



White Salmon Tree Board Meeting

A G E N D A

June 14, 2021 – 5:30 PM

Via Zoom Teleconference

Meeting ID: 821 6696 2189 Passcode: 500653

Call in Numbers:

669-900-6833

929-205-6099

301-715-8592

346-248-7799

253-215-8782

312-626-6799

Call to Order/Roll Call

Discussion and Action Items

- [1.](#) Draft Tree Ordinance
2. Removal of Tree of Heaven from Fireman's Park

Adjournment

Members of the public will be allowed to interact with the committee members during the committee meeting to ask questions or make suggestions regarding the topics on the agenda. Please use the chat or raise hand feature in Zoom to indicate that you have a comment or a question. The Chair of the committee may ask members of the public to wait for comments or questions until after the initial discussion takes place between committee members

File Attachments for Item:

1. Draft Tree Ordinance

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF White Salmon, WASHINGTON, DO ORDAIN AS FOLLOWS:

WMC Chapter 18.40 add the following definitions: **FOLLOWS PURPOSE.**

Certified Arborist.

“Certified Arborist” means an individual that has successfully passed the certified arborist examination administered by the International Society of Arboriculture (ISA) and possesses a minimum of three years full-time experience working in the professional tree care industry.

Drip Line.

“Drip line” means an area encircling the base of a tree, the minimum extent of which is delineated by a vertical line extending from the outer limit of a tree’s branch tips down to the ground.

Tree, landmark.

“Tree, landmark” means a tree that is equal to or greater than thirty two (32) inches diameter at breast height (DBH) or 4.5 feet above ground level.

Tree, heritage.-

“Tree, heritage” means

1. Oregon White Oaks with a trunk diameter larger than fourteen inches,
2. All other tree species with a trunk diameter greater than eighteen inches, or
3. Any tree designated as a heritage tree by the city council in accordance with the nomination process detailed below.

To be considered a heritage tree the tree must be nominated by the landowner of the ground sustaining the tree and be accepted by the city onto the inventory list of heritage trees compiled and maintained by the city.

Heritage trees may be designated in accordance with the following nomination and designation process:

1. Trees with smaller trunk diameters may also be nominated for heritage status by the property owner, by submitting a map, a photograph, and a narrative description including the location, species, approximate age, and the specific characteristics and reasoning on which the nomination is based. To receive such designation, a tree must be an outstanding specimen, especially old or large, or of distinctive form, location, or of ecological, cultural or historical significance.

2. The city shall inspect the tree, consider public comments, consult with a certified arborist if relevant, and decide whether or not the tree is to be designated a heritage tree. Notice of the city's decision shall be mailed to the land owner and any other parties participating in the evaluation process.
3. The council may be asked to reverse its designation of a heritage tree.

Tree inventory is required.

1. The city shall maintain a list of heritage trees designated within the city limits in response to the voluntary nomination process. The inventory may include a map identifying the location of the trees and a brief narrative description of each heritage tree.

Purpose-First Section.

(1) The purpose of this chapter is to:

- (a) Avoid the removal of ~~h~~Heritage trees and landmark trees on private property, in order to maintain the quality of White Salmon's urban environment;
- (b) Protect Heritage trees and landmark trees to the maximum extent possible in the design of new development proposals including, but not limited to, buildings, sidewalks, roadways, and utilities;
- (c) Mitigate the environmental and aesthetic consequences of tree removal through on-site and off-site tree replacement to achieve a goal of no net loss of canopy throughout White Salmon;
- (d) Provide measures to protect trees that may be impacted during construction;
- (e) Maintain and protect the public health, safety, and general welfare; and
- (f) Preserve the aesthetic, ecological, and economic benefits of forests and tree-covered areas in White Salmon, which include, but is not limited to:
 - (i) Providing varied and rich habitats for wildlife;
 - (ii) Improving air quality through aAbsorbing greenhouse gas emissions;
 - (iii) Moderating the effects of winds and temperatures;
 - (iv) Stabilizing and enriching the soil;
 - (v) Improving water quality by sSlowing runoff from precipitation and reducing soil erosion;
 - (vi) Improving air quality;
 - (vii) Improving water quality;
 - Providing shade for structures;
 - Providing mental health benefits to citizens;
 - (viii) Masking-Buffering unwanted sounds;
 - (ix) Providing visual relief and screening buffers;
 - (x) Providing recreational benefits;
 - (xi) Enhancing the economic value of developments; and
 - (xii) Providing a valuable asset to the community as a whole.

Approval Required.

- (1) **Approval Required.** Except as provided in WMC 18.4, *Exemptions*, any person who desires to cut down or remove any Heritage tree or landmark tree or who desires to conduct grading activities on a site that will result in the removal of any Heritage tree or landmark tree, must first obtain approval as required in this chapter. Approval may take the form of a tree removal permit or it may be included in conjunction with another land use approval such as a building permit.
- (2) **Forest Practices Permittees.** Permittees under Class IV - General forest practice permits issued by the Washington State Department of Natural Resources (DNR) for the conversion of forested lots to developed lots are also required to obtain approval under (1) above. For all other forest practice permits (Class II, III, IV – special permit) issued by DNR for the purpose of commercial timber operations, no approval is required but no land use permits will be issued for six years following tree removal.

Evaluation Required.

- (1) **Professional Evaluation.** In determining whether an approval shall be granted, the submittal of a professional evaluation and/or a tree protection plan prepared by a Certified Arborist may be required when the City deems such services are necessary to demonstrate compliance with the standards of this chapter. Such professional evaluation(s) and services may include, but is not limited to:

- (a) Developing plans for tree protection or replacement, including supervising and/or monitoring implementation of any such plans;
- (ab) providing a written evaluation of the anticipated effects of proposed construction on the viability of trees on a site;
- (bc) pProviding a hazardous tree assessment;
- (cd) pProviding a written evaluation of heritage trees and/or landmark trees, ~~as well as Heritage trees,~~ near environmentally critical areas and associated buffers;
- ~~(d) Developing plans for tree protection or replacement, including supervising and/or monitoring implementation of any such plans;~~ and/or
- (e) Conducting a post-construction site inspection and evaluation.

Exemptions.

- (1) **Removal Exemptions.** The following actions are exempt from obtaining approval as required in this chapter:
- (a) A heritage tree can be removed if it is dead or, dangerous, ~~or a nuisance,~~ as attested by an arborist's report, submitted to the city and paid for by the tree owner or in case of an emergency by written order, including criteria for removal, of the police chief, fire chief, the director of public works or their respective designees.

Removal Standards.

- (1) **R-L, R-1, R-2, R-3, MHR and C Zoned Lots.** A lot as defined in **WMC 17** zoned R-L, R-1, R-2, R-3, MHR and C as of the effective date of this chapter must obtain a tree removal permit prior to removing any heritage tree located on the lot. This requirement does not apply to rights vested to prior land use regulations.
- (a) A permit shall be granted for the removal of heritage trees as shown in the following table. The number of heritage trees allowed for removal shall be limited by the lesser of the percentage column or cumulative number column:

Lot Size	Percent of heritage trees allowed to be removed per 10 years	<u>Maximum</u> Number of Heritage trees allowed to be removed perper-10 <u>yearyears</u>	Cumulative number of heritage trees allowed to be removed per rolling 10 year period DELETE THIS COLUMN
< 1/4 ac	50%-	2	6
1/4 ac - 1/2 ac	40%-	4	12
1/2 ac - 1 ac	30%-	6	18
1 ac - 2 ac	20%-	8	24
> 2 ac	10%-	10	30

DO WE WANT THIS TABLE OR A DIFFERENT TABLE/CHART? What is the removal and replacement criteria?

(b) Within environmentally critical areas and associated buffers, heritage trees and other vegetation shall be retained subject to the requirements of **Chapter 18.310 WMC. Critical Areas Ordinance.**

(~~cd~~) An application that seeks to remove trees in excess of the limits specified in WMC ? Removal Standards (a) may be granted at the discretion of the Director subject to double the tree replacement requirements in WMC ?. Director approval may be granted for one of the following reasons:

- (i) Thinning a heavily wooded area where remaining trees may benefit from the thinning and the lot's forested look, value, or function is maintained;
- (ii) Maintaining the lot's landscaped areas;
- (iii) Building a new structure, excluding a new primary residence, or adding onto an additional structure such as an existing residence, ADU, garage or shed; or (iv) Installing or maintaining utilities or sources of renewable energy, such as solar panels.

Retention Standards. SEE DEVELOPMENT CODES – ALL TREES ON LOTS???? REQUIRE TREES TO BE PLANTED IN THE ZONING CODE????

- (1) **Development Proposals on residentially or commercially R-L, R-1, R-2, R-3, MHR and C Zoned Lots.** Type I-IV development proposals on R-L, R-1, R-2, R-3, MHR and C residentially or commercially zoned lots must obtain a land use permit or approval prior to removing any Heritage tree located on the lot.

(b) R-L and R-1 Low density zoned lots: A minimum of 50% of the Heritage trees shall be retained within areas unconstrained by wetlands, streams, landslide hazard areas, and associated buffers.

- (c) ~~R-2, R3, MHR and C~~Medium density, MHR, high density/mixed used and commercial zoned lots: A minimum of 35% of the Heritage trees shall be retained within areas unconstrained by environmentally critical areas and associated buffers. (d) Replacement trees shall be planted as provided in WMC 18., *Tree Replacement Standards*.
- (e) Trees previously designated for protection or located environmentally critical area tract may not be removed unless they are determined to be hazardous.

Variances.

- (1) **Variances.** Where conditions exist that prevent full compliance with Chapter 18.40 WMC, the applicant may request a variance pursuant to WMC 17.80.058 decision criteria.

Tree Protection Standards.

- (1) **Priority.** Heritage trees identified for retention pursuant to WMC 18.40 shall be selected, to the extent feasible, subject to the following order of priority from most important to least important:
- (a) Heritage trees part of a continuous canopy adjacent to an environmentally critical area and associated buffer;
 - (b) Heritage trees part of a continuous canopy adjacent to a public park and/or other protected open space;
 - (c) Heritage trees part of any other on-site and/or off-site continuous canopy;
 - (d) Heritage trees providing relief from identified environmental impacts;
 - (e) Heritage trees providing perimeter connectivity and/or off-site screening;
 - (f) Heritage trees able to be incorporated into **required landscaping**;
 - (g) An isolated cluster of Heritage trees;
 - (h) Individual Heritage trees.
- (2) **Designation.** Any applicable application and/or plan required for new development shall show all Heritage trees designated for protection. These areas may be shown by labeling them as "Protected Heritage Trees" or such other designation as approved by the Director. Protected vegetation, including protected trees, shall not be modified, harmed, or removed except as provided in this section.
- (3) **Preservation.** An approval for new development may require the Heritage trees to be retained are permanently preserved within a tract, easement or other permanent protective mechanism. When required, the location, purpose, and restrictions of these protected areas shall be shown on the face of the deed, plat, binding site plan, covenant or similar document, and shall be recorded with Klickitat County. The recorded document shall include the requirement that the protected areas shall not be removed, amended, or modified without the written approval of the City of White Salmon.
- (4) **Incentives for Higher Levels of Tree Protection.** The Director may grant reductions or adjustments to other site development standards if the protection levels identified in subsection 1 of this section are exceeded. On a case-by-case review, the Director shall determine the balance between tree protection that exceeds the established minimum percentage and variations to site development requirements. If the Director grants adjustments or reductions to site development standards under this provision, then tree protection requirements shall be recorded on the face of the plat, as a notice to title, or on some other legal document that runs with the property.

Adjustments that may be considered are:

1. Variations in parking lot design and/or any access driveway requirements;
2. Variations in building setback requirements;
3. Variations of grading and **stormwater** requirements.

Site Design. Site improvements shall be designed and constructed to meet the following:

1. Site improvements shall be designed to give priority to protection of trees with the following characteristics, functions, or location including where the critical root zone of trees on adjoining property is within five feet of the development:
 - a. Existing stands of healthy trees that have a reasonable chance of survival once the site is developed, are well shaped to withstand the wind and maintain stability over the long term, and will not pose a threat to life or property.
 - b. Trees which exceed 50 feet in height.
 - c. Trees and tree clusters which form a continuous canopy.
 - d. Trees that create a distinctive skyline feature.
 - e. Trees that have a screening function or provide relief from glare, blight, commercial or industrial harshness.
 - f. Trees providing habitat value, particularly riparian habitat.
 - g. Trees within the required yard setbacks or around the perimeter of the proposed development.
 - h. Trees having a significant land stability function.
 - i. Trees adjacent to public parks, open space, and critical area buffers.
 - j. Trees having a significant water-retention function.

(5) **Protection Measures.** To ensure long-term viability of trees identified for protection, permit plans and construction activities shall comply with the following minimum required tree protection:

- (a) ☐ All minimum required tree protection measures shall be shown on the tree protection and replacement plan.
- (b) ☐ Tree protection barriers shall be installed five feet beyond the drip line of Heritage trees to be protected prior to any land disturbance.
- (c) ☐ Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or other material, subject to approval by the Director. On large or multiple-project sites, the Director may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances.

- (d) __Where tree protection areas are remote from areas of land disturbance, and where approved by the Director, alternative forms of tree protection may be used in lieu of tree protection barriers, provided that protected trees are completely surrounded with continuous rope or flagging and are accompanied by “Tree Save Area – Keep Out” signs.
 - (e) __Native understory trees, shrubs and other vegetation shall be protected within the designated tree protection area.
- (6) **Preventative Measures.** In addition to the above minimum protection measures, the applicant shall support the protection measures by employing, as appropriate, the following preventative measures, consistent with best management practices for maintaining the health of the tree:
- (a) Heritage trees shall not be topped;
 - (b) Excessive pruning shall not be allowed unless necessary to protect life and property;
 - (c) Visible deadwood on trees to be protected or relocated shall be pruned;
 - (d) Fertilizer shall be applied to enhance the vigor of stressed trees;
 - (e) Use soil amendments and soil aeration in planting areas;
 - (f) Apply mulch over tree drip line areas; and
 - (g) Ensuring proper water availability before, during and after construction.
- (7) **Alternative Methods.** The Director may approve the use of alternative tree protection and/or preventative techniques if a protected tree will be protected to an equal or greater degree than through the techniques listed above.

Tree Replacement Standards.

- (1) **Replacement Required.** Any Heritage tree lawfully removed pursuant to WMC 18.40, *Tree Removal Standards* or WMC 18.40, *Tree Retention Standards*, shall be subject to the following replacement requirements:
- a. Each landmark tree shall be replaced by three (3) new trees;
 - b. Each heritage tree shall be replaced by two (2) new trees;
 - c. Replacement coniferous trees shall be at least eight (8) feet in height
 - d. Replacement deciduous trees shall be at least two and one-half (2.5) inches in diameter (DBH).
 - e. Replacement trees shall be primarily native species to Washington in order to restore and enhance a site as nearly as practicable to its pre-removal character and function;
 - (g) Non-native replacement trees shall be recommended by a Certified Arborist as having characteristics suitable to the proposed location of planting, or as otherwise approved by the City;
 - f. The condition of replacement trees shall meet or exceed current American Nursery and Landscape Association or equivalent organization’s standards for nursery stock
 - g. Installation of required replacement trees shall be in accordance with the International Society of Arboriculture’s best management practices for arboriculture including, but not limited to, soil assessment, sampling, amendments and conservation, which ensure the tree’s long-term health and survival; and
 - h. The Director may consider smaller-sized replacement trees if the applicant can demonstrate that smaller trees are more

suited to the species, the site conditions, and the purposes of this section, and that such trees will be planted in sufficient quantities to meet the intent of this section.

(2) **Location for Tree Replacement – On-Site.** Unless approved for one or more of the alternatives set forth in WMC 18.40(3), replacement trees shall be planted on the site from which Heritage trees are removed and may be approved for the following areas on site:

a) On-site replacement trees approved to be located in environmentally critical areas and associated buffers shall receive a 125% credit toward the tree replacement requirement.

(b) Each required street tree planted on-site shall receive a 50% credit and each street tree planted on-site in excess of the minimum requirement shall receive a 100% credit toward the tree replacement requirement, subject to Director approval.

(c) On-site replacement trees approved to be located in places other than (a) – (b) above shall receive a 100% credit toward the tree replacement requirement.

(3) **Location for Tree Replacement – Alternatives.** When on-site replacement cannot be completely achieved, the following alternatives may be considered:

(a) Off-Site Tree Replacement.

(i) The number of replacement trees shall be the same as described in WMC 18.40 (1). Replacement costs (material plus labor) shall be at the applicant's expense.

(ii) Allowable sites for receiving off-site replacement plantings may include public lands, open space areas, parks, delineated environmentally critical areas and associated buffers. A receiving site shall be within the White Salmon city limits or within land owned by the City.

(b) Landscape Restoration. Where appropriate, other measures designed to mitigate the loss of trees by restoring all or parts of the forest landscape and its associated benefits may be considered. Measures, as determined by the Director, may include, but are not limited to:

(i) Creation of wildlife snags from trees which would otherwise be removed; (ii) Replacement of certain ornamental trees with native shrubs and groundcover; (iii) Replacement of hazardous or short-lived trees with healthy new trees that have a greater chance of long-term survival; (iv) Daylighting and restoration of stream corridors with native vegetation; and (v) Protection of non-Heritage trees to provide for the successional stages of forest development.

(4) **Tree Replacement Guidelines and Requirements.** The following provisions shall be considered for tree replacement:

(a) Replacement trees should be planted to reestablish or enhance tree clusters where they previously existed;

(b) Where possible, replacement trees should be planted within environmentally critical areas and associated buffers. Replacement trees may be planted within a designated open space tract or environmentally critical area tract, where it is determined that such planting enhances and complements existing vegetation and environmental functions;

(c) Replacement trees shall be planted in locations appropriate to the species' growth habit and horticultural requirements;

(d) Replacement trees shall be located away from areas where damage is likely;

(e) Replacement trees shall be located to provide screening of the development from adjacent properties, where appropriate;

- (f) Replacement trees shall be planted in areas that connect or are adjacent to a designated open space tract or environmentally critical area tract or other open space, where appropriate;
 - (g) Replacement trees shall be integrated into the required landscape plans, if any, for a development; and
 - (h) Replacement trees to be planted next to or under power lines shall be selected with consideration of the trees' maturation and maintenance requirements.
- (5) **Tree Maintenance.** All required replacement trees and relocated trees shown on an approved permit whether located on-site or off-site, shall be maintained in healthy condition by the applicant throughout the life of the project, unless otherwise approved by the Director in a subsequent permit or approval. Healthy condition can be achieved by employing, as appropriate, the following preventative measures, consistent with best management practices for maintaining the health of the tree:
- (a) Trees shall not be topped;
 - (b) Excessive pruning shall not be allowed unless necessary to protect life and property;
 - (c) Visible deadwood on trees to be protected or relocated shall be pruned; (d) Fertilizer shall be applied to enhance the vigor of stressed trees;
 - (e) Use soil amendments and soil aeration in tree protection and planting areas; (f) Apply mulch over tree drip line areas; and
 - (g) Ensuring proper water availability during and immediately after construction.

Enforcement

City enforcement of heritage tree protection regulations may include:

1. Stop work on any construction project which threatens a heritage tree until it is shown that appropriate measures have been taken to protect the tree or an exception is granted for its removal; and/or
2. ~~As part of a civil action brought by the city, a court may assess against any person who commits, allows, or maintains a violation of any provision of this chapter a civil penalty in an amount not to exceed five thousand dollars per violation. Where the violation has resulted in removal of a tree, the civil penalty shall be in an amount not to exceed five thousand dollars (\$5,000) per tree unlawfully removed, or the replacement value of each such tree, whichever amount is higher. Such amount shall be payable to the city. Replacement value for the purposes of this section shall be determined utilizing the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers. Ken Woodrich – how can we word this – assess a penalty plus the value of the tree.~~

Different amount for landmark tree?