URBAN FORESTRY COMMISSION 2019 ANNUAL REPORT

**INTRODUCTION**

Mission “We advocate, we advise, and we engage the public.”

The eleven-volunteer member and Mayor-appointed Portland Urban Forestry Commission continued its 40+ year tradition of providing community input to city officials on a wide range of topics pertaining to trees in the urban forest in Portland. Members of the 2019 Commission constituted the most diverse group of Portland residents in the history of the Commission due to strategic efforts by Portland Parks and Recreation (PP&R), along with the commitment from former PP&R Commissioners Amanda Fritz and Nick Fish.

**UFC DISCUSSION ITEMS**

Very few trees in Portland, including those in Forest Park, would be within the city today without efforts in the past by government policy makers, supportive city bureaus, non-profits, local businesses and community members. The Portland Bureau of Transportation (PBOT) and the Bureau of Planning and Sustainability (BPS) continued work in writing or rewriting important planning documents that will greatly affect Portland’s urban forest of the future. The Urban Forestry Commission devoted extensive time for presentations and discussion concerning these planning documents.

* PBOT presented a draft of its Citywide Pedestrian Master Plan (PedPDX), that will serve as the updated planning document to guide future sidewalk construction decisions. UFC Commissioners emphasized the importance of trees in the pedestrian experience, encouraging the promotion of practices that allow for more planting space for larger trees, alternative sidewalk designs, use of more root-friendly sidewalk materials, and language that promotes collaboration to resolve tree-sidewalk conflicts.
* A longer-term planning project of PBOT is Streets 2035, which seeks to develop guidelines to better allocate space in the right of way among the many competing users of that space. PBOT provided multiple briefings to the UFC. Jenn Cairo, City Forester, is the UF staff lead on the project and has updated the Commission at each monthly meeting on the status of the project.
* Bill Cunningham (BPS), lead for the Better Housing by Design project, explained the pertinent revisions in development and design standards in Portland’s multi-dwelling residential zones outside of the Central City. Several of these revisions are based on input from the UFC during the 2018 revision period. During the 2019 follow up discussion, Urban Forestry Commissioners voiced concerns about the need to insure adequate greenspace around these multi-dwelling residential units. This means: 1) not allowing even more exemptions from tree planting and preservation for affordable housing; 2) retaining the proposed maximum of 30% of site for parking and no more than 15% in asphalt; 3) limiting impervious areas on development sites in order to preserve space for future large form trees and for protecting trees; 4) providing setback flexibility so if a developer agrees to additional front setback, rear setbacks can be correspondingly reduced; 5) tightening up landscaping provisions to encourage tree preservation, while discouraging payment in-lieu-of preservation; 6) supporting undulating pattern in building frontage and sidewalk; 7) reserving space in development for large form trees; and 8) promoting the use of Transfers of Development Rights as a means to protect trees. UFC appreciated that many portions of this document do provide more greenspace than current regulations.
* The Design Overlay Zoning Amendments (DOZA) focus on guiding the physical form and design of the densest places in Portland. Phil Nameny of BPS presented the revised draft of DOZA. BPS hopes that the tools of DOZA will encourage tree preservation, native planting and planting of groups of trees, especially in east Portland. DOZA is expected to encourage the planting of trees along civic corridors by increasing the building setback requirement. UFC Commissioners suggested a) stronger language to “encourage” tree preservation, b) stronger language to address the need for adequate rooting space to grow healthy trees, c) some language to clarify the environmental importance of trees on the south and western side of buildings.

* The Historic Resource Code Program manager, Brandon Spenceter-Hartle of BPS, outlined the current draft proposal that would result in changes to the zoning code. These changes could allow Portland’s historic places to tell more stories about the many diverse peoples of Portland’s past, could be adapted for changing community needs and could better protect these neighborhood resources for future generations. Two issues raised by UFC Commissioners were: 1) challenges to trees when historic houses are moved from one site to another (tree pruning is often necessary to move a house down a street), and 2) current requirements requiring replanting of tree selections that were used in the past but are now considered unsuitable for arboricultural reasons (i.e. invasive, overplanted, pest-prone).

A priority for UFC was to make recommendations to City Council regarding the portion of Title 11 Tree Code scheduled to sunset on December 31, 2019. The portion specified the higher mitigation fee in-lieu-of -preservation for tree 36” or larger in development situations. In June, Emily Sandy and Stephanie Beckman from Portland Bureau of Development Services (BDS) shared data they had collected relative to whether or not the higher mitigation fee resulted in preservation of more large trees. The data was insufficient to draw clear conclusions. More data was later assembled by BDS and shared with Planning and Sustainability Commission (PSC) and UFC at public hearings in September and October. Extensive public testimony was also submitted to BDS in December on this item and another one recommended by PSC (to remove the current exemption for several building zones from the Tree Code). This matter was not resolved by City Council in 2019 due to the high level of public interest and the need for more time to work out an acceptable solution.

Two Title 11 changes that were proposed by PP&R Urban Forestry, discussed and recommended by the UFC, and adopted by City Council, concerned the Tree Planting and Preservation Fund. In Title 11, prior to the adoption of these amendments, mitigation fees were required to be used in the same watershed from which they had been generated. Additionally, Code specifications stated that these funds could be used for up to 2 years to help establish newly planted trees. On the recommendation of City Forester Jenn Cairo, and with the agreement of the UFC, two amendments were proposed and approved for submission to the City Council. The first amendment allowed funds to be used for up to 5 years to help establish a tree. The major reason for this was climate change that results in less winter moisture, long summer drought periods and warmer summer temperatures. The additional 3 years will help establish these trees, especially with their increasing supplemental water needs. The second amendment was to remove the requirement that funds be used within the same watershed from which they were generated. The amendment permits the funds to be used anywhere in the city, especially areas of low canopy. City Council approved these amendments.

Urban Forestry (UF) staff member Angie DiSalvo presented the report Growing a **Equitable Urban Forest: Portland’s Citywide Tree Planting Strategy (Dec 2018)**. This report was accepted by City Council. Based on a contract with researchers at Portland State University, and involving broad engagement of the public, City bureau, and the creation of an online tree planting tool, the tree planting strategy provides explicit recommendation for improving equitable distribution of canopy in Portland.

* Fund planting and maintenance of priority planting areas;
* Conduct culturally-specific outreach and education for communities of color, immigrant and refugee communities;
* Develop partnerships and build relationships;
* Work with community members to identify specific tree planting opportunities – based on a systemic assessment of the tree planting tool
* Plan for and manage existing trees;
* Monitor and assess planting efforts in priority service areas.

2019 saw a continuation of UFC time spent in advocating for the Street Tree Task Force, intended to look at the logistics of Urban Forestry taking over maintenance of street trees. The aspect of this effort focused on identifying funding sources was absorbed by the Sustainable Future project that Portland Parks and Recreation initiated as a way to explore new means of providing stable funding for facilities, staff and programs. The challenge here is that PP&R has a huge backlog of facilities maintenance needing to be done, yet general budget dollars will not be sufficient for many years unless structural changes are made. street tree maintenance is included in the project.

PP&R UF contracted with Davey Resource Group to identify potential costs and necessary procedures for Urban Forestry to take on responsibility for street tree maintenance. A draft of the report, Managing Street Trees as Green Infrastructure 2019 Cost Assessment, was presented to and discussed by the Commissioners. Recommended changes were taken by the Davey Resource Group staff (Ian Scott and Ruth Williams) to consider for the next draft that would be presented in 2020.

Other items addressed by the Urban Forestry Commission included:

* Group discussion and decision as to individuals and organizations to recommend to City Council for the annual Bill Naito Tree awards;
* Diversity, equity, and inclusion (DEI) trainings;
* Providing advice on PP&R UF’s fiscal year budget development
* Advice on UF permit fee increases (Brian Landoe – UF Budget Analyst);
* New PP&R Director Adena Long and PP&R Commissioner Nick Fish meeting;
* Review of the annual required report to City Council on the use of Title 11 funds.
* UFC 2018 Annual Report approval.

**COMMITTEE WORK**

**Heritage Tree Committee**

The Heritage Tree Committee consists of: Urban Forestry Commissioner Gregg Everhart (chair); additional Urban Forestry Commissioners Brian French and Damon Schrosk; community volunteers Jennifer Baxter, Ginger Edwards, Dave Hedberg, Thea Weiss Hayes, John Mills, and Stephen Peacock; and Portland Parks and Recreation staff Martin Nicholson, Daniel Gleason, Gina Dake and Frank Krawcyzk.

The procedures and the criteria used in listing or delisting trees as Portland Heritage Trees are specified in Title 11, Tree Code (11.020.060).

Selection criteria (Urban Forestry Commission Bylaws Appendix C, 4.0) for consideration as a Portland Heritage Tree include size, age, type, horticultural values or historical associations. A concern was raised that there is no explicit reference to “functionality” as criteria increasingly important as trees gain recognition as important green infrastructure.

This Committee seeks to address the uneven geographic distribution of Portland’s Heritage Trees, which reflects historical and current income distribution as well as past and present ethnic geographic residential patterns. Committee members continued efforts to find potential Heritage Trees in areas of Portland that have very few.

For the calendar year of 2019, the Heritage Tree Committee selected fourteen trees for nomination for Portland Heritage Tree status after reviewing fifty-three submissions by members of the public. Twelve were unanimously approved by City Council: three on private residential properties (Portsmouth, Concordia, and Alameda); one in the Portland Audubon Sanctuary; four right-of-way trees (South Portland, Irvington, and Powellhurst-Gilbert); and four from Portland parks (Cathedral Park, Columbia Children’s Arboretum, Leach Botanical Garden and Powell Butte Nature Park).

Two Heritage Trees were removed from the list due to serious health decline. Five additional trees at 230 SW Pine Street were removed due to apparent inappropriate listing of the trees in the first place. These five American sycamores, all of substantial size and good health, were removed from the list at the request of the owner of the property. No city records could be found documenting permission from the property owner to grant Heritage Tree status for these trees, which are considered now to be on private property. The matter was brought before the Urban Forestry Commission by a representative for the current property owner. The trees had been approved by City Council in 1999 as Portland Heritage Trees. In the 20 years since that approval, plaques had been on the trees and some pruning had been done, both at city expense. The Urban Forestry Commission, after hearing information from the City Forester and the legal representative for the property owner plus receiving a lengthy written document from the representative of the property owner, decided not to approve the delisting of the trees and passed it on to City Council. When the matter was brought before City Council, additional citizen testimony and the presentation of signatures of concerned citizens – all in opposition to the delisting of these trees - occurred. On the advice of the City Attorney’s office, Council members approved the delisting of these 5 American sycamore trees.

**Policy Committee**

The Policy Committee met monthly during 2019. The meeting time and location was changed to Monday evenings at Mt. Scott Community Center in an effort to broaden the attendance at these public meetings. Daniel Newberry, chair, and Bruce Nelson are the two UFC members on this committee. Regular attendees also include Roberta Jortner (retired planner from BDS), David Judkins (community volunteer), Soeren Johnson (community volunteer), Meryl Redisch (former UFC Commissioner) and Erica Timm (Friends of Trees staff person). This group focuses its discussions on policy proposals that are expected to be brought to the UFC by various city agencies. Recommendations to UFC, relative to these City proposals, often come from Policy Committee deliberations.

Discussions of note during 2019 included:

* A need to see data showing the relationship citywide between tree canopy, lot size and zoning.
* Extensive discussions regarding the December 31, 2019 sunsetting of one portion of the Tree Code regarding mitigation fees in-lieu-of preservation for trees 36” or larger dbh in development situations and how best to proceed on this item;
* The dilemma of allowable vegetation planting in right-of-way strips narrower than 3’, which occur in low canopy, lower income neighborhoods
* How to weigh in on the PBOT planning effort Streets 2035, which will drive policy decisions relative to street improvements and maintenance (paving, curbs, sidewalks, priorities for use of right-of-way strip), especially as it pertains to low canopy areas;
* How to advocate and explore the concept of trees as “assets” that could be maintained through bond money used for capital improvement projects (Oregon state law, unlike laws in a few other geographic areas in North America, does not permit use of bond funds for most tree related activities.);
* Discussions of Residential Infill Project and Better Housing by Design planning documents, focusing on components touching on tree-related issues.

**Education and Outreach Committee**

This committee, chaired by Catherine Mushel through February 2019, had not met recently and has not continued. Discussions are ongoing as to whether and how this committee may reemerge.

**Commission Appeals Board**

The Appeals Board (11.20.030) was composed of five UFC members. Barbara Hollenbeck chaired the Board, serving with Anjeanette Brown, Brian French, Damon Schrosk, and Megan Van de Mark. Appeals are heard when a property owner, neighbor, or other resident disagrees with certain permit decisions of the City Forester. All related materials are reviewed by the Appeals Board. The Appeals Board decision is based on Title 11, Portland City Tree Code. Hearings procedures are specified in the Tree Code and in Appeals Board rules of procedure. Three appeals were heard in 2019 (a low percentage of permit decisions).

**SUMMARY**

The work of the Portland Urban Forestry Commission in 2019 revolved primarily around issues confronting a growing city with limited land resources. UFC continued its advocacy for healthy trees as a critical part of the city’s infrastructure.