



White Salmon Planning Commission Meeting A G E N D A

August 28, 2024 – 5:30 PM

119 NE Church Ave and Zoom Teleconference

Meeting ID: 860 8091 1970

Call in Number: 1 (253) 215-8782 US (Tacoma)

Call to Order/Roll Call

Approval of Minutes

1. Meeting Minutes - August 14, 2024

Public Hearing

A public hearing, with a virtual/telephonic attendance option, will be held during the Planning Commission meeting on Wednesday, August 28, at 5:30 PM or as soon thereafter as possible. Any individual who wishes to testify in person or via teleconference will be allowed to do so. The hearing will be located in the City Council Chambers, 119 NE Church.

2. Viewshed Overlay Ordinance (Continuation)
 - a. Presentation
 - b. Public Testimony
 - c. Discussion
 - d. Action
3. Tree Protection Ordinance
 - a. Presentation
 - b. Public Testimony
 - c. Discussion
 - d. Action

Adjournment



File Attachments for Item:

1. Meeting Minutes - August 14, 2024



DRAFT

**CITY OF WHITE SALMON
Planning Commission Meeting - Wednesday, August 14, 2024**

COMMISSION AND ADMINISTRATIVE PERSONNEL PRESENT

Commission Members:

Greg Hohensee, Chair
Michael Morneault
Brendan Brown

Staff:

Erika Castro Guzman, Project Coordinator
Troy Rayburn, City Administrator
Kelly Hickok, Legal Counsel

Excused by majority vote:

Erika Price
Carl Trabant

Planning Consultants:

Michael Mehaffy, Consultant Housing Planner

CALL TO ORDER/ ROLL CALL

Chairman Greg Hohensee called the meeting to order at 5:30 pm. A quorum of planning commissioner members was present. Commissioners voted to excuse the absence of Erika Price and Carl Trabant. There were 18 audience members in attendance in person and via teleconference.

APPROVAL OF MEETING MINUTES

1. **Meeting Minutes – January 10, 2024**
2. **Meeting Minutes – February 28, 2024**
3. **Meeting Minutes – March 27, 2024**
4. **Meeting Minutes – April 24, 2024**
5. **Meeting Minutes – May 8, 2024**

Moved by Michael Morneault. Seconded by Brendan Brown.

Motion to approve meeting minutes of January 10, February 28, March 27, April 24, and May 8, 2024, as written.

MOTION CARRIED 3–0.

Morneault– Aye, Brown – Aye, Hohensee – Aye.

PUBLIC HEARING

6. **Viewshed Overlay Ordinance**

Planning Commission public hearing to review and discuss the newly proposed Viewshed Overlay Ordinance. Chair Greg Hohensee opened the public hearing at 5:36 PM.

A. PRESENTATION

City Administrator Troy Rayburn presented an overview of the proposed ordinance for protecting publicly accessible scenic views in White Salmon. The ordinance, supported by the 2021 Comprehensive Plan and community feedback, underscores the significance of these views to the city’s identity, economy, and quality of life. He read that it highlights the importance of preserving the small-town character and natural beauty, particularly views of

the Columbia River and mountains, which are central to the community’s vision and economic vitality.

The ordinance addresses the need to protect these views from private development, aligning with sustainability goals and preventing urban sprawl. Scenic views are crucial for tourism, local recreation, and residents' well-being, offering aesthetic and health benefits. The Comprehensive Plan advocates for long-term planning to preserve community character, and this ordinance aims to ensure that future development enhances, rather than detracts from, White Salmon’s unique qualities.

Dr. Michael Mehaffy, Planning Consultant, presented details of the proposed viewshed ordinance, including the intent to balance development needs with view protection, the specific elevation limits being considered, and the plan to grandfather existing structures while applying new restrictions to development.

In conclusion, the ordinance is seen as essential for maintaining the city’s defining features and ensuring they remain a valued resource for future generations.

B. PUBLIC TESTEMONY

Chair Greg Hohensee opened the public comment portion of the hearing at 5:52 pm.

Tim Cruikshank, Inside City Resident

Tim Cruikshank thanked the committee for the opportunity to speak and expressed his concern about the ordinance, noting that he was only recently made aware of it. He requested that the discussion be deferred to the next meeting due to insufficient notice and the complexity of the information, particularly for those who have recently purchased property. Cruikshank invited the committee and the community to visit his property at 173 NW Lincoln for a detailed review of the measurements and documentation. He extended this invitation to the mayor and city councilors as well.

Andrew Elderly, Inside City Resident

Andrew Elderly, speaking on behalf of himself and his wife, expressed concerns about the proposed ordinance affecting properties on NW Lincoln Street. He received notification of the ordinance only on August 12 and has several questions regarding the changes. Elderly questioned the city's notification guidelines for new ordinances and zoning changes, and the rationale behind the proposed height restriction based on sea level rather than ground level. He noted that the ordinance's height restrictions and visual impact assessments seem to focus on a limited area. Elderly emphasized the need for a broader discussion and suggested a communal review of the property to address concerns. He also highlighted that the proposed restrictions could diminish property values and hinder future development opportunities. He urged the committee to reconsider the ordinance and work collaboratively with property owners to find a more suitable solution.

Jamie Aliston, Inside City Resident

Jamie Aliston expressed concerns about the proposed amendment, noting that she had not been previously notified about the changes, which led to some confusion. She acknowledged the positive aspect of the proposed amendment. However, she raised concerns about potential impacts on her property and asked whether it would be possible to rebuild if

needed. Aliston requested that the height limit be increased to 686 feet to address her concerns.

Emmett Sampson, Inside City Resident

Emmett Sampson, a resident of NW Lincoln Street for 35 years, since 1989, voiced strong agreement with previous comments made by Mr. Elderly, emphasizing his concerns about recent issues related to property value and photographic evidence used in discussions. He criticized the use of cloudy photos to assess mountain visibility and suggested that clearer images taken from different locations would provide a better representation. Sampson expressed frustration with the potential devaluation of his property due to proposed regulations and highlighted the need for careful consideration of consequences before decisions are made. He also questioned the timing and communication of the meeting notice and urged that property owners' perspectives be thoroughly considered.

Ross Henry, Inside City Resident

Ross Henry, a former planning commissioner, raised several points regarding the current proposal. He questioned the origin and circulation of the survey related to the issue and expressed concern that it seemed to come as a surprise to many. Henry also inquired about potential legal challenges and associated costs if the proposal were to be contested or rejected. He highlighted the importance of aligning with the comprehensive plan, emphasizing that goals related to parks and views should be considered, especially since no specific height restrictions were established in the plan. Lastly, he suggested that the comprehensive plan's goals should guide current decisions rather than selectively referencing parts of the plan.

Carl McNew, Outside City Resident

Carl McNew, a real estate broker who assisted in the sale of one of the affected properties, expressed concerns about the current view protection measures. He criticized the approach of using sidewalk-level perspectives for view assessments, suggesting that a higher vantage point would be more appropriate. McNew also noted that the picnic shelter could be relocated. He agreed with others who felt there was insufficient notice about the proposed changes and advocated for a longer review period to better involve affected parties and consider their perspectives. McNew cautioned against potential negative impacts on property values and emphasized the importance of thorough consideration and input before finalizing the ordinance.

Ryan Kreps, Outside City Resident

Ryan Kreps, owner of Rok Investments, expressed concerns about the financial impact of the proposed zoning changes on his and his neighbors' properties. Although he does not live in White Salmon, he owns property there and is worried about diminished property values, which could affect his plans to redevelop and improve the properties. Kreps suggested relocating the park outside the city to a national scenic area where views are already protected and recommended using the funds from this move to further develop the park. He aligned with other testimonies regarding the need for more consideration of property value impacts.

Chair Greg Hohensee added four written comments to the record before closing the public comment portion of the hearing at 6:16 pm.

C. DISCUSSION

The Planning Commission reviewed and discussed the proposed White Salmon Viewshed Overlay Ordinance 2024-08-1169 for the protection of publicly accessible scenic views.

The ordinance proposes to protect public views from Rheingarten Park by limiting the maximum building height to 681 feet above sea level for 6 properties along NW Lincoln Street and N Main Avenue. Existing buildings would be exempt, but new construction and significant renovations would adhere to this height restriction. The Commission acknowledged the property owners’ concerns about inadequate notice, potential property devaluation, and constraints on future development. Planning Commissioners agreed that they had only recently learned about the ordinance, questioned its origin and complexity, particularly regarding the sea level measurement.

The Planning Commission decided unanimously to continue the public hearing to August 28 for further details and additional public input.

D. ACTION

No action. The Commission acknowledged the valid concerns raised by the public and ordered for continuation of the public hearing to the next scheduled meeting in two weeks, August 28, 2024, at 5:30, or shortly thereafter including public testimony, to allow more time for review and input, especially from the two absent commissioners.

Chair Greg Hohensee tabled the public hearing at 7:00 PM.

DISCUSSION ITEMS

7. **Recommendations to Update Development and Design Standard for Commercial Zone**
Dr. Michael Mehaffy, Planning Consultant, proposed updates to the commercial zoning standards to enhance the small-town character and walkability of the city. The changes would promote placing new commercial buildings closer to the street with parking at the rear and breaking up larger buildings to improve pedestrian-friendliness. Planning Commissioners requested that these changes be first discussed in a workshop setting before scheduling a formal public hearing.

8. **Feedback from Community Survey – Pre-approved plans and Manufactured Housing**
Dr. Michael Mehaffy, Planning Consultant, summarized the results of a recent public survey on 20 pre-approved housing plans. Of these, 16 received generally positive feedback, though some negative comments were related to the lack of photo examples for certain plans. The survey indicated a strong public preference for traditional architectural styles over modern or contemporary designs. Additionally, a second survey on 10 proposed manufactured home designs showed that 6 of the 10 received positive feedback. Designs resembling mobile homes or featuring very modern elements were less favorably received by the community.

ADJOURNMENT

The meeting was adjourned at 7:21 pm.

Greg Hohensee, Chairman

Erika Castro Guzman, City Project Coordinator

File Attachments for Item:

3. Tree Protection Ordinance

A public hearing, with a virtual/telephonic attendance option, will be held during the Planning Commission meeting on Wednesday, August 28, at 5:30 PM or as soon thereafter as possible. Any individual who wishes to testify in person or via teleconference will be allowed to do so. The hearing will be located in the City Council Chambers, 119 NE Church.

- a. Presentation
- b. Public Testimony
- c. Discussion
- d. Action

TECHNICAL MEMORANDUM

Date:	August 22, 2024
To:	White Salmon Planning Commission
From:	Alex Capron, AICP, Senior Planner; Deb Powers, Senior Arborist
Project Name:	White Salmon Tree Code Update
Project Number:	2205.0244.05

Tree Ordinance Update

The recommended tree protection code brought before the Planning Commission for public hearing follows the 30-day public comment period, running from July 10th – August 9th. A response matrix to written public comments accompanies this memo. Further, a comparative flyer is attached, covering differences in the existing Heritage Tree Ordinance and proposed Tree Protection Ordinance.

Note, the City Tree Board met on August 12, 2024 and provides recommended code changes and follow-up items as an attachment. The code online does not reflect Tree Board concerns.

A summary of code changes are as follows:

1. Creating separate tree protection and heritage tree regulations. Tree protections are for trees of a certain species and size, whereas heritage tree regulations entail a specific nomination process. This addresses community desire (per survey results) to retain mature trees.
2. Establishing size threshold for significant trees (18" Diameter Breast Height, DBH), with a special slow-growing trees (like Garry Oak per recommendations from Columbia Land Trust and East Cascades Oak Partnership) receiving a smaller assigned DBH.
3. Establishing replacement ratios for tree replacement by zone.
4. Incentives for tree retention via waiving parking requirements for ADU's and providing a reduction/credit towards stormwater flow control requirements.
5. Providing opportunities for certain tree removal with and without development.
 - a. Specifically, allowing reasonable residential structures and subdivisions while retaining trees to the maximum extent feasible.
6. Establishment of a fee in lieu program for tree replacement where replacement trees cannot realistically be placed on-site.

Specifically, the attached Draft Ordinances are as follows, and found here <https://www.whitesalmonwa.gov/planning/page/heritage-tree-ordinance-update>:

1. WSMC 18.40 – 18.41 Tree Protection Ordinance & Heritage Tree Ordinance.
2. WSMC 13.01.050 – Stormwater runoff control standards.
3. WSMC 17.72 – Off-Street Parking

To address relevance and need to improve the existing tree regulations, as well as need for tree regulations in-general, a series of topics regarding retention of trees in an urban setting is provided below.

Importance of Retaining Trees in Urban Setting¹

The urban forest provides numerous benefits to those living near and around it. These benefits include reducing urban heat island effects, stormwater management, biodiversity, improving mental health and wellness, and mitigating the impacts of climate change. While White Salmon is surrounded by protected forested area and enjoys the benefits this green space provides, trees growing within the urban fabric provide their own benefits to its residents; many of these benefits are outlined within the White Salmon Urban Forest Management Plan, published in 2019.

REDUCING THE HEAT ISLAND EFFECT²

Heat islands occur when pavement and other impermeable surfaces replace natural cover. These areas retain and absorb heat, increasing the overall temperature. As a result, energy costs increase, pollution levels increase, and wellness suffers. Extreme heat impacts people’s physical, social, and mental health, affecting vulnerable populations and exacerbating health issues. The state of Washington is expected to experience more extreme heat days in the coming decades. Eastern Washington is expected to experience between 20 and 30 more extreme heat days per year by 2050. Trees and other vegetation help to shade heat islands, offsetting the increasing temperature, deflecting the sun’s rays, and release moisture into the atmosphere. Urban neighborhoods with low canopy coverage and more impervious surfaces experience increased temperatures. Planting new trees and maintaining existing tree canopy cover helps to offset the heat island effect created in urban environments by increasing the shade potential of the urban forest.

STORMWATER MANAGEMENT³

The impervious surfaces present in urban area collect stormwater runoff limiting soil absorption and funneling it causing quality and quantity issues. Stormwater runoff in urban areas include contaminants which is often funneled into nearby streams, rivers, lakes, and eventually ocean affecting the quality of life for the surrounding wildlife. When trees and other woody shrubs are included in the hydraulic cycle,

¹ Benefits of Trees. ISA and Trees Are Good Publication.

https://www.treesaregood.org/Portals/0/TreesAreGood_Benefits%20of%20Trees_0321_1.pdf

² EPA Urban Heat Island Effect. <https://www.epa.gov/green-infrastructure/reduce-urban-heat-island-effect#:~:text=Trees%2C%20green%20roofs%2C%20and%20vegetation.releasing%20moisture%20into%20the%20atmosphere.>

³ Urban Forests & Stormwater Management. USDA and US Forest Service.

<https://research.fs.usda.gov/srs/products/compasslive/urban-forests-stormwater-management>

they intercept falling rain, slowing its descent reducing erosion, they remove excess water from the surrounding soil, and participate in filtering out contaminants from the rainwater through soil infiltration and phytoremediation.

SUPPORTS BIODIVERSITY⁴

Urban trees provide habitat and food sources for birds, bees, and other animals living in the urban fabric. They help in creating microclimates that support additional plant life. A diverse urban forest that avoids monoculture plantings, lowers the risk of plant pest and disease outbreaks that may increase disease pressures felt by the surrounding forest.

Encl: Tree Board recommended code edits, Comparative Tree Code flyer, Comment Response Matrix, and written public comment,

⁴ Benefits of Urban Trees. South Carolina Forestry Commission. <https://www.scfc.gov/management/urban-forestry/benefits-of-urban-trees/>.

Key: Bold Underlined = added language
~~Bold Strikethrough~~ = deleted language

Chapter 18.40 – TREE PROTECTION.

18.40.010 - Purpose.

The purpose of this Chapter is to establish a process and standards to provide for the preservation, replacement, and protection of trees located in the City of White Salmon to:

- A. Implement the policy goals and objectives outlined in the City's Comprehensive Plan and Community Forest Management Plan and support efforts towards greater climate and wildfire resiliency (placeholder for Climate Action Plan);
- B. Promote site planning, building and development practices to prevent indiscriminate removal or destruction of trees, avoid unnecessary disturbance to trees and vegetation, and provide for replanting in order to maintain canopy cover, reduce erosion, and minimize risk of wildfires;
- C. Preserve and enhance White Salmon's aesthetic, community character, biodiversity, and wildlife habitat provided by native vegetation and mature trees;
- D. Protect the native Oregon white oak through retention and replacement; and
- E. Promote best practices to maximize ecosystem services provided by trees, including improved air quality, stormwater filtration, and carbon storage and sequestration, as well as trees' contributions to the livability, public health, safety, and quality of life in White Salmon.

18.40.020 - Definitions.

The requirements provided in this section supplement those identified in Title 17 and 18. The most restrictive definitions and those protective of the environment shall prevail.

1. American National Standards Institute (ANSI) - the ANSI A300 industry consensus standards developed by the Tree Care Industry Association and written by the Accredited Standards Committee (ASC) for the management of trees, shrubs, and other woody vegetation.
2. Diameter at breast height (DBH) – diameter or thickness of a tree trunk measured at 4.5 feet above grade. If the tree is a multi-stem tree, the total DBH is the square root of the sum of the DBH for each individual stem squared per ANSI A300 standards. If the main union is at or below 4.5 feet above grade, the measurement will be taken below the main union.
3. Grove – three or more significant and/or special trees with overlapping or touching branches.

4. Hazard tree – a tree or tree part assessed by a qualified professional as having an extreme or high overall risk rating using the ISA Tree Risk Assessment Qualification (TRAQ) method in its current form.
5. Heritage tree – any tree that because of its age, size, unique type, or historical association that is of special importance to the city, as nominated pursuant to WSMC 18.41.020.
6. Nuisance tree – a tree causing significant physical damage to a private or public structure and/or infrastructure, including but not limited to the sidewalk, curb, road, water or sewer or stormwater utilities, driveway, parking lot, building foundation, or roof; or is severely infested with an insect, pest, and/or other pathogen that significantly impacts the long-term viability of the tree.
7. Prohibited tree – trees that are exempt from tree protection provisions in this chapter, including red alder (*Alnus rubra*), black cottonwood (*Populus trichocarpa*), holly (*Ilex aquifolium*), Tree of Heaven (*Ailanthus altissima*), or other invasive trees listed by the state or county weed control board (not including trees located within critical areas).
8. Pruning – the practice of selectively removing branches from a tree using approved practices to achieve a specified objective based on ANSI A300 Tree Care Standards best practices. Pruning that exceeds twenty-five percent (25%) of a tree’s live canopy within twelve (12) consecutive months constitutes tree removal.
9. Qualified professional arborist – a person with relevant education and training in arboriculture or urban forestry, having the International Society of Arboriculture (ISA) Arborist Certification and for purposes of hazard tree evaluation, TRAQ (tree risk assessor) qualification.
10. Topping – indiscriminate cuts made between branches that leave a stub, without regard to long-term tree health or structural integrity, used to reduce the height or crown size of an established tree. Topping is not an acceptable pruning practice pursuant to 2023 ANSI A300 Tree Care Standards. This definition does not apply when the sole purpose is to create snag(s) for wildlife habitat.
11. Tree protection zone (TPZ) – an area defined during site development by a qualified professional arborist that is equal to 6-18 times the DBH, where construction activities and access are limited to protect tree(s) and soil from damage necessary to sustain tree health and stability. TPZ denotes the location of tree protection fencing.
12. Significant Tree – a regulated tree with a DBH of more than 18 inches.
13. Special Tree – a regulated tree with a DBH that is equal to or greater than the diameters listed in the Special Tree Table below:

<u>Special Tree Table</u>	
<u>Native Species</u>	<u>DBH Threshold</u>
<u>CASCARA — Rhamnus purshiana</u>	<u>8 in</u>
<u>Pacific DOGWOOD — Cornus nuttallii</u>	<u>6 in</u>
<u>Ponderosa Pine - Pinus ponderosa</u>	<u>12 in</u>
<u>Vine MAPLE — Acer circinatum</u>	<u>8 in</u>
<u>Oregon white oak or Garry OAK — Quercus garryana</u>	<u>6 in</u>

18.40.030 - Significant tree removals and maintenance, not associated with development.

- A. **To ensure that trees function well in their intended landscape, the City of White Salmon promotes the proper care of trees on private property to ensure trees reach their normal life expectancy and contribute to optimal benefits to the community. For that reason, tree topping is prohibited and may be considered tree removal per WSMC 18.40.020(6).**
- B. **Tree removal allowance. Any private property owner of developed property may remove up to a specified number of significant and/or special trees with the submittal of a tree removal notification to the city.**
- C. **On any single legal parcel where no exterior construction, demolition, grading, material storage, or other development activity is proposed, one significant or special tree may be removed per 12-month period or a maximum of two trees may be removed per 24-month period.**
 - 1. **A tree or tree(s) may not be removed without permit under the following conditions:**
 - a. **The tree is a heritage tree (see WSMC 18.41);**
 - b. **The tree is located within a critical area or critical area buffer;**
or
 - c. **The tree is in an Oregon White Oak woodland as protected under WSMC 18.10.312 ([Ord. 2023-11-1152, effective January 1, 2024](#))**
- D. **Removal of hazard or nuisance trees. Removal of hazard or nuisance trees does not count toward the tree removal allowances if the nuisance or hazard condition is supported by a qualified professional arborist and approved by the city. The**

city may request an arborist's report prepared by a qualified professional arborist to be submitted to the city and paid for by the applicant.

- E. Emergency tree removal. In case of emergency, when a tree is imminently hazardous or dangerous to life or property, it may be removed by order of the police chief, fire chief, the director of public works or their respective designees without a permit, so long as notification before or immediately after the event is provided.

18.40.040 – Significant and Special tree retention associated with development.

- A. The City's objective is to mitigate the impacts of incremental canopy loss due to development by establishing clear standards for the retention of significant and special trees and for planting and maintenance of new trees.
- B. Retention of significant and special trees. Development proposals shall retain significant and/or special trees to the maximum extent feasible. Deviation requests can be accomplished pursuant to WSMC 18.40.060. Removal of a significant and/or special tree shall be limited to the following circumstances:
1. If the tree is dead or meets the criteria of a hazardous tree, as determined by a qualified professional arborist.
 2. A significant and/or special tree can be removed if its presence reduces the building area of the lot by more than fifty percent after all potential alternatives have been considered, including a possible reduction to setbacks and minimum yard depth and width requirements.
 3. If retention of the tree limits the structural footprint to less than the following:
 - a. Single-family home: 1,000 square feet
 - b. Townhomes or multi-family units: 900 square feet per unit
 - c. Accessory Dwelling Unit: 700 square feet
 - d. Businesses/Commercial: 1,200 square feet or the amount of square footage necessary to support the existing or proposed use, as shown by the applicant in a site development permit.
 4. Retention of a significant and/or special tree or grove will prevent creation of a residential lot through a subdivision or short subdivision.
 5. A significant and/or special tree cannot be removed to facilitate construction access and will only be considered for removal if it impedes the ability of the landowner to develop permitted buildings or permanent access as described by an approved driveway permit, pursuant to WSMC 13.01.070.
- C. Any properties undergoing development activities, including but not limited to grading, excavation, demolition, or other construction activity, within the tree protection zone of significant and/or special trees shall be required to develop a tree retention plan, to be submitted for review by the Planning Administrator.
1. Tree retention plans shall be prepared by a qualified professional arborist and include the following:
 - a. A site plan containing the following information:

- i. Footprint of the house(s), driveway(s), utilities, streets and any other proposed improvements;
- ii. Grade changes;
- iii. Surveyed location of significant and/or special trees or heritage trees (subject to WSMC 18.41);
- iv. Trees to be removed noted with x's or ghosted out indicating proposed tree removals; and
- v. Location of tree protection fencing drawn to scale at the TPZ for retained trees.
- b. A tree inventory containing the following information:
 - i. All significant/special trees on the subject property listed by common name and genus/species, identified by numbers that correspond to the site plan, size (DBH), general health condition rating, and indications of proposed tree removals.
 - ii. The inventory shall include trees on adjacent properties with canopies extending onto the subject parcel that may be impacted by the proposed development.

D. Tree protection with development. Reasonable efforts to protect significant and/or special trees shall include the following:

- 1. Tree protection fencing placed along the TPZ. Fencing shall be constructed of chain link (or other approved material) and at least six feet high.
- 2. Avoidance of grading, excavation, demolition, or other construction activity within the TPZ.
- 3. The city shall consider modifications to the TPZ at the recommendation of the qualified professional arborist.

18.40.050 - Tree replacement requirements.

A. Each significant and/or special tree removed under an approved development permit must be replaced according to the following table:

Table 1. Significant/Special Tree Replacement Ratios.

<u>Zone</u>	<u>Number of Replacement Trees Required per Tree Removed</u>
<u>R1</u>	<u>2</u>
<u>R2</u>	<u>2</u>
<u>R3</u>	<u>1</u>
<u>Commercial</u>	<u>1</u>
<u>RL</u>	<u>3</u>
<u>MH</u>	<u>1</u>
<u>All others</u>	<u>1</u>

B. In addition to the replacement requirements in Table 1, Oregon white oak trees shall be replaced by a minimum of two (2) replacement trees for every tree removed.

- C. The Planning Administrator may require up to four (4) replacement trees per significant and/or special tree removed on a tree-by-tree basis in all zones.
- D. Fee in-lieu. A fee in-lieu of tree replacement may be allowed if a parcel cannot adequately accommodate the number of replacement trees required to be planted, subject to approval by the Planning Administrator.
 - 1. The base fee per tree is established *in the schedule of land use and site work permit fees*. At a minimum, the fee must be set to account for the cost of a tree, installation (labor and equipment), maintenance for three years, and fund administration.
 - 2. Fee-in-lieu is required for each replacement tree that is required but is not planted on site.
 - 3. The fee must be paid prior to the issuance of a development permit.
 - 4. Funds collected through fee in-lieu may be used for the purposes of:
 - a. Planting and maintaining trees on publicly owned property within the City;
 - b. Irrigation and related work necessary for the successful establishment of new trees;
 - c. Establishing and maintaining a monitoring program for the removal and replacement of trees;
 - d. Urban forestry education;
 - e. Other purposes relating to public trees as determined by the City Council.

18.40.060 – Development Incentives and Deviation Requests.

- 1. In order to retain significant and/or special trees or grove of trees anywhere on the property, an applicant may opt to utilize development incentives, seeking relief from stormwater flow control, subject to WSMC 13.01.050.B(5).
- 2. Where retention of significant and/or special trees or grove of trees anywhere on the property conflicts with development of an ADU, an applicant may opt to utilize deviations seeking relief from off-street parking standards from proposed ADU(s), per Title 17 – Zoning and WSMC 17.72.
 - a. The applicant must provide a brief memo describing why this deviation request is necessary and there is no feasible alternative, including but not limited to:
 - i. Shift or flip (mirror) the location of proposed building footprints and driveways;
 - ii. Relocate utilities when feasible, taking into account gravity and location of existing mains;
 - iii. Avoid rockery/retaining walls located within TPZs to maintain existing grades.

18.40.060 Enforcement. City enforcement of the tree protection regulations contained in this chapter may include:

- A. It is unlawful for any person to remove a significant and/or special tree or impact said tree in such a way that its' removal becomes necessary. Any person who vandalizes, grievously mutilates, destroys or unbalances a significant tree without a authorization or beyond the scope of an approved permit shall be in violation of this chapter.
- B. Stop work on any construction project which threatens a significant and/or special 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
- C. Stop work on any arborist work or construction project that does not display a permit for removal or major pruning of a significant and/or special tree.
- D. 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 of at least five thousand dollars 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.

Chapter 18.41 – HERITAGE TREES.

18.41.010 - Purpose. The city acknowledges that heritage trees provide valuable local habitat and that the preservation of such trees is critical to maintaining the character of White Salmon. The purpose of this chapter is to define the process for nominating or removing heritage trees and to establish the heritage tree registry.

18.41.020 - Applicability.

- A. Heritage trees include:
 - ~~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, and~~
 1. Any tree designated as a heritage tree by the city council in accordance with the nomination process detailed below.

18.41.030 - Heritage tree nomination process.

- A. Heritage trees may be designated in accordance with the following nomination and designation process:
 1. Nominations for heritage tree(s) must fit the size criteria defined in this chapter, be outstanding specimens, or of distinctive age, form, location, or of ecological, cultural or historical significance. Trees with smaller trunk diameters may also be nominated for heritage status.
 2. Any party may nominate a heritage tree; however the nomination must be approved 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.

3. Nomination applications must include a map showing the tree's location on the property, photograph, and a narrative description of the location, species, trunk diameter, approximate age, and the specific characteristics and reasoning on which the nomination is based.
- B. The city shall inspect the tree(s), consult with a qualified professional arborist to verify the nominated tree does not fit hazard tree criteria, and decide whether or not the tree(s) are to be designated a heritage tree or tree grove. Notice of the city's decision shall be mailed to the land owner and any other parties participating in the nomination process.
- C. At the request of the property owner, the Council may be asked, but is not required to, reverse the designation of a heritage tree.

18.41.040 - Heritage tree registry. The city shall maintain a registry of heritage trees or groves designated within the city limits in response to the voluntary nomination process. The registry may include a map identifying the location of the trees, date tree was designated and a brief narrative description of each heritage tree.

18.41.050 - Heritage tree removal.

- A. **Heritage trees may only be removed if they meet the circumstances outlined in WSMC 18.40.040.B(1).**
- B. **Removal of a heritage tree requires public signage of the pending removal, including permit number and date of removal, no less than 14 days before the removal date.**
- C. **Removal decisions by the administrator are not contestable by the public, but illegal removals are reportable by the public.**

18.41.060 - Heritage tree declassification. A heritage tree may be removed from heritage tree status at the request of the property owner after providing written notice to the city and receiving city approval.

Chapter 17.72 OFF-STREET PARKING AND LOADING

17.72.010 Standards generally.

It is the intent of this chapter to allow for parking and loading standards.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.020 Purpose of provisions.

The provision of off-street parking and loading space in accordance with the needs and requirements of particular property use is a necessary public policy in the interest of traffic safety, minimizing congestion, and to provide harmonious development.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.030 New uses—Minimum requirements.

New uses in all districts shall meet the minimum standards of this title.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.040 Parking spaces—Size and access.

- A. Each off-street parking space shall have a net area of not less than one hundred sixty square feet, exclusive of access drives or aisles, and shall be of usable space and condition. If determined on a gross-area basis, three hundred square feet shall be allowed per vehicle.
- B. If the required parking space for a one-family or two-family dwelling is not provided in a covered garage, then such space shall not be less than two hundred square feet, and shall be so located and/or constructed that it may later be covered by a garage in accordance with the provisions of this title and the city building code.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.050 Parking spaces—Location.

Off-street facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be the maximum walking distance, measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve.

- A. For one-family and two-family dwellings: on the home lot with the building they are required to serve;
- B. For multiple dwellings: one hundred fifty feet;
- C. For hospitals, sanitariums, homes for the aged, asylums, orphanages, club rooms, fraternity and sorority houses, as approved by city council.

-
- D. For residential units in all zones except R-L, assigned parking in remote lots may be substituted for the required off-street parking if they are located within 200 feet of the subject property, and a binding agreement is furnished to the City for review and approval under 17.72.070.

(Ord. No. 2012-11-905, 11-26-2012)

Commented [AC1]: Existing Ord 2023-11-1155, effective Jan. 1, 2024 (or as amended).

17.72.060 Parking spaces—Expanded or enlarged uses.

Whenever any building is enlarged in height or in ground coverage, off-street parking shall be provided for expansion or enlargement, in accordance with the requirements of the schedule set out in Section 17.72.090; provided, however, that no parking space need be provided in the case of enlargement or expansion where the number of parking spaces required for such expansion or enlargement since the effective date of the ordinance codified in this title is less than ten percent of the parking space specified in the schedule for the building. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building existing as of September 12, 1973.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.070 Joint use—Authorized when.

The City may authorize the joint use of parking facilities for the following uses or activities under the conditions specified:

- A. Up to fifty percent of the parking facilities required by this chapter for a theater, bowling alley, dancehall, restaurant, or other similar uses, may be supplied by the off-street parking provided by other "daytime" types of uses;
- B. Up to fifty percent of the off-street parking facilities required by this chapter for any "daytime" buildings or uses may be supplied by the parking facilities provided by uses herein referred to as "nighttime" uses;
- C. Up to one hundred percent of the parking facilities required by this chapter for a church or auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities serving primarily "daytime" uses.
- D. Up to one hundred percent of the parking facilities required for residential uses in all zones except R-L, when the joint use facility serves primarily "daytime" uses.
- E. If the required amount of off-street parking has been proposed to be provided off-site, the applicant shall provide written contracts with affected landowners showing that required off-street parking is and will continue to be provided in a manner consistent with the provisions of this chapter. The contracts shall be reviewed by the city for compliance with this chapter, and if approved, the contracts shall be recorded with the county records and elections division as a deed restriction on the title to all applicable properties. These deed restrictions may not be revoked or modified without authorization by the city.

(Ord. No. 2012-11-905, 11-26-2012)

Commented [AC2]: Existing Ord 2023-11-1155, effective Jan. 1, 2024 (or as amended).

17.72.080 Joint use—Location and other conditions.

- A. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be demonstrated to the city to be within suitable walking distance for the nature of the use being served.

(Supp. No. 26)

Created: 2023-09-15 10:52:09 [EST]

B. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.090 Number of spaces for designated uses.

The following table sets out minimum standards for parking spaces:

Use	Spaces Required
Residential structures	2 for each dwelling unit unless otherwise specified; 1 for each ADU unless otherwise specified, or zero for ADU's so long as the criteria under WSMC 18.40.060 – Development Incentives and Deviation Requests (Tree Protection Chapter) are met.
Auto courts, motels	1 for each sleeping unit
Hospitals and institutions	1 for each 4 beds
Theaters	1 for each 4 seats except 1 for each 8 seats in excess of 800 seats
Churches, auditoriums and similar open assembly	1 for each 50 square feet of floor area for assembly not containing fixed seats
Stadiums, sports arenas, and similar open assembly	1 for each 6 seats and/or 1 for each 100 square feet of assembly space without fixed seats
Dancehalls	1 for each 50 square feet of gross floor area
Bowling alleys	6 for each alley
Medical and dental clinics	1 for each 150 square feet of gross floor area
Banks, business and professional offices with on-site customer service	1 for each 400 square feet of gross floor area
Offices not providing customer services on premises	1 for each 4 employees or 1 for each 800 square feet of gross floor area
Warehouse, storage and wholesale business	1 for each 2 employees
Food and beverage places with sale and consumption on premises	1 for each 200 square feet of gross floor area
Furniture, appliance, hardware, clothing, shoe, personal service stores	1 for each 600 square feet of gross floor area
Other retail stores	1 for each 300 square feet of floor area, or at a ratio of 1 inside to 1 outside
Manufacturing uses, research, testing, assembly, all industries	1 for each 2 employees on the maximum working shift and not less than 1 for each 800 square feet of gross floor area
Uses not specified	Determined by planning commission

Commented [AC3]: Existing Ord 2023-11-1155, effective Jan. 1, 2024 (or as amended).

(Supp. No. 26)

Created: 2023-09-15 10:52:09 [EST]

(Ord. No. 2012-11-905, 11-26-2012)

(Supp. No. 26)

Created: 2023-09-15 10:52:09 [EST]

13.01.050 Stormwater runoff control standards.

- A. The review and approval of construction permits for regulated activities subject to this chapter shall be based on the conformance of the development plans with the standards of this section. The city official may impose any conditions of approval needed to assure that the development plan meets the appropriate standards.
- B. Generally, the city stormwater runoff control standards are based on low impact development (LID) techniques that minimize impervious surfaces and infiltrate stormwater on site. Tight line conveyance of stormwater onto adjacent property will be allowed only if there is no other feasible alternative and only if the proposed location and volume of runoff will not change.
1. If the development proposes more than two thousand square feet of impervious surface, the developer shall calculate the estimated runoff volume for the design storm specified by the city official. The runoff volume shall be calculated as follows: $\text{impervious area (sf)} \times 0.10 \text{ (ft)} = \text{runoff volume (cf)}$.
 2. Infiltration facilities must be constructed capable of infiltrating the design storm runoff volume.
 3. If the development proposes less than two thousand square feet of impervious area, the developer shall provide for and install industry standard LID facilities to control runoff from all impervious surfaces.
 4. In either instance the developer/homeowner is encouraged to consider potential to size and locate detention tanks to allow storm water to accumulate during wet months for re-application to the site as landscape irrigation during dry months. This source may only supplement rather than eliminate reliance on potable water for landscape irrigation but as costs of water increase so does the incentive to decrease reliance on potable water for landscape irrigation.
 5. The developer/homeowner may receive a runoff volume credit for retaining significant and special trees on-site. Significant and special trees are defined within WSMC 18.40 (Ord XX).
 - a. The credit is such that the square footages for impervious surface requiring stormwater treatment is offset by the canopy square footage of on-site significant trees at a 2:1 ratio. For example, a 1,000 square foot canopy equates to 500 square feet fewer of impervious surface that has to be treated on-site per WSMC 13.01.050.B(1).

(Ord. No. 2012-11-903, § 1(Atch), 11-26-2012)

White Salmon Tree Code Update (WSMC 18.40 - 18.41 & Chapter 17.72 Off Street Parking and Chapter 13.01.050 Stormwater Runoff Control Standards)

Public Comments Matrix – Comment Period July 10th – August 9th, 2024.

The City of White Salmon is undergoing an update of its existing Heritage Tree Ordinance (WSMC 18.40) to improve implementation of this code as it relates to tree canopy preservation and in light of the City’s Housing Action Plan adoption. These responses to comments are in-draft in-advance of the Planning Commission Public Hearing held on 8/28/24, and do not cover verbal comments.

	Email Address	Name/Organization	Date	General Topic of Concern	Memo Topic & Reference Location
1	nathene@klickitatcounty.org	Nathan Erickson, Klickitat County Public Works	7/22/24	Attachment: Comments on WS-SEPA-2024.002 Tree Protection Ordinance: <ul style="list-style-type: none"> Concerns with off-street parking loading requirements. Permit process for County road connection 	Parking & Public right-of-way access – Response #1
2	william.weiler8@gmail.com	William Weiler	7/22/24	Disappointed that white oaks and other Heritage Trees measuring 18” DBH was deleted from draft code.	White Oak protection – Response #2
3	nanettestevenson@hotmail.com	John and Nanette Stevenson	8/7/24	Strongly opposed due to overreach. Should only apply to public land.	Removing Trees on Private Property – Response #3
4	grantc165@gmail.com	Grant Cheney	8/8/24	Strict, onerous, concerned about fire risk, affordable housing.	Removing Trees on Private Property – Response #3, Firewise – Response #4, Housing – Response #5
5	laura@gorge.net	Laura Cheney	8/8/24	Fire risk.	Firewise – Response #4
6	lori@pathfinder-re.com	Lori Clark	8/9/24	Objects due to overreach, fire risk, affordable housing, cost of arborist services, view protection. Feels current tree ordinance and critical area code are adequate.	Removing Trees on Private Property – Response #3, Firewise – Response #4, Housing – Response #5
7	chinman@hoodriverinn.com	Chuck Hinman	8/9/24	Objects due to questionable effectiveness to protect trees, does not support other city goals (housing density/affordability), fire risk, cost of arborist services.	Removing Trees on Private Property – Response #3, Firewise – Response #4, Housing – Response #5
8	tstevenson@gorge.net	Tom Stevenson	8/9/24	Attachment: Concerns with fire risk, affordable housing, science behind tree	Removing Trees on Private Property – Response #3,

White Salmon Tree Code Update (WSMC 18.40 - 18.41 & Chapter 17.72 Off Street Parking and Chapter 13.01.050 Stormwater Runoff Control Standards)

Public Comments Matrix – Comment Period July 10th – August 9th, 2024.

				age/size. Notes views of trees in surrounding scenic area. Suggests tree replacement for removals, tree growth/planting in the right of way/public land, that tree planting on private land be encouraged to respect development and fire danger.	Firewise – Response #4, Housing – Response #5
--	--	--	--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------

Topic

Parking & Public right-of-way access

1. Response: Change not recommended. The amendments proposed the Chapter 17.72, off-street parking and loading only pertain to a waiver from ADU off-street parking requirements (one per ADU otherwise required) and is narrowly tailored to that amendment alone as an incentive to retain mature trees on-site.

White Oak protection

2. Response: Change not recommended. The removal of white oaks from the heritage tree ordinance is in-fact a replacement and improvement of protection of these tree species. A white oak or Quercus garryana is protected as a special tree in the draft ordinance (WSMC with a tree size of 6” or greater in Diameter Breast Height (DBH), as deemed a slow growing tree by Columbia Land Trust and the East Cascades Oak Partnership in correspondence with them for technical guidance. Their guidance mentions examples of 2-3” white oaks that approach 100 years old. So, a 6” from the original 14” is deemed appropriate, consistent with growth patterns in the area.

Removing Trees on Private Property

3. Response: Change not recommended. At a high-level, this revised ordinance carries the intent of the City’s existing 2019 Community Forest Management Plan forward to retain mature trees City-wide due to their multiple benefits providing for climate resiliency, habitat and aesthetics. Trees such as the white oak carry special importance, as these mature trees are fire adapted, with oaks carrying thick bark and waxy leaves that resist burning (East Cascades Oak Partnership, 2024). Even so, the proposed code (WSMC 18.40.030) allows for up to two trees to be removed within a 24-month period without an arborist report without development. This allowance addresses concerns brought up by Planning Commission early on in this project with the current code, addressing affordability with single family property owners wanting trees removed, yet

White Salmon Tree Code Update (WSMC 18.40 - 18.41 & Chapter 17.72 Off Street Parking and Chapter 13.01.050 Stormwater Runoff Control Standards)

Public Comments Matrix – Comment Period July 10th – August 9th, 2024.

still meets the purpose statement under WSMC 18.40.010 to prevent indiscriminate removal or destruction of trees. For trees impacting existing views, homeowners do have the ability to trim trees up to 25% of a tree crown without a permit. For concerns regarding diameter standards, see response #2 above. With regard to imminent hazards related to life and property, the code does authorize removal without permit in notifications to either Public Works, police chief or fire chief under WSMC 18.40.030(E). Otherwise, hazard and nuisance trees can be removed with an arborist report, thereby ensuring safe arboricultural practices are observed during removal.

Firewise

4. Response: Change recommended: Currently, the Department of Natural Resources (DNR) is updating their Firewise maps which will be required to be followed on a local level. Implementation of the Wildland Urban Interface Code (WUI) by the State Building Code Council (SBCC) is expected to occur in late 2025 at the earliest. When complete, local jurisdictions will have six months to adopt a variation of those maps at a local level with the ability to modify maps in coordination with jurisdictions throughout the state. In response to the DNR Firewise program in coordination with the Washington State Building Council, the City is considering language that defers to the Regional Fire Authority in wildfire planning. The City may consider defensible space measures in consultation with the Regional Fire Authority and Underwood Conservation District ahead of DNR code mandates.

Housing

5. For fire risk, see response #3. Housing. Change not recommended. This code focuses on development incentives for new and re-development of single-family lots. The code allows for the maximum of two ADU's allowed in R1, R2 and R3 zones for ADU's 700 square feet in-size, and does the same for townhomes 900 square feet in-size, thereby avoiding the variance process currently allowed for single family lots that wish to exceed the 50% lot area for residential units. Tree replacement would instead be required for development proposal removing trees per WSMC 18.40.050 and the maximum trees feasible would be retained through an arborist study.



KLICKITAT COUNTY

PUBLIC WORKS DEPARTMENT

115 WEST COURT STREET, MS 303, GOLDENDALE, WASHINGTON 98620 • FAX 509 773-5713 • VOICE 509 773-4616
JEFF HUNTER – PUBLIC WORKS DIRECTOR

Date: July 22, 2024

To: Erika Castro-Guzman; Planning Project Coordinator, City of White Salmon

From: Nathen Erickson, Public Works *Nathen*

Re: WS-SEPA-2024.002; City of White Salmon

Public Works has reviewed the proposed SEPA and has the following comments:

- Off-street parking and Loading:
 - This document doesn't appear to have a section explaining the requirements for loading? The only mention is in 17.72.010 & 17.72.020.
- Though this is a non-project action, for projects in the future: Prior to any connection being constructed to a County road, the applicant shall apply for and receive an approach permit from Klickitat County Public Works.

Deb Powers

From: DPowers@facetnw.com
Subject: FW: Proposed City of White Salmon Tree Ordinance

From: Erika Castro-Guzman <erikac@ci.white-salmon.wa.us>
Sent: Monday, July 22, 2024 4:29 PM
To: Deb Powers <DPowers@facetnw.com>; Alex Capron <ACapron@facetnw.com>
Subject: Fwd: Proposed City of White Salmon Tree Ordinance

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Deb,
We've received a second comment for the tree protection ordinance.

Kindly,

Erika Castro Guzman | [City of White Salmon](#) (509) 493.1133 ext 209

Please allow 48 hours for a response due to the high volume of emails

Disclaimer: The Building/Planning Department strives to give the best customer service possible and to respond to questions as accurately as possible based on the information provided. However, answers given at the counter and before application are not binding, staff cannot waive any provisions of Code or state law, and the information as may be provided is not a substitute for formal Final Action, which may only occur in response to a complete application to the Building/Planning Department. Those relying on verbal input or preliminary written feedback do so at their own risk. Fees and timelines are subject to change. Zoning, Land Division, and other White Salmon Municipal Code sections are subject to change.

----- Forwarded message -----

From: William Weiler <william.weiler8@gmail.com>
Date: Mon, Jul 22, 2024 at 4:27 PM
Subject: Fwd: Proposed City of White Salmon Tree Ordinance
To: erikac@whitesalmonwa.gov <erikac@whitesalmonwa.gov>

----- Forwarded message -----

From: William Weiler <william.weiler8@gmail.com>
Date: Mon, Jul 22, 2024 at 4:20 PM
Subject: Proposed City of White Salmon Tree Ordinance
To: Cyndi Strid <cyndi.strid@gmail.com>, Douglas Miller <dpdkayak@gorge.net>, chelanharkin <chelanharkin@gmail.com>, Lloyd DeKay <ldekay46@gmail.com>, Joe Garoutte <info@bigbritches.org>, Jeanette Burkhardt <jeanette@ykfp.org>, pastorandy@bethelwhitesalmon.org

<pastorandy@bethelwhitesalmon.org>, Amanda Lawrence <amandal@nextdoorinc.org>, amandaholtmankitchings@gmail.com <amandaholtmankitchings@gmail.com>, <dan_miller@nps.gov>, eileenrock11 <eileenrock11@gmail.com>, jayletto1@gmail.com <jayletto1@gmail.com>, <stepheniegoing@gmail.com>, <uskermani@charter.net>, Pat Connolly <connollp@gorge.net>, jh@harkin.net <jh@harkin.net>

Dear Planning Project Coordinator: Castro-Guzman

Thank you for the opportunity to review and comment on the proposed Tree Protection Ordinance.

It all looks good except for the most important part: the designation of Heritage Trees. For some unknown and most disappointing reason, the original language designating Oregon white oaks and other trees over 18" dbh was deleted from the draft proposal.

Oregon white oak is the most important wildlife tree in Washington State due its production of acorns and its tendency to self prune during winter storms, resulting in tree cavities which are utilized by more than 100 species.

The other deleted Heritage Tree designation, "trees over 18" dbh" also serve the needs of both wildlife and people as the larger trees provide abundant shade, aesthetics, and more flowers, seeds, and fruits than younger trees.

The Tree Protection Ordinance loses a lot of clout to protect trees if there are no trees on the list to protect.

I urge that the original tree-conserving language be reinstated.

Thank you for your consideration.

Sincerely,

Bill Weiler

Wildlife Biologist

Deb Powers

From: DPowers@facetnw.com
Subject: FW: Tree ordinance comment

----- Forwarded message -----

From: **Grant Cheney** <grantc165@gmail.com>

Date: Thu, Aug 8, 2024 at 7:32 PM

Subject: Tree ordinance comment

To: <Erikac@whitesalmonwa.gov>

Hello Erica.

I thought I would weigh in on the updated tree ordinance.

First of all, regarding the compulsion to update the ordinance to satisfy the ISA standards seems like a change for the sake of change. A one-size-fits-all standard like the ISA standard does not take into consideration variables that the city of White Salmon possesses. We live in an area where it is quite dry and windy in the summertime, two qualities that greatly contribute to fire danger. Do the creators of the ISA standards consider these variables or offer adjustments to the standards for areas such as ours? It appears they do not.

Second of all, removal of trees and brush is the best method of reducing the possibility of damage to your home if an outside fire occurs. Creating obstacles that exist in the tree ordinance, only make it more difficult and expensive to protect your existing home or potential home from fire danger. Considering that insurance companies are becoming increasingly concerned with fire danger, there could be a time when requirements of a tree ordinance may present a barrier to purchasing insurance due to the inability to reduce fire danger to an acceptable level. It takes heat, oxygen, and fuel to create a fire. We cannot control heat or oxygen, but we can control the fuel.

Lastly, it appears the increasingly strict requirements of the tree ordinance update continues to add to an ever-increasing set of complicated rules and procedures that present barriers to outsiders that hope to live in the paradise that is White Salmon. People of low and middle income are finding it increasingly difficult to live or move here due to the expense of existing housing and lack of affordable housing. These housing inequalities have arisen mostly as a result of the restrictive nature of building housing in our area. How long will it be before our town, that was once small and humble, pushes out low and middle income residents in favor of wealthy elites that can easily afford the exorbitant expense required to live here?

Thank you!

Grant Cheney
475 SE Oak Street
White Salmon, WA

Deb Powers

From: DPowers@facetnw.com
Subject: FW: Tree Ordinance 18.40.010

----- Forwarded message -----

From: **laura at gorge.net** <laura@gorge.net>
Date: Fri, Aug 9, 2024 at 10:34 AM
Subject: Tree Ordinance 18.40.010
To: <erikac@ci.white-salmon.wa.us>

Hi Erika, please pass on to all those involved with the proposed tree ordinance.
Thank you, Laura Cheney

To: Mayor Keethler, White Salmon City Council, White Salmon City Planning Commission, To Whom it May Concern:

It's safe to say, I think, that we all love trees and what they can provide: homes for families, cooling shade and relaxing serenity, sequester carbon, beautiful furniture, clean air through photosynthesis, habitat for many critters. It's our responsibility to care for trees wisely so they can continue to create all these things that make our lives more beautiful.

In my opinion the proposed Tree Ordinance No. 18.40.010 does not protect trees, it actually puts trees at more risk for fire.

As an example, the significant decrease in BDH for protected trees creates increased density by way of the 'Grove' restriction which in turn increases the risk of fire--more fuel on the forest floor. Also, requiring the landowner to hire an arborist to adjudicate increases the cost to any sort of action a landowner might take, costs in addition to such things as permits. More hoops for the landowner to jump through and more red tape to navigate.

I call your attention to the Tunnel 5 fire last year which raged up the bluff in Cook burning a home and leaving people homeless. It threatened to jump the river to White Salmon, but luckily did not. Tree density up that bluff helped fuel that fire. Likewise, landowners attempting to clear brush and trees on their property over the bluff in White Salmon would fall prey to this restrictive ordinance, making it almost impossible to lower risk of fire.

As I write this on Wednesday afternoon, August 7, two water tanker airplanes acting in tandem fly almost over our house, swoop down to the Columbia River, scoop up water, and fly off toward Mt. Adams to put out that fire. Their turn-around time is about every 13-14 minutes. As I understand, some of the residents of Trout Lake area are under Evacuation Level 3 and others are 'get ready.' Scary!!!

Deb Powers

From: DPowers@facetnw.com
Subject: FW: Comment on the Amendments to the Heritage tree OrdinanceE

----- Forwarded message -----

From: **nanette stevenson** <nanettestevenson@hotmail.com>
Date: Wed, Aug 7, 2024 at 12:55 PM
Subject: Comment on the Amendments to the Heritage tree OrdinanceE
To: erikac@whitesalmonwa.gov <erikac@whitesalmonwa.gov>

August 7th, 2024

Submitted to Erikac@whitesalmonwa.gov

John and Nanette Stevenson
P.O. Box 308
White Salmon, WA 98672
509-270-0937
nanettestevenson@hotmail.com

RE 18.40.010 Proposed Draft Amendments to the Heritage Tree Ordinance on privately owned land in the City of White Salmon, WA.

Dear City of White Salmon Planning Commission,

Thank you for the opportunity to comment on the proposed Heritage Tree Amendments.

My husband and I were born and raised here and are strongly opposed to the expanded overreach of regulations on the communities privately owned land. I suppose most of the people advocating for the proposed tree amendments are not natives to White Salmon? These proposed Amendments should be implemented only on publicly owned lands.

Our concerns are:

1. You should keep the current diameter standards. A six-inch White Oak tree is not a Heritage Tree and not even close to 100 years old.

2. In the Columbia Gorge, there are high winds in the summertime and having closed canopy restrictions are a recipe for a catastrophic fire in the city limits.

3. Homeowners should have the ability to trim or cut down trees next to their home for fire safety without hiring an arborist and getting a permit.

4. Critical area isn't defined in the Draft.

5. We worship God not trees.

Even without your onerous regulations, White Salmon will always be a forested city with enough trees for all the wildlife that live here.

Sincerely,

John and Nanette Stevenson

This ordinance should not only be of concern to White Salmon residents, but it should also concern every person in close proximity to the city limits of White Salmon. Fire prevention should be a major goal to land management. Please kill this ordinance and start over with an emphasis on common sense fire prevention in mind!

Respectfully submitted,
Laura Cheney
White Salmon resident

Deb Powers

From: DPowers@facetnw.com
Subject: FW: Tree Ordinance 18.40.010

----- Forwarded message -----

From: Lori Clark <lori@pathfinder-re.com>
Date: Fri, Aug 9, 2024 at 11:27 AM
Subject: Tree Ordinance 18.40.010
To: Erika Castro-Guzman <erikac@ci.white-salmon.wa.us>
Cc: <laura@gorge.net>

Hello Erika,

Please forward this letter to the following persons:

To Mayor Keethler, White Salmon City Council, White Salmon Planning Commission and To Whom it May Concern:

I drafted this letter over concerns of the proposed Tree Ordinance 18.40.010.
I honestly don't know where to begin with my objections to this Ordinance.

First, I believe it is a complete overreach of the City to assume they have a right to inflict this ordinance on private property owners. It is nothing short of a taking of private property rights.

FIRE and fire control is the second thing I think of. Are you aware that most insurance companies no longer insure in the state of WA? Are you aware that many insurance companies will not issue a policy if you don't have a 30' to 100' defensible buffer around your home now?

Do you know when you don't have these things you either do not get coverage or you pay an outrageous premium?

The Tunnel 5 fire was fueled by the Oak trees you are trying to protect.

Several of the owners that lost homes in the fire are not able to rebuild. They lost everything they owned.

I have attended more meetings than I care to count between the areas cities, counties and state legislative sessions spouting the need for affordable housing in the State of WA.

At the time of this proposed tree ordinance you, the City of White Salmon are attempting to adopt a new middle housing ordinance? . Why? When everything else you do makes it not affordable. Including this Tree Ordinance.

Have you considered the costs of hiring an arborist?

Average costs of Hiring an arborist:

Costs \$100 to \$250 for a consultation or tree inspection. An arborist

report costs \$150 to \$450 per tree. An arborist charges \$100 to \$250 per hour or an \$800 to \$2,000 day rate. An arborist costs \$200 to \$1,300 per tree for trimming or pruning.

This is just the costs of the Arborist; this does not include the costs of the surveyor that has to map these trees.

Those costs range from \$1,500.00 to \$10's of thousands of dollars dependent on parcel size. And, the costs of the loss of the use of the land under these trees that are to be protected..

With your proposed tree ordinance do you know that you will be adding costs to the landowner to manage their property. This is not just a cost to developers, this is local landowners. And, with all of this tree protection you are limiting lot development, parcel size and more.

Many developments in the City limits have private Covenants, Conditions and Restrictions for view protection that allows for trimming trees to protect views. Have you thought about how this ordinance will affect a landowners rights to protect their views that they paid a premium price for? I understand that most will not have much compassion for this statement.

But this statement has to do with a taking of landowners rights without compensation.

I love trees, I fully understand their complex purpose. However, I believe this Tree Ordinance is an overreach, a taking of private landowner rights without compensation, it adds undue costs and burden to landowners and it is absolutely not necessary.

The current Tree Ordinance, (that I don't approve of) and the Critical Areas Ordinance of the City more than cover protections for trees in the City of White Salmon.

Tree Ordinance 18.40.010 should not be adopted.

Respectfully,

Lori Clark
Resident, Business Owner, Realtor, Landowner, Developer

--

Lori Clark, WA Designated Broker/Owner, ABR, CRS, GRI, EPro, SRES,
Pathfinder Real Estate Services Inc.

Mailing address: PO Box 749

Bingen, WA 98605-0749

Mobile: 541-490-9721

Office: 509-774-0466

Fax: 509-774-0467

www.Pathfinder-Re.com

Lori Clark, OR Broker
Ginnie Mooney Real Estate
4776 HWY 35
Hood River, OR 97031
541-490-9721

Deb Powers

From: DPowers@facetnw.com
Subject: FW: Tree Ordinance 18.40.010

----- Forwarded message -----

From: **Chuck Hinman** <chinman@hoodriverinn.com>
Date: Fri, Aug 9, 2024 at 3:26 PM
Subject: Tree Ordinance 18.40.010
To: erikaC@ci.white-salmon.wa.us <erikaC@ci.white-salmon.wa.us>

Good Afternoon, Erika, please ignore the email of a few minutes ago, this is the corrected copy.

To: Mayor Keethler, White Salmon City Council, White Salmon City Planning Commission:

As an owner of property both inside and outside the City of White Salmon I am writing in opposition to the proposed ordinance.

In my opinion the proposed Tree Ordinance No. 18.40.010 does not responsibly protect trees. And more than that, in my opinion it does not promote other stated goals of the city, density in housing and affordable housing. But most importantly it does not protect the homes of the citizens who live in and around the city. It is my belief that first and foremost it is a municipality's obligation to provide its citizens protection for fire and safety.

My homeowner's insurance, thankfully I can still get it, has increased nearly 300% in the last five years. The stated reason, the fire danger where we live. As I understand this ordinance, it would inhibit a property owner from clearing their property of "scrub" trees, scrub trees which could be fuel for a fire threatening their home. Certainly, an insurance inspector assessing a property's risk would reach the same conclusion. The fire danger here is real, we need to mitigate that danger, and this ordinance does not help do that.

If it was my wish to add an ADU to my property, assuming it's permitted by zoning, if this ordinance were to pass, I'd first have to hire an arborist at my own expense. An expense of both money and time and in the building game time is money. The cost of time and money, the result of a passage of this ordinance, are a deterrent to building for density or building for affordability.

In closing, I respectfully ask that you do not pass this proposed ordinance. But instead revisit its language to ensure it is consistent with and encouraging of the city's stated goals of providing density and affordability in housing and most importantly ensures that the language does not impose limitations that inhibit a property owners' ability to mitigate fire danger to his and to his neighbor's property.

Thank you for this opportunity to comment,

Chuck Hinman
177 Palos Verde
White Salmon, WA

Erika Castro Guzman
PO Box 2139 / 100 Main
White Salmon, WA 98672

August 9, 2024

Hi Erika,

Please consider these comments when the proposed Heritage Tree ordinance goes before the White Salmon City Council when they act on the creation of Chapter 18.40 – Tree Protection.

I was a planning commission member when proposed changes to the Heritage Tree ordinance were being discussed in one of the planning commission meetings this summer. We heard thoughts and comments from fire safety professionals and concerned public residents. It was very clear to all the planning commission members present at the meeting that our comments were focused on the effects of a heritage tree ordinance on both 1) problems a potential heritage tree ordinance, that restricts cutting of trees on private land, has on fire safety and 2) problems that cutting restrictions of trees on private property has on maximizing housing density within the city of White Salmon. The revised Chapter 18.40 document, now called Tree Protection, does very little of both. While wildfire resiliency is referenced in 18,40.010 A and B it is almost non existent in the rest of the Chapter. The focus of the chapter is more on which trees should be protected and how they are protected rather than what a property owner can do in order to protect his house and possibly add additional needed density.

Example: Heritage tree diameter of Oregon White Oak has been reduced to 6 inches in 18.40 – Tree Protection, current proposed language, from 14 inches in 18.40 – Special provisions – Heritage trees, initial language.

This reduction in diameter is radical and unneeded, doesn't follow science or the reasoning behind the ordinance. To calculate trees age you have to multiply the tree diameter 4.5 feet above the ground by the growth factor:

Diameter x Growth factor = tree age

Oregon White Oak: 6 inches x 5 = 30

14 inches x 5 = 70

Heritage justification was to save older trees (100 years)

Ironically this change could be pointed to as one of the worst offenders of increased density and fire protection.

Residents of White Salmon know that wherever they look they can see trees. They may not know that the city limits are only approximately 800 acres and the county expansion area is only another 1400 acres, totaling approximately a maximum of 2200 acres of potential urban area. White Salmon is bordered on all sides by the Scenic Area, Columbia River, White Salmon River and Bingen. Maximum size is 2200 acres. That said we have probably more trees visible, within and on the maximum border than most cities in the country. What's more important, this treescape has increased substantially over the 120 years White Salmon has existed as a town. Tree enhancement is valuable and White Salmon should encourage tree growth:

- 1) When trees are cut down more should be planted.
- 2) The city should prioritize tree growth within public lands and right of ways.
- 3) Trees should be encouraged to be planted on private property lines.
- 4) Trees should be thoughtfully planted within property boundaries that respect development and fire danger.

Any tree ordinance should be less of a restrictive document than an educational document that encourages residents to plant trees thoughtfully within their private ownership.

The City should lead the way by setting an example of tree planting on their Public Lands and Right of Ways.

Tom Stevenson



White Salmon Tree Board August 12, 2024

Tree Protection Ordinance Public Comment

Tree Protection Ordinance

The City of White Salmon Tree Board discussed updates to the City's Tree Protection Ordinance.

Staff discussed that the revised tree ordinance seeks to strike a balance between preserving the urban tree canopy and accommodating the city's development and housing needs. Members raised concerns about how overly restrictive tree regulations might impact housing affordability and private property rights.

Members also seek a need to clarify language related to emergency tree removal, particularly in relation to wildfire mitigation recommendations from experts such as the Department of Natural Resources or Underwood Conservation District (UCD). Furthermore, discussed the implementation the new ordinance, which introduces definitions for "heritage trees," "special trees," and "significant trees," public outreach and education efforts will be essential.

Draft Tree Protection Ordinance Updates

The Tree Board members discussed updates to the draft Tree Protection Ordinance, which now includes a reduced list of protected tree species, focusing solely on those native to the White Salmon area. They noted the addition of new language related to wildfire protection, which includes incentives for property owners to improve their preparedness. The ordinance also incorporates requirements for parking and stormwater mitigation, reflecting a broader approach to tree protection and environmental management.

Allowances for Significant/Special Tree Removal

The Tree Board members discussed a draft proposal that permits the removal of one significant or special tree every 12 months, with a maximum of two trees allowed in a 24-month period. The draft also includes an exception allowing the removal of significant or special trees if their retention would impede the creation of a new residential lot through a short subdivision process. Some board members expressed concerns that this exception might offer too much leeway for development, potentially prioritizing new construction over the preservation of existing trees.

Heritage Tree Designation and Removal Process

The Tree Board members discussed the introduction of a new "heritage tree" designation, which necessitates a nomination process by property owners. They noted that the draft proposal states the city administrator's decisions on heritage tree removals cannot be contested by the public. Additionally, there were questions about whether to specify a timeline for the public to report illegal tree removals, as this could impact the enforcement of penalties.

Wildfire Mitigation and Emergency Tree Removal

The Tree Board members discussed the current lack of clarity regarding the process when state experts, such as those from the DNR, recommend removing a tree on private property for wildfire mitigation. One potential solution considered was allowing such removals under the "emergency tree removal" criteria, in coordination with the fire chief. However, there were concerns about setting a precedent where external authorities could override the city's established tree regulations.

Tree Protection Ordinance

Council members will draft language to clarify the process for tree removals specifically related to wildfire mitigation recommendations from expert agencies.

It was discussed that this draft ordinance is scheduled to be reviewed by the Planning Commission on August 28th. Based on their recommendation, the Tree Board may consider an updated draft in September before it is presented to the City Council. The City Council is tentatively set to review the ordinance in October.

Suggested Code Changes:

- WSMC 18.40.020 – 13: Clarify the size criteria for special trees, particularly the trunk diameter for Vine Maples (*Acer circinatum*), in the tree ordinance.
- WSMC 18.40.030 – E: Emergency tree removal. In case of emergency, when a tree is imminently hazardous or dangerous to life or property, it may be removed by order of the police chief, fire chief, the director of public works or their respective designees without a permit, so long as notification **to staff** before or immediately after event **(define "events")** is provided.
- WSMC 18.40.030 – F (New addition): Council member David Lindley will contact Dan Richardson at UCB to discuss language for wildfire mitigation recommendations in the tree ordinance, and then workshop the language based on that discussion.
- WSMC 18.40.040 – 4: Retention of a significant and/or special tree or grove will prevent creation of a residential lot through a subdivision or short subdivision.
- WSMC 18.40.060 – D: Investigate the statute of limitations for civil penalties related to illegal tree removals.