

Regular Session

RS

Milwaukie City Council

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

AGENDA

DECEMBER 2, 2025

Council will hold this meeting in-person and by video conference. The public may come to City Hall, join the Zoom webinar, or watch on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. For Zoom login find the meeting event on the city calendar at www.milwaukieoregon.gov.

Written comments may be delivered to City Hall or emailed to ocr@milwaukieoregon.gov.

Agenda Order Change: Council will conduct item 3. A. before the rest of the agenda. The agenda item starts times have been adjusted to reflect this order change.

3. PROCLAMATIONS AND AWARDS**A. Arbor Day – Proclamation (6:30 p.m.)****7**

Council will gather near the corner of [SE Harrison Street and SE 21st Avenue](#) to plant a tree in celebration of Arbor Day. Mayor Lisa Batey will read the Arbor Day proclamation before Council returns to City Hall to continue the rest of the meeting.

The tree planting and proclamation reading will not be broadcast live or recorded.

Note: agenda item times are estimates and are subject to change.

Page #**1. CALL TO ORDER (6:45 p.m.)****A. Pledge of Allegiance****B. Native Lands Acknowledgment****2. ANNOUNCEMENTS (6:46 p.m.)****1****4. SPECIAL REPORTS****A. None Scheduled.****5. COMMUNITY COMMENTS (6:50 p.m.)**

To speak to Council, please submit a comment card to staff. Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed at the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to ocr@milwaukieoregon.gov), or in person to city staff.**

6. CONSENT AGENDA (6:55 p.m.)

Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.

A. Approval of Council Meeting Minutes of:**9****1. October 14, 2025, retreat.**

(Note: these minutes were listed, but not included, in the November 18, 2025, packet. They are listed here for formal Council approval.)

7. BUSINESS ITEMS

A. Tree Code Review – Discussion (7:00 p.m.)

11

Staff: Peter Passarelli, Public Works Director, and
Katie Gaves, Climate & Natural Resources Manager

B. Milwaukie Bay Park – Update (8:00 p.m.)

Staff: Emma Sagor, City Manager

8. PUBLIC HEARINGS

A. None Scheduled.

9. COUNCIL REPORTS

A. Semi-Annual Council Budget Review – Report (8:30 p.m.)

Staff: Emma Sagor, City Manager, and
Scott Stauffer, City Recorder

B. Council Reports (8:45 p.m.)

10. ADJOURNMENT (9:00 p.m.)

Milwaukie Redevelopment Commission (MRC) Meeting. After the meeting, Council will meet as the MRC. For information about the MRC meeting visit www.milwaukieoregon.gov.

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation services email espanol@milwaukieoregon.gov at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city's YouTube channel](#) and Comcast Channel 30 in city limits.

Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a ocr@milwaukieoregon.gov o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a espanol@milwaukieoregon.gov al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el [canal de YouTube de la ciudad](#) y el Canal 30 de Comcast dentro de los límites de la ciudad.

Executive Sessions

The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.

2438th Meeting

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

DECEMBER 2, 2025

Council Present: Councilors Adam Khosroabadi, Robert Massey, Rebecca Stavenjord, and Council President Will Anderson, and Mayor Lisa Batey

<p>Staff Present: Joseph Briglio, Assistant City Manager Ciara Fox, Economic Development Coordinator Katie Gavares, Climate & Natural Resources Manager Justin Gericke, City Attorney</p>	<p>Alfred Moussalli, Urban Forester Peter Passarelli, Public Works Director Emma Sagor, City Manager Scott Stauffer, City Recorder</p>
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3. PROCLAMATIONS AND AWARDS

Arbor Day – Proclamation

At 6:36 p.m. Council gathered near the corner of SE Harrison Street and SE 21st Avenue to plant a tree in celebration of Arbor Day. **Mayor Batey** read the Arbor Day proclamation before Council returned to City Hall to continue the rest of the meeting.

Mayor Batey called the meeting to order at 7:05 p.m.

1. CALL TO ORDER

- A. Pledge of Allegiance.
- B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Batey announced upcoming activities, including the city's leaf drop program, a winter celebrations event, the annual Umbrella Parade and Tree Lighting event, the mayor's monthly office hours, Clackamas Fire District #1's (CFD1's) Operation Santa Clause events, the city's Arbor Day event, and www.engagemilwaukie.gov surveys.

Mayor Batey read a Milwaukie Bay inspired haiku poem.

Ley Garnett Memorial Remarks

Mayor Batey remarked on the passing of Milwaukie resident Garnett who had served on the city's Tree Board and had encouraged the city to protect trees.

4. SPECIAL REPORTS

- A. None Scheduled.

5. COMMUNITY COMMENTS

Mayor Batey reviewed the comment procedures. **Sagor** reported there was no follow-up from the November 18 comments.

Milwaukie residents **Breona Diamond, Sharmon Martin, Michael Strejc, Ryan Ticknor, Jennifer Murphy, Hope Garcia, Andy Fisher**, unincorporated Clackamas County residents **Bruce Bruns, Tyler King, and Gary Whitehall**, and Portland resident

Austin Turner, urged Council to adopt an ordinance to allow the city to participate in the state’s Moderate Income Revolving Loan (MIRL) program to encourage the development of affordable housing options.

6. CONSENT AGENDA

It was moved by Councilor Massey and seconded by Council President Anderson to approve the Consent Agenda as presented.

A. City Council Meeting Minutes:

- 1. October 14, 2025, Council retreat.**

Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]

7. BUSINESS ITEMS

A. Tree Code Review – Discussion

Passarelli and **Gavares** noted previous Council discussions on the tree code and presented three proposed revisions to mitigate the impacts of significant tree removal and canopy mitigation fees and adopt a rare and threatened tree species list.

Council President Anderson, Gavares, and Passarelli remarked on how the canopy mitigation fee was currently applied and how it would be applied if it were revised.

The group discussed the proposal to adopt a rare and threatened tree species list and establish a removal fee, including how the proposed fee would interact with existing tree removal fees and the rationale for the fee amount. Discussion also addressed how the rare and threatened species list was developed by the city’s urban forester, how the fee was calibrated to achieve the intended outcomes, and how the proposal would support preservation of unique trees and contribute to the city’s overall tree canopy goals.

The group remarked on how the city determines what amount to set fees at to get the desired result.

Mayor Batey noted an audience member wished to address Council.

Rod Smith, Milwaukie resident, commented on setting fees at an amount to get the desired outcome of achieving the city’s climate goals, and expressed support for the proposed tree code and fee revisions.

Council discussed the proposed tree code revisions. It was Council consensus to support the staff proposal to change the significant tree removal fee.

The group discussed the proposed canopy mitigation fee change and how the fee was applied to the development of smaller properties. It was Council consensus to support the staff proposal to change the canopy mitigation fee.

It was Council consensus to support the staff proposal to adopt a rare and threatened tree species list.

Gavares and **Passarelli** discussed Council’s previous direction that staff look at how to make the tree code clearer and more flexible and presented a reasonableness policy for the removal of trees within 10-feet of a dwelling and establishing a reasonableness framework. **Councilor Khosroabadi** and **Passarelli** remarked on how the reasonableness approach would be applied to tree related litigation situations. The group noted that in Oregon property owners were responsible for maintaining the

sidewalks on their properties and that the city may provide guidance when sidewalks are impacted by trees.

The group remarked on how low-income residents could apply to use the city's tree assistance fund to fix tree-related maintenance problems.

Council President Anderson, Gavares, and Councilor Khosroabadi noted that the fee to remove a tree that is within 10-feet of a dwelling would apply to existing units and not new developments and to trees that created significant infrastructure problems. **Moussalli** explained how staff determined how dangerous a tree was to structures.

Gavares and **Sagor** noted staff would present the tree code changes for Council consider adopting in February 2026.

B. Milwaukie Bay Park (MBP) – Update

Sagor provided an update on the city's ongoing negotiations with the North Clackamas Parks and Recreation District (NCPRD) Board, which was the Clackamas Board of County Commissioners, reporting on staff-to-staff meetings and that no formal district board response had been received which meant it was unlikely that new intergovernmental agreements (IGAs) would be resolved by the end of 2025. City staff believed additional discussion was needed with NCPRD and Metro staff about the distribution and use of Metro Local Share grant funds for MBP.

Councilors Massey, Khosroabadi, and Stavenjord believed that Metro would not agree with NCPRD's proposed repayment plan for the Local Share grant. **Mayor Batey** and **Sagor** agreed Metro was not likely to agree to any plan that involved the city paying the district back for the Local Share grant funds.

Councilor Massey observed that the city's willingness to accept certain maintenance concessions should be recognized by the district. **Council President Anderson** supported asking for the full Local Share grant amount from the district.

Sagor noted the city would wait for a formal response from the NCPRD Board.

8. PUBLIC HEARING

A. None Scheduled.

9. COUNCIL REPORTS

A. Semi-Annual Council Budget Review – Report

Stauffer and **Sagor** provided an update on the balances of each Council members' education and training budget for the current 2025-2026 biennium.

B. Council Reports

Mayor Batey presented a proposed Council letter to the Oregon Public Utilities Commission (PUC) regarding how the PUC accounts for the impact of data centers. It was Council consensus to send the letter on behalf of the entire Council.

Council President Anderson, in response to comments about the state MIRL program made during community comments, suggested that despite the uncertainty about the MIRL program's details it was important for the city to move sooner than March 2026 to adopt a local MIRL program.

Councilor Khosroabadi expressed support for the MIRL program's goals and concern about how the program had been hurriedly pushed and inaccurately described by a local developer. **Khosroabadi** suggested Council was looking for answers about the program before deciding whether to adopt it and expressed concern about how the developer had spoken to and about city staff. **Mayor Batey** and **Councilor Massey** agreed with Councilor Khosroabadi's remarks.

Councilor Massey reported on an upcoming League of Oregon Cities (LOC) workshop on revenue modeling and reform.

10. ADJOURNMENT

Mayor Batey announced that after the meeting Council would meet as the Milwaukie Redevelopment Commission (MRC).

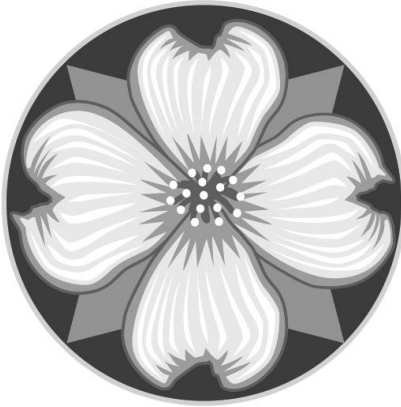
It was moved by Councilor Massey and seconded by Council President Anderson to adjourn the Regular Session. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting "aye." [5:0]

Mayor Batey adjourned the meeting at 9:24 p.m.

Respectfully submitted,



Scott Stauffer, City Recorder



RS Agenda Item

2

Announcements

Native Lands Acknowledgment

The City of Milwaukie respectfully acknowledges that our community is located on the ancestral homeland of the Clackamas people. In 1855, the surviving members of the Clackamas signed the Willamette Valley Treaty also known as the Kalapuya etc. Treaty with the federal government in good faith. We offer our respect and gratitude to the indigenous people of this land.

SATURDAY, DEC 6 & 13 · 7 AM – 2 PM

Public Works Yard, 6101 SE Johnson Creek Blvd.

Free leaf drop for Milwaukie residents. Bring a utility bill for proof of residency.

SATURDAY, DEC 6 · 9:30 AM – 12:30 PM

Concord Community Center, 3811 SE Concord Rd.

Winter Celebrations – Celebrate winter traditions from cultures from across the globe!

SATURDAY, DEC 6 · 4:15 PM – 6 PM

Parade begins at South Main St. Plaza (1122 SE Main St.)

Umbrella Parade and Tree Lighting

WEDNESDAY, DEC 10 · 10 AM – 11 AM

City Hall, 10501 SE Main St.

Mayor's Monthly Office Hours – No sign-up is necessary. Just stop by!

More information at milwaukieoregon.gov or call 503.786.7555



THURSDAY, DEC 11 · 6 PM (Parade begins)

Parade begins at Public Safety Building, 3200 SE Harrison St.

Operation Santa Claus Parade

- **Food & Toy Donation – Sunday, Dec. 14 (12-5 PM)**
Harrison St. and Main St. downtown

SATURDAY, DEC 13 · 8:45 AM – 1 PM

Water Tower Park, 9890 SE 40th Ave.

Arbor Day – Volunteer or just come by to celebrate Milwaukie's urban forest!

FRIDAY, JAN. 2 · DEADLINE

engage.milwaukieoregon.gov

Millie's Pet Pal Challenge – Nominate your pet today and vote for your favorites!

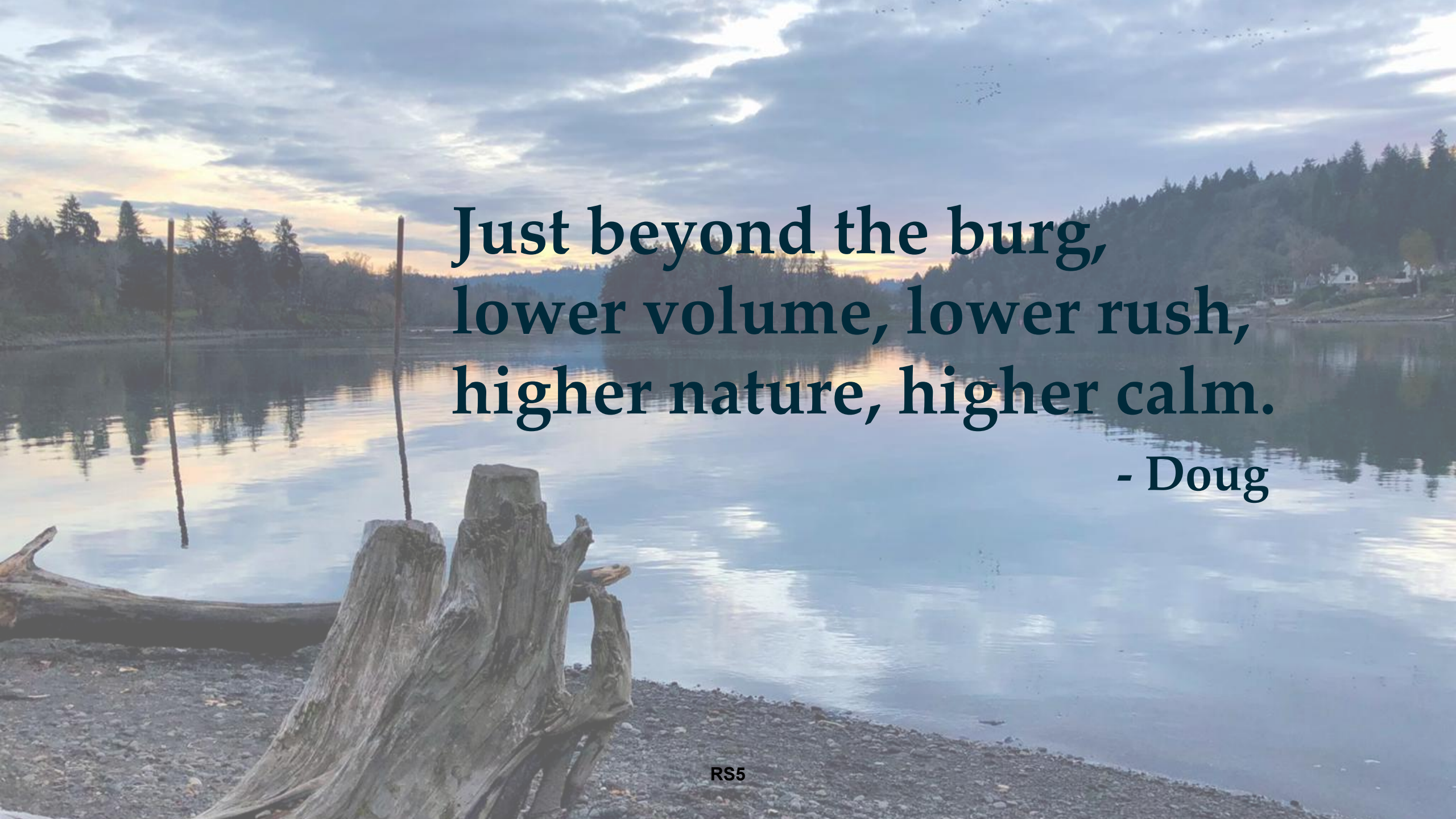
WEDNESDAY, FEB. 11 · DEADLINE

engage.milwaukieoregon.gov

2025 Volunteer of the Year – Nominate someone who has gone above and beyond in 2025!

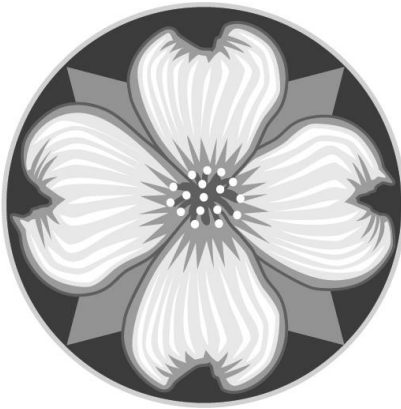
More information at milwaukieoregon.gov or call ^{RS4}503.786.7555



A scenic view of a lake at dusk or dawn. The sky is filled with soft, colorful clouds in shades of blue, purple, and orange. The water is calm, reflecting the sky and the surrounding forest. In the foreground, a large, weathered piece of driftwood sits on a rocky shore. Two thin, vertical poles are stuck in the water. In the distance, a forested shoreline is visible, with a few houses nestled among the trees.

**Just beyond the burg,
lower volume, lower rush,
higher nature, higher calm.**

- Doug



RS Agenda Item

3

Proclamations & Awards

PROCLAMATION

WHEREAS in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and is now observed throughout the nation and the world, and

WHEREAS trees play an integral part in capturing and storing carbon and are therefore critical in a solution to the climate crisis, and

WHEREAS trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs of residents, moderate the temperature of increasingly developed and warming cities, clean the air, and provide health benefits for the community, produce life-giving oxygen, and provide and improve habitat for fish and wildlife, and

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **December 2, 2025**, as **ARBOR DAY** in Milwaukie, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

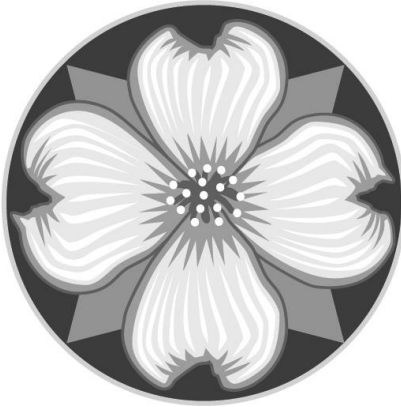
FURTHER, I urge all citizens to plant trees to mitigate climate change and promote the well-being of this and future generations.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 2nd day of **December 2025**.

Lisa Batey, Mayor

ATTEST:

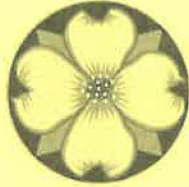
Scott Stauffer, City Recorder



RS Agenda Item

5

Community Comments



**CITY OF MILWAUKIE
CITY COUNCIL**

10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Card

The City of Milwaukie encourages all residents to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speaker Card, once submitted to the City Recorder, becomes part of the public record.

Name: Deona Diamond

Address: 8640 Se Causey Ave S168 happy valley OR 97086

Organization:

Phone: 971-361-1030

Email: br2240906199@gmail.com

Meeting Date: 12/2/2025

Topic: middle housing

Agenda Item You Wish to Speak to:

#5 Community Comments

Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

#7 Other Business, Topic: _____

#8 Public Hearing, Topic: _____

Comments:

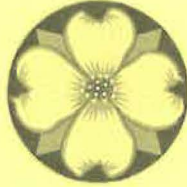
You are Speaking...

in Support

in Opposition

from a Neutral Position

to ask a Question



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Name: Bruce Brun
Organization: _____

Address: 12800 SE Ott St.
Phone: 202 220 3599
Email: bruce@milwaukiecovenant.org

Meeting Date: 12/2/25 **Topic:** MIRL Project on Linwood Ave

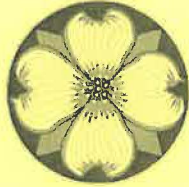
Agenda Item You Wish to Speak to:

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- #7 Other Business, Topic:** _____
- #8 Public Hearing, Topic:** _____

You are Speaking...

- in Support**
- in Opposition**
- from a Neutral Position**
- to ask a Question**

Comments:



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Name: Tyler King **Address:** 3708 SE Aldercrest Rd.
Organization: _____ **Phone:** 503-735-5868
Meeting Date: 12/2/25 **Topic:** MZRL **Email:** tking@mil.com

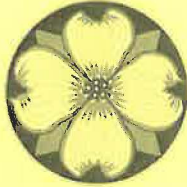
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- #8 Public Hearing, Topic:** _____

Comments:

You are Speaking...

- in Support**
- in Opposition**
- from a Neutral Position**
- to ask a Question**



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Name: Gary Whitehill **Address:** 2011 NE 13th Ave Port.
Organization: _____ **Phone:** 503-516-8369
Meeting Date: 12/2/25 **Topic:** Time lines affordable housing
Email: gbaziule@gmail.com

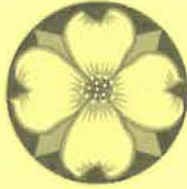
Agenda Item You Wish to Speak to:

- #5 Community Comments
Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.
- #7 Other Business, Topic: _____
- #8 Public Hearing, Topic: Affordable housing.

You are Speaking...

- in Support
- in Opposition
- from a Neutral Position
- to ask a Question

Comments:



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Name: Austin Turner

Address: 9528 N DWIGHT AVE

Organization:

Phone: 203-802-7190

Email: Austin@ADAMSON HOLDINGS . com

Meeting Date: 12/2/25

Topic: CITY STAFFING

Agenda Item You Wish to Speak to:

You are Speaking...

#5 Community Comments

in Support

Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

in Opposition

#7 Other Business, Topic: _____

from a Neutral Position

#8 Public Hearing, Topic: _____

to ask a Question

Comments:



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Name: Sharon Martin

Address: 3412 SE Sellwood St. Milw.
Phone: (503) 201-2589
Email: sharmmartin@msk.com

Organization: _____

Meeting Date: 12/2/25

Topic: Affordable Housing

Agenda Item You Wish to Speak to:

#5 Community Comments

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#7 Other Business, Topic: _____

#8 Public Hearing, Topic: _____

You are Speaking...

in Support

in Opposition

from a Neutral Position

to ask a Question

Comments: _____



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Name: Michael Strax **Address:** 11010 SE 52nd Ave Milwaukie
Organization: Milwaukie Covenant Church **Phone:** 503 704 9142
Email: mstrax@comcast.net

Meeting Date: 12/2/2025 **Topic:** Afordable Housing

Agenda Item You Wish to Speak to:

- #5 Community Comments**
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- #7 Other Business, Topic:** _____
- #8 Public Hearing, Topic:** _____

You are Speaking...

- in Support**
- in Opposition**
- from a Neutral Position**
- to ask a Question**

Comments:



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Name: Ryan Tighe

Address: 8315 SE Applegate St Milwaukie

Organization:

Phone: 503 919 6824

Email: me from ryan@icloud.com

Meeting Date: 12/02/25

Topic: middle income housing

Agenda Item You Wish to Speak to:

#5 Community Comments

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#7 Other Business, Topic: _____

#8 Public Hearing, Topic: _____

You are Speaking...

in Support

in Opposition

from a Neutral Position

to ask a Question

Comments:



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Name: Jennifer Murphy **Address:** _____
Organization: _____ **Phone:** _____
Email: _____

Meeting Date: 12/2/2025 **Topic:** MIRL Grant

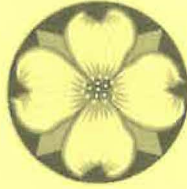
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- #7 Other Business, Topic:** _____
- #8 Public Hearing, Topic:** _____

You are Speaking...

- in Support
- in Opposition
- from a Neutral Position
- to ask a Question

Comments:



**CITY OF MILWAUKIE
CITY COUNCIL**

10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Card

The City of Milwaukie encourages all residents to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speaker Card, once submitted to the City Recorder, becomes part of the public record.

Name: Hope Garcia **Address:** 12200 SE McLaughlin Blvd. Milwaukie
Organization: _____ **Phone:** (208) 669-4270
Meeting Date: 12/2/2025 **Topic:** garciahope4@gmail.com
Email: _____

Agenda Item You Wish to Speak to:

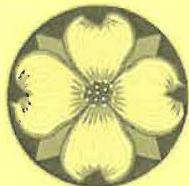
- #5 Community Comments**
Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.
- #7 Other Business, Topic:** _____
- #8 Public Hearing, Topic:** _____

You are Speaking...

- in Support**
- in Opposition**
- from a Neutral Position**
- to ask a Question**

Comments:

It would be amazing to move forward in mine, and many others ^{future} with housing.



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Name: Andy Fisher **Address:** 1327 SE Tacoma St #198
Organization: Fisher & Janisse Builders **Phone:** 971 506-1593
Meeting Date: 12/2/25 **Topic:** MIRL - Public Comment
Email: Andy@fisherandjanisse.com

Agenda Item You Wish to Speak to:

#5 Community Comments

Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

#7 Other Business, Topic: _____

#8 Public Hearing, Topic: _____

You are Speaking...

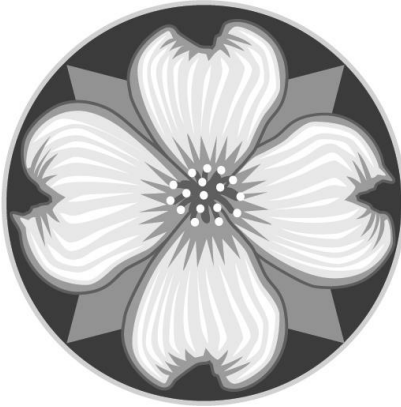
in Support

in Opposition

from a Neutral Position

to ask a Question

Comments: We ask Council to honor their commitment to the city to pursue affordable housing



RS Agenda Item

6

Consent Agenda

COUNCIL RETREAT

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES**OCTOBER 14, 2025**

Council Present: Councilors Adam Khosroabadi, Robert Massey, Rebecca Stavenjord, and
Council President Will Anderson, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Assistant City Manager Scott Stauffer, City Recorder
Emma Sagor, City Manager

Mayor Batey called the meeting to order at 5:19 p.m.

1. Council Semi-Annual Retreat

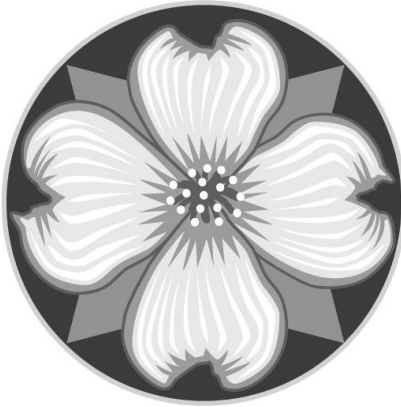
Council members and staff participated in a semi-annual retreat. Topics covered included Council communications, Council and staff roles, Council meeting time management, and Council goals work reporting. Council took no official actions.

2. Adjourn

Mayor Batey adjourned the meeting at 7:37 p.m.

Respectfully submitted,

Scott Stauffer, City Recorder



RS Agenda Item

7

Business Items

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Date Written: Nov. 14, 2025

Reviewed: Peter Passarelli, Public Works Director,

From: Katie Gavares, Climate & Natural Resources Manager, and
Alfred Moussalli, Urban Forester

Subject: **Tree Code Review**

ACTION REQUESTED

Council is asked to provide direction on potential updates to Milwaukie Municipal Code (MMC) Title 16 – Tree Code and the Milwaukie Consolidated Fee Schedule, including:

1. Establishing a development significant tree' removal fee for trees greater than 30 inches diameter at breast height (DBH).
2. Increasing canopy mitigation fees associated with development-related tree removals.
3. Adopting a Rare and Threatened species list and establishing a fee for Rare or Threatened Unpermitted Private Tree Removals in development projects.
4. Refining the Type A (non-development) approval criteria to improve reasonableness and proportionality, including an allowance for removal of trees within 10 feet of dwelling units.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[November 17, 2020](#): Council adopted the public tree code.

Following three work sessions in August 2021, the Planning Commission held three public hearings on the proposed housing and tree code amendments ([October 12](#), [October 26](#), and [November 9](#)) and voted 5:2 to recommend approval of the amendments with specific revisions and recommendations.

Following a work session in [January](#), Council held seven public hearings in early 2022 on the tree and housing code implementation process and draft code language ([January 18](#), [February 1](#), [February 15](#), [March 15](#), [March 29](#), and [April 5](#)).

[April 19, 2022](#): Council voted 5:0 to adopt the residential tree code.

[April 4, 2023](#): Staff updated Council on tree code implementation and provided an overview of the proposed tree code amendments for council discussion.

[July 18, 2023](#): Staff provided an overview of additional proposed tree code amendments for Council discussion.

[March 5, 2024](#): Staff updated Council on the initial tree code amendments.

[November 19, 2024](#): Staff updated Council on the proposed tree code amendments.

[December 17, 2024](#): Staff updated Council on the proposed tree code amendments and noted that staff had received comments from Council after distribution of the packet, and therefore recommended adoption be delayed until January to allow time for consideration of these comments.

[January 21, 2025](#): Council adopted amendments to tree code that improve clarity of code language, streamline implementation, and assist in enforcement of the adopted code and permitting program.

[July 15, 2025](#): Council received a comprehensive staff report outlining the code's development history and community values. Council requested that staff return with proposed amendments to clarify how the principle of "reasonableness" should guide mitigation requirements for Type A (non-development) tree permits.

ANALYSIS

Milwaukie's Tree Code reflects a shared community value: trees are essential infrastructure that support public health, stormwater management, climate resilience, and neighborhood livability. Implementation experience and community feedback gathered particularly throughout 2025 have highlighted two key areas for improvement: ensuring the city's mitigation fee structure adequately incentivizes preservation during development, and clarifying non-development approval criteria to support reasonableness, proportionality, and consistency in permitting decisions. In July 2025, Council gave direction to staff to prepare proposed updates to code and practice in response to these key areas.

Staff met with the Tree Board in late summer and early fall to review Council's feedback and discuss potential adjustments to mitigation fees, significant tree protections, and the proposed 10-foot dwelling-unit provision. These conversations helped shape the staff recommendations presented in this report.

Significant Tree Removal Fee (>30" DBH)

Over the past several years, staff have continued to observe the loss of large, mature trees through permitted development activity, even on sites where feasible design modifications could have supported preservation. Although existing mitigation fees are intended to offset canopy loss, they have not been sufficient to deter some developers from removing trees. Once removed, the benefits provided by these trees cannot be replaced for generations.

Existing fees for tree removal in the FY26 consolidated fee schedule are currently as follows:

Private Development Tree Fees	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Residential Construction Tree Plan Review Fee	\$300.00	\$300.00
Site Inspection Fee	\$50.00	\$50.00
Site Re-inspection Fee	\$175.00	\$175.00
Fee in lieu of preservation standard in residential development <i>Canopy percentage measurements are in sq ft canopy / total site sq ft</i>	\$4,000.00 for each reduction of 7.5% site canopy coverage below 30% total site canopy. Fees are cumulative based on total canopy reduction. Remaining site canopy <30%-22.5%: \$4,000.00 <22.5%-15%: \$4,000.00 <15%-7.5%: \$4,000.00 <7.5%-0%: \$4,000.00	\$4,000.00 for each reduction of 7.5% site canopy coverage below 30% total site canopy. Fees are cumulative based on total canopy reduction. Remaining site canopy <30%-22.5%: \$4,000.00 <22.5%-15%: \$4,000.00 <15%-7.5%: \$4,000.00 <7.5%-0%: \$4,000.00
Fee in lieu of preservation standard for eligible residential affordable housing <i>Canopy percentage measurements are in sq ft canopy / total site sq ft</i>	\$2,000.00 for each reduction of 7.5% site canopy coverage below 30% total site canopy. Fees are cumulative based on total canopy reduction. Remaining site canopy <30%-22.5%: \$2,000.00 <22.5%-15%: \$2,000.00 <15%-7.5%: \$2,000.00 <7.5%-0%: \$2,000.00	\$2,000.00 for each reduction of 7.5% site canopy coverage below 30% total site canopy. Fees are cumulative based on total canopy reduction. Remaining site canopy <30%-22.5%: \$2,000.00 <22.5%-15%: \$2,000.00 <15%-7.5%: \$2,000.00 <7.5%-0%: \$2,000.00

Other Tree Types	Fiscal Year 2025	Fiscal Year 2026
Significant Tree Credits <i>Retained significant trees in diameter at breast height (DBH)</i>		
Retained significant tree 12" to <20" DBH	125% existing or future canopy multiplier	125% existing or future canopy multiplier
Retained significant tree >20" DBH	150% existing or future canopy multiplier	150% existing or future canopy multiplier
Retained significant tree >36" DBH	175% existing or future canopy multiplier	175% existing or future canopy multiplier
Rare or Threatened Tree Removal Fee	\$250.00 per inch DBH	\$250.00 per inch DBH
Fees in Lieu of Planting Standard	\$5.00 per square foot of canopy necessary to meet 40% site coverage	\$5.00 per square foot of canopy necessary to meet 40% site coverage
Bonding Requirements		
Tree Protection	\$3,500 per protected tree held for 3 years	\$3,500 per protected tree held for 3 years
Post Development	\$3,500.00 per newly planted tree held for 5 years	\$3,500.00 per newly planted tree held for 5 years

Large-diameter trees play an outsized role in supporting Milwaukie’s urban forest and climate goals. A single 36-inch tree can intercept more than 5,000 gallons of stormwater per year, store several tons of carbon, and provide shade that can lower surface temperatures by up to 20° Fahrenheit on adjacent pavement and structures. These trees filter pollutants, stabilize soils, and provide habitat that smaller trees cannot replicate. They also contribute to neighborhood

character and property value—research indicates that mature canopy can increase nearby home values by 7–15 percent while reducing household energy consumption.

From an infrastructure perspective, large trees are living assets that perform essential stormwater and climate functions at a fraction of the cost of engineered systems. The loss of a single mature tree can represent the loss of thousands of dollars in avoided infrastructure and utility costs over its lifetime.

To better reflect the true value of these ecosystem services and to strengthen incentives for on-site preservation, **staff recommend establishing a Significant Tree Removal Fee applied to all trees greater than 30 inches diameter at breast height (DBH).** The threshold is consistent with the size at which ecosystem benefits increase exponentially, and the proposed rate structure aligns with the existing non-development fee schedule to maintain fairness and consistency across permit types:

- \$150 per inch DBH from 30" to 35.99"
- \$200 per inch DBH for trees 36" and greater

This additional fee would apply when a large tree is removed as part of a development project, supplementing the standard canopy-mitigation payment. The goal is not to penalize developers but to create a meaningful economic signal that preservation of significant trees is a preferred outcome whenever feasible.

Staff recommend adding a Significant Tree Removal Fee to the development-fee section of the Tree Code and revising the consolidated fee schedule. The following language is proposed for inclusion under MMC 16.32.042(B)(1):

(a) Significant Tree Removal Fee

When a development application includes the removal of a healthy tree 30 inches DBH or greater, a Significant Tree Removal Fee shall be assessed in accordance with the consolidated fee schedule. This fee does not relieve the applicant of any other requirements of this chapter, including replacement trees, tree protection measures, or required arborist reports.

While the proposed significant tree removal fee addresses the loss of the city’s largest and most valuable trees on a tree-by-tree basis, the canopy mitigation fee addresses canopy loss at the site-wide scale. After considering the preservation incentives for individual significant trees, it is equally important to ensure that the broader canopy mitigation structure also supports the city’s long-term canopy and climate goals. The following section outlines staff’s recommended updates to the canopy-mitigation framework to better align site-level outcomes with Milwaukie’s 40 percent canopy goal.

Canopy Mitigation Fee (Development Context)

The city’s current fee in lieu of preservation fee has not effectively incentivized developers to preserve existing trees on development sites. Because current rates are relatively low, developers often choose to pay the fee rather than adjust site plans to retain mature canopy. This trend has contributed to cumulative canopy loss, especially within infill and redevelopment areas where construction pressures are high. Community members and the Tree Board have expressed increasing concern about the visual, environmental, and neighborhood impacts of this pattern, noting that the existing fee structure does not adequately reflect the ecological value of mature trees or their role in Milwaukie’s climate and livability goals.

Staff recommend alternative fee schedule, which establishes a canopy mitigation fee that begins at 40 percent total site canopy and increases cumulatively for each 8-percent reduction below that threshold. Under this option, the mitigation fee begins at \$4,000 and increases by \$2,000 for each 8-percent reduction in remaining site canopy. Fees are cumulative, meaning applicants pay the total of each band crossed. The proposed fee structure can be seen in the table below.

This fee structure provides the strongest incentive for early preservation by beginning the mitigation requirement at a higher canopy level, and its additional increment provides a better correlation between canopy loss and mitigation obligation. Staff believe this option aligns most closely with the city’s climate and canopy goals, supports long-term urban forest resilience, and provides a clear and administratively workable framework for regulating canopy removal on development sites.

To avoid creating additional financial barriers to affordable housing production, staff recommend that the proposed canopy mitigation fee updates apply exclusively to standard, non-affordable residential development. The current mitigation fee structure for eligible affordable housing projects would remain unchanged, consistent with city policy to reduce regulatory costs for affordable housing while still supporting overall canopy and climate objectives.

Remaining Total Site Canopy	Existing Fee Structure	Alternative: Remaining Total Site Canopy	Alternative: Increase threshold to 40% and then by \$2000
40%	No Fee	40-32%	\$4000
30-22.5%	\$4000	32-24%	\$6000 (\$10,000)
22.5 – 15%	\$4000 (\$8000)	24 – 16%	\$8000 (\$18,000)
15 – 7.5%	\$4000 (\$12,000)	16-8%	\$10,000 (\$28,000)
7.5-0%	\$4000 (\$16,000)	8-0%	\$12,000 (\$40,000)

Staff have prepared draft code language that would incorporate the proposed fee mitigation structure into MMC 16.32.042. The following language is proposed to amend MMC 16.32.042(B)(2) and (B)(3):

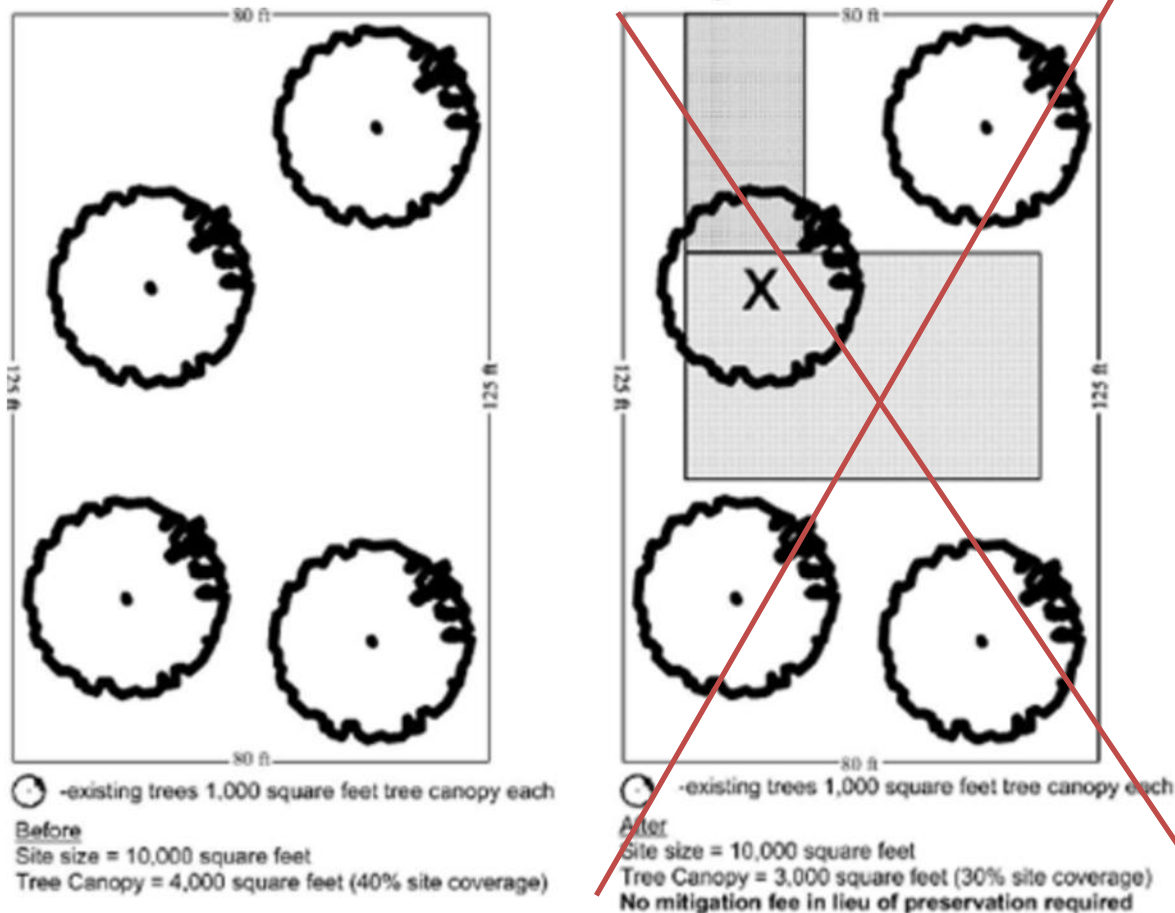
*2. Preservation of at least ~~30%~~ **40%** on-site healthy private tree canopy coverage is required unless mitigation is provided according to Subsection 16.32.042.E. See Figures 16.32.042.B.2-a and B.2-b for examples of when mitigation is or is not required. (See Subsection 16.32.042.D.3 for information on calculating tree canopy coverage.)*

*3. For development sites with ~~30%~~ **40%** or less on-site healthy private tree canopy coverage, the removal of healthy private tree canopy is not allowed unless mitigation is provided according to Subsection 16.32.042.E.*

As part of the proposed amendments to MMC 16.32.042, staff recommend a partial deletion of the existing figure to remove elements that no longer reflect the updated canopy-mitigation framework. The revised figure will retain only the applicable portions that correspond to the new threshold structure proposed.

Figure 16.32.042.B.2-b

Tree removal without mitigation



Rare and Threatened Tree List

Milwaukie’s Tree Code and Consolidated Fee Schedule reference a Rare and Threatened Tree List, but the list itself has not yet been developed. Staff have prepared an initial draft to fulfill this existing code requirement and to support more consistent implementation of protections for species that face elevated ecological risk or have limited presence within the local urban forest. The draft list is currently undergoing final review and is scheduled for completion in early January.

An adopted Rare and Threatened Tree list will allow the established fee to be applied when these species are removed as part of a development project, supplementing the standard canopy-mitigation payment. Like the significant tree removal fee, the goal is not to penalize developers but to create a meaningful economic signal that preserves these critical trees. In addition, staff recommend establishing a Rare or Threatened Unpermitted Private Tree Removal Fee for development projects, to ensure the incentive to preserve is consistent through enforcement procedures.

Reasonableness in Type A Permits Non-Development

Concerning non-development tree permits, Council and some members of the community have expressed concerns about how the city defines “reasonableness” when determining what applies for a Type A permit. Staff believe that intent of this “reasonableness” threshold was sound, ensuring trees are removed only, when necessary, but implementation can at times feel

rigid or disproportionate to the situation, especially when a tree is clearly causing structural or maintenance conflicts with a dwelling. As such staff is recommending the following change to the code.

Proposed change to MMC 16.32.044 D.2.b(3)

(3) The tree is having an adverse effect on adjacent infrastructure or buildings that cannot be mitigated by pruning, reasonable alternative construction techniques, or accepted arboricultural practices or the tree is located within 10 feet of a dwelling unit and presents a significant ongoing or unavoidable conflict with the structure, such as foundation damage, as determined by the Urban Forester.

Providing this greater clarity for the removal of trees within 10 feet of a dwelling unit can provide greater code clarity and proportional mitigation options. However, many of the city's challenging tree-related decisions occur outside this 10 ft buffer zone, where residents must balance tree preservation with maintenance, repairs, and safety concerns. For this reason, staff also recommend clarifying how the "reasonableness" standard should be applied to Type A non-development permits to ensure decisions remain fair, proportionate, and consistent across the community.

Standards for Applying Reasonableness:

In addition to the code change, staff recommends administratively adopting a clearer, more structured approach to evaluating "reasonableness" under MMC 16.32.044(D)(2) so that non-development tree removal decisions can be more consistent, equitable, and aligned with the city's canopy and climate goals. The recommended framework below clarifies how staff will assess whether infrastructure or primary dwelling unit conflicts can be addressed through reasonable alternative construction techniques or accepted arboricultural practices, and when removal may be appropriate.

Under this recommended approach, preservation remains the preferred and expected outcome when feasible alternatives exist that maintain long-term tree health, comply with safety and Americans with Disabilities Act (ADA) standards, and do not impose costs that are clearly disproportionate to the value of the tree or the scope of the work. Staff will evaluate reasonableness by examining both feasibility and costs, ensuring that decisions are fair, predictable, and reflective of the public benefit provided by the tree.

When reviewing feasibility, staff may consider whether practical alternatives such as sidewalk realignment, trenchless sewer repair, root bridging, selective pruning, or other accepted arboricultural practices can resolve the conflict without compromising tree stability. Staff will give strong consideration to alternatives that protect healthy, mature, or high-value trees due to their substantial stormwater, cooling, habitat, and neighborhood benefits.

Staff will compare the cost of feasible preservation alternatives to the ecological and community value of the tree, using tools such as Council of Tree and Landscape Appraisers (CTLA) appraisals, Natural Capital Project's InVest Models, and i-Tree tools. Cost alone does not justify removal. Instead, staff will instead assess whether the cost of preserving a healthy tree is reasonable within the scale of the project and proportional to the benefits the tree provides. For example, the city's recommended thresholds consider preservation to be reasonable when costs are modest relative to a residential repair, or when public infrastructure investments can accommodate tree-preserving design. Higher thresholds are appropriate for significant or heritage-scale trees that provide outsized long-term benefits.

Staff recommend using the following proportionality thresholds to guide consistent application of the code:

Recommended Thresholds for Evaluating Reasonableness

Context	Recommended Threshold for Preservation to Be Considered Reasonable
Small residential repairs (Driveway)	Preservation is generally reasonable when the cost of feasible alternatives is $\leq 20\%$ of the directly related project cost.
Infrastructure (sidewalks, utilities)	Preservation is typically reasonable when costs are $\leq 3\times$ the cost of removal and replacement.
Significant trees $>30''$ DBH or heritage-scale trees	Preservation is reasonable when costs are $\leq 5\times$ the cost of removal and replacement, reflecting the high public value of these trees

This recommended approach provides staff with a balanced, technically sound method for applying the reasonableness standard while giving residents and applicants greater clarity about how decisions are made.

BUDGET IMPACT

Fee adjustments may increase Urban Forest Fund revenues to support canopy restoration, maintenance, and equity-focused planting. Administrative costs are expected to be minimal.

CLIMATE IMPACT

Expanded canopy preservation and improved mitigation directly support the city’s Climate Action Plan (CAP) by reducing heat exposure, improving air quality, and managing stormwater through natural systems.

EQUITY IMPACT

The proposed adjustments strengthen equitable access to urban forest benefits by discouraging disproportionate canopy loss in redeveloping areas and prioritizing reinvestment in low-canopy neighborhoods. Clarifying reasonableness also ensures that tree preservation standards remain practical and fair across different property types and income levels.

WORKLOAD IMPACT

Not applicable.

COORDINATION, CONCURRENCE, OR DISSENT

Coordination with code enforcement on the new fee.

STAFF RECOMMENDATION

Council is asked to provide direction on potential updates to Milwaukie Municipal Code (MMC) Title 16 – Tree Code and the Milwaukie Consolidated Fee Schedule, including:

1. Establishing a development significant tree' removal fee for trees greater than 30 inches diameter at breast height (DBH).
2. Increasing canopy mitigation fees associated with development-related tree removals.
3. Refining the Type A (non-development) approval criteria to improve reasonableness and proportionality, including an allowance for removal of trees within 10 feet of dwelling units.

Staff also welcome Council's perspective on the development of a Rare or Threatened tree list. This would be adopted administratively and not require Council approval.

ALTERNATIVES

Council could direct staff to not amend the tree code or tree fees.

ATTACHMENTS

None.



**RS 7. A. 12/2/25
Presentation**

TREE CODE REVIEW

Peter Passarelli (he/him)
Public Works Director

Katie Gavares (they/them)
Climate and Natural
Resources Manager

City Council Regular Session
December 2, 2025

Council Direction

1. Ensure the city's Tree Code mitigation fee structure adequately incentivizes preservation during development.
2. Provide greater code clarity and flexibility for removing trees causing structural or maintenance conflicts with a dwelling unit (MMC 16.32.044 D.2.b(3)).

Staff Recommendations

- 5 changes to the tree code, fee schedule, and practice.



DEVELOPMENT TREE CODE

Council Direction

- Ensure the city's Tree Code mitigation fee structure adequately incentivizes preservation during development.

Proposed Changes

1. Development significant tree' removal fee
2. Increasing canopy mitigation fees
3. Adopting a Rare and Threatened species list and unpermitted removal fee



SIGNIFICANT TREE REMOVAL FEE

Establish a Significant Tree Removal Fee applied to trees greater than 30 inches DBH

- Applied when a large tree is removed as part of a development project.

Significant Tree Removal Fee	
Trees 30" to 35.99"	\$150.00 per inch DBH
Trees 36" or greater	\$200.00 per inch DBH



CANOPY MITIGATION FEE

Establish a canopy mitigation fee that begins at 40% total site canopy and increases cumulatively for each 8% reduction below that threshold.

- Maintain current fee structure for eligible affordable housing projects.

Existing Remaining Total Site Canopy	Existing Fee Structure	Alternative: Remaining Total Site Canopy	Alternative: Fee Structure
40%	No Fee	40-32%	\$4000
30-22.5%	\$4000	32-24%	\$6000 (\$10,000)
22.5 – 15%	\$4000 (\$8000)	24—16%	\$8000 (\$18,000)
15—7.5%	\$4000 (\$12,000)	16-8%	\$10,000 (\$28,000)
7.5-0%	\$4000 (\$16,000)	8-0%	\$12,000 (\$40,000)



RARE AND THREATENED TREE LIST

- Adopt Rare and Treated species list
 - Tree Board will review December 3rd
 - Staff will adopt administratively by January 2026
- Establish an additional fee for unpermitted removals of rare or threatened trees during development
 - Fee= \$350 per inch DBH
 - Creates a consistent fee schedule through permitting and enforcement



QUESTIONS FOR COUNCIL

- Feedback and direction on development tree code and fee structure changes.



RESIDENTIAL TREE CODE (NON-DEV)

Council Direction

- Provide greater code clarity and flexibility for removing trees causing structural or maintenance conflicts with a dwelling unit (MMC 16.32.044 D.2.b(3)).

Proposed Changes

1. Add an allowance for removal of trees within 10 feet of dwelling units that cause infrastructure damage
2. Staff utilize standards for applying “reasonableness”



TREE REMOVALS WITHIN 10FT OF DWELLING UNITS

Allowance for removal of trees within 10 feet of dwelling units.

- Removal would be approved even if adverse effects can be mitigated.
- Proposed change to MMC 16.32.044 D.2.b(3)

The tree is having an adverse effect on adjacent infrastructure or buildings that cannot be mitigated by pruning, reasonable alternative construction techniques, or accepted arboricultural practices **or the tree is located within 10 feet of a dwelling unit and presents a significant ongoing or unavoidable conflict with the structure, such as foundation damage, as determined by the Urban Forester.**



REASONABLENESS IN TYPE A PERMITS

Staff utilize standards for evaluating “reasonableness” under MMC 16.32.044(D)(2)

- Assess whether the cost of preserving a healthy tree is reasonable within the scale of the project and proportional to the benefits the tree provides.

Context	Recommended Threshold for Preservation to Be Considered Reasonable
Small residential repairs (Driveway)	Preservation is generally reasonable when the cost of feasible alternatives is $\leq 20\%$ of the directly related project cost.
Infrastructure (sidewalks, utilities)	Preservation is typically reasonable when costs are $\leq 3\times$ the cost of removal and replacement.
Significant trees $>30"$ DBH or heritage-scale trees	Preservation is reasonable when costs are $\leq 5\times$ the cost of removal and replacement, reflecting the high public value of these trees.



QUESTIONS FOR COUNCIL

- Feedback and direction on residential tree code changes





CITY OF MILWAUKIE

Questions?
Thank you!

Peter Passarelli

Public Works Director

PassarelliP@milwaukieoregon.gov

Katie Gavares

Climate and Natural Resources Manager

GavaresK@milwaukieoregon.gov



Scott Stauffer

From: Emma Sagor
Sent: Thursday, October 23, 2025 12:20 PM
To: Scott Stauffer; OCR
Cc: Katie Gavares
Subject: FW: Large tree removal on Harrison

Here's the original email with photos, Scott.

Emma Sagor

City Manager
she • her • hers
503.786.7573 (o) • 360.852.2014 (m)
City of Milwaukie
10501 SE Main St. • Milwaukie, OR 97222

From: Dylan Kruse <dkruse8@gmail.com>
Sent: Tuesday, October 21, 2025 4:32 PM
To: Emma Sagor <SagorE@milwaukieoregon.gov>; Allison McManus <mcmanusal@gmail.com>
Cc: Lisa Batey <BateyL@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>
Subject: Large tree removal on Harrison

This Message originated outside your organization.

Hi Emma and Councilors,

This is the development on Home and Harrison. I would guess he slid this stuff in before the new tree code went into effect, but it's hard for the city to maintain messaging on climate and tree code when developers keep cutting big trees like this.

Please share with the relevant tree code and climate staff/committees for review of your policies and elimination of the mitigation option or much higher fees. I'd highly encourage the city to take another look at things.



Scott Stauffer

From: Emma Sagor
Sent: Wednesday, October 22, 2025 4:41 PM
To: Dylan Kruse
Cc: OCR; Urban Forest
Subject: RE: Tree removal on Harrison

Hi Dylan,

Thank you for reaching out, and apologies for my delayed response. I am glad Brett got back to you.

I am moving Council to bcc to avoid a quorum meeting and copying our City Recorder to include this in the Council record.

I wanted to let you know that at [last night's Work Session](#) (see timestamp 1:15:40), Council discussed the topic of development tree code and fees and directed staff to come back on December 2 with proposals that could strengthen protection and preservation of trees during residential development. That discussion will occur at the [Regular Session](#), which starts at 6:30 p.m.

Thank you for your engagement on this topic and for sharing your thoughts with Council.

Best,
Emma

Emma Sagor

City Manager
she • her • hers
503.786.7573 (o) • 360.852.2014 (m)
City of Milwaukie
10501 SE Main St. • Milwaukie, OR 97222

From: Dylan Kruse <dkruse8@gmail.com>
Sent: Wednesday, October 22, 2025 4:33 PM
To: Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Emma Sagor <SagorE@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>
Subject: Fwd: Tree removal on Harrison

This Message originated outside your organization.

Please see the message below. The tree removal was paid with mitigation fees. Come on by and see what they are removing. These are big, old, beautiful trees that add tremendous value and benefit to the neighborhood and property values for existing homeowners.

These mitigation fees aren't close to covering the lost value of removal and clearly they aren't creating a disincentive to reconsider or redesign these developments. You're going to get one more cheap tiny house in here for a developer who already has an awful track record and has alienated the entire

neighborhood. Please reconsider your approach on tree code and development fees. This is totally within Council's control and it's just getting worse.

----- Forwarded message -----

From: **Brett Kolver** <KolverB@milwaukieoregon.gov>

Date: Wed, Oct 22, 2025, 11:34 AM

Subject: RE: Tree removal on Harrison

To: Dylan Kruse <dkruse8@gmail.com>, Allison McManus <mcmanusal@gmail.com>

Dylan & Allison,

Thanks for keeping an eye out there, and for reaching out about the tree removal activity. I know it is jarring for everyone to see large trees coming down, especially when there has already been concern about the overall development activity.

In this case, I think that the tree removal you saw yesterday, and what will continue at some point with that remaining multi-stemmed coniferous tree, has all been reviewed and approved through the City's Urban Forestry program. The trees are/were on what was identified as Lot 4 from the 2020-21 subdivision that created the lots where the two detached quadplexes are being built, now addressed as 10614 SE Home Ave. An attached quadplex building has been proposed for that lot, and the developer chose to pay the mitigation fees (just over \$16,000) to remove the trees from that site rather than preserve the couple that were not directly impacted by the proposed new structure's footprint. There is a requirement to replant trees sufficient to provide 40% canopy coverage on the lot. This is our current system—mitigation fees that are intended to dis-incentivize tree removal, with the option to pay the penalty if that is the owner/developer's choice.

If you have questions or concerns about the Urban Forestry program, I would encourage you to reach out to them directly at urbanforest@milwaukieoregon.gov or 503-786-7655. And since they're the primary watchdogs of this process and the ones who review tree removal proposals associated with development, they're probably the best ones to reach out to if there are concerns in the future about trees being removed. Although the word has gotten around that we do have a tree protection program, it is always possible that someone might be trying to cut down a tree without realizing there is a process (or might be trying to subvert the process).

In this case, I think everything that has happened so far has been expected and reviewed. Thank you for reaching out—I appreciate you serving as eyes in the community!

BRETT KELVER, AICP, CFM

Senior Planner

he • him • his

From: Dylan Kruse <dkruse8@gmail.com>
Sent: Tuesday, October 21, 2025 5:25 PM
To: Brett Kever <KeverB@milwaukieoregon.gov>; Allison McManus <mcmmanual@gmail.com>
Subject: Re: Tree removal on Harrison



On Tue, Oct 21, 2025, 5:21 PM Dylan Kruse <dkruse8@gmail.com> wrote:

New email because the last chain was too big. So is this a different property? And he has permits for that removal? They are cutting the cedars by the white truck and have already dropped the fir.



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Scott Stauffer

From: Emma Sagor
Sent: Thursday, October 23, 2025 2:35 PM
To: Scott Stauffer
Cc: OCR; Lisa Batey; Katie Gavares
Subject: FW: Tree removal and tree code

Hey Scott—please also put this thread in the record.

Emma Sagor

City Manager
she • her • hers
503.786.7573 (o) • 360.852.2014 (m)
City of Milwaukie
10501 SE Main St. • Milwaukie, OR 97222

From: Sandy Conley <slconley@msn.com>
Sent: Thursday, October 23, 2025 2:10 PM
To: Dylan Kruse <dkruse8@gmail.com>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; Emma Sagor <SagorE@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>
Cc: Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmmanual@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Axisrn13@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop <dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com; doncourson@hotmail.com; leygarnett@comcast.net; mypalvalmal@gmail.com; philmc333335@gmail.com; robreynolds567@gmail.com; sararhianabee@gmail.com; thomas@wizzcpa.com; victoriarystadt@gmail.com; wagh.eg@gmail.com; Amaya Blanco Chapin <amayablanc@gmail.com>; Urban Forest <UrbanForest@milwaukieoregon.gov>
Subject: Re: Tree removal and tree code

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Sandy Conley

From: Dylan Kruse <dkruse8@gmail.com>

Sent: Thursday, October 23, 2025 1:28 PM

To: Adam Khosroabadi <khosroabadia@milwaukieoregon.gov>; stavenjordr@milwaukieoregon.gov <stavenjordr@milwaukieoregon.gov>; masseyr@milwaukieoregon.gov <masseyr@milwaukieoregon.gov>; Emma Sagor <SagorE@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>

Cc: Sandy Conley <slconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Axisrn13@gmail.com <Axisrn13@gmail.com>; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop <dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com <corinn@chapeltheatremilwaukie.com>; doncourson@hotmail.com <doncourson@hotmail.com>; leygarnett@comcast.net <leygarnett@comcast.net>; mypalvalmal@gmail.com <mypalvalmal@gmail.com>; philmc333335@gmail.com <philmc333335@gmail.com>; robreynolds567@gmail.com <robreynolds567@gmail.com>; sarahhianabee@gmail.com <sarahhianabee@gmail.com>; thomas@wizzcpa.com <thomas@wizzcpa.com>; victoriarystadt@gmail.com <victoriarystadt@gmail.com>; waugh.eg@gmail.com <waugh.eg@gmail.com>; Amaya Blanco Chapin <amayablanc@gmail.com>; urbanforest@milwaukieoregon.gov <urbanforest@milwaukieoregon.gov>

Subject: Tree removal and tree code

Mayor Batey and Councilors,

I know that due to meeting rules you cant respond to these emails, but I wanted to add some neighbors on this chain that have commented on the tree removal on Harrison.

I've reached out to you on this and the need for tree code reform, but the attached photos give you a feel for the size of the trees and impact. The fir that has been cut was 44 inches in diameter and was over 100 years old. The red cedar that is being felled today is 7 feet in diameter at its base. Age is unknown, but suffice to say, it's old and it's significant. Both were/are well over 100 feet in height. Come by this afternoon to take a look before they are gone.

These are the tallest and oldest trees in the neighborhood and their removal is directly opposed to Council's stated goals of livability, climate resilience, canopy cover, land use, and neighborhood aesthetics. It reduces property values for surrounding homes and changes the dynamics of why people moved to this community in the first place. The fact that their removal was permitted with grossly insufficient mitigation fees is even worse. For the price points that houses are being listed at, developers clearly have no problem passing the costs on, as is being done here.

I understand the need to balance housing with other values, but if you're going to allow for the removal of legacy trees at the public's expense, then at least get what they are worth. The city is leaving tens of thousands of dollars on the table in a bad budget climate, and doing it on behalf of poorly performing developers and at the cost of existing residents. These aren't affordable homes. They are cheap, poorly made houses that are squeezing every dollar out of the misguided policies the state and city have passed and continue compound without understanding the consequences.

I understand that this week Council commissioned a request to reform the tree code for discussion in December. Please keep the community engaged and involved on the product and opportunities to engage. It needs greater nuance for old and large trees, it needs to be tied to home values and CPI, and most of all it needs to be sufficient and strong enough to curb behavior towards the outcomes and values

that are being communicated publicly, but are thus far just empty rhetoric leading to yet another extremely unfortunate and permanent outcome.

I hope you take this opportunity to demonstrate meaningful action, respect for, and accountability to the City, community, and residents that live here now. It's totally your call.

From: [Rob Reynolds](#)
To: [Heather Buchanan](#)
Cc: [Emma Sagor](#); [Sandy Conley](#); [Dylan Kruse](#); [OCR](#); [Tamara Wissbaum](#); [Allison McManus](#); [Cameron McKillop](#); [Axism13@gmail.com](#); [Christopher McKillop](#); [Diane McKillop](#); [Rolanne Stafford](#); [WAYNE HOUCK](#); [corinn@chapeltheatremilwaukie.com](#); [doncourson@hotmail.com](#); [leygarnett@comcast.net](#); [mypalvalmal@gmail.com](#); [philmc333335@gmail.com](#); [sararhianabee@gmail.com](#); [thomas@wizzcpa.com](#); [victoriarystadt@gmail.com](#); [waugh.eg@gmail.com](#); [Amaya Blanco Chapin](#); [Urban Forest](#)
Subject: Re: Tree removal and tree code
Date: Thursday, October 23, 2025 5:25:31 PM

This Message originated outside your organization.

I believe it is 40% of the city not the lots

On Thu, Oct 23, 2025, 4:41 PM Heather Buchanan <buchanan.heathera@gmail.com> wrote:

Thank for you the reply. I too am upset to see these trees cut down and believe the current fees are far too low. It is also disappointing to see that those with resources can simply pay their way out of complying with rules intended to benefit the environment and the community.

I saw in a separate email between Dylan and the city that 40% canopy coverage will be required for the lots. Is that amount of coverage even physically possible with the amount of houses, walking paths, and driveways already included in the projects? What happens if a developer simply does not comply with these rules or develops the lot to the point where that level of coverage is impossible to achieve?

Thank you,
Heather

On Thu, Oct 23, 2025 at 3:18 PM Emma Sagor <SagorE@milwaukieoregon.gov> wrote:

Dear Sandy and Dylan,

Thank you very much for reaching out to the Council. We have added these emails to the Council public record for the December 2 meeting, which is when Council will next discuss tree code. I've copied our City Recorder's office (ocr@milwaukieoregon.gov), so any other replies to this thread also get added to the record. Any email received by OCR will be forwarded to all Councilors upon receipt.

I wanted to make sure you're all aware that at [Tuesday night's Work Session](#) (see timestamp 1:15:40), Council discussed the topic of development tree code and fees and directed staff to come back on December 2 with proposals that could strengthen protection and preservation of trees during residential development. That discussion will occur at the [Regular Session](#), which starts at 6:30 p.m. Also, the city's [Tree Board next meets on November 5](#) at 5:30 p.m. and all of these meetings are public meetings.

Thank you again for your engagement on this topic and for sharing your thoughts with Council.

Best,

Emma

Emma Sagor

City Manager

she • her • hers

503.786.7573 (o) • 360.852.2014 (m)

City of Milwaukie

[10501 SE Main St. • Milwaukie, OR 97222](#)

From: Sandy Conley <slconley@msn.com>

Sent: Thursday, October 23, 2025 2:10 PM

To: Dylan Kruse <dkruse8@gmail.com>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; Emma Sagor <SagorE@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>

Cc: Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmmanual@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Axisrn13@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop <dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com; doncourson@hotmail.com; leygarnett@comcast.net; mypalvalmal@gmail.com; philmc333335@gmail.com; robreynolds567@gmail.com; sararhianabee@gmail.com; thomas@wizzcpa.com; victoriarystadt@gmail.com; vaugh.eg@gmail.com; Amaya Blanco Chapin <amayablanc@gmail.com>; Urban Forest <UrbanForest@milwaukieoregon.gov>

Subject: Re: Tree removal and tree code

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Sent: Thursday, October 23, 2025 1:28 PM
To: Adam Khosroabadi <khosroabadia@milwaukieoregon.gov>; stavenjordr@milwaukieoregon.gov <stavenjordr@milwaukieoregon.gov>; masseyr@milwaukieoregon.gov <masseyr@milwaukieoregon.gov>; Emma Sagor <SagorE@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>
Cc: Sandy Conley <slconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Axisrn13@gmail.com <Axisrn13@gmail.com>; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop <dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com <corinn@chapeltheatremilwaukie.com>; doncourson@hotmail.com <doncourson@hotmail.com>; levgarnett@comcast.net <levgarnett@comcast.net>; mypalvalmal@gmail.com <mypalvalmal@gmail.com>; philmc333335@gmail.com <philmc333335@gmail.com>; robreynolds567@gmail.com <robreynolds567@gmail.com>; sararhianabee@gmail.com <sararhianabee@gmail.com>; thomas@wizzcpa.com <thomas@wizzcpa.com>; victoriarystadt@gmail.com <victoriarystadt@gmail.com>; waugh.eg@gmail.com <waugh.eg@gmail.com>; Amaya Blanco Chapin <amayablanc@gmail.com>; urbanforest@milwaukieoregon.gov <urbanforest@milwaukieoregon.gov>

Subject: Tree removal and tree code

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From: [Sandy Conley](#)
To: [Emma Sagor](#); [Dylan Kruse](#); [OCR](#)
Cc: [Tamara Wissbaum](#); [Allison McManus](#); [Heather Buchanan](#); [Cameron McKillop](#); [Axisrn13@gmail.com](#); [Christopher McKillop](#); [Diane McKillop](#); [Rolanne Stafford](#); [WAYNE HOUCK](#); [corinn@chapeltheatremilwaukie.com](#); [doncourson@hotmail.com](#); [leygarnett@comcast.net](#); [mypalvalmal@gmail.com](#); [philmc333335@gmail.com](#); [robreynolds567@gmail.com](#); [sararhianabee@gmail.com](#); [thomas@wizzcpa.com](#); [victoriarystadt@gmail.com](#); [waugh.eg@gmail.com](#); [Amaya Blanco Chapin](#); [Urban Forest](#)
Subject: Re: Tree removal and tree code
Date: Friday, October 24, 2025 8:47:38 AM

This Message originated outside your organization.

Emma,

I appreciate your response. My experience over the past two years is that our appearance at these meetings has not changed any plans the City has had to move forward with developments and tree removal unpopular to citizens. Additionally, these trees are already gone. We were told at the planning meeting we attended regarding the original development plans that the large trees would be protected by the City. We were told at that same meeting that a much smaller development was going to be developed. Thus far neither of these have held true. At the last meeting where many citizens protested against the overcrowded development, we were again told the trees would be protected. They were protected throughout the construction of the many tiny homes. Why did they have to be removed now? Can we make a difference? How does one even find out about applications to remove heritage trees by paying a mitigation fee? I have never seen a notice posted. It's obvious no one living now will see a tree that might grow from whatever you are intending to plant with the mitigation fees. Have you looked at the trees the developers planted? They did not water them, and they are all either dead or most likely will not survive the winter. I am feeling quite discouraged by the City Managers and Urban Forestry at this point. If I held hope we could make a difference, I wouldn't hesitate to join. As it stands now, I think we need to vote in representatives who do listen to the citizens of Milwaukie and not greedy builders.

Sandy Conley

From: Emma Sagor <SagorE@milwaukieoregon.gov>
Sent: Thursday, October 23, 2025 3:18 PM
To: Sandy Conley <slconley@msn.com>; Dylan Kruse <dkruse8@gmail.com>; OCR <OCR@milwaukieoregon.gov>
Cc: Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Axisrn13@gmail.com <Axisrn13@gmail.com>; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop <dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com <corinn@chapeltheatremilwaukie.com>; doncourson@hotmail.com <doncourson@hotmail.com>; leygarnett@comcast.net <leygarnett@comcast.net>; mypalvalmal@gmail.com <mypalvalmal@gmail.com>;

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Subject: RE: Tree removal and tree code

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Thank you again for your engagement on this topic and for sharing your thoughts with Council.

Best,

Emma

Emma Sagor

City Manager
she • her • hers
503.786.7573 (o) • 360.852.2014 (m)
City of Milwaukie
10501 SE Main St. • Milwaukie, OR 97222

From: Sandy Conley <slconley@msn.com>

Sent: Thursday, October 23, 2025 2:10 PM

To: Dylan Kruse <dkruse8@gmail.com>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; Emma Sagor <SagorE@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>

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Subject: Re: Tree removal and tree code

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From: Dylan Kruse <dkruse8@gmail.com>

Sent: Thursday, October 23, 2025 1:28 PM

To: Adam Khosroabadi <khosroabadia@milwaukieoregon.gov>; stavenjordr@milwaukieoregon.gov
<stavenjordr@milwaukieoregon.gov>; masseyr@milwaukieoregon.gov

<masseyr@milwaukieoregon.gov>; Emma Sagor <SagorE@milwaukieoregon.gov>; Lisa Batey
<BateyL@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>

Cc: Sandy Conley <slconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison
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<Axisrn13@gmail.com>; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop
<dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK
<whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com

<corinn@chapeltheatremilwaukie.com>; doncourson@hotmail.com <doncourson@hotmail.com>;

leygarnett@comcast.net <leygarnett@comcast.net>; mypalvalmal@gmail.com

<mypalvalmal@gmail.com>; philmc333335@gmail.com <philmc333335@gmail.com>;

robreynolds567@gmail.com <robreynolds567@gmail.com>; sarahhianabee@gmail.com

<sarahhianabee@gmail.com>; thomas@wizzcpa.com <thomas@wizzcpa.com>;

victoriarystadt@gmail.com <victoriarystadt@gmail.com>; waugh.eg@gmail.com

<waugh.eg@gmail.com>; Amaya Blanco Chapin <amayablanc@gmail.com>;

urbanforest@milwaukieoregon.gov <urbanforest@milwaukieoregon.gov>

Subject: Tree removal and tree code

Mayor Batey and Councilors,

I know that due to meeting rules you can't respond to these emails, but I wanted to add some neighbors on this chain that have commented on the tree removal on Harrison.

I've reached out to you on this and the need for tree code reform, but the attached photos give you a feel for the size of the trees and impact. The fir that has been cut was 44 inches in diameter and was over 100 years old. The red cedar that is being felled today is 7 feet in diameter at its base. Age is unknown, but suffice to say, it's old and it's significant. Both were/are well over 100 feet in height. Come by this afternoon to take a look before they are gone.

These are the tallest and oldest trees in the neighborhood and their removal is directly opposed to Council's stated goals of livability, climate resilience, canopy cover, land use, and neighborhood aesthetics. It reduces property values for surrounding homes and changes the dynamics of why people moved to this community in the first place. The fact that their removal was permitted with grossly insufficient mitigation fees is even worse. For the price points that houses are being listed at, developers clearly have no problem passing the costs on, as is being done here.

I understand the need to balance housing with other values, but if you're going to allow for the removal of legacy trees at the public's expense, then at least get what they are worth. The city is leaving tens of thousands of dollars on the table in a bad budget climate, and doing it on behalf of poorly performing developers and at the cost of existing residents. These aren't affordable homes. They are cheap, poorly made houses that are squeezing every dollar out of the misguided policies the state and city have passed and continue compound without understanding the consequences.

I understand that this week Council commissioned a request to reform the tree code for discussion in December. Please keep the community engaged and involved on the product and opportunities to engage. It needs greater nuance for old and large trees, it needs to be tied to home values and CPI, and most of all it needs to be sufficient and strong enough to curb behavior towards the outcomes and values that are being communicated publicly, but are thus far just empty rhetoric leading to yet another extremely unfortunate and permanent outcome.

I hope you take this opportunity to demonstrate meaningful action, respect for, and accountability to the City, community, and residents that live here now. It's totally your

call.

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From: [Emma Sagor](#)
To: [Dylan Kruse](#)
Cc: [Sandy Conley](#); [OCR](#); [Tamara Wissbaum](#); [Allison McManus](#); [Heather Buchanan](#); [Cameron McKillop](#); [Axism13@gmail.com](#); [Christopher McKillop](#); [Diane McKillop](#); [Rolanne Stafford](#); [WAYNE HOUCK](#); [corinn@chapeltheatremilwaukie.com](#); [doncourson@hotmail.com](#); [leygarnett@comcast.net](#); [mypalvalmal@gmail.com](#); [philmc333335@gmail.com](#); [robreynolds567@gmail.com](#); [sarahhianabee@gmail.com](#); [thomas@wizzcpa.com](#); [victoriarystadt@gmail.com](#); [waugh.eg@gmail.com](#); [Amaya Blanco Chapin](#); [Urban Forest](#)
Subject: RE: Tree removal and tree code
Date: Tuesday, November 4, 2025 8:23:45 AM

Thanks very much, Dylan, for taking the time to write these thoughtful comments. We'll make sure they get sent to the full Council.

To confirm, would you also like us to distribute these to the Tree Board? I assume so but want to double check. FYI, the Tree Board's next public meeting is tomorrow night —[details here](#).

Thanks again!

Emma

Emma Sagor

City Manager
she • her • hers
503.786.7573 (o) • 360.852.2014 (m)
City of Milwaukie
10501 SE Main St. • Milwaukie, OR 97222

From: Dylan Kruse <dkruse8@gmail.com>
Sent: Tuesday, November 4, 2025 6:43 AM
To: Emma Sagor <SagorE@milwaukieoregon.gov>
Cc: Sandy Conley <slconley@msn.com>; OCR <OCR@milwaukieoregon.gov>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Axism13@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop <dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com; doncourson@hotmail.com; leygarnett@comcast.net; mypalvalmal@gmail.com; philmc333335@gmail.com; robreynolds567@gmail.com; sarahhianabee@gmail.com; thomas@wizzcpa.com; victoriarystadt@gmail.com; waugh.eg@gmail.com; Amaya Blanco Chapin <amayablanc@gmail.com>; Urban Forest <UrbanForest@milwaukieoregon.gov>
Subject: Re: Tree removal and tree code

This Message originated outside your organization.

Hi Emma,

Thanks for the note and helpful context as always. Just a few thoughts for consideration

as the committee brings something to the Council to review:

1. Mitigation fees are too low. If those trees were removed for \$16k it's easily passed on to the 4 new units at \$4k a piece. For a single unit it may be a lot, but I don't think someone willing to pay \$400k would balk at \$404k, and I would guess you'll see that here. This doesn't create an incentive for preservation, and the city is leaving money on the table that the developers would still likely pay at higher rates. Right now it's a loss all around.

2. Related to #1, not all trees are the same. I haven't read it in detail, but I assume the mitigation fees account for size, age class, species, etc. (I hope so). I think it's hard for neighbors to see the biggest trees in the city being removed and knowing a reasonable mitigation fee option made it possible. Can they be increased for legacy trees and large, old species like the ones that are being cut?

3. The canopy requirements are good, but they aren't the same species and it's tough to make the sell because you won't see coverage again for 40+ years. Nice on paper, different in reality. This is a difficult issue and I don't have an easy answer, but maybe some of the experts do about preserving canopy cover.

4. It's good that the City has bonding and inspection requirements for replanted trees, but it isn't working and this is another opportunity for better compliance. For example, all of the trees that were planted along the new one way street are now dead or won't survive the winter because they weren't watered this summer. Will it be the case for new plantings? Perhaps the city could stop permitting new projects for developers or institute additional penalties for repeat offenders if they keep breaking these rules? It's too easy to skirt right now and it's on to the next job with no consequences. Can we be more proactive about enforcement and consequences for non-compliance?

Thanks again to you and the Tree Committee for your consideration and feedback.

Dylan

On Mon, Oct 27, 2025, 5:14 PM Emma Sagor <SagorE@milwaukieoregon.gov> wrote:

Hi Sandy, Heather, and all,

Thank you again for your comments—I truly do appreciate it, and I respect your frustrations. While I absolutely do not want to refute your feelings, which are valid, I

want you and your neighbors to know the direction given by Council last week to bring options forward for changing our current tree code and policies on December 2 is, in part, directly related to your advocacy thus far. I encourage you all to stay engaged and connect with your elected representatives as they are responsible for setting the policies we as staff implement.

I also just want to share some additional facts about the tree removal in your neighborhood this week:

- City Council adopted the tree code in 2022. You can learn about what regulations are [placed on Developers here](#). Currently, Milwaukie's development tree code is one of the strictest in the metro area.
- The permit to remove the trees at 10610 SE Home was submitted in early 2024. My staff's job when we receive these applications is to review and consider them according to the code adopted by Council. In this case, the application met the code requirements of paying the fees for tree removal and providing a replanting plan that will meet the 40% canopy coverage requirement for the site, so we were statutorily obligated to approve the permit, which we did in February of 2024 (see attached). Once issued, a permit is valid throughout construction until an approved final inspection closes the permit.
- Staff do inspections regularly during and after development to ensure code and permit obligations are being followed. We require developers to buy a warranty bond for any new plantings and require them to ensure health of new trees for an establishment period of 5 years. If any trees are found to be dead or dying when inspected, we will enforce on this requirement.

Again, at or prior to the December 2 meeting, I encourage you to share your thoughts with Council on how the current policies are working. We welcome your thoughts on things like the fees being charged to developers, public notice requirements, mitigation measures, canopy requirements, or any other topics of interest to you.

Thank you again,
Emma

Emma Sagor

City Manager

she • her • hers

503.786.7573 (o) • 360.852.2014 (m)

City of Milwaukie

[10501 SE Main St.](#) • [Milwaukie, OR 97222](#)

From: Sandy Conley <slconley@msn.com>

Sent: Friday, October 24, 2025 8:47 AM

To: Emma Sagor <SagorE@milwaukieoregon.gov>; Dylan Kruse <dkruse8@gmail.com>; OCR <OCR@milwaukieoregon.gov>

Cc: Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Axisrn13@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop <dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com; doncourson@hotmail.com; levgarnett@comcast.net; mypalvalmal@gmail.com; philmc333335@gmail.com; robreynolds567@gmail.com; sarahhianabee@gmail.com; thomas@wizzcpa.com; victoriarystadt@gmail.com; waugh.eg@gmail.com; Amaya Blanco Chapin <amayablanc@gmail.com>; Urban Forest <UrbanForest@milwaukieoregon.gov>

Subject: Re: Tree removal and tree code

This Message originated outside your organization.

Emma,

I appreciate your response. My experience over the past two years is that our appearance at these meetings has not changed any plans the City has had to move forward with developments and tree removal unpopular to citizens. Additionally, these trees are already gone. We were told at the planning meeting we attended regarding the original development plans that the large trees would be protected by the City. We were told at that same meeting that a much smaller development was going to be developed. Thus far neither of these have held true. At the last meeting where many citizens protested against the overcrowded development, we were again told the trees would be protected. They were protected throughout the construction of the many tiny homes. Why did they have to be removed now? Can we make a difference? How does one even find out about applications to remove heritage trees by paying a mitigation fee? I have never seen a notice posted. It's obvious no one living now will see a tree that might grow from whatever you are intending to plant with the mitigation fees. Have you looked at the trees the developers planted? They did not water them, and they are all either dead or most likely will not survive the winter. I am feeling quite discouraged by the City Managers and Urban Forestry at this point. If I held hope we could make a difference, I wouldn't hesitate to join. As it stands now, I think we need to vote in representatives who do listen to the citizens of Milwaukie and not greedy builders.

Sandy Conley

From: Emma Sagor <SagorE@milwaukieoregon.gov>

Sent: Thursday, October 23, 2025 3:18 PM

To: Sandy Conley <slconley@msn.com>; Dylan Kruse <dkruse8@gmail.com>; OCR <OCR@milwaukieoregon.gov>
Cc: Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Axisrn13@gmail.com <Axisrn13@gmail.com>; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop <dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com <corinn@chapeltheatremilwaukie.com>; doncourson@hotmail.com <doncourson@hotmail.com>; levgarnett@comcast.net <levgarnett@comcast.net>; mypalvalmal@gmail.com <mypalvalmal@gmail.com>; philmc333335@gmail.com <philmc333335@gmail.com>; robreynolds567@gmail.com <robreynolds567@gmail.com>; sararhianabee@gmail.com <sararhianabee@gmail.com>; thomas@wizzcpa.com <thomas@wizzcpa.com>; victoriarystadt@gmail.com <victoriarystadt@gmail.com>; waugh.eg@gmail.com <waugh.eg@gmail.com>; Amaya Blanco Chapin <amayablanc@gmail.com>; Urban Forest <UrbanForest@milwaukieoregon.gov>
Subject: RE: Tree removal and tree code

Dear Sandy and Dylan,

Thank you very much for reaching out to the Council. We have added these emails to the Council public record for the December 2 meeting, which is when Council will next discuss tree code. I've copied our City Recorder's office (ocr@milwaukieoregon.gov), so any other replies to this thread also get added to the record. Any email received by OCR will be forwarded to all Councilors upon receipt.

I wanted to make sure you're all aware that at [Tuesday night's Work Session](#) (see timestamp 1:15:40), Council discussed the topic of development tree code and fees and directed staff to come back on December 2 with proposals that could strengthen protection and preservation of trees during residential development. That discussion will occur at the [Regular Session](#), which starts at 6:30 p.m. Also, the city's [Tree Board next meets on November 5](#) at 5:30 p.m. and all of these meetings are public meetings.

Thank you again for your engagement on this topic and for sharing your thoughts with Council.

Best,

Emma

Emma Sagor

City Manager

she • her • hers

503.786.7573 (o) • 360.852.2014 (m)

City of Milwaukie

[10501 SE Main St.](#) • [Milwaukie, OR 97222](#)

From: Sandy Conley <slconley@msn.com>

Sent: Thursday, October 23, 2025 2:10 PM

To: Dylan Kruse <dkruse8@gmail.com>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; Emma Sagor <SagorE@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>

Cc: Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Axisrn13@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop <dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com; doncourson@hotmail.com; leygarnett@comcast.net; mypalvalmal@gmail.com; philmc333335@gmail.com; robreynolds567@gmail.com; sararhianabee@gmail.com; thomas@wizzcpa.com; victoriarystadt@gmail.com; waugh.eg@gmail.com; Amaya Blanco Chapin <amayablanc@gmail.com>; Urban Forest <UrbanForest@milwaukieoregon.gov>

Subject: Re: Tree removal and tree code

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I can hear the chain saws cutting down the trees that took centuries to grow and provide so much to our community. Once upon a time, the urban canopy mattered, and I would think that your Urban Forestry Program directors would see the value of these beautiful trees. Trees this large will not grow to replace the existing trees in a century, especially with climate change. Your shortsightedness is appalling. They aren't even being cut for lumber, they were cut into rounds and the wood wasted. We were accused of moving into an ancient forest in our neighborhood by the City Counsel when we fought to preserve the trees now sold for pennies to be removed. That was pleasant and uncalled for. I did not know there was a forest in our neighborhood and would have objected to the trees removal or not bought here had I known. Please don't permanently change the landscape of this City at the whim of a disreputable builder. Why don't you listen to the residents of this

community and why don't we matter?

Sandy Conley

From: Dylan Kruse <dkruse8@gmail.com>
Sent: Thursday, October 23, 2025 1:28 PM
To: Adam Khosroabadi <khosroabadia@milwaukieoregon.gov>;
stavenjordr@milwaukieoregon.gov <stavenjordr@milwaukieoregon.gov>;
masseyr@milwaukieoregon.gov <masseyr@milwaukieoregon.gov>; Emma Sagor
<SagorE@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; William Anderson
<AndersonW@milwaukieoregon.gov>
Cc: Sandy Conley <slconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison
McManus <mcmanusal@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>;
Cameron McKillop <cameron.mckillop17@gmail.com>; Axisrn13@gmail.com
<Axisrn13@gmail.com>; Christopher McKillop <cjmckillop5@gmail.com>; Diane McKillop
<dianemckillop5@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; WAYNE HOUCK
<whouck65@gmail.com>; corinn@chapeltheatremilwaukie.com
<corinn@chapeltheatremilwaukie.com>; doncourson@hotmail.com
<doncourson@hotmail.com>; leygarnett@comcast.net <leygarnett@comcast.net>;
mypalvalmal@gmail.com <mypalvalmal@gmail.com>; philmc333335@gmail.com
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sararhianabee@gmail.com <sararhianabee@gmail.com>; thomas@wizzcpa.com
<thomas@wizzcpa.com>; victoriarystadt@gmail.com <victoriarystadt@gmail.com>;
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<amayablanc@gmail.com>; urbanforest@milwaukieoregon.gov
<urbanforest@milwaukieoregon.gov>
Subject: Tree removal and tree code

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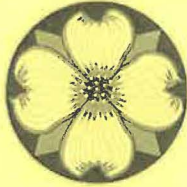
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**CITY OF MILWAUKIE
CITY COUNCIL**

10722 SE Main Street
P) 503-786-7502
F) 503-653-2444
ocr@milwaukieoregon.gov

Speaker Card

The City of Milwaukie encourages all residents to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speaker Card, once submitted to the City Recorder, becomes part of the public record.

Name: Bob Smith

Address:

Organization:

Phone:

Email:

Meeting Date: 12/2/25

Topic: Trees + code⁺

Agenda Item You Wish to Speak to:

#5 Community Comments

Note: Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

#7 Other Business, Topic: Trees code

#8 Public Hearing, Topic: _____

You are Speaking...

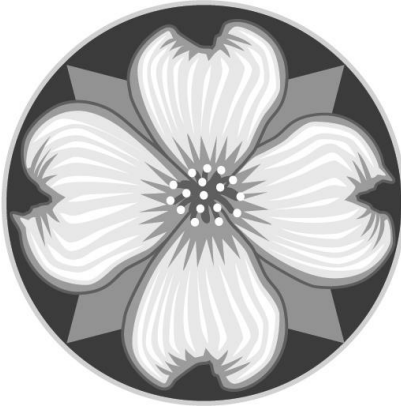
in Support

in Opposition

from a Neutral Position

to ask a Question

Comments:



RS Agenda Item

9

Council Reports

RS 9. A. 12/2/25 Presentation

Quarterly Council Budgets Review

December 2, 2025
Regular Session



Council Budgets

Remaining balances for the biennium ending June 30, 2026.
Balances do not include November credit card purchases.

Q2 REMAINING	NAME	POSITION
\$5,266.68	Adam Khosroabadi	Council #1
\$5,425.00	Robert Massey	Council #2
\$4,523.56	Will Anderson	Council #3
\$5,750.00	Rebecca Stavenjord	Council #4
\$7,307.84	Lisa Batey	Mayor



Questions?

Scott Stauffer

City Recorder

stauffers@milwaukieoregon.gov



From: [Lisa Batey](#)
To: [City Council](#); [Peter Passarelli](#); [Katie Gavares](#); [Michael Osborne](#)
Subject: for Council consideration: proposed letter to PUC on data centers
Date: Monday, December 1, 2025 10:40:36 PM
Attachments: [draft Council letter on UM 2377 PGE and data center 12-4-25.docx](#)

RS 9. B. 12/2/25
Report - Mayor Batey

OCR: Please include this email and the attachment in the packet for Tuesday's regular session. And please format the letter on letterhead.

All:

We'll be discussing our affordability goal during the work session, and relatedly, I intend to bring up the attached letter for Council consideration during Council reports at the end of the regular session.

Lisa M. Batey, Mayor (she/her)
City of Milwaukie
E-mail: bateyl@milwaukieoregon.gov
Message line: 503-786-7512

December 2, 2025

Oregon Public Utility Commission
201 High Street SE, Suite 100
Salem, OR 97301-3398

RE: Public Utility Commission Docket Number UM 2377

Dear Chair Tawney, Commissioners Perkins and Power:

We write to urge the Commission to adopt robust protections in UM 2377 to ensure that residents and small businesses are adequately protected from rate increases caused by the demands of new data centers and other large energy users. Everyday Oregonians should not be subsidizing the development of new data centers, especially given the sizable rate increases of recent years.

The electricity requirements of data centers present several risks for other ratepayers. Absent adequate protections for residential and small business customers, the costs associated with acquiring the vast resources needed to power new data centers are likely to be passed on to other customers. Additionally, the uncertain role artificial intelligence (AI) will play in the coming years creates a heightened risk of stranded assets, the costs of which should not fall on the backs of Oregon households and businesses.

The risk that data centers pose to electricity ratepayers has been the topic of many recent articles across the country. And a recent Oregonian article highlights how a new transmission line from Idaho, over two decades in the making, may not serve residential customers at all but instead be dedicated to a data center: <https://www.oregonlive.com/environment/2025/11/oregon-regulators-uphold-approval-for-controversial-transmission-line-that-may-serve-a-single-data-center-rather-than-the-public.html?gift=881a2a5d-6e09-4258-9801-a5b16c3a7fcf>

In June, the Oregon legislature passed the POWER Act, HB 3546, to prevent data centers from causing rate increases for Oregonians. We supported the POWER Act for its assurances that the data centers responsible for increased energy demand will be accountable for the costs associated with expanding the grid to meet these needs. The POWER Act entrusted the Commission with the ambitious task of instituting a broad suite of policies designed to protect customers from the risks of inequitable cost-shifting and stranded assets that data centers pose. These consumers protections should be the prime goal of UM 2377.

We also support policies that will require new data center facilities to contribute to energy efficiency beyond the levels currently required by law. Rate increases have and will continue to disproportionately impact low-income customers, further burdening already strained pocketbooks.

The policies at issue in this docket are complex and require a difficult balancing of customer needs. But failing to institute adequate protections jeopardizes the work the Commission has

done to make rates more affordable for vulnerable communities, the ability of small businesses to operate profitably, and the ability of utilities to pursue other obligations to provide more reliable, cleaner energy to their customers. We ask the Commission to recognize that the focus of this balance should be to minimize the risk that Oregon households and businesses end up paying for the unprecedented energy demand of data centers.

Sincerely,

Lisa M. Batey, Mayor

Will Anderson, Council President

Adam Khosroabadi, Councilor

Rebecca Stavenjord, Councilor

Robert Massey, Councilor

From: [Lisa Batey](#)
To: [City Council](#); [Peter Passarelli](#); [Katie Gavares](#)
Subject: 'The New Price of Eggs.' The Political Shocks of Data Centers and Electric Bills
Date: Tuesday, December 2, 2025 11:32:00 AM

OCR: Please include in the record with the letter I sent around late yesterday.

All, fyi, below.

Explore this gift article from The New York Times. You can read it for free without a subscription.

'The New Price of Eggs.' The Political Shocks of Data Centers and Electric Bills

Democrats zeroed in on utilities and affordability to win Republican support in upset elections in Georgia and Virginia. Can the same playbook work in 2026?

https://www.nytimes.com/2025/11/30/us/politics/data-centers-electric-bills-georgia.html?unlocked_article_code=1.5k8.McMF.AOKEA5ASNlcD&smid=em-share