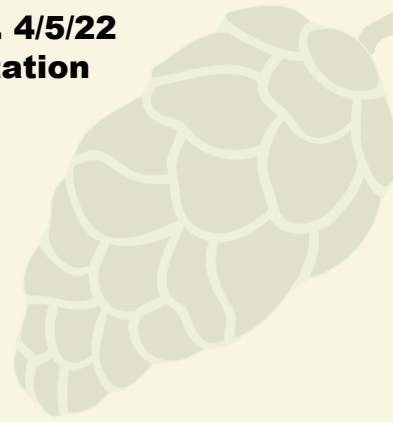


# Residential Tree Code

[urbanforest@milwaukieoregon.gov](mailto:urbanforest@milwaukieoregon.gov)

503-786-7655

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# Code updates since 03/29 hearing

- Addition of graphics and additional information in definition section for clarity
- Revision of code regarding development tree code requirements
  - Expansion of building footprint – all standards
  - No expansion of building footprint – protection standards
  - Submittal requirements adjusted to remove arborist requirements

# Existing Master Fee Schedule Language

## Fee Variance and Waiver Statement

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Based upon an unusual circumstance or event, past practices, demonstrated hardship, or public benefit, the City Manager is authorized to waive or decrease a fee(s) or charge(s) in a matter or establish a fee not yet authorized in this schedule. When a new fee is established by the City Manager it will be incorporated into this document, and it will be included and specified during the next update to this document.

A waiver or reduction request must be in writing and communicated to Council to allow opportunity for comment. If the City Manager or their designee agrees to said waiver or reduction, he/she will inform the City Council, in writing, of the request and his/her decision, except in minor matters (defined as waivers or reductions valued at \$1,000 or less).

# Non-Development Tree Code

## Current Proposed Fee Structure

Private Non-Development Tree Fees	Fiscal Year 2023 Fee	Fiscal Year 2024 Fee
<u>Residential Tree Application Fee (Type 1)</u>	<u>\$0.00</u>	<u>\$0.00</u>
Residential Tree Application Fee (Type <del>1</del> and 2)	\$50.00	\$50.00
Healthy private tree removal fee beyond one tree per 12-month period <sup>1</sup> Measurements are in diameter at breast height (DBH). 6 to <8" DBH 8 to <14" DBH 14" to <20" DBH 20" to <36" DBH 36" or greater	\$80.00 per inch DBH \$100.00 per inch DBH \$150.00 per inch DBH \$200.00 per inch DBH \$250.00 per inch DBH	\$80.00 per inch DBH \$100.00 per inch DBH \$150.00 per inch DBH \$200.00 per inch DBH \$250.00 per inch DBH
<sup>1</sup> No removal fee for 1 <sup>st</sup> tree less than 12" DBH removed under type 1 permit.		
Rare or Threatened Tree	\$250.00 per inch DBH	\$250.00 per inch DBH
Planting and Establishment Fee in lieu of Replanting for Non-Development Private Residential Trees	<del>\$2000</del> 675.00 per tree	<del>\$2000</del> 675.00 per tree

# Non-Development Tree Code

## Alternate 1 – Graduated Fees

Private Non-Development Tree Fees	Fiscal Year 2023 Fee	Fiscal Year 2024 Fee
<u>Residential Tree Application Fee (Type 1)</u>	<u>\$0.00</u>	<u>\$0.00</u>
Residential Tree Application Fee (Type <del>1</del> and 2)	\$50.00	\$50.00
Healthy private tree removal fee beyond one tree per 12-month period <sup>1</sup> Measurements are in diameter at breast height (DBH). 6 to <12" DBH (approx. 19" - 38" circumference) 12 to <18" DBH (approx. 38" -57" circumference) 18" to <24" DBH (approx. 57" -75" circumference) 24" to <30" DBH (approx. 75" -94" circumference) 30" to <36" DBH (approx. 94" -113" circumference) 36" or greater (greater than 113" circumference)	\$60.00 per inch DBH \$75.00 per inch DBH \$90.00 per inch DBH \$120.00 per inch DBH \$150.00 per inch DBH \$200.00 per inch DBH	\$60.00 per inch DBH \$75.00 per inch DBH \$90.00 per inch DBH \$120.00 per inch DBH \$150.00 per inch DBH \$200.00 per inch DBH
<sup>1</sup> No removal fee for 1 <sup>st</sup> tree less than 12" DBH removed under type 1 permit.		
Rare or Threatened Tree	\$250.00 per inch DBH	\$250.00 per inch DBH
Planting and Establishment Fee in lieu of Replanting for Non-Development Private Residential Trees	\$675.00 per tree	<u>\$675.00</u> per tree

# Non-Development Tree Code Alternate 2 – Equal DBH Fee

Private Non-Development Tree Fees	Fiscal Year 2023 Fee	Fiscal Year 2024 Fee
<u>Residential Tree Application Fee (Type 1)</u>	<u>\$0.00</u>	<u>\$0.00</u>
Residential Tree Application Fee (Type 1 and 2)	\$50.00	\$50.00
Healthy private tree removal fee beyond one tree per 12-month period <sup>1</sup> Measurements are in diameter at breast height (DBH). 6 to <12" DBH (approx. 19" - 38" circumference) 12 to <18" DBH (approx. 38" - 57" circumference) 18" to <24" DBH (approx. 57" - 75" circumference) 24" to <30" DBH (approx. 75" - 94" circumference) 30" to <36" DBH (approx. 94" - 113" circumference) 36" or greater (greater than 113" circumference)	\$60.00 per inch DBH \$60.00 per inch DBH \$60.00 per inch DBH \$60.00 per inch DBH \$60.00 per inch DBH \$60.00 per inch DBH	\$60.00 per inch DBH \$60.00 per inch DBH \$60.00 per inch DBH \$60.00 per inch DBH \$60.00 per inch DBH <u>\$60.00</u> per inch DBH
<sup>1</sup> No removal fee for 1 <sup>st</sup> tree less than 12" DBH removed under type 1 permit.		
Rare or Threatened Tree	\$250.00 per inch DBH	\$250.00 per inch DBH
Planting and Establishment Fee in lieu of Replanting for Non-Development Private Residential Trees	<del>\$2000</del> <u>675.00</u> per tree	<del>\$2000</del> <u>675.00</u> per tree

# Non-Development Tree Code

## Alternate 3 – Flat Fees

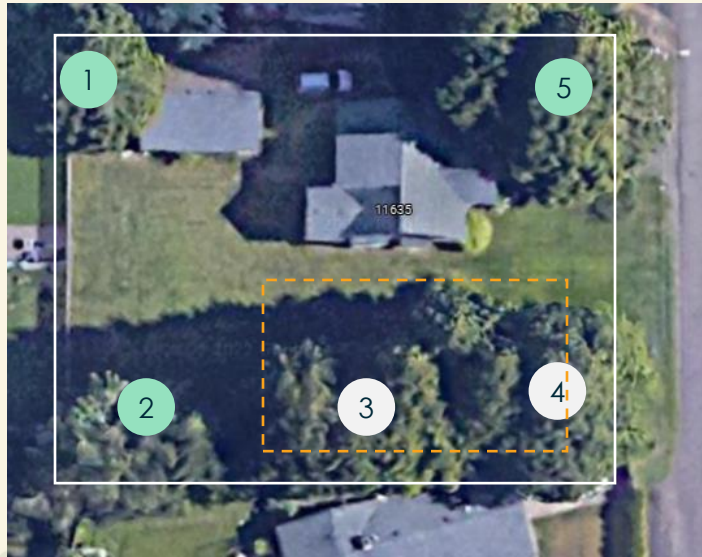
Private Non-Development Tree Fees	Fiscal Year 2023 Fee	Fiscal Year 2024 Fee
<u>Residential Tree Application Fee (Type 1)</u>	<u>\$0.00</u>	<u>\$0.00</u>
Residential Tree Application Fee (Type 1 and 2)	\$50.00	\$50.00
Healthy private tree removal fee beyond one tree per 12-month period <sup>1</sup> Measurements are in diameter at breast height (DBH). 6 to <12" DBH (approx. 19" - 38" circumference) 12 to <18" DBH (approx. 38" - 57" circumference) 18" to <24" DBH (approx. 57" - 75" circumference) 24" to <30" DBH (approx. 75" - 94" circumference) 30" to <36" DBH (approx. 94" - 113" circumference) 36" or greater (greater than 113" circumference)	\$500.00 \$1000.00 \$1800.00 \$3000.00 \$4800.00 \$200.00 per inch DBH	\$500.00 \$1000.00 \$1800.00 \$3000.00 \$4800.00 \$200.00 per inch DBH
<sup>1</sup> No removal fee for 1 <sup>st</sup> tree less than 12" DBH removed under type 1 permit.		
Rare or Threatened Tree	\$250.00 per inch DBH	\$250.00 per inch DBH
Planting and Establishment Fee in lieu of Replanting for Non-Development Private Residential Trees	\$675.00 per tree	\$675.00 per tree

# Non-Development Tree Code Fee Comparison

Size	Original Proposed Removal Fee	Alternate 1 Graduated	Alternate 2 \$60 per DBH	Alternate 3 Flat Fee
6"	\$480	\$360	\$360	\$500
12"	\$1200	\$900	\$720	\$1000
15"	\$2250	\$1125	\$900	\$1000
18"	\$2700	\$1620	\$1080	\$1800
24"	\$4800	\$2280	\$1440	\$3000
27"	\$5400	\$3240	\$1620	\$3000
30"	\$6000	\$4500	\$1800	\$4800
36"	\$7200	\$7200	\$2160	\$7200
40"	\$9000	\$8000	\$2400	\$8000



# Development Fee Example



New Canopy Coverage	Mit. Fee
<30% - 22.5%	\$4000
<22.5% - 15%	\$4000
<15% - 7.5%	\$4000
<7.5% - 0%	\$4000

Tree	DBH	Species	Existing Canopy Radius	Existing Canopy	Sig. Tree Credit	Potential Canopy Credit
1	8"	True Fir	9 ft	254 ft <sup>2</sup>	--	--
2	10"	Washington Hawthorne	11 ft	380 ft <sup>2</sup>	--	--
3	14"	American Elm	17 ft	907 ft <sup>2</sup>	X 125%	1133.75
4	15"	Red Oak	18 ft	1017 ft <sup>2</sup>	X 125%	1271.25
5	13"	Big Leaf Maple	17 ft	908 ft <sup>2</sup>	X 125%	1135.0 ft <sup>2</sup>
				3466 ft <sup>2</sup> existing canopy ~35%		1769.25 ft <sup>2</sup> Final canopy 17.7% \$8000

## Significant Tree Credit:

125% for 12" to <20" DBH, 150% for >20" DBH, 175% for >36"

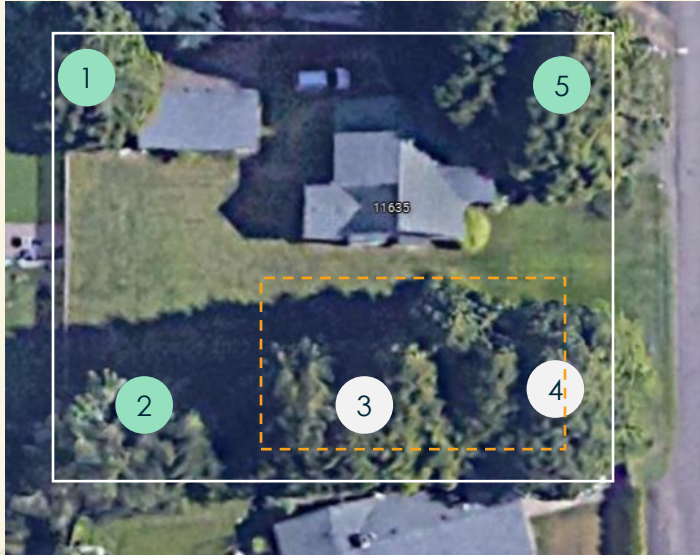


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# Non-Development Fee Comparison



Tree	DB H	Current Proposed	Alt 1 Graduated	\$60/ In DBH	Alt 3 Flat Fees	Dev Fees
1	8"	\$800	\$480	\$480	\$500	
2	10"	Free	Free	Free	Free	
3	14"	\$2100	\$1050	\$840	\$1000	Removed
4	15"	2250	\$1125	\$900	\$1000	Removed
5	13"	1300	\$975	\$780	\$1000	
		<b>\$6450</b>	<b>\$3630</b>	<b>\$3000</b>	<b>\$3500</b>	<b>Final 17.7% \$8000</b>

New Canopy Coverage	Mit. Fee
<30% - 22.5%	\$4000
<22.5% - 15%	\$4000
<15% - 7.5%	\$4000
<7.5% - 0%	\$4000



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# Enforcement Fee

## Current proposed fee structure

Private Enforcement and Restoration Fees	Fiscal Year 2023 Fee	Fiscal Year 2024 Fee
Violation Review Fee	\$200.00	\$200.00
Damaged Private Tree Fee	\$225.00 per inch DBH	\$225.00 per inch DBH
Unpermitted Private Tree Removal Fee		
6" to <12" DBH	\$2000.00 per tree	\$2000.00 per tree
12" to <18" DBH	\$167.00 per inch DBH	\$167.00 per inch DBH
18" to <24" DBH	\$200.00 per inch DBH	\$200.00 per inch DBH
24" to <36" DBH	\$250.00 per inch DBH	\$250.00 per inch DBH
36" or greater DBH	\$300.00 per inch DBH	\$300.00 per inch DBH

# Enforcement Fee

## Alternate

Private Enforcement and Restoration Fees	Fiscal Year 2023 Fee	Fiscal Year 2024 Fee
Violation Review Fee (Development)	\$200.00	\$200.00
Damaged Private and Tree Protection Violation Zone Fee (Development)	\$225.00 per inch DBH	\$225.00 per inch DBH
Unpermitted Private Tree Removal Fee (Development)		
6" to <12" DBH	\$2000.00 per tree	\$2000.00 per tree
12" to <18" DBH	\$167.00 per inch DBH	\$167.00 per inch DBH
18" to <24" DBH	\$200.00 per inch DBH	\$200.00 per inch DBH
24" to <36" DBH	\$300.00 per inch DBH	\$300.00 per inch DBH
36" or greater DBH	\$400.00 per inch DBH	\$400.00 per inch DBH
Unpermitted Private Tree Removal (Non-Development)	2 x Permit Cost	2 x Permit Cost

Alternate 2 – 1.5x permit cost for unpermitted tree removal

# Questions?

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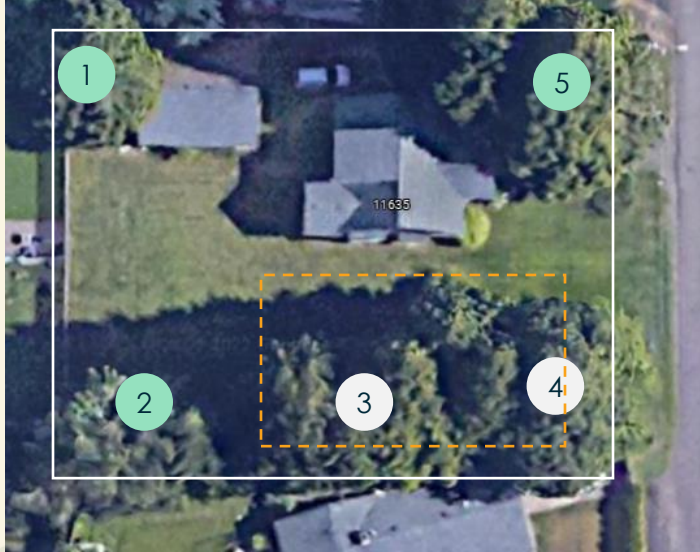


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# Preservation Standard

## SITE DESIGN A



Tree	DBH	Species	Existing Canopy Radius	Existing Canopy	Sig. Tree Credit	Potential Canopy Credit
1	8"	True Fir	9 ft	254 ft <sup>2</sup>	--	--
2	10"	Washington Hawthorne	11 ft	380 ft <sup>2</sup>	--	--
3	34"	American Elm	27 ft	2289 ft <sup>2</sup>	X 125%	
4	15"	Red Oak	18 ft	1017 ft <sup>2</sup>	X 125%	
5	13"	Big Leaf Maple	17 ft	908 ft <sup>2</sup>	X 125%	1135.0 ft <sup>2</sup>
				4748 ft <sup>2</sup> existing canopy ~47%		1769.25 ft <sup>2</sup> Final canopy 17.7% \$8000

New Canopy Coverage	Mit. Fee
<30% - 22.5%	\$4000
<22.5% - 15%	\$4000
<15% - 7.5%	\$4000
<7.5% - 0%	\$4000

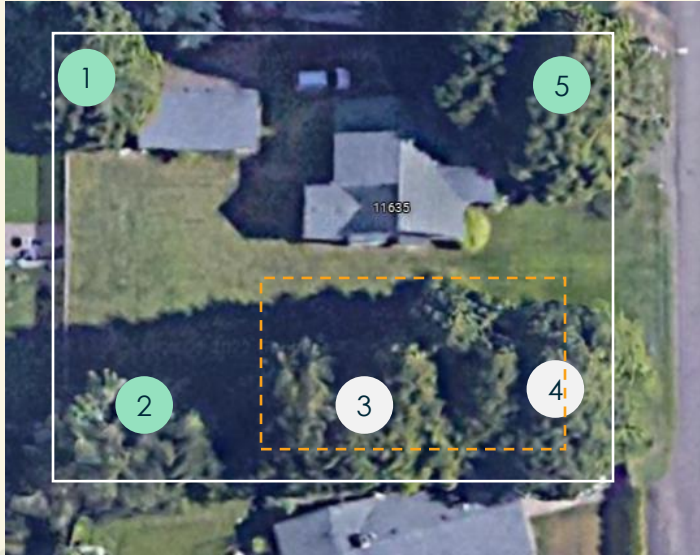


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# Non-Development Fee Comparison



Tree	DBH	Current Proposed	Alt 1 Graduated	\$60/ In DBH	Alt 3 Flat Fees	Dev Fees
1	8"	\$800	\$480	\$480	\$500	
2	10"	Free	Free	Free	Free	
3	34"	\$8500	\$5100	\$2040	\$4800	Removed
4	15"	2250	\$1125	\$900	\$1000	Removed
5	13"	1300	\$975	\$780	<b>\$1000</b>	
		<b>\$12850</b>	<b>\$7680</b>	<b>\$4200</b>	<b>\$7300</b>	<b>Final 17.7% \$8000</b>

New Canopy Coverage	Mit. Fee
<30% - 22.5%	\$4000
<22.5% - 15%	\$4000
<15% - 7.5%	\$4000
<7.5% - 0%	\$4000