

ORDINANCE No. 186901

Create a fee schedule for tree review, tree inspections, tree permits, and tree related enforcement (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Parks & Recreation (PP&R) provides safe places, facilities, and programs that promote physical, mental, and social activity. PP&R programs establish, safeguard and restore parks, natural areas, public places. Portland Parks & Recreation Urban Forestry is charged with planning and managing and regulating Portland's urban forest.
2. Portland's urban forest is a unique community asset, providing a broad array of valuable ecological, social, and economic benefit, including cleaner air and water, reduced stormwater runoff, reduced landslide and flood impacts, carbon sequestration, neighborhood beauty and walkable streets, public health benefits, and enhanced property values.
3. Almost half the tree canopy in Portland shades city owned or managed property, while slightly more than half the canopy shades privately owned property. Portland Parks & Recreation estimates that city's street and park trees generate aesthetic and ecological benefits worth \$21 million annually.
4. On April 13, 2011, The City Council adopted a new Title 11, Trees as part of the Citywide Tree Policy Review and Regulatory Improvement Project (Citywide Tree Project). In adopting Title 11, Trees the City Council recognized the need to protect and expand Portland's urban forest. Title 11, also known as the Tree Code, consolidates and updates existing tree regulations that apply in development and non-development situations.
5. The Tree Code replaces the existing Chapter 20.40, which applies to street trees and trees on City owned and managed property, and Chapter 20.42 which contains permit requirements for trees on private property. The Tree Code includes similar tree permit review types and enforcement options as the existing Chapters 20.40 and 20.42. Title 11 also includes new tree permit types and new tree preservation and planting requirements that apply when new development is being permitted. The Bureau of Parks & Recreation and the Bureau of Development Services have the primary responsibility for administering Title 11.
6. Title 11, Trees, will take effect on January 1, 2015 (Ordinance No 184522). The initial effective date for these new regulations was February 1, 2013. In response to city budget cuts, the City Council passed two subsequent ordinances to delay the effective date of the regulations. Ordinance No 185448 (June 21, 2012) delayed the effective date to July 1, 2013. Ordinance No 186053 (May 29, 2013) delayed the effective date to January 1, 2015.

7. In preparation to begin implementing Title 11, it is necessary to update city fees for permits and other tree related reviews, inspections, and enforcement of tree-related violations. Portland Parks & Recreation Urban Forestry currently collects tree permit and code enforcement fees in accordance with Chapter 20.40 Street Tree and Other Public Tree Regulations (Ordinance No 134330; new chapter substituted by 159490, March 12, 1987) and Chapter 20.42 Tree Cutting (Ordinance No 170775).
8. On September 18, 2014, the Tree Project Implementation Coordinator (BDS/PPR) sought feedback on the proposed fee schedule from the Bureau of Development Services' Development Review Advisory Committee (DRAC). The DRAC is composed of representatives from various industries, neighborhood and community groups. The DRAC reviewed the proposed fee schedule and provided feedback on the proposed schedule.
9. On October 16, 2014, the Tree Project Implementation Coordinator (BDS/PPR) and City Forester sought feedback from the Urban Forestry Commission. The Urban Forestry Commission is comprised of volunteers who have demonstrated an interest in the preservation of trees and the beautification of Portland. The Commission serves as an advisory group to the PP&R Director and to the City Forester. The Urban Forestry Commission provided feedback on the proposed fee schedule.

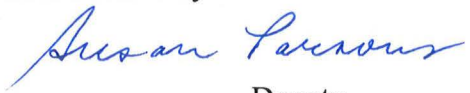
NOW, THEREFORE, the Council directs:

- a. The Fee Schedule listed as Exhibit A to this ordinance shall be effective January 1, 2015.
- b. This ordinance is binding City policy.

Passed by the Council: NOV 26 2014

Commissioner Amanda Fritz
Prepared by: Mieke Keenan, Program Coordinator
(PP&R/BDS)
Date Prepared: November 19, 2014

LaVonne Griffin-Valade
Auditor of the City of Portland

By 
Deputy

~~1197~~ 1223

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Agenda No.
ORDINANCE NO. 186901
Title

Create a fee schedule for tree review, tree inspections, tree permits, and tree related enforcement (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Commissioner Amanda Fritz</p>	<p>CLERK USE: DATE FILED <u>NOV 14 2014</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>[Signature]</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Paul L. Scarlett <i>[Signature]</i> <i>PLS</i> and Mike Abbate <i>[Signature]</i> Bureau Head: Directors, Bureau of Development Services and Portland Parks & Recreation</p>	<p>ACTION TAKEN:</p> <p>NOV 19 2014 PASSED TO SECOND READING NOV 26 2014 9:30 A.M.</p>
<p>Prepared by: Leanne Torgerson Date Prepared: 11/12/14</p>	
<p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p>	
<p>Council Meeting Date 11/19/14, 10:15 TC</p>	

AGENDA

TIME CERTAIN
Start time: **10:15 a.m.**

Total amount of time needed: 30 minutes
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: 30 minutes
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	