



CITY OF OREGON CITY NATURAL RESOURCES COMMITTEE AGENDA

Community Room, Community Development Building, 695 Warner Parrott Rd, Oregon City,
OR
Wednesday, December 11, 2024 at 6:30 PM

Ways to participate in this public meeting:

- Attend in person, location listed above. Please see the public comment guidelines below.
- Attend the livestream of the meeting on the City's YouTube Channel:

<https://www.youtube.com/user/CityofOregonCity>

- Register to provide electronic testimony (email pwalter@orccity.org by 3:00 PM on the day of the meeting to register)
 - Email pwalter@orccity.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)
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1. CALL TO ORDER AND ROLL CALL

2. ADOPTION OF THE AGENDA

3. APPROVAL OF MINUTES

3.a. Approval of meeting minutes from 01/12/2022, 2/9/2022, 3/9/2022 and 7/13/2022.

4. PUBLIC COMMENTS

Please see the public comment guidelines below.

5. PRESENTATION

a. Climate Friendly and Equitable Communities presentation by Brian Davis

6. OLD BUSINESS

- a. Public Works Amendments to Street Tree Maintenance Requirements
- b. Public Tree Inventory and Tree Canopy Policy Recommendation Letter

7. DISCUSSION ITEMS

8. COMMUNICATIONS

a. Communication Items for 12/11/2024 NRC regular meeting

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the clerk. When the Chair calls your name, proceed to the speaker table, and state your name and city of residence. Each speaker is given 3 minutes to speak. As a general practice, the committee does not engage in discussion with those making comments. Complaints shall be addressed at the department level prior to addressing the committee.

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](#) 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

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

Meeting Minutes - Draft Natural Resources Committee

Monday, January 12, 2022

6:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

Chair Broshot called the meeting to order at 6:00 PM.

Present: 2 - Chair Nancy Broshot and Committee Member Samantha Wolf

Absent: 3 - Committee Member Devon Pilney, Committee Member Brian Kvistler, and Committee Member Chris Weaver

Staffers: 4 – Public Works Director John Lewis, Right of Way and Construction Manager Dante Posadas, Community Development Director Aquilla Hurd-Ravich, and Planning Manager Teresa Montalvo

2. Adoption of the Agenda

3. New Business/Discussion items: Officers & Staffing

4. Public Comment

*****Recording started here*****

5. Old Business: Street Tree List Update and Street Tree Planting Standards Drawing

John Lewis, Public Works Director; Dante Posadas, Right of Way and Construction Manager; and Teresa Montalvo discussed changes to the street tree planting standards that the NRC suggested at the last meeting. These included removing the 24-inch root barrier on all sides and removing the root barrier 12 inches from back of curb or impervious surface, adding a root barrier flush with the sidewalk edge at an 18-inch depth, minimum 10 feet length centered on tree trunk, and creating a soil berm 3-5 inches high around the tree center after backfilling. The root ball should rest on a pedestal of compacted subgrade to prevent settling. The root barrier should be installed flush against the paving edge and set ½ inch above finish grade. They should not wrap panels around the root ball that would impede root growth.

After staff review, staff wanted the root barriers for protection of the curb and asphalt. They would change the standard for the root barrier to be set 12 inches from back of curb or impervious surface and would extend 20 feet centered with the tree base along impervious surface only. For the berm, they would set the root trunk collar flush to one inch above finished grade for landscape areas and planter areas. Finished grade shall be flushed with top of curb, finished sidewalk, or at grade in landscape areas. For the root ball pedestal, they added a requirement for hand tamped native soil. They then explained how Oregon City's standards aligned with other municipalities.

Committee Member Wolf wanted to make sure the wording noted a pedestal was needed that lifted the ball up from the bottom of the hole for water to drain. The new wording could be a pedestal the width of the root ball shall be constructed for the tree to be planted with a trough around it so that water could infiltrate into the trough and the roots would grow downward. The hole should be at least two times the size of the root ball for the trough.

There was discussion regarding root barriers and how they shrank the plant site, coming up with a tree list for the smaller planter strips and only install trees when needed, making the landscape area as wide as possible for a healthier and bigger tree canopy, moving the root barrier to right up against the sidewalk on the sidewalk side, but not moving it off the curb.

Mr. Posadas explained how landscape plans were reviewed by Planning and Public Works, the construction process, and street tree inspections. They had talked about not planting trees in two and a half to three-foot planter strips and plant them on private property, but currently that would require a covenant on the property.

Committee Member Wolf suggested creating a grant for a covenant for small sites or providing more education on covenants which were not liens.

There was further discussion regarding making code changes for 2.5 to 3 foot planter strips including removing the requirement to put a tree if the planter was too small, getting rid of the covenant requirement for putting a tree on private property instead, changing the tree caliper size requirement, having a condensed tree list for 2.5 to 3 foot planters, come back with GIS representation of how many lots would be affected by these changes, and making it voluntary to put in a tree.

There was consensus for staff to come back with code change options for planters 3 feet or smaller.

6. Communications

Committee Member Wolf discussed a grant for the Arbor Day celebration.

Chair Broshot discussed a nomination for the Heritage Tree Hero Award.

Mr. Posadas discussed the Urban Forester job description.

It was noted two seats were open on the NRC.

7. Future Agenda Items

No future agenda items were discussed.

8. Adjournment

Chair Broshot adjourned the meeting at 7:31 PM.



City of Oregon City

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

Meeting Minutes - Draft Natural Resources Committee

Monday, February 9, 2022

6:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

Chair Broshot called the meeting to order at 6:00 PM.

Present: 5 - Chair Nancy Broshot, Committee Member Chris Weaver, Committee Member Samantha Wolf, Committee Member Brian Kvistler, and Committee Member Devon Pilney

Staffers: 3 – Planning Manager Teresa Montalvo, Right of Way and Construction Manager Dante Posadas, Community Development Director Aquila Hurd-Ravich

2. Adoption of the Agenda

The agenda was adopted as presented.

3. Election of Chair and Vice Chair

Nancy Broshot was elected as Chair and Samantha Wolf was elected as Vice Chair for 2022.

4. Public Comment

None.

5. Presentation: OC2040 Comprehensive Plan Update – Draft Goals and Policies

Teresa Montalvo presented the update on the Comprehensive Plan goals and policies. She discussed what a Comprehensive Plan was, process for the vision, goals, policies, and action items, project schedule, outreach and engagement, community-wide vision and focus on four themes, Comprehensive Plan Forum, Comprehensive Plan document production, and next steps.

There was discussion regarding adding a more direct statement about mitigation for

climate change and being more proactive, adding a fourth goal about climate change to the theme Protected Environment, and reducing the carbon footprint of the City.

6. Discussion Items: Street Tree List and Standard Drawing

Dante Posadas, Right of Way and Construction Manager, discussed the revised standard drawing for street tree planting. These included a 24 inch deep commercially engineered root barrier instead of 18 inch, the root barrier would be placed 20 feet along any impervious surface, tree installation would be a hand tamped pedestal, the root trunk collar would be placed one inch above finished grade, and 2-4 inches of unsettled bark mulch would be placed next to the trunk. They were still considering the recommendation for root barrier to be placed at the back of the curb to allow roots room to grow. They were also still working on the tree grate detail for curb tight sidewalks.

There was discussion about the need for root barrier on both sides of the tree and instead of a standard, view it case by case to see if it was appropriate on the curb side. Mr. Posadas said removing the root barrier from the curb was going to be an option the Public Works Department would not support. They were willing to move it to back of curb for a five foot footprint for the planter area. He explained the installation process.

Mr. Posadas gave an update on the Urban Forester position. A job description had been put together and it would go to the City Commission to review.

Committee Member Wolf suggested staff meet with an Urban Forester to further talk about the position.

Committee Member Wolf led a discussion on the street tree options for 2.5 to 3 foot planter strips. This was not an optimal size planting strip and the Committee agreed the code should be changed to say replanting a tree in these small planters was optional, but if they did want a tree, to pick from the list or put one on private property.

Aquilla Hurd-Ravich, Community Development Director, said the City Commission wanted the NRC to identify the minimum width of a planter strip sufficient for planting. If 2.5 to 3 feet was not sufficient, that would be a recommendation to the City Commission. The NRC was also asked to look at the street tree list with attention to species that would not cause damage to the adjacent sidewalk.

There was consensus that if a tree in these small planter strips was removed, a replacement tree would not be required. Homeowners would have the option to plant one of the trees on the street tree list or on private property if there was room.

Committee Member Wolf reviewed the rest of the street tree list. There was consensus to add a note to the City explaining why they put some species on hiatus.

There was discussion regarding when to revisit the hiatus trees and doing a City-wide tree inventory. There was consensus to revisit the hiatus list in ten years or after a tree inventory was done.

The NRC unanimously recommended the street tree list be forwarded to the City Commission with a cover letter explaining how they decided on the species and the

reasons for the hiatus.

7. Communications

Chair Broshot discussed the Heritage Tree Hero nomination.

Committee Member Wolf said Arbor Month was coming up in April and they needed a proclamation as a requirement of Tree City USA.

There was discussion regarding the Arbor Month proclamation and events.

9. Future Agenda Items

There was discussion regarding future agenda items.

10. Adjournment

Chair Broshot adjourned the meeting at 8:12 PM.



City of Oregon City

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

Meeting Minutes - Draft Natural Resources Committee

Monday, March 9, 2022

6:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

Chair Broshot called the meeting to order at 6:00 PM.

Present: 3 - Chair Nancy Broshot, Committee Member Chris Weaver, and Committee Member Samantha Wolf

Absent: 2 - Committee Member Brian Kvistler and Committee Member Devon Pilney

Staffers: 1 – Planner Kelly Reid

2. Adoption of the Agenda

The agenda was adopted as presented.

3. Public Comment

None

4. Presentation: Jerry Hermann – NROD and Human Created Resources

Jerry Hermann gave a presentation on the City's Natural Resource Overlay District ordinance. He summarized the NROD chapters needing review for inclusivity and reference to built/constructed environments. He proposed new wording to add to the ordinance: "Created, constructed community or otherwise built environments that demonstrate biological function are to be considered for NROD evaluation and inclusion." He also proposed creating a new chapter that would establish parameters for when environmental areas were created and maintenance of those areas over time. He shared pictures of a "groomed" wetland, map of the Rossman's landfill area that would be developed in the future, and pictures of areas subject to flooding needing thinning. He suggested the NRC join others on the last Friday of the month to discuss these changes.

There was discussion regarding the need to improve maintenance, prioritization, role

models from other cities, educating the public, approaching the City Commission with the language changes, and reaching out to Public Works operations.

5. Discussion Items: Arbor Day Celebration Update

Kelly Reid, Planner, discussed Arbor Day Celebration plans. The City had received a ten year Tree City USA recognition and new signage would be posted. An Arbor Day proclamation would be read at an April City Commission meeting.

Chair Broshot said Oregon City residents had received Heritage Tree Hero awards for two years in a row. There was discussion regarding adding a Heritage Tree Hero award ceremony for Dara Kramer to the Arbor Day Celebration and involving the Parks Foundation.

6. Communications: Heritage Tree Nomination Update

Ms. Reid said there were seven heritage tree nomination applications, but none of them were complete. She hoped some would be ready for the NRC's April meeting.

Street Tree Update

Ms. Reid said the new planting diagram was now officially in place. The updated street tree list was going on a future City Commission Work Session agenda.

7. Future Agenda Items

There was discussion regarding future agenda items including the noxious weed list, maintaining the City's canopy cover, grants for Arbor Day celebrations, and better Tree City USA signage.

8. Adjournment

Chair Broshot adjourned the meeting at 7:08 PM.



City of Oregon City

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

Meeting Minutes - Draft Natural Resources Committee

Monday, July 13, 2022

6:00 PM

Commission Chambers

1. Convene Regular Meeting and Roll Call

Chair Broshot called the meeting to order at 6:07 PM.

Present: 3 - Chair Nancy Broshot, Committee Member Brian Kvistler, and Committee Member Devon Pilney

Absent: 2 - Committee Member Chris Weaver and Committee Member Samantha Wolf

Staffers: 3 – Planning Manager Pete Walter, City Attorney Carrie Richter, and Community Development Director Aquila Hurd-Ravich

2. Adoption of the Agenda

The agenda was adopted as presented.

3. Public Comment

None

4. New Business/Discussion Items: Scope of the Advisory Role of the Natural Resources Committee

Pete Walter, Planning Manager, introduced the topic.

Carrie Richter, City Attorney, spoke about the role of the NRC within the larger scheme of the City. She explained the ordinances and Code that specified how the NRC functioned, including their duties and responsibilities. She then discussed land use reviews, NRC's involvement in legislative decisions and Type III decisions, quorum for decisions, public meetings law, avoiding serial meetings, site visits, and testifying on behalf of the NRC.

There was discussion regarding NRC reviews in the Natural Resource Overlay District.

Overview of the Natural Resources Overlay District Application Review Process

Mr. Walter explained the Natural Resource Overlay District including its adoption, purpose, what it included, how NROD review worked, NROD map and identifying documents, NROD buffer or vegetated corridor, what happened when an applicant requested to deviate from the standards, NROD application examples, and verification process for an NROD buffer.

There was discussion regarding the national wetland inventory, updating the wetland inventory to add new areas, amending the Code to remove wetlands that did not touch the NROD, locally significant wetlands, and making a recommendation to amend the NROD to the City Commission.

6. Communications

Mr. Walter said two new planners had been hired.

Chair Broshot said the Emerald Ash Borer had been discovered in Forest Grove.

7. Future Agenda Items

There was discussion regarding future agenda items including new member applications, benefits of a City Forester, and Heritage Tree nominations.

8. Adjournment

Chair Broshot adjourned the meeting at 7:34 PM.



CITY OF OREGON CITY

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

Staff Report

To: Natural Resources Committee **Agenda Date:** December 11, 2024
From: Pete Walter, Planning Manager

SUBJECT:

Item 5.a. - Climate Friendly and Equitable Communities presentation by Brian Davis

STAFF RECOMMENDATION:

New state laws require Oregon City to implement a number of code changes related to parking requirements and management. While some of the changes are prescriptive, there are a number of open questions about how Oregon City can come into compliance with other rules. We need NRC feedback to inform this process, and to make sure the code updates generally meet the economic and livability needs of the city.

Brian Davis of Studio Davis will provide a brief update on the project and process to date.

EXECUTIVE SUMMARY:

Please see attached info graphic.

BACKGROUND:

Listen and provide feedback.

OPTIONS:

TBD

BUDGET IMPACT:

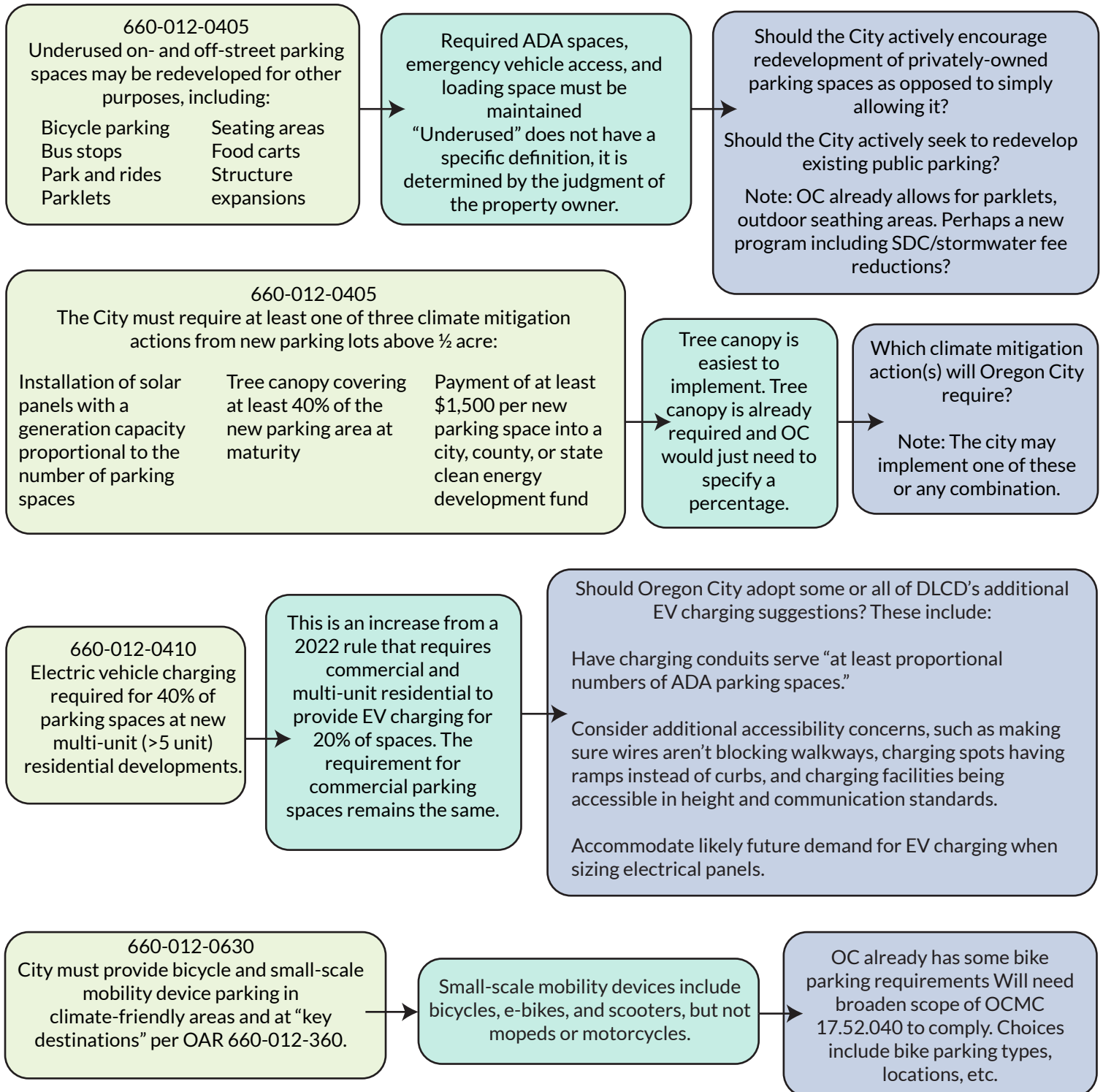
Oregon City Parking Code Updates

Areas for feedback

Required Change

Minimum Change/ Requirement Needed:

Additional Measures for Recommendation





CITY OF OREGON CITY

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

Staff Report

To: Natural Resources Committee **Agenda Date:** December 11, 2024
From: Josh Wheeler, Assistant City Engineer
Pete Walter, Planning Manager

SUBJECT:

Item 6.a. - Public Works Amendments to Street Tree Maintenance Requirements

STAFF RECOMMENDATION:

Public Works wishes to amend [OCMC 12.08.025 - General tree maintenance](#). Currently this code section reads as follows:

Abutting property owners shall be responsible for the maintenance and replacement of street trees and planting strips. Topping of trees is prohibited, unless under recommendation of a certified arborist. Trees shall be trimmed appropriately. Maintenance shall include watering during dry periods, trimming of established trees to remove dead branches and dangerous limbs and to maintain a minimum seven-foot clearance above all sidewalks, eight-foot clearance in clear vision areas pursuant to OCMC 10.32, and ten-foot clearance above the street. Planter strips shall be kept clear of weeds, obstructing vegetation and trash.

Proposed amendments would increase the required clearance to maintain a minimum eight-foot clearance above all sidewalks, and ten-foot clearance in clear vision areas pursuant to [OCMC 10.32 - Traffic Sight Obstructions](#), and fourteen-foot clearance above the street.

Along with the amended clearance heights, the code could include a requirement that pruning of branches comply with best industry standards, specifically ANSI 300. At this time, Public Works staff has not indicated a direction to adopt such a requirement.

EXECUTIVE SUMMARY:

Discussion and feedback.

BACKGROUND:

Public Works wishes to amend OCMC 12.08.025 - *General tree maintenance* to increase the required clearances above the street, sidewalks and in clear vision areas.

OPTIONS:

BUDGET IMPACT:

Chapter 12.08 PUBLIC AND STREET TREES¹

12.08.010 Purpose.

The purpose of this chapter is to:

- A. Develop tree-lined streets to protect the living quality and beautify the city;
- B. Establish physical separation between pedestrians and vehicular traffic;
- C. Create opportunities for solar shading;
- D. Improve air and water quality; and
- E. Increase the community tree canopy and resource.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)

12.08.015 Street tree selection, planting and maintenance requirements.

All development shall provide street trees adjacent to all street frontages. Species and locations of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List, an approved street tree list for a jurisdiction in the Metropolitan region, or be approved by a certified arborist unless otherwise approved pursuant to this section. If a setback sidewalk has already been constructed or the public works department determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip or within tree wells. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed according to OCMC 12.08.035.C.

- A. One street tree shall be planted for every thirty-five feet of property frontage. The tree spacing shall be evenly distributed throughout the total development frontage to meet the clearance distances required in subsection B below. The community development director may approve an alternative street tree plan, or accept fee-in-lieu of planting pursuant to OCMC 12.08.035, if site or other constraints prevent meeting the required total number of tree plantings.
- B. The following clearance distances shall be maintained when planting trees:
 - 1. Fifteen feet from streetlights;
 - 2. Five feet from fire hydrants;
 - 3. Twenty feet from intersections;
 - 4. Five feet from all public utilities (i.e. sewer, storm and water lines, utility meters, etc.).
- C. All street trees planted in conjunction with development shall be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications. Larger caliper size trees may be approved if recommended by a certified arborist or registered landscape architect.

¹Editor's note(s)—Ord. No. 18-1009, § 1(Exh. A), adopted July 3, 2019, amended Chapter 12.08 in its entirety to read as herein set out. Former Chapter 12.08, §§ 12.08.010—12.08.050, pertained to similar subject matter, and derived from Ord. No. 08-1014, adopted July 1, 2009.

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- D. All established trees shall be pruned tight to the trunk to a height that provides adequate clearance for street cleaning equipment and ensures ADA complaint clearance for pedestrians.
 - E. All trees planted within the right-of-way shall be planted with root barriers at least eighteen inches in depth adjacent to the sidewalk and curb to ensure proper root growth and reduce potential damage to sidewalks, curbs and gutters.
 - F. All trees planted beneath powerlines shall be selected based on what is appropriate for the location. In addition, the tree species shall be approved by the associated franchise powerline utility company.
 - G. Tree species, spacing and selection for stormwater facilities in the public right-of-way and in storm water facilities shall conform to requirements of OCMC 13.12 and the adopted stormwater and grading design standards and be approved by the city engineer.
 - H. Any public or street trees planted within the natural resource overlay district shall conform to the applicable requirements of OCMC 17.49, Natural Resources Overlay District (NROD).

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)

12.08.025 General tree maintenance.

Abutting property owners shall be responsible for the maintenance and replacement of street trees and planting strips. Topping of trees is prohibited, unless under recommendation of a certified arborist. Trees shall be trimmed appropriately. Maintenance shall include watering during dry periods, trimming of established trees to remove dead branches and dangerous limbs and to maintain a minimum ~~eightseven~~-foot clearance above all sidewalks, ~~teneight~~-foot clearance in clear vision areas pursuant to OCMC 10.32, and ~~fourteenten~~-foot clearance above the street. Planter strips shall be kept clear of weeds, obstructing vegetation and trash.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 2023-1004, § 1(Exh. A), 5-3-2023)

12.08.030 Public property tree maintenance.

The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs in all public rights-of-way and public grounds, as may be necessary to ensure public safety or to preserve and enhance the symmetry or other desirable characteristics of such public areas. The public works department and parks and recreation department may recommend to the community development director the removal of any tree or part thereof which is in an unsafe condition or may be injurious to above or below-ground public utilities, structures or other public improvements. Removed trees shall be replaced in accordance with this chapter or the mitigation requirements of the OCMC 17.49, Natural Resources Overlay District (NROD), if the tree to be removed is within the NROD.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)

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 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 street trees under this section shall have a minimum one and one-half inch caliper trunk measured six inches above the root crown.
- B. Removed trees that are 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 caliper trunk measured six 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 subsection 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
 - c. Within ten 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 feet or less in width may be removed without replacement or fee in lieu of replacement.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 2023-1004, § 1(Exh. B), 5-3-2023)

12.08.045 Gifts, fee-in-lieu of planting, and funding.

The city of Oregon City may accept gifts, which are specifically designated for the purpose of planting or maintaining trees within the city. The community development director may allow a fee-in-lieu of planting the tree(s) to be placed into a city fund dedicated to planting trees in Oregon City. The community development director may determine the type, caliper and species of the trees purchased with the fund. The cost of each tree may be adjusted annually based upon current market prices for materials and labor as calculated by the community development director. A separate fund shall be established and maintained for revenues and expenditures created by activities specified in this chapter. The natural resources committee shall have authority on behalf of the city to seek grants and alternative funding for tree projects. Funds from such grant awards shall be administered by the city pursuant to this section.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)

12.08.050 Violation—Penalty.

The violation of any provision of this chapter shall constitute a civil infraction, subject to code enforcement procedures of OCMC 1.16 and/or OCMC 1.20.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

City of Portland

PP&R Urban Forestry Street Tree Pruning Standards

Portland Parks & Recreation Urban Forestry issues permits for all street tree pruning work within the City of Portland under the guidance of City Code Title 11 Trees. This document contains pruning standards to inform residents, contractors, business owners, city staff, and others of acceptable street tree pruning activities.

Foundation for the Standards

City of Portland pruning standards generally reflect industry standards and acceptable best management practices for pruning as published in the *American National Standards Institute (ANSI) A300 Pruning Standards* and *International Society of Arboriculture Best Management Practices: Tree Pruning*. In some cases the City of Portland standards are more restrictive than those in the publications above, given the City's goals of optimizing and enhancing the urban forest. This document provides standards specific to street tree work within the City of Portland. Educational information on pruning can also be found in the Portland Parks & Recreation brochure "Pruning and Care of Young and Mature Trees."

Tree Pruning Specifications

The word "shall" indicates that a practice is mandatory. The word "should" refers to a practice that is highly recommended. The purpose of pruning is to develop and preserve tree structure, health, and the final appearance of the tree(s). Any person pruning a street tree shall do so in an appropriate manner, in order to maintain a tree form typical of the species or cultivar of the tree being pruned.

Pruning permit process

Any person intending to perform work on street trees must first obtain a Street Tree Pruning Permit from the City of Portland by submitting a permit application to Portland Parks & Recreation's Urban Forestry Division. Only an owner of the property abutting the street tree, or the owner's designee, may apply for a Street Tree Pruning Permit.

Urban Forestry

1900 SW 4th Ave., Suite 5000
Portland, OR 97201
Tel: (503) 823-TREE (8733) Fax: (503) 823-4493

Administration

1120 S.W. 5th Ave., Suite 1302
Portland, OR 97204
Tel: (503) 823-7529 Fax: (503) 823-6007

Sustaining a healthy park and recreation system to make Portland a great place to live, work and play.



There is no fee for a permit to prune street trees. All work sites are subject to inspection before, during, and after work is completed.

Types of pruning

Pruning should only be done with a specific objective. To meet the objective(s) identified for a tree, one or more of the following types of pruning may be permitted by PP&R Urban Forestry: crown cleaning, crown raising, crown restoration, and young tree training. Each of these pruning types is described in further detail in *ANSI A300 Standards* and *Best Management Practices: Tree Pruning*. It is the responsibility of the person conducting the work to be familiar with each type of pruning, its benefits, and its limitations. Street Tree Pruning Permits will indicate one or more of the following types of pruning allowed under an individual permit:

- **Crown cleaning** is the removal of water sprouts and dead, dying, diseased, crowded, weakly attached, and low vigor branches from a tree's crown.
- **Crown raising** removes the lower branches of a tree in order to provide clearance for vehicles, pedestrians, and buildings. The City of Portland requires maintaining clearance standards 7½ feet above the sidewalk, 11 feet above residential streets, and 14 feet above main arterial streets.
- **Crown restoration** is used to improve the structure, form, and appearance of trees that have sprouted vigorously after being broken, topped, or severely pruned using heading cuts. Crown restoration may require several prunings over a number of years as new dominant branches take time to form.
- **Young tree pruning:** Young trees should be pruned to develop good structure, including a strong and well-established central leader, strong branch attachments, and adequate spacing and distribution of scaffold branches. Young tree pruning will need to occur on an ongoing basis over the first ten years after tree planting.

A Street Tree Pruning permit may also allow additional specific activities outside of the above pruning types. In such cases, the allowed activity will be specifically noted on the permit. If not included on the permit, the activity is not allowed.

Additional activities may include:

- **Weight reduction:** In order to reduce the likelihood of limb or trunk failure, proper pruning cuts at the end of limbs are used to reduce the weight of a limb.
- **Clear infrastructure:** Pruning to clear streetlight poles, buildings, stop signs, and other infrastructure.
- **Remove defective part:** Pruning to remove a specific defect.

Pruning cuts

- The three-cut approach to pruning, as described in the Portland Parks & Recreation brochure “Pruning and Care of Young and Mature Trees,” shall be used to prevent tearing of the bark and vascular tissue.
- Branches shall be pruned at the branch collar or a lateral branch. Internodal pruning and leaving branch stubs are not permitted. Flush cuts are not permitted.
- Lions tailing is not permitted. Lions tailing is the improper practice of removing all or most secondary and tertiary branches from the interior portion of the crown, leaving most live foliage at the edge of the canopy.
- Topping is not an acceptable pruning practice and is prohibited. Topping is the reduction of a tree’s size using heading cuts that shorten limbs or branches to a predetermined crown limit.

Amount of pruning

- No more than 25% of the crown shall be removed within an annual growing season.

Tools and equipment

- Pruning tools shall be sharp and appropriately sized for the pruning cut.
- Equipment that will damage the bark and cambium layer shall not be used on or in any tree.
- Spikes or climbing spurs shall not be used for climbing trees during pruning operations.

Elm pruning requirements

In order to limit the spread of Dutch elm disease and comply with Oregon’s state quarantine of elm wood, the following rules apply to the pruning of elm trees (*Ulmus* spp.):

- Elm trees shall not be pruned from April 15 through October 15 annually.
- Pruning tools shall be treated with a disinfectant before and after pruning individual elm trees.
- All wood waste shall be chipped or taken to an approved commercial disposal site within 24 hours of cutting.

Resources

ANSI A300 (Part 1)-2001 Pruning: Tree Care Operations - Tree, Shrub and Other Woody Plant Maintenance - Standard Practices (revision and redesignation of ANSI A300-1995, includes supplements). American National Standards Institute, Washington, DC.

ANSI Z133.1-2006. Standards for Arboricultural Operations: Safety Requirements. American National Standards Institute, Washington, DC.

Best Management Practices: Tree Pruning. 2002. Gilman, E. and S. Lilly. International Society of Arboriculture. Champaign, Il.

Portland Parks & Recreation. Tree Care and Pruning brochure.
<https://www.portlandoregon.gov/trees/article/514071>

Ver. 2/26/2020

Pete Walter

From: Pete Walter
Sent: Wednesday, October 9, 2024 4:17 PM
To: Samantha Wolf
Subject: RE: ROW Pruning standards in Portland

I have printed out copies of your email and the Portland standards.



Oregon City Planning Division
ocplanning@orcite.org
Planning Division - 503.722.3789
Fax 503.722.3880

From: Samantha Wolf <sammwolf@gmail.com>
Sent: Wednesday, October 9, 2024 4:09 PM
To: Pete Walter <pwalter@orcite.org>
Subject: ROW Pruning standards in Portland

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.

[Portland tree pruning standards](#)

^ In response to Josh Wheeler's request to consider changes to OC's ROW tree clearance minimums.

My recommendation in short:

- 7½ feet above the sidewalk
- 11 feet above residential streets
- 14 feet above main arterial streets.

Considerations should also take into account tree size, tree age, and extension into the primary travel lane of the road.

Crown raising a short tree with limited extension into the road can destabilize the tree.
Crown raising a young tree can reduce the capacity of the tree to grow properly and healthy.

Overall, the OC's pruning standards should be reviewed and align with arboricultural industry best practices. These practices should be clearly stated to any hired contractor managing city trees as well.

I'm happy to discuss this when timing allows during the NRC meeting or other meeting as needed.

Thank you!

--

-Sam

Pete Walter

From: Josh Wheeler
Sent: Tuesday, December 3, 2024 2:03 PM
To: Pete Walter
Subject: RE: ROW Pruning standards in Portland
Attachments: Ordinance 24-1005 PW Code Amendments.docx; Staff Report.docx

Hi Pete,

Staff found the following in our research:

- Oregon City : 7 foot over a sidewalk, 10 feet over the street
- Beaverton : 8 foot over a sidewalk, 12 feet over the street
- Portland : 8 foot over a sidewalk, 14 feet over the street
- Gresham : 8 foot over a sidewalk, 12 feet over the street
- Hillsboro: 8 foot over a sidewalk, 15 feet over the street
- Vancouver, WA : 8 foot over a sidewalk, 14 feet over the street

We also found:

Oregon Fire Code 503.2.1 states fire apparatus shall have an unobstructed clearance of not less than 13 feet 6 inches. The height of the City's Vactor truck is 12 foot 4 inches. The backhoe is 11 foot 9 inches, and the mill hooked to a dump truck reaches a height of 12 foot 9 inches.

Limiting tree trimming to 11 feet above residential streets will still impact Fire Apparatus (and Oregon Fire Code) as well as the City's Vactor Truck, Backhoe, and Dump Trucks.

Also, to make our code consistent with Metro area codes, making it easier for landscape companies to know the code and be able to do their work throughout the region will allow the citizens to receive better service.

When codes are all different, often companies start using practices from other cities and assume they are the same here. This happens with all types of construction. They rarely look at standards and codes and we do not have resources to be present for all activities.

Public Works retains the recommendation of 8 foot over a sidewalk and 14 feet over the street for these reasons.

Street tree maintenance is the responsibility of the adjacent property owner per OCMC 12.08.025. The only time the City prunes trees are if a tree is in the way of completing a public works project. In those cases, we spot trim.

In general, our purpose of this code amendment stems from three reasons:

- Fire Department Request due to Oregon Fire Code
- Street Department Request in hopes property owners will provide better maintenance
- Support to Code Enforcement who received complaints this past summer and needed guidance on how property owners should maintain the trees

Recommended Code and Staff Report are attached for reference.



Josh Wheeler
Assistant City Engineer

jwheeler@orcity.org
City of Oregon City
PO Box 3040
13895 Fir Street
Oregon City, Oregon 97045
971-204-4634 Direct or phone & text
971-322-9745 Mobile
971-204-4601 Public Works General
www.orcity.org

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Pete Walter <pwalter@orcity.org>
Sent: Tuesday, December 3, 2024 1:35 PM
To: Josh Wheeler <jwheeler@orcity.org>
Subject: FW: ROW Pruning standards in Portland

Hi Josh,

Please see below. Any support for including a separate clearance for residential streets and a pruning standard?

Pete



Oregon City Planning Division

ocplanning@orcity.org
Planning Division -
503.722.3789
Fax 503.722.3880

From: Samantha Wolf <sammwolf@gmail.com>
Sent: Wednesday, October 9, 2024 4:09 PM
To: Pete Walter <pwalter@orcity.org>
Subject: ROW Pruning standards in Portland

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.

[Portland tree pruning standards](#)

^ In response to Josh Wheeler's request to consider changes to OC's ROW tree clearance minimums.

My recommendation in short:

- 7½ feet above the sidewalk

- 11 feet above residential streets
- 14 feet above main arterial streets.

Considerations should also take into account tree size, tree age, and extension into the primary travel lane of the road.

Crown raising a short tree with limited extension into the road can destabilize the tree.
Crown raising a young tree can reduce the capacity of the tree to grow properly and healthy.

Overall, the OC's pruning standards should be reviewed and align with arboricultural industry best practices. These practices should be clearly stated to any hired contractor managing city trees as well.

I'm happy to discuss this when timing allows during the NRC meeting or other meeting as needed.

Thank you!

--

-Sam



CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** TBD
From: Public Works Director John M. Lewis, PE

SUBJECT:

Ordinance No. 24-1005, Revisions to Public and Street Tree Code OCMC 12.08

STAFF RECOMMENDATION:

First reading of Ordinance No. 24-1005 adopting Revisions to Public and Street Tree Code OCMC 12.08

EXECUTIVE SUMMARY:

The Oregon City Street Tree Code concerning maintenance states “Maintenance shall include watering during dry periods, trimming of established trees to remove dead branches and dangerous limbs and to maintain a minimum seven-foot clearance above all sidewalks, eight-foot clearance in clear vision areas pursuant to OCMC [10.32](#), and ten-foot clearance above the street.” Due to the height of existing public works vehicles and equipment as well as the Oregon Fire Code, staff finds a need to update the Public and Street Tree Code to increase the heights of required maintenance.

BACKGROUND:

The Oregon City Street Tree Code concerning maintenance states “Maintenance shall include watering during dry periods, trimming of established trees to remove dead branches and dangerous limbs and to maintain a minimum seven-foot clearance above all sidewalks, eight-foot clearance in clear vision areas pursuant to OCMC [10.32](#), and ten-foot clearance above the street.”

Due to the height of existing public works vehicles and equipment as well as the Oregon Fire Code, staff finds a need to update the Public and Street Tree Code to increase the heights of required maintenance.

Oregon Fire Code 503.2.1 states fire apparatus shall have an unobstructed clearance of not less than 13 feet 6 inches. The height of the City’s Vactor truck is 12 foot 4 inches.

The backhoe is 11 foot 9 inches, and the mill hooked to a dump truck reaches a height of 12 foot 9 inches.

In reviewing municipal codes of other Metro cities, the respective codes state :

- Oregon City : 7 foot over a sidewalk, 10 feet over the street
- Beaverton : 8 foot over a sidewalk, 12 feet over the street
- Portland : 8 foot over a sidewalk, 14 feet over the street
- Gresham : 8 foot over a sidewalk, 12 feet over the street
- Hillsboro: 8 foot over a sidewalk, 15 feet over the street
- Vancouver, WA : 8 foot over a sidewalk, 14 feet over the street

Based on the municipal comparisons, the vehicle heights, and the Oregon Fire Code, staff are presenting an ordinance which proposes the following tree trimming standards:

- 8 feet over a sidewalk
- 10 feet within clear vision triangles
- 14 feet over a street

OPTIONS:

1. Approve Ordinance No. 24-1005.
2. Approve Ordinance No. 24-1005 with specific modifications.
3. Deny Ordinance No. 24-1005. If the Commission chooses to deny the Ordinance, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount: N/A

FY(s):

Funding Source(s):



CITY OF OREGON CITY

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

Staff Report

To: Natural Resources Committee **Agenda Date:** December 11, 2024
From: Pete Walter, Planning Manager

SUBJECT:

Public Tree Inventory and Tree Canopy Policy Recommendation Letter

STAFF RECOMMENDATION:

NRC has been discussing specific recommendations to the City Commission regarding ways to enhance the City's tree canopy management. The committee has drafted a letter which has been revised multiple times and discussed throughout the course of the year. NRC and PRAC met jointly on October 9, 2024, and PRAC discussed the letter at their last meeting. PRAC is principally concerned with trees in parks and how best to manage them, and supports a tree inventory. At the joint meeting PRAC members suggested that the letter be revised to shorten it to a few main points for the City Commission to discuss. The NRC has broader concerns including ways to strengthen existing codes and policies to preserve mature trees, and more strictly regulate the removal of street trees and trees on private property.

EXECUTIVE SUMMARY:

NRC has been discussing a draft letter with recommendations to the City Commission regarding ways to enhance the City's tree canopy management for most of 2024. NRC and PRAC met jointly on October 9, 2024, and PRAC discussed the letter at their last meeting. PRAC is principally concerned with trees in parks and how best to manage them, and supports a tree inventory. At the joint meeting in October PRAC members suggested that the letter be revised to shorten it to a few main points for the City Commission to discuss. The NRC has broader concerns including ways to strengthen existing codes and policies to preserve mature trees, and more strictly regulate the removal of street trees and trees on private property.

Planning staff is responsible for the administration of four principal chapters of the Oregon City Municipal Code (OCMC) that regulate trees. These include:

- OCMC 12.08 - Public and Street Trees (regulates the removal and replacement of street trees by abutting property owners and on city-owned property)
- OCMC 12.32 - Heritage Trees and Stands (provides a process for the voluntary nomination, designation and protection of larger trees)
- OCMC 17.41 - Tree Protection, Preservation, Removal and Replanting Standards (regulates tree on properties that are being reviewed for new development)
- OCMC 17.49 - Natural Resources Overlay District (regulates trees in sensitive habitat and water resource areas)

Staff notes that City staff is bound by much higher standards for public tree removal than homeowners and developers. See [Resolution # 22-33](#). This policy includes enhanced peer review procedures for evaluation of alternatives to tree removal, public notice requirements, mitigation standards and other requirements that apply to city staff.

The City does not currently have a comprehensive tree inventory or canopy assessment. There is no city forester or arborist. Development applications that include tree removal are required to provide a certified arborist's determination about the size and conditions of trees (OCMC 17.41). Protection of trees on development properties is not an absolute mandate, it is an option for the applicant, and requires replanting or fee-in-lieu of planting. For street trees, if a tree root is causing a sidewalk mobility problem, the trees may be removed without an arborist report (OCMC 12.08). The current code was the result of numerous complaints from residents about the expense and liability associated with lifting and buckling sidewalks caused by tree roots throughout the city.

The City Commission increased the fee-in-lieu of planting, AKA the "mitigation fee", to \$500 per tree in 2022 on the adopted fee schedule. This amount increases annually based on the Construction Price Index (CPI).

BACKGROUND:

- 1. Approve the letter as drafted and forward to the City Commission.
- 2. Approve the letter with changes and forward to the City Commission.
- 3. Do not approve the letter and provide direction to staff.

NEXT STEPS:

TBD

OPTIONS:

To the Oregon City Commission:

The Natural Resources Committee and Parks and Recreation Advisory Committee together endorse this letter, which specifies recommendations for improving the City's approach to urban forestry, particularly to address the problem of tree canopy loss.

A healthy tree canopy brings not only environmental benefits but also supports economic concerns, public health, community development, equity, and much more. For the sake of brevity, this letter will not go into those details. Please direct any questions as to the extensive benefits of urban canopy to members of the Natural Resources Committee, the Oregon Department of Forestry, or OSU Extension Office. Note that in addition to the City Commission's Goal #7, the OC2040 Community Vision explicitly calls for supporting our "extensive tree canopy". The justification for prioritizing this topic is not in question. We are focusing here on recommendations for next steps.

The issues at hand involve what to do to improve our tree canopy.

1. To what extent do we understand our current tree canopy?

Recent reports of planting and removal in the City indicate a loss rate that far exceeds current efforts to replace tree canopy let alone increase it. That said, these reports only cover the number of trees removed and planted. We currently lack basic assessment tools and records for tree canopy. A public tree canopy assessment or inventory is essential. We need that information to support the work of determining realistic goals and priorities. Common tools are available to help with this process, and City staff can start with basic GIS tools.

We cannot manage that which we don't know. A basic canopy assessment can be conducted by City staff using GIS and aerial imagery already available. Comparing canopy extent across the city over time will enable City administrators and City Commissioners to quantify and evaluate trends of canopy growth or loss and the status of meeting canopy goals. To preserve, and hopefully grow our extensive tree canopy, we must be able to define this goal to ensure that this important resource can be measured, tracked, and thus better managed. Based on this information, we can determine if our city's tree canopy meets the national average of a healthy canopy of at least 33%.

2. What are the City's current policies and plans for managing tree canopy?

We currently have no policies or plans that directly address managing city trees or the tree canopy. Current mentions of trees in city code are predominantly discussed in Title 12 sidewalk, Right-of-way, and public space regulations and Title 17 Zoning regulations. More references to trees are discussed in protected areas regulated by the state or federal government. But, trees are shrouded within language that preserves habitat in riparian corridors and adjacent natural resource overlays, which are cumbersome to update and subject to interpretation when no clear standards are provided. We do not have a city policy or code that specifically speaks to the protection and maintenance of trees and their canopy as a city asset. Additionally, the current City code cannot guide development or redevelopment to preserve trees without protections for trees of specific sizes and density. Thus, a proposed development would choose the easiest course of cleared lot for a generic project rather than tailor a development around existing trees. A comprehensive tree code is important to validate urban forestry management and practices that support an extensive tree

canopy. After we have basic assessment tools in place, we can develop a proactive urban forestry plan with public input. We can then use that plan as a basis for updating city code, policies, management, and resource allocation for our urban tree canopy.

2. Does the current code support preservation of mature trees which provide the most substantial canopy?

Current code has four chapters that discuss tree preservation and mitigation. Oregon City's Heritage Tree program recognizes special mature trees but the designation is honorary and does not provide additional protections beyond those provided for other trees in the city. The city code does not specify protections for large mature trees on public or private property. Chapter 12.08.35 speaks to protecting all city owned trees during development if those trees are planned for retention. If a CIP requires removal, then the city would replant according to OCMC 17.41 (Tree Protection, Preservation, Removal and Replanting Standards). Chapter 17.41 discusses trees in development and requirements for mitigation for trees within or beyond the construction area. Chapter 17.41.060.E Existing trees within a tract shall be protected by a permanent restrictive covenant or easement. Chapter 17.40 discusses tree preservation and mitigation during development within Natural Resource Overlay Districts to meet Metro Titles 3, 13 and Statewide Planning Goal 5.

Despite the stated goals listed at the beginning of these chapters, proactive tree or canopy retention is not sufficiently supported. Existing code and supporting maps or data that guide preservation must be updated to reflect new city boundaries and the natural resources present. Careful adherence to the code is also important to ensure canopy coverage across sensitive habitats. Failure to preserve canopy in these sensitive natural resource overlay areas reduces the city's ability to meet local and statewide goals as well as harming native wildlife among other ecological benefits we cannot afford to lose.

The same impact of canopy from mature large-form trees can provide benefits for our homes, streets, and parks. Except for small planting spaces or the presence of overhead wires or other infrastructure, large-form trees should be intentionally planted in large planting areas.

3. How can the City best update codes for better tree canopy protection?

The NRC has identified the following as ways to better align City code with the goal of supporting a healthy tree canopy:

- A. To best protect Oregon City's tree canopy, a **city forester and a robust tree code** is necessary to create goals of overall canopy across the city, assist the development of sound tree management policies, and provide technical expertise. An urban forester can review development applications to ensure city code is properly implemented and guide projects to meet community tree goals. Much like the staff in Public Works care for our streets, lights, and utility infrastructure, an urban forester can facilitate better tree maintenance that promotes healthier, and safer, trees for the community. This staff position is charged to oversee and maintain the urban forest holistically and provide clarity to how trees in the city are managed for the benefit of the community.

Commented [SW1]: Curious how often this occurs. When does it occur? Development plans can change during construction and initial tree preservation plans seem flexible to remove more trees than planned.

- B. An **urban forest management plan** is also needed. This document outlines city wide canopy goals set by community and informed by industry best practices. Like any master plan, this document provides direction for the maintenance and improvement of an important resource, in this context, our urban forest. An urban forest master plan responds to environmental mandates, clarifies confusion about resource management and authority, and coordinates the roles of the different agencies and city departments. An urban forest management plan anticipates changes to tree codes and communicates to the public how and when updates would occur. This document is the community guidance for tree canopy preservation and growth. It would support and be implemented by an urban forester.
- C. When proposing tree code updates, **utilize and defer to the best practices and integrate public engagement** to ensure alignment with community values. Examples from the Arbor Day Foundation, the City of Milwaukie, West Linn, and Portland provide examples of tree codes that place greater emphasis on tree preservation for public and private development. Also, they provide clear standards for planting and pruning to ensure new trees are established for success and mature trees are maintained for health and safety.
- D. The city should **adopt industry standard practices for assessing hazard trees**. When evaluating tree health, the city can require Tree Risk Assessments performed only by Certified Arborists. To prevent a conflict of interest, an assessing arborist should never be from the same contractor hired in case of removal. This conflict underscores the importance of a city forester to objectively review removal requests and ensure trees are maintained properly and are not needlessly removed for financial gain.
- E. We should also **develop clear policy with reasonable deference for tree retention** in cases of healthy trees where sidewalks can be repaired or moved to accommodate the tree. For sidewalk uplift, we should correctly indicate that the sidewalk is the hazard rather than an adjacent tree where the tree is not considered dead, dying, or dangerous. If uplift from trees creates a non-compliant sidewalk that violates ADA requirements, alternatives to tree removal including sidewalk repair, rerouting and/or prudent root pruning by a certified arborist should be the first options explored. An adjusted sidewalk may be feasible at a lower cost than tree removal.
- a. If code is to allow tree removal in cases where necessary, we urge more robust mitigation requirements to replace lost canopy. Acceptable replacement trees should include consideration of potential canopy size (not only tree count). Mitigation requirements must include care and maintenance for establishment after planting.
 - b. Where mitigation is not possible, we recommend an increased fee-in-lieu to \$600 as higher fees provide more incentive for retention. Also, the income from fees for removing street trees can support more tree plantings, improved maintenance, and better compliance enforcement. Adjustments to the city's Sidewalk Replacement Assistance grant program could be modified to include funding support for costs of an easement or covenant on adjacent private property to provide space of the new sidewalk for those who have a financial need.

- F. For 4-foot strips and larger without overhead wires, **compulsory replanting is recommended** following guidance from the Street Tree Planting List.
4. What are the relevant funding needs and prospects?
- a. The cost of an Urban Forester staff position is possible given vacancies in current FTEs in the Public Works and Parks Departments. Adjustments in adding this position would not significantly alter current staff expenditures for the city.
 - b. To support development of a Tree Code and an Urban Forest Management plan, there are two major grants available. These funds are available without any match requirement. Projects such as increased tree planting, conducting Tree Canopy Assessments, Tree Inventories, and Urban Forest Plan development, and other green infrastructure projects are activities supported by these grants. Oregon Department of Forestry and the Oregon Department of Land Conservation and Development are requesting proposals to fund efforts such as we propose here. The City should allocate some staff time to pursue these grants.
 - c. The work of updating the code and developing a long-term tree canopy plan could be done with a mix of staff time, volunteer involvement, and hired contracting. See above for grant funding to support this work.
 - d. Along with the overall plans and policies, a dedicated FTE for an Urban Forester position would be the best investment in managing the canopy long-term. This position would relieve less-specialized workers in Public Works or Parks and reduce contracting costs. It would also enable the city to identify and address tree issues sooner before they become more costly. As the City needs to manage trees regardless, this position should save the city money overall compared to attempts to manage a healthy canopy without this role.

We should not delay implementing better urban forestry management. In addition to the numerous reasons to prioritize this issue, trees take many years to grow. Just as it is easier in general to break things than to fix them, it is harder to recover from tree canopy loss than to retain a healthy canopy in the first place. We have seen major canopy loss in recent years, and we need to understand it and slow the loss to get on track to eventual recovery and resilience. To have a healthy canopy in 2040 aligned with the OC2040 vision, we need to work today to protect and enhance the canopy we have now.

To the Oregon City Commission:

At a joint meeting on October 9 the Natural Resources Committee and Parks and Recreation Advisory Committee discussed recommendations for improving the City's approach to urban forestry, and address tree canopy loss.

A healthy urban tree canopy brings not only environmental benefits but also bolsters property values, public health, reduces crime rates, mitigates the impact of climate change, and much more. The extensive benefits of urban tree canopy are well documented, and this letter is not intended to reiterate them here.

City Commission 2023-2025 Goal 7.1 and the OC2040 Comprehensive Plan¹ call for supporting our "extensive tree canopy". The justification for prioritizing this topic is not in question.

The issues at hand involve what to do to improve our tree canopy.

1. To what extent do we understand our current tree canopy?

Reports the city provides for annual Tree City USA designation document tree removal, pruning, and replacement numbers to Oregon Dept. of Forestry and the Arbor Day Foundation that administer the Tree City USA program. These reports stem from permit data from three city departments but do not represent an accurate or thorough assessment of our Urban Canopy. Given this gap in information regarding important green infrastructure, a public tree inventory is needed as a basic measure to support the work of management and establishing clear canopy goals, at least for public trees.

Common tools are available to help with this process, and existing GIS tools and aerial imagery is already available for city staff to use. Comparing canopy extent across the city over time to quantify and evaluate canopy growth or loss is a straightforward analysis that many GIS professionals can accomplish. Based on this information, we can determine if our urban tree canopy meets the national average of a healthy canopy of at least 33% across the city and measure the relative distribution of canopy. It is possible to identify areas of the city that receive little to no shade or areas that are well shaded in conjunction with city demographics, zoning, schools, or other dataset that shape policy and decision making. With baseline canopy information we can better understand current canopy coverage and develop a proactive urban forestry plan with public input. We can then use that plan as a basis for updating city code, policies, management, and resource allocation for our urban tree canopy.

2. What are the City's current policies and plans for managing tree canopy?

We currently have no adopted urban forestry plan that sets policy direction for managing city trees or the tree canopy. The comprehensive plan includes a few sentences about the importance of the city's tree canopy and a handful of goals and strategies. There are at least three chapters in city code addressing tree removal and replacement. For example, public trees in the city code are in Chapters 12.08 – Public and Street Trees under Title 12 – Streets, Sidewalks and Public Places, while trees on private properties undergoing development are located in Chapter 17.41 and, if applicable, the

¹ POLICY 2.4 Protect and enhance the urban forest tree canopy.
STRATEGY 2.4.A Encourage the maintenance and improvement of the city's tree canopy to improve air quality.

Natural Resources Overlay District in Chapter 17.49 under Title 17 Zoning regulations. Currently the city's codes do not prohibit the removal of healthy, large canopy trees, or require a sufficiently large proportional number of replacement trees when such trees are removed from a proposed development site. Currently, a proposed development may choose the easiest course of clearing a lot rather than tailor a development around existing trees as per Chapter 17.41.

If the City desires to preserve mature trees on development properties, these codes need to be amended to explicitly include clear and objective standards to protect and set aside some density or percentage larger trees (e.g. larger than 20" diameter at breast height (DBH), similar to the cities of Portland, Milwaukie and Gresham.

A comprehensive tree code specifying retention, planting, mitigation, and canopy coverage goals is important to validate urban forestry management and practices that support an extensive tree canopy.

3. Does the current code support preservation of mature trees which provide the most substantial canopy?

The short answer is no. Current code has four chapters that discuss tree preservation and mitigation. Oregon City's Heritage Tree program (OCMC 12.32) recognizes special mature trees but enrollment in the program is voluntary, the designation runs with the land and preserves the tree. Aside from Heritage Trees, the city code does not require protection of large mature trees on public or private property. Chapter 12.08.35 speaks to protecting all city owned trees during development if those trees are planned for retention. If a CIP requires removal, then the city would replant according to Chapter 17.41 (Tree Protection, Preservation, Removal and Replanting Standards). Chapter 17.41 allows for the removal of trees in development and has requirements for mitigation for trees within or beyond the construction area. Although there are clear and objective standards and options available within Chapter 17.41 that are intended to incentivize preservation of mature trees through reductions in lot sizes and dimensional requirements for residential subdivisions, these provisions are seldom chosen, since the cost of installing public infrastructure, grading and preparing land for development is astronomical compared to the undervalued benefits of preserving trees on a development site. Chapter 17.41.060.E allows the option for existing trees within a tract to be protected by a permanent restrictive covenant or easement (as was implemented for a development in Park Place) but is rarely used. Chapter 17.40 discusses tree preservation and mitigation during development within Natural Resource Overlay Districts to meet Metro Titles 3, 13 and Statewide Planning Goal 5.

Despite the stated goals listed at the beginning of these chapters, the NRC and PRAC feels that proactive tree or canopy retention is not sufficiently supported. Existing code and supporting policy that guide preservation must be implemented to support our extensive urban canopy.

The same impact of canopy from mature large-form trees can provide benefits for our homes, streets, parks, as well as our overall ecosystem and wildlife. This fact is known and supported by numerous studies. Except for small planting spaces or the presence of overhead wires or other infrastructure, large-form trees should be intentionally planted in large planting areas. Larger planting areas and the soil volumes and planting standards required to support tree growth, in turn, should be required. Fee in lieu options for development must be set to encourage retention for

healthy large trees that provide 30% lot canopy coverage. And mitigation requirements must be implemented for removing large trees regardless of tree health or safety risks. As a tree life cycle ends, replanting needs to occur to return the canopy lost.

4. How can the City best update codes for better tree canopy protection?

The NRC and PRAC have identified the following as ways to better align City code with the goal of supporting a healthy tree canopy:

- A. To best protect Oregon City's tree canopy, a **city forester and a robust tree code** is necessary to create goals of overall canopy across the city, assist the development of sound tree management policies, and provide technical expertise. An urban forester can review development applications to ensure city code is properly implemented and guide projects to meet community tree goals. Much like the staff in Public Works care for our streets, lights, and utility infrastructure, an urban forester can facilitate better tree maintenance that promotes healthier, and safer, trees for the community. This staff position is charged to oversee and maintain the urban forest wholistically and provide clarity to how trees in the city are managed for the benefit of the community as well as mitigate risks to public safety.
- B. An **urban forest management plan** is also needed. This document outlines city wide canopy goals set by community and informed by industry best practices. Like any master plan, this document provides direction for the maintenance and improvement of an important resource, in this context, our urban forest. An urban forest master plan responds to environmental mandates, clarifies confusion about resource management and authority, and coordinates the roles of the different agencies and city departments. An urban forest management plan anticipates changes to tree codes and communicates to the public how and when updates would occur. This document is the community guidance for tree canopy preservation and growth. It would support and be implemented by an urban forester.
- C. When proposing tree code updates, **utilize and defer to the best practices and integrate public engagement** to ensure alignment with community values. Examples from the Arbor Day Foundation, the City of Milwaukie, West Linn, and Portland provide examples of tree codes that place greater emphasis on tree preservation for public and private development. Also, they provide clear standards for planting and pruning to ensure new trees are established for success and mature trees are maintained for health and safety.
- D. The city should **adopt industry standard practices for assessing hazard trees**. When evaluating tree health, the city can require Tree Risk Assessments performed only by Certified Arborists. To prevent a conflict of interest, an assessing arborist should never be from the same contractor hired in case of removal. This conflict underscores the importance of a city forester to objectively review removal requests and ensure trees are maintained properly and are not needlessly removed for financial gain.
- E. We should also **develop clear policy with reasonable deference for tree retention** in cases of healthy trees where sidewalks can be repaired or moved to accommodate the tree. For

sidewalk uplift, we should correctly indicate that the sidewalk is the hazard rather than an adjacent tree where the tree is not considered dead, dying, or dangerous. If uplift from trees creates a non-compliant sidewalk that violates ADA requirements, alternatives to tree removal including sidewalk repair, rerouting and/or prudent root pruning by a certified arborist should be the first options explored. An adjusted sidewalk may be feasible at a lower cost than tree removal depending on context.

- a. If code is to allow tree removal in cases where necessary, we urge more robust mitigation requirements to replace lost canopy. Acceptable replacement trees should include consideration of potential canopy size (not only tree count). Mitigation requirements must include care and maintenance for establishment after planting.
 - b. Where mitigation is not possible, we recommend an increased fee-in-lieu to \$600 as higher fees provide more incentive for retention. Also, the income from fees for removing street trees can support more tree plantings, improved maintenance, and better compliance enforcement. Adjustments to the city's Sidewalk Replacement Assistance grant program could be modified to include funding support for costs of an easement or covenant on adjacent private property to provide space of the new sidewalk for those who have a financial need.
- F. For 4-foot strips and larger without overhead wires, **compulsory replanting is recommended** following guidance from the Street Tree Planting List and right-of-way planting standards.

5. What are the relevant funding needs and prospects?

- a. The cost of an Urban Forester staff position is possible given vacancies in current FTEs in the Public Works and Parks Departments. Adjustments in adding this position would not significantly alter current staff expenditures for the city.
- b. To support development of a Tree Code and an Urban Forest Management plan, there are two major grants available. These funds are available without any match requirement. Projects such as increased tree planting, conducting Tree Canopy Assessments, Tree Inventories, and Urban Forest Plan development, and other green infrastructure projects are activities supported by these grants. Oregon Department of Forestry and the Oregon Department of Land Conservation and Development are requesting proposals to fund efforts such as we propose here. The City should allocate some staff time to pursue these grants.
- c. The work of updating the code and developing a long-term tree canopy plan could be done with a mix of staff time, volunteer involvement, and hired contracting. See above for grant funding to support this work.
- d. Along with the overall plans and policies, a dedicated FTE for an Urban Forester position would be the best investment in managing the canopy long-term. This position would relieve less-specialized workers in Public Works or Parks. This position can inform and oversee contract work to ensure best practices are used in the areas of the city with the most need. It would also enable the city to identify and address tree issues sooner before they become more costly. As the City needs to manage trees regardless, this

position should save the city money overall compared to attempts to manage a healthy canopy without this role.

We should not delay implementing better urban forestry management. In addition to the numerous reasons to prioritize this issue, trees take many years to grow. Just as it is easier in general to break things than to fix them, it is harder to recover from tree canopy loss than to retain a healthy canopy in the first place. We have seen major canopy loss in recent years, and we need to understand it and slow the loss to get on track to eventual recovery and resilience. To have a healthy canopy in 2040 aligned with the OC2040 vision, we need to work today to protect and enhance the canopy we have now.



CITY OF OREGON CITY

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Staff Report

To: Natural Resources Committee **Agenda Date:** December 11, 2024
From: Pete Walter, Planning Manager

SUBJECT:

Item 8.a. - Communication Items for 12/11/2024 NRC regular meeting

STAFF RECOMMENDATION:

Staff will provide updates on the following items:

1. Pollinator garden project at the Swimming Pool.
2. Upcoming Friends of Trees neighborhood tree planting event, Saturday, 12/4/2024.
3. 2024 Tree City USA application status update.
4. New NRC applications, interview dates.

NRC members are encouraged to share communications about upcoming events and news.

EXECUTIVE SUMMARY:

N/A

BACKGROUND:

N/A

OPTIONS:

N/A

BUDGET IMPACT: