

TIGARD MUNICIPAL CODE

Chapter 8.12 TREES THAT WERE REQUIRED WITH DEVELOPMENT

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8.12.010 Purpose

The purpose of this chapter is to establish standards and procedures for the maintenance, removal and replacement of trees that were required with high density residential and nonresidential development to maintain their environmental, aesthetic, social and economic benefits after the development process is complete. (Ord. 12-11 §1)

8.12.020 General Provisions

A. The provisions of this chapter do not apply to residential developments in the R-1, R-2, R-3.5, R-4.5, R-7, and R-12 districts.

B. The provisions of this chapter do apply when there is substantial evidence that one of the following situations exists:

1. Except for those developments listed in subsection A of this section, trees were planted or preserved under a requirement found in Title 18 or found in a land use permit; and

2. Trees were required as replacements for trees originally required under subsection B.1 of this section.

C. The city manager or designee shall utilize all available land use permit records and data when determining whether a tree is subject to the provisions of this chapter. (Ord. 12-11 §1)

8.12.030 Maintenance of Trees That Were Required With Development

A. Trees subject to the provisions of this chapter and trees that were required to be planted as replacement trees by the provisions of this chapter shall be maintained in a manner consistent with tree care industry standards and shall be maintained so as not to become hazard trees as defined in Chapter 8.02 of the Tigard Municipal Code.

B. If any tree subject to the provisions of this chapter dies within three years after planting, it shall be removed and replaced in accordance with the previous permit approval. The removal of trees that were required with development provisions (Section 8.12.040 of this chapter) shall not apply to tree removal and replacement in accordance with this subsection. (Ord. 12-11 §1)

8.12.040 Removal of Trees That Were Required With Development

Except as exempted by Section 8.12.030.B of this chapter, no person shall remove any tree subject to the provisions of this chapter without prior written approval obtained either through:

A. The City Manager Decision Making Procedures detailed in Section 8.04.020 using the approval criteria in the Development Tree Removal Standards in the Urban Forestry Manual; or

B. The City Board or Committee Decision Making Procedures detailed in Section 8.04.030. (Ord. 12-11 §1) ■