

MILWAUKIE PLANNING COMMISSION  
MINUTES  
TUESDAY, JANUARY 10, 1995

**COMMISSIONERS PRESENT**

Carolyn Tomei, Chair  
Gordon Jones  
Debi Linn  
Bill Johnson  
Michael Smith  
Calvin Walter

**COMMISSIONERS ABSENT**

Scott McClure

**OTHERS PRESENT**

Mayor Lomnicki  
Councilmember Trotter

**STAFF PRESENT**

Maggie Collins,  
Community Dev. Dir.  
Jim Crumley,  
Associate Planner  
Debbie Bischoff,  
Senior Transportation Planner  
Shirley Richardson,  
Hearings Recorder

1.0 CALL TO ORDER

**Chair Tomei** called the meeting to order at 6:30 p.m. Mayor Lomnicki presented Don Trotter with a plaque and gavel for his 14 years of service on the City of Milwaukie Planning Commission. The Planning Commission commended him on his patience and contributions made to the City.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 CONSENT AGENDA

3.1 PLANNING COMMISSION MINUTES -- November 22, 1994 and December 13, 1994

**Debi Linn** moved to approve the minutes of November 22, 1994, as presented. **Calvin Walter** seconded. MOTION CARRIED 6-0.

**Gordon Jones** moved to approve the minutes of December 13, 1994, as presented. **Carolyn Tomei** seconded. MOTION CARRIED 3-0 with three abstentions. Carolyn Tomei, Bill Johnson, and Debi Linn were not at this meeting.

4.0 PUBLIC COMMENT -- None.

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5.0 PUBLIC HEARINGS

- 5.1 Applicant: Betty Hart  
Property Owner: Betty Hart  
Location: 4056 SE Washington Street  
Proposal: Conditional Use for Secondary Dwelling Unit (CU-94-02)

**Chair Tomei** explained the public hearing format. She then opened the public hearing on a Conditional Use for a Secondary Dwelling Unit. She asked if there were any conflicts of interest or ex-parte contacts to declare. There were none. She asked if there were any Commissioners who visited the site; one hand was raised. None of the Commissioners who raised their hands noticed anything different from what is stated in the Staff Report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

**Jim Crumley** explained that this proposal is to legalize the existing conversion of a two-car detached garage to a secondary dwelling unit in the R-5 Zone. Approval of a secondary dwelling unit is permitted in the R-5 Zone pursuant to the criteria found in Section 601.2 and 602.10 of the Zoning Ordinance. The Applicant has submitted responses to the criteria.

Even though this is an existing unit, Staff evaluates these types of permits as if nothing was built there and it must be in conformance with what would be built today. Ms. Hart has been informed that she must provide parking, not only for her own home, but for the secondary dwelling unit. Exhibit #2 will be modified to 20x25, giving adequate room to park two cars behind the carport and two cars in the carport; actually one space more than would be required for a single-family house and an accessory living quarters.

The distance between the carport and the house and garage is not specified, but there is a condition in the recommendations for approval that the Applicant meet all the zoning and CABO Code requirements. This may mean construction of fire walls.

This use is allowed in the R-5 Zone and it meets the standards in terms of lot coverage, parking, ratio of dwelling unit to existing home, Staff recommends approval subject to the conditions as listed in the Staff Report.

QUESTIONS FROM COMMISSIONERS

**Debi Linn** asked for clarification of the distance between the existing garage and the proposed parking shelter. **Jim Crumley** stated that he thinks it might end up being

attached. The Applicant will have to meet the building code and they may not be able to do that without attaching it.

**Bill Johnson** asked what would happen to the distance between the existing dwelling and the garage if the garage is attached? **Jim Crumley** stated that it must be six feet between the dwelling and the garage. The proposed carport will be five feet to the property line.

**Gordon Jones** asked if there was a vehicle to remove the deed restriction in the future if the zoning were to change? **Jim Crumley** stated that the Applicant would have to make application to the City for the change. These conditions of approval are recorded with the County Recorder and show up on the title. Any future property owners will have notice that one of the two units have to be occupied by the property owners.

**Michael Smith** asked how permits are issued to work already completed? **Jim Crumely** stated that there is an inspection after permits have been issued and paid. The inspectors look for flagrant violations and makes sure the structure is up to code before occupancy.

#### APPLICANT PRESENTATION

Betty Hart, 4056 SE Washington Street, Milwaukie

**Ms. Hart** stated that it's been about fourteen years that she has had a daughter and grandson living in these quarters. Because of a need for another bedroom, one was constructed behind the garage. The construction was inspected by the City and connected to the sewer. Later her grandson lived there; it was more or less like a studio area. In the last couple of years her mom has become ill and needs to be close to her. There were stairs in the residence and the mother could not navigate them.

**Ms. Hart** stated that she wanted to remodel this structure so that her mother could live in it. Her mother then changed her mind and decided to stay in her own home. Therefore, she would like to rent this structure out to industrial workers in the area.

QUESTIONS OF THE APPLICANT FROM THE COMMISSIONERS -- None.

TESTIMONY IN FAVOR OF THE APPLICATION -- None.

QUESTIONS OR COMMENTS ON THE APPLICATION

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Speaking: David Murry, 4055 SE Washington, Milwaukie

**Mr. Murry** stated that he lives directly across the street from the Applicant. He was aware of the construction but did not know there were no permits. He knew that the Applicant ran this as a guest house. He stated that he is concerned about the safety, parking, and what kind of use this new construction will be. He would like to know if she is going to stay there and lease one of the structures. There are children in the neighborhood and he is concerned about overnighters.

Speaking: Ken Butler, 4036 SE Washington, Milwaukie

**Mr. Butler** stated that he lives next door to the Applicant. He is concerned that the rental property would not be kept up as well as it has been in the past. He asked what type of rental this will be, lease or short-term rental. He would like to know what this structure will look like and who will be renting.

**Jim Crumley** stated that only one unit can be rented. The owner must occupy one of the units. There are no provisions on terms of the rental, but under no circumstances will both structures be allowed to be rented. It is not a motel, boarding house, or care facility. It would be a violation of this permit to rent this unit out on a night-by-night basis. The City is anticipating a monthly rental arrangement. These terms will be recorded on the deed restrictions and will follow the property in the future.

**Mr. Butler** stated that there are duplexes at the end of his street. He asked if this area is zoned for rentals? **Jim Crumley** stated that the duplexes are non-conforming units; they would be allowed to be rented.

**Mr. Butler** stated that the sidewalk is poured right up to the wall of his shop. He asked if potential drainage problems would be considered in the inspection of this Application. **Jim Crumley** stated that the sidewalk is not an issue in this Application; however, drainage will be considered in the inspection and if found in violation, will be corrected.

Speaking: Kathleen Butler, 4036 SE Washington Street, Milwaukie

**Ms. Butler** stated that the Staff Report mentioned the two units and that the drains must flow into the drywell. The secondary drains should also flow into the drywell. She would like to know if this site is draining correctly as stated? **Jim Crumley** stated that the inspector will be looking at the stormwater run-off. Public Works will consider this when the new drywell is sized for the carport.

**Ms. Butler** asked for clarification on whether the owner of the house will have to live in one of the dwellings; and only one unit rented out? **Jim Crumley** stated that this is correct.

**Ms. Butler** asked if the Applicant's preliminary drawing has to be approved before construction? **Jim Crumley** stated that a site plan will have to be provided that will indicate exact construction plans.

**Ms. Butler** asked for clarification of the 20-foot setback. **Jim Crumley** stated that a 20-foot setback must be in front of the carport to be approved.

**Ms. Butler** then read a letter to the Commission so that it could be made a part of the record. The letter was from Sheryl Deva who lives at 4084 SE Washington Street, next door to property in question. She asked what the proposed construction do to the value of her property? Another concern was whether the secondary dwelling will be a long-term or short-term rental.

TESTIMONY IN OPPOSITION OF THE APPLICATION -- None.

#### APPLICANT'S CLOSING COMMENTS

Speaking: Betty Hart, 4056 SE Washington Street, Milwaukie

**Ms. Hart** stated that the yard and structure will be kept up as she has done in the past. She is planning on living in one of the units. She wants this rental to be long-term, maybe yearly.

#### DELIBERATION AMONG COMMISSIONERS

**Chair Tomei** closed the public portion of the hearing and opened the hearing to deliberations by the Commissioners.

**Michael Smith** stated that he is in agreement with the Application, but he is concerned that the inspection would not be thorough. **Jim Crumley** stated that the building will be inspected by both the City Building Official and South Metro Fire.

**Gordon Jones** stated that he is in support the application. He informed the audience that it was not under the purview of the Planning Commission to maintain property values.

**Debi Linn** stated that she, too, is in support of the application. She voiced concern about the inspection of the lot. She would like to see that the inspectors be particularly careful to look for safety factors of the residence.

**Calvin Walter** stated that the application states that the construction was done without benefit of mechanical or electrical permits. Was there a building permit? **Jim Crumley** reported that Ms. Hart says there was a building permit; Staff could not find one on file.

**Gordon Jones** stated that one of the neighbors raised the concern about the design of the new structure. The Planning Commission is not a Design Review Committee; as long as it meets code, that is what it will be.

**Bill Johnson** moved to approve the Conditional Use for the Secondary Dwelling Unit, CU-94-02 with the conditions and findings as stated in the Staff Report. **Debi Linn** seconded. MOTION CARRIED 6-0.

Recess was called at 6:25 p.m. and the meeting reconvened at 7:30 p.m.

- 5.2 Applicant: City of Milwaukie  
Property Owner: N/A  
Location: N/A  
Proposal: Comprehensive Plan Amendment Package (CPA-94-04 and CPA-94-05)

**Chair Tomei** explained the public hearing format. She then stated that this is a continued hearing on a Comprehensive Plan Amendment Package. She asked if there were any conflicts of interest or ex-parte contacts to declare. There were none. There was no audience.

**Debbie Bischoff** stated that the purpose of this hearing was to approve Comprehensive Plan Map and Text Amendments and Adoption of Management Plan as an Ancillary Document. The Planning Commission previously held a public hearing on November 22, 1994, on CPA-94-04, as part of the County Rezone project. It is included in this hearing package because Staff is preparing the CPA staff report to be in final form for City Council adoption at the January 17, 1995, public hearing.

The Planning Commission also held a public hearing on the City's adoption of the Elk Rock Island Natural Area Management Plan on November 8, 1994. The section of the staff report related to CPA-94-05 contains comprehensive findings related to adoption of the

Management Plan, as well as a Comprehensive Plan text amendment that adds a new policy to the Open Spaces, Scenic Areas, and Natural Resources Element.

**Calvin Walter** moved to recommend to City Council adoption of Management Plan as an Ancillary Document, CPA-94-05, and amendments to the Comprehensive Plan Map, (CPA-94-04) based upon the findings as stated in the Staff Report. **Bill Johnson** seconded. MOTION CARRIED 6-0.

- 5.3 Applicant: City of Milwaukie  
Property Owner: N/A  
Location: N/A  
Proposal: Zone Amendment Package (ZC-94-01 and ZA-94-07)

**Chair Tomei** explained the public hearing format. She then stated that this is a continued hearing on a Zone Amendment Package. She asked if there were any conflicts of interest or ex-parte contacts to declare. There were none. There was no audience.

**Debbie Bischoff** stated that the purpose of this hearing was to approve amendments to the Zoning Map and Subdivision Ordinance text. The Planning Commission previously held a public hearing on November 22, 1994, on ZC-94-01, as part of the County Rezone project. It is included in this hearing package because Staff is preparing a Staff Report to be in final form for City Council adoption at the January 17, 1995, public hearing.

The Planning Commission is holding its first public hearing on the proposed text amendment to the Milwaukie Subdivision Ordinance, ZA-94-07. This amendment proposes to delete Section 17.32.40F, eliminating the exclusion of the access strip and paved turnaround areas from the calculations of a buildable flag lot.

**Gordon Jones** moved to recommend to City Council adoption of the proposed Subdivision Ordinance Amendments contained in ZA-94-07 based upon the findings as stated in the Staff Report. **Debi Linn** seconded. MOTION CARRIED 6-0.

**Debi Linn** commended Staff on the outstanding job done on the Comprehensive Plan Amendments and the Zone Amendments packages.

- 6.0 WORKSESSIONS  
6.1 Tree Ordinance

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**Chair Tomei** opened discussion on the Tree Ordinance. **Jim Crumley** reported that at the November 9th meeting of the Tree Committee, a considerable amount of discussion was held concerning the length of time necessary to produce a "first rate" Tree Preservation Ordinance.

A handbook, "Guidelines for Developing and Evaluating Tree Ordinances," was received from the Urban Forestry Program of the California Department of Forestry.

In order to provide the opportunity to have sufficient public input into the draft of this Ordinance, it is necessary to approach City Council with an interim moratorium on the removal of trees.

The draft tree removal moratorium was submitted to the Commissioners. Staff asked that the Commissioner review the draft for a recommendation to City Council. Discussion followed on the Draft Tree Ordinance. The following changes were made:

- Page 2, section 2 Change the wording "at 54 inches about natural grade" to "at 54 inches above natural grade."
- Page 1, Last whereas replace "exist" with "exists."
- Section 3, A Change "protected trees" and all tree references to "significant tree."
- Page 2, Section 3,#2 Change 1 to read, "...as to prevent reasonable access to property, and to preclude reasonable and lawful use of the property, or is causing significant damage to the property. Certification may be required."

**Carolyn Tomei** moved to recommend to city council the Interim Tree Ordinance submitted tonight, with the changes as indicated tonight. **Calvin Walter** seconded. MOTION CARRIED 5-1. Bill Johnson voted in opposition.

7.0 CONSIDERATION ITEMS -- None.

8.0 OLD BUSINESS

9.0 OTHER BUSINESS

9.1 Subdivision and Community Shopping Center Development Review Permit/Dental Offices

**Jim Crumley** explained that the Dental Building at the Milwaukie Marketplace had proposed a 3' high, 6' long block sign. Under the conditions of approval, that is the sign that they are limited to. They now would like to have a 13' high with a maximum 300 sq. ft. sign face. The proposed 100 square foot sign is within code restrictions.

**Gordon Jones** remembered that there were restrictive sign requirements on the Milwaukie Marketplace. He feels the proposed sign will be in violation of those restrictions. **Jim Crumley** will research the sign ordinance for this center and get back to the Commission with his findings.

9.2 SHORTAGE OF STAFF

**Carolyn Tomei** proposed that a statement be drafted to City Council that the position of Assistant Planner had not been replaced and there is a need for more Staff in the Community Development Department.

**Calvin Walter** moved to send a memo to City Council regarding Staffing. The Planning Commission is concerned about meeting their objectives and expectations of the 1995 work program with the Staff that is available. Carolyn Tomei was asked to write this memo and send it out. **Debi Linn** seconded. MOTION CARRIED 6-0.

9.3 TREES CUT ON 27TH

**Carolyn Tomei** asked Staff about the trees on 21st Avenue being cut down by the City? **Jim Crumley** stated that the cutting was due to a drainage problem in that area with flooding. When the rains stop, the City will go in and re-do the landscaping and replace the trees.

9.4 LIGHT PROBLEMS AT HARRISON INTERSECTION

**Carolyn Tomei** stated that she had to wait four lights before she could turn onto 17th. This was not during the rush hour. Is there anything the City can do about it. **Jim Crumley** will check with Public Works and update the Commission at the next meeting.

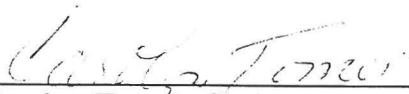
9.5 PROPOSED RECREATIONAL VEHICLE PARK

**Bill Johnson** asked if the property owner on Rusk Road was still planning on putting in a recreational vehicle park? **Jim Crumley** stated that he had sold the property and the new owner is building a 8-bedroom, 8-bath, single-family home.

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- 10.0 NEXT MEETING - January 24, 1995
- 10.1 Minor Land Partition/Variance (Chaney) (MLP-94-12/VR-94-09)
- 10.2 TSP Update Worksession
- 10.3 Willamette River Corridor Coordination Plan Worksession
- 10.4 CD Report

**Bill Johnson** moved to adjourn the meeting of January 10, 1995. **Calvin Walter** seconded.  
MOTION PASSED UNANIMOUSLY. The meeting adjourned at 9:55 p.m.

  
\_\_\_\_\_  
Carolyn Tomei, Chair

  
\_\_\_\_\_  
Shirley Richardson, Hearings Reporter

**AGENDA**  
**MILWAUKIE PLANNING COMMISSION**  
**Milwaukie City Hall, 10722 SE Main Street**  
**Tuesday, January 10, 1994**  
**6:30 p.m.**

**1.0 Call to Order**

**2.0 Procedural Questions**

**3.0 Consent Agenda**

- 3.1 Planning Commission Minutes: December 13, 1994  
City Council Minutes: December 6, 1994 and December 20, 1994 (upon approval by Council)

**4.0 Public Comment**

This is an opportunity for the public to comment on any item not on the agenda.

**5.0 Public Hearings**

5.1 Continued from December 13, 1994 Meeting

Applicant: Betty Hart  
Property Owner: Betty Hart  
Location: 4056 SE Washington Street  
Proposal: Conditional Use for Secondary Dwelling Unit (CU-94-02)

5.2 Continued from December 13, 1994 Meeting

Applicant: City of Milwaukie  
Property Owner: N/A  
Location: N/A  
Proposal: Comprehensive Plan Amendment Package (CPA-94-04 and CPA-94-05)

5.3 Continued from December 13, 1994 Meeting

Applicant: City of Milwaukie  
Owner: N/A  
Location: N/A  
Proposal: Zone Amendment Package (ZC-94-01 and ZA-94-07)

**6.0 Worksessions**

6.1 Tree Ordinance

**7.0 Consideration Items - None**

**8.0 Old Business - None**

**9.0 Other Business**

**10.0 Next Meeting - January 24, 1995**

- 10.1 Minor Land Partition/Variance (Chaney) (MLP-94-11/VR-94-09) (JC)  
10.2 Minor Land Partition/Variance (Chaney) (MLP-94-14/VR-94-11) (JC)  
10.3 TSP Update Worksession (DB)  
10.4 Willamette River Corridor Coordination Plan Worksession  
10.5 CD Report

**The Milwaukie Planning Commission welcomes your interest in these agenda items. Feel free to come and go as you please.**

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**Milwaukie Planning Commission Mission Statement**

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan.

## **Public Hearing Procedure**

1. Staff Report
2. Correspondence
3. Applicant's presentation
4. Public testimony from others in support of application
5. Comments or questions from interested person who are neither proponents nor opponents
6. Public testimony from those in opposition to the application
7. Questions from the Planning Commission
8. Rebuttal testimony from Applicant
9. Closing of public hearing
10. Commission discussion/action

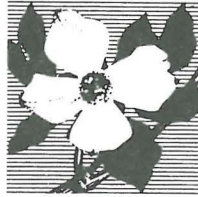
**The Planning Commission's decision on these matters may be subject to further review or may be appealed to the City Council. For further information, contact the Milwaukie Community Development Department office at 786-7650.**

### **Milwaukie Planning Commissioners**

Carolyn Tomei, Chair  
Scott McClure, Vice-Chair  
Gordon Jones  
Bill Johnson  
Debi Linn

### **Community Development Department Staff**

Maggie Collins, Community Development Director  
Debbie Bischoff, Senior Transportation Planner  
Jim Crumley, Associate Planner  
Jeanne Garst, Office Assistant  
Marcia Hamley, Office Assistant  
Shirley Richardson, Recording Secretary  
Diana Myrvang, Public Involvement Coordinator



**\*\*\*MEMORANDUM\*\*\***

**COMMUNITY DEVELOPMENT DEPARTMENT  
January 10, 1995**

**TO: PLANNING COMMISSION PACKET RECIPIENTS**

**FROM: JEANNE GARST, CD OFFICE ASSISTANT**

**RE: PACKET MATERIALS**

You will need to refer to the materials you received in your packet for December 13, 1994 for some items on the agenda for the January 10, 1995 Planning Commission meeting. The Hart Conditional Use (CU-94-02); the CPA Packet Hearing (CPA-94-04 and 05); and the ZA/ZC Packet Hearing (ZA-94-07 and ZC-94-01) were all continued to the January 10, 1995 meeting. No new materials are being provided as the hearings were continued due to the lack of a quorum at the meeting in December. Additional copies of the staff reports will be available at the meeting. If you no longer have the copy you received with the December 13, 1994 packet, and would like one before the hearing please call me at 786-7650.

Materials for the Tree Ordinance worksession will be handed out at the meeting.

If you have any questions concerning your packet please feel free to contact me.

## MEMORANDUM

**TO:** FILE

**CC:** MAGGIE COLLINS, CD DIRECTOR

**FROM:** JIM CRUMLEY, ASSOCIATE PLANNER

**RE:** DRAFT TREE REMOVAL MORATORIUM

**DATE:** JANUARY 4, 1995

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At the November 9, 1994 meeting of the Tree Committee, a considerable amount of discussion was held concerning the length of time necessary to produce a "first rate" Tree Preservation Ordinance, in light of the newly discovered "Guidelines for Developing and Evaluating Tree Ordinances" from the Urban Forestry Program of the California Dept. of Forestry.

Concern was raised due to the recent tree removal at Bernard's Garage and the request from the Milwaukie Christian Church on King Road to remove mature fir trees. It was determined that a protection ordinance was needed as soon as possible.

The alternatives were to rush the ordinance through the process, thereby reducing, or eliminating, much needed public input, or trying to get the City Council to approve an interim protection ordinance until a permanent one could be fully developed.

The Committee opted for the latter and directed me to prepare a draft temporary moratorium for consideration by the PC at its meeting in January.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, TO PROVIDE FOR AN INTERIM MORATORIUM ON THE REMOVAL OF SIGNIFICANT TREES FOR A PERIOD NOT TO EXCEED TWELVE MONTHS.**

**WHEREAS**, it is the intention of the City of Milwaukie to adopt an ordinance for the protection of significant trees and natural areas; and

**WHEREAS**, it has been determined that trees are a valuable amenity to the urban environment, creating greater human comfort by providing shade, cooling the air and otherwise tempering the effects of summer heat, restoring oxygen to the atmosphere, reducing glare, reducing noise levels, and breaking the monotony of urbanized development on the land, all of which aid in protecting the health, and general welfare of the community; and

**WHEREAS**, significant trees should be preserved to the maximum extent feasible for the education and enjoyment of future generations, since large trees if destroyed, can be replaced only after generations of time; and

**WHEREAS**, the City Planning Commission has formed a committee to garner public input in the formation of a permanent tree preservation ordinance; and

**WHEREAS**, knowledge that this committee exists has caused individuals and organizations to seek to remove trees prior to the possible adoption of a preservation ordinance;

**NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:**

Section 1. Findings.

- A. Current development regulations only protect trees in identified Natural Resource Overlay Zones.
- B. Recent development has significantly reduced the remaining forested areas of the City.
- C. Significant trees have recently been removed on both public and private lands.
- D. A thorough and complete tree preservation ordinance will take up to twelve months to complete.

## Section 2. Special Definitions

Tree: Means any self-supporting, woody perennial plant typically having a trunk diameter of no less than 2 inches at maturity, measured at 54 inches above grade, and normally growing to an overall height of no less than 15 feet.

Significant tree: Means a tree having a trunk diameter of twelve inches or greater, measured 54 inches about natural grade.

Removal: Means the uprooting, severing the main trunk of the tree, or any act which causes or may reasonably expect to cause the tree to die, including without limitation, damage inflicted upon the root system by machinery, storage of materials, or soil compaction; substantially changing the natural grade above the root system or around the trunk; excessive pruning; or paving with concrete, asphalt, or other impervious materials in a manner which may reasonably be expected to kill the tree.

## Section 3. Application

A. No person shall remove or cause the removal of any <sup>significant</sup> ~~protected~~ trees without first securing written approval from the Community Development Director pursuant to Section 1011.1 of the Zoning Ordinance (Type I Administrative Review).

B. The Community Development Director shall approve the removal of a significant tree located on publicly or privately owned property when:

1. A showing is made that the tree is so located as to prevent reasonable access to the property or as to preclude reasonable and lawful use of the property.
2. Certification has been received from a registered arborist or other certified professional that a significant tree has been determined to be dead, badly diseased, or otherwise become hazardous to life or property.
3. The location of the tree prevents the construction of utility lines or drainage facilities which may not feasibly be rerouted.
4. Denial of the removal would deny a political subdivision of the state the reasonable use of public property for the achievement of its public purposes.

## Section 4. Enforcement

A. Penalty: A person violating a provision of this ordinance shall, upon conviction, be punished by imprisonment for not more than thirty (30) days or by a fine of not more than \$200.00 or both.

ORDINANCE NO. \_\_\_\_\_

Read the first time on \_\_\_\_\_, 1995 and moved to second reading by  
\_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_, 1995.

Signed by the Mayor on \_\_\_\_\_, 1995.

\_\_\_\_\_  
Craig Lomnicki, Mayor

ATTEST:

\_\_\_\_\_  
Pat DuVal, City Recorder

Approved as to form:

\_\_\_\_\_  
O'Donnell, Ramis, Crew, Corrigan & Bachrach