

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Conference Room A
May 13, 2019
6:00 p.m.

Planning Commissioners Present: Jim Patrick, Lee Hardy, Bob Berman, Rod Croteau, Jim Hanselman, and Bill Branigan.

Planning Commissioners Absent: Mike Franklin (*excused*).

PC Citizens Advisory Committee Members Present: Dustin Capri.

Public Members Present: Mona Linstromberg, and Gary Laymon.

City Staff Present: Community Development Director (CDD), Derrick Tokos; Associate Planner, Rachel Cotton; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.** No unfinished business.
3. **New Business.**
- A. **Continued Discussion on the Draft Tree Manual and Pruning/Tree Removal Ordinance.** Tokos reviewed his staff memo noting that Cotton had made changes to the manual based on feedback from the Commission from the last meeting.

Cotton reviewed the draft ordinance with the Commission and noted that “other tree care professional” was added and a definition of “public trees” was created. Hardy said City “owned” and “controlled” was a conflict in terms when the owner didn’t have to maintain the property. A discussion ensued on what it meant for a property to be controlled by the City. Cotton suggested leaving it as “City owned” property and remove “controlled”. Patrick questioned how far a portion of the tree had to be on the City’s property for it to be considered City property. Cotton suggested saying that if more than 50 percent of the trunk was on the property, it was City property. Patrick suggested measuring it at breast height. Cotton suggested using diameter breast height (DBH) that was 4.5 feet. Hanselman suggested adding “if the trunk was 51 percent or more on the property”. Cotton reiterated that what she was hearing was that “public trees” meant park trees, street trees, or other trees with more than 51 percent of the trunk at DBH of 4.5 feet were on City owned property. Hardy suggested adding who would be liable in the document. Cotton explained that was not part of this document. Berman noted that public trees and street trees weren’t defined. Cotton would change it to say “trees” instead. Tokos suggested saying “includes rights-of-way”. Patrick suggested including “easements”.

Cotton covered the examples of stumps in the manual and noted the examples pulled from other jurisdictions. Hardy questioned why they had to grind the stump instead of removing the stump. Croteau suggested going with La Grande’s method. Patrick was inclined to say they should remove the stump flush to ground level.

Cotton reviewed the tree replacement specifications next and the examples from other jurisdictions. Hanselman was concerned about density of planting replacement trees and thought density standards needed to be determined. Cotton said this was addressed in the tree manual. Berman liked Oregon City’s example with the DBH and calipers added in. Capri thought the DBH should be 4.5 feet to match. Hardy was concerned about the reasoning for having to plant eight trees when replacing a tree over 31 inches. Capri expressed concerns about whether or not the Tree Board would be experts on trees. Cotton said the Tree Board was the Parks and Rec Committee. She said Ryan Parker was on the Board. He had worked with State

Parks and had some background. Capri asked if the City could hire an arborist for the Tree Board in order to have tree experts available when making decisions. Cotton said hazardous trees would need tree professionals to begin with. Capri was also concerned that the Tree Board have a professional to determine good properties where the City needed to plant trees. Tokos thought this would involve staff support with the Parks and Rec Committee to identify areas suitable for planting. Branigan suggested adding that the Tree Board consult with the State Arborist. Croteau suggested talking to Extension Services. Capri wanted the Tree Board to include diverse backgrounds. Cotton said what she was hearing was that there was a concern that the Tree Board would be qualified to determine someone's replacement plan. She said there wasn't a budget to pay for a professional to be on call to review applications, and they were trying to work with the resources available. Her thoughts were to have standards written and then come back and adjust it if it wasn't working. What the Commission was doing was putting standards in place. Patrick suggested using Oregon City's example No. 1 instead of B, and keep C and D. The Commission was in general agreement.

Cotton asked the Commission for their input on if the Tree Board would make decisions or make recommendation. The Commission was in general agreement that the Tree Board would approve or deny requests.

Croteau asked how the Tree Board would be selected. Cotton said the Tree Board would be the existing Parks and Rec Committee. Hanselman asked how common tree removal requests would be handled. Cotton said they would have to see what came in, but the City had heard in the past from people interested in removing trees on their property who asked what they needed to do. Hanselman questioned if a homeowner would be responsible for the costs to remove a hazardous City tree. He felt the property owner shouldn't be responsible. Hardy and Hanselman felt the City would be responsible if they owned the property. Hanselman thought they needed to write in protection for residents. Tokos said they could consult the City Attorney on this question.

Patrick questioned if there was a way to add a tree that that wasn't in the manual. Cotton said part of what the Tree Board would do is revisit the list to amend it, and it was a living document. (37:26)

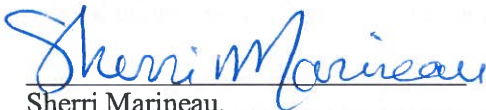
Capri asked if a request would go through Public Works and then to the Tree Board. Cotton explained if it fell under 1-4 it would be handled internally, anything that fell under the other criteria would go through the Tree Board. Patrick questioned whether anyone would be interested in planting a tree on their property and dedicating it as a public tree. Cotton said it would be something the Tree Board would consider as an option for someone to have a heritage tree.

Tokos said if the Commission was comfortable with these changes, they could initiate the legislation process by motion at that night's regular session meeting. He asked Cotton to submit a summary to the Commission.

Cotton reviewed the Tree Manual draft next and what had been added. Berman asked for clarification on the approved street trees. Cotton explained the list included the trees approved for street trees and reviewed why there were standards for street trees. She noted that other trees would be acceptable species in other areas of Newport. Hanselman noted that the tree list included Ginkgos. He noted the female Ginkgo was obnoxiously stinky. Cotton would include "males only" for Ginkgos.

Adjourned at 6:47 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant