



City of Talent

Draft Tree, Landscaping & Public Tree Codes

Planning Commission
Work Session #1
January 28, 2016



Process

Timeline for Proposed Changes

- January 28, 2016 – Planning Commission Work Session #1
- February 25, 2016 – Planning Commission Work Session #2
- March 24, 2016 – Planning Commission Public Hearing
- April 20, 2016 – City Council Public Hearing





Goals

- Recognize the important of trees and landscaping and how they impact the character and beauty of Talent
- Provide clear regulations for the management of private and public trees
- Provide incentives to preserve and/or incorporate existing trees into development plans
- Better define Heritage and Significant trees in Talent
- Provide better oversight for the removal and mitigation of significant and heritage trees
- Provide a process for tree removal, street tree planting and landscaping that is clear and objective to property owners and that can be quantified
- Organize existing and new code language in a manner that is easy to understand and to implement.





Division J Title Page

DIVISION J. SITE DEVELOPMENT STANDARDS

Article 1. General Provisions

Article 2. Residential Lot Improvements

Article 3. Tree Preservation and Protection (formally Fences and Hedges)

Article 4. Landscaping, Fencing and Hedges (formally Tree and Landscaping)

Article 5. Off-Street Parking and Loading

Article 6. Access, Circulation and Street Improvements

Article 7. Signs

Article 8. Solar Access

Article 9. Wireless Communication Facilities

Article 10. Public Trees (new section)





Tree Preservation & Protection

- Trees benefit the public health, safety, and welfare by protecting air and water quality, preventing erosion and flooding, reducing energy costs, increasing property values, and providing natural beauty and contrast to the built environment which contributes to the physical and mental well-being of residents;
- Trees provide both shade and shelter in riparian areas which are essential for aquatic and land-going species;
- Trees enhance the local economy and increase property values by providing an attractive and aesthetically pleasing environment;
- Undeveloped or development property should be protected from unregulated removal of trees prior to the approval of development plans. Trees on such properties should be preserved so that they may be considered for incorporation into development plans.





Proposed Changes

8-3J.310 Definitions

- Arborist
- Critical Root Zone (CRZ)
- Commercial Woodlot
- Diameter at Breast Height (DBH)
- Dead, Dying or Hazardous
- Heritage Tree
- Impacted Tree
- Remove (identifies activities that for all intent and purpose damage the tree)
- Significant Tree
- Street Tree (may not be necessary in this section...see Public Tree section)
- Topping
- Tree





Proposed Changes

8-3J.320 Permit Exemptions

- City sanctioned activities
- Removal of dead, dying or hazardous trees
- Tree trimming for safety as required by OPUC





Proposed Changes

8-3J.330-350 Permit Application, Procedure and Type

Application

- Person seeking to remove one or more trees (significant)
- Provides City access to verify permit information
- Identifies review time and when permission to remove has been granted
- Allows City to adopt a fee schedule for Tree Removal permits by Resolution

Procedure

- Provides reviewing authority for each type of tree removal permit
- Provides timeline and notice requirements for each type of permit
- Provides staff to impose reasonable conditions of removal
- Specifies a timeline that the permit is valid





Proposed Changes

8-3J.330-350 Permit Application, Procedure and Type

Permit Type

- **Type A (Applicability)**
 - Removal of three or fewer trees within a single 12 month period
 - Removal of non heritage tree(s) or street tree(s)
 - Removal of trees not previously retained as part of a development approval
 - Removal of tree(s) are not in conjunction with land development that requires Staff or Planning Commission approval
 - No mitigation is required





Proposed Changes

8-3J.330-350 Permit Application, Procedure and Type

Permit Type

- **Type B (Applicability)**
 - Removal of three or more trees within a single 12 month period
 - Removal of heritage tree(s)
 - Removal of trees previously retained as part of a development approval
 - Removal of tree(s) for clearing of a home site on a lot subsequent to land division approval
 - Mitigation is required





Proposed Changes

8-3J.330-350 Permit Application, Procedure and Type

Permit Type

- **Type B (Application Contents)**
 - Statement explaining why tree removal is being proposed
 - An accurate map showing location of impacted trees, CRZ, common name and DBH
 - Tree protection measures
 - Field Identification
 - Mitigation Plan
 - Existing CC&Rs
 - Waiver of Documentation requirements





Proposed Changes

8-3J.330-350 Permit Application, Procedure and Type

Permit Type

- **Type C (Applicability)**
 - Removal of three or more trees on a single parcel in conjunction with a land use application (SPR, MLP or SUB)
 - Mitigation is required
- **Type C (Submittal Requirements)**
 - 10 copies of a tree maintenance and protection plan
 - Property Dimensions
 - Tree Survey (neighboring properties and field identification)
 - Arborist Report
 - Mitigation Plan





Proposed Changes

8-3J.330-350 Permit Application, Procedure and Type

Permit Type

- **Type C (Approval Standards)**
 - Two options (Option A and B)
 - Option A - Requires numerical preservation for residential developments
 - Preservation of 30% of total significant tree diameter on site
 - Preservation of all heritage trees on site and 30% of significant tree diameter on site
 - Sites larger than 1 acre must preserve at least 25% of the total tree canopy area
 - Option B – Required preservation for Comm/Indust development and alternate residential development





Proposed Changes

8-3J.330-350 Permit Application, Procedure and Type

Permit Type

- **Type D (Applicability and Application)**
 - For “Commercial Wood Lot” only (as defined previously)
 - Proof property is a commercial wood lot
 - Map of property including size, species, location of all significant trees (other than Douglas Fir) and location of all heritage trees
- **Type D (Approval Criteria)**
 - All heritage trees other than Douglas Fir will be protected in accordance with this chapter
 - All non-fir significant trees in excess of three shall be mitigated
 - All applicable standards of the Oregon Forest Practice Rules are met
 - Erosion control plan has been approved by the City Engineer





Proposed Changes

8-3J.360 Mitigation

Applicability

- For all Type B, C and D permits
- Mitigation is NOT required for trees defined as dead, dying or hazardous

Methodology

Replacement trees = $1 + (A - Q)$

A = Actual dbh of the tree in question.

Q = Minimum dbh for this species to qualify as a heritage tree

Example: 24" White Oak to be removed. Minimum DBH for this species = 18"

Replacement Trees = $1 + (24-16)$ or Replacement Trees = 9





Proposed Changes

8-3J.360 Mitigation

Replacement Tree Requirements

- Species diversity (max 25% of same species)
- Use of natives is encouraged
- Shall be 2" caliper or larger
- Required a guarantee for three (3) years
- Shall be properly planted and maintained

Alternatives to On-Site Mitigation

Replacement off-site (other property in applicant's ownership or public land)

Economic Waiver Option

Must be approved by City Council, no other mitigation option exists or the development will provide substantial economic or employment benefits





Proposed Changes

8-3J.370-395 Amendments, Protection, Timing of Removal and Enforcement

Tree Protection

- Trees to be protected shall be clearly differentiated from those being removed
- Protective barrier
- Pre and post removal inspections
- Construction near preserved trees
- Removal of trees near CRZ of a preserved tree

Timing of Removal, Inspections and Expiration of Permits

Approval by Community Development shall be granted prior to ANY removal

Removal permit shall be posted on site





Proposed Changes

8-3J.370-395 Amendments, Protection, Timing of Removal and Enforcement Enforcement

- Addresses removal with out a permit
- Sets specific penalties independent of those in other sections of zoning code
- Retroactive permits
- Stop-Work orders
- Revocation of permit
- Addresses alternative enforcement for repeat offenders





Landscaping, Fences & Hedges

The purpose of this Article is to provide for the regulation of planting, maintenance, and removal of landscaping within the City of Talent.





Proposed Changes

8-3J.415 Minimum Landscaped Area

- Residential – 20%
- Central Business District and Central Business Highway – 10%
- Commercial Highway and Commercial Interchange – 10%
- Industrial – 5%

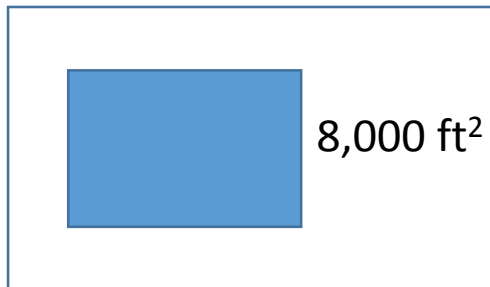
8-3J.420 Minimum Vegetation and Ground Cover

- Establishes quantity of trees and shrubs per 1,000 square feet of required landscaping
- Landscaping material is defined





Examples



Residential

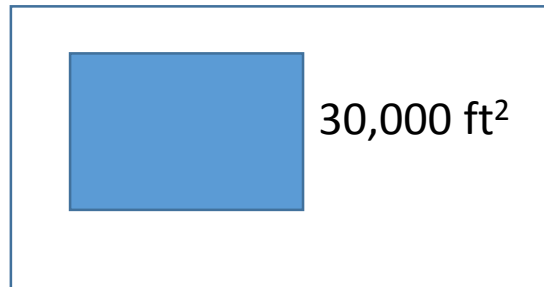
Lot Size x Percentage Required = Landscaped Area

Or

$$8,000 \text{ ft}^2 \times 20\% = 1,600 \text{ ft}^2$$

2 Trees and 8 Shrubs

(does not include required public trees)



Commercial/Industrial

Lot Size x Percentage Required = Landscaped Area

Or

$$\text{Commercial} - 30,000 \text{ ft}^2 \times 10\% = 3,000 \text{ ft}^2$$

3 Trees and 12 Shrubs

(does not include required parking lot trees)

$$\text{Industrial} - 100,000 \text{ ft}^2 \times 5\% = 5,000 \text{ ft}^2$$

5 Trees and 20 Shrubs

(does not include required parking lot trees or required buffers)





Proposed Changes

8-3J.422 Buffer and Screening

- Single family buffer requirements carried over from existing code
- Added commercial and industrial transition buffers
- Added agricultural buffers (this is a reference section, will reference RPS requirements for buffering)





Proposed Changes

8-3J.423 Fences and Hedges

- Carried over from existing code language (no changes made)

8-3J.424 Landscape Maintenance

- Carried over from existing code language (no changes made)

8-3J.425-426 Solar Considerations/Xeriscaping

- Staff would like to use this section to allow a reduction of landscaping requirements when solar or xeriscaping is planned.
- More information will be presented at the next work session





Public Trees

The purpose of this Article is to provide for the regulation of planting, maintenance, and removal of publicly owned trees, shrubs, and other plants and Street Trees adjacent to public rights-of-way.





Proposed Changes

8-3J.1000 Description and Purpose

- Removed references to landscaping requirements

8-3J.1010 Definitions

- Removed definition of street tree
- Changed street to public tree – allows the inclusion of trees in parks/open space

8-3J.425-1020 Permission to Plant or Remove

- Requires mitigation of removed trees in accordance with Tree Preservation and Protection section of code
- Establishes replacement requirements (species, caliper, growth characteristics and warrant of newly planted trees)





Proposed Changes

8-3J.1050 Public Tree Maintenance

- Requires all branches over the street and sidewalk to be maintained at a specific height above public space
- Establishes standards for debris removal





Next Steps

Present draft language to citizen review group for feedback

- Together for Talent
- Arborists
- Landscapers
- Developers
- Citizens

Amend draft language to reflect Planning Commission and review group's comments

