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**URBAN FORESTRY COMMISSION**

Meeting Minutes

November 19, 2015

Lovejoy Room, City Hall

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**Commission Members present:** Chair Meryl Redisch, Vice Chair Barbara Hollenbeck, David Diaz, Mark Bello, Catherine Mushel, Damon Schrosk, and Gregg Everhart

**Commission Members absent:** Vivek Shandas, Brian French, and Kris Day

**City Staff present:** Acting City Forester Larry Maginnis, City Attorney Harry Auerbach, Assistant City Attorney Tony Garcia, UF AmeriCorps members Matthew Downs and Patrick Key, and Elizabeth Specht

**Guests present:** Jennifer Karps, Bureau of Environmental Services (BES); Amy Chomowicz, (BES); Marc Czornij AmeriCorps member; and Mieke Keenan, Bureau of Development Services (BDS)

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**Call to Order and Public Comments:**

Chair Meryl Redisch called the meeting to order at 8:05 a.m. There were not any public comments.

**Review of August UFC minutes**

October's meeting minutes were not reviewed until the end of meeting for lack of a quorum.

**The Urban Forestry Report – Acting City Forester Larry Maginnis**

Larry is Acting City Forester for this meeting while Jenn is on vacation. Starting off with potential storm events Larry stated he is often an armchair meteorologist, forecasting the weather plays a large role in his position for determining operation's needs.

Fortunately there have not been any major storm events so far this season.

- Projects the crew has been busy with.
  - Canopy lifting and dead wooding in the North Park Blocks to assist the City's efforts in general clean up of the area.
    - The pruning efforts revealed a large cavity in one of the elms and it will need to be removed.
  - Signal and traffic sign clearance is consistent.

- An Arborist I has been hired, Xavier Ritchie-Martinez.
  - Xavier started as an establisher; he has been involved with tree work for many years and is excited to start as an arborist.
- Stump removals and winter planting reports will be updated next month.
- Urban Forestry events and activities.
  - Tree Steward Graduation this weekend.
  - Street Tree Inventory Project is accepting applications for neighborhood inventories. Deadline January 15<sup>th</sup>.
  - Holiday Tree Lighting at Pioneer Square, Friday November 27<sup>th</sup>.
  - Urban Forestry – Un-forum December 7<sup>th</sup> at the World Forestry Center.
    - A collaboration with local tree groups to brainstorm Urban Forestry solutions.
  - Larry has created with Brian French and Ruth Williams of Oregon Community Trees, and the SUN Schools program an arborist lecture series, called PALS (Portland Arborist Lecture Series.)
    - The lectures are free, and are designed to be for arborists by arborists.
    - The first lecture will be December 10<sup>th</sup>, from 6-8 pm at Tubman School – main library.

### **Chair Report – Chair Meryl Redisch**

- Annual Report
  - 3-5 bullets of what has been accomplished by each Committee Chair.
  - Please send to [Elizabeth.specht@portlandoregon.gov](mailto:Elizabeth.specht@portlandoregon.gov) by December 5<sup>th</sup>
- The Annual Retreat is December 10<sup>th</sup> from 9-2 pm
  - Event location will be noted on the website.
    - As of 11/22 – Leach Botanical Gardens will be the location.
  - Meryl is working to confirm the facilitator.
  - Please review last year’s notes for the annual retreat prior to the retreat.

Question from Catherine: funding for UFC, research etc.

Harry Auerbach: The Commission can get outside assistance.

- Restructure of Parks and Recreation
  - Jenn now reports directly to Mike Abbate.
- Tree Summit:
  - A lot of great presentations, and good start to build UFC efforts on.
  - All presentations are online for reference.
    - [http://www.portlandoregon.gov/parks/article/433143#summit\\_presentations](http://www.portlandoregon.gov/parks/article/433143#summit_presentations)

### **Policy Committee Report – Committee Chair Mark Bello**

- Commissioner Fritz’s Stop gap measure – taking priority over Mixed-Use Zones, and the Comprehensive Plan.
  - Commissioner Fritz gave her stop gap proposal to the OAC (Oversight Advisory Committee) and 2 of the home builders resigned over the issuance.

- Brief history of stop gap proposal:
  - Prohibition suggested of not cutting trees over 70” dbh
  - Commissioner Fritz – per Meryl’s statement is pretty set on the 45” dbh threshold, and a 14 day public notification period
- Alternative proposal:
  - Threshold of 35” dbh and 21-30 day for a public notice
- Conclusion: Small percentage of trees grow in the city are above the 45” dbh threshold.
- Draft proposal will go to the Planning and Sustainability commission
- We need at least 3 votes
  - Possible votes:
    - Novick – possibly no
    - Fish – possibly supports Fritz proposal
    - Mayor Hales – is interested in a 30” dbh and 21 day public notice. This is what the Portland Audubon Society’s proposal states.
- Homeowners that remove trees greater than 30” they will have a 12 month waiting period before a development permit issued.
- H.A. – counting votes: Regular Ordinances have 2 readings, the 2<sup>nd</sup> reading is voted on.
  - Passing a regular ordinance – only 3 votes
  - Ordinance takes place 30 days after vote.
- Emergency Ordinance only requires 1 reading.
  - Passes on a unanimous vote with a minimum of 4 council members voting.
    - The Mayor counts as a vote.
    - Ordinance is effective immediately.
- Contact the council clerk Karla Moore-Love to see who will attend which council meetings.
- Actions to take:
  - Write a strong letter to the council.
  - Long term – collect data on tree size.
    - create maps and publish to open source formats.
    - work over the next 12-18 months.
  - Consider the mid-size trees as well for generational urban forest health.
  - Add language that specifies species and condition of tree.
- What is the timeline of negotiating Title 11?
  - H.A.: Planning and Sustainability Commission only deals with 3 chapters of Title 11 if you are looking to make a change
    - Trees in Development
    - Technical Specifications
    - Enforcement
  - It would be helpful to have them on board with your proposed changes.

- Have UFC meeting after the Planning and Sustainability Commission's meeting if you would like input.
- Meryl called for a Motion to recommend in writing a proposal that describes 30" dbh threshold for inch for inch mitigation requirements and a 21 day public notice, with the addition of language stating this is a step back from Title 11, as well as include middle age trees.
  - Damon Schrosk motions support for said letter to the Mayor and City Council.
  - Barbara Hollenbeck seconds the motion.
  - Damon will draft the letter.
  - Unanimous yes vote on commissioner letter.
- Compile letters from last year's Interim Admin. Rule
  - Letters not on file with Urban Forestry to compile

### **Quarters 1 – 3 Title 11 Trees in Development update**

Mieke Keenan and Emily Sandy: BDS

- Development regulations on Private Property
- Purpose of regulations
  - Balance between development and tree preservation
- Triggers of preservation require all 3 conditions
  - 5,000 square feet and larger
  - Ground disturbance
  - Less than 85% building coverage
- Trigger to plant on a site only one condition needs to be present
  - New Development
  - Exterior alterations
  - Additions greater than 200 square feet
  - Project valuation greater than \$153,450
    - Amount based on non-conforming upgrade threshold used in zoning code
- New construction projects trigger planting 45% of the time
  - Demolition does not trigger planting requirements
- Low numbers might be because of a number of different exemptions.
  - They are not individually coded.
  - Two biggest exemptions are zoning and lot size thresholds.
- Good to remember that before the code we did not have tree preservation requirements.
- 1 in 5 residential permits coming through BDS are less than 5000 square feet
- Zoning exemption another expected exemption
  - Industrial and high intensity commercial zones
- Smaller canopy trees are selected over large canopy trees still
  - May be a matter of education, people are planting what they know
  - They are not aware of large canopy tree options as a way to plant fewer trees
- Trees preserved:
  - Average dbh preserved: 17.5; dbh was expected to be smaller.

- Fees in Lieu:
  - Majority of permits that are issued through the permit center are from private homeowners
  - Many people are choosing to plant instead of pay fees in lieu
- We are still seeing improvements under the code
  - Data is not telling us size of trees, or canopy size and health of trees.
  - Under the tree code we have preservation and planting for development projects, whereas before it was only for Single Family Residential
- Next round of measurable: First 3 quarters report will be out in December.
- The totals for the first year of the code will go to council in April 2016.
- Data for trees removed from a lot are not location based.
- Types of tree removed are not required; we did not want to require an arborist report.
  - We record dbh of tree removed.

**New Business / Old Business**

- October minutes were approved with small changes.
- Meryl called for a motion to accept the October minutes with changes.
- Barbara Hollenbeck motioned, and Mark Bello seconded. The October minutes were accepted with an unanimous yes vote

Close of meeting 10:25 am