

**DRAFT MINUTES**  
**CANBY PLANNING COMMISSION**  
6:00 PM – September 12, 2022  
City Council Chambers – Virtual Meeting via Zoom

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**PRESENT** – Commissioners Jason Padden (Chair), Judi Jarosh, Dan Ewert, Chris Calkins, and Matt Ellis

**ABSENT** – Michael Hutchinson (Vice Chair)

**STAFF** – Don Hardy, Planning Director and Emma Porricolo, Associate Planner

**OTHERS** – Lonna Bollinger

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**1. CALL TO ORDER**

The meeting was called to order at 6:00 PM.

**2. CONSENT AGENDA**

- a. DR 22-06 Therma-Glass Final Findings
- b. Draft Planning Commission Minutes – January 24, 2022

**Motion:** A motion was made by Commissioner Jarosh and seconded by Commissioner Calkins to approve the Consent Agenda, including the Final Findings for DR 22-06, Therma-Glass, and the draft Planning Commission minutes for January 24, 2022. Motion passed 5/0.

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**PLANNING COMMISSION WORK SESSION**

The Planning Commission met in a Work Session to discuss:

**Preliminary Tree Ordinance Discussion and Considerations**

- Presenters: Don Hardy, Planning Director; Emma Porricolo, Associate Planner

Director Hardy introduced the topic of discussion for the work session and how it related to the Comprehensive Plan. Emma Porricolo, the new Associate Planner for the Planning Department was introduced to the Planning Commission. Hardy listed jurisdictions that currently have tree ordinances and that were used as a reference to help guide staff. Hardy stated staff are looking for recommendations from the Commission on the parameters of a tree ordinance. The tree ordinance will be included in the framework of the Comprehensive Plan, relating to the environmental and preservation sections. A timeline was given regarding the request for proposals, interviews, consultant selection, and scope of service approval from Council. A presentation was given detailing consideration of policy issues, what standards to use, and what development types would be subject to the tree ordinance. Clear and objective standards and implementation elements were requested for Planning Commission consideration.

**Questions from Planning Commission:**

Commissioner Jarosh asked if any of the studied jurisdictions are certified tree cities, and if the ordinances are more restrictive within the city. Permitting versus requiring an in-lieu fee for tree removal was discussed and how to allocate the funds to be less restrictive to use. Jarosh asked if there would be a fine established for developers who remove all the trees from the site. Hardy explained that planners hold leverage over occupancy permits so it would be difficult for developers to hide tree removal plans. Jarosh asked if there is an approved list of tree types and/or varieties that would be allowed in the city. Chair Padden stated there is currently an approved/recommended tree list that had previously been used within the Industrial Park.

**Planning Commission Discussion for Recommendations:**

Deliberation began with recommendations for development applicability and whether the ordinance should apply to new or existing developments. Commissioners Jarosh and Ewert stated they would like the ordinance to apply to both new and existing developments. Commissioners Ellison, Calkins, and Padden stated the ordinance should apply to new development. Commissioner Padden suggested developing plans for phasing the ordinance into existing development in the future. Commissioner Ellison asked about the current tree removal permitting process.

Recommendations for the ordinance fee were given, including the following options: no fee, fee-in-lieu, and fee-in-lieu of mitigation efforts. Commissioner Jarosh, Ellison, Ewert, and Padden all agreed that there should be fee-in-lieu with mitigation. Commissioner Calkins stated his disagreement towards the fee-in-lieu process and brought up concerns about how fee-in-lieu money is allocated. Hardy clarified that the creation of the tree ordinance is in addition to the street tree ordinance. Ellison suggested providing some flexibility for properties that might have constraints on mitigation efforts. Padden suggested adding a minimum requirement for tree preservation on wooded lots and agreed with the concerns shared by Calkins regarding allocation of the money. Padden suggested developing parameters around the use of funds and the account location at which they are kept. Discussion surrounding the process for choosing designated mitigation areas and allowable tree types took place. Commissioner Padden brought up the point of ensuring that tree types fit within the area/space that it may be placed.

Director Hardy asked for recommendations for mitigation using canopy coverage versus tree units per acre. Commissioners Jarosh and Padden recommended requirements for tree units per acres. Commissioners Ellison, Calkins, and Ewert recommended the canopy cover standard, based on the current tree layout and tree types that would be selected for the ordinance. The commission unanimously agreed to create emphasis on tree preservation for target species. Recommendations for exempt development types were discussed such as: industrial, commercial, residential, public lands, and affordable housing. Commissioner Jarosh said affordable housing, and Commissioner Ewert said both commercial and industrial should be exempt from the ordinance. Commissioners Ellison, Calkins, and Padden all agreed that there should be no exceptions. Padden suggested creating exemption requirements tailored to the specified development type. Discussion around SDC credits for street trees and whether they would be included in the overall tree unit count or canopy coverage for new development was deliberated. Commissioner Jarosh, Ellison, Calkins, and Padden were all in agreement about not giving SDC credits for street trees, while Commissioner Ellison was in favor. Hardy stated that City Council will also be providing recommendations and asked the Commission to think about how this would affect the downtown area.

The Commission shared their final thoughts regarding the recommendations drafted from the work session. Commissioner Calkins suggested the use of a forester in conjunction with code enforcement to ensure that the ordinance is successful. Safety concerns around unsafe and/or damaged trees and how

to encourage residents to remove them were mentioned. Padden emphasized using a holistic approach for improving the vegetation as a whole within the City.

Chair Padden closed the Work Session.

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### **3. PLANNING DIRECTOR UPDATE**

- a. Next Planning Commission meeting is Monday, September 26, 2022.

A joint work session with City Council will take place on September 21<sup>st</sup> to discuss parklets. The Canby Center project will be discussed at the next meeting on September 26, 2022, followed by an annexation and rezone hearing item for the Territorial Apartments, on October 10, 2022. An update of the housing and economic assessments, related to the Comprehensive Plan will be given on October 19<sup>th</sup>. Further meeting dates were presented for the Commission to anticipate over the next few months.

### **4. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION**

Commissioner Jarosh asked what advertising efforts were being used to promote the Comprehensive Plan housing meeting.

### **5. ADJOURNMENT**

***Motion:*** A motion has been made by Commissioner Ellison and seconded by Commissioner Jarosh to adjourn the meeting. The motion was approved 5/0.

**Motion adjourned at 8:03 PM.**