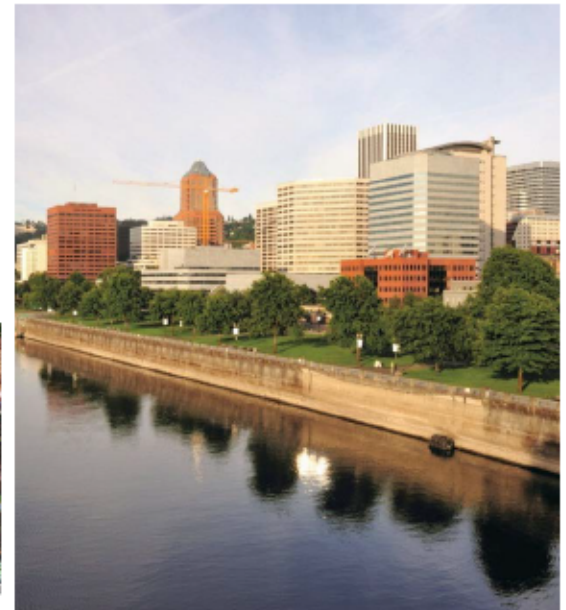




Tree Preservation in Development Situations

March 3, 2016



CITY OF PORTLAND, OREGON - PORTLAND TREES

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ORDER OF PRESENTATION

- **Background and Process**
- **Scope of Amendments**
- **Comparison of Current Code and Recommendations**





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.”



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 amendment project can further address this and other issues**



Background/Process



- **Early Proposals Presented to Tree Code Oversight Advisory Committee (OAC), Urban Forestry Commission (UFC), Development Review Advisory Committee (DRAC), and City Bureaus**
- **Planning and Sustainability Commission Hearing and Recommendation (January 12, 2016)**
- **Urban Forestry Commission Hearing and Recommendation (January 21, 2016)**
- **Fritz-Saltzman Proposal**



Scope of Proposed Amendments



- **Address tree preservation**
 - *in development-related situations*
 - *on private property*
- **Does NOT address where tree preservation is required or when trees are exempt from tree preservation standards, e.g.,**
 - **Sites < 5,000 square feet,**
 - **some commercial/industrial zones,**
 - **dead, dying, dangerous and**
 - **nuisance species trees**



Typical Projects Affected

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



Comparison: Current Code, PSC, UFC, and Fritz/Saltzman

Item	Description	Current Code	PSC	UFC	Fritz/Saltzman
1	Mitigation Fee In-lieu Applies to All Trees Removed OR Only Trees Removed that are Subject to 1/3 Preservation Standard?	1/3 standard	Up to 36"= Fee required for removal of trees used to meet the 1/3 preservation standard. 36" or greater=Fee required for removal of all trees.	Up to 30"= Fee required for removal of trees used to meet the 1/3 preservation standard. 30" or greater=Fee required for removal of all trees.	Up to 36"= Fee required for removal of trees used to meet the 1/3 preservation standard. 36" or greater=Fee required for removal of all trees.
2	Mitigation Fee In-lieu of Preservation Structure	\$1,200/tree removed (cost to plant and maintain 2 replacement trees)	Up to 20"=current code (\$1,200/tree removed) 20" and greater= graduated fee based on cost of 4-15 two-inch replacement trees @ \$300/inch (\$2,400-\$9,000) See next page for table	Up to 20"=current code (\$1,200/tree removed) 20" and greater= fee per inch removed @ \$300.00/inch (\$6,000 +)	Up to 20"=current code (\$1,200/tree removed) 20" up to 50" = graduated fee based on cost of 4-8 two-inch replacement trees @ \$300/inch (\$2,400-\$4,800) 50" and greater= fee per inch removed @ \$300.00/inch (\$15,000 +) See next page for table
3	Notice Requirements	None	For removal of trees 36" or greater: 30 day posted notice and Neighborhood Association notice	For removal of trees 30" or greater: 30 day posted notice and Neighborhood Association notice	For removal of trees 36" or greater: 30 day posted notice and Neighborhood Association and District Coalition notice
4	Applicability to City and Street Trees?	No (Admin Rule)	Yes	Yes	No (Admin Rule)
5	Sunset Date?	N/a	December 31, 2019	3 years from passing	December 31, 2019
6	Site Size Applicability	Applies to sites 5,000 square feet or greater.	Applies to sites 5,000 square feet or greater (N/c)	Applies to sites 3,000 square feet or greater.	Applies to sites 5,000 square feet or greater (N/c).

Comparison: PSC, UFC, and Fritz/Saltzman

PSC Recommended Mitigation Fee In-lieu of Preservation Table

Size of Tree Removed (inches in diameter)	Number of 2-inch Replacement Trees That Fee is Based On	Corresponding Current Fee In-Lieu of Preservation
At least 12 and less than 20	2	\$1,200
At least 20 and less than 36	4	\$2,400
At least 36 and less than 50	6	\$3,600
50 or more	15	\$9,000

UFC recommended inch-for-inch mitigation for removed trees > 20"

Fritz-Saltzman Mitigation Fee In-lieu of Preservation Table

Size of Tree Removed (inches in diameter)	Number of 2-inch Replacement Trees That Fee is Based On	Corresponding Current Fee In-Lieu of Preservation
At least 12 and less than 20	2	\$1,200
At least 20 and less than 36	4	\$2,400
At least 36 and less than 50	8	\$4,800
50 or more	N/a: Inch-per-Inch	\$15,000+



Data

Tree Distribution Sample: Residential New Construction and Demolition Permits Issued August 2015

Diameter Inches	# of Trees*	% of Total Trees*
12-19"	86	47%
20-29"	62	34%
30-35"	23	13%
36-42"	7	4%
>42"	6	3%
Total Trees	184	100%

*Shows the number and percent of trees on subject sites. This information does not capture whether the tree was preserved or removed; only that it existed. It is meant to show a rate of occurrence of differing tree sizes in the given sample.



QUESTIONS

