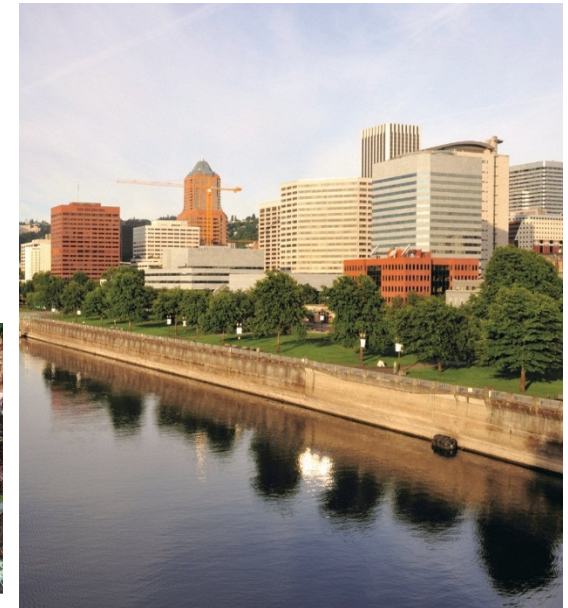


Tree Preservation in Development Situations

January 12, 2016

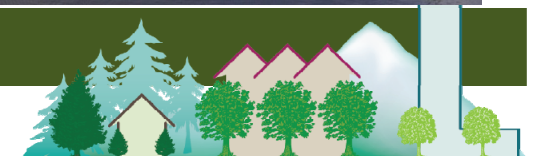


CITY OF PORTLAND, OREGON - PORTLAND TREES

Bureau of Development Services • Portland Parks & Recreation

1900 SW Fourth Avenue, Suite 5000 • Portland, Oregon 97201

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ORDER OF PRESENTATION

- **Background and Process**
- **Tree Preservation Applicability**
- **Current Code**
- **Proposal A**
- **Proposal B**
- **Comparison of Current Code, A, and B**



A scenic landscape photograph showing a town in the foreground, a forested valley in the middle ground, and a large, snow-capped mountain peak in the background under a clear blue sky. The text 'Background and Process' is overlaid in white on the center of the image.

Background and Process

Background/Process



- **Concern regarding especially large sized trees being removed in association with development projects**
- **Commissioner Fritz requested interim amendments to Title 11 to address issue**
- **Until such time a more comprehensive project can further address this and other issues**

Background/Process



- **Proposal A-Developed by Parks 11/3/15**
 - Presented to Tree Code Oversight Advisory Committee (OAC), Urban Forestry Commission (UFC), and Development Review Advisory Committee (DRAC)
- **Proposal B-Developed by BDS 12/11/15**
 - Developed after feedback from Tree Code Oversight Advisory Committee (OAC) and Development Review Advisory Committee (DRAC), and City Infrastructure Bureaus (PBOT, BES, Water)

Background/Process



- **Planning and Sustainability Commission**
(January 12, 2016)
- **Urban Forestry Commission**
(January 21, 2016)
- **Each body will make a recommendation to City Council**
- **City Council TBD**

Background/Process



Request for Action Today:

- **Recommend Proposal A,**
- **Recommend Proposal B,**
- **Recommend Alternative Proposal, or**
- **Recommend No Change**
- **No action**

A scenic landscape photograph showing a town with houses and trees in the foreground, a forested hillside in the middle ground, and a large, snow-capped mountain peak in the background under a clear blue sky. The text 'Tree Preservation Applicability' is overlaid in white on the center of the image.

Tree Preservation Applicability

Scope of Proposed Amendments



- **Addresses tree preservation in development-related situations**
- **Does NOT address tree preservation in non-development situations**
- **Addresses tree preservation on private property**
- **May or may not address tree preservation on City-owned or managed sites and in the public right-of-way**

Purpose of Trees In Development Situations (11.50.010)



The regulations of this chapter support and complement other City development requirements, with a focus on achieving baseline tree preservation and total tree capacity on a site, considering the anticipated use and level of development. This Chapter regulates the removal, protection, and planting of trees through the development process to encourage development, where practicable, to incorporate existing trees, particularly high quality or larger trees and groves, into the site design, to retain sufficient space to plant new trees, and to ensure suitable tree replacement when trees are removed. It is the intent of these provisions to lessen the impact of tree removal and to ensure mitigation when tree preservation standards are not met.

When Tree Preservation is Required

(No Changes Proposed)



Tree preservation applies:

- Trees 12" or greater in diameter*
- Ground disturbance (including demolitions)
- On sites 5,000 square feet or greater
- Less than 85% building coverage

Exemptions:

- Dead, dying, dangerous, nuisance species trees
- Some industrial/commercial zones
- Trees governed by a land use decision

* Diameter at 4.5 feet above the ground

Typical Projects

- Demolitions
- New residential construction
- New residential accessory structure construction
- Residential additions
- New commercial construction
(in non-exempt zones)
- Commercial additions (in non-exempt zones)
- City projects



A scenic landscape photograph showing a town in the foreground, a forested hillside in the middle ground, and a large, snow-capped mountain peak in the background under a clear blue sky. The text "Current Code" is overlaid in the center of the image.

Current Code

Current Code

Private Trees:

- Preserve 1/3 of non-exempt trees on site
- Each tree removed **below** the 1/3 standard requires a fee in lieu of preservation
- Fee in lieu = \$1,200 per tree
- No notice requirement

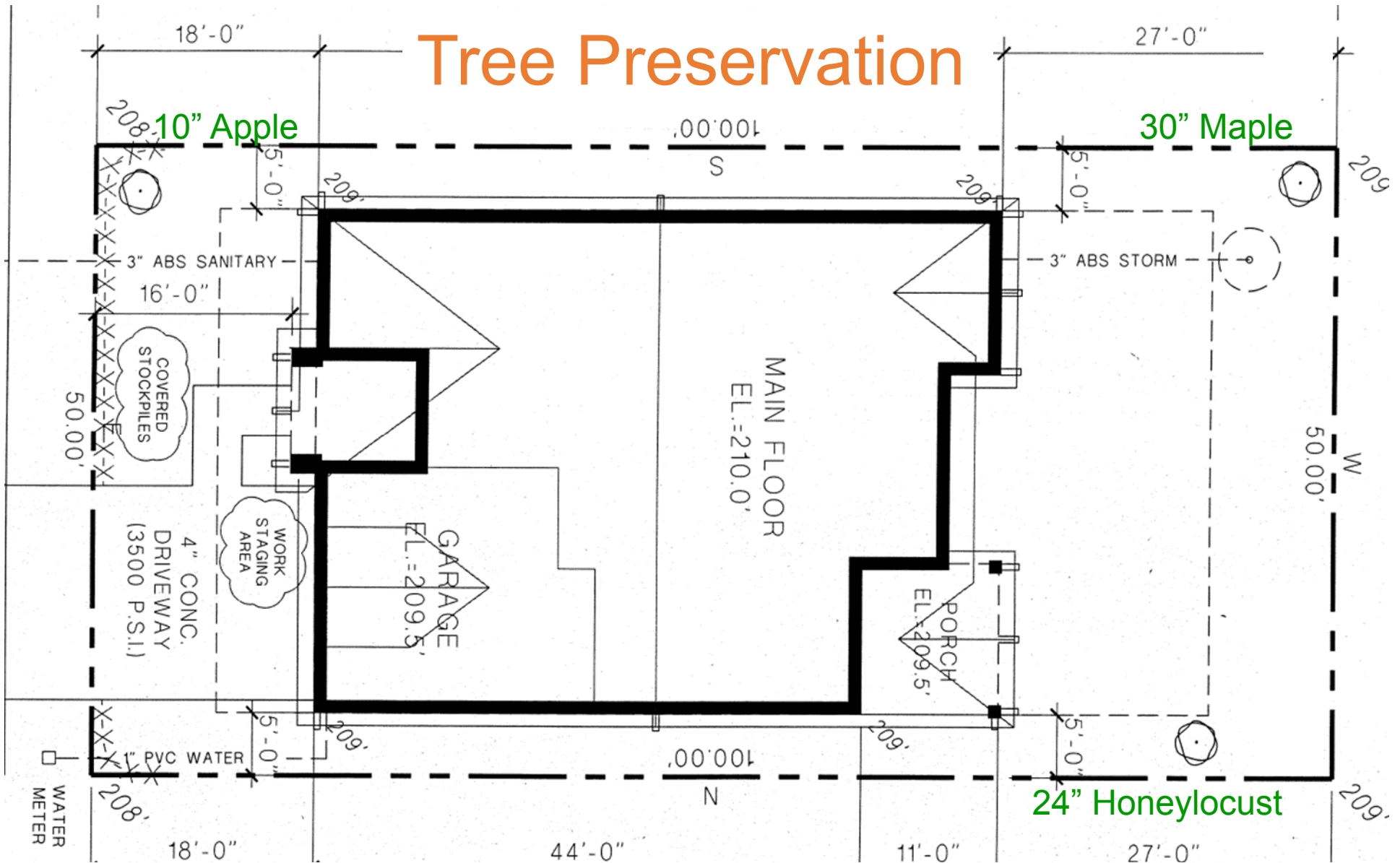
City and Street Trees:

- Tree Removal mitigated by planting or fee in-lieu per Admin Rule 10/19/15



Current Code

Tree Preservation



A scenic landscape photograph showing a town with houses and trees in the foreground, rolling hills in the middle ground, and a large, snow-capped mountain peak in the background under a clear blue sky. The text "Proposal A-Parks" is overlaid in white on the middle of the image.

Proposal A- Parks

Proposal A-Parks

1. Removal of any tree **48"** in diameter or greater will require "inch-per-inch" mitigation fee-in lieu: \$300 per inch removed.
 - No cap** on fee for removal of any tree **48"** in diameter greater
 - Ex. 48"=\$14,400; 60"= \$18,000; 72"=\$21,600
2. No change to the 1/3 preservation standard and \$1,200 fee in lieu of preservation for trees less than **48"** in diameter.

Proposal A-Parks (cont'd)

3. Removal of any tree **48"** or greater requires notice
 - 7 day notice prior to permit issuance
 - notice posted on-site
 - notice is courtesy in nature

4. Applies to City and Street trees as well as Private trees.

A scenic landscape photograph showing a town with various houses and buildings nestled among trees with autumn foliage. In the background, there are rolling hills and a large, prominent snow-capped mountain under a clear blue sky. The text "Proposal B-BDS" is overlaid in the center of the image.

Proposal B- BDS

Proposal B- BDS

1. Removal of any tree **50"** in diameter or greater will require mitigation fee-in lieu based on the cost to replant 10 trees: \$6,000 per tree removed.

--**Cap on fee: \$6,000**
2. No change to 1/3 preservation standard for trees **20-50"** in diameter.

--Change to fee in-lieu of preservation based on cost to replant 4-8 trees: **\$2,400-3,600**
3. No change to the 1/3 preservation standard and \$1,200 fee in lieu of preservation for trees less than **20"** in diameter.

Proposal B- BDS(cont'd)

Mitigation Fee In-lieu Schedule

Size of Tree Removed (inches in diameter)	Current Code		Proposal B	
	Number of Replacement Trees that Fee is Based On	Corresponding Fee In-Lieu of Preservation	Number of Replacement Trees that Fee is Based On	Corresponding Fee In-Lieu of Preservation
At least 12 and less than 20	2	\$1,200	2	\$1,200
At least 20 and less than 35	2	\$1,200	4	\$2,400
At least 35 and less than 50	2	\$1,200	6	\$3,600
At least 50 or more	2	\$1,200	10	\$6,000

Proposal B- BDS(cont'd)

- Removal of any tree **50"** or greater requires notice
 - 14 day notice prior to permit issuance
 - notice posted on-site
 - notice is courtesy in nature
- Does **NOT** apply to City and Street trees.

A scenic landscape photograph showing a town with houses and trees in the foreground, a forested hillside in the middle ground, and a large, snow-capped mountain peak in the background under a clear blue sky. The text 'Advisory Committee Feedback' is overlaid in white on the center of the image.

Advisory Committee Feedback

Advisory Committee Feedback

Tree Code Oversight Advisory Committee:

- Feedback on Proposal A
- Decrease size threshold to 35” in diameter or greater
- Increase notification to 30 days and include direct notice to neighborhood association
- Consider prohibition
- Add a sunset date

Development Review Advisory Committee:

- Feedback on Proposal A and Proposal B
- Support Proposal B

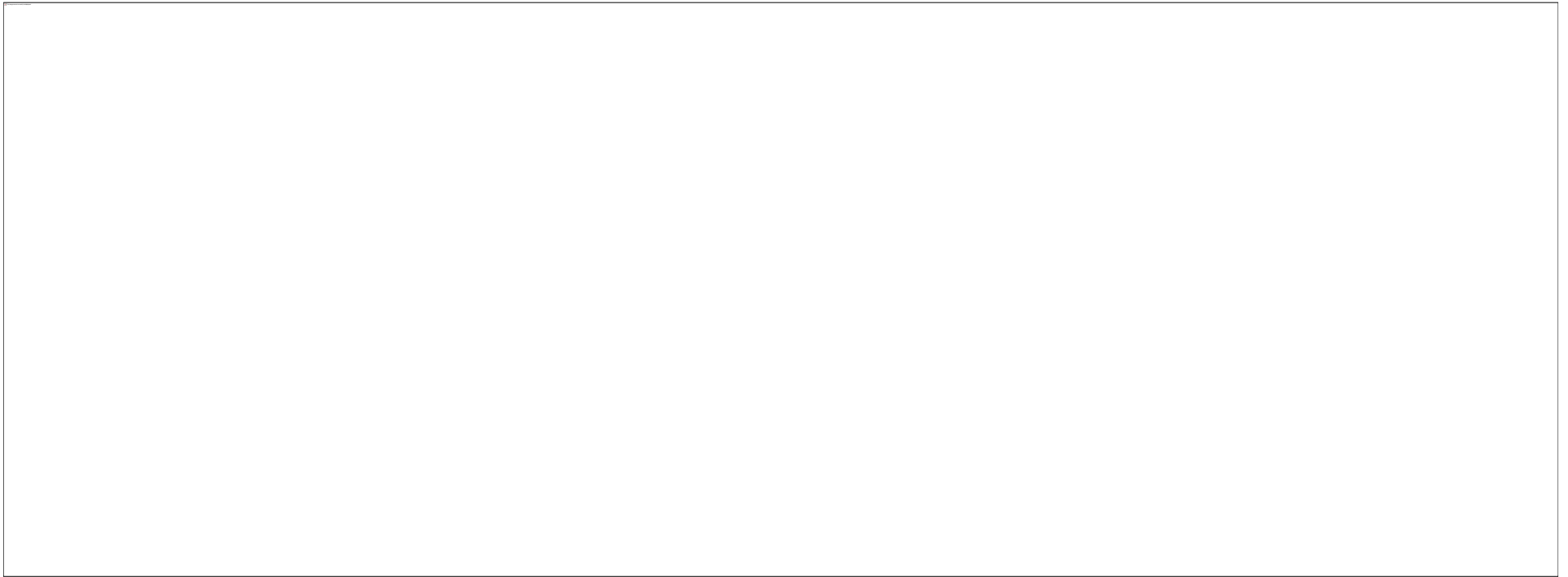
A scenic landscape photograph showing a town in the foreground, a forested valley in the middle ground, and a large, snow-capped mountain peak in the background under a clear blue sky. The word "Comparison" is overlaid in white text in the center of the image.

Comparison

Comparison: Current Code, Proposal A, Proposal B

Item	Description	Current Code	Proposal A	Proposal B
1	Largest Tree Size Threshold	None	48"	50"
2	Applies to All Trees or Only Trees Subject to 1/3 Preservation Standard?	1/3 Standard	<ul style="list-style-type: none"> Up to 48"= 1/3 Standard 48" or greater= All Trees 	<ul style="list-style-type: none"> Up to 50"= 1/3 Standard 50" or greater= All Trees
3	Mitigation Fee In-Lieu of Preservation Structure	<ul style="list-style-type: none"> \$1,200/tree removed (based on cost to plant and maintain 2 replacement trees) 	<ul style="list-style-type: none"> Up to 48"=current code (\$1,200/tree removed) 48" and greater= fee per inch removed @ \$300.00/inch (\$14,400 +) 	<ul style="list-style-type: none"> Up to 20"=current code (\$1,200/tree removed) 20" and greater= graduated fee based on cost of replacement trees @ \$300/inch (\$2,400-\$6,000) 50" and greater= \$6,000
4	Fee Per Tree or Per Site?	Per Tree	Per Tree	Per Tree
5	Cap on Fee?	\$1,200/tree	None	\$6,000/tree
6	Notice Requirements	None	On-site posted notice for 7 days	On-site posted notice for 14 days
7	Applicability to City and Street Trees?	No	Yes	No
8	Sunset Date?	N/a	None	None

QUESTIONS

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