



CITY OF OREGON CITY

NATURAL RESOURCES COMMITTEE

AGENDA

Commission Chambers, 625 Center Street, Oregon City
Wednesday, December 13, 2023 at 6:00 PM

This meeting will be held online via Zoom; please contact ocplanning@orc.org for the meeting link.

CALL TO ORDER AND ROLL CALL

ADOPTION OF THE AGENDA

Natural Resources Committee members have the opportunity to rearrange, remove, or add items on the agenda. Adding an item to the agenda requires the consensus of the Natural Resources Committee.

PUBLIC COMMENT

Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. The Chair has the discretion to waive limitations. Prior to speaking, citizens shall complete a comment form and deliver it to the Staff Member. The Natural Resources Committee does not generally engage in dialog with those making comments but may refer the issue to the City Manager.

APPROVAL OF MINUTES

Please review minutes prior to meeting.

- [1.](#) Approval of Minutes for NRC November 8, 2023

NEW BUSINESS/DISCUSSION ITEMS

- [2.](#) Street Tree Removal and Sidewalk Mobility

COMMUNICATIONS

FUTURE AGENDA ITEMS

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments.

Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

NATURAL RESOURCES COMMITTEE

DRAFT MINUTES

Virtual Meeting

Wednesday, November 8, 2023 at 6:00 PM

This meeting will be held online via Zoom; please contact ocplanning@orccity.org for the meeting link.

NRC INTERVIEWS

6:00 pm

The committee held interviews with applicants Samantha Wolf and Doug Neeley.

CALL TO ORDER AND ROLL CALL

6:34 pm

Present: Nancy Broshot, Emily Lisborg, Samantha Wolf, Brian Kvisler, Dave Trotter

Staff: Pete Walter, Planning Manager

ADOPTION OF THE AGENDA

6:35 pm

Agenda was accepted as is.

PUBLIC COMMENT

There was no public comment.

DISCUSSION ITEMS

Street Tree Code

6:36 pm

The committee discussed street trees affecting sidewalks. There may be a scenarios where trees may be cut down based only on the presence of damage to the sidewalk. The NRC as a group would like to suggest that trees should not be removed if the only reason for removal is damaged sidewalks.

The committee suggested making public comment to the city commission about street tree removal. Samantha reminded the committee that the city does not currently assess a fee for a street tree removal permits.

Nancy suggested language like "I'm here to voice a concern about how street tree removal is handled and request a work session to consider alternatives to the current process." Samantha suggested that we may want to plan talking points and submit them as a committee.

There was discussion about improving/rewriting the tree code to be more focused on conservation.

Pete offered to prepare a comparison of area tree codes and invite public works staff to attend a future meeting to talk about the sidewalk repair and permitting process.

Climate Friendly And Equitable Communities

7:19 pm

Pete provided an overview of the Statewide Climate Friendly and Equitable Communities (CFEC) legislation and timing for city compliance with this program. The program requires that local jurisdictions adopt new standards for reduction of minimum parking requirements, electric vehicle charging infrastructure, climate friendly urban design, roadway design, bicycle parking and other standards. The city already adopted many of these requirements and will be working on implementing the remaining standards with City Commission input and direction throughout 2024-2025.

NRC Work Plan Topics

7:28 pm

Nancy suggested the committee wait for the appointment of new members to the committee before evaluating the work plan. The committee generally agreed and this item was tabled for later discussion.

MEETING MINUTES

7:38 pm

The Committee unanimously approved the October 11, 2023 minutes.

COMMUNICATIONS

There were no communication items.

FUTURE AGENDA ITEMS

1. Street Tree Code / Sidewalk Permitting.
2. Discuss topics on work plan for agenda topics.
3. Discussion about when to elect new positions, in January after new members appointed.

ADJOURNMENT

7:39 pm



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: Natural Resource Committee
From: Pete Walter, Planning Manager

Agenda Date: 12/13/2023

SUBJECT:

Street Tree Removal and Sidewalk Mobility

STAFF RECOMMENDATION:

Discussion.

BACKGROUND:

Street Tree Code Questions

Josh Wheeler, Assistant City Engineer, will attend the December NRC meeting to give some background and explanation on the city's sidewalk repair requirements.

There is a significant liability risk associated with sidewalk mobility and the safety of pedestrians is a primary concern for the city and homeowners. Sidewalk repair is required when complaints are received and a sidewalk mobility concern is confirmed by the Code Enforcement Division, whereupon the property owner is sent a letter informing them of the need to address the issue.

We will discuss some of the available options for sidewalk repair and potential ways to avoid tree removal in the process.

Planning staff will also provide street tree code examples from other jurisdictions in the Metro area and some of the differences and similarities between them and the latest revisions to Oregon City's street tree code, OCMC Chapter 12.08.035, which can be reviewed at the following link:

<https://www.oregoncity.org/DocumentCenter/View/3589/OCMC-1208035---Tree-Removal-and-Replacement-Clean-Code-adopted-5-3-23-PDF>

The focus of this discussion is trees in sidewalk situations in the public right-of-way. Staff will not be discussing tree removal on private property during this item.

OPTIONS:

1. Discuss topic and determine next steps.
2. Do not discuss topic.

12.08.035 Tree removal and replacement.

Existing street trees, trees in the right-of-way, and trees on public property shall be retained and protected during development unless removal is specified as part of a land use approval or in conjunction with a public capital improvement project, in accordance with OCMC 17.41. Tree removal shall be mitigated by the following:

- A. A dead, diseased, or hazardous street tree, as determined by a certified arborist and approved by the City Manager or designee, may be removed if replaced with one (1) new tree for each dead, diseased or hazardous tree that is removed.
 - 1. Hazardous trees which have raised the adjacent sidewalk in a manner which does not comply with the Americans with Disabilities Act may be removed and replaced without a report from a certified arborist, as defined in OCMC 17.04.082.
 - 2. All replacement trees under this section shall have a minimum one and one half (1.5) inch caliper trunk measured six (6) inches above the root crown.
- B. Removed trees that were not determined to be dead, diseased, or hazardous shall be replaced in accordance with Table 12.08.035. All replaced street trees shall have a minimum one and one-half-inch (1.5 inch) caliper trunk measured six (6) inches above the root crown.

Table 12.08.035

Replacement Schedule for Trees Determined to be Dead, Diseased or Hazardous by a Certified Arborist		Replacement Schedule for Trees Not Determined to be Dead, Diseased or Hazardous by a Certified Arborist	
Diameter of tree to be Removed (Inches of diameter at 4-ft. height)	Number of Replacement Trees to be Planted	Diameter of tree to be Removed (Inches of diameter at 4-ft. height)	Number of Replacement Trees to be Planted
Any Diameter	1 Tree	Less than 6"	1 Tree
		6" to 12"	2 Trees
		13" to 18"	3 Trees
		19" to 24"	4 Trees
		25" to 30"	5 Trees
		31" and over	8 Trees

- C. Removed trees shall be replaced by approved tree species:
 - 1. Within the right-of-way abutting the same frontage; and
 - 2. Subject to the requirements under OCMC 12.08.015.
- D. If an applicant can demonstrate to the satisfaction of the City Manager or designee that a sufficient location to replant tree(s) according to section C is not available, the City Manager or designee may allow:
 - 1. Installation of replacement tree(s) in one of the following alternative locations:
 - a. Within the right-of-way abutting another property, with abutting property owner approval, or
 - b. On public property, with City Manager or designee approval, or

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- c. Within 10 feet of the right of way in the abutting private yard; or
 - 2. As a last resort, a fee in lieu of replacing the tree(s), subject to the following:
 - a. The applicant must demonstrate to the satisfaction of the City Manager or designee that none of the alternative replanting options in section D.1 is sufficient for replanting.
 - b. Is to be placed into a city fund dedicated to obtaining trees, planting trees and/or tree education in Oregon City.

E. Exceptions:

- 1. Trees that are listed as invasive non-native, nuisance, prohibited, or noxious vegetation species, as defined in OCMC 17.04.605, may be removed without replacement or fee in lieu of replacement.
- 2. Trees in planter strips three (3) feet or less in width may be removed without replacement or fee in lieu of replacement.