MILWAUKIE URBAN FOREST
Growing Trees
Growing Community

Development Tree Code Factsheet

2022

The City of Milwaukie has a goal to create more affordable housing as well as increase the tree canopy to enhance the livability and resiliency of the city. Each of these goals are important to the community, and while there can be challenges with balancing the construction of new, denser housing while protecting and increasing trees on development sites, the city has adopted new housing and tree code which balances both goals to maximize the benefits of development and tree protection. This code was created through robust community engagement processes and adopted by city council.

Effective May 19th, 2022, property owners who are constructing additional housing units on residential private property or subdividing properties with the intention to construct housing must submit a development tree permit ahead of construction.

Why Trees are Important to Housing

Trees have proven benefits to property owners and community members:

- Trees lower energy bills by shading homes in the summer and providing wind breaks in the winter

- Trees lower community utility bills by reducing stormwater runoff

- Trees can increase property values by $5,000 to $7,000, even increasing values of adjacent properties

- Trees shade hot streets and homes, lowering temperatures on hot summer days

- Trees improve the physical and mental health of residents

- Trees provide privacy to homeowners, particularly as density of housing increases

- Trees provide habitat to Milwaukie's birds, wildlife, and plant species

For these reasons and more, it's important to include trees in any housing projects for the benefits of current and future residents.

Development can Impact Trees

Trees are living entities, each with their own specific needs and conditions for survival. Trees live harmoniously with the world around them, but just like humans, changes to their surroundings can impact their health. When construction occurs around trees it can drastically change their surroundings. Construction often disturbs soils, scraping it to grade sites, compacting it from heavy equipment and materials, and adding new pollutants to the soil. Construction can change the water availability on the site or make it harder for water to get to soils and roots below. Construction of new structures may require that trees and other vegetation are removed, reducing canopy and potentially exposing remaining trees to new elements. Sometimes the damage from construction today will lead to the death of the tree in future years. For these reasons and more, it's important to consider trees through the entire development process and use best management techniques to minimize construction impacts.

CITY OF **MILWAUKIE**

How the Development Tree Code Protects Trees

The development tree code has four main standards that protect and enhance trees before, during and after development:

- Preservation Standard: Sets a threshold for onsite tree canopy before mitigation. If a development reduces canopy below 30% onsite canopy coverage, mitigation must occur.

- Planting Standard: Requires developments to meet the city's 40% canopy goals or perform mitigation. Developments must preserve or plant trees to reach 40% canopy coverage using canopy at maturity.

- Protection Standard: Requires developers to protect trees through construction using current best management practices, such as fencing and avoiding root zones.

- Soil Volume Standard: Requires developers to protect or fix soils in future planting areas to increase the chance of survival of new trees.

Flexibility through Alternative Design

Some developers may want to add features to the site that would contribute environmental or sustainability benefits to residents but would be impacted by the shading and presence of trees. The Development Tree Code still encourages these designs by establishing a way for developers to receive variances for required mitigation by not planting or preserving trees on the site for sustainable alternative designs. Examples of alternative sustainable design include:

- Green infrastructure for stormwater and other techniques to minimize hydrological impacts of the site

- Techniques that reduce use of fossil fuels on the site, such as solar or green building standards

- Wildlife and plant habitat restoration and/or improvements beyond what is required by code

- Use of open space for sustainable agriculture through the use of conservation easements that don't allow for the required tree canopy

Developers looking to receive a Type III variance for mitigation must go through a variance process and receive approval from the Milwaukie Planning Commission.

Working with Developers

The city is making a conscious effort to assist developers in understanding and applying the tree code to their site. Milwaukie's urban forest team coordinates with the city's planning department to provide tree code information at meetings and conferences with developers and encourages developers to reach out to schedule one-on-one meetings with the urban forest team to review the tree code and their development plans or ideas.

The urban forest team can be contacted directly at **urbanforest@milwaukieoregon.gov** or at **503-786-7655**.

Definitions:

Tree crown: The branches, leaves, and flowers extending from a tree trunk or main stems.

Tree canopy: The sum of all of the tree crowns.

Canopy at maturity: The estimated total crown area at maturity. Can be calculated for an individual tree or all trees on a site.

Canopy coverage: The amount of spatial area covered by tree crowns. Can be shown as an area measurement (square feet) or a percentage if looking at a specific site or spatial boundary.