

**Woodburn Planning Commission
Meeting Minutes
October 13, 2022**

CONVENED: The Planning Commission met at 7:00 p.m. both an in-person & virtual public meeting session via GoToMeeting video conferencing,

ROLL CALL:

Chair	Piper	Present
Vice-Chair	Ellsworth	Present
Commissioner	Hernandez-Mejia	Present
Commissioner	Berlin	Absent
Commissioner	Corning	Present
Commissioner	Bartel	Absent
Commissioner	Lassen	Present (On-Call)

Staff Present:

Chris Kerr, Community Development Director
Colin Cortes, AICP, CNU-A, Senior Planner
McKenzie Granum, Asst. City Attorney

Introduction: Chair Piper asked Community Development Director **Chris Kerr** to begin roll-call.

Minutes: Chair Piper began to talk about the minutes of September 8 & 22 2022. He asked the **Commission** if there are any additions, corrections, and deletions needed for these sets of minutes, and there were none. Chair Piper asked for a motion to approve. Vice-Chair Ellsworth moves to approve the minutes of both September 8 & 22, and Commissioner Corning seconded. The vote was unanimous and both September 8 & 22 minutes were approved.

Business from the Audience: None.

Communications: None.

Public Hearings: None.

Workshops:

LA 21-03

Chair Piper moved forward with tonight's workshop, which was the fourth about Woodburn Development Ordinance (WDO) tree preservation and removal regulations [1.02, 3.06.07], Legislative Amendment LA 21-03. (The third was July 28.) Senior Planner Colin Cortes will be leading the workshop tonight and began the workshop with a staff memo. He began to explain the packet and explained that he and Director Kerr are hoping that tonight they would gain specific direction from the Commission. Therefore, they can come back to the Commission in a future meeting with actual strike and added lines to the amendment. Once the Commission agree on the updated amendment, then the tree ordinance would be taken to the City Council to have the final approval. Senior Planner Cortes reminded the Commission that the code that they are looking at is for existing homes in Woodburn, who own trees on their property. He talked about the concept Staff had come up with, such as allowing the homeowner to remove one tree per year, with no question. Other concept that involve with bigger properties such as malls, hospitals, schools, etc. would require a permit to remove a tree, with the criteria that is used today. As for new development, there would be stricter policies in place for those who would want to remove trees. Senior Planner Cortes stated that

at the last meeting the **Commission** didn't give a clear idea about who was for or against the proposed ideas and he would like to start there for the workshop tonight.

Commissioner Corning stated that both she and **Commissioner Berlin** are against these ideas and even drafted up a motion. **Chair Piper** stated that he's in favor for these proposed ideas but admitted that he doesn't like the name of these proposed ideas. **Chair Piper** mentioned his discussion with his friend **Pat**, who was one of the guest at the last workshop meeting. They were talking about an incident involving **Chair Piper's** son, who accidentally almost killed a tree by spraying a chemical substance around it. The reason why **Chair Piper** brought this up, is because if a homeowner wanted to, they could easily kill a tree, regardless by accident or not. **Chair Piper** thinks that if the city doesn't give homeowners the option to remove a tree without a great deal of hassle, he believes that it would set-up homeowners to be uncompliant and take risky actions. He continued to discuss about that most homeowners who buy a new home would start adding and improving the home, and not taking into consideration about future problems caused by these improvements. **Chair Piper** believes that homeowners shouldn't have to jump through a bunch of hurdles to remove a problem, such as an overgrown tree. He does believe that there should be a process though when the tree is a certain category to warrant a permit. **Commissioner Corning** noted that she has a list of suggestions for staff as to a potential code.

Director Kerr interjected to make sure that the **Commission** were all on the same page on the tree ordinance. That they are discussing trees on private property and not on public right-of-way or in parks. **Director Kerr** explained the current code for private property, such as the diameter requirements to determine a significant tree. He followed up with the tier idea that was brought up in pervious meanings, which he pointed out two **Commissioners** have issue with that idea. **Director Kerr** also suggested and a potential increase in diameter requirement to 48 inches rather than the traditional 24 inches, which Chair Piper agreed on the idea, but only for single-family residential context. Both **Director Kerr** and **Senior Planner Cortes** reminded the **Commission** that all residential types must have the same codes and standards and one type can't have different ones.

Commissioner Hernandez-Mejia asked how many tree permit application has staff received that the situation is a clear "black & white" scenario that the tree is able to be removed or when the application is in a "gray area." She stated that she's in between the idea of staff creating a whole new category to help ease the burden on homeowners. **Senior Planner Cortes** explained that **Director Kerr** had collected different examples from tree permits, all having different reasons for wanting the tree to be removed. He explained that the main reason why **Director Kerr** did that, was to help generate a way to make the code clear and fair to those homeowners who find themselves needing a permit, even providing some examples mentioned in the arborist report for the permits. **Commissioner Hernandez-Mejia** asked a follow-up question, regarding any cut-off measures for scenarios if the homeowner wanted to cut down a tree, but the tree is both somewhat significant and not significant. **Senior Planner Cortes** stated that there's no other cut-off, besides the 24 inches diameter rule, where the tree is considered significant if it's more than that amount.

Chair Piper then introduced **City Council Member Marybeth Cornwell**, who was invited to join the workshop. **Commissioner Corning** wants the codes to help homeowners have an easier understanding and an easy process of removing a tree, especially if the removal will help resolve a serious issue. She even suggested on having a list of trees that are categorized as nuisance, which these problem trees would be easier to cut down. **Commissioner Corning's** main concern is having a code that allows residents to cut down a tree every year, which could cause Woodburn to lose its beauty. **Vice-Chair Ellsworth** offered her viewpoint on the tree code, stating that she agrees with both sides of the argument. She still wants there to be tree requirements in the tree code and the reason why she's in favor of a permit system, is it to insure that the tree will come down safely. **Chair Piper** followed up with even if the homeowner does or does not get a permit, it does not relieve a homeowner of liability and the homeowner is still liable.

Senior Planner Cortes went back to what **Commissioner Corning** said about revisiting the current criteria of the tree ordinance of a significant tree is dead, diseased, or dying and/or is hazardous to persons or property. **Senior Planner Cortes** explained that the criteria is open-ended, as residents may have various reasons that may or not meet the criteria. He mentioned the first proposal from a last meeting that suggested to tighten the criteria. By keeping the first half but changing some wording, while changing the hazardous

portion to say “poses danger or hazard to collapse, or fallen to persons or existing building.” **Senior Planner Cortes** said it would rule out buckled driveways, gutters, sap, pipes, needles, etc. **Commissioner Corning** wants the code to be understandable, in order to help **Staff** to assist the general public to understand the tree permit and have an easier time with the process. **Senior Planner Cortes** asked her whether she meant to have a list of general reasons that are open to interpretation or just a longer list of specific reasons and **Commissioner Corning** said she prefers open to interpretation. The other **Commissioners** pointed out that it’s already a current issue for **Staff**, as many residents have strong reasons for removing tree by the code isn’t specific to telling if those reasons are permitted. **Director Kerr** stated that most of the people who come in for the permit are wanting to do the process accordingly. He stated that most of the reason to why they seek a permit is because of serious issues, such as roots ruining foundations or it’s dangerous to certain family members. **Director Kerr** also mentioned about how homeowners try to maintain it, but it could cause more damage than good. He is hoping that staff and the commission could work together and come up with some ideas and rewrite the language, to make the hazardous portion of the code more clear.

Some **Commissioners** expressed that they prefer to remove the arborist report, due to the fact that it’s an extra cost for some homeowners and they can’t afford. **Chair Piper** pointed out that the **Commission** needs to come to an agreed point, as the other systems before haven’t proven to be effective when it comes to helping a homeowner through the tree permit process. The **Commission** and **Staff** discuss various scenarios about what would happen if the city allow people to cut trees; this is varied with both arguments of individual rights and community rights. **City Council Member Cornwell** discussed her viewpoint of part of the code that should be more aware of by the homeowners. **Director Kerr** agreed about the point to make people aware of the important codes. He stated that one of the main takeaways is that this collective body needs to come up with draft regulations for the **City Council** to see. Regardless if they agree with everything or not, **Director Kerr** needs to present something to the **City Council** and it’s perfectly alright if there is a difference of opinion. **Director Kerr** wants to find points that the **Commission** agrees on. **Commissioner Corning** said she’s all for making the code and the process easier, but not easy to the point people are cutting down trees frequently. **Director Kerr** wanted to clarify that the commission wants some criteria in the code to highlight what is considered a hazard tree. **Chair Piper** asked about if the city’s code granted the person to cut a tree down, why would they still need criteria. **Director Kerr** stated that if a homeowner has a tree that meets requirements to be removed, he would still like to have a criteria for trees that are categorized as hazardous. He claimed that it would help make decisions easier and what type of trees are classified as hazardous. **Director Kerr** preferred to have an arborist report for dead, diseased, or dying trees. As for hazardous trees, he prefers having evidence to prove why a tree is categorized as hazardous.

Chair Piper asked how often 48-inch-plus diameter trees come into the department’s office on the permits. **Director Kerr** gave an estimate about 3 a year, but it rarely happens. **Chair Piper** suggested if staff did an inspection, then it would be easier to classify hazardous trees. **Senior Planner Cortes** informed the commission that staff doesn’t and wasn’t their intention to make time for tree inspections. For that purpose, he pointed out the proposal included qualification of requirements now, is to have arborist reports. **Commissioner Hernandez-Mejia** offered a suggestion for photo-based reports for tree removal for dead/diseased/dying, such as a homeowner calls in a professional to an issues that is cause by a tree either uprooting their driveway or damaging their pipes for their water system. That way, it’ll help save the homeowner money from hiring a professional arborist from telling them the same exact thing. **Commissioner Corning** suggested that this could be used as a discretion, such as if staff can’t make a decision they can suggest an arborist or give the homeowner the ok. **Director Kerr** agreed to that idea. **Commissioner Corning** asked if the permits are part of the WDO and **Director Kerr** said that they are considered Type I permits. **Commissioner Corning** asked if they make the language in the code easier to understand, would staff not continue to have a permit. **Director Kerr** answered with even if **Staff** made the code easier to understand and the process to remove the tree, they would still have a permit due to the fact **Staff** can have record of the action in case someone visited the office and asked. **Vice-Chair Ellsworth** suggested that at that point, it could be great opportunity to educate the public on the tree code. **Senior Planner Cortes** recapped with what the commissioners were discussing the tree code with homeowners being the applicant, is that there will be the continuation of the tree permit for significant trees. However, the changes would be that the criteria would be broadened and more applicable. Including allowance of additional kinds of documentation, other than just an arborist report, to demonstrate that the criteria is met.

Director Kerr mentioned that he would like to have something to differentiate between a diseased tree and a hazardous tree. He then gave the example that a hazardous tree being relatively healthy, but causing a problem; while died/diseased tree an arborist comes over and reviews that tree as dying or infected due to specific reasons.

Senior Planner Cortes led the group onto the fee portion of the discussion. He pointed out that the WDO doesn't have specific fee amounts, but there is a separate city council ordinance that takes care of fees in general [Ordinance No. 2433, the "master fee schedule" last amended 2008]. **Senior Planner Cortes** believed that with the direction of the commission, would help guide **City Council** for policy for the fees. He went on about if someone got approval to remove the significant tree, that there would be a fee for the privilege to remove the tree above and beyond the application fee. It presents the question whether or not if a homeowner should pay a nominal fee and a developer would pay a high fee. **Senior Planner Cortes** asked the **Commission** if they want to recommend a dollar amounts or ranges, or does the **Commission** want to advise the council, something like low fees for homeowners and high fees for developers. He mentioned this because at some point, the **City Council** would have to adopt fees. **Chair Piper** agreed with a nominal fee for homeowners and it would be better financial wise. As for developers, **Chair Piper** pointed out that they have piles of fees, which get added to the cost of renting the property, which would make the house's value go up. **Vice-Chair Ellsworth** would hope that the developers would be discouraged enough to not remove trees, due to the fees they would have to pay along with their main project's fees. **Chair Piper** said he's simply pointing it out and not going too much into it. **Commissioner Corning** agreed as the commission is in favor of affordable homes. **Chair Piper** noted that as community, don't help with the affordable housing situation in time enough due to all the requirements that must be fulfilled. **Vice-Chair Ellsworth** noted that she is for the community and that even if she doesn't agree on some of the new development, she will vote for the community. **Chair Piper** talked about that negotiations and conditions happen before the **Commission** receives the project to vote on and **Staff** are the ones who work with the applicant on those.

Director Kerr stated that the **Commission** is right on the fact that **Staff** works with the applicant on development regulations and conditions. He stated that they do have applicants who want to save a few trees, but the bottom line is that they want a lot of lot space and will want to remove trees to gain space. **Director Kerr** explained that's staff does a great job to inform the applicant of the penalties if they remove trees and notify them what trees can or cannot be removed. **Commissioner Corning** stated that **Staff** is essentially monitoring the trees in the areas of the project lot and making sure they don't get removed. **Director Kerr** stated that while what **Staff** does to ensure trees staying in those project lots help, they have run into issues, such as either the applicant removing those trees and pay the fee or other project related issues that cause trees to be removed. He used the Boones Ferry Road row tree as an example and how it would cost the developer more money to protect it rather than remove it. **Director Kerr** stated that staff brings these concerns to the **Planning Commission** to make the decision on whether or not the applicant can remove the tree. He asked **Senior Planner Cortes** to explain the condition that is usually given to the applicant who want to remove trees.

Senior Planner Cortes stated off by laying out a description of how things are now, such as tree permits and how it's really a short section in the WDO, which it's seemed to be written with houses in mind and maybe existing development, such as malls, schools, existing development, etc. However, it's not really set for development. So when developers proposed to subdivided into properties and look into a particular section of the property and ask what are the standards for tree removal. **Senior Planner Cortes** and staff essentially create a proposal for the developers and include conditions. It's not a popular method with either staff or developers. What would be more helpful, along with the other ideas proposed, is to have more "clear and objective" standards. **Senior Planner Cortes** stated that developers are more accommodating when they can ask a question and can get a solid answer. However, if the answer is open and discretionary, it gets developers understandably cranky with **Staff**. Therefore, what's proposed here is to create a policy to have developer's preserve a certain amount of trees with new development. **Chair Piper** stated that if the **Commission** agreed to that proposal, then it would need to be added into the WDO. He reiterates what **Senior Planner Cortes** said and it would help discourage developers from removing a tree if the see how much it would cost. **Senior Planner Cortes** explains to the commission that the proposal now is small development and larger development. For smaller development, its set up to have developers preserve 1/3

of significant trees and provide mitigation, followed up by the developer paying a fee to remove the significant trees. For larger development, it's about the same, except the developer would have to preserve 1/2 of the significant trees on the site. **Senior Planner Cortes** stated that he sees it as being an advantage is because the developer would have a clear standard and it is also up to the developers to figure out the specific trees are among those that would meet that numerical requirement.

Director Kerr confirms about small and larger developments with both categorized as new. He then talked about how small developments are sometimes partitions and how the proposal works for certain trees that fit the significant requirements. He noted that there are very few places in Woodburn that are considered very wooded areas, so staff doesn't really run into issues about mass tree cutting. **Director Kerr** liked the idea of having a specific percentage of the amount of trees an applicant should preserve. He also believes that there needs to be some kind of reward in the end, as he felt that it's unfair for the owner of the property to be penalized for removing trees. **Director Kerr** gave an example that if the applicant had to preserve 50% of the trees on the lot and could work around with their redesigned plans; while providing their road, storm, facilities, and all the houses and buildings while preserving that 50%, he personally wouldn't charge them for cutting the other trees on their site.

City Council Member Cornwell asked a question about the penalization for developers who cut down trees that they shouldn't have. **Director Kerr** provided the answer that about a year ago, the **City Council** amended an enforcement ordinance to increase the penalties to apply for people who knowingly cut down a tree in violation of City ordinances. Therefore, when those trees disappear and either **Director Kerr** told them about what trees need to be protected or that it's documented on a plan and if those trees disappear, **Staff** can then issue a big fine to the applicant. **Commissioner Corning** asked what if an applicant wanted to put in 10 buildings and the location of the proposed property is in a wooded area in Woodburn. **Senior Planner Cortes** answered that a fixed percentage doesn't work at every site, the proposal would allow a developer to submit a zoning adjustment application. It allows developers to demonstrate to **Staff** that they have complications of maintaining the proposal, but can offer a different alternative; such as instead of preserving 50% of trees, they can only do 45% and **Staff** can review and either approve of it or not. **Commissioner Corning** asked about parking lots or larger building and how would a developer guaranteed to preserve 50% of the trees. **Senior Planner Cortes** explained that some sites are easier to develop than others and developers have a choice to what properties to purchase and some have few to no trees, while others have many. Depending on what is the standard is for anything in the code, there are times that developers feel that they have to or can apply for some sort of deviance, like variances or zoning adjustment. **Chair Piper** talked about how developers want to put as much buildings or items on a lot and depending the amount of work (i.e. building/improving, removing trees, etc.), it could affect the amount that these spaces would rent out for. **Director Kerr** followed up by that it's very rare that they get 50 significant trees. He pointed out that the land that is getting development are farmland and there are hardly to no trees on those. He also mentioned that orchards are consider crops rather than significant and the ones that are dead get removed. **Director Kerr** stated that it's the applicant's job to explain to the commission as the reason why they want to remove a certain amount of trees, and staff works with the applicant to help them have an exact amount to present it to the **Planning Commission**.

Commissioner Hernandez-Mejia talked about that developers are already going into the mindset of the potential cost of the project when they are planning out what they want to do, **Chair Piper** added that depending on what the developer does, it would affect the price of the property. **Director Kerr** discussed that the lots that have lots of trees are in wetlands and other protected areas, therefore most of those trees cannot be touched. **Senior Planner Cortes** addressed the concept of mitigation and what would happen if something gets approval for removing significant trees. Right now, the proposal is for any context. Such as a tree removal for a significant tree that is somewhere between 24 & 36 inches. The applicant would have a choice to plant a new tree or pay a fee-in-lieu. **Senior Planner Cortes** directed everyone to look at the draft from April and the fee chart is located at the end of the packet and read the fee portion. **Director Kerr** asked if this was for a significant tree that was removed and had a permit and had any of the valid reasons. **Chair Piper** asked if someone wanted to remove a particular tree that's a certain species. **Senior Planner Cortes** said there is no specification of tree's species for replacing a significant tree, as long as a tree is replacing a 24 to 36 inches significant tree that was removed. **Director Kerr** asked if there was something in the WDO about new trees and developments. **Senior Planner Cortes** answered that in the ordinance

that labels trees as new or additional to the site, is that there is a minimum size, such as 2 inches diameter and 10 inches in height. The **Commission** talked among each other about other significant tree heights and the other lots in Woodburn that was significant. **Commissioner Hernandez-Mejia** asked about trees that aren't in private or resident living spaces, such as street right-of-way trees. **Senior Planner Cortes** responded with that the city has its own separate ordinance and permits for street trees. Street trees are maintained and if someone wanted to remove them, they would need to contact public works for a permit and plan to replace it once removed. **Director Kerr** explained that with the developments coming in recently and the fees that are applied and are paid, will go to the parks & public works departments to spend for public properties. **Vice-Chair Ellsworth** pointed out that during the Legion Park Project, they took out trees to save the trees around the park and used the fee payments for removing those trees, in order to plant trees around Woodburn in arborist approved areas. **Chair Piper** suggested to staff about writing an ordinance and laws to help keep record of the number of significant trees to be removed and will help staff review the amount of trees removed in the year. The **Commission** discussed more on other potential policies for the ordinance and haven't made a decision at this time. **Asst. City Attorney McKenzie Granum** suggested that the table can be used as a way to detect what parts of Woodburn are being most effected by and see where trees could be replanted. The **Commission** seemed to agree on this and staff can collect the necessary data on it, but haven't made the decision on whether this will be implemented to code or not.

***Vice-Chair Ellsworth** motioned for **Planning Commission** to take a 5 minute recess and the vote was unanimous. **Planning Commission** took a 5 minute recess at 8:17pm and reconvened at 8:24pm.*

Director Kerr reintroduced **Director of Special Projects Renata Wakeley** to the **Planning Commission**, who joined the meeting virtually. **Director Wakeley** asked **Director Kerr** about if there was a table that listed what type of trees are prohibited, but found something about prohibited trees to plant in the WDO on Table 3.06C. She then stated that this table in the code guides residents and developers on what isn't allowed to be replanted to replace the removed tree and answered her own question. **Senior Planner Cortes** added that the list that **Director Wakeley** brought up is a list for right-of-way tree replacement. **Director Wakeley** then asked should the city included that for private properties as well, in order to avoid any created nuisances. **Senior Planner Cortes** stated that in the code today for people who want to plant trees on private properties that aren't consider public, there is no limitation for them on species. The **Commission** discussed among themselves about trees. **Director Kerr** had some additional notes and highlights that he wanted to share with the **Commission**, which he wrote on the whiteboard. He talked about how staff measure, protect, and document tree removal. **Director Kerr** talked about how the WDO's code has been lacking in the specifics of how you measure, the right way to measure, what's a significant tree, etc. The main issue that comes up is how to measure a tree that is located in a non-traditional way. There have been legal battles on this, therefore **Director Kerr** wants to make sure the code is clear with the specifics.

Director Kerr then moved on to protection requirements, which staff has already been placing these in development for properties, in order to protect trees from being removed by developers. As for documentation, this is done with permits and asking if it matches the WDO's definition as significant and needing an arborist report. **Director Kerr** said that the draft that they currently have would make the applicant where the tree is located, seeing what species and height of the tree, and what is the health condition of the tree. He stated that **Senior Planner Cortes** is putting it all together, therefore the applicant knows what to exactly do when wanting to remove trees. **Director Kerr** gave an example of a right-of-way tree and that it would need to be removed because it's causing a hinder to public access or easement, therefore, it's a good reason to remove it. **Senior Planner Cortes** directed the **Commission** to the whiteboard and explained that one of the exemptions to tree removal is if a significant tree was grown as product. The other being is if the city is planning to have development extend or built new streets, as they will benefit the community. He showed examples of this on the whiteboard. **Staff** and **Commission** talked more about examples of how developers would go into the process of removing tree and what percentage they would need to save. The majority seemed to agree if an applicant can't save a protected tree, they would need to pay the fee and the city can use the money to replant a tree somewhere else. **Chair Piper** added a concern about the definition listed in the draft. He explained about his tree on his property and how it's healthier now that they trimmed the tree, due to the ice storm. Going back to the definition, **Chair Piper** doesn't agree with the 1 inch in diameter and 25% or more portion of the definition. He believes more can

be removed, without talking to an arborist and a homeowner can make that determination. **Commissioner Corning** doesn't agree on this, because at tree can end up thinning out, due to too much of a tree being cut. Both **Chair Piper** and **Commissioner Corning** continued going back in forth about the language of the code and what is presenting.

Senior Planner Cortes followed up with looking into the **International Society of Arboriculture** and stated that the definition was essentially copied to what the society recommended as a definition. As for the **Commission's** point, is that it'll establish explicitly in the development ordinance that there is such a thing as hat-racking and it shouldn't be done. On that occasion, where some degree of pruning more than this explicit definition is necessary. **Senior Planner Cortes** explained that **Staff** administer the code is when **Director Kerr** would ask the applicant if they have an arborist report and if the applicant can show that it doesn't fall into hat-racking and **Director Kerr** approves of it, they can move forward. **Chair Piper** asked a question about an arborist report and how it would include hat-racking. **Senior Planner Cortes** stated that it's a tricky situation, as of not having a hat-racking definition at all, the status quo leave open trouble. If there was a definition in place, it would need to have some sort of limit. He stated that there is always going to be a case where someone could make a case that some degree of pruning is okay. Even if it was documented, the individual could still hire a professional to prove it. The **Commission** discussed about pruning and what they want is to have something in place that doesn't end up killing the tree. **Senior Planner Cortes** stated to the **Commission** that **Staff** does not have a permit for pruning trees, leaving the homeowner to maintain the tree however they like. **Staff** will only get involved if the homeowner if the homeowner doesn't follow certain aspects of the code. **Commission** discussed more about their concerns about over-pruning and **Director Kerr** talked about a situation that a resident's neighbor practically pruned the tree so much, that it was essentially dead. He explained that he and staff need guidance on what is allowed for pruning and what homeowners can essentially do on their own, without having to do permits and basically asking what is the limit.

The **Commission** talked about residents removing or over pruning trees and how code enforcement can get involved to mitigate mass violations. They pointed out how hard it is for neighbors to report this violation, because their fellow neighbor who's breaking code, can intimate them and they end up staying quiet. **Commissioner Corning** shared an experience with reporting a code violations of a tree cutting and her neighbor wasn't happy about it. The **Commission** reviewed their notes on what was discussed tonight and wanting to know on what they should with for a good definition of hat-racking and if it should be labeled that term as such. **Senior Planner Cortes** suggested that they could keep the term hat-racking and just alter some of the wording of the definition. The **Commission** discussed suggestion on how the wording would be presented in the code. **Director Kerr** reminded the **Commission** that there is an ordinance that will penalize to those who cut down a significant tree, even when they were told not to. He said that it could still happen when an applicant comes in with a permit and they are denied; the denied applicant could still remove the tree or they end up heavily pruning it and the tree dies in a few months. This type of code violation can be investigated by code enforcement. **Staff** and **Commission** wrapped up there final thoughts and while nothing has been officially decided yet, staff has more information to improve the tree ordinance for the next workshop.

Business from the Commission: None

(1:55:16) Staff Update: **Director Kerr** gave an update to the **Planning Commission**, which was about the upcoming meeting in two weeks. It is a quasi-judicial meeting about the Mill Creek Meadows Planned Unit Development (PUD), which is PUD 22-01 and SUB 22-01, located at 1490, 1550, & 1636 Brown St. **Director Kerr** noted that **there will not be a second meeting in November (Thursday the 24th)**, as it lands right on the Thanksgiving holiday.

Adjournment: **Commissioner Corning** motioned to adjourn meeting and **Vice-Chair Ellsworth** seconded. The vote was unanimously in favor and meeting was adjourned around 8:56pm.

APPROVED _____

Charlie Piper
Chair of Planning Commission
City of Woodburn, Oregon

Date

ATTEST

Chris Kerr
Community Development Director
City of Woodburn, Oregon

Date