

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – March 23, 2015
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Commissioners Shawn Hensley, John Savory, John Serlet, and Larry Boatright

ABSENT: Commissioner Tyler Smith

STAFF: Bryan Brown, Planning Director, Laney Fouse, Planning Staff

OTHERS: Clint Coleman, Councilor and Planning Commission Liaison, and Kris Rocha

1. CALL TO ORDER

Vice Chair Savory called the meeting to order at 7:00 pm.

2. CITIZEN INPUT – None

3. MINUTES

a. *Planning Commission Minutes, February 23, 2015.*

Motion: A motion was made by Commissioner Serlet and seconded by Commissioner Hensley to approve the February 23, 2015 minutes as written. Motion passed 4/0.

4. PUBLIC HEARING – None

5. NEW BUSINESS – *Street Tree Ordinance*

Bryan Brown, Planning Director, entered his staff report into the record explaining the proposed changes to the Street Tree Ordinance. He discussed the ordinance adopted in 2013 which amended Section 12.32 of the Canby Municipal Code on Tree Regulations as well as adopting a new Tree Planting and Maintenance Policy and an updated Street Tree List.

The language changes proposed were titled “Exceptions to New Street Trees.” Street trees would not be required for: partitions resulting in a flag lot that had no public street frontage, partitions involving a lot that was already developed, partitions involving a lot planned for redeveloped where the street tree requirement could be applied later when the redevelopment occurred either through further partitioning or as a landscape plan required through site and design review, and development of a vacant or partially developed parcel whether existing or part of a partition that had an equal number of ordinance required existing trees whose proximity to the public street was within the bounds of the usual 12 foot wide street tree easement and whose species were included on the official Street Tree List.

There was discussion regarding the Street Tree List, which would help to put the right tree in the right place, especially trees which did not grow into the overhead power lines or roots which were less hazardous to sidewalks and neighborhood yards. Homeowners were required to maintain street trees after the initial establishment period just like they are required to maintain public sidewalks.

Mr. Brown said the new policy is for a developer to pay a street tree fee instead of planting the street tree, which is currently set at \$200 per tree within the City Master Fee Schedule. The adopted policy requires a contractor hired by the City from the street tree fee fund to plant street trees in accordance with the spacing standards from each other and from various infrastructure and to provide maintenance for an initial two year period with a replacement guarantee. The first year or two in many cases after establishment is critical in assuring their survival and this maintenance cost generally exceeds the actual cost of planting the initial tree. The maintenance cost issues explain why the fee is currently set to be collected based on one tree per 30 linear feet of street frontage in the subdivision or partition. It was not intended to invoke a required 30 foot tree spacing standard that had to be met. The confusion has lead staff to work with the developer of Dinsmore Estates Phase 2 to accept an actual street tree plan for his subdivision that assesses where trees can actually be planted in accordance with spacing requirements an alternative basis for the street fee collection. At this time, I am proposing we keep the 30' linear street frontage street tree fee collection standard, but if the developer chooses to submit a street tree planting plan for his development that conforms with identified code spacing requirements, staff would accept that plan even if it proposed fewer trees than the 30 foot standard. This would provide an incentive for a street tree planting plan to be developed which is desirable as the fee collected is certain to be lower, but we would not be mandating that a street tree plan be provided.

Commissioner Serlet asked if there was a grandfather clause to protect well-formed, mature existing trees on City right-of-way property, and thought there should be something included to assure older, diseased, or rotted trees be replaced. The Historic Review Board was working on nominating historical trees and he thought they should review removal of significant trees as well. He thought the language should be left open in case the \$200 per tree was not enough to support the program.

Commissioner Boatwright liked the exceptions and proposal regarding the 30 foot standard.

Commissioner Hensley liked the exceptions except for the last one where it said the species needed to be included on the official Street Tree List. It sounded like if there was an existing tree in the 12 foot street tree area, it would need to be taken out and a new tree put in if it was not on the City's official street tree list. He was not a fan of the 30 foot rule, but liked giving developers an opportunity to provide a street tree plan. He thought staff was going in the right direction.

Commissioner Savory agreed with Commissioners Serlet and Hensley. He would like to come back and spend more time discussing the changes. This was a significant

piece of work and he would like to make sure they got it right. There was also a new Planning Commission member and he would like to table the decision until the next meeting.

There was consensus to look at the Ordinance, Tree Planting and Maintenance Policy, and Street Tree List and have more discussion regarding the 30 foot street frontage standard. They were generally in favor of the exceptions.

This item was continued to the April 13, 2015 Planning Commission.

6. FINAL FINDINGS

(Note: These are final, written versions of previous oral decisions. No public testimony.)

- a. MLP 15-02 Minor Land Partition – 486 S Knott St, Jason Bristol

Motion:

A motion was made by Commissioner Hensley and seconded by Commissioner Boatwright to approve the findings for MLP 15-02 as written. Motion passed 4/0.

7. OLD BUSINESS – None

8. ITEMS OF INTEREST FROM STAFF

- a. Next regularly scheduled meeting would be April 13, 2015
- b. Fred Meyer, McDonalds, and other projects

Mr. Brown reported the Planning office was busy with many development projects. The Fred Meyer and McDonalds projects still had not submitted building permit applications.

9. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION – None

10. ADJOURNMENT

Motion: Commissioner Hensley moved for adjournment, Commissioner Serlet seconded. Motion passed 4/0. Meeting adjourned at 7:54 pm.

The undersigned certify the March 23, 2015 Planning Commission minutes were presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 13th day of April, 2015


Bryan Brown, Planning Director


Laney Fouse, Minutes Taker

Assisted with Preparation of Minutes – Susan Wood

