



October 27, 2020

VIA EMAIL

City Council Clerk
1221 SW Fourth Ave., Room 130
Portland OR 97204
cctestimony@portlandoregon.gov

Dear City Council:

I write on behalf of the Land Use & Transportation Committee of the Sabin Community Association, regarding the amendments proposed by the Bureau of Development Services to Title 11, Trees in Development Situations.

Package of Amendments Recommended by the Bureau of Development Services:

The Sabin Community Association supports:

- Reducing the threshold for required preservation of trees on private property, in development situations, from 36 inches to 20 inches in dbh, wherever tree preservation is required.
- Reducing the threshold from 36 inches to 20 inches in diameter at which inch-per-inch fees in lieu of tree preservation begin, for development on privately owned sites.
- Removing the exemptions on tree preservation for general industrial (IG1), central employment (EX), and central commercial (CX) zones.

We ask City Council to vote in favor of these amendments. We believe that development of Portland's housing stock can be compatible with preservation of the City's tree canopy and we support new methods in development that design with trees in mind. The toxic air that enveloped Oregon this past month was a reminder that trees are more than decorative objects. Their value to the City cannot be pegged to the human-made zones in which they grow or to an arbitrary 36-inch threshold. They are critical to our survival, even the smaller ones and even those growing in non-residential areas.

Repealing the Exemption for Heavy Industrial Zone

In addition, although we realize that repealing the tree preservation exemption for land in the Heavy Industrial (HI) zone is not being recommended at this time, we would support making that change to the Tree Code as soon as it can be done without violating state land use law. Again, trees have value to the Portland community regardless of where they are located, and the property owner should be subject to the same tree preservation requirements regardless of property zoning.

Repealing the Exemption for Residential Lots Under 5,000 Square Feet

Finally, we urge the City to study repealing the current exemption for residential lots under 5,000 square feet. *See* PCC § 11.50.040(B)(2). Many lots in our neighborhood are less than 5,000 square feet—sometimes only by a few feet—and many other lots are eligible to be divided into small lots. We do not think it makes sense for trees on some lots to be protected while others are exempt. For instance, earlier this year, the owner of the property at 1510 NE Fremont removed two large, mature trees in order to build a duplex on the property. According to public records, that lot is 4,588 square feet. Thus, it was apparently exempt from the tree preservation and fee-in-lieu-of-preservation requirements (although the Landmarks Commission did require the owner to plant one replacement tree for continuity with the historic character of the area). In the interests of consistency and equal regulation, and to promote tree canopy in areas of the City whose historical development patterns created smaller lots, we ask the City to develop a proposal to address this exemption as soon as possible.

Please feel free to contact me should you have any questions about these recommendations. Thank you for considering our comment.

Sincerely,



Chair, Sabin Land Use & Transportation Committee

cc via email:

Mayor Wheeler (mayorwheeler@portlandoregon.gov)
Commissioner Eudaly (chloe@portlandoregon.gov)
Commissioner Fritz (amanda@portlandoregon.gov)
Commissioner Hardesty (joann@portlandoregon.gov)
Sabin Community Association Board
Sabin Land Use & Transportation Committee