

MEMORANDUM

TO: Board of County Commissioners

FROM: Doug McClain, Planning Director
Jennifer Hughes, Senior Planner

DATE: February 5, 2009

RE: Charge of the Trees Task Force

During Tuesday's study session, the Board directed staff to draft an amended charge for the Trees Task Force. The Board outlined general parameters, as well as several key elements to include. Staff started with the original "charge" and "scope" that were provided to the Task Force and revised them to reflect our understanding of Tuesday's discussion.

Charge

Using an open and transparent process, address issues related to maintaining and enhancing the tree canopy in the urban, unincorporated area of the County by evaluating the underlying policy assumptions of a staff-proposed ordinance. Develop recommendations for:

- Changes to the Zoning and Development Ordinance (ZDO) necessary to assure that the tree canopy is maintained and enhanced, without prohibiting development, and
- Other actions, including education, designed to contribute to long-term management of the County's urban forest reserves

Scope

- The task force shall work with County staff and consider input from residents, community organizations and businesses.
- Staff will develop a draft ordinance for review by the task force, using the proposal developed by Urban Green as a starting point.
- The Planning Commission and the Board of Commissioners will review and consider any recommendations for changes in the ZDO.
- Changes in the ZDO will need to be integrated with other regulations affecting vegetation and tree preservation, such as regulations implementing Title 13 and Goal 5.
- In developing its recommendations, the task force shall consider:

- Designing a program to encourage retention of the forest canopy, by requiring evaluation of tree-cutting prior to development and in conjunction with applications for new development;
- Revising existing street tree and landscaping regulations;
- Protecting the existing rights of small woodlot owners to continue to use their property for commercial forestry, for example:
 - By excluding from regulations lands that are receiving a forest tax deferral;
- Allowing single-family homeowners to continue to make typical minor changes in landscaping of their home site without having to secure permits, for example:
 - By regulating only properties that are capable of redevelopment, such as single-family zoned lots that are at least twice the minimum lot size and therefore divisible; or
 - By regulating only properties in certain zones, such as commercial, industrial and multifamily;
- Assuring that Clackamas County's program is consistent with state law by coordinating with state agencies such as Oregon Department of Forestry and Department of Land Conservation and Development; and
- Providing suggestions to limit costs of administering the tree-canopy preservation program, for example:
 - By regulating only lots that are greater than a certain size
 - By regulating only lots that have a forest canopy
 - By exempting from regulation the removal of a limited number of trees per calendar year on each property
 - By exempting from regulation the removal of trees below a certain size
 - By exempting from regulation the removal of orchard trees or problem trees