

**Planning and Zoning Commission Work Session Minutes**  
**October 24, 2019**  
**Conference Room 1-C - 1<sup>st</sup> Floor City Hall**

**ATTENDANCE:**

Commission Members Present: Loe, MacMann, Russell, Stanton, Strodtman, Toohey,  
Commission Members Absent: Burns, Carroll, Rushing  
Staff Members Present: Bacon, Caldera, Teddy, Zenner

**TOPICS DISCUSSED**

**New Business –**

- **September 2019 Building Permit Report**

Mr. Zenner provided a summary of the September Building Permit Report. Limited discussion was had.

- **PZC Member Attendance and Public Comments.**

This item was tabled until the November 7 Commission work session.

**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 right of way. Mr. Zenner summarized the outcome of the October 10 work session. He said staff had provided the potential third option in text format with the staff memo. He outlined the three options the Commission had been reviewing. He said all added the term “tree lawn” to describe the tree lawn area. He also noted that each of the options including provisions for soil amendments for tree survival and included additional flexibility to allow the arborist to work with applicants in terms of tree species and tree placement give unique site conditions.

There was discussion about the application of provisions within Chapter 24 that address tree root conflicts with underground utilities (i.e. root barriers) and how these provisions could address the negative impacts to sidewalks and other infrastructure. There was also discussion regarding placement of trees on private property rather than in the ROW and how such locations would create challenges with maintenance. Mr. Zenner noted that the way the proposed ordinance revisions were prepared the maintenance of such trees would become the responsibility of the property owners; however, this added responsibility was off-set by the ability of those trees to be credited toward addressing other landscaping requirements. Commissioners discussed the costs such provisions would create and expressed concerns about non-owner impacts to trees on private property caused by deer, disease, etc. There was discussion of allowing some trees maintained by homeowners in the tree lawn to count for other landscape requirements under certain instances as a means of creating an incentive to want them to be located there.

Mr. Zenner explained that a major addition to the requirements, which was not addressed clearly during original discussion, dealt with a clarification on when the regulations would be effective. He noted that this clarification was necessary to address the issue of “one-lot infill” projects where it was generally not practical or realistic to except street trees to be planted. Mr. Zenner compared this situation to that experienced with sidewalks that are required in areas where none exist. He said the clarification would make it clear when street trees were required and would reduce the need variance requests.

Mr. Zenner noted that the clarification offered in all three options made clear that street trees would be required along new constructed or redeveloped rights of way. He noted that this clarification was provided at the beginning of the provisions dealing with street trees. He further stated that the element of redevelopment was addressed at the end of the provisions. Mr. Zenner noted that under a redevelopment scenario the requirement of street trees was explicitly not required for lots fronting on existing streets and would only be triggered if the street were undergoing full block length redevelopment.

Commissioner's discussed the proposed clarification and expressed a desire to further clarify what was intended by "full block" redevelopment. Following additional discussion, Commissioners agreed that the provisions dealing with redevelopment needed to be based upon a minimum of at least 50% of the linear block face on both sides of the street undergoing redevelopment as the threshold at which point street trees would be required. Commissioners agreed that when a conflict in underground utility placement prevented street trees from being installed on both sides of the street they would only be required to be on a single side where the underground utility was not located.

Having addressed the new provisions and reviewing the options with the Commission, Mr. Zenner sought to gain consensus on what provisions were desired to be retained in a final version of the proposed amendment. Commissioners agreed to all the new provisions proposed with the exception of requiring property owners to plant required street trees on private property when they could not be planted in the right of way. The Commission believed that this was too significant a burden and that private development covenants would ensure that trees would be planted within neighborhoods.

Having obtained consensus on the amendments to be retained, Mr. Zenner proceeded to ask Commissioners what their preference was regarding what size of right of way street trees should be required. There was significant debate related to this matter. Following discussion, a majority of the Commissioner voted to support requiring street trees along rights of way 50-feet or greater in size – generally Option #2 as modified by removal of requiring street trees on private property.

Mr. Zenner indicated that staff would prepare the final draft of the proposed amendment for a public hearing at the December 5 Planning Commission meeting. The proposed amendment would reflect the changes discussed at the work session and would continue to permit private utilities to be located within the public right of way as is current practice. Mr. Zenner thanked Commissioners for their participation.

- **Columbia Imagined Update**

Due to the meeting time closing, the Columbia Imagined Update discussion was moved to the following work session meeting.

**ACTION(S) TAKEN:** Motion made by Commissioner Russell, seconded by Commissioner Stanton to approve the agenda as modified to table discussion on member attendance and public comments until the following meeting. Made motion by Commissioner Russell, seconded by Commissioner Stanton to approve the October 10 work session minutes as submitted. Meeting adjourned at approximately 6:54 p.m.