



# TREE BOARD

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Milwaukie Tree Board | 6101 SE Johnson Creek Blvd, Milwaukie, OR 97206

## Members

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

Staff Liaison: Peter Passarelli

## **AGENDA:** February 16, 2022 | 5:45 – 7:15 p.m. | Online Zoom Meeting

5:45 – 5:50	Welcome/Review minutes from the November 17, 2021, and January 19, 2022, meetings	All
5:50 – 5:55	Public Comments	
5:55 – 6:00	Tree City USA Status	Peter
6:00 – 7:00	Tree Code <ul style="list-style-type: none"><li>• Update</li><li>• Schedule</li><li>• Next steps</li></ul>	Peter/ Natalie
7:00 - 7:15	Items from Tree Board Members	All
7:15	Adjourn	All

Future Discussion Items  
Pilot Tree Inventory  
State of The Urban Forest  
Commercial Tree Code  
Heritage Tree Program



# **TREE BOARD MEETING MINUTES**

**6101 SE Johnson Creek Blvd. Milwaukie, OR 97206**  
**November 17, 2021**  
**Zoom Video Conference Meeting**

**Members Present:**

Kathleen Brennan-Hunter, Chair  
Ley Garnett, Secretary  
Jon Brown  
Madison Tucker  
Christina Harris

**Members Absent:**

Gina Dake, Vice-chair

**Staff Present:**

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

**MEETING NOTES**

(Started taking minutes at 6:15 during Tree Code hearings before Planning Commission)

Peter said the Planning Commission wanted to expand the regulated diameter standard to 12 inches from 6 inches for nonresidential development. He said preservation standards were changed at the advice of the City Attorney. The attorney's advice was based on the Equal Protection Act, which limits canopy protection standards.

The Board discussed a draft fee structure within the Code including for tree removal permits and Code violations. Several members felt the fees should be increased to be effective in protecting canopy. Input from Board members was requested. Peter said fees will be discounted for affordable housing.

Important dates ahead for adoption of the Code:

- December 21: Council work session
- January 18: hearing #1 before Council
- February 1: hearing #2 before Council
- February 15: final hearing and adoption before Council

**The meeting was adjourned at 7:23pm.**



# **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

**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

**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?

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.

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?

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

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

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

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

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