



## **PLANNING COMMISSION MEETING MINUTES MARCH 21, 2018**

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### **CALL TO ORDER:**

The Planning Commission was called to order by Chair Daniel Hubbell at 6:03 PM in the Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

### **ROLL CALL:**

Chair Daniel Hubbell, Vice Chair Tiffin Goodman, Commissioners Ted Weinberg, Lucia Pirzio-Biroli, Jennifer Mechem, and Carolyn Boatsman were present. Commissioner Bryan Cairns was absent.

City staff was represented by Evan Maxim, Planning Manager, Andrea Larson, Administrative Assistant, Bio Park, Assistant City Attorney, Alison Van Gorp, Administrative Services Manager, Jimmi Serfling, Code Compliance Officer, and Robin Proebsting, Senior Planner.

Commissioner Boatsman moved approve the March 7, 2018 minutes, Vice Chair Goodman seconded the motion. The minutes were approved 6-0-0.

### **APPEARANCES:**

Dan Thompson, 7265 North Mercer Way. Mr. Thompson spoke regarding Comprehensive Plan amendment Nos. 11, 12, 13, and 14. Mr. Thompson indicated that he does not support these Comprehensive Plan amendments and encouraged the Planning Commission to deny these amendments.

### **REGULAR BUSINESS:**

#### **Agenda Item #1: Code Compliance Ordinance**

Alison Van Gorp gave a staff presentation and introduction to the Code Compliance Ordinance. Alison Van Gorp described the current problems with the regulations, and the desire by the community to update these regulations. Jimmi Serfling and Alison Van Gorp answered questions from the commission on the purposed ordinance.

There was consensus from the Commission that the longer schedule was more appropriate. The Commission discussed the substance of the Code Compliance Ordinance. The Commission identified a key question as "how tough should we be?" in terms of requiring code compliance.

Commissioner Pirzio-Biroli indicated that ordinance should also regulate Commercial, Multi use, and City uses; Alison Van Gorp confirmed that these uses were subject to the proposed Code Compliance Ordinance.

Commissioner Boatsman suggested reducing the procedural process before a notice of violation can be issued. Commissioner Boatsman also requested that staff consider allowing anonymous complaints and to clarify how requiring a complainant name affected the process.

The Commission briefly discussed placing a lien on non-compliant properties if civil penalties were unpaid. The Assistant City Attorney, Bio Park, indicated that a lien based upon civil penalties would not be legal; however, it is possible to send civil penalties out for collection.

Commissioner Pirzio-Biroli indicated that if the code compliance provisions are consolidated into a single chapter, there should be appropriate cross references within the code.

#### **Agenda Item #2: ZTR2018-002 Critical Areas**

Robin Proebsting gave an expanded presentation of the Critical Areas update intended to provide the Commission with additional background. The commission discussed the Critical Areas update. Robin Proebsting and Evan Maxim answered questions regarding the ordinance.

Commissioner Boatsman indicated that the City should be looking into critical aquafer recharge area protections. Commissioner Boatsman also indicated that Fish and Wildlife Habitat protection is narrowly focused on eagles. Commissioner Boatsman suggested that other wildlife protection should be considered; for example, the Douglas squirrel.

Commissioner Pirzio-Biroli suggested that the City use the STAR rating system during their review of the Critical Areas Code. Commissioner Weinberg requested that the City identify the goal of the update, rather than articulate “don’ts and do’s”.

Commissioner Pirzio-Biroli recommended that the City supplement its protections with language that would encourage critical area protection and enhancement. Vice Chair Goodman suggested identifying alternative standards that would achieve the same goals as prescriptive standards; for example, “are there alternative mitigations that achieve the same protection, or add additional protections?”

Vice Chair Goodman recommended that the Planning Commission review the Critical Areas purpose statement.

Chair Hubbell recommended graphics and illustrations in the code to illustrate the intent of the code standards.

#### **OTHER BUSINESS:**

Evan Maxim described the user group process that had been discussed with the commission earlier. A user group meeting will be scheduled in mid to late April. For the community, the builders, and arborists to bring ideas for code amendments, which will be brought back to the Planning Commission.

Evan Maxim provided a quick summary of the council approval of the STAR rating system at the City Council meeting on March 20, 2018. Council direction was to initiate the STAR process.

Commissioner Boatsman questioned if there is a way to get updates on what Council decisions were made regarding comprehensive plan or code amendments. Chair Dan Hubbell requested a standing item on the agenda for Staff Updates.

#### **PLANNED ABSENCES**

None

#### **NEXT MEETING:**

The next regularly scheduled Planning Commission meeting will be April 4, 2018 at 6:00PM at Mercer Island City Hall.

#### **ADJOURNMENT:**

Chair Daniel Hubbell adjourned the meeting at 8:07pm