

Mature Tree Preservation Ordinance

Planning Commission / Urban Forestry Advisory Committee

Joint Study Session

June 29, 2023

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BACKGROUND

➤ City Council Direction

- December 8, 2021 – City Council directed staff to develop objective standards to preserve “significant mature trees”
- October 18, 2022 – Staff met with Councilmembers Lyndes and Kranz to discuss status of the ordinance
 - Clearly define “mature tree”
 - Identify constraints and mitigation strategies
 - Incentivize preservation of mature trees
- October 26, 2022 - Staff presented to City Council on the development of the policy



BACKGROUND

Public Workshop – March 28, 2023

- Presented a variety of different approaches to protected tree ordinances
- Facilitated discussion and collected public comment cards

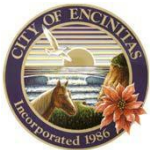
Post Workshop

- Evaluated public feedback, updated [project webpage](#) with workshop PowerPoint and public comments
- Met with subject matter experts and residents
- Conducted additional research on protected tree ordinances



CURRENT REGULATIONS

- **EMC 15.02 “Municipal Tree Ordinance”**
 - Maintenance, preservation, and removal standards
 - City and Heritage Trees only
- **Urban Forest Management Program Administrative (UFMP) Manual of Procedures**
 - Further details on tree protection
 - City and Heritage Trees only
- **Climate Action Plan (CAP)**
 - Requires “mature tree” replacement at 1:1 ratio
 - Applies to all mature trees (public and private)



PC/UFAC JOINT SESSION GOALS



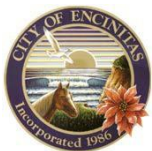
**Receive
Feedback on
“Mature Tree”
Definition**



**Receive
Feedback on
Mitigation
Strategies**



**Receive
Feedback on
Incentives**



MATURE TREE DEFINITION

What is a “Mature Tree?”

- No definition, but reference to “mature tree” in CAP and UFMP Manual
- Heritage Tree process is separate and not proposed to change

Proposed Approach:

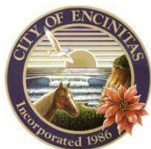
- All trees 11” or greater diameter (measured at 54” above grade)
- Option to exempt ‘undesirable’ trees from the definition (e.g. invasive species, fruit trees, palm species, etc.)
- Very High Fire Hazard Severity Zones exempt from Ordinance



MITIGATION STRATEGIES

Proposed Approach:

1. Preserve the tree
2. Mitigate (replace) on site
3. Replace off site *and/or* Pay in-lieu fee



MITIGATION CONTINUED - REMOVAL CRITERIA



Current Regulations

- Removal criteria for Heritage Trees and City Trees only

Proposed Approach

Removal criteria for all public and private trees (must meet one):

- Tree Death/Poor Health
- Tree Safety Risk
- Invasive/Undesirable Species/High Fire Risk
- Utility Interference
- Development (require alternate designs to prove preservation infeasible)

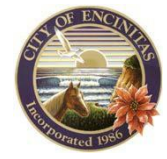
MITIGATION CONTINUED – REPLACEMENT RATIOS

Current Requirements (CAP and UFMP Administrative Manual)

- UFMP Manual - 1:1 replacement for City and Heritage Trees
- CAP - 1:1 replacement for “mature trees,” public and private
- Replacement within Very High Fire Hazard Severity Zones determined by Fire Codes (not subject to Ordinance)

Other Approaches

- Increased ratios for desirable and significant community trees (1:1, 3:1, 5:1, etc.)
- Web Tools



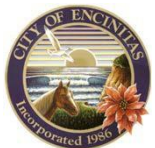
INCENTIVES

Proposed Approach:

In-Lieu Fee Incentive Program

Funds could be used for:

- Mature tree maintenance to preserve and help prevent loss of tree
- Mature tree replacement (if poor tree health or a safety hazard)
- Replacement of invasive or undesirable trees with other species
- Maintenance/replacement for qualifying residents with limited income



Discussion



Public Comment



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Comments can be submitted to

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