

Published February 3rd, 2010

## Orinda Can See the Forest for the Trees

By Andrea A. Firth



Allan Prager at the site where storyposts point to the planned construction Photo Andy Scheck

Allan Prager and his wife Kit have lived in Orinda for over 30 years, the past 23 years in the Sleepy Hollow neighborhood. With their children grown and living independently, Prager and his wife found themselves rattling around in their family home and planned to build a new house on the adjacent, heavily wooded lot that better suited their empty-nest lifestyle. But the Pragers soon found that the beautiful trees on their lot, mostly Coastal Live Oaks, Black Oaks, Valley Oaks, and some Bay presented a significant obstacle to their plans for a new home—not the removal of trees, but the replacement.

Per the arborist's report that was required by Orinda's Planning Department, the footprint of the Pragers' new house and driveway will necessitate the removal of 21 trees. Orinda's current tree replacement ordinance will require the Pragers to plant 106 new trees on the same lot. It was clear to Prager that there was not room for 106 more trees on his steeply sloped lot. "Basically this made no sense," says Prager. While paying an in lieu fee was an alternative to planting, at \$250 per required replacement tree, Prager was faced with paying the City over \$25,000.

Prager supports the goal of Orinda's tree replacement ordinance to retain the wooded scenery that defines the City's semi-rural landscape, but found the replacement ratio was impractical. The current guideline for tree replacement requires two trees to be planted for every 6 inches of aggregate diameter of the trees to be removed (at 4.5 feet high). Prager counted 87 trees on his lot that met these criteria. And, the rigid ordinance required him to replace a tree even though it was dead.

Prager, a pragmatist, knew that the idiosyncrasy of the tree ordinance was probably not unique to Orinda. He did some research and found that while Moraga has strong ordinances to protect trees, there is no replacement requirement, and Lafayette's tree replacement ordinance is quite similar. About the same time that Prager was wrestling with the tree ordinance, the City's Planning Process Review Task Force (PPRTF) had formed and was at work reviewing and revising Orinda's development guidelines. Prager attended a few PPRTF meetings, explained his problem, and found the Task Force members receptive.

Prager then pulled together a team that included Terry Camp, a landscape architect from Lafayette, an environmental consultant, and three consulting arborists to create a set of recommendations that would provide a sensible approach with greater flexibility to tree replacement. Prager submitted his team's recommendations to the PPRTF, and while the Task Force took a different approach to revising the tree replacement ordinance, Prager was pleased that the aim and outcome were similar.

"It's logical and streamlined," says Prager of the revised tree replacement guidelines. He is still faced with planting 51 replacement trees, but 17 of the trees can be shrubs, and any or all of the trees and shrubs can be planted on an alternate property from his own. Although his own building project has been delayed almost two years, Prager was pleased to see the local government work and to be part of the process.

See sidebar for a summary of the tree replacement recommendations. Planning Director Emmanuel Ursu anticipates the Council will vote on the adoption of a new tree replacement ordinance in April.

### Tree Replacement Guidelines Summary

[as recommended by City Council on 1/19/10]

- Require one replacement tree for every 6-inches of the aggregate diameter of trees to be removed (instead of two).
- Reduce in lieu fee to \$125 (down from \$250).
- Allow shrubs (with mature height > five feet) as 1/3 of replacement trees.
- Allow replacement trees and shrubs to be planted on any property in Orinda with owner approval.
- Allow applicants to seek exception to the replacement requirement.

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