

RESOLUTION No.

Direct the Bureau of Development Services, in coordination with Portland Parks and Recreation and Bureau of Planning and Sustainability, to conduct stakeholder engagement, analysis, and develop a proposal to address recommendations made by the Planning and Sustainability Commission and Urban Forestry Commission, regarding Trees in Development Situations (PCC 11.50) (Resolution).

WHEREAS, Portland' s urban forest is a unique community asset, providing a broad array of valuable ecological, social, and economic benefit, including cleaner air and water, reduced stormwater runoff, reduced landslide and flood impacts, carbon sequestration, neighborhood beauty and walkable streets, public health benefits, and enhanced property values.

WHEREAS, The City Forester, together with the Bureau of Development Services Director particularly regarding Trees in Development Situations on private property, administers Portland City Code (PCC) Title 11, Trees.

WHEREAS, Portland City Code (PCC) Chapter 11.50, Trees in Development Situations, regulates, in part, tree removal and tree preservation associated with development projects including when tree preservation is required, and what mitigation is required when certain trees are not preserved.

WHEREAS, in response to public concern about removal of especially large sized trees in development situations, City Council passed Amendments to Title 11, Trees, (Ord. 187675, effective May 13, 2016) to strengthen tree preservation regulations on private property in development situations as an interim measure until such time a more comprehensive evaluation and amendment of Title 11, including regulations for tree preservation in development situations could be undertaken. These amendments were adopted with a sunset date of December 31, 2019.

WHEREAS, no comprehensive review of the specific amendments adopted in Ordinance 187675 has taken place. Therefore, the Bureau of Development Services (BDS), with the support of the City Forester, initiated a proposal to extend the sunset date of the amendments adopted in Ordinance 187675 from December 31, 2019 to December 31, 2024 to allow for additional time to complete a more comprehensive evaluation of the regulations. (Exhibit A)

WHEREAS, the Planning and Sustainability Commission (PSC) and Urban Forestry Commission (UFC) held hearings and made recommendations to City Council on the proposal as required by Title 11. (Exhibit B and Exhibit C)

WHEREAS, the PSC and UFC made recommendations on the staff proposal to extend the sunset date for regulations passed on Ord. 187675, and both commissions made additional recommendations. The additional recommendations pertain to removal of an exemption for tree preservation and planting regulations for certain zones and to a reduction in a critical tree size threshold for some regulations.

WHEREAS, the PSC and UFC are valued commissions whose recommendations are integral to the legislative process for amending Title 11, and whose recommendations should be considered by City Council.

WHEREAS, there was no stakeholder engagement, analysis or notification of the additional recommendations prior to the staff report of August 23, 2019, and it is not feasible to complete appropriate stakeholder engagement, analysis, and notification regarding the additional recommendations without sufficient time and resources.

NOW, THEREFORE, BE IT RESOLVED that the Bureau of Development Services (BDS), in coordination with Portland Parks and Recreation (PP&R) and Bureau of Planning and Sustainability, shall conduct stakeholder engagement, analysis, and develop proposals that address tree preservation in development situations (PCC 11.50.040). Specifically, the first proposal shall address the exemption from regulations for certain zones. BDS shall return to Council with the first proposal prior to July 8, 2020. The subsequent proposal shall address the regulations for tree preservation adopted by Ordinance 187675 including evaluating reduction of critical tree size threshold from 36" to 20" and the application of those regulations to city and street trees. BDS shall return to Council with the subsequent proposal prior to December 31, 2022.

BE IT FURTHER RESOLVED that BDS shall develop a detailed scope and budget for the project and submit it to the Council for review and approval as part of the FY 19-20 Spring BMP.

BE IT FURTHER RESOLVED that PP&R shall develop a request for budgeted resources and submit it to the Council for review and approval as part of the FY 19-20 Spring BMP.

Adopted by the Council:

Mayor Ted Wheeler
Prepared by: Emily Sandy, BDS
Date Prepared: December 9, 2019

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy