



CITY OF OREGON CITY NATURAL RESOURCES COMMITTEE AGENDA

Community Room, Community Development Building,
695 Warner Parrott Rd, Oregon City, OR
Wednesday, February 12, 2025 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@orc.org by 3:00 PM on the day of the meeting to register)
 - Email pwalter@orc.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)
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1. INTERVIEWS

- a. NRC Applicant Interviews

2. CALL TO ORDER AND ROLL CALL

3. ADOPTION OF THE AGENDA

4. PUBLIC COMMENTS

Please see the public comment guidelines below.

5. PRESENTATIONS

- a. Climate Friendly and Equitable Communities and Amendments to the Flood Management Overlay District

6. DISCUSSION ITEMS

- a. Public Works Amendments to Street Tree Maintenance Requirements
- b. NRC Annual Report to City Commission

7. ELECTION OF NRC OFFICERS

- a. Election of NRC Officers for Chair, Vice-Chair and Secretary

8. COMMUNICATIONS

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.

Emily Lisborg

Oregon City, OR | Generated 12/16/2024 @ 12:33 pm by OnBoardGOV - Powered by ClerkBase

Status

Name Emily Lisborg
Application Date 12/14/2024
Expiration Date 12/14/2025
Status Received

Board	Vacancies	Status
Natural Resources Committee	0	Pending

Basic Information

Name
Emily Lisborg

Contact Information

Address
[REDACTED]
[REDACTED]
Yes, I am a resident
Yes
Email
[REDACTED]
Phone
[REDACTED]

Occupation

Employer
self employed, horticulture
Job Title
owner

How long have you lived in Oregon City?

4 years

Describe relevant work experience that may relate to the board or committee you are applying for.

I've worked studying biodiversity and conservation in five different countries, and currently work with plants in conservation capacity for work by focusing how best to share and protect threatened and endangered species. Refer to resume for more info.

Please list out any High School, Secondary Education, Trainings, and Colleges, along with years completed. Also list degrees and certifications.

Education Brighton High School Class of 2010 (NY) Hartwick College, Class of 2013 BA in Philosophy, focus in Cultural Ecology 3.6 overall GPA, 3.8 in my major, three year degree Program Awards & Acknowledgements Socratic Award at Hartwick College Duffy Scholarship at Hartwick College Environmental Science and Policy Internship Scholarship at Hartwick College

Describe volunteer activity within this or other communities

Volunteer (Member) Marsh monitoring program volunteer 2006-2010 Seneca Park Zoo volunteer 2007-2010 (400+ hours) Washington Alaskan Malamute Adoption League intake volunteer 2021-present (Board and committee roles) President of the Amphibian Steward Network 2009-2012 Treasurer of the People's Colloquium (2016-2021) Treasurer of the PNW branch of the American Begonia Society (2019-current) American Begonia Society Committee member of the conservation committee (2019-current) Natural Resource Committee member 2022-current

Do you presently serve on a City board or committee?

If yes, which boards:, PRAC, NRC

Explain your interest in this board/committee and why you think its issues are important

I'm interested in the non-human residents of this city, as well as the human ones. I think serving on the the NRC is a meaningful means by which to provide input on how natural resources are managed in the city, and I would love the opportunity to continue working on Bee City USA, tree code amendments, and exploring the possibility of a city forester.

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

refer to resume

In which neighborhood of Oregon City do you live?

Rivercrest

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

Generated 12/16/2024 @ 12:33 pm

Emily Lisborg

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Education

- Hartwick College
- Class of 2013
- BA in Philosophy, focus in Cultural Ecology
- 3.6 overall GPA, 3.8 in my major, Three year degree Program

Work

[2010-2013]

Animal caretaker at Johnstone Science Dept

Independently managed care of 300+ amphibians for the science dept. while a student

[2013-2014]

The Reef Shoppe

Worked in a team of three to maintain hundreds of aquariums and thousands of fresh and saltwater fish and coral

[2014-2016]

Self employed, full time nanny

Worked with families providing part time care for young children ages 4 months-6 years

[2016-current]

Self employed, full time plant nursery owner

Maintaining and propagating for sale a collection of rare tropicals, approx. 750 species

Awards & Acknowledgements

- Socratic Award at Hartwick College
- Duffy Scholarship at Hartwick College

- Environmental Science and Policy Internship Scholarship at Hartwick College

Volunteer

(Member)

Marsh monitoring program volunteer 2006-2010

Seneca park zoo volunteer 2007-2010 (400+ hours)

Oregon City Parks Foundation member 2021-present

Washington Alaskan Malamute Adoption League intake volunteer 2021-present

(Board and committee roles)

President of the amphibian steward network 2009-2012

Treasurer of the People's Colloquium (2016-2021)

Treasurer of the PNW branch of the American begonia society (2019-current)

American Begonia Society Committee member of the conservation committee (2019-current)

Natural Resource Committee member 2022-present

CIC Representative for Rivercrest NA 2022-present

Additional Educational experiences

Two two-week trips studying sustainable biocommerce of Dendrobatids in the Peruvian Amazon (2010,2011)

One summer doing field surveys in Cusuco national park, Honduras (2011)

Two months in Madagascar studying biodiversity and conservation (2012)

Two weeks in Ecuador documenting and collecting plants for private and public plants collections (2015)

Maintaining and breeding rare amphibians in the genera Dendrobates, Ranitomeya, and Mantella (2005-current)

NOLS summer course in the Yukon, skills include outdoor leadership, wayfinding, plant identification, tracking, first aid

Current Employment (2016-)

-Owner of In Search of Small Things, an online nursery specializing in rare tropical plants. Of particular interest are Begonias, Melastomes, Gesneriads, and Ferns

-Nursery specific skills required include plant identification, vegetative propagation, seed collection and germination, pest and disease identification and management, grow space construction, adherence to seasonal crop cycles, ethical sourcing of plant material, establishing best practices for shipping delicate plant material of varying sizes/shapes, annual nursery inspection and certification, knowledge of interstate shipping requirements for agricultural material, familiarity with the issuance of phytosanitary certificates, CITES regulations, and international shipping of live plant material, ability to navigate and utilize the IUCN redlist, researchgate, and other peer reviewed portals for plant and animal specific information

-Non-specific to nursery work but also required- market research, web design, blog content creation, woocommerce proficiency, photography, SEO, cost benefit analysis, monthly and quarterly financial projections, budgeting, book keeping, self employment tax filings, social media outreach, subcontracting, ad creation, branding, customer service, maintaining all required business licensure at the national, state, and city level

-Funding in the amount of 10% of nursery profits donated to Rainforest Trust and the Borneo project. Annual plant donations to the Fort Worth Species bank and seeds sent to Botanic Gardens internationally.



CITY OF OREGON CITY

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

Staff Report

To: Natural Resources Committee **Agenda Date:** February 12, 2025
From: Pete Walter, Planning Manager

SUBJECT:

Item 5.a. - Climate Friendly and Equitable Communities and Amendments to the Flood Management Overlay District

STAFF RECOMMENDATION:

CFEC

New state rules, known as Climate Friendly and Equitable Communities (CFEC), require Oregon Cities and Counties to implement a number of reforms related to parking requirements and management in an effort to reduce the climate impacts of excessive parking. Many of the changes are prescriptive, and several of them are already in effect, but there are some options available to communities who do not wish to entirely remove minimum parking requirements while conforming substantially to the new State rules.

Flood Management Overlay District

Community Development staff are proposing amendments to the Flood Management Overlay District with the intent of compliance with the requirements of FEMA’s National Flood Insurance Program (NFIP) and Biological Opinion (BiOp) on pre-implementation compliance measures (PICM). FEMA’s imposed deadline of December 1, 2024, required local jurisdictions to choose one of three options and if no choice was made the local jurisdiction was defaulted to a “permit by permit” review. It is our understanding that Oregon City cannot force an applicant to comply with the “permit by permit” review if the requirement is not codified. Therefore, this amendment will codify the requirement for development within the flood plain to comply with the “permit by permit” review that FEMA is requiring. Oregon City’s intention is to update the Oregon City Municipal Code 17.42 Flood Management Overlay District within the next six months to closely match the model ordinance FEMA developed. However, in the interim this amendment will allow us to comply with FEMA's requirement for a permit-by-permit review to manage no net loss for habitat conservation.

EXECUTIVE SUMMARY:

Climate Friendly and Equitable Communities (CFEC)

In January 2024, the City Commission did not support eliminating all parking minimums and directed staff to pursue a combination of alternatives, which are summarized in bullet points below. The Commission supported pursuing a grant to assist with implementing the rules to make them work for Oregon City.

The parking reforms will include:

- Removal of all parking mandates within 1/2 mile of frequent transit corridors and

within the regional center (downtown).

- OAR 660-012-0405 - Allow / encourage redevelopment of underused parking spaces for other purposes such as bicycle parking, bus stops, park and rides, parklets, outdoor seating areas, food carts, building expansions, etc.
- OAR 660-012-0405 - Require at least one of three climate mitigations strategies within new parking lots including solar energy panels, 40% tree canopy, or \$1500 per new space for clean energy fund
- OAR 660-012-0410 - 40% of spaces for Electric Vehicle (EV) charging (Multi-family)
- OAR 660-012-0630 - accommodate parking for "small-scale mobility devices" (non-gas powered bikes, e-bikes, scooters, etc.)

Community Development staff will provide a high level presentation of what Oregon City is doing to comply with the minimum requirement, what have we heard to date from the community, the process and timeline for adoption and which code sections need to be amended.

Please see attached infographic for more information.

Next Steps:

January- February: Public Engagement and presentations to Advisory Committees

March: Planning Commission and City Commission updates and first public hearing at Planning Commission

April- May: City Commission public hearings to adopt ordinance

June: Ordinance goes into effect

Flood Management Overlay District

Community Development staff are proposing amendments to the Flood Management Overlay District with the intent of compliance with the requirements of FEMA's National Flood Insurance Program (NFIP) and Biological Opinion (BiOp) on pre-implementation compliance measures (PICM). FEMA's imposed deadline of December 1, 2024, required local jurisdictions to choose one of three options and if no choice was made the local jurisdiction was defaulted to a "permit by permit" review. It is our understanding that Oregon City cannot force an applicant to comply with the "permit by permit" review if the requirement is not codified. Therefore, this amendment will codify the requirement for development within the flood plain to comply with the "permit by permit" review that FEMA is requiring. Oregon City's intention is to update the Oregon City Municipal Code 17.42 Flood Management Overlay District within the next six months to closely match the model ordinance FEMA developed. However, in the interim this amendment will allow us to comply with FEMA's requirement for a permit-by-permit review to manage no net loss for habitat conservation.

Oregon City has floodplain regulations that apply to development within the Flood Management Overlay District. The Flood Management Overlay District regulations are in Chapter 17.42 of the Oregon City Municipal Code. The flood management overlay district is an overlay zone classification defining areas subject to periodic flooding or inundation which can result in property harm or loss, disruption of public services, hazards for public health, or added expense for public services.

Compliance with floodplain development regulations is reviewed through the land use review and building permitting process, with review responsibility by the Planning, Public Works Engineering and Building Divisions. The city's Floodplain Administrator is the City Building Official.

All conditions and restrictions of land use established by Chapter 17.42 are in addition to such restrictions and conditions as may be imposed and established in underlying zoning districts.

The City has adopted FEMA and 100-year floodplain maps. Anyone may view the floodplain layers on OCWebMap. OCWebMap shows the extent of the 1996 flood inundation, the FEMA 2008 100-Year floodplain, the FEMA 2008 500-year floodplain, the FEMA 2008 floodway, and the FEMA 2008 Base Flood Elevation.

The City of Oregon City uses the combination of the 1996 floodplain inundation line and FEMA's 100-year floodplain as the basis for determining flood hazard.

See the attached map for an illustration of the flood inundation area.

Next Steps:

- The first public hearing was held on January 27, 2025
- City Commission will hold the first reading of the Ordinance on February 19, 2025 and second reading after that.
- Staff will begin working on updates to Chapter 17.42 to incorporate FEMA's model ordinance and begin the legislative amendment process in spring of 2025

BACKGROUND:

Staff, with consultant Brian Davis, are presenting Climate Friendly and Equitable Communities for discussion purposes. Additionally, staff will give a brief overview of amendments to the Flood Management Overlay District as a result of a FEMA mandate.

OPTIONS:

BUDGET IMPACT:

Oregon City Parking Code Updates

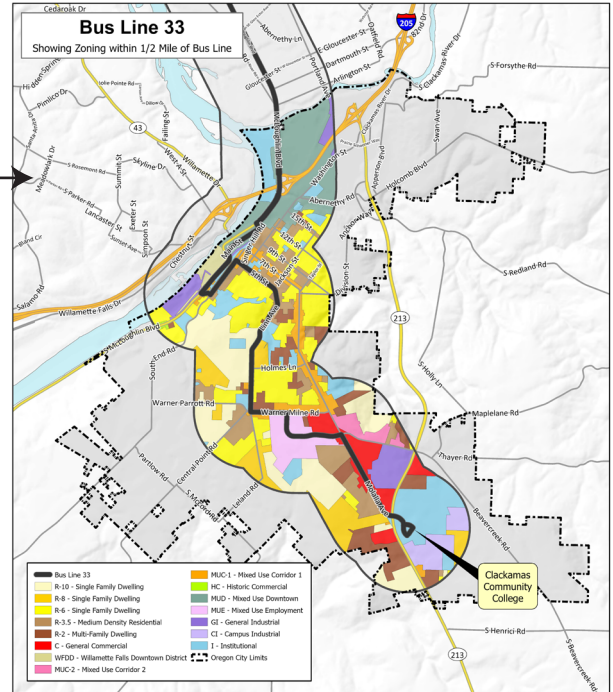
Summary of Required Changes

OAR 660-012-0415; 0430; 440; 0445

Certain types of developments are no longer required to provide parking, including:

- Several types of apartments, mainly those with small units sizes
- Mixed-use developments
- Schools and childcare facilities
- Bars and taverns
- All developments within one-half mile of frequent transit corridor
- Historic buildings and buildings in official historic districts
- Small commercial properties
- Developments seeking LEED certification
- Additionally, parking maximums are required within regional center and 1/2 mile of frequent transit.

Note: These developments may still choose to provide parking at their own discretion, subject to maximums.



660-012-0425

Parking mandates will be reduced for developments that include certain features, including:

- Solar or wind power production capacity
- Inclusion of dedicated car-sharing spaces
- EV charging stations
- Additional accessible units above the minimum required

660-012-0405

Various improvements to parking design are required, including

- Require new parking areas of more than one-half (1/2) acre to provide trees and pedestrian connections.
- Provide preferential carpool/vanpool parking when more than 50 spaces.
- Allow redevelopment of parking areas for bike or transit uses.
- Allow and encourage redevelopment of underused parking.
- City must allow and facilitate shared parking, providing avenues for shared parking to meet requirements.
- New parking lots above 1/2 acre must provide 40% tree canopy and/or solar, fee-in-lieu options.

Oregon City already allows shared parking so this will mean a simplification of the existing policy, (OCMC 17.52.020(B)(3))

Oregon City currently has extensive landscaping requirements but does not specify a minimum percentage. This requirement may be met simply by adding this specification.

660-012-0630

Bicycle parking requirements

- Provide bike parking in regional center.
- Require bike parking anywhere parking is required.
- Bike parking must be lit, allow for cargo bikes, allow for lockable storage
- Increase in number of bicycle parking spaces required for multi-unit and mixed-use residential.
- Require bicycle parking for other uses including office, retail, institutional, transit stops, park and rides.

OC currently requires 0.1 spaces for multi-family. Requirement is 0.5 spaces/unit.

OC currently meets this requirement.

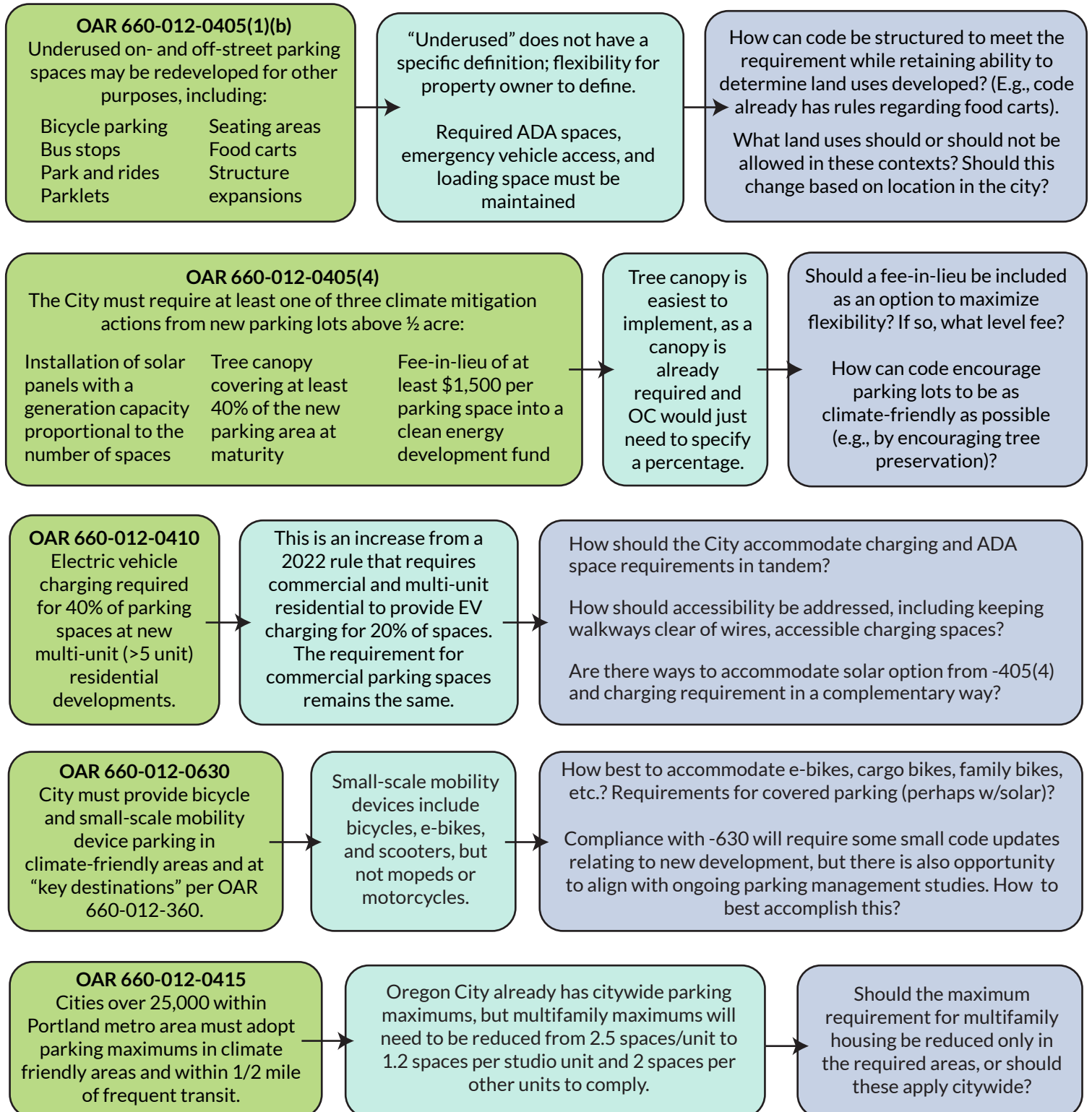
Oregon City Parking Code Updates

Key decision points and feedback

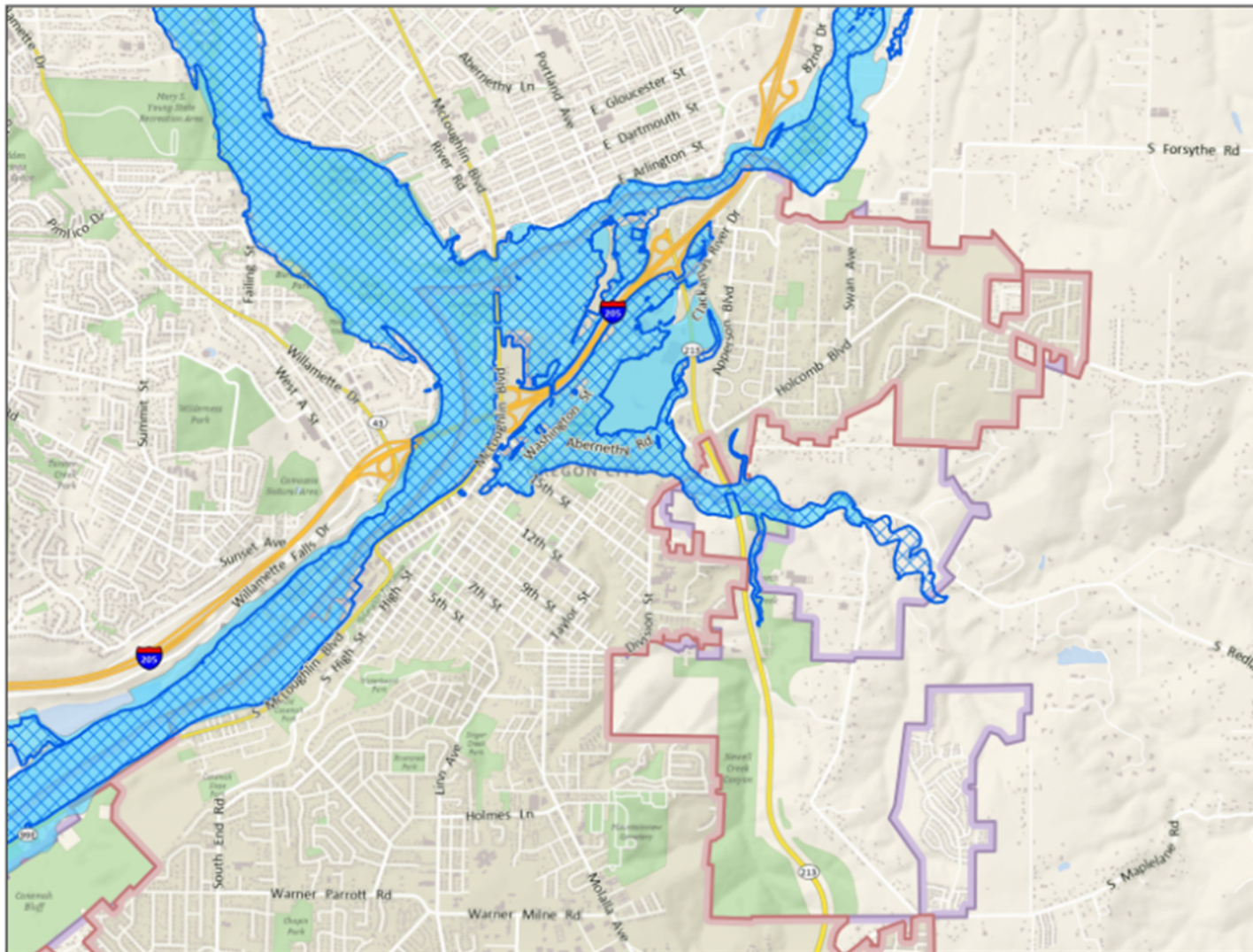
Required Change

Context/ Comments:

Decision Points & Feedback to-date



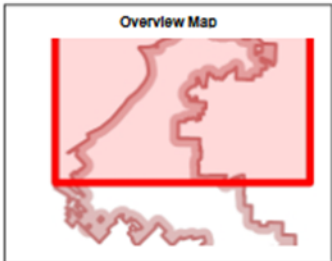
OCMC 17.42 Flood Overlay District



Legend

- Street Names
- 1996 Flood Inundation
- FEMA 2008 - 100 yr Floodplain
- City Limits
- UGB
- Basemap

Notes



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



0 3,200 6,400 Feet

1: 38,400

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



Map created 7/15/2022



FEMA

July 15, 2024

Denyse NcGriff
625 Center Street
Oregon City, Oregon 97045

Dear Denyse NcGriff:

The purpose of this letter is to announce the start of the United States Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Pre-Implementation Compliance Measures (PICM) for National Flood Insurance Program (NFIP) participating communities in Oregon. The intent of PICM is to ensure the continued existence of threatened or endangered species in compliance with the Endangered Species Act (ESA). These measures include coordination with communities to provide appropriate technical assistance, help identify available resources, deliver trainings, and facilitate workshops to ensure on-going community participation in the NFIP. These pre-implementation compliance measures will assist communities in preparing for the Final NFIP-ESA Implementation Plan by helping them develop short and long-term solutions to ensure their on-going participation in the NFIP.

FEMA is currently conducting a National Environmental Policy Act (NEPA) evaluation of impacts associated with the Oregon NFIP-ESA Implementation Plan. FEMA developed this plan, in part, due to a Biological Opinion in 2016 from National Marine Fisheries Services. The Biological Opinion recommended specific measures for FEMA to take to avoid jeopardizing endangered species, including interim compliance measures. The release of the Final Implementation Plan (Plan) is anticipated by 2026, following the Record of Decision in the Environmental Impact Statement (EIS) process, then FEMA will fully implement the Plan in 2027.

FEMA has heard concerns from several communities regarding challenges they are facing to meet the expectations of this Plan. To provide communities with the support needed to incorporate ESA considerations to their permitting of development in the floodplain, FEMA will inform, educate, and support our Oregon NFIP participating communities through the PICM before the Final Implementation Plan is released.

NFIP participating communities in Oregon must select one of the PICM pathways which include the following: (1) adopt a model ordinance that considers impacts to species and their habitat and requires mitigation to a no net loss standard; (2) choose to require a habitat assessment and mitigation plan for development on a permit-by-permit basis; or (3) putting in place a prohibition on floodplain development in the Special Flood Hazard Area (SFHA). Communities must pick a PICM pathway by December 1, 2024. If a community fails to inform FEMA of its selection, they will default to the permit-by-permit PICM pathway. Communities will be required to report their floodplain development activities to FEMA beginning in January of 2025. Failure to report may result in a compliance visit.

As a part of the PICM, FEMA will implement a delay in the processing of two types of Letters of Map Changes in the Oregon NFIP-ESA Implementation Plan area, specifically Letters of Map Changes associated with the placement of fill in the floodplain: Conditional Letter of Map Revision Based on Fill (CLOMR-F) and Letter of Map Revision Based on Fill (LOMR-F) requests. This action was specifically requested by NMFS in their 2016 Biological Opinion and serves to remove any perceived programmatic incentive of using fill in the floodplain. This delay in processing will begin on August 1, 2024, and will be in place until the Final Implementation Plan is released.

Your community's ongoing participation in the NFIP is critical, as it provides access to flood insurance for property owners, renters, and businesses. In City Of Oregon City there are currently 35 of NFIP policies in force representing \$14968000 in coverage for your community.

FEMA will be conducting informational virtual webinars this summer to provide an overview and status update for the Oregon NFIP-ESA integration, introduce the Pre-Implementation Compliance Measures, and provide an opportunity for Oregon NFIP floodplain managers to ask questions of FEMA staff. In the fall, FEMA will hold workshops to provide in-depth opportunities for local technical staff to work with FEMA technical staff, to understand and discuss issues relating to the PICM.

The webinars will be held virtually over Zoom. The information at each webinar is the same so your jurisdiction only needs to attend one. You can register for a webinar using the links below.

- Wednesday, July 31 at 3-5pm PT: <https://kearnswest.zoom.us/meeting/register/tZEkc-murjstGdPJiFioethjRk-id8N-k0hj>
- Tuesday, August 13 at 9:30-11:30am PT: <https://kearnswest.zoom.us/meeting/register/tZAod-istrTsqGN0KqckRLPPeaZuu4rv96lcR>
- Thursday, August 15 at 2-4pm PT: https://kearnswest.zoom.us/meeting/register/tZlqcOGpqDojHtTXaa946aI9dMpCTcJIH_zt
- Wednesday, August 21 at 12:30-2:30pm PT: <https://kearnswest.zoom.us/meeting/register/tZYqcuGsrD8rH9DZO22vG0v9KrNzVeUZA9gy>

FEMA will also develop a questionnaire to allow communities to identify how they currently incorporate or plan to incorporate ESA considerations, both in the short-term and long-term. To assist communities in making this determination, FEMA will be offering guidance on the potential pathways that help ensure current compliance. Communities will also be asked to help identify what technical assistance and training would be most beneficial. Feedback from this questionnaire will drive FEMA's engagement and outreach.

Upon completion of the Environmental Impact Statement review and determination, the Final Implementation Plan will be distributed along with several guidance documents and a series of Frequently Asked Questions. FEMA will also be starting NFIP Compliance Audits, in which we will be reviewing permits issued by communities for development in the floodplain and will expect the community to be able to demonstrate what actions are being taken to address ESA considerations.

If you have any questions, please contact us through our project email address fema-r10-mit-PICM@fema.dhs.gov. Thank you for your community's on-going efforts to reduce flood risk in your

NcGriff
July 15 2024
Page 3

community and for your support as we worked toward these milestones.

Sincerely,

A handwritten signature in blue ink, appearing to read "Willie G. Nunn", with a horizontal line extending to the right.

Willie G. Nunn
Regional Administrator
FEMA Region 10

cc: Josh Wheeler, City Of Oregon City
John Graves, Floodplain Management and Insurance Branch Chief
Deanna Wright, Oregon State National Flood Insurance Program Coordinator

Enclosure: Pre-Implementation Compliance Measures Fact Sheet

Pre-Implementation Compliance Measures Overview

Beginning this summer, FEMA will assist communities with coming changes to the National Flood Insurance Program (NFIP) in Oregon.

Why are the changes needed?

As the result of a Biological Opinion issued by the National Marine Fisheries Service, communities are required to demonstrate how floodplain development is compliant with the Endangered Species Act in Special Flood Hazard Areas. Changes are needed to protect the habitat of several species of fish and the Southern Resident killer whales to comply with the Endangered Species Act (ESA). FEMA outlined these changes in the [draft Oregon NFIP-ESA Implementation Plan](#).

Current status

FEMA is evaluating proposed changes to the NFIP outlined in the Implementation Plan through an environmental impact statement (EIS), in compliance with the National Environmental Policy Act (NEPA).



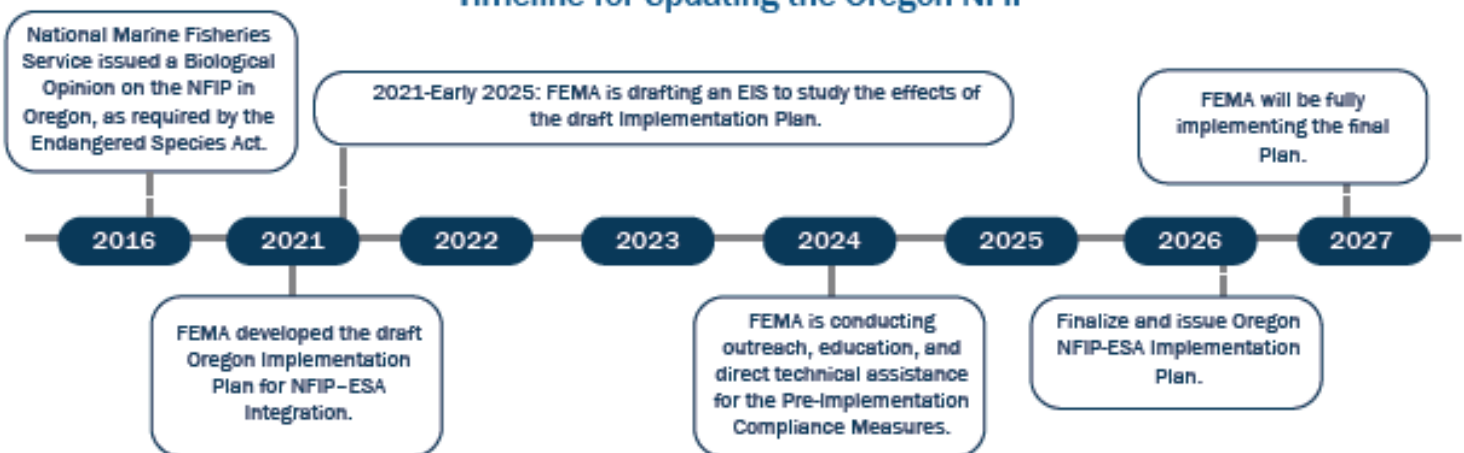
The National Flood Insurance Program serves to protect lives and property, while reducing costs to taxpayers due to flooding loss.

What is “no net loss”?

Any development action resulting in negative impacts to one or more key floodplain functions that are then mitigated or avoided to offset said impacts.

The Final Implementation Plan is anticipated by 2026 following the Record of Decision in the EIS process, then FEMA will fully implement the plan in 2027. Until then, communities need to begin taking action to protect habitat and achieve “no net loss.” FEMA is offering several resources for communities to learn more and implement interim measures, called Pre-Implementation Compliance Measures (PICMs).

Timeline for Updating the Oregon NFIP



What can communities do to comply with these changes?

Oregon communities participating in the NFIP can take short-term measures to comply with ESA requirements, known as PICMs. FEMA developed these measures in response to concerns from communities about the time and resources needed to meet requirements and ensure their future good standing in the NFIP. By implementing these measures now, communities will be better prepared for compliance audits, which will begin when the Final Implementation Plan is in place.

Communities can select one of the following three PICMs:

- Prohibit all new development in the floodplain.
- Incorporate the ESA into local floodplain ordinances.
- Require permit applicants to develop a Floodplain Habitat Assessment documenting that their proposed development in the Special Flood Hazard Area will achieve “no net loss.”

Communities must report to FEMA on their implementation of interim measures.

In addition to the above measures, as of August 1, 2024, FEMA is temporarily suspending processing applications for Letters of Map Revision based on Fill (LOMR-Fs) and Conditional Letters of Map Revision based on Fill (CLOMR-Fs) in NFIP communities to avoid potentially negative effects on ESA-listed species.

FEMA is here to support your community.

FEMA is offering several resources to assist communities in preparing for the Oregon NFIP-ESA Implementation Plan.

- **Informational Webinars (Summer 2024):** Learn about what FEMA is doing to revise the Implementation Plan and receive an introduction to the PICMs.
- **Questionnaire (Summer 2024):** Share what floodplain management measures your community is currently implementing to comply with the ESA, which PICMs you’re most interested in, and what support you need. Your feedback will help us plan the fall workshops and identify needs for technical assistance.
- **Workshops (Fall 2024):** Get an in-depth look at PICMs and talk through questions and concerns with FEMA staff.
- **Technical Assistance (Begins in Fall 2024):** Get support from FEMA to begin implementing PICMs.

Learn more and participate

Visit www.fema.gov/about/organization/region-10/oregon/nfip-esa-integration to read the latest information about NFIP-ESA Integration in Oregon.

You can also contact us at FEMA-R10-MIT-PICM@fema.dhs.gov

Chapter 17.42 FLOOD MANAGEMENT OVERLAY DISTRICT¹

17.42.010 Purpose—Findings.

- A. There is established in the city a flood management overlay district. The flood management overlay district is an overlay zone classification defining areas that preserve the natural and beneficial values served by floodplains but which are subject to periodic flooding or inundation which can result in property harm or loss, disruption of public services, hazards for public health, or added expense for public services. All conditions and restrictions of land use established by this chapter of the city's zoning ordinance shall be in addition to such restrictions and conditions as may be imposed and established in underlying zoning districts.
- B. It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:
1. To protect human life and health;
 To minimize expenditure of public money and costly flood control projects;
 To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 2. To minimize prolonged business interruptions;
 3. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
 4. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
 5. To ensure that potential buyers are notified that property is in an area of special flood hazard;
 6. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
 7. To preserve natural and beneficial floodplain functions; and
 - ~~7~~8. To protect flood management areas, which provide the following functions:
 - a. Protect life and property from dangers associated with flooding;
 - b. Flood storage, reduction of flood velocities, reduction of flood peak;
 - c. Flows and reduction of wind and wave impacts;
 - d. Maintain water quality by reducing and sorting sediment loads;
 - e. Processing chemical and organic wastes and reducing nutrients, recharge, store and discharge groundwater; and
 - f. Provide plant and animal habitat, and support riparian ecosystems.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

¹Editor's note(s)—Ord. No. 08-1014, adopted July 1, 2009, repealed Chapter 17.42 in its entirety and enacted new provisions to read as herein set out. Prior to amendment, Chapter 17.42 pertained to similar subject matter. See Ordinance Disposition List for derivation.

17.42.020 Applicability.

- A. This chapter shall apply to development in the flood management overlay district, which may also be referred to as the "floodplain overlay district" in this code. The flood management overlay district includes all areas of special flood hazards and all flood management areas within the city. The overlay district restricts the uses that are allowed in the base zone by right, with limitations, or as provisional uses.
- B. The flood management areas which have been mapped include the following locations:
 - 1. Land contained within the one hundred-year floodplain, flood area and floodway as shown on the Federal Emergency Management Agency flood insurance maps dated June 17, 2008, including areas of special flood hazard pursuant to Section 17.42.040 and the area of inundation for the February 1996 flood; and
 - 2. Lands that have physical or documented evidence of flooding within recorded history based on aerial photographs of the 1996 flooding and/or the water quality and flood management areas maps.
- C. The standards that apply to the flood management areas apply in addition to state or federal restrictions governing floodplains or flood management areas.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.030 Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Clackamas County, Oregon and Incorporated Areas," dated June 17, 2008, with accompanying flood insurance maps is adopted by reference and declared to be a part of this chapter. The flood insurance study is on file at the office of the city recorder in the City Hall.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.040 Compliance.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of these floodplain regulations and other applicable regulations. Violations of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a civil infraction. Any person who violates this chapter or fails to comply with any of its requirements shall be subject to the enforcement procedures of this code per OCMC 1.20 Civil Infractions and 1.24 Code Enforcement. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.050 Abrogation and interpretation.

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. All provisions shall be considered as minimum requirements and liberally construed in favor of the governing body. Where this chapter and another section, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restriction shall prevail.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.060 Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flooding damages. This chapter shall not create liability on the part of the city, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder. Further, no permit granted herein shall be construed to guarantee compliance with otherwise applicable federal rules and regulations, including the Endangered Species Act.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.070 Severability.

The provisions of this chapter are severable. If any section, clause or phrase of this chapter is adjudged to be invalid by a court of competent jurisdiction, the decision of that court shall not affect the validity of the remaining portions of this chapter.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.080 Administration.

This chapter establishes a flood management overlay district, which is delineated on the water quality and flood management areas map attached and incorporated by reference as a part of this document.

- A. The following maps and studies are adopted and declared to be a part of this chapter. These maps are on file in the office of the city recorder:
 - 1. The Water Quality and Flood Management Areas Map, dated June 7, 1999;
 - 2. The Federal Insurance Administration, Flood Insurance Rate Maps for Clackamas County, Oregon and Incorporated Areas dated June 17, 2008;
- B. Applicants are required to provide the city with a delineation of the flood management areas on the subject property as part of any application. An application shall not be complete until this delineation is submitted to the city.
- C. The city shall review the water quality and flood management areas maps during periodic review as required by ORS 197.633 (1997).
- D. Development Permit.
 - 1. A development permit shall be obtained before construction or development begins within any portion of the flood management overlay district. The permit shall be for all structures, including manufactured homes and all other development, including fill and other activities, as set forth in Chapter 17.04 (Definitions).
 - 2. Application for a development permit shall be made on forms furnished by the community development department. Requirements may include, but are not limited to: plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage materials, drainage facilities; and the location of the foregoing.
 - 3. The following information is specifically required:
 - a. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;

- b. Elevation in relation to mean sea level to which any structure has been floodproofed;
- c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 17.42.170E.5.; and
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

E. In addition to any information necessary to satisfy this Chapter, a permit application must include a Flood Habitat Assessment Report from a qualified expert evaluating any negative impact to floodplain functions and identifying appropriate mitigation measures to ensure that any development will be in compliance with the 2016 National Marine Fisheries Services (NMFS) Biological Opinion (BiOp) no net loss standards. All mitigation recommendations contained within the qualified report shall be included as permit conditions of approval.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.090 Building official—Duties and responsibilities.

- A. The city building official, defined as the local floodplain administrator, is appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.
- B. Duties of the building official shall include, but not be limited to those listed in this chapter.
- C. The building official shall:
 - 1. Review all development permits to determine that the permit requirements of this title have been satisfied;
 - 2. Review all development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required; and
 - 3. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 17.42.200 are met.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.100 Use of other base flood data.

When base flood elevation data has not been provided in accordance with Section 17.42.030, the building official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer Sections 17.42.160 and 17.42.200.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.110 Information to be obtained and maintained.

The building official shall:

- A. Where base flood elevation data is provided through the flood insurance study, FIRM or required as in Section 17.42.100, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- B. For all new or substantially improved floodproofed structures where base flood elevation data is provided through the flood insurance study, FIRM, or as required in Section 17.42.080:

1. Verify and record the actual elevation (in relation to mean sea level); and
2. Maintain the floodproofing certifications required in Section 17.42.080C.3.;
3. Maintain for public inspection all records pertinent to the provisions of this chapter.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.120 Alteration of watercourses.

- A. Notify adjacent communities and the department of land conservation and development prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- B. Require that maintenance is provided within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.130 Map administration.

- A. The purpose of this section is to provide a process for interpreting and amending the water quality and flood management areas map to clarify and correct the location of flood management overlay district.
- B. Interpretation of Map Boundaries. The building official shall make interpretations, where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 17.42.150.
- C. Map corrections shall be processed pursuant to the requirements of Chapter 17.68:
 1. Within ninety days of receiving information establishing a possible error in the existence or location of the flood management overlay district, the city shall provide notice to interested parties of a public hearing at which the city will review the information.
 2. The city shall amend the water quality and flood management areas map if the information demonstrates that the boundaries of the flood management overlay district have changed since adoption of the water quality and flood management areas map by Metro (June 18, 1998) provided that, in the case of a boundary established by FEMA, a letter of map amendment (LOMA) or letter of map revision is obtained from FEMA by the applicant prior to any map change.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.140 Appeals and variance procedure.

- A. The purpose of this section is to ensure that compliance with this chapter does not cause unreasonable hardship. To avoid such instances, the requirements of this chapter may be varied. Variances are also allowed when strict application of this chapter would deprive an owner of all economically viable use of land.
- B. This section applies to requests to vary from the standards of this chapter only. Requests to vary from other standards of this title shall be subject to the requirements of Chapter 17.60.
 1. Variance applications made pursuant to this section shall follow the variance procedures outlined in Chapter 17.50.

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2. In addition to the public notice requirements outlined in Section 17.50.090, Metro shall be notified within fourteen days of the city receiving an application to vary the requirements of this section and within fourteen days of a decision on the variance.
 3. The requirements of Section 17.60.020 (Variances—Grounds) do not apply to requests to vary from the standards of Chapter 17.42.
 4. If an application to vary from the standards of Chapter 17.42 is made in conjunction with an application to vary from other standards of this chapter, the variances may be processed as one application, provided the standards applicable to each variance requested must be met before the requested variance may be granted.
- C. Hardship Variance. Variances to avoid unreasonable hardship caused by the strict application of this chapter are permitted subject to the criteria set forth in this section. To vary from the requirements of this chapter, the applicant must demonstrate the following:
1. The variance is the minimum necessary to allow the proposed use or activity;
 2. The variance will not increase danger to life and property due to flooding or erosion;
 3. The impact of the increase in flood hazard which will result from the variance will not prevent the city from meeting the requirements of this chapter. In support of this criteria the applicant shall have a qualified professional engineer document the expected height, velocity and duration of floodwaters, and estimate the rate of increase in sediment transport of the floodwaters expected both downstream and upstream as a result of the variance;
 4. The variance will not increase the cost of providing and maintaining public services during and after flood conditions so as to unduly burden public agencies and taxpayers; and
 5. The proposed use complies with the standards of the base zone.
- D. The planning commission shall hear and decide appeals and requests for variances when it is alleged there is an error in any requirement, decision or determination made by the building official in the enforcement or administration of these regulations, or that enforcement of this district would result in exceptional hardship. In passing upon such applications, the planning commission shall consider all technical evaluations, all relevant factors, standards specified in other sections of this title, and:
1. The danger that materials may be swept onto other lands to the injury of others;
 2. The danger to life and property due to flooding or erosion damage;
 3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 4. The importance of the services provided by the proposed facility to the community;
 5. The necessity to the facility of a waterfront location, where applicable;
 6. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
 7. The compatibility of the proposed use with existing and anticipated development;
 8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 10. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

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- 11. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
 - E. Upon consideration of the factors listed in subsection D of this section and the purposes of this district, the planning commission may attach such conditions to the granting of variances as it deems necessary to meet the purposes of this district.
 - F. The city recorder shall maintain the records of all appeal actions and the building official shall report any granted variances to the Federal Insurance Administration upon request.
- (Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.150 Conditions for variances.

The planning commission, pursuant to Chapter 17.60, may impose such conditions as are deemed necessary to limit any adverse impacts that may result from granting relief. If a variance is granted pursuant to Section 17.42.140, the variance shall be subject to the conditions set out in this section. In addition to other standards listed in Section 17.42.160, the following conditions must be met:

- A. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register or identified as a locally designated historic structure and without regard to the procedures set forth in the remainder of this chapter.
- B. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- D. Variances shall only be issued upon a showing of good and sufficient cause.
- E. A determination that failure to grant the variance would result in exceptional hardship to the applicant.
- F. Variances as interpreted in the national flood insurance program are based on the general zoning law principle that they pertain to a physical piece or property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.
- G. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria as set forth in this chapter.
- H. A variance from the elevation standard may only be issued for new construction, and substantial improvements to be erected on a lot of one-half acre or less in size, that are to contiguous and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.
- I. Variances shall not result in increased flood heights, additional threats to public safety, extraordinary public expenses, cause nuisances, cause fraud on or victimization of the public or conflict with existing laws or ordinances.
- J. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest flood elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

17.42.160 Flood management area standards.

- A. Uses Permitted Outright:
1. Excavation and fill required to plant any new trees or vegetation.
 2. Restoration or enhancement of floodplains, riparian areas, wetland, upland and streams that meet federal and state standards provided that any restoration project which encroaches on the floodway complies with the requirements of Section 17.42.190 (Floodways).
- B. Provisional Uses.
1. All uses allowed in the base zone or existing flood hazard overlay zone are allowed in the flood management overlay district subject to compliance with the development standards of this section.
- C. Prohibited Uses.
1. Any use prohibited in the base zone;
 2. Uncontained areas of hazardous materials as defined by the Department of Environmental Quality.
- D. Site Development Standards. All development in the floodplain shall conform to the following balanced cut and fill standards:
1. This subsection does not apply to work necessary to protect, repair, maintain or replace existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements in response to emergencies provided that, after the emergency has passed, adverse impacts are mitigated in accordance with applicable standards.
 2. No net fill in any floodplain is allowed. All fill placed in a floodplain shall be balanced with at least an equal amount of soil material removed. For the purpose of calculating net fill, fill shall include any structure below the design flood elevation that has been floodproofed pursuant to subsection (E)(5) of this section.
 3. Any excavation below bankfull stage shall not count toward compensating for fill.
 4. Excavation to balance a fill shall be located on the same parcel as the fill unless it is not practicable to do so. In such cases, the excavation shall be located in the same Oregon City floodplain, so long as the proposed excavation and fill will not increase flood impacts for surrounding properties as determined through hydrologic and hydraulic analysis.
 5. For excavated areas identified by the city to remain dry in the summer, such as parks or mowed areas, the lowest elevation of the excavated area shall be at least six inches above the winter "low water" elevation, and sloped at a minimum of two percent towards the protected water feature pursuant to Chapter 17.49. One percent slopes will be allowed in smaller areas.
 6. For excavated areas identified by the city to remain wet in the summer, such as a constructed wetland, the grade shall be designed not to drain into the protected water feature pursuant to Chapter 17.49.
 7. Parking areas in the floodplain shall be accompanied by signs that inform the public that the parking area is located in a flood management area and that care should be taken when the potential for flooding exists.
 8. Temporary fills permitted during construction shall be removed at the end of construction, thirty days after subdivision acceptance or completion of the final inspection.
 9. New culverts, stream crossings and transportation projects shall be designed as balanced cut and fill projects or designed not to significantly raise the design flood elevation. Such projects shall be designed to minimize the area of fill in flood management areas and to minimize erosive velocities.

Stream crossings shall be as close to perpendicular to the stream as practicable. Bridges shall be used instead of culverts wherever practicable.

10. Excavation and fill required for the construction of detention facilities or structures, and other facilities, such as levees, specifically shall be designed to reduce or mitigate flood impacts and improve water quality. Levees shall not be used to create vacant buildable lands.

E. Construction Standards.

1. Anchoring.

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movements and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebooks for additional techniques).

2. Construction Materials and Methods.

- a. All new construction, substantial improvements, and substantial flood damage restoration for residential and non-residential buildings, including manufactured homes in subdivisions and manufactured home parks, subject to this chapter shall follow this section.
- b. All construction considered herein shall be constructed with materials and utility equipment resistant to flood damage.
- c. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- d. "Machinery and equipment" (electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities), other than specially designed equipment, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Residential machinery and equipment shall be elevated to at least the base flood elevation plus one foot. Machinery and equipment may be placed below the base flood elevation if floodproofed to the base flood elevation. Locating machinery and equipment below one foot above base flood elevation is permitted provided that the machinery and equipment is designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the design flood elevation.. Specially designed equipment (e.g. elevator components) may be located below one foot above base flood elevation.

3. Utilities.

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. Residential Construction.

- a. New construction, substantial improvements, and substantial flood damage restoration of any residential structure shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation referred to as the design flood elevation.

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- b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited unless they are designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
 - c. Manufactured Homes. The following standards apply to all manufactured homes to be placed, substantially improved, or restored after substantial flood damage on sites within [the] flood hazard overlay district. When manufactured homes in a subdivision or mobile home park are installed in flood hazard areas, they shall be elevated such that the lowest finished floor is at least one foot above base flood elevation; and, anchored according to the Oregon Residential Specialty Code.
5. Nonresidential Construction.
- a. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to at least one foot above base flood elevation; or, together with attendant utility and sanitary facilities, shall:
 - i. Be floodproofed so that below the design flood level the structure is watertight with walls substantially impermeable to the passage of water provided that the requirements of subsection D.2 of this section are met;
 - ii. Have structured components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - iii. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 17.42.110.B;
 - iv. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection E.4.b of this section; and
 - v. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building constructed to the design flood level will be rated as one foot below that level).
 - vi. Manufactured Homes. The following standards apply to all manufactured homes to be placed or substantially improved on sites within flood hazard areas.

When manufactured dwellings are installed in flood hazard areas, they shall be elevated and anchored according to the Oregon Residential Specialty Code.

- F. Recreational Vehicles. Recreational vehicles placed on sites within Zones A1-30, AH and AE as shown on the flood insurance rate map shall:

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1. Be on-site for fewer than one hundred eighty consecutive days, and be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
 2. Meet the requirements of subsection E.6 of this section and the elevation and anchoring requirements for manufactured homes.
- G. Below Grade Crawlspace. Below grade crawlspaces are allowed subject to the following standards. It should be noted that there are potential increased charges to personal insurance costs for below grade crawlspaces.
1. The building shall be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and effects of buoyancy can usually be addressed through the required openings stated in subsection 2. below. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.
 2. The crawlspace is an enclosed area below the base flood elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one foot above the lowest adjacent exterior grade.
 3. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE.
 4. Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.
 5. The interior grade of a crawlspace below the BFE must not be more than two feet below the lowest adjacent exterior grade.
 6. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four feet at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.
 7. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.
 8. The velocity of floodwaters at the site should not exceed five feet per second for any crawlspace. For areas with floodwater velocities in excess of five feet per second, below grade crawlspaces are prohibited.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010; Ord. No. 22-1004, § 1(Exh. A), 8-17-2022)

17.42.170 Review of building permits.

Where elevation data is not available either through the flood insurance study, FIRM or from another authoritative source (Section 17.42.110), application for building permits shall be reviewed to assure that

proposed construction will be reasonably safe from flooding. The test of reasonableness shall be made by the building official, considering use of historical data, high water marks, photographs of past floodings, etc., where available, and the provisions of this title. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.180 Subdivision standards.

A. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage.
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
4. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty lots or five acres (whichever is less).
5. All structures and site grading developed or conducted in conjunction with a subdivision proposal shall comply with Section 17.42.160, flood management area standards.

B. The purpose of this section is to allow density accruing to portions of a property within the flood management overlay district to be transferred outside the overlay district.

1. Density transfers shall be allowed if the applicant demonstrates compliance with the following standards:
 - a. The density transfer is proposed as part of a subdivision.
 - b. Minimum density standards will not increase due to the density transfers.
 - c. The area of land contained in a flood management area may be excluded from the calculations for determining compliance with minimum density requirements of the zoning code.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)

17.42.190 Floodways.

Located within areas of special flood hazard established in Section 17.42.030 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply:

- A. Encroachments, including fill, new construction, substantial improvements and other development shall be prohibited unless certification by a registered professional engineer or architect is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood management area standards of Sections 17.42.160 through 17.42.190.
- C. Below-grade crawlspace construction is allowed in the floodplain in accordance with the Oregon Residential Specialty Code and the Oregon State Structural Specialty Code as adopted by local building code.

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- D. In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 10-1003, § 1(Exh. 1), 7-7-2010)



CITY OF OREGON CITY

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

Staff Report

To: Natural Resources Committee **Agenda Date:** February 12, 2025
From: Josh Wheeler, Assistant City Engineer

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

At the December 11, 2024 meeting the NRC requested any information or data that is available to quantify or qualify the need for the higher trimming heights desired, such as incidences of vehicles like street sweepers, garbage trucks or fire trucks have been damaged by a tree or vice versa, and if many complaints have been lodged. The reason that they asked for this was due to the concern that the burden of the additional trimming requirement falls on the abutting property owner, so before imposing additional costs on the abutting owner they want to be a little more informed.

NRC also recommends that pruning of branches comply with accepted pruning standards, such as ANSI 300.

Josh Wheeler, Asst. City Engineer and Jayson Thornberg, Street Ops. Manager for OCPW will attend to answer questions. and seek feedback from the committee.

Attached are additional comments regarding the proposal from Public Works, including a letter from Josh Wheeler, a letter from Clackamas Fire District, and a handful of social media posts.

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.

-
- 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)

Pete Walter

From: Josh Wheeler
Sent: Monday, December 30, 2024 12:53 PM
To: Pete Walter
Cc: Jayson Thornberg; Vance Walker
Subject: Natural Resource Committee Update - Tree Trimming Clearance Code
Attachments: Tree Code comments.pdf; Oregon City Code Amendment Request from CFD.pdf; Chapter_12.08_PUBLIC_AND_STREET_TREES_redline.docx; Tree Trimming Memo to NRC 121324.docx

Hi Pete,

Attached is my response to the NRC which I and Jayson would be happy to explain at the NRC meeting in February. Also, I have included comments from a social media post back in summer 2024 and a request from Clackamas Fire District No. 1.

I reached out to B&B leasing but have not heard back.

Please include all in the future packet.

If you have any questions prior to including these items, please let me know.

Thank you.



Josh Wheeler
Assistant City Engineer

jwheeler@orccity.org

City of Oregon City

PO Box 3040

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Oregon City, Oregon 97045

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971-322-9745 Mobile

971-204-4601 Public Works General

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

December 27, 2024

Natural Resource Committee
 City of Oregon City
 February 12, 2025 Meeting

RE: Tree Trimming Code OCMC 12.08

Dear Committee,

Oregon City Public Works and Clackamas Fire District No. 1 requests a change to the Oregon City Municipal Code 12.08.025 revised as follows:

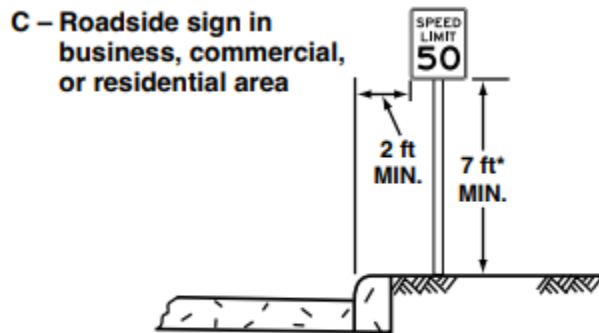
	<u>Existing Code</u>	<u>Proposed Code</u>
Sidewalk Clearance	7 feet	8 feet
Road Clearance	10 feet	14 feet
Clear Vision Triangle	8 feet	10 feet

*Codes within the Metro area and nearby cities were compared.
 (additional cities were added as requested):*

	<u>Sidewalk Clearance</u>	<u>Road Clearance</u>
West Linn	7.5 feet	10 feet all streets, 13 feet arterials
Canby	8 feet	12 feet all streets, 14 feet arterials
Milwaukie	8 feet	12 feet
Beaverton	8 feet	12 feet
Gresham	8 feet	12 feet
Portland	8 feet	14 feet
Vancouver, WA	8 feet	14 feet
Hillsboro	8 feet	15 feet
Oregon City	7 ft. (ex), 8 ft. (proposed)	10 ft. (ex), 14 ft. (proposed)

Reason for Sidewalk Clearance Change

1. Clearance based on Federal signage guideline – the MUTCD
 - a. Signage in the right-of-way when adjacent to a sidewalk is required to be installed at an elevation of 7 feet from ground to bottom of sign. (MUTCD Figure 2A-2)
 - b. Typical signs (stop sign, no parking, one way, etc.) are minimum 30”x30” for stop signs, 30”x36” for speed limit signs, and 12”x18” for parking signs.
 - c. To ensure a sign can be seen and not covered by tree limbs, the tree needs to be trimmed to at least 8 feet from the ground.



*Where parking or pedestrian movements are likely to occur

(MUTCD Figure 2A-2)

2. Consistency with communities within the region
 - a. Except for West Linn, all other city codes which were researched provide a sidewalk tree trimming clearance of 8 feet.
 - b. Consistency allows for contractors to use the same standard throughout the region.
3. Avoidance of pedestrian conflicts
 - a. The CDC states the average height of an American man is 5' 9".
 - b. At 6 feet, a man using an umbrella or with a child on his shoulders could be negatively impacted by a 7 foot tree limb, but is unlikely to be impacted by a tree limb located at 8 feet above the sidewalk.

Reason for Road Clearance Change

1. Avoidance of vehicle conflicts
 - a. Height of Public Works vehicles range from 11 foot 9 inches to 12 foot 9 inches.
 - b. UPS delivery trucks are 10.5 feet tall. Amazon trucks are 9.5 feet tall.
 - c. Standard garbage trucks are 10-12 feet tall.
2. To be in compliance with Oregon Fire Code
 - a. Oregon Fire Code 503.2.1 states fire apparatus shall have an unobstructed clearance of not less than 13 feet 6 inches
3. To prevent damaged trees
 - a. Trees that are not pruned at a reasonable height will be damaged by larger vehicles who run into them during their commute.
 - b. Various arborist research states damage to a tree limb reduces the life of the tree
4. To allow for the sweeping of leaves
 - a. When trees are not pruned to proper heights, the street sweeper must drive around and not pick up the leaves. This creates a clogging of the sewer system causing potential flooding and places the City in conflict with the requirements of the Department of Environmental Quality (DEQ)




5. Consistency with communities within the region
 - a. Except for West Linn, all other city codes which were researched provide a road tree trimming clearance ranging from 12 feet to 15 feet.
 - b. Consistency allows for contractors to use the same standard throughout the region.
6. Why not use a tiered system such as 10 feet local roads and 12 feet arterials?
 - a. Fire Apparatus and Public Works vehicles travel all roads especially local roads to get to emergencies and do major work in the neighborhoods.
 - b. Local streets are often so small that vertical clearance becomes a hinderance to deliveries, emergency service, and maintenance.


Other Responses to Natural Resources Committee

1. There is no data concerning any expenses incurred by the City for damage to City vehicles.
2. The problem the City and Fire District has been dealing with is described above and summarized below.
 - a. Delayed fire response times.
 - b. Ignored areas of sweeping preventing compliance of City's Stormwater permit.
 - c. Broken limbs due to height of fire engines, public works vehicles and delivery vehicles.
 - d. Hanging limbs over sidewalks not in compliance with MUTCD.


Tyson Campbell
My wife takes care of your street height requirement by ordering from Amazon daily.

5w Like Reply Hide 6  

Dirk Schlagenhafer
Tyson Campbell I find it quite weird that the only vehicles considered in city code are street sweepers. Nearly every box truck and fire truck are way taller

5w Like Reply Hide 

Dirk Schlagenhafer
Tyson Campbell it would be real easy to coordinate with the garbage company if one chose to.

5w Like Reply Hide 



Erich Drumm
10 feet ain't high enough I drive a really tall truck because my third arm didn't develop as much as it ought've. I hit branches daily

5w Like Reply Hide 11  

Erich Drumm
10 feet ain't high enough I drive a really tall truck because my third arm didn't develop as much as it ought've. I hit branches daily

5w Like Reply Hide 11  

Steven Vaughn
I just let UPS take care of the limbs over the street.

5w Like Reply Hide 7  

Nathan Vanoss
Should be 14' above street so that trucks and rvs can clear them.

Dirk Schlagenhafer
Oregon City - City Hall

12.08.015 subsection D states :
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.
So does the new street sweeper C-SweepO affect this height requirement?

Clackamas Fire District #1



December 11th, 2024

Josh Wheeler, PE
Assistant City Engineer
Public Works Department
City of Oregon City

Dear Mr. Wheeler,

Clackamas Fire is committed to providing prompt and efficient service to all the citizens in our fire district. There are, however, some circumstances that limit our ability to provide the best possible service to individuals in need of our assistance.

Certain rules have been established to maintain access for public safety providers like the Fire District. The Oregon Fire Code requires all roadways to have a vertical clearance of 13 feet 6 inches (this includes all tree branches, limbs, and wires). An unobstructed driving surface no less than 20 feet wide is required if the access road serves four or more dwellings. There are existing cases where those widths are not practical or achievable, but we do ask that branches are trimmed so they don't impede response or damage apparatus.

CFD strongly supports amending the City's maintenance code from the current tree trimming requirement of 10'-0" for streets to the proposed 14'-0". This would bring it much closer to the Oregon Fire Code Standard of 13'-6" vertical clearance along access roads.

Thank you for your consideration.

Sincerely,

Mike Boumann

Mike Boumann
Captain Deputy Fire Marshal
Clackamas Fire



CITY OF OREGON CITY

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

Staff Report

To: Natural Resources Committee **Agenda Date:** February 12, 2025
From: Pete Walter, Planning Manager

SUBJECT:

Item 6.b. - NRC Annual Report to City Commission

STAFF RECOMMENDATION:

Discuss items to present to the City Commission to summarize 2024 NRC Activities and Accomplishments.

EXECUTIVE SUMMARY:

Pete Walter, staff liaison, will lead a discussion and overview of the NRC's 2024 Activities for presentation to the City Commission on March 5, 2025.

BACKGROUND:

Discussion

OPTIONS:

BUDGET IMPACT:



CITY OF OREGON CITY

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

Staff Report

To: Natural Resources Committee **Agenda Date:** February 12, 2025
From: Pete Walter, Planning Manager

SUBJECT:

Item 7.a. - Election of NRC Officers for Chair, Vice-Chair and Secretary

STAFF RECOMMENDATION:

Election of Officers - See below.

EXECUTIVE SUMMARY:

From Article 5 of the NRC Bylaws (attached).

Officers: The Officers shall consist of a Chair, a Vice-Chair and a Secretary, who shall be selected by the membership and serve at the pleasure of the membership for one-year terms. Nominations and elections of new officers shall be taken from the floor at the Committee's first meeting of each calendar year. Officers may be re-elected. In the event that an Officer is unable to complete the specified term, a special election shall be held for the completion of the term.

1. Chair: The Chair shall have general supervisory and directional powers over the Committee. The Chair shall preside at Committee meetings and develop agendas with the staff liaison. The Chair shall be the designated spokesperson for the Committee unless this responsibility is delegated to another party. The Chair shall be an ex-officio member of all subcommittees.

2. Vice-Chair: In the absence of the Chair, the Vice-Chair shall have general supervisory and directional powers over the Committee, preside at Committee meetings, develop Committee agendas with the staff liaison, and generally conduct all business delegated to the Chair.

3. Secretary: The Secretary shall review transcribed minutes for each of the regular meetings and work sessions. The Secretary shall provide staff with the signed minutes for staff's retention of the public record. Additionally, the Secretary shall provide staff with an electronic version of the minutes for posting on the City's web site.

BACKGROUND:

Conduct Officer Elections per Bylaws

OPTIONS:

BUDGET IMPACT:

