

Why reform Portland's Tree Code (Title 11)?

What does Portland Audubon advocate and why?

Portland's Tree Code (Title 11) was developed and adopted in 2009 and 2010 after the collapse of the housing market. Portland's neighborhoods are currently experiencing extensive tree cutting driven by a highly lucrative real estate development market. Title 11's very lenient preservation standards:

- Do not apply on sites within the commercial and industrial zones and on residential sites less than >5000 square feet,
- Do not require that any trees in development situations be preserved at any location in the City, and
- Do not require cut trees be fully replaced. Many healthy native, non-nuisance trees are exempted from mitigation. Where fees-in-lieu of mitigation apply, the City requires a maximum of only \$1,200 (the cost of planting two trees) to compensate for the removal of trees regardless of size or species. This amount is inadequate to replace the functions and value of large healthy native trees.

An abundance of scientific research documents that large healthy trees of most species provide environmental functions and values as well as public health benefits to a much greater degree than smaller trees. These include provision of clean air and water, increased biodiversity, reduced urban heat island effect, and energy conservation. Past urbanization has undervalued trees in an urban setting, making large healthy trees rare. Through creative design it is possible to preserve more large healthy trees and accommodate new development in a way that enhances public health, environmental quality, and the affordable and walkable neighborhoods Portlanders desire.

Therefore Audubon Society of Portland advocates for the following reforms of Title 11 and current development code:

I. Immediately require public notice & delay on all trees \geq 20 inches dbh

Require public notice and a 30-day delay for removal of all trees greater than \geq 20" dbh permitted for removal in both development and non-development situations.

II. Immediately require \$300 an inch mitigation for removal of healthy trees \geq 30 inches dbh in development situations.

Establish an inch-for-inch mitigation for cutting large, healthy, non-dangerous and non-nuisance trees \geq 30" dbh in development and non-development situations until Title 11 preservation standards can be reformed.

IV. Strengthen Title 11 preservation and mitigation standards & increase fee in-lieu

- A. Change and increase the tree preservation standard to require preservation of *33% of caliper inches* and 1/3 of trees on site in order to preserve more large, healthy, non-nuisance trees.
- B. Allow a site review process with public notice, input, avoidance criteria and a hearings officer decision. Require site review for exceptional trees.
- C. Within a year, establish a graduated tree mitigation standard based on size and species of tree removed that requires the planting of at least 1 tree for every 6 caliper inches of trees not preserved. Direct the Bureau of Planning and Sustainability to develop -- for City Council consideration and adoption -- a graduated tree mitigation standard to compensate for the loss of public values (social, health, economic, environmental) of urban trees removed.
- D. Update the fee-in-lieu of preservation with the Urban Forestry's latest costs of planting a tree and providing 3-years of maintenance.
- E. Remove the Title 11 exemptions for commercial and industrial lands.

IV. Improve Policies and Practices to Preserve and Grow Large Healthy Street Trees

- A. Increase the authority of the Urban Forester to require adjustment of PBOT's street improvement standards to allow alternative designs and technologies to avoid removing healthy, non-nuisance street trees $\geq 20''$ dbh in or near the public right-of-way.
- B. Initiate a multi-bureau review of street tree policies and practices in order to develop and adopt reforms to allow for the preservation of more large healthy street trees and increase the space for the growth of larger trees in and near the public right-of-way.

If you want to support and help advocate for these Title 11 reforms, urban wildlife and their habitat please email Micah Meskel mmeskel@audubonportland.org to be added to our email list and to our list of supporters for this effort.