



Legislation Text

File #: 19-236, **Version:** 1

Recap and Discussion of the Feb. 25, 2019 Joint Planning Commission / NRC Worksession

RECOMMENDED ACTION (Motion):

Discussion.

BACKGROUND:

On February 25, 2019 the Natural Resources Committee and the Planning Commission (including 4 newly appointed Commissioners) held a joint worksession in the City Commission Chambers.

The purpose of the work session was to introduce the group members and provide space to discuss:

1. The purpose of the NRC
2. How and when the NRC can comment on Planning Commission (and City Commission) decisions.
3. An overview of past NRC projects and accomplishments
4. NRC's future work plan.

Discussion followed the Staff Presentation and covered the following topics:

- What is the formal mechanism for developers to contact and interact with the NRC?
- Discussion of the Planning Commission's 2008 Type III decision to reduce the 200' Water Resource vegetated corridor width to 50' around Clackamas Cove.
- Concerns were expressed that prior land use procedures and decisions have not adequately included the NRC or allowed additional oversight by the City Commission regarding major changes or variances of Water Quality / NROD standards. Staff explained the current process which all present agreed was more transparent, with notice provided to the NRC.
- Discussion about ways to formalize the requirement and thresholds for additional review by the City Commission, if desired.
- Discussion about tree preservation.
- Comments about the potential for "takings" claims related to tree preservation by property owners seeking to preserve their rights, equity and fairness.
- City Commission is the final decision maker in the City and may modify or reverse Planning Commission decisions on appeal or by "Calling Up" applications for review.
- Land use decisions are a balancing act of many factors.
- Annexation tree policy is extremely complicated.
- Concerns about cutting of white oak stands.

- Ways to accomodate tree preservation in the public right-of-way (requires coordination / support of Public Works).
- Heritage tree code and nomination process (OCMC 12.32) has become more restrictive / complicated.
- Tree mitigation standards have become codified and have increased required plantings.
- Planning Commissioners stressed how much information has to be considered in order to make a well-informed decision.

BUDGET IMPACT:

Amount:

FY(s):

Funding Source: