



22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

CITY COUNCIL AGENDA

Monday, May 5, 2025

1:00 p.m. – Work Session – Council Chambers & Virtual*

- | | |
|-----------------------|------------------|
| 1. Call to Order | [1:00 pm/5 min] |
| 2. Approval of Agenda | [1:05 pm/5 min] |
| 3. Public Comments | [1:10 pm/10 min] |

The purpose of Public Comment is to allow the community to present information or raise an issue regarding items that do not include a public hearing. All remarks should be addressed to the Council as a body. This is a time for Council to listen, they will not typically engage in discussion on topics not on the agenda. Time limit for each participant is three minutes, unless the Mayor decides to allocate more or less time. Designated representatives of Neighborhood Associations and Community Advisory Groups are granted five minutes.

- | | |
|--|------------------|
| 4. Mayor and Council Reports | [1:20 pm/10 min] |
| a. Reports from Community Advisory Groups | |
| 5. Proclamations | [1:30 pm/15 min] |
| a. Mental Health Awareness Month | |
| b. Congenital Disorders of Glycosylation | |
| c. Jewish American Heritage Month | |
| b. National Police Week & Peace Officers Memorial Day | |
| d. National Public Works Week | |
| 6. City Operations Complex Design Update | [1:45 pm/30 min] |
| 7. Tree Code, Technical Amendments | [2:15 pm/30 min] |
| 8. VISION43 Project Update | [2:45 pm/30 min] |
| 9. Community Advisory Group Work Plans/Council Liaison Roles | [3:15 pm/30min] |
| 10. City Manager Report | [3:45 pm /5 min] |
| 11. Adjourn | [3:50 pm] |

**City Council meetings will be conducted in a hybrid format with some Councilors, staff, presenters, and members of the public attending virtually and others attending in person. The public can watch all meetings online via <https://westlinnoregon.gov/meetings> or on Cable Channel 30.*

Submit written comments by email to City Council at citycouncil@westlinnoregon.gov. We ask that written comments be provided before noon on the day of the meeting to allow City Council members time to review your comments.

If you cannot attend the meeting in person and would like to speak live at a public meeting by videoconferencing software or by phone, please complete the form located at: <https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup> by 12:00 pm the day of the meeting to be input into our system. Instructions on how to access the virtual meeting will then be provided to you by email prior to the meeting. If you miss the deadline and would like to speak at the meeting, please fill out the form and staff will send you a link as time allows.

The City abides by Public Meetings law. If you believe a violation has occurred, please [click here](#) to inform the staff of your concern.

To request an interpreter or other communication aid, please contact Kathy Mollusky at 503-742-6013 or kmollusky@westlinnoregon.gov.

When needed, the Council will meet in Executive Session pursuant to ORS 192.660(2).

PROCLAMATION

West Linn, Oregon

WHEREAS, since its inception in 1949, Mental Health Awareness Month has been a cornerstone of addressing the challenges faced by millions of Americans living with mental health conditions; and

WHEREAS, mental health is part of everyone's overall health and wellbeing; and

WHEREAS, mental illnesses are real and prevalent in our nation; and

WHEREAS, everyone experiences times of difficulty and stress in their lives, and should feel comfortable in seeking help and support to manage these times; and

WHEREAS, engaging in prevention, early identification, and early intervention are as effective ways to reduce the burden of mental illness as they are to reduce the burden of other chronic conditions; and

WHEREAS, there is a strong body of research that identifies behavioral health risks and supports specific tools that all can use to protect their health and well-being; and

WHEREAS, with effective treatment, individuals with mental illnesses can make progress toward recovery and lead full, productive lives; and

WHEREAS, jails and prisons have often become the default places of custodial care for even nonviolent people with serious mental illness; and

WHEREAS, each business, school, government agency, healthcare provider, organization and community member has a responsibility to promote mental health and well-being for all.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, that May 2025 is:

Mental Health Awareness Month

We call upon the community, government agencies, public and private institutions, businesses, and schools to recommit our community to increasing awareness and understanding of mental health, the steps our community can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illness.

The Basics About NAMI

Whom. What. Where. Why.





**What's the AVERAGE
time between someone
suspecting they have a
mental health condition
and seeking treatment
for it?**



**** 11 YEARS****



Change the conversation

- talk about it
- ask the question

Change the language

- language matters

Change the perception

- sharing stories changes lives
- recovery is likely

Change the Outcome

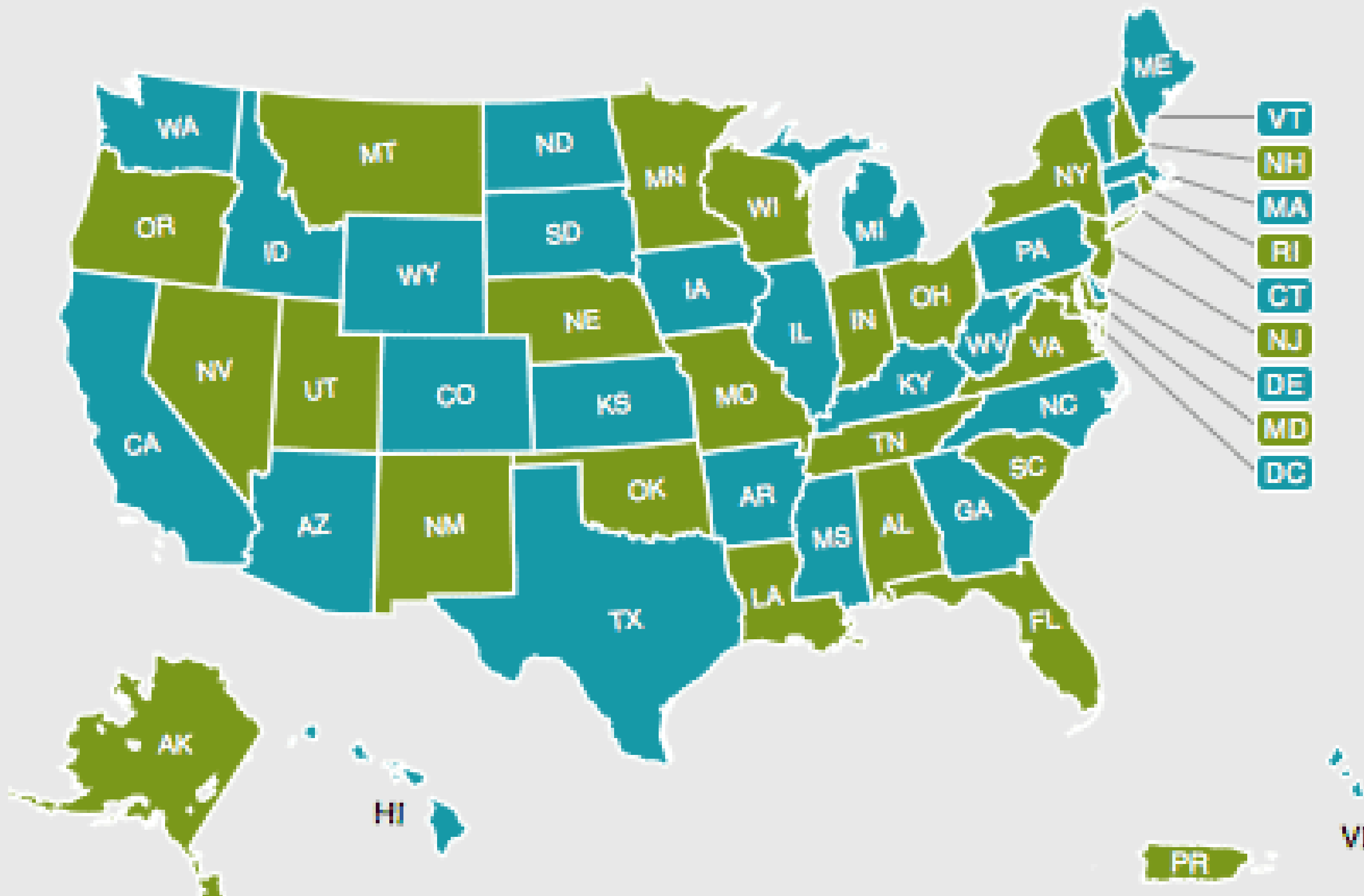
- Stop the Stigma
- Seek the Help



**Who has had experience
with NAMI?**



What's a NAMII?



- 600+ NAMI State Organizations and Affiliates across the country.
- Many NAMI affiliates offer an array of free support and education programs.

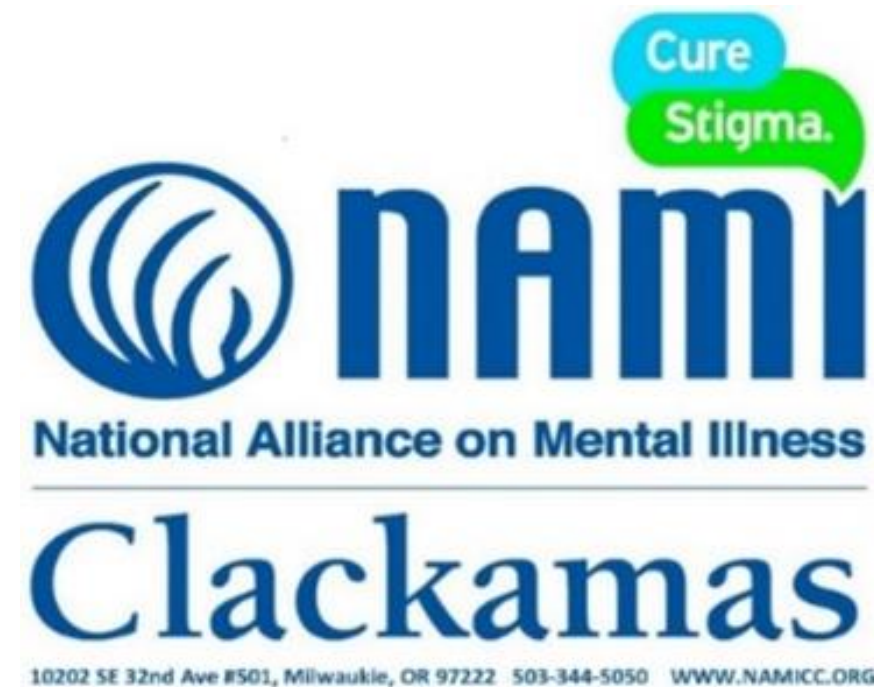
**Not from Clackamas?
Find your Local NAMI!**



<https://tinyurl.com/Findyournami>

Peer Support Changes Lives.

NAMI Clackamas is a grassroots, non-profit organization dedicated to improving the quality of life for everyone impacted by mental health through education, support, and advocacy, offered free of charge, and delivered for and by people with lived experience since 1978.



SUCCESS STORIES

“Coming to NAMI support groups has brought me out of a foggy, depressed existence and has improved my quality of life”



“NAMICC gave me my life back. I wish to plant that seed of hope in others by facilitating. It has been a great experience watching people begin to recover over time. That's the best feeling.”

“Our daughter was like so many affected by mental illness. She was smart, not involved with drugs, had a loving family, when all of a sudden she no longer wanted to live. We were desperate to keep her alive. I called NAMI, poured out my heart, and they told me about the Family-to-Family class. For 12 weeks my husband and I went to every class, not missing one. The transformation in our daughter and our family was amazing. We just keep using the skills we learned at NAMI and moving forward. NAMI was life changing for us.”

NAMI CLACKAMAS CLASSES



8-week Peer-to-Peer classes for adults with mental illness looking to better understand their condition and journey toward recovery

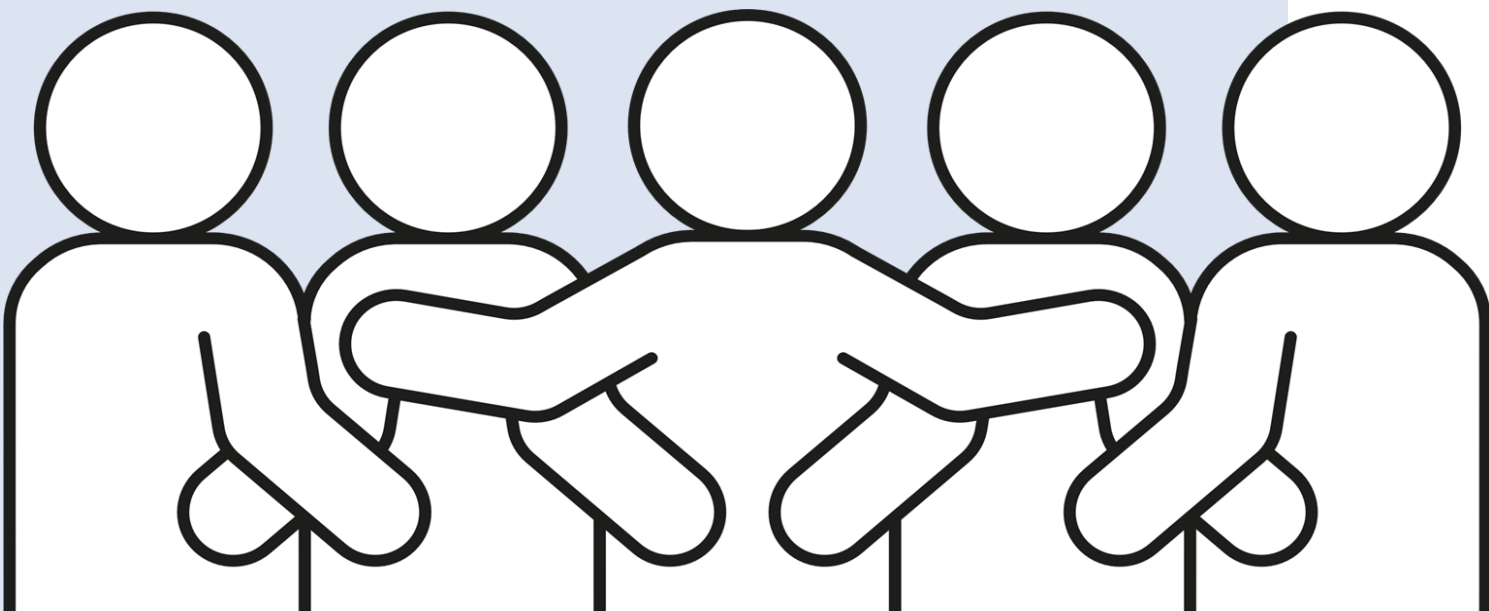


8-week Family-to-Family classes for family, significant others, and friends of people with mental illness



6-week NAMI Basics class for parents, guardians, and others who care for youth

NAMI CLACKAMAS SUPPORT GROUPS



Three weekly **Connection Peer Support Groups** for individuals w/ mental illness

Three monthly **Family Support Groups** for those who care about someone with mental illness

(2) FAMILY BOOK CLUBS monthly

LGBTQIA2S+ twice monthly Support Group

LATINX weekly Support Group & Book Club

WOMEN-ONLY monthly Support Group

Suicide Bereavement Group biweekly for survivors left behind after a suicide

Compassionate Friends monthly family support after the loss of a child.

NAMI CLACKAMAS ONE-ON-ONE PEER HELP



Peer Support Specialist staff provide one-on-one support (in person, Zoom, or phone) to help those impacted by mental illness connect to needed resources such as housing, health coverage, providers, transportation, and community resources.

NAMI CLACKAMAS SPECIAL PROJECTS



www.namicc.org

Support for Adults in Custody.

Mental Health Education Classes & Support Groups for Adults in Clackamas County Jail



COMMUNITY PRESENTATIONS

- **In Our Own Voice** presentations to educate our community about mental illness and that recovery is possible
- **Mental Health Matters** presentations to civic clubs, faith communities, neighborhoods, and other groups
- **Lunch & Learn** mental health presentations to inform businesses and their employees
- **Ending the Silence** presentations to middle & high school students to dispel stigmas, teach about signs, symptoms, and action steps

NAMI

CLACKAMAS

FREE

PRESENTATIONS





Queer Connection Support Group



Starting May:
2nd & 4th Mondays
7-8:30 PM!

REGISTER



Register at <https://tinyurl.com/QueerNCC>



NAMI Clackamas 503-344-5050 Info@namicc.org



Family-to-Family



IN-PERSON Oregon City

Every Saturday
May 10 - June 28
9:00 - 11:30AM

NAMI Family-to-Family is a **FREE** 8-week course taught by trained family members who have been there. It is for anyone that cares about someone with mental health issues.

CARE ABOUT SOMEONE WITH MENTAL HEALTH CHALLENGES?

www.tinyurl.com/namiclasses

Parenting & Mental Health

Free conference for parents of school-aged children.
Lunch, childcare, and Spanish interpretation provided for free.
Registration Required.

Join NAMI Clackamas and the Oregon City School District:

- Learn about specific mental health challenges youth face and hands-on tools to help.
- Hear powerful stories from parents and youth.
- Q&A with mental health professionals from our schools and community.



Register online using the QR code or by going to:
tinyurl.com/PMHConference



Saturday, May 31
10AM - 2PM



OC Schools: Jackson Campus
1120 Jackson St., Oregon City



NAMI Clackamas

District 62



**NAMI
CLACKAMAS:**

**BARRIER-
FREE**



N

DIAGNOSIS

REFERRAL

INSURANCE

O

COST

NAMI CLACKAMAS

SUPPORT OUR MISSION



Stand-Up(s) Against Stigma Comedy Night

March 2026 – Milwaukie Community Center

NAMI Walks

May 17th – Peninsula Park

Party with a Purpose

September 25th – Gray Gables Estate

Champions Circle

Monthly financial support



OUR VOLUNTEERS ARE AMAZING!

- Teach
- Facilitate
- Serve
- One-time, short-term, or long-term

To volunteer, contact
volunteercoor@namicc.org

STAY CONNECTED!

Sign up for our newsletter

Print every other month

Electronic monthly



<https://tinyurl.com/NAMICCNNews>





Questions?



PROCLAMATION

West Linn, Oregon

WHEREAS, Congenital Disorders of Glycosylation (CDGs) Day is May 16, the birthday of Jaak Jaeken, the medical doctor who reported the first CDG patients in 1980; and

WHEREAS, CDGs are a group of rare metabolic disorders that affect normal organ development and the neurological system, leaving children, adolescents, and adults impaired with significant physical and developmental disability; and

WHEREAS, lack of public awareness and visibility of CDGs contributes to under-diagnosis and difficulties in accessing specialized services and proper rehabilitation and support; and

WHEREAS, early diagnosis of CDGs is important to ensure timely management of clinical complications, genetic counseling, and when available, treatment and therapeutic remedies; and

WHEREAS, the goal is to raise awareness and increase the accurate and timely diagnosis of this rare group of inherited metabolic disorders, known as CDG.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, that May 16, 2025 is:

CONGENITAL DISORDERS OF GLYCOSYLATION (CDG) AWARENESS DAY

and we encourage the West Linn Community to join in this observance.

DATED THIS 5TH DAY OF MAY, 2025

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

DATED THIS 5TH DAY OF MAY, 2025

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

PROCLAMATION

West Linn, Oregon

WHEREAS, in 2006, President George W. Bush proclaimed May as Jewish American Heritage Month to recognize more than 350 years of Jewish contributions to the United States and its culture; and

WHEREAS, Jewish Americans have significantly shaped the social, cultural, economic, and civic life of Oregon, enriching our communities as leaders in education, business, the arts, medicine, public service, and social justice; and

WHEREAS, Jewish American Heritage Month offers a meaningful opportunity to recognize, honor, and celebrate the enduring contributions of Jewish Americans to our nation, our state, and our local communities throughout history; and

WHEREAS, during Jewish American Heritage Month, we honor the timeless traditions and contributions of Jewish Americans, and acknowledge all they have done to enrich our community; and

WHEREAS, the City of West Linn embraces the diverse backgrounds and experiences that make our city stronger, and encourages all residents to celebrate the history and contributions of Jewish Americans while promoting unity, understanding, and mutual respect among all peoples.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, that the month of May 2025 is:

JEWISH AMERICAN HERTIAGE MONTH

DATED THIS 5TH DAY OF MAY, 2025

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

PROCLAMATION

West Linn, Oregon

WHEREAS, in 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, and National Police Week; and

WHEREAS, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, the members of the law enforcement agency in the City of West Linn play an important role in safeguarding the rights and freedoms of our community members; and

WHEREAS, it is important that all community members know and understand the problems, duties and responsibilities of their police department, and

WHEREAS, members of our department recognize their duty to serve the people by safeguarding life and property, protecting them against violence or disorder, and protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, our police department has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, that May 11 to 17, 2025 is:

NATIONAL POLICE WEEK

And May 15 is:

NATIONAL PEACE OFFICERS MEMORIAL DAY

We extend our appreciation to Police Chief Peter Mahuna and to all the men and women of the West Linn Police Department for the vital services they perform and their exemplary dedication to our community.

DATED THIS 5TH DAY OF MAY, 2025

RORY BIALOSTOKSY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

PROCLAMATION

West Linn, Oregon

WHEREAS, National Public Works Week was instituted in 1960 by the American Public Works Association to call attention to the importance of public works programs supporting local communities, and the United States Senate passed a resolution affirming the first nation Public Works Week; and

WHEREAS, this year's theme is "People, Purpose, Presence;" and

WHEREAS, Public Works contributes to advancing and enhancing our quality of life, no matter where we live in the world; and

WHEREAS, Public Works professionals provide essential services that lead to healthier, happier, more vibrant communities; and

WHEREAS, the "People, Purpose, Presence" theme highlights three cornerstone ideals that motivate public works professionals to serve in their communities every day. Public works is ever present, working in the background to advance quality of life for all.

WHEREAS, we invite the community to join us in celebrating the quiet work these professionals do that help make life better for all of us.

NOW, THEREFORE BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, that
May 18 to 24, 2025 is:

NATIONAL PUBLIC WORKS WEEK

DATED THIS 5TH DAY OF MAY, 2025

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

Work Session Agenda Bill

Date: April 22, 2025

To: Rory Bialostosky, Mayor
Members, West Linn City Council

Through: John Williams, City Manager *JRW*

From: Erich Lais, PE – Public Works Director/City Engineer *EL*

Subject: West Linn Operations Complex – Design Update and Sustainability Considerations

Purpose:

To provide City Council with an update on the progression of design elements related to the planned replacement of the City's Public Works and Parks Maintenance facility. This work session relates to two Council Priorities: "Construct New City Operations Facility" and "Environmental Protection and Sustainable City Operations."

Question(s) for Council:

Does Council have any additional direction or information requests regarding sustainability elements of the planned facility?

Background & Discussion:

The City has acquired 32.98 acres of sloped property from the Oregon Department of Transportation adjacent to Salamo Road and overlooking I-205 with the intent of building a new operations complex, replacing the City's existing two-acre site located at 4100 Norfolk Street.

The operations facility will be a new facility designed to accommodate the following city functions: Water Distribution Maintenance, Sewer and Storm Collections Maintenance, Parks Maintenance, Facilities Maintenance, and Fleet Maintenance. In addition, to the above core staffing functions, the site will also accommodate and house staff during prolonged emergency events, all City fueling and materials storage needs, as well as provide space for City-wide staff events and trainings.

In Spring 2023, the City awarded the preliminary design contract to Scott Edwards Architects (SEA) after a formal solicitation process. In July 2024, the City began the final design phase with SEA which included geotechnical analysis, refinement of the site development plan, circulation strategies, as well as the final building configurations.

The project is currently close to the 70% design development phase, and key decisions regarding sustainability, energy efficiency, and building materials are in process. Attached is a presentation which outlines environmental design considerations that have been explored and are intended to be implemented as part of the final construction phase. Key components to be highlighted and discussed include strategies to preserve existing wetlands on site, use of solar for energy redundancy and compliance with 1.5% Green Energy Technology requirements, preservation of a significant number of large trees surrounding the building site, and proposed use of mass plywood CLT structural components.

Council Options/Staff Recommendation:

Staff recommends continuing with the project and sustainability elements as described.

Attachments:

1. Presentation: West Linn Operations Complex – Environmental Design Approach



West Linn Operations Complex

Environmental Design Approach ▪ 05/05/2025

Project Approach & Environmental Design Features

Environmental Design Features

1

Preserve and celebrate the wetland and ravine on site

2

Mass plywood cross-laminated timber structural and roof panel system

3

Photo-voltaic arrays for solar energy on Warehouse and Carport buildings

4

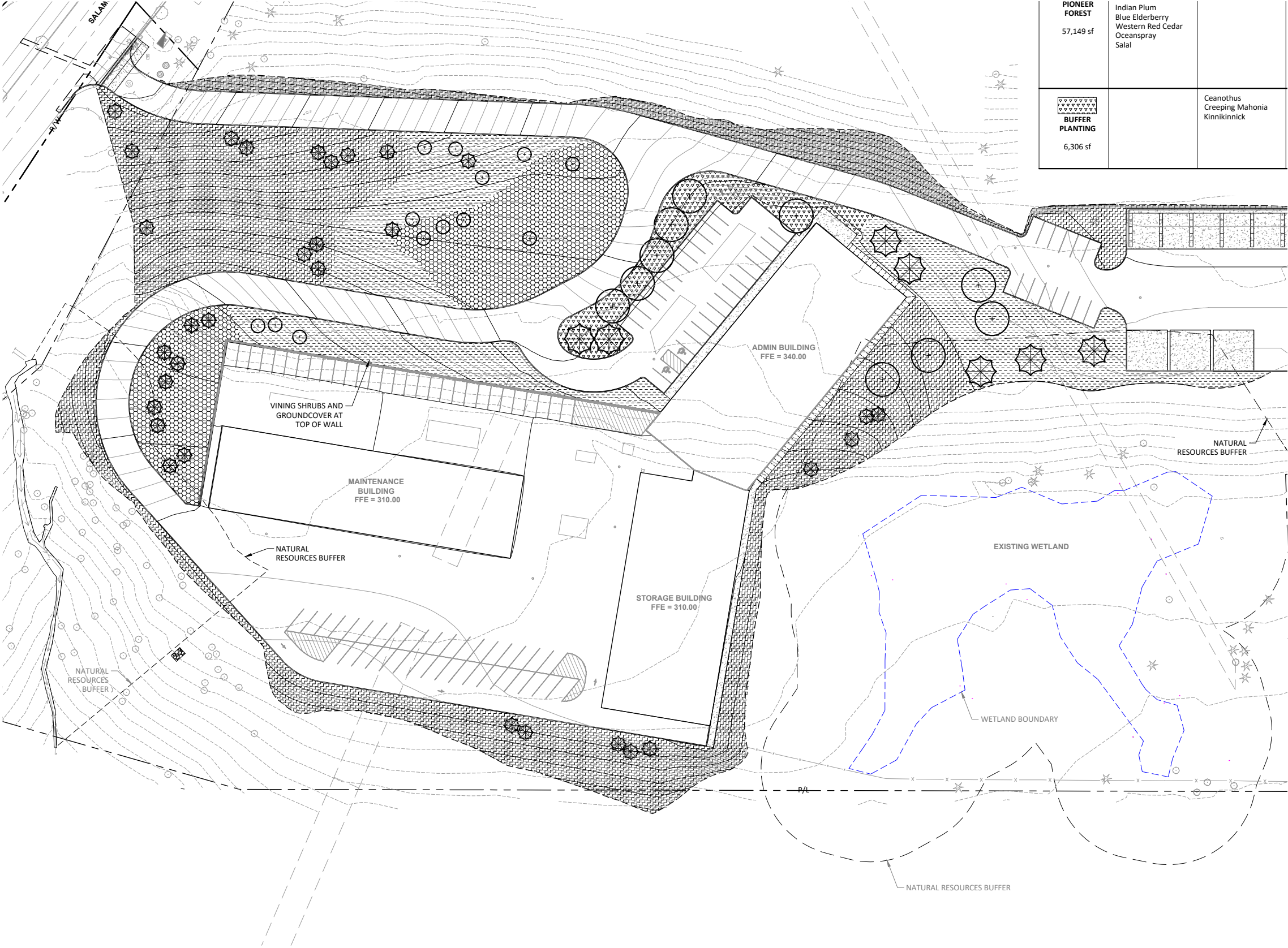
Smaller, separate buildings with connecting paths to encourage exercise and enjoyment of outdoor spaces

5

Selective preservation and protection of existing large coniferous and deciduous trees on site

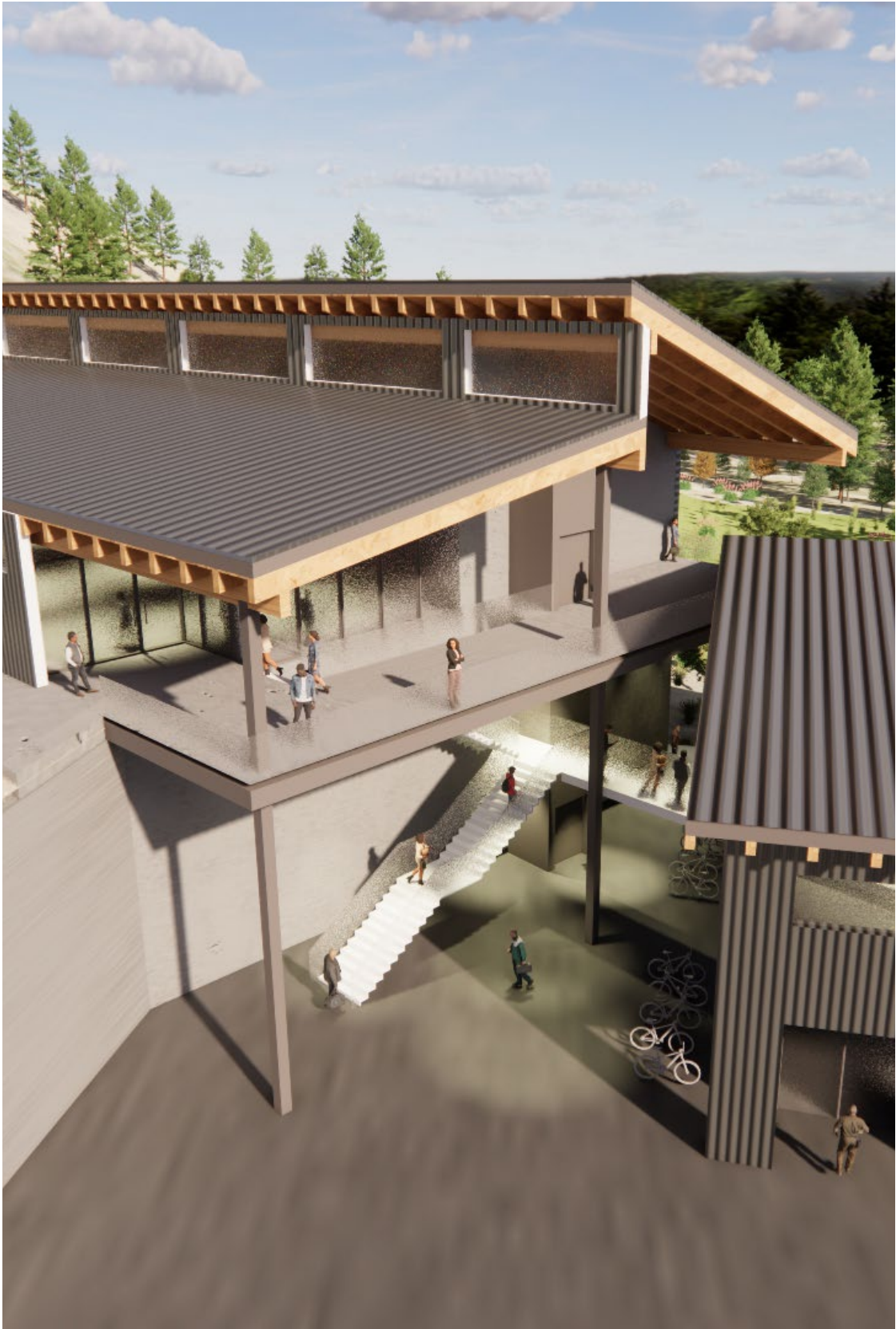


Preserve and celebrate the wetland and ravine on site



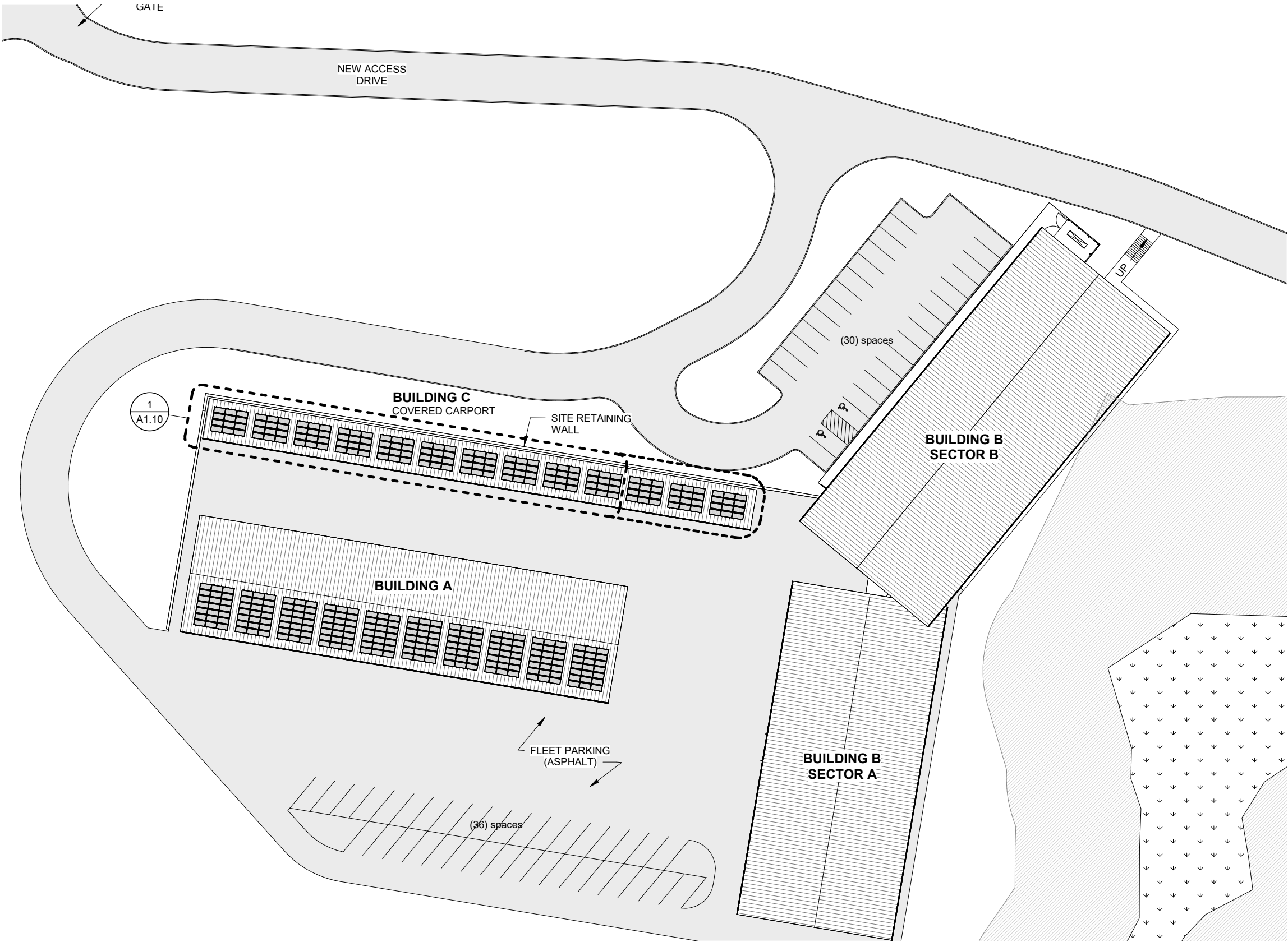
2

Mass plywood CLT structural and roof panel system, greatly reducing the project's carbon footprint and sourcing regional materials.



3

PV arrays are planned for solar energy on Warehouse and carport buildings. This project will have 250 panels at 500w each, resulting in an estimated 133,000 kWh per year.

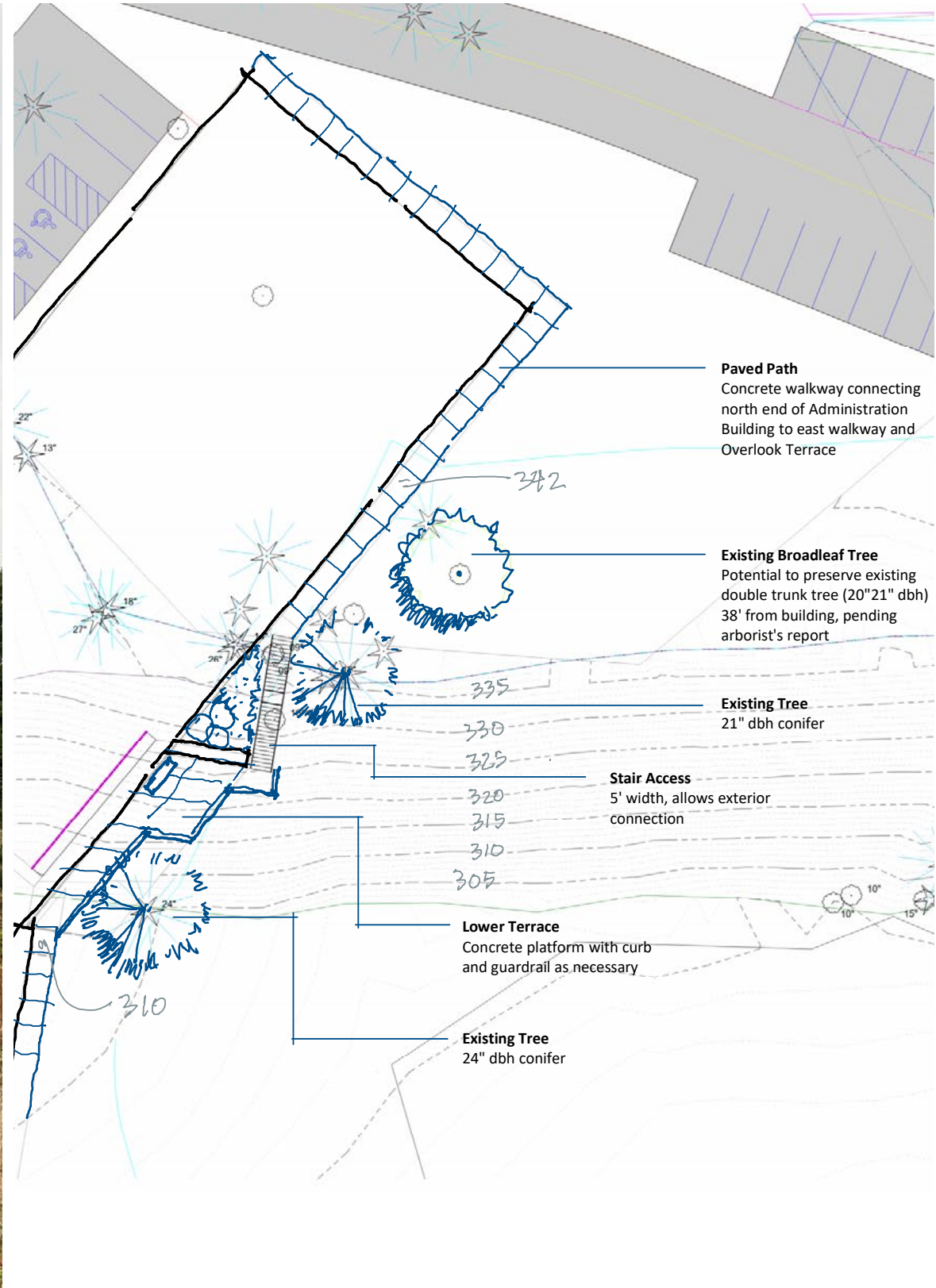


4

Smaller, separate buildings with connecting paths to encourage exercise and enjoyment of outdoor spaces



Selective preservation and protection of existing large trees on site



Schematic sketch of existing trees with possibility of preservation on site

LEED Comparison

LEED Projection

Leadership in Energy and Environmental Design is a globally recognized green building certification system. It applies to design, but also construction, operation and maintenance across several categories (shown at right.) Based on points in the categories, a project can be certified by USGBC as certified, silver, gold or platinum.

ENERGY MODELING

It should be noted that a proper energy model would be required to substantiate many of the points within the water and energy categories.

COSTS FOR DOCUMENTATION

Costs for hiring a 3rd party to perform all of the analysis, documentation and registration with LEED is running into the \$100K range as we’re seeing on recent projects, though this number can vary.



LEED v4 for BD+C: New Construction and Major Renovation
Project Checklist

Project Name: West Linn PW
Date: 4/16/2025

Y	?	N				
1			Credit	Integrative Process	1	
0	5	11	Location and Transportation			16
		0	Credit	LEED for Neighborhood Development Location	16	
	1		Credit	Sensitive Land Protection	1	
		2	Credit	High Priority Site	2	
	3	2	Credit	Surrounding Density and Diverse Uses	5	
		5	Credit	Access to Quality Transit	5	
		1	Credit	Bicycle Facilities	1	
		1	Credit	Reduced Parking Footprint	1	
	1		Credit	Green Vehicles	1	
3	2	5	Sustainable Sites			10
Y			Prereq	Construction Activity Pollution Prevention	Required	
1			Credit	Site Assessment	1	
		2	Credit	Site Development - Protect or Restore Habitat	2	
1			Credit	Open Space	1	
		3	Credit	Rainwater Management	3	
	2		Credit	Heat Island Reduction	2	
1			Credit	Light Pollution Reduction	1	
0	4	7	Water Efficiency			11
Y			Prereq	Outdoor Water Use Reduction	Required	
Y			Prereq	Indoor Water Use Reduction	Required	
Y			Prereq	Building-Level Water Metering	Required	
	2		Credit	Outdoor Water Use Reduction	2	
	1	5	Credit	Indoor Water Use Reduction	6	
		2	Credit	Cooling Tower Water Use	2	
	1		Credit	Water Metering	1	
7	25	1	Energy and Atmosphere			33
Y			Prereq	Fundamental Commissioning and Verification	Required	
Y			Prereq	Minimum Energy Performance	Required	
Y			Prereq	Building-Level Energy Metering	Required	
Y			Prereq	Fundamental Refrigerant Management	Required	
	6		Credit	Enhanced Commissioning	6	
6	12		Credit	Optimize Energy Performance	18	
	1		Credit	Advanced Energy Metering	1	
	1	1	Credit	Demand Response	2	
1	2		Credit	Renewable Energy Production	3	
	1		Credit	Enhanced Refrigerant Management	1	
	2		Credit	Green Power and Carbon Offsets	2	

3	2	8	Materials and Resources			13
Y			Prereq	Storage and Collection of Recyclables	Required	
Y			Prereq	Construction and Demolition Waste Management Planning	Required	
		5	Credit	Building Life-Cycle Impact Reduction (WBLCA or Bldg Reuse)	5	
2			Credit	Building Product Disclosure and Optimization - Environmental Product Declarations	2	
		2	Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials	2	
	1	1	Credit	Building Product Disclosure and Optimization - Material Ingredients	2	
1	1		Credit	Construction and Demolition Waste Management	2	
3	8	4	Indoor Environmental Quality			16
Y			Prereq	Minimum Indoor Air Quality Performance	Required	
Y			Prereq	Environmental Tobacco Smoke Control	Required	
	1	1	Credit	Enhanced Indoor Air Quality Strategies	2	
2	1		Credit	Low-Emitting Materials	3	
	1		Credit	Construction Indoor Air Quality Management Plan	1	
		1	Credit	Indoor Air Quality Assessment	2	
	1		Credit	Thermal Comfort	1	
1	1		Credit	Interior Lighting	2	
	2	1	Credit	Daylight	3	
	1		Credit	Quality Views	1	
		1	Credit	Acoustic Performance	1	
3	3	0	Innovation			6
2	3		Credit	Innovation	5	
1			Credit	LEED Accredited Professional	1	
1	3	0	Regional Priority			4
	1		Credit	Regional Priority: Rainwater Management	1	
1			Credit	Regional Priority: EPDs	1	
	1		Credit	Regional Priority: Renewable Energy	1	
	1		Credit	Regional Priority: Indoor Water Use	1	
21	52	36	TOTALS			Possible Points: 110
Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80 to 110						

Energy

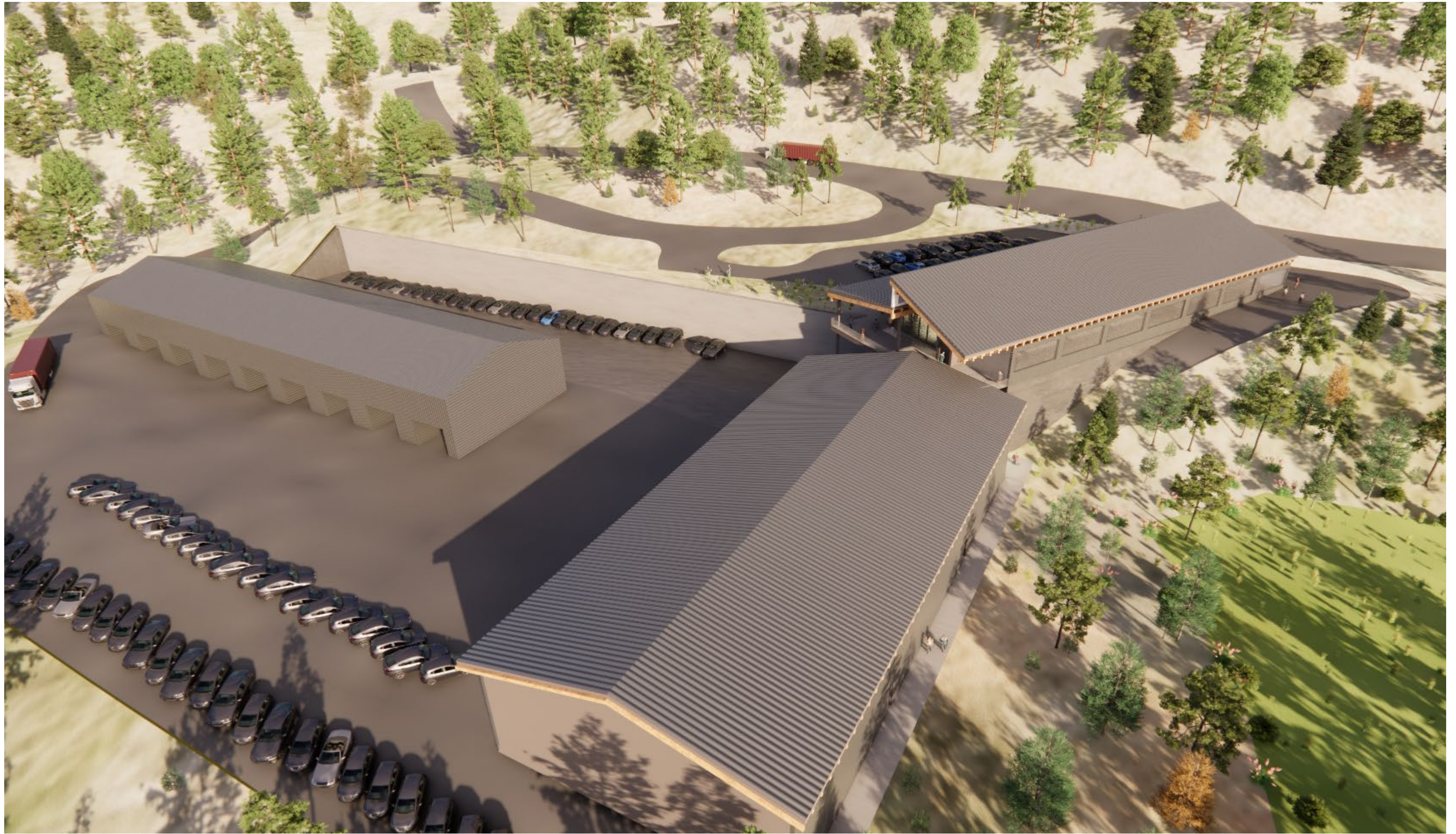
Energy Plan

WLOC is currently designed with electrical and natural gas energy sources, though shifting to an all-electric project is not out of the question.

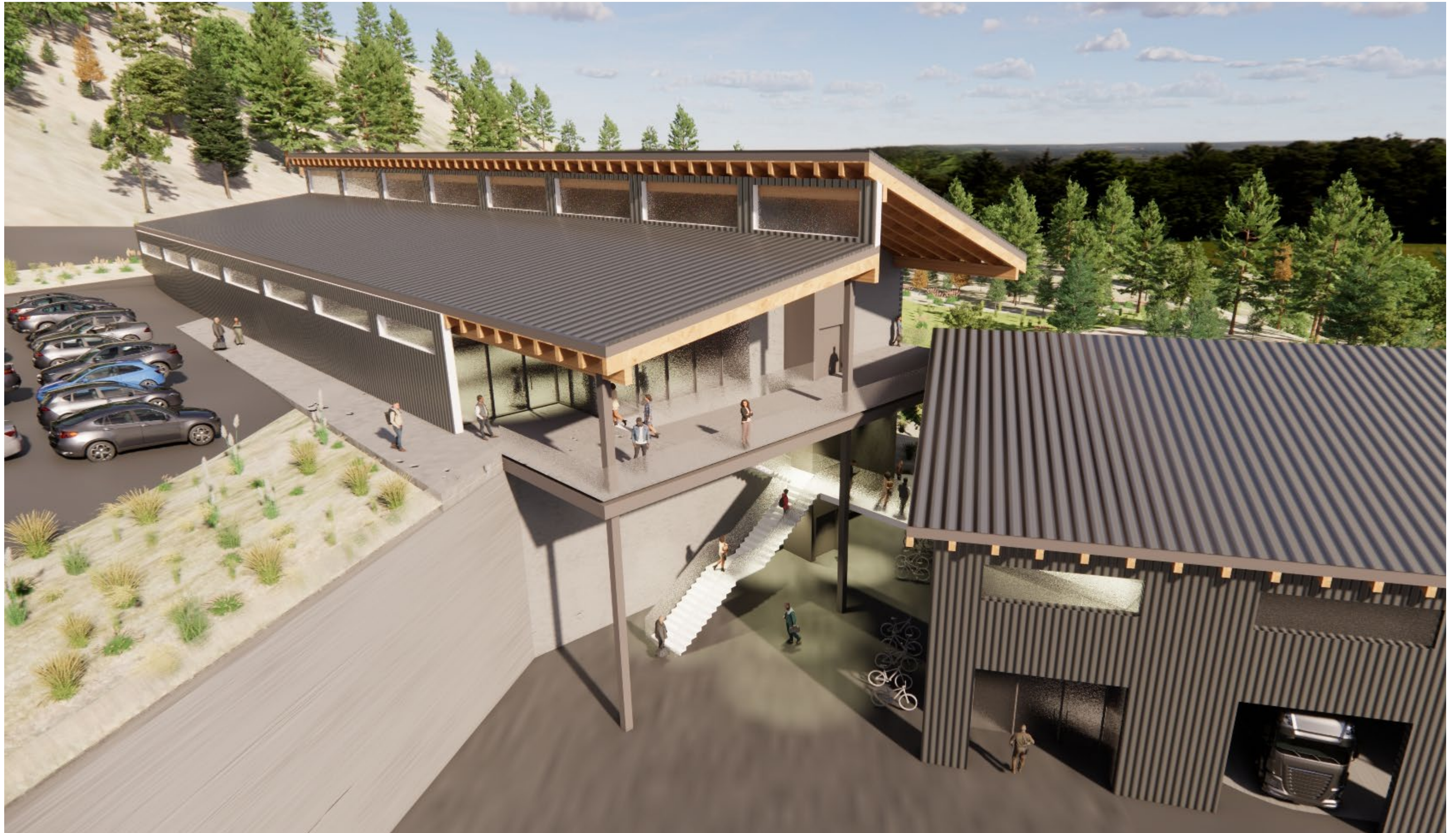
A VRF (variable refrigerant flow) system is designed to supply heating and cooling to building C which is an all electric system. It gains efficiency by sending variable refrigerant flows to various zones in the building. The challenge would be the radiant flooring and gas-fired heaters in buildings A and B. These were requested by the user groups within those buildings (warehouse and fleet maintenance) and shifting to electric systems would likely be a bit more expensive for the future in terms of energy costs. There are more small changes that would need to happen in an all-electric project like larger hot water tanks in building C, but these are the big items.



Project Images & Plans



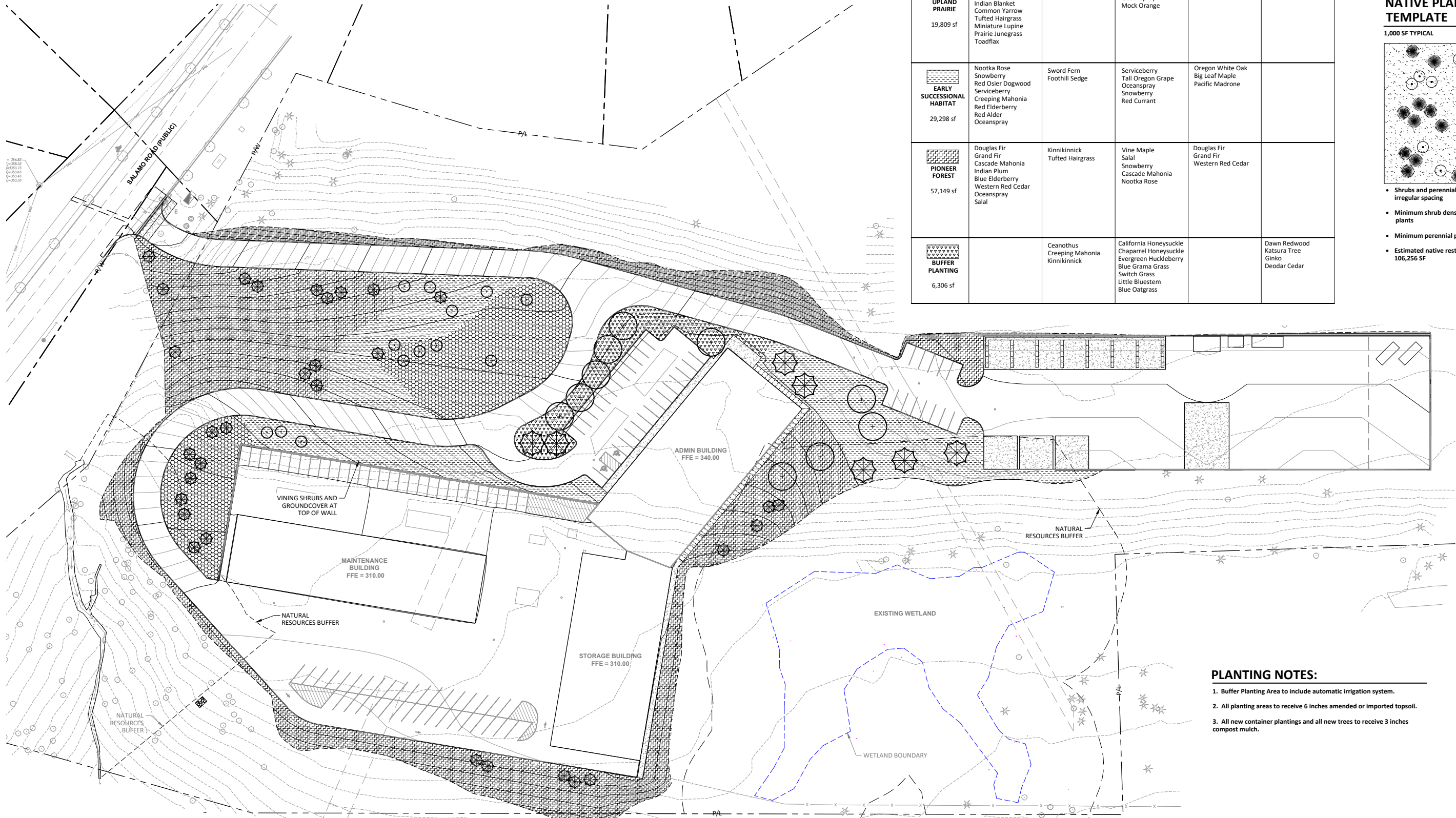
Aerial View: 3 Buildings & Preserved Wetland



Aerial View: CLT Structure & Views of Wetland



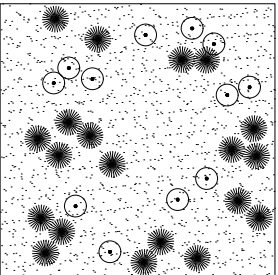
Building C Entry: CLT Structure and Clerestory Daylighting



PLANTING PALETTE				Trees 5 gallon	Trees 2" caliper
	Seed Mix	Herbaceous, Groundcover, 4" pot	Shrubs 1 gallon		
UPLAND PRAIRIE 19,809 sf	California Brome Sheep Fescue California Poppy Indian Blanket Common Yarrow Tufted Hairgrass Miniature Lupine Prairie Junegrass Toadflax	Yarrow	Serviceberry Tall Oregon Grape Oceanspray Mock Orange	Oregon White Oak Ponderosa Pine Pacific Madrone	
EARLY SUCCESSIONAL HABITAT 29,298 sf	Nootka Rose Snowberry Red Osier Dogwood Serviceberry Creeping Mahonia Red Elderberry Red Alder Oceanspray	Sword Fern Foothill Sedge	Serviceberry Tall Oregon Grape Oceanspray Snowberry Red Currant	Oregon White Oak Big Leaf Maple Pacific Madrone	
PIONEER FOREST 57,149 sf	Douglas Fir Grand Fir Cascade Mahonia Indian Plum Blue Elderberry Western Red Cedar Oceanspray Salal	Kinnikinnick Tufted Hairgrass	Vine Maple Salal Snowberry Cascade Mahonia Nootka Rose	Douglas Fir Grand Fir Western Red Cedar	
BUFFER PLANTING 6,306 sf		Ceanothus Creeping Mahonia Kinnikinnick	California Honeysuckle Chaparral Honeysuckle Evergreen Huckleberry Blue Grama Grass Switch Grass Little Bluestem Blue Oatgrass		Dawn Redwood Katsura Tree Ginkgo Deodar Cedar

NATIVE PLANTING
TEMPLATE

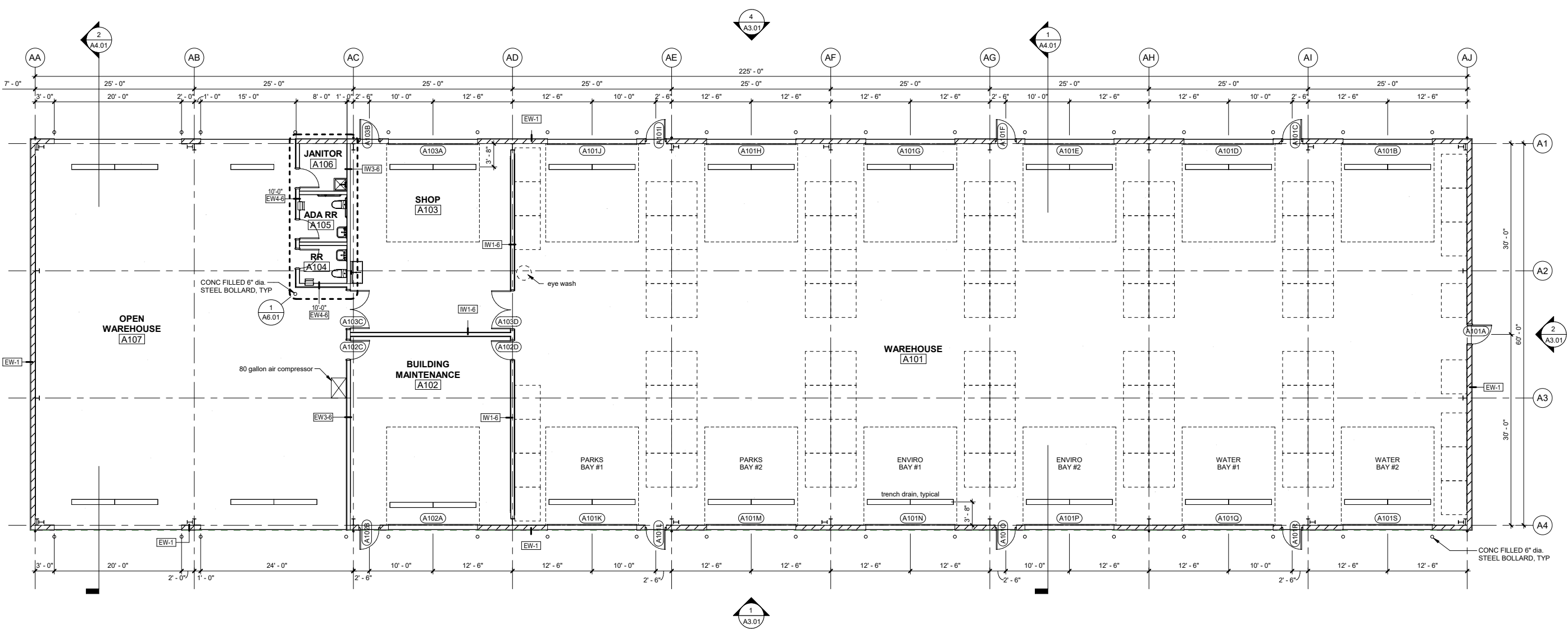
1,000 SF TYPICAL

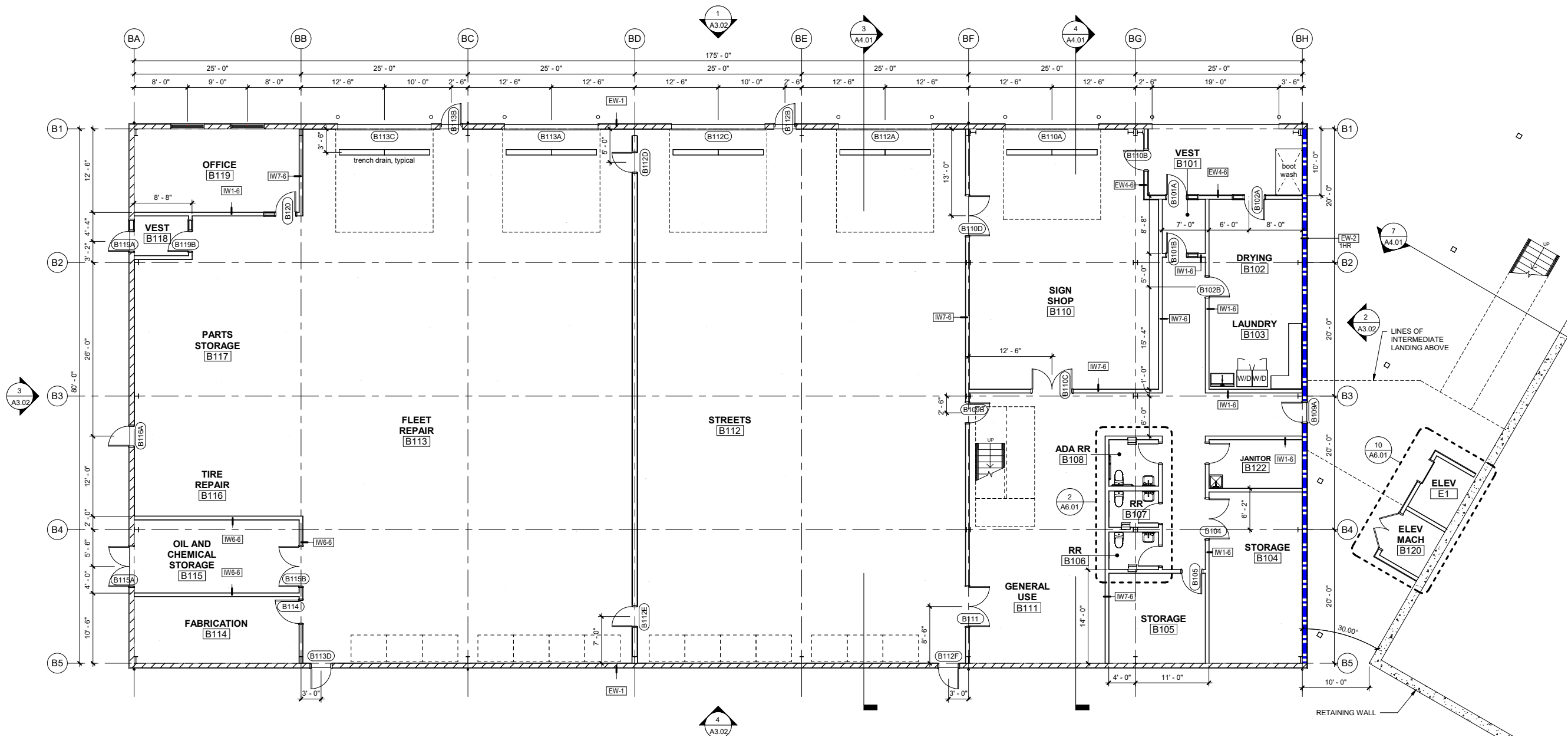


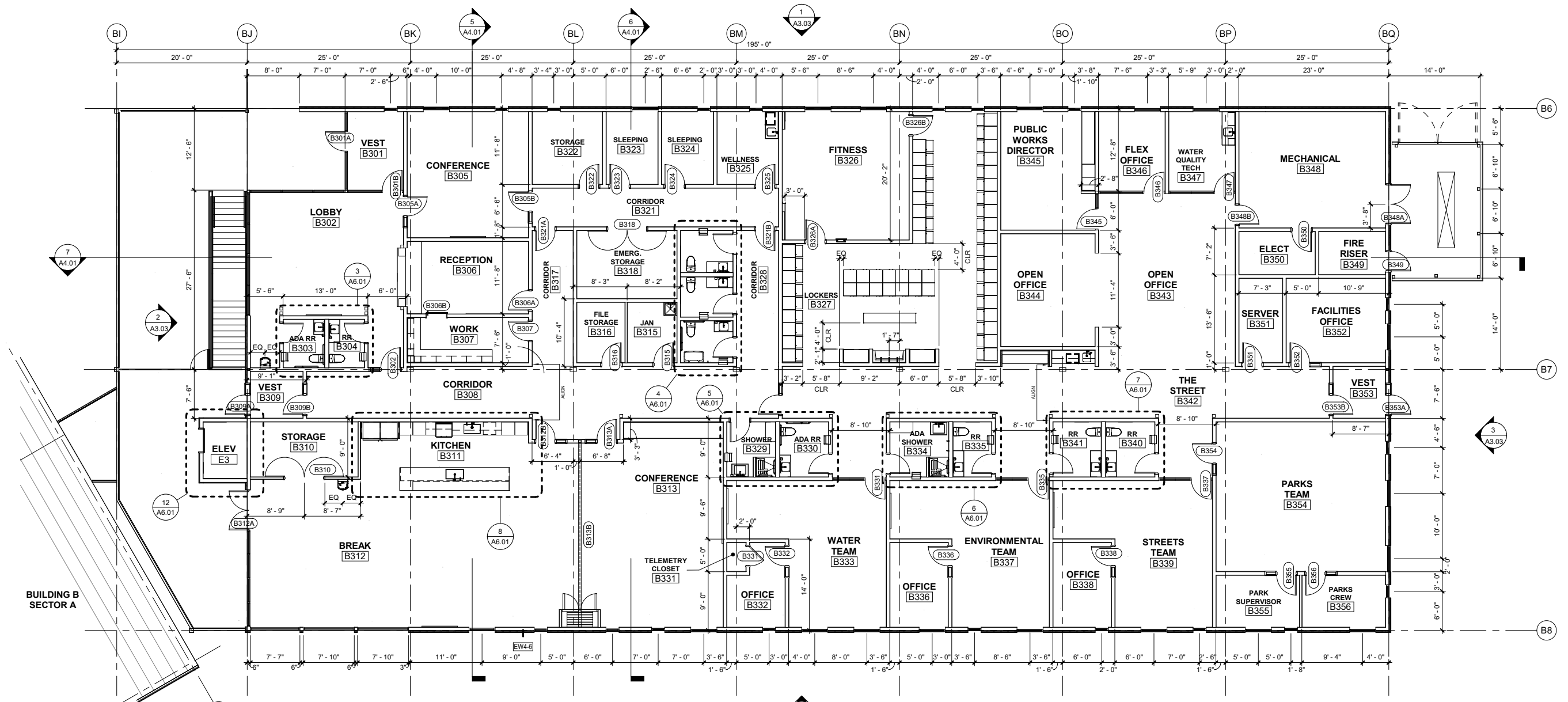
- Shrubs and perennials shall be spaced with irregular spacing
- Minimum shrub density per 1000 SF: 12 plants
- Minimum perennial per 1000 SF: 20 plants
- Estimated native restoration planting area: 106,256 SF

PLANTING NOTES:

1. Buffer Planting Area to include automatic irrigation system.
2. All planting areas to receive 6 inches amended or imported topsoil.
3. All new container plantings and all new trees to receive 3 inches compost mulch.







Building C Floor Plan
NTS



West Linn Public Works

West Linn, OR
Project #23028

05.05.2025



Scott
Edwards
Architecture

Work Session Agenda Bill

Date: April 29, 2025

To: Rory Bialostosky, Mayor
Members, West Linn City Council

Through: John Williams, City Manager *JRW*

From: Megan Big John, Parks and Recreation Director

Subject: Community Tree Ordinance and Tree Manual Technical Review

Purpose:

Overview of the Community Tree Ordinance and Tree Manual with suggested technical updates to bring both in compliance with state law, improve consistency in administrative decision making, reduce administrative costs, enhance public safety, and reduce risks to the City.

Question(s) for Council:

Does Council have questions about suggested revisions and policy updates for staff? Does Council wish to provide a public comment period for these revisions?

Background:

The City's Community Tree Ordinance and Tree Manual serve as foundational documents for the management, preservation, and regulation of trees within the urban environment. These tools are critical for ensuring public safety, maintaining the City's tree canopy, and supporting responsible development. However, in recent years, evolving state laws and practical implementation challenges have revealed the need to update these documents to ensure legal compliance, administrative consistency, and enhanced service delivery.

Staff from Planning, Engineering, Building, and Code Enforcement departments, in collaboration with the City's on-staff arborist and a consulting arborist, have conducted a comprehensive review of the current ordinance and manual. This multidisciplinary team has identified several areas where the existing documents are unclear, inconsistent, or outdated in light of new regulatory requirements and best practices. As a result, staff have developed a series of proposed technical amendments designed to address these gaps. We are calling these "technical amendments" because we tried to stay away from major policy decisions—those are needed too but would require much more community involvement.

Discussion:

The proposed updates to the Community Tree Ordinance and Tree Manual are intended to achieve several key objectives:

- **Compliance with State Law:** The revisions bring both documents into alignment with current state legislation, minimizing legal risks and ensuring the City's policies reflect up-to-date statutory requirements.
- **Improved Administrative Consistency:** By clarifying procedures and criteria for evaluating and issuing tree permits, the amendments provide staff with a standardized framework for decision-

making. This reduces the potential for inconsistent interpretations and improves overall transparency.

- **Reduced Administrative Costs:** Streamlining processes and reducing ambiguity in the permitting system will result in decreased time and resources required to process applications, allowing departments to operate more efficiently.
- **Enhanced Public Safety and Reduced Risk:** Clearer guidelines for tree maintenance and removal will help prevent hazardous situations and mitigate risk to the City.
- **Improved Customer Service and Community Understanding:** With a more accessible and consistent permitting process, residents and applicants will have a clearer understanding of the requirements and rationale behind permit approvals or denials.

In addition to the technical revisions, staff are also suggesting some policy changes aimed at further reducing administrative burdens, offsetting operational costs, and continuing to lower the City's liability exposure. The proposed changes that touch on policy issues will be flagged during the staff presentation.

Below is a summary of suggested updates. Full Tree Ordinance and Tree Manual recommendations, with explanations, can be found in attachments 1 and 2.

Tree Ordinance Technical update recommendations

- 8.510 Definitions
 - Update to industry standards and clarify
- 8.610 Contents of Application for Tree Removal
 - Administrative adjustments
- 8.640 Appeal
 - Specified notice and clarifies the City Arborist as the permit decision maker.
- 8.650 Time Limits
 - Clarifies that City Arborist is the approver
 - Clarifies the timeline the approval or appeal must be completed by.
- 8.720 Street Trees
 - Language update to keep clear lines between this code and CDC code.
- 8.750 Abatement
 - Additional clarifying language.
- 8.760 Tree Canopy Replacement Account
 - Includes language mitigation fees may be required by the CDC.
- 8.795
 - Clarifies that fees are specified in Master Fee Schedule

Tree Ordinance Policy considerations

- 8.540 Fees
 - Give option for Council to allow fees based on the Master Fee Schedule.
- 8.570 Development Review and Building Permit Process
 - Future opportunity to streamline the Municipal and Community Development Code
- 8.610 Contents of Application for Tree Removal
 - Allowance for the request of a Certified Arborist Report to help determine eligibility and site visits.
- 8.620 Permit Process
 - Clarification and Updates to notification process

- 8.63 Tree Removal Permit Criteria
 - Clarify criteria for determination of removal.
 - Require replacement for removal of street tree.
- 8.710 Heritage Tree
 - Changes shall to may for legal cost associated with tree encumbrance.
 - Removes the obligation for the for the Parks and Recreation Department to maintain the tree if located on private property.
- 8.720 Street Trees
 - Allowing the option for a street tree plan as there is currently not one. Suggest having a suggested listed of trees to choose from verse having a required tree per street.
 - Suggests removal of the fee in lieu for the City to be responsible to replace the tree.
- 8.740 Non-Compliance, Penalty, and Enforcement
 - Give the ability to suspend or revoke approved permit if incorrect is provided or if code is violated.

Tree Manual recommended update and policy changes

The Tree Manual is a technical document intended to guide tree practitioners in implementing the Tree Ordinance. The suggested updates and policy changes incorporate current industry-standard terminology and reflect advancements in tree care and management practices.

Council Options:

- 1) Provide feedback on proposed Tree Ordinance and Tree Manual Changes, and direct staff to bring the proposed ordinance and manual back for adoption at an upcoming business meeting (either at the next available meeting or in July following a public notice and comment opportunity.)
- 2) Request additional information from staff and hold a follow up work session.

Staff Recommendation:

Staff believes that implementing both the technical and policy changes as a unified package will provide the most benefit to the City and its residents. Doing so ensures operational improvements, reduces risk, and makes common-sense policy adjustments that support long-term program viability.

The proposed amendments represent a comprehensive and collaborative effort across City departments—including Planning, Engineering, Building, and Code Enforcement—with professional input from the City’s staff arborist and a consulting arborist.

While mostly technical, the proposals do impact a part of the code that is often of interest to our community. We recommend notifying the public (via our weekly email) and the NAP group of the proposed changes, and request comments by the end of June for a July Council decision.

Attachments:

1. 2025-04-23 Community Tree Ordinance Technical Revision
2. 2025-04-22 Tree Technical Manual Revision



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Community Tree Ordinance & Manual: Technical Updates

Background



- Tree Ordinance & Manual are core to urban tree management
- Ensure safety, tree canopy, and responsible development
- Existing documents are outdated and inconsistent



Purpose of Review



- Present proposed technical updates to Tree Ordinance and Tree Manual
- Ensure compliance with state law
- Improve administrative consistency and reduce costs
- Enhance public safety and minimize City risk





Community Benefits

Better alignment with
legal requirements

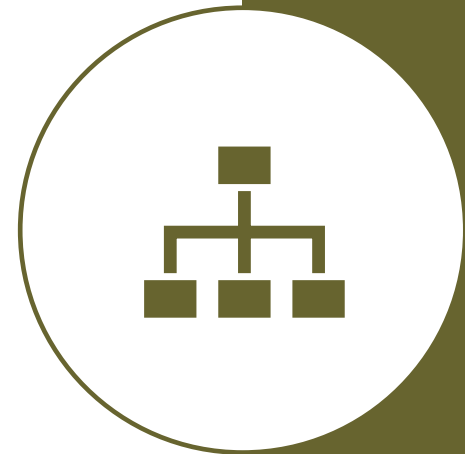
Reduced ambiguity for
applicants and staff

Clarifies approval &
appeal process

More efficient
permitting process

Review Process

- Multi-departmental staff review:
Planning, Engineering, Building,
Code Enforcement, City Legal
Council & Outside Legal Council
- In collaboration with City arborist
staff and consulting arborist
- Focus on technical updates, not
major policy shifts



Goals of the Updates



- Align with state law
- Standardize staff decision-making
- Lower administrative costs
- Enhance public safety
- Improve clarity for residents

Tree Ordinance – Technical Amendments



- **Definitions (8.510):** Clarified to industry standards
- **Application (8.610):** Administrative adjustments
- **Appeals (8.640):** Defined notice process, role of City Arborist
- **Time Limits (8.650):** Decision timelines clarified
- **Street Trees (8.720):** Aligned with CDC
- **Abatement (8.750):** Additional clarity
- **Canopy Replacement (8.760):** Mitigation fees added
- **Fees (8.795):** Aligned with Master Fee Schedule

Tree Ordinance – Policy Considerations



- **Fees (8.540):** Option to link to Master Fee Schedule
- **Development Review (8.570):** Streamline with CDC
- **Application Requirements (8.610):** Arborist reports & site visits
- **Permit Process (8.620):** Clarify notifications
- **Permit Criteria (8.630):** Clarify removal/replacement standards
- **Heritage Trees (8.710):** Reduced City obligations
- **Street Trees (8.720):** Suggest list instead of mandate
- **Non-Compliance (8.740):** Permit revocation authority

Tree Manual



Overview

- Technical guidance for tree professionals
- Reflects modern industry practices
- Supports ordinance implementation

Suggested Updates

- Updated terminology and best practices
- Clarified planting, pruning, and maintenance standards
- Aligned with ordinance revisions

Closing & Next Steps

- Council questions & feedback on proposed revisions



Commentary: This set of proposed tree code amendments include technical updates to bring the code in compliance with state law, improve consistency in administrative decision making, reduce administrative costs, enhance public safety, and reduce City liability. Substantive amendments to the code are not proposed at this time. Changes that have potential policy implications will be further discussed at the work session.

COMMUNITY TREE ~~ORDINANCE~~CODE

Commentary: The terms “ordinance” and “code” are used interchangeably throughout this document. The term “code” is proposed to be used instead of “ordinance” for consistency.

8.500 Purpose.

The purpose of Sections [8.500](#) to [8.798](#) is to ensure that the City and any areas that may become part of the City of West Linn will continue to realize the benefits provided by its urban forest, and to establish a process and standards which will minimize uncontrolled cutting or destruction of trees or wooded areas within West Linn. It is the intent of Sections [8.500](#) to [8.798](#) to establish, maintain, and increase the quality of tree cover on public and private lands within the City; maintain City trees in a healthy and nonhazardous condition through good arboricultural practices; and to provide a stable and sustainable urban forest. Sections [8.500](#) to [8.798](#) also recognize the value of the urban forest for its effect [on](#) enhancement of the urban environment in the following ways:

1. Healthy, well-maintained trees enhance business and residential environmental and property values.
2. Trees reduce air pollution by trapping dust on their leaves and in their bark, while also absorbing gaseous and liquid pollutants in their leaves and roots and returning oxygen to the atmosphere.
3. Tree roots stabilize the soil and impede erosion.
4. Trees reduce summer heat by blocking direct sunlight and glare. Evaporation of moisture from the leaves cools the surrounding air and moderates temperatures. Trees preserve and enhance water quality in streams and rivers.
5. Trees soften the geometric rigidity and hard surfaces of streets and buildings.
6. Trees muffle and buffer city noises.

7. Trees are recognized by a majority of residents as an essential component to community livability and quality of life. Trees foster a sense of connection to the natural environment and are widely considered to be a key component to the overall aesthetics of a community.

It is the goal of the City of West Linn, through implementation of this ~~ordinance~~code and through other measures designed to encourage and promote tree conservation and planting on both public and private lands, to maintain and increase tree canopy coverage within the City. In addition to and separate from this ~~ordinance~~code are standards concerning trees and tree protection in the Community Development Code (CDC).

[Section 8.500 added by Ordinance No. 1503, adopted May 5, 2004]

8.510 Definitions.

Basal Flare: That portion of a tree where there is a rapid increase in diameter at the confluence of the trunk and root crown.

Building footprint: The two-dimensional configuration of an existing building's perimeter boundaries as measured on a horizontal plane at ground level.

Business Days: ~~When West Linn City Hall is open to the public for business Monday through Friday -- exempting any holidays.~~

Calendar Days: All days as noted on a calendar, inclusive of weekends and holidays.

Certified Arborist: An individual who ~~has either~~ obtained certification as an arborist from the International Society of Arboriculture, ~~or who is a member of the American Society of Consulting Arborists.~~

Commentary: The definition of Business Days is updated to clarify that it means when City Hall is open for business. The definition of Certified Arborist is simplified to refer only to the ISA certification since members of American Society of Consulting Arborists are also ISA certified arborists.

City Arborist: ~~The person designated as such by the City Manager. The City Arborist may be employed by the City of West Linn directly, or be a contracted arborist.~~

City Manager: The City Manager or their designee.

City Right of Way: Land that is not owned by a private individual or company that has been either deeded or dedicated to the City for a public transportation purpose. As referred to with a road, the area of the road and area adjacent to the road in City ownership.

Commentary: Added that this definition refers to transportation right of way and does not include rights of way for other uses such as utility easements.

DBH: Diameter at Breast Height is a tree's trunk diameter (~~circumference~~) at 4-1/2 feet or 54 inches above ~~the highest natural~~ ground level unless otherwise specified for multi-trunked, leaning, or other irregular trees in the most recent edition of the Guide for Plant Appraisal. ~~DBH measured in this fashion is considered the accepted method for measuring the size of a tree, by both industry and scientific standards.~~

Commentary: DBH is trunk diameter, not circumference, and measurement methods can vary based on tree form. Revised DBH measurement definition to refer to the industry standards in the Guide for Plant Appraisal.

Dead Tree: A tree that is dead or has been damaged beyond repair or is in an advanced state of decline (where an insufficient amount of live tissue, green leaves, limbs, or branches exists to sustain life) and has been determined to be such by a certified arborist.

Disturbance: All of the various activities from construction or development that may damage trees.

Drip line area: The area under the tree's canopy as defined by an imaginary vertical line extending downward from the outermost tips of a tree's natural length branches to the ground.

Erosion: Detachment and movement of soil, rock fragments, mulch, fill, or sediment.

Excessive pruning: Removal of more than one-third of the functioning leaf, stem, or root area of a tree in any twelve-month period, or removal of foliage so as to cause the unbalancing of a tree. Removal of more than one-third of functioning leaf, stem, or root area is considered a tree removal.

Groves: A group of two or more trees with meeting or overlapping canopies. The trees need not be the same species.

Hazard tree: Any tree with a structural defect and/or disease which makes it subject to a high imminent or probability-probable likelihood of failure, and which threatens persons or property, including other trees based on an extreme or high overall risk rating over the next five-year timeframe according to an ISA Qualified Tree Risk Assessor using the ISA Tree Risk Assessment process.

Hazard tree owner or responsible party: The property owner or responsible party with the largest percentage of a Hazard tree trunk immediately above the basal flare. In cases where the Hazard tree consists of a branch instead of an entire tree, the hazard tree owner or responsible party is the person who owns or is responsible for the property from where the branch originates. The hazard tree owner or responsible party:

a. Owns the Hazard tree;

b. Is the entity or person acting as an agent for the owner of the Hazard tree by agreement that has authority over the Hazard tree, is responsible for the Hazard tree's maintenance or management, or is responsible for Hazard tree abatement;

c. Is any person occupying the property with the Hazard tree, including bailee, lessee, tenant or other having possession; or

d. Is the person who is alleged to have committed the acts or omissions resulting in the Hazard tree or allowed the Hazard tree to exist on the property.

Hazardous Growth Habit: The development of a tree that, due to a combination of structural defect, disease, or existing disturbance, is subject to an imminent or probable likelihood high probability of failure; and such failure would result in a threat to persons or improved property based on an extreme or high overall risk rating over the next five-year timeframe according to an ISA Qualified Tree Risk Assessor using the ISA Tree Risk Assessment process.

Commentary: Updated the definitions of hazard tree with current tree risk assessment terminology to require a high or extreme risk rating over a five-year timeframe. Also required that ISA Qualified Tree Risk Assessors are the people qualified to categorize risk. The definition of Hazard tree owner or responsible party is added for the new Hazard tree dispute resolution process.

Heritage Tree: A tree designated by the City Council as having significant historic or community value to the City of West Linn.

ISA: International Society of Arboriculture.

Injury: A wound resulting from any activity, including but not limited to excessive pruning, cutting, trenching, excavating, altering the grade, or paving/compaction within the tree protection zone of a tree. Injury shall include bruising, scarring, tearing or breaking of roots, bark, trunk, branches, or foliage, herbicide or poisoning, or any other action foreseeably leading to the death or permanent damage to tree health.

Permit Fee: ~~A fee for tree removal permits shall be established by Council resolution.~~

Commentary: Permit Fee is not a definition but rather is a standard and should be removed from the definitions section.

Project Arborist: A certified arborist hired by an applicant who will handle tree related issues and correspondence with the City Arborist regarding permits under this code.

Commentary: Defined terms in the Tree Technical Manual are shifted to the code so all definitions are in one place. The definition for project arborist has been modified to distinguish it from the CDC.

Protected Tree: All trees ~~that are specifically designated to be saved on private property pursuant to an approved development permit, or~~ for which the City Manager has not issued a tree removal permit. Protected trees are to be indicated on building permits ~~or development plans submitted for approval.~~

Protected Tree Fencing: A temporary enclosure erected around a tree to be protected at the boundary of the tree protection zone. The fence serves three primary functions: 1) to keep the foliage crown, branch structure and trunk clear from direct contact and damage by equipment, materials, or disturbances; 2) to preserve roots and soil in an intact and non-compacted state; and 3) to identify the tree protection zone in which no soil disturbance is permitted and activities are restricted.

Soil Compaction: The compression of soil particles that may result from the movement of heavy machinery and trucks, storage of construction materials, structures, paving, etc., within the tree protection zone. Soil compaction can result in atrophy of roots and potential death of the tree, with symptoms often taking years to manifest.

Street Tree: Any tree planted by the City or authorized to be planted by another party in a Right of Way and designated as such. Street Trees do not include existing native or non-native trees or new plantings that are not authorized by the City.

Topping: The severe cutting back of a tree's limbs within the tree's crown so as to remove the natural canopy and disfigure the tree.

Tree: For the purposes of determining whether a tree removal permit is required, the following definition of Tree is used. Only those trees that meet or exceed the size standards stipulated in this definition require permits to be removed. It is to be explicitly understood, however, that

within this Ordinance there are some references to “Tree” or “Trees” (such as with street trees or replacement trees) where the term “Tree” is used (because it would be cumbersome to invent a different term) but to which the size requirements do not apply.

Any woody, perennial plant, deciduous, evergreen, or coniferous, having a main stem or trunk of a minimum of 6 inch DBH for Oregon white oak, Pacific madrone, and Pacific dogwood, and 12 inch DBH for all other tree species. ~~Trees with multiple trunks will be measured at the 54-inch standard and computed as a total DBH.~~ Plants that otherwise meet the above description but are typically grown as shrubs will not be considered trees. Some typical examples of these we see commonly are hazelnut, photinia, and laurel.

(Note: Also see Exemptions - Section 8.560)

Commentary: Removed the reference to measuring multi stemmed trees since that is covered in the definition of DBH.

Tree Appraisal: A method of determining the monetary value of a tree as it relates to the real estate value of the property, neighborhood, or community. When required, a certified arborist determines the appraisal by adjusting a tree’s basic value by its condition, location, and species using the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers.

Tree Canopy: For the purposes of determining tree removal, it is the sum total of the branch and leaf structure of a tree including the trunk and/or trunks. When referred to as the City tree canopy, it refers to the total ground area that is shielded by tree foliage as would be determined from an aerial view of the City.

~~**Tree Protection and Preservation Plan:** A plan prepared by a certified arborist that outlines measures to preserve protected trees on a project site. This plan shall include requirements for pre-construction, treatments during demolition and/or construction, establishment of a tree protection zone for each tree, tree monitoring and inspection schedule, and provide for continuing maintenance of those trees after construction according to the requirements in this Manual.~~

Commentary: This term is not used in the code so recommended to be struck.

Tree Protection Zone (TPZ): ~~Unless otherwise specified by a project arborist or City Arborist, the area of temporary fenced tree enclosure.~~ The Tree Protection Zone is a restricted activity zone where no soil disturbance is permitted, unless otherwise approved. The TPZ will normally

Commentary: Reordering of sentence for readability.

be measured at $\frac{3}{4}$ foot radius per caliper inch for any given tree. Unless otherwise specified by a project arborist or City Arborist, the area of temporary fenced tree enclosure.

Tree Removal: Any of the following: (1) Complete removal, such as cutting to the ground or extraction, of a tree; (2) Taking any action foreseeably leading to the death of a tree or permanent damage to its health; including but not limited to excessive pruning, cutting, girdling, poisoning, over watering, unauthorized relocation or transportation of a tree, or trenching, excavating, altering the grade, compacting the soil or paving within the drip line area of a tree; (3) removal of more than one-third of functioning leaf and stem area of a tree in any 12-month period, or removal of foliage so as to cause the unbalancing of a tree is considered as removal for purposes of this ordinancecode. For fruit-bearing trees, see Section 8.560.

Visually Prominent: ~~Visible~~ At least one half of the canopy height or width is visible from a publicly accessible vantage point within 1000 feet of the tree. ~~Removal of a visually prominent tree would result in a marked difference in a view from an adjacent property or from a public right-of-way.~~

Commentary: Added more specificity to the definition to improve consistency in how visually prominent trees are identified.

[Section 8.510 added by Ordinance No. 1503, adopted May 5, 2004; Section 8.510 amended by Ordinance No. 1542, adopted November 27, 2006.]

8.520 Permit Authority.

The City Manager, or designee, shall have the authority to issue tree removal permits. In the absence of the City Manager, the City Council shall delegate this authority to another City employee.

[Section 8.520 added by Ordinance No. 1503, adopted May 5, 2004]

8.530 City Approval Required.

Unless specifically exempted, any removal of a tree as defined by this ordinancecode within the City of West Linn on public or private lands shall require a tree removal permit.

[Section 8.530 added by Ordinance No. 1503, adopted May 5, 2004]

8.535 Business License Required.

It shall be unlawful for any person to engage in the business, occupation or profession of tree pruning or removal within the corporate limits of the City of West Linn without first obtaining a business license therefore as provided in sections 7.000 to 7.080 of this code.

[Section 8.535 added by Ordinance No. 1503, adopted May 5, 2004]

8.540 Fees.

The City Council shall have the authority to set a tree removal permit fee schedule, and approve appropriate permit application forms. Such fees shall be ~~adopted by Ordinance of the City Council. The fee for a tree removal permit shall be zero.~~adopted by resolution and specified in the Master Fees and Charges Document.

[Section 8.540 added by Ordinance No. 1503, adopted May 5, 2004]

Commentary: This amendment allows the City to review their tree removal permit fees annually and adjust as needed based on administrative costs and other considerations. For example, costs for a development project or removal of a large number of trees could be set at a different level than someone removing a dead tree from a residential property.

8.560 Exemptions.

ORCHARD TREES, TREE FARMS, AND COMMERCIAL NURSERIES EXEMPTION: The City shall not require a permit for removal of trees that are being grown for orchard trees, tree farms and commercial nurseries.

FRUIT BEARING TREES, NON-COMMER-CIAL, EXEMPTION: Recognizing that the generally accepted pruning of some trees, such as fruit-bearing trees, requires significantly more pruning without damage to the trees, such pruning shall be exempt from the permitting process.

[Section 8.560 added by Ordinance No. 1503, adopted May 5, 2004]

8.570 Development Review and Building Permit Process.

A. Development Review

1. Any tree which has been approved for removal through the development review process (governed by the Community Development Code, or CDC), either as part of the provision of public improvements or as part of the ultimate development of the site, shall not require an additional tree-removal permit. However, any tree not approved for removal through the development review process, ~~but later is found to require removal during the public improvement or grading review process,~~ shall require approval of a tree removal permit by the City. ~~In such cases, in addition to the findings in Section 8.630, the City may consider whether alternative public improvements or grading plans are feasible and can result in saving the threatened tree.~~

~~2. Non-compliance with CDC governed trees shall result in enforcement in accordance with section 8.740 of this code, in addition to any penalties set forth in the CDC.~~

B. Building Permits

1. Trees that are within the otherwise approved footprint of a project requiring a building permit will not need an additional permit for removal.
2. The City may require the applicant to make minor modifications to a building plan to save significant trees on the property, provided other City mandated regulations, such as lot setback distances, are met. Minor modifications include but are not limited to moving the footprint to a different location on the lot and changes to the driveway shape and location.

C. Details and specifications regarding tree protection and removal ~~for trees governed by the CDC and building permits under this code~~ can be found in the City's Tree Technical Manual.

[Section 8.570 added by Ordinance No. 1503, adopted May 5, 2004; Section 8.570 amended by Ordinance No. 1542, adopted November 27, 2006.]

Commentary: These revisions are made to help keep the line between this code and the CDC clear. This code section doesn't need the struck language "but later is found to require . . ." in order for the regulation to stand that if a tree's removal is not approved through a CDC process, then it is approved through this process. For the particular issue that the struck language is meant to address - trees that are originally preserved as part of an approved development application but turns out they need to be removed pursuant to that development - that should be addressed on the CDC side of things. Either as an application amendment or as a condition of approval.

TREE REMOVAL

8.610 Contents of Application for Tree Removal.

A permit shall be required to remove any tree in West Linn ~~unless such permit is waived by the City Manager~~. For the purposes of this ~~ordinance code~~, only trees meeting the criteria set forth in the definitions section (8.510) and Street Trees section (8.720) are required to get a permit. Trees of smaller diameter than the standards stipulated in WLMC 8.510 do not require a permit to be removed.

Commentary: Strike because criteria not clearly established.

The application shall include:

1. A completed Tree Removal Permit Application. This includes the following information:

- a. The tree owner's name, address, ~~and email address, and~~ phone number;
- b. The site address for the tree removal;
- c. The number, diameter, and species of trees requested to be removed;
- d. Reasons justifying the removal, referencing the criteria in section 8.630;
- e. The tree owner's signature and date;

f. The owner's consent to the City entering the site for the purpose of section 8.620(2)(a); and

g. The permit applicant's name, address, email address, phone number, signature, and date (if different from tree owner).

Commentary: Requires the applicant to include their email address so that decisions can be emailed rather than sent by US mail. Clarifies that both the tree owner and applicant need to sign off on the permit application if they are different people. Requires the owner's consent to enter a site for an inspection.

2. A site plan of the property upon which the tree proposed for removal is located. Applicants may use maps available through the City's GIS mapping system. The site plan should show the following:

- a. The location of the tree(s) to be removed;
- b. The location of any existing building footprint(s);
- c. The location of any new or planned building expansion(s). (This applies to construction that is exempt from permitting under the Building Code.);
- d. The location of any paved or concreted areas on the property.

3. After clearly marking the tree(s) on the property with brightly colored tape, the applicant shall take and include with the application photograph(s) of the tree(s) to be removed and the surrounding area.

4. The applicant may, at their discretion, submit a report by an Certified aArborist ~~on the health and structure of the tree(s) to be removed and the impact of such removal upon surrounding trees to demonstrate that the applicable approval criteria are met.~~ In no way should this be construed to mean that the City requires such a report for all applications, except as noted below. Reports from other qualified professionals (engineers, appraisers, etc.) may also be included in the application but are not required for all applications.

- a. If the ~~application is being made on the criteria in Section 8.630 A-2 "damaged root structure that will lead to death," then a formal report from an arborist is required.~~ City Arborist is not able to clearly determine whether the applicable approval criteria are met based on the submitted application materials, additional information may be required from the applicant including but not limited to reports by a Certified Arborist.

Commentary: These revisions grant the City authority to require arborist reports for tree removal applications in cases where the burden of proof for tree removal has not been met by the applicant. It is also intended to limit liability for the City in situations involving the proposed removal of hazardous trees. The burden of proof should be placed on the applicant to prove the criteria is met in more nuanced tree removal situations rather than requiring the City Arborist to determine, for example, whether there are hazardous trees on private property.

[Section 8.610 added by Ordinance No. 1503, adopted May 5, 2004; Section 8.610 amended by Ordinance No. 1542, adopted November 27, 2006.]

8.620 Permit Process.

~~Upon receipt of a permit request for tree removal, the City Manager shall take the following steps:~~

Upon receipt of an application for a Tree Removal Permit, the City Arborist or designee, shall take the following steps:

1. Determine if the application is complete. A complete application shall include all information requested on the application and as defined in Section 8.610 - Contents of Application for Tree Removal.

If the application is incomplete, notify the applicant within 10 business days of the deficiencies and information necessary to complete the application.

2. Once the application is complete:

a. The City will visit the site, if necessary, to identify and verify the specific tree(s) requested for removal and will note the following:

- (1) The accuracy of the application, including the location of the tree(s);
- (2) That the tree(s) are visibly identified with brightly colored tape;
- (3) The diameter and species of the tree(s).

Commentary: This revision allows discretion regarding whether a site visit by the City is required. In some applications, it may be obvious that a tree is dead and that no site visit is necessary. Approvals when site visit are not necessary save staff time and are more efficient.

b. The City will determine the level of notification needed based on the approval criteria in section 8.630.

(1) If any approval criteria A.1.a. through ~~dj.~~ apply, then ~~no~~-notification is ~~needed~~not required, and the decision of the City Arborist is final after issuance, with no appeal right.

(2) If only approval criteria A.1.~~ak. through or dj.~~ and both denial criteria A.2.a. and ~~eb.~~ do not apply, ~~the City shall erect~~ a sign shall be erected on-in the ~~right of way~~right-of-way ~~on abutting~~ the subject property, clearly visible ~~from to~~ the public ~~right-of-way~~, giving notice of the proposed tree cutting, including the same or similar information as provided on the property owner notice below. The sign shall be placed on the property at least 10 business days prior to the issuance of a decision on the permit. If the property has no frontage on a public right-of-way, a second sign shall be placed on the nearest such right-of-way directing individuals to the property.

(3) For all other trees the City shall, in addition to the sign notification described above, notify ~~all property owners within 500 feet of the property for which the permit is being requested~~the general public about the permit request via the City website. The notice shall be ~~posted to the website sent via US Mail~~ at least 10 business days prior to the issuance of a decision, and shall include the following:

- (a) The address (or legal description) of the property
- (b) A copy of the applicant's site plan

- (c) A description of the trees to be removed including the diameter and species
- (d) The reasons stated by the property owner justifying the removal
- (e) The expected City Manager's Arborist's decision date
- (f) How to request a copy of the decision on the application
- (g) The appeal rights and process (see Section 8.640)
- (h) The address and contact information of the City staff person for questions and comments

3. Within 20 business days of completion of the application, issue a decision on the permit request, using the decision-making criteria defined in Section 8.630. The City shall email a copy of the decision to the applicant and any other individual or organization requesting a copy of the decision within two business days of the decision. Upon special request, additional information may be included with the emailed decision, including, but not limited to the appeal rights and process, public comments received by the City, and comments on how the decision criteria in section 8.630 were applied.

4. Final ~~Decision~~decision date and ~~Issuance~~issuance of permit: When any approval criteria 8.630.A.1.a. through j. are satisfied, the decision of the City Arborist becomes final immediately and the permit will be issued. For all other tree removal permit criteria, Aa decision of the City Arborist becomes final 10 ~~business-calendar~~ days after ~~it (the decision) is issued~~the mailing date of the decision. ~~.If the decision is to grant the permit, the permit shall be issued only after the decision becomes final. If there is no appeal filed, the decision of the City Arborist becomes final 10 business days after it (the decision) is issued. The permit to remove the tree(s) will not be issued until the decision becomes final. In the event that an appeal is timely filed under 8.640 of this code, then the City Arborist's decision shall not become final until the appeal is resolved.~~

[Section 8.620 added by Ordinance No. 1503, adopted May 5, 2004; Section 8.620 amended by Ordinance No. 1542, adopted November 27, 2006.]

Commentary: Along with the next section, this is the most substantively modified section. The purpose of this set of revisions to:

- 1) Provide a more consistent process for City decision making; and
- 2) Reduce administrative work for public notifications.

The proposal is to allow tree removal permit decisions to be made by staff without public notice for permit criteria that involve either minimal staff discretion or technical arborist expertise (i.e. 8.630.1(a) through (j)). For decisions that involve large elements of judgement (i.e. 8.630.1(k) and (l)), public notice will be required. For trees that are large and/or prominently visible, the highest level of public notice will be required. However, mailing notice to property owners within 500 feet of the tree will be replaced with posting notice to the City's website which could include a list serve for people interested in tree removals. A physical sign posted in the neighborhood will continue to be provided for discretionary decisions, though the City may require the sign to be posted by the applicant rather than the City depending on staff availability. Also, decisions will be emailed to the applicant rather than mailed. Note that currently tree removal permit applications do not include any required fees so costs associated with mailings and public notices are covered by the City.

8.630 Tree Removal Permit Criteria.

A. In making a determination whether to grant a permit, the City shall consider ~~the criteria listed below. The decision shall include findings that cite each of these~~the below-listed criteria. ~~These criteria are meant to be guides, and the varying importance or weight of each in determining the appropriateness of tree removal shall be as expressed in the findings:~~

1. The City shall grant the tree removal permit if the application satisfies any of aAny of the following criteria, except for criteria 8.630.1.(k) and (l), shall be considered as aspects likely to warrant approval of a tree removal permit:

- (a) The tree is determined to be dead, or dying and not recoverable.
- (b) The tree is determined to have a significantly damaged root structure that will adversely impact the health and stability of the tree. Such a determination shall be based upon a report provided by the applicant. The report shall be reviewed and verified by the City Arborist.
- (c) The tree is determined to exhibit a hazardous growth habit.
- (d) The tree is interfering with utility service in such a manner that full restoration or maintenance of service requires removal of the tree.

- (e) The tree encroaches in the public right-of-way so as to cause damage to improvements within the public right-of-way such as street pavement and sidewalks.
- (f) The tree is causing structural damage that includes, but is not limited to, foundations, water lines and sewer lines.
- (g) The basal flare of the tree is within 10 feet of an existing building footprint.
- (h) An existing building footprint lies within the drip line of the tree.
- (i) Trees that have been maintained in the applicant's property for the purpose of growing fruit which are no longer bearing fruit or have suffered a significant reduction in fruit bearing.
- (j) Removal of trees is being done for thinning purposes to enhance the health of other trees.
- (k) ~~In the absence of denial criteria listed below, R~~emoval is for the owner's landscape improvement but does not jeopardize the aesthetics of the neighborhood.
- (l) The removal would allow solar access for an otherwise extremely shaded property.

2. If criteria 8.630.1.(k) or (l) are the only reasons for tree removal, the tree is healthy and of sound structure, and any of the following criteria is met, the permit shall be denied:~~Any of the following criteria shall be considered as aspects likely to warrant denial of a tree removal permit:~~

- (a) The tree is visually prominent.
- ~~(b) The tree is generally healthy and of sound structure.~~
- ~~(c)~~ (b) The tree is of significant size.
- ~~(d)~~ (c) The tree is part of a larger grove or grouping of trees, and its removal will adversely affect the health and safety of the remaining trees within the grove or grouping.
- ~~(e)~~ (d) The tree is on land that is sloped, and removal of the tree may exacerbate erosion or soil slumping in the vicinity of the tree.
- ~~(f)~~ (e) The tree acts as a privacy barrier for adjacent properties.
- ~~(g)~~ (f) Tree removal is solely to improve a view.

Commentary: Along with the previous section, this is the most substantively modified section. The purpose of this set of revisions to provide a more consistent process for City decision making.

The proposal is to approve tree removal permit applications without public notice for permit criteria that involve either minimal staff discretion or technical arborist expertise (i.e. 8.630.1(a) through (j)). For decisions that involve large elements of judgement (i.e. 8.630.1(k) and (l)), public notice will be required before a decision is made so the public can weigh in on the decision. If trees are generally healthy, of sound structure, and meet any of the following criteria in staff's opinion, the tree removal permit application will be denied:

- (a) The tree is visually prominent.
- (b) The tree is of significant size.
- (c) The tree is part of a larger grove or grouping of trees, and its removal will adversely affect the health and safety of the remaining trees within the grove or grouping.
- (d) The tree is on land that is sloped, and removal of the tree may exacerbate erosion or soil slumping in the vicinity of the tree.
- (e) The tree acts as a privacy barrier for adjacent properties.
- (f) Tree removal is solely to improve a view.

If the tree is not generally healthy or of sound structure, the tree removal permit application will be approved.

B. The City shall deny a tree removal permit if any of the following criteria is met:

1. The tree is designated by the City of West Linn as a heritage tree, unless one of the criteria in subsections (A)(1)(a) through (d) of this section applies and the hearing is followed, as noted in Section 8.710.
2. The tree is located within an open space drainageway, drainageway transition area, wetland, wetland transition area, Willamette River Greenway area, or Tualatin River protection zone as defined by the West Linn Community Development Code, unless one of the criteria in subsections (1)(a) through (d) of this section apply.
3. The tree is protected by an existing tree conservation easement, unless criterion in subsections (1)(a) through (d) of this section apply.

C. Except as otherwise required by this code, it is encouraged, but not mandated, that the property owner replace a tree that is removed except street trees and other trees that were required to be planted or preserved by the Code require one replacement tree for each tree approved for removal.

Commentary: Added criteria for when tree replacement is required which include the approved removal of street trees, and the approved removal of other trees that were mandated to be planted or preserved by code. These other trees can include but not be limited to trees required for parking lot shading or significant trees required to be preserved with development.

[Section 8.630 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.630 amended by Ordinance No. [1542](#), adopted 11-27-2006.]

8.640 Appeal.

Any decision of the City Arborist regarding a tree removal permit may be appealed, unless expressly prohibited in this code, to the ~~Hearings Officer pursuant to the administrative appeals process in Section 1.400 et seq. In addition to the notice requirements in Section 1.410(2)(b), City Manager.~~ The written notice of appeal shall include a statement from the appellant listing the errors the appellant believes the City Arborist has made in issuing the decision. A notice of tree removal permit appeal shall be filed on a City application form and include applicable fees specified in the Master Fees and Charges Document.

Commentary: Specified that the notice of appeal needs to be on the City's application form and include the fee established in the Master Fees and Charges document. Also specified that permit decisions are made by the City Manager.

[Section 8.640 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.640 amended by Ordinance No. [1542](#), adopted 11-27-2006; amended by Ordinance No. [1621](#), adopted 04-21-14.]

8.650 Time Limits.

If the City Arborist does not issue a decision within 20 business days from the submittal of a complete tree ~~cutting-removal permit~~ application, or ~~the City Council does not consider~~ an appeal ~~is not scheduled for hearing within thirty calendar days after the appeal was filed of the City Manager's decision within 30 business days of the filing of such appeal~~, the permit shall be deemed to be approved.

An approved tree ~~-~~removal permit shall be valid for 12 months from the date of issuance.

Commentary: Corrected terminology to "tree removal permit" consistent with other sections of this chapter.

[Section 8.650 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.650 amended by Ordinance No. [1542](#), adopted 11-27-2006.]

8.710 Heritage Trees.

1. Heritage trees shall be those trees designated by the City Council following review of a nomination form submitted by a citizen and accepted, in writing, by the property owner. If a proposed Heritage Tree is on private property, the property owner must give written consent to the Heritage Tree Application before such application can proceed. ~~The written consent of the property owner shall include provisions for the City to have reasonable access to the tree for maintenance and such necessary pruning as is required at the City's discretion.~~ It shall also be expressly understood that the Heritage Tree designation, once approved by the City Council, shall be an encumbrance on the property containing the heritage tree and shall be listed as a deed restriction. Such legal costs associated with this provision ~~shall~~ may be borne by the City at its discretion.

2. The following criteria shall be used:

Minimum circumference at five feet above ground level = point value 5

Rapid growing (Douglas Fir, Giant Sequoia, etc.) – 138"

Moderate growing (Oregon White Oak, Scarlet Oak) – 107"

Slow and smaller growing (Ginkgo, Madrone) – 86"

Location factor point values:

- 6 Commercial areas
- 5 Yard adjacent to street
- 4 Side yard
- 3 Wooded lot within subdivision
- 1 Forested area

Condition factor point values:

- 5 Excellent – perfect form, little or no dead wood, all limbs have good attachments, no sign of decay
- 4 Very good – good form, multi-leaders, but with good attachments, 10% or less large dead wood
- 2 Good – unbalanced or incomplete crown, tight limb angles, 15% – 20% larger dead wood

- 1 Poor – evidence of some decay, 20%
– 30% larger dead wood, history of
being topped
- 0 Very poor – structurally unsound,
extensive decay, dieback, poor form,
unbalanced or greatly reduced
crown.

Historical factor is determined by the tree's relative historic significance. Historic significance may be determined by the tree's association with historic or famous events, the cultural history of the nation, State, community or person or persons who have significantly contributed to the history of the nation, state or community. Local historians may be called upon for research assistance for this category. Point values:

- 5 Very significant
- 4 Significant
- 3 Somewhat significant
- 2 Marginally significant
- 1 Not significant

Formula: size x location x condition x historical factor = heritage tree points

Trees shall accumulate a minimum of 180 points to receive consideration as a heritage tree.

3. Upon a tree being designated as a ~~Heritage~~ heritage Tree, a plaque so designating may be placed upon or near said tree. It shall become the obligation of the Parks and Recreation Department to maintain such tree if on public property or in the public right of way. Heritage trees on private property must be maintained by the property owner, after receiving written authorization from the City Arborist for specific maintenance or pruning.

4. A Heritage Tree may not be removed without a public hearing at least 30 days prior to the proposed date of removal.

~~4. This section is intended to give, and does hereby give full and complete authority to the City Manager over any and all heritage trees in the City upon written consent of private property owners.~~

[Section 8.710 added by Ordinance No. 1503, adopted May 5, 2004; Section 8.710 amended by Ordinance No. 1542, adopted November 27, 2006.]

Commentary: Item 4 is deleted because the other code provisions provide the City sufficient authority over heritage trees including the option to designate them, maintain them, and approve their removal. Other changes in this section shift the risk of maintaining heritage trees on private property to the private property owner. This is a policy change and can be discussed at the work session.

8.720 Street Trees.

A. Street Tree Plan and List of Trees. Street trees shall not fall under the definition of tree as provided in the definition portion of this ~~ordinance~~code.

1. It is in the best interest of the City that a Street Tree Plan be developed and established for the planting, maintenance and replacement of trees in and along its streets. This section is adopted for the purpose of providing for such a plan and for the establishment of regulations necessary to carry out its purpose.

2. The City ~~shall~~may prepare or cause to be prepared a Street Tree Plan for the planting and maintenance of trees in the streets of the City.

Commentary: Provides the City the option for creating a street tree plan since the City does not currently have one and does not have plans to create one in the near future.

3. The Street Tree Plan should include, but shall not be limited to, a series of maps of City streets upon which is designated a scheme for the planting of trees and the designation of streets for certain types of trees. Such maps shall show the interval between existing trees and the approximate place where each new tree is to be planted.

4. A survey of the street trees presently existing in the City and their condition may be taken.

5. Approval and amendments of the Street Tree Plan shall be based on consideration of the following criteria:

- a. Existing and planned street width.
- b. Existing and planned utilities.
- c. Pedestrian and vehicular traffic.
- d. Proposed trees are included in the City Arborist's listing of approved species.

6. The City Arborist shall maintain a list of approved varieties of trees that may be planted on any street within the City in accordance with the Street Tree Plan. Approval shall be based upon

Commentary: Nuisance characteristics of trees will be determined administratively when developing the list.

considerations such as maturity, height, susceptibility to disease or pests, ~~reasonable expected freedom from nuisance characteristics~~ and general suitability for any particular locations. The City Arborist's listing of approved varieties shall not prevent the seeking of approval of unlisted varieties.

B. Funding.

1. A separate account ~~shall~~may be established and maintained for revenues and expenditures created by the street tree program.
2. ~~Property owners of new developments will~~ may be required to pay a set amount per street tree in new developments. The money collected will be used by the City to purchase and install street trees and the amount will be based on the current price of 1.75 inch caliper nursery stock installed to City standards. The number of trees in new developments will be set at two per lot, and four for corner lots, for single family homes, with a minimum 1.5 inch caliper, installed to City standards. For multi-family housing and commercial developments the number of trees will be based on linear feet of street frontage with one tree per 25-40 feet of frontage. If this requirement is found to conflict with CDC tree requirements, the CDC shall govern.

Commentary: 1. Provides the City the option for creating a street tree funding program since the City does not currently have one and does not have plans to create one in the near future. 2. Consider moving this section to Planting of Street Trees, or keeping it in the Funding section but clarify that property owner/developer pays.

C. Planting of Street Trees.

1. The City may plant street trees along the streets of the City in accordance with ~~the a~~ Street Tree Plan or approved development plan in accordance with the CDC.

Commentary: The intent of this revision is to keep the lines between this code section and the CDC clear

2. ~~It shall be unlawful for any person to plant or set out any tree or authorize or cause or procure any person to plant or set out any tree in or upon any part of any street or public right-of-way without:~~
 - a. ~~Obtaining from the City Arborist a written permit to do so; and;~~
 - b. ~~Complying in all respects with the conditions set forth in such written permit and with the provisions of this ordinance.~~

32. All applications for ~~such a street tree planting~~ permit ~~for existing development~~ shall describe work to be done and the variety, size and precise location of each tree to be planted. Street tree planting for new development is governed by the Community Development Code. Upon review of the application:

a. If the City Arborist has found that the proposed planting is in accord with ~~the a~~ Street Tree Plan, the City Arborist shall grant a permit, and the trees shall become part of the City's street tree inventory.

b. If the City Arborist finds that the proposed planting is not in accord with ~~the a~~ Street Tree Plan, but that the trees proposed to be planted have a reasonable likelihood of prospering and the application specifies the location, variety and grade of each tree and method of planting, including among other things, the supplying of suitable soil, then the City Arborist may grant a permit, and the tree shall become part of the City's street tree inventory.

4. The permit shall be good ~~only for the planting season stated~~ up to 90 days from the date of issuance.

5. All street trees shall be planted in accordance with specifications in the Tree Technical Manual.

Commentary: These revisions provide the option for the City to require street tree planting permits but does not obligate them to do so since there is not currently a street tree planting permit program. Added language that street tree planting permits are for planting street trees where there is existing development. Planting street trees for new development is governed by the Community Development Code. Clarified that permits are valid for 90 days (about 3 months) rather than referring to a planting season.

D. Protection of Street Trees.

1. It shall be unlawful for any person to attach or keep attached to any tree in or upon any public street or to the guard or stake intended for the protection of such tree, any ropes, wires, chains, or other device whatsoever, except that the same may be attached to any tree as support or protection thereof.

2. During the erection, repair, alteration or removal of any buildings or structure, it shall be unlawful for the person in charge of such erection, repair, alteration or removal to leave any tree in or upon any street in the vicinity of such building or structure without a good and sufficient guard or protector as to prevent injury to such tree arising out of, or by reason of

such erection, repair, alteration or removal. See West Linn Tree Technical Manual for details regarding tree protection during construction.

E. Permit Requirements and Conditions.

The City maintains sole authority over the planting, pruning and removal of all trees and foliage on City property, including, but not limited to, street trees in the City's Right of Way. Private individuals shall only be allowed to prune, remove or plant any tree on City property, including the Right of Way, with express written permission of the City. However, such small scale and minor pruning of street trees in the City's right of way directly abutting private property shall be done by that property owner to maintain minimum sidewalk and road clearance as described in Section [8.720.F](#). Any such minor pruning shall only be deemed exempt from this permitting provided that it is the minimum reasonable amount necessary to achieve the clearance minima.

Should a citizen so desire, a request can be made to the City to have a City tree removed. The request will be reviewed, utilizing the guidelines for tree removal as presented ~~herein~~ [in section 8.630](#). Minimum size thresholds shall not apply for street trees.

Commentary: Clarified where the applicable tree removal permit criteria are located.

F. Maintenance.

1. It shall be the responsibility of the property owner adjacent to any street tree to maintain the tree according to the tree maintenance standards detailed in the City's Tree Technical Manual. Maintenance includes replacement of trees that are dead, or in need of replacement due to injury, disease, etc. ~~A fee may be paid to the City in lieu of replacement. In this case the City shall replace the tree at the time of its regular scheduled street tree plantings.~~

2. All street trees must be pruned ~~to ISA Pruning Standards for Shade Trees~~ [in a manner that is consistent with the most recent version of the ANSI A300 pruning standards and corresponding ISA Best Management Practices](#). See pruning guidelines in Tree Technical Manual for details.

Commentary: Removed option for property owner to pay fee to City for street tree replacement. The City does not have capacity for a street tree replacement program and rely on adjacent property owners to maintain and replace street trees. References for tree maintenance have been updated to address current industry standards.

3. Street trees having branches projecting into the street or sidewalk shall be pruned by the owners of the property adjacent to where the trees are growing and shall be done according to

the requirements for tree branch clearance over street and sidewalk areas, and signs as set forth in this [ordinancecode](#).

4. Limbs of trees may be allowed to project over the sidewalk area at an elevation of not less than 7 1/2 feet above the sidewalk level, and over the street area at an elevation of not less than 10 feet above the street level. However, on any street designated as an arterial and where parking has been prohibited, limbs of trees shall be pruned to a height of not less than 13 feet above the street level. Trees, which are not trimmed so as to meet the above specifications, shall be deemed to present an unreasonable risk of harm to persons or property.

5. The City may cause to be pruned and maintained, all of the trees within the City street right-of-way.

6. A private utility maintaining its utility system in a street may prune or cause to be pruned in accordance with the terms and conditions of their franchise agreement with the City.

7. It shall be unlawful for any person, firm, or City department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted by the City Arborist.

[Section 8.720 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.720 amended by Ordinance No. [1542](#), adopted 11-27-2006.]

8.730 Emergency Permit Process.

(1) The City Manager or designee shall have the authority to issue an emergency tree-removal permit if the condition of the tree presents an immediate danger of collapse, and/or represents a clear and present hazard to persons or property.

For purposes of this section, a hazardous growth habit which will likely result in failure of the tree prior to consideration of the permit through the normal process means that the tree is already leaning, with the surrounding soil heaving, or showing other clear signs of imminent failure, and that the problem cannot be resolved through pruning, trimming, or other preventive maintenance.

(2) An emergency tree-removal permit shall not require mailed or posted notice.

(3) An emergency tree-removal permit denial may not be appealed to the City Council.

(4) If the City Manager denies an emergency tree-removal permit, the applicant may apply for a tree-removal permit through the standard process.

(5) A property owner may remove a tree which they have determined is in imminent danger of falling and/or posing a threat to life and/or property prior to the ability of the City to consider issuing an emergency tree removal permit (e.g., on a weekend day). In such cases, within five business days of the tree's removal, the property owner shall provide written and photographic documentation of the condition of the tree prior to removal. If the City Manager does not agree with the property owner's decision, the property owner may be subject to enforcement and mitigation action pursuant to Section [8.740](#).

(6) Any officer of the Police Department or the Fire District may also require removal of a tree if, in the judgment of the officer during the performance of their public duties, the tree is in a hazardous or dangerous condition threatening life and/or property.

[Section 8.730 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.730 amended by Ordinance No. [1542](#), adopted 11-27-2006.]

8.740 Non-Compliance, Penalty, and Enforcement.

Any violation of the terms of Sections [8.500](#) to [8.798](#) is a Class A violation. Each tree involved in the violation constitutes a separate offense. In addition, the city attorney shall institute any necessary legal proceedings to enforce the provision of this section. These rights shall be in addition to any other remedies allowed by law. Upon discovery of a violation, the City shall notify the violator of the alleged violation and of the procedures and potential penalties associated with said violations.

The City Manager shall make a determination of whether the violation was knowing, willful and intentional on the part of the violator. If the City Manager determines that there is ample reason to believe that the violation was accidental or unintentional, the violator shall be permitted the opportunity to mitigate the violation through voluntary compliance process as found in subsection (1) of this section. Intentional violators shall be subject to penalties as listed on subsection (2) of this section as well as the tree replacement requirements of subsection (1)(a) of this section. Fines and penalties shall be submitted to the West Linn Municipal Court pursuant to the rules and procedures and authority of the Municipal Court to assess fines and other penalties for violation of the West Linn Municipal Code.

(1) Voluntary Compliance Process. A voluntary compliance agreement shall contain the following:

- (a) A commitment by the violator to submit and carry out a tree replacement program that is approved by the City Manager. The agreement shall require at minimum the planting of replacement trees at a 1:1 inch per inch (~~circumference~~**dbh**) ratio to the trees removed illegally. The size and quality of the mitigation nursery stock shall be approved

Commentary: Circumference and dbh are two different metrics. DBH appears to be the intended metric based on the reading of paragraph.

by the City. If the applicant's property is deemed inadequate in size to accommodate the replacement trees, then a fee may be paid into the Tree Canopy Replacement Fund at the minimum rate for installation of a 1.75 inch caliper tree to City standards.

(b) Payment of a fee deposit, calculated based upon anticipated staff time devoted to investigation of the violation and review and approval of the voluntary compliance agreement and related compliance inspections. The actual staff time shall be tracked and charged against the fee deposit. At the conclusion of the process, any unused funds in the deposit shall be refunded. If the deposit funds run out prior to completion of the voluntary compliance process, the violator shall pay an additional deposit calculated as necessary to complete the process. If the violator does not pay such an additional deposit, the voluntary compliance process shall be terminated and the City Manager shall initiate enforcement action against the violator.

(c) Trees that have been planted as part of a mitigation planting will not be covered by the minimum thresholds for trees requiring a permit for removal.

(2) Penalties. Any person, firm, or corporation causing the illegal removal of a tree who does not enter into a voluntary compliance agreement may upon conviction be fined a sum not to exceed the equivalent of three times the appraised value of the tree based on the latest revision of the [Guide for Plant Appraisal by the Council of Tree and Landscape Appraisers](#) evaluation method plus cost of prosecution including attorney's fees for each tree removed, but in any case an amount not less than \$500.00.

Commentary: Added the title of publication.

(3) [Suspension/Revocation of Tree Permit. The City Arborist may, in writing, suspend or revoke a tree permit issued under the provisions of this code whenever the permit is issued in error on the basis of incorrect information supplied, or if its issuance \(or activity thereunder\) is in violation of any code or regulation of any other provisions of the City code. Suspensions or revocations may be appealed under section 8.640.](#)

Commentary: The City does not currently have the option to revoke a tree permit. The CSO recommended to adapt the following building code language to grant authority for revoking tree permits: 8.050 Plans and Permits: (8) Suspension/Revocation.

[Section 8.740 added by Ordinance No. [1503](#), adopted 05-05-2004; Section 8.740 amended by Ordinance No. [1542](#), adopted 11-27-2006; amended by Ordinance No. [1621](#), adopted 04-21-14.]

8.745 Tree-Topping Prohibited.

[Section 8.745 added by Ordinance No. 1503, adopted 05-05-2004; Section 8.745 deleted by Ordinance No. 1542, adopted 11-27-2006.]

8.750 Abatement.

(1) The following trees are nuisances and are subject to abatement under Chapter 5 of the Municipal Code:

a. Hazard trees;

b. Trees infested with a disease or invasive insects, that in the opinion of the City Arborist, could lead to decline or spread of disease to other trees in the City;

c. Any tree located in the street right-of-way, or which encroaches from private property into the street right-of-way because of age, disease or other debilitating cause, death, insecure root system, or any other condition which, in the opinion of the City, causes its continued existence to be detrimental to the public interest; and

d. Any tree that is otherwise, in the opinion of the City Arborist, an imminent hazard to persons or property.

~~(1) When any tree located on private property is dead (and deemed to create a hazard) or infested with a disease or insects or is, in the opinion of the City Arborist, infectious and may spread such disease or insects to other trees in the City or otherwise an imminent hazard to persons or property, the City may remove or treat the tree or cause same to be removed or treated. Such removal or treatment shall be the responsibility of the property owner.~~

~~(2) The City may abate or remove, or cause to be abated or removed, any tree located in the street right-of-way, or which encroaches from private property into the street right-of-way because of age, disease or other debilitating cause, death, insecure root system, or any other condition which, in the opinion of the City, causes its continued existence to be detrimental to the public interest.~~

~~(34) If sections of this code the Community Tree Ordinance impose an undue hardship on an~~

Commentary: This code section is revised to simply declare trees with certain conditions to be nuisances subject to abatement under the City's nuisance code. References to the CDC are revised to delineate this code from the CDC.

individual property owner, assistance by a grant-in-aid may be available through the City Manager's office pursuant to the City's Grant-In-Aid Policy.

[Section 8.750 added by Ordinance No. 1503, adopted 05-05-2004; Section 8.750 amended by Ordinance No. 1542, adopted 11-27-2006.]

8.760 Tree Canopy Replacement Account.

(1) An account shall be established and maintained for various tree related revenues and expenditures.

Sources of revenue for this account include the following:

- (a) Fees paid as part of voluntary compliance mitigation.
- (b) Fees paid as part of development mitigation as may be required by the CDC.

Commentary: This revision was recommended to delineate this code from the CDC.

- (c) Fines paid for noncompliance.
- (d) Gifts received by the City for the purpose of tree canopy replacement.

(2) Expenditures for this account may include but are not limited to the following:

- (a) New tree installations on City property.
- (b) Natural area restorations on City property.
- (c) Street tree replacement programs.
- (d) New street tree installations in older neighborhoods.

[Section 8.760 added by Ordinance No. 1542, adopted 11-27-2006.]

8.795 Fees/Classification of Fees and Costs.

Fees shall be ~~established specified in the Master Fees and Charges Document by Ordinance of the City Council and may be amended from time to time.~~ The City Council determines that the fees and costs imposed by this ordinance code are not a tax subject to the property tax limitations of Article XI, Section 11(b) of the Oregon Constitution.

Commentary: References that tree fees will be included in the Master Fees and Charges Document which is reviewed and amended as needed on an annual basis.

[Section 8.795 added by Ordinance No. 1503, adopted 05-05-2004.]

8.797 Disclaimer of Liability.

Nothing contained in Section [8.500](#) to [8.798](#) shall be deemed to impose any liability upon the City, its officers or employees, or to relieve the owner of any private property from the duty to keep any tree, shrub or plant on his or her property or under his or her control in such condition as to prevent it from constituting a hazard or an impediment to travel or vision upon any public right-of-way, park, or public place within the City.

[Section 8.797 added by Ordinance No. [1503](#), adopted 05-05-2004.]

8.798 General Provisions.

If any provision or any portion thereof contained in this article is held to be unconstitutional, invalid or unenforceable, the remainder of this article, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

[Section 8.798 added by Ordinance No. [1503](#), adopted 05-05-2004.]

WEST LINN TREE **TECHNICAL MANUAL**

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INTRODUCTION

This tree Technical Manual is a separately published document issued by the City Manager, through the Departments of Parks and Recreation, Planning and Building and Engineering to establish specific technical regulations, standards, and specifications necessary to implement the Community Tree Ordinance, and to achieve the City's tree preservation goals. These goals are intended to provide consistent care and serve as benchmark indicators to measure achievement in the following areas:

- Ensure and promote preservation of the existing tree canopy cover within city limits.
- Provide standards of maintenance required for protected and city-owned trees.
- Provide standards for preservation and enhancement of existing trees on privately owned property.
- Provide a standardized content for tree reports required by the City.
- Establish criteria for determining when a tree is unsafe and a possible threat to the public health, safety, and welfare.
- Provide standards for the replacement of trees permitted to be removed.
- Increase the survivability of trees during and after construction events by providing protection standards and best management practices.

DEFINITIONS

See Community Tree Ordinance Section 8.510 for Definitions.

~~Basal flare:~~ ~~That portion of a tree where there is a rapid increase in diameter at the confluence of the trunk and root crown.~~

~~Building footprint:~~ ~~The two-dimensional configuration of an existing building's perimeter boundaries as measured on a horizontal plane at ground level.~~

~~Business days:~~ ~~Monday through Friday—exempting any holidays.~~

~~Calendar Days:~~ ~~All days as noted on a calendar, inclusive of weekends and holidays.~~

~~Certified Arborist:~~ ~~An individual who has either obtained certification as an arborist from the International Society of Arboriculture, or who is a member of the American Society of Consulting Arborists.~~

City Arborist: The person designated as such by the City Manager.

City Manager: The City Manager or his/her designee.

City Right of Way: Land that is not owned by a private individual or company that has been either deeded or dedicated to the City for a public purpose. As referred to with a road, the area of the road and area adjacent to the road in City ownership.

Compaction: Compression of the soil structure or texture by any means that creates an upper layer that is impermeable. Compaction is injurious to roots and the health of a tree.

DBH: Diameter at Breast Height is a tree's diameter at 4 1/2 feet or 54 inches above the highest natural ground level. DBH measured in this fashion is considered the accepted method for measuring the size of a tree, by both industry and scientific standards.

Dead Tree: A tree that is dead or has been damaged beyond repair or is in an advanced state of decline (where an insufficient amount of live tissue, green leaves, limbs, or branches exists to sustain life) and has been determined to be such by a certified arborist.

Disturbance: All of the various activities from construction or development that may damage trees.

Drip line Area: The area under the tree's canopy as defined by an imaginary vertical line extending downward from the outermost tips of a tree's natural length branches to the ground.

Erosion: Detachment and movement of soil, rock fragments, mulch, fill, or sediment.

Excessive pruning: Removal of more than one third of the functioning leaf, stem, or root area of a tree in any twelve month period, or removal of foliage so as to cause the unbalancing of a tree. Removal of more than one third of functioning leaf, stem, or root area is considered a tree removal.

Groves: A group of two or more trees with meeting or overlapping canopies. The trees need not be the same species.

Hazard tree: Any tree with a structural defect and/or disease which makes it subject to a high probability of failure, and which threatens persons or property, including other trees.

Hazardous Growth Habit: The development of a tree that, due to a combination of structural defect, disease, or existing disturbance, is subject to a high probability of failure; and such failure would result in a threat to persons or improved property.

Heritage Tree: A tree designated by the City Council as having significant historic or community value to the City of West Linn.

~~I.S.A.:~~ ~~International Society of Arboriculture.~~

~~Injury:~~ ~~A wound resulting from any activity, including but not limited to excessive pruning, cutting, trenching, excavating, altering the grade, or paving/compaction within the tree protection zone of a tree. Injury shall include bruising, scarring, tearing or breaking of roots, bark, trunk branches or foliage, herbicide or poisoning, or any other action foreseeably leading to the death or permanent damage to tree health.~~

~~Major Pruning:~~ ~~Removal of over 20 percent of the tree's canopy, or disturbance of over 10 percent of a tree's root system.~~

~~Project Arborist:~~ ~~A certified arborist hired by a design review applicant who will handle tree related issues and correspondence with the City Arborist regarding developments in the City. A Project Arborists specific duties are outlined later in this document.~~

~~Protected Tree:~~ ~~All trees that are specifically designated to be saved on private property pursuant to an approved development permit, or for which the City Manager has not issued a tree removal permit. Protected trees are to be indicated on building permit or development plans submitted for approval.~~

~~Protected Tree Fencing:~~ ~~A temporary enclosure erected around a tree to be protected at the boundary of the tree protection zone. The fence serves three primary functions: 1) to keep the foliage crown, branch structure and trunk clear from direct contact and damage by equipment, materials, or disturbances; 2) to preserve roots and soil in an intact and non-compacted state; and 3) to identify the tree protection zone in which no soil disturbance is permitted and activities are restricted.~~

~~Soil Compaction:~~ ~~The compression of soil particles that may result from the movement of heavy machinery and trucks, storage of construction materials, structures, paving, etc. within the tree protection zone. Soil compaction can result in atrophy of roots and potential death of the tree, with symptoms often taking years to manifest.~~

~~Street Tree:~~ ~~Any tree existing on or in the City's road right of way.~~

~~Topping:~~ ~~The severe cutting back of a tree's limbs within the tree's crown so as to remove the natural canopy and disfigure the tree.~~

~~Tree:~~ ~~For the purposes of determining whether a tree removal permit is required, the following definition of Tree is used. Only those trees that meet or exceed the size standards stipulated in this definition require permits to be removed. It is to be explicitly understood, however, that within this Ordinance there are some references to "Tree" or "Trees" (such as with street trees or replacement trees) where the term "Tree" is used (because it would be cumbersome to invent a different term) but to which the size requirements do not apply.~~

~~Any woody, perennial plant, deciduous, evergreen, or coniferous, having a main stem or trunk of a minimum 20-inch circumference (6.37-inch diameter DBH) (for Oregon white oak, Pacific madrone or native dogwood), or a minimum 38-inch circumference (12.1-inch diameter DBH) (all other tree species). Trees with multiple trunks will be measured at the 54-inch standard and computed as a total circumference.~~

~~**Tree Appraisal:** A method of determining the monetary value of a tree as it relates to the real estate value of the property, neighborhood, or community. When required, a certified arborist determines the appraisal by adjusting a tree's basic value by its condition, location, and species using the most recent edition of the *Guide for Plant Appraisal*, published by the Council of Tree and Landscape Appraisers.~~

~~**Tree Canopy:** For the purposes of determining tree removal, it is the sum total of the branch and leaf structure of a tree including the trunk and/or trunks. When referred to as the City tree canopy, it refers to the total ground area that is shielded by tree foliage as would be determined from an aerial view of the City~~

~~**Tree Protection and Preservation Plan:** A plan prepared by a certified arborist that outlines measures to preserve protected trees on a project site. This plan shall include requirements for pre-construction, treatments during demolition and/or construction, establishment of a tree protection zone for each tree, tree monitoring and inspection schedule, and provide for continuing maintenance of those trees after construction according to the requirements in this Manual.~~

~~**Tree Protection Zone (TPZ):** unless otherwise specified by a project arborist or City Arborist, the area of temporary fenced tree enclosure. The Tree Protection Zone is a restricted activity zone where no soil disturbance is permitted, unless otherwise approved.~~

~~**Tree Removal:** Any of the following: (1) Complete removal, such as cutting to the ground or extraction, of a tree; (2) Taking any action foreseeably leading to the death of a tree or permanent damage to its health; including but not limited to excessive pruning, cutting, girdling, poisoning, over watering, unauthorized relocation or transportation of a tree, or trenching, excavating, altering the grade, compacting the soil or paving within the drip line area of a tree; (3) removal of more than one-third of functioning leaf and stem area of a tree in any 12-month period, or removal of foliage so as to cause the unbalancing of a tree is considered as removal for purposes of this ordinance.~~

~~**Visually Prominent:** Visible from 1000 feet of the tree. Removal of a visually prominent tree would result in a marked difference in a view from an adjacent property or from a public right-of-way.~~

Commentary: A cross reference to the definitions section of the Community Tree Ordinance is provided rather than duplicating the same definitions in two places. There were some minor differences in definitions between the Tree Manual and Community Tree Ordinance, so this proposed change will eliminate any discrepancies.

TREE MAINTENANCE GUIDELINES

This chapter establishes the minimum standard of care and maintenance for West Linn's

trees. These standards apply to all persons who own or are engaged in the business of repairing, maintaining, or preserving these trees. The following standards of care are set forth for pruning (including utility, fire and traffic encroachment), planting, watering, soil and nutrient requirements, insect, disease and fruit control. Guidelines for selecting an arborist are also given. These standards and guidelines are based on sound arboricultural principles and are applicable to trees, shrubs and woody plants. All owners of trees are to follow the required maintenance standards set forth in this Manual. If special pruning or situations require a variance from these standards, it is the responsibility of the certified arborist and property owner to clarify why the changes are needed and review them with the City Arborist.

PROHIBITED ACTS

Improper maintenance may constitute a prohibited act as defined by the West Linn Municipal Code, and a violation which may be subject to penalty. The following permitted and prohibited maintenance practices for trees apply:

- **Excessive Pruning:** Excessive pruning shall be considered a prohibited act.
- **Topping:** Topping shall be considered a prohibited act.
- **Other prohibited actions:** Taking any action foreseeably leading to the death of a tree or permanent damage to its health, including but not limited to excessive pruning, cutting, girdling, poisoning, over watering, unauthorized relocation or transportation of a tree, or trenching, excavating, altering the grade, or paving within the dripline area of a tree.

PRUNING STANDARDS

The most compelling reason to prune trees is to develop a strong, safe framework. All work to be performed on trees shall be in accordance with the standards set forth in this manual. All specifications for working on trees shall be written and shall be administered by a qualified arborist, and shall be designed to promote the preservation of tree structure and health. All work on trees shall be in accordance with the most current industry standards which are the ANSI A300 Tree Care Standards, ANSI Z133 Safety Standards, and corresponding ISA Best Management Practices. Climbing and pruning practices shall not injure the tree except for the pruning cuts. To reduce the probability of insect infestation, disease or infection, seasonal recommendations apply, except when public safety is a concern. All species should not be pruned during the flush of spring shoot growth. Trees with thin bark should not be pruned in summer when sunscald injury may be a factor. Deciduous trees are best pruned November-February. Hazardous trees of any species may be pruned any time of the year for abatement reasons.

Commentary: Cross references to tree care industry standards are explicitly provided.

Mature Trees

~~There are six types of pruning that may be required on mature trees. Prior to entering the tree, the tree worker is required to be familiar with these types of pruning as stated in the Performance Standards, ANSI, A300-1995. 'Species-specific' pruning promotes the~~

~~natural shape of the tree (i.e. excurrent, decurrent, vase-shaped, fast growing, etc.) The six pruning types are:~~

- ~~• Crown Cleaning~~
- ~~• Crown Thinning~~
- ~~• Crown Raising~~
- ~~• Crown Restoration~~
- ~~• Crown Reduction~~
- ~~• Utility Pruning~~

Commentary: Pruning types have evolved since the 1995 version of the ANSI A300 standards. This section is deleted in place of the reference to the most recent ANSI standards and ISA BMPs in the previous section.

Distressed Trees

Distressed trees require as much leaf area as possible to overcome stressed conditions. To avoid additional injury, the following measures shall be followed for these trees:

- If a tree has been damaged by injury or disturbance, delay pruning until deadwood becomes evident (typically 1-3 years after injury). ~~Crown cleaning~~Removal of dead, broken, and other pruning for risk reduction is then recommended.
- Trees that have received little or no care or maintenance may need moderate ~~crown thinning~~pruning, reduction of end weights or entire crown restoration.

Commentary: Removed reference to specific pruning types from previous ANSI standards.

Young Trees

By pruning trees early, it will improve life expectancy and is a proven, cost-effective measure. Added benefits are also reflected in safer trees with fewer branch failures. For trees that serve as a replacement tree, they shall be pruned in the following way:

- Prune during the second year after planting to improve their structure, and only minor crown cleaning every 3-7 years thereafter. Refer to ~~ISA Tree Pruning Guidelines~~ISA Best Management Practices.
- Do not top the main leader except to position the lowest main branch. Other main branches should be spaced at least 18-inches apart when possible to alleviate a tight grouping of branches.
- Select permanent branching and allow temporary low branching on the lowest part of the trunk to remain.

Commentary: Referenced ISA BMPs for standards and provided more flexibility for branch spacing.

FERTILIZING

This section outlines performance standards for fertilizing and apply only if fertilizing is specified. Fertilizing mature trees is generally not necessary. Fertilizing may be specified for trees that will be impacted by upcoming disturbance, grade changes or a modified environment. Benefits gained from the increase stored resources may aid the tree to overcome the stress caused by disturbance.

Specifications

Fertilizing, if specified, shall be performed to the following standards:

- Method of application: The method shall be subsurface injection, on approximate 3-foot centers (within the root ball on young trees; 2-feet out on older trees) and out to the approximate dripline perimeter. Specific situations may justify other variations such as vertical mulch, soil-fracture or surface-broadcast methods.
- Material and Rates: Unless specified otherwise, fertilizer formula shall be a slow-release, complete fertilizer with chelate trace elements (e.g. 22-14-14 or 20-20-20) and mixed at label rates not to exceed 4-pounds nitrogen per 100-gallons of water. Extraordinary-Some cases may require soil and tissue sampling to correct target deficiencies.
- Amount: Unless specified otherwise, volume shall be determined by mixing 10-gallons of water per inch of trunk diameter when measured at 54-inches above natural grade.
- Timing: Timing should not be detrimental to tree health. Best results are derived from applications made during the prior growing season. Apply fertilizer between May and September for best results.

Commentary: Modified language to increase flexibility of treatments.

WATERING

Newly installed trees, including drought tolerant species, are dependent upon supplemental irrigation until established, typically for at least two years. Periods of extreme heat, wind or drought may require more or less water than recommended in these specifications. The method and amount that is applied may vary depending upon soil composition, heat, wind, companion plantings, rainfall amounts. The watering of trees or their replacements shall follow the standards set forth in this manual.

New Trees

During the establishment period (at least ~~1~~ 2 years) trees should be watered thoroughly to their root depth as frequently as needed. The minimum standards shall be as follows:

- 3 months in the ground: 4 times per month or as necessary
- 6 months in the ground: 2 times per month or as necessary
- 12 months in the ground: 1 time per month or as necessary

Commentary: Modified establishment timeframes to account for realities of tree establishment due to climate change.

Mature trees

- 1 time per month during irrigation season (usually June through September)

Watering Methods

The following options shall fulfill the watering requirements. One or more of the following may be utilized dependent upon unique circumstances subject to the City Arborist determination. The options are as follows:

- Automated Watering Systems. All new trees shall be provided with one of the following automatic watering systems. Other city maintained systems shall be per Parks Department specifications.
- Bubbler heads (Preferred). One or two bubbler heads mounted on flexible tubing are to be placed adjacent to or on top of the root ball. The placement of bubbler within an aeration tube is not allowed.
- Drip Loop system. A continuous loop of drip tubing circling around the trunk at a point two-thirds out from the trunk to the edge of the root ball (for new trees 36-inch box size and greater, a second loop of drip tubing is required at a point just beyond the root ball on native soil).
- Hand watering systems. Recommended for trees that are part of a development project that must be watered to insure tree survival during the course of construction until automatic irrigation is installed.
- Flood watering. Newly installed trees must be 'flood or basin-watered' on top of the root ball to allow the water to infiltrate through the root zone.
- Subsurface injections using a hydraulic spray pump (practical for use in hard, compacted soils or steep hillsides).
- Soaker hose. Slow, deep watering using a garden type soaker hose.
- Wetting agent. A root ball that has been allowed to dry out beyond the wilting point shall require the addition of a wetting agent to the water (such as Aqua-grow or equivalent).

Amount

Unless otherwise specified, the volume of water applied at each irrigation should be in the range of 10-gallons per inch of trunk diameter when measured at 54-inches above natural grade. The final decision of whether to water or not should be based on accurate soil probe samples that are taken from the root ball.

SOIL IMPROVEMENT

During development, compaction of the soil is the largest single factor responsible for the decline of older trees. Ninety percent of the damage to the upper eighteen inches of soil occurs during the first pass of heavy equipment - and cannot be reversed. Every effort to avoid compaction of soil porosity within the tree protection zone shall be taken at all times. When required as mitigation for injury or a prohibited action, the following performance standards for improvement of compacted or damaged soil shall be implemented:

Aeration

Soil that is damaged or compacted within the dripline of trees shall be loosened or aerated to promote root growth and enhance tree vitality. One of the following aeration methods shall be specified in an effort to correct compacted soil conditions:

- Vertical Mulching: Auger holes 2 to 4-inch diameter, 2 to 3-feet deep, on 4-foot centers and backfilled with porous material such as perlite, vermiculite or volcanic rock.
- Radial Trenching: With an air excavator, excavate a soil trench 3 to 6-inches wide and a minimum of 12-inches deep from (approximately) 3-feet from the trunk out to the dripline area. The trenches shall radiate out from one foot apart at the closest point.
- Soil-fracturing with a pneumatic air-driven device.
- Subsurface injections under moderate hydraulic pressure using a three foot probe and applied on 3-foot centers under the dripline.

Drainage

Adequate drainage must be provided to the surrounding soil for the planting of new trees. If the trees are to be planted in impermeable or infertile soil, and water infiltration rates are less than 2-inches an hour, then one of the following drainage systems or other approved measures must be implemented:

- French drain, a minimum of three feet in depth
- Drain tiles or lines beneath the trees
- Auger six drain holes at the bottom perimeter of the planting pit, a minimum of 4-inches in diameter, 24-inches deep and filled with medium sand or fine gravel

INSECT AND DISEASE CONTROL

~~Generally, insect populations do not threaten tree health to the point of mortality. More often, when their populations become too great they create a nuisance.~~ If action is warranted to prevent or treat pests or diseases, Integrated Pest Management (I.P.M.) suggests that the pest source be identified and targeted with a specific and timely treatment. If insects or disease can lead to the death of a *protected* tree, then it is the responsibility of the property owner to evaluate the condition according to the guidelines set forth in this manual, and treat the problem in a timely fashion to prevent further deterioration of the tree.

Insects

Accurate timing is critical for success. Nontoxic materials should be used whenever possible to control leaf-chewing insects.

Disease and Decay - above ground

Disease such as heart-rot decay that erodes the health or weakens the structure of a tree may compromise the safety of people or property. It is the property owner's responsibility to correct a known hazardous condition in a timely fashion.

Consult with a certified arborist for remedy possibilities, for example, pruning out

infected branches, ~~thinning~~, or the spray application of a chemical treatment.

Disease - below ground

Soil-borne diseases, such as Armillaria or Phytophthora, are present in West Linn soils. Often, a poor landscape design surrounding old trees encourages harmful, and often lethal diseases. Combined with poorly drained soil, these factors often activate normally dormant fungi to become opportunistic and infect the tree to cause the decline and eventual death of the tree. This decline can be slow and may not be evident for many years. To identify cultural conditions that may lead to diseases such as Verticillium, Phytophthora or other soilborne fungi, review reputable scientific sources such as university extension publications ~~the Sunset Western Garden Book~~ or consult with a Certified Arborist. The following conditions that favor a disease environment must be avoided:

- Compacting of the soil within the tree's dripline, adding fill dirt, roto-tilling, trenching, removing soil from the tree root area.
- Excessive or regular watering on or near the tree trunk area and planting incompatible water-loving plants within the tree's dripline.
- Landscape Design: When planning landscaping around a tree, an evaluation of the tree and soil must be performed to determine if there is a disease present. If the tree is diseased and landscaping will contribute to decline, permanent damage or render it hazardous, it is the obligation of the property owner to take reasonable measures to reduce or eliminate the conditions that may cause the decline of the protected or designated tree.

Foliar disease

Leaf spot or galls may be chronic or reoccur with specific seasons. Though many of these diseases destroy leaf tissue and become unsightly, they may not significantly reduce the ~~tree~~tree's health and therefore normally need not be treated unless otherwise specified.

Commentary: Modified language in pest and disease section to account for serious impending pest issues include Emerald Ash Borer and Mediterranean oak borer. Made resource references more general rather than referring to a specific publication.

TREE PLANTING SPECIFICATIONS

Planting specifications apply for trees that are planted as a replacement for a tree approved for removal. Using the following specifications will result in consistent city-wide plantings, and superior tree growth and vitality. To achieve this, landscape architects shall incorporate these items into their specifications.

PLANTING STOCK

It is the contractor's responsibility to supply stock that meets the most recent version of the ANSI 760Z60.1-1996 and City of West Linn *Tree Technical Manual Standards*. All

plants and trees installed within the City of West Linn shall conform with the most recent version of the American Standard for Nursery Stock~~American Association of Standards~~, ANSI Z60.1 ~~standards, Specifications for Acceptance of Nursery Trees at the Time of Delivery~~, in all ways.

- Plants shall be sound, healthy, vigorous, and free of plant disease and insect pests and their eggs.
- Container stock shall be grown for at least 8-months in containers in which delivered and shall not be root bound or have girdling roots.
- Trees shall not have been topped or headed.
- Plants and trees with broken tops, branches or injured trunks shall be rejected.

Commentary: Corrected references to the American Standard for Nursery Stock.

RECOMMENDED STREET TREES

There are many trees available that are appropriate for use as street trees, and new varieties are being developed every year. The City shall maintain a list of appropriate trees for planting in the City, either as street trees, or for use in yards, parks, etc. ~~and is appendix A to this manual.~~ The list will be updated periodically as new varieties are available, or as information is received about diseases, insects and other nuisances. Please consider the location, size of planting area, and other site specific variables when choosing a tree.

Commentary: The tree list is not in appendix A but staff recently created a tree list.

MISCELLANEOUS MATERIALS

The following materials shall be used unless otherwise specified:

- **Tree stakes:** ~~Support~~ When needed, support stakes shall be treated 2-inch diameter pine or equal, ~~two stakes per tree~~. No cross brace shall be used. After installation, stakes shall be trimmed so that the branches clear the top of the stake.
- **Tree Ties:** Twist brace, fabric-reinforced rubber (3/8-inch minimum), or equivalent approved by the City of West Linn shall be used and installed in a figure eight fashion to support the tree to the stakes.
- **Mulch:** Screened untreated wood chips, bark dust or approved equal, spread to a 2-inch depth out to the edge of the root ball. The mulch should be kept at least two inches away from the trunk and shall be applied to each tree.
- **Mower guards:** For trees in turf areas requiring regular mowing, the tree stem shall be protected with TreeGuard or equivalent.
- **Tree Grates:** Tree grates may be required in specific circumstances by the City such as in high pedestrian traffic and narrow sidewalk situations. When required, tree grates must be approved by the City prior to the installation

~~and installed according to the manufacturer's specifications. Where sidewalk width is less than 8 feet and new trees will be installed in a tree well, metal tree grates shall be used and approved by Public Works. Minimum size grates shall be 4' x 4' unless specified otherwise. All tree grates shall be mounted in frames inset into a concrete foundation within the sidewalk or surface material and shall be flush with the surrounding surface.~~

Commentary: Provided more flexibility on tree staking and removed requirement for tree grates unless otherwise specified by the City. Tree grates can damage trees over time unless regularly maintained. Grates are generally not recommended except in specific circumstances.

SOIL PREPARATION AND CONDITIONING

- All debris, wood chips, pavement, concrete and rocks over 2-inches in diameter shall be removed from the planting pit to a minimum of 24-inch depth, unless specified.
- Trees in a confined planter pit or sidewalk area: The planting hole shall be excavated to a minimum of 30-inches deep x the width of the exposed area.
- Scarify the sides of the pit. Soil beneath the rootball shall be compacted to prevent settling.
- Trees in all other areas: Excavate the hole's width a minimum of three times the diameter of the container, and deep enough to allow the root ball of the container to rest on firm soil. Scarify the sides and the bottom of the pit.
- The height of the container root ball should be 1-2-inches higher than grade level, except when structural urban tree soil mix is used, in which case the tree may be planted at level grade.
- If the soil is dry, add a few inches of water in the hole. Let it drain before planting the tree.

PLACING THE TREE

- **Roots:** Remove tree from the container and trim the root ball in the following way: Straighten and/or cut cleanly any thick circling roots. For thin roots make three to four vertical cuts 1/2-inch deep around root ball and spread the bottom out if necessary
- **Orientation:** Locate the tree in the hole, and rotate the tree to direct the main branches away from the street side, if possible.
- **Filling the Hole:** Place the aeration tubes, fill the hole halfway up with original soil (amended soil only when approved), and gently tamp out air pockets with a pole or shovel handle. Add about 1-inch of water, and let drain. Fill the rest of the hole to grade, water the fill soil, and let drain.
- **Staking:** Place the stakes at the edge of the root ball (drive them 2-feet into undisturbed ground), and avoid contact with the branches. ~~If in a windy area, set the stakes in a plane at right angles to the wind.~~ Remove the nursery stake. Loosely place two ties in a figure eight around the trunk, as low as needed to hold the tree upright and nail to the stake. Stakes shall be trimmed so that the branches clear the top of the stake. Do not install a cross-brace.
- **Berm, Mulch and Water:** In non-turf areas, form a soil berm 3 to 4-inches high at the outermost edge of the root ball. Place 1 to 2-inches of mulch or

bark over root ball and berm, keeping the mulch away from the trunk a minimum of 2-inches. Fill the berm with water to capacity.

- **Turf Areas:** In turf areas that receive regular watering, the watering berm may be eliminated. The turf shall be maintained a minimum of one foot from the new tree stem, and mulch placed on top of the root ball. The mulch shall not be touching the tree stem. In turf areas, install ~~tree~~ mower guards.
- **Aeration Tubes for Trees:** If required, install 4-inch diameter perforated aeration tubes with grated plastic caps placed at the edge of the root ball to the bottom of the pit. Irrigation heads shall not be installed inside the aeration pipes. Any of the above holes, pipes, grates or fixtures shall include the installation of Filter Fabric wrap over the side openings and secured as recommended by manufacturer when connected to an approved aeration system.
- **Alternate Specifications:** Occasionally, tree planting must occur in poor or difficult soil where standard planting techniques will result in poor-to-average performance or mortality (such as unique or unusual regional geology, slope, soil volume, restrictive physical or chemical properties, poor drainage, etc.). In this case, the responsible party must investigate alternative solutions to enable long term tree growth. Alternative planting specifications or plans that vary from the native or typical soil conditions shall be submitted to the *City Arborist* for approval prior to installation. Alternative or specified soils, such as engineered, amended or structural urban tree soil mix, including written specifications and physical samples, shall be submitted for approval from the City Arborist and/or Landscape Architect.

Commentary: Provided more flexibility on tree staking, added previous reference to mower guard for consistency, and corrected typo.

HAZARDOUS TREES

Property owners are responsible for the trees on their own property. The City requires advance permission for removal of trees in emergencies, unless the tree poses an imminent danger of falling and posing a threat to life and property prior to the ability of the Manager to consider issuing an emergency tree removal permit. However, in such cases the property owner must submit documentation of the problem after the fact. This is to avoid the unlawful removal of sound trees on the grounds that they are hazardous. If there was no immediate danger, and the City determines that there was no reasonable basis for the tree to be removed prior to the ability of the City to issue an emergency tree removal permit, the property owner may face penalties for violating City law.

The health and safety of a tree are two distinct and separate functional characteristics. A vigorous and healthy tree may not necessarily be of sound wood or structure. To remove a dangerous tree, it must first be evaluated and the tree determined to be hazardous as defined in this section.

On private property, it is the responsibility of the property owner to mitigate or abate a known hazardous condition of a tree that may be of questionable structure or deemed as hazardous. Most tree hazards can be prevented with regular checkups by a tree care professional and timely maintenance action by the property owner.

Determining whether or not a tree's defects constitute a condition that presents an

imminent hazard to an area requires a high degree of knowledge and experience. Hazard tree assessment of a tree should only be evaluated by an ISA certified arborist that is Tree Risk Assessment Qualified who is familiar with tree physiology and can interpret the external signs of weaknesses, and who can perform internal checks if necessary and make recommendations.

Commentary: Included updated qualifications of arborists that are qualified to perform tree risk assessments.

CRITERIA USED BY THE CITY TO DETERMINE IF A TREE IS HAZARDOUS

- **Definition of Hazardous Growth Habit:** The West Linn Municipal Code defines “Hazardous Growth Habit” as: The development of a tree that, due to a combination of structural defect, disease, or existing disturbance, is subject to an imminent or probable likelihood of failure; and such failure would result in a threat to persons or improved property based on an extreme or high overall risk rating over the next five-year timeframe according to an ISA Qualified Tree Risk Assessor using the ISA Tree Risk Assessment process.~~the development of a tree that, due to a combination of structural defect, disease, or existing disturbance, is subject to a high probability of failure, and such failure would result in a threat to persons or improved property.~~
- **Evaluation Form:** In some cases, the City may require submittal of an ISA Basic Tree Risk Assessment Form ~~Hazard Evaluation Form~~, before approval is granted. The City uses the ~~national standard, an ISA Hazard Evaluation~~ Basic Tree Risk Assessment Form as a basis to determine the ~~hazard-overall risk~~ rating of a tree. This form, or an approved equivalent, must be completed by a certified arborist. The City Arborist retains discretionary right to approve, request in writing a second opinion of a rating, or recommend action that may reduce the condition to a less-than ~~significant level of hazard~~ extreme or high overall risk rating.
- **Authorization:** If the hazardous growth habit cannot be mitigated or reduced by pruning or other treatment to ~~a~~ less than ~~significant level~~ a high or extreme overall risk rating then the Manager shall issue a permit authorizing removal of the tree in accordance with the City Municipal Tree Ordinance.

Commentary: Modified the language regarding hazardous trees, evaluation forms, and risk ratings for consistency with current ANSI A300 standards and ISA BMPs.

DETERMINING A TREE’S HAZARD-OVERALL RISK RATING

A tree may be a potential hazard if it is based on: (a) ~~a tree with the potential to fail~~ its likelihood of failure (b) ~~in an environment that increases the likelihood of failure~~ likelihood of impacting a target and (c) ~~a tree that would strike a target~~ consequences of failure. The ~~hazard-rating formula~~ overall risk rating is based upon the following factors:

- Failure Potential RatingLikelihood of Failure:** *Likelihood of failure* is the chance of a tree or tree part failing within the stated time frame of five years. Factors affecting likelihood of failure include site conditions (prior ground disturbance, loss of adjacent trees), response growth (a tree's natural strengthening to normal loads), tree health, tree species, load (wind exposure and lever forces), and any defects or decay in the tree. The likelihood of failure is predicated on historically normal weather conditions, including historically normal storms, but excluding severe or abnormal storms. Severe ice and wind storms are generally not considered historically normal weather conditions. Likelihood of failure ratings range from improbable, possible, probable, to imminent.
- ~~Failures do not occur at random, but are the result of a combination of defects and aggravating conditions. The scope of the professional evaluation will include structural defects in the tree (including branches, trunk and roots; and if necessary, shall employ the use of the most current methods of internal decay inspection available); soil/slope and/or creek bank stability; individual species susceptibility to failure, pruning, history, decay weaknesses and any other compromising or pertinent factors considered by the consultant.~~
- Target RatingLikelihood of Impacting Target:** *Likelihood of impacting target* assesses the likelihood of the tree or tree part impacting a target when the tree or tree part with the defect has failed. Factors for assessing likelihood of impact include occupancy rates including how long targets are exposed to potential tree failures, location within a target zone, protection factors such as structures or other trees that may reduce potential for certain targets to be impacted, and direction of fall. Likelihood of impact target ratings range from very low, low, medium, to high. Evaluation of potential targets shall include people, structures or property use and occupancy that are imminently threatened. Property use shall consider what structures or activities are under or around the tree (e.g. building, parking, pedestrian, recreational, utility lines, hardscape, etc.). Occupancy shall consider frequency of the use (occasional, intermittent, frequent or constant), and whether the *target* will be present when failure occurs. Consideration shall be given as to whether the *target* can be reasonably removed or isolated to reduce the hazard rating to a less than significant level. A target means people or property (public or private).
- Additional FactorsConsequences of Failure:** *Consequences of failure* is the level of damage associated with a tree or tree part failure that has struck a target of concern. Factors considered include the size of the tree or tree part, fall distance, protection factors, and target value/damage. Consequences of failure range from negligible, minor, significant, to severe. Evaluation of other factors that contribute to aggravating conditions shall be considered, such as: size of the affected defect (i.e. a small branch vs. the entire tree uprooting), significant potential of fire, utility line contact or catastrophic effects, etc.
- Overall Risk Rating:** The overall risk rating for a tree is determined through the risk rating matrix below from the ISA Best Management Practices: Tree Risk Assessment that combines the likelihood of a tree failing and striking a target with the consequences of failure. The outputs for overall risk rating are low, moderate, high, and extreme.

- **Low** – “Some trees with this level of risk may benefit from mitigation or maintenance measures, but immediate action is not usually required.”
- **Moderate** – “The tree risk assessor should recommend mitigation. The decision for mitigation and timing of treatment depends upon the tolerance of the tree owner or manager.”
- **High** – “This combination of likelihood and consequences indicates that the tree risk assessor should recommend mitigation measures be taken. The decision for mitigation and timing of treatment depends on the risk tolerance of the tree owner or risk manager.” The priority for action is lower than extreme risk trees.
- **Extreme** – “The tree risk assessor should recommend that mitigation measures be taken as soon as possible. In some cases, this may mean restricting access to the target zone area to avoid injury to people.”

Matrix 1. Likelihood matrix.

Likelihood of Failure	Likelihood of Impact			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

Commentary: Modified the risk rating language for consistency with current ANSI A300 standards and ISA BMPs.

DEVELOPMENT REVIEW, BUILDING PERMITS, AND PROTECTION OF TREES DURING CONSTRUCTION

The objective of this section is to provide guidelines to reduce the negative impacts of construction on trees to a less than significant level. Trees vary in their ability to adapt to altered growing conditions. Mature trees have established stable biological systems in the pre-existing physical environment. Disruption of this environment by construction activity interrupts the tree’s physiological processes causing depletion of energy reserves and a decline in vigor, often resulting in the tree’s death. Typically, this reaction may develop from one to twelve years or more after disruption. The tree protection regulations are intended to guide a construction project to ~~insure~~ensure that appropriate practices will be implemented in the field to eliminate undesirable consequences that may result from uninformed or careless acts, and preserve both trees and property values.

Typical negative impacts that may occur during construction include:

- Mechanical injury to roots, trunk or branches
- Compaction of soil, which degrades the functioning roots, inhibits the development of new ones and restricts drainage, which desiccates roots and enables water mold fungi to develop
- Changes in existing grade which can cut or suffocate roots
- Alteration of the water table - either raising or lowering
- Microclimate change, exposing sheltered trees to sun or wind
- Sterile soil conditions, associated with stripping off topsoil.

STEPS IN THE PROCESS

Construction project managers are required to implement the tree protection practices described in this section. The following steps shall be taken in regard to tree protection on any construction project in the City. For more detailed information regarding these steps, please reference the desired topic later in this section.

- **Site Plans, Tree Surveys and Arborist Reports:** Prior to land use approval or building permit issuance, a property owner shall have prepared an appropriate *Site Plan, Tree Survey, and/or Arborist Report*. Any tree protection plans or reports must be approved and accepted by the City Arborist before proceeding to the next step. Notes and/or changes to the protection plans may be made or requested by the City Arborist at this time.
- **Verification of Tree Protection:** The project arborist or contractor shall verify, in writing, that all pre-construction conditions have been met and that all tree protection measures are in place. Written verification must be submitted to and approved by the City prior to demolition, grading or building permit issuance.
- **Pre-Construction Meeting:** The City Arborist, Project Arborist, Project Manager, Site Superintendent and other pertinent personnel may be required to meet at the site prior to beginning work to review procedures, tree protection measures and to establish haul routes, staging areas, contacts, watering, etc.
- **Project Construction:** Project Managers, Site Superintendents and Project Arborists in conjunction with City inspectors and staff are to ensure that trees on site are protected in accordance with the approved Arborist Report for the project for the duration of construction activity.
- **Post Construction:** Project Managers, Site Superintendents and Project Arborists in conjunction with City Inspectors and staff are to ensure that post construction activity is in accordance with the approved Arborist Report for the project.

SITE PLANS, TREE SURVEYS, TREE APPRAISAL REPORTS, AND ARBORIST REPORTS

A *Site Plan* and/or *Tree Survey* and *Arborist Report* will be required for development projects containing trees. Site Plans for individual building permits may be prepared by the applicant. Tree Surveys and Arborist Reports will be required for projects that require Design Review as referenced in the City Community Development Code (CDC), and must be prepared by a licensed surveyor and certified arborist respectively for the applicant and submitted to the City for the purpose of providing accurate information and opinion regarding the condition, welfare, maintenance, preservation or value of trees on the project site. Occasionally, information about trees offsite will be required if the project will affect them, for example, trees near the property line of a development. Site Plans and Arborist Reports will be reviewed and approved by the City Arborist. Trees are defined by the City as having a minimum 6 inch DBH for Oregon White Oak, Pacific Madrone, and Pacific Dogwood, and 12 inch DBH for all other species. Any trees not meeting these minimum thresholds need not be shown on any site plans or surveys.

Following are the types of documentation that may be required by the City:

- **Site Plan:** A site plan will be required for all non-interior construction activity that requires a building permit. The site plan shall show the accurate location

of property lines, existing structures, proposed new construction, staging and spoils areas, and all trees at or above the City's minimum threshold, with DBH and species indicated. Other non-tree related, City requirements may be shown on the site plan as well. A copy of the site plan will be reviewed and returned to the applicant with notes, tree protection fence locations, and other requirements. Another copy will be retained in the project file. Applicable building permits will not be issued without approved site plans.

- **Tree Survey:** For projects requiring Design Review (CDC governed), a tree survey shall be submitted to the City at the beginning of the process for the purpose of identifying significant trees. The survey shall indicate property lines, existing structures and other site conditions, as well as all trees at or above the City's minimum threshold, clearly identified by DBH and species on the plan, or in a numbered table. ~~After receiving the survey, the City Arborist applicant shall determine which trees are significant using the definition in the CDC, and clearly indicate these findings on the survey. One copy of this document shall be returned to the applicant, and one copy will go into the project file as an exhibit.~~

Commentary: Places the burden of proof on the applicant for identifying significant trees consistent with current staff practices.

- **Tree Appraisal Report:** ~~Occasionally~~ For non-residential projects, the City may require a *Tree Appraisal Report*. Landscape value may contribute from seven to 20-percent of the real estate property value. An individual tree has an inherent value to the real estate that can be determined by an appraisal prepared by a certified arborist. An appraisal is a process for determining a monetary opinion of the value of a tree as it relates to either the property, a group of trees and/or the immediate community. A certified arborist is required to determine this value, and must exercise good and fair judgment by adjusting the basic value by the tree's condition and location. ~~There are two~~ common methods to determine tree value in suburban areas are; (1) the ~~Replacement Direct Cost Technique Method~~, based upon the size and availability of the replacement tree or, (2) the Trunk Formula ~~Method Technique~~, if the tree cannot be replaced (e.g. not sufficient room on site or it is too large to replace). In all cases, the type ~~of formulate technique~~ used must be identified. A certified arborist must prepare the appraisal by using the most current edition of the *'Guide for Plant Appraisal'*, published by the Council of Tree and Landscape Appraisers.

Commentary: If appraisals are only occasionally required, then it should apply to non-residential projects since residential project require clear and object standards by state statute. Appraisal terminology is updated consistent with the most recent *Guide for Plant Appraisal*.

- **Arborist Report:** An *Arborist Report* is required for all development projects governed by the Community Development Code and shall be submitted for review by the City as part of the design review documents. The *Arborist Report* shall assume compliance with standards this Manual.

All *Arborist Reports* shall contain the following information:

- Arborist name and certification number
- Cover letter
- Title page
- Table of contents
- Site address and date of the inspection(s)
- Tree survey as outlined above. Failure to show a tree on the plans and later determined to be affected by construction may require the work to stop until mitigation can be agreed upon by the property owner and the City.
- Tree inventory data for all trees on the project site including tree species, DBH, health, structure, ~~etc.~~. Tables may be used.
- Written recommendations for the health and long-term welfare of trees, that will be followed during pre-construction, demolition, construction and post construction phases of the project. Recommendations include methods of avoiding injury, damage treatment and inspection schedule. Overall project schedule shall be referenced with these recommendations.
- A tree protection and preservation plan showing tree protection zones (TPZ) for each tree or group of trees to be protected. The TPZ's shall be shown on all sheets within the document set as a bold dashed line with shading inside, and clearly indicated with proper notation. Additionally, all trunk locations, trunk diameters, and dripline areas shall be accurately plotted on the plans. For large groups of trees to be preserved, accurate trunk locations and dripline areas are not required for interior trees which are not affected by proposed construction activities because of the existence of perimeter trees subject to impact. Notes and details clearly outlining specific measures for protection of the trees during construction shall be included in the plan set. Any approved construction activity within the TPZ will also be clearly indicated.
- Written recommendations for the maintenance of the trees for a minimum of two years after project completion.

If necessary, other supporting information, ISA ~~hazard ratings~~ tree risk assessments, photographs, diagrams, etc. may be ~~required or~~ provided.

After project approval, any changes to the protection measures or preservation plans must be approved in writing by the City Arborist.

Commentary: Minor text edits to ensure standards are clear and objective, and use current terminology.

SPECIFICATIONS FOR TREE PROTECTION DURING CONSTRUCTION

TREE PROTECTION ZONE (TPZ)

Each tree to be retained shall have a designated tree protection zone (TPZ) identifying the area sufficiently large enough to protect the tree and roots from disturbance. The standard for computing the size of the TPZ shall be a ~~$\frac{1}{2}$~~ 1 foot radius per caliper inch measured from the trunk of the tree. For example, a 30 inch DBH tree would have a TPZ with a radius of ~~15-30~~ feet from the trunk, or a ~~30-60~~ foot diameter full circle around it. ~~A diagram of TPZ sizing is included as Appendix C to this manual.~~ The tree protection zone shall be shown on all site plans for the project. Improvements or activities such as paving, utility and irrigation trenching and other ancillary activities shall occur outside the tree protection zone, unless authorized by the City Arborist based on a report submitted by the Project Arborist, or by project approval. Unless otherwise specified by the Project Arborist and approved by the City Arborist, the protective fencing shall serve as the tree protection zone. Activities prohibited within the tree protection zone include:

- Storage or parking vehicles, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots. Poisonous materials include, but are not limited to, paint, petroleum products, concrete or stucco mix, dirty water or any other material which may be deleterious to tree health.
- The use of tree trunks as a winch support, anchorage, as a temporary power pole, sign posts or other similar function.
- Cutting of tree roots by utility *trenching*, foundation digging, placement of curbs and trenches and other miscellaneous excavation without prior approval of the Project Arborist and City Arborist.
- Soil disturbance or grade change.
- Drainage changes.

Activities permitted ~~or required~~ within the tree protection zone subject to approval by the Project Arborist and City Arborist include:

- Mulching. During construction, wood chips may be spread within the TPZ to a 4-to 6-inch depth, leaving the trunk clear of mulch to help inadvertent *compaction* and moisture loss from occurring. The mulch may be removed if improvements or other landscaping is required. Mulch material shall be 2-inch unpainted, untreated wood chip mulch or approved equal.
- Root Buffer. When areas under the tree canopy cannot be fenced, a temporary buffer is required and shall cover the root zone and remain in place at the specified thickness until final grading stage.
- Irrigation, aeration, fertilizing or other beneficial practices that have been specifically approved for use within the tree protection zone.
- Erosion Control. If a tree is adjacent to or in the immediate proximity to a grade slope of 8% or more, then approved erosion control or silt barriers shall be installed outside the TPZ to prevent siltation and/or erosion within the tree protection zone.

Commentary: Increased standard tree protection zone radius to 1 foot per inch of DBH which is widely accepted at the default standard in western Oregon. Minor text changes are proposed to require Project Arborist and City Arborist approval for revisions to tree protection plans.

TREE PROTECTION FENCING

Fenced enclosures shall be erected around trees to be protected to achieve three primary goals, (1) to keep the foliage crowns and branching structure clear from contact by equipment, materials and activities; (2) to preserve roots and soil conditions in an intact and non-compacted state and; (3) to identify the tree protection zone in which no soil disturbance is permitted and activities are restricted, unless otherwise approved.

- **Size and type of fence:** All trees to be preserved shall be protected with six foot high chain link fences. Fences are to be mounted on two inch diameter galvanized iron posts, driven into the ground to a depth of at least 2-feet at no more than 10-foot spacing. This detail shall appear in the construction plan set, and can be referenced in the City's Construction Standards.
- **Area to be fenced:** The fences shall enclose the entire area within the tree protection zone of the tree(s) to be saved throughout the life of the project as mapped by the building permit approval, or as mapped within the tree protection and preservation plan contained in the Arborist Report for the project. The fencing shall remain until final improvement work ~~within the area is required, typically near the end of the project~~. If the fencing must be located on paving or sidewalk that will not be demolished, the posts may be supported by an appropriate grade level concrete base. For trees situated within a narrow planting strip, only the planting strip shall be enclosed with the required chain link protective fencing in order to keep the sidewalk and street open for public use. Trees situated in a small tree well or sidewalk planter pit, shall be wrapped with 2-inches of orange plastic fencing as padding from the ground to the first branch with 2-inch thick wooden slats bound securely on the outside. During installation of the wood slats, caution shall be used to avoid damaging any bark or branches. Major scaffold limbs may also require plastic fencing as directed by the Project Arborist and approved by the City Arborist.
- **Duration:** Tree fencing shall be erected before demolition, grubbing, grading or construction begins and remain in place until final inspection of the project permit, except for work specifically required in the approved plans in which case the ~~project Project arborist Arborist or and~~ City Arborist ~~(in the case of street trees)~~ must be consulted.
- **Warning Sign:** A warning sign shall be prominently displayed on each fence. The sign shall be a minimum of 8.5 x 11-inches and clearly state: WARNING: Tree Protection Zone.
- **Violations:** The penalty for the unauthorized removal or relocation of a tree protection fence, and/or unauthorized activity within a TPZ, is ~~\$500, plus \$500 per day until the fence is repaired or replaced and any damage to the tree properly mitigated~~ subject to penalties and stop work orders as described in Chapters 1 and 106 of the West Linn Code.

Commentary: Specifies that the Project Arborist and City Arborist may prescribe modifications to tree protection plans subject to ultimate City Arborist approval. Violations cross reference enforcement provisions in Chapters 1 and 106 of the Code since the \$500 fine for tree protection violations is not specified in the Code.

CONSTRUCTION MEETING AND INSPECTION SCHEDULE

A certified arborist may be required to be retained by the applicant during the construction of large development projects. This project arborist retained shall conduct the following required inspections for the duration of construction activity. Correspondence may be as simple as e-mail in some cases or may require larger documents with tables, photographs, etc. for others. Requirements for specific projects will be detailed in conditions of permit approvals.

- **Inspection of Protective Tree Fencing:** The City Arborist shall be in receipt of a written statement from the applicant or project arborist verifying that the protective tree fencing has been installed and may be inspected by the City Arborist prior to issuance of a demolition, grading, or building permit, unless otherwise approved.
- **Pre-Construction Meeting:** Prior to commencement of construction, the applicant or contractor may be required to conduct a pre-construction meeting to discuss tree protection with the job site superintendent, grading equipment operators, certified arborist, and City Arborist.
- **Monthly Inspections:** If a project arborist is required for the development project, ~~he/she/they~~ shall perform monthly inspections to monitor changing conditions and tree health. The City Arborist shall be in receipt of an inspection summary during the first week of each calendar month or, immediately if there are any changes to the approved plans or protection measures.
- **Special Activity Within the Tree Protection Zone:** Work in this area (TPZ) requires the direct onsite supervision of the ~~City Arborist~~ Project Arborist.
- **Project Summary and Conclusion:** A brief summary discussing the project's trees shall be submitted to the City Arborist at the conclusion of all construction activity. It shall include concerns about trees that may have been negatively impacted as well as recommendations for care of the trees in the future.

Commentary: Clarifies that the City may require construction monitoring as a condition of permit approval. Uses gender neutral language when referring to arborists. Clarifies that the Project Arborist (not City Arborist) oversees work in the tree protection zones.

TREE PRUNING, SURGERY AND REMOVAL

Prior to construction, various trees may require that branches be pruned clear from structures, activities, building encroachment or may need to be strengthened by means of mechanical support or surgery. The most compelling reason to prune is to develop a strong, safe framework and tree structure. Such pruning, surgery or the *removal* of trees shall adhere to the following standards:

- **Minimum Pruning:** If the project arborist recommends that trees be pruned, and the type of pruning is left unspecified, the standard pruning shall be consistent with the most recent version of the ANSI A300 pruning standards, ANSI Z133 safety standards, and accompanying ISA Best Management Practices of 'crown cleaning' as defined by ISA pruning guidelines. Trees shall be pruned to reduce hazards and develop a strong, safe framework.

- **Maximum Pruning:** Maximum pruning should only occur in special situations proposed by the Project Arborist and approved by the City Arborist. No more than one-third (33 percent) of the functioning leaf and stem area may be removed within one calendar year of any tree, or removal of foliage so as to cause the unbalancing of the tree. It must be recognized that trees are individual in form and structure, and that pruning needs may not always fit strict rules. The project arborist shall assume all responsibility for special pruning practices that vary from the standards outlined in this ~~manual~~Manual.
- **Tree Workers:** Pruning shall not be attempted by construction or contractor personnel, but shall be performed by a qualified tree care specialist or certified tree worker, according to specifications contained within this Manual.
- **Surgery:** Prior to construction, if it is necessary to promote health and prolong useful life or the structural characteristics, then trees shall be provided the appropriate treatments as specified by the ~~project~~Project ~~arborist~~Arborist ~~or~~and approved by the City Arborist.
- **Tree Removal:** Removal of trees that extend into the branches or roots of protected trees shall not be attempted by demolition or construction personnel, grading or other heavy equipment. A certified arborist or tree worker shall remove the tree carefully in a manner that causes no damage above or below ground to trees that remain.
- **Stump Removal:** Before performing stump extraction, the developer shall first consider whether or not roots may be entangled with trees that are to remain. If so, these stumps shall have their roots severed before extracting the stump. *Removal* shall include the grinding of stumps and roots to a minimum depth of 24-inches but expose soil beneath the stump to provide drainage. In sidewalk or small planter areas to be replanted with a new tree, the entire stump shall be removed and the planting pit dug to a depth of 30-inches. If dug below 30-inches, compact the backfill to prevent settling. Large surface roots three feet from the outside circumference shall be removed, including the spoils and backfilled with City approved topsoil to grade, and the area tamped to settle the soil.

Commentary: Updates language consistent with current tree care industry standard terminology. Clarifies that the Project Arborist will propose pruning specifications subject to City Arborist approval.

CONSTRUCTION ACTIVITY

Construction is normally prohibited in the TPZ. Under certain circumstances it may be necessary to work in the TPZ, however only with approval from the Project Arborist and approved by the City Arborist. If any construction activity is to occur in the TPZ the following guidelines apply:

- **Excavation and Grading**

The following guidelines shall be followed in regard to excavation and grading activities:

- Contractor shall notify the Project Arborist and City Arborist a minimum of 24 hours in advance of the activity in the tree protection

zone.

- Roots that are encountered shall be cut to sound wood and repaired. Roots 2-inches and greater must remain injury free and uncut unless otherwise approved by the Project Arborist in a report submitted to the City Arborist.
- Any approved excavation, demolition or extraction of material shall be performed with equipment sitting outside the tree protection zone. Methods permitted are by hand digging, hydraulic or pneumatic air excavation technology. Avoid excavation within the TPZ during hot, dry weather. ~~If excavation or trenching for drainage, utilities, irrigation lines, etc.,~~
- Grade changes within the tree protection zone are not permitted unless approved by the Project Arborist in a report submitted to the City Arborist.
- Grade changes outside of the tree protection zone shall not significantly alter drainage within the TPZ.
- Grade changes under specifically approved circumstances shall not allow more than 6-inches of fill soil added or allow more than 4-inches of existing soil to be removed from natural grade.
- Grade fills over 6-inches or impervious overlay shall incorporate an approved permanent aeration system, permeable material or other approved mitigation.
- Grade cuts exceeding 4-inches shall incorporate retaining walls or an appropriate transition equivalent.
- If excavation or trenching for drainage, utilities, irrigation lines, etc., it is the duty of the contractor to tunnel under any roots 2-inches in diameter and greater. Prior to excavation for foundation/footings/walls, grading or trenching within the TPZ, roots shall first be severed cleanly 1-foot outside the tree protection zone and to the depth of the future excavation. The trench must then be hand dug and roots pruned with approved root pruning equipment.
- If injurious activity or interference with roots greater than 2-inches will occur within the tree protection zone, plans approved by the Project Arborist shall specify a design of special foundation, footing, walls, concrete slab or pavement designs subject to City Arborist approval. Discontinuous foundations such as concrete pier and structural grade beam must maintain natural grade (not to exceed a 4-inch cut), to minimize root loss and allow the tree to use the existing soil.
- Basement excavations shall be designed outside the tree protection zone of all protected trees unless approved by the Project Arborist in a report submitted to ~~by~~ the City Arborist for review and approval, and shall not be harmful to other neighboring property trees.
- Use of backhoes, steel tread tractors or any heavy vehicles within the TPZ is prohibited unless approved by the Project Arborist in a report submitted to the City Arborist for review and approval. If allowed, a protective root buffer is required. The protective buffer shall consist of a base course of tree chips spread over the root area to a minimum of 6-inch depth, layered by 3/4-inch quarry gravel to stabilize 3/4-inch plywood on top. This buffer within the tree protection zone shall be

Commentary: Clarifies that the Project Arborist will propose tree protection specifications subject to City Arborist approval.

maintained throughout the entire construction process.

- **Trenching, Tunneling and Directional Drilling for Utilities**

- If trenching or pipe installation has been approved within the tree protection zone, then the trench shall be either cut by hand, air-spade, hydraulic vac-~~on~~ excavation or, by mechanically boring the tunnel under the roots with a horizontal directional drill and hydraulic or pneumatic air excavation technology.
- Utility pipe must be installed immediately, backfilled with soil and soaked within the same day.
- Street Trees that are in conflict with utility infrastructure where the conflict cannot be resolved may be removed if approved by the City Arborist. All Street Tree removals are subject to replacement.
- Emergency utility repairs shall be exempt from the above restrictions ~~zones~~ within the Tree Protection Zone. The Project Arborist and City Arborist shall be contacted after any such repairs that may result in significant tree damage or removal.

Commentary: Clarifies that the Project Arborist will propose tree protection specifications subject to City Arborist approval.

- **Pavement and Hardscape**

Conflicts may occur when tree roots grow adjacent to paving, foundations, sidewalks or curbs (hardscape). Improper or careless extraction of these elements can cause severe injury to the roots and instability or even death of the trees. The following alternatives must first be considered before root pruning within the tree protection zone of a tree:

- Grinding a raised sidewalk edge.
- Ramping the walking surface over the roots.
- Routing the sidewalk around the tree roots.
- Install flexible paving or rubberized sections.
- On private property, new sidewalk or driveway design should consider alternatives to conventional pavement and sidewalk materials. Substitute permeable materials for typical asphalt or concrete overlay, sub-base or footings to consider are: permeable paving materials (such as ECO-Stone or RIMA pavers), interlocking pavers, flexible paving, wooden walkways, porches elevated on posts and brick or flagstone walkways on sand foundations.

Removal of existing pavement over tree roots shall include the following precautions:

1. Break hardscape into manageable pieces with a jackhammer or pick and hand load the pieces onto a loader. The loader must remain on

- undisturbed pavement or off exposed roots.
2. Do not remove base rock that has been exploited by established absorbing roots.

Replacement of pavement or sidewalk:

1. An alternative to the severance of roots greater than 2- inches in diameter should be considered before cutting roots.
2. If an alternative is not feasible, remove the sidewalk, remove roots only as approved by the Project Arborist in a report submitted to the City Arborist for review and approval, and replace sidewalk using #3 dowels at the expansion joint if within 10-feet of a street tree. Use a wire mesh reinforcement within if within 10-feet of the trunk of a protected or street tree. Any work in the right-of-way requires a street work permit from Public Works Department.

Commentary: Clarifies that the Project Arborist will propose tree protection specifications subject to City Arborist approval.

Conflicts and associated costs can be avoided or reduced by the following planting practices:

1. Plant deep rooted trees that are proven to be non-invasive.
2. Over soil that shrinks and swells, install a sidewalk with higher strength that has wire mesh and/or expansion slip joint dowel reinforcement.
3. Follow soil loosening planting techniques to promote deep rooting.
4. Install root barrier only along the hardscape area of the tree and allow roots to use open lawn or planter strip areas.
5. Dedicate at least 10-linear feet of planting space for the growth of each tree.
6. When designing hardscape areas near trees, the project architect or engineer should consider the use of recommended base course material such as an engineered structural soil mix.

• **Invasive species removal**

Often, contractors will be required to remove invasive plant species from the understory in TPZ's. In most cases, native understory plants shall be saved and the area will be fully cleared of invasive species. The following practices must be followed when removing invasives:

- The preferred method for invasive plant removal, is by hand, extracting the entire plant, including the roots. Other manual methods include cutting the plants to ground level, either mechanically, or with hand tools, and spraying the new growth with an approved herbicide. In either case, native understory plants may not be harmed or removed.
- If heavy machinery is used, for example, a brush rake attached to

- an excavator, the machine must stay outside of the TPZ and “reach” into the area, carefully extracting the invasives without damaging the protected trees or native understory whatsoever.
- In some cases, a restoration of native understory may be required. An approved list of native plants ~~is included as appendix B~~ may be provided by applicant’s qualified consultant subject to approval by the City.

Commentary: There is no appendix B so the applicant’s qualified consultant will propose native plants subject to City approval.

CONSTRUCTION DAMAGE TO PROTECTED TREES

Any damage or injury to trees shall be reported within 6-hours to the Project Arborist ~~and~~ Site Superintendent ~~or~~ and City Arborist so that mitigation can take place. All mechanical or chemical injury to branches, trunk or to roots over 2-inches in diameter shall be reported in the monthly inspection report. In the event of injury, the following mitigation and damage control measures shall apply:

- **Root injury:** If trenches are cut and tree roots 2-inches or larger are encountered they must be cleanly cut back to a sound wood ~~lateral root~~. All exposed root areas within the TPZ shall be backfilled or covered within one hour. Exposed roots may be kept from drying out by temporarily covering the roots and draping layered burlap or carpeting over the upper 3-feet of trench walls. The materials must be kept wet until backfilled to reduce evaporation from the trench walls.
- **Bark or trunk wounding:** Current bark treatment methods shall be performed by a qualified tree care specialist within two days.
- **Scaffold branch or leaf canopy injury:** Remove broken or torn branches back to an appropriate branch capable of resuming terminal growth within five days. If leaves are heat scorched from equipment exhaust pipes, consult the Project Arborist within 6 hours.

Construction Injury Mitigation

A mitigation program may be required if it is found the approved development will cause drought stress, dust accumulation or soil compaction to trees that are to be saved. To help reduce impact injury, one or more of the following mitigation measures shall be implemented and supervised by the Project Arborist as follows:

- **Irrigation Program:** Irrigate to wet the soil within the tree protection zone to a depth of 24-inches to 30-inches. Or, apply sub-surface irrigation at regular specified intervals by injecting on approximate 3-foot centers, 10-gallons of water per inch trunk diameter within the tree protection zone. Duration shall be until project completion or monthly until seasonal rainfall totals at least 8-inches of rain, unless specified otherwise by the certified arborist.
- **Dust Control Program:** During periods of extended drought, wind or

grading, spray wash trunk, limbs and foliage to remove accumulated construction dust.

- **Compaction Mitigation:** If inadvertent compaction of the soil has occurred within the tree protection zone, the soil shall be loosened by one or more of the following methods to promote favorable root conditions: vertical mulching, soil fracturing, core-venting, radial trenching or other method proposed in a report by the Project Arborist and approved by the City Arborist.
- **Aeration System:** If an approved paving, hardscape or other compromising material encroaches within the tree protection zone, an aeration system may be required and shall be designed by the Project Arborist and used within this area.

Commentary: Clarifies that the Project Arborist will propose tree protection measures subject to City Arborist approval.

Non-compliance, Penalty and Enforcement

Non-compliance with any City mandated mitigation shall result in enforcement of penalties set forth as applicable in section 8.740 of the West Linn Community Tree Ordinance, Chapter 1 of the West Linn Municipal Code, and Chapter 106 of the West Linn Community Development Code.

Commentary: Cross reference enforcement provisions in Section 8.740 of the West Linn Community Tree Ordinance, Chapter 1 of the West Linn Municipal Code, and Chapter 106 of the West Linn Community Development Code .

Work Session Agenda Bill

Date: April 29, 2025

To: Rory Bialostosky, Mayor
Members, West Linn City Council

Through: John Williams, City Manager *JRW*

From: Darren Wyss, Planning Manager *DSW*

Subject: Vision43 Project Work Session

Purpose:

Discuss removal of Focus Area 2, discuss the final boundaries for the Vision43 Focus Areas, and discuss the first 3 policy questions to provide guidance for drafting the new Mixed-use Zoning Code.

Question(s) for Council:

Does Council agree that Focus Area 2 should be removed from consideration?
Does Council agree with the proposed Focus Area boundaries?
Would Council like any further information regarding the three policy questions?

Background & Discussion:

The City of West Linn has been working towards implementing a new vision for the Highway 43 corridor (Hwy 43) which serves as a critical north/south transportation link in the Portland Metro region. The future vision of the Hwy 43 corridor, called VISION43, includes providing complete and safe facilities for pedestrians, bicycles, and transit users; safe crossing points on Highway 43; commercial services that provide neighborhood needs; and providing pedestrian connections to needed goods and services as well as to other neighborhoods. The City is interested in exploring mixed-use zoning to re-energize the corridor with a mix of housing types, work places, shops, and parks for people of all ages, incomes, and abilities.

FOCUS AREAS

As part of the VISION43 project, the project team has defined multiple focus areas for which new codes and future development will occur. Initially the City defined four different focus areas along the Highway 43 corridor. Currently the project team is proposing to remove focus area two. This particular focus area was created to potentially allow affordable housing to be constructed on one particular property. City staff now realize that the property owner has a pathway to do so through our existing codes and Oregon State Statute 197A.445. Therefore, a change of zone for focus area two is unnecessary and warrants removal.

At this point in the VISION43 project we need to determine the final boundaries for each of the focus areas. The focus area maps, attached below, represent feedback from the project Working Group, the Planning Commission, and City Council project Liaison Councilor Bryck. At the May 5, 2025 City Council Work Session, we will discuss and ultimately decide on the final focus area boundaries. Properties within the focus areas will be under consideration for a zone change as part of the adoption of VISION43.

MIXED-USE POLICY QUESTIONS

After nearly 15 months of public engagement, it has become clear that the West Linn community is supportive of more dense development throughout the Highway 43 corridor. As part of VISION43 the project team is drafting a new Mixed-Use Zoning code to be implemented within the defined focus areas. The project team has identified approximately 10 policy questions for the City Council to discuss. The policy questions will help the VISION43 project team draft new Mixed-use Zoning Code language. Discussion of the policy questions will be divided into multiple work sessions, where the CC will work towards consensus on any proposed code policy positions. Based on CC input the project team will draft code language to bring back to the CC as part of the VISION43 adoption process.

POLICY QUESTION 1:

Should new development within the focus areas of VISION43 be required to include a housing component?

CONTEXT:

If a business such as Walmart decided to demolish and rebuild their existing store, should it be required that some type of housing be built as part of the new development?

POLICY QUESTION 2:

Should new development be required to build a minimum of 2-stories within the focus areas of VISION43?

CONTEXT:

If a business such as Walmart decided to demolish and rebuild their existing store should the City require that, at a minimum, the newly built structure be at least 2 stories in height?

POLICY QUESTION 3:

Should new development be required to “step back” the height of new structures when immediately adjacent to a residential zone.

CONTEXT:

If Walmart decided to demolish and rebuild their existing store should the City require a lower height (“step back”) at the rear of the property that is immediately adjacent to a residential zone? Rather than the entire structure measuring 55 feet should the rear of the property, closest to the residential zone, have a maximum height of something less than 55 feet such as 45 feet?

Upcoming Events and Products:

- Draft Mixed-Use code in early summer '25

Next Steps:

- Incorporate CC feedback into draft zoning code language
- Bring next set of policy questions to CC in June

Council Options:

Receive staff briefing and provide feedback on:

- Staff recommendation to remove Focus Area 2
- Requested changes to Focus Area boundaries
- Policy Questions 1-3

Staff Recommendation:

- Removal of Focus Area 2 from consideration.
- No further changes to proposed Focus Area boundaries.
- New development within the focus areas must include a housing component.
- New development within the focus areas be a minimum of two stories.
- New development within the focus areas include a step back in height when immediately adjacent to a residential zone.

Attachments:

Focus Area maps 1, 3, and 4.

[VISION43](#) project webpage.

Project Work Session

City Council

5/5/25



Purpose of Today's Work Session

Discussion Topics:

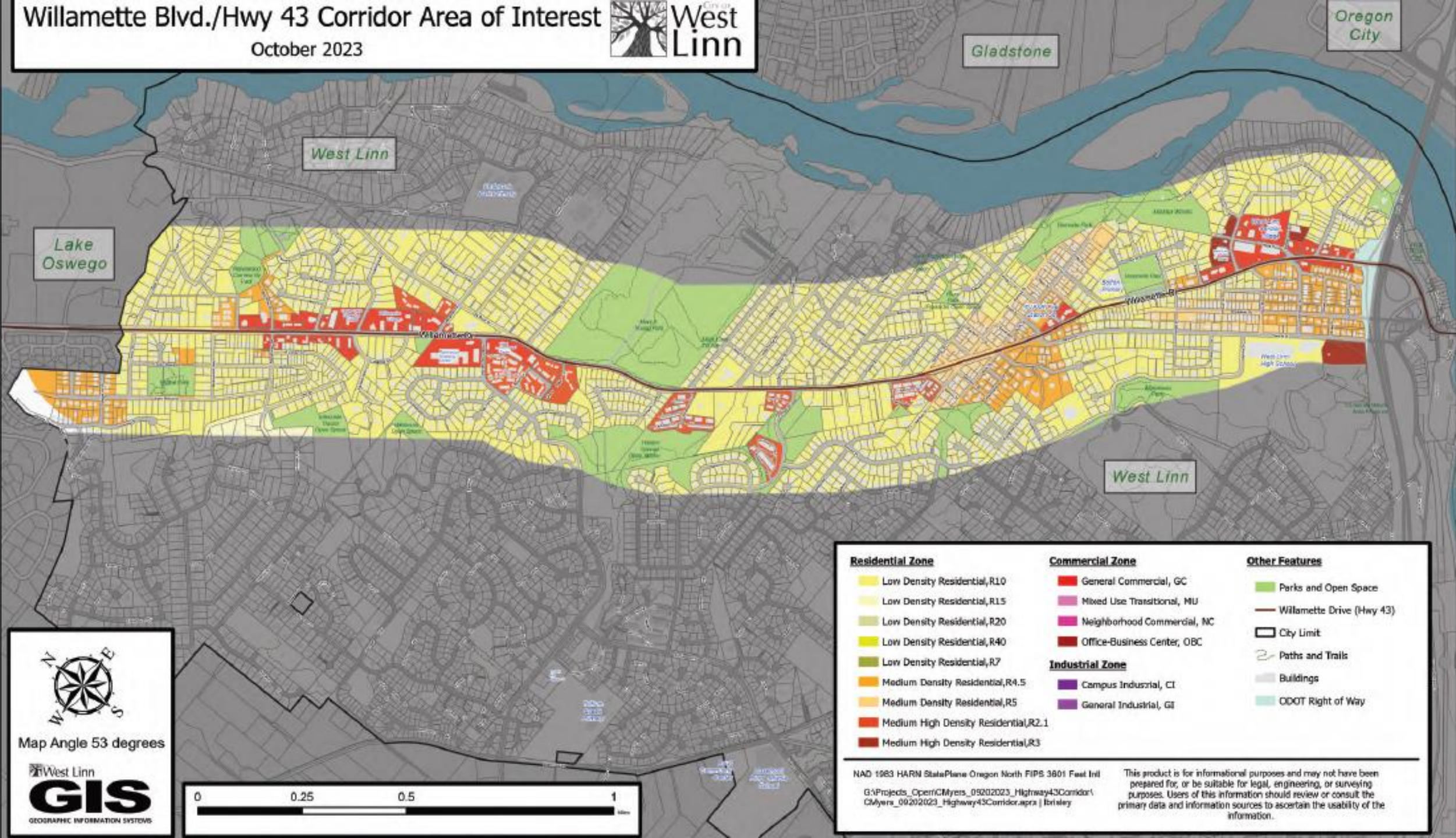
- Removal of Focus Area 2
- Boundaries of Focus Areas 1-4
- Policy Questions 1-3

Willamette Blvd./Hwy 43 Corridor Area of Interest

October 2023

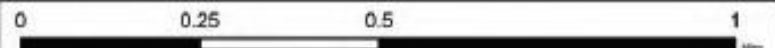


City of
West
Linn



Map Angle 53 degrees

West Linn
GIS
GEOGRAPHIC INFORMATION SYSTEMS



Residential Zone

- Low Density Residential, R10
- Low Density Residential, R15
- Low Density Residential, R20
- Low Density Residential, R40
- Low Density Residential, R7
- Medium Density Residential, R4.5
- Medium Density Residential, R5
- Medium High Density Residential, R2.1
- Medium High Density Residential, R3

Commercial Zone

- General Commercial, GC
- Mixed Use Transitional, MU
- Neighborhood Commercial, NC
- Office-Business Center, OBC

Industrial Zone

- Campus Industrial, CI
- General Industrial, GI

Other Features

- Parks and Open Space
- Willamette Drive (Hwy 43)
- City Limit
- Paths and Trails
- Buildings
- ODOT Right of Way

NAD 1983 HARN StatePlane Oregon North FIPS 3801 Feet Int


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This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Overview and Objectives

- Create a new community vision for Highway 43 corridor
- Engage community members and neighborhoods to help craft recommendations
- Improve opportunities for walking and bicycling within and to the corridor
- Create opportunities for more businesses, housing and gathering places
- Update City plans and policies to implement project goals and recommendations

Project Timeline

- 
- Project Start - October 2023
 - Community Engagement October 2023 – December 2024
 - Mixed-use Draft Code – February – July 2025
 - Project Adoption December 2025

Focus Areas

- Utilizing focus areas to ensure development isn't diluted
- Started with 4 focus areas
- Staff recommending removal of Focus Area 2
 - Housing component can be achieved without zone change





Focus Area 1

Focus Area 1 Questions

- Do you agree with the Focus Area 1 boundary?
- If no, what would you change?

Focus Area 3



Focus Area 3 Questions

- Do you agree with the Focus Area 3 boundary?
- If no, what would you change?



Focus Area 4

Focus Area 4 Questions

- Do you agree with the Focus Area 4 boundary?
- If no, what would you change?

Mixed-Use Policy Questions

- New mixed-use zoning code in draft process
- As part of the drafting process, we have policy questions
- Three policy questions tonight
- More policy questions coming each month

Policy Questions

Policy Question 1:

- Should new development, within the focus area boundaries, be required to include a housing component?

CONTEXT:

- If Wal Mart demolished their existing store, should they be required to include a housing component upon redevelopment?

Policy Questions

Policy Question 2

- Should new development, within the focus areas, have a minimum height requirement of 2 stories?

Context:

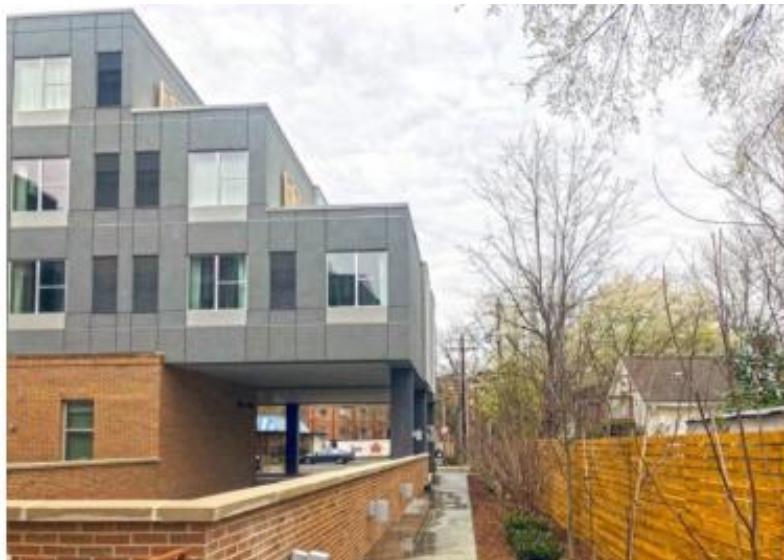
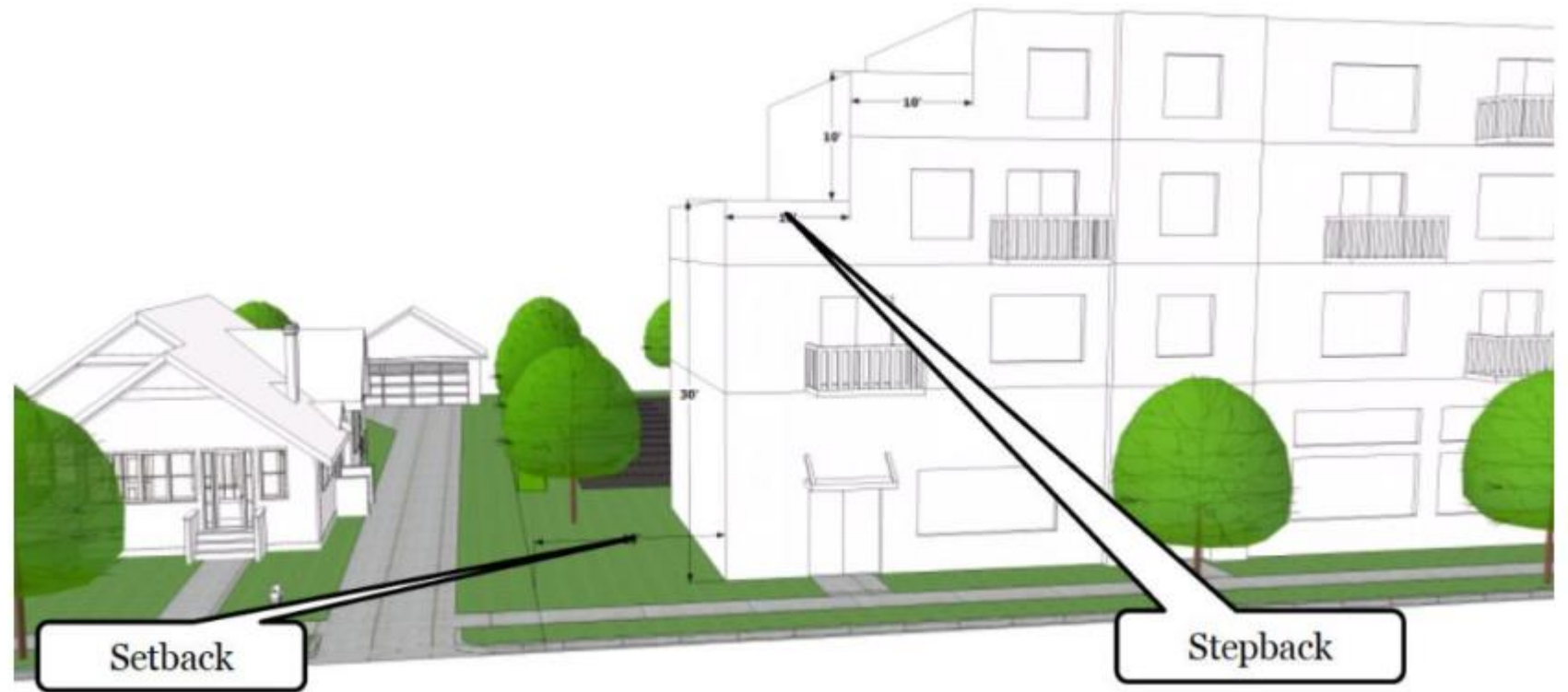
- If Wal Mart decided to demolish and rebuild their existing store, should the city require the newly built structure be at least 2 stories?

Policy Questions

Policy Question 3

- Should new development, within the focus areas, be required to “step back” the height of new structures when immediately adjacent to a residential zone?

Step Back Examples



Questions/Comments

Chris Myers, Project Manager
503-742-6062
cmyers@westlinnoregon.gov
Yourwestlinn.com/vision43





Work Session Agenda Bill

Date: April 29, 2025

To: Rory Bialostosky, Mayor
Members, West Linn City Council

Through: John Williams, City Manager *JRW*

From: Elissa Preston, Deputy City Manager *EP*
Dylan Digby, Assistant to the City Manager *DD*

Subject: Clarify Community Advisory Group Work Programs

Purpose:

To provide improvements for community advisory group (CAGs) to enhance communication and coordination between Council, staff, CAGs and the community.

Question(s) for Council:

Would the Council like to use written workplans to help focus the work of CAGs? Would the Council like to standardize feedback between CAGs and Council? Are there other improvements to the CAG programs that Council would like to discuss?

Background & Discussion:

At the 2025 Council Retreat a Council Priority to “Clarify Community Advisory Group Work Programs” was established, with a desire to have further Council discussion. Council, staff liaisons, community members, and community advisory group members have all expressed a desire for a clearer, more uniform and aligned process for CAGs to operate so CAG members feel value in the volunteer work they are doing and to ensure the priorities of the Council and community advance in the most effective way possible.

Internally, staff have been hosting meetings with all CAG staff liaisons to work towards more uniform processes for hosting meetings and to ensure full compliance with public meetings laws. We have created a Community Advisory Group Staff Liaison Guide that covers roles and expectations for meeting support, agendas, recording, new members (including required trainings), chair elections, quorum, vacancies, recruitment and much more. We also have a new detailed checklist to standardize on the technical details of running meetings, from agendas all the way to archiving (*these are just internal documents for meeting administration and don't need require Council approval*).

Council Workplans

Municipal Code section 2.020(1) notes that community advisory groups “...make recommendations, act in an advisory capacity to the Council, and help the Council implement the Council goals.” Code section 2.025(2) states that “community advisory groups shall have special projects in the subject matter area of the community advisory group to which they were appointed. The City Council shall provide direction, and when possible, a **work plan for the community advisory group to work on during the year.**”

Workplans for each CAG could be approved by Council to help provide Council direction and focus to CAGs on higher priority projects for the community. The workplans would be guided primarily by the Council's Priorities (which already note CAG involvement), but would also incorporate feedback from

CAG Annual Reports, staff liaisons and members. Due to staff and resource limitations CAGs should focus on the priorities in the Council workplan. CAG chairs may request Council in writing to make amendments to their workplan as new community priorities may emerge. Attached is a sample workplan similar to those used in the past for Council discussion and edits.

Council Liaison Role and Reporting

Municipal Code section 2.020(4) notes that “The purpose of the Council liaison is to provide a direct line of communication between the community advisory group and the City Council.”

To help standardize this process we suggest that Council liaisons use the feedback form provided (or similar) to take notes during a CAG meeting and report back to Council at their next meeting. If a Council liaison is unable to attend the meeting the Councilor can reach out to the chair of the CAG and request they complete the feedback form. If desired, this process could be added to the Council Rules next time it is amended.

Budget/Event Requests

Municipal Code section 2.020(2) states “Proposals for endorsement or sponsorship of events, activities, or programs must receive approval by City Council.”

CAGs can request funding or sponsorship for events, activities, or programs through their Council liaison or by providing a request in writing to Council. Though many city projects that CAGs work on are budgeted, there is currently no specific budget line item for additional CAG requests.

Council Options:

Workplan

Council may choose to implement the Muni Code section 2.020(1) option to create workplans to provide clarity, focus and direction using the provided template, or as amended. Council may offer other suggestions for providing clarity, purpose, or direction for each CAG.

Council Liaison Reporting

Council may choose to use the report back form provided, or as amended. Form to be completed by the Council liaison or chair to ensure the flow of information from CAG meetings to the Council at their next meeting.

Budget/Event Requests

The workplan template includes language to remind CAGs to submit written requests for budget, events, activities, or programs. CAG chairs may make written requests to Council for any items outside their current workplan.

Staff Recommendation:

Staff has made progress on internal policies to help standardize CAG meetings and recommends that Council consider similar policies and forms in line with the Municipal Code to help further the effectiveness and focus of CAGs and the community’s goals.

Should Council wish to move forward with these concepts, staff recommends that Council liaisons lead discussion with each CAG to clarify your expectations and next steps. Council may also wish to formalize your direction at a business meeting.

Attachments:

1. Community Advisory Group Workplan
2. Council Priorities 2025-2027
3. CAG Meeting Report Back Form
4. Community Advisory Group Staff Liaison Guide
5. Community Advisory Group Meeting Checklist

MEMORANDUM

Date: April 24, 2025
To: West Linn Sustainability Advisory Board
From: Rory Bialostosky, Mayor
Subject: Sustainability Advisory Board 2025-27 Priorities and Work Plan

As part of our effort to maintain greater communication with our community advisory boards, the City Council would like to share with you the Council Priorities for 2025-27 (attached) that align with a work plan we are providing to each of the community advisory groups. Council wants to ensure that limited City and volunteer resources remained focused on the primary goals of the Council and delivering quality core municipal services. The City's Municipal Code section 2.020(2) provides these workplans as a way for Council to provide direction and focused alignment on the city's priorities. We believe these work plans are a positive step in this direction and hope that you find it helpful in your efforts in influencing policy for the City.

We also want to take time to emphasize our overarching goal of belonging and reaching out to the community. Community advisory groups are a key part of connecting with our community and we greatly value the role you play in this. We hope the Sustainability Advisory Board continues to find new ways to engage and involve a broad range of community members in the important work that you do and considers ensuring belonging and inclusivity in all the work that you do.

Based on your annual report we received from your group and in furtherance of the Council's adopted Priorities, the Council would like the Sustainability Advisory Board to focus attention on the following work this year:

1. **Provide Council feedback on sustainability elements of the new Operations Facility***
2. **Provide Council a recommendation on reducing gas powered equipment use in West Linn (e.g. electric equipment incentives) and find funding for this work***
3. **Provide Council recommendations on high-impact projects, with consultant assistance***
4. **In coordination with the Utility Advisory Board, consider water conservation pricing options and make a recommendation to Council***
5. **Provide feedback to consultant teams on the Waterfront Vision and Vision43***
6. **Advise on Indoor Recreation Center sustainability features (future phase)***
7. **Work to improve diversity, equity, inclusivity and belonging in the community and consider recommendations and actions through an equity lens***
8. **Work with community stakeholders to fund the placement of EV charging stations.**
9. **Provide community education through articles in the Tidings and City newsletter and at the Old Time Fair.**

**denotes a direct 2025-27 Council Priority*

If something arises during the year that you believe necessitates a change to this work plan, please feel free to have your chair forward your request to the Council in writing for our consideration and we will provide you with feedback. CAGs may request funding or sponsorship for events, activities, or programs not specifically listed in this workplan through their Council liaison or by providing a request in writing.

As always, a heartfelt thank you for your dedicated service to West Linn,

Mayor Bialostosky



2025-2027 West Linn City Council Priorities

These critical community topics are those that the West Linn City Council intends to focus its time on over the 30-month time span from January 2025 to December 2027. The list will also be used to define Community Advisory Group (CAG) priorities and will be considered when developing, adopting, and implementing the City's 2026-2027 budget. Priorities may be amended or modified by Council in the future as needed. The items are not listed in a priority order.

Transportation Safety and Funding

Strategies

- Safety: assess, prioritize, and find funding for needed safety projects city-wide.
- Tolling: lobby against tolling of I-205 unless it is part of a regional program. Lobby for mitigation of community impacts from tolling.
- Transit: advocate for transit improvements within West Linn as well as connections to area transit providers. Consider senior, teen, worker, tolling diversion, and last mile services.
- Highway 43: Advocate for needed repairs and more significant improvements to state-owned Highway 43 and investigate the possibility of transfer along with improvements.

Council Role

- Work with state legislators, ODOT, and surrounding jurisdictions to ensure any tolling plans are less impactful to individual communities, provide sufficient mitigation measures for diversion traffic, and address equity concerns.
- Advocate for traffic safety and road maintenance funding stabilization and enhancement, including lobbying ODOT/State Legislature regarding Highway 43.
- Direction to CAGs and decision-making on local funding and project options, including Safe Routes to School projects.

Community Advisory Group Roles

- TAB to review staff recommendations on West Linn pedestrian and traffic safety needs and potential funding sources, provide recommendation to Council.

(Refer to end of document for list of Community Advisory Groups + acronyms)

Explore Feasibility of Indoor Recreation/Community Center

Strategies

- Continue to explore creation of a new indoor recreation and civic center to serve a wide variety of ages, community needs, and recreation interests.
- Outstanding community and stakeholder involvement to ensure decisions are grounded in community perspectives.

- Explore partnerships that can reduce cost impact to taxpayers and ensure financially sustainable operations in the long term.

Council Role

- Leadership role in community engagement and outreach to potential financial and operational partners.
- Continue to work with Indoor Recreation Center Task Force and other stakeholders to assist with planning and advocate for a potential ballot measure.
- Direction to CAGs and decision-making on partnership and funding options.

Community Advisory Group Roles

- PRAB representation on Indoor Recreation Center Task Force; SAB role in advising on sustainability features of facility (future project phase); YAC general involvement.

Clarify Community Advisory Group Work Programs

Strategies

- Provide clear direction to CAGs in accordance with West Linn Municipal Code.

Council Role

- Meet with CAGs periodically to agree on work programs, which should focus on Council Priorities and items within the adopted City budget.
- Individual Councilors serve as liaisons to individual CAGs, as provided for in the West Linn Municipal Code. Council utilizes CAG report form to assist.
- Consider eliminating PSAB due to overlap with Police Review & Recommend Committee.

Community Advisory Group Roles

- Implement work programs developed by Council.
- Develop proposals for Council consideration in annual work programs.

Fund Drinking Water System Capital Needs

Strategies

- Ensure continued maintenance and operation of the City's drinking water system at the highest possible level.

Council Role

- Continue to advocate for funding of the Abernethy Bridge water transmission main as well as any other water mains affected by I-205 construction. Lobby ODOT and State Legislature for fair funding of project.
- Communicate value of clean drinking water.
- Decision-making on rates and project funding.

Community Advisory Group Roles

- UAB to review water system needs against funding resources following adoption of the Water Master Plan and recommend any needed funding changes to Council.
- SAB and UAB to consider conservation pricing options and make recommendations to Council.

West Linn Waterfront Vision

Strategies

- Complete Waterfront Vision Plan to move towards creation of a world class destination for people to work, live, and play.
- Strengthen and sustain visioning and implementation partnerships with tribal communities.
- Explore recreational, historical, environmental, and educational tourism opportunities with community partners.
- Following adoption of vision, carry through implementation measures including zoning, work with property owners, and planning for infrastructure improvements.
- Complete renovation of Historic City Hall building into Museum and Cultural Center.

Council Role

- Leadership in partnering with tribal entities.
- Work with property owners on future of Blue Heron Mill Pond site and entire waterfront area.
- Research potential return of Willamette Meteorite.
- Decision-making on project and clear direction to CAGs.

Community Advisory Group Roles

- PC advisory and formal recommendation on adoption to Council.
- Consultant team and staff to involve HRB, SAB, TAB, ACC, EDC, YAC, PRAB as needed to provide recommendations on specific elements.

VISION43 Project

Strategies

- Adopt Master Plan vision to revitalize the Highway 43 corridor, creating a sense of place and local identity, ensuring safe crossings, promoting vibrant commerce, and enhancing pedestrian and neighborhood connections.
- Following adoption of VISION43, carry out implementation measures including a Tax Increment Financing feasibility study and an assessment of city-owned properties in the corridor including Bolton Station.
- Prioritize and work to fund infrastructure improvements such as crosswalks throughout the corridor.
- Ongoing engagement and outreach with neighborhood associations, residents, and commercial property owners.

Council Role

- Policy direction and Councilor liaison involvement with VISION43 project.
- Ensure extensive community involvement in the VISION43 process and attend neighborhood association meetings to discuss.
- Consider Tax Increment Finance District as a funding source for revitalization in Hwy 43 area.
- Decision-making on project.

Community Advisory Group Roles

- PC advisory and formal recommendation on adoption to Council.
- Consultant and staff to involve EDC, CCI, TAB, PRAB, SAB, and YAC as needed to provide recommendations on specific elements.

Environmental Protection & Sustainable City Operations

Strategies

- Develop and prioritize list of highest impact sustainability measures with consultant assistance, based on cost and staff capacity for implementation.
- Consider grant funding to implement more complex projects.
- Consider sustainability measures, balanced with cost implications, in any new public buildings.

Council Role

- Review past building sustainability certification policy and provide direction prior to construction of new Operations building.
- Work with local business owners to encourage installation of EV charging stations.
- Direct staff to review policies related to alternative fuel, electric, and hybrid vehicles including a cost/benefit analysis for future purchases.
- Clear direction to SAB and PRAB on priorities and work program.

Community Advisory Group Roles

- SAB advice to Council on high-impact projects, with consultant assistance.
- SAB and PRAB to recommend ways to reduce gas powered equipment use in West Linn (e.g. electric equipment incentives) and find funding for this work.

Diversity, Equity, Inclusion, and Belonging

Strategies

- Prioritize diversity, equity, inclusion and belonging as the heart of our work as a city. Our core values of inclusivity, collaboration, and accountability steer our actions, interactions, decisions, and policymaking to build an engaged and welcoming workplace, community, and a cohesive city.
- Increase access and opportunities for the West Linn community to feel welcome, educated, and engaged with the City.
- Intentional and meaningful engagement and collaboration with tribal communities.

Council Role

- Leadership in improving accessibility to the community to participate in community advisory groups and neighborhood associations through education, outreach, feedback loops, and creative solutions.
- Provide and participate in educational opportunities with the Council and community.

Community Advisory Group Role

- All CAGs hold a role in improving DEIB throughout the organization and community and should be considering their recommendations and actions through an equity lens.
- Participate in educational opportunities on DEIB topics both personally and as provided by the City.

Construct New City Operations Facility

Strategies

- Complete design and cost estimates for Salamo Road city-owned property.
- Fund project and construct project.
- Clear communication with community on rationale, funding, and timeline.
- Assessment of next steps for current City operations property following move out.

Council Role

- Provide direction on balance of cost with other considerations including long-term facility sizing, environmental sustainability, building amenities, and resiliency.
- Leadership on community outreach in support of the facility's construction.
- Adopting budget inclusive of the project.
- Decision-making and clear direction to CAGs.

Community Advisory Group Role

- SAB advice on sustainability elements.
- UAB consideration of rate and project impacts.
- PC decision-making on development review application prior to construction.

All priorities will involve extensive community engagement and involvement, including efforts to reach those not typically involved with city government. Priorities may also require evaluation of additional revenue resources by Council.

Community Advisory Groups

ACC = Arts and Culture Commission

CCI = Committee for Community Involvement

EDC = Economic Development Committee

HRB = Historic Review Board

PC = Planning Commission

PRAB = Parks and Recreation Advisory Board

PRR = Police Review and Recommend Committee

SAB = Sustainability Advisory Board

TAB = Transportation Advisory Board

UAB = Utility Advisory Board

YAC = Youth Advisory Council

CAG Meeting Information

CAG Name: _____

Date: _____

Time: _____ a.m. / p.m.

Venue: Hybrid (in person & virtually) Virtual

Key Points/Recommendations for Council

1. _____
 2. _____
 3. _____
 4. _____
 5. _____
-

Prepared by:

CAG Chair or Designee Name:

Community Advisory Group Liaison Guide

CONGRATULATIONS on being appointed Staff liaison to a Community Advisory Group (CAG). The City Manager (or designee) assigns staff liaisons to CAGs to facilitate good communication with city leadership, ensure compliance with public meeting and records laws, and to help residents engage with their city government. Please review the CAG Handbook located at the bottom of the CAG webpage as it has a lot of useful information that will (hopefully) not be repeated here: [Serve Your City: Apply to a Community Advisory Group | City of West Linn Oregon Official Website](#)

Staff Liaison Support for the CAG

Meetings. Any gathering where a quorum of the CAG is present is a public meeting and is subject to Oregon's [Public Meetings & Records laws](#), [West Linn Municipal Code](#), and [Council Rules](#).

Scheduling. Most CAGs meet on a regular monthly schedule; however, occasionally a special meeting needs to be arranged. In scheduling a meeting (regularly scheduled or otherwise), the liaison sets-up the calendar poll (i.e., Doodle Poll), reserves the city facility, creates the Webex, and distributes the meeting information to the CAG.

Hybrid and Virtual Meetings: [ORS 192.670](#) requires the City to allow remote participation by the public along with in-person meetings. Even if public meetings are being held in person, the governing body MUST provide members of the public an opportunity to access and attend the meeting by virtual means, and by those means submit oral testimony (if in-person oral testimony is being taken); and submit written testimony (usually by email) if in-person written testimony is being taken.

Webex: The City uses Webex as its virtual meeting platform. Per [ORS 192.630](#), all meetings of the governing body shall be open to the public and all persons shall be permitted to attend any meeting. The staff liaison must also stream it to YouTube so community members can watch the meeting. Please include the URL link on the meeting page and agenda. Staff liaisons ensure that the CAG and public can access the meeting space (physical and/or virtual) during a meeting and arrange for the interpreter or other communication aid (if requested). YouTube URL link is provided by the Community Relations Coordinator, or Assistant to the City Manager as backup. Please request your link two weeks in advance of your meeting. If the YouTube stream does not work, the Staff liaison should post the Webex Attendee link as time allows.

Public Comment: If the Public wants to participate remotely, they must email the liaison at the email address at listed on the agenda to receive a Webex invite.

Documents. Liaisons ensure the production and retention of the following:

- **Agenda:** the meeting notice (who/what/were/when) and a list of topics the CAG will address at the meeting.
- **Agendas & Packet Material:** Should be posted 6 days prior to the meeting. Posting includes:
 - o Uploading the agenda and packet materials on the meeting website on the City calendar.
 - o Distributing a link to the meeting webpage to CAG members using the City's email distribution list (usually through the city's email address list).

- Meeting Packets: the compiled record of a meeting, including the agenda, approved minutes, and any reports, exhibits, and presentations distributed or shown at a meeting. Typically, a packet will be complete when the meeting minutes have been approved and are stored in the Electronic Records Management System.

Audio/Video Recording: Per Council Rules, all the CAG meetings are streamed and recorded, and the recording is kept for 5 years. Include the Public Webex link in the body section of the meeting webpage and on the Agenda under Meeting Notes when posting the meeting.

Welcome New Members. After the City Recorder (CR) notifies you of a new member, please send them an email welcoming them to your board:

Sample Email

Congratulations on your appointment to the INSERT BOARD (INITIALS)! You will soon receive an official letter from Mayor Bialostosky, however, I wanted to provide some initial details.

As a new City volunteer, please take the required [Oregon Government Ethics Commission \(OGE\) Public Meetings Law Training](#) and send me a copy of the certificate verifying that you took the training (including the date of the training).

Please read [Ordinance 1704, Policy on Reporting Workplace Harassment](#) (located at the bottom of the webpage) and return the Acknowledgement of Receipt form to me.

Please take some time to review the [Community Advisory Group Handbook](#) to understand how CAGs operate. The BOARD usually meets on DATE, TIME, PLACE. Our next meeting is scheduled for DATE, TIME. You are welcome to attend in person or remotely, though in-person participation tends to be the most effective. When the agenda is posted, Staff will send Board members the link to the agenda and all the posted material. If you encounter any issues accessing the materials, please don't hesitate to let me know.

DESCRIBE THE BOARD

Please don't feel like you need to know everything right away. Staff and other Board Members are here to help you get acclimated. [LIST ANY SPECIFIC TRAINING FOR YOUR BOARD]

If you have any questions or specific requests in the meantime, don't hesitate to reach out to me.

Once again, welcome to the committee!

Staff liaison – Please forward the certificates regarding the OGE Public Meetings Law Training and Acknowledgements of ORD 1704 to the City Recorder's office.

First Meeting of the Year. The chair and vice-chair elections and the CAG purpose, goals, and annual work plan should be addressed at the year's first meeting. The staff liaison should confirm that members received the CAG Handbook, RES 2018-22 (Guidance for Civil Discourse), ORD 1704 (Policy on Reporting Workplace Harassment), link to OGE Public Meetings Law Training, and review basic meeting protocols.

Agendas. The staff liaison coordinates with the chair to set and approve the agenda. Meeting agendas should be published on the website and posted on the City Hall bulletin board at least six (6) days before the meeting. All meeting materials should be posted on the website and hyperlinked to the agenda. Agendas should also be emailed to the ACC, City Hall, Library, and/or Police Department for posting. CAG agendas should be emailed to the CAG email distribution list to ensure it goes to members, select staff, and the Council liaison. Encourage community members to [sign up](#) to receive City information.

The agenda must include the time and place of the meeting, a list of matters to be discussed at the meeting, and staff liaison email. In general, the meeting should include an opportunity for public comment. Meeting notes at the bottom of the agenda should include the following:

Meeting Notes: The CAG meeting will be conducted in a hybrid format with some Members, staff, presenters, and members of the public attending remotely and others attending in person at City Hall. The public can watch the meeting online at {YouTube Link}.

Submit written comments to the staff liaison {Name and email} by 12:00 pm on the meeting day to allow members time to review your comments.

If you cannot attend the meeting in person and would like to speak live at a public meeting via videoconferencing software or by phone, please email staff liaison {Name and email} by 4:00 pm the day of the meeting. Instructions on accessing the virtual meeting will be emailed before the meeting. If you miss the deadline and would like to speak at the meeting, please email staff, and they will send you a link if time allows.

The City abides by Public Meetings law. If you believe a violation has occurred, please [click here](#) to inform the staff of your concern.

To request an interpreter or other communication aid, please contact {Staff name, phone number, and email}.

Lack of Quorum. The staff liaison should wait 15 minutes for CAG members to arrive. If a quorum is not reached within this time, the meeting should be canceled, and all agenda items should be carried over to the next scheduled meeting. Without a quorum, the meeting should not proceed, and no agenda items should be discussed.

Notice of Potential Quorum. Occasionally, CAG members may attend City events or attend CAG field trips. A Notice of Potential Quorum should be posted on the meeting page and bulletin boards at least six days before the event. Purely social gatherings and trainings do not require a Notice.

Written Public Testimony Submitted at a Hybrid Meeting. All written testimony should be provided to CAG members. If a person submits written comments or materials at a hybrid meeting, the meeting should be paused so that the staff liaison can email the written materials to all CAG members who are participating remotely.

Minutes. Minutes are the written history of a CAG meeting. Ideally, the minutes should be written by a CAG member; however, in certain cases – City Staff write the minutes. Per Council Rules, Staff should strive to post the draft minutes within two (2) weeks of the meeting. The draft minutes should have a watermark indicating

that they are draft minutes. Meeting minutes approval should be included on the agenda for the next regular meeting. Once approved, replace the draft minutes on the website with the approved minutes.

The Minutes must give a true reflection of the matters discussed at the meeting and the views of the participants. The written minutes or recording must include at least the following information:

- members present;
- motions, proposals, and measures proposed and their disposition;
- results of all votes; and, the vote of each member by name;
- the substance of any discussion on any matter; and
- the name of the individual and the topic written on the public comment form submitted to staff;
- a reference to any document discussed at the meeting.

[DRAFT AI minutes Policy.]

Once approved, the agenda, minutes, and written comments should be packaged together and uploaded to TRIM.

Naming convention= NAME OF CAG Meeting YEAR.MM.DD Agenda & Meeting Minutes

Public Comment. Public comments made in the CAG meeting should be noted in the minutes. Any presentations or written comments submitted before or at the meeting should be attached to the minutes.

Committee Support:

Filling Vacancies and Attendance. Liaisons notify the City Recorder when there is a vacancy and when a CAG member has more than three unexcused absences in the year. Per Council Rules, unexcused absences are grounds for removal.

Recruitment. The City Recorder will advertise CAG openings in the newspaper (annually), on the website, and on social media. Liaisons and their board members should invite community members to apply for the CAG vacancies.

Orientation. Once nominees have been appointed by Council, liaisons ensure that new members receive all necessary information about the CAG.

Current Information. Liaisons should periodically review the CAG website and Excel Spreadsheet (City Shared\Admin Folder) to make sure the listed roster information is correct and the CAG description language is correct. Please send any updates to the City Recorder. If you have a website for your CAG, please remember to update it regularly.

Volunteer Recognition. Liaisons assist with celebrating the success of CAG members by thanking board members who have served their entire term, providing information and photos for the annual volunteer appreciation event and attending events when CAG members are recognized. Outgoing CAG members should be thanked for their service and given a certificate and any available City stickers, postcards or other available SWAG. Be consistent with all the members. The Mayor sends a thank you letter.

City documents. Liaisons assist with the drafting and reviewing of any CAG-related City Code, policy, Master Plans, CAG's bylaws, or any other documents for presenting to Council for approval.

Council Communication. Liaisons provide updates on Council activities to the CAG and bring CAG questions and concerns to staff and Council. Either the chair or staff liaison should fill out the CAG Meeting Information sheet to give to the Council liaison to report back to the rest of the Council about the CAG Meeting when the Council liaison misses the CAG meeting.

November and December Meetings. The City Manager's office will provide the annual report format and deadline. The staff liaison should prepare a draft annual report for review and approval by the CAG.

City Attorney Role

General. The City Attorney is the chief legal officer of the City. The City Attorney coordinates with the City Manager and senior city management. The primary goal of the office of the City Attorney is to provide legal advice and assistance to the City Council and CAGs, to minimize the risk of legal actions.

City Recorder Role

General. The CR administers CAG appointments and maintains the CAG roster and email distribution lists. The CR will notify the staff liaison of member appointments and upcoming term expirations. The staff liaison should notify the CR of any attendance issues.

Statement of Economic Interest. Council, some staff members (City Manager, Municipal Judge) and some CAG members (HRB, PC) must submit a Statement of Economic Interest to the Secretary of State in April each year. The CR will notify the appropriate CAG members about their reporting responsibility. Staff liaisons should remind CAG members at the March meeting.

Policy on Reporting Workplace Harassment Acknowledgement. All CAG members must to sign [Ordinance 1704, Policy on Reporting Workplace Harassment](#), and return it to the CR. The staff liaison should follow up with the CAG members and collect the form.

Training. The Oregon Government Ethics Commission (OGE) requires all Staff liaisons and CAG members to take [Oregon Government Ethics Public Meetings Law Training](#) and let the CR know they have completed the training.

Vacancies. The CR reaches out to CAG members whose terms are expiring in October and advertises the vacancies in late October/early November. Members will be usually appointed to the CAGs in December (non-election year) or January (election year). After new members are appointed to your CAG, the CR (Mayor) will send a letter to the member congratulating them on their appointment and ask IT to add the new member to the email distribution list. The CR will send you the application asking you to reach out to the new member as sometimes, the Mayor's letters take a while to complete.

Website. The CR keeps the [CAG vacancy website](#) and [CAG Information webpage](#) updated. Please let the CR know if there are any changes and make sure to update your individual CAG website regularly.

CAG Staff Liaison Email: cagliaisons@westlinnoregon.gov (internal distribution list)

#Board – Citizen's Advisory – goes to every CAG member and staff liaison.

RUNNING A MEETING

See Instructions:

- 1) Creating a Meeting on the City Website
- 2) Hosting Advisory Board Public Meetings on Mondopad or Computer
- 3) How to Post Videos to YouTube

DRAFT

Community Advisory Group Meeting Checklist

Pre-Meeting

- ☐ **Create agenda** with CAG chair to create an agenda using the provided template in City Shared/Admin/CAG Liaisons folder.
 - a. Book conference room in Outlook.
 - b. The agenda must include the time and place of the meeting, a list of matters to be discussed at the meeting, and staff liaison email. In general, the meeting should include an opportunity for public comment.
 - c. Request YouTube live streaming links (Stream URL, Stream Key, including public YouTube link to place on agenda from Community Relations Coordinator (primary) or Assistant to City Manager. Keep streaming links in email or Outlook calendar for day of meeting.
 - d. Agendas **must** include meeting notes at the bottom of the agenda in the template to ensure compliance with laws. Template includes note to email the CAG distribution list to sign up for virtual public comment.
- ☐ **Create meeting website/calendar page and post agenda** and any related documents to be discussed at the meeting at least six (6) days before the meeting:
 - a. In PDF format post agenda to City Meetings website:
 - i. Post additional meeting materials in PDF under Event/Meeting→Other Attachments
 - ii. Post YouTube video link for viewing under Event/Meeting→Minutes→Minutes Link with the simple title “Video”
 - iii. Post YouTube video link for viewing under Title and Body→Body with the text “Meeting can be watched live or recorded at <insert You Tube link here>”
 - b. To bulletin board at your building (paper or electronic)
 - c. Email link to meeting webpage/agenda to CAG distribution list
- ☐ **Revise agenda** if needed for public transparency. It is preferred to not revise agendas after posting, but permitted if an urgent topic needs to be added. Please note with asterisks (*) and/or red text color the addition/edit in the agenda and note the date revised on the agenda.
- ☐ **Create WebEx meeting.** It is recommended to do this the day before the meeting so it is more readily accessible to members on the day of the meeting.
 - a. Send agenda link, meeting material link, and WebEx link in one email to CAG distribution list the day before meeting so members have all material accessible. Link to agenda materials on City website to reduce email file size.

Meeting

- ☐ **Start the Meeting**
 - a. Start the WebEx at least 5 minutes early. Access through an Edge Browser at westlinn.webex.com for the best experience
 - b. Be aware of your background and keep it neutral. Use blurred or professional background filter if needed.
 - c. **Live Streaming:** Click the three dots (...) “More Option” at bottom of panel→Start Live Streaming→Other Streaming Service. Type in “YouTube Live” and cut and paste in Stream Link and Stream Key. Notify members you are about to go live and click “Start Streaming”
 - d. **Record meeting** by clicking the “Record” button at bottom of panel.

- ☐ **Chair runs meeting.**
 - a. Take a moment to check the City's YouTube channel and that the meeting is streaming correctly.
- ☐ **Minutes** are the official permanent record of CAGs. Please ensure written minutes are taken. CAGs are also required to keep an audio recording of their meetings for 5 years after approval of the written minutes.
 - a. Minutes shall include the following information:
 - i. Members present;
 - ii. Motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition
 - iii. Results of all votes and the vote of each member by name
 - iv. The substance of any discussion on any matter; and
 - v. A reference to any document discussed at the meeting.
 - b. Minutes should be posted to the meetings website within 2 weeks of meeting and approved at the next regular meeting.

-
- ☐ **Ensure YouTube video** link is available on the meetings website. Post under Event/Meeting→Minutes→Minutes Link with the simple title "Video"
 - ☐ **Save to CAG folder WebEx video recording and convert to audio**
 - a. Convert video file to audio file using VLC Media Player or similar and delete video file.
 - ☐ **Save draft minutes** to the appropriate CAG folder and post draft minutes to meetings website when available (within 2 weeks)
 - a. Title minutes "Draft" until approved. In Word use Design tab→Watermark→Draft then post on website as a PDF. You may also denote them "Draft Minutes/" when uploading to the City website for clarity. Add the slash "/" to separate minutes from video on meetings website.
 - b. Include any referenced documents or presentations in the PDF minutes file or on the meeting webpage.
 - ☐ **After minutes approval at the following meeting**
 - a. Save minutes packets to the appropriate CAG folder: note at the bottom of the minutes document "Minutes approved 4/13/25" and remove the draft watermark. Minutes packets should include the agenda, approved minutes, documents or presentations referenced at the meeting.
 - b. Naming convention: NAME OF CAG Meeting YEAR.MM.DD Agenda & Meeting Minutes_Aproved (e.g. SAB Meeting 2024.12.25 Agenda & Meeting Minutes_Aproved)
 - c. Post final minutes packet to the meetings website and change title to "Minutes/" (if was previously "Draft Minutes")

- ☐ **FINISHED!**

See Municipal Code section 2.005-2.235, Council Rules, CAG Staff Liaison Guide, and documents in City Shared/CAG Staff Liaison folder for additional rules and information.

Howard, Teresa

From: City of West Linn <webmaster@westlinnoregon.gov>
Sent: Monday, May 5, 2025 8:19 AM
To: Howard, Teresa
Subject: City of West Linn Website submission: Meeting Request to Speak Signup

Submitted on Monday, May 5, 2025 - 8:19am

Submitted by anonymous user: 73.190.81.85

Submitted values are:

Full Name Roberto M Baturoni

Email Address [REDACTED]

Cell Phone Number [REDACTED]

Home Phone Number [REDACTED]

Street Address 2092 Volpp Street

City West Linn

State OR

Item you would like to speak on Community Tree Ordinance and Technical Tree Manual

Board Sustainability Board

Meeting Date Mon, 05/05/2025

The results of this submission may be viewed at:

<https://westlinnoregon.gov/node/45911/submission/88642>