



## TOWN OF BEAUX ARTS VILLAGE

### PLANNING COMMISSION

#### MINUTES

March 31, 2022

Remote Meeting Via Zoom

**Present:** Commissioners Jeremy Laws, Bruce Agnew, Steve Tegeler, Kim Moloney and Steve Miller

**Staff:** Deputy Clerk Addie Tych

**Guests:** Mayor Aletha Howes, Warren Klink (resident) and Julia Morse (resident)

Commissioner Tegeler called the meeting to order at 7:01pm.

**PUBLIC COMMENT:** None.

**MINUTES:** Commissioner Miller moved to approve the February 24, 2022 minutes as amended. Commissioner Laws seconded. Vote: 5 For, 0 Against. Motion carried.

#### **COUNCIL UPDATE:**

At the March Council meeting, the Council authorized Town Attorney Linehan to prepare an ordinance to adopt appropriate code language revisions. When that draft ordinance is ready, the Planning Commission will review and discuss further action. The Council also agreed to allow the Planning Commission to continued studying the tree code but would like the Commission to identify the areas they intent to focus on.

#### **Tree Code Study**

At the February meeting, the Commission made a motion to change the definition of hazardous trees to include dead and create a new process that allows the Town to assess the tree's status before requiring the resident to obtain a tree removal permit:

- a. If the Town Arborist finds that the tree is dead/hazardous, the resident may remove the tree without having to go through the application process.
- b. The Town should consider allowing residents to submit a request for a pre-application assessment (of trees they believe are dead/hazardous) directly to the Town Arborist through the Deputy Clerk/Building Dept without requiring an assessment by an independent arborist.
- c. If the Town Arborist finds that the tree is not dead/hazardous, the resident would be required to apply for a tree-removal permit, including obtaining an independent arborist's report, if needed, for their application.

The Council has agreed to allow the Planning Commission to continued studying the tree code but has requested that the Commission to identify the areas they intent to focus on. The Commissioners briefly discussed but concluded it would be best to revisit the subject once they begin their review of the draft ordinance.

### **Accessory Dwelling Unit Code Study**

The Council has instructed the Planning Commission to study the Town's current ADU (accessory dwelling unit) regulations and determine what updates may be needed. This discussion was prompted by concerns about recent legislation proposed by the state legislature that would pre-empt the Town's local zoning efforts controlling ADUs and by the rapidly increasing property values in the area that make ADUs more financially attractive.

In particular, the Council wants the Town's code to:

- define the term Accessory Dwelling Unit,
- decide what functional spaces ADUs may include or not include,
- determine the number of occupants that may legally occupy an ADU,
- consider the situation in which an owner chooses to occupy the ADU and rent the main residence to another and what restrictions, if any, should cover that situation, and
- clarify that the rental of an ADU is not considered a commercial activity.

The Town's current code allows property owners to rent a room or rooms within the primary residential structure to no more than one person outside of the primary family. Additional off-street parking must be provided for all vehicles used by the renter. The Town prohibits sleeping or kitchen quarters in any accessory structure.

Due to the scope of the discussion, the Commission agreed to first attempt to define what is an Accessory Dwelling Unit and may also revisit the definition of a single-family home. The Commissioners will look at other surrounding cities' and small town's codes and will continue their discussion at their next meeting.

### **Historic Home Preservation: Public Forum**

Commissioner Steve Miller gave a brief overview of the King County Historical Preservation Program and some of the benefits it would provide to owners of Beaux Art's historical homes. Since there is already a Historic Preservation code chapter, it should be relatively easy to update it. There would also be added code language that participation in the program would be entirely voluntary. The public attendees spoke in favor of the program and the benefits it would provide to historical homeowners.

**Motion:** Commissioner Miller moved to recommend that the Town move forward with the necessary steps to become a part of the King County Historical Preservation Program which would include signing an interlocal agreement and then adopt an ordinance establishing the Town's own preservation rules and procedures. Commissioner Laws seconded. Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

**Adjourn:** Commissioner Miller moved to adjourn the meeting at 8:33 pm. Commissioner Agnew seconded. Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

**Next Meeting:** The next Planning Commission meeting is expected to be held remotely at 7:00pm on Thursday, April 28, 2022.

Respectfully submitted,

Addie Tych, Deputy Clerk

March 31, 2022 Planning Commission Minutes