

To: General Code
From: Evan Boone, Lake Oswego Deputy City Attorney
Re: Editorial Correction of Lake Oswego Code
Date: 2025-05-24

Pursuant to LOC 10.02.016, the following editorial changes and corrections in the Lake Oswego Code are to be made, as they do not alter the sense, meaning, affect, or substance of any ordinance.

1. 55.02.080(3)

The exceptions apply to all subsections of .080(3). So, need to restore it to how it looked before the conversion to eCode360 (see accompanying ltr of correction dated 3-19-24 and screenshot below):

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(3). Removal of the tree will not have a significant negative impact on the character or aesthetics of the neighborhood. This standard is met when removal of the tree(s) does not involve:

~~Exceptions: This subsection (3) is not applicable when:~~

- ~~a. A tree is likely to or will continue to cause damage to a permanent, viable existing structure, or to infrastructure, such as utilities or paved landscape features, that cannot be remedied through reasonable tree maintenance or pruning; or~~
- ~~b. Alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone. In making this determination, the City may consider alternative site plans or placement of structures (development purpose) or alternate landscaping designs (outgrown landscape area; landscape plan) that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Lake Oswego Code;~~

a. A significant tree;

b. Alterations to the distinctive features or continuity of the neighborhood skyline, as viewed from all public streets and properties within 300 ft. of the property;

c. A tree that serves as a visual screen between a residential zone and an abutting nonresidential zone, or between a low density residential zone and a medium or high density residential zone, or between a medium and high density residential zone;

d. A street tree; or

e. Greater than 50% of a stand of trees.

~~Exceptions: This subsection (3) is not applicable when:~~

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- a. A tree is likely to or will continue to cause damage to a permanent, viable existing structure, or to infrastructure, such as utilities or paved landscape features, that cannot be remedied through reasonable tree maintenance or pruning; or
- b. Alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone. In making this determination, the City may consider alternative site plans or placement of structures (development purpose) or alternate landscaping designs (outgrown landscape area; landscape plan) that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Lake Oswego Code;

Screenshot of 2020 version for example. I'm OK with moving out the indentation for the Exceptions header and adding a line space.

- 3. Removal of the tree will not have a significant negative impact on the character or aesthetics of the neighborhood. This standard is met when removal of the tree(s) does not involve:
 - a. A significant tree;
 - b. Alterations to the distinctive features or continuity of the neighborhood skyline, as viewed from all public streets and properties within 300 ft. of the property;

(Rev. 02/20)

55-02-10

**CITY OF LAKE OSWEGO
TREE CODE**

55.02.082

- c. A tree that serves as a visual screen between a residential zone and an abutting nonresidential zone, or between a low density residential zone and a medium or high density residential zone, or between a medium and high density residential zone;
- d. A street tree; or
- e. Greater than 50% of a stand of trees.

Exceptions: This subsection (3) is not applicable when:

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