

# Types of Project and Code Issues

## 1. Code Intent & Purpose

- Why do we have a Tree Code? What are its goals?

## 2. Implementation Protocols and Deliverables

- What has been put in place (processes/staff) to accomplish the Tree Project objectives?

- What are the adopted or needed policies that standardize decision-making?

## 3. Code Fixes & Clarification

- Where is the Tree Code silent, unclear, or inconsistent?

## 4. Resources, Staffing, and Budget

- Are these sufficient to achieve project goals?

STATUS	ISSUE NO.	ISSUE DESCRIPTION	CATEGORY	NEXT STEPS
Open	1	Non-development mitigation policy for Type B permits, where mitigation can be up to inch-per-inch <ul style="list-style-type: none"> <li>Should this be evaluated on a case-by-case basis or as a standardized policy?</li> <li>Effect of the \$1200 cap on fee in lieu of planting</li> </ul>	Implementation Protocols	
Open	2	Building inspectors currently inspect planting requirements rather than Tree Inspectors. Who is best suited to do this task?	Implementation Protocols	
Open	3	Questions related to tree preservation in development situations: Is it working as intended to achieve Tree Project goals? <ul style="list-style-type: none"> <li>\$1200 fee in lieu of preservation</li> <li>Triggers for preservation requirements</li> <li>Exemptions</li> </ul>	Code Fixes/Clarifications	
Open	4	Do the Type A standards for removal on private property make sense for achieving Tree Project goals?	Code Fixes/Clarifications	
Open	5	'Building' and 'attached structure' definitions absent in Title 11 <ul style="list-style-type: none"> <li>What should the definition be?</li> </ul>	Code Fixes/Clarifications	Discussion at Oversight Advisory Committee Meeting # 3
Open	6	No opportunity for public appeal for removal of one healthy tree $\geq 20''$ DBH	Code Fixes/Clarifications	
Open	7	Does the waiver policy regarding sites that already meet tree density standards need to be clarified and/or standardized (11.40.060 C 1 pg 41)?	Code Fixes/Clarifications	Discussion at Oversight Advisory Committee Meeting # 3
Open	8	Has customer service improved? <ul style="list-style-type: none"> <li>How should this be measured (surveys, data, etc.)?</li> </ul>	Resources, Staff, Budgeting	

# Title 11, Trees

## Issue Briefing



Oversight Advisory Committee

March 9, 2015



# Issue #5: Building & Attached Structure

**Code Section: 11.40.050**

**Issue:**

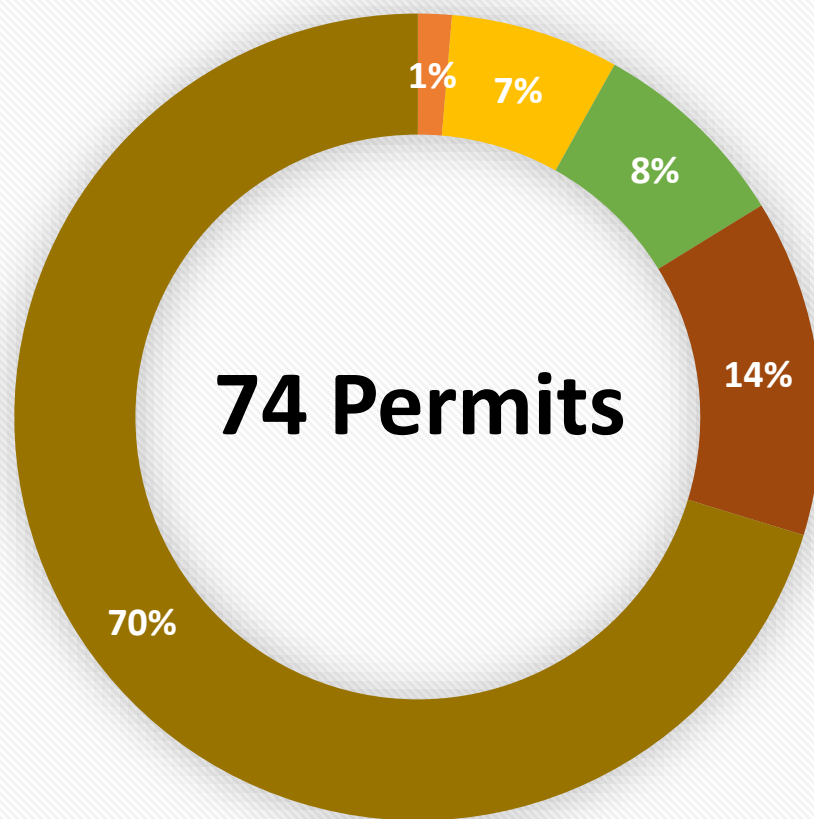
- Trees of any size, species, or condition qualify for a Type A permit and tree for tree replacement when the tree is within 10 feet of a building or attached structure
- 20% of Private Tree removal applications cite 10 feet as a reason for removal\*
- There is no definition of building or attached structure in *Title 11, Trees*

\*366 permits submitted, 74 cited 'within 10 feet' as a reason for removal (1/2/15-3/1/15)



# Issue #5: Building & Attached Structure

Trees that were within 10 feet of a building



Dead Dying Dangerous Nuisance 10' ONLY







# Issue #5: Building & Attached Structure

Jurisdiction	Definition of Building
<b>Portland</b>	A structure that has a roof and is enclosed on at least 50 percent of the area of its sides.
<b>Bend</b>	A structure which is designated and suitable for the habitation or shelter of human beings or animals or the shelter or storage of property, or for the use and occupation for some purpose of trade or manufacture.
<b>Hillsboro</b>	A structure having a roof supported by columns or walls, which is built for the support, shelter or enclosure of persons, animals, or property of any kind.
<b>Seattle</b>	Any structure which is used, designed or intended to be used for human habitation or other use.

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# Issue #5: Building & Attached Structure

## Proposed Definitions:

- Building: Permitted Structure that has a roof, is enclosed by at least 50%, and has an in ground foundation that covers at least 10sqft
- Attached Structure: Any permanent structure with an in ground foundation that covers at least 10sqft that is attached to a building by a common wall, a roof, or by structural connections that allows pedestrian access to both structures.



# Issue #7: Waiver Policy

**Code Section:** 11.40.060 C

**Issue:**

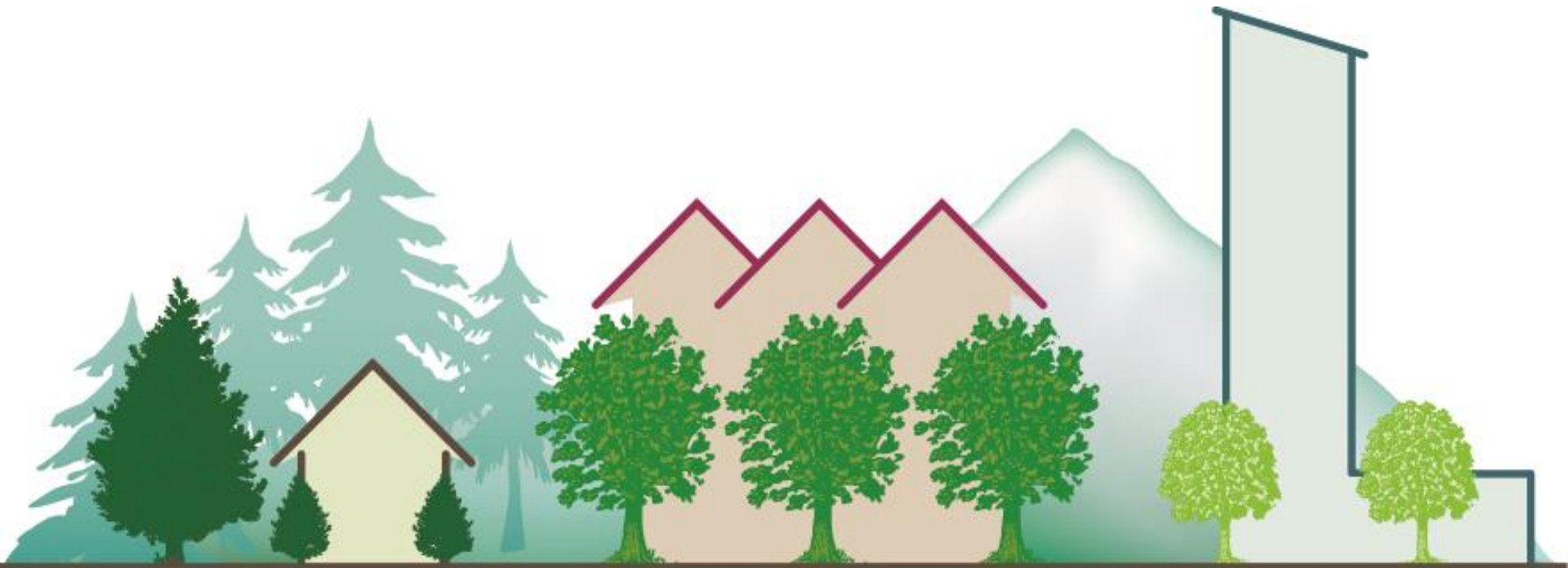
There is an option to create a waiver when full mitigation would create an “unreasonable burden” on the applicant.

How do we define “unreasonable burden?”

**Data as of March 1:**

0 waivers issued

# QUESTIONS



[www.portlandoregon.gov/trees](http://www.portlandoregon.gov/trees)