



# **TREE BOARD MEETING MINUTES**

**6101 SE Johnson Creek Blvd. Milwaukie, OR 97206**  
**January 19, 2022**  
**Zoom Video Conference Meeting**

**Members Present:**

Kathleen Brennan-Hunter, Chair  
Gina Dake, Vice-chair  
Ley Garnett, Secretary  
Jon Brown  
Madison Tucker  
Christina Harris  
Alexis Barton

**Members Absent:**

None

**Staff Present:**

Peter Passarelli, Public Works Director  
Natalie Rogers, Climate Action and Natural Resource Manager

**Guest Present:**

Jason Howard, Johnson Creek Watershed Council

## **MEETING NOTES**

November minutes were not reviewed.

Peter said the City has received approval from the State for a Tree City USA renewal application and will likely receive a decision by mid-February.

Peter gave the Board a Tree Code update: An implementation committee combined it with Middle housing and parking. The Planning Commission had an initial hearing in October. Recommendations have been integrated. The Council was updated in a work session. The first public hearing was January 18, and continued to February 1, including a draft fee discussion with input from stakeholders. Council will discuss and may continue to February 15 session. So, it looks like adoption of the Code will come in late March or early April.

Peter said some agricultural exemptions may be proposed. That proposal was largely disfavored by the Board. The draft Fee schedule will be reviewed by Council as part of the February 1 meeting.

Peter questioned the Board about other Code issues left to be determined: Should there be a canopy credit if significant trees greater than 12-inch diameter are protected? Extra credit for

leaving tree strands greater than 5? Tree Board gave consensus for providing canopy credit for significant trees. No determination was made for stands in the code – potentially incentives could be provided.

Development and non-development draft tree fee structure. The draft is \$200 for residential construction tree plan review. \$50 for an inspection and \$175 for a re-inspection. Are the fees high enough? Peter says they are in line with other City review plans.

Should the Code contain mitigation fees in lieu of canopy preservation? Reduced mitigation fees for affordable housing? Peter noted that there are other incentives, aside from trees, for affordable housing. Tree Board brought up the concern with allowing for exemptions to mitigation for affordable housing, reiterating the need for canopy for Milwaukie's marginalized community. Gina brought up the issue of inequities in tree canopy preservation due to lot size, and the impacts of a percentage of canopy removal on a small site compared to a canopy removal on a large site. Gina suggested adding a multiplier for lot size to the mitigation fees.

What about enforcement fees for violation of review, damaged or removed trees that weren't permitted? Are they high enough to be a disincentive to violate code? Tree Board discussed the intention behind fines and suggested that staff project potential enforcement and mitigation fee scenarios. Peter mentioned that the inclusion of the fees in the Master Fee Schedule would allow for future adjustments if needed.

Should there be a developer bonding requirement to protect trees during development and ensure the trees survive for 5 years? Tree Board said yes.

Peter said fees are not the primary funding source for Milwaukie Urban Forestry programming.

For non-developments, should an arborist be required to judge a tree's health if it is proposed to be removed? Tree Board said yes.

Jason Howard, Johnson Creek Watershed Council executive member, said he's pleased with the Code development to date.

**The meeting was adjourned at 7:39pm.**