



Legislation Text

File #: 18-367, Version: 1

Discussion about amendments to OCMC 17.49 Natural Resources Overlay District (NROD)

RECOMMENDED ACTION (Motion):

Discussion

BACKGROUND:

Staff is considering making amendments to OCMC 17.49. We would specifically like to discuss with the NRC the following potential text changes:

1. Clarifying the permit process for removal and mitigation of trees within the NROD that are dead, diseased, dying or hazardous.

Currently, the code includes the following clause:

17.49.[0]50 - Emergencies.

The provisions of this ordinance do 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. After the emergency has passed, any disturbed native vegetation areas shall be replanted with similar vegetation found in the Oregon City Native Plant List pursuant to the mitigation standards of Section 17.49.180. For purposes of this section emergency shall mean any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, and includes, but is not limited to fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of oil or hazardous material, contamination, utility or transportation disruptions, and disease.

Any emergency tree removals would require that the property owner submit a certified arborist report that the tree represents a hazard. Upon such determination, an owner could qualify for an over-the-counter permit provided that they also provide mitigation for the tree removal pursuant to the mitigation standards of OCMC 17.49.180.

2. A second code change would be to clarify that a Type II NROD review is required when tree removal that is not an emergency and which removes less than 10% of the tree canopy within the NROD. This language would be added to Section 17.49.[0]90 - *Uses allowed under prescribed conditions.*

3. A third code change for discussion, put forward by the NRC at prior meetings, is whether to require that developers seeking NROD approval meet with the NRC prior to submitting the application. Staff has several concerns about this idea, and we will bring some specific topics to help frame the discussion.

