

**1-2. CALL TO ORDER AND ROLL CALL.** Chair Goddard called the meeting to order at 7:30 pm at Durham City Hall.

*Commissioners Present:* Brian Goddard, Krista Bailey, Pat Saab, Emily Baker, and Jeffrey Anderson

*Commissioners Absent:* Laurie Volm and Julie Atwood

*Park Committee Members:* Gary Paul and Bill Kalthenthaler

*Staff Present:* City Administrator Linda Tate and Administrative Assistant Lynn Schroder

*Public Present:* Debbie Husband and Andrew Husband, Brandyshire Court; Michael Kilgour, Kingfisher Way

**3. MINUTES OF THE September 5, 2017 COMMISSION MEETING.** Commissioner Saab moved to approve the minutes of the September 5, 2017 meeting. Commissioner Bailey seconded the motion. The minutes were approved 5-0. **MO 1003.1-17**

**4. PUBLIC FORUM – none.**

**5. TREE REMOVAL PERMIT APPLICATION 428-17 – 8228 SW KINGFISHER WAY.** City Administrator Tate presented the staff report for the tree removal application at 8228 SW Kingfisher Way. The home owner is requesting approval to remove a cherry tree in his back yard. Based on the findings and analysis, Tate recommends that the Planning Commission approve the tree removal as a TYPE E permit and require mitigation.

Michael Kilgour testified that he is the original homeowner. He stated that when he moved in, there were only two trees on the property. He has since planted 26 trees. He stated that the cherry tree was beautiful when it was small but now it is too big to see out his bedroom window. He stated that the remaining 27 trees on his property are taller than his house and removing the cherry tree will not reduce the canopy cover. He stated that it was impossible to replant in the same location because 5-inch roots are growing parallel to the ground. He submitted a photo of the roots to show the circumstances.

Commissioner Saab stated that the tree looks pretty rangy.

Commissioner Bailey moved to accept the staff report findings and recommendation. Commissioner Anderson seconded the motion. The tree removal permit was approved as Type E permit with mitigation required (5-0). **MO 1003.2-17**

**6. JOINT SESSION WITH PARK COMMITTEE.** Chair Goddard asked if there was anyone in the audience who wanted to comment on the Park Survey. No one in the audience requested an opportunity to testify on the Park Survey.

The Park Committee discussed the next steps to update the Park Plan. City Administrator Tate stated that the Park Committee can adapt a previously written draft to include the 2017 Park Survey and draft new recommendations or direct staff to draft a new document. Park Committee members stated that the previously written draft would be an appropriate start to update the Park Plan. Committee members requested that the draft be sent to them to review and comment on before the next meeting. The Park Committee will discuss recommendations at the November meeting.

7. **DISCUSSION ON THE DRAFTS OF DOCUMENTS FOR TREE REMOVALS.** Tate invited Commissioners to provide comments, edits, and recommendations on the draft documents for tree removals.

Commissioner Bailey stated that the documents make sense. She asked that sample documents or guidance on how to demonstrate compliance with the code criteria be provided to applicants. She stated that some people will not understand how to demonstrate compliance with the code criteria. Commissioner Goddard concurred. Tate stated that the process and requirements are discussed with applicants when they come into City Hall. Schroder stated that staff would be responsive to citizens' requests for guidance on how to complete the application.

Commissioner Saab wanted to ensure that the tree application process does not become adversarial.

Commissioners discussed the draft Frequently Asked Questions Regarding Tree Removals. Tate stated that the FAQs reflect issues that have come up in tree removals that the Planning Commission has considered. Bailey stated that FAQ 11 should be restated to convey that each City has its own tree removal process. Commissioner Goddard stated the current draft answer to FAQ 11 is clear and direct.

Commissioners discussed the criteria for a Type C permit. Commissioners concluded that, in order for a tree to be considered as a Type C removal, the applicant must have an approved or pending building permit per DCC requirements.

Tate recommended that FAQ 17 be removed because the information is already provided in the Notice to Applicant When Selecting Permit Type.

Commissioner Goddard suggested adding an FAQ that discusses cutting down a tree without a permit.

8. **COMMISSIONER COMMENTS.** Commissioner Baker summarized the Planning Commissioner training seminar she attended in September. She provided copies of the materials to Commissioners. She summarized that one of her takeaways was that it is important that Planning Commissions hear all citizens' perspectives when making tough decisions.
9. **ADJOURN.** Commissioner Saab moved to adjourn the meeting. Commissioner Bailey seconded and the motion passed unanimously (5-0). **MO 1003.4-17**

Chair Goddard adjourned the meeting at approximately 8:55 pm.

Approved: \_\_\_\_\_  
**Brian Goddard, Chair**

Attest: \_\_\_\_\_  
**Linda Tate, City Administrator**