



CITY OF PORTLAND, OREGON - PORTLAND TREES

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Tree Code Oversight Advisory Committee Recommendations Report



February 2016

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I. Executive Summary

This report summarizes the activities and findings of the Tree Code Oversight Advisory Committee (Committee), formed in December 2014 by Commissioner Amanda Fritz to oversee the first year of implementation of Title 11, Trees, which went into effect on January 1, 2015. The committee met in public session 14 times between December 2014 and December 2015.

The membership of the committee originally included 12 people with a range of backgrounds and interests, including members of the Urban Forestry Commission, the Development Review Advisory Committee, neighborhood representatives, and members-at-large. In November 2015, four members representing development interests resigned, leaving eight members for the final three meetings. The recommendations in this report primarily reflect the views of the eight final members, but attempts to incorporate the concerns and issues identified by the entire committee over the 12 months it met.

This report includes general findings on the tree code and its implementation, a summary of specific actions taken by the Committee, as well as additional recommendations for future projects and general principles that should be considered as implementation continues. These recommendations are in Section IV starting on page 3.

In summary, the Committee found that implementation of the code as adopted has mostly been a success: positions were funded, questions are being answered and permits are being reviewed and inspected. There are notable improvements in customer service and clarity about tree regulations that apply in a given situation.

However, it is perceived that urban canopy goals are not being met and community sentiment indicates that there is a significant gap between community expectations for the new code and the actual requirements of the code. This is particularly true with regards to the preservation of existing mature trees. The original intention for Title 11 was to balance the need for growth and tree preservation. However, the code was developed during a recession when very little development was occurring. Members said the code favors development interests over trees, has failed in too many instances to preserve trees that could be preserved with new development, and needs to be recalibrated to provide a better balance.

The Committee recognizes that tree preservation in a growing city is a challenge. Trees will be an essential component to maintaining livable neighborhoods as they become denser through infill development. In this way, trees are critical to making the development outcomes outlined in the Comprehensive Plan successful.

To this end, it is recommended that components of the code be revisited. The Committee's recommendations prioritize the actual preservation of trees, rather than mitigation for tree removal. Where removal is necessary and allowed, mitigation that more closely mirrors the social, environmental and economic loss of the trees is recommended. Exemptions should also be revisited, with the intention of having more properties contribute to the City's canopy goals. In addition, process improvements should be sought to find better ways to incorporate existing and new trees into the public right-of-way.

The Committee recognizes that the adoption of Title 11 was a big step forward in acknowledging the value of urban trees in Portland. It is very important that the City Council continue its commitment to the urban forest by providing leadership and the necessary funding for code amendments, continued monitoring, and implementation improvements to realize the outcomes envisioned by the Citywide Tree Project.

II. Process Overview

Committee Purpose

Commissioner Amanda Fritz formed the Tree Code Oversight Advisory Committee in December 2014 in anticipation of questions and policy issues related to the implementation of the substantially updated City code. The goal was to ensure ongoing public involvement during the initial implementation phase.

The Committee was asked to:

- Provide community oversight, monitoring and review of tree code project implementation
- Assess and provide feedback on what is and is not working related to project implementation, potentially leading to recommendations for code and/or administrative rules refinement
- Provide Commissioner Fritz, Development Services (BDS) and Parks (PP&R) staff with input and recommendations during the outreach, education and implementation, and monitoring phases of the tree project
- Work with the Urban Forestry Commission to guide outreach

Membership

Stakeholders from the building industry, Design Review Advisory Committee, Urban Forestry Commission, neighborhood associations and coalitions, conservation groups, traditionally underrepresented communities and the city at large were recruited as members via Commissioner Fritz's website and direct outreach to various stakeholder groups.

Commissioner Fritz appointed a group of 12 individuals with diverse backgrounds and experiences, but most importantly, the majority of Committee members were familiar with local government regulations and the systems necessary to implement them. Committee members expressed personal and professional commitment to the task of regulating trees and to provide useful input to meet the identified objectives.

The full Committee met from December 2014 to October 2015. In November 2015, a disagreement with a draft proposal led four members of the building and construction industry to resign their positions before the November meeting and before the Committee discussed the specific proposal. The remaining eight members met three additional times to complete the work of the Committee. Many of the recommendations included in this report were finalized after the resignations from this stakeholder group.

Charter

Committee meetings were governed by operating protocols approved by the Committee. The protocols included the Committee's purpose and established a decision-making process for final recommendations. The agreed-upon decision process required a simple majority when a quorum of two-thirds of the members were present. The charter also established that two co-chairs would be elected to moderate the meetings. Arlene Kimura, representing Hazelwood Neighborhood Association, and Susan Steward, representing Building Owners and Managers Association, were selected by the members. The co-chairs traded responsibilities for leading the meetings, until the last four meetings, which were led by Arlene Kimura.

Definition of Success

Understanding that implementation of the Tree Code would continue on past the Committee's tenure, the Committee adopted a forward-looking definition of success to guide its work.

Success of the code:

- The code is implemented as envisioned and intended.
- People understand the purpose and value of having a tree code.
- On-the-ground implementation occurs transparently, consistently and fairly.
- Residents, businesses and developers are able and willing to comply with the code in the short and long term.
- Early implementation of the tree code contributes to meeting canopy targets as described in the 2007 Urban Forest Action Plan.

Success of the Committee's work and process:

- Discussions during Committee meetings are professional and balanced.
- The Committee provides City staff with useful advice that contributes to success of the code.
- The Committee is able to complete its deliverables as stated in the protocols.

Success of the education and outreach effort:

- Portlanders are aware of the updated tree regulations and where to obtain more information.
- Portlanders understand the value of the urban forest to quality of life.

Committee Meetings

The Committee met 14 times from December 2014 through December 2015. Meetings were generally held for 2 hours each month at city offices on weekday mornings. Each meeting was noticed to the public on the Portland Trees webpage (<https://www.portlandoregon.gov/trees/66873>). At each meeting, 10 minutes of public comment was reserved at the beginning for the Committee to hear directly from people who had concerns with code implementation and suggestions for improvement.

All Committee materials and meeting summaries are posted to the webpage.



III. Work Plan

Over the course of the 13-month process, Commissioner Fritz, City staff and Committee members identified 25 Tree Code policy questions and implementation issues requiring discussion. Each item was placed in a work plan and prioritized for consideration by the Committee. In some cases, specific tree removal proposals in 2015 led to the addition of new items to the workplan. Each of the issues identified was placed in one of four categories:

1. Code intent and purpose (Why do we have a tree code? What are its goals?)

2. Implementation protocols and deliverables (What processes or staff have been put in place to accomplish the Tree Project objectives? What are the adopted or needed policies that standardize decision-making?)
3. Code fixes and clarifications (Where is the Tree Code silent, unclear or inconsistent?)
4. Resources, staffing and budget (Are these sufficient to achieve project goals?)

The Committee also spent time becoming familiar with the tree code regulations and programmatic systems of various bureaus. They were also informed about current legislative projects that may impact tree issues.

The Committee considered and closed 12 workplan items. Many items remain open. The Committee either lacked sufficient information or time to fully consider those items. In five cases, the Committee recommends that a new or ongoing public process should consider and resolve the issue. Eight items are recommended to be analyzed by staff to determine the next step in terms of process or code improvements to address the issue.

The full work plan can be found in the appendix. Each outstanding item contains an early recommendation for next steps to resolve the issue.

IV. Findings and Recommendations

A. General Committee Finding

The Committee found that implementation of the Tree Code, as written, has mostly been a success when viewed against the definition adopted by the Committee:

Success of the code:

- *The code is implemented as envisioned and intended.*
- *People understand the purpose and value of having a tree code.*
- *On-the-ground implementation occurs transparently, consistently and fairly.*
- *Residents, businesses and developers are able and willing to comply with the code in the short and long term.*
- *Early implementation of the tree code contributes to meeting canopy targets as described in the 2007 Urban Forest Action Plan.*

Positions were funded, questions are being answered and permits are being reviewed and inspected. There are notable improvements in customer service and clarity about tree regulations that apply in a given situation.

However, it is perceived that urban canopy goals are not being met and community sentiment indicates that there is a significant gap between community expectations for the new code and the actual requirements of the code. This is particularly true with regards to the preservation of existing mature trees. The original intention for Title 11 was to balance the need for growth and tree preservation. However, the code was developed during a recession when very little development was occurring. With a rebound in the economy, members indicated that the balance has shifted too far to favor development at the cost of the urban canopy.

The Committee recognizes that tree preservation in a growing city is a challenge. Trees will be an essential component to maintaining livable neighborhoods as they become denser through infill development. In this way, trees are critical to making the development outcomes outlined in the new

Comprehensive Plan successful. To this end, the Committee recommends the importance of trees be elevated in all relevant City projects, as well as specific code amendments to provide a better balance between the City's tree canopy and development goals.

The original charge of the Committee was to provide oversight and advice to Commissioner Fritz's office and bureau staff on issues encountered during the first year of implementation. Much of the work of the Committee was focused on two main topic areas: 1) the administrative rule developed to govern City Forester discretion over mitigation requirements; and 2) appropriate policy and regulations regarding the preservation of large trees and the fee in lieu of preservation. Recommendations on these and other topics are provided below.

B. Specific Committee Actions

Specific actions taken by the Committee are described below. Final recommendations on key actions are also attached in Appendix B.

1. Waiver Policy

Title 11 establishes procedures for waiving enforcement or tree replacement requirements due to "undue hardship" (11.70.150). The code provides for a written policy to be put in place. Based on information provided by staff, the Committee concurred with applying waiver criteria modeled after the Portland Water Bureau's approach to hardship waivers. Details of the recommended waiver policy included: 1) It applies to tree removal on private property or in the adjacent right-of-way in non-development situations; 2) It applies to owner-occupied properties; and 3) Income eligibility is below 60 percent of Oregon median income for the household size.

2. Code Definitions

Title 11 lacks definitions for "building" and "attached structure." This is important because removal of trees on private property is automatically allowed through a Type A permit if the tree is located within 10 feet of a building or attached structure. Tree inspectors found that some applicants were relocating structures (such as a shed) and then requesting a tree removal permit. In this discussion the Committee indicated that the allowance should apply to permanent structures that could be damaged by a tree (such as a house or garage), as opposed to temporary structures that can be moved (such as a shed or chicken coop). The Committee recommended definitions that were forwarded to the Planning and Sustainability (BPS) to be included in the RICAP 8 code amendment package, which is scheduled to go to City Council in June 2016.

3. Outreach and Education

The Committee members provided input on the outreach plan during its development. A consultant, EnviroIssues, was engaged to guide the initial Tree Code outreach efforts. Most Committee members provided ideas on outreach tactics through interviews with the consultant members before the first meeting. An initial plan was drafted in early 2015 and presented to the Committee members for input. The plan includes goals, audiences, a tag line ("Call before you cut"), specific tools for outreach and a general schedule. The members prioritized potential tools, which informed a revision of the plan for implementation in mid- and late 2015. In addition, the Committee voted on a design for a refrigerator magnet "give-away" that publicizes the tag line.

4. Administrative Rule: Replanting Requirements for Tree Removal on Private Property, City-Owned and Managed Sites and Public Rights-of-Way

On April 20, 2015, an Interim Administrative Rule went into effect that addressed provisions in Chapter 11.40 and 11.50, primarily related to the amount of mitigation required when the code leaves that determination up to City Forester discretion. The interim rule applied to all tree removal in non-development situations and to development situations on city owned or managed sites and in rights-of-way. The Committee reviewed the Interim Rule and provided comments and recommendations to staff and Commissioners Fritz and Saltzman for consideration in a memo dated August 12, 2015. Committee comments on the Interim Rule are summarized below:

- **Public process was lacking for adoption and implementation of the Interim Rule.** Neither this Committee nor the Urban Forestry Commission was consulted about the content of the Interim Rule before it went into effect. Future processes for interim rules should use a more robust public notification and outreach process prior to implementation.
- **Tree Project goals are missing from Interim Rule.** Add the broader goal: “To enhance the quality of the urban forest and optimize the benefits that trees provide.”
- **City Forester discretion has been unnecessarily reduced.** Title 11 gives significant discretion to the City Forester to use professional expertise to determine appropriate replacement quantities when trees are removed in order to make progress toward meeting Title 11 and urban canopy goals. The Interim Rule goes too far in its attempt to define how this discretion is applied. A graduated replacement schedule should be considered to establish replanting requirements. In addition, a combination of factors should be identified and used when determining replanting levels to build in accountability, transparency and consistency and ensure equal treatment of all applicants.
- **City bureaus must be held to a high standard.** The City should set a high bar for its projects, serve as an example to its residents and businesses, and contribute to improving the urban canopy. City bureaus should be required to plant and retain more trees than the 2-for-1 replacement proposed on the sites they manage.
- **Opportunities to use tree credits should be retained.** The Committee recommends that the tree credit policy that was in effect prior to the adoption of the Interim Administrative Rule be reinstituted and applied as part of discretion practiced by the City Forester.
- **Equity needed between Type A and Type B permits.** Use the same standard between the two permit types and rely on City Forester discretion when evaluating unique situations.

The Permanent Rule was filed on October 19, 2015.

5. “Stop-gap” Code Amendments

In November 2015 Commissioner Amanda Fritz asked the Committee to review and provide comment on a proposal for an immediate code amendment to address the loss of especially large trees in development situations. In summary, the proposal called for inch-for-inch mitigation for trees 48 inches in diameter at breast height and larger and a 7-day public courtesy notice. The proposal was opposed by members of the Committee who represented development interests and led to resignations of four members before it could be discussed. The remaining Committee members were supportive of a “stop-gap” measure to address the issue, but had several recommendations for changes that were outlined in a memo dated November 30, 2015, which are summarized below:

- **Decrease the threshold for inch-for-inch mitigation to 35 inches DBH.** Data from August 2015 shows that by decreasing the threshold, about 7 percent of trees removed in development situations would be subject to inch for inch mitigation requirement. With a 48-inch threshold, less than 3 percent would be affected.
- **Increase the notification timeframe to 30 days and include email to neighborhood association.** The Committee supports the addition of a neighborhood notification requirement prior to large tree removal. However, additional time is needed to allow time for questions and potentially work with the permit applicant to identify alternatives to tree removal. An email notice to the neighborhood association would also help facilitate discussion.
- **Relook at the idea of prohibiting the removal of large trees.** As an alternative to a moratorium which had been discussed to address this issue, the Committee requests that the City Attorney evaluate whether prohibitions of large tree removal can be considered when such action would not result in all economic viability of a property being removed.
- **Add a sunset clause.** The Committee recommends a sunset clause be added to the proposal so it is clear it would only apply until larger Title 11 reforms are adopted.

6. Preserving Large Trees in Development Situations

In June 2015 Commissioner Amanda Fritz asked the Tree Code Oversight Advisory Committee to consider means by which the rate of removal of very large, healthy trees in development situations could be reduced. The current tree preservation requirement is to preserve at least one-third of the trees 12 inches and larger in diameter on private property. For trees removed beyond the two-thirds allowance for tree removal, a fee in lieu of preservation is required (see discussion under Item #6 below). Concerns were raised that all trees are treated the same, whether it is a 12 inch tree or an 80 inch tree, providing no incentive for large trees to be retained.



Over five months, the Committee developed specific recommendations, which are outlined in a memo dated December 14, 2015 and are summarized below:

- **Consider adding a new tree size threshold for very large trees, with additional standards and discretionary land use review requirements.** The current prescriptive tree preservation standard should be retained for smaller trees. However, additional requirements should apply for the removal of very large trees. A discretionary review is recommended that would allow for the consideration of overall site design and possible changes to the proposal to incorporate existing trees. A threshold of 35 inches diameter at breast height (DBH) was suggested to trigger this review.

- **Explore options to change the standard to encourage preservation of large trees.** The current standard provides no incentive to preserve larger trees over smaller trees. Changing the standard so it is based on the total diameter of tree inches retained in addition to one-third of trees would encourage the preservation of larger trees.
- **Explore options to add flexibility in the zoning code to make it easier to preserve trees.** The Citywide Tree Project included several “flexible development standards” that are available to projects that preserve trees. The Committee is supportive of providing additional flexibility, particularly for preservation of trees over a certain threshold (20 inches was suggested). Support was expressed for reduced setbacks, waiving parking requirements in single-dwelling zones, and allowing parking and required outdoor area in the front setback. It was recommended that this issue be considered as part of the Bureau of Planning and Sustainability’s Residential Infill Project that is currently underway.

7. Fee in Lieu of Preservation

The current fee in lieu of preservation is \$1,200 per tree removed beyond the two-thirds of trees allowed to be removed from a site. This is based on the City’s labor and supplies costs in 2009 to plant and maintain two 2-inch trees for two years (11.50.040.C). The question as to whether the fee in lieu of preservation is set at an appropriate level was raised by Committee members, as well as the public. Specific recommendations are outlined in a memo dated December 14, 2015 and are summarized below:

- **Update fee schedule to reflect the current cost of tree planting and maintenance.** Recent estimates prepared by PP&R suggest that the current fee is significantly lower than the actual cost to the City. The majority of the Committee agreed that the fee should be updated to reflect the true cost to the City to plant and maintain trees.
- **Implement a graduated fee schedule based on the size of trees removed now, with a shift to true mitigation cost long-term.** The current fee in lieu of preservation requires the same fee be paid regardless of the size of the tree removed. In the short-term, the majority of Committee members support a graduated fee schedule that would require a higher fee when larger trees are removed. This would allow for planting and establishment care of more replacement trees, providing a better correlation to the loss of canopy from removal of larger trees, as well as a disincentive for tree removal. Long-term, the Committee recommends that the City develop a method to calculate the true value of trees based on their environmental, social and economic benefits and apply this method when calculating fees in lieu of preservation.

C. Additional Recommendations

The following additional recommendations include general principles that should be considered as implementation continues and code changes are considered, as well as requests for specific projects to improve tree outcomes.

1. Council Leadership and Funding. In order for the recommendations in this report to be carried out, it is necessary for the City Council to continue its commitment to a healthy and expanding urban forest. This commitment must be expressed by making trees a priority in City Council decision-making processes and by providing the necessary funding to make needed code refinements and implementation improvements.

2. Title 11 Code Review and Amendments. The Committee recommends that a comprehensive review of Title 11 be completed and an amendment package be brought forward to bring the code in line with community expectations and to institute changes that will facilitate meeting tree canopy targets in under-performing areas. Priorities include:

- Tree preservation requirements for large trees and the fee in lieu of preservation (see discussion under B.5 and 6 for detailed recommendations).
- Evaluation of tree preservation triggers and exemptions, particularly exemptions for lots less than 5,000 square feet and commercial, industrial and employment zones. In the latter case, the Committee understands that the City's new Economic Opportunities Analysis found that City of Portland has a surplus of commercial land. Therefore, there is no longer a justification for exempting some commercial zones from Title 11.

3. Public Process on Trees in the Right-of-Way.

The 2007 Report *Portland's Urban Forest Canopy* indicates that the canopy cover in public rights-of-way is less than one-half the target. As the City becomes denser, the rights-of-way will become increasingly important as a place for trees. A unified inter-bureau planning effort is needed to develop strategies to meet the canopy targets by retaining and planting trees in and near the right-of-way. This should include space needs for planting large canopy trees, processes for developing and approving alternative sidewalk and street designs that retain trees, and the impact of green street facilities on trees.



4. Coordination with Other City Policies, Projects and Codes. The City's success in meeting its tree canopy goals are highly dependent on coordination with other policies, projects and codes. The importance of trees must be elevated at all levels of City government. City bureaus and staff should be charged with working together to find creative solutions to meet tree goals. The Comprehensive Plan Update includes urban forest policies; however it is critical that these policies be carried forward in implementation projects. It is especially important that Title 11 be reviewed with the current mixed use zones and residential infill projects, which could expand development allowances within the City. Any new development allowances must go hand-in-hand with reform of Title 11's development code to ensure trees are adequately considered. Projects aimed at achieving an equitable distribution of urban tree canopy within the City should also be advanced.

5. Consistency in Regulations. In making recommendations about implementation, the Committee found that the different tree situations discussed are inter-related. To the extent possible, consistency should be maintained with how these different situations are treated. This includes how tree requirements apply in development and non-development situations, as well as how City, Street and Private trees are regulated. This is important for fairness, as well as to avoid creating loopholes in the

regulations. In addition, City projects should be held to the same or higher standard as private projects, and should seek to lead by example.

6. Monitoring and Additional Data. The Committee found that while data has been collected about tree code implementation, there was a lack of specific data available to adequately inform important policy choices. It is recommended that monitoring of tree code implementation continue to be an on-going priority and that staff evaluate options to provide more specific data needed, particularly around tree preservation/removal outcomes.

7. Role of Urban Forestry Commission. As the steward for the City's urban forest policy and implementation, it is fitting that the Urban Forestry Commission (UFC) be highly involved with tree code implementation. It is recommended that the UFC continue the work of the Committee, taking up specific issues that were identified but not resolved, as well as providing input and direction as code amendments and implementation projects moving forward.



V. Appendix

- A. Tree Code Oversight Advisory Committee: Identified Title 11 Implementation Issues & Work Plan (January 8, 2016)

Tree Project Oversight Advisory Committee: Identified Title 11 Implementation Issues & Work Plan

Last updated: Jan 8, 2016

OAC STATUS		ISSUE DESCRIPTION	CATEGORY	NOTES	PRIORITY
1	Open	<p>Coordination with other City policies, projects and codes: Effect of City planning and implementation on tree preservation and canopy goals generally and Title 11 specifically.</p> <ul style="list-style-type: none"> Title 33 (land division, e-zone, landscaping stds) Comprehensive Plan Implementation (Mixed Use, Employment and Industrial, and Institutional Zones Projects) Buildable land inventory 	Implementation protocols and deliverables	<p><u>History</u>: Committee comments in March, June, Sept 2015.</p> <p><u>Recommendation</u>: Issue should be addressed by PSC and UFC.</p>	1
2	Open	<p>Tree preservation in development situations: Is it working as intended to achieve Tree Project goals?</p> <ul style="list-style-type: none"> Triggers for preservation requirements Exemptions for sites under 5000 sq. ft. or greater than 85% building coverage 	Code fixes, clarifications	<p><u>History</u>: Issue identified by staff in February 2015 (#3). Members provided recommendations related to fee in lieu of preservation and preservation of very large trees, but not triggers/exemptions.</p> <p><u>Recommendation</u>: Residential Infill Project and Mixed Use Zone Project should consider this issue.</p>	1
3	Open	<p>Public works and capital improvement projects that result in tree removal. Is the City achieving tree goals for urban canopy in the public right-of-way?</p> <ul style="list-style-type: none"> Alternative sidewalk and street design Green street facilities 	Implementation protocols and deliverables	<p><u>History</u>: More information requested by Committee in April 2015.</p> <p><u>Recommendation</u>: Public inter-bureau planning effort needed to address issues related to trees in right-of-way. Joint PBOT, BES, and UF project involving key stakeholders and reporting to UFC.</p>	1
4	Open	<p>Monitoring and evaluation report</p> <ul style="list-style-type: none"> Report to City Council due early 2016 Investigate where trees are being replaced and include data in report 	Implementation protocols and deliverables	<p><u>History</u>: Requested by Committee in February 2015. Overview presentation given in June; briefing on data collected in July.</p> <p><u>Recommendation</u>: Issue to be tracked and addressed by staff.</p>	1
5	Open	<p>Building inspectors currently inspect planting requirements: Are inspectors properly trained? Are correct species being planted?</p>	Implementation protocols and deliverables	<p><u>History</u>: Issue identified by staff in February 2015 (#2).</p> <p><u>Recommendation</u>: Staff analyze issue and report to DRAC and UFC.</p>	1

OAC STATUS		ISSUE DESCRIPTION	CATEGORY	NOTES	PRIORITY
6	Closed	Policy on preserving very large, healthy trees in development situations <ul style="list-style-type: none"> Should there be different regulations for large trees \$1,200 fee in lieu of preservation: Is the fee appropriate, given current City policies. 	Code fixes, clarifications	<u>History:</u> Issue identified by staff in February 2015 (#3). Commissioner Amanda Fritz requested advice in June 2015 to address development proposal where several sequoia trees were proposed for removal; discussed at July, August, Oct and Nov meetings. Final recommendation on “stop-gap” code amendment proposal and longer-term amendments approved November and December 2015.	1
7	Closed	Interim Administrative Rule: Replanting requirements for tree removal on private property, city-owned and managed sites and public rights-of-way <ul style="list-style-type: none"> \$1200 cap for non-development Public works projects Forester discretion Tree credits 	Code fixes, clarifications	<u>History:</u> Interim Rule went into effect April 20, 2015; Committee members requested issue be added to work plan in April, 2015. Committee received overview and training in April and May; initial comments discussed in June. Committee discussed recommendation in August during special meeting. Final recommendation memo approved September 2015. Interim rule became final in October 2015.	1
8	Closed	Non-development mitigation policy for Type B permits, where mitigation can be up to inch-per-inch <ul style="list-style-type: none"> Should this be evaluated on a case-by-case basis or as a standardized policy? Effect of the \$1200 cap on fee in lieu of planting 	Code fixes, clarifications; implementation protocols	<u>History:</u> Issue identified by staff in February 2015 (#1). Committee provided comments as part of interim rule recommendation in September 2015 (see Item #7). UF Administrative Rule (finalized Oct 2015) provides clarification; monitoring will provide data.	1
9	Closed	Tree Code Outreach and Education Plan	Resources, staff and budget	<u>History:</u> Original task of committee in charter. Committee provided input at April 2015 meeting. Update on final plan and implementation provided September and December 2015. Implementation is currently ongoing.	1
10	Open	Arborist reporting and tree preservation and planting enforcement for land use reviews and building permits. <ul style="list-style-type: none"> What peer review occurs and is it appropriate? Is enforcement occurring? 	Implementation protocols and deliverables	<u>History:</u> Commissioner Fritz requested Committee consider issue in June, 2015. <u>Recommendation:</u> Staff should do an assessment of this issue to inform any needed changes in implementation.	2

OAC STATUS		ISSUE DESCRIPTION	CATEGORY	NOTES	PRIORITY
11	Open	No opportunity for public appeal for removal of one healthy tree ≥20" DBH in non-development situations	Code fixes, clarifications	<u>History</u> : Issue identified by staff in February 2015 (#6). <u>Recommendation</u> : UFC review issue and make any needed recommendations.	2
12	Open	Development Impact Areas. Should they be required on heavily forested sites?	Code fixes, clarifications	<u>History</u> : Requested by Committee members in March 2015. Example of Japanese Garden development using entire property to meet the density requirement rather than the portion of the site to be developed. <u>Recommendation</u> : Staff analyze issue and make any needed recommendations.	2
13	Open	Do the Type A standards for removal on private property in non-development situations make sense for achieving Tree Project goals? (e.g. within 10 feet of a building)	Code fixes, clarifications	<u>History</u> : Issue identified by staff in February 2015 (#4). <u>Recommendation</u> : UFC review issue and make any needed recommendations.	2
14	Open	Has customer service improved? • How should this be measured (surveys, data, etc.)?	Resources, staff and budget	<u>History</u> : Issue identified by staff in February 2015 (#8). <u>Recommendation</u> : Staff analyze issue and make any needed recommendations.	2
15	Open	Trees straddling lot lines • How to resolve disputes • Are code clarifications needed?	Implementation protocols and deliverables	<u>History</u> : Public comment in Sept. 2015. <u>Recommendation</u> : Staff analyze issue and make any needed recommendations.	2
16	Closed	Does the waiver policy regarding sites that already meet tree density standards need to be clarified and/or standardized (11.40.060 C 1 pg 41)?	Code fixes, clarifications; implementation protocols	<u>History</u> : Issue identified by staff in February 2015 (#7). Committee provided comments as part of interim rule recommendation in September 2015 (see Item #7). UF Administrative Rule (finalized Oct 2015) provides clarification; monitoring will provide data.	2
17	Closed	'Building' and 'attached structure' definitions absent in Title 11 • What should the definition be?	Code fixes, clarifications	<u>History</u> : Issue identified by staff in February 2015 (#5). Committee recommended definition in June 2015. Code amendments addressing this issue are to be considered by City Council as part of RICAP 8.	2
18	Closed	Programmatic permits for City bureaus: • Is it functioning to preserve trees, esp. in City Capital Improvement Projects?	Implementation protocols and deliverables	<u>History</u> : Requested by Committee members March 2015. Memo provided to Committee June, 2015. No action taken.	2

	OAC STATUS	ISSUE DESCRIPTION	CATEGORY	NOTES	PRIORITY
19	Closed	CenturyLink pruning/topping near communication lines	Implementation protocols and deliverables	<u>History</u> : Added to issue tracking May 2015 as a result of public comment. Staff provided update on status. No action taken.	2
20	Open	Arborist training: <ul style="list-style-type: none"> Are arborists sufficiently trained on the new tree code? 	Implementation protocols and deliverables	<u>History</u> : Commissioner Fritz requested Committee consider issue in June, 2015. <u>Recommendation</u> : Staff analyze issue and make any needed recommendations.	3
21	Open	Fencing requirements for tree preservation and root protection: <ul style="list-style-type: none"> Is fencing working to preserve trees due to the cost of fencing compared to the fee in lieu of preservation? When the performance path is used, do arborists reports clearly describe how a tree will be protected and the reasoning for reduced or no fencing requirements? 	Implementation protocols and deliverables	<u>History</u> : Committee member discussion in June 2015. <u>Recommendation</u> : Staff analyze issue and make any needed recommendations.	3
22	Closed	Does the waiver policy regarding “unreasonable burden” need to be clarified and/or standardized (11.40.060 C 2 pg 41)?	Code fixes, clarifications	<u>History</u> : Issue identified by staff in February 2015 (#7). Committee made recommendation April 2015.	3
23	Closed	Programmatic permits for City bureaus: <ul style="list-style-type: none"> Is it functioning to preserve trees, esp. in City Capital Improvement Projects? 	Implementation protocols and deliverables	<u>History</u> : Requested by Committee members March 2015. Memo provided to Committee June, 2015. No action taken.	
24	Closed	CenturyLink pruning/topping near communication lines	Implementation protocols and deliverables	<u>History</u> : Added to issue tracking May 2015 as a result of public comment. Staff provided update on status. No action taken.	
25	Closed	RICAP 8 Technical Title 11 code amendments	Code fixes, clarifications	<u>History</u> : Requested by Committee member in April 2015. Briefing on schedule and proposed amendments provided to Committee June 2015. No action taken.	

Definitions provided in February 2015: Types of Project and Code Issues

1. Code Intent & Purpose

-Why do we have a Tree Code? What are its goals?

2. Implementation Protocols and Deliverables

-What has been put in place (processes/staff) to accomplish the Tree Project objectives?

-What are the adopted or needed policies that standardize decision-making?

3. Code Fixes & Clarification

-Where is the Tree Code silent, unclear, or inconsistent?

4. Resources, Staffing, and Budget

-Are these sufficient to achieve project goals?

V. Appendix

B. Detailed Recommendations on Specific Committee Actions:

- OAC Memo Re: Comments on Interim Administrative Rule related to Replanting Requirements for Tree Removal on Private Property, City-Owned and Managed Sites and Public Rights-of-Way under Title 11 (August 12, 2015)
- OAC Memo Re: Stop-gap Title 11 code amendment proposal: Mitigating the removal of large trees in development situations (November 30, 2015)
- OAC Memo Re: Recommendation on Preserving Large Trees and Fee in Lieu of Preservation (Development Situations (December 14, 2015)

August 12, 2015

TO: Commissioner Amanda Fritz
Commissioner Dan Saltzman
Portland Bureau of Development Services
Portland Parks and Recreation, Urban Forestry
FROM: Tree Code Oversight Advisory Committee
RE: Comments on Interim Administrative Rule related to Replanting Requirements
for Tree Removal on Private Property, City-Owned and Managed Sites and Public
Rights-of-Way under Title 11

The Tree Code Oversight Advisory Committee was charged by Commissioner Amanda Fritz to:

- Provide community oversight, monitoring and review of tree code project implementation;
- Assess and provide feedback on what is and is not working related to project implementation, potentially leading to recommendations for code and/or administrative rules refinement;
- Provide Commissioner Fritz, Development Services (BDS) and Parks (PP&R) staff with input and recommendations during the outreach, education and implementation, and monitoring phases of the tree project; and
- Work with the Urban Forestry Commission to guide outreach by the Urban Forestry Commission subcommittee.

As a body, we adopted our own definition of success related to the Tree Code at our March 2015 meeting:

- The code is implemented as envisioned and intended;
- People understand the purpose and value of having a tree code;
- On-the-ground implementation occurs transparently, consistently and fairly;
- Residents, businesses and developers are able and willing to comply with the code in the short and long term; and
- Early implementation of the tree code contributes to meeting canopy targets as described in the 2007 Urban Forest Action Plan

Given our charge, adopted definition of success as well as the time devoted to understanding the Interim Administrative Rule, we believe it is our responsibility to provide comment. This document reflects the opinion of our 12-member Committee during discussions at a special meeting Aug. 10 and follow up communication. Please consider the following comments during the review process of the Interim Administrative Rule.

Comment #1: Public process was lacking for adoption and implementation of the Interim Rule.

This Committee first learned of the Interim Administrative Rule in early April and discussed it one week before it went into effect (April 20). There was no opportunity for discussion or modification of the rule separate from the process provided all other residents. As Committee members volunteering time to this effort, we find that the process used to be less than respectful and lacking transparency. We would expect, because of our charge, that issues of concern be brought to this Committee before policy action is taken so that we may consider it and have the opportunity to recommend a path forward.

In addition, there was insufficient public outreach from the Bureaus to alert the public of the change and comment opportunity. The Urban Forestry Commission held the only public hearing to date on the interim rule.

Recommendation: Future processes for interim rules should use a more robust public notification and outreach process prior to implementation.

Comment #2: Tree Project goals are missing from Interim Rule

The Interim Administrative Rule lists four of the admirable goals of the original Tree Project that resulted in Title 11 adoption. However, it does not list or incorporate the broader purpose of Title 11:

“To enhance the quality of the urban forest and optimize the benefits that trees provide.”

By omitting this broader purpose, the Rule undermines the intent of Title 11 and the original Tree Project.

Recommendation: The goal should be included in the Rule.

Comment #3: City Forester discretion has been unnecessarily reduced

Title 11 gives significant discretion to the City Forester to use knowledge of arboricultural practices, forest health, City policies and other factors to establish appropriate replacement quantities when trees are removed in order make progress toward meeting Title 11 and urban canopy goals. The City Forester has stated it is the intention of Urban Forestry to be accountable, transparent and consistent when applying and enforcing Title 11. Under the Interim Administrative Rule, when “up to inch-for-inch” mitigation is triggered for removed trees, the City Forester now requires two trees be replaced for every one removed, regardless of the size or benefit of the tree removed. Alternately, a fee in lieu of preservation may be paid. While we understand and appreciate the need to predictability and certainty within the permitting system, the Interim Administrative Rule goes too far in its attempt to define how discretionary approval criteria is applied. This is especially true when trees are removed from City-managed owned sites or right-of-way (see next comment). If the Interim Administrative Rule becomes permanent as is, progress will be slowed or reversed toward increasing tree canopy and accruing the proven benefits that trees provide.

Recommendation: A graduated replacement schedule should be considered to establish replanting requirements. In addition, a combination of factors should be identified and used when determining replanting levels to build in accountability, transparency and consistency and ensure equal treatment of all applicants.

Comment #4: City bureaus must be held to a high standard

The Interim Administrative Rule established a maximum tree planting requirement during development of two trees per every tree removed for City-owned or -managed projects (for trees larger than 6 inches dbh) and for right-of-way projects (for larger than 12 inches dbh). City bureaus also must meet require density standards in both development and non-development situations when trees are removed. The Code allows the City Forester to establish mitigation of up to “inch for inch” for removed trees that meet the threshold. The Committee believes that

public trees are an important resource and mitigation for their removal constitutes the protection of a valuable public resource. These include City Trees and Street Trees. The Committee is concerned that the Interim Administrative Rule, as drafted, lowers the replacement standard. The City, in replacing trees, has greater flexibility than in many private situations. City projects should be held to a high standard. As adopted, the Interim Administrative Rule will not achieve the goals of Title 11 and urban canopy targets if City bureaus are not required to plant and retain more trees than the 2-for-1 replacement on the sites they manage.

Recommendation: The City should set a high bar for its projects, serve as an example to its residents and businesses, and contribute to improving the urban canopy.

Comment #5: Opportunities to use tree credits should be retained

Title 11 allows Urban Forestry to use a prescriptive schedule to reduce tree replanting requirements if the species being planted is one that is native and desirable within city limits. Such trees are resistant to disease and well adapted to local weather patterns and soil conditions. With the establishment of replanting standards in the Interim Rule, the concept to tree credits appears to have been removed. Tree credits are a valuable tool that should be retained in order increase the number and size of native species.

Recommendation: The Committee recommends that the tree credit policy that was in effect prior to the adoption of the Interim Administrative Rule be reinstituted and applied as part of discretion practiced by the City Forester.

Comment #6: Equity needed between Type A and Type B permits

Type A permits, which are administrative in nature and do not trigger up to inch-per-inch mitigation, require tree for tree replacement, or one for one. The City Forester may waive the mitigation requirements if density standards are met. Under the Interim Rule, Type B permits require the City Forester to waive replanting requirements if density standards are met. This difference in replacement standards establishes a disparity and will likely lead to lack to tree replacement on those sites with larger trees. The Committee is concerned that the application of the site density standard results in an inequitable mitigation requirement between Type A and Type B permits and overlooks an opportunity to address the City's canopy goals.

Recommendation: Use the same standard between the two permit types and rely on City Forester discretion when evaluating unique situations.

MEMORANDUM

DATE: November 30, 2015

TO: Commissioner Amanda Fritz
Commissioner Dan Saltzman

FROM: Tree Code Oversight Advisory Committee

RE: Stop-gap Title 11 code amendment proposal: Mitigating the removal of large trees in development situations

Background

Commissioner Amanda Fritz asked the Tree Code Oversight Advisory Committee on Nov. 4, 2015, to review and provide comment on a proposal for an immediate code amendment to address the loss of especially large trees in development situations.

To address this request, the Committee reviewed the proposal at its Nov. 9 meeting, reviewed permit data, and discussed potential options to improve the proposal.

This memorandum summarizes the recommendations of the Committee. Two points are inherent in this recommendation:

- The Committee recognizes the membership of the committee recently declined due to resignations of four members over their disagreement with both the process and the proposal itself. As a result, the perspective of the development community is absent from this recommendation.
- This recommendation is based on the premise that, should this proposal move ahead, another process to provide more long-term improvements to the tree code also will move forward. This Committee will provide separate comments related to longer-term code amendments.

Comments:

We are supportive of a “stop-gap” measure in concept to preserve large trees in development situations. However, we are not in favor of this proposal as it is currently drafted because it will not help preserve most large trees that are being removed for development. Only a small percentage of trees are larger than 48 inches DBH.

We have a concern that sufficient data does not exist from which to draw conclusions. However, based on a sampling of one month of permit data from August 2015 and information about the number trees 45 inches and greater permitted for removal in the first three quarters of 2015, we are able to make some recommendations at this time.

Recommendations:

1. **Decrease the threshold for inch-for-inch mitigation to 35 inches DBH.** The data from August 2015 shows that by decreasing the threshold, about 7 percent of trees removed in development

situations would be subject to inch for inch mitigation requirement. With a 48-inch threshold, less than 3 percent would be affected. In addition, many trees require several decades to reach 48-inches and some never grow to that size. This proposal does not take into account the sizes of mature native trees, which provide more value to native wildlife.

2. **Increase the notification timeframe to 30 days and include email to neighborhood association.** We support the addition of a neighborhood notification requirement in the code prior to large tree removal. We recommend the length of time be 30 days to allow local residents time to ask questions and potentially work with the permit applicant to identify alternatives to tree removal. We also recommend that the notice be emailed to the neighborhood association in addition to the site posting proposed.
3. **Relook at the idea of prohibiting the removal of large trees.** We understand the disadvantages of outright tree cutting moratoriums and the potential for such an action to result in a taking. However, we recommend the City Attorney evaluate whether prohibitions of large tree removal can be considered when such action would not result in all economic viability of a property being removed.
4. **Add a sunset clause.** We recommend a sunset clause be added to the proposal so it is clear that the mitigation code amendment would only apply until larger Title 11 reforms are adopted. We understand that a larger package of amendments is likely and could take about a year to be drafted, reviewed and adopted. This stop gap measure would fill a need from early 2016 to early 2017.

MEMORANDUM

DATE: December 14, 2015

TO: Commissioner Amanda Fritz
Commissioner Dan Saltzman

FROM: Tree Code Oversight Advisory Committee

RE: Recommendations on Preserving Large Trees and Fee in Lieu of Preservation (Development Situations)

Background

Commissioner Amanda Fritz asked the Tree Code Oversight Advisory Committee to consider means by which the rate of removal of very large, healthy trees in development situations could be reduced. A related question is whether the current fee in lieu of preservation is appropriate. The fee in lieu question was identified as an issue to be addressed by the Committee early in the process and is one of the potential tools available to address the preservation of large trees.

To address these issues, the Committee:

- Learned about the range of potential regulatory tools and the basis of the fee in lieu
- Participated in an online survey and responded to staff questions via email
- Heard from members of the public
- Discussed options and recommendations at four Committee meetings.

This memorandum summarizes the findings and recommendations of the Committee. Discussions on this topic began with a 12 member committee, however final discussion and adoption occurred with an 8 member committee after resignation of 4 members. The Committee recognizes that these recommendations may affect other parts of Title 11 and recommends a thorough review of the code to determine if other amendments are needed for consistency or to fully implement the intent of these recommendations.

1. Preservation of Large Trees

The current tree preservation requirement is to preserve at least one-third of the trees 12 inches and larger in diameter. For trees removed beyond the 2/3 allowance for tree removal, a fee in lieu of preservation is required (see discussion under #2 below). Concerns have been raised that all trees are treated the same, whether it is a 12 inch tree or an 80 inch tree, providing no incentive for large trees to be retained.

The Committee discussed a range of options to address large trees in development situations. This included establishing a new tree size threshold for “large” trees and applying different standards or discretionary criteria to those trees, changing the standard to encourage the preservation of large trees, and providing more flexibility in development regulations to make it easier to preserve trees. The Committee is supportive of making changes to the current regulations.

Recommendations include:

A. Consider adding a new tree size threshold for very large trees with additional standards and discretionary land use review requirements. The Committee agreed that a prescriptive tree preservation standard should be retained for smaller trees with the recommended changes listed below. However, additional requirements should apply for the removal of very large trees. A threshold of 35 inches is recommended. This threshold was chosen based on tree size information provided by staff showing a break in the data for the number of trees at this size. The Committee also considered information developed by Urban Forestry Commission member David Diaz about the recaptured value of large trees over time under two different mitigation standards (see attached).

It is recommended that Zoning Code tree removal requirements that apply in certain Plan District and Overlay zones (Johnson Creek Basin Plan District, Rocky Butte Plan District, Scenic Overlay zone) be used as a model. This would include standards that allow tree removal only when the tree conflicts with proposed development. If standards aren't met, a discretionary land use review (i.e. Tree Review) would be required to determine whether the tree can be retained while allowing for reasonable development of the site and, if allowed, the appropriate level of mitigation. The Committee members also suggested the addition of a process to modify development standards as part of this review.

Some members of the Committee also suggested that there be an optional discretionary review to seek an alternative to the prescriptive tree preservation standards and/or mitigation requirements.

B. Explore options to change the standard to encourage preservation of large trees. The current standard is to preserve 1/3 of the trees on the site. This applies to all trees that are 12 inches or larger, which means there is no incentive to preserve larger trees over smaller trees. Committee members suggested changing the standard to include a percentage of the total inches of tree diameter, in addition to 1/3 of the trees. This would encourage the preservation of larger trees because the required number of inches would be satisfied with fewer trees, while ensuring that a minimum number of trees would still be required to be preserved to meet the standard. The Committee did not agree on a specific percentage of tree diameter that should be applied, but suggested that the Title 33 land division regulations, which include similar standards, be consulted for guidance.

C. Explore options to add flexibility in the zoning code to make it easier to preserve trees. The Citywide Tree Project included several "flexible development options" available to projects that preserve trees. Most of that flexibility is available in multi-dwelling and commercial zones. The majority of the Committee is supportive of providing additional flexibility, including in single dwelling zones. The Committee recognizes that there may be trade-offs, such as impacts on adjacent properties. For this reason, some members suggested that this added flexibility only be available for preservation of trees over a certain threshold (20 inches was suggested). Concerns were expressed about allowing increased height or transfer of development rights. Support was expressed for reduced setbacks, waiving parking requirements in single-dwelling zones, and allowing parking and required outdoor area in the front setback. It was recommended that this issue be considered as part of the Bureau of Planning and Sustainability's Residential Infill Project that is currently underway.

2. Fee in Lieu of Preservation

The current fee in lieu of preservation is \$1,200 per tree removed beyond the allowable 2/3 of trees from a site. This is based on the City's labor and supplies costs in 2009 to plant and maintain two trees for two years (11.50.040.C). The question as to whether the fee in lieu of preservation is set at an appropriate level has been raised by Committee members, as well as the public. Some former members

believe the current fee is appropriate and provides mitigation for tree removal, while not being an unreasonable burden to development. Current members believe the fee should be much higher and reflect the environmental value of the trees. A number of options were considered, ranging from updating the fee schedule to reflect the current cost of planting and maintaining trees to full inch-for-inch mitigation. The Committee members felt it important to acknowledge that the current fee provides only partial mitigation for tree removal. In the short-term, a graduated fee in lieu of tree preservation schedule is recommended. In the long-term, the Committee would like to see the City develop an industry standard to fully compensate for the ecological, social and economic value of trees removed.

Recommendations include:

A. Update fee schedule to reflect current cost of tree planting and maintenance. Recent estimates prepared by Urban Forestry suggest that the current fee is significantly lower than the cost to the City. Urban Forestry's estimate indicates that it costs approximately \$1,200 to plant and maintain one tree for two years, making the cost for two trees double that, or \$2,400. The majority of the Committee agreed that the fee should be updated to reflect the true cost to the City to plant and maintain trees. Some former members indicated that the current fee is too high, particularly when compared with their experience of private costs to plant trees. It should also be noted that updating the cost estimates as suggested would likely affect fee in lieu payments for all situations (development and non-development). The Committee did not specifically review or recommend approval of specific cost estimates.

B. Implement a graduated fee schedule based on the size of trees removed now, with a shift to true mitigation cost long-term. The current fee in lieu of preservation requires the same fee be paid regardless of the size of the tree removed. In the short-term, the majority of committee members support a graduated fee schedule that would require a higher fee when larger trees are removed. This would allow for planting and establishment care of more replacement trees, providing a better correlation to the loss of canopy from removal of larger trees. It is recommended that there be a minimum of three tiers in the fee schedule.

Long-term, the Committee recommends that the City develop a methodology to calculate the true value of trees based on their environmental, social and economic benefits and apply this methodology when calculating fees in lieu of preservation. This methodology should consider the size, species and condition of trees, specifically recognizing the ecological value of smaller native trees. The Committee recognizes that developing this methodology will take time and robust community input. Therefore, a graduated fee schedule described above should be implemented while a true cost mitigation method is being developed. The Committee would also like to see valuable native tree species recognized in the short-term mitigation standards, but understands this may require a larger project.

Attachments:

- Tree Size Information from Aug 2015 Residential Permit Data, BDS Staff, Nov 2015)
- Mitigating for Removal of a 20-inch Douglas Fir (UFC member David Diaz, Nov 2015)

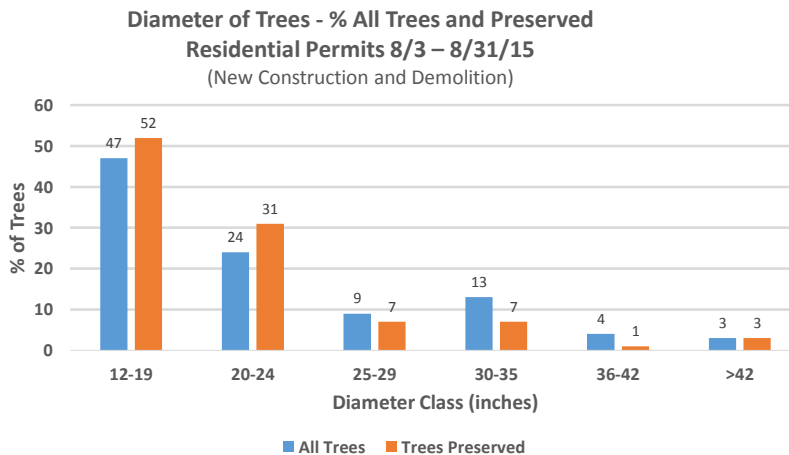
Tree Size Information – Residential Permits

- 110 permits (new construction and demolition; duplicates removed)
- 45 permits with trees over 12 inches (59%)
- 184 trees total, 75 preserved (41%)

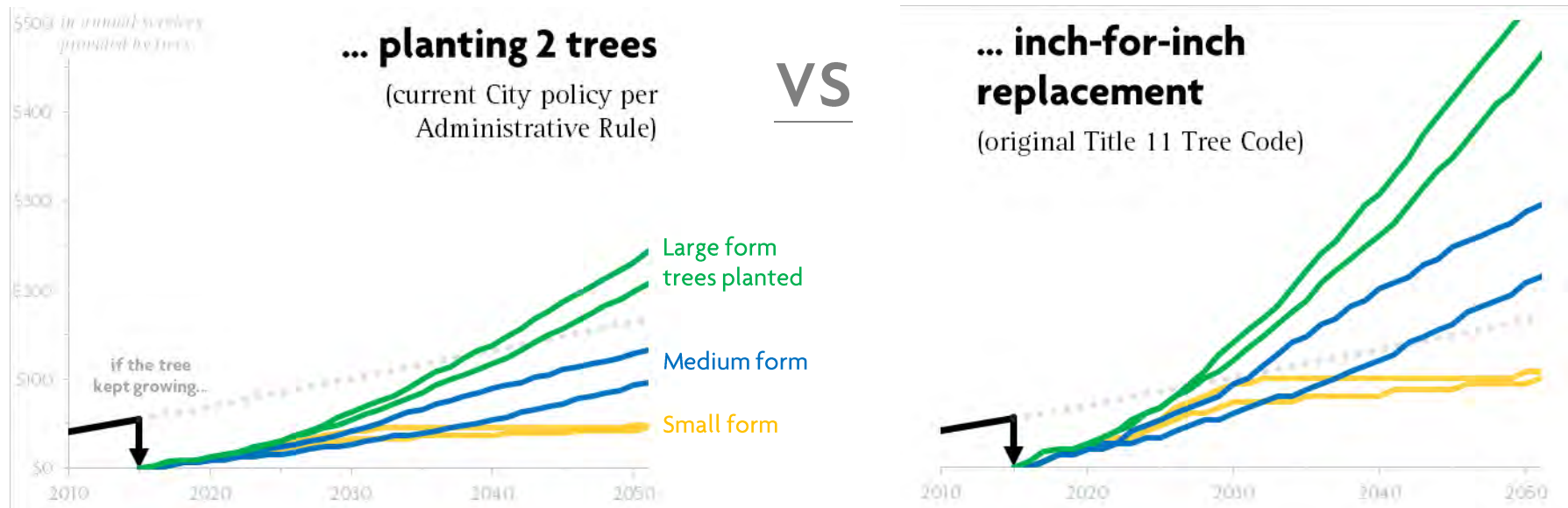
Diameter of Trees Residential Permits Issued 8/3 – 8/31/15*			
Diameter Class (inches)	All Trees (# of Trees)	Trees Preserved (# of Trees)	% Preserved
12-19	86	39	45%
20-24	45	23	51%
25-29	17	5	29%
30-35	23	5	22%
36-42	7	1	14%
>42	6	2	33%
Total	184	75	41%

*New construction and demolition permits

Tree Size Information – Residential Permits



Choosing to mitigate for the removal of a 20" diameter Douglas-fir by...



With two trees planted for each tree removed:

- It takes two newly-planted *large form* trees nearly 30 years to resume providing services at the rate the removed tree was already providing (and could have continued providing). Medium form trees take 50-60 years to match the rate of annual services lost, and *small form trees never match it.*
- There is a time lag in the provision of tree benefits. If the value of the services these trees provide for the next 100 years is discounted (5% per year), there are unmitigated losses in all planting scenarios. Each 20" Douglas-fir removed and replaced by planting two small trees results in a loss of present value of \$1,750-1,800; a loss of \$1,160-1,350 if medium trees are planted; or \$270-290 lost with large trees planted.

From January-June 2015, more than 630 trees removed* in Portland were 20" diameter or larger. Only 210 trees planted for mitigation were large form trees.

With inch-for-inch replacement:

- If the 20 newly-planted 1.5" seedlings are from a large form tree species, it still takes at least 10 years before they will resume providing services at the rate of the removed tree; medium form trees take 12-15 years, and *small form trees still never match it.*
- Due to the time lag in replacing the services of the removed tree, it still takes large form trees 25-30 years to make up the present value lost by the original tree removal. Depending on which species of medium form tree is planted, the present value may never be recouped, or may take more than 60 years. *Even with inch-for-inch replacement, planting only small-form trees still results in \$1,020-1,130 net loss of present value.*

Note: Storm water, air quality, and carbon sequestration benefits are factored into the value of the environmental services provided by trees (calculated using iTree). This does not capture the additional aesthetic value, reduction of urban heat islands, energy savings, or property value enhancements that trees provide.

* For permits on private property in non-development situations alone. Through Q3 2015, 654 additional trees were removed in development situations. They averaged 17.6" in diameter.