

Citywide Tree Project adopted by Portland City Council

By Lee Perlman
The Southwest Portland Post

After hearings in March and April the Portland City Council adopted the Citywide Tree Project, first weakening the document and then making it considerably stronger.

The project creates a uniform set of regulations governing the planting, cutting and pruning of trees on all public and private lands in Portland.

It is an attempt to make a to make a single, clear, consistent and understandable set of regulations that were previously shared by five different bureaus and were confusing and contradictory. It is also an attempt to increase the total tree canopy.

Developers, led by the Portland Homebuilders Association, charged that the tree preservation requirements and fees proposed by the Project would retard housing development, especially on small lots. They proposed a series of amendments that Council adopted in April, mostly by unanimous vote.

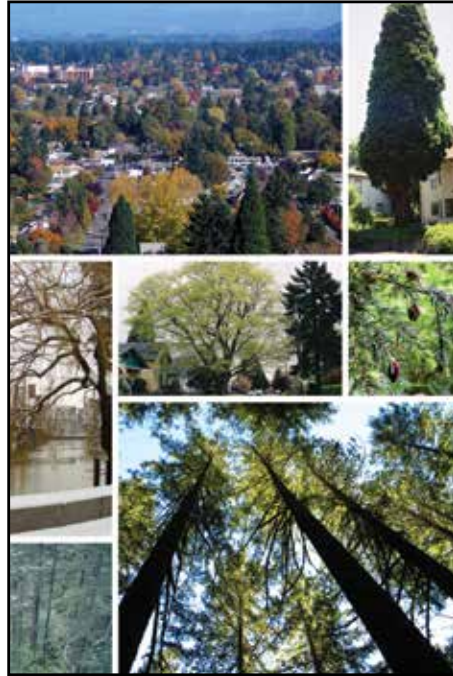
Among the changes were exemption from tree preservation requirements for lots of 5,000 square feet or less (the original proposal set the minimum at 3,000 square feet), or included projects with 85 percent lot coverage, (as compared to 90 percent), and changing development goals to having tree canopy cover 33 percent of new developments instead of 35 percent.

On smaller lots, as well, an amendment allowed for required street trees to be counted toward the 33 percent coverage. Developers argued that small lots represent 22 percent of citywide development, but contain only three percent of the tree canopy, and that not all of this would be cut.

One of the project's more controversial features is regulation of tree cutting on developed, single-family lots. Staff proposed that homeowners be required to replace trees 20 inches in diameter or larger if cut.

Tree advocates argued that the replacement requirement should apply to trees 12 inches in diameter. Commissioner Nick Fish proposed a compromise whereby the stricter standard would apply to lots larger than 10,000 square feet. Commissioner Amanda Fritz, who wanted the 12" standard applied across the board, cast a dissenting vote.

Fritz prevailed on another issue. Staff had proposed relaxing required back-



(Photo collage courtesy of City of Portland)

yard setback requirements if doing so helped preserve trees in the front yard.

Fritz argued against the amendment, saying, "We need a defensible space for children. The ordinance says that (preserving) trees are more important. I say private space is just as important. You can replace a tree, but you can't replace that space once it's gone."

Fritz prevailed on a 3-2 vote, with Fish and Commissioner Dan Saltzman dissenting.

The City Council adopted the changes in March. At the final vote in April, however, Commissioner Nick Fish proposed a new amendment that eliminated the small lot exemption entirely.

Fish also proposed to make the minimum tree size for mandatory replacement in developed home sites 12" in all cases. Council unanimously adopted the changes without debate.

Fish said that written testimony submitted between the two sessions "convinced me that (the new amendments) were necessary." The previous rules "mean in practice that a property owner could cut down some very large trees," he said. Moreover, he added, the changes give the regulations "the elegance of simplicity."

The City Council gave unanimous support to a staff proposal to change the regulation of street tree pruning. Henceforth, homeowners will be able to cut branches up to one inch thick if they go online and swear that they have both studied and adhered to best practices.

Permits are currently required for

such operations but, former Fish aide Hannah Kuhn noted, only 0.5 percent of property owners follow this process, which takes two weeks, and 90 percent of such permits are granted. The current system "is not a good use of resources," Kuhn said.

Southwest Neighborhoods, Inc. Land Use Committee chair John Gibbon argued against exempting 3,000 to 5,000 square foot lots from regulation.

Bridlemile neighborhood activist Greg Schifsky testified that illegal cutting of trees will happen regardless

of the regulations in place, but urged the City Council to make protection of existing trees "as strong as possible."

At the final vote Fritz paid tribute to community volunteers such as Schifsky and Margo Barnett for providing the impetus for the new regulations.

Still to be done is the implementation of the proposal, including creation of a user-friendly manual and hotline and 24-hour hotline for reporting violations. This will be considered during budget deliberations, project manager Roberta Jortner said.

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