

Citywide Tree Policy Review and Regulatory Improvement Project



Planning Commission & Urban Forestry Commission Worksession II April 27, 2010



City of Portland
Bureau of
Planning and
Sustainability
Sam Adams, Mayor
Susan Anderson, Director



Citywide Tree Project
Policy Review & Regulatory Improvement

Discussion Topic Outline



I. DEVELOPMENT SITUATIONS

- I.A. Land Use Reviews
- I.B. Building Permits – Tree Preservation and Mitigation
- I.C. Building Permits – Tree Density
- I.D. Protecting Trees on Property Lines & Adjacent Sites
- I.E. Trees in Environmental Zones
- I.F. Public and Capital Improvement Projects

Citywide Tree Policy Review and Regulatory Improvement Project

I.A. Land Use Reviews



I.A. Trees in Land Use Reviews



Proposal

1. Update current land division regulations
 - focus on tree quality & specific site and tree characteristics

Recommendation:

Endorse with direction to refine with regard to native trees

2. Early Tree Assessment – Type III Land Divisions

Recommendation:

- Remove code requirement
- Direct staff to evaluate other options to meet goals

3. Expiration of Tree Preservation Plans

- 10 years after land use approval or final plat recording

Recommendation:

- Endorse concept of expiration
- Direct staff to refine proposed timeline



I.A. Trees in Land Use Reviews



Proposal

4. Apply new criteria to certain land use reviews
 - Specified Conditional Uses, Conditional Use Master Plans, Design Reviews & Adjustments

Recommendation:

- Apply criteria to CU Master Plans as proposed
- Remove criteria from Adjustments
- Return with recommendation on other Conditional Uses and Design Reviews



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Item I.B and I.C

Building Permits:

**Tree Preservation and
Density**



Citywide Tree Project
Policy Review & Regulatory Improvement

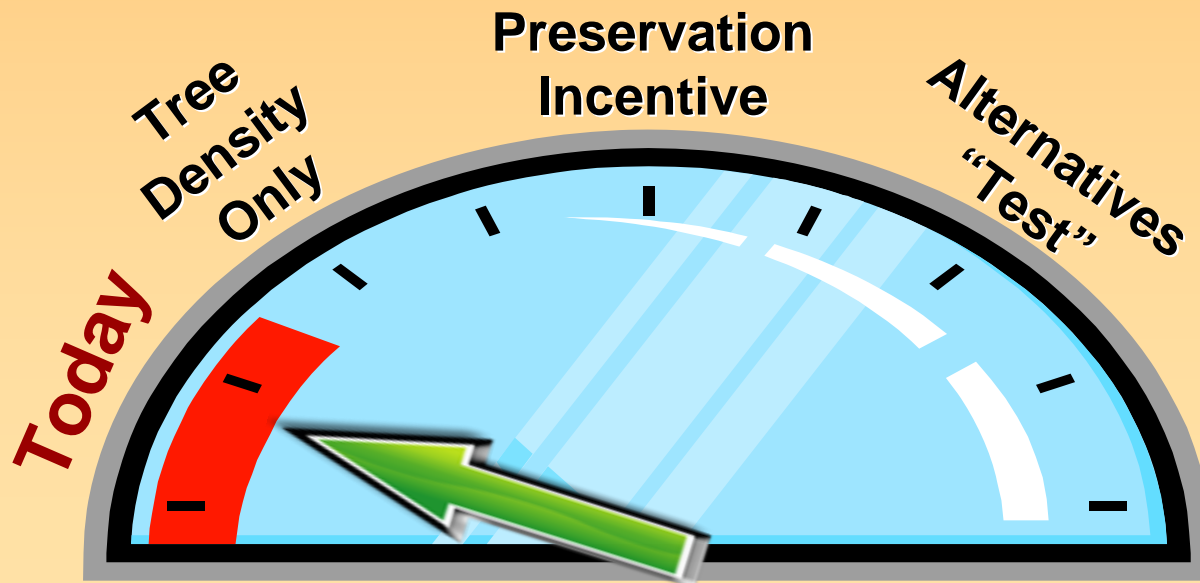
I.B. Building Permits - Preservation



- Building Permits Today

- No preservation/mitigation requirement
- Landscaping required (perimeter, parking lots)

Simple, not much preservation, not related to canopy target

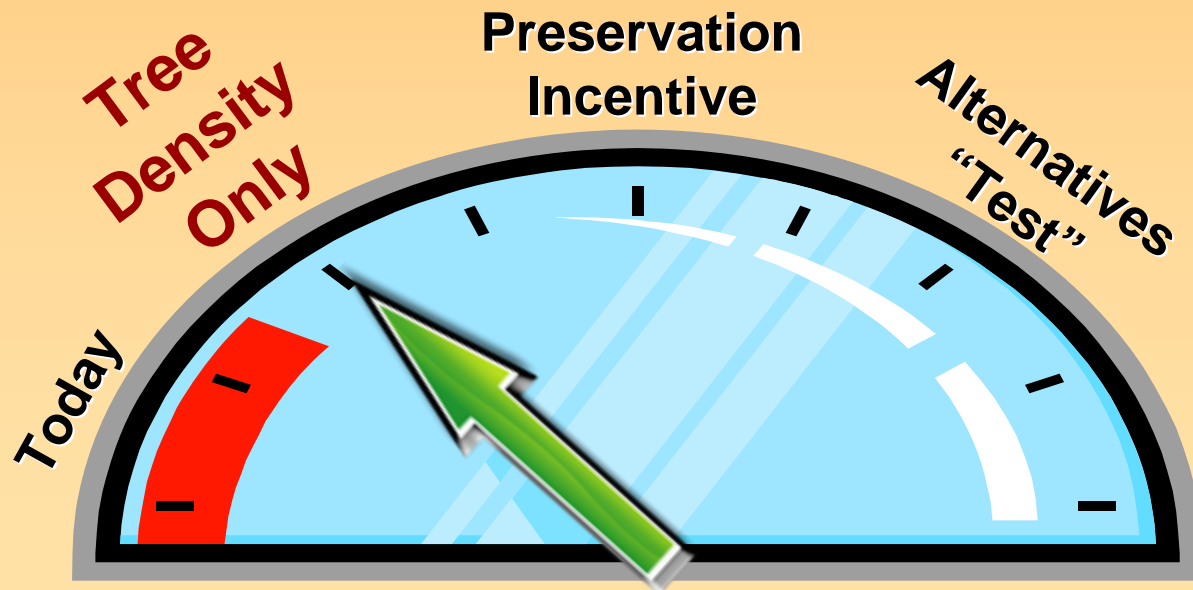


I.B. Building Permits - Preservation



- Tree Density Only

“Preserve, Plant, or Pay for X amount of trees on the site.”

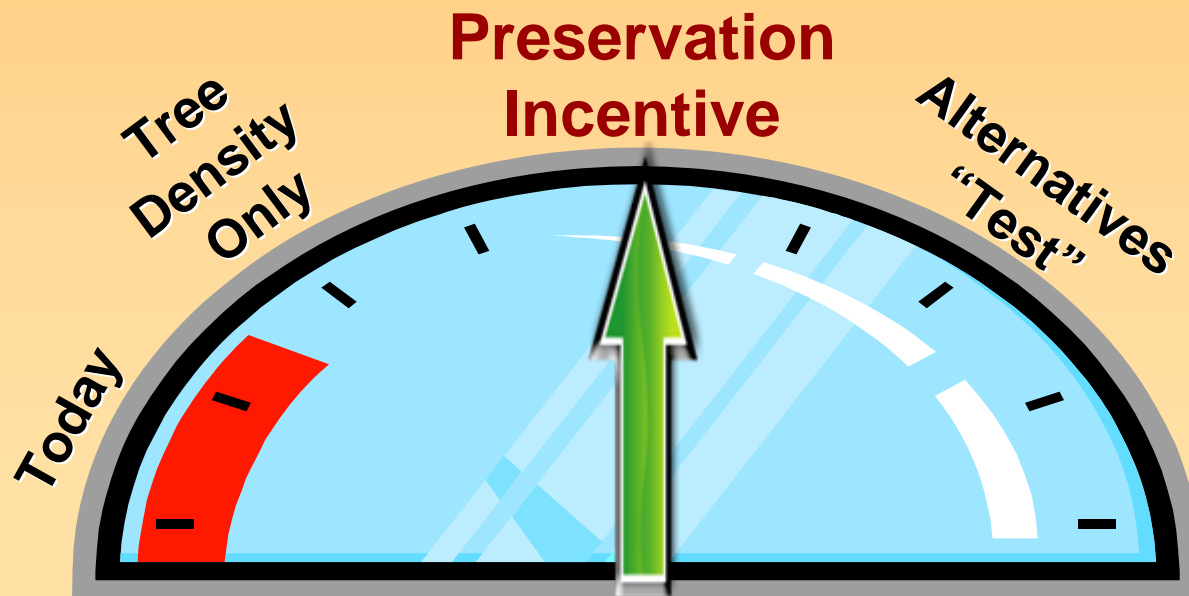


I.B. Building Permits - Preservation



- Preservation Incentive

“Preserve X number of trees, or mitigate for those trees by planting *additional* trees or paying a fee.”



I.B. Building Permits -Preservation



- Alternatives “Test”

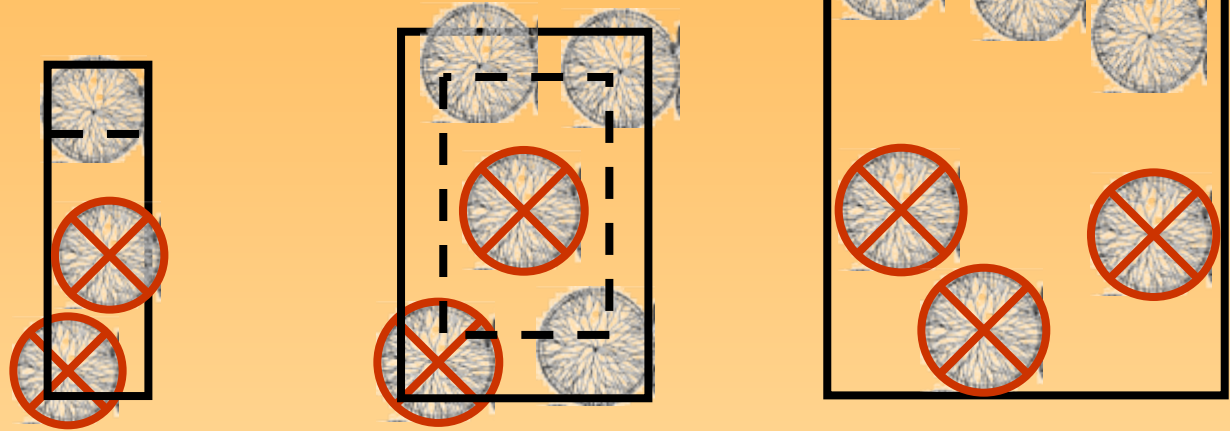
“Preserve X number of trees, or demonstrate it is impractical. Mitigate for trees by planting *additional* trees or paying a fee.”



I.B. Building Permits - Preservation



Preservation Standards



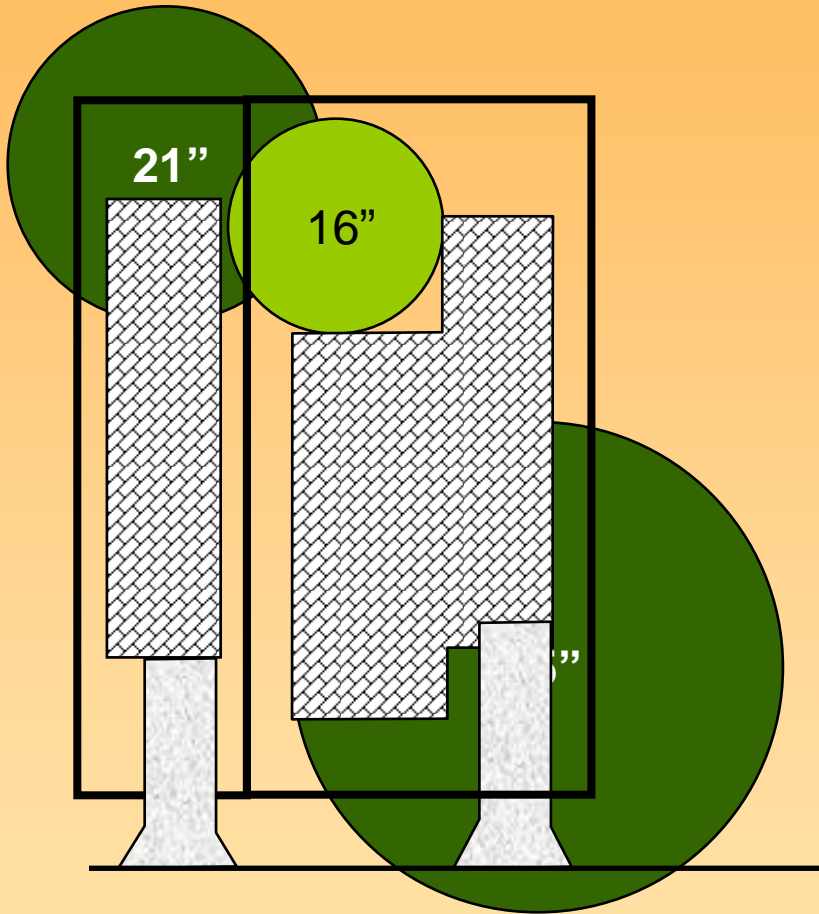
	<3,000s.f. or 90% building coverage	3-10,000 s.f.	>10,000 s.f.
Today	none	none	none
Tree Density Only	none	none	none
Draft Proposal	backyard trees (20"+)	perimeter trees (20"+)	50% retention (20"+) Mitigate 2:1 or 4:1
Revised Proposal	Exempt	(12"+) 35% retention Mitigate 2:1	

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Site Examples

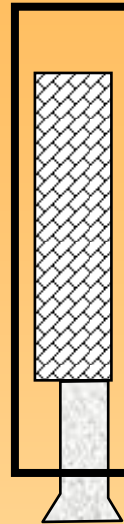


(I.B. and C.) Single Family Site



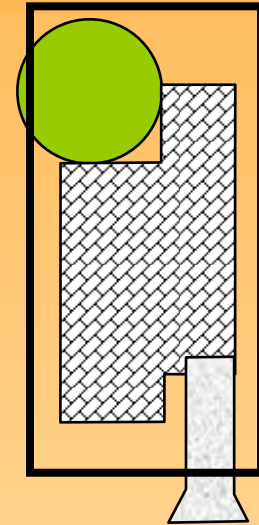
- Lot #1
2,500 s.f.
Trees Preserved = 0 of 1
Bldg. coverage = 1,000 s.f
- Lot #2
5,000 s.f.
Trees Preserved = 1 of 2
Bldg. coverage = 2,250 s.f

(I.B. and C.) Single Family Site



Lot #1

1 of 1 trees removed



Lot #2

1 of 2 trees removed

Preservation/Mitigation

- Draft Proposal
- Revised Proposal

mitigate w/4 (\$2,400)
EXEMPT

mitigate w/4 (\$2,400)
1 preserved (0 mit.)

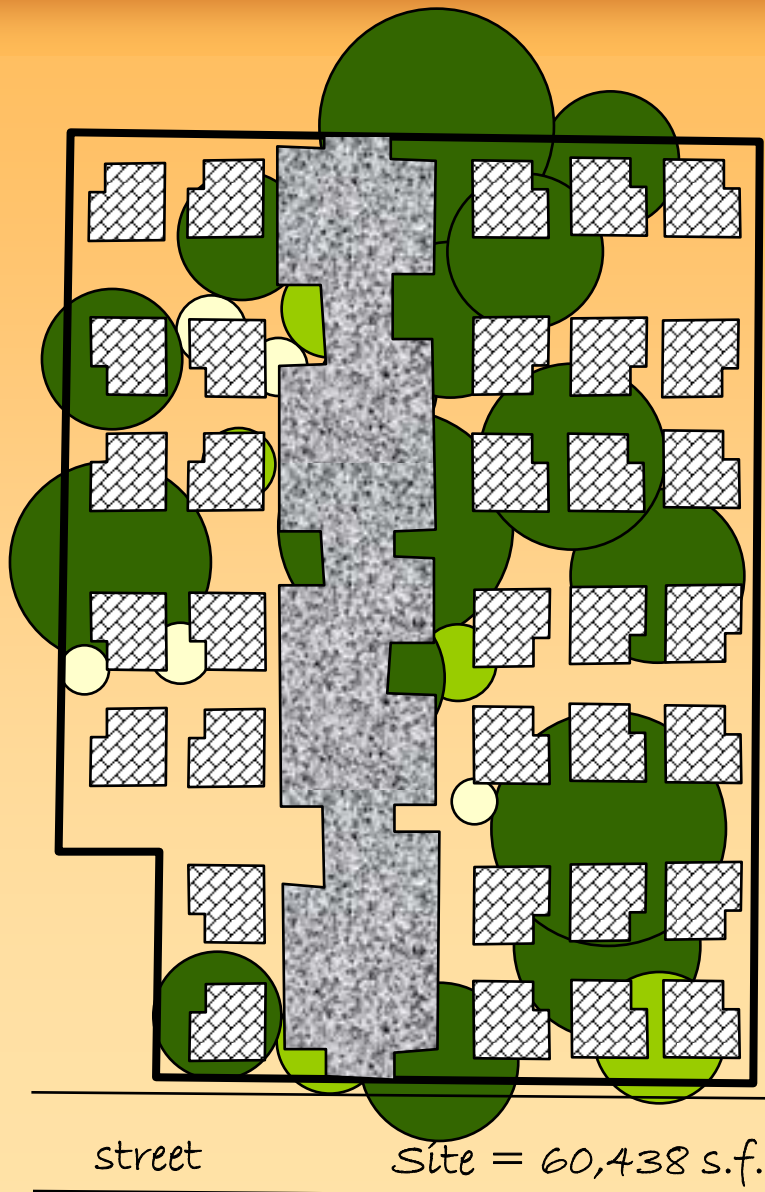
Planting

- Today/Landscaping
- Tree Density

2 trees
2 trees

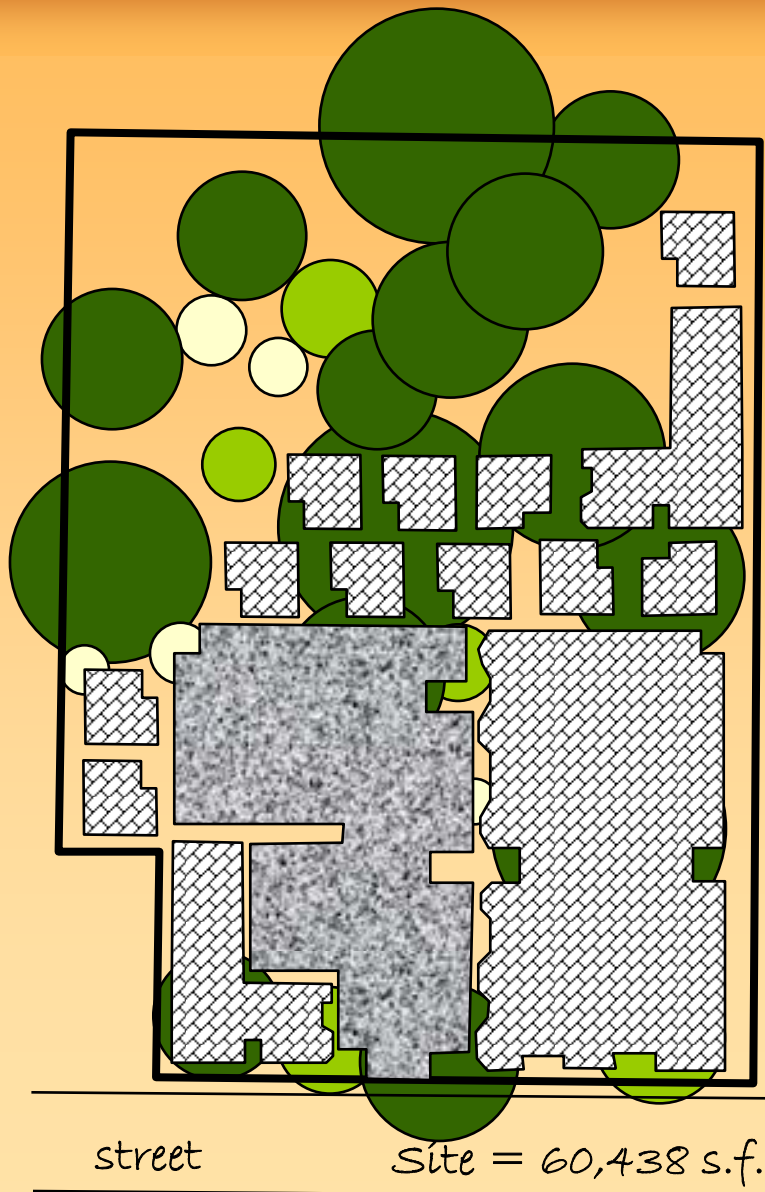
0 trees
0 trees

(I.B. and C.) Multi Dwelling Site



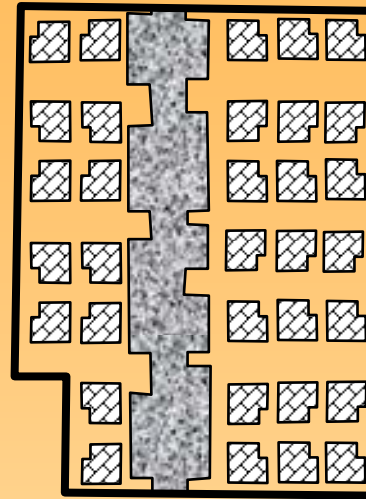
- Scenario #1
Clear Site and Build
Trees Preserved = 0 of 27
Units = 33 (all detached)
- Scenario #2
Integrate Trees
Trees Preserved = 12 of 27
Units = 33 (11 detached, 8 quad, 14 multi)

(I.B. and C.) Multi Dwelling Site

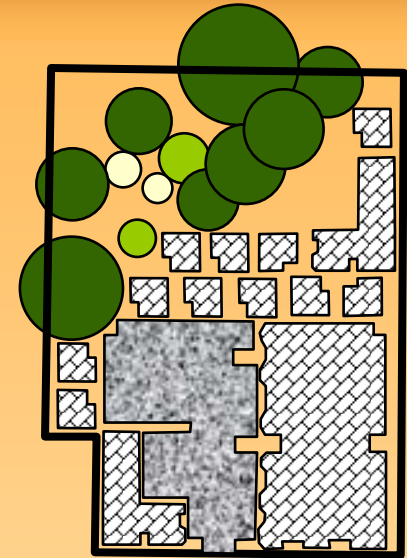


- Scenario #1
Clear Site and Build
Trees Preserved = 0 of 27
Units = 33 (all detached)
- Scenario #2
Integrate Trees
Trees Preserved = 12 of 27
Units = 33 (11 detached, 8 quad, 14 multi)

(I.B. and C.) Multi Dwelling Site



Scenario #1
27 of 27 trees removed



Scenario #2
15 of 27 trees removed

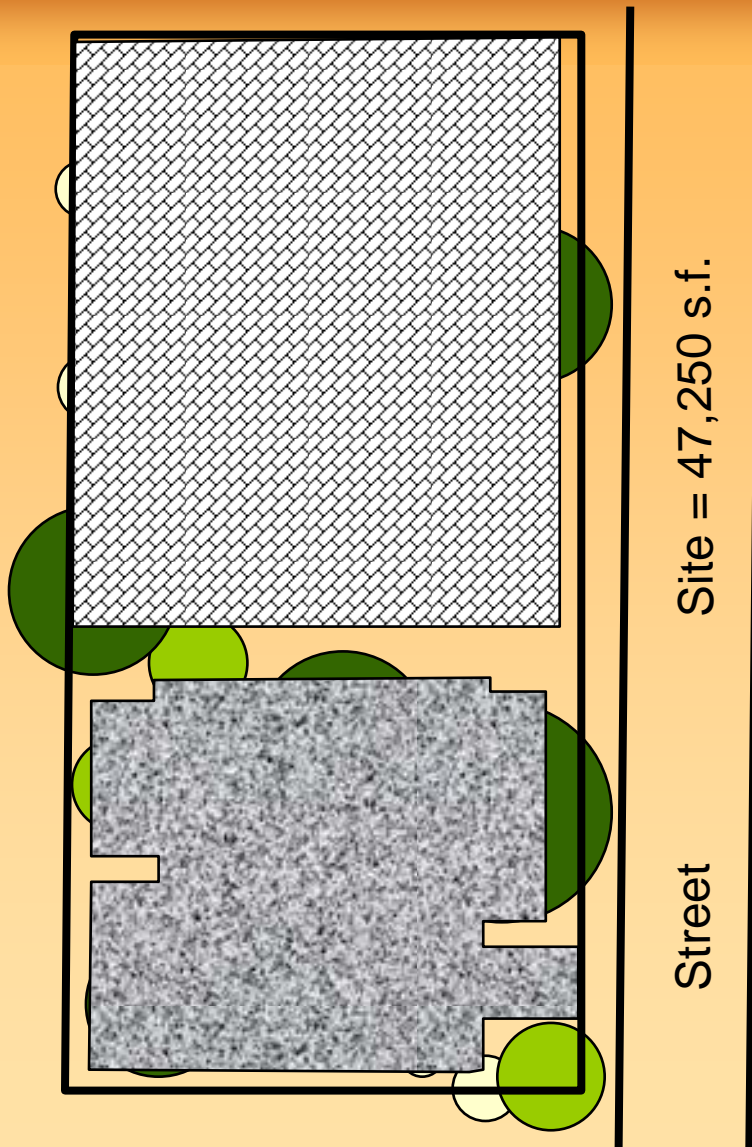
Preservation/Mitigation

• Draft Proposal	mitigate w/32 trees (\$19,200)	8 preserved (0 mit.)
• Revised Proposal	mitigate w/16 trees (\$9,600)	10 preserved (0 mit.)

Planting

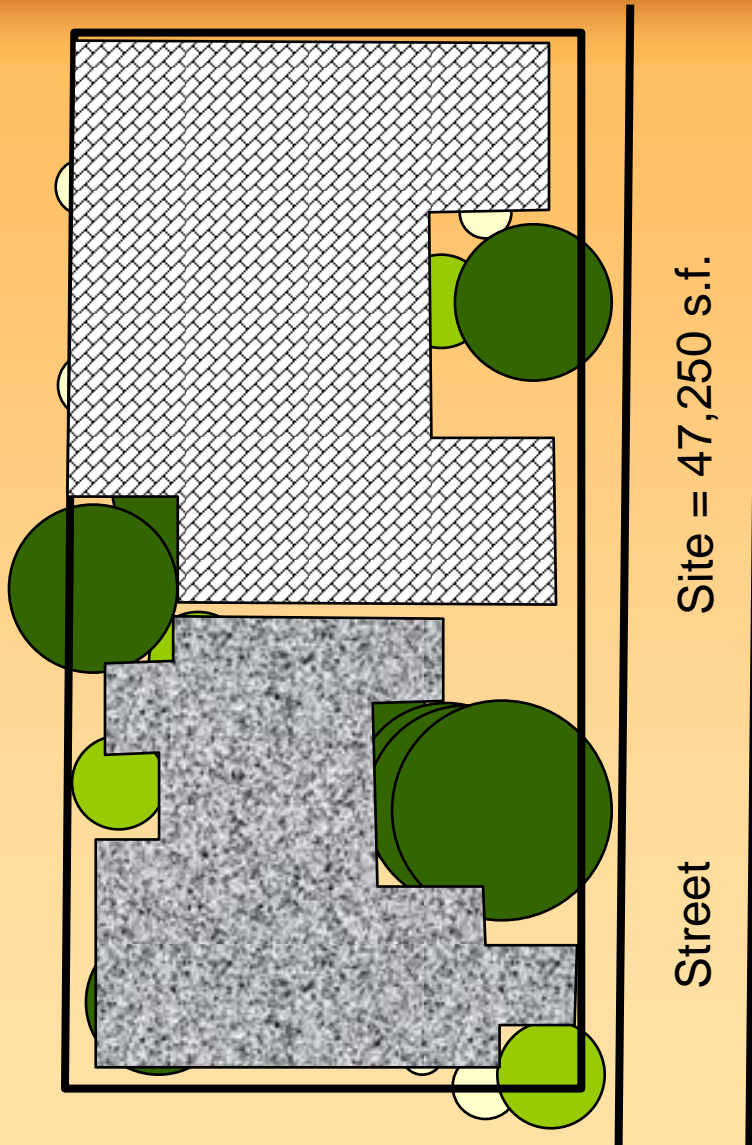
• Today/Landscaping	43 trees	12 trees
• Tree Density	42 trees	24 trees

(I.B. and C.) Commercial Site



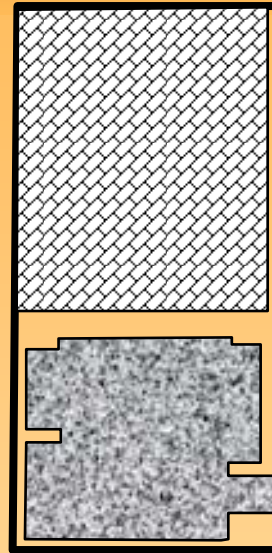
- Scenario #1
Clear Site and Build
Trees Preserved = 0 of 26
Bldg. coverage = 24,000 s.f
Parking = 48 spaces
- Scenario #2
Integrate Trees
Trees Preserved = 7 of 26
Bldg. coverage = 20,000 s.f
Parking = 40-4 = 36 spaces

(I.B. and C.) Commercial Site



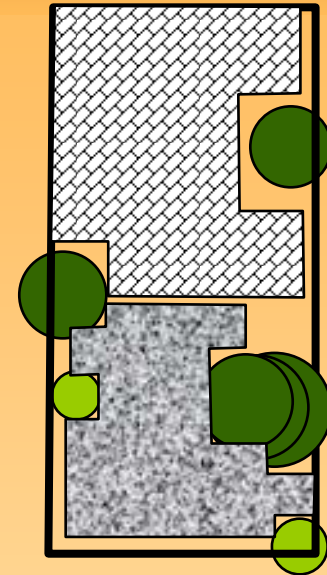
- **Scenario #1**
Clear Site and Build
Trees Preserved = 0 of 26
Bldg. coverage = 24,000 s.f
Parking = 48 spaces
- **Scenario #2**
Integrate Trees
Trees Preserved = 7 of 26
Bldg. coverage = 20,000 s.f
Parking = 40-4 = 36 spaces

(I.B. and C.) Commercial Site



Scenario #1

26 of 26 trees removed



Scenario #2

19 of 26 trees removed

Preservation/Mitigation

• Draft Proposal	mitigate w/20 trees (\$12,000)	5 preserved (0 mit.)
• <u>Revised Proposal</u>	mitigate w/14 trees (\$8,400)	7 preserved (0 mit.)

Planting

- Today/Landscaping
- Tree Density

17 trees

21 trees

6 trees

12 trees

(I.B. and C.) Cost Considerations



- Costs for these requirements would require additional building permit fees. (~\$150/permit)
- Initial estimate ~6 FTE
 - inspections/complaints 4.2 FTE
 - review staff 1.8 FTE
- Alternatives to reduce costs
 - Conduct spot check on 10% of sites (-3.5 FTE)
 - Anticipate increase in complaints (+.5 FTE)
 - Rely on Tree Density Standard alone (-1.1 FTE)

(I.B. and C.) Commission Direction



- Where should the city be on the preservation continuum?



- If it is a tree preservation incentive with mitigation
 - Exempt lots 3,000 sf and smaller, and proposals involving 90% or more building coverage?
 - Shift to 12” diameter tree size threshold (from 20”)?
 - Shift to 35% preservation standard (from 50%)?
 - Shift to single mitigation ratio (2:1 from escalating requirement)?
- Direct staff to develop a spot check proposal as a cost-saving strategy.

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I.D. Protecting Trees on Property Lines and Adjacent Sites

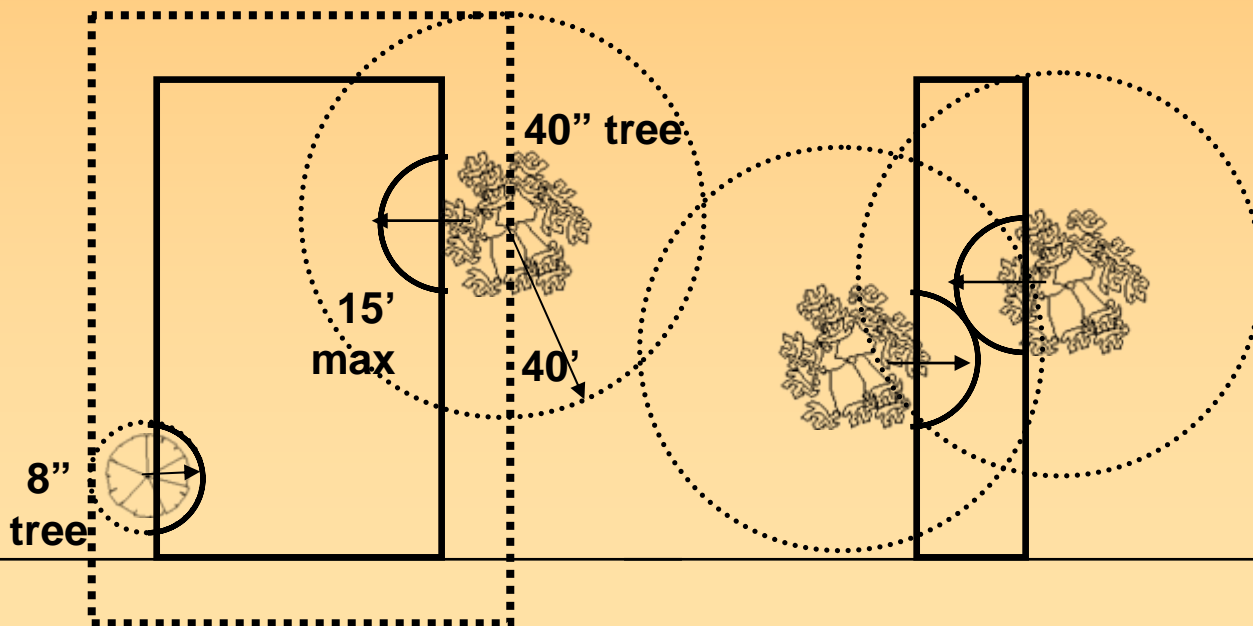


I.D. Property Line and Off-Site Trees



Original Proposal - Protection Requirements

- Identify and protect trees within 15 feet of site boundary
- 15' maximum protection zone on development site
- Alternatives by Arborist allowed



Issues Identified

- Could slow down or halt development
- Increased construction cost
- Not feasible on some sites
- Limited ability to evaluate alternatives in building permit context

I.D. Property Line and Off-Site Trees



Revised Proposal - Protection Requirements

1. Trees on Property Lines

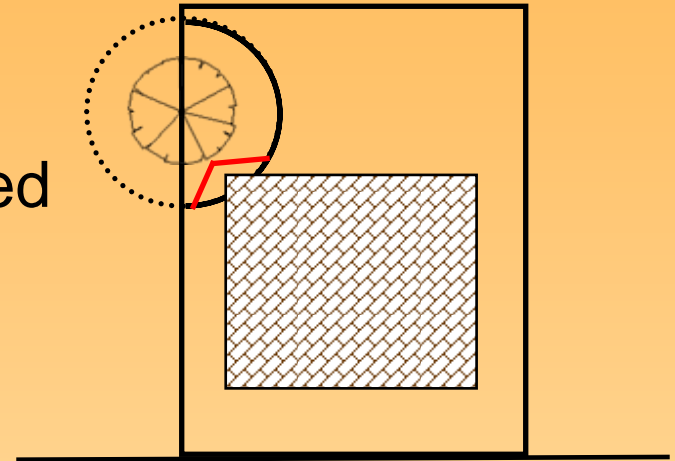
- Address same as other trees on site
- Count toward preservation if protected

2. Trees on Adjacent Sites

- No required protection in building permit context
- Address in limited situations with more flexibility (land use reviews & public projects)

3. Other components

- Develop standard for minor RPZ encroachments
- Develop educational materials (non-regulatory):
 - Responsibility concerning trees in joint ownership
 - Protection methods for “optional” trees

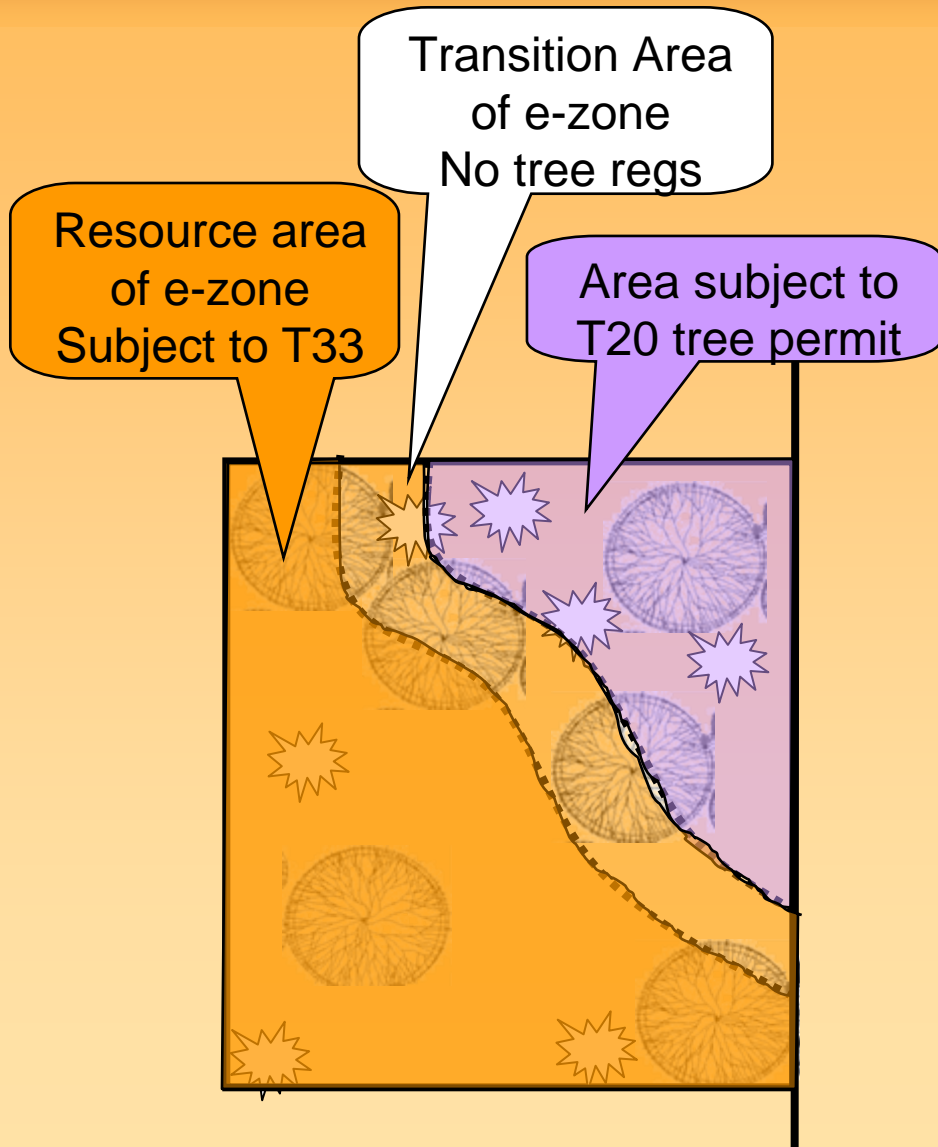


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I.E. Trees in Environmental Zones



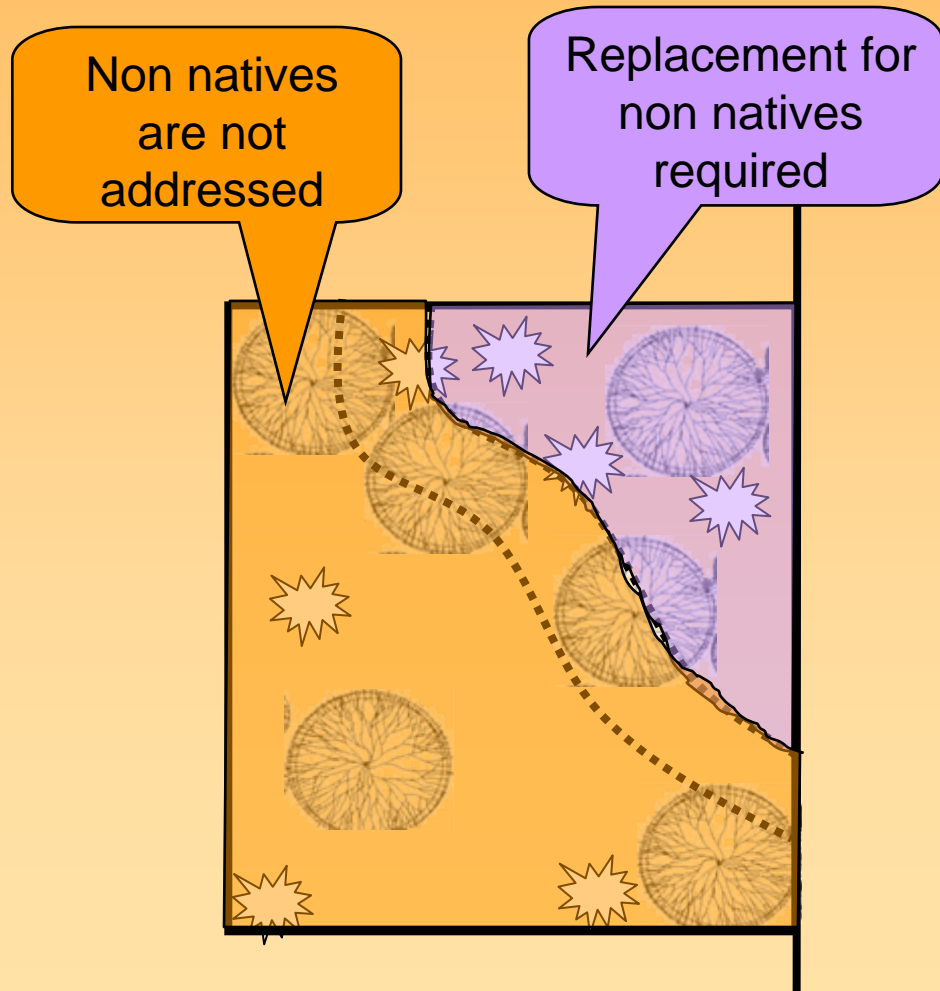
I.E. Environmental Zones



Transition Area

- **Current gap:**
Tree removal allowed in transition area without replacement, intended to buffer resource area.
- **Proposal:**
Require tree replacement in transition area.
- **Result:**
Consistent tree replacement in existing e-zones.
- **Recommendation:**
Endorse as proposed

I.E. Environmental Zones



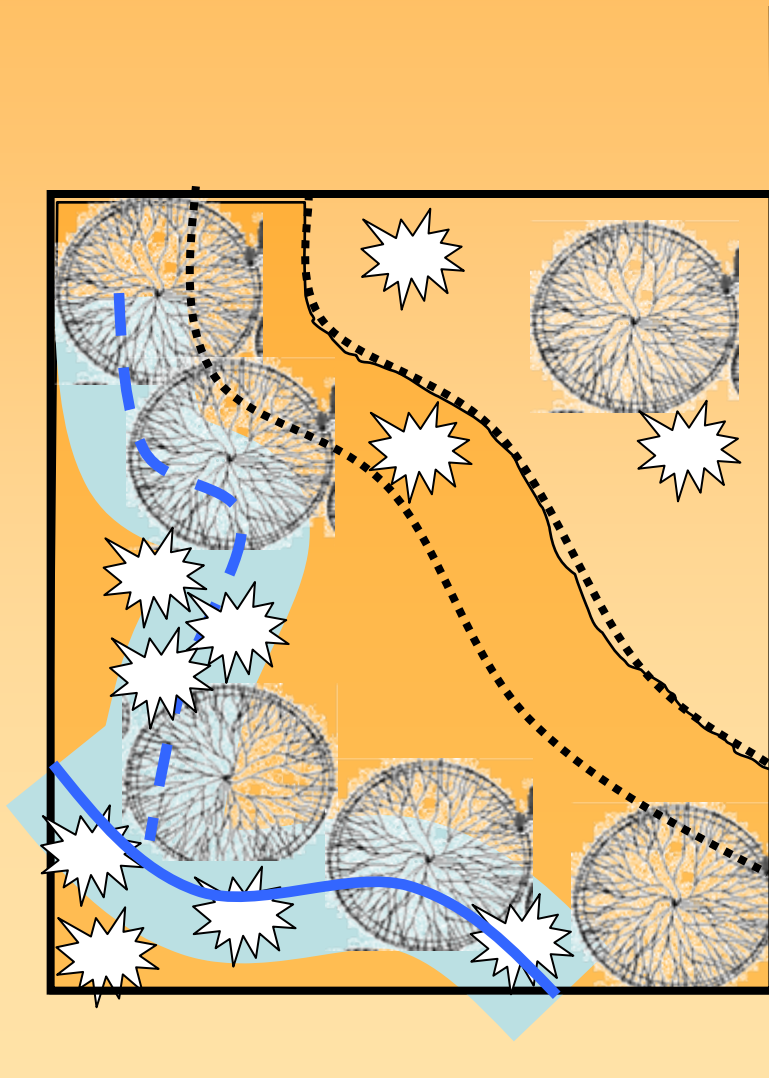
Non-native trees

- **Current gap:**
Non-native trees are not addressed in e-zone. Tree removal allowed without replacement.
- **Proposal:**
Require replacement for non-native trees with natives.
- **Result:**
Consistent tree replacement in and outside e-zones.
- **Recommendation:**
Endorse as proposed

I.E. Environmental Zones

Stream Setbacks

- **Current gap:**
Stream setbacks are only applied to streams both mapped *and* inventoried in e-zones.
- **Proposal:**
Apply stream setbacks to any identified stream *within* existing e-zones.
- **Result:**
Addresses riparian trees consistently in existing e-zones.
- **Recommendation:**
Endorse as proposed



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I.F. Public Works and Capital Improvement Projects



I.F. Public Works and CIP Projects



Proposal

- Routine early consultation with Urban Forestry
- Show trees and protection methods on project plans
- Replacement standards for trees removed, except for trees in unimproved or partially improved rights-of-way
- Street tree planting standards (1 per 25' of frontage)

Recommendation:

Endorse proposal with modification:

- Require replacement of trees removed from unimproved or partially improved rights-of-way



End