

Minutes
Joint Work Session of the Veneta City Council & Planning Commission
Monday - November 5, 2007 - 7:00 p.m.

Council Present: Mayor Brooker, Darrell Carman, Thomas Cotter, Marion Esty, and Sharon Hobart-Hardin

Planning Commission
Members Present: James Eagle-Eye and Lily Rees - (No quorum)

Absent: Commissioners Jim Bruvold and Len Goodwin

Others Present: City Administrator Ric Ingham, Community Services Director Brian Issa, City Recorder Sheryl Hackett, Phil Carroll, Scott Sanders, Mona Linstromberg, Tami Sakany, Joan Mariner, and Jeneca Jones for the West Lane News

Prior to the Work Session the City held an Open House and invited questions and comments from the public which are attached for the record.

1. CALL TO ORDER

Mayor Brooker called the City Council to order at 7:15 p.m. Due to a lack of a quorum, the Planning Commission was not called to order; however, the two members present participated in the public meeting at which no decisions were to be made by motion or consensus.

2. CITY OF VENETA TREE CODE AND LANDSCAPING CODE AMENDMENTS (A-2-07)

Planning Commissioner Lily Rees said she is not clear about the criteria for granting an economic development waiver or whether it would be the Planning Commission or Council making the decision. Brian said the proposed language should be corrected to read Planning Commission. In response to Lily's concern that the criteria is a little vague, Brian said the key word is "may" reduce or waive, not "shall". Lily said she thought they were trying to make standards and criteria more clear and objective but she feels it is going the other direction.

Brian said there are three criteria for granting an economic development waiver: (1) they must meet code requirements for landscaping, (2) they must make an effort to preserve trees and plant the site to the maximum that is feasible, and (3) they must show that family wage jobs are being created. He said generally site plans for commercial developments have landscaping plans drawn by landscape architects. He said most developments are able to meet the mitigation requirements through on-site planting through an aggressive landscape plan. He said he does not anticipate many requests for waivers.

Phil Carroll said the economic development waiver was added as a safety valve for a small commercial parcel that has several heritage trees that would not be able to develop without removing those trees and due to the size of the trees the mitigation costs would

be extremely high. He said in most cases there would be a combination of on-site mitigation, off-site mitigation, and fee in lieu of.

Pointing out the term “non-commercial”, Lily Rees said she is not sure why industrial properties would be treated differently. She said she realizes the City needs some economic incentives to entice businesses to come; however, as a member of the Planning Commission she doesn’t feel the standards are clear enough for her to base a decision on.

Mayor Brooker said it is important to have some provisions that weigh the benefit of family wage jobs against the loss of trees. Before being granted a waiver they would have to explore the opportunities for on-site mitigation, off-site mitigation, and a fee in lieu of.

Lily said the hardship is different between commercial and residential lots. She said businesses have the benefit of being able to take a tax write off for their mitigation fees.

Mayor Brooker said the difference he sees is that there is far more opportunity for mitigation on residential lots than with some commercial or industrial lots because of the size of the building footprints and parking requirements. .

James Eagle Eye and Sharon Hobart Hardin both felt that the Council should make decisions about economic development waivers, not the Planning Commission.

Darrell Carman said objective criteria does not always work. He said he believes it is better to use the words “may” and “reasonable”.

Mayor Brooker pointed out that mitigation will require staff time to enforce.

James Eagle Eye said he has a little different view about Douglas firs. He said it is not always the type of the tree but rather other factors that have contributed to past failures. He said if they require a tree to be preserved then they should make sure the proper steps are taken for the tree to survive. He said the City needs to police and enforce the preservation of those trees.

Brian Issa said his observation is that the trees have not become victims of outright violations but have been impacted by the various stages of development such as the installation of driveways, utilities, and irrigated landscaping. He said preservation works better in subdivisions where the person doing the subdivision and the builder are one and the same because lots are laid out to accommodate the footprint of the homes they intend to build. In a situation where a builder buys an individual lot in a subdivision where trees have been preserved around streets and utilities, the builder needs to figure out how to fit a home on the lot and may need to apply for another tree permit.

Mayor Brooker said he prefers subdivisions that do not change the topography of the land and more unique homes are constructed to fit with the topography. That type of development not only preserves trees but it preserves that land.

Ric Ingham said it is difficult to preserve a lot of trees when the Comprehensive Plan identifies 6,000 to 8,000 square foot lots.

In response to a question from James Eagle Eye on what a developer is required to do to avoid damaging trees on adjoining land, Brian said the stakeholders talked in length about that issue. He said on of the things a developer would not be able to create a flag lot with driveways and utilities if it would have a direct impact the critical root zone of neighboring trees without the consent of the neighboring property owner. The stakeholders could not find a clear and objective way to deal with possible windthrow on a neighboring property.

Sharon Hobart Hardin pointed out a reference to a Parks and Recreation Director which Brian said he would correct.

Brian said the mitigation criteria is intended to provide a disincentive to remove heritage tree because of the cost. There are no restrictions for reducing the size or number of lots to save trees because that may create issues with the City's buildable lands inventory.

Mayor Brooker said he hopes the proposed language is strong enough to protect the natural drainageways and riparian areas. Brian pointed out that the City recently added protection for those areas by updating the Greenway subzone.

Brian said the proposed amendments do contain some policy decisions such as the commercial timber harvest which is a substantial change. He said policy decisions should be consistent with the goals stated in the Veneta Comprehensive Plan.

Brian said the next step will be to have the City Attorney review the proposed amendments. That will be followed by two public hearings, one before the Planning Commission and a second before the City Council. He said he hopes to have the amendments ready for public hearing at the December 3, 2007 Planning Commission meeting. He said the Council would then hold a public hearing in January 2008. Brian encouraged the public to walk through the community before the hearings.

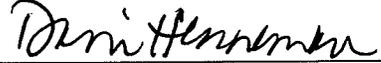
3. ADJOURN

Mayor Brooker adjourned the City Council at 8:01 p.m.



T. J. Brooker, Mayor

ATTEST:



Darci Henneman, Assistant City Reorder