



## Legislation Details (With Text)

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<b>On agenda:</b>	9/9/2019	<b>Final action:</b>			
<b>Title:</b>	Heritage Tree Code Amendments OCMC 12.32				
<b>Sponsors:</b>	Pete Walter				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Commission Report, 2. Draft OCMC 12.32 Clean Version, 3. Draft OCMC 12.32 Tracked Changes Version				

Date	Ver.	Action By	Action	Result
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### Heritage Tree Code Amendments OCMC 12.32

#### **RECOMMENDED ACTION (Motion):**

Staff recommends the Planning Commission review the proposed amendments and provide advisory feedback. No formal action is required.

#### **BACKGROUND:**

Oregon City established a Heritage Tree Designation in order to recognize, foster appreciation and provide for voluntary protection of certain trees, because of their age, species, natural resource value, ecological or historical association, are of special importance to the city. With staff assistance, the Natural Resources Committee (NRC) has developed, endorsed and recommended changes to the Heritage Tree Code, OCMC 12.32. Special thanks go to all NRC members and in particular Nancy Broshot and Dorothy (Didi) Dahlsrud for their excellent input on the code changes. The NRC reviewed the draft amendments to the code on March 13, June 12, and July 10, 2019.

The intent of the revisions is to simplify the process for the voluntary nomination and designation of heritage trees.

The attached redlined version of the code includes:

- Removal of the requirement to provide a certified arborist report regarding tree condition. The NRC believes that this requirement is a disincentive for people considering heritage tree nomination. The City Commission may at their discretion choose to require an arborist report prior to final designation, however, this would not be a codified requirement.
- Instead of reviewing nominations as they are submitted, all nominations would be submitted prior to December 31 and processed at the same time. This would allow the final nominations to be declared concurrently with Oregon Arbor Week.
- Owner consent will be required in all situations.
- A tree mitigation table has been added indicating the number of replacement trees required if a heritage tree is removed.

- Added sentence that native heritage trees must be replaced with heritage trees.

The NRC unanimously agreed not to require legal protection for newly replaced trees in the event the original heritage tree is removed due to death, disease.

Since the heritage tree designation is not a land use item, it is not subject to the Legislative process the Planning Commission is familiar with. The proposed amendments will be considered by the City Commission via Ordinance. Though staff thought it important for the Planning Commission to weight in on the changes a formal recommendation from the Planning Commission is not required.