



## TOWN OF BEAUX ARTS VILLAGE

### PLANNING COMMISSION

#### MINUTES

March 17, 2016  
Johnston

**Present:** Chairperson Bennet Yen, Commissioners Paula Dix, Jan Johnston, Hans Juhle, and Jeff Kendall

**Excused:** None; Chairperson Yen was late and Commissioner Kendall left early.

**Staff:** Planner Mona Green, Deputy Clerk Angela Kulp

**Guests:** None

Commissioner Johnston called the meeting to order at 7:11pm.

**MINUTES:** Commissioner Kendall moved to approve the February 25, 2016 minutes as written. Commissioner Johnston seconded. Vote: 4 For, 0 Against. Motion carried.

#### **OLD BUSINESS: Historic Preservation- Certified Local Governments (CLG's)**

Deputy Clerk Kulp reported she made all Commission-requested corrections to the CLG Questions and Answers, which Planner Green confirmed. The CLG Q&A was sent out to all villagers with their March newsletter almost three weeks ago, but no additional resident feedback had been received.

After a brief dialogue, the commissioners agreed Commissioner Dix could review the CLG requirements again, and bring a draft ordinance to the next meeting for further assessment, which will be discussed along with determination of criteria. Commissioner Dix reminded the Commission that both the ordinance and criteria must be approved by the Commission before making a recommendation to the Council.

#### **OLD BUSINESS: Zoning Code**

Deputy Clerk Kulp mentioned she put a notice in the March newsletter requesting resident feedback on future design guidelines as the Commission requested, but no feedback had been received.

Commissioner Johnston was eager to share her recommendations to the Commission that she had pared down from the Issaquah and Harrison Street's design guidelines previously discussed. Her list was broken down into requirements and recommendations, which was detailed by material, location, purpose and numbers. The proposed suggestions were further broken down by what could be discouraged and encouraged. After some discussion, consensus prevailed; requirements are codes and recommendations are guidelines but neither should get too detailed or restrictive as our community is much different than the community from which these were reduced.

Chairperson Yen summarized that recommendations could be limited as a Design Guidance document to encourage structures to better fit into the community's landscape, but changes in the code should be focused on *height, setbacks* and *façade modulation* as they seem to stir up the most concern. The Commissioners agreed to table the Design Guidance details to another discussion in a future meeting and move onto code issues.

Commissioner Johnston dove into the height discussion noting a structure looks smaller when façade modulation is employed such as with a bay window or a dormer. She passed out a summary she had put together of different ways other jurisdictions limit residential height. The methods included using:

- *Increased setback*
- *A simple number*
- *Different heights in different zones (also known as the "Hunts Point" method)*
- *Using a plate height*
- *Setting the height in relationship to the street elevation.*

Each method was detailed on what is allowed and discouraged. After some debate, Planner Green explained the *plate height* method would not impact setbacks and is perhaps the most suitable for encouraging sloped roofs in this community. She noted Beaux Arts currently uses a simple number of 30 feet for the maximum height, which is measured from any corner, effectively following a lot's slope. Commissioner Johnston pointed out examples of why and how our 30 feet could be misused, and noted most other smaller communities limit to 25 feet. Then she described how a structure could encourage sloped roofs and dormers with a plate height method while still allowing a ridge height of 30 feet, effectively making a house look smaller while still maximizing interior space. Planner Green offered to review other community's codes that use this plate height method. The commissioners agreed this plate height method sounded like a good idea. They agreed Planner Green should investigate it further, to continue the discussion at the next meeting. They asked her to especially focus on clarifying how this method would work with slopes and shed roofs, which was a confusing point of concern for anyone not wanting to prevent some of the new, modern structures recently built.

Feeling pressed for time, the conversation moved onto another zoning concern, façade modulation. Planner Green described how the current zoning code already encourages a structure's exterior to be modulated by allowing certain elements in the setbacks. Commissioner Johnston urged the Commission to consider more incentives and push for more architectural elements that vary a structure's frontage. Commissioner Juhle questioned if perhaps one change now, and another change later might be more helpful for evaluating than a whole slew of changes at once. Planner Green agreed a suggestion at a time could be more easily compared after more development. Deputy Clerk Kulp noted the Council may prefer to make several changes to a code at one time instead of revisiting the same code again and again. As there are more zoning concerns to discuss and contemplate over the coming months, the Commission agreed to take this topic up again at their next meeting to continue this discussion further.

## **NEW BUSINESS: Construction Complaints**

On the subject of the Zoning Code, Deputy Clerk Kulp noted permits had just been issued for another new construction project now underway. She shared resident complaints to her office continue for all construction projects and usually fall into three categories, noting her view on each:

1. Unintended consequences of a significant change to a lot
  - This is usually due to inconsiderate design impacting lot, community and surrounding neighbors. Examples:
    1. Change in sunlight to a neighbor's mature landscaping
    2. Lighting changes or windows in a structure now impacting a neighbor's privacy
2. Disbelief that our codes really do allow what they're seeing
  - Residents are given a recommendation to look at the codes and bring their suggestions to the Council for action; the Building Department can only enforce the codes through extensive plan review or code enforcement.
3. Frustration over lack of rules followed
  - This is the only type of complaint the building department can truly take action on, which is often handled by the Building Official as code enforcement.

Ms. Kulp added that when she discussed this with other staff prior to this meeting, Clerk-Treasurer Spens suggested that the Planning Commission discuss the first category about unintended consequences in detail to determine if they could come to a consensus. Then, for the Commissioners to ask the Council for authorization to study the issue further in order to find a recommendation to the Council. Deputy Clerk Kulp noted changes to a lot result in unintended consequences, ultimately impacting neighbors light, privacy and view:

1. Change in structure size impacts lot coverage, and GFAR (Gross Floor Area Ratio)
  - Usually a much larger structure, sometimes with much excavation for exempted GFAR.
2. Change in vegetation and tree canopy
  - Often removal of many large trees and native vegetation for non-native manicured landscaping. Lots of excavation increases the likelihood of lost trees and canopy. The Tree Code determines if trees are mitigated.

Planner Green explained another unintentional change, which ultimately impacts stormwater, greenspace and perceived appearance of how a structure settles into its surroundings, and that is the impervious/pervious definition of materials allowed by our code. She described how gravel, most pavers and even some asphalt materials are considered as pervious in our current Zoning code, but the Washington Department of Ecology (WA DOE) treats them as impervious for the state's stormwater regulations that Town staff must enforce. She described how this contradiction is an issue here, and is exploited by new development maximizing lot coverage, contributing to more pressure on our aging stormwater system, and lessening a lot's greenspace which is important in softening a development's impact on the neighborhood. The result is a structure that has a bigger impact to the lot's coverage than our code intends.

The commissioners listened to staff concerns, and agreed to consider these points for further discussion at a future meeting.

As these complaints also fall into the Zoning conversation, Commissioner Johnston recommended anyone interested in pursuing further reading, may be interested in books by author Christopher Alexander, specifically *A Pattern Language*. Deputy Clerk Kulp also recommended books by author/architect Sarah Susanka, including *The Not So Big House*. It was agreed that both authors focus on quality over quantity, and how a structure relates to its surroundings, which may help focus on specific zoning code language needed for more effective planning here.

**Adjourn:** Chairperson Yen moved to adjourn the meeting. Commissioner Juhle seconded. Meeting adjourned at 8:55pm. Vote: 4 For, 0 Against. Motion carried.

**Next Meeting:** The next meeting will be at Commissioner Juhle's home on Thursday, April 21, 2016, 7:00pm.

Respectfully submitted,  
Angela Kulp, Deputy Town Clerk