



Staff Report

For City Council Meeting - 1/3/2024

Subject - New Business - Discussion - Preservation & Removal of Trees Zoning Text Amendments

Synopsis: The Planning Commission is proposing text amendment changes to the Gearhart Zoning Ordinance (GZO). The attached staff report explains what will be presented to Council at a later date as Ordinance #942 - The Preservation and Removal of Trees Zoning Text Amendments. The amendments add a permitting process for the removal of trees. Redline and clean copies of Exhibit A are also attached so Council is able to see the Commission's process and changes. AICP City Planner Garrett Phillips is in attendance to answer any questions. The next steps are for Council to discuss these documents taking public hearing comments into consideration, and then direct the Commission in preparation for a final ordinance draft at a later meeting.

Council Options:

- 1) Motion for Council to proceed with the draft as is;
- 2) Make further changes and motion to proceed as amended;
- 3) Take other action desired by the Council.

Recommended Motion: Staff recommends Council direct the Commission to return with a final draft, with or without further changes at Council discretion.

Legal Analysis: An official ordinance (#942) would be brought to Council in March for approval.

Financial Analysis: There will be no cost for the tree permit application.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be the name "Chad", is written in a cursive style.

Chad

Staff Report

November 9, 2023

To: Gearhart City Council

From: Garrett Phillips, AICP City Planner

City File: Gearhart Zoning Ordinance Amendments: Section 6.070(8) Preservation and Removal of Trees Amendments

Attachments: Exhibit A Draft Amendments

I. Proposal

The proposal is a legislative text amendment to the Gearhart Zoning Ordinance (GZO) Section 6.070(8) Preservation and Removal of Trees. The proposal does not include Comprehensive Plan amendments and does not implement elements of the Comprehensive Plan or Statewide Lan Use Planning goals.

Geographically, Section 6.070(8) is applicable everywhere except in the Beach and Dune Overlay Zone. The amendments do not affect the applicable geography of the section.

The existing Gearhart Zoning Ordinance requires a tree removal permit for cutting more than 5 trees in a year, and the permit decision is made by the Planning Commission based on criteria that require discretionary judgement. The proposed amendments require a tree removal permit for removing less than five trees in a year, give staff the authority to issue the permit, and direct staff to issue the permit upon receiving a complete application. The purpose of requiring a ministerial permit for cutting five or fewer trees in a year is to improve the information available to City staff about tree removal activity. City staff need improved information about tree cutting activity for the following reasons:

- The information will improve staff’s responses to inquiries from the public about whether instances of neighboring tree removals are allowed.
- The information may be used to inform Planning Commission decisions on major tree removal permits, and future City Council decisions on tree-related policies and ordinances.

The proposed amendments were drafted, deliberated over in open Planning Commission meetings where the topic was identified on meeting agendas, and refined over the course of several months in 2023. The Planning Commission in their October 2023 meeting directed staff to prepare hearings ready amendments and schedule a hearing. Staff provided public notice and made a staff report and proposed amendments available to the public consistent with the requirements of Articles 11 and 13 and the Planning Commission held a hearing on proposed amendments on November 9th, 2023. Before and during the hearing, no one provided testimony. The Planning Commission deliberated about the amendments proposed in their hearing and moved to modify the proposed amendments as bulleted below and to forward the modified proposed amendments to the City Council.

- Where “tree” is defined, convert, and replace the diameter measurement with an equivalent circumference measurement. Therefore, a tree will be defined as having a circumference of 38 inches instead of being defined as having a diameter of 12 inches. The purpose of this modification is to make it easier for lay people to measure the size of their trees.
- Where approval criteria for major tree removal permits are listed, the second criteria “Necessity to remove trees which are diseased....” is modified so that a forester or arborist is not needed to

support a finding that a tree is diseased. The purpose of this modification is to reduce the cost and effort required of applicants seeking a major tree removal permit.

- Miscellaneous formatting error corrections that do not affect the meaning of the ordinance.

II. Applicable Amendment Review Criteria and Procedures

GZO Section 6.070(8) Preservation and Removal of Trees
GZO Article 11 Amendments
GZO Article 13 Administrative & Procedural Provisions
Gearhart Comprehensive Plan

III. Testimony Received

No Testimony was received prior to completing this report.

IV. Findings

GZO Section 11.010 to 11.030 and related Comprehensive Plan policies on the authority and procedure to initiate and approve amendments.

Finding: Proposed amendments to the Zoning Ordinance are legislative and may be initiated by the Planning Commission, the City Council, or a property owner. After public notice has been provided the amendments shall be reviewed in accordance with the procedures of GZO Article 11 Amendment Criteria and Article 13 Administrative Provisions.

The Planning Commission is to hold a public hearing, and this step has been completed. The City Council is to hold a public hearing and decide on whether to approve the proposed amendments with or without further modifications.

A person defined as a "party" to the subject amendment process may appeal the City Council decision to the state Land Use Board of Appeals (Article 12). Anyone who sent a letter or testified at the hearing will be notified of the decisions.

GZO Section 11.040 Amendment Criteria

Before an amendment to the text of the Zoning Ordinance is approved, findings will be made that it is consistent with the policies of the Comprehensive Plan and there is a public need for the proposed amendment.

Finding: A finding related to the Comprehensive Plan is provided later in this report. There is a public need for the amendment because of the following reasons:

- 1) Mature trees are valued by the public and serve many public purposes including but not limited to the following: providing benefits related to public health, aesthetic appearance, noise reduction, reducing stormwater discharges, removing air pollution, removing carbon from the atmosphere, reducing extreme summer temperatures. Therefore, the public and City have an interest in monitoring and managing trees.

- 2) The City does not have a system for monitoring tree removal activity prior to an applicant requesting approval to remove more than five trees in year. Requiring a permit to remove less than five trees will help ensure that the City has accurate information about tree removal activity to inform decisions on whether to grant approvals for cutting more than five trees in a year and to inform long term tree related policy considerations.
- 3) Staff and planning commissioners report that they regularly are asked by residents to investigate tree removal activity and to identify whether violations of the tree removal requirements are occurring, A permit for all tree removals will ensure that the City has early knowledge about allowed tree removals.

Comprehensive Plan Review Criteria and Findings

(I) Citizen Involvement. Revision, Implementation and Process Goals (LCDC Goal I & 2)

Plan Goals 1 and 2 are intended to assure citizen involvement is provided in the amendment process. Policy 1 states "the City will ensure that citizens, including residents and property owners, have the opportunity to be involved in all phases of the planning efforts of the City, including collection of data and development of policies. " The process also requires an advertised public hearing with a recommendation by the Planning Commission and a decision by the City Council based on: findings that there is a public need for the amendments and that the amendments are in compliance with the Gearhart Comprehensive Plan.

Finding: Public Hearing Notices were published October 21st, 2023, advertising the Planning Commission hearing. The question of public need is addressed elsewhere in this report.

(II) Open Space, Scenic Areas, Historic And Natural Resources (LCDC Goal 5)

The purpose of Plan Goal 5 is to conserve, preserve, and protect open space, scenic areas, historic and natural resources in and around the Gearhart community for future generations.

Finding: The comprehensive plan references trees in two Goal 5 element policies, and they are quoted here for reference.

"The City will protect identified fresh- water wetlands from conflicting uses and activities, such as filling, drainage and tree removal through the application of a Freshwater Wetland Zone designation."

"The harvesting of trees for commercial purposes shall be prohibited. In other circumstances, trees may be removed subject to the appropriate standards in the Zoning Ordinance."

These policies are not applicable to the proposed amendments or otherwise the proposed amendments do not conflict with these policies. Furthermore, the existing and proposed Section 6.070(8) do not limit the applicability of any provisions related to tree removal in the Freshwater Lake and Wetland Zone.

(III) Other Comprehensive Plan policies

There are no other policies related to landscaping, the urban forest or other related concepts that conflict with the amendments. Therefore the proposed amendments are consistent with the policies of the comprehensive plan.

IV. Decision Options

- A. Motion to approve the proposed amendments based on the findings in the staff report or on alternate findings.

(Based on the Planning Commission recommendation and the findings in this report I move to approve the proposed text amendments in Exhibit A and direct staff to prepare an ordinance.)

- B. Motion recommending denial of the proposed amendments based on alternate findings.
- C. Motion to continue the hearing to a future date for further investigation of some issue or to re-draft the proposed amendments.

EXHIBIT A

Proposed Amendments to GZO Section 6.070(8) Preservation & Removal of Trees

This version displays the proposed section without identifying the particular additions and deletions

November 10, 2023 for City Council Hearing

8. PRESERVATION AND REMOVAL OF TREES

A Purpose:

The purpose of this section is to recognize that trees are a significant aesthetic and environmental resource within the City of Gearhart and to create conditions favorable to the preservation of this plant heritage for the benefit of the current and future residents of the City. The purpose is not to prohibit the removal of all trees, but to ensure that mature trees are removed only where necessary, and to permit the reasonable development and use of property.

B Definition: For the purpose of this section, "tree" is defined as follows: Any tree greater than thirty-eight (38) inches in circumference as measured four and one half (4-1/2) feet above the existing grade.

C Applicability: This section applies to the removal of trees in the City of Gearhart, except that it does not apply to tree removal:

(1) in order to construct proposed improvements, including the placement of structures and on-site sewerage disposal facilities, access ways, utilities, need to make essential grade changes, and other authorized activities.

(2) in the B.A.D. Overlay Zone the preservation and removal of trees are regulated by that zone in Section 3.12.

D. Requirements:

(1) Any person proposing to remove, cut down, or otherwise destroy a tree shall first obtain a minor or major tree removal permit from the City.

(2) One or more minor tree removal permits may be granted for the removal of up to five total trees within any twelve month period. Upon submittal of a complete application and verification by City staff that the proposed permit will not authorize the removal of more than five trees in a 12 month period, and that the proposal is consistent with the Gearhart Zoning Ordinance, the permit shall be issued.

(3) Removal of more than five trees within any twelve month period may be permitted as a major tree removal permit. The Planning Commission may grant or deny a request for a major tree removal permit on the basis of the criteria set forth below in Section 6.070(8)(E), except as provided in Section 6.070(8)(F) below.

(4) Such conditions as are deemed necessary and appropriate to ensure the proper enforcement of this section may be made part of the major removal permit. Such conditions may involve, but are not limited to the

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following:

- a. The replacement of the trees proposed for removal with trees of a suitable type, size and location.
- b. A Plan for protecting trees on the project site during and after development.
- c. Restrictions on cuts, fills and grading within the vicinity of remaining trees.

- (5) Tree removal that is to be undertaken in conjunction with a specific development project shall occur only after a building permit has been issued, or the Planning Commission or City Council has approved an activity requiring the removal of the trees.
- (6) An approved tree removal permit shall be void after one year from its issuance unless a shorter period was specified as a condition for approval.

E. Criteria: The granting of a major tree removal permit shall be based on a finding that at least one of the following criteria is met:

- (1) Necessity to remove trees which poses a safety hazard.
- (2) Necessity to remove trees which are diseased. Evidence of disease may be provided by a qualified forester or arborist.
- (3) Solar access; and the need to remove trees which deposit needles or other debris on rooftops. The burden of proof is on the applicant to show that other design alternatives which do not require the tree removal are not practical or will create a significant economic hardship.

F. Exception:

- (1) The City Administrator or designee may grant the immediate removal of trees which pose a safety hazard or dangerous condition, or for a required septic system emergency repair.
- (2) The City Administrator may permit the removal of trees within the footprint of the proposed building, access, or on-site sewage treatment system upon approval of the building permit.

G. Appeals of a decision of the City Administrator or Planning Commission shall be in accordance with Section 13.060.

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November 10, 2023 for City Council Hearing

- H. Enforcement. Enforcement of this section shall be in accordance with Article 15 of this ordinance, or by other ordinances the City Council may adopt to implement the purpose of this section.

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November 10, 2023 for City Council Hearing

Key: -Deletions, Additions

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B Definition: For the purpose of this section, "tree" is defined as follows: Any tree greater than ~~twelve (12) inches in diameter~~ thirty-eight (38) inches in circumference as measured four and one half (4-1/2) feet above the existing grade.

C Applicability: This section applies to the removal of trees in the City of Gearhart, except that

~~Necessity to remove trees~~ it does not apply to tree removal:

(1) in order to construct proposed improvements, including the placement of structures and on-site sewerage disposal facilities, access ways, utilities, need to make essential grade changes, and other authorized activities.

(2) in the B.A.D. Overlay Zone the preservation and removal of trees are regulated by that zone in Section 3.12.

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(1) Any person proposing to remove, cut down, or otherwise destroy ~~a tree more than five trees within a twelve month period~~ shall first obtain a minor or major tree removal permit from the City.

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- a. The replacement of the trees proposed for removal with trees of a suitable type, size and location.
 - b. A Plan for protecting trees on the project site during and after development.
 - c. Restrictions on cuts, fills and grading within the vicinity of remaining trees.
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- (2) Necessity to remove trees which are diseased. Evidence of disease ~~shall~~ may be provided by a qualified forester or arborist.
- (3) Solar access; and the need to remove trees which deposit needles or other debris on rooftops. The burden of proof is on the applicant to show that other design alternatives which do not require the tree removal are not practical or will create a significant economic hardship. ~~Necessity to remove trees in order to construct proposed improvements, including the placement of structures and on-site sewerage disposal facilities, access ways, utilities, need to make essential grade changes, and other authorized activities.~~

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be in accordance with Section 13.060.

- H. Enforcement. Enforcement of this section shall be in accordance with Article 15 of this ordinance, or by other ordinances the City Council may adopt to implement the purpose of this section.

	<p style="text-align: right;"> City Of Gearhart Planning Department 698 Pacific Way Gearhart, OR. 97138 (503)738-5501 planning@cityofgearhart.com </p>
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Tree Cutting Permit Application

DATE: _____

Applicant Information:

Full Name: _____

Mailing Address: _____

City: _____ State: _____ ZIP Code: _____

Phone Number: _____ Email: _____

Property Information:

Property Owner's Name: _____

Mailing Address (if different from above): _____

City: _____ State: _____ ZIP Code: _____

Property Address (where tree cutting will occur): _____

City: _____ State: _____ ZIP Code: _____

Tree Cutting Details:

1. Number of Trees to be Cut: _____
2. Location of Trees to be Cut (provide details or map attachment): _____

3. Reason for Tree Cutting (please check one or provide details):
 - Hazardous/diseased trees
 - Construction/development
 - Landscaping
 - Other (please specify): _____

4. Proposed Date(s) of Tree Cutting: _____

5. Method of Tree Removal (please check one):
 - Professional Tree Service Company
 - Property Owner's Equipment
 - Other (please specify): _____

6. How will you mitigate the removal of trees? _____

Attachments (please include):

- Site map indicating tree locations and dimensions
- Proof of property ownership
- Arborist's report (if applicable)
- Any additional supporting documentation

I hereby certify that the information provided in this application is accurate and complete to the best of my knowledge. I understand that any tree-cutting activities are subject to approval and must adhere to local regulations.

Applicant's Signature: _____ Date: _____

[For Official Use Only]

Permit Approval Status:

- Approved
- Denied
- Additional Information Required

Reason for Denial/Additional Information Required:

Approving Authority's Signature: _____ Date: _____

(Chad Sweet, City of Gearhart Administrator)

For Further Inquiries:

If you have any questions or need additional information, please don't hesitate to contact the planning department. planning@cityofgearhart.com

SECTION 6.070

LANDSCAPING, VEGETATION & REVEGETATION AND TREE PRESERVATION

1. All new sub-divisions shall provide a landscaping plan. A landscape plan and time schedule for the implementation of the plan will be submitted as a part of the development application to the Planning commission for approval.
2. Landscaping requirements adjacent to US Highway 101:
 - A As a minimum requirement, a 10-foot wide strip of landscaping shall be provided adjoining the Highway right-of-way.
 - B A landscaping plan shall be submitted to the City Administrator for approval before building permits are issued for any new development on lots adjacent to Highway 101. The landscaping plan shall include a maintenance schedule with a provision for routine placement of plants that fail to survive. Landscaping plans shall comply with the standards of Section 6.030 Clear Vision Area.
 - C Required landscaping areas shall preferably consist of native plant species which are compatible with the weather of the coastal environment and the soils types of the site. Examples of native plants are described by the book "Plants of the Pacific Northwest Coast by Pojar and MacKinnon" and on the list from "The Western Gardener" available at City Hall. In addition to native plants, edible plants, fruits, vegetables, and nuts shall also be permitted.
 - D With Planning Commission review, applicants may request that non-native plants be placed on the list of acceptable plants within required landscaping areas.
 - E No plants prohibited by the City of Gearhart shall be permitted.
 - F All structures, including any fence, shall be setback ten feet from the property line adjacent to US Highway 101.
3. RIPARIAN VEGETATION

Riparian vegetation adjacent to streams and lakes in Gearhart shall be protected in accordance with the following provisions.

 - A The following area of riparian vegetation are defined:
 - (1) Fifty feet on either side of Neacoxie Creek.
 - (2) Fifty feet on either side of Mill Creek.
 - (3) Twenty-five feet adjacent to the unnamed lake north of east Pacific Way. The setback shall be measured from the mean high-water line on estuarine portions and the ordinary high-water line for non-estuarine portions of these streams. Riparian vegetation within this setback shall be protected as specified in Section 6.070.
 - B All structures and uses shall be located outside of areas listed in (A) above with the following exceptions:
 - (1) Where direct water access is required in conjunction with a water-dependent use; or
 - (2) Access to a lot where the proposed access is the only reasonable alternative; or
 - (3) Structural shoreline stabilization; or
 - (4) Trails or other pedestrian walkway that provide access to the water.

Commented [JM1]: Goal of changes to this section were not 'tree' related, but rather to clean up some redundancies regarding HWY101 references.

Commented [JM2]: Note that the original only required plans specific to highway buffer. Let's be sure we discuss whether intent is to require all subdivision to submit a plan. Does this 'muddy the waters' of the intent of our changes to tree permitting?

Commented [CS3R2]: This may muddy the waters. Maybe a future project if the PC is interested or has identified a problem. If this is something the PC wants to accomplish now I won't get in the way.

Commented [CS4]: I suppose we should order one of these books.

Commented [CS5]: We may need to make a change here to reference the Oregon list of noxious weeds. Maybe just a reference to :
<https://www.oregon.gov/oda/shared/Documents/Publications/Weeds/NoxiousWeedPolicyClassification.pdf>

- C For area described in (A) above all vegetation shall be retained within the areas listed with the following exceptions:
 - (1) Removal of dead, diseased or dying trees, or trees that pose a safety hazard.
 - (2) Removal of vegetation necessary to provide for uses listed in (B) above.
 - (3) Vegetation removal in conjunction with an approved in-water project.
 - (4) The removal of noxious weeds as defined by the City's nuisance ordinance.
 - (5) Vegetation removal necessary to maintain proper stream drainage.
- D The City may approve the removal of riparian vegetation not covered by provisions of (C) above where a proposed plan of vegetation removal has been reviewed and approved by the Oregon Department of Fish and Wildlife.

4. REVEGETATION STANDARDS

The following standards shall apply to all areas from which vegetation is removed by either natural or man caused means. Except that in the Beaches and Dunes Overlay Zone vegetation removal and revegetation unrelated to the earth movement and earth removal standards of this section are provided in B.A.D. Zone Section 3.1240 2. D.

- A Areas from which vegetation is removed shall be replanted in accordance with the sections below within one growing season after the removal.
- B Areas on the Active or Conditionally Stable Dune from which beach grass is removed shall be replanted with beach grass or other native and typical vegetation for the area.
- C All other areas shall be planted with a plant material that will achieve 70% ground coverage within three years of planting.

5. VIOLATIONS

Violations of this section, including non-conformance with the provisions of a revegetation permit, shall be penalized as provided in Section 15.

6. PRESERVATION AND REMOVAL OF TREES

- A **Purpose:** The purpose of this section is to recognize that trees are a significant aesthetic and environmental resource within the City of Gearhart and to create conditions favorable to the preservation of this plant heritage for the benefit of the current and future residents of the City. The purpose is not to prohibit the removal of all trees, but to ensure that mature trees are removed only where necessary, and to permit the reasonable development and use of property.
- B **Definition:** For the purpose of this section, "tree" is defined as follows: Anything greater than thirty (30) inches in circumference as measured four and one half (4-1/2) feet above the existing grade.

Commented [JM6]: Changed measurement to circumference as much easier to measure. Covers somewhat smaller trees than before (from 12" to 9.55")

Commented [CS7R6]: Good idea.

C **Applicability:** This section applies to the removal of trees in the City of Gearhart, except that in the B.A.D. Overlay Zone the preservation and removal of trees are regulated by that zone in Section 3.12.

D **Requirements:**

Residents are allowed, ~~with a permit, to~~ cut up to five trees (see definition above) once a year. The permitted number of trees can be cut during a single occasion or spread across different instances within the year.

- (1) Any person proposing to remove, cut down, or otherwise destroy a "tree" shall first obtain a tree removal permit from the City (FORM ABC). The Planning Commission may grant or deny a request for a tree removal permit on the basis of the criteria set forth below in Section 6.070(6)(E), except as provided in Section 6.070(6)(F) below.
- (2) Such conditions as are deemed necessary and appropriate to ensure the proper enforcement of this section may be made part of the removal permit. Such conditions may involve, but are not limited to the following:
 - (a) The replacement of the trees proposed for removal with trees of a suitable type, size and location.
 - (b) A Plan for protecting trees on the project site during and after development.
 - (c) Restrictions on cuts, fills and grading within the vicinity of remaining trees.
- (3) Tree removal that is to be undertaken in conjunction with a specific development project shall occur only after a building permit has been issued, or the Planning Commission or City Council has approved an activity requiring the removal of the trees.

~~(4) An approved tree removal permit shall be void after one year from its issuance unless a shorter period was specified as a condition for approval.~~

E **Criteria:** The granting of a tree removal permit shall be based on a finding that at least one of the following criteria is met:

- (1) Necessity to remove trees which poses a safety hazard.
- (2) Necessity to remove trees which are diseased. Evidence of disease shall be provided by a qualified forester or arborist.
- (3) Necessity to remove trees in order to construct proposed improvements, including the placement of structures and on-site sewerage disposal facilities, access ways, utilities, need to make essential grade changes, and other authorized activities.
- (4) Solar Panel access; and the need to remove trees which deposit needles or other debris on rooftops.

The burden of proof is on the applicant to show that other design alternatives which do not require the tree removal are not practical or will create a significant economic hardship.

F **Exception:**

Commented [JM8]: Important addition from Chad. Intent is to still 'allow' 5 trees to be cut, but to require permitting of each tree, not permitting only planning to cut down 5. This is a much more practical way for Angoleana to keep track of cutting activities

Commented [CS9R8]: Agree - Verbiage about a permit being required would be helpful for those that stop at this paragraph and believe they can cut 5 w/o a permit.

Commented [JM10]: Changes permitting requirements to cover any tree within definition, not 5 trees

Commented [CS11R10]: As defined in the definitions.

Commented [JM12]: Intent is to design a permit form if commission approves changes

Commented [JM13R12]: The permit application should include the location, type, and diameter of the tree(s) to be cut, as well as the reason for their removal (perhaps checklist based on criteria in section E)

Commented [CS14R12]: We can work on an application once we have the policy worked out.

Commented [JM15]: This is replaced by section H.2.

Commented [JM16]: It's important for commission to understand that all tree cutting must be based on specific criteria...i.e. not just because homeowner wants fewer trees on their property.

Commented [CS17]: Something else that comes up is when a nearby tree is doing damage to a foundation of a home. There should be a process for this as well.

Commented [CS18]: I've seen trees do damage to roofing that didn't have anything to do with Solar. Residents will want the opportunity to take a tree down that may not yet be dead but is deposition debris including small branches. Something to consider.

Commented [CS19R18]: If small branches and debris is falling on a roof, can the tree be designated as dangerous?

- (1) The City Administrator or designee may grant the immediate removal of trees which pose a safety hazard or dangerous condition, or for a required septic system emergency repair.
- (2) The City Administrator may permit the removal of trees within the footprint of the proposed building, access, or on-site sewage treatment system upon approval of the building permit.

Commented [CS20]: This might be a good place to talk about structural damage from tree roots.

G Environmental Assessment:

- (1) Upon receiving the permit application, an environmental assessment will be conducted to evaluate the impact of the tree removal on the local ecosystem.
- (2) Factors such as the tree's age, health, ecological significance, and potential effects on nearby wildlife will be considered during the assessment.

H Permit Approval and Validity:

- (1) The tree-cutting permit will be approved if the environmental assessment shows no significant negative impact.
- (2) The permit will be valid for a specified period, typically 30 days, during which the approved tree-cutting can occur.

I Appeals of a decision of the City Administrator or Planning Commission shall be in accordance with Section 13.060.

J Enforcement: Enforcement of this section shall be in accordance with Article 15 of this ordinance, or by other ordinances the City Council may adopt to implement the purpose of this section.

Commented [JM21]: Intent of these additions (recommended by Chad) are to ensure public knows basis for permit review (beyond the basic criteria listed in section E)

Commented [CS22R21]: How, what, who, why, etc. This would be quite the process. Difficult for the resident and the staff. Could be open to all sorts of interpretation. This process would need to be laid out prior to adoption so everyone understands what it means.

Commented [CS23R21]: 30days may not be enough for residents. I'd suggest 90 days. Would make it a little less demanding on staff as well.

Following is not part of proposed document, but rather a suggestion for action by the commission to communicate changes effectively.

Public Awareness:

- The community will be informed of the residential tree-cutting policy and the importance of preserving trees through local outreach programs and public awareness campaigns.
- The tree-cutting permitting process is designed to balance the residents' needs and the conservation of our valuable tree resources. By following this process, we aim to protect our residential areas' natural beauty and environmental health.

Commented [CS24]: We may consider a town hall type hearing to be sure the residents are aware of the proposed changes. Was very helpful for the water rate conversations. It's been nice to say that we had more meetings than required. This will be controversial.