



**Portland Parks & Recreation Urban Forestry Programmatic Permit  
Multnomah County Drainage District  
Years 2016 to 2017**

1.0 GOALS:

- 1.1 Protect, preserve, and restore the urban forest (Urban Forest Management Plan (UFMP), 2004).
- 1.2 Promote stewardship of the urban forest (UFMP, 2004).
- 1.3 Provide equitable urban forest benefits for all residents of the City (UFMP 2004).
- 1.4 Prevent cumulative adverse impacts to the urban forest and ensure that there is no reduction in tree canopy coverage over time (Title 11.45).
- 1.5 Allow the Multnomah County Drainage District No. 1 (MCDD), Peninsula Drainage District No. 1 (PEN 1), and Peninsula Drainage District No. 2 (PEN 2) to conduct operation and maintenance of levees, sloughs, and ditches in accordance with federal standards including Federal Emergency Management Agency's levee certification standards and the U.S. Army Corps of Engineers' standards for levee operation, maintenance, and water conveyance in sloughs and ditches.

2.0 TERMS AND TIMELINE OF PERMIT:

- 2.1 **Permit duration is from the date of final signature through December 31, 2017.**  
The permit must be signed and in effect before tree work is conducted.
- 2.2 MCDD, PEN 1, and PEN 2 are the responsible parties for all activities in this permit within their respective jurisdictions and shall ensure all staff and contractors comply with the terms and conditions of this permit. Through prior intergovernmental agreements signed by the Boards of Supervisors of PEN 1, PEN 2, and MCDD, MCDD provides staff and labor on behalf of all three Districts. These parties shall be referred to as "the District(s)" throughout this permit.

**City Nature - Urban Forestry**

1900 SW 4<sup>th</sup> Ave, Suite 5000  
Portland, OR 97201  
Tel: (503) 823-TREE (8733) Fax: (503) 823-4493

**Administration**

1120 S.W. 5th Ave., Suite 1302  
Portland, OR 97204  
Tel: (503) 823-7529 Fax: (503) 823-6007

Portland Trees – [www.Portlandoregon.gov/trees](http://www.Portlandoregon.gov/trees) - permits, tree removal, report a downed tree.

*Sustaining a healthy park and recreation system to make Portland a great place to live, work and play.*

PortlandParks.org • Amanda Fritz, Commissioner • Mike Abbaté, Director

- 2.3 This permit applies only to tree management activities not related to site development or development projects. Separate permits are required for tree management activities related to development.
- 2.4 This permit is issued under the authority of the City Forester in compliance with the requirements of City of Portland [Title 11 Trees](#).

### 3.0 SCOPE OF WORK:

3.1 Activities shall prevent cumulative adverse impacts to the urban forest and ensure no net reduction in tree canopy coverage over time.

3.2 Activities shall support the [2004 Urban Forest Management Plan](#).

3.3 This permit shall not apply to Heritage Trees.

### 3.4 **Location**

Permit activity may occur on City of Portland property, District property, and on other private property for which MCDD, PEN 1, and PEN 2 have statutory or easement authority to access. Appendix A shows the District boundaries and sites of planned tree activities covered by this permit.

### 3.5 **Definitions**

- a. Private trees: Trees located on property not owned by the City of Portland and not located in the City right-of-way
- b. City trees: Trees located on City-owned property
- c. Street trees: Trees located in the City right-of-way
- d. Dangerous tree: the condition of the tree presents a foreseeable imminent danger of inflicting damage to people or property that cannot be alleviated by treatment or pruning
- e. DBH: diameter at breast height; the diameter of a tree trunk measured at 4.5 feet above the ground
- f. Native tree: a tree listed on the [Portland Plant List](#) as [native to the Willamette Valley](#)
- g. Nuisance tree: a tree of a species listed on the [Portland Plant List's Nuisance Plant List](#)

### 3.6 **Pruning**

- a. District staff and contractors may prune City trees and private trees located within the MCDD, PEN 1, and PEN 2 district boundaries (see Appendix A) for any of the following reasons:
  - to maintain compliance with federal standards—including the Federal Emergency Management Agency's (FEMA) levee certification requirements and the U.S. Army Corps of

- Engineers' (USACE) federal levee standards and programs—for levee operation and maintenance and for water conveyance in sloughs and ditches;
- to remove dead, damaged, and diseased portions of trees;
  - to abate a hazard; or
  - to allow clearance for vehicles and equipment along access roads and waterways.
- b. Pruning activities may include crown raising, crown cleaning, crown restoration, and clear infrastructure as specified in the City of Portland's PP&R Urban Forestry [\*Street Tree Pruning Standards\*](#).
- i. Crown raising removes the lower branches of a tree in order to provide clearance for vehicles, pedestrians, buildings, and water conveyance. Clearance standards are 7.5 feet above the sidewalk, 11 feet above residential streets, 14 feet above main arterial streets, and 14 feet above sloughs and ditches.
  - ii. Crown cleaning is the removal of water sprouts and dead, dying, diseased, crowded, weakly attached, and low vigor branches from a tree's crown.
  - iii. Crown restoration is used to improve the structure, form, and appearance of trees after being broken.
  - iv. Clear infrastructure is pruning to clear street light poles, buildings, stop signs, and other infrastructure.
- c. Pruning shall be made with proper pruning cuts and sharp tools. City tree pruning activities shall adhere to American National Standards Institute (ANSI) *A300 Pruning Standard – Part 1*, and International Society of Arboriculture *Best Management Practices: Tree Pruning*, including any amendments or revisions.
- i. All persons conducting this work shall have the training, experience, and equipment necessary to conduct the pruning work in a controlled and safe manner.
  - ii. For trees pruned, no more than 25% of the crown shall be removed within an annual growing season.
  - iii. When pruning from the ground, care shall be taken to avoid cutting the trunk above the cut.
  - iv. Trees shall not be topped.
- d. Elm pruning requirements  
In order to limit the spread of Dutch elm disease and comply with Oregon's state quarantine of elm wood, the following rules apply to the pruning of elm trees (*Ulmus* spp.):
- i. Elm trees shall not be pruned from April 15 through October 15 annually, except to abate a hazard.



- ii. Pruning tools shall be treated with disinfectant before and after pruning individual elm trees.
  - iii. All wood waste shall be chipped or taken to an approved commercial disposal site within 24 hours of cutting.
- e. Districts shall maintain a record of pruning locations and dates. This record is not required in annual reports but shall be maintained by the districts and provided when requested by the City Forester.

### 3.7 Training

- a. District staff who conduct routine tree pruning activities shall attend a pruning training workshop put on by Urban Forestry at least once during the permit timeframe.

### 3.8 Removal

#### a. City trees

- i. City trees of all sizes are regulated regarding removal.
- ii. Removal of city trees is not addressed by the conditions of this permit. Removal of any city tree must be in accordance with Title 11.40 (Appendix C).

#### b. Street trees

- i. Street trees of all sizes are regulated regarding removal.
- ii. Removal of street trees is not addressed by the conditions of this permit. Removal of any street tree must be in accordance with Title 11.40 (Appendix C).

#### c. Private trees

- i. Trees on private property that are less than 12 inches DBH are not regulated and therefore may be removed without prior notice to Urban Forestry, reporting, or mitigation, unless they were required to be planted as the condition of a permit or otherwise specified in 3.8.c.i.a below.

- a. The regulatory threshold for tree removal on private property decreases to 6 inches DBH for trees located in the following plan districts and/or overlay zones:

- Plan districts: Cascade Station/Portland International Center Plan District; Columbia South Shore Plan District; Johnson Creek Basin Plan District; Portland International Airport Plan District; Rocky Butte Plan District; South Auditorium Plan District
- Overlay zones: Environmental (c, p); Greenway (n, q, g, i, r); Pleasant Valley Natural Resources (v); Scenic Resource (s)

- ii. Dead or dangerous trees on private property
  - a. Dead or dangerous trees of any size or species may be removed without notifying the City Forester or the public. Mitigation (3.8.e) and reporting (3.8.f) requirements apply.
  - b. In the Environmental (c, p) overlay zones, removal of dead or dangerous trees 12" DBH or greater requires the retention of wood in the same ownership, unless the City Forester approves removal of diseased wood from the site.
- iii. Nuisance trees on private property
  - a. Nuisance trees may be removed without notifying the City Forester or the public. Mitigation (3.8.e) and reporting (3.8.f) requirements apply.
- iv. Property owner permission
  - a. The districts have statutory authority under ORS 547 to repair, clean, or grade ditches, sloughs, or waterways to ensure efficient operation and to construct, operate, protect, and maintain flood control projects for the protection of the lands within the district. The districts also have easement authority on certain properties to operate and maintain flood control works.
- v. The total number of non-dangerous, non-nuisance trees removed under this permit shall be limited to the following:
  - a. Removal of up to 12 non-nuisance, non-dangerous trees between 6" and 12" DBH in order for the districts to maintain federal standards and programs for levee operation and maintenance and related water conveyance in sloughs and ditches. Mitigation (3.8.e) and reporting (3.8.f) requirements apply.
  - b. Removal of up to 3 non-nuisance, non-dangerous trees between 12" and 20" DBH in order for MCDD to maintain federal standards and programs for levee operation and maintenance and for water conveyance in sloughs and ditches. Mitigation (3.8.e) and reporting (3.8.f) requirements apply.
- vi. Removal of non-dangerous, non-nuisance private trees 20" DBH or greater is not addressed by the conditions of this permit. Request for removal of private trees 20" DBH or greater must be submitted in accordance with Title 11.40 (Appendix C).
- d. Zoning code exemption requirements
  - i. The zoning of the property (or adjacent property, for street trees) shall be checked before any non-dangerous tree is removed. Detailed zoning information can be found on Portland Maps at [www.portlandmaps.com](http://www.portlandmaps.com) -> maps -> zoning.

- ii. Trees located in the following plan districts and overlay zones shall meet zoning exemptions for removal, or else a zoning code review from the Bureau of Development Services (503-823-7526) shall be obtained prior to removal.
  - Plan districts: Cascade Station/Portland International Center Plan district; Columbia South Shore Plan District; Johnson Creek Basin Plan District; Portland International Airport Plan District; Rocky Butte Plan District; South Auditorium Plan District
  - Overlay zones: Environmental (c, p); Greenway (n, q, g, i, r); Pleasant Valley Natural Resources (v); Scenic Resource (s)
- iii. Zoning code exemption requirements are detailed in Title 11 Table 40-1 (Appendix B). Generally, a zoning code review is required for the removal of healthy native trees. However, some plan districts and overlay zones require a zoning code review for certain non-native, non-nuisance tree removals. The City Forester can help determine whether exemption requirements are met or whether a zoning code review is necessary.

e. Mitigation

- i. Trees that are removed under this permit shall be compensated by planting trees one-for-one, or two-for-one where space is available. The District shall submit a planting plan to the City Forester for approval prior to planting.
- ii. Trees shall be a minimum of 1.5 inches caliper for broadleaf trees or at least 5 feet in height for coniferous trees at the time of planting.
  - a. Trees smaller than these standard size thresholds may be planted in District-managed natural areas that are being maintained or restored for natural resource functions and values.
- iii. Mitigation trees shall be planted by the next planting season (October to April) immediately following removal.
- iv. Trees planted for mitigation shall be monitored and guaranteed for three years and replaced in kind if they die within this timeframe.
- v. Mitigation unable to be met by tree planting shall be paid into the Tree Planting and Preservation Fund at a rate of \$600 per tree required to be planted. Mitigation in the form of paying a fee-in-lieu shall be fulfilled by the expiration of the permit.

f. Reporting

- i. The number, species, and DBH of trees removed under this permit shall be reported, as well as the condition of the trees, reason for removal, and type of mitigation.



- ii. The amount of money paid to the Tree Planting and Preservation Fund shall be reported.
- iii. The number, species, stock size, and location of trees planted as mitigation shall be reported.

#### 4.0 COMMUNICATION:

4.1 The Districts shall maintain accurate permit contact information with Urban Forestry.

#### 4.2 **Contact and representative for Districts:**

Sunny Simpkins

Planning Director, Multnomah County Drainage District No. 1

Mailing address: 1880 NE Elrod Drive, Portland, Oregon, 97211

Phone: 503-281.5675

Email: [ssimpkins@mcdd.org](mailto:ssimpkins@mcdd.org)

#### 5.0 QUALITY CONTROL AND REPORTING:

##### 5.1 **Reporting**

A report describing permit activities shall be sent to Urban Forestry once per year for the duration of the permit on the forms provided by Urban Forestry (Appendix D and E). The report shall be emailed to [trees@portlandoregon.gov](mailto:trees@portlandoregon.gov) and received no later than one month after the reporting period.

a. Reporting periods:

Date of permit issuance – December 31, 2016; report due by: February 1, 2017

January 1, 2017 – December 31, 2017; report due by: February 1, 2018

##### 5.2 **Inspections**

Urban Forestry may inspect the trees to determine compliance with the conditions of the permit.

##### 5.3 **Compliance**

It is the permit holder's responsibility to adhere to the terms of the permit. If the terms of the permit are not met, the permit holder shall be notified of the violation in writing and informed of the actions necessary to correct the violation(s). If the corrective actions are not undertaken within the specified timeframe, Urban Forestry may impose any or all of the following actions until the violation is corrected:

- Temporary stop work order
- Revocation of the Programmatic Permit
- Denial of future Programmatic Permits
- Additional conditions imposed upon the activities permitted by the Programmatic Permit
- Enforcement penalties
- Civil penalties up to \$1000 per tree per day of violation

- Restoration fees imposed for trees found in violation.

a. Fees shall follow the adopted Title 11 fee schedule at [www.portlandoregon.gov/trees/fees](http://www.portlandoregon.gov/trees/fees).

#### 5.4 Revisions

Urban Forestry may modify the specifications of the permit in order to respond to concerns, changes in regulations, or previously unforeseen issues. The permittee shall be notified at least 3 weeks in advance, in writing, of the intent to modify the permit and shall be provided an opportunity to comment on the proposed changes. The permittee shall also have an opportunity to appeal the permit if changes are made. Changes shall not go into effect until the permit is updated in writing.

#### 6.0 RESOURCES:

*ANSI A300 (Part 1)-2008 Pruning: Tree Care Operations: Tree, Shrub, and Other Woody Plant Management: Standard Practices (Pruning)*. Revision of ANSI A300 (Part 1)-2001. 2008. American National Standards Institute, Washington, DC.

*ANSI A300 (Part 6)-2012: Tree Care Operations: Tree, Shrub, and Other Woody Plant Management: Standard Practices (Planting and Transplanting)*. Revision of ANSI A300 (Part 6)-2005. 2012. American National

*ANSI Z133-2012 for Arboricultural Operations: Safety Requirements*. 2012. American National Standards Institute, Washington, DC.

Gilman, Edward and Sharon Lilly. *Best Management Practices: Tree Pruning, Second Edition*. 2008. International Society of Arboriculture, Champaign, Il.

Watson, Gary. *Best Management Practices: Tree Planting, Second Edition*. 2014. International Society of Arboriculture, Champaign, Il.

#### 7.0 APPENDICES:

Appendix A – Maps of district boundaries, ownership, and regulated overlay zones in the MCDD service area

Appendix B – Title 11 Table 40-1 Tree Removal in Overlay Zones and Plan Districts

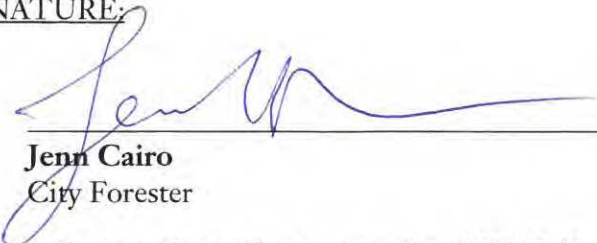
Appendix C – Title 11.40 Tree Permit Requirements

Appendix D – Qualitative report template

Appendix E – Quantitative report template

#### 8.0 SIGNATURE:

By:

  
\_\_\_\_\_  
**Jenn Cairo**  
City Forester

Date:

1/14/16












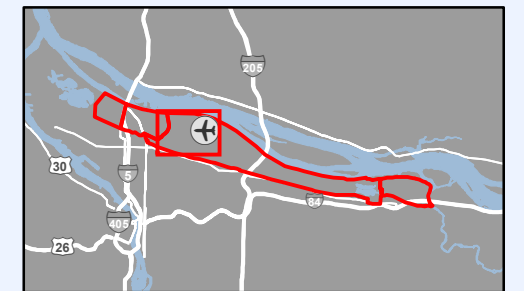
Multnomah County Drainage District  
Programmatic Permit  
Years 2016 to 2017  
Appendix A

# MCDD Map 1




## Legend

-  Pump Stations
-  Limbing
-  Mowing
- Trimming**
-  In Water Trimming
-  Tree Trimming on Levee
- Environmental Zone**
-  c
-  p
-  Conveyance Channels
-  Levee
- City of Portland Taxlots**
- OWNERSHIP**
-  CITY OF PORTLAND
-  METRO/CoP Co-Owned or City Used
-  OREGON/ Leased to City of Portland



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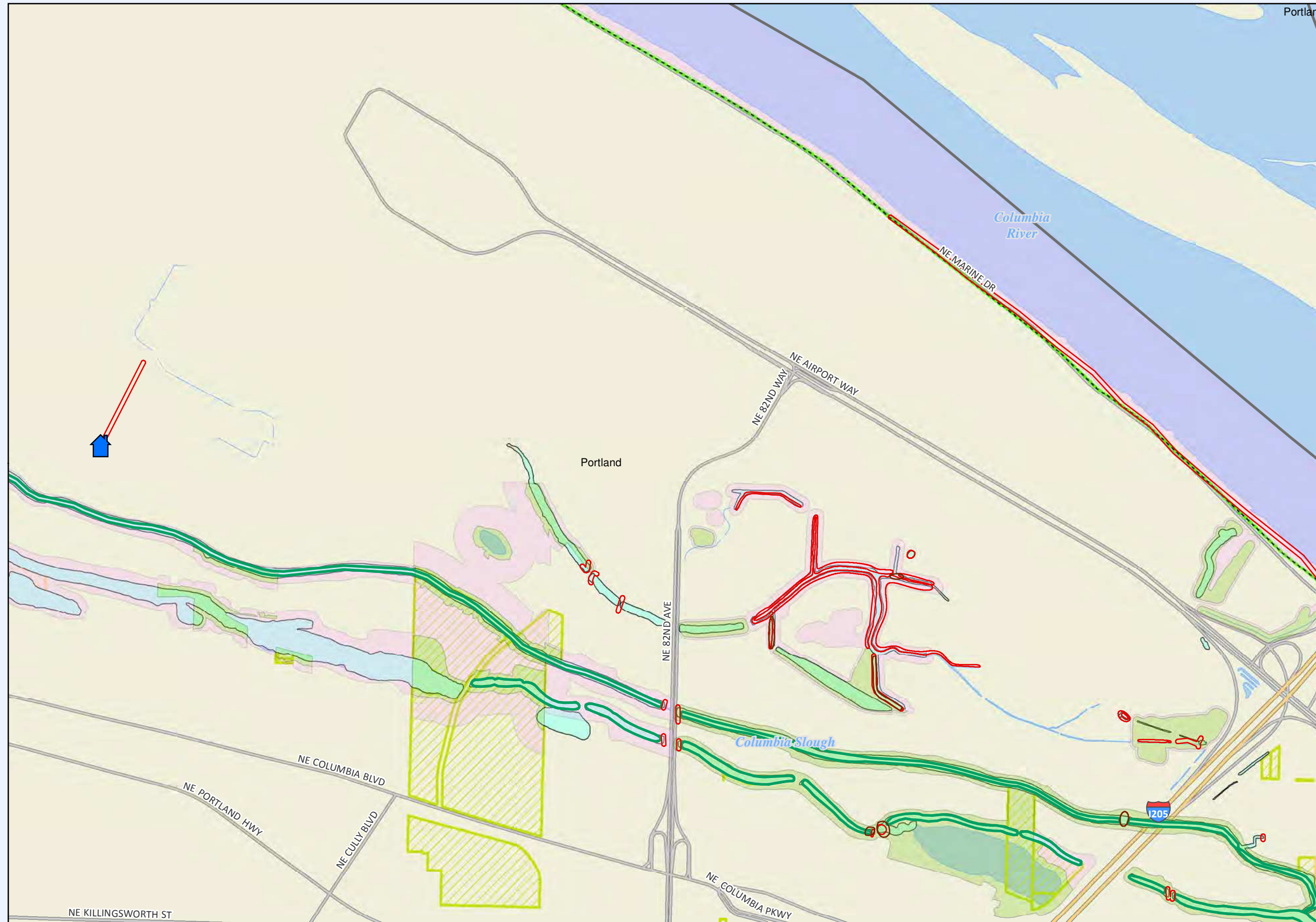



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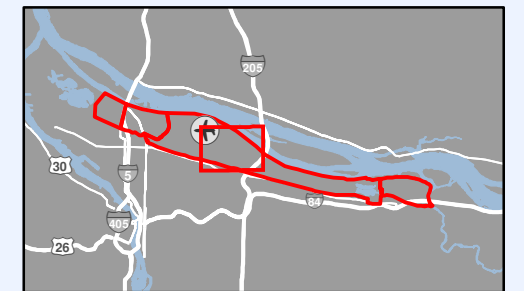
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## Legend

-  Pump Stations
-  Limbing
-  Mowing
- Trimming**
-  In Water Trimming
-  Tree Trimming on Levee
- Environmental Zone**
-  c
-  p
-  Conveyance Channels
-  Levee
- City of Portland Taxlots**
- OWNERSHIP**
-  CITY OF PORTLAND
-  METRO/CoP Co-Owned or City Used
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











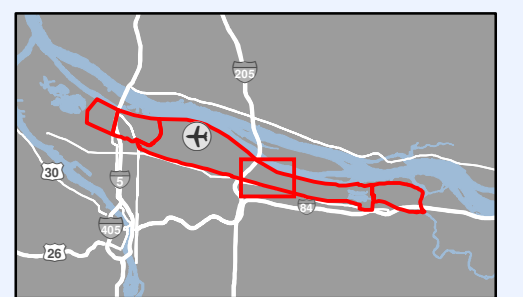
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### Legend

-  Pump Stations
-  Limbing
-  Mowing
- Trimming**
-  In Water Trimming
-  Tree Trimming on Levee
- Environmental Zone**
-  c
-  p
-  Conveyance Channels
-  Levee
- City of Portland Taxlots**
- OWNERSHIP**
-  CITY OF PORTLAND
-  METRO/CoP Co-Owned or City Used
-  OREGON/ Leased to City of Portland



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





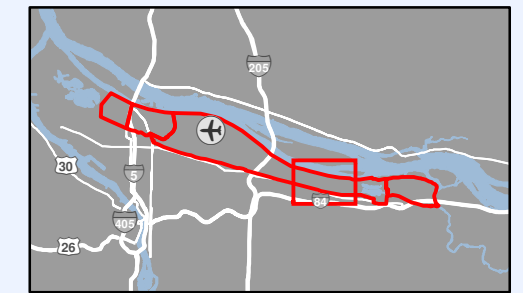
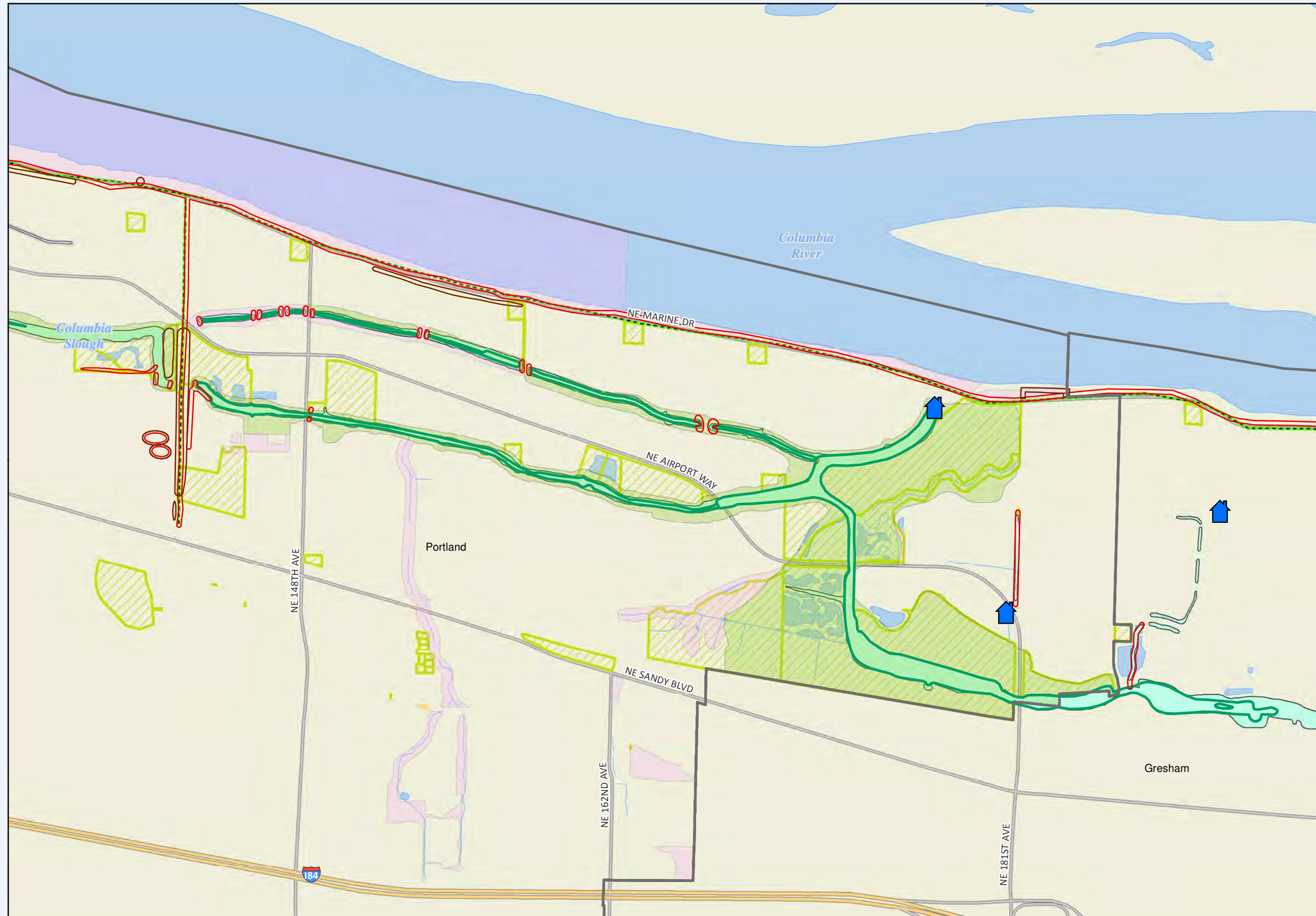

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# MCDD Map 4

## Legend

-  Pump Stations
-  Limbing
-  Mowing
- Trimming**
-  In Water Trimming
-  Tree Trimming on Levee
- Environmental Zone**
-  c
-  p
-  Conveyance Channels
-  Levee
- City of Portland Taxlots**
- OWNERSHIP**
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




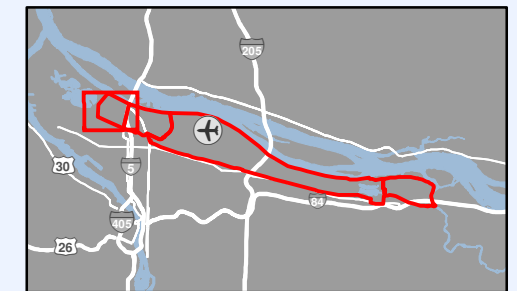
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## Legend

-  Pump Stations
-  Limbing
-  Mowing
- Trimming**
-  In Water Trimming
-  Tree Trimming on Levee
- Environmental Zone**
-  c
-  p
-  Conveyance Channels
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







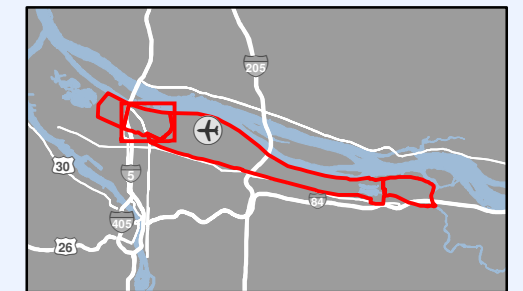
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## Legend

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-  Limbing
-  Mowing
- Trimming**
-  In Water Trimming
-  Tree Trimming on Levee
- Environmental Zone**
-  c
-  p
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Multnomah County Drainage District  
Programmatic Permit  
Years 2016 to 2017  
Appendix B

**Table 40-1 Tree Removal in Overlay Zones and Plan Districts [1]**

<b>Overlay Zone or Plan District</b>	<b>T11 Tree Size</b>	<b>Title 11 tree permits for removing: [2]</b>	<b>T33 Tree Size</b>	<b>Title 33 Zoning Code review for removing:</b>
<b>Environmental</b> conservation and protection overlay zones “c” “p” See: 33.430.080	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees.</li> <li>▪ Trees projecting into a City-designated view corridor</li> </ul>	<b>Street</b> all <b>City</b> all <b>Private</b> all	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<b>Greenway</b> overlay zones “n” “q” “g” “i” “r” See: 33.440.320	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Nuisance species trees</li> <li>▪ Dangerous trees</li> <li>▪ Trees landward of the greenway setback in “g” “i” “r” overlays</li> </ul>	<b>Street</b> all <b>City</b> all <b>Private</b> all	<ul style="list-style-type: none"> <li>▪ Native Trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead or dying trees</li> <li>▪ Trees not meeting the listed situations when located within or riverward of the greenway setback in “g” “i” “r” overlays</li> <li>▪ Trees not meeting the listed situations when located in “n” “q” overlays</li> </ul>
<b>Pleasant Valley</b> Natural Resources Overlay Zone “v” See: 33.465.080	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures.</li> <li>▪ Nuisance species trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees.</li> </ul>	<b>Street</b> all <b>City</b> all <b>Private</b> all	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<b>Scenic Resource</b> Overlay Zone “s”  Only applies to trees in <b>Scenic Corridors</b> that are within the minimum street setback or the first 20 feet from the street lot line where no street setback exists. See: 33.480.040.B.2.	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ All Street Trees</li> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Dead, Dying, or Dangerous trees</li> <li>▪ Trees associated with the repair and maintenance of water, sewer or storm water lines</li> <li>▪ Trees within 20 feet of a public safety RF Transmission Facility</li> <li>▪ Any Private or City trees &lt;12" provided that replanting is met in accordance with 33.248.030 [3]</li> </ul>	<b>Street</b> n/a <b>City</b> ≥ 6" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Trees within the street setback or first 20 feet from the street lot line that do not meet the applicable Title 11 situations listed in this table</li> </ul>

Note [1] If a site is in more than one overlay zone or Plan District; the regulations for both areas apply.

[2] All Plan Districts and overlay zones require tree replacement, or as allowed by the City Forester.

[3] Minimum planting is required to meet zoning code requirements.



**Table 40-1 (Continued) [1]**

Overlay Zone or Plan District	T11 Tree Size	Title 11 tree permits for removing: [2]	T33 Tree Size	Title 33 Zoning Code review for removing:
<p><b>Cascade Station/Portland International Center Plan District</b> See: 33.508.340</p> <p>Only applies to trees located in a "c" or "p" overlay</p>	<p><b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"</p>	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees</li> <li>▪ Trees projecting into a City-designated view corridor</li> </ul>	<p><b>Street</b> all <b>City</b> all <b>Private</b> all</p>	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<p><b>Columbia South Shore Plan District</b> See: 33.515.262 &amp; 33.515.274</p> <p>Only applies to trees located in a "c" or "p" overlay</p>	<p><b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"</p>	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees</li> </ul>	<p><b>Street</b> all <b>City</b> all <b>Private</b> all</p>	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the listed situations</li> <li>▪ Healthy non-native non-nuisance trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<p><b>Johnson Creek Basin Plan District</b> 33.537.125</p> <p>Only applies to trees:</p> <ul style="list-style-type: none"> <li>▪ Within 20 feet of the Springwater Corridor lot line;</li> <li>▪ On a site with any portion in the special flood hazard area; and/or</li> <li>▪ On a site with any portion in the South Subdistrict.</li> </ul>	<p><b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"</p>	<ul style="list-style-type: none"> <li>▪ All Street Trees</li> <li>▪ Nuisance species trees</li> <li>▪ Trees within 10 feet of buildings, attached structures, or right-of-way improvements</li> <li>▪ Dead, Dying, or Dangerous trees</li> <li>▪ Trees associated with the repair and maintenance of water, sewer or storm water lines</li> <li>▪ Any other 6" to 12" tree provided that at least two trees are planted. [3] Trees removed within 20 feet of the Springwater Corridor must be replaced within 20 feet of the corridor</li> </ul>	<p><b>Street</b> n/a <b>City</b> ≥ 6" <b>Private</b> ≥ 6"</p>	<ul style="list-style-type: none"> <li>▪ Trees within 20 feet of the Springwater Corridor lot line; on a site with any portion in the special flood hazard area; and/or on a site with any portion in the South Subdistrict that do not meet the applicable Title 11 situations listed in this table</li> </ul>

Note [1] If a site is in more than one overlay zone or Plan District; the regulations for both areas apply.

[2] All Plan Districts and overlay zones require tree replacement, or as allowed by the City Forester.

[3] Minimum planting is required to meet zoning code requirements.

**Table 40-1 (Continued) [1]**

Overlay Zone or Plan District	T11 Tree Size	Title 11 tree permits for removing: [2]	T33 Tree Size	Title 33 Zoning Code review for removing:
<b>Portland International Airport Plan District</b> See: 33.565.540 Applies only to trees located in a "c" or "p" overlay	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees. This does not apply in landscaped areas of golf courses.</li> <li>▪ Trees projecting into a City-designated view corridor</li> </ul>	<b>Street</b> all <b>City</b> all <b>Private</b> all	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<b>Rocky Butte Plan District</b> See: 33.570.040	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ All Street Trees</li> <li>▪ Nuisance species trees</li> <li>▪ Trees within 10 feet of buildings, attached structures, or right-of-way improvements</li> <li>▪ Dead, Dying, or Dangerous trees</li> <li>▪ Trees associated with the repair and maintenance of water, sewer or storm water lines</li> <li>▪ Any other 6" to 12" diameter tree provided that at least two trees are planted [3]</li> </ul>	<b>Street</b> n/a <b>City</b> ≥ 6" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<b>South Auditorium Plan District</b> See: 33.580.130	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Dead, Dying, or Dangerous trees provided at least one tree is planted in the same general location or in accordance with the adopted landscaping plan</li> </ul>	<b>Street</b> all <b>City</b> ≥ 6" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>

Note [1] If a site is in more than one overlay zone or Plan District, the regulations for both areas apply.

[2] All Plan Districts and overlay zones require tree replacement, or as allowed by the City Forester.

[3] Minimum planting is required to meet zoning code requirements.

**11.40.030 Exemptions.**

The following are exempt from the requirements of this Chapter:

- A. Heritage Trees. Heritage Trees are addressed in Chapter 11.20:
- B. Trees outside City Limits. Trees that are outside the City Limits, including "County Urban Pocket Areas."
- C. Programmatic permits. Activities carried out by public agencies operating under a programmatic permit per Chapter 11.45.

Multnomah County Drainage District  
Programmatic Permit  
Years 2016 to 2017  
Appendix C



## CHAPTER 11.40

### TREE PERMIT REQUIREMENTS (NO ASSOCIATED DEVELOPMENT)

#### Sections:

- 11.40.010 Purpose.
- 11.40.020 When a Tree Permit is Required.
- 11.40.030 Exemptions.
- 11.40.040 City and Street Tree Permit Standards and Review Factors.
- 11.40.050 Private Tree Permit Standards and Review Factors.
- 11.40.060 Tree Replacement Requirements.

#### **11.40.010 Purpose.**

The purpose of this Chapter is to manage, conserve and enhance the urban forest when development activity is neither proposed nor occurring. The provisions of this chapter encourage preservation of high quality trees, large trees, and groves; regulate pruning and planting on City-owned and managed sites and streets to protect public safety and public infrastructure; and ensure replacement for trees that are removed. The permitting procedures that are required to implement these provisions are intended to not only enforce maintenance, removal and preservation requirements but also to educate property owners about the intrinsic urban benefits of trees as well as the principles of tree care.

#### **11.40.020 When a Tree Permit is Required.**

A tree permit is required for all trees in the City of Portland as further described below, unless the activity is exempt from the requirements of this Chapter as specified in Section 11.40.030.

- A. Street Trees.** Street trees of any size are regulated by this chapter unless otherwise specified in Table 40-1 or 40-2.
- B. City Trees.** City trees 3 or more inches in diameter are regulated by this chapter unless otherwise specified in Table 40-1.
- C. Private Trees.** Private trees 12 or more inches in diameter are regulated by this chapter unless otherwise specified in Table 40-1. Trees required to be preserved by a condition of a land use review may be subject to other requirements.
- D. Emergency pruning or removal.** Emergency pruning or removal of trees is regulated by this chapter as follows:
  - 1.** If an emergency exists because the condition or location of a tree presents such a clear and present danger to structures or the public that there is insufficient time to obtain a tree permit, the hazardous portion of the tree may be removed without first obtaining a required tree permit.

2. In the course of performing unexpected or emergency road, sewer, or water maintenance activities, representatives of the Responsible Engineer may trim, prune or remove a tree as required to perform the immediate work without first obtaining a required tree permit. If such activities occur during normal business hours, these representatives shall first attempt to contact the City Forester to determine if technical assistance can be made immediately available. If such assistance is not immediately available, then the pruning or removal may occur in accordance with proper arboricultural practices.
  3. Any person who prunes or removes a tree under the provisions of this Subsection shall, within 7 days of such action, apply for a Type A tree permit. The application shall include photographs or other documentation to prove that an emergency existed. The City Forester will evaluate the information to determine whether an emergency existed. Failure to submit an application or provide information documenting the emergency nature of the event may be pursued as a violation per Chapter 11.70.
- E.** State, Federal, and court orders. Trees that must be removed or pruned by an order of a court, or of a State or Federal agency are not subject to the public notice and appeal procedures of Chapter 11.30 and approval standards and review factors of this chapter. However, a tree permit is required and the tree replacement requirements of this chapter shall be met.
- F.** Hazardous Material Cleanup Orders. Hazardous material cleanup orders, are not subject to the permit procedures of this Title; however, a person removing a regulated tree pursuant to a Hazardous Material Cleanup Order must comply with the tree replacement requirements of this chapter.
- G.** Trees on levees. Trees on levees that have been identified by a public Drainage District as violating federal regulations or requirements are subject to the requirements of this chapter for a Type A permit for removal of trees. Required replacement trees shall be placed outside the critical cross section area of the levee, and may be placed on any property in the same watershed that is owned by the applicant; or on property for which the applicant possesses a legal instrument approved by the City, such as an easement, deed restriction, or interagency agreement, sufficient to carry out and ensure success of the replacement.

**Table 40-1 Tree Removal in Overlay Zones and Plan Districts [1]**

Overlay Zone or Plan District	T11 Tree Size	Title 11 tree permits for removing: [2]	T33 Tree Size	Title 33 Zoning Code review for removing:
<b>Environmental</b> conservation and protection overlay zones “c” “p” See: 33.430.080	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees.</li> <li>▪ Trees projecting into a City-designated view corridor</li> </ul>	<b>Street</b> all <b>City</b> all <b>Private</b> all	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<b>Greenway</b> overlay zones “n” “q” “g” “i” “r” See: 33.440.320	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Nuisance species trees</li> <li>▪ Dangerous trees</li> <li>▪ Trees landward of the greenway setback in “g” “i” “r” overlays</li> </ul>	<b>Street</b> all <b>City</b> all <b>Private</b> all	<ul style="list-style-type: none"> <li>▪ Native Trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead or dying trees</li> <li>▪ Trees not meeting the listed situations when located within or riverward of the greenway setback in “g” “i” “r” overlays</li> <li>▪ Trees not meeting the listed situations when located in “n” “q” overlays</li> </ul>
<b>Pleasant Valley</b> Natural Resources Overlay Zone “v” See: 33.465.080	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures.</li> <li>▪ Nuisance species trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees.</li> </ul>	<b>Street</b> all <b>City</b> all <b>Private</b> all	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<b>Scenic Resource</b> Overlay Zone “s”  Only applies to trees in <b>Scenic Corridors</b> that are within the minimum street setback or the first 20 feet from the street lot line where no street setback exists. See: 33.480.040.B.2.	<b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ All Street Trees</li> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Dead, Dying, or Dangerous trees</li> <li>▪ Trees associated with the repair and maintenance of water, sewer or storm water lines</li> <li>▪ Trees within 20 feet of a public safety RF Transmission Facility</li> <li>▪ Any Private or City trees &lt;12" provided that replanting is met in accordance with 33.248.030 [3]</li> </ul>	<b>Street</b> n/a <b>City</b> ≥ 6" <b>Private</b> ≥ 6"	<ul style="list-style-type: none"> <li>▪ Trees within the street setback or first 20 feet from the street lot line that do not meet the applicable Title 11 situations listed in this table</li> </ul>

Note [1] If a site is in more than one overlay zone or Plan District; the regulations for both areas apply.

[2] All Plan Districts and overlay zones require tree replacement, or as allowed by the City Forester.

[3] Minimum planting is required to meet zoning code requirements.



**Table 40-1 (Continued) [1]**

<b>Overlay Zone or Plan District</b>	<b>T11 Tree Size</b>	<b>Title 11 tree permits for removing: [2]</b>	<b>T33 Tree Size</b>	<b>Title 33 Zoning Code review for removing:</b>
<p><b>Cascade Station/Portland International Center Plan District</b> See: 33.508.340</p> <p>Only applies to trees located in a "c" or "p" overlay</p>	<p><b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"</p>	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees</li> <li>▪ Trees projecting into a City-designated view corridor</li> </ul>	<p><b>Street</b> all <b>City</b> all <b>Private</b> all</p>	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<p><b>Columbia South Shore Plan District</b> See: 33.515.262 &amp; 33.515.274</p> <p>Only applies to trees located in a "c" or "p" overlay</p>	<p><b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"</p>	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees</li> </ul>	<p><b>Street</b> all <b>City</b> all <b>Private</b> all</p>	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the listed situations</li> <li>▪ Healthy non-native non-nuisance trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<p><b>Johnson Creek Basin Plan District</b> 33.537.125</p> <p>Only applies to trees:</p> <ul style="list-style-type: none"> <li>▪ Within 20 feet of the Springwater Corridor lot line;</li> <li>▪ On a site with any portion in the special flood hazard area; and/or</li> <li>▪ On a site with any portion in the South Subdistrict.</li> </ul>	<p><b>Street</b> all <b>City</b> ≥ 3" <b>Private</b> ≥ 6"</p>	<ul style="list-style-type: none"> <li>▪ All Street Trees</li> <li>▪ Nuisance species trees</li> <li>▪ Trees within 10 feet of buildings, attached structures, or right-of-way improvements</li> <li>▪ Dead, Dying, or Dangerous trees</li> <li>▪ Trees associated with the repair and maintenance of water, sewer or storm water lines</li> <li>▪ Any other 6" to 12" tree provided that at least two trees are planted. [3] Trees removed within 20 feet of the Springwater Corridor must be replaced within 20 feet of the corridor</li> </ul>	<p><b>Street</b> n/a <b>City</b> ≥ 6" <b>Private</b> ≥ 6"</p>	<ul style="list-style-type: none"> <li>▪ Trees within 20 feet of the Springwater Corridor lot line; on a site with any portion in the special flood hazard area; and/or on a site with any portion in the South Subdistrict that do not meet the applicable Title 11 situations listed in this table</li> </ul>

Note [1] If a site is in more than one overlay zone or Plan District; the regulations for both areas apply.

[2] All Plan Districts and overlay zones require tree replacement, or as allowed by the City Forester.

[3] Minimum planting is required to meet zoning code requirements.

**Table 40-1 (Continued) [1]**

Overlay Zone or Plan District	T11 Tree Size	Title 11 tree permits for removing: [2]	T33 Tree Size	Title 33 Zoning Code review for removing:
<b>Portland International Airport Plan District</b> See: 33.565.540 Applies only to trees located in a "c" or "p" overlay	<b>Street</b> all <b>City</b> $\geq 3"$ <b>Private</b> $\geq 6"$	<ul style="list-style-type: none"> <li>▪ Trees within 10 feet of buildings or attached structures</li> <li>▪ Nuisance species trees</li> <li>▪ Non-native non-nuisance trees</li> <li>▪ Dead, Dying, or Dangerous trees when wood 12 inches in diameter and greater is left in the same ownership, unless the City Forester approves removal of diseased wood from the site because it will threaten the health of other trees. This does not apply in landscaped areas of golf courses.</li> <li>▪ Trees projecting into a City-designated view corridor</li> </ul>	<b>Street</b> all <b>City</b> all <b>Private</b> all	<ul style="list-style-type: none"> <li>▪ Healthy native trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<b>Rocky Butte Plan District</b> See: 33.570.040	<b>Street</b> all <b>City</b> $\geq 3"$ <b>Private</b> $\geq 6"$	<ul style="list-style-type: none"> <li>▪ All Street Trees</li> <li>▪ Nuisance species trees</li> <li>▪ Trees within 10 feet of buildings, attached structures, or right-of-way improvements</li> <li>▪ Dead, Dying, or Dangerous trees</li> <li>▪ Trees associated with the repair and maintenance of water, sewer or storm water lines</li> <li>▪ Any other 6" to 12" diameter tree provided that at least two trees are planted [3]</li> </ul>	<b>Street</b> n/a <b>City</b> $\geq 6"$ <b>Private</b> $\geq 6"$	<ul style="list-style-type: none"> <li>▪ Trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>
<b>South Auditorium Plan District</b> See: 33.580.130	<b>Street</b> all <b>City</b> $\geq 3"$ <b>Private</b> $\geq 6"$	<ul style="list-style-type: none"> <li>▪ Dead, Dying, or Dangerous trees provided at least one tree is planted in the same general location or in accordance with the adopted landscaping plan</li> </ul>	<b>Street</b> all <b>City</b> $\geq 6"$ <b>Private</b> $\geq 6"$	<ul style="list-style-type: none"> <li>▪ Trees that do not meet the applicable Title 11 situations listed in this table</li> </ul>

Note [1] If a site is in more than one overlay zone or Plan District, the regulations for both areas apply.

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[3] Minimum planting is required to meet zoning code requirements.

**11.40.030 Exemptions.**

The following are exempt from the requirements of this Chapter:

- A. Heritage Trees. Heritage Trees are addressed in Chapter 11.20:
- B. Trees outside City Limits. Trees that are outside the City Limits, including "County Urban Pocket Areas."
- C. Programmatic permits. Activities carried out by public agencies operating under a programmatic permit per Chapter 11.45.

- D. Tree Removal in association with development permits addressed through Chapter 11.50, Trees in Development Situations.
- E. Agricultural use. Trees on lots that are part of an allowed farm or forest operation, including plant nurseries, when such removal is a customary and necessary activity for the associated agricultural use as provided for in Title 33, Planning and Zoning. Timber harvesting is subject to Oregon Department of Forestry requirements, ORS Chapter 527, and OAR Divisions 600-665.
- F. Work done by the City Forester and City Forestry crews involving City and Street Trees. However, the City Forester shall keep records of the location and number of City and Street Trees planted, pruned, and removed.

**11.40.040 City and Street Tree Permit Standards and Review Factors.**

Type A and B permit applications for tree related work affecting City or Street Trees shall be reviewed using the following applicable review factors and standards in accordance with the application procedures set forth in Chapter 11.30.

**Table 40-2  
Summary of Permit Requirements for City and Street Trees**

Activity	Permit Type	Tree Replacement [1] (See Section 11.40.060)	Public Notice / Public May Appeal
<b>No Permit</b> is required for: - <b>pruning</b> branches or roots <1/4”; - <b>removing</b> City Trees <3” in diameter; - <b>removing street trees</b> that are sucker shoots, self-sown trees < 1/4”; or - <b>other</b> activities that are exempt from the requirements of this Chapter (see 11.40.030).			
<b>Planting</b> trees <b>Pruning</b> branches or roots larger than 1/4” <b>Other activities</b> as described in 11.40.040 A.3	A	n/a	No
<b>Removal of any regulated tree that is:</b> - dead, dying, or dangerous	A	tree for tree	No
<b>Removing up to 4 healthy trees per site, or abutting right of way per year as follows:</b>			
- less than 3” in diameter	A[2]	tree for tree	No
- 3 to <12” in diameter	B	tree for tree	No
- 12 to <20” in diameter	B	tree for tree	No
- 20” and larger in diameter	B	inch for inch	Yes
<b>Removing more than 4 healthy trees per site, or abutting right of way per year as follows:</b>			
- less than 3” in diameter	A[2]	tree for tree	No
- 3 to <12” in diameter	B	tree for tree	No
- > 12” in diameter	B	inch for inch	Yes
- 20” and larger in diameter	B	inch for inch	Yes

[1] “Tree for Tree” means one tree is required to be planted for each tree removed, “inch for inch” means the City Forester may require up to an equivalent number of inches be planted for the total diameter inches of the tree being removed.

[2] Applies to all Street Trees, in addition to any other City Trees planted as part of a landscaping or mitigation requirement, including trees planted to replace trees removed under a previous tree permit.



**A. Standards and Review Factors for Type A Permits for City and Street Trees.**

- 1. Planting.** Planting shall meet the specifications in Chapter 11.60 and the following:
  - a. Street Trees.** If the City Forester determines that a proposed Street Tree planting is suitable for the space available, and that the species of the tree is appropriate for the location, then the City Forester will grant the permit.  
The Responsible Engineer may require the City Forester to submit planting proposals in streets for review for the purpose of protecting existing utilities and sewer branches, and to ensure that the proposed trees are not likely to obstruct the visibility of drivers, cyclists, or pedestrians.
  - b. City Trees.** If the City Forester determines that a proposed planting on City property is of a species of tree appropriate for the site and that the applicant has the written consent of the City bureau to whom responsibility for the property has been assigned, the City Forester will grant the permit.
- 2. Pruning or root cutting.** The City Forester will grant a permit for pruning or root cutting of branches or roots 1/4 inch or larger if the applicant demonstrates to the City Forester's satisfaction that the pruning or root cutting will be performed in accordance with proper arboricultural practices, and that it will not adversely impact the health or structural integrity of the tree.
- 3. Other activities.** A permit is required to attach permanent objects (e.g. lights, signs, or artwork) to a tree or its supports (e.g. guides, wires, stakes), or for any other type of activity the City Forester determines has the potential to harm a City or Street Tree. In reviewing these requests, the City Forester may impose limitations on the method, location, or duration of such activities.
- 4. Removal.** Trees shall be replaced as indicated in Table 40-2. The City Forester will grant a permit to remove a tree if the City Forester determines that the proposed removal is exempt or allowed by Title 33, Planning and Zoning; and meets at least one of the following:
  - a. Dead trees.** The tree is dead or has been damaged beyond repair or where not enough live tissue, green leaves, limbs, roots or branches exist to sustain life.
  - b. Dying trees.** The tree is in an advanced state of decline because it is diseased, infested by insects, or rotting and cannot be saved by reasonable treatment or pruning, or must be removed to prevent spread of the infestation or disease to other trees or

is imminently likely to become a danger or die. The City Forester may apply a condition of approval to the permit to require specific disposal methods for infected wood.

- c. Dangerous trees. The City Forester will evaluate the removal request by first evaluating practicable alternatives to the removal. If the City Forester finds either that the cost of the alternatives significantly exceeds the value of the tree, or that such alternatives will not substantially alleviate the dangerous condition, the City Forester will grant the permit.

**B. Standards and Review Factors for Type B Permits for City and Street Trees.** Because Type B permits for City and Street Trees are required only for removal; the standards and review factors of this Subsection are specific to tree removal.

- 1. Standards. The City Forester shall determine that the following standards are met before granting a Type B permit:

- a. For trees located in one of the overlay zones or plan districts identified in Subsection Table 40-1, the proposed removal is exempt or allowed by Title 33, Planning and Zoning;
- b. The tree is not required to be preserved by a condition of a land use review, provision of this Title or the Zoning Code, or as part of a required stormwater facility;
- c. Trees removed shall be replaced as specified in Table 40-2.

- 2. Review Factors. The City, in the absence of extraordinary circumstances, will not permit the removal of a healthy, functioning Street Tree. Maintenance or replacements of sidewalks or curbs, removal of tree litter, or other minor inconveniences do not constitute extraordinary circumstances. Decisions regarding removal of healthy, functioning Street Trees are fact-specific, and are made on a case-by-case basis by the City Forester. In determining whether extraordinary circumstances exist that warrant removal of a healthy tree, the City Forester will consider:

- a. Whether the species of tree is appropriate for its location, and whether it is a nuisance species tree;
- b. Whether the tree's crown, stem or root growth habit has developed in a manner that would prevent continued healthy growth or is negatively impacting other trees;
- c. Whether the maintenance of the tree creates an unreasonable burden for the property owner; and

- d. The impact of removal and replanting on the neighborhood streetscape and any adopted historic or other design guidelines.

**11.40.050 Private Tree Permit Standards and Review Factors.**

Type A and B permit applications for tree related work affecting Private Trees shall be reviewed using the following applicable review factors and standards in accordance with the application procedures set forth in Chapter 11.30.

**Table 40-3  
Summary of Permit Requirements for Private Trees**

Activity	Permit Type	Tree Replacement[1] (See Section 11.40.060)	Public Notice / Public May Appeal
No permit is required for: <ul style="list-style-type: none"> <li>- <b>planting</b> trees</li> <li>- <b>pruning</b> trees outside of the environmental protection (p), environmental conservation (c), or Pleasant Valley Natural Resource (v) overlay zones;</li> <li>- <b>removal</b> of trees smaller than the sizes regulated by this chapter (see 11.40.020 B.); or</li> <li>- <b>other</b> activities that are exempt from the requirements of this chapter (see 11.40.030)</li> </ul>			
<b>Pruning</b> native trees in c, p, or v overlay zones	A	n/a	No
<b>Removal of any tree that is:</b> <ul style="list-style-type: none"> <li>- dead, dying, or dangerous</li> <li>- a nuisance species identified in the Portland Plant List</li> <li>- located within 10 feet of building or attached structure</li> </ul>	A	tree for tree	No
<b>Removing up to 4 healthy non-nuisance species trees per site per year as follows:</b>			
- Smaller than 20” diameter	A	tree for tree	No
- 20” diameter and larger	B	inch for inch	Yes[2]
<b>Removing more than 4 healthy non-nuisance species trees per site per year as follows:</b>			
12” diameter and larger	B	inch for inch	Yes

[1] “Tree for Tree” means one tree is required to be planted for each tree removed, “inch for inch” means the City Forester may require up to an equivalent number of inches be planted for the total diameter inches of the tree being removed.

[2] No public notice or opportunity for public appeal is required for removal of one healthy tree ≥ 20” diameter per lot per year in any residential zone.

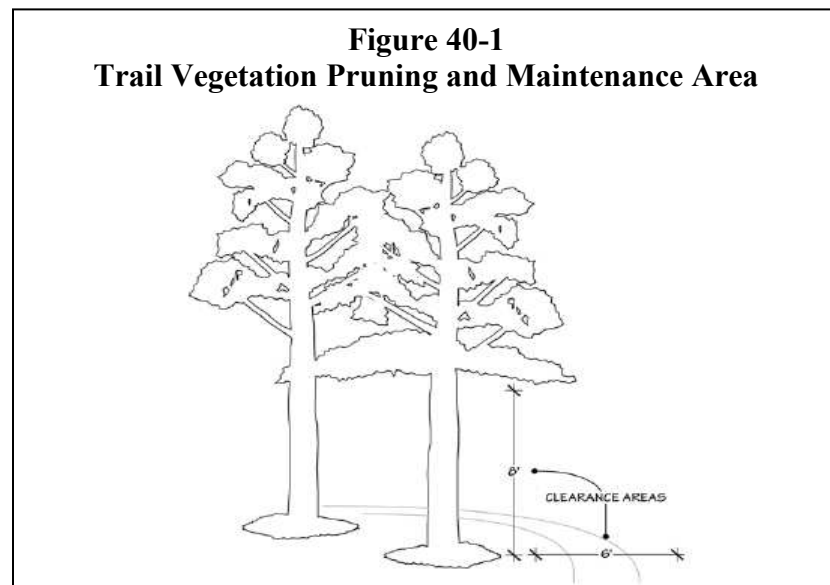
**A. Standards and Review Factors for Type A Permits for Private Trees.**

- 1. Pruning. A pruning permit is required only if the tree is a native tree in the Environmental (c, p) or Pleasant Valley Natural Resource (v) Overlay Zones.

- a. Exceptions. A permit is not required for pruning trees in the following situations:



- (1) Pruning trees located within 10 feet of a building or attached structure;
- (2) Pruning coniferous trees that are within 30 feet of structures, when the structure is within the wildfire hazard zone as shown on the City's Wildfire Hazard Zone Map;
- (3) Pruning to abate an immediate danger;
- (4) Pruning for trail maintenance when not exceeding a height of 8 feet and a width of 6 feet as shown in Figure 40-1; or



- (5) Crown maintenance and crown reduction of trees within the Portland International Airport Plan District or Cascade Station/Portland International Center Plan District that project above or will, upon maturity project above the height limit delineated by the "h" overlay zone or are identified as attracting wildlife species of concern related to air traffic safety.
- b. Standards.** The City Forester will grant a Type A Permit for pruning if the applicant demonstrates to the City Forester's satisfaction that the pruning will meet the following:
- (1) Pruning is limited to 5 native trees per calendar year per 10,000 square feet of site area;
  - (2) An arborist shall prepare and submit a pruning plan and supervise or conduct the work. The pruning plan shall

describe the nature and extent of the proposed pruning as necessary to ensure proper arboricultural practices are followed; and

- (3)** Additional pruning may be allowed if the applicable criteria are met through an environmental review or natural resource review per Title 33, Planning and Zoning.

**2.** Removal. Trees shall be replaced as indicated in Table 40-3. The City Forester will grant a permit to remove a tree if the City Forester determines that the proposed removal is exempt or allowed by Title 33, Planning and Zoning; and meets at least one of the following:

- a.** Dead trees. The tree is dead or has been damaged beyond repair or where not enough live tissue, green leaves, limbs, roots or branches exist to sustain life.
- b.** Dying trees. The tree is in an advanced state of decline because it is diseased, infested by insects, or rotting and cannot be saved by reasonable treatment or pruning, or must be removed to prevent spread of the infestation or disease to other trees or is imminently likely to become a danger or die. The City Forester may apply a condition of approval to the permit to require specific disposal methods for infected wood.
- c.** Dangerous trees. The City Forester may evaluate the removal request by first evaluating practicable alternatives to the removal. If the City Forester finds either that the cost of the alternatives significantly exceeds the value of the tree, or that such alternatives will not substantially alleviate the dangerous condition, the City Forester will grant the permit.
- d.** Nuisance species trees. The tree is listed on the "Nuisance Plant List".
- e.** Trees within 10 feet of a building or attached structure. The trunk of the tree at its base is located completely or partially within 10 horizontal feet of the wall of a building or attached structure.
- f.** Healthy trees. Up to 4 healthy trees may be removed per site per calendar year if each tree meets the following:
  - (1)** Each tree is less than 20 inches in diameter;
  - (2)** None of the trees are Heritage Trees; and

- (3) None of the trees are required to be preserved by a condition of a land use review, provision of this Title or the Zoning Code, or as part of a required stormwater facility;

**B.** Standards and Review Factors for Type B Permits for Private Trees. Because Type B permits for Private Trees are required only for removal; the standards and review factors of this Subsection are specific to tree removal.

1. Standards. The City Forester shall determine that the following standards are met before granting a Type B permit:
  - a. For trees located in one of the overlay zones or plan districts identified in Table 40-1, the proposed removal is exempt or allowed by Title 33, Planning and Zoning;
  - b. The tree is not required to be preserved by a condition of a land use review, or provision of this Title or the Zoning Code; and
  - c. Trees removed shall be replaced as specified in Table 40-3.
2. Review Factors. The City encourages retention of healthy Private Trees where practical alternatives to removal exist, and where those alternatives meet the owner's objectives for reasonable use and enjoyment of the property. Factors are considered to ensure that significant adverse impacts are avoided or mitigated, weighing the broader economic, ecological, and community concerns. These decisions are fact-specific and are made on a case-by-case basis. In making these decisions, the City Forester will consider:
  - a. Whether there are practical alternatives that meet the owner's objectives without removing the tree;
  - b. Whether the species of tree is appropriate for its location;
  - c. Whether the tree's crown, stem, or root growth habit has developed in a manner that would prevent continued healthy growth or is negatively impacting other trees; and
  - d. Whether the removal will significantly affect public safety or neighborhood character based on the following:
    - (1) The age, size, form, general condition, pruning history and any unique qualities or attributes of the trees;
    - (2) The visibility of the trees from public streets and accessways;



- (3) The cumulative impacts of current and prior tree removals in the area; and
- (4) When the tree is associated with a grove, whether removal of the tree will have a significant adverse impact on the viability of other trees or make other trees considerably more vulnerable to windthrow.

**11.40.060 Tree Replacement Requirements.**

Generally, the City Forester will require replacement of trees removed under a Tree Permit as specified in Subsection A. However, the City Forester may instead allow payment into the Tree Planting and Preservation Fund as specified in Subsection B., or may waive or reduce the replacement requirement as specified in Subsection C.

**A. Tree replacement specifications**

1. **Quantity.** Specific tree replacement requirements are shown in Tables 40-2 and 40-3. Where the requirement specifies "up to inch for inch" replacement, the City Forester will determine the appropriate number of new trees that are required based on the total number of diameter inches of the trees removed. The replacement requirement will compensate for the lost functions of trees removed, and ensure the application meets the applicable standards and review factors.
2. **Planting.** Size, species, location, timing of planting, and on-going maintenance of replacement trees shall be in accordance with the technical specifications in Chapter 11.60.

**B. Payment into Tree Planting and Preservation Fund.** When the City Forester determines that there is insufficient or unsuitable area to accommodate some or all of the replacement trees within the street planting area or site, the City Forester may require payment into the Tree Planting and Preservation Fund instead of requiring replacement trees. Payment is based on the adopted fee schedule.

**C. Waivers.** The City Forester may waive or reduce the replacement requirement when the City Forester determines:

1. The abutting right of way and site already meet the tree density standards of Chapter 11.50; or
2. That the full mitigation required by this Chapter would impose an unreasonable burden on the applicant.

Multnomah County Drainage District  
Programmatic Permit  
Years 2016 to 2017  
Appendix D



## Programmatic Permit Qualitative Report Template

**Instructions:** Fill out this report and email it to [trees@portlandoregon.gov](mailto:trees@portlandoregon.gov) along with the Programmatic Permit Data Report Template. **Questions?** Email [trees@portlandoregon.gov](mailto:trees@portlandoregon.gov) with the subject "Attn: Programmatic Permits" or call PP&R Urban Forestry at 503-823-TREE (8733).

Section 1	
Name	
Organization	
Phone	
Email	
Date	
Reporting date range	

Section 2 <i>Attach additional pages as necessary</i>
How did your activities provide a net benefit to the urban forest?
Describe how your tree activities did or did not help achieve your stated targets, goals, or priorities. How have you been maintaining your canopy cover? Describe any obstacles to meeting your targets.
What feedback do you have for the Programmatic Permit process?



Multnomah County Drainage District  
Programmatic Permit  
Years 2016 to 2017  
Appendix E



## Tree Removal Report

Report period:

Amount of \$ paid into the Tree Replanting & Mitigation Fund:

Today's date:

Removal location	# of trees	Common name	Botanical name	Native?	Nuisance?	DBH	General condition	Reason for removal	Notes
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## Tree Planting Report

Report period:

Today's date:

### Planting

### Stock size

<b>location</b>	<b># of trees</b>	<b>Common name</b>	<b>Botanical name</b>	<b>Native?</b>	<b>(inches caliper)</b>	<b>Notes</b>
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