



Proposed Tree Preservation and Mitigation Policies

Municipal and Land Use Code changes

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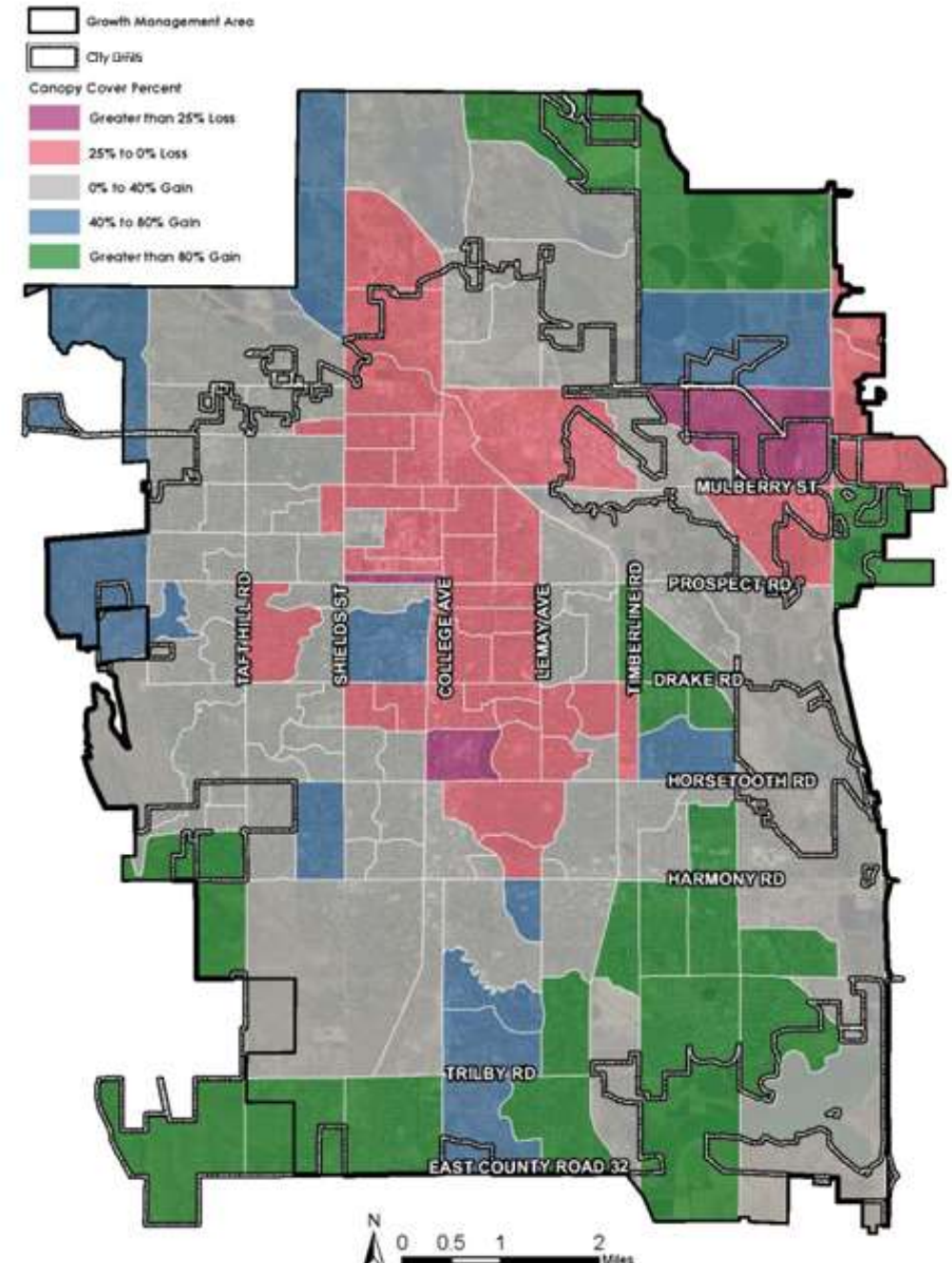
October 21, 2025

Does Council wish to adopt Nos 169 through 175, 2025 for the proposed Tree Policy Changes on First Reading?

Tree Mitigation Policy

- **Balance mitigation requirements (new tree plantings) with supporting new mixed-use and affordable housing development**
 - **Increase simplicity and predictability of policy requirements**
 - **Prioritize protection of larger trees**
- Canopy coverage is generally high within these areas (15% to greater than 25%)
 - Often, these are established trees that were a result of past development standards
 - Take many years to get same canopy coverage as large trees
 - Commercial and Institutional land use types have lost canopy

MAP 3. TREE CANOPY CHANGE BY U.S. CENSUS BLOCK GROUP, 2011-2021. TREE CANOPY LOSSES WERE HIGHEST IN THE DENSELY DEVELOPED URBAN CORE.



Council Priority

Council Priority No. 1: Operationalize City resources to build and preserve affordable housing

Council Priority No. 4: Pursue an integrated, intentional approach to economic health

Council Priority No. 8: Advance a 15-minute city by accelerating our shift to active modes

Goals

Balance mitigation requirements (new tree plantings) while supporting new mixed-use and affordable housing development

Increase simplicity and predictability of policy requirements

Prioritize and incentivize protection of larger trees while maintaining the current level of tree canopy coverage



Recommended Tree-Related Policies

	Recommendation	Policy subject to new or redevelopment?
1	Establish no-fee Commercial Tree Removal Permit – to help address removal of large trees outside the development review/construction process • Municipal and land use codes • For trees 15-inches and greater • Intervention or conversation prior to tree removal • Slow down or omit preemptive tree removal • No expected increase to staffing or resources needed	No

Current Policy	Proposed Policy
No Permit	Tree removal permit for established trees, post-development

Recommended Tree-Related Policies

	Recommendation	Policy subject to new or redevelopment?
2	Enhanced measures for tree protection during construction • Alignment with enforceable protection provisions, updated signage and fencing, etc. • Better support for large tree preservation through construction	Yes

Current Policy	Proposed Policy
Excavating, boring, storing, dumping, pruning and protective barrier guidelines	Updated best management practices
Fencing 6ft from trunk	Fencing at edge of canopy
No signage required	Tree protection signage, provided by City

Recommended Tree-Related Policies

	Recommendation	Policy subject to new or redevelopment?
3	3-year establishment period for Street Trees - Currently there is no set period, depends on tree health and staff's discretion as the SMEs - Current timeline is long and unpredictable	Yes

Current Policy

City takes over street trees “When all street trees are established and in good condition”

Proposed Policy

Predictable three-year timeline for when City takes over care for street trees

Recommended Tree-Related Policies

	Recommendation	Policy subject to new or redevelopment?
4	Expand exemptions for tree mitigation for undesirable species (Russian-olive, ash, Siberian elm and tree of heaven) under 11” • Effort to decrease unwanted species in the community and simplify exemption criteria • Could reduce costs for developments	Yes

Current Policy

Dead, dying or naturally fallen trees, threat to public health and safety

No mitigation for Siberian elm (11-inches), Russian-olive (9-inches) and ash (8-inches)

No mitigation for above species of wild/volunteer origin, sprouted along fence lines or other unsuitable locations

Proposed Policy

Adding in “poor condition” trees

No mitigation for Siberian elm, Russian-olive, ash and tree of heaven under 11-inches

Adding in tree of heaven (noxious species)

Recommended Tree-Related Policies

	Recommendation	Policy subject to new or redevelopment?
5	Update tree mitigation policies to better support goals - Aligns with current mitigation code process, yet more predictable - Encourage larger tree preservation - Additional mitigation reduction for affordable housing projects defined in LUC 5.2.1	Yes

Current Policy	Proposed Policy
Based on tree size, condition and condition for trees 6-inches and greater; each tree is assigned 1 to 6 replacement trees	6" - 14" = 1 tree 15"- 19" = 2 trees... 40" and larger = 20 trees
Off-site plantings or payment-in-lieu allowed if mitigation cannot be completed on site	Payment-in-lieu allowed if mitigation cannot be completed on site
No reduction	50% reduction of the mitigation value of tree saved, 75% reduction for Affordable Housing
No reduction	Allow PIL fee reduction for equal value of enhanced tree planting measures

Benefits

Simplification and predictability of code language

Prioritizes protection of larger trees

Incentivizes tree preservation with development:

- Reduction in mitigation requirements for trees saved
- Development projects that protect larger trees may have no mitigation for removal of smaller trees on site

Allows for enhanced tree planting measures instead of PIL

Attempts to balance mitigation requirements (new tree plantings) with supporting new mixed-use and affordable housing development

Tree Preservation and Mitigation Recommendations

Recommendation Number	Recommendation
1	Establish Commercial Tree Removal Permit – to help address removal of large trees outside the development review process
2	Enhanced measures for tree protection during construction
3	3-year establishment period for Street Trees
4	Expand the exemptions for tree mitigation to include Russian-olive, ash, and Siberian elm species under 11”, add tree of heaven
5	Update tree mitigation policies for commercial development: Tree Mitigation by size, with reductions for trees saved

Scenarios – Comparison with Current LUC

	Current Land Use Code	Change with Proposed Mitigation Changes	
Union on Elizabeth (H)	\$21,000 or 42 mitigation trees	\$20,000 or 40 mitigation trees	\$1,000 reduction
Kum&Go	\$20,000 or 40 mitigation trees	\$27,000 or 54 mitigation trees	\$7,000 increase
Prospect Sports Club	\$10,500 or 21 mitigation trees	\$0 or 0 mitigation trees	\$10,500 reduction
Worthington Storage	\$24,500 or 49 mitigation trees	\$3,500 or 7 mitigation trees	\$21,000 reduction
Village on Horsetooth (AH)	\$7,000 or 14 mitigation trees	\$8,750 or 18 mitigation trees	\$1,750 increase
Timberline Road	\$25,500 or 51 mitigation trees	\$29,500 or 59 mitigation trees	\$4,000 increase
Stodgy Brewing	\$28,250 or 57 mitigation trees	\$0 or 0 mitigation trees	\$28,250 reduction
The Grainary (Fairway) (H)	\$140,750 or 282 mitigation trees	\$189,000 or 378 mitigation trees	\$48,250 increase
Copperleaf (H)	\$10,750 or 22 mitigation trees	\$19,750 or 40 mitigation trees	\$9,000 increase
Tapestry (AH) – not built yet	\$4,500 or 9 mitigation trees	\$500 or 1 mitigation tree	\$4,000 reduction
Bird Whistle (AH)	\$2,250 or 4.5 mitigation trees	\$0 or 0 mitigation trees	\$2,250 reduction

(H) = Housing; (AH) = Affordable Housing

Note: The Grainary was a very uniquely forested site, previously a tree nursery.



Scenario Slides

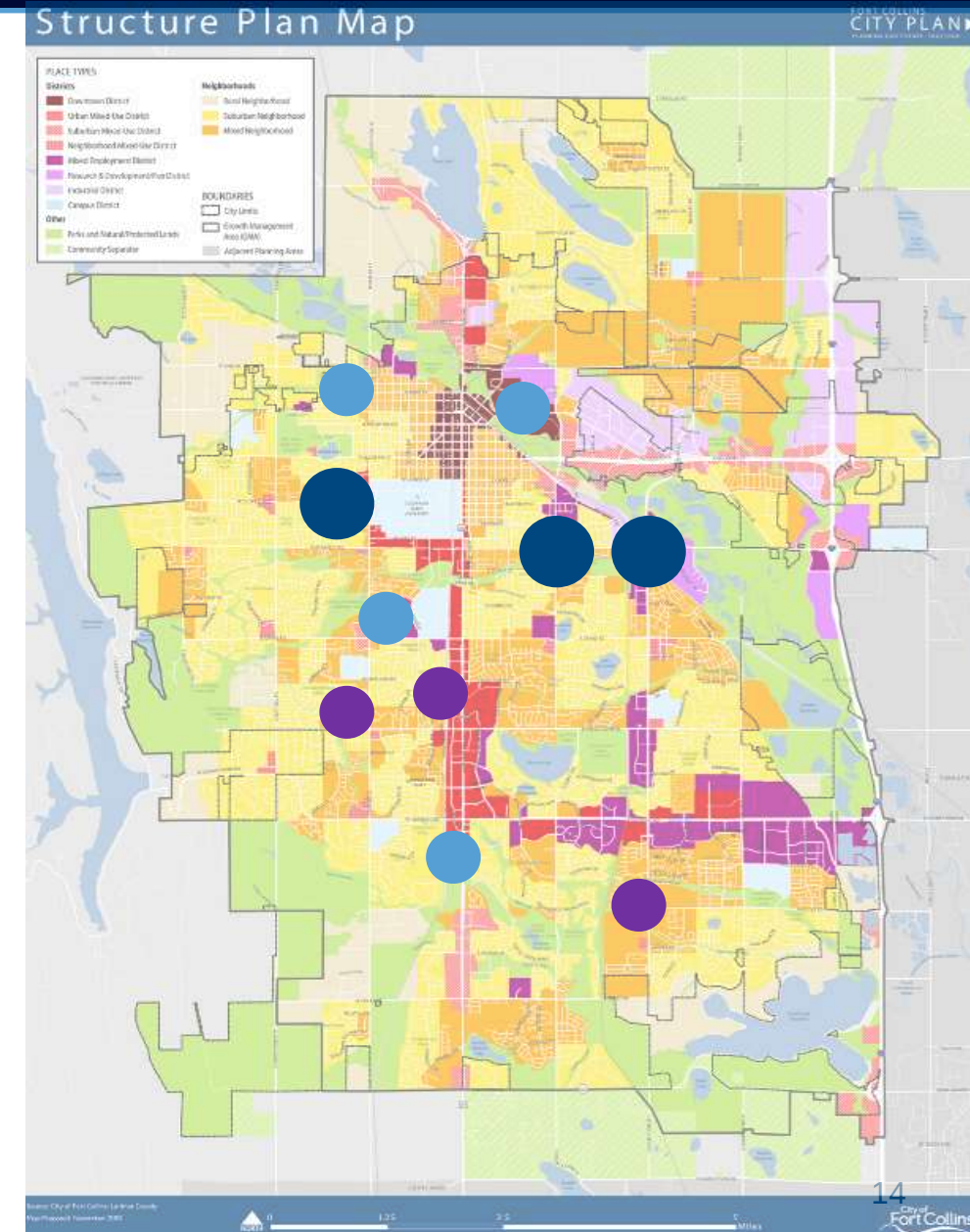
Recent Infill and Greenfield Projects

Illustrated Examples:

- **Union on Elizabeth**
- **Kum & Go at Prospect/Lemay**
- **Prospect Sports**
- Worthington Storage
- Village at Horsetooth
- Timberline Road Expansion

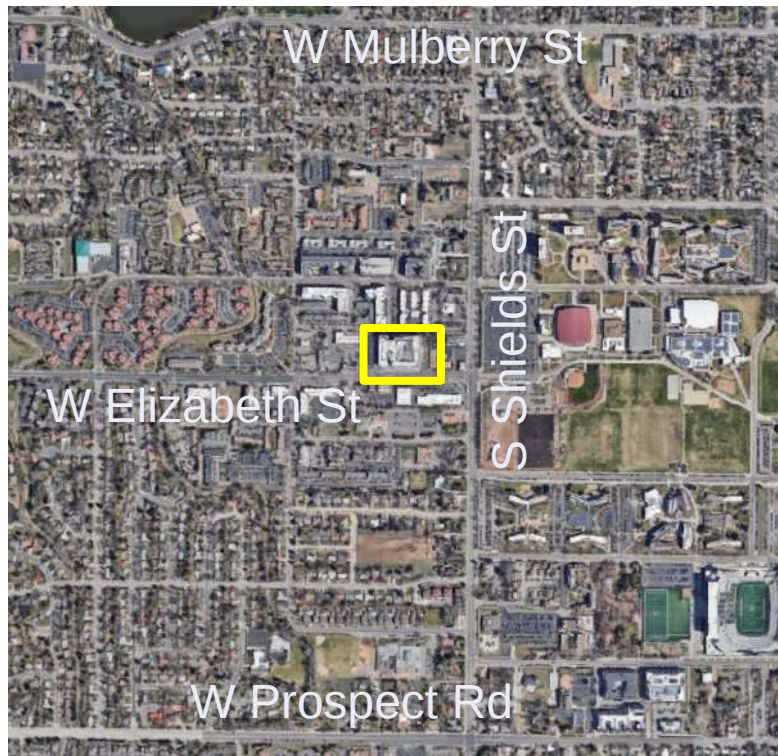
Others Analyzed:

- Stodgy Brewing
- The Grainary (Fairway)
- Copperleaf Subdivision
- Tapestry
- Bird Whistle



Union on Elizabeth

- Multi-family, 102 Units
- Infill Site, 2.3 acres

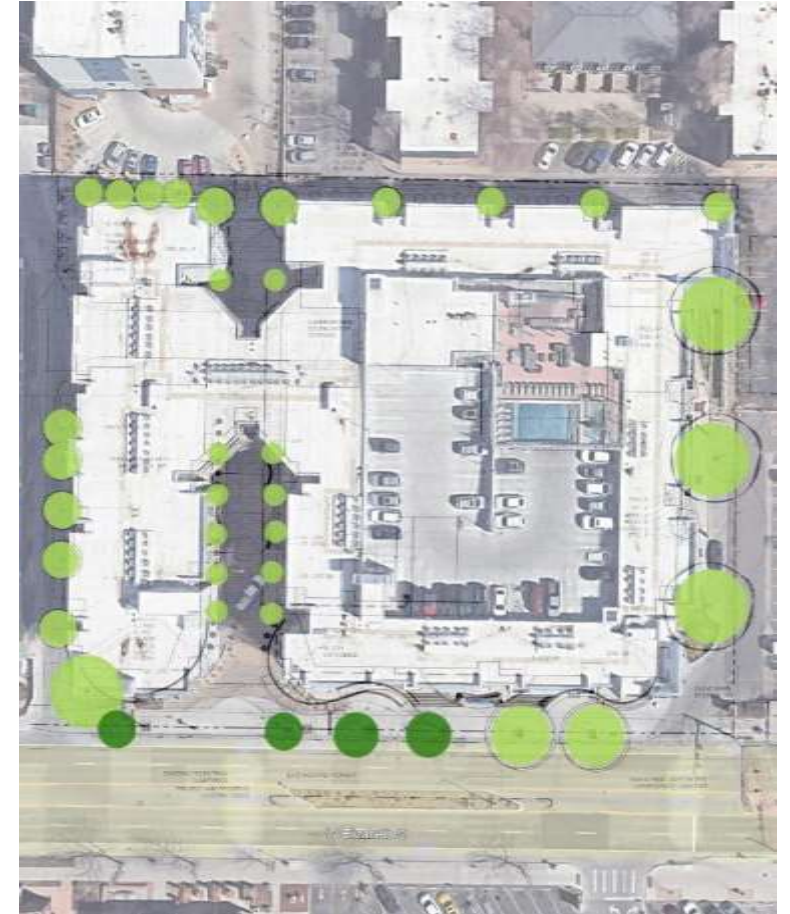




Site before development



26 trees removed, 4 protected



*Developed site - 55 new trees added
+ \$1,350 for off-site mitigation*

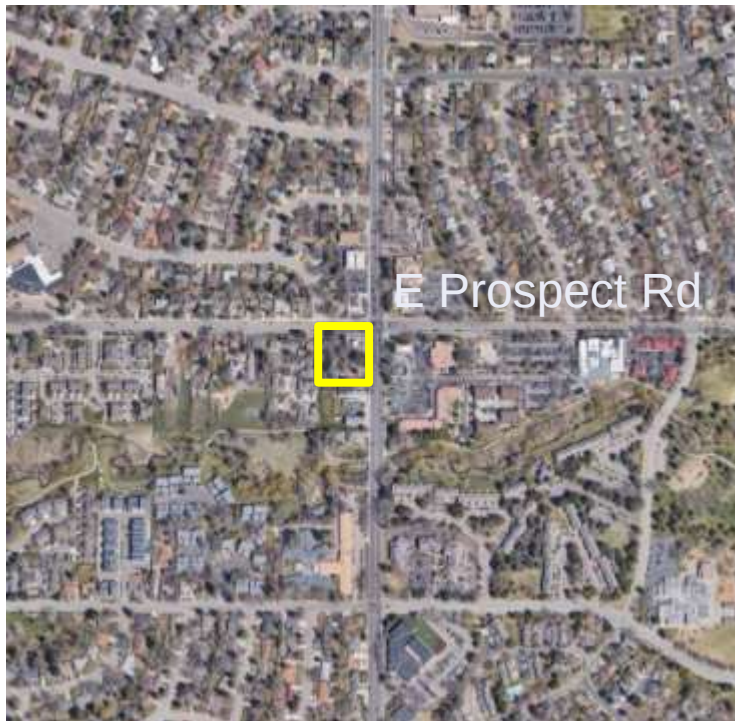
Mitigation Type	Value
Current Land Use Code	\$21,000 or 42 mitigation trees
Proposed Mitigation with 50% Reduction for Trees Saved	\$20,000 or 40 mitigation trees

Compared to current Land Use Code:

- 2 fewer mitigation trees required or
- \$1,000 decrease in payment-in-lieu fees/value

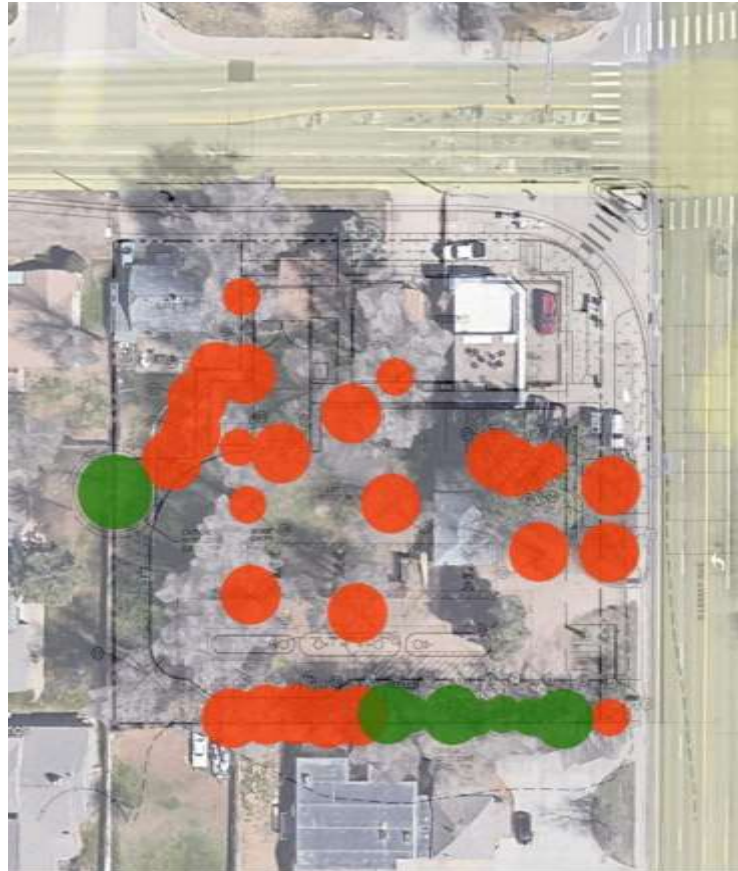
Kum & Go - Prospect

- Commercial/Mixed Use
- Infill Site, 1 acre





Site before development



29 trees removed, 8 protected



Developed site - 37 new trees approved

Mitigation Type	Value
Current Land Use Code	\$20,000 or 40 mitigation trees
Proposed Mitigation with 50% Reduction for Trees Saved	\$27,000 or 54 mitigation trees

Compared to current Land Use Code:

- 14 additional mitigation trees required or
- \$7,000 increase in payment-in-lieu fees/value or

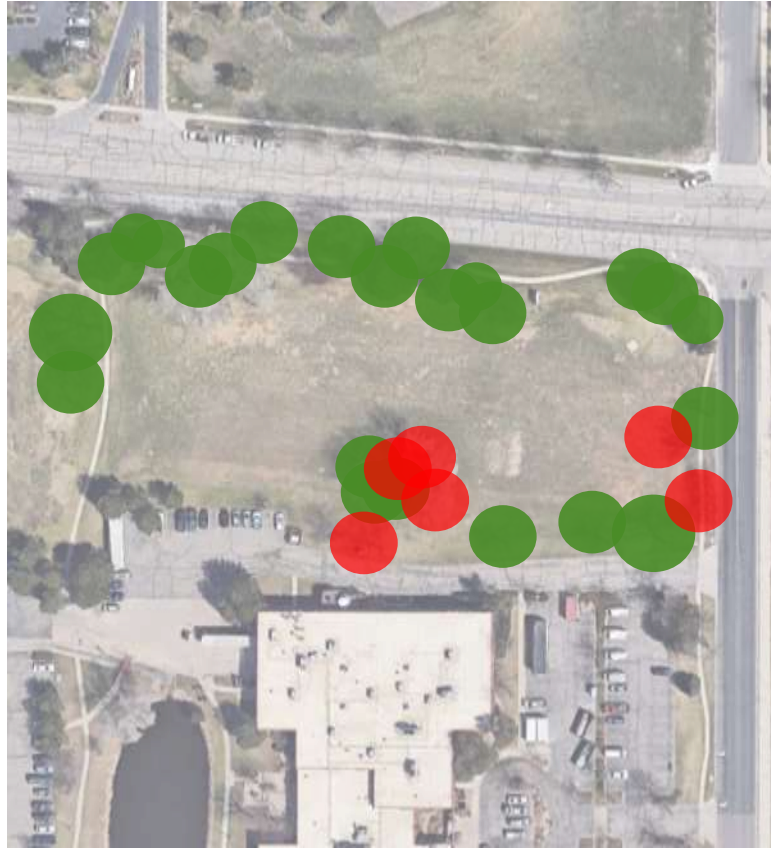
Prospect Sports Club

- Commercial/Recreation
- Infill Site, 2.5 acres





Site before development



9 trees removed, 40 protected



Developed site - 23 new trees added

Mitigation Type	Value
Current Land Use Code	\$10,500 or 21 mitigation trees
Proposed Mitigation with 50% Reduction for Trees Saved	\$0 or 0 mitigation trees

Compared to current Land Use Code:

- 67 fewer mitigation trees required or
- \$33,500 decrease in payment-in-lieu value and 0 mitigation required

Due to significant number of trees protected

Worthington Storage

- Commercial/Mixed Use
- Infill Site, 2 acres



Worthington Storage



Site before development



35 trees removed, 17 protected



*Developed site - 45 new trees added
+ \$900 for off-site mitigation*

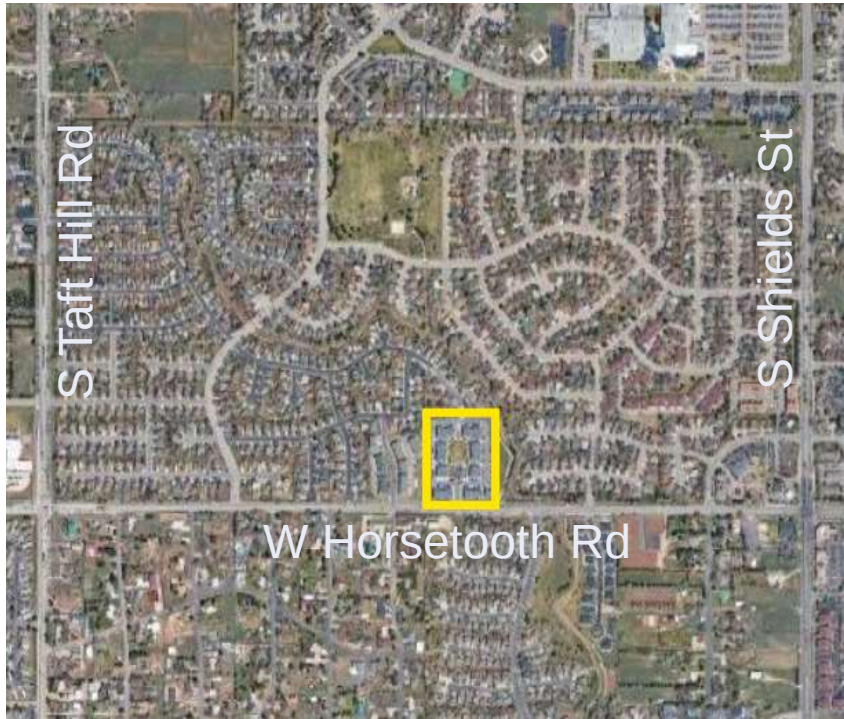
Mitigation Type	Value
Current Land Use Code	\$24,250 or 49 mitigation trees
Proposed Mitigation with 50% Reduction for Trees Saved	\$3,500 or 7 mitigation trees

Compared to current Land Use Code:

- 42 fewer mitigation trees required or
- \$20,750 decrease in payment-in-lieu fees/value

Village on Horsetooth Apartments

- Multi-family, 96 units
- Infill Site, 8 acres



Village on Horsetooth Apartments



Site before development



31 trees removed, 26 protected



Developed site - 89 new trees added

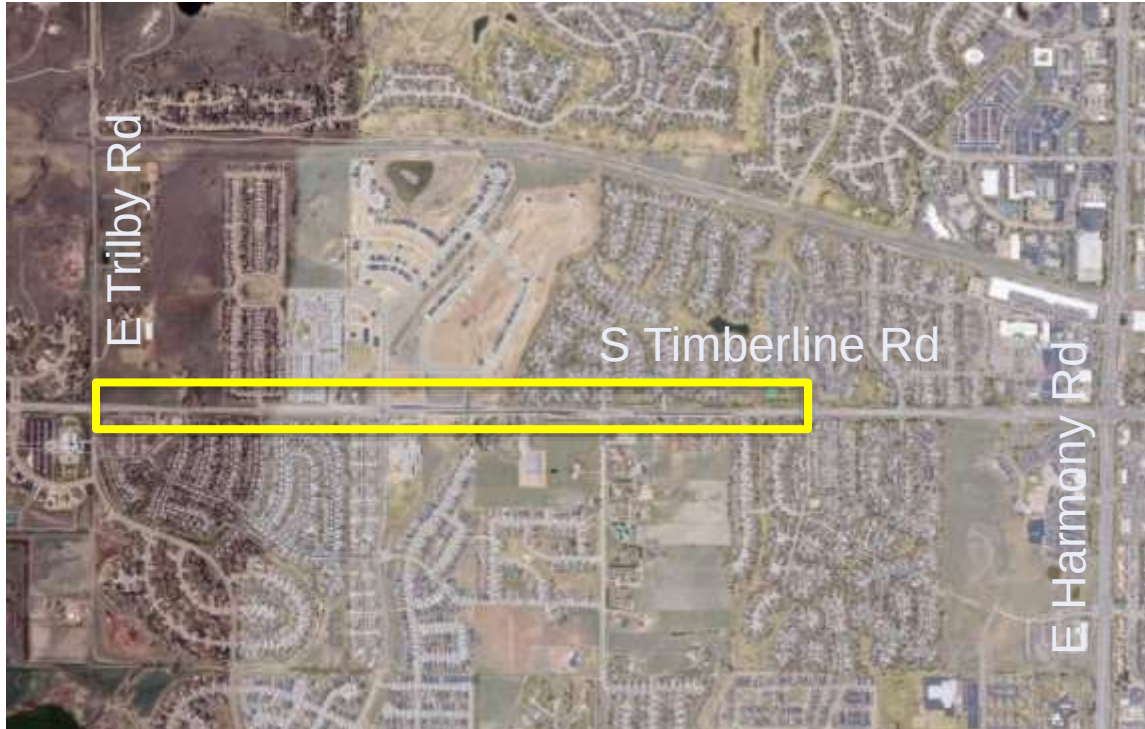
Mitigation Type	Value
Current Land Use Code	\$7,000 or 14 mitigation trees
Proposed Mitigation with 50% Reduction for Trees Saved	\$8,750 or 18 mitigation trees

Compared to current Land Use Code:

- 4 add'l mitigation trees required or
- \$1,750 increase in payment-in-lieu fees/value

Timberline Road Widening

- Capital Project
- Infill/Greenfield Site



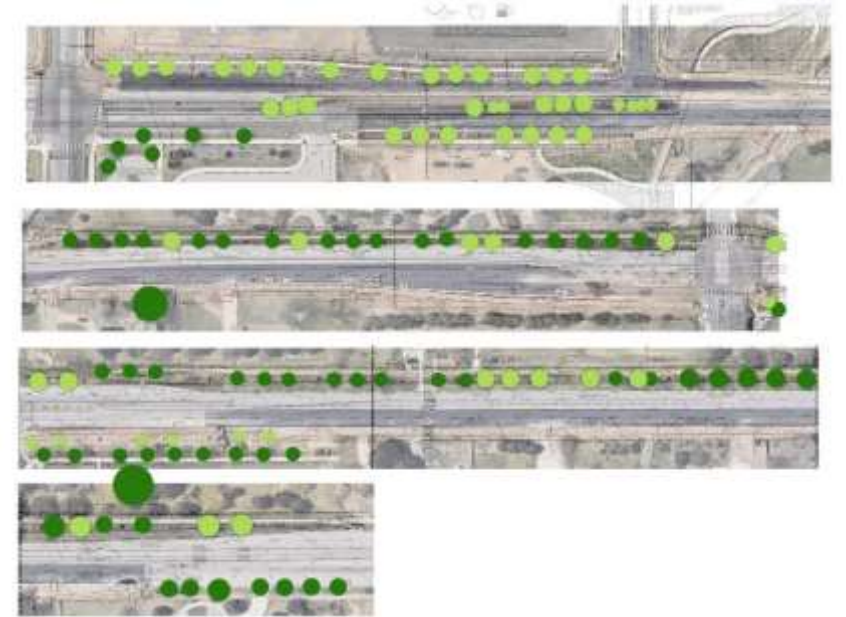
Timberline Road Widening



Site before road widening



57 trees removed, 198 protected



After widening - 58 new trees planted

Mitigation Type	Value
Current Land Use Code	\$25,500 or 51 mitigation trees
Proposed Mitigation with 50% Reduction for Trees Saved	\$29,500 or 59 mitigation trees

Compared to current Land Use Code:

- 8 additional mitigation trees required or
- \$4,000 increase in payment-in-lieu fees/value

Does Council wish to adopt Ordinances Nos 169 through 175, 2025 for the proposed Tree Policy Changes on First Reading?