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Title 11: Large Tree Amendment

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Overview of Large Tree Amendment

- Provision of Title 11 which increases preservation or mitigation for on-site trees in private development projects
- Originally applied to trees 36" DBH and larger. Lowered to 20" DBH in 2020 by City Council.
- Expires on December 31, 2024. Has been extended once previously.
- Urban Forestry Commission & Planning Commission recommend removing the sunset clause.

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Portland's Tree Canopy

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Urban Trees and Public Health

- Reduce heat related illnesses (Nowak 2014; Voelkel et al 2018);
- Reduce per person healthcare costs by $400/annually (Kaiser Permanente, 2022)
- Reduce rates of asthma and other respiratory illnesses (Lovasi et al. 2008);
- Improve cardiovascular health and reduce blood pressure (Sullivan 2014);
- Improve mental health (Kuo and Taylor 2004; Maas et al 2009);
- Improve people's coping mechanisms to stress (Thompson et al 2012);
- Reduce hospital stays for patients (Ulrich 1984);
- Improve healthy birth outcomes for pregnant women (Dzhambov, Dimitrova and Dimitrakov 2014);

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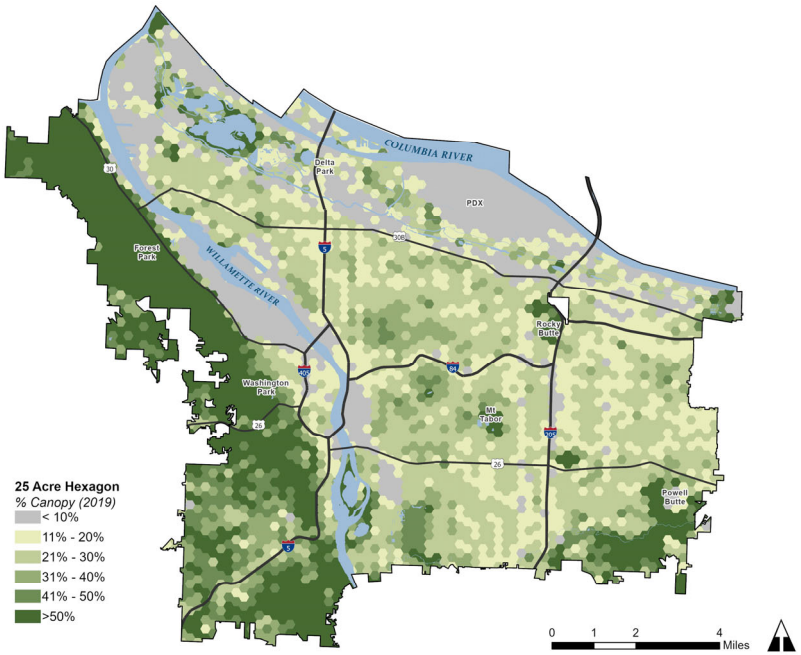
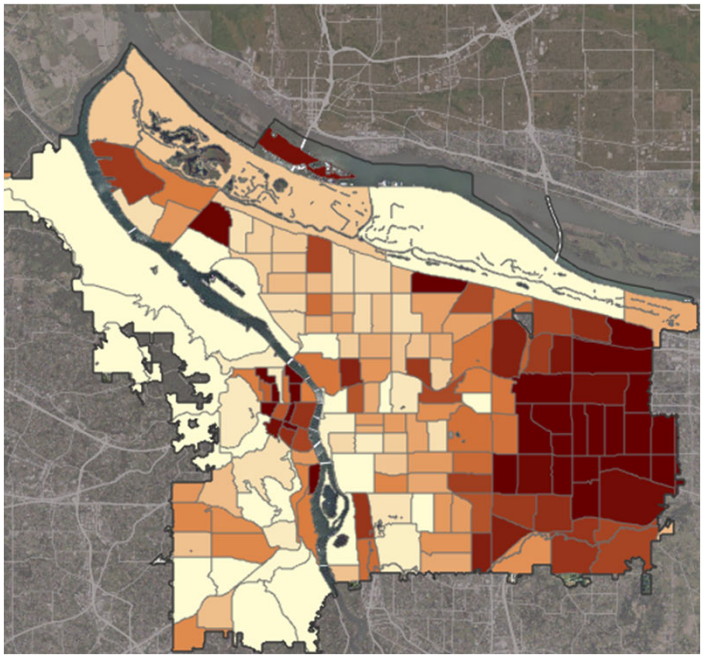
Tree Canopy and Health Risks

City of Portland Canopy Cover 2020



Multnomah County Heat Vulnerability Index



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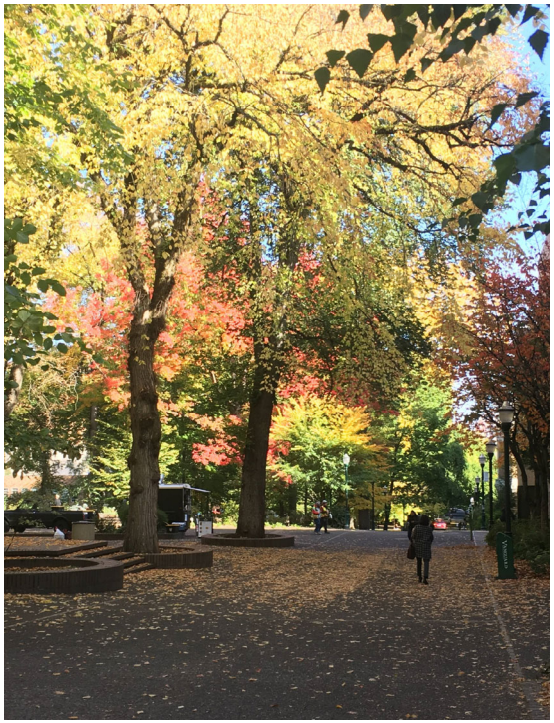
Portland's Tree Population

Tree Size (DBH)	Percentage of All Trees	Value	% of Value
0" – 12"	67.2%	$1.6 billion	16.7%
12" – 20"	19.4%	$2.3 billion	24.1%
20" or greater	13.4%	$5.7 billion	59.1%

Source: US Forest Service, Urban Forest Inventory and Analysis



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Why Tree Preservation Matters

- Loss of services to the community for decades
- Tree planting is long term strategy, rather than immediate mitigation
- Tree preservation also preserves space for future large trees

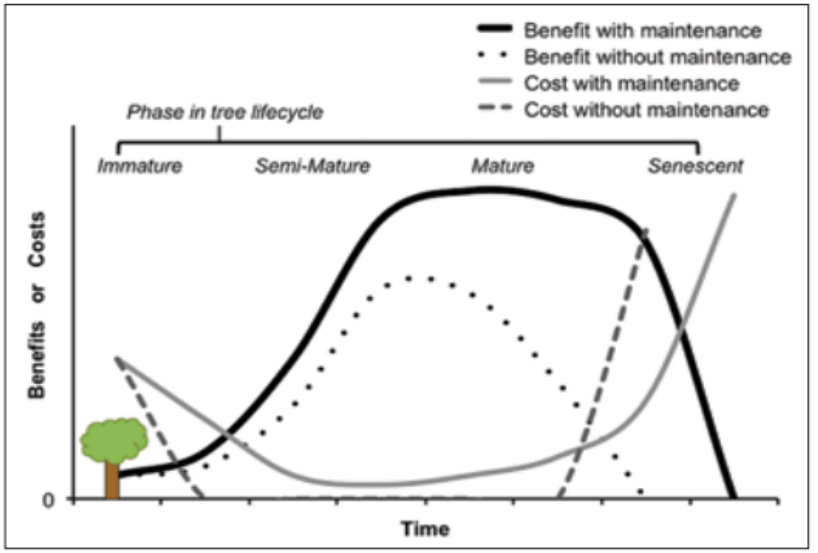

Figure 1. Theoretical costs and benefit profiles over the lifetime of an individual tree, with (solid lines) and without (dashed lines) adequate maintenance. Benefits are maximized during the mature phase of a tree and decline rapidly through senescence, while costs show an inverse pattern.

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Tree Preservation is a Portland Priority

- 2019 Community Engagement
  - 81% supported increasing tree preservation requirements
- 2024 Portland Urban Forest Plan
  - 76% said preserving and caring for trees is very important
- Portland Watershed Management Plan
- Climate Action Plan
- 2035 Comprehensive Plan

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Title 11: Portland's Tree Code

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Title 11: Portland's Tree Code

- 2004 Urban Forest Management Plan
- Adopted in 2011, implemented starting in 2015
- PP&R Urban Forestry
  - City Forester
  - Primary implementer of Title 11
- Portland Permitting & Development
  - Reviews private property development permit for compliance with Title 11

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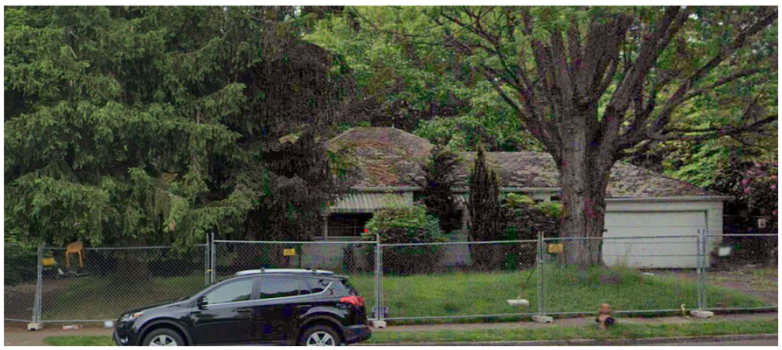
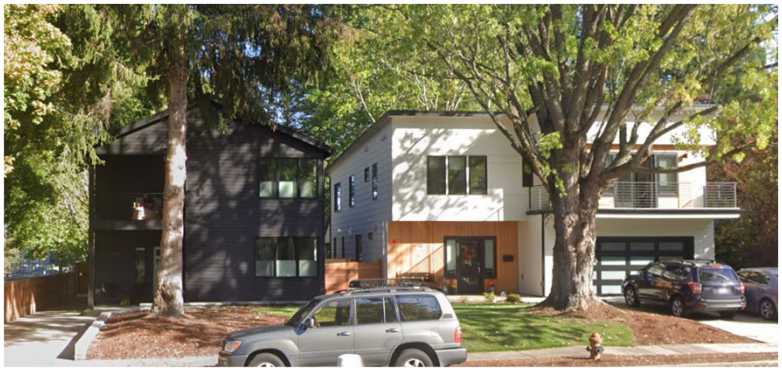
Features of Tree Code in Development

- Clear and Objective standards
  - Baseline of tree removal with no mitigation
  - No required preservation
  - Fee-in-lieu option
- Flexibility
- Multiple Exemptions





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Exemptions from Tree Preservation

- Dead, dying, dangerous, and nuisance trees and trees under 12" DBH
- Affordable housing projects
- Lots under 5,000 sf
- Projects with proposed or existing 85% or more building coverage

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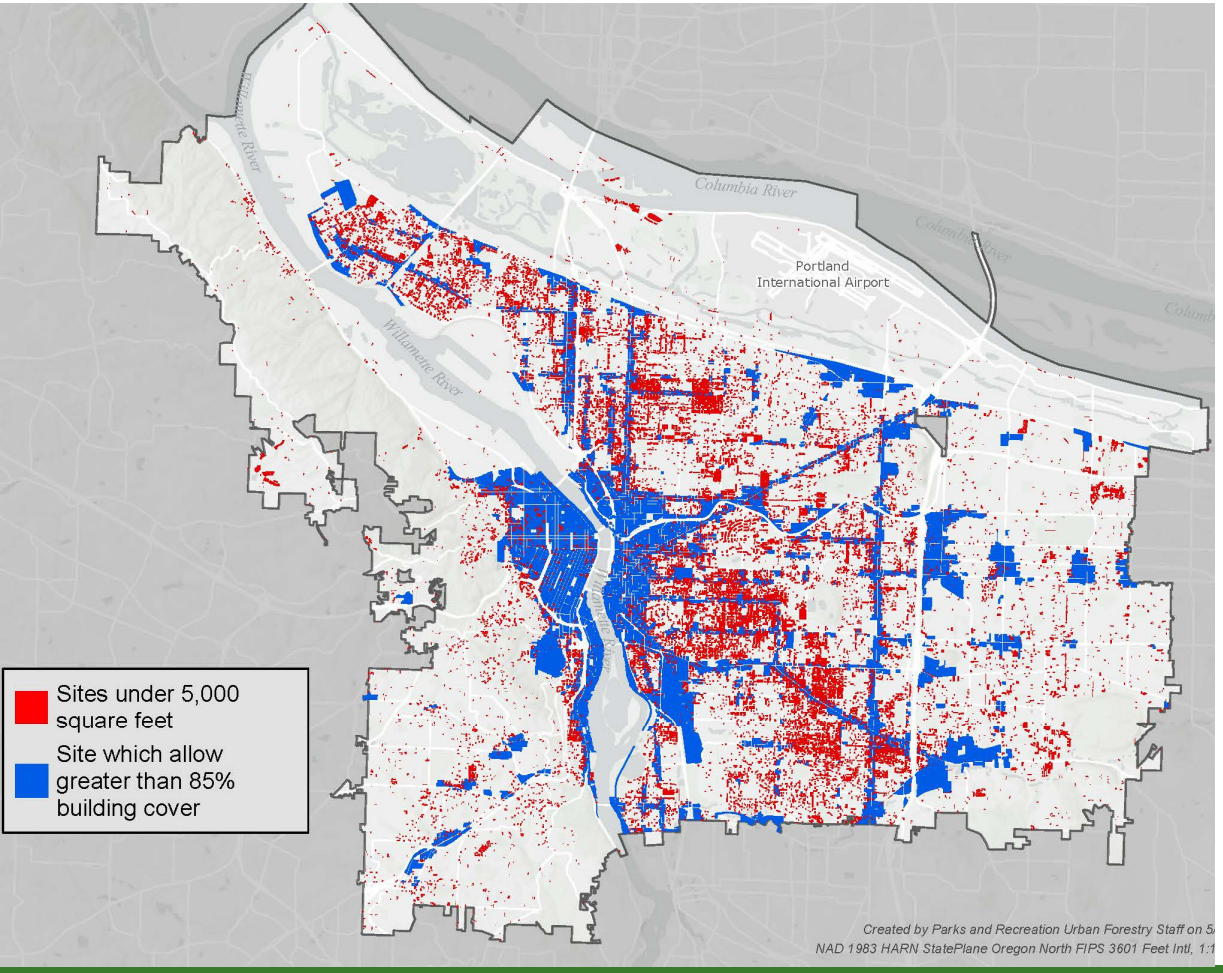

Future Housing Units in BLI		
Title 11 Exemption	Number of Units	% of Total Units
Zones allowing 85% or more coverage	153,567	69%
Lots Under 5,000sf	22,792	10%

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The Large Tree Amendment

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Purpose of the Large Tree Amendment

- Increase the preservation of Portland's largest and most valuable trees
- Continue to facilitate new housing through clear and objective standards
- Provide for future mitigation of public and environmental health benefits lost from mature tree removal

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With The Large Tree Amendment

Tree Size (DBH)	0" – 12"	12" – 20"	20" or larger
Fee for Removal*	$0	2/3 of trees = $0 1/3 of trees = $1,800/tree	$450/inch

*Dead, dying, dangerous, and nuisance species trees are exempt

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Without The Large Tree Amendment

Tree Size (DBH)	0" – 12"	12" or larger	20" or larger
Fee for Removal*	$0	2/3 of trees = $0 1/3 of trees = $1,800/tree	$450/inch

*Dead, dying, dangerous, and nuisance species trees are exempt

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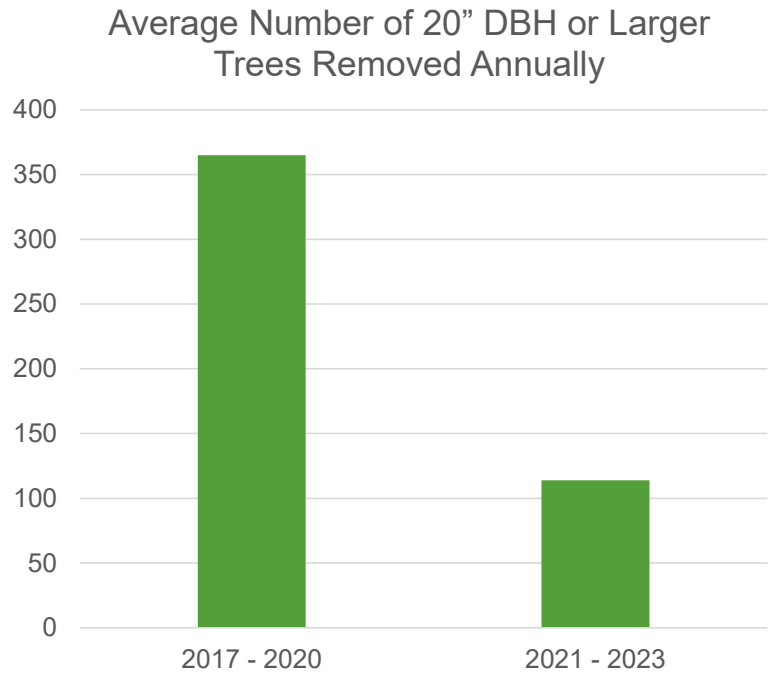
The LTA Increased Tree Preservation

- The Large Tree Amendment reduced the removal of large trees 20" or larger by 68%



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Minimal Impact on Housing Development

- 2020 Johnson Economics:
  2.7 fewer housing units per year, a reduction of just 0.06%.
- Fewer than 3% of housing projects paid a fee under the LTA between 2021 and 2023
  - Fees equivalent to less than 1% of project value

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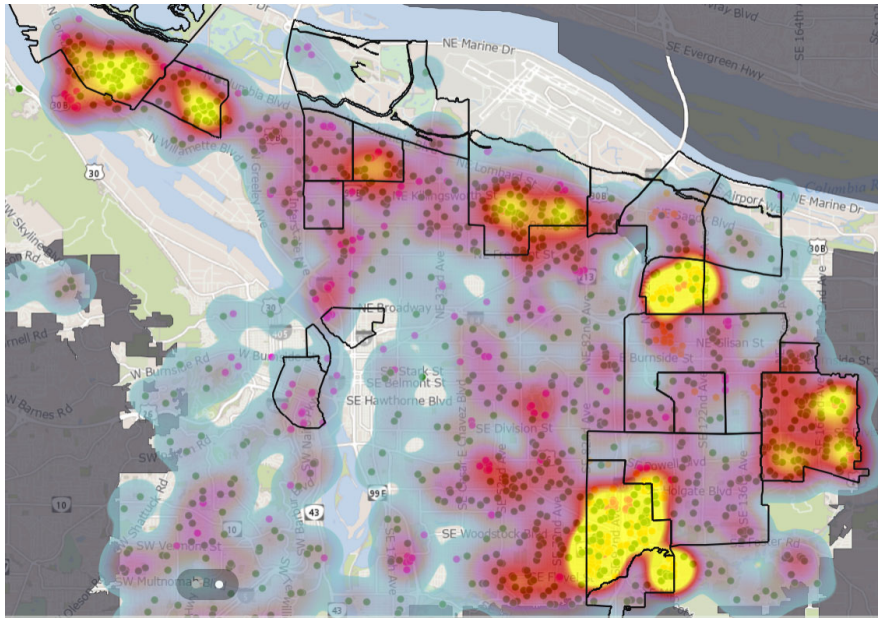
Tree Planting & Preservation Fund

- Must be used to plant and establish trees (up to five years)
- 2018 Citywide Tree Planting Strategy
- 42,000 trees planted since 2015
- 3,500 per year with 95% survival rate
- Annual reporting



Source: Urban Forestry 2022 Planting Report

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Urban Forestry Commission & Planning Commission

- Joint Public Hearing on July 23, 2024
- Approximately 60 in-person and written comments submitted in support of the Large Tree Amendment
  - Portland Neighbors Welcome, Bird Alliance of Oregon, East Multnomah County Soil & Water Conservation District, Willamette Riverkeeper, Trees for Life Oregon, 350PDX
- UFC & PC voted unanimously to recommend City Council remove the December 31, 2024, sunset clause.

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Proposed Amendment to 11.50.040.C

Urban Forestry Commission and Planning Commissions Recommendation:

C. Tree Preservation Requirement. Any trees preserved shall be protected in accordance with the specifications in Section 11.60.030. ~~The regulations for Private Trees in Subsection 11.50.040 C.1. sunset after December 31, 2024. After December 31, 2024 the regulations in effect will be those in effect on January 1, 2015.~~

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Urban Forestry Commission and Planning Commission Testimony

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Thank You