

MEMORANDUM

TO: Portland Planning Commission and Urban Forestry Commission

FROM: Roberta Jortner

DATE: July 22, 2024

SUBJECT: Support for retaining Large Tree Amendment and removing sunset clause

Thank you for the opportunity to comment on the Title 11 Large Tree Amendment extension. I urge the Planning Commission (PC) and Urban Forestry Commission (UFC) to recommend 1) retaining the current Title 11 Tree Preservation Standards as amended by the City Council in 2019, and 2) eliminating the sunset clause from Title 11.

Having participated in the initial drafting and implementation of Title 11 Trees before retiring from City employment, I was aware that the initial Tree Preservation Standards were insufficient to meet the intended purpose - to establish an effective incentive to preserve existing larger trees on development sites without causing undue financial impacts on housing and other types of development. With strong community support, the City Council amended these standards, once in 2015 and again in 2019, to strengthen the standards to meet their intended purpose.

City staff have collected informative data showing that these standards, as amended, significantly reduced the removal of large trees on development sites (64% for trees 36" diameter at standard height (dsh) or larger from 2015-2019 and 68% for trees 20" dsh or larger from 2019-present). The data also show that less than 3% of housing projects were subject to the larger mitigation fees, and that the cost to those projects was 0.7% of total project value. This is in part due to existing exemptions in Title 11 as noted in the staff's July 11, 2024, memo to the Planning Commission.

Based on this information, I suggest that the amended regulations are working as intended and should be retained. It is also appropriate that the City remove the sunset clause from Title 11 rather than extending the regulations for another five years. Creating an additional sunset date sends the message that the tree preservation standards are temporary and have not yet been shown to be effective. Continuing to evaluate how Title 11 regulations are functioning is appropriate and will inform the holistic review and update of Title 11 that the City plans to start in the next couple of years. However, there is no need to muddy the waters with an unnecessary sunset clause that would set the stage for a costly separate public hearing process to address the tree preservation standards.

With increasing temperatures and associated health impacts, it has never been more important to preserve trees, especially large canopy trees. Just this year, community input again makes it clear that tree preservation should be a top priority for Portland's urban forest planning and management. Please honor this by recommending retention of the current tree preservation standards and removal of the sunset clause. Thank you for your consideration.