



**URBAN FORESTRY COMMISSION**

Meeting Minutes

October 17, 2019

City Hall, Lovejoy Room

---

**Commission Members present:** Chair Vivek Shandas, Vice Chair Barbara Hollenbeck, Anjeanette Brown, Gregg Everhart, Brian French, Lorena Nascimento, Bruce Nelson, Daniel Newberry, Damon Schrosk, Thuy Tu, Megan Van de Mark

**Commission Members absent:**

**Urban Forestry staff present:** Jenn Cairo, City Forester; Brian Landoe, Analyst I

**City staff present:** Emily Sandy, BDS; Todd Lofgren, PP&R; Sarah Huggins, PP&R

---

**Briefing on Proposed Title 11 Amendments** – Emily Sandy, BDS

- Emily Sandy, BDS Policy Analyst, provided a briefing on the proposed amendment to Title 11 which would extend the sunset date to the 2016 “Large Tree Amendment” which did the following:
  - Continued to require that at least 1/3 of trees be preserved or pay a fee in-lieu of preservation. Added requirement that all non-exempt trees 36” or larger be preserved or pay a fee in-lieu of preservation.
  - Amended the fee in-lieu of preservation to a graduated scale as follows:
    - 12”-20” = \$1,800 (cost of (2) 2-inch trees)
    - 20”- 36”= \$3,600 (cost of (4) 2-inch trees)
    - 36” or larger = \$16,220 and up (“inch-per-inch” fee at \$450/inch)
  - Applicants post notice on-site and send a notice to the neighborhood association and district coalition 45 days prior to development permit issuance for removal of trees 36” or larger
  - Certain affordable housing projects exempt, from the fee in-lieu of preservation for removal of trees 36” or larger
  - Sunset date of December 31, 2019
- The amendment applies to regulations for Private Trees in Development Situations (not City Trees, or Street Trees, or Trees in Nondevelopment Situations).
- The Planning and Sustainability Commission recommended extending the sunset date to December 31, 2021.
- Jenn Cairo also noted that the PSC recommended removing the tree preservation exemption for certain industrial and commercial zones. Commissioner Fish has asked the UFC to provide a recommendation on this proposed amendment as well.

**Urban Forestry Commission**

1120 SW 5<sup>th</sup> Avenue, Suite 1302, Portland, Oregon 97204

Phone 503-823-TREE (8733) | Fax 503-823-4493



## Public Comments

Eli Spevak, Co-Chair of the PSC

- The PSC received many public comments supporting the extension and extending protections for trees under 36" DBH.
- Other amendments desired as well, but little capacity to undertake them
- The PSC approved the following recommendations to City Council:
  - Extend the sunset clause to December 31, 2021.
  - Remove the tree preservation exemptions for industrial and employment zones through December 31, 2021.
  - Fully fund a project to make additional amendments to Title 11.

Jan Zuckerman

- Provided testimony on behalf of the Youth Climate Council.
- Supported removing the sunset clause entirely to make the provisions permanent
- Also supported removing the preservation exemptions for industrial and commercial zones

Micah Meskel, Portland Audubon Society

- Supported both the extension of the sunset clause and removal of the industrial and commercial zone exemptions.
- Also supported reducing the tree preservation exemption for lots under 5,000 square feet to 3,000 square feet.

Meryl Redisch

- Exported support the Planning and Sustainability Commissions' recommendations.
- Also supported Micah Meskel's proposed to reduce the lot exemption size to 3,000 square feet.
- Meryl also recommended changing the definition of a grove from five trees to three trees.

## UFC Discussion

- The Commission discussed the merits and effectiveness of the current fee-in-lieu of preservation and expressed concern for weaker protections for trees under 36". Many mature trees providing important services will never reach that size. Smaller trees are also part of the future replacement canopy and should be protected.
- There was a discussion on why the 5,000 square foot exemption was implemented in the first place, as opposed to a lower threshold. Mr. Sepvak recalled there was concern about how a lower square foot exemption would impact other city goals including housing supply.
  - Anjeanette Brown asked why there was no information regarding the impact on low-canopy neighborhoods in East Portland
  - Emily Sandy responded that there were no resources to conduct such an analysis.
- Additional conversations took place regarding increasing tree protections in conjunction with a climate emergency declaration by City Council.
- Barbara: Motion to support moving the sunset clause to December 31, 2021 and eliminating the exemption for tree preservation in development situations in industrial and commercial zones.
  - Brian French: Seconded the motion.
  - Yay: Vivek Shandas, Barbara Hollenbeck, Anjeanette Brown, Gregg Everhart, Brian French, Lorena Nascimento, Bruce Nelson, Daniel Newberry, Damon Schrosk, Thuy Tu, Megan Van de Mark
  - Nay: None
- Damon: Motion to recommend that, should a climate emergency be declared by City Council, the following code amendments shall become effective for the duration of the declaration:

- The sunset clause regarding tree preservation for private trees in development situations shall be removed; and
- The 36” DBH threshold for inch-for-inch mitigation shall be reduced to 20” DBH
- The 36” DBH threshold for required preservation or fee-in-lieu payment shall be reduced to 20” DBH
- Brian French: Seconded the motion.
- Yay: Vivek Shandas, Barbara Hollenbeck, Anjeanette Brown, Gregg Everhart, Brian French, Lorena Nascimento, Daniel Newberry, Damon Schrosk, Thuy Tu, Megan Van de Mark
- Nay: None
- Abstain: Bruce Nelson

**Forestry Report** – Jenn Cairo, City Forester

- The Commission will receive a briefing on the FY21 budget development in the next few months. The current anticipation is no cuts will be required,
- The Commission will also have an opportunity to review the street tree maintenance options being developed by Davey Resource Groups in the near future.

**PP&R Sustainable Future** – Todd Lofgren PP&R Deputy Director; Sara Huggins, System Development Charge Program Manager

- The Sustainable Future project is intended to identify long-term solutions to the bureaus’ financial challenges.
- New funding sources will address both overdue capital maintenance and ongoing operations support.
- The health and growth of the urban canopy is an important component of this project. The cost of the City assuming responsibility for street tree maintenance is included in the bureau’s project long-term funding needs.
- PP&R staff have developed three scenarios for future levels of service and necessary spending to support them. The scenarios will be presented to City Council on November 19<sup>th</sup>.