



CITY OF PORTLAND

# URBAN FORESTRY COMMISSION

1120 SW FIFTH AVENUE, PORTLAND, OREGON 97204

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AMANDA FRITZ, COMMISSIONER

MIKE ABBATÉ, DIRECTOR

February 23, 2016

Mayor Hales, City Council  
City of Portland  
Portland, Oregon

Dear Mayor Hales and City Commissioners:

On behalf of the Urban Forestry Commission (UFC), I would like to thank you for your consideration of stopgap measures to respond to the ongoing loss of large healthy trees that have clearly been undervalued in the face of a rapid uptick in development across Portland.

On December 5, 2015 the Urban Forestry Commission suggested general measures. Since then the Bureau of Development Services and Portland Parks & Recreation have put concrete proposals on the table. Both the Planning and Sustainability Commission and the Urban Forestry Commission have held public hearings and offered our respective proposals for your consideration. Now, Commissioners Saltzman and Fritz have suggested a modified approach as well.

In response, we offer the following comments:

We support the Commissioners' proposal, which establishes several important principles. We agree that especially large and healthy trees provide important public values - the removal of each one of these trees is a significant loss for which mitigation and a meaningful disincentive are justified. We are further encouraged by the choice of a graduated mitigation schedule that recognizes that larger trees provide greater benefits and their removal imposes proportionately greater losses on the public. Thus, scaled mitigation requirements should at least partially compensate for those losses. This new proposal provides important steps toward closing gaps in how trees are valued in the City's Tree Code--between development and non-development situations, and on public as well as private property.

We also support the acknowledgment that tree preservation is of intense interest to many Portland residents and that a 30-day delay and public notice for all removals of especially large trees will give neighbors a chance to get involved and enter into constructive conversation about alternative solutions.

We propose two changes to the proposal:

**1. Large healthy trees 36"-50" in diameter should be subject to inch-for-inch mitigation (\$300/inch) without a cap on fees in-lieu of planting.**

Trees more than three feet across in diameter are rare in Portland, and becoming rarer with each passing year. Developers should be encouraged to integrate large trees into site design to ensure there will be a next generation of Heritage Trees throughout the City. A \$4,800 cap for the removal of a tree more than four feet across in diameter will not provide any meaningful disincentive to tree removal in the current real estate market, much less come close to fully mitigating for the loss of services these trees would have continued to provide. These large trees offer such significant benefits to the City as to justify full mitigation for their removal.



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**2. The City should honor the same standard—or a higher one—for tree preservation on private property. Any stopgap tree preservation polices adopted now should apply equally to City, right-of-way, and private property.**

The removal of large trees imposes real costs on the City and its residents. The value of these trees (or losses imposed by their removal) is intrinsically no different on public property than on private property. The City should model the values it expects of its residents and at least be held to the same standards for tree preservation that it asks of private landowners.

Both of these recommendations have been endorsed by the Title 11 Oversight Advisory Committee (OAC) that completed its year-long review in December (report pending). The second of these recommendations, that the City be held to the same or higher standards as private citizens, was also endorsed by the Portland Planning and Sustainability Commission.

This stopgap ordinance is a first step. It does not fix problems such as exemptions that will continue to allow the unmitigated removal of trees in commercial and industrial zones or exempting buildable lots smaller than 5,000 sq. ft. These two exclusions from preservation will exacerbate the current inequitable distribution of the urban canopy and access to greenspace, as well as environmental justice concerns. And fundamentally, a tree preservation standard, to deserve its name, should provide at least some circumstances where trees are actually required to be preserved. Ultimately, we hope that alternatives to clearcutting a lot for development are afforded the same opportunity for thoughtful design as alternatives for siting detached garages or Accessory Dwelling Units.

The pace of the current real estate market is placing unprecedented pressure on the City's trees. It is critical that the City not continue to promote new development without also strengthening and bolstering the City's ability to conserve and preserve trees as an integral aspect of sustainable development. We strongly believe that City Council should support this stopgap measure to balance the pressure for development against the future urban canopy that depends on tree preservation now. Finally, the Urban Forestry Commission requests that City Council direct the appropriate Bureaus to collaborate and direct sufficient resources to revising Title 11 reforms this coming year, especially in conjunction with the Residential In-Fill and Mixed-Use Projects and thereby continue to tie expanding development to the protection of trees.

On behalf of the Urban Forestry Commission, thank you for your consideration of this letter. We look forward to the City Council hearing.

Sincerely,

Meryl A. Redisch  
Chair, Urban Forestry Commission