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## **Media and Interested Parties**

### **Public invited to comment on revised draft tree ordinance for urban, unincorporated Clackamas County; Commission to deliberate, decide Sept. 8**

Clackamas County is seeking public input on a revised, focused draft tree ordinance produced in response to direction from the Board of County Commissioners at a June 28 public hearing. The revised draft ordinance includes a five-year development moratorium in response to excessive tree removal to deter clear-cutting in advance of development.

The proposed ordinance and Comprehensive Plan changes are available on the County website at <http://www.clackamas.us/transportation/planning/zdoproposed.jsp>, in the Land Use and Zoning Office on the second floor of the Development Services Building, 150 Beaver Creek Road, Oregon City, or by calling 503-742.4500.

The deadline for public comments on the revised draft is 9 a.m., Wednesday, September 8. Comments may be sent by email to [zoninginfo@co.clackamas.or.us](mailto:zoninginfo@co.clackamas.or.us) or by mail to Land Use and Zoning, Development Services Building, 150 Beaver Creek Rd., Oregon City, OR 97045. All input received by the deadline will be shared with the Board of County Commissioners.

The Commissioners are scheduled to continue the hearing, for deliberation and decision only (no public testimony) at 10 a.m., Wednesday, September 8, in the Clackamas County Public Services Building, 2051 Kaen Rd., Oregon City.

Clackamas County has been considering options for a tree ordinance for nearly two years. The review included the work of a citizen task force, and public hearings.

The June 28 public hearing before the Board of Commissioners, which had been continued from June 8, began with testimony from people who had signed up to speak, but had not had the chance to speak, on June 8. After hearing the testimony and deliberating, the Board asked staff to return with a “narrowly drawn and very specific ordinance” that included the following provisions:

1. The ordinance applies only to urban unincorporated areas of the County
2. Limits on excessive tree removal in anticipation of development, and a five-year development moratorium
3. Development will not be denied because there are trees; and the County recognizes that some or all trees may ultimately be removed on a development site, but only after approval of the development application.

**For more information, contact Jennifer Hughes, 503.742.4518 or [jenniferh@co.clackamas.or.us](mailto:jenniferh@co.clackamas.or.us).**

**ATTACHED: Overview of Proposed Draft Tree Ordinance**

**Overview of Proposed Draft Tree Ordinance:** The proposed new ordinance is drafted into existing Section 1002, *Protection of Natural Features*, in new Subsection 1002.04 and revisions to Subsection 1002.05. The development moratorium described below was part of earlier versions of the draft ordinance; other provisions that were in earlier versions are not included in this draft.

**Proposed New Subsection 1002.04** -- *Development Restriction following Excessive Tree Removal* -- establishes a five-year development moratorium if excessive tree removal has occurred to act as a deterrent to clear-cutting in anticipation of development. Outside of wetland and riparian areas, this section would include the only regulations applicable to pre-development tree cutting or to tree cutting associated with small-scale developments, such as a single-family home.

The proposed development restriction applies only inside the Portland Metropolitan Urban Growth Boundary (UGB) and exempts forest-deferred properties. This would allow most commercial foresters inside the UGB to continue to manage their land for timber production without imposition of the development moratorium.

With the proposed new language, for the five years prior to filing a development application, 15 non-exempt trees could be removed at the rate of a maximum of three per year, along with an unlimited number of exempt trees (listed in 1002.04(E)).

The application types (design review, a subdivision, a partition or a conditional use) included in the moratorium would encompass commercial, industrial or multifamily development; many institutional uses (such as churches and schools) and the creation of any new building lot.

There would be an exception to the moratorium for modifications to previously approved developments, including an increase of 25% in building floor area. However, the exception would not allow additional residential building lots.

**Proposed Revisions to Section 1002.05** -- Most of Section 1002.05 – *Trees and Wooded Areas* -- is current code language that is already applied during review of land division and design review applications. The proposed new language clarifies that development will not be denied, or density reduced, due to the presence of trees.

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