



CITY OF OREGON CITY

NATURAL RESOURCES COMMITTEE

AGENDA

Virtual Meeting
Wednesday, September 09, 2020 at 7:00 PM

CALL TO ORDER

ADOPTION OF THE AGENDA

Committee members have the opportunity to move items to New Business/Discussion Items from Communications if they are interested in discussion. The Committee may also add an item to the agenda with the consensus of the Committee.

PRESENTATIONS

1. 2019 Heritage Tree Presentation of Certificates

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.

OLD BUSINESS

2. Thimble Creek Upland Habitat Overlay District

NEW BUSINESS/DISCUSSION ITEMS

3. Discussion of Heritage Tree Program Budget

COMMUNICATIONS

FUTURE AGENDA ITEMS

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the Staff Member. When the Chair calls your name, proceed to the speaker table and state your name and city of residence into the microphone. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the Natural Resources Committee 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 Staff Member 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 Web site.

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



CITY OF OREGON CITY

Staff Report

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

To: Natural Resources Committee
From: Senior Planner Pete Walter

Agenda Date: 09/09/2020

SUBJECT:

2019 Heritage Tree Presentation of Certificates

BACKGROUND:

Staff is pleased to present the 2019 Heritage Tree Certificates for trees growing on private property. The City Commission formally approved designations for the following Heritage Tree nominations for 2019 on the May 20, 2020 Consent Agenda.

901 Linn Avenue:

This is a Sugar Maple (*Acer saccharum*) growing at the corner of Linn Avenue and Holmes Lane. In 2016 the tree was estimated to be approximately 42" in diameter, 68' tall, canopy spread of 53' and 250 years old.

810 Jackson Street:

This is an American Sycamore (*Platanus occidentalis*), growing in the front yard of an historic home. The tree is estimated to be approximately 61" in diameter, 40' tall, canopy spread of 60', and between 212-244 years old.

412 Logus Street:

This is a Northern Red Oak (*Quercus rubra*), growing in the back yard of a home near an alley. The tree is estimated to be approximately 53" in diameter, 90-100' tall, canopy spread of 105', and 221 years old.

Owners will receive a plaque, a certificate, and the property owners are working to complete the recordation of protective covenants for the trees.



CITY OF OREGON CITY

Staff Report

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

To: Natural Resource Committee **Agenda Date:** 9/9/2020
From: Community Development Director Laura Terway

SUBJECT:

Thimble Creek Upland Habitat Overlay District

STAFF RECOMMENDATION:

Provide general direction which trees in the proposed overlay district should be regulated and to what degree.

EXECUTIVE SUMMARY:

The NRC directed staff to abandon the Upland Habitat Overlay District and work with property owners to designate select trees as Heritage Trees. This direction was, in part, based on information from the Community Development Director that code amendments were being proposed which would expand tree protection to the areas of land that were within the Geologic Hazards Overlay District but were less than 25% slope. Unfortunately, the direction incorrect. Staff is seeking additional direction from the NRC to confirm if they would like to proceed with the Heritage Tree designation as previously identified, or go back to the creation of an overlay district for greater tree protection once again.

BACKGROUND:

At the June 17th City Commission hearing, the City Commission directed staff to proceed with the creation of a new overlay district to protect upland habitat identified within the Thimble Creek Concept Plan as recommended by the Natural Resources Committee (identified in blue below). Note that the trees within the city but east of the proposed upland habitat overlay are protected through the standards in the Natural Resources Overlay District or the Geologic Hazards Overlay District.



After discussing the overlay district on the July 8th Natural Resources Committee, it was determined that a site visit to assess the quantity, condition, and species of the trees as well as the surrounding habitat was needed. The two property owners allowed the Natural Resource Committee to go onsite for a site visit on July 30th. Since the site visit:

- The Oregon City Golf Club property owner has provided a tree survey from 2017.
- Clackamas County identified that tree protection outside of the city *“would be a 50-ft. buffer from Thimble Creek outside of the UGB and / or the Metro Service District Boundary (MSDB), and the areas of Habitat Conservation Area (HCA) that are within the UGB and / or MSDB per attached map”*.

The NRC met again on August 12th and concluded:

- The larger trees are located on the edge of the boundary, primarily on the southern portion of the overlay map. Much of the trees on the golf course property (southern portion of the overlay) had been logged in the past. The trees on the airport property (northern portion of the overlay) have more varied species, but are generally smaller in size.
- The overlay district boundary is located on the edge of the City limits and in some cases, it is adjacent to trees within Clackamas County jurisdiction. The County

does not have tree protection for much of the adjacent upland habitat, resulting in potential loss of upland habitat between land immediately adjacent to Thimble Creek (and its tributaries) and the overlay district area.

- The Community Development Director identified code amendments which would expand tree protection to the areas of land that were within the Geologic Hazards Overlay District but were less than 25% slope. *See note below with update.*
- The NRC felt that due to the above, the upland habitat could be adequately protected with the code amendments as well as working with property owners to designate select trees within the overlay boundary on the golf course property as well as designation of trees to the west of the boundary on the airport property.

The owners of the airport property and the golf course property have identified interest in heritage tree designation.

Unfortunately, the direction from the Community Development Director that the code amendments which would expand tree protection to the areas of land that were within the Geologic Hazards Overlay District but were less than 25% slope was incorrect. The trees on slopes less than 25% are only subject to the general protection standards in OCMC 17.41 of the Municipal Code. Staff is seeking additional direction from the NRC to confirm they would still like to proceed with the Heritage Tree designation as previously identified, or look at creation of an overlay district for greater tree protection once again.

OPTIONS:

1. Provide comment and direction.
2. Identify additional information needed to provide comment or direction.

BUDGET IMPACT:

Amount: Unknown
 FY(s): N/A
 Funding Source(s): N/A

Thimble Creek Concept Plan Upland Tree Habitat Protection District

Item #2.



Legend

Street Names

Taxlots

Taxlots Outside UGB

Unimproved ROW

City Limits

UGB

Basemap

Notes

Overview Map



0 800 1,600 Feet

1: 9,600



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Map created 6/30/2020

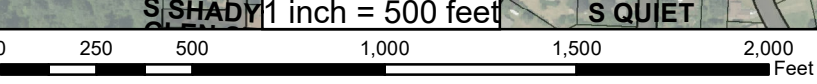
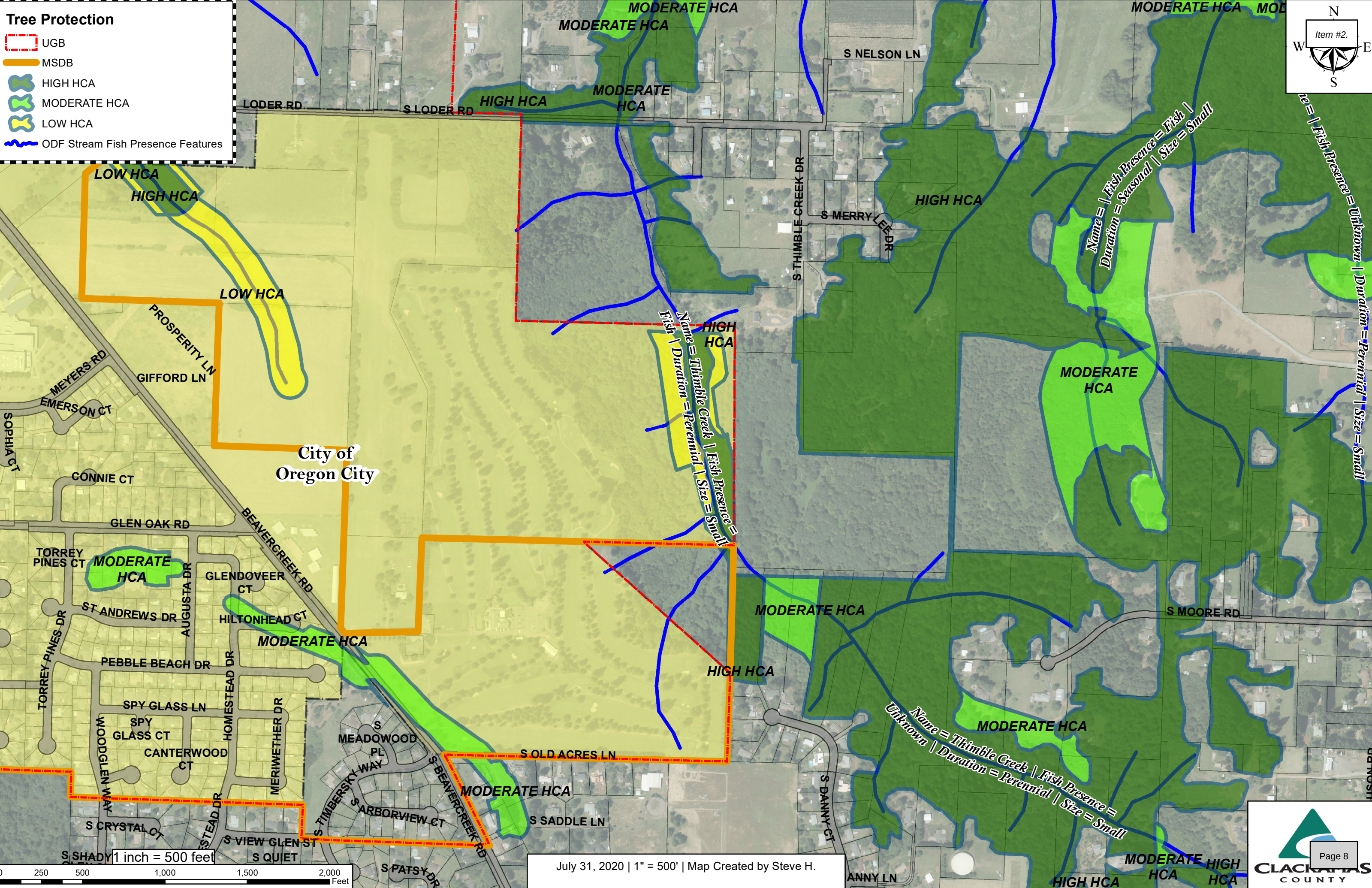
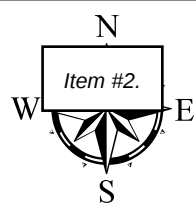
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Page 7

Tree Protection

- UGB
- MSDB
- HIGH HCA
- MODERATE HCA
- LOW HCA
- ODF Stream Fish Presence Features



July 31, 2020 | 1" = 500' | Map Created by Steve H.

Pictures from the Northern Position of the Site (Hall Property)







Pictures from Southern Portion of the Property (Herberger Property)











CITY OF OREGON CITY

Staff Report

625 Center Street
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503-657-0891

To: Natural Resources Committee
From: Senior Planner Pete Walter

Agenda Date: 09/09/2020

SUBJECT:

Discussion of Heritage Tree Program Budget

STAFF RECOMMENDATION:

Provide direction to staff following discussion.

EXECUTIVE SUMMARY:

The Heritage Tree Program is a voluntary program with a current budget allocation of \$300 annually. Staff seeks input from the NRC regarding how the limited funding monies should be spent, as well as practical ideas about how the program funding may be augmented.

BACKGROUND:

Currently the Heritage Tree program requires the following resources.

Staff time. This includes maintaining the program website, processing applications, writing reports, coordinating with property owners, nominating parties and boards and committees. On average, each nominated tree on private property requires approximately 15-20 hours of staff time to process, from the initial step of nomination, then presenting the nominations to the NRC, PRAC and City Commission, through to the final step of legal protection by recordation of a restrictive covenant. Trees nominated on public property require significantly more time due to the interdepartmental coordination required.

Plaques. The city currently furnishes tree plaques at a cost of \$35 each.

Restrictive Covenants. Restrictive covenants are required to be notarized and recorded with the Clackamas County Recorder's office. The current cost (Sept 2020) for recordation of a 5-page covenant is \$113.00.

Certificates. Staff prepares the certificates for free (included in the 15 hours of administration).

Arborist Reports. The cost of arborist reports varies, but quotes from Public Works staff average around \$250. Arborist reports are not always required but are a prudent and often vitally important step prior to designation to have an expert and objective opinion about the condition of the tree that is being nominated.

Additional resources associated with the program include the use of public facilities to hold meetings, volunteer time, publicity, education of the public about the program, and various other non-quantifiable costs.

It could be considered reasonable for some of the costs described above to be borne by the property owner, since they have already agreed to assume the significant costs associated with maintaining and preserving a large mature tree on their property and the burden of accepting legal protection of the tree.

There may be grant sources available to augment the program as well as volunteer resources. Staff encourages the NRC to explore and implement these options.