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**CITY OF PORTLAND  
IN THE CITY COUNCIL**

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**AMENDMENT TO PORTLAND CITY CODE  
CHAPTER 14 LAND USE, ARTICLE V. SITE PLAN  
Re: Street Trees**

**I. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*That Chapter 14, Sections 14-526 of the Portland City Code  
are hereby amended to read as follows:*

**Sec. 14-526. Site plan standards.**

*Requirements for approval.* The Planning Board or Planning  
Authority shall not approve a site plan application unless the  
development proposal meets the following criteria:

(a) *Transportation Standards*

...

(b) *Environmental Quality Standards*

1. *Preservation of Significant Natural Features:*

...

2. *Landscaping and Landscape Preservation:*

a. *Landscape Preservation.*

...

b. *Site Landscaping.*

(i) *Landscaped Buffers:*

...

(iii) *Street Trees:*

(a) All development shall include street trees in numbers and locations as specified in Section 4 of the Technical Manual. Street trees are intended to benefit public spaces by providing green and natural elements that contribute to the streetscape and the urban forest ecosystem, provide health benefits, and increase the tree canopy to maximize shade and reduce energy use. Street trees shall be planted in the ~~right-right-of-of-~~way, as specified in Section 4 of the Technical Manual, except where section (b) below applies. Street trees shall be of a species identified on the City of Portland Recommended Tree List, unless otherwise approved by the ~~Portland~~-City Arborist or his/her designee.

(b) ~~Waiver.~~ Where the applicant can demonstrate that site constraints prevent the planting of required street trees in the City ~~right-right-of-of-~~way, the Reviewing Authority may permit the following to be counted towards the street tree requirement, subject to the detailed standards set out in the Technical Manual: the planting of street trees in the front yard, within ten feet of the property line. Existing preserved healthy trees that are six (6) inches or more in caliper and are on the site within ten (10) feet of the property line may be counted towards this requirement. If planting street trees is neither feasible in the City right of way nor within the site, the applicant shall contribute to the City of Portland Tree Fund an amount proportionate to the cost of required street trees.

i. The planting of new street trees on public land or public facilities in the neighborhood where a reasonable chance of good health and longevity is documented;

- ii. The provision of measures to enhance tree survival (such as raised planters, irrigation and structural soils, as recommended by the City Arborist) in association with a street tree will be counted towards the total street tree requirement, based on the cost of the measure divided by the current street tree contribution for a new tree;
- iii. The preservation of existing healthy trees that are six (6) inches or more in caliper, visible from the right-of-way and on the site within twenty feet of the property line;
- iv. The planting of street trees where visible from the right-of-way on the site and within twenty feet of the property line;
- v. The installation of other planted features in the right-of-way or within 10 feet of the right-of-way and visible from the right-of-way, which are documented to the satisfaction of the City Arborist and Planning Authority to meet the objectives of street trees and to be feasible, viable and long-term street features;
- vi. A contribution for each required street tree made to the City of Portland's Tree Fund as outlined in the Technical Manual where the other alternatives are not feasible. The contribution would primarily be for new trees in the neighborhood of the development, but would include an element of maintenance; and/or
- vii. Where the proposed development includes the removal of an existing street tree determined by

the City Arborist to be a Heritage or feature tree, the applicant shall be required to contribute to the Tree Fund at the designated rate in the Technical Manual so that the total replacement cost is significantly higher than planting a new street tree/contributing for a new street tree.