissioner Lynde. Second was by Commissioner Robertson and the motion carried unanimously.

C. Comprehensive Plan Amendment  
– Lochwood Commons

Ms. Burgess said the proposed amendment for Lochwood Commons is to change the Comprehensive Plan map from Office to Multifamily-Medium. She said there are currently Comprehensive Plan policies that indicate either zone is suitable for the site. With the Multifamily-Medium zone, there would be a net reduction in trips.

Motion to open the public hearing was made by Commissioner Robertson. Second was by Commissioner Lynde and the motion carried unanimously.

There were no public comments.

Motion to close the public hearing was made by Commissioner Lynde. Second was by Commissioner Orrico and the motion carried unanimously.

D. Comprehensive Plan Amendment  
– Tax Lots Triangle

Ms. Burgess explained that the proposed amendment would add the tax lots triangle properties to Bellevue's Potential Annexation Area and establish a Comprehensive Plan designation of Single Family-Low for the properties. She said the Growth Management Planning Council moved the Urban Growth Boundary earlier in the year, and in April the City Council ratified the change. When approved, the tax lots triangle will be providing stormwater detention, passive recreation and right-of-way for the Belvedere subdivision. There is no development potential on the site.

Motion to open the public hearing was made by Commissioner Orrico. Second was by Commissioner Robertson and the motion carried unanimously.

There were no public comments.

Motion to close the public hearing was made by Commissioner Robertson. Second was by Commissioner Lynde and the motion carried unanimously.

8. STUDY SESSION

A. Comprehensive Plan Amendment  
– Factoria Area Transportation Study

Answering a question asked by Chair Bonincontri regarding the revisions to Policy 17, Mr. McDonald explained that in revising the East Bellevue Transportation Plan an attempt was made to eliminate policies duplicative of those already in the Transportation Element of the Comprehensive Plan. Policy 17 was deleted because it is not current Bellevue policy to encourage private companies to provide transit where King County Metro does not provide adequate transit service.

Commissioner Robertson referred to the last paragraph on the first page of the Factoria Subarea Plan and noted that there are four hyphenated words in a row. She also asked if the statement made on the second page that says there are 11 million square feet of commercial space includes offices. Mr. McDonald said the figure includes office and retail. Mr. McDonald agreed the language would be clearer if worded "...11 million square feet of commercial space including offices...."

Commissioner Robertson asked why the next paragraph on the second page indicates that approximately 40 acres are classified as wetlands and designated for park or single family uses. Mr. McDonald explained that the Comprehensive Plan designations and zoning classifications are applied to properties without regard to whether or not there are wetlands involved. He allowed that the meaning of the sentence would not be lost if "...and designated for park or single family uses..." were to be deleted.

Referring to Page 6 of the subarea plan, Commissioner Robertson asked why the city has adopted level of service E+ for the Factoria area and why no effort is being made to improve the level of service. Mr. McDonald said the issue is a policy question that would be better directed at the Council. The standard of LOS E+ is in the current Transportation Element of the Comprehensive Plan as the established level of service for the area, and the Council did not direct the update to change the level of service standard. FATS does include recommendations for ways to enhance mobility for all users of the transportation system; it allows for projects that will enhance the flow of traffic as the mall and other uses redevelop over time.

Commissioner Robertson called attention to Page 9 of the subarea plan and the reference to a stand of trees along the slope providing a visual buffer for the residents of Monthaven and asked if requiring the stand of trees will impact anyone's view. Mr. McDonald said Monthaven lies to the east of Factoria and at the top of a hill. The trees currently interfere with views toward the west. The subarea plan text is not new; it has been retained from the existing subarea plan.

Commissioner Robertson pointed out a couple of typographical errors.

Commissioner Robertson suggested it would be beneficial to have an alley instead of all the curb cuts that connect the properties to the east of Factoria Boulevard. Mr. McDonald said the establishment of an urban design overlay for the entire Factoria Boulevard corridor is one of the early implementation strategies; it includes consolidating curb cuts, creating minor public open spaces, and improving connections between the various properties on the east side of Factoria Boulevard. The alley option has been considered.

Commissioner Robertson asked if requiring buildings to be located closer to the sidewalk along Factoria Boulevard will limit any potential future widening of Factoria Boulevard. Mr. McDonald pointed out that the cross section Factoria Boulevard currently has is the ultimate cross section; there is no additional widening of the roadway planned. It will be necessary, however, in determining where future buildings should be placed to consider additional pedestrian accommodations, including 12-foot sidewalks. There are also future transit enhancements recommended by the FATS update that must be considered in developing the urban design overlay.

Commissioner Robertson called attention to Page 21 and the language talking about overpasses and underpasses. As worded, the section states that a decision to build a pedestrian skybridge or tunnel should consider factors such as topography, accidents, pedestrian and vehicular volumes, origins and destinations, and opportunities to create an urban focal point or gateway. She said the section should include a consideration of safety as a factor. Mr. McDonald agreed to revise the language to fit in a safety component.

Commissioner Robertson asked about project R-3, which seeks to relocate the access to St. Margaret's Church. She noted that the parking lot for the church also serves as a park and ride lot. Mr. McDonald said the project has already been designed, though it is not currently funded and it did not make the cut on the latest round of transportation facility improvement projects; it has a very low priority.

Motion to recommend to the Council approval of the Comprehensive Plan amendment relating to the Factoria Area Transportation Study as revised was made by Commissioner Lynde. Second was by Commissioner Orrico and the motion carried unanimously.

B. Comprehensive Plan Amendment  
– Lochwood Commons

Motion to recommend to the Council approval of the Lochwood Commons Comprehensive Plan amendment as proposed was made by Commissioner Robertson. Second was by Commissioner Orrico and the motion carried unanimously.

C. Comprehensive Plan Amendment  
– Tax Lots Triangle

Motion to recommend to the Council approval of the Comprehensive Plan amendment relating to the Tax Lots Triangle was made by Commissioner Robertson. Second was by Commissioner Orrico and the motion carried unanimously.

Commissioner Lynde was excused and left the meeting.

D. Land Use Code Amendment  
– Bridle Trails Trees

Senior Planner Matthews Jackson said staff made some revisions to the proposed Bridle Trails trees ordinance as directed by the Commission at the last meeting. Language was added regarding equestrian uses and how they are one of the unique characteristics of the neighborhood. He allowed that by being placed high on the list of whereas statements, it can be interpreted as having more emphasis than tree preservation. The proposed ordinance is focused on tree preservation, and staff would not argue against modifying the proposed new language or returning to the originally proposed language.

Mr. Jackson said staff also folded into the ordinance language allowing for the removal of up to two trees annually through a simple permit process as directed by the Planning Commission. He said as crafted the ordinance would still require a permit for the removal of significant trees within the R-1 area, but the removal of up to two trees per year would be allowed without deference to the perimeter and interior tree retention requirements of the ordinance. By requiring a permit, the city will be able to track the number of trees removed.

Answering a question asked by Commissioner Mathews, Mr. Jackson said one way to make obtaining a permit for removing up to two trees per year as simple as possible would be to use the existing single family vegetation permit. The vegetation permits are not reviewed by land use planners, but as proposed the Bridle Trails permit would be. The fee would be \$100 or less for the permit, and the option of applying for the permit online is available.

Commissioner Orrico asked if there could be an exemption added for properties that have historically been used for agricultural purposes. Mr. Jackson said the Commission discussed at its last meeting the issue of whether or not the ordinance as proposed is flexible enough to allow people to manage their properties. The ordinance allows for up to 75 percent of all significant trees on a given site to be removed from the interior of lots within the R-1 zone. The minimum size of an R-1 is 35,000 square feet. The feeling of the Commission was that the ordinance language allows for sufficient flexibility.

Commissioner Robertson proposed revising Section 2 paragraph F.2.c.ii by adding at the end

“including use as pasture land or for agricultural uses.”

Chair Bonincontri suggested allowing property owners within the equestrian overlay to file with the city a master plan that contemplates a certain amount of tree removal activities over time. That approach could obviate the need for a property owner to seek a permit from the city every time they need to remove a tree. Mr. Jackson said another approach would be to issue permits that are valid for a set length of time and for a set number of activities. Specific language could be added to Section 2 paragraph F to reflect that approach.

Commissioner Robertson proposed revising Section 2 paragraph F.1 to read “...modification of the tree retention requirements or request approval of a long-term vegetation management plan...” Mr. Jackson suggested the language would make more sense if added to Section 2 paragraph E.1. Commissioner Robertson agreed. She also added that a vegetation management plan could be limited to areas that have the equestrian overlay; such plans should be good for perhaps as long as ten years.

Ms. Burgess pointed out that most of the Bridle Trails R-1 zone is under the equestrian overlay. Commissioner Robertson said the option could at least be applicable to properties that are actively used for equestrian or agricultural purposes.

Commissioner Orrico indicated support for the suggestion of Commissioner Robertson to include the reference to pasture land or agricultural uses in the alternative option.

Mr. Jackson proposed limiting the time span over which a vegetation management is valid; he suggested that ten years is a long time and held that three years would be more appropriate. He pointed out that a vegetation management plan would not necessarily be an alternative retention option; one would still need to request a deviation from the perimeter or interior requirements. A property owner could have a vegetation management plan that meets all the requirements without having an alternative retention option.

Commissioner Orrico allowed that the first suggestion made by Commissioner Robertson with regard to Section 2 paragraph F.2.c.ii would work better than a vegetation management plan approach for that very reason.

It was agreed to bring back the original wording of the first whereas statement and to craft a whereas paragraph that focuses on the equestrian nature of the Bridle Trails neighborhood. It was further agreed that staff should revise the ordinance as suggested and bring it back to the Commission for review in January.

E. Land Use Code Amendment  
– Critical Areas

Associate Planner Heidi Bedwell said the transmittal memo to the Council was revised at the direction given by the Commission on November 9. The updated version encourages the Council to fund the development of a template, includes notation about permit fees, and an additional whereas paragraph. She said she also met with Tim Rodgers in Beaumont Division 1 to determine what slopes in the development might be regulated; very few areas of 40 percent slope with at least ten feet of rise and 1,000 square feet of area were found.

Ms. Bedwell said the prime concern is in regards to mature trees in critical areas that are providing habitat and other functions that could possibly be topped. The areas in which trees have been topped every few years for a long time have not presented much of a concern to date for the city. Senior Environmental Planning Manager Michael Paine reminded the

Commissioners that the policy of the city is to predicate enforcement on the complaints received. In communities where there has been a longstanding practice of topping trees, it is unlikely that there will be any complaints registered whether or not the topped trees are in critical areas. What staff wants to avoid is the topping of huge trees that have not previously been topped; the action is clearly contrary to the policies already approved by the Commission. The focus is on critical areas, not on view management plans or a vegetation management plan, or even a tree plan; that is something the Commission can always elect to revisit.

Ms. Bedwell noted that Chair Bonincontri had submitted to staff directly a list of suggested edit changes to the ordinance and transmittal memo.

Answering a question asked by Commissioner Orrico regarding the third paragraph of the cover memo included on page 31 of the Commission packet, Ms. Bedwell said that language is intended to clarify that the provisions of the ordinance will not generally apply to developed areas on slopes of less than 40 percent where there is no evidence of landslide hazards.

Commissioner Orrico indicated general support for the revisions proposed by Chair Bonincontri. She disagreed, however, with the change proposed by Commissioner Sheffels to the whereas section, and continued to disagree with the restrictions against tree topping. While the city may not often engage in enforcement actions, tree topping will still be illegal. If the issue is really topping trees that historically not been topped, that is what the ordinance should say.

Mr. Paine observed that the prior ordinance exempted the management of developed residential landscaping if in existence prior to 1987; areas managed prior to that date, even if they had since been determined to be in a critical area, were exempted. The same approach could be adopted for use in the proposed ordinance. The previous ordinance did not, however, include specific language authorizing pruning actions; the proposed ordinance does include such language. Another option would be to somehow define the sites that have historically been managed and allow the process to continue.

Commissioner Robertson said she also supports allowing tree topping to occur, especially where the practice has been historically carried out. She said continued topping over time is more of a pruning action and the ordinance should reflect that. She also supported the revisions offered by Chair Bonincontri but not the changes to the whereas section proposed by Commissioner Sheffels. A typographical error in the first paragraph on page 42 of the packet was pointed out.

Calling attention to the last sentence of the first paragraph of the transmittal memo found on page 35 of the packet, Commissioner Robertson suggested amending the sentence to read "Furthermore, the Commission has heard from several citizens regarding their concerns about the critical areas ordinance and their desires to continue to top trees in their neighborhoods and regarding view protection covenants necessitating tree topping." She also proposed revising the third sentence of the third paragraph of the transmittal to read "...although "topping" is not a specifically sanctioned method," and asked to have a new sentence added to the end of the paragraph reading, "However, for trees that have been consistently topped, maintaining that height would be permitted as trimming."

Commissioner Mathews pointed out that not all covenants necessitate tree topping. Commissioner Robertson concurred, noting that the covenants direct the preservation of views, which necessitates topping or the removal of vegetation. She said many who testified before the Commission indicated that fact.

The Commission focused on the revisions to the language of the ordinance. Ms. Bedwell explained that the modified language on page 43 replaces the Section (vi) title of "Select

vegetation replacement” with “Vegetation Management Plan.” She allowed that Section (vii) “Select vegetation pruning” applies only to geologic hazard critical areas.

With regard to Section (vii), there was agreement to replace “...restoration. Pruning shall be undertaken in a manner that ensures continued survival of the vegetation” with “...restoration; provided, however, for vegetation that has been consistently managed by topping and other methods, nothing in this ordinance shall preclude the continuation of these practices.”

Ms. Bedwell explained that the original Select Vegetation Pruning section applied to geologic hazard areas, stream corridors and wetlands. Application to stream corridors and wetlands was inadvertent. If applicable only to geologic hazard areas, all other activities of pruning and tree removal will only be looked at through a Vegetation Management Plan. The title of Section (vi) was changed to better reflect what the section covers.

There was agreement with the proposal of Commissioner Robertson to add to the end of the fourth paragraph of the transmittal memo “However, for trees that have been consistently topped, maintaining that height would be permitted as trimming.”

There was consensus to approve the transmittal memo as revised by Chair Bonincontri and Commissioner Robertson. There was agreement not to include the whereas paragraph proposed by Commissioner Sheffels.

Ms. Bedwell informed the Commission that the ordinance and transmittal will be presented to the City Council on December 5.

## 9. NEW BUSINESS

Ms. Burgess reported that the Council has decided to allow the 116 Avenue SE moratorium expire on December 8. She noted that staff is continuing to work on the Wilburton corridor study and will be bringing proposed urban design standards and possibly some zoning changes to the Commission in 2006.

Ms. Burgess said there will be no Commission meetings in December. The first meeting in January is slated for January 4. The move to the new city hall during the month of January will necessitate not meeting in the latter part of the month.

## 10. OLD BUSINESS

Chair Bonincontri reported that on November 28 she presented the Comprehensive Plan amendment docketing process and noticing distance requirements to the City Council. She said the Council had a problem with removing “significant” from the changed circumstances wording and instructed staff to take another look at it. With regard to the noticing distance, staff was directed to craft options that would extend the noticing requirements where the line passes through a public property such as a park.

## 11. APPROVAL OF MINUTES

### A. September 28, 2005

Motion to approve the minutes as submitted was made by Commissioner Robertson. Second was by Commissioner Mathews and the motion carried unanimously.

### B. October 5, 2005

Motion to approve the minutes as submitted was made by Commissioner Orrico. Second was by Commissioner Mathews and the motion carried without dissent; Commissioner Robertson abstained from voting.

12. PUBLIC COMMENT – None

13. ADJOURNMENT

Chair Bonincontri adjourned the meeting at 9:28 p.m.

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Chair of the Planning Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Staff to the Planning Commission

\_\_\_\_\_  
Date