



CITY OF OREGON CITY

NATURAL RESOURCES COMMITTEE

AGENDA

Virtual Meeting
Wednesday, July 12, 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 & 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.

OLD BUSINESS

1. Heritage Tree Nomination for an Oregon White Oak adjacent to 1506 S. High Street.

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 WPMC 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 Resource Committee
From: Pete Walter, Planning Manager

Agenda Date: 2/8/2023

SUBJECT:

Heritage Tree Nomination for an Oregon White Oak adjacent to 1506 S. High Street.

STAFF RECOMMENDATION:

Staff recommends that the NRC consider the additional information regarding the previously approved nomination for a white oak tree adjacent to 1506 S. High Street. Upon further review of this nomination, the NRC should make a recommendation for City Commission consideration. Staff strongly recommends that the NRC consider the comments made by PGE and the County in their revised recommendation.

EXECUTIVE SUMMARY:

Staff has received input from PGE and Clackamas County regarding the attached heritage tree nomination from Didi Dahlsrud with property owner consent. The nominated tree is in the County owned public right-of-way at the intersection of South End Road and S. High Street and has overhead power lines managed by PGE.

BACKGROUND:

The NRC previously reviewed and recommended approval of this heritage tree nomination on February 8, 2023.

Additional information

Following the NRC meeting, staff learned that the proposed heritage tree is located in right-of-way that is under the jurisdiction of Clackamas County, and also is located beneath a powerline corridor managed by PGE. Both entities have consented to the nomination (See emails attached).

The County will retain the right to trim the tree if necessary to maintain safe sight distance and adequate clear travel zones, implement full removal of the tree if it is determined to be a hazard within the public right of way. The County will not be obligated to provide additional protection for the tree and the overhead utilities will be allowed to perform their regular normal trimming to maintain clear spaces for their lines.

PGE is required to maintain 10' on distribution lines and 20' on their transmission lines during routine tree trimming maintenance.

If the above maintenance consideration can be accommodated, PGE and Clackamas County consent to the nomination.

Nomination on Private Property

Dorothy (Didi) Dahlsrud submitted the nomination application for a heritage tree in the public right-of-way at the intersection of South End Road and S. High Street. The abutting property owners responsible for the tree are Chris and Brenda Stephens.

The tree is an Oregon White Oak or Garry Oak (*Quercus garryana*) with a diameter at breast height (DBH) of 36" with a height of approximately 40' and a canopy spread of approximately 35'. The age of the tree is unknown.

To be nominated as a heritage tree, a tree must meet the requirements in OCMC 12.32 (Attached). The criteria are:

- A. Heritage criteria (at least one heritage criterion must be met):
 - 1. The tree or stand of trees is associated with events that have made a significant contribution to the broad pattern of Oregon City's history; or
 - 2. The tree or stand of trees is associated with the life of a person or group of historic significance to Oregon City; or
 - 3. The tree or stand of trees represents a significant and distinguishable presence within Oregon City; or
 - 4. The tree or stand of trees has age, size, or species significance (horticultural or ecological), which contributes to Oregon City's heritage status;
- B. Site and Condition Criteria (all criteria must be satisfied):
 - 1. The tree species is not listed as invasive on any regionally accepted plant list;
 - 2. If the proposed heritage tree or stand is located on private property or on public property owned by a public agency other than the city of Oregon City, the property owner or, if the tree or stand of trees is located on a public right-of-way, the abutting private property owner consents to the designation and agrees to sign a protective covenant.

The nomination appears to meet the applicable criteria.

Please see attached nomination application for further details. Staff has also attached Google Street View pictures of the tree.

OPTIONS:

- 1. Recommend approval of the nomination as proposed.
- 2. Recommend approval of some of the nomination.
- 3. Do not recommend approval of the nomination.



OREGON CITY

Community Development Department

221 Molalla Ave. Suite 200 | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

Item #1.

HERITAGE TREE OR STAND NOMINATION FORM

12.32.010 - Purpose.

A. The purpose of this chapter is to recognize, foster appreciation and provide for voluntary protection of certain trees, because their age, species, natural resource value, ecological or horticultural value, or historical association, are of special importance to the city. These trees may grow on private or public property.

Site Address: 506 S. High St. Oregon City, OR 97045
Clackamas County Map and Tax Lot(s): 2-2E-31CC-00200

Nominator(s):

Nominator(s) Signature: [Signature]

Nominator(s) Name Printed: Dorothy Dahlstrud Date: 01-02-2023

Address: 415 Dewey Street, Oregon City, OR 97045
Phone: 503-502-0610 Fax: Email: dorothydahlstrud@gmail.com

Property Owner(s):

Property Owner(s) Signature: Brenda Stephens

Property Owner(s) Name Printed: Chris & Brenda Stephens Date: 01-02-2023

Mailing Address: 506 S. High St. Oregon City, OR 97045
Phone: 503-799-9098 Fax: 503-722-8272 Email: blscms@aol.com
(works intermittently)

Ownership Type:

- ☐ Private Property
- ☒ Public Tree in the Right-of-Way (Abutting owner is responsible and must consent to nomination)
- ☐ Public Property
- ☐ City-Owned Park ☐ County-Owned ☐ Metro
- ☐ Other

OWNER CONSENT AND UNDERSTANDING. Signature below indicates that the owner has read and understands the requirements for heritage tree designation and protection as described in section OCMC 12.32, consents to the nomination, and agrees to subject the property to a restrictive covenant or other legal document to assure protection and replacement of the heritage tree or trees in the event of removal.

Brenda Stephens

Owner Signature(s)

STAFF USE ONLY:



TREE SPECIES, SIZE AND CONDITION

*DBH = Diameter at Breast Height, which is the diameter of the trunk measured 4.5' above the ground. To learn how to properly measure or estimate DBH, please visit:

<https://www.wikihow.com/Measure-the-Diameter-of-a-Tree>

Tree	Species	DBH* (inches)	Height (ft)	Canopy Spread (ft)
1.	Oregon White Oak (Quercus garrana)	36"	40'	35'
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

TREE CONDITION. Although optional, it is strongly recommended that the nomination include an assessment of the tree's health and any potentially hazardous conditions that may be present.

Tree	Condition
1.	Looks to be in good condition. The owners had it balanced a bit and some stems removed after the Ice Storm of 2021.
2.	The tree company at that time said its a healthy tree.
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

(Attach Additional Sheets If Needed)

Please proceed to page 3.



OREGON CITY

Community Development Department

695 Warner Parrott Rd | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

HERITAGE TREE OR STAND NOMINATION FORM

OCMC 12.32.010 - Purpose.

The purpose of this chapter is to recognize, foster appreciation and provide for voluntary protection of certain trees, because their age, species, natural resource value, ecological or horticultural value, or historical association, are of special importance to the city. These trees may grow on private or public property.

Site Address: 506 S. High Street Oregon City, OR 97045

Clackamas County Map and Tax Lot(s): 2-2E-31CC-00200

Nominator(s):

Nominator(s) Signature(s): see hard copy on file

Nominator(s) Name(s) Printed: Dorothy L. Dahlsrud

Address: 415 Dewey Street Oregon City, OR 97045

Phone: 503-502-0610 Email: dorothydahlsrud@gmail.com Date: 01/03/2023

Property Owner(s):

Property Owner(s) Signature(s): see hard copy on file

Property Owner(s) Name Printed: Chris and Brenda Strphens

Mailing Address: 506 S. High Street, Oregon City, OR 97045

Phone: 503-799-9098 Email: blscms@aol.com Date: _____

Ownership:

☐ Private Property

☒ Public Tree in the Right-of-Way (Abutting owner is responsible and must consent to nomination)

☐ City Property

☐ City Park

☐ County-Owned

☐ Metro

☐ Other _____

OWNER CONSENT AND UNDERSTANDING. Signature below indicates that the owner has read and understands the requirements for heritage tree designation and protection as described in section [OCMC 12.32](#), consents to the nomination, and agrees to subject the property to a restrictive covenant or other legal document to assure protection and replacement of the heritage tree or trees in the event of removal.

Owner Signature(s)

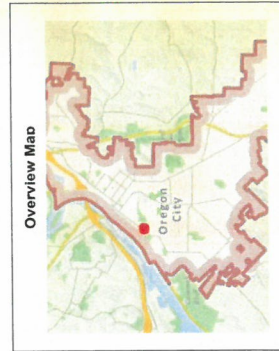
Please proceed to page 2.

Oregon City GIS Map

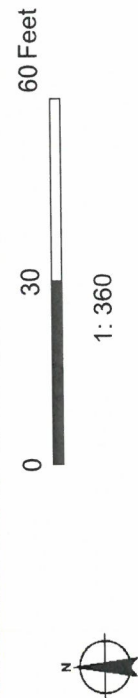


Legend	
Street Names	
Contours (10 ft)	
50 foot	
10 foot	
Taxlots	
Unimproved ROW	
Water Service Meters (City Owned)	
Water Pipes (City Owned)	
Water Service Lines	
Sewer Structures (City Owned)	
Sewer Pipes (City Owned)	
Force Main	
Gravity Line	
Outfall	
Overflow	
Sewer - Laterals	
Inactive or Abandoned	
Active	

Notes



City of Oregon City
 PO Box 3040
 625 Center St
 Oregon City
 OR 97045
 (503) 657-0891
 www.orcity.org



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 1/2/2023

Oregon City GIS Map

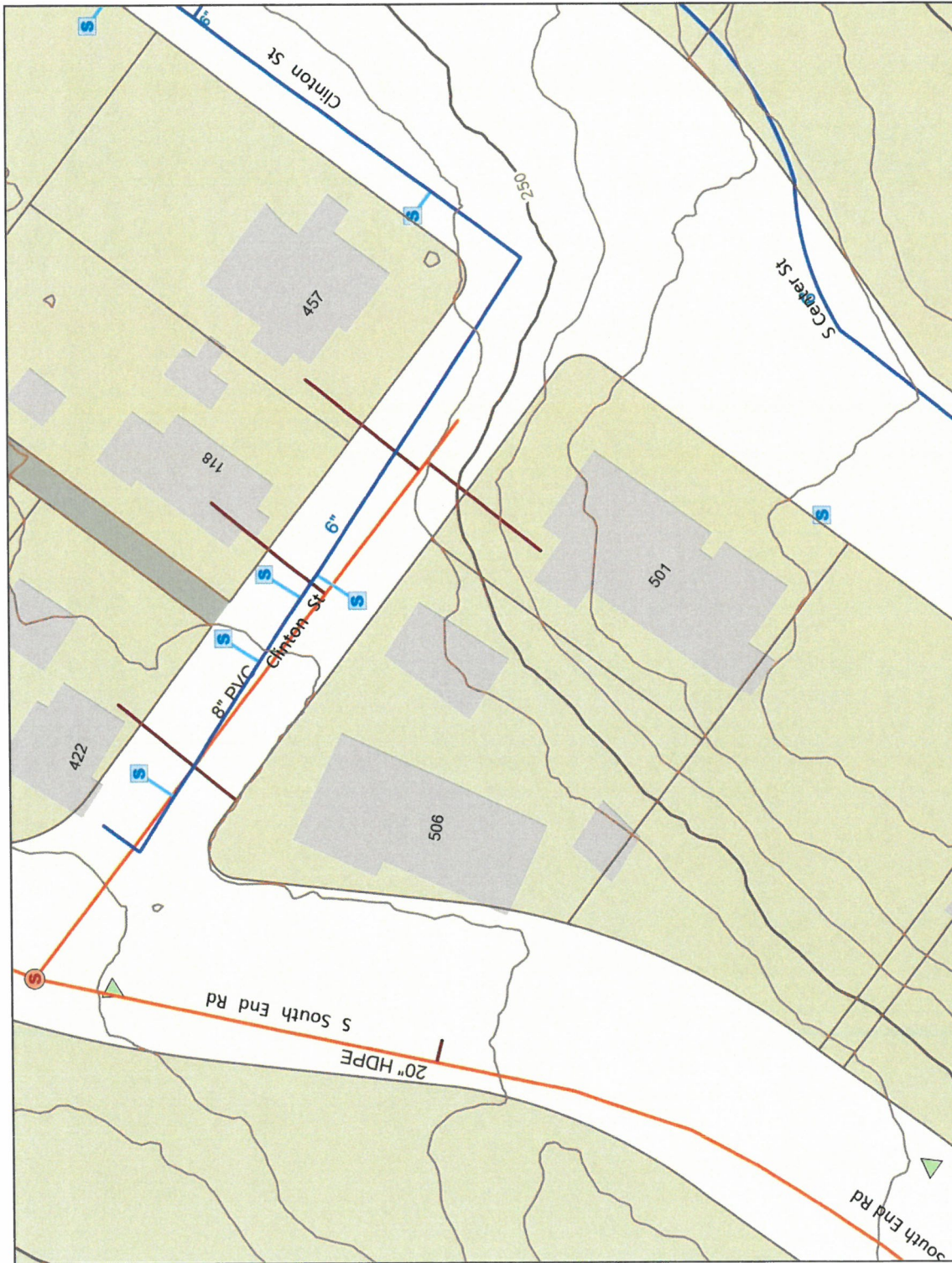
Legend

- Street Names
- Contours (10 ft)
- 50 foot
- 10 foot
- Taxlots
- Unimproved ROW
- Water Service Meters (City Owned)
- Water Pipes (City Owned)
- Water Service Lines
- Sewer Structures (City Owned)
- Sewer Pipes (City Owned)
- Force Main
- Gravity Line
- Outfall
- Overflow
- Sewer - Laterals
- Inactive or Abandoned
- Active

Notes



City of Oregon City
 PO Box 3040
 625 Center St
 Oregon City
 OR 97045
 (503) 657-0891
www.oregoncity.org



1: 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 1/2/2023

01-02-2023

RE: White oak at 506 S High St. Oregon City

We enjoy the beauty of this tree, as well as watching the birds & squirrels that spend time in this tree. It provides the only shade that our yard sees in the summer. We just would like to help ensure the future of this tree. Hopefully this process will guarantee the natural life of this beautiful white oak for the jays, towhees, juncos, northern flickers, downy woodpeckers, sparrows, finches, robins, & other species we have seen. We have even seen a bald eagle land ~~on~~ in this tree a couple of times.



July 2012



December 2021



December 2021

Pete Walter

From: Monte, Stan <StanMon@clackamas.us>
Sent: Tuesday, June 13, 2023 3:57 PM
To: Pete Walter; matthew.vellella@pgn.com
Subject: RE: Proposed Heritage Tree Nomination at 506 S. High Street, Oregon City

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Peter,

Sorry for the delay, my original intent was to forward this to the proper department and it developed a life of its own in the process. After discussions within the County's Department(s) of Transportation and Development I have been asked to respond as the County's representative in this matter;

If our understanding of the City's municipal code is correct, specifically 12.32.080, the County will retain the right to trim the tree if necessary to maintain safe sight distance and adequate clear travel zones, implement full removal of the tree if it is determined to be a hazard within the public right of way? Also the County will not be obligated to provide additional protections for the tree and finally the overhead utilities will be allowed to perform their regular normal trimming to maintain clear spaces for their lines? If this is correct the County has no objection to the adjacent property owners request for City's designation as a heritage tree.

Please contact me if you have any questions

Thank you

Stan

Stan Monte, PM
 Clackamas County, DTD- Eng.
 503-742-4678 (O)

From: Pete Walter <pwalter@orccity.org>
Sent: May 30, 2023 1:13 PM
To: Monte, Stan <StanMon@clackamas.us>; matthew.vellella@pgn.com
Subject: Proposed Heritage Tree Nomination at 506 S. High Street, Oregon City

Warning: External email. Be cautious opening attachments and links.

Good afternoon Stan and Matt,

I am hoping you can provide some input on a tree issue.

Oregon City has a heritage tree program that requires owner consent or agency consent depending on where the tree is growing, and a White Oak tree has been nominated as a heritage tree on South End Road abutting 506 S. High St. The abutting property owner would like to see the tree designated as a heritage tree by the city, but we need more information. John Lewis accurately pointed out that the tree in question is located at the intersection of numerous overhead wires and is also on ROW that is in the County's jurisdiction.

Per code, the :

https://library.municode.com/or/oregon_city/codes/municipal_code/387198?nodeId=TIT12STSIPUPL_CH12.32HETR_12.32.040COOW

C. Nominations for trees or tree stands on property owned by other public agencies that are not the city (for example, Clackamas County, the Oregon Department of Transportation, Urban Renewal Agency), shall require the written consent of the applicable public agency before the nomination is considered by the city.

I would like to get your input on whether the County supports this application or not. It would also be great if PGE has any maintenance records about this tree. I don't have any professional assessment of it's condition.

If the County consented to the nomination, and the tree were to be designated by the city commission, it means that the highest priority for maintenance is geared towards preserving the tree if it does not represent a threat to public safety.

I am happy to chat with you about this in further detail.

Thanks,

Pete Walter

Pete Walter (*he/him/his*), Planning Manager
Certified Arborist PN-9393A
Community Development Department - Planning Division
695 Warner Parrott Rd, Oregon City, OR 97045

pwalter@orcify.org

Desk: (503) 496-1562

Mobile: (503) 509-4154

Main: (503) 722-3789

Pete Walter

From: Zachary Bertalot <Zachary.Bertalot@pgn.com>
Sent: Tuesday, May 30, 2023 2:22 PM
To: Pete Walter
Subject: RE: Proposed Heritage Tree Nomination at 506 S. High Street, Oregon City

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Pete.

Looks like this is located under transmission lines and distribution lines. Looks mature enough that I'm not worried about anything significant from PGE perspective. We will need to maintain 10' on our distribution and 20' on our transmission during tree trimming maintenance. Looks like there is some communication lines that are not PGE's. I'm unaware of their maintenance needs. Tree also appears far enough away to not create a NESC violation with the pole currently.

Let us know if you need anything

**Zachary Bertalot**

Forestry Manager, Vegetation Management | 503-278-6654
portlandgeneral.com | [Right Tree, Right Place](#)

An Oregon kind of energy.

From: Pete Walter <pwalter@orccity.org>
Sent: Tuesday, May 30, 2023 2:07 PM
To: Zachary Bertalot <Zachary.Bertalot@pgn.com>
Subject: FW: Proposed Heritage Tree Nomination at 506 S. High Street, Oregon City

This email is from someone outside PGE.

Please take care when opening links, attachments or responding to this email.

Hi Zach,

Please see details attached and below.

Pete

From: Pete Walter
Sent: Tuesday, May 30, 2023 1:13 PM
To: Monte, Stan <StanMon@clackamas.us>; matthew.vellella@pgn.com
Subject: Proposed Heritage Tree Nomination at 506 S. High Street, Oregon City

Good afternoon Stan and Matt,

I am hoping you can provide some input on a tree issue.

Oregon City has a heritage tree program that requires owner consent or agency consent depending on where the tree is growing, and a White Oak tree has been nominated as a heritage tree on South End Road abutting 506 S. High St. The abutting property owner would like to see the tree designated as a heritage tree by the city, but we need more information. John Lewis accurately pointed out that the tree in question is located at the intersection of numerous overhead wires and is also on ROW that is in the County's jurisdiction.

Per code, the :

https://library.municode.com/or/oregon_city/codes/municipal_code/387198?nodeId=TIT12STSIPUPL_CH12.32HETR_12.32.040COOW [library.municode.com]

C. Nominations for trees or tree stands on property owned by other public agencies that are not the city (for example, Clackamas County, the Oregon Department of Transportation, Urban Renewal Agency), shall require the written consent of the applicable public agency before the nomination is considered by the city.

I would like to get your input on whether the County supports this application or not. It would also be great if PGE has any maintenance records about this tree. I don't have any professional assessment of it's condition.

If the County consented to the nomination, and the tree were to be designated by the city commission, it means that the highest priority for maintenance is geared towards preserving the tree if it does not represent a threat to public safety.

I am happy to chat with you about this in further detail.

Thanks,

Pete Walter

Pete Walter (*he/him/his*), Planning Manager
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 695 Warner Parrott Rd, Oregon City, OR 97045
pwalter@orcify.org
 Desk: (503) 496-1562
 Mobile: (503) 509-4154
 Main: (503) 722-3789

Pete Walter

From: John M. Lewis
Sent: Monday, May 15, 2023 3:55 PM
To: Pete Walter
Cc: Aquilla Hurd-Ravich
Subject: RE: Heritage Tree Nomination in South End ROW abutting 506 S. High Street

Thanks Pete. This tree is at the intersection of South End Road and Clinton Street although I do see that the addressing in this area places the lots on High Street.

This section of South End Road (High Street) and the ROW are of the jurisdictional authority of Clackamas County. They may have a position on this tree being nominated.

The only other thing I would offer is that this tree is at the epicenter of PGE power transmission lines and if you look over the area you will see that I'm not aware of a tree footprint that is more inundated by power lines. The Tree is trimmed accordingly and has an imbalanced canopy which has me wondering about its health and its structure, assuming you consider structure in the naming of a heritage tree. There is also a Clackamas County Storm Drainage line that looks like it runs directly under the tree. Again, I think this compromises the tree and whether its situation is impacted by the Power lines or the storm line, work to this infrastructure would likely be compromised by the heritage designation. I would not recommend it if it were in Oregon City ROW.

I'm also curious if the adjacent owner recognizes that this tree is their maintenance responsibility. I bet they do not see it that way.





From: Pete Walter <pwalter@orcitem.org>
Sent: Monday, May 15, 2023 1:29 PM
To: John M. Lewis <jmlewis@orcitem.org>
Cc: Aquilla Hurd-Ravich <ahurdravich@orcitem.org>
Subject: Heritage Tree Nomination in South End ROW abutting 506 S. High Street

John,

This is a white oak abutting 506. S. High St, which is actually in the ROW of South End Road. Didi nominated it, the owners consented, and the NRC recommended approval 2/8/2023, but it has not been to City Commission yet.

Pete

Pete Walter (*he/him/his*), Planning Manager
 Certified Arborist PN-9393A
 Community Development Department - Planning Division
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