
URBAN FORESTRY COMMISSION
Meeting Minutes
July 17, 2014
Lovejoy Room, City Hall

- Commission Members present:** Mark Bello, Bryan Burch, Kris Day, David Diaz, Lola Gailey, Barbara Hollenbeck, Ricardo Moreno, Secretary Catherine Mushel, Stephen Peacock, and Joe Poracsky
- Commission Members absent:** Brian French and Chair Meryl Redisch
- City Staff present:** Deputy City Attorney Harry Auerbach; Jennifer Karps, Bureau of Environmental Services (BES); Parks Development and Asset Manager Kia Selley, City Nature Manager Deborah Lev, City Forester Jenn Cairo, Urban Forestry Permitting Supervisor Casey Jogerst, Tree Inspectors Luke Miller and Lou Phemister, Danielle Bohannon, and recorder Anne Kroma, Parks & Recreation (PP&R)
- Guests present:** Kurt Krueger, Development Review Manager, Portland Bureau of Transportation (PBOT); Desirae Williams and Sadafumi Uchiyama, Portland Japanese Garden; Chelsea McCann, Walker Macy LS Architects; Jonah Cohen, THA Architecture Inc.; Gregg Everhart; Michael Hayes.
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Call to Order and Public Comments: Acting Chair Kris Day called the July 2014 Urban Forestry Commission (UFC) meeting to order at 8:15 am. Michael Hayes requested recognition to make a public comment. He reminded the UFC that the new draft of the Comprehensive Plan will be released on July 21st. The Policy Committee has sent their public record comments in the past, and Michael encouraged continued engagement in the process to advocate for trees and the urban forest.

Portlanders may submit their comments on the Comprehensive Plan through the Map App, in written testimony, and in person at Planning and Sustainability Commission hearings. There will be multiple reminders sent before the first of the public hearings held on September 23rd.

Acting UFC Chair Kris Day announced that the agenda item regarding Heritage Trees would be postponed to the next meeting. It was confirmed that the emergency vote at the Arbor celebration was to decide to pursue the nomination through the regular Heritage Tree process.

Review of June UFC Minutes: Acting UFC Chair Kris Day requested a quick review of the June draft minutes, which included corrections by Catherine Mushel and Jenn Cairo. There were several additional minor changes requested. Joe Poracsky moved to approve the minutes with all corrections and Stephen Peacock seconded the motion.

The Urban Forestry Report - City Forester Jenn Cairo

City Forester Jenn Cairo reminded the UFC that Commissioner Amanda Fritz will bring the Replacement Park Bond proposal to City Council on Thursday, July 24th at 2 pm. Council is expected to refer the measure to the ballot during that session. At that time, the UFC and City staff may no longer advocate a position regarding the matter, except as private citizens.

City Forester Jenn Cairo pointed out a letter included in the packet advising the Urban Forestry Commission that former member Dianna Shervey was recognized by her employer, Portland General Electric, for the outstanding volunteer work she contributes to the urban forest. The employee recognition includes a check to be used to further the efforts of the UFC. In addition to the work on the Appeals Board and other Commission work, Dianna remains a committed activist for tree issues. This past weekend, she participated in her neighborhood's pruning effort in Arbor Lodge.

City Forester Jenn Cairo asked Deputy City Attorney Harry Auerbach to clarify the advisory role of the UFC in making urban forestry recommendations. Harry explained that a project that removes or plants trees requires a permit, and the City Forester exercises her discretion in the preservation, removal, replanting or mitigation details of the permit. The UFC may, in general, suggest how they think the trees should be handled. City Forester Jenn Cairo stated that it is best for the group to hear about a project in early design stages, not just to look at permit requirements, but also to see if there is a way to get secondary benefits out of the situation. Joe Poracsky pointed out there can be a broad spectrum to what is considered advisory comments. Bryan Burch was concerned that his opinion as an individual may not necessarily strengthen the group opinion. Harry Auerbach reminded them that they were appointed by the Mayor because of their individual experiences, as well as their demonstrated background in urban forestry. City code charges the UFC with advising the City Forester about trees, but how to do so is an undefined effort. Harry suggested that they be focused in their observations, not wait to be asked, and represent themselves no matter what constituency they may have been appointed from.

Mark Bello suggested finding out if it would be possible to see PowerPoint presentations in advance of the meeting and Barbara Hollenbeck would like more time to discuss matters with the entire group during meetings. It was suggested that these subjects be included in possible topics for the retreat.

City Forester Jenn Cairo finished her report stating that a presentation on outreach, hiring, and program evaluation for Title 11 implementation will be done next month.

Temporary Suspension of Frontage Improvement Requirements for Qualifying Infill Development on Dirt & Gravel and Substandard Streets – Kurt Krueger, PBOT

Transportation Bureau Development Review Manager Kurt Krueger began the presentation with an overview and the statement that only the very smallest of development projects would not entail a land use review in order to receive a permit. Twenty five years ago there were still large vacant parcels throughout Portland. Those large development projects needed streets, sidewalks and all the rest of the required infrastructure. With time and the restrictions of the Urban Growth Boundary, the majority of current new construction within the City limits is infill. This is much more costly to build than starting from scratch. The most efficient way to install curbs, sidewalks and street trees is to design the whole street system. Currently you see a lot of houses with the required strip of sidewalk in front but it connects to nothing. Part of the problem is not knowing what infrastructure will be needed at completion.

The US Supreme Court's decision in the case of Dolan v the City of Tigard, related to rough proportionality in land and money, overturned a ruling by the State Land Use Board of Appeals and the Oregon Appellant Courts. The Supreme Court found the conditional use permit overreached in requiring a public greenway to counteract the increased traffic a business expansion would bring. Since the ruling, many lawyers have been arguing specific cases and the requirement for frontage improvement is being challenged. While some may characterize the case as comparing apples and oranges, the potential risk has led to this temporary suspension.

Kurt Krueger continued by noting that transportation standards are not the same as when the landmark case was decided in 1994. Currently six foot sidewalks are required, but property owners are not required to tear up five foot sidewalks installed twenty years ago and replace them to current standards. The Institute of Traffic Engineers makes decisions about infrastructure impacts based on data that may be out of date, but is consistently applied. If construction is for three lots or less, doesn't include transit, and is not in a pedestrian district, then nothing will be done regarding frontage improvement requirements for fifteen months before going to a hearing. The process will end up at the same place it currently does, but without the three appeals that can happen under the previous policy.

Kurt explained a drawing showing a 'floating sidewalk', which is one without an installed curb. This will be allowed more often than previously. But street trees without curbs are more likely to be damaged by vehicles. Commissioners discussed tree placement – on the one hand, saying trees could be planted on the house side of the sidewalk for their protection, and on the other hand, averring such a placement would not be effective in separating pedestrians from auto traffic. People also think of the sidewalk as where the public part of the street begins, so moving the Right of Way to closer to the houses would not give the same feeling of public promenade as a regular streetscape.

In many cases where sidewalks are not put in at the time of the development, the developer may include a 'waiver of remonstrance' in the pile of title papers for the homeowner to sign. The waiver is counted as an affirmative vote for a future LID (Local Improvement district) and the substantial obligation becomes an encumbrance to all future owners. Many owners are not aware of the obligation, despite signing the form.

There was some discussion of an Implement Development Fee, collected money that is put into a fund to use to build streets and which could total several million dollars per year. With the pushback on the street maintenance fee and other high profile transportation stories, the UFC will be hearing much more on the subject.

Japanese Garden Expansion – Jonah Cohen

Jonah Cohen of THA Architecture introduced his colleagues Desirae Williams and Sadafumi Uchiyama of the Portland Japanese Garden and Chelsea McCann of Walker Macy LS Architects. Jonah gave an overview of the Japanese Garden, which is celebrating its 50th year and planning for a bright future.

The Portland Japanese Garden is considered by many to be the most authentic one outside of Japan, surrounded by a backdrop of Pacific Northwest firs. The Japanese Garden Society of Oregon was very happy to announce that Tokyo architect Kengo Kuma won the expansion design competition and will be doing his first American stand-alone project here in Portland. The expansion design builds upon the guiding principles of architecture being subservient to the garden, of using local materials, and of being traditional - but of its time.

Jonah Cohen continued with a slideshow of drawings and referred to architectural models that show the changes. Beginning as you turn off Kingston, the renovations to the parking lot include security fencing. There are important garden elements beginning at this point with the Lotus Pond water feature and a new ticketing office. The shuttle bus drop-off will be made ADA accessible and the whole project is LEED Gold. The Lower Garden features a zig-zag path and allows for storm water storage. Trees, such as a ginkgo sprouted from a two thousand year old tree, will be preserved wherever possible and transplanted. The low buildings blend into the site because of strong horizontal lines and green roofs. The café and village house contain 9000 square feet of space for meeting rooms, studios and workshop areas. Removing the massive retaining wall will decrease the fortress feeling and heroic efforts are being made to retain the cherry tree next to the café.

Chelsea McCann of Walker Macy provided some details of the approved conditional use permit issued to this property in an environmental overlay zone. Treecology Inc. is the arborist on board and they will try to transplant as many of the mature red pines and ornamentals as possible. The mitigation and planting plans are crucial with the impacted areas focused on mainly Douglas firs, maples and ginkgoes.

Chelsea continued stating that they will try to transplant trees as large as 8" caliper, but there are eleven grand fir and hemlock at 218 inches slated for removal. The total for the lower

garden removal is 297 trees at 425 inches. The Upper Garden requires some removals, including several large firs, for grading. It is hoped that any sizable trees that are removed could be milled and the lumber used on the construction project or in another manner. New 2-8 inch caliper trees have been selected with future size in mind. View and view maintenance are being carefully considered in replanting placements. The design has dense plantings on the edges to preserve interior views.

Sadafumi Uchiyama, Japanese Garden Curator, answered Joe Poracsky's question about when this project is expected to be grown into perfection with the estimate of twenty years. The Garden is designed to mimic natural landscape and being open during construction offers an opportunity to educate the public.

Barbara Hollenbeck asked about the steep landscape and water run-off. Chelsea explained that ivy is being pulled and native vegetation will be replanted to stabilize the landslide prone slope. There have been many meetings with the neighbors along Fairview and they are happy the design retains the green space and creek across the street now seen from their rear gardens, but across the ravine, the Japanese Garden entry road will have a fence high enough to block views into those same private gardens and rooms.

Both Bryan Burch and David Diaz asked about inch or inch replacement at planting time. The density is much higher than that required even in wild forest plantings, and commissioners asked whether this very high density of tree planting will necessitate future thinning. The question regarding density was left unresolved, and the presenters were asked to provide more information on this to the Commission as well as a copy of the PowerPoint presentation. BDS permits require stocking levels in the plans but do not specify the type of trees or canopy density at maturity.

Parks Replacement Bond Measure – Acting Chair Kris Day

UFC Acting Chair Kris Day pointed out the copy of the Parks Board letter in support of the Parks Replacement Bond provided in the meeting packet. She summarized the information that Parks Director Mike Abbaté presented the previous month. This measure continues the bond that would expire, so there is no increase in taxes. The money from extending the bond would pay for only about twenty percent of the needed repairs, but it starts the process. There is likely to be a new bond request in two to three years.

Bryan Burch asked if others were concerned about the role of trees and the need for more attention to them in these plans. Deputy City Attorney Harry Auerbach explained that bond money is primarily spent on capital projects, so trees are not usually part of the discussion. This led to a discussion about raising the profile of the UFC and increasing their visibility.

City Nature Manager Deborah Lev was recognized to report that some green projects are in the works and the idea of capitalizing green assets is gaining interest. Acting Chair Kris Day remarked that there is a new federal task force looking at green building and infrastructure. She will forward information on the Environmental Protection Agency's efforts along these

lines. Capitalizing green assets would require major changes to generally accepted accounting practices.

Bryan Burch moved to have a letter of support for the Parks Replacement Bond prepared. The Urban Forestry Commission authorized Policy Committee Chair Kris Day to write the letter on behalf on the entire group. Barbara Hollenbeck seconded the motion and it was approved unanimously. The letter, prepared by Kris Day, will be sent to City Council prior to the session in which a vote to refer the matter is taken.

It was noted that no vote was taken on approval of the June minutes. The motion to approve the corrected minutes as was made by Joe Poracsky and seconded by Stephen Peacock. At this time, the Urban Forestry Commission voted unanimously to approve the June 2014 minutes.

Old/New Business

Secretary Catherine Mushel reported on a meeting with Meryl Redisch and the facilitators booked to run the retreat scheduled in place of the regular September UFC business meeting. The location has not been confirmed yet. The retreat facilitators will have a survey prepared for UFC members regarding retreat topics.

David Diaz mentioned a climate adaptation presentation by Mike Houck at Portland State University next week and will forward information about it for anyone interested in attending.

Bryan Burch felt that using technology to inventory green infrastructure could encourage the process to the 'tipping point' and push capitalization of trees. Having residents volunteer their efforts to map trees and include that data in Portland Maps was suggested. David Diaz mentioned a different available application named ITree that could be used to fill in data gaps. He suggested inviting Angie DiSalvo to give a presentation and comparison. Bryan Burch suggested that Heritage Tree data be included in Portland Maps.

Secretary Catherine Mushel, (referencing the PBOT presentation on right of way improvements in today's first presentation) -would like more consideration on the subject of transportation connectivity and whether street trees should be seen as the on-street connectors between parks and schools. Mark Bello offered that the Policy Committee will be drilling down into details. It is the curbs and sidewalks that create planting strips for street trees.

David Diaz requested Jeff Ramsey, a new Parks employee, be invited to share more of his canopy study reported on the second page of this month's Urban Forestry Report.

Acting Chair Kris Day adjourned the meeting at 11:08 am.