

City of Durham
PLANNING COMMISSION MINUTES
December 6th, 2022

1. **CALL TO ORDER.** Commissioner Joshua Drake called the meeting to order at 7:33 p.m. on Zoom
2. **ROLL CALL.** *Commissioners Present:* Chair Joshua Drake, Vice Chair Susan Deeming, Commissioners Krista Bailey, Pat Saab, Matt Winkler, and Gary Paul
Commissioners Absent: Brian Goddard
Staff: City Administrator Linda Tate, Administrative Assistant Becky Morinishi
Public: William Alexander, Durham, OR; Jennifer Alexander, Durham, OR; Jordon Hoggro, Durham, OR
3. **PLANNING COMMISSION MINUTES.** Commissioner Saab moved to approve the minutes from the November 1, 2022 meeting. Commissioner Gary Paul seconded the motion. The vote passed unanimously (6-0).

MO 120622-1

4. **PUBLIC FORUM.** None.
5. **TREE REMOVAL PERMIT APPLICATION. 17059 SW Tookbank Ct., Permit 663-22**
William and Jennifer Alexander were welcomed to the Zoom meeting to discuss their request to remove one 25.5" DBH maple tree from the front of their property to accommodate a new landscaping plan. William Alexander stated that he and his wife purchased the property four years ago from his wife's parents, who had the house built in the 1970's. His wife grew up in the house. As part of the process of making the home their own, they began a landscaping project and brought in an arborist. They obtained a permit to remove a dead Douglas Fir tree per the arborist's recommendation. Recently, that arborist mentioned that the maple tree, while currently healthy, had a split trunk. If it were to fall, it would fall on both the Alexanders' and their neighbor's houses. Jennifer Alexander shared that their landscaping plan includes grass in the front yard, and the grass will grow in much better if the maple is gone because it will get more sun. Additionally, they will be planting five Japanese Stewartia trees to replace the maple.

Commissioner Saab asked about the characteristics of the Stewartia that make it beneficial to the property. Jennifer Alexander replied that the tree has curly bark, an attractive bloom, looks nice in the winter, and grows well in partial shade.

Commissioner Paul asked if the maple tree has to be removed to do the landscaping. William Alexander responded that the maple could stay, but they would have to change the landscaping plan to accommodate for the lack of sunlight. They also would like to remove the maple to highlight the cedar that is adjacent to it.

Vice Chair Deeming said that she went to look at the property and there is a large cluster of trees growing very close together. The maple is growing into a cedar tree. William Alexander stated that they love the mature trees and want to keep as many as possible. If the maple were to stay, the arborist would need to come back every two years to trim it to prevent it from damaging the cedar. Deeming stated that the arborist's report does not state that the maple is in immediate danger of falling. William Alexander replied that they are cautious because a similar split trunk maple fell four years ago and hit the gutter of their house. They had no warning that it was going to fall. That experience made them more aware of the need to manage the trees.

The Commissioners went through the staff report to determine their Findings. The Commissioners agreed that this is a Type E permit, as the tree is larger than 10" DBH and does not qualify under any other permit type, and that it has been processed as a Type 2 Process. Durham Tree Protection Ordinance 228-05, Section 4, provides seven criteria for consideration for issuance of a Tree Cutting Permit. The Commissioners agreed that Criteria A does not apply because the tree is healthy and does not have a condition that makes it an immediate danger. The Commissioners discussed Criteria B, noting that the homeowners have requested to cut the tree because they have implemented a landscaping plan that would add value to their home. Cutting the tree would allow more sunlight into the yard to help the grass and other plantings grow. Commissioner Bailey noted that the homeowners have put a lot of thought, work, and investment into the landscaping project. The Commissioners agreed that Criteria C, D, and F are not applicable. The Commissioners noted that Criteria E is met, as the property owners intend to plant several trees as mitigation.

Commissioner Paul moved to approve the tree removal permit based on Criteria B, subject to the applicant planting three mitigation trees with the conditions listed in the staff report. Commissioner Bailey seconded the motion. The vote passed unanimously (6-0).

MO 120622-2

6. COMMISSIONER COMMENTS/REPORTS/STAFF UPDATES.

Commissioner Paul asked if the Planning Commission would be moving to in-person meetings. Administrator Tate said she is unsure, but that the February meeting will most likely be on Zoom because Emerald Homes subdivision is on the agenda and there may be more people in attendance than City Hall's capacity.

7. **ADJOURN.** Vice Chair Deeming moved to adjourn and Commissioner Saab seconded the motion. The vote passed unanimously (6-0) and the meeting adjourned at 8:27 pm.

MO 120622-3

Approved: _____
Susan Deeming, Vice Chair

Attest: _____
Linda Tate, City Administrator