

# City of Talent

Community Development Department - Planning



## STAFF REPORT

Type-4 Land Use Application — Legislative Review — Planning Commission

Meeting date: April 28, 2016  
 File no: DCA 2016-001  
 Prepared by: Zac Moody, Community Development Director  
 Item: Adoption of regulations relating to tree preservation, landscaping and public trees.

### GENERAL INFORMATION

Petitioner ..... City of Talent

Requested Action ..... *Text Amendments to the Talent Zoning Code adding Title 8, Chapter 3, Division J, Article 10, Public Trees, amending Title 8, Chapter 3, Division J, Article 3, Fences and Hedges, and amending Title 8, Chapter 3, Division J, Article 4, Trees and Landscaping. New language allows the City to require a tree removal permit for heritage and significant trees and provides quantifiable standards for landscaping. **File: DCA2016-001. Applicant: City of Talent.***

### PROPOSAL

Staff is proposing changes to the Tree and Landscaping section of the Talent Zoning code to address concerns about the removal of large trees on private property and to provide clearer landscape standards for new commercial, industrial and residential property. Staff is also seeking an opportunity for the City to receive a Tree City USA Growth Award.

As you all know, the City of Talent is a Tree City USA and has been for 15 years. What you may not know is to receive Tree City USA status, there are four core standards of sound urban forestry management that must be maintained. The City is required to maintain a tree board or department, have a community tree ordinance and spend at least \$2 per capita on urban forestry and the celebration of Arbor Day.

For 15 years the City has maintain its Tree City USA status and received on Tree City USA growth award. A City can earn a Growth Award if it qualifies as a Tree City USA for at least two consecutive years and completes activities in eligible categories earning 10 or more points.

It has been 5 years since the City last applied for a Growth Award and Staff is confident that the

City can receive the award again in 2016 with some changes to our Tree and Landscaping code. While many of the items necessary to receive points in the “Improved Ordinance” category have already been addressed, there is room for improvement.

In order to make the necessary changes to the Tree and Landscaping code, Staff began reviewing all sections of the Talent Zoning Code that related to trees or landscaping. This included reviewing the Tree and Landscaping section as well as the Off-Street Parking Standards specific to landscaping. After reviewing each section, it became clear to Staff that not only was additional language needed to address deficiencies, but a reorganization of the sections of code was also necessary to make the code more usable to our citizens.

Staff is recommending that the following changes the Talent Zoning Code:

- Remove Fences and Hedges section and consolidate with new Landscaping section
- Add Landscaping, Fencing and Hedges as a new section
- Add Tree Preservation and Protection section
- Add Public Trees section

### **AGENCY COMMENTS**

As of the date of this staff report both the City Manager as well as the Public Works Director commented. Their concerns related to the Public Trees amendment where the language addresses trees, shrubs and plants as well as concerns over the time frame the City has to notify property owners of public tree maintenance.

As requested by the City Manager, staff removed all references to shrubs and plants in the proposed Public Trees section of the proposed language. Staff also removed all references related to the time frame that the City must provide property owners prior to public tree maintenance.

### **PUBLIC COMMENTS**

As of the date of this staff report, no public comments have been received. Staff did reach out to many individuals and businesses request comments and received some verbal comments. Canopy LLC, a local Arborist and tree trimming company assisted with language that defines heritage and significant trees. Additionally, Rogue Climate Talent was given the documents for review and will provide comments at the public hearing.

### **BACKGROUND**

The Planning Commission has participated in two workshops to assist staff in preparing the aforementioned code amendments. The first work session was held on January 28, 2016 and proposed the scope of work and presented some preliminary draft language for the Commission to consider. The second work session was held on February 18, 2016 with the goal of reworking the draft amendments to better fit the needs of the community.

During these work sessions, the Planning Commission provided valuable suggestions to all of the proposed amendments. These suggestions have been included in the proposed amendments (EXHIBIT A).

**RECOMMENDATION**

Based on the findings for the proposed amendments outlined in the Proposed Final Order, staff recommends City Council approval of the proposed amendments.

**RECOMMENDED MOTION**

*“I move to recommend approval of the proposed amendments to the Talent City Council, as described in the attached Exhibit A, amending the Talent Zoning Title 8, Chapter 3, Division J, Article 10, Public Trees, amending Title 8, Chapter 3, Division J, Article 3, Fences and Hedges, and amending Title 8, Chapter 3, Division J, Article 4, Trees and Landscaping.”*

**ATTACHMENTS**

The following information was submitted regarding this application:

- Proposed Amendments – Exhibit A
- Proposed Final Order – Exhibit B



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Zac Moody, Community Development Director

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April 21, 2016

Date

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Staff has recommended these amendments for approval, but it will require at least one public hearing before the Planning Commission and one public hearing before the City Council for a decision. The Talent Zoning Code establishes procedures for legislative hearings in Section 8-3M.160.

**A public hearing on the proposed action is scheduled before the Planning Commission on April 28, 2016 at 6:30 PM at the Talent Town Hall.**

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at [zmoody@cityoftalent.org](mailto:zmoody@cityoftalent.org).