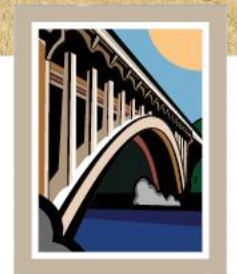


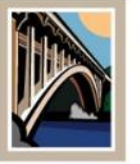


Tree Preservation Ordinance Update Public Workshop April 25, 2019



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Meeting Purpose

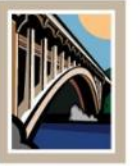


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- Provide information on the process for the tree preservation ordinance update
- Identify issues and considerations for addressing those issues in the updated ordinance
- Solicit feedback from stakeholders/public on issues and approaches



Meeting Agenda



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- Background and Issues
- Update Objectives
- Process and Schedule
- Topics for Discussion
 - Existing regulations
 - Comparison of other jurisdictions regulations
 - Considerations for tree preservation ordinance update



Background

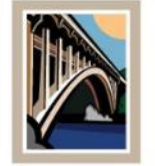


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- The current tree preservation ordinance is over 20 years old (FMC Chapter 12.16)
- Staff and stakeholders have identified several challenges with implementing the current code
- 2035 General Plan outlines policies for tree preservation, planting of native species, and tree planting for shade, beautification, and heat island effect
- The update is intended to address gaps, ambiguities and incorporate best management practices

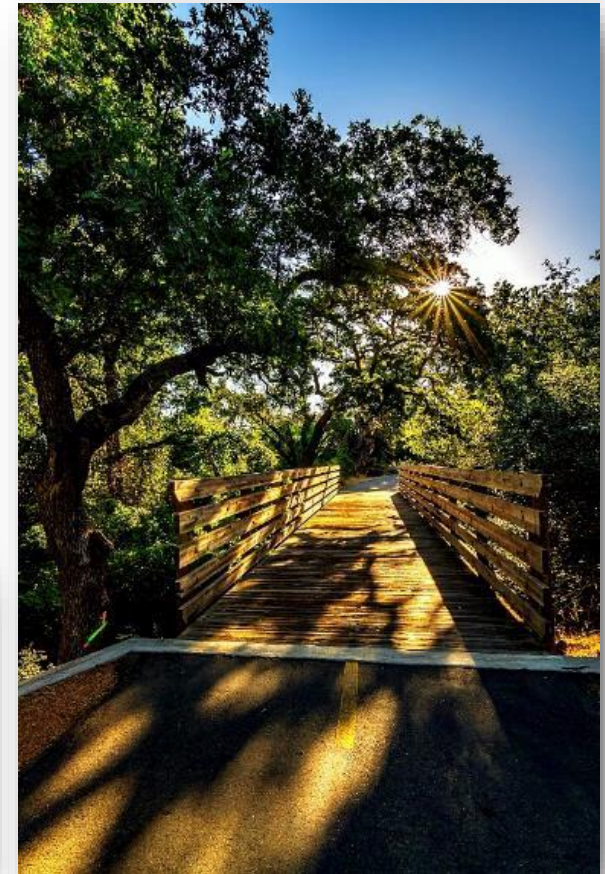


Trees are Valued Asset in Folsom



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- Integral part of Folsom’s “Distinctive By Nature” character
- Increase property values
- Intercept rainfall and reduce water runoff and soil erosion
- Absorb pollutants and improve air quality
- Save energy



Issues to Address

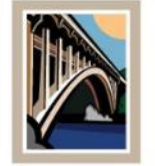


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- Lack of clear and common understanding/ definition of regulated activities
- Definition of regulated activities is limited and should be expanded to address maintenance (e.g., major pruning), removal and replacement/ mitigation for required parking lot shade and street trees
- Lack of reference to or incorporation of best management practices for tree preservation/protection



Objectives of the Update



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- Implement the 2035 General Plan policies
- Be a user-friendly document that provides clear direction
- Include best management practices and standards for all regulated activities



Update Process and Schedule



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March:
Comparison
Survey

- Research other tree preservation ordinances and best practices to compare against current practice

April:
Stakeholder and
Public Outreach

- Conduct stakeholder interviews and host a community workshop to outline initial issues/concerns, summarize research findings, and request input

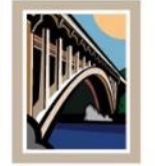
May - July:
Public Review and
Comment

- Identify potential solutions, draft proposed changes to the Tree Preservation Ordinance and invite public review/comment

August:
Public Adoption
Hearing

- With public review comments, incorporate additional revisions and/or report those public inputs to the City Council for public hearing, direction, and action

4 Key Topics for Discussion

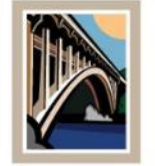


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1. Protected tree types
2. Permit procedures and practices for review
3. Mitigation measures for tree removal (e.g., replacement ratios, fees, options for mitigation)
4. Standards for tree work (e.g. work performed in the protected tree zone)

For each topic, we'll identify existing code regulations, summarize what are other jurisdictions doing, identify observations and considerations for updated code language.

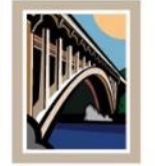
Topic #1 Protected Tree Types: Purpose and Applicability



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- Tree preservation ordinances are intended to protect certain types of trees, collectively referred to as “protected trees”.
- The City of Folsom currently defines protected trees to include:
 - Native Oak Trees
 - Heritage Trees
 - Landmark Trees
 - Street Trees

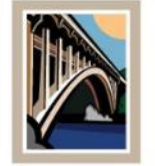
Topic #1 Protected Tree Types: Existing Definitions



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- **Native Oak Tree** means any tree over 6 inches (DBH) of the species identified below, or hybrids, thereof; or a multitrunked native oak tree having an aggregate diameter of 20 inches (DBH) or more.
- **Heritage Tree** means a native oak tree over 19 inches in diameter at breast height or a multitrunked native oak tree having an aggregate diameter of 38 inches or more at breast height.
- **Landmark Tree** means a tree or group of trees determined by the city council to be a significant community benefit.
- **Street Tree** means any tree growing within the tree maintenance strip and contained on the master tree list.

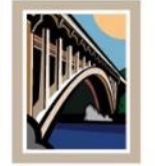
Topic #1 Protected Tree Types: Comparison Summary



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Protected Tree	Folsom	Citrus Heights	Sacramento	Roseville	Napa	Santa Rosa	Pasadena	Davis	Woodland
Native Oak Tree	X	X	X	X	X	X	X	X	-
Heritage Tree	X	-	X	-	X	X	X	-	X
Landmark Tree	X	X	X	-	X	X	X	X	X
Trees of Significance	-	X	X	-	-	-	-	X	X
Public Trees	X	X	X	-	X	X	X	X	X
Regulated Trees	-	X	X	-	-	X	-	X	-

Topic #1 Protected Tree Types: Considerations for Draft Ordinance

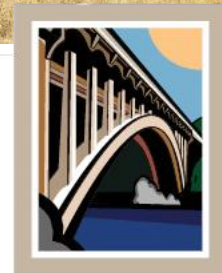


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- Add regulated trees (e.g., parking lot shading trees) to the type of protected trees included in the Tree Preservation Ordinance.
- Consider expanding the definition of Heritage Trees to include non-oak species.
 - Types of trees to include
 - Types of trees to exempt
 - Size of trees to include (Folsom currently uses 19 inches for oak trees)

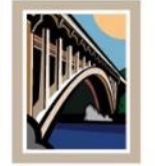


Comments/Questions?



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Topic #2 Permit Procedures and Review: Purpose and Applicability



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- Certain “regulated activities” require a tree permit from the City.
- Regulated activity means “any activity to be done to a protected tree or undertaken within the protected zone of a protected tree” and generally includes the following:
 - Tree removal
 - Tree pruning
 - Work in the protected zone of a protected tree
- There are certain exemptions from the requirement to get a tree permit for specified activities.

Topic #2 Permit Procedures and Review: Existing Regulations



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- Folsom has only one tree permit specified in the tree preservation ordinance for all types of regulated activities (e.g., tree pruning, tree removal, etc.).
- No findings are specified in the tree preservation ordinance.
- Planning Director is the approval authority for tree permits.
- Appeal of tree permits are allowed.

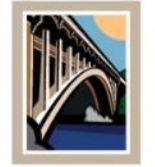
Topic #2 Permit Procedures and Review: Comparison Summary



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Category	Folsom	Comparison Jurisdictions
Permit Type	One Tree Permit for all regulated activities	One Tree Permit for all regulated activities Tree Permit by regulated activity including: tree modification (pruning), tree removal, City or street tree removal
Exempt Activities	Various including: minor trimming, dead or dying tree, hazard	Various including: minor trimming, dead or dying tree, hazard
Findings Specified	None	6 of the 8 jurisdictions specify permit approval findings
Approval Authority	Planning Director	Planning Director Public Works Director Tree Commission
Appeal Allowed	Yes	8 of 8 jurisdictions allow for appeals

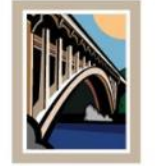
Topic #2 Permit Procedures and Review: Considerations for Draft Ordinance



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- Specify permit type by regulated activity (e.g., tree removal, tree pruning, work in a protected tree zone).
- Identify findings of permit approval by permit type tailored to the regulated activity.
- Review and update list of exempt activities to ensure they are clear.
 - More clearly define activities that are exempt (e.g., minor pruning).
 - How to confirm that a tree qualifies for the exemption as a dead or dying tree.

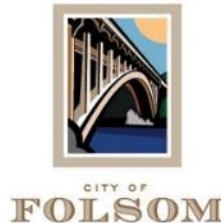
Topic #3 Mitigation Measures: Purpose and Applicability



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- Mitigation measures apply when a protected tree is proposed for removal.
- The City currently allows for the following mitigation strategies:
 - Planting of replacement trees (on-site or off-site)
 - Payment of in-lieu fee
 - Off-site dedication of land
 - Preservation of existing trees

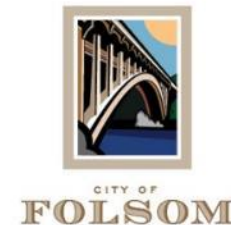
Topic #3 Mitigation Measures: Existing Standards



- **Replacement Ratios and In-Lieu Fees** are determined by the size of the protected tree to be replaced:

Protected Tree Size	Replacement Trees	In-Lieu Fees
6" to 10" DBH	(8) 15-gallon native oak trees OR (4) 24-inch box native oak trees	\$750/tree
11" to 15" DBH	(15) 15-gallon native oak trees OR (6) 24-inch box native oak trees	\$1,500/tree
16" to 20" DBH	(20) 15-gallon native oak trees OR (10) 24-inch box native oak trees	\$2,000/tree
21" to 25" DBH	(30) 15-gallon native oak trees OR (15) 24-inch box native oak trees	\$2,500/tree
26" to 30" DBH	(35) 15-gallon native oak trees OR (17) 24-inch box native oak trees	\$3,000/tree
31" to 35" DBH	(40) 15-gallon native oak trees OR (20) 24-inch box native oak trees	\$3,500/tree
36" to 40" DBH	(50) 15-gallon native oak trees OR (25) 24-inch box native oak trees	\$4,500/tree
41" DBH	(35) 24-inch box native oak trees	\$6,000/tree

Topic #3 Mitigation Measures: Comparison Summary



Mitigation Strategy	Folsom	Comparison Jurisdictions	Other Methods Identified
Tree Replacement Ratios	Number of trees per DBH 1:1 ratio for custom single-family homes within the building envelope, non-oak street trees	Number of trees per DBH AND 1:1 ratio of DBH 1:1 ratio for single-family, duplex properties, City trees	N/A
In-Lieu Fees	\$100/inch (average)	\$118 - \$325/inch	\$100 - \$325/15-gallon replacement tree 100% of appraisal amount
Off-Site Dedication of Land	X	-	-
Existing Tree Preservation	X	-	-
Relocation of Trees	-	X	N/A
Revegetation Requirements	-	X	N/A

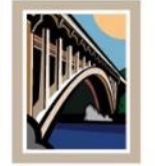
Topic #3 Mitigation Measures: Considerations for Draft Ordinance



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- Simplify the tree replacement ratios trees.
- Consider an in-lieu fee amounts per inch instead of per tree.
- Review all mitigation strategies to determine appropriateness, effectiveness, and ease of implementation:
 - Off-Site Dedication of Land
 - Preservation of Existing Trees
 - Relocation of Trees
 - Revegetation Requirements

Topic #4 Standards for Tree Work: Purpose and Applicability



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- Standards for tree work apply when performing work within a protected tree zone.
- Protected zone means “an irregular circle around a protected tree, equal to the protected tree’s dripline plus 1 foot”.

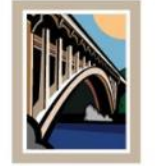
Topic #4 Standards for Tree Work: Existing Regulations



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- A tree permit is required but the tree preservation ordinance does not include standards for performing work in a protected tree zone.
- Instead of standards being specified, the tree preservation ordinance requires preparation and submittal of a Tree Preservation Plan.
- The tree preservation ordinance provides limited direction or requirements for who prepares a Tree Preservation Plan and what is required to be addressed in a Tree Plan.

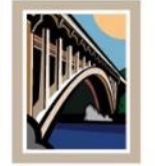
Topic #4 Standards for Tree Work: Comparison Summary



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- 2 comparison jurisdictions include specific standards for work near a protected tree. Standards are generally organized into the following categories:
 - Protective standards
 - Planting standards
 - Standards for work
 - Guarantees and monitoring
- 2 comparison jurisdictions require preparation of a tree plan and 1 determines standards on a case-by-case basis as part of the permit.

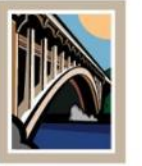
Topic #4 Standards for Tree Work: Considerations for Draft Ordinance



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- Clarify the requirements for preparation of the Tree Preservation Plan:
 - **Who** is required to prepare the plan
 - **What** is the requested activity and where are you doing the work
 - **How** are you doing the work (rely on best practice standards by reference)
- Review and update the definition of “protected tree zone”.
- Provide for flexibility to accommodate special circumstances on a case-by-case basis.

Next Steps



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- **May:** Draft tree preservation ordinance will be prepared and reviewed internally prior to release for public review and comment.
- **June-July:** 30-day public review and comment period open for draft tree preservation ordinance
- **August:** Public adoption City Council hearing