



Tree Preservation Transfer of Development Rights

A new provision in Portland's Zoning Code

Trees for Life Oregon / Home Builders Association of
Metropolitan Portland Webinar
May 4, 2021



Bureau of Planning and Sustainability
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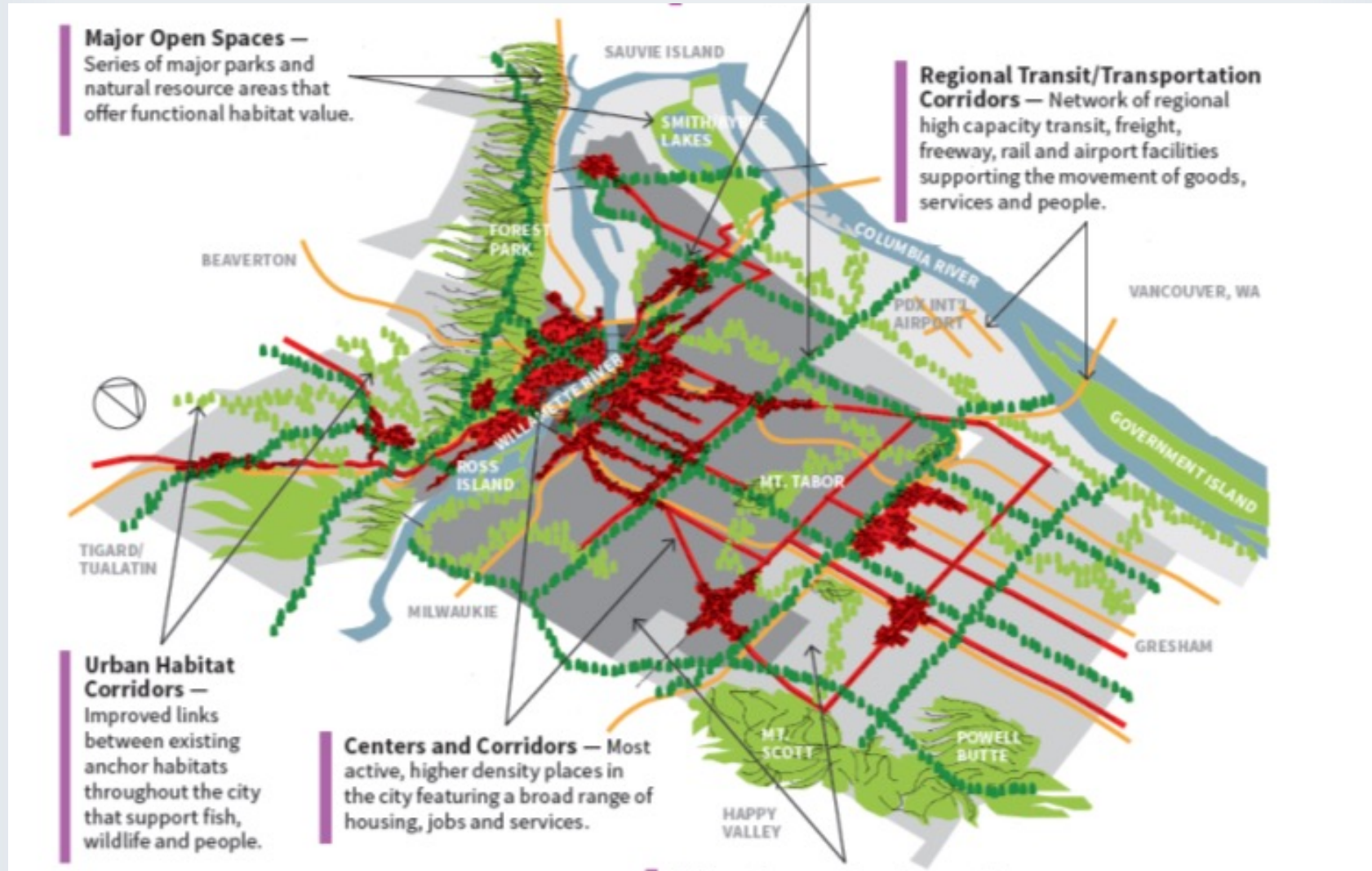


Context - Policy Goals



- Preserve and enhance Portland's urban forest
- Reduce urban heat islands
- Preserve cherished community characteristics (such as East Portland's Douglas firs)

Comprehensive Plan - Urban Design Concept

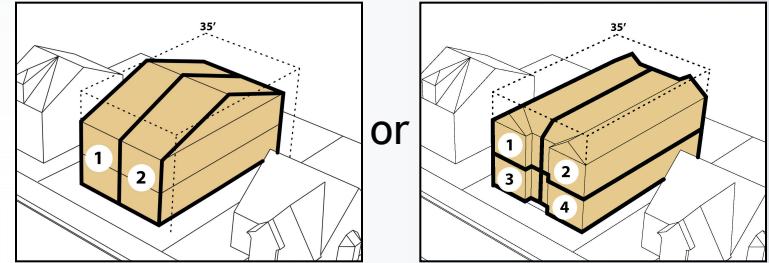


Goal: strengthen urban districts *and* natural elements

Better Housing by Design Project

*Amendments to multi-dwelling and other zoning code regulations
(effective March 2020)*

- Regulate by size of buildings (FAR), instead of maximum unit density
- New FAR transfer provisions (aka “transfer of development rights” – TDR)
- Requirements for contiguous outdoor area for larger sites and in East Portland

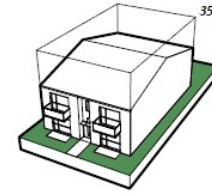


New Multi-Dwelling Zones

New Zone: RM1
Former Zones: R2 and R3

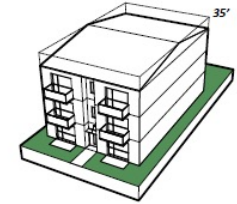
Maximum Height: 35 feet
Max. Building Coverage: 50%

Base FAR



1 to 1

Bonus FAR



1.5 to 1

New Zone: RM2
Former Zone: R1

Maximum Height: 45 feet
Max. Building Coverage: 60%
(70% along major corridors)



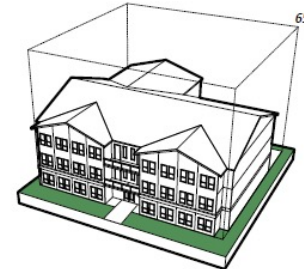
1.5 to 1



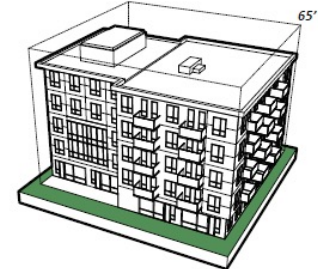
2.25 to 1

New Zone: RM3
Former Zone: RH (2:1 FAR)

Maximum Height: 65 feet
Max. Building Coverage: 85%



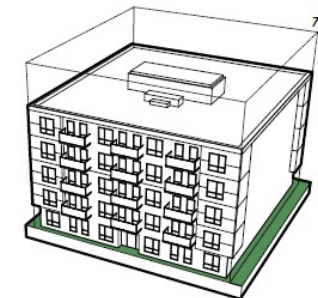
2 to 1



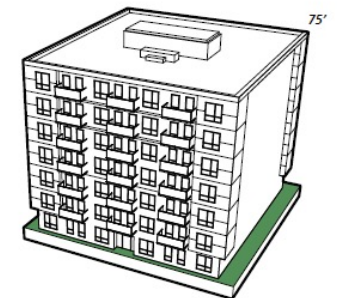
3 to 1

New Zone: RM4
Former Zone: RH (4:1 FAR)

Maximum Height: 75 - 100 feet
Max. Building Coverage: 85%



4 to 1



6 to 1

- All new zones regulated by size of building
- Flexibility for numbers of units

New Multi-Dwelling Zones

Greater scale allowed for:

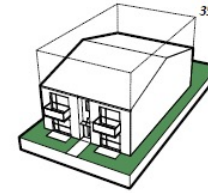
- Affordable units
- Preservation of
 - Trees
 - Historic buildings
 - Existing affordable housing

New Zone: RM1

Former Zones: R2 and R3

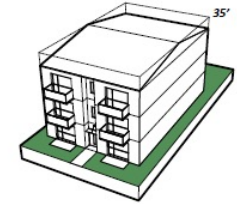
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1.5 to 1

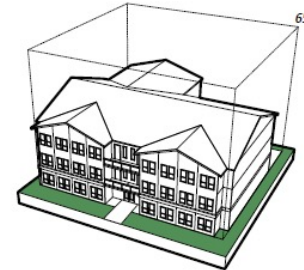


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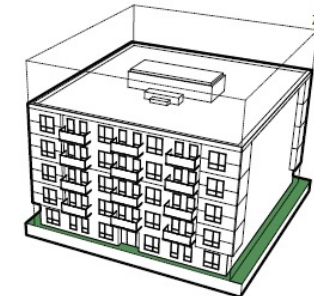


3 to 1

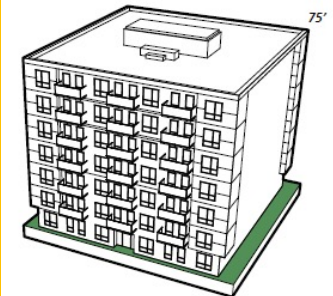
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4 to 1



6 to 1

FAR Bonus and Transfer Options

**Base
FAR**

+50%

+100%

Base FAR	Bonus FAR Up to 50% above base	Bonus FAR 100% above base
<ul style="list-style-type: none"> ▪ Allowed by right ▪ Varies by zone 	<ul style="list-style-type: none"> ▪ Inclusionary housing: full 50% bonus ▪ Moderate income family housing: 25% bonus ▪ Visitable units: 25% bonus ▪ FAR transfers from sites preserving: <ul style="list-style-type: none"> ▪ Trees ▪ Historic resources ▪ Existing affordable housing 	<ul style="list-style-type: none"> ▪ Special bonus for deeper housing affordability (At least half of units must be affordable at 60% MFI)

Tree Preservation TDR / Floor Area Transfers



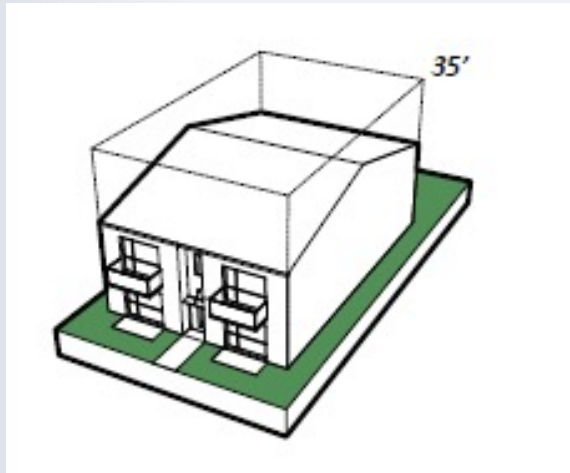
Multi-dwelling zone area (outlined) in East Portland with groves of Douglas fir

Tree Preservation TDR / Floor Area Transfers

- Allow building floor area to be transferred to another site, in exchange for tree preservation.
- Amount of TDR based on the size and number of preserved trees.
- Will require a covenant with the City to ensure trees will be preserved and limiting amount of future development on preservation site.



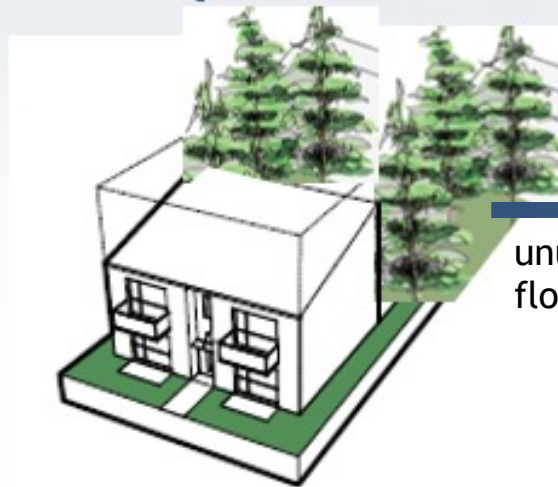
Tree Preservation TDR - How it works



Base FAR
(usual maximum FAR)

RM1 Example
5,000 SF site

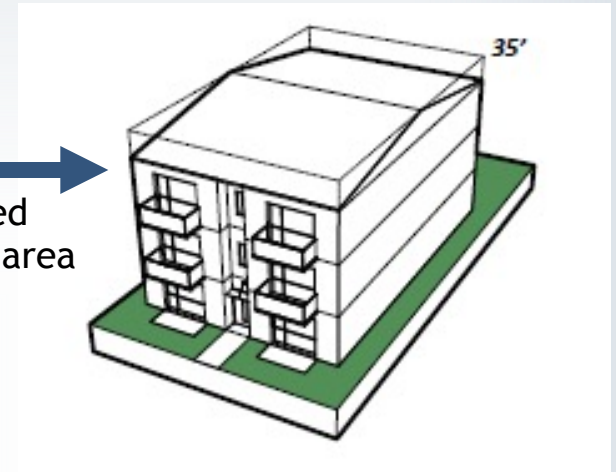
- 5,000 SF building possible
- (1:1 FAR)



Tree Preservation Site
(existing house or smaller new building)

RM1 Example
5,000 SF site

- 2,500 SF building
- Trees preserved
- Unused 2,500 SF of floor area transferred



Receiving Site

RM1 Example
5,000 SF site

- 7,500 SF building possible
- (1.5:1 FAR)

Details

- Preservation site must be in a multi-dwelling zone.
- FAR can be transferred to a site in a multi-dwelling or commercial zone anywhere in the city (except Central City).
- Trees used to meet Title 11 tree preservation standards or that are in environmental zones can be used for the TDR.
- Amount of TDR is based on the size and number of preserved trees, and zone of preservation site.

Table 120-4

Transferable Floor Area for Tree Preservation in Multi-Dwelling Zones

Diameter of Tree Preserved	Transferable Floor Area for Each Tree (by zone)			
	RM1	RM2	RM3	RM4 & RX
12 to 19 inches	1,000 sq. ft.	1,500 sq. ft.	2,000 sq. ft.	4,000 sq. ft.
20 to 35 inches	2,000 sq. ft.	3,000 sq. ft.	4,000 sq. ft.	8,000 sq. ft.
36 inches or greater	4,000 sq. ft.	6,000 sq. ft.	8,000 sq. ft.	16,000 sq. ft.

Details

- Covenants attached to deeds of transferring and receiving sites indicating the decrease or increase in allowed floor area on each property.
- Trees must be preserved for at least 50 years.
- Tree Review required for removal, and diseased/dangerous trees must be replaced (within 12 months).
- Status/health of trees determined by City Forester in a non-development situation (certified arborist in conjunction with development).
- FAR transfer cannot be used on a receiving site where historic resources were demolished.



Questions?

Better Housing by Design reports:
<https://www.portland.gov/bps/better-housing/project-documents>

BDS Zoning Information:
www.portland.gov/bds/zoning-land-use

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