



Portland Planning and Sustainability Commission

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October 6, 2020

Portland City Council
1221 SW 4th Avenue
Portland, Oregon 97204

Dear Mayor Wheeler and City Commissioners:

On September 8, 2020, the Planning and Sustainability Commission (PSC) held a public hearing on a proposed amendment to Title 11, Trees, Tree Preservation in Development Situations (PCC 11.50.040). The proposal was presented by staff in response to directives in [Resolution 37473](#).

Recommendation

By unanimous vote, the PSC supports amendments to the Tree Code (Title 11), as proposed in the 2020 Tree Code Amendments Staff Proposal, dated August 14, 2020, which:

- Remove the exemption from tree preservation and tree density in IG1 (General Industrial 1), EX (Central Employment), and CX (Central Commercial) zones on private or City-owned/managed property.
- Retain the exemption from tree preservation and tree density in IH (Heavy Industrial) zone on private and City-owned or managed property.
- Reduce the threshold for required preservation of trees on private property from 36 inches to 20 inches in diameter, wherever tree preservation is required.
- Reduce the threshold for inch-per-inch fee in lieu of preservation for trees on private property from 36 inches to 20 inches in diameter.

In addition, the PSC unanimously recommends that City Council Direct, via ordinance, the Bureau of Planning and Sustainability to evaluate the Title 11 tree preservation and density exemptions for IH as part of the Economic Opportunities Analysis (EOA) update, consistent with City goals including those related to tree canopy, climate change and urban heat islands. The EOA should also consider equitable public health and environmental outcomes for BIPOC communities living adjacent to or employed within IH zone.



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Comments

1. **Testimony.** Commission received testimony regarding the urgency of strengthening the Tree Code, particularly in light of the effects of climate change. More specifically, much of the testimony expressed desire to remove the exemptions in the IH zone as well as the IG1, EX, and CX zones.
2. **Environmental, Community health and public health.** Peer-reviewed studies have demonstrated that low income communities and communities of color living adjacent to, or working in industrial zones are adversely affected by urban heat island effect, poor air quality, and numerous other negative public, community, and environmental health outcomes due to lack of canopy. The amendments will likely result in increased tree canopy in these areas, with the exception of areas adjacent to IH, and increase revenue to the Tree Planting and Preservation Fund which will be used to more equitably invest in tree canopy throughout the city. Public health studies have found that income and other socioeconomic factors play a major role in determining public health outcomes; middle wage job growth in IH can contribute to this by providing opportunities for reducing income inequality.
3. **Compliance with Statewide Land Use Planning Goal 9.** Removing exemptions to tree preservation and/or tree planting requirements in IH, IG1, EX, and CX must not reduce Portland's 20-year Buildable Land Inventory (BLI) for industrial development, job growth and corresponding economic opportunities required by Goal 9. Increased development cost is estimated to reduce acreage of BLI rendering the city out of compliance with Goal 9. The commission generally supports removing the exemptions in IH zone and struggled with this limitation. Ultimately, the commission felt that removing the exemptions should be evaluated through the upcoming EOA undertaken by BPS. The commission opted to express specific expectations for the EOA, as described above in our recommendations.
4. **The PSC discussed at length the framework of the current EOA, and the framework of the current Statewide Land Use Planning Goal 9.** The commission feels there are opportunities to update Goal 9 and the EOA framework to incorporate elements of the Green New Deal. The PSC looks forward to hearing and providing a recommendation to City Council on the upcoming update to the EOA.

Sincerely,



Eli Spevak
Chair

Cc: Urban Forestry Commission

