



3/17/2017

Sean Williams, Land Use Services

RE: Tree Violation Review, 2838 SE 20th Avenue, LU 17-120596 TV

Dear Sean,

The Hosford-Abernethy Neighborhood Development Association (HAND) would like to ask you to do all that is in your power to preserve the English Walnut tree at 2838 SE 20th Avenue. The lot it sits on was recently divided, and as a condition of partition, planners required that the tree be preserved. A house is currently being built on one of the lots, and a protective fence was erected around the tree to protect it from damage.

On at least on occasion, the builder illegally removed the fencing, and used heavy equipment to compact and level the soil in the tree root zone, a process that severed at least one major root, and may have severely harmed the tree. The full extent of the damage may become apparent later this spring when the tree buds out.

Our highest priority is the preservation of the tree. We would also ask that when reviewing the violation, you consider both the deliberate nature of the act and the high value of the tree to the arboreal canopy in the neighborhood. We also ask you to consider how your resolution of this case will affect this developer in the future. Two houses are being built on the divided lot, each being offered for \$899,000. A small fine or symbolic punishment is unlikely to deter the developer from committing similar acts on future projects.

This case also illustrates one of the weaknesses in the city's tree code: A developer can intentionally damage or kill an important tree, after being required to preserve it, and face no serious consequences. The \$300/inch fee you can assess against the developer is a pittance compared to the value of the project, and offers no real deterrent for a commercial developer.

As the city continues to add density, maintaining a vibrant tree canopy will be more important than ever. Our policies must have sufficient teeth to deter bad actors from concluding it is in their economic interest to damage what is an effect an important community resource.

Thank you,

Chris Eykamp
Vice Chair, HAND

CC Paul Scarlett, Chloe Eudaly