

Gearhart Planning Commission Minutes for August 10, 2023

MEMBERS: Virginia Dideum, Russ Taggard, Don Frank, Terry Graff, Paulina Cockrum, Judy Schector, and John Mesberg

STAFF: Chad Sweet, Garrett Phillips, and Angoleana Brien

Minutes

The regular meeting of the Gearhart Planning Commission for Thursday, August 10, 2023, was called to order at 6:00 p.m. by President Virginia Dideum. All *Members and staff were present.*

CONSENT AGENDA

On **MOTION** by Taggard, 2nd by Paulina, the consent agenda was approved. Said agenda approved Minutes for July 13, 2023, financial report for July 23, 2023. There was no correspondence.

7 - Approved (Dideum, Taggard, Frank, Graff, Schector, Mesberg, and Cockrum)

STAFF REPORT

Sweet had no updates.

Brien had no updates.

Phillips had limited updates to share at this time. There have been no new variance, conditional use, or rezoning proposals submitted for your consideration. However, the city has received an application regarding the conversion of a section of the city's tennis courts into pickleball courts. Phillips and staff are currently addressing some incomplete aspects of the application with the applicant, and while it will eventually be brought before the commissioners, no schedule has been set as of now.

COMMISSIONERS REPORT - None

GOALS LIST - None

VISITORS COMMENTS - None

PUBLIC HEARINGS - None

UNFINISHED BUSINESS

Discussion regarding proposed changes to the Landscaping, Vegetation & and Tree Preservation Ordinance in the city of Gearhart include:

Revision of Section 607: The discussion started with a focus on revising Section 607 of the Landscaping, Vegetation & Revegetation and Tree Preservation Ordinance to simplify the language and remove redundancy.

Change from Diameter to Circumference: There was a discussion over changing the measurement criterion from diameter to circumference for assessing tree size. This change was considered easier for both homeowners and the city to measure accurately.

Section Six B, Preservation & Removal of Trees: The most significant changes were proposed for Section Six B, Preservation & Removal of Trees, which lays out tree removal permits and process. The proposal suggested

allowing homeowners to continue removing up to five trees per year but with a permit required for each tree removal.

Public Input and Education: Commissioners stressed the importance of seeking public input and providing community education on these proposed changes, as they were anticipated to be potentially controversial.

Additional Topics: While tree removal was the primary focus, there was mention of potential future discussions related to tree planting, although it was noted that there might be limited interest in pursuing these topics due to limited resources for maintaining trees currently.

Concerns and Questions: Commissioners raised various concerns and questions about the proposed changes. These included concerns about the need for environmental assessments, potential fees associated with permits, and the complexity of the criteria for tree removal.

Permitting Process: Some commissioners suggested the implementation of a simplified permitting process to enhance communication between homeowners and the city and to ensure proper documentation of tree removals.

Feedback on Criteria: Commissioners shared differing opinions on the criteria for tree removal, with some advocating for greater simplicity while others proposed adding more specific criteria.

Clarification of Language: There was a discussion about the need to clarify certain language in the ordinance to ensure that it accurately reflected the intent of the proposed changes.

Concerns About Restrictiveness: Some commissioners expressed concerns that the proposed changes might make it more challenging for residents to manage trees on their properties and could potentially infringe on their property rights.

Documentation of Tree Removals: The absence of a formal documentation process for tree removals was highlighted as an issue, which underscored the need for the introduction of a permitting system.

Clarification on Safety Hazards: There was a suggestion to provide clearer criteria regarding safety hazards associated with tree removal and to make these criteria more specific.

Addressing Health Impact Concerns: During the discussion, one participant raised a question about how the proposed changes might accommodate situations involving trees that pose health risks to residents or pets, such as eucalyptus trees that dogs might be allergic to. The concern was not to prohibit all tree removals but to ensure that mature trees are removed only when necessary.

Criteria on Necessity: There was a point made about the absence of specific criteria regarding the necessity of tree removal. In response, another participant pointed out that Section E of the proposed changes did address the necessity to remove trees, particularly those that pose safety hazards. The presence of a safety hazard could be a valid reason for obtaining a permit. However, there was a debate on whether the criteria for necessity should be more specific.

Safety Hazards as a Blanket Term: The discussion considered whether the term "safety hazard" should encompass situations like the example of eucalyptus trees affecting dogs' health. Some participants suggested that safety hazards could indeed be the umbrella term, as it was versatile enough to cover various scenarios. For instance, if a

tree posed a safety hazard due to health concerns, it might be considered a valid reason for removal. The idea was to avoid adding more categories unless absolutely necessary.

Potential for a More In-Depth Permitting Process: There was also a suggestion to incorporate additional details into the permitting process. This could involve adding criteria related to health impacts, poisonous trees, or other specific concerns. The objective was to keep the permitting process flexible while ensuring the city could collect essential information about tree removals.

Clarity and Tracking: The importance of clarity and data collection emerged as key goals for the proposed changes. Commissioners expressed the need to have a clearer understanding of how many trees were being cut down, the reasons behind these removals, and whether they were within designated riparian areas.

Next Steps: The discussion ended with an agreement to proceed with the development of a permitting process, allowing flexibility for tailored tracking needs. This process would aim to maintain the current ordinance's framework while introducing necessary clarifications and data collection measures. Commissioners acknowledged that further discussions and refinements would be required before moving forward with any proposed changes, and there was no immediate rush to complete a revised ordinance.

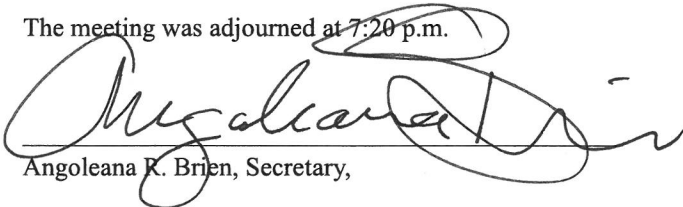
In summary, the meeting minutes capture the diverse viewpoints and concerns expressed during the discussion of the proposed Landscaping, Vegetation & Revegetation, and Tree Preservation Ordinance changes. The commissioners deliberated on the need for a simplified permitting process, the importance of soliciting public input, and the potential implications of the proposed revisions for tree management within the community.

NEW BUSINESS - None

CONCERNS OF THE COMMISSION - None

QUESTIONS FOR LAND USE ATTORNEY - None

The meeting was adjourned at 7:20 p.m.


Angoleana R. Brien, Secretary,


Approved