

Chapter 18.520
SIGNIFICANT TREE GROVES

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18.520.010 Purpose

The purpose of this chapter is to implement the comprehensive plan goals and policies related to urban forestry and provide flexible standards to incentivize the preservation of significant tree groves. (Ord. 18-28 §1; Ord. 17-22 §2)

18.520.020 Applicability

This chapter applies to all sites that contain more than 10,000 square feet of tree canopy within a mapped significant tree grove, as shown on the City of Tigard Significant Tree Grove Map, but not within any sensitive lands identified in Paragraphs 18.510.010.G.1 through 3. (Ord. 18-28 §1; Ord. 17-22 §2)

18.520.030 General Provisions

- A. An applicant may request to use one or more of the flexible standards provided by this chapter when submitting a land use application for development. A separate adjustment application is not required.
- B. The standards in this chapter govern in the event of a conflict, except where the approval authority determines that application of a flexible standard would endanger public health, safety, or welfare. (Ord. 18-28 §1)

18.520.040 Approval Process

The request to use flexible standards will be processed through the review procedure associated with the specific land use application submitted. (Ord. 18-28 §1)

18.520.050 Approval Criteria

The approval authority must find that the request to use flexible standards is the least required to preserve the significant tree grove and an instrument or action acceptable to the city permanently preserves the significant tree grove, such as a conservation easement, open space tract, deed restriction, or dedication. (Ord. 18-28 §1)

18.520.060 Flexible Standards

- A. Minimum residential density. The minimum density required for apartments, rowhouses, and single detached houses may be reduced to preserve a significant tree grove. The amount of reduction in minimum density is calculated as provided in Section 18.40.130. Reduction of minimum density is allowed provided that:

1. At least 50 percent of the significant tree grove's canopy within the development site is preserved; and
 2. The project arborist or landscape architect certifies the preservation is such that the connectivity and viability of the remaining significant tree grove is maximized while balancing the significant tree grove preservation considerations in the Urban Forestry Manual.
- B. Residential density transfer. Up to 100 percent density transfer is allowed for apartments and single detached houses from the preserved portion of a significant tree grove within a development site to the buildable area of the development site.
1. Density may be transferred provided that:
 - a. The standards in Table 18.520.1 are met with the preservation of the corresponding percent of the significant tree grove's canopy within the development site;
 - b. The project arborist or landscape architect certifies the preservation is such that the connectivity and viability of the remaining significant tree grove is maximized while balancing the significant tree grove preservation considerations in the Urban Forestry Manual; and
 - c. Maximum density for the net site area including the significant tree grove is not exceeded.
 2. The proposed development may include the following:
 - a. Zero lot line single detached houses for the portion of the development site that receives the density transfer.
 - b. The following variations from the base zone development standards are allowed:
 - i. Up to 25 percent reduction of minimum lot width;
 - ii. Up to 10-foot minimum front setback;
 - iii. Up to 33 percent reduction of side and rear setbacks;
 - iv. Up to 4-foot minimum garage setback; and
 - v. Up to 20 percent increase in maximum height.
 - c. When the portion of the development site that receives the density transfer abuts a developed residential zone with the same or lower density, the average area of abutting perimeter lots must be at least be 75 percent of the minimum lot area of the applicable residential zone.

**Table 18.520.1
Density Transfer for Preservation of Significant Tree Groves**

Residential Zone	Detached Sq. Ft. Percent Tree Grove Canopy Preserved /Min. Lot or Unit Area	Attached Sq. Ft. Percent Tree Grove Canopy Preserved/Min. Lot or Unit Area	Duplex Percent Tree Grove Canopy Preserved/Min. Lot or Unit Area	Multifamily Percent Tree Grove Canopy Preserved/Min. Unit Area
R-1 (30,000 sq ft per unit)	25-49%/22,500 sq ft 50-520%/15,000 sq ft 75-100%/7,500 sq ft	Not Allowed	Not Allowed	Not Allowed
R-2 (20,000 sq ft per unit)	25-49%/15,000 sq ft 50-520%/10,000 sq ft 75-100%/5,000 sq ft	Allowed with 75% or greater tree grove canopy preservation/5,000 sq ft	Not Allowed	Not Allowed
R-3.5 (10,000 sq ft per unit)	25-49%/7,500 sq ft 50-520%/5,000 sq ft 75-100%/2,500 sq ft	Allowed with 75% or greater tree grove canopy preservation 2,500 sq ft	Allowed with 75% or greater tree grove canopy preservation /5,000 sq ft	Not Allowed
R-4.5 (7,500 sq ft per unit)	25-49%/5,625 sq ft 50-520%/3,750 sq ft 75-100%/1,875 sq ft	Allowed with 75% or greater tree grove canopy preservation/1,875 sq ft	Allowed with 75% or greater tree grove canopy preservation /3,750 sq ft	Not Allowed
R-7 (5,000 sq ft per unit)	25-49%/3,750 sq ft 50-520%/2,500 sq ft 75-100%/1,250 sq ft	Allowed with 75% or greater tree grove canopy preservation /1,250 sq ft	Allowed with 75% or greater tree grove canopy preservation /2,500 sq ft	Not Allowed
R-12 (3,050 sq ft per unit)	Apartment and single detached house transfer allowed at the following densities: 25-49% tree grove canopy preservation/2,288 sq ft/unit 50-520% tree grove canopy preservation/1,525 sq ft/unit 75-100% tree grove canopy preservation/763 sq ft/ unit			
R-25 (1,480 sq ft per unit)	Apartment and single detached house transfer allowed at the following densities: 25-49% tree grove canopy preservation/1,110 sq ft/unit 50-520% tree grove canopy preservation/5,200 sq ft/unit 75-100% tree grove canopy preservation/370 sq ft/unit			
R-40 (None)	Apartment and single detached housing allowed with no upper density limit.			

C. Commercial development. Adjustments to commercial development standards in Table 18.320.1 of up to 50 percent reduction in minimum setbacks and up to 20 feet additional building height are allowed provided that:

1. At least 50 percent of a significant tree grove’s canopy within a development site is preserved;
2. The project arborist or landscape architect certifies the preservation is such that the connectivity and viability of the remaining significant tree grove is maximized while balancing the significant tree grove preservation considerations in the Urban Forestry Manual;

3. Applicable screening standards in Section 18.420.050 are met;
 4. Maximum floor area ratio is not exceeded in the MUE zone as provided in Table 18.320.1; and
 5. Any setback reduction is not adjacent to a residential zone.
- D. Industrial development. Adjustments to development standards in industrial zones in Table 18.330.1 of up to 50 percent reduction in minimum setbacks and up to 20 feet additional building height are allowed provided that:
1. At least 50 percent of a significant tree grove's canopy within a development site is preserved;
 2. The project arborist or landscape architect certifies the preservation is such that the connectivity and viability of the remaining significant tree grove is maximized while balancing the significant tree grove preservation considerations in the Urban Forestry Manual;
 3. Applicable screening standards in Section 18.420.050 are met; and
 4. Any setback reduction is not adjacent to a residential zone.
- E. Residential development. The requirement for 15 percent effective tree canopy cover per lot or tract in the R-1, R-2, R-3.5, R-4.5, and R-7 zones is not required provided that:
1. At least 50 percent of a significant tree grove's canopy within a development site is preserved;
 2. The project arborist or landscape architect certifies the preservation is such that the connectivity and viability of the remaining significant tree grove is maximized while balancing the significant tree grove preservation considerations in the Urban Forestry Manual; and
 3. The applicable standard percent effective tree canopy cover in Section 10, part 3, item N of the Urban Forestry Manual will be provided for the overall development site (excluding streets).
- F. Public improvements. Adjustments to Chapter 18.910, Improvement Standards, and Paragraph 18.420.060.B.5, which contains street tree standards, are allowed subject to city engineer approval provided that the adjustment will provide preservation and help maximize the connectivity and viability of a significant tree grove while balancing the significant tree grove preservation considerations in the Urban Forestry Manual. (Ord. 18-28 §1; Ord. 18-23 §2; Ord. 17-22 §2) ■