



## MINUTES

### PLANNING POLICY COMMISSION 6:30 p.m. – Thursday, April 24, 2025

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#### 1. Call to Order

The hybrid meeting was called to order at 6:35 p.m. by VICE-CHAIR PATTERSON.

Commissioners Present: Vice-Chair Patterson, Commissioners Adair, Krass, Matthews, Millender-Irwin, Mohl-Barouh (virtual), Oliner, and Zakharoff

Absent: Chair Voiss (Excused)

Staff Present: Minnie Dhaliwal, Director, Community P & D  
Amanda Jackson, Meeting & Records Assistant  
Stephen Padua, Assistant Planning Director  
Douglas Yormick, Environmental Planner (virtual)  
Dan Hintz, Urban Forest Supervisor (virtual)  
Stacy Vynne McKinstry, Sustainability Manager

#### 2. Approval of Minutes

##### a) Minutes of April 10, 2025

There being no corrections or comments, the Minutes were approved.

#### 3. Public Comments (General)

There were no requests to speak.

#### 4. Regular Business

##### a) Title 18: Tree Code Update (D) (00:02)

Yormick began the presentation.

Don McQuilliams, Environmental Board Chair, stated that concerns are regarding down and dead trees following wildfires, hazardous trees inside the burn zone subject to code, site trees adjacent to and within multi-family lots, Homeowner's Associations (HOA) tree permit issues, more flexibility in the planting areas, clarification regarding the tree fund, and a heat island effect Downtown.

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COMMISSIONER ADAIR asked for clarification regarding the ability to move downed trees. McQuilliams replied that an easier way to permit multiple trees that should be removed is hoped for rather than a stand-alone permit tree by tree, a full site evaluation instead.

COMMISSIONER MOHL-BAROUH asked if there was a plan to identify dead trees to absentee owners. Padua replied that Eastside Fire and Rescue conducts home emergency assessments, and the responsibility is currently on the property owner. COMMISSIONER MOHL-BAROUH stated owning property without a home on the lot, and that there are multiple similar properties. Padua replied that Eastside Fire and Rescue would be consulted for further information. COMMISSIONER MILLINDER-IRWIN stated that the property owner is responsible for assessing and maintaining the health of trees. COMMISSIONER MOHL-BAROUH replied having consulted a Real Estate Attorney and having been informed that the process is not simple for Home Insurance claims. COMMISSIONER MILLINDER-IRWIN stated that developers will overplant small trees for aesthetics, and asked if an overplanted HOA must comply with fire risk mitigation recommendations.

COMMISSIONER ADAIR asked for clarification regarding identifying planting areas and multi-family homes. Dan Hintz, Urban Forest Supervisor, replied that a process is being worked on with Community Planning.

COMMISSIONER MOHL-BAROUH asked if there is a discussion regarding compensation to owners for donated property for planting. Hintz replied that there have not been discussions at a single property level, but larger HOAs are being looked at, and an incentive is an interesting idea. COMMISSIONER MOHL-BAROUH asked if there were discussions regarding transferability. Hintz replied that onsite replacement is preferred first, offsite within the sub areas, and then further. Yormick replied that an agreement neighbor to neighbor within a sub area would be an agreement between owners; the city would ensure the tree is planted with an inspection following. COMMISSIONER MOHL-BAROUH asked how planting a tree will not create a wetland. Yormick replied that criteria used to identify wetlands, in addition to vegetation, are soil type and hydrology and not only a damp environment. COMMISSIONER MOHL-BAROUH stated having planted trees that became labeled as wetland identifiers even though appropriate to the site at planting. Stacy Vynne McKinstry, Sustainability Manager and Environmental Board Liaison, stated that other incentive programs have been examined although for larger properties, and that a recommendation for private property was a tree giveaway program that will be piloted in the fall with further incentive expansion to come.

Yormick concluded the presentation.

COMMISSIONER KRASS asked if a 25% tree canopy on small lots with impervious surface is realistic, and for clarification regarding fee-in-lieu on small lots with impervious surface. Yormick replied that there is flexibility in the percent target, options to plant offsite or pay into the tree fund. The fee-in-lieu covers the cost of a tree planted and maintained. COMMISSIONER KRASS asked for clarification regarding tree canopies to cool the city versus on private property. Yormick replied that right-of-way standards are regulated differently. Hintz replied that the Urban Forestry Management Plan addresses heat disparity and variability across the city and areas are prioritized.

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COMMISSIONER MATTHEWS asked why the canopy coverage target percentage in Tiger Mountain had changed. Yormick replied that land use and individual lot size and not only the sub area is now factored in. COMMISSIONER MATTHEWS asked if an alternative such as green roofs could be offered. Yormick replied that the issue has been discussed but has not been considered as a way to capture canopy but can continue to be explored. COMMISSIONER MATTHEWS asked if a green roof option instead of providing canopy has been considered. Hintz replied that guidance comes from a 2019 analysis report.

COMMISSIONER OLINER asked if the overall target of 55% canopy by 2035 includes public lands or only properties covered by Title 18. Hintz replied city-wide including both. COMMISSIONER OLINER asked what recourse the city has if a private property owner plants trees but does not maintain them. Yormick replied that currently, an inspection is conducted when a tree is planted but there are not ongoing requirements on individual property owners; if the tree fund is paid into and a tree is located on public property, that tree is maintained by Parks staff.

COMMISSIONER ADAIR asked for an example of a scenario where someone could be unsatisfied with code equity and consistency. Yormick replied needing to meet minimal canopy coverage requirements for the lot, considering removal of a possible hazardous tree, or a single-family lot surrounded by canopy overhang by mature trees nearby. COMMISSIONER ADAIR asked how changing from sub areas to individual lot zoning could help in the scenarios. Yormick replied that HOAs may have to apply for multiple removal permits for multiple parcels rather than one permit only. COMMISSIONER ADAIR stated that single families appear to bear more of a burden for tree canopy than other groups. Yormick replied correct, in some cases, and that now the burden of the sub area would be taken off of an individual lot. Hintz replied that in Talus in 2019, considering approximately 100 acres of conservancies or native growth protection areas, an 80% to 90% tree cover averaging across the sub area did not work. COMMISSIONER ADAIR stated concern that the cost burden of maintaining a tree on single families versus multi-family and commercial being given options for a lower percentage requirement of canopy is not fair.

COMMISSIONER ADAIR asked about responsibility of individual lot owners when certain canopy trees are removed. Yormick replied that code will not change that a tree must qualify for tree removal and a healthy tree more than likely would not be removed; the owner would be required to replace the tree, but possibly in a location that would no longer create an overhang. When an adjacent property has a tree or development permit, calculations for tree canopy coverage occur.

COMMISSIONER MOHL BAROUH asked if canopy credit would be received from a tree planted on an adjoining lot, and Yormick replied yes, credit for the overhang portion. COMMISSIONER MOHL BAROUH asked if being able to trim overhang blurs the line of ownership and Yormick replied that the property with overhang canopy would receive credit for the overhang canopy. COMMISSIONER MOHL BAROUH asked if the property owner who planted the tree would receive some credit and Yormick replied for the canopy over the property boundaries but not the adjoining property.

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COMMISSIONER MATTHEWS asked what would occur in a hypothetical scenario of removing canopy overhang followed by a development permit, complicated property to property, and Yormick replied that complications are because trees do not follow property line rules.

COMMISSIONER KRASS asked what level of remodel would trigger analysis. Yormick replied most ground disturbing activities such as construction of a large deck would trigger if over 50% of the building value, and that a plumbing permit or small remodel would not unless a tree is removed.

COMMISSIONER ADAIR asked for further clarification regarding the fee-in-lieu process and Yormick and Padua explained details. COMMISSIONER ADAIR asked if there are guardrails to avoid abuse of the process, and Yormick replied that a lot still needs to meet canopy coverage and tree retention requirements.

VICE-CHAIR PATTERSON asked for clarification that fee-in-lieu was added recently. Yormick replied that fee-in-lieu has been in code but with more robust language added into the 2023 update.

COMMISSIONER ADAIR asked how a Landmark tree becomes a nuisance tree. Yormick replied if obvious damage is occurring to a structure or if there is the potential for damage; in example, roots damaging the foundation of a home with no options to save the tree.

COMMISSIONER OLINER asked why cabling of trees is being prohibited. Hintz replied that Best Practice is instead for an engineer to inspect annually.

**5. Reports (01:24)**  
 a) **Council Update**

Padua stated that City Council adopted Title 18 clarifying amendments and the amended Shoreline Master Program. The Squak Mountain non-motorized project preferred concept was reviewed. Council will see Middle Housing regulations in May, 2025.

**6. Other Business/Announcements**

There were no announcements.

**7. Adjournment**

VICE-CHAIR PATTERSON adjourned the meeting at 8:00 p.m.

Respectfully submitted,

Carolyn Garza, LLC  
 Recording Secretary