



# How updated regulations impact new development

## URBAN FORESTRY PLAN REQUIREMENTS

### (CHAPTER 18.790)

- ▶ Tree Plan requirements have been replaced with Urban Forestry Plan requirements which focus on providing tree canopy for all development instead of mitigation for tree removal. This means that the new requirements are actually easier to meet on development sites with existing trees.
- ▶ Larger project types including Subdivisions, Planned Developments, Minor Land Partitions, Site Development Reviews and Conditional Uses that used to require tree plans will now require an urban forestry plan. This requirement has been expanded to include Type II or III Downtown Design Reviews and Sensitive Lands Reviews.
- ▶ Urban Forestry Plans must conform to the requirements in Section 10 of the Urban Forestry Manual. Example Urban Forestry Plans are in Appendices 7 through 10 of the Urban Forestry Manual.
- ▶ The process for modifying urban forestry plans after land use approval is more flexible. The modification process allows applicants to address issues that arise during development such as removing trees that are no longer feasible to preserve due to condition or location. Modifications can be made administratively or through a Type I permit depending on the magnitude of the modification.
- ▶ A new Type III process is established for a discretionary urban forestry plan review option as an alternative to meeting the clear and objective canopy requirements. Type III modifications require notice to the surrounding neighbors, and a hearing in front of the Tigard Planning Commission or the hearings officer. This option could allow people to utilize green features such as green roofs, green streets, etc., as a substitute for the environmental benefits provided by trees. The full process for a discretionary urban forestry plan review option is included in section 18.790.040.
- ▶ There are some changes to the Urban Forestry Plan Implementation standards:
  - Twice monthly inspections during periods of active development are still required for existing trees that are preserved.
  - The establishment period for trees that are planted in Subdivisions and Minor Land Partitions is now two years after planting **or until the house on the lot is sold.**
  - The establishment period for all other types of development has been reduced to one year.
  - For Subdivisions and Minor Land Partitions, building plot plans must continue to show preserved and planted trees consistent with the approved Urban Forestry Plan. A signature of approval by the project arborist or landscape architect on the building plot plan is required prior to building permit issuance. An example building plot plan is in Appendix 13 of the Urban Forestry Manual.
  - Finally, after the development project is complete, all of the preserved and planted trees are required to be GPS located and included in the city's GIS inventory of trees.
  - The details of the above implementation standards are in Section 11 of the Urban Forestry Manual.

## LANDSCAPING AND SCREENING (CHAPTER 18.745)

- ▶ Required trees such as street trees, parking lot trees and trees for buffering dissimilar uses will receive canopy credit toward Urban Forestry Plan requirements.
- ▶ Some of the specifications for tree planting have been revised as described below.

### Street Trees

- Street trees will continue to be required for larger project types including Subdivisions, Planned Developments, Minor Land Partitions, Site Development Reviews and Conditional Uses. Street trees will also be required for Type II and III Downtown Design Reviews.
  - ▶ The minimum number of street trees required is based on the project's street frontage (divided by 40 feet) and must conform to the planting requirements in Section 2 of the Urban Forestry Manual and the soil volume requirements in Section 12 of the Urban Forestry Manual.
  - ▶ Existing trees may be preserved as street trees without requiring an adjustment permit and fee. This is meant to incentivize preservation of existing street trees.
  - ▶ If the required number of street trees cannot be provided, a fee in lieu of planting option is available to cover the city's cost of planting elsewhere in the community.

### Buffering

- The requirements for buffering between dissimilar uses are mostly unchanged with only slight changes to tree spacing in Table 18.745.2.

### Parking Lot Trees (Screening)

- The parking lot screening requirements have been revised to require 30 percent actual canopy cover (directly above the parking area) rather than one tree for every seven parking spaces.
- Parking lot trees must conform to the planting and soil volumes in Section 13 of the Urban Forestry Manual.
- The number of required parking spaces may be reduced to make room for parking lot trees (see section 18.790.050.C.4).
- Parking Lot Tree Canopy Plans must be designed by a registered landscape architect.
- Example Parking Lot Tree Canopy Plans, Drawings and Specifications are in Appendices 16 and 17 of the Urban Forestry Manual.

### Soil Volume Standards

- Street trees and parking lot trees are required to meet new soil volume standards. The soil volume standards for street trees are outlined in Section 12 of the Urban Forestry Manual and are based on the width of the non-street portion of the right of way. The soil volume standard for parking lot trees is 1000 cubic feet of soil volume per tree.
- Soil volume standards can be met by planting trees in landscape areas with sufficient soil, or through the use of engineered soil under pavement (covered soil volume) if designed, inspected and documented by a landscape architect.

## TREE GROVE PRESERVATION PROGRAM

### (CHAPTER 18.790.050.D)

- ▶ The city identified 70 large groves of primarily native trees covering 527 acres that are eligible for the tree grove preservation incentives. The eligible groves can be found online at [www.tigard-or.gov/trees](http://www.tigard-or.gov/trees).
- ▶ The preservation incentives include transfer of residential density from the tree grove to the non-tree grove portion of a site, reduction in minimum residential density and increased height and reduced setbacks for commercial and industrial development.
- ▶ The incentives may be used if at least 50 percent of the portion of the tree grove that is outside of already protected sensitive lands (such as wetlands and stream corridors) is preserved.

## SPECIAL PLANNING AREAS

### (CHAPTERS 18.610 THROUGH 18.640)

#### *Downtown*

- Type II or III Downtown Design Reviews now require submittal of an urban forestry plan.

#### *Tigard Triangle, Washington Square Regional Center, and Durham Quarry (Bridgeport Village)*

- These areas have standards that are in addition to the base requirements in other chapters. Among these are landscaping standards that specify additional size, species and location standards. Some of these standards are unclear, incomplete or inconsistent and the purpose of the revisions to these chapters is to clarify, correct and ensure consistency among the provisions.
- The landscape setback for parking lots from streets has been increased from 5 to 8 feet to allow parking lot trees to be planted in the setback and have additional soil volume in the design districts.

## VARIANCES AND ADJUSTMENTS

### (CHAPTER 18.370)

- ▶ Three existing adjustments have been removed: to allow existing trees to be used as street trees, to modify the street tree planting requirements and to allow setback adjustments for tree preservation.
  - Use of an existing tree as a street tree is now allowed without paying for an adjustment. See the criteria in Chapter 18.745.040.A.5. for more information.
  - Modification of street tree planting requirements is allowed without an additional process. The code allows flexibility to vary the placement of street trees to avoid safety conflicts and space constraints.
  - Setback and other adjustments will now be reviewed concurrently with the main land use review type using the criteria in Section 18.790.050.

## TREE REMOVAL

- ▶ Tree removal permits are no longer required if tree removal is approved through a land use permit. Tree removal outside of the land use process will now be administered through Municipal Code Title 8.

## PLANNED DEVELOPMENTS (CHAPTER 18.350)

- ▶ Tree preservation is now called out specifically as one of the purposes of PDs, urban forestry plans are now required during the conceptual stage, and the concept plan approval criteria now includes tree preservation.

## CONDITIONAL USE (CHAPTER 18.330)

- ▶ Setback requirements for motor vehicle servicing and repair and non-accessory parking has been increased from 5 to 6 feet so that required parking lot trees can be planted within the perimeter setback.

## URBAN FORESTRY MANUAL

- ▶ A new Urban Forestry Manual was created to document the city's processes regarding tree planting, preservation and maintenance without making the code excessively long.
- ▶ The sections of the manual that apply to new development include:

SECTION	TOPIC
2	Street Tree Planting Standards
10	Urban Forestry Plan Standards
11	Urban Forestry Plan Implementation Standards
12	Street Tree Soil Volume Standards
13	Parking Lot Tree Canopy Standards

- ▶ In addition, the appendices to the Urban Forestry Manual include:

APPENDIX	TOPIC
2 – 5	Approved Tree Lists
6	Nuisance Tree List
7 – 10	Urban Forestry Plan Examples
11 – 15	Example Soil Volume Plans, Specifications and Calculations
16 – 18	Example Parking Lot Tree Canopy Plans, Specifications and Calculations

