



# CITY OF OREGON CITY

## NATURAL RESOURCES COMMITTEE

### AGENDA

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Virtual Meeting  
Wednesday, April 10, 2024 at 6:00 PM

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This meeting will be held online via Zoom; please contact [ocplanning@orccity.org](mailto:ocplanning@orccity.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.*

#### PRESENTATION

Parks staff presentation on Pollinator Garden Project at Clackamas River Trailhead

##### 1. PRESENTATIONS

#### 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.*

#### NEW BUSINESS/DISCUSSION ITEMS

##### 2. NRC Applicant Recommendations

#### OLD BUSINESS

##### 3. Tree Code Recommendation to the City Commission

#### COMMUNICATIONS

#### FUTURE AGENDA ITEMS

#### ADJOURNMENT

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**PUBLIC COMMENT GUIDELINES**

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*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.*

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**ADA NOTICE**

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*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.*

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***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](http://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

## Staff Report

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

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

**Agenda Date:** 04/10/2024

### **SUBJECT:**

NRC Applicant Recommendations

### **STAFF RECOMMENDATION:**

Make recommendations to the Mayor for appointments to the NRC.

### **BACKGROUND:**

The NRC interviewed three applicants for open positions at the 2.29.2024 meeting and made a recommendation for Brian Kvisler to be re-appointed.

Staff and the Mayor request that the NRC make recommendations for the remaining applications submitted by Dan Tooze, Sr. and Shannon Ehleringer.

The redacted applications are attached.

### **OPTIONS:**

1. Recommend that Dan Tooze, Sr. and / or Shannon Ehleringer be appointed to the NRC.
2. Do not recommend that either Dan Tooze, Sr. or Shannon Ehleringer be appointed to the NRC.

Status

**Name** Daniel Grant Tooze, Sr  
**Application Date** 2/27/2024  
**Expiration Date** 2/27/2025  
**Board Member** Daniel Grant Tooze, Sr  
**Status** Validated

| Board                       | Vacancies | Status  |
|-----------------------------|-----------|---------|
| Natural Resources Committee | 3         | Pending |

Basic Information

**Name**  
Daniel Grant Tooze, Sr

Contact Information

**Address**  
[Redacted]  
Oregon City, OR 97045  
**Yes, I am a resident**  
Yes  
**Email**  
[Redacted]  
**Phone**  
[Redacted]  
**Cell Phone**  
[Redacted]  
**Business Phone**  
[Redacted]

Occupation

**Employer**  
Portland rack and dock  
**Job Title**  
President

**How long have you lived in Oregon City?**  
45 years

**Describe relevant work experience that may relate to the board or committee you are applying for.**  
I own and operate the tooze wildlife foundation. I have volunteered and served in the community for about 50 years or more. I have also served on and helped start the Oregon City Watershed Council

**Please list out any High School, Secondary Education, Trainings, and Colleges, along with years completed. Also list degrees and certifications.**  
I have 50 years of life experience, no degrees. I attended Canby Union high school. Also Clackamas community college

**Describe volunteer activity within this or other communities**  
I have coached in Oregon city baseball football and basketball for over 10 years I have done many environmental projects and fish enhancement projects with the oregon City Watershed Council as well as the John Inskeep environmental learning center and volunteered with city projects with Nancy K

**Do you presently serve on a City board or committee?**  
No

**Explain your interest in this board/committee and why you think its issues are important**  
I am interested in serving on this committee to continue improving the environment in my community

**List any relevant experiences, skills, or interests that have helped to prepare you for a position on this board or committee**  
I have already listed the experiences and skills I have for the position on this committee

**In which neighborhood of Oregon City do you live?**

I believe it's Gaffney Lane

*Item #2.*

**I certify that the information I am submitting is true. If residency is a requirement of holding this position, I certify that I am an Oregon City resident and will comply with requests for additional proof of residency if requested. I consent to allow the information contained in this application to be released to the general public upon request, including my email address and phone number.**

Yes

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Status

**Name** Dr Shannon Ehleringer  
**Application Date** 1/25/2024  
**Expiration Date** 1/25/2025  
**Status** Received

| Board                       | Vacancies | Status               |
|-----------------------------|-----------|----------------------|
| Natural Resources Committee | 3         | <span>Pending</span> |

Basic Information

**Name**  
Dr Shannon Ehleringer

Contact Information

**Address**  
[Redacted]  
[Redacted]  
**Resident**  
Yes  
**Email**  
[Redacted]  
**Phone**  
[Redacted]

Occupation

**Employer**  
Providence Medical Group  
**Job Title**  
Physician

Other Questions

Question #1

**How long have you lived in Oregon City?**  
>15 years

Question #2

**Describe relevant work experience that may relate to the board or committee you are applying for.**  
A love for the out doors. A few college classes in college many years ago.

Question #3

**Please list out any High School, Secondary Education, Trainings, and Colleges, along with years completed. Also list degrees and certifications.**  
Molalla High School 1993 Oregon State University 1997 Des Moines University School of Osteopathic Medicine, Doctorate of Osteopathy 2009

Question #4

**Describe volunteer activity within this or other communities**  
Redland School Volunteer x2 years Damascus CHristian school x 1 years

Question #5

**Do you presently serve on a City board or committee?**  
No

Question #6

**Explain your interest in this board/committee and why you think its issues are important**  
I think it important to participate in our community and support government to ensure that voices of the community are heard

Question #7

**List any relevant experiences, skills, or interests that have helped to prepare you for a position on this board**

**or committee**

I spent a summer as an outdoor camp counselor hiking, rock climbing and river rafting. I have two acres that are full of a variety of resources which my husband and i support the area with (selling produce to local restraints). I also grew up on a farm. My goals are to support the local area preserve the country for country.

**Question #8**

**In which neighborhood of Oregon City do you live?**

Redland

**Question #22**

**I certify that the information I am submitting is true. If residency is a requirement of holding this position, I certify that I am an Oregon City resident and will comply with requests for additonal proof of residency if requested. I consent to allow the information contained in this application to be released to the general public upon request, including my email address and phone number.**

Yes

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# 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:** 04/10/2024

### SUBJECT:

Tree Code Recommendation to the City Commission

### STAFF RECOMMENDATION:

Discuss comments on the recommendation provided by staff.

### BACKGROUND:

**City Commission Goal 7 - Protect and preserve our environmental and natural resources for a healthy, sustainable community;**

#### **7.1 Focus efforts on preserving and protecting the City's Tree Canopy**

NRC members have expressed concerns that the Street Tree Code needs to be re-examined to better protect trees. NRC and staff discussed a rough draft written recommendation to the City Commission explaining their concerns.

The letter is currently focused on the current street tree code and it's emphasis on tree removal as a response to sidewalk mobility risks. At the January 10, 2024 meeting, Assistant City Engineer Josh Wheeler gave a presentation on the City's sidewalk repair program. Planning Manager Pete Walter provided a summary of various Metro area municipal tree permit programs and fees.

Planning staff has added additional language to the letter to consider the need for a an Urban Forestry Plan and a tree inventory, prior to making recommendations of further code amendments.

### OPTIONS:

1. Discuss topics and determine next steps.
2. Table certain items for future discussion.



# 2023-2025 Commission Goals and Strategies

## Job Category

### December 2023 UPDATE

|                             |                     |                           |                  |
|-----------------------------|---------------------|---------------------------|------------------|
| <b>Department Contact:</b>  | Aquilla Hurd-Ravich | <b>Date:</b>              | December 6, 2023 |
| <b>Percentage Complete:</b> | 25%                 | <b>Target Completion:</b> | June 30, 2025    |

**Goal 7 Protect and preserve our environmental and natural resources for a healthy, sustainable community;  
7.1 Focus efforts on preserving and protecting the City's Tree Canopy**

#### **IMPORTANT OR RELEVANT DATES/MILESTONES: (LOOKING AHEAD AT THE NEXT 3 MONTHS)**

- Friends of Trees (FOT) is proposing to conduct community planting events between the months of October 2023 and April 2024. The first planting event is December 2, 2023. The next event will be on April 6, 2024.
- The focus of FOT work over the next two years is to increase canopy coverage in the right-of-way and private yards

#### **STATUS: (WHAT HAS BEEN DONE/IS BEING DONE)**

The City's contract with Friends of Trees helps to preserve and protect the City's tree canopy by offering education and volunteer events.

- A pruning workshop is tentatively scheduled for October 14, 2023
- Also tentatively scheduled is a Friends of Trees volunteer planting event on November 4, 2023.

October 11, 2023:

- The Natural Resource Committee will discuss the initiation of a program to identify Ash Trees in City right-of-way or on City owned property. The purpose of this inventory is to devise a strategy in case the pest Emerald Ash Borer lands in Oregon City and begins to kill City trees.
- Staff has begun researching and collecting data to help facilitate this volunteer effort and will present the information to the NRC at their October meeting.
- The Natural Resource Committee identified several activities in their work plan that support a healthy tree canopy:
  - *Support and promote volunteer participation for a public tree inventory for city properties, parks, street trees, school properties and other public lands.*
  - *Communicate with Neighborhood Associations, Citizen Involvement Commission and the Business Community. NRC members will promote programs such as the heritage tree program, arbor day, etc. through presentations to other groups and boards.*
  - *Community Development staff will continue to support the NRC and their efforts as a means to achieve the Commission's goal.*

To the Oregon City Commission:

The Natural Resources Committee has written this letter to the City Commission. We are writing to provide input as to the costly problems with the City's -current urban forestry codes and policies and make a recommendation for the easiest steps to rectify the situation. The City Commission has stressed the importance of a healthy tree canopy in it's adoption of City Commission Goal 7.

A healthy tree canopy goes beyond environmental benefits and extends to economic concerns, public health, community development, and more. If there are any questions as to the extensive benefits of a strong urban canopy in any of these respects, please feel free to reach out to the members of the Natural Resources Committee, the Oregon Department of Forestry, or OSU Extension Office. In addition to the City Commission's Goal, Aside from expert recommendations to conserve city trees, the OC2040 Community Vision explicitly calls for supporting our "extensive tree canopy". The justification for prioritizing this topic is not in question.

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The issues at hand involve what to do. How are the current policies working? What changes should we make? What concerns need to be discussed?

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The current situation: we have an updated street tree list. The City partners with Friends of Trees to host annual tree plantings and pruning workshops (which we could do much more of with greater funding). The City has ~~some code requirements~~ Chapter 12.08 to address around trees on public property and rights-of- way, Chapter 17.41 to address trees and development on non-residential private property, Chapter 17.49 NROD overlay to protect habitat and vegetation abutting water resources, and we have a heritage tree program to protect a few notable trees and stands, which is voluntary, not regulatory.

Despite replanting efforts, the City continues to lose far more trees than are planted each year. Older trees with substantial shade are frequently replaced with smaller species if mitigation occurs. Our current efforts are slowing the loss of canopy rather than growing it.

The current street tree code allows adjacent property owners to remove large mature street trees in three-foot planting strips (within the ROW) with minimal justification or consideration for alternative actions to maintain the tree, thus rendering healthy city-owned trees vulnerable to removal along with the benefits of shade. Additionally, an invasive tree can be removed without requiring replanting. An invasive tree is not desired in an urban forest, but maintaining canopy is the goal that should be supported whenever any tree is removed. At minimum, a tree should be retained if it is healthy, non-invasive, and adjacent infrastructure can be maintained in harmony.

If tree-related conflicts result in non-compliant sidewalks that inhibit mobility and thus trigger tree removal (as allowed by current code), the sidewalk should be repaired along with options for tree retention such as prudent root pruning (as advised by certified arborist) and repairs or re-routing of sidewalks to mitigate tree removal. If tree removal is unavoidable, mitigation should occur either in replanting or fee-in-lieu to support planting efforts elsewhere in the city. As the code is currently written, when a mature street tree is removed due to sidewalk up lift, no mitigation occurs and the city has no opportunity to recoup the loss of canopy. The City tree codes, both the chapters that apply to public trees and those that apply to private development, must do more to preserve large mature trees, particularly city-owned trees, and encourage prudent sidewalk maintenance that doesn't eliminate more of our

diminished canopy. Furthermore, replanting should be required with tree species approved on the street tree planting list.

Sidewalks are quickly repaired, whereas large trees take decades if not centuries to grow. More can be done by the city to encourage tree retention including prudent tree root pruning (as informed by a certified arborist) and alternative sidewalk designs that accommodate the tree. Current city practice does not inform the adjacent landowner of potential alternatives that could preserve mature trees, leading to an additional burden of tree removal in order to construct a standard sidewalk, when an adjusted sidewalk may be is feasible at a much lower cost.

To assist with tree ~~conservation, and~~ conservation and bring City code in alignment with the City Commission Goal of increased canopy, the OC2040 Community Vision and other city planning goals, the City's tree code requires key changes. The code will need to require permits and fees for tree removals in all city ROW just as we do for large construction projects and require replanting in 4-foot strips or larger as required. The code needs to recommend and provide guidance on sidewalk repairs and rerouting rather than just tree removals, particularly whenever street trees are non-invasive, robust and healthy.

Industry practices for assessing hazard trees are not currently being required, yet city code mistakenly labels a tree as a "hazard" when a side-walk is uplifted, rather than the true source – the sidewalk. Hazard trees adhere to arboriculture industry safety standards that are rigorously studied and reviewed. The city can improve its assessment by requiring Tree Risk Assessments performed by eCertified ~~a~~Arborists, that are not the same contractor hired to remove the tree. ~~Current~~The current code does not prevent the inherent conflict of interest of a hired arborist to assess the health of a tree that may also become an expensive removal. A fee to remove a street tree would provide more incentive to retain the tree, and a requirement to restrict a single tree care provider that prepares a hazard report as well as a removal estimate. This situation, among others, also underscores the importance of a ~~recommends~~ a city forester to objectively review removal requests and ensure all city-trees are maintained properly and are not needlessly removed for financial gain or risk reduction.

**Commented [PW1]:** Or "more disincentive to remove..."

With the income from fees for removing street trees, more funding can be allocated for tree plantings, improved maintenance, and ensuring compliance. This and improved tree management policies will provide a healthier and resilient urban forest.

There are robust tree code recommendations based on best practices provided by the Arbor Day Foundation, that also approves Oregon City's Tree City USA designation. The City of Milwaukie, West Linn, and Portland provide example of tree codes that place greater emphasis on tree preservation for public and private development. ~~exemplary tree codes. \*\*\*add specific code recommendations here??\*\*~~

**Commented [2]:** Need help finding specific code recommendations.

Without prioritizing action on this topic now, we will continue losing urban canopy. The ecosystem services they provide cleaning our air and water, flood and erosion control, wildlife habitat, and providers of shade during hot days are invaluable. Thankfully, we have clear models to follow in other cities in Oregon, so we need not craft new policies from scratch. The sooner we take action, the better. When a decades-old shade tree is removed it affects all of the surrounding neighborhood and beyond, for many years to come.

Pragmatic and successful tree canopy should be based on a clear understanding of what resources we

currently have and where we want to go as a city. This boils down to the essential components of a sustainable urban forestry program.

**What is the extent and condition of our current tree canopy?** Typically, this would begin with a public tree canopy assessment or inventory. Once is known the city can determine realistic goals for how the tree's canopy should be managed. **A realistic urban forestry plan** developed with proper public input from a variety of stakeholders, would be the next logical step in the process, and from that plan, improved city code, policies, management and resources for our urban tree canopy can be developed.