

TO: Neighborhood Tree Team members and Portland tree advocates
FROM: Bruce Nelson, Cully Tree Team 21 July 2022
RE: Portland Urban Forestry Commission Meeting June 16, 2022:
Summary and Comments

NOTE: This document is not an official document of the Urban Forestry Commission. I am a private citizen who is a volunteer member of the Urban Forestry Commission. I write this document as a private citizen.

Conflict of Interest Policy –

“Members of City advisory bodies are public officials, based on State law ORS 244.020(15), and as such are required to disclose conflicts of interest. Under the Oregon Revised Statute 244.020(3), an appointee has a conflict of interest when participating in an official action which could or would result in a financial benefit or avoidance of detriment to the public official, a relative of the public official, or a business with which either is associated.”

These meetings usually occur on a monthly basis, on the third Thursday of the month. Official minutes of the meetings are available at the website for the Urban Forestry Commission (UFC), once they are approved by the Commissioners (usually 1-3 months after the meeting). You can see and listen to You-tube recordings of the meetings. Go to the link at the UFC website <https://www.portland.gov/trees/ufc> or to the You Tube site <https://www.youtube.com/playlist?list=PL1ToXf0RSV44U3FpC0nwIUqtFOmFuIxMY>

The decisions made at these meetings may affect volunteer tree advocacy and influence Urban Forestry division processes and actions. If you do not wish to receive this commentary on monthly meetings, let me know.

Italicized text indicates my own point of view and/or items not necessarily expressed during the meeting. **Red bold text is used for my required statement that this is not an official or adopted statement from the Urban Forestry Commission, as well as the Conflict of Interest policy for the City of Portland. Bold black text is used for subject headings, lead presenters for a specific agenda item and occasionally either to identify who is saying what or for emphasis.**

The monthly Urban Forestry Commission (UFC) meeting was held Thursday, June 16, 2022, 9:30 a.m. – 11:35 a.m as a Zoom meeting.

UFC Commissioners Present - Vivek Shandas (chair), Anjeanette Brown, Adrienne Feldstein, Ivory Iheanacho (late), Melinda McMillan, Bruce Nelson, Leah Plack.

UFC Commissioners Absent - Roberta Jortner, Daniel Newberry, Megan Van de Mark

Urban Forestry (UF) Staff Present – Jenn Cairo (City Forester, Portland Parks and Recreation, Urban Forestry division); Rick Faber (Permitting and Regulation Coordinator, Portland Parks and Recreation, Urban Forestry division); Brian Landoe (Analyst 1, Portland Parks and Recreation, Urban Forestry division); Ashley Reese (Administrative Specialist II, Portland Parks and Recreation, Urban Forestry division)

City Attorney’s Office – No one was present

Other City Staff - Bill Cunningham (Project Manager, Portland Bureau of Planning and Sustainability); Jeff Caudill (Bureau of Planning and Sustainability); Marisol Carpon (Bureau of Development Services)

9:35 a.m. Vivek reported that as a follow-up to discussions held in earlier UFC meetings, there will be a schedule set up that includes when certain agenda items regularly occur. This will help UFC members know what agenda items are forthcoming and when.

9:37 a.m. Public Testimony None

9:35 a.m. - Minutes review and approval

At the time this item came up there was not a quorum present, so no meeting minutes were reviewed.

9:40 a.m. – City Forester’s Report Jenn Cairo (City Forester, Portland Parks and Recreation, Urban Forestry division)

1. Jenn appreciated the participation and ideas shared at the UFC retreat held at Leach Botanic Garden on June 6, 2022, 8:30 a.m. – 1 p.m.
2. The Annual Report on the Use of the Tree Funds (Tree Planting & Preservation Fund and the Urban Forestry Fund) was accepted by City Council. The City Council also approved the recommended new trees to gain Heritage Tree status in Portland, as well as the delisting of some declining or failed heritage trees.
3. The Portland Water Bureau is continuing to review the rule that trees can’t be planted within 10’ of a 24” diameter water conveyance pipe. *This administrative rule is in effect now. As an administrative rule, it does not need Portland City Council approval. The Water Bureau is in conversations with UF about this specific challenge. There is no set timeline on this discussion. The Water Bureau Engineer has conveyed that she will work with UF on this as situations arise.*
4. Streets 2035 Master Plan work is progressing. Once it is concluded it will likely result in some modifications of the Pedestrian Design Guide. It is also true that the recently completed Pedestrian Design Guide, which has been adopted as an Administrative Rule by Portland Bureau of Transportation (PBOT), will influence what is in the Streets 2035 Master Plan. *A reminder that this project is progressing slowly. It is challenging for the different bureaus to resolve differences in standards. Covid-19 has resulted in slower progress due to staffing challenges.*
5. One of the stated uses of Parks Levy funds was to purchase new software for Parks that would greatly increase the ability to meet the diverse needs of Portland Parks and Recreation (PP&R), including UF. PP&R is beginning to address this stated aspect of the passed levy. *Jenn, as City Forester, has repeatedly said that UF is hampered in many aspects of its operations by the inadequate software it is using. This situation means that information is in different locations and not easily connected. Specific staff members at PP&R will be exploring the software situation. Jenn has stated that there is existing software that could greatly assist UF but that may not meet all the needs of PP&R. In the short term, PP&R has prioritized hiring many additional staff, thanks to passage of the levy in November 2020. Hopefully this situation will be remedied sooner than later. As more information becomes available, Jenn will report it.*
6. Tree Bark, UF’s e-newsletter, contains information that Jenn generally does not repeat in her Forester’s Report. Tree Bark is a good place to find out about UF public events and job opportunities.

<https://www.portland.gov/trees/get-involved/tree-bark-newsletter>

7. Daniel Mouya has been hired as Outreach Specialist for Urban Forestry. *I have no information about him or what he will be working on.*
8. To help inform UFC members, today's agenda includes time to review aspects of trees in development situations.

UFC members had comments and questions on the Forester's Report.

Bruce expressed concern that UF's software situation is still not being addressed, nearly 18 months after the levy's passage. Leah and Melinda echoed this concern and the importance of addressing it in a timely manner. Jenn responded that she hopes for an integrated system within UF where workflow, tree data, and tree permits can be addressed/tracked in a helpful manner.

Anjeanette wondered if any actions are expected to come from this second round of street tree inventory work. Jenn hopes that the second round of street tree inventory work will provide data that can be directly compared to the earlier inventory data to see changes over time.

Vivek wants to encourage UF to use data that METRO is gathering. Jenn responded that UF's Jeff Ramsey maintains regular contact with METRO. Jenn also shared that she believes that many cities smaller than Portland use much more advanced software than that currently used here. She also stated that it is likely there will be contractors working on aspects of developing the draft of the updated Portland Urban Forest Management Plan.

Vivek wondered how PP&R Sustainable Futures work fits in with UF's planning. Jenn said she will address this at the next UFC meeting.

10:05 Trees and Development Overview. Bill Cunningham (Project Manager, BPS), Jeff Caudill (BPS); Marisol Carpon (Bureau of Development Services)

Brian requested that both BPS and BDS have representatives share with UFC members some of the procedures used that pertain to trees in new development situations. This is viewed as important because UFC is frequently hearing about different matters that touch on this area. Since many current UFC members are new and likely inexperienced in this area, this is intended to help them be more informed.

This was important information about trees, development, codes and practices. It is hard to grasp it all at once, and these notes are far too brief. To know in detail what was shared in this part of the agenda, I encourage you to listen to the recording of this meeting when it is available.

Part of Jeff Caudill's responsibility is to verify that new developments are in compliance with the Tree Code, Title 11. New regulations from other bureaus increasingly play a major role. Residential Infill Projects 1 and 2 have to be taken into account for residential properties and Better Housing by Design guidelines for multi-family housing units.

Factors that are important to be aware of in single-family residences are the front and back setback requirements. This relates to how far the housing structures or other built structures larger than 200 square feet can be from the front and back property lines. Another factor is the maximum amount of lot coverage that can be occupied by buildings. This limits the footprint of the building. Currently there are requirements for a certain amount of outdoor area, which can be used for many different things. There are also restrictions on the allowable floor-area to lot-area ratio (FAR). *For this calculation you add the usable floor area on each floor of the building, and use that as the numerator. The denominator is the total square footage of the lot.*

The Residential Infill Project (RIP) removes the minimum on-site parking requirements. Now, no off-street parking is required. More importance will be focused on using alleys, where they exist, for building access. RIP sets new FAR limits. The expectation is that RIP will increase housing capacity and options.

Bill Cunningham addressed the development requirements pertinent to trees for multi-family housing units and mixed-use developments. Twenty-three percent of these properties are within often used transit corridors.

The Better Housing by Design project recommendations adopted by the Portland City Council and implemented in March 2020 increased the requirements for outdoor space while also limiting the amount of surface space that can be used for parking lots. Much of this is especially applicable to east Portland. The goal is to limit the footprint of the building to only 30% of the square footage of a lot and have asphalt on no more than 15% of the lot. The building coverage varies, depending on the zoning of the land. New buildings on RM1-zone sites can occupy no more than 50% of the land, while landscaping must occupy 30% of the land. For RM2-zoned sites, building coverage can be no more than 60% of the

land, while landscaping must occupy 20% of the land. For RM3 and RM4 only about 10% of the land must be in landscaping. *RM zones are for high-density housing.*

Better Housing by Design does specifically call out the need for outdoor common areas while deemphasizing on-site area for vehicles. *I think the idea here is to push cars into street parking with the hope that in time there will be fewer privately owned vehicles.*

Better Housing by Design contains provisions that may afford some protection for groves of Douglas-fir trees in mid-block areas. This has been done by requiring deeper set-backs on properties that are developed in East Portland. Many properties that can be developed with high-density housing are very deep.

An option that Better Housing by Design hopes to see used is the possibility that if a developer preserves groves of trees that leads to a loss in some land for development, the developer could transfer that loss to another property being developed. That other property could have bonus units added from this transfer. [Read more about this option.](#) *This is a concept used successfully in King County, Washington, where it is coordinated by a public employee of the county. Currently Portland has no designated office nor person to coordinate this transfer.*

Jenn wondered if anyone will be monitoring the results from Better Housing by Design, RIP1, and RIP2. Jeff said he is not aware of any staff designated to track the consequences of these policies. Morgan Tracy (Senior Planner, Portland Bureau of Planning and Sustainability) has been monitoring RIP developments, including data on how many triplexes are being built on residential properties. No monitoring of the consequences to trees for any of these developments is taking place.

Leah wondered how much space is needed to grow a large-form tree. UF's Rick Faber responded that it depends on the tree we are trying to grow. UF uses guidelines spelled out in the tree code. The canopy factor formula is (Mature Height of Tree x Mature Canopy spread x growth rate factor x 0.01) (11.60.020 C) *I am not sure how this is used. In the Tree Code, Title 11, Table 50-3 Number of Required Trees and Minimum Planting Area, specifies that for a large-form tree (90' or taller) a minimum of 150 square feet is needed; for a medium-form tree (40' to less than 90') 75 square feet is needed; and for a small-form tree (40' or less in height) 50 square feet is needed. (11.050 D2).*

Adrienne wondered what RIP's ramifications will be on single-family zones. Bill thought that fewer single-family, large houses are being built than in the past.

Anjeanette asked if there are any plans to address the need to preserve our current canopy. There appears to be much loss of trees on private property. She also does not see much tree maintenance occurring (*on public trees or private trees?*). Bill agrees that trees on private property are indeed very important. Small-scale, single-family homes located on residential lots will become less common as more housing units are built on those formerly single-residence-zoned properties. *RIP 1 and RIP2 eliminate restrictions that previously allowed only one residential unit on most residential-zoned properties on city land zoned R5, R7, R10, and R20.*

UF's Rick Faber and BDS's Marisol Carpon then shared more focused information on trees and development, similar to a presentation they made earlier to the Portland Home Builders Association. Since the adoption of Title 11 in 2015, most code provisions pertaining to trees in development and non-development situations can be found in this one document. Title 11 is regularly updated as needed.

Existing trees need to be shown on development plans. Any development project that exceeds \$25,000 will mandate street tree planting at the site if there are not sufficient street trees present prior to construction. If a development project exceeds \$330,800, a plan review is required to see if additional on-site tree planting is needed. UF and BDS are both involved in the review of on-site trees. BDS needs to see the trees and their location on plans. If there are five or more trees that need to be planted as part of the review, a planting inspection may be carried out. Trees in the landscape must conform to the standards in the zoning code--Title 33.248, 33.630, 33.853--as well as those in Title 11.50 and 11.60.

To preserve trees on a site being developed, two different approaches can be used -- "prescriptive," which is the standard, or "performance," which is more customized to the specific situation. On-site preservation of trees does not apply to lots smaller than 5,000 square feet or to heavy industrial zoned sites that are not owned by the City of Portland, per Title 11. If preservation is not done where it is required, developers must pay mitigation fees. Those fees depend on the diameter at breast height of the trees removed.

Title 11 has requirements on what tree density is required in a new development (11.50.050). If there are existing street trees at the site of a new development, UF will be involved in determining the necessary measures that must be followed to

protect those trees during construction. UF will also work with the developer to modify development design if necessary to preserve existing street trees.

Bruce asked if trees that are currently growing within the footprint of a new building count as part of the initial canopy coverage of a lot. Rick responded that they do, so they would need to be part of the information presented about how many trees will be removed as part of the development. Tree removal fees go to UF. Jenn added that these fees are mitigation fees that go into the Tree Planting and Preservation Fund.

Vivek wondered how the Urban Forest Management Plan fits into the trees and development situation. Jenn responded that the Urban Forest Management Plan provides a guiding the big-picture vision. UF is still in the process of filling the UF policy position. Whoever is hired will spearhead the review and updating of the Urban Forest Management Plan.

Next Urban Forestry Commission Meeting: The next meeting will be 9:30 a.m. – 11:30 am, July 21, 2022, via Zoom. Check the link below prior to the meeting for the agenda, meeting materials, and how you can gain access to the meeting:
<https://www.portland.gov/trees/ufc/events/2021/6/17/urban-forestry-commission-meeting>