

Planning and Zoning Commission Work Session Minutes
October 10, 2019
Conference Room 1-B - 1st Floor City Hall

ATTENDANCE:

Commission Members Present: Burns, Carroll, Loe, MacMann, Rushing, Toohey,
Commission Members Absent: Rushing, Strodman, Russell

TOPICS DISCUSSED

Old Business –

- **UDC Text Amendment- Street Trees in the Right of Way**

Mr. Zenner provided a summary of the previous discussion regarding the desire to address technical and practical challenges with the location of street trees required by the UDC in terms of conflicts with utility placement in the public rights of way. Mr. Zenner summarized the direction staff took from the Commission at the August 22 work session, and said the most recent draft regulations dated October 4, 2019 presented two options for the Commission to consider based upon the Commission's feedback.

Mr. Zenner said Option 1 would restrict private utility providers from locating utilities in the right of way and included revisions that would increase the required tree spacing from one tree every 40-feet to one tree every 60-feet of street frontage. Additionally, Option 1 included revisions that would provide the City Arborist flexibility in determining appropriate tree species and size to promote tree health. Option 2, Mr. Zenner indicated, recommended the removal of streets less than 50-feet in width from having street tree planting requirements. Both options had clean up or continuity revisions for related section of code.

There were questions and general discussion by the Commission. There was discussion of the intent and understanding of the code by the consultant team which had drafted the UDC. There was interest in practices to promote tree health. The City Arborist, Mr. Fritz was able to provide information.

Mr. Zenner and Mr. Fritz said the Tree Board had also considered the matter as a discussion topic on their September 9 agenda. A letter was prepared by the Board for the Planning Commission's consideration. The correspondence offered several observations as well as recommendations on how to address the challenges that the current code provisions present. Within the correspondence, the Tree Board offered the Commission its assistance in researching how other communities address this matter. There was discussion of the Board's recommendations.

Commissioner's gave consideration to each of the proposed options; however, also inquired about the potential for requiring street trees on the opposite side of the right of way from where the buried utilities were located within the "tree lawn". This recommendation was presented in efforts to split the difference between waiving street tree placement in right of way on streets containing less than 50-feet of roadway width as proposed in Option 2. There was general discussion of the pros and cons of such a proposal and staff cautioned that such provisions may have unintended consequences, but was willing to pull together a proposed mark-up of the current regulations showing how this option would appear if presented for adoption.

Mr. Zenner asked the Commission if there was desire to move forward with either Option 1 or 2 so one could be advertised for a public hearing or if they wanted to see option 3 as discussed. However, due to time constraints within the work session Chairman Loe recommended that discussion on an option selection be taken up at the end of the regular Commission meeting under "Staff Comments".

Commissioners agreed that discussion on the matter at the end of the Regular meeting was appropriate. During that discussion several motions and votes on the proposed options were taken; however, no majority vote was cast. Given such an outcome, it was recommended that additional work session discussion on the topic should be pursued. Mr. Zenner indicated that in preparation for the additional discussion, he would formally prepare option 3 for review. The full discussion and related motions on this topic are contained as a portion of the Planning Commission's Regular October 10 meeting and may be viewed within published minutes or via the meeting's video recording.

ACTION(S) TAKEN: Motion made by Commissioner Burns, seconded by Commissioner MacMann to approve the agenda as submitted. Made motion by Commissioner Stanton, seconded by Commissioner Burns to approve the September 19 work session minutes as submitted. Meeting adjourned at approximately 6:57 p.m.