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Healthy Parks, Healthy Portland

# Title 11: Large Tree Amendment





## Context for Today's Hearing

- The Large Tree Amendment (LTA) expires on December 31, 2024
- Urban Forestry's multi-phase approach to update Title 11
  - Phase 1: Technical and minor policy amendments to T11: **Complete**
  - Phase 2: Update the Portland Urban Forest Plan: **In progress**
  - Phase 3: Substantive Title 11 amendment project: **Begin late 2025**
- Recommendation to continue LTA to align with Phase 3 project

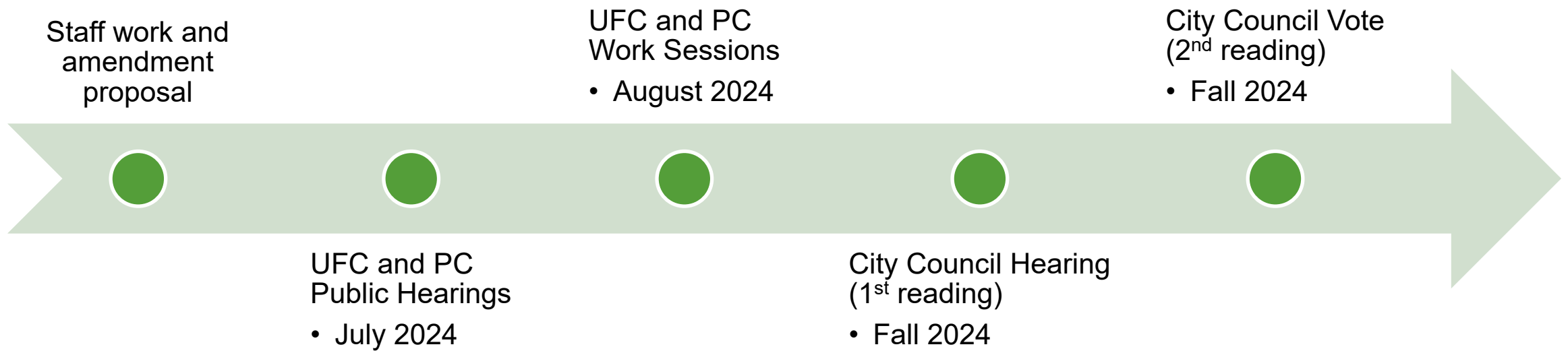


## Purpose and Agenda for Today's Hearing

- UFC & PC: Advisory to City Council on Title 11 amendments
- Staff present briefing on the Large Tree Amendment and Recommendation
- Public Comments



# Title 11 Amendment Process





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# Portland's Tree Canopy



### Trees clean our air

Trees purify our air by removing pollutants like carbon monoxide, ozone, and particulate matter. These harmful substances can lead to stroke, heart disease, and respiratory issues like asthma.



### Trees provide habitat

Trees provide food and shelter for animals and pollinators. Over 100 species of migratory birds and other important wildlife rely on Portland's urban forest.



### Trees keep us cool

Trees cool people and urban areas by shading buildings and pavement, lowering surface and air temperatures, and releasing cooling water vapors, like an air conditioner.



### Trees store carbon

Trees take carbon dioxide from the air and store carbon in their wood, leaves, and roots. This process helps reduce climate change and can help cool our planet.



### Trees improve our health

Trees improve our physical and mental health, and neighborhood aesthetics. Trees promote active living and can make our streets and outdoor spaces more inviting and safe.



### Trees clean our water & reduce flooding

Trees and soil help capture, filter, and slow down water and pollutants that flow into our streets and waterways after it rains. These services improve our water quality and reduce flooding.





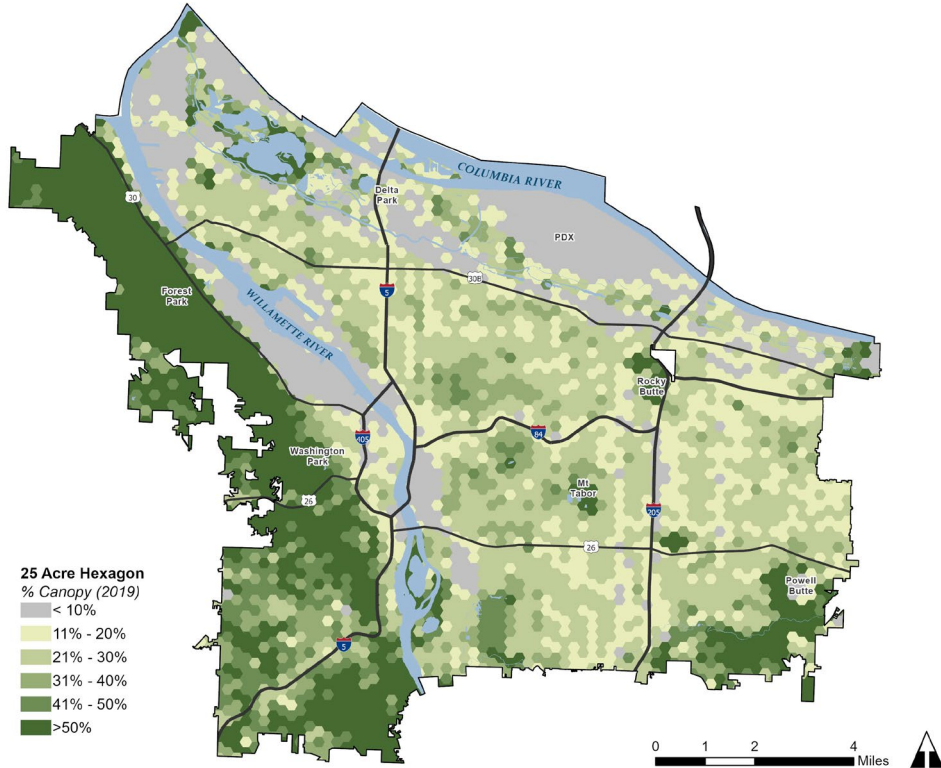
## Urban Trees and Public Health

- Reduce heat related illnesses (Nowak 2014; Voelkel et al 2018);
- Reduce per person healthcare costs by \$400/annually (Kaiser Permanente, 2022)
- Reduce rates of asthma and other respiratory illnesses (Lovasi et al. 2008);
- Improve cardiovascular health and reduce blood pressure (Sullivan 2014);
- Improve mental health (Kuo and Taylor 2004; Maas et al 2009);
- Improve people's coping mechanisms to stress (Thompson et al 2012);
- Reduce hospital stays for patients (Ulrich 1984);
- Improve healthy birth outcomes for pregnant women (Dzhambov, Dimitrova and Dimitrakov 2014);

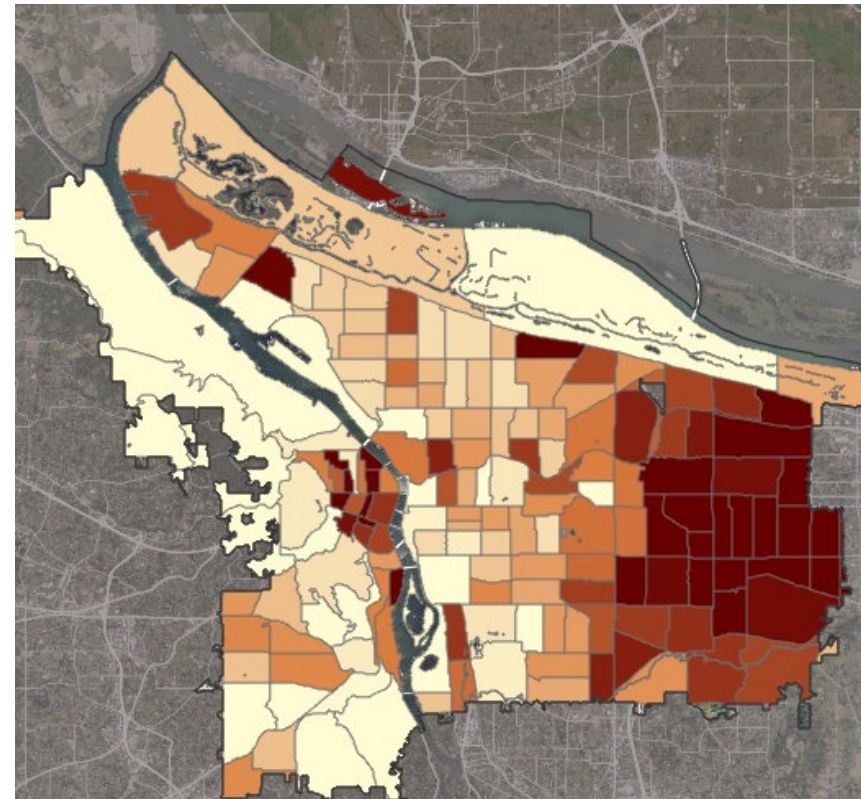


# Tree Canopy and Health Risks

## City of Portland Canopy Cover 2020



## Multnomah County Heat Vulnerability Index



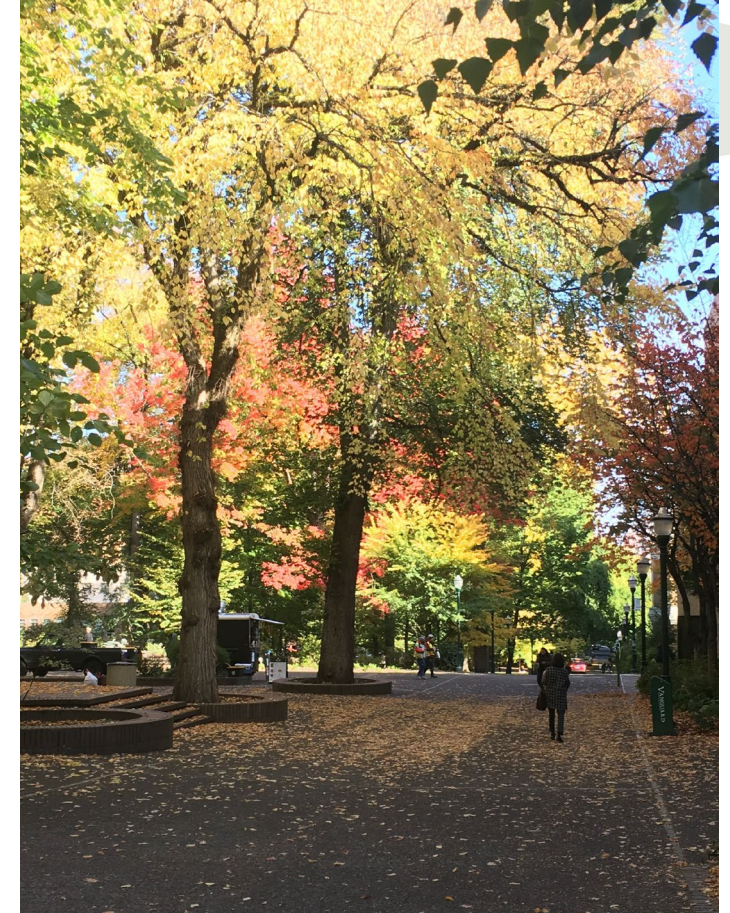




# Portland's Tree Population

Tree Size (dbh)	Percentage of Population	Value (\$)	Value (%)
0" – 12"	67.2%	\$1.6 billion	16.7%
12" – 20"	19.4%	\$2.3 billion	24.1%
20" or greater	13.4%	\$5.7 billion	59.1%

Source: US Forest Service, Urban Forest Inventory and Analysis





## Why Tree Preservation Matters

- New trees take decades to provide same service as mature tree
- Tree planting is long term strategy, not immediate mitigation
- Tree preservation also preserves space for large trees in perpetuity

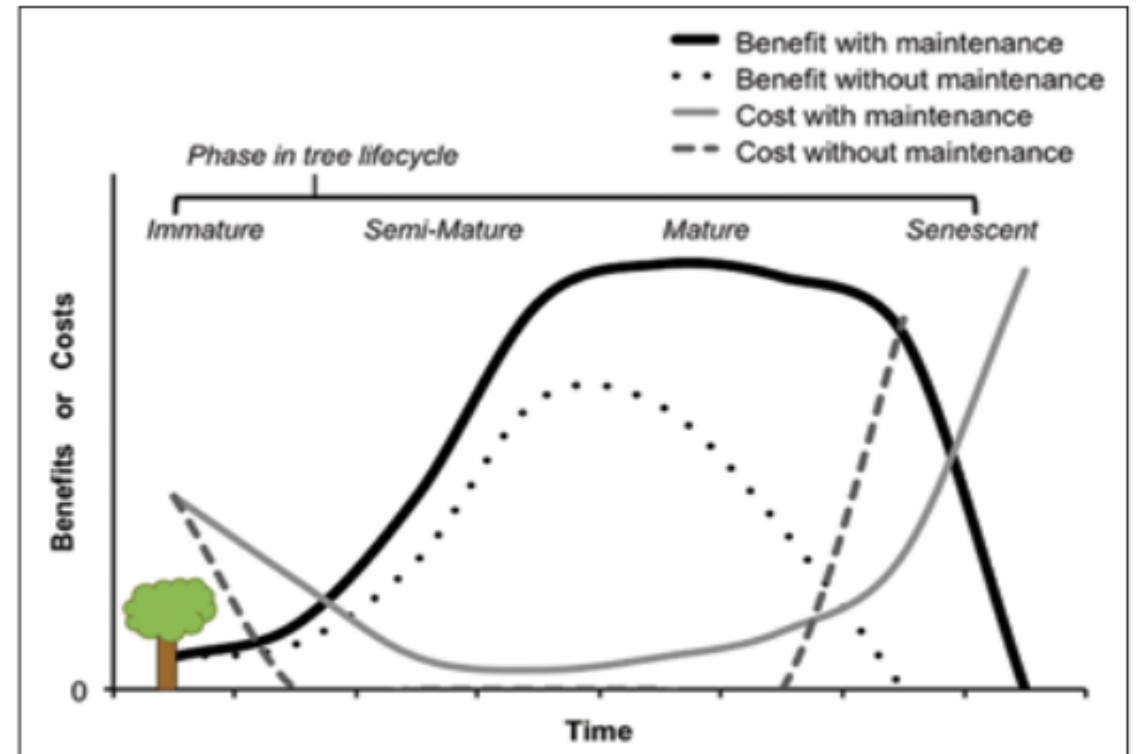


Figure 1. Theoretical costs and benefit profiles over the lifetime of an individual tree, with (solid lines) and without (dashed lines) adequate maintenance. Benefits are maximized during the mature phase of a tree and decline rapidly through senescence, while costs show an inverse pattern.



# Tree Preservation is a Portland Priority

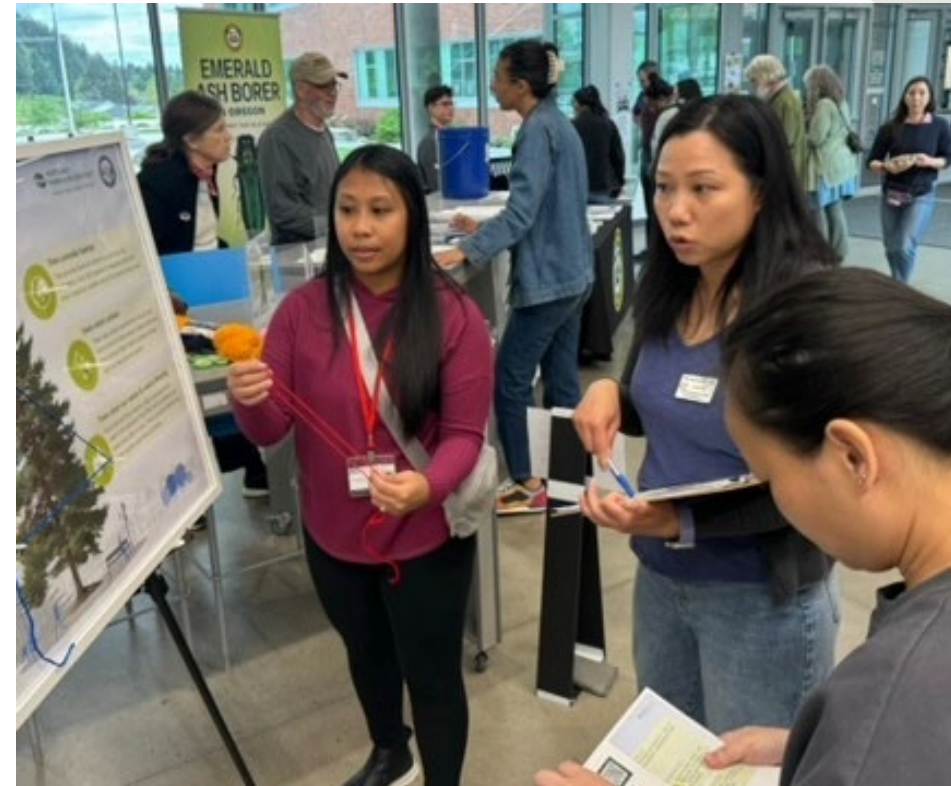
- Urban Forest Management Plan (2004)
- Portland Watershed Management Plan (2005)
- Urban Forest Action Plan (2007)
- Portland Plan (2012)
- Climate Preparation Strategy (2014)
- Climate Action Plan (2015)
- 2035 Comprehensive Plan (2018)
- Climate Emergency Workplan (2022)





# Community Expectations for Tree Preservation

- 2020 LTA Project
  - Community Survey
    - 81% support 20” threshold
    - 2,064 respondents
  - Public Hearing
- 2024 Urban Forest Plan Engagement
  - 92% support for tree preservation
    - 1,700 respondents
  - Community open house





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# Title 11: Portland's Tree Code



## Title 11: Portland's Tree Code

- 2004 Urban Forest Management Plan
- Adopted in 2011, effective in 2015
- Preservation and replacement requirements for city, street, and private trees
- PP&R Urban Forestry
  - Policy making and lead implementer
  - Non-development, city projects
- Portland Permitting & Development
  - Delegated authority from City Forester
  - Issues permits per T11 requirements and CF standards in private development



## Features of Tree Code in Development

- Clear & Objective standards
  - Baseline of tree removal w/ no mitigation
  - No required preservation
  - Fee-in-lieu option
- Flexibility (prescriptive or performance path)
- Multiple Exemptions





## Exemptions from Tree Preservation

- Dead, dying, dangerous, and nuisance species trees
- Affordable housing projects
- Lots under 5,000 sf
- Project with proposed or existing lot coverage of 85% or more



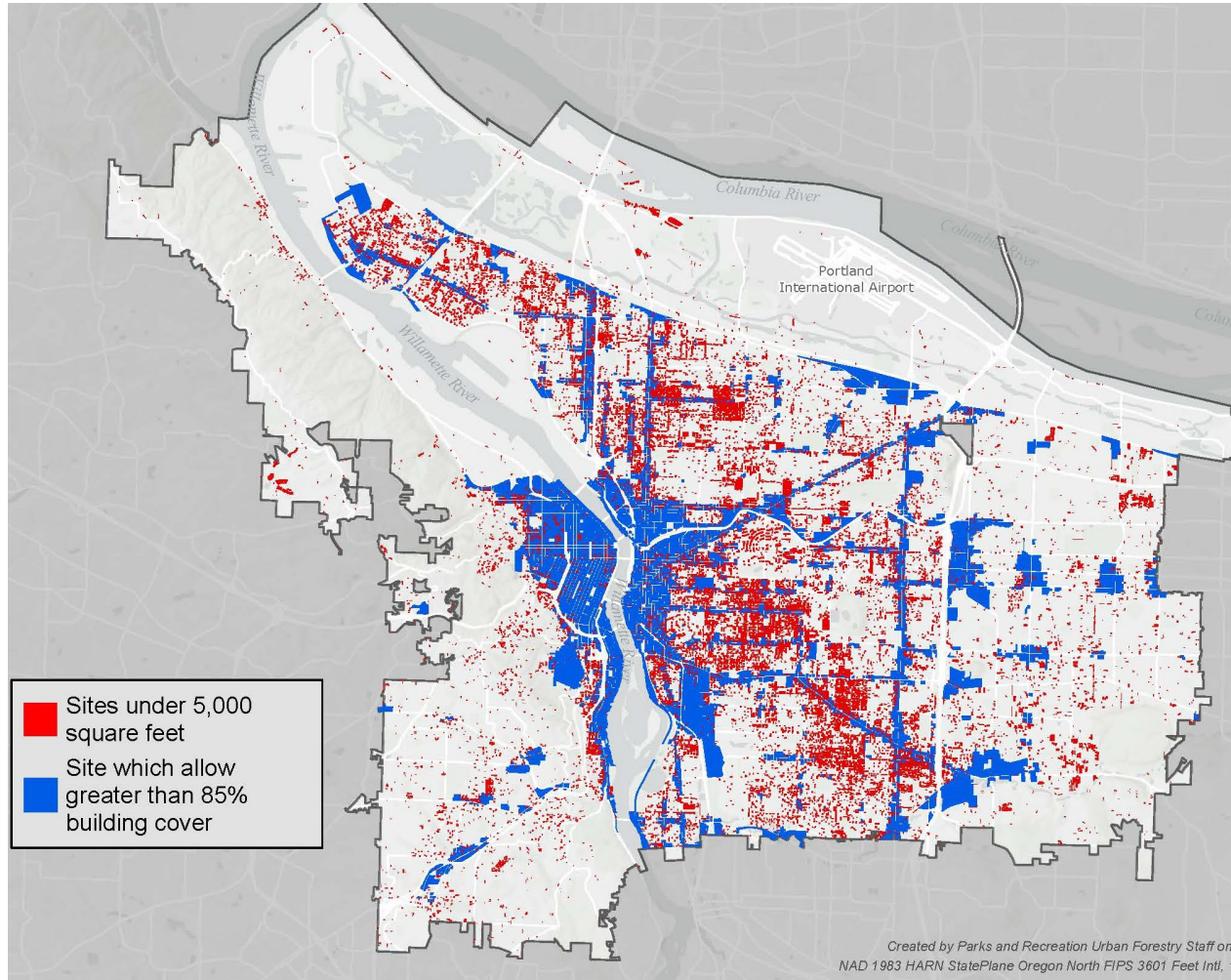




### Current Title 11 – Onsite Private Tree Preservation

Tree Size (dbh)	% of Portland's Trees	Preservation or Fee-In-Lieu Requirement	Fee-in-Lieu of Preservation
0" – 12"	67.2%	None	None
12" – under 20"	19.4%	1/3 of healthy, non- nuisance trees	2/3 = none 1/3 = \$1,800/tree
<b>20" or greater</b>	<b>13.5%</b>	<b>All healthy, non- nuisance trees</b>	<b>\$450/inch</b>





### Future Housing Units in BLI

Title 11 Exemption	Number of Units	% of Total Units
Zones allowing 85% or more coverage	153,567	69%
Lots Under 5,000sf	22,792	10%



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# The Large Tree Amendment



## Purpose of the Large Tree Amendment

- Increase the preservation of Portland's largest trees
- Continue to facilitate new housing through clear and objective standards
- Provide for future mitigation of public and environmental health benefits lost from mature tree removal





# Large Tree Amendment Timeline

## 2011

- Title 11 Adopted

## 2015

- Title 11 effective Jan 1, 2015

## 2016

- Large Tree Amendment (ORD 187675)
  - 36" threshold
  - 2019 sunset date

## 2019

- City Council extends sunset to 2024 (ORD 189795)
- UFC/PSC recommends 20" threshold
- Directs staff review of UFC/PSC recommendation (Resolution 37473)

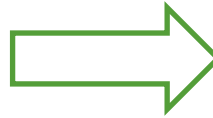
## 2020

- City Council adopts 20" threshold (ORD 190200)



# What the Large Tree Amendment Changed

2015 Title 11 (Prior to Large Tree Amendment)		
Tree Size (dbh)	Preservation Requirement	Fee-in-Lieu of Preservation
0" – 12"	None	None
12" or greater	1/3 of healthy, non-nuisance trees	2/3 = none 1/3 = \$1,800/tree



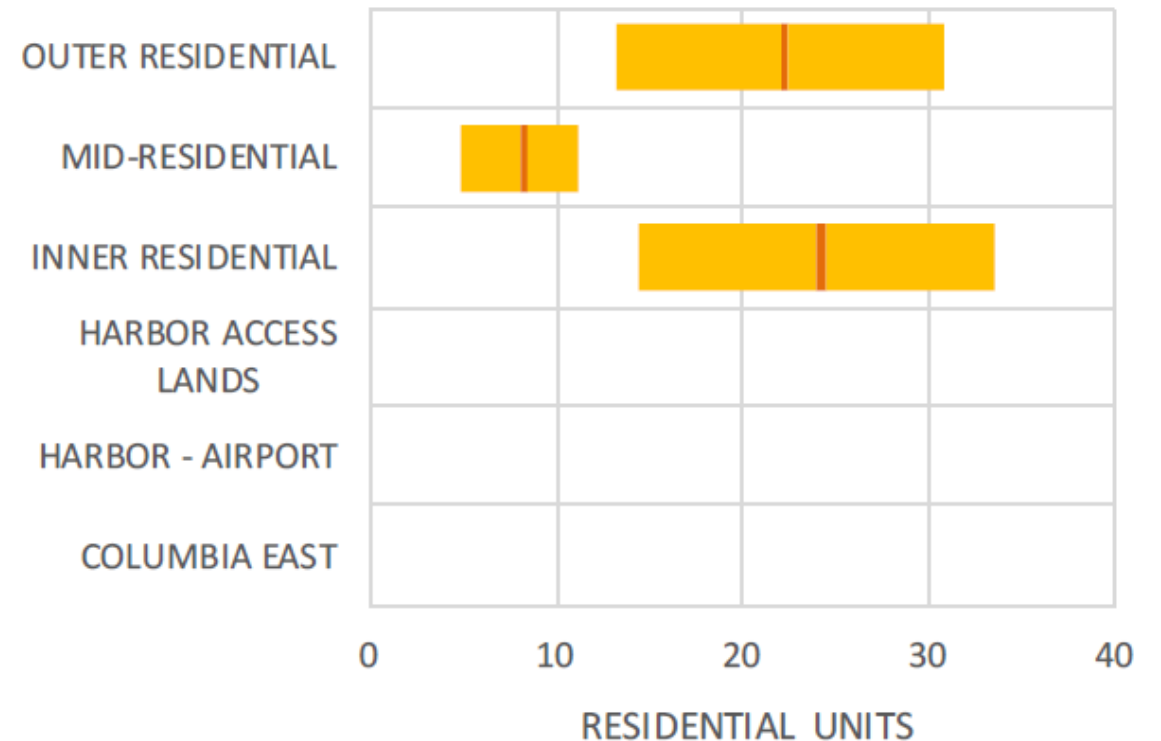
Current Title 11 (Large Tree Amendment)		
Tree Size (dbh)	Preservation Requirement	Fee-in-Lieu of Preservation
0" – 12"	None	None
12" – < 20"	1/3 of healthy, non- nuisance trees	2/3 = none 1/3 = \$1,800/tree
<b>20" or greater</b>	<b>All healthy, non- nuisance trees</b>	<b>\$450/inch</b>



## 2020 LTA Project: Engagement and Analysis

- Community Engagement
  - Community Survey (2,064 responses)
    - 81% support 20" threshold
  - Stakeholder interviews
- Impact on tree preservation
  - 64% reduction in large tree removal
- Impact on housing
  - 54 fewer housing units over 20 years

PREDICTED REDUCTION IN RESIDENTIAL UNITS  
20-YEAR PLANNING PERIOD







# 2024 PUFPP Engagement

- 2024 Urban Forest Plan

- Open house, survey, and focus groups with underserved communities
- 76% of survey respondents said "preserving and caring for trees" is very important
- Hundreds of comments about preserving large trees

I am concerned about losing old well-established trees in my neighborhood

Preserve and protect existing trees, especially centennial giants

Preserve as many mature trees as possible and safe

Enact more stringent rules around the removal of mature trees

Big, old trees should be preserved Save our big trees!!!

Protect mature trees Focus on Preserving old-growth trees

We need more trees that are older and bigger

Strengthen preservation of large, healthy, mature trees Preserve the old trees

Protecting old giants for sequestration and as community resource on private properties

Prioritize preservation of old growth trees Amend tree code to preserve more large trees

Existing mature trees are not easily replaceable Maintaining existing, mature trees is very important; trees take

We don't just want small and medium sized trees along sidewalks and bikeways years to develop for shade and

Save the large tree stop GAP amendment carbon capture

The City could do a better job of protecting existing large trees from removal

Quotes from 2024 Portland Urban Forest Plan survey responses



## Fee-in-Lieu and Tree Value

- Title 11 mitigation payments are set below the assessed tree valuations
- The \$450/inch fee-in-lieu is unchanged since 2019

<b>Zoning</b>	<b>Tree Size (dbh)</b>	<b>Structural Value*</b>	<b>Title 11 Mitigation Payment</b>
Residential	24"	\$11,494	\$10,800
Residential	32"	\$19,822	\$14,400
Residential	40"	\$28,803	\$18,000

\*Structural Value based on 2019 iTree analysis and adjusted for inflation



## Effectiveness of the LTA – 2021 to 2023

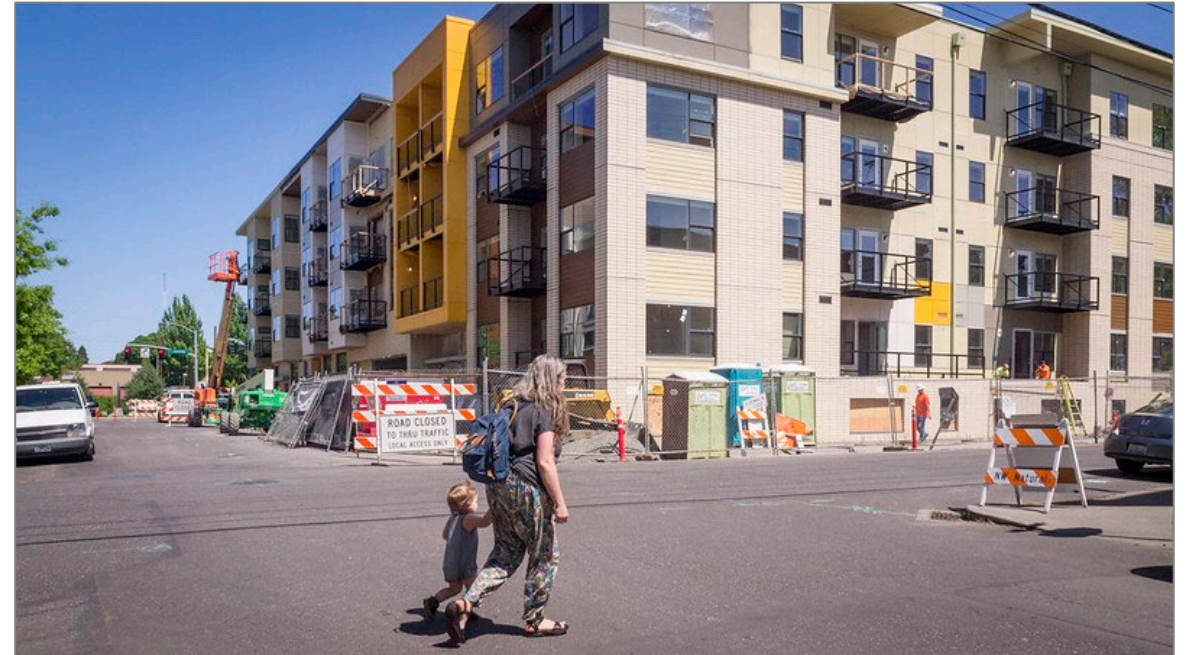
- 68% reduction in large trees removed
  - 2017 – 2020: average 365 trees removed per year
  - 2021 – 2023: average 114 trees removed per year
- Reduction in tree removal (68%) outpaced reduction in housing projects (31%)
  - 2017 – 2020: average 1,246 projects per year
  - 2021 – 2023: average 860 projects per year
- 83% of new housing built in zones eligible for tree preservation exemptions





## Large Tree Removal Mitigation Payments – 2021 to 2023

- 62 housing projects (2.4%) paid mitigation under LTA
- Total Payments = \$1.32 million





# Housing Projects & LTA: 2021 to 2023

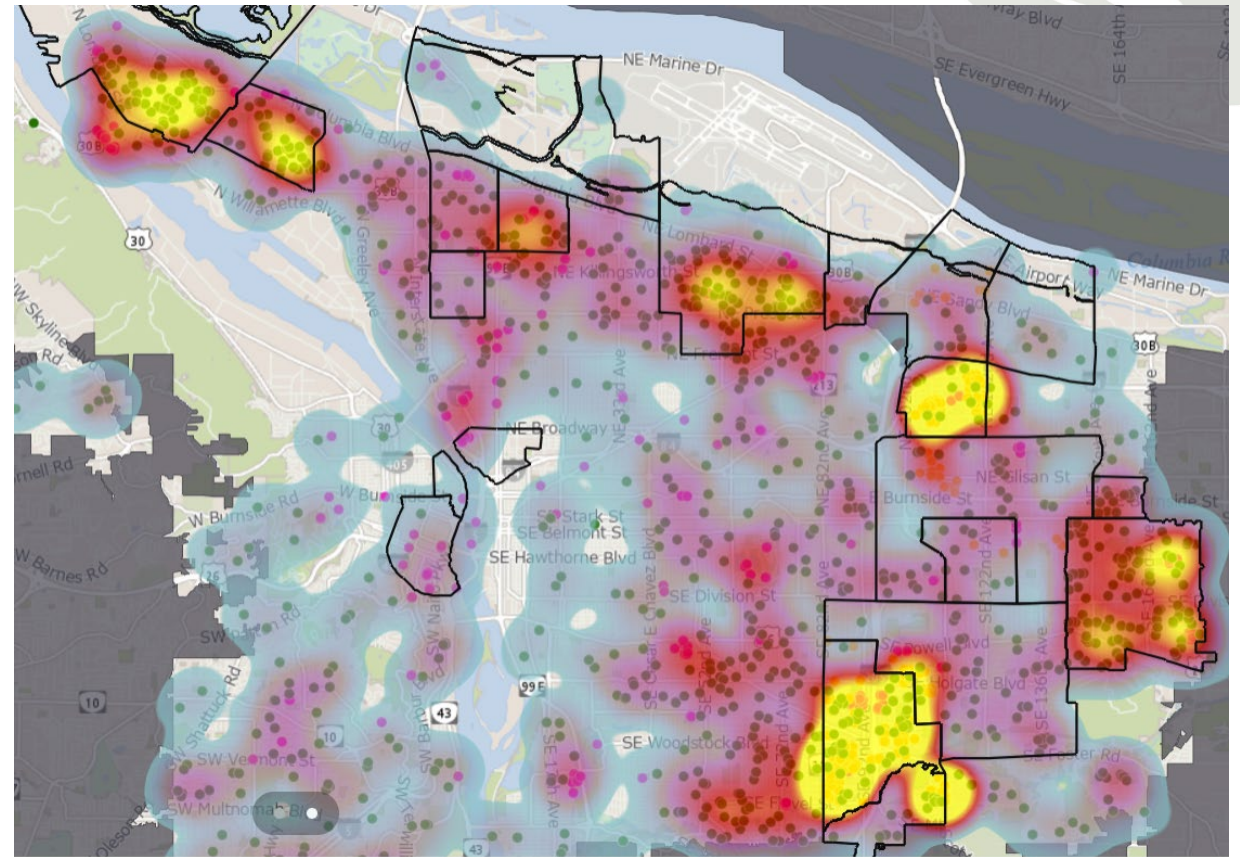
Project Type	Total Projects	Paying Mitigation (% of total)	Median Payment	Total Project Value	Total Mitigation Paid	% of Project Value
Apartments/Condos	130	21 (16.2%)	\$15,522	\$169,840,576	\$516,942	0.3%
Townhouses	1,040	16 (1.5%)	\$13,500	\$15,308,908	\$237,600	1.6%
Duplex	57	2 (3.5%)	\$23,625	\$1,292,098	\$47,250	3.7%
Single Unit Dwelling	906	19 (2.1%)	\$13,050	\$7,228,258	\$484,200	6.7%
ADU	443	4 (0.9%)	\$9,900	\$426,027	\$42,300	9.9%
	<b>2,576</b>	<b>62 (2.4%)</b>	<b>\$13,500</b>	<b>\$194,095,867</b>	<b>\$1,328,292</b>	<b>0.7%</b>

Source: BPS Residential Building Permits; BDS Tree Fund Payments



## Tree Planting & Preservation Fund

- Must be used to plant and establish trees (up to five years).
  - May also support conservation easements and land acquisition
- 2018 Citywide Tree Planting Strategy
- 42,000 trees planted since 2015
- Annual reporting



Source: Urban Forestry 2022 Planting Report



## Proposed Amendment to 11.50.040.C

### Staff Preferred Recommendation:

**C. Tree Preservation Requirement.** Any trees preserved shall be protected in accordance with the specifications in Section 11.60.030. ~~The regulations for Private Trees in Subsection 11.50.040 C.1. sunset after December 31, 2024. After December 31, 2024 the regulations in effect will be those in effect on January 1, 2015.~~

### Alternative Recommendation:

**C. Tree Preservation Requirement.** Any trees preserved shall be protected in accordance with the specifications in Section 11.60.030. The regulations for Private Trees in Subsection 11.50.040 C.1. sunset after December 31, 2024<sup>9</sup>. After December 31, 2024<sup>9</sup> the regulations in effect will be those in effect on January 1, 2015.



## Next Steps

- July 23: UFC and PC Public Hearing
- July – September: UFC and PC Recommendations
- Fall 2024: City Council Hearing







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# Thank You

