

STUMPTOWN, from page 11

This is not to say that zoning never comes into conflict with tree preservation. Some local governments, including Portland, have made bad zoning decisions that have put trees in conflict with development. But those are just that, bad zoning decisions that should be corrected, in part, through smarter regulations that allow or require more tree preservation. To suggest the UGB or regional density goals are responsible for local tree removal is to distract from the real threats to a healthier, more diverse urban forest.

Myth #5 Preserving more trees will make Portland unaffordable. This argument needlessly pits tree advocates against affordable housing advocates by posing another false choice. First, as noted above, even a strengthened tree code need not reduce housing supply which is only partially related to land supply. Second, the cost of preserving and planting trees is small compared to the cost of permitting, designing and constructing new developments. The impact on affordability is even smaller when you consider these costs are as likely to be passed on to the previous landowner (in the purchase price for land) as they are to future homeowners.

Third, trees provide important public health benefits such as reduced urban heat island effect and improved air quality that maintain and improve human health; these values should not be pitted against affordable housing. Cutting one to achieve the other should be unacceptable. It was not long ago some developers used the same arguments to fight stormwater management requirements to control pollution. Today, these requirements are simply another cost of doing business and help create safer, healthier, and cleaner neighborhoods for everyone. Sensible tree preservation and planting requirements should be no different.

Portland is facing an affordability crisis and Portlanders should be strong advocates for both affordable communities and a healthy urban forest. It turns out, there are

plenty of City policies that negatively and significantly impact housing affordability and create even less space for trees. One of the biggest culprits is parking (Myth #7). Research by the city of Portland found that parking requirements can add between \$3,000-\$45,000 per parking space to the cost of developing each new housing unit.

Myth #6 Portland's new tree code forces developers to remove trees. After trying to pit tree advocates against forest and farmland preservation advocates (Myth #4) and then affordable housing advocates (Myth #5), some try to divide tree advocates against themselves. They argue the new tree code actually forces developers to remove trees. The argument goes like this: "Rigid" rules for the protection of tree root zones of preserved trees effectively force developers to remove trees that they could or would otherwise "preserve."

The reality is that root protection rules are not rigid. Title 11 allows developers to encroach on 25 percent of root protection zones without additional review. If that is still not enough to accommodate development, additional encroachment can be permitted if the developer can demonstrate with the opinion of a certified arborist that it won't eventually kill the tree. The opinion of a certified arborist is critical because the vast majority of developers aren't arborists. Simply giving developers free reign to encroach on root zones is folly because it will result in situations where encroachment could eventually kill trees after the developer is long gone and unaccountable for mitigating the loss.

There is sometimes uncertainty in assessing tree survivability from root zone encroachment. So in rare instances it is possible for tree root zone protection and tree preservation to come into conflict. Some tweaks in the code might be helpful. But most of these rare conflicts could be headed off entirely if the city code outright required some trees to be preserved in the first place.

So no, Title 11 does not force developers to remove trees. However, it is true that other parts of the city code unrelated to

trees do. There are real regulatory barriers to thoughtful developers who want to preserve trees with their development.

Myth #7 Portland developers don't care about trees. The reality is most developers understand the value of trees to their developments and the exceptional developer will go out of their way and above and beyond code requirements to preserve them. These stories don't get told enough. One recent example is developer Steve Melkerson who responded to neighbors' concerns by actually shrinking and redesigning his "Paradox 50" development in Mt. Tabor neighborhood in order to preserve a massive Paradox Walnut as an asset. This is a great success story of a positive outcome.

But it should pose a question. Are developers like Melkerson put at a competitive disadvantage for such responsiveness and creativity? Why should developer Vic Remmers who held the Eastmoreland sequoias hostage walk away enriched? Shouldn't the city make it easier for thoughtful developers to save trees that can be saved and harder for hasty ones to remove the same trees?

The city could do a lot more to remove regulatory barriers to tree preservation and planting. Examples include flexible lot-line set-backs and reduced height restrictions and parking requirements in order to preserve trees. Parking in particular takes up enormous amounts of space in the urban environment and many outdated parking requirements mean less space to preserve and plant trees while adding to costs of housing (Myth #5).

When it comes to public street improvements, rules and processes could allow or make it much easier to install tree-friendly sidewalk designs or technologies such as rubber sidewalks. In some situations the city could consider charging developers a fee in lieu of sidewalk construction and redirect funds to where new sidewalks are most needed, desired, and not in conflict with large healthy trees.

The city should address these types of barriers to tree preservation and planting in


the existing code head-on in the current Residential Infill and Mixed Use projects.

Myth #8 City bureaus are held to a higher standard of tree protection and preservation. City bureaus are actually held to a lower standard than private development in many instances. For example, PBOT has lobbied for and secured reductions in mitigation required for street trees deemed necessary for removal in order to accommodate for "street improvements." PBOT argues they need this special treatment because tree regulations make these public works project "less financially feasible."

Portlanders should question these policies and their rationale. What are these "public improvements" that require the unmitigated loss of healthy trees? Why does preserving or mitigating trees make them less financially feasible and for whom? What exactly constitutes "financial feasibility?"

Urban trees provide multiple ecosystem services. They include stormwater management, improved air quality, reduced urban temperatures, and enhanced wildlife habitat, services that have value and cost labor and resources- real money- to replace or restore. Hence the loss of these ecosystem services are costs that are born by the community and sometimes the City itself. The whole purpose of tree mitigation is to compel developers and City bureaus to internalize rather than externalize these values of healthy non-nuisance trees and the costs of their removal. To that end and as a matter of simple fairness, agencies like PBOT should be helping raise rather than lower the bar for themselves.

The Upshot: Portland's new tree code is far from perfect especially in the current real estate development market. It will need sustained refinement and improvement over time. But reform should be based on real problems not distractions and false choices. Reform should keep a laser focus on the achievable goal of a healthy and diverse urban forest accessible to all Portlanders, new and old.



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