



City of Oregon City

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Staff Report

File Number: 17-232

Agenda Date: 4/12/2017

Status: Agenda Ready

To: Natural Resources Committee

Agenda #:

From: Pete Walter

File Type: Report

SUBJECT:

Worksession - Heritage Tree Program Update to the Natural Resources Committee

RECOMMENDED ACTION (Motion):

Worksession.

BACKGROUND:

The NRC will discuss ways to improve participation in the City's Heritage Tree program. The Heritage Tree code is codified at OCMC Chapter 12.32 - HERITAGE TREES. The purpose of this Code is to recognize, foster appreciation and provide for voluntary protection of heritage trees.

A primary concern for the Planning Commission is the provision of incentives for property owners to voluntarily designate heritage trees. Please see the attached memorandum with recommendations from the Planning Commission regarding this concern.

The City also has the following tree related codes: OCMC 12.08 - *Public and Street Trees*, OCMC 17.49 - *Tree Protection Standards*, and OCMC 17.49 - *Natural Resources Overlay District*, in addition to extensive requirements for landscaping within OCMC 17.62 - *Site Plan and Design Review*.

As with many heritage tree programs, including Clackamas County and the State of Oregon, participation in Oregon City's heritage tree program is voluntary, with a unique difference being that any private citizen may nominate trees on City-owned property for protection provided the nomination criteria are met and the City Commission approves the nomination. All nominations require a recommendation from the Natural Resources Committee.

Nominated trees that are approved for inclusion in the program receive legal protection through the recordation of a deed restriction that runs with the land on private property. This means that the tree is protected even if the property is sold. The removal of a Heritage Tree or Stand in violation of the municipal code constitutes a civil infraction that is subject to a maximum fine of \$300.

The City Commission adopted the revised heritage tree code on March 18, 2016 by passage of Ordinance 16-1002. Planning Commission recommended approval of the proposed revisions on December 14, 2015. At the direction of the City Commission, between June and

October 2014, planning staff and the Natural Resources Committee (NRC) drafted amendments to the Heritage Tree Code.

To date, there have been five Heritage Tree and one Heritage Grove nominations approved by the City Commission. See <http://www.orcity.org/planning/heritage-trees-and-groves> for details.