



City of Oregon City

625 Center Street
Oregon City, OR 97045
503-657-0891

Meeting Minutes - Draft

Planning Commission

Monday, November 30, 2015

7:00 PM

Commission Chambers

1. Call to Order

Chair Kidwell called the meeting to order at 7:00 p.m.

Present: 6 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Denyse McGriff and Damon Mabee

Absent: 1 - Paul Espe

Staffers: 2 - Tony Konkol and Pete Walter

2. Public Hearing

2a. [PC 15-227](#)

Continuance for ZC 15-04: Zone Change, PZ 15-02: Amendment to the Comprehensive Plan and CP 15-02: Master Plan Amendment

Tony Konkol, Community Development Director, requested continuance of item 2a to a date certain of January 11, 2016 due to a noticing error. He recommended the Commission take testimony of anyone present and then continue the hearing.

Commissioner McGriff asked if the staff report would be amended to address the comprehensive plan criteria, and Mr. Konkol said yes and that a supplemental memo would be prepared to address the previous issues raised.

There was no public testimony given.

Motion by Commissioner Damon Mabee, second by Commissioner Zachary Henkin, to continue the hearing for item 2a to a date certain of January 11, 2016.

Aye: 6 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Denyse McGriff and Damon Mabee

2b. [PC 15-228](#)

Continuance for ZC 15-03: Zone Change and PZ 15-01: Comprehensive Plan Amendment

Tony Konkol, Community Development Director, requested continuance of item 2b to a date certain of January 11, 2016.

There was no one present to testify.

Motion by Commissioner Denyse McGriff, second by Commissioner Tom Geil, to continue item 2b to a date certain of January 11, 2016.

Aye: 6 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Denyse McGriff and Damon Mabee

2c. [PC 15-221](#) Revised Heritage Tree Ordinance.

Pete Walter, Planner, presented the staff report for item 2c, revised heritage tree ordinance, using a PowerPoint presentation. He provided background on the existing code regulating the criteria and process for heritage tree designation. He reported that the Natural Resources Committee and Planning Commission had provided previous input on the revisions. He summarized the revisions to include clarification of the roles of staff, Natural Resources Committee, Parks & Recreation Advisory Committee, and the City Commission; clarified owner consent; clarified the process for final designation and legal protection; and readability. He noted that the intent of the code was not to act as a comprehensive tree ordinance. He stated the revisions addressed the nomination and review processes; the heritage and site and condition criteria for designation; protection through a restrictive covenant; and new definitions.

Commissioner Mahoney commented on the importance of developing a comprehensive tree ordinance to protect trees on public and private property utilizing public funds. Commissioner Mabee commented that the current proposed heritage tree ordinance would help determine the will of the people toward their protective responsibility. Chair Kidwell added that the proposed revisions were not in place of a comprehensive tree ordinance but were designed to clear up ambiguities and confusion.

James Nicita, Oregon City, presented several points. 1) The addition to Section II, page 4, of a date certain for the review was good. 2) He agreed with Commissioner Mahoney's comments, particularly in regards to stands as opposed to individual trees. He felt the arborist cost would be expensive for the property owner. He referred to page 6 of the proposed ordinance and suggested shifting the burden onto the City to prove, through an arborist's opinion, that a tree was unhealthy, rather than requiring the applicant to prove the tree was healthy. He felt the City was in a better position to bear the cost. 3) He felt that all the heritage tree codes should be in Chapter 12, rather than divided between Chapter 12 and 17. 4) Regarding the Penalties and Enforcement section, he stated that civil or criminal penalties should be instituted for unlawful destruction of trees. He asked that the Commission continue this item for further discussion.

Motion by Commissioner Tom Geil, second by Commissioner Denyse McGriff, to continue item 2c to December 14, 2015.

Aye: 6 - Charles Kidwell, Tom Geil, Robert Mahoney, Zachary Henkin, Denyse McGriff and Damon Mabee

3. Adjournment

Communications:

Mr. Konkol reported that the Willamette Falls Legacy Project worked with ECONorthwest on local funding options, and staff held a tour with the City Commission to Wilsonville and Lake Oswego and met with their Economic Development Departments, focusing on the Villebois and Coffee Creek areas. Villebois used urban renewal for development assistance, and Lake Oswego creatively worked with private property owners for use of private parking areas for public use.

Commissioner McGriff reported that a shopping center on Molalla placed signs in the public rights-of-way some distance away from their shops and asked if that in compliance with Code. Mr. Konkol replied he would need to look into the matter.

Chair Kidwell referred to tonight's agenda and stated that the titles of items 2a and 2b did not include a description of the specific project being discussed and asked for improved language for the public's understanding of what would be discussed. Mr. Konkol agreed and replied that staff would make appropriate changes to be more descriptive.

Mr. Konkol gave an update on the Willamette Falls Legacy Project.

Chair Kidwell adjourned the meeting at 8:14 p.m.