

TREE PRESERVATION



CHAPTER 9 TREE PRESERVATION

- **Current Applicability and Exceptions to Tree Preservation Standards**

► Applicability:

- 1) Permit proposes removal of a tree
- 2) Land Use requires it (e.g. Subdivision)
- 3) Approved Land Use Decision Requires it.

► Exceptions

- 1) Residential Lots under 20k s.f. with existing, proposed, or permitted SFR, ADU, Duplex
- 2) Lots greater than 20k s.f can remove 5 trees per 12 months.
- 3) Approved through a land use process (e.g. Planned Unit Development)
- 4) Received a Chapter 6 Tree Removal Permit
- 5) Habitat Restoration
- 6) Hazard Trees / Fire Hazard / Diseased / Dying

CHAPTER 9 TREE PRESERVATION

- The Tree Preservation & Removal Standards
- Significant Tree: 8-inches Diameter at Breast Height
- Requires “consideration” of preservation
- No mandates for mitigation or replacement

(2) *Tree Preservation and Removal Standards.* No permit for a development activity subject to this section shall be approved until the applicant submits plans or information, including a written report by a certified arborist or licensed landscape architect, that demonstrates compliance with the following standards:

(a) The materials submitted shall reflect that **consideration** has been given to preservation in accordance with the following priority:

1. Significant trees located adjacent to or within waterways or wetlands designated by the city for protection, and areas having slopes greater than 25%;
2. Significant trees within a stand of trees; and
3. Individual significant trees.

(b) If the proposal includes removal of any street tree(s), removal of those street trees has been approved, or approved with conditions according to the process at EC 6.305 Tree Felling Prohibition.

(3) *Adjustment to Standards.* Except for applications being processed under EC 9.8100 Conditional Use Permit Approval Criteria – Needed Housing, EC 9.8325 Tentative Planned Unit Development Approval Criteria – Needed Housing, EC 9.8445 Site Review Approval Criteria – Needed Housing, or EC 9.8520 Subdivision, Tentative Plan Approval Criteria – Needed Housing, adjustments to these standards may be made, subject to compliance with the criteria for adjustment in EC 9.8030(13) Tree Preservation and Removal Standards Adjustment.

PROPOSED CHANGE

- Treats Middle Housing the same as Single-Family, ADUs, and Duplexes.

9.6885

Tree Preservation and Removal Standards.

(1) *Exemptions from Standards.* The standards in this section do not apply to activities regulated under EC 9.4900 through 9.4980, or an application for development activity that includes or will result in:

(a) *Residential Lots Under 20,000 Square Feet.* Removal of significant trees from a parcel of property not subject to the provisions of subsection (c) of this section with an area of less than 20,000 square feet when:

1. Such parcel is occupied by a ~~one-family~~single-unit dwelling, accessory dwelling, or ~~duplex~~middle housing;
2. An application to construct a ~~one-family~~single-unit dwelling, accessory dwelling, or ~~duplex~~middle housing on such lot is being reviewed by the city. However, no significant trees may be removed prior to the approval of the development permit; or
3. The city has entered into an agreement authorizing the start of construction for a ~~one-family~~single-unit dwelling, accessory dwelling, or ~~duplex~~middle housing.

(b) *Lots 20,000 Square Feet or Larger.* Removal of up to 5 significant trees within a period of 12 consecutive months from a parcel of property not subject to the provisions of subsection (c) of this section consisting of 20,000 or more square feet of area;

CHAPTER 6 TREE PRESERVATION

(EC 6.300-6.330)

Size of Parcel	Use	Proposed Tree Removal	Tree Removal Permit Required?
Less than 20,000 square feet (and not regulated by an approved land use application* or overlay zone**)	Residential: Existing home, or a building permit for a home has been issued:	-	No tree permit required. Can remove any number of trees.
	Residential: No residence, & building permit not yet issued:	Removal of any tree	Tree permit required; Verify options with staff.
	Commercial & others	Removal of any tree	Tree permit required
Larger than 20,000 square feet (and not regulated by an approved land use application* or overlay zone**)	-	Removal of up to 5 trees per 12 consecutive months	No permit required
		More than 5 trees per 12 consecutive months	Tree permit required