

**Title 11, Tree Code: Proposal to Extend Sunset Date of 2016 Amendments  
to Tree Preservation on Private Property in Development Situations  
DRAC, September 19, 2019**

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In 2016, in response to concern about large trees being removed in development situations in Portland neighborhoods, City Council adopted amendments to Title 11, Trees, to strengthen regulations pertaining to tree preservation, especially preservation of large sized trees, in development situations on private property, with a sunset date of December 31, 2019. The Bureau of Development Services is proposing to extend the sunset date of those amendments an additional 2 years until December 31, 2021. The proposal will be heard by both the Planning and Sustainability Commission and the Urban Forestry Commission who will make recommendations to City Council.

**Planning and Sustainability Commission (PSC) Hearing**

The Planning and Sustainability Commission will hear the proposal:

Tuesday, September 24<sup>th</sup>, 2019

**1900 SW 4<sup>th</sup> Avenue, Room 2500 (2<sup>nd</sup> floor).**

**5:00 p.m.**

Testimony on the proposal can be made to the Planning and Sustainability Commission in person at the hearing (limited to 2 minutes per person) or submitted in writing. To submit written testimony, mail comments to the Planning and Sustainability Commission at 1900 SW Fourth Avenue, Suite 7100, Portland, Oregon 97201; or email comments to [PSC@PortlandOregon.gov](mailto:PSC@PortlandOregon.gov). All written and email testimony must be received by the time of the hearing and must include your name and mailing address.

**Urban Forestry Commission (UFC) Hearing**

The Urban Forestry Commission will hear the proposal:

Thursday, October 17, 2019.

1221 SW 4th Avenue, City Hall, Lovejoy Room (2nd floor)

9:30 a.m.

Check the [UFC website](https://www.portlandoregon.gov/parks/41487) for confirmed agenda approximately 1 week prior to meeting.  
<https://www.portlandoregon.gov/parks/41487>

Testimony on the proposal can be made to the Urban Forestry Commission in person at the hearing or submitted in writing. To submit written testimony, mail comments to the Urban Forestry Commission, Portland Parks and Recreation, at 1900 SW Fourth Avenue, Suite 5000, Portland, Oregon 97201; or email comments to [urbanforestrycommission@PortlandOregon.gov](mailto:urbanforestrycommission@PortlandOregon.gov). **Written testimony must be received by the time of the hearing and must include your name and address.**

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**Summary of 2016 Amendments Proposed to be Extended to December 31, 2021.**

The amendments adopted in 2016 and now proposed to sunset on December 31, 2021 are summarized as follows:

1. Continued to require that at least 1/3 of non-exempt trees be preserved or pay a fee in-lieu of preservation, regardless of tree size. Added requirement that all non-exempt trees 36 inches or larger in diameter be preserved or pay a fee in-lieu of preservation.
2. Amended the fee in-lieu of preservation to be a tiered fee depending on the diameter size of the tree as follows:
  - a. For removal of non-exempt trees with a diameter of 12 inches or larger, but less than 36 inches, a graduated scale is used to determine the payment amount. Based on the current fee schedule, the fees are \$1,800-\$3,600 per tree removed.
  - b. For removal of non-exempt trees with a diameter of 36 inches or larger, an “inch-per-inch mitigation” payment was required. Based on the current (FY 2019-2020) fee schedule, fees start at \$16,220 for removal of a 36-inch diameter tree and increase at \$450 per additional diameter inch of tree removed.
3. Required applicants to post a notice on-site and send a notice to the neighborhood association and district coalition 45 days prior to development permit issuance for removal of non-exempt trees 36 inches in diameter or larger.
4. Exempted certain affordable housing projects, as defined by the Portland Housing Bureau, from the fee in-lieu of preservation for removal of non-exempt trees 36” in diameter or larger.
5. Included a sunset date of December 31, 2019.

**Again, the Bureau of Development Services is proposing to extend the sunset date of those amendments an additional 2 years from December 31, 2019 until December 31, 2021.**

**A more extensive staff proposal can be found on the BDS Website [www.portlandoreogn.gov/bds](http://www.portlandoreogn.gov/bds).**