



## Portland Parks & Recreation Urban Forestry Programmatic Permit Portland Parks & Recreation Community Gardens

### 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 Prevent cumulative adverse impacts to the urban forest and ensure that there is no reduction in tree canopy coverage over time (Title 11.45).
- 1.4 Allow for appropriate management of food bearing trees in designated community gardens and orchards to enhance the health, production, and function of the trees.

### 2.0 TERMS AND TIMELINE OF PERMIT:

- 2.1 **Permit duration is from the date of final signature through September 30, 2025.**  
The permit must be signed and in effect before tree work is conducted.
- 2.2 Portland Parks & Recreation Community Gardens is the responsible party for all activities in this permit and shall ensure all staff, contractors, and volunteers comply with the terms and conditions of this permit.
- 2.3 This permit applies only to tree management activities not related to site development or development projects. Separate permits are required for tree 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](#).

#### **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 • Adena Long, Director

### 3.3 Location

All permit activity shall occur at Portland Parks & Recreation Community Gardens. See Appendix A for the locations of the community gardens.

### 3.4 Definitions

- a. Food bearing tree: A tree that is being actively managed to produce food for human consumption
- b. DBH: Diameter at Breast Height; the diameter of a tree measured at 4.5 feet above the ground
- c. City trees: Trees located on City-owned property
- d. Street trees: Trees located in the City right-of-way

### 3.5 Pruning

- a. Garden staff and volunteers may prune food bearing trees in Community Gardens for the following reasons:
  - to improve their health, form, and/or production;
  - to remove dead, damaged, and diseased portions of trees; and
  - to allow passage along trails, walkways, driveways, and roads.
- b. Pruning activities shall adhere to Oregon State University Extension's "Training and Pruning Your Home Orchard" (Appendix B <http://ir.library.oregonstate.edu/xmlui/bitstream/handle/1957/22166/pnw400.pdf>).
  - i. Pruning activities may include dormant season pruning and training, crown restoration, young tree pruning, and removal of dead, dying, and hazardous branches.
- c. For trees pruned, no more than 25% of the crown shall be removed within an annual growing season.
- d. Food bearing trees located in the City right-of-way adjacent to a Community Garden may be pruned under this permit with the same conditions as food bearing trees onsite.
- e. Community Gardens staff shall track the number of volunteers and volunteer-hours for volunteer pruning events with 10 or more people and report this to Urban Forestry annually.

### 3.6 Removal

- a. Unregulated trees
  - i. Trees on City property that are less than 3 inches DBH (diameter at breast height) may be removed without notice, reporting, or mitigation, unless they were required to be planted as the condition of a permit.
  - ii. Trees in the City right-of-way that are sucker shoots or self-sown trees less than ¼ inch DBH may be removed without notice, reporting, or mitigation.
- b. Food bearing trees

- i. Community Gardens staff may remove food bearing trees with a DBH smaller than 12 inches if the tree meets at least one of the following criteria:
    - a. Dead, dying, diseased, or dangerous
    - b. Not a productive food bearing tree
  - ii. The City Forester may approve the removal of healthy, productive food bearing trees smaller than 12 inches DBH on a case-by-case basis. Removal shall be requested at least 4 weeks in advance of the anticipated removal timeframe. The City Forester may approve or deny the removal request or approve the removal with conditions.
  - iii. Food bearing trees located in the City right-of-way adjacent to a Community Garden may be removed under this permit under the same conditions as food bearing trees onsite.
  - iv. Community Garden members shall go through the project proposal process if they wish to remove a food bearing tree in a community garden. Community Gardens shall provide forms and have a standard process for project proposals. The project proposal shall include details on the project outcome and a mitigation strategy.
- c. Public notice
- i. The public shall be notified at least two weeks in advance of the impending removal of food bearing trees authorized by this permit by posting a sign on or near the tree.
  - ii. The sign shall state when and why the tree is being removed, it is a permitted tree removal, how the removal is being mitigated, and contact information for a Community Gardens staff person or volunteer who the public can contact regarding the removal.
- d. Mitigation
- i. City trees 3 inches DBH or greater and all street trees that are removed under this permit shall be compensated by planting trees one-for-one on City land in the vicinity of the removed tree no later than the following planting season.
  - ii. Trees planted for mitigation shall be monitored and guaranteed for three years and replaced in kind if they die within this timeframe.
  - iii. Mitigation unable to be met by tree planting shall be paid into the Tree Planting and Preservation Fund. Payment for each tree to be mitigated shall be the Fee in Lieu of Planting and Establishment for two inches per [Title 11 Trees Permit Fee Schedule](#). Mitigation payment shall be completed by the expiration of the permit.
- e. Zoning permit requirements
- i. Community Gardens staff shall check the zoning of the property before a tree is removed.
    - a. 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 (see Appendix A for a general map) 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.
  - a. 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
  - b. Overlay zones: Environmental (c, p); Greenway (n, q, g, i, r); Pleasant Valley Natural Resources (v); Scenic Resource (s)
  - c. Zoning code exemption requirements are detailed in Title 11 Table 40-1 (Appendix C). 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 Community Gardens staff determine whether exemption requirements are met or whether a zoning code review is necessary.
- f. Reporting
  - i. The number, species, and DBH of trees removed under this permit shall be reported (see 5.1), 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.

### 3.7 Planting

- a. Community Gardens staff and volunteers may plant food bearing trees in Community Gardens and on adjacent rights-of-ways that are being managed for food production.
- b. Planting activities shall adhere to the standards found in Oregon State University Extension’s “Growing Tree Fruits and Nuts in the Home Orchard” (Appendix D, <http://ir.library.oregonstate.edu/xmlui/bitstream/handle/1957/13718/EC%20819.pdf>), American National Standards Institute (ANSI) A300 *Planting and Transplanting Standards*, and International Society of Arboriculture *Best Management Practices: Tree Planting*.
- c. Tree planting shall be approved by Community Gardens staff through the project proposal process. Planting considerations should include how the selected tree fits with program goals, the benefits to gardeners, the community involvement process, and ongoing maintenance.
- d. Tree spacing
  - i. On City property, tree spacing shall follow the standards found in Oregon State University Extension’s “Growing Tree Fruits and Nuts in the Home Orchard” (Appendix D).
  - ii. The locations of trees planted in the City right-of-way shall be approved by the City Forester.

- e. Species selection
  - i. Tree species selected for planting as food bearing trees should be resistant to pests and diseases commonly found in the Portland region.
  - ii. Species selected for planting in the City right-of-way shall be approved by the City Forester. The City Forester may require root barriers to be installed along with trees planted in the right-of-way.
  - iii. Trees on the Portland Plant List's Nuisance Plants List shall not be planted.
  - iv. Species diversity requirements for trees planted as mitigation:
    - a. When planting fewer than 8 trees per calendar year, they may all be the same species.
    - b. When planting between 8 and 24 trees per calendar year, no more than 40 percent of the total planted shall be of one species.
    - c. When planting more than 24 trees per calendar year, no more than 24 percent of the total planted shall be of one species.
  - f. Trees shall be a minimum of 1.5 inch caliper for on-site broadleaf trees, 2 inch caliper for broadleaf street trees, or at least 5 feet in height for coniferous trees at the time of planting.
    - i. The City Forester may approve the planting of rare or unusual cultivars of food-bearing trees at sizes below the standard thresholds.
  - g. Plantings shall be monitored for three years for establishment.
  - h. The number, species, stock size, and location of trees planted shall be reported (see 5.1).

### **3.8 Other tree activities**

- a. Community Gardens may employ organic pest management, including bagging fruit, hanging traps, applying neem oil, and applying kaolin clay spray. Pesticide application shall conform to Portland Parks & Recreation IPM (integrated pest management) policies and be overseen by PP&R personnel. Only products listed on the Organic Materials Review Institute product list should be used.
- b. Community Gardens must maintain safe streets, sidewalks, and walkways by cleaning up fruits and nuts that fall from their food-bearing trees.

### **4.0 COMMUNICATION:**

- 4.1 Community Gardens shall maintain accurate permit contact information with Urban Forestry.

### **4.2 Community Gardens contact**

Kathy Dang, Botanic Specialist I, Community Gardens  
 Mailing address: 6437 SE Division St., Portland, OR 97206

Phone: 503-823-1612  
Email: [Kathy.dang@portlandoregon.gov](mailto:Kathy.dang@portlandoregon.gov)

#### 4.3 **Community Gardens representative**

Laura Niemi, Program Coordinator, Community Gardens  
Mailing address: 6437 SE Division St., Portland, OR 97206  
Phone: 503-823-1612  
Email: [laura.niemi@portlandoregon.gov](mailto:laura.niemi@portlandoregon.gov)

#### 5.0 QUALITY CONTROL AND REPORTING:

##### 5.1 **Reporting**

Qualitative and quantitative activities reports shall be sent to Urban Forestry once per fiscal year for the duration of the permit on forms provided by Urban Forestry (see Appendix E and Appendix F). Completed forms shall be received no later than one month after the reporting period. Failure to submit reports may result in suspension of current programmatic permit or delayed issuance of future programmatic permits until the report is submitted.

##### a. Reporting periods:

Date of permit signature – June 30, 2021, report due by August 1, 2021  
July 1, 2021– June 30, 2022, report due by August 1, 2022  
July 1, 2022 – June 30, 2023, report due by August 1, 2023  
July 1, 2023 – June 30, 2024, report due by August 1, 2024  
July 1, 2024 – June 30, 2025, report due by August 1, 2025

##### 5.2 **Inspections**

Urban Forestry may inspect the properties 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 work stoppage
- 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 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

Olsen, Jeff. *Training and Pruning Your Home Orchard*. Pacific Northwest Extension Publication: Oregon State University, University of Idaho, Washington State University. PNW 400. July 2011. <<http://ir.library.oregonstate.edu/xmlui/bitstream/handle/1957/22166/pnw400.pdf>>

Stebbins, Robert L. and Jeff Olsen. *Growing Tree Fruits and Nuts in the Home Orchard*. Oregon State University Extension Service. EC 819. Revised December 2009. <<http://ir.library.oregonstate.edu/xmlui/bitstream/handle/1957/13718/EC%20819.pdf>>

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

7.0 APPENDICES:

Appendix A – Community Gardens map

Appendix B – Orchard pruning standards

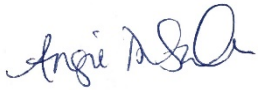
Appendix C – Title 11 Table 40-1

Appendix D – Fruit tree planting standards

Appendix E – Qualitative reporting template

Appendix F – Quantitative reporting template

8.0 SIGNATURE:

By:   
\_\_\_\_\_  
City Forester

Date: 9/25/20