



## “FREQUENTLY ASKED QUESTIONS” (FAQ) June 2011

### Introduction

On April 13, 2011 the Portland City Council approved the Citywide Tree Project. If you have a question about the project that isn’t addressed here, feel free to send us an email:

[BPSCTP@portlandoregon.gov](mailto:BPSCTP@portlandoregon.gov). We will try to respond to your inquiry, however, we may not be able to respond individually to everyone.

The Citywide Tree Project adopted reports, including the new Title 11, Trees and amendments to other existing City code titles are posted on the project website at

[www.portlandonline.com/bps/treeproject](http://www.portlandonline.com/bps/treeproject).

If you have questions about the project you can also call:

Roberta Jortner 503-823-7855, Morgan Tracy 503-823-6879, or Stephanie Beckman 503-823-6042.

### PLEASE NOTE:

If you have concerns about a tree issue that is happening right now, please contact:

**The City Forester at (503) 823-4489** for street tree and general tree removal issues, or the  
**The Planning and Zoning Hotline at (503) 823-7526** for construction-related tree matters.

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**Q:** When do the new rules go into effect?

**A:** The Portland City Council adopted the Citywide Tree Project ordinance package on April 13, 2011. Included in the ordinance is a phased implementation strategy that defers the effective date of many of the adopted rules, including the new Title 11, Trees, until February 2013. The phasing will provide time for the City to update procedures and informational materials for the public, upgrade computer permit tracking systems, continuing public education and outreach, and to hire and train staff. A subset of the Portland Zoning Code (Title 33) amendments will go into effect on July 1, 2011, such as flexible development standards to make it easier to preserve trees, minor clarifications of tree preservation requirements in specific overlay and plan district areas, and new master planning options for sites containing environmental resource overlay zones. A complete summary of the Phase I zoning code changes is available on the project website: <http://www.portlandonline.com/bps/index.cfm?c=54923&a=345711>

When does it happen?



## PROJECT CONTEXT

**Q:** Why should I be concerned about trees in the city?

**A:** A healthy urban forest is a valuable resource; one that affects our physical, emotional and economic wellbeing – and our quality of life. Trees clean and cool air and water, provide fish and wildlife habitat, stabilize hillsides, reduce stormwater impacts, and capture carbon dioxide that increases global warming.

Trees can also increase property values. A recent study estimates that street trees in front of or near a Portland home can increase the sales price by an average of \$7,000. Another study values the environmental and aesthetic benefits provided by Portland’s street and park trees at about \$27.1 million each year. For every dollar invested in the maintenance of these trees, Portlanders receive an estimated \$4 in benefits. The replacement value of trees on private and public property combined is estimated at roughly \$5 billion.

Currently, the City’s canopy cover is about 26 percent. That may seem like a lot but it’s about 6,000 acres short of the area required to meet the City’s 2004 Urban Forestry Management Plan (UFMP) canopy targets. That’s more than the area of another Forest Park.

Realistically, the additional 6,000 acres will need to be (and should be) distributed throughout the city rather than concentrating them in just a few areas. While canopy studies have shown that the quantity of tree canopy has remained relatively even over the past 30+ years, these studies also show that there are inequities in the distribution of tree canopy between neighborhoods. Tree loss is occurring predominantly in developing neighborhoods,



and compensatory tree gains are attributed largely to the efforts of Friends of Trees, who plant trees on city streets.

In addition, the city is projected to grow by more than 100,000 new households in the next 25 years, which is about half the number of households presently in the city. Maintaining existing tree canopy levels will be challenging enough; adding 6,000 additional acres poses an even greater challenge and requires a strong and creative set of tools.

Planting additional street trees offers significant opportunity, but will not be sufficient to fulfill the UFMP targets. If a tree were planted every 25 feet, on every street in the city (an extremely optimistic assumption), this would generate roughly 4,500 additional acres of canopy. Moreover, there has been a trend of replacing large canopy trees with smaller ornamental trees that provide substantially fewer benefits than their larger cousins. Looking to the future, the City needs mechanisms in place to ensure that the \$5 billion asset is maintained, enhanced and replenished, and at the same time provide a means to expand the resource equitably and strategically.

### **Q: What was the purpose of the Citywide Tree Project?**

**A:** The Citywide Tree Project was a multi-bureau effort to examine the city's current policies and regulations relating to trees. This project was identified as a "high priority" action in the City's first Urban Forest Action Plan (2007). The project charge was to:

- 1) Establish a clear, consistent and cohesive policy and regulatory framework for trees in Portland; and,
- 2) Protect and enhance the urban forest through development and redevelopment.

The tree-related regulations that the City currently administers were adopted in a piecemeal manner over many years. The result is a patchwork of complex, inconsistent regulations that are difficult to understand, administer and enforce. Community members complained that the City's tree regulations are confusing and do not adequately preserve and protect trees, particularly large trees and tree groves. Developers find the tree regulations frustrating and difficult to meet. City staff also finds the current rules frustrating and challenging to administer. To address these concerns, the Citywide Tree Project developed a package of solutions intended to improve regulatory effectiveness and make the regulations more equitable and easier to understand and comply with. The adopted project package includes restructuring and updating the City's tree regulations to better preserve and enhance the quality, quantity and distribution of Portland's trees, along with complementary actions to improve efficiency and customer service. The proposal also includes a set of broader tree-related policy questions that should be addressed through the Portland Plan project ([www.pdxplan.com](http://www.pdxplan.com)).

### **Q: Does the City have existing tree policies?**

**A:** Yes. Portland's 2004 Urban Forestry Management Plan (UFMP) establishes goals to protect and enhance the urban forest, and distribute the benefits of the urban forest among all Portland residents. The UFMP also establishes tree canopy targets for different types of land uses across the city. The plan calls for canopy to cover about a third of the city, averaged across all of Portland. The current canopy shades only about a quarter of the City today. The Portland Watershed Management Plan (2005) and Climate Action Plan (2009) also call for an



expanded urban forest to improve watershed conditions and help reduce greenhouse gases in the atmosphere. These policies provided the fundamental basis and direction for the Citywide Tree Project. The project also addressed other City goals for neighborhood livability, a compact urban form, affordable housing, and economic prosperity.

### **Q: Did the Citywide Tree Project establish new tree policies for Portland?**

**A:** The existing policies and canopy targets in the [City's Urban Forestry Management Plan](#) provided the fundamental basis and direction for the Citywide Tree Project. The project was not intended to establish new basic policies for trees, but rather to confirm and clarify existing policies, and bring the City's regulations into alignment with those policies. The project proposal was also intended to support the goals of the [Portland Watershed Management Plan](#) and [Climate Action Plan](#), and other City goals for neighborhood livability and economic prosperity. The adopted package includes recommendations to support the evolution of City policies and urban form through completion of the Portland Plan project. With competing needs for housing, businesses, utilities, infrastructure and recreational spaces within a limited area, careful and deliberate choices must be made to meet the array of city goals while preserving and creating space for a healthy, functioning urban forest. Without care and attention, a healthy urban forest cannot exist. The decisions we make now and the consequences of our actions determine how well or poorly the urban forest will function in 10, 20 and 50 years.

### **Q: Who worked on the Citywide Tree Project and how was the public involved?**

**A:** The Portland City Council directed the Bureau of Planning and Sustainability (then Bureau of Planning) to lead the project, in partnership with other City bureaus including Parks and Recreation (PPR), Development Services (BDS), and Environmental Services (BES). The project package also reflects substantial input from the Portland Bureau of Transportation and the Water Bureau. Early in the project, a diverse group of stakeholders explored key issues and problems with the existing system and identified and evaluated potential solutions. The project Stakeholder Discussion Group (SDG) included representatives from a broad cross-section of the community – neighborhood associations, arborists, homebuilders, industrial and institutional representatives and environmental organizations. The SDG met regularly from April to November 2008, providing critical information, ideas and critique that were instrumental in shaping the initial project proposals and the final adopted package.

In early 2009 project staff presented a set of initial proposals to the Urban Forestry Commission, the Planning Commission and other community organizations for feedback. Based on general support for the initial proposals, as well as some helpful suggestions, staff produced a proposed draft in February 2010. City staff provided numerous briefings for community organizations and held several open houses. The Planning Commission and Urban Forestry Commission held a joint public hearing and a series of work sessions between March and July 2010 to solicit additional input from the community and provide policy and programmatic direction. The commissions unanimously voted to approve the proposal with recommended changes and endorsed a phased project implementation and funding strategy. The commissions directed staff to develop a Recommended Draft for further public review



and City Council action. The City Council hearing process took place between December 2010 and April 2011. Council directed additional amendments to the proposal in response to extensive input from community stakeholders and additional feedback from City bureaus. Go to [www.portlandonline.com/bps/treeproject](http://www.portlandonline.com/bps/treeproject) to see the [final](#) “as adopted” documents.

### **Q:** What approach was taken to complete the Citywide Tree Project?

**A:** The Citywide Tree Project was conducted over the following four phases:

- **The initial phase** included development of inter-bureau agreements, research on tree regulations in other jurisdictions, a collaborative project scoping process, and development of project issue papers to foster stakeholder discussion.
- **The second phase** involved presenting and reviewing the issues with current systems and potential solution concepts with the Stakeholder Discussion Group.
- **The third phase** included vetting the initial project proposals before the Urban Forestry Commission, Planning Commission and other organizations.
- **The fourth phase** involved completing the City’s legislative process. The steps included:
  - 1) Transforming initial solution concepts into the draft proposal, including project report, draft code and preliminary estimates of staffing impacts and associated costs for implementation
  - 2) Completing a five month Planning Commission and Urban Forestry Commission joint public hearing and series of work sessions. The Planning and Urban Forestry commissions approved a set of revisions to the draft proposal. The revisions were intended to simplify and reduce the costs to implement the project, and to ensure that the project outcomes would be efficient, effective, equitable and affordable.
  - 3) Producing the City Council Recommended draft and completing the public review, hearing and adoption process. The Council directed additional amendments to ensure that the regulations would be clear, consistent and feasible to administer and enforce. Council also amended the proposal to balance the City’s goals for development and the urban forest.

### **CURRENT SYSTEM** (*Pre-Citywide Tree Project*)

#### **Q:** How do Portland’s current tree regulations work?

**A:** Portland’s tree regulations currently reside in multiple code titles and are implemented by several bureaus. The patchwork of City tree rules contains many inconsistencies, overlaps and gaps, resulting in procedural inefficiencies, inequities and lost opportunities to address tree preservation and replacement. Portlanders have a hard time finding the tree rules that apply to their specific situation, and there is no single point of contact to answer tree-related questions. City staff also find the existing tree rules frustrating and difficult to administer.



### **Q: Do I currently need a permit to remove a tree in the City of Portland?**

**A:** Currently, a number of codes apply to trees in the city depending on their location, whether a property is vacant or can be further divided, uses on the property, species and size of tree. The answer depends on whether the tree is a street tree, yard tree, business landscape tree or tree in a natural area. The answer also depends on the size of the tree whether the property is developed or vacant, what type of development exists on the property, and whether new development is proposed.

#### **Street Trees**

Nearly 236,000 trees that line our streets, planted either in the parking strip between the sidewalk and curb, in median in the center of the street, or in less formal arrangements within unimproved public rights of way.

- Currently the City requires a permit to plant, prune, or remove any size street tree. Most often, street trees that are removed must be replaced with another tree.

#### **Trees on Private Property**

Private Trees comprise slightly more than half of the canopy in the city. These are trees located in parking lots, on vacant sites, in plazas and in private yards or landscaped areas.

- The City currently requires a permit to remove trees 12 or more inches in diameter. Most healthy trees that are removed must be replaced.
- Permits are not required to prune trees on private property or to remove trees on single family lots with existing homes that are outside environmental resource overlay zones and that cannot be further divided.
- Permits are also not required for tree removal when a building or demolition permit is submitted; however in some cases, conditions of a prior land use review may require that specific trees be protected.
- In some areas of the city (environmental zones or special plan districts), zoning code regulations apply to trees instead of the tree permit requirements. On City managed land in these areas, zoning code *and* tree permit requirements apply to the trees.

Sound complicated? In truth, it is. The Citywide Tree Project aims to clarify the codes and consolidate information so that it will be simpler and quicker to find out whether a permit is required and how to obtain one if necessary.

To determine which requirements apply specifically to your site or project, you can call the Bureau of Development Services ([www.portlandonline.com/bds](http://www.portlandonline.com/bds)) at (503) 823-7526 and Urban Forestry ([www.portlandonline.com/parks](http://www.portlandonline.com/parks)) at (503) 823-4489.

### **Q: How does the City currently address trees when development is proposed?**

**A:** To date, trees have been addressed inconsistently in development situations. In terms of land use reviews, tree preservation is addressed only when a land division or development in an environmental or greenway zone is proposed. Trees are often dealt with late in the process after other zoning and infrastructure requirements have been addressed. Tree preservation standards focus only on the *quantity* of trees, often resulting in preservation of



lower *quality* trees. Trees on property lines are not accounted for or protected, which can result in damage during construction. Tree preservation plans from approved land divisions last “in perpetuity” and do not expire, making them difficult to track over time and creating disparities between properties.

Currently trees are not addressed through the building permit process unless the permit is for a new single family home. When a building permit is submitted, sites may be cleared of trees without any consideration for tree preservation, protection or planting. While some types of development must meet standards for landscaping, screening, etc., these standards are not generally designed to encourage retention of trees or groves, or to mitigate for loss of trees and the benefits they provide. The trend is to remove large canopy trees and landscape with small canopy trees. While mature trees can add to the value of new development, in many instances it is less costly and more convenient to remove trees than to preserve and protect trees during construction. This is particularly true on smaller, constrained sites.

**Q:** How would I know if any of my trees are “protected” by a “tree preservation plan”?

**A:** There is presently no easy way to find out if certain trees on your lot are protected. The best method is to contact the Bureau of Development Services, Planning and Zoning Hotline at (503) 823-7526. With a specific address or tax lot number, BDS staff can research the prior land use conditions to determine if there are protected trees on your property. You may also visit the Development Services Center (1900 SW 4<sup>th</sup> Avenue, 1<sup>st</sup> Floor) between 8 a.m. and 3 p.m. Tuesday through Friday to speak to a planner and obtain copies of tree preservation plans – be sure to check the [BDS website](#) for the most current business hours. The Bureau of Development Services is currently looking into making this information more accessible online, but that project has not yet been funded.

One of the non-regulatory components of the Citywide Tree Project package is to establish a “Single Point of Contact” to help residents, business owners, and contractors understand the relevant requirements, determine what approvals may be necessary, and guide them through the process.

### ADOPTED PROJECT PACKAGE

**Q:** What will implementing the Citywide Tree Project entail, “in a nutshell?” How will the package address current problems and make the City a better place for people and trees?

**A:** By adopting the Citywide Tree Project package the City Council has taken bold steps to establish a new, cohesive regulatory framework for trees in Portland. Elements of the proposed framework are designed to work as an interlocking, reinforcing system of rules that treat trees consistently in development and non-development situations. The rules are intended to be clear and transparent, and to support the City’s goals for the urban forest and watershed health goals, neighborhood livability, and development and economic prosperity. The project proposal includes the following key elements:

#### 1. CODE RESTRUCTURING AND CUSTOMER SERVICE IMPROVEMENTS

- **New comprehensive tree code called “Title 11, Trees.”** Title 11 will elevate the role of trees, the City’s Urban Forestry program and the Urban Forestry Commission. It establishes a comprehensive framework for trees in development and non-development settings, including tree permits, tree preservation and density standards



for development sites, rules for capital and public improvement projects, and enforcement procedures.

- **Single point of contact for the public** – The proposal calls for a dedicated staff position to answer tree-related questions and help process permit applications. There would also be an automated tree telephone line to direct calls quickly and efficiently.
- **24-hour tree hotline pilot project** – Callers will be able to report tree-related hazards or suspected illegal tree cutting on weekends or after regular office hours. The hotline would route calls in emergency and non-emergency situations. The pilot project would utilize the Bureau of Environmental Services Spill Response service to screen calls, perform initial permitting research and conduct field visits if needed to gather additional information, take photographs, etc.
- **Community Tree Manual** – A Community Tree Manual will provide a user-friendly guide for trees in the city. The manual will include information on the City’s tree rules and stewardship programs, and present helpful information on tree care and best management practices. Information will be provided online and potentially in print, DVD or other formats. The manual will also provide handy information on topics of interest such as fruit and nut trees, habitat trees, and how to make trees and solar energy systems work together. The manual will likely be produced in phases over a period of time.
- **Neighborhood Tree Plan** – Planning for trees at the neighborhood scale provides opportunities to identify tree issues and needs on a neighborhood level, to phase in new street and yard trees, focus planting of replacement trees in pre-selected areas and potentially customize permit requirements. The City’s Urban Forestry Program is taking the first steps by piloting community tree inventory projects in several Portland neighborhoods in summer 2011.

## 2. STANDARDIZED TREE PERMIT SYSTEM (NON-DEVELOPMENT SETTINGS)

- **Standardized tree removal permit** - The proposal would update the City’s existing tree permit system to improve clarity and consistency, and to help sustain the urban forest. Tree permit procedures and requirements will be based on tree size and condition and will apply consistently across the city. Removal of any street tree or tree on City property that is 3 or more inches in diameter will continue to require a permit, as will smaller trees if they were newly planted to meet City planting or replacement requirements. On private properties, removing trees at least 6 inches in diameter in environmentally sensitive areas will require a permit. Outside these areas, removing trees 12 or more inches in diameter will require a permit. Replacing the current partial exemption for single family lots will increase fairness and reduce confusion and the risk of inadvertent violations, while also replenishing the urban forest. Provisions allowing tree removal in emergency situations will continue to apply.
- **Streamlined permit system** (or “putting process where process is due”) - A new “tiered permit approach” (Type A and B permits) is designed to encourage retention of large healthy trees, while streamlining the permit process for removal and replacement of dead, dying, dangerous trees, invasive tree species, and smaller trees. The tiered system will apply to trees on public and private property. Tree replacement requirements will also be tiered. Type A permits will replace the current “inch for inch” replacement requirement with a “tree-for-tree” replacement requirement.



(Inches refer to diameter of the tree trunk at 4.5 feet above land surface). The new system retains the inch for inch replacement requirement and opportunity for the public to appeal a City permit for removing healthy, non-invasive trees that 20 or more inches in diameter or more than 4 healthy trees that are at least 12 inches in diameter.

The new streamlined permit system will apply to street trees as well. In addition, property owners will now be able to obtain their street tree permit automatically simply by agreeing to adhere to proper pruning practices. This will reduce waiting time and costs for the City to issue the permit.

The adopted Citywide Tree Project package also includes a simplified permit to allow limited pruning of native trees in natural resource areas, and a programmatic permit to allow routine public agency tree-related activities over a longer time-frame.

### 3. CODE IMPROVEMENTS FOR TREES IN DEVELOPMENT SETTINGS

- **New flexible development standards** have been established to encourage and facilitate tree preservation. The standards allow limited changes in residential density, parking spaces and configuration of required outdoor area and pedestrian pathways (other than sidewalks) without a land use review if trees are preserved. Deviating from standards such as property line setbacks and height limits would continue to require review to ensure other potential impacts are considered and mitigated properly.
- **New tree preservation and tree density standards for development** will be applied through the development permit process (i.e., building permit, demolition permit) as a basic site requirement, similar to stormwater or erosion control requirements. Tree density standards are designed to ensure a basic minimum level of tree canopy will be maintained by preserving or planting trees on the site or elsewhere in the watershed. The standards would vary by lot size, development type and building coverage. Tree preservation standards encourage preservation by requiring retention of a portion of the existing trees 12 inches in diameter or larger, or a mitigation payment into the Tree Planting and Preservation Fund. The combination of additional credit and the mitigation payment requirement is intended to create an additional economic incentive to preserve larger existing trees. However, these standards are also designed to recognize and help address the challenges of developing small lots and the needs of different development types. Lots that are less than 5,000 square feet in size and lots with an existing or proposed building coverage of at least 85 percent are exempt from the tree preservation standards. In addition existing or newly planted street trees may be used to meet on-site tree density standards for lots that are 3,000 square feet or smaller. The standards will not trigger any additional reviews as part of the building permit process.
- **Updated tree preservation criteria and standards for land divisions** will improve the quality of tree preservation; emphasize preserving large, healthy trees, higher value trees, groves, and native trees; and add flexibility to consider site-specific conditions.
- **Tree preservation will also be added as a new factor to consider** during certain types of **conditional use reviews and design reviews**, providing more opportunities to integrate trees, where appropriate, during early stages of development planning and design.



- **Trees on property lines will now be able to count toward meeting tree preservation requirements**, helping to enhance tree canopy and prevent creation of hazard trees as a result of construction impacts.
- **Tree preservation plans will be recorded with the final plat, but would expire 10 years from the date that the City approves the final plat.** Requiring the tree plan to be recorded with the plat will make it easier for new property owners to identify and understand tree requirements on their property. After the plan expires, trees would be subject to the proposed standardized permit system. This approach is intended to recognize that tree conditions change over time, simplify administration of the regulations and improve equity between property owners.
- **Clarification of tree-related requirements for capital improvement and public works projects** will ensure that City arborists are consulted early in the design process, and that trees are appropriately protected or replaced onsite or in the same watershed.
- **Clarification of environmental zone and plan district regulations** will address gaps and inconsistencies. Proposed code amendments provide more consistent replacement requirements for trees in environmental zone transition areas and more consistent application of setbacks to help maintain riparian trees and vegetation along streams and wetlands. The amendments will also clarify how non-native, non-nuisance trees are to be addressed in these zones.
- **Improved enforcement procedures** will facilitate prompt resolution of violations and ensure that remedies are fair and appropriate to the violation.

### COSTS AND BENEFITS

**Q:** What's the benefit of requiring a permit to remove a tree in my backyard?

**A:** The City's existing tree permit system is confusing and unfair, ignoring a significant portion of the urban forest in Portland. The City currently requires a permit to remove trees 12 or more inches in diameter on all private property except on developed single family home sites that cannot be further divided. As a result, roughly half of the lots in the City are exempt from tree permits and the other half is not. The exempt lots contain more than one-third of the tree canopy in the city.

The new standardized, streamlined permit approach will address roughly 10 percent more of the total tree canopy in the city. Basing permit requirements on tree size and condition will eliminate confusion, reduce risk of inadvertent code violations, provide an opportunity for the City to engage and educate property owners, encourage retention of large healthy trees, provide tree care information and ensure that trees removed are replaced over time.

**Q:** How much will it cost to get a permit to remove my tree?

**A:** The standardized tree permit system is intended to address these issues without undue cost or hassle for property owners. Currently the fee for a tree removal permit on private property and for street trees is \$35. The proposal is to update and scale the fees for the tiered tree permit and to shift to a "fee per tree" approach – but to keep the cost low to promote compliance. The actual fees will be set by the City Council on an annual basis. The permittee will also be responsible for the cost of a new tree or trees to replace the tree(s) removed. As



noted above, the tree replacement requirements range from tree-for-tree replacement to inch-for-inch replacement, depending on the size, type, number, location and condition of trees removed. Payment in lieu of replacement would be about \$600 per tree. This reflects the cost of purchasing the tree, locating a suitable planting site, transporting the tree, labor associated with site preparation and planting, and two years of establishment and care.

**Q: How will the updated rules change how trees are addressed when development is proposed? How will these changes affect developer costs? Will the proposal discourage development in Portland or reduce housing affordability?**

**A:** The adopted Citywide Tree Project is intended to complement the development process and support development at allowed densities, while also enhancing tree preservation, planting and protection through the course of development. The new standards are designed to provide certainty, avoid increasing the time for permitting and reviews and keep developer costs fair and reasonable.

**Building permits** - The Title 11 tree preservation and tree density standards will address trees while maintaining a timely, efficient building permit process. The standards treat trees as a basic site development requirement, similar to meeting requirements for stormwater management or erosion control. The tree preservation standards require preservation of one-third of the onsite trees at least 12 inches in diameter. These standards will not apply to lots less than 5,000 square feet or lots with at least 85 percent existing or proposed building coverage. These exemptions will help support infill development on small lots and recognize that some high intensity uses are expected to cover most or all of the lot area. There will also be additional “spot check” inspections to help ensure that the tree standards are working, while keeping implementation costs relatively low. The new tree preservation standards may be met on-site or through a payment in lieu of planting. In lieu fees for this standard would be set to cover the City’s costs to plant and establish two trees for each tree removed in excess of the standard allowance. In lieu payments will go into the City’s Tree Planting and Preservation Fund which will be used to plant trees in the same watershed where the development took place.

The new tree density standards will require a certain number of trees per site area. These standards are similar to the existing T1 standard for new single family development, but would apply to all types of development. Applicants may preserve, plant, or pay in lieu to meet the tree density standards.

Given these options to comply with the tree preservation and tree density standards, the standards will not trigger a discretionary review process and should not result in reduced housing densities. The proposal would be funded through nominal increases in building permit fees (estimated at \$50 to \$60 per permit, which could be prorated). There could be minor costs to the developer to identify trees on site plans (no surveying required) and to protect tree root zones.

**Land Use Reviews** - The new and updated land use review criteria and standards are intended to improve the quality of tree preservation in land divisions, and to support tree preservation plans that address site-specific conditions, opportunities and constraints. The qualitative criteria are intended to address complaints that the existing tree preservation standards applied in the land division process are too rigid and often result in the



preservation of lower quality trees or infeasible preservation plans. Tree preservation opportunities will now be considered during certain types of conditional use/master plan reviews and design reviews. This will provide more opportunities to integrate trees into development while meeting goals for land use compatibility and attractive project and site design. Land use review fees would need to be increased to cover the cost of implementation. Land use fee increases could be as low as \$60 or as high as \$420, depending on how those costs are distributed. Developers may also incur minor cost increases for identification and protection of more trees.

**Q: What will be the benefit of this proposal in terms of trees “on the ground”?**

**A:** It is important to consider how the proposal will affect trees on the ground. Since the proposal would institute new tree rules, it is challenging to predict exactly how they will play out. Estimated tree canopy benefits were estimated using existing data and professional judgment to estimate the potential number of tree permits, development permits and land use reviews that will be subject to the updated code requirements. Assumptions were also developed to estimate the percentage of trees that would be preserved or replaced through these activities.

Preliminary estimates indicate that the tree canopy benefit from improved tree preservation is almost 70 acres per year. Future canopy from trees planted is estimated to range from roughly 70 to 130 additional acres. The Council’s decision to extend the tree permit requirement to all trees 12 inches or more in diameter will further increase canopy from tree replacement.

The scenarios developed to estimate the tree canopy generated each year are intended to be plausible and conservative, to avoid over-estimating the projections. Staff recognizes that the City’s current landscaping standards also generate additional tree canopy; however, the Tree Density Standards will assure that baseline tree capacity is maintained even if landscape standards do not apply or are modified or waived. Trees planted to meet Tree Density Standards may also be used to meet Zoning Code landscaping standards so these rules are complementary and reinforcing. More information on the methodology used to generate tree canopy benefits is provided in [Volume 1 - Recommended Draft Report to City Council](#).

**Q: How much will the proposal cost? What types of funding sources are anticipated to implement the Citywide Tree Project?**

**A:** The primary implementers of the Tree Project proposal, the Bureau of Development Services (BDS) and the Urban Forestry Division of Portland Parks and Recreation, will need additional staff resources to administer and enforce the new tree regulations and provide a single point of contact for the public. There are also additional one-time costs for staffing and services to produce customer service enhancements and educational materials such as upgrades to the TRACS permitting system, and piloting a 24-hour Tree Hotline. In addition, one time funding will be required for new permit review and inspection staff until sufficient development fee revenue has accrued sufficiently to cover administration of the development related requirements.

During the Planning Commission and Urban Forestry Commission hearings the Citywide Tree Project proposal was revised to reduce complexity and implementation costs. Ongoing



costs were reduced by 43 percent, and total costs by 33 percent. Additionally, the commissions and the City Council approved a phased implementation strategy. The phased approach will provide time to prepare for the new codes to go into effect, including development of informational materials for staff and the public, conducting public outreach, upgrading the TRACS tree permit tracking system, and producing the community tree manual. This approach also allows the initial start up costs to be gradually spread over a longer period, reducing the burden on annual budgets. Much of the one-time funding needed for projects and ramp up activities in the first two fiscal years will end or shift to fee supported funding for ongoing program implementation.

The proposed budget is outlined below based on the most recent workload projections and cost estimates. These estimates will continue to be refined during the initial start up period as implementation needs are further refined.

### Summary of Citywide Tree Project Budget Proposal

	Function	Need	Funding Source
FY 2011-2012	Program Ramp Up and Outreach	1.0 FTE	General Fund – One Time
	Community Tree Manual	0 FTE	Absorbed/scaled to workload
	Permit system upgrades	\$32,000	General Fund – One Time
	<b>TOTAL 1<sup>st</sup> YEAR</b>	<b>\$127,000</b>	
FY 2012-2013	Tree permits/Single pt contact	1.0 FTE	General Fund – On going
	Capital / Public Works Projects	0.2 FTE	Project Budget
	Land Use and Building Permit review and inspection	1.3 FTE	General Fund – One Time
	24 hour hotline pilot project, inspection vehicles, and equipment	\$60,000	General Fund – One Time
	<b>TOTAL 2<sup>nd</sup> YEAR</b>	<b>\$276,000</b>	Mix of funding sources
FY 2013-2014 and Future	Tree permits/Single pt contact	2.0 FTE	General Fund – On going
	Capital / Public Works Projects	0.8 FTE	Project Budget
	Land Use and Building Permit review and inspection	2.7 FTE	Development Fees
	<b>TOTAL 3<sup>rd</sup> YEAR</b>	<b>\$545,000</b>	2/3 fees, 1/3 general fund

**Q:** Why not just spend the annual costs of this proposal instead to plant trees?

**A:** The proposal is estimated to sustain and generate more than 100 acres of existing and future canopy each year. If the City spent the \$545,000 required to support these programs to solely plant trees, the City could cover the costs to plant and establish approximately 900 trees per year. Assuming the trees were medium canopy type trees (on average), this planting effort would generate approximately only 12 acres of future canopy annually. No additional trees would be preserved through this approach.



Based on the estimating assumptions, the tree preservation and planting resulting from the project proposal would generate more than 8 times the amount of canopy per year than a “planting only” approach. In addition, trees preserved as a result of the proposal will continue to provide substantial benefits in the near term. The “planting only” approach would put trees in the ground, but would not establish the mechanisms to protect that investment. Without additional attention to trees in the development and non-development situations, there is inadequate protection for new trees on private property and minimal assurance that trees removed will be replaced.

Finally, there is a point of diminishing returns, as opportunities to plant on public lands are used up. Over time it will become more challenging to find ready planting locations. Ideally, mechanisms would be in place to ensure that trees are distributed broadly across public and privately owned land, ensuring a diverse and dynamic long term urban replenishment strategy.

### **Q.** What are the next steps as we look toward implementation?

**A:** Most of the newly adopted regulations will go into effect in 2013, allowing time for City bureaus to ramp up for full implementation. Bureau staff will be busy developing new forms, brochures and procedures, training staff, arborists and building professionals, reaching out to neighborhoods and residents, upgrading technology, and completing other key preparatory work.

The City Council appointed a Special Projects Manager to analyze and make recommendations on implementation of the new rules. Beginning in May, representatives from the implementing bureaus formed a workgroup to review organizational structure, sustainable funding, efficiencies, public outreach, and how to measure success, among other topics.

During the public hearings on the Citywide Tree project the City Council expressed special interest in effective enforcement of penalties against those who cut trees without a permit, as well as exploring ways to use technology to issue permits, collect workload data, and make key information accessible to the public. Commissioners were also keen to launch outreach and education efforts, in order to make it easy for Portlanders to “do the right thing” with their trees.

The goal is to provide preliminary recommendations to Commissioners in September 2011. You can find out more by contacting Hannah Kuhn at [hannah.kuhn@portlandoregon.gov](mailto:hannah.kuhn@portlandoregon.gov) or (503) 823-3595.