



White Salmon Planning Commission Meeting

A G E N D A

April 24, 2024 – 5:30 PM

119 NE Church Ave and Zoom Teleconference

Meeting ID: 823 1271 3614

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

Call to Order/Roll Call

Discussion Items

1. Heritage Tree Ordinance Update
 - A. Presentation
 - B. Discussion

Adjournment



File Attachments for Item:

1. Heritage Tree Ordinance Update
 - A. Presentation
 - B. Discussion

TECHNICAL MEMORANDUM

Date: April 18, 2024
To: White Salmon Planning Commission
From: Lexi Ochoa, ISA Certified Arborist, Arborist; Deb Powers, ISA Certified Arborist, Senior Arborist; Alex Capron, AICP, Senior Planner
Project Name: White Salmon Heritage Tree Code Update
Project Number: 2205.0244.05

Subject: Heritage Tree Ordinance

White Salmon’s tree canopy contributes to the City’s character and sense of place, its economic vitality, as well as providing numerous environmental and health benefits. These benefits include reducing urban heat island effects, stormwater management, biodiversity, improving mental health and wellness, and mitigating the impacts of climate change. Balancing tree preservation with thoughtful tree removal and replanting strategies ensures that White Salmon’s tree canopy cover continues to provide these benefits to the community, now and for future generations.

Project Background

Originally, Heritage Trees were defined as a critical area, found within the Fish & Wildlife Habitat Conservation Areas under the previous (now repealed) Critical Areas Ordinance (CAO) Ord. 2012-11-906

(https://library.municode.com/wa/white_salmon/codes/code_of_ordinances?nodeId=TIT18EN_CH18.10CRAROR_18.10.317SPPRERTR). Ecology (as documented by the State Growth Management Act for defined Critical Areas) did not support Heritage Trees as their own defined critical area, so these tree protection regulations were removed from the CAO and placed into their own Ordinance ([Ord. 2023-11-1153](#), WSMC 18.40) with concurrent adoption of the CAO, effective January 1, 2024 ([Ord. 2023-11-1152](#)).

In October of 2023, the Planning Commission drafted suggested amendments to the proposed standalone Heritage Tree Ordinance (Ord. 2023-11-1153) during CAO adoption. Upon discussion with staff, the Planning Commission tabled these amendments until Spring 2024 to exclusively focus on amendments to the Critical Areas Ordinance. The result was a placeholder Heritage Tree Ordinance ([Ord. 2023-11-1153](#), WSMC 18.40) nearly identical to the previous critical areas provisions for heritage trees in WSMC 18.10.317, apart from requiring an

additional 15-foot building setback from trees' critical root zones¹ as previously regulated per WSMC 18.10.212 Critical Areas. All trees within mapped critical areas and their buffers still retain basic protections and retention requirements.

The White Salmon Tree Board implements the City's public tree ordinance (WSMC 18.35) and has an advisory role on informing "*any special matter of question coming within the scope of its work*" when requested by City Council (WSMC 2.20.030.B). The Tree Board assisted in developing the Heritage Tree Code Update community survey, has reviewed preliminary code changes and is providing recommendations to the Planning Commission on the draft code.

The Facet project team was contracted to gauge the community's sentiment about the existing code and tree preservation in general, to conduct public engagement, and to develop draft code recommendations in response to the community, Planning Commission, Tree Board and the City Council.

Summary of Survey Results

Community members of White Salmon were surveyed to gather knowledge regarding the existing Heritage Tree Code. The survey was open for approximately two weeks and collected 128 responses (*See Appendix A: Survey Results PowerPoint summary*). The resulting feedback indicates that White Salmon values trees for their many ecological benefits and for contributing to city residents' quality of life. Many surveyed were unfamiliar with the current Heritage Tree Code (WSMC 18.40), pointing to a need for greater public education and outreach. Results from the survey suggest that residents support "reasonable and appropriate tree protection" on private and public property and the desire to preserve trees based on size, preferring greater levels of protection for larger, more mature trees.

Additionally, a strong emphasis was placed on finding a balance between new development for middle housing (in alignment with the City's recently adopted Housing Action Plan), tree removal, and tree retention. "Middle housing" refers to housing types found between low density (single family residential) and high density (multifamily), such as duplex, townhome and cottage housing. Survey responders favored increasing tree canopy coverage along streets and in public spaces in addition to appropriate private property protection. Responders also introduced a desire for appropriate maintenance strategies for managing wildfire and insect infestation risks. Furthermore, survey responders would like to see tree care (i.e., how to plant a

¹ Critical Root Zone: The area around a tree where the minimum amount of roots that are biologically essential to the structural stability and health of the tree are located. This area is commonly defined in municipal codes as a formula equal to one foot distance from the face of a tree trunk for every one inch of trunk diameter (DBH).

tree, basing pruning techniques, how to water trees effectively, tips for species selection that encourage "right tree, right place" and long-term tree retention) related resources readily available on the City's website. The focus of this memo and the attached draft code is on the regulatory aspect of preserving and maintaining trees on private property.

Note that the draft code outlines high-level markups to the Planning Commission's October 2023 draft Heritage Tree Ordinance. A separate, redlined copy of the most recent draft Heritage Tree Ordinance will be available on April 29 for public comment based upon Tree Board and Planning Commission considerations.

Recommended Tree Code Updates

The following code elements outline the changes in each of those corresponding sections within the draft code. The draft code was organized so that content is grouped by element in the following order:

- A. Purpose
- B. Definitions
- C. Heritage tree nomination process
- D. Heritage tree registry
- E. Heritage tree removals and maintenance, unrelated to development
- F. Heritage and significant tree retention with development
- G. Tree replacement requirements with development
- H. Enforcement

A great resource for exploring these code elements and the tree code amendment process that many jurisdictions have undergone is King County's Guide to Developing Urban Tree Regulations on Private Property (<https://your.kingcounty.gov/dnrp/library/2024/kcr3648/kcr3648.pdf>).

Purpose and Intent

As suggested by Tree Board Chair and City Councilmember David Lindley, the consulting team developed an introductory code section that outlines related policy goals, management plans and other supporting documents, such as the White Salmon Community Forest Management Plan. A clearly stated 'purpose' justifies the need for the code and a clear statement of intent should describe what the code or regulation seeks to accomplish. The purpose of White Salmon's tree code should reflect the community's desire to achieve greater tree protection for

larger, mature trees, help facilitate consistent and fair code interpretation and when necessary, inform future code updates.

Definitions

Heritage Tree: The Planning Commission’s October 2023 draft code comments suggested raising the size threshold (trunk diameter, or DBH) for Oregon white oak heritage trees from 12 to 14 inches and all other tree species from 18 to 22 inches DBH. Ord.

1. *Oregon White Oaks with a trunk diameter larger than 14 inches,*
2. *All other tree species with a trunk diameter greater than 18 inches, or*
3. *Any tree designated as a heritage tree by the city council in accordance with the nomination process (described in the code).*

By capturing fewer trees, this modification reduces the regulatory strength of overall tree protection, and we believe may have the unintended consequence of greater canopy cover loss in White Salmon. At the April 15, 2024 Tree Board meeting, the Board expressed significant concerns with the increased white oak trunk DBH. Oregon white oaks are important trees to the community and, as such, should be considered for greater protection measures compared to other trees. Based on the tree inventory conducted with the 2018 Urban Forest Management Plan prepared by Peninsula Urban Forestry LLC, the average trunk diameter of inventoried Oregon white oaks was four (4) inches DBH. Based on an Oregon State University Forestry report on Oregon white oak, this species has an incredibly slow growth rate of less than an inch per year and an inch in trunk diameter ever 15-20 years. Field work completed by the Columbia Land Trust and the Cascade Oak Partnership have found 200-year-old oaks that measure only two to three inches in trunk diameter. Other jurisdictions in the greater Puget Sound area (Medina, Seattle, Mercer Island) list Oregon white oak as an “exceptional” tree at six (6) inches. Further, white oak is a fire-adapted species that when located in stands or groves, reduces the fuel loads from grasses and conifers that contribute to catastrophic fire damage. Due to these findings, we recommend that the size threshold for protected Oregon white oaks be reduced to six inches DBH and all other trees to twelve inches DBH.

To effectively preserve white oaks and other trees with development scenarios, we suggest creating an ‘exceptional’ tree definition with trunk diameters that are based on tree species. While heritage trees are community-nominated trees located on public or (by property owner) on private property based on their size, age, unique type, or historical significance, exceptional trees would be limited to only the species listed by its minimum trunk diameter threshold. Exceptional trees, like heritage trees must be protected during development scenarios and must

be deemed hazard or nuisance trees for their removal outside of development activity. The exceptional tree list provided herein captures a very broad range of native and ornamental trees and as such, is a jumping-off point for discussion with the Planning Commission on its inclusiveness.

Exceptional Tree: A regulated tree of any species with a diameter of more than twelve (12) inches or with a diameter equal to or greater than the diameter listed in the Exceptional Tree Table.

1. Oregon white oaks (*Quercus garryana*) with a trunk diameter larger than six (6) inches at fifty-four (54) inches above the lowest ground level.

Exceptional Tree Table	
Species	Threshold Diameter
<u>Native Species</u>	
Oregon ASH — <i>Fraxinus latifolia</i>	2 ft
Quaking ASPEN — <i>Populus tremuloides</i>	1 ft
Paper BIRCH — <i>Betula papyrifera</i>	1 ft 8 in
CASCARA — <i>Rhamnus purshiana</i>	8 in
Western Red CEDAR — <i>Thuja plicata</i>	2 ft 6 in
Pacific CRABAPPLE — <i>Malus fusca</i>	1 ft
Pacific DOGWOOD — <i>Cornus nuttallii</i>	6 in
Douglas FIR — <i>Pseudotsuga menziesii</i>	2 ft 6 in
Grand FIR — <i>Abies grandis</i>	2 ft
Black HAWTHORN — <i>Crataegus douglasii</i>	6 in
Western HEMLOCK — <i>Tsuga heterophylla</i>	2 ft
MADRONA — <i>Arbutus menziesii</i>	6 in

Exceptional Tree Table	
Species	Threshold Diameter
Bigleaf MAPLE — <i>Acer macrophyllum</i>	2 ft 6 in
Dwarf or Rocky Mountain MAPLE — <i>Acer glabrum</i> var. <i>Douglasii</i>	6 in
Vine MAPLE — <i>Acer circinatum</i>	8 in
Oregon White or Garry OAK — <i>Quercus garryana</i>	6 in
Lodgepole PINE — <i>Pinus contorta</i>	6 in
Shore PINE — <i>Pinus contorta</i> 'contorta'	1 ft
Western White PINE — <i>Pinus monticola</i>	2 ft
Western SERVICEBERRY — <i>Amelanchier alnifolia</i>	6 in
Sitka SPRUCE — <i>Picea sitchensis</i>	6 in
WILLOW (All native species) — <i>Salix</i> sp. (<i>Geyeriana</i> ver <i>meleina</i> , <i>eriocephala</i> ssp. <i>mackenzieana</i> , <i>Hookeriana</i> , <i>Piperi</i> , <i>Scouleriana</i> , <i>sitchensis</i>)	8 in
Pacific YEW — <i>Taxus brevifolia</i>	6 in
Nonnative Species	
Orchard (Common) APPLE — <i>Malus</i> sp.	1 ft 8 in
European ASH — <i>Fraxinus excelsior</i>	1 ft 10 in
Green ASH — <i>Fraxinus pennsylvanica</i>	2 ft 6 in
Raywood ASH — <i>Fraxinus oxycarpa</i>	2 ft
European BEECH — <i>Fagus sylvatica</i>	2 ft 6 in
European White BIRCH — <i>Betula pendula</i>	2 ft
Atlas CEDAR — <i>Cedrus atlantica</i>	2 ft 6 in

Exceptional Tree Table	
Species	Threshold Diameter
Deodor CEDAR — <i>Cedrus deodara</i>	2 ft 6 in
Incense CEDAR — <i>Calocedrus decurrens</i>	2 ft 6 in
Flowering CHERRY — <i>Prunus</i> sp. (<i>serrula</i> , <i>serrulata</i> , <i>sargentii</i> , <i>subhirtella</i> , <i>yedoensis</i>)	1 ft 11 in
Lawson CYPRESS — <i>Chamaecyparis lawsoniana</i>	2 ft 6 in
Kousa DOGWOOD — <i>Cornus kousa</i>	1 ft
Eastern DOGWOOD — <i>Cornus florida</i>	1 ft
American ELM — <i>Ulmus americana</i>	2 ft 6 in
English ELM — <i>Ulmus procera</i>	2 ft 6 in
GINGKO — <i>Ginkgo biloba</i>	2 ft
Common HAWTHORN <i>Crataegus laevigata</i>	1 ft 4 in
Washington HAWTHORN — <i>Crataegus phaenopyrum</i>	9 in
European HORNBEAM — <i>Carpinus betulus</i>	1 ft 4 in
KATSURA — <i>Cercidiphyllum japonicum</i>	2 ft 6 in
Littleleaf LINDEN — <i>Tilia cordata</i>	2 ft 6 in
Honey LOCUST — <i>Gleditsia triancanthos</i>	1 ft 8 in
Southern MAGNOLIA — <i>Magnolia grandiflora</i>	1 ft 4 in
Paperbark MAPLE — <i>Acer griseum</i>	1 ft
Japanese MAPLE — <i>Acer palmatum</i>	1 ft
Red MAPLE — <i>Acer rubrum</i>	2 ft 1 in

Exceptional Tree Table	
Species	Threshold Diameter
Sugar MAPLE — <i>Acer saccharum</i>	2 ft 6 in
MONKEY PUZZLE TREE — <i>Araucaria araucana</i>	1 ft 10 in
Pin OAK — <i>Quercus palustris</i>	2 ft 6 in
Red OAK — <i>Quercus rubra</i>	2 ft 6 in
Callery PEAR — <i>Pyrus calleryana</i>	1 ft 1 in
Austrian Black PINE — <i>Pinus nigra</i>	2 ft
Ponderosa PINE — <i>Pinus ponderosa</i>	2 ft 6 in
Scot's PINE — <i>Pinus sylvestris</i>	2 ft
London PLANE — <i>Platanus acerifolia</i>	2 ft 6 in
Flowering PLUM — <i>Prunus cerasifera</i>	1 ft 9 in
Coastal REDWOOD — <i>Sequoia sempervirens</i>	2 ft 6 in
Giant SEQUOIA — <i>Sequoiadendron giganteum</i>	2 ft 6 in
Japanese SNOWBELL — <i>Styrax japonica</i>	1 ft
American SWEETGUM — <i>Liquidambar styraciflua</i>	2 ft 3 in
TULIP TREE — <i>Liriodendron tulipifera</i>	2 ft 6 in
WILLOW (All nonnative species except <i>S. x rubens</i> , <i>S. alba</i> , <i>S. fragilis</i>)	2 ft

Prohibited Trees: conversely, certain tree species are inappropriate in urban landscapes, due to invasiveness or other undesirable habits, such as red alder (*Alnus rubra*), cottonwood (*Populus trichocarpa*), English holly (*Ilex aquifolium*), Tree of Heaven (*Ailanthus altissima*), and others. For that reason, these or other invasive trees listed on the WA State Noxious Weed Board

(<https://www.nwcb.wa.gov/>) or Klickitat County Noxious Weed Control website (<https://www.klickitatcounty.org/562/Weed-Control>) are defined in the code as “prohibited” plants that would be exempt from the provisions of Chapter 18.

Heritage Tree Nomination Process

While the heritage tree code provisions are quite robust, we recommend some clarifications on the process for nominating a tree for heritage tree status. Things to consider:

What will the application look like, and where can it be accessed?

Where are applications submitted, and who reviews and approves?

Will a plaque or certificate be issued if approved, and is a maintenance agreement required?

Will the trees be tagged with an ID number by City staff?

Who within the City will maintain the Heritage Tree inventory?

Tree Removal & Replacement (no development)

Allowed to remove: We propose restrictions on the removal of heritage and exceptional trees, unless they are deemed hazardous or are infested with an insect, pest, and/or other pathogen that significantly impacts the long-term viability of the tree. A comment was also brought to the Tree Board by City staff regarding fire fuel mitigation as it relates to public agency and local fire district road maintenance and fire break design, respectively.

Tree replacement: For tree removals that are not associated with development, we recommend a 3:1 tree replacement requirement, and potentially more depending on the zoning district replacement ratios provided in the original Planning Commission October 2023 code amendments draft.

**Note: Replacement species should be adapted to Eastern Washington’s specific environment and able to tolerate increasingly hotter summers, the urban environment, and periods of drought. Arborvitae would not be considered as a reasonable replacement species due to its low contribution to canopy coverage and limited environmental benefits.*

Tree Retention Plans Related to Development

Consider including a minimum tree retention percentage, such as twenty percent, for a parcel under development. Consider including incentives for retaining larger trees on a middle-housing development project.

Tree retention requirements

- Retention of an exceptional tree(s) will limit the structure footprint by less than the following:
 - Single-family home 1,000 sf
 - Townhomes or multi-family units 900 sf per unit
 - Accessory Dwelling Units – 700 sf
 - Businesses/Commercial 1,200 sf, or the amount of square footage necessary to support the existing or proposed use, as shown by the applicant in a site development permit.
- Prevents subdivision of a residential lot.

Tree retention/development permit submittal requirements:

- Tree inventory – includes all regulated trees on the subject parcel and adjacent property canopies extending into the subject parcel that may be impacted by the proposed development design. Tree inventories should be conducted by a qualified professional arborist who can prescribe appropriate measures necessary for the preservation of trees during development. Tree inventories should include the tree species (common and botanical name), trunk diameter, condition, and recommendations for retention or removal based on the proposed designs.
- Site plan should include the following at a minimum:
 - Location of proposed improvements, such as building footprint, utilities, construction access points, applicable setbacks, etc.
 - Accurate locations of the inventoried trees with corresponding numbers.
 - Location of Tree Protection measures - the tree protection zone boundary (TPZ) where the fence will be located, drawn to scale around all trees potentially impacted by site disturbance based on arboricultural best management practices. These may include signage requirements, allowable intrusions into the TPZ if approved by a qualified professional arborist based on anticipated impacts and construction methods, and restrictions for accessing the tree protection zone (i.e., no staging of materials or equipment, no dumping of wastewater, etc.),
 - Proposed tree status (retained or removed); noted by an "X" or by ghosting out.
 - Proposed locations of any required replacement trees.

Outstanding Topics for Planning Commission Consideration

Future Considerations

Tree canopy cover: The City of White Salmon may want to consider measuring its tree canopy cover at regular (5-8-year) intervals to monitor trends in canopy gain/loss city-wide and within certain land use areas. Based on the status of its canopy cover, the City should establish an appropriate city-wide tree canopy cover goal as a performance measure of its tree code, public education efforts and incentive programs such as tree planting initiatives. Using metrics such as tree canopy cover in addition to tracking tree removals and replacements enables the City to better understand the effectiveness of the code over time.

Wildfire risk: The Tree Board raised if the tree code should address firewise measures to minimize wildfire risks. On a practical basis, the community can continue to improve resiliency to wildfires by participating in local efforts such as the April 23rd Wildfire Preparedness Open House. On a policy level, we suggest the City watch for pending adoption of the State Building Code Council's (SBCC) Wildland-Urban Interface (WUI) code, following the Department of Natural Resources WUI map updates. Local jurisdictions will have six months to adopt or modify the WUI for firesafe construction requirements and/or defensible space requirements for vegetation and trees near buildings.

Next Steps

As we move toward formal public comment period and hearing for this effort, the next meeting will be held April 24th in-front of Planning Commission to introduce Tree Board recommendations to our preliminary draft code. See project outreach storymap site (<https://storymaps.arcgis.com/stories/7d33b18297f14d55b8db44c967cb97a9>) for survey results and schedule excerpt below for details:

Heritage Tree Ordinance – WSMC 18.40 & WSMC 18.35 – City Tree Ordinance



White Salmon Heritage Tree Code Update

Monday, April 08, 2024

128

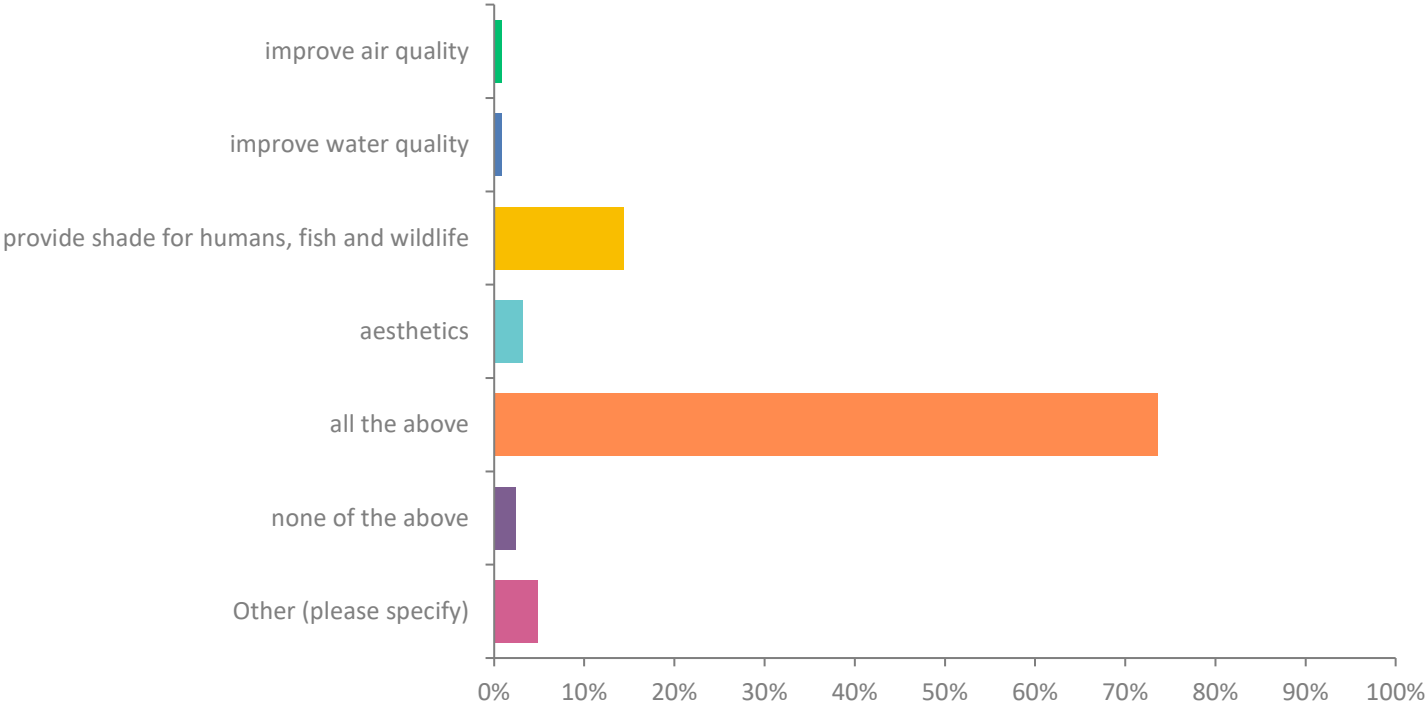
Total Responses

Date Created: Thursday, March 14, 2024

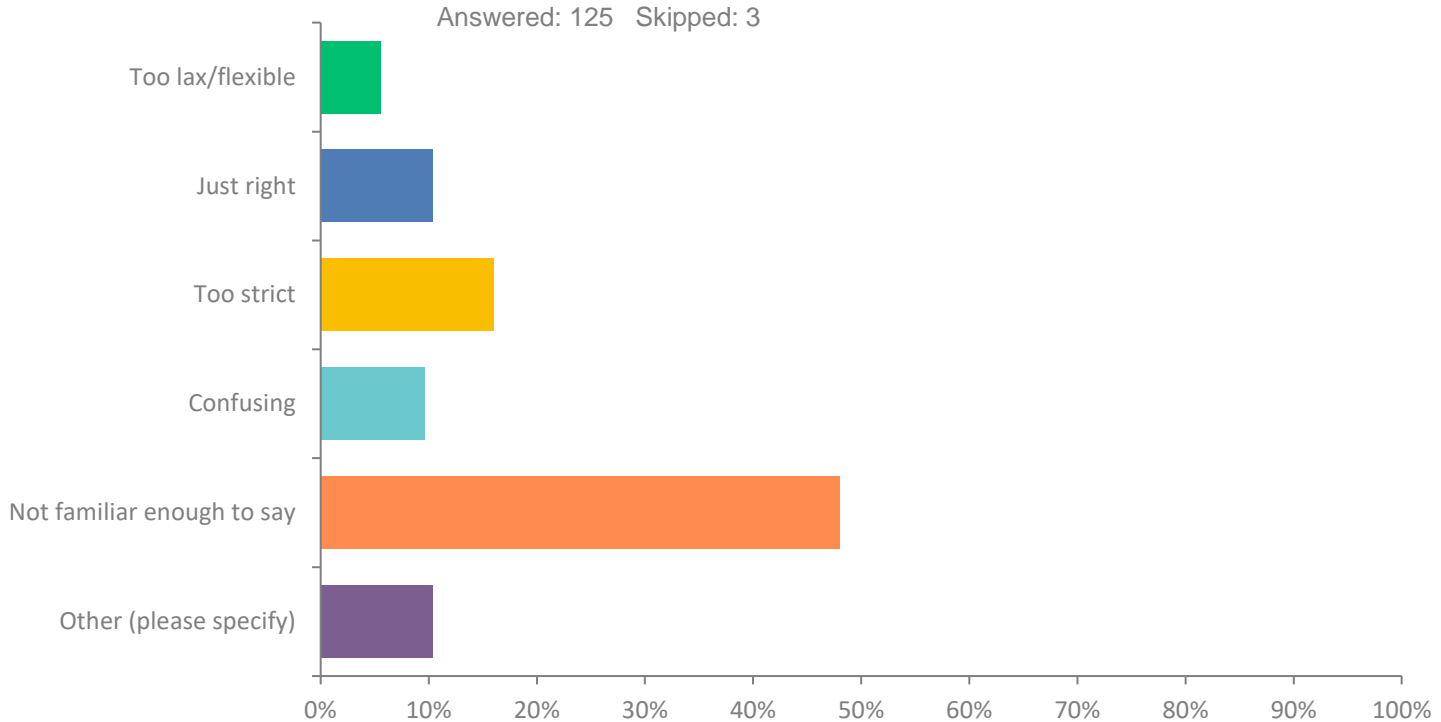
Complete Responses: 128

Q1: Trees provide many benefits to a community, please let us know which is the most important to the City of White Salmon

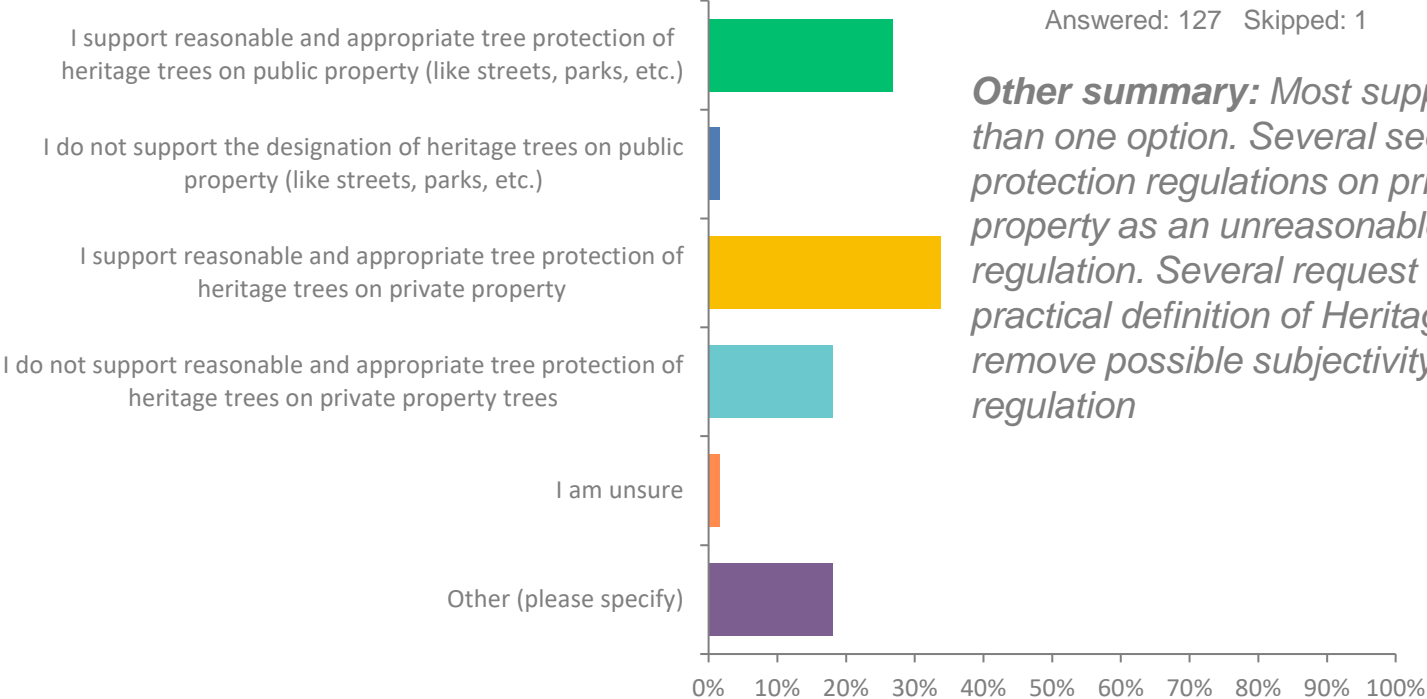
Answered: 125 Skipped: 3



Q2: How would you rate your awareness and understanding of White Salmon's current Heritage Tree Code (https://www.whitesalmonwa.gov/sites/default/files/fileattachments/city_council/page/3211/ordinance_2023-11-1153_creating_wsmc_18.40_signed.pdf)?



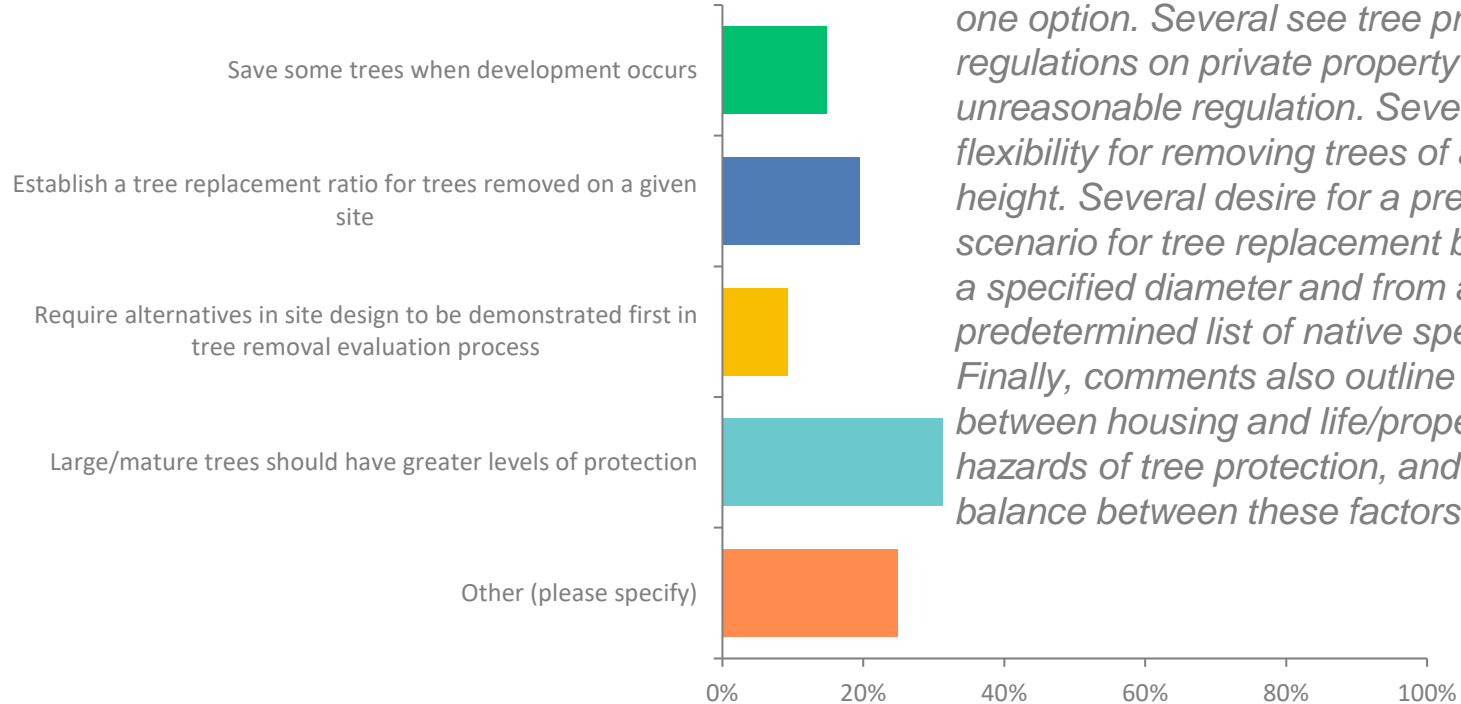
Q3: A Heritage Tree Program can be designed to protect trees on public property (like streets, parks or near public buildings) or can include protections for trees on private property. Consider one statement that most applies in your personal opinion.



Other summary: Most support more than one option. Several see tree protection regulations on private property as an unreasonable regulation. Several request for a practical definition of Heritage tree to remove possible subjectivity in regulation

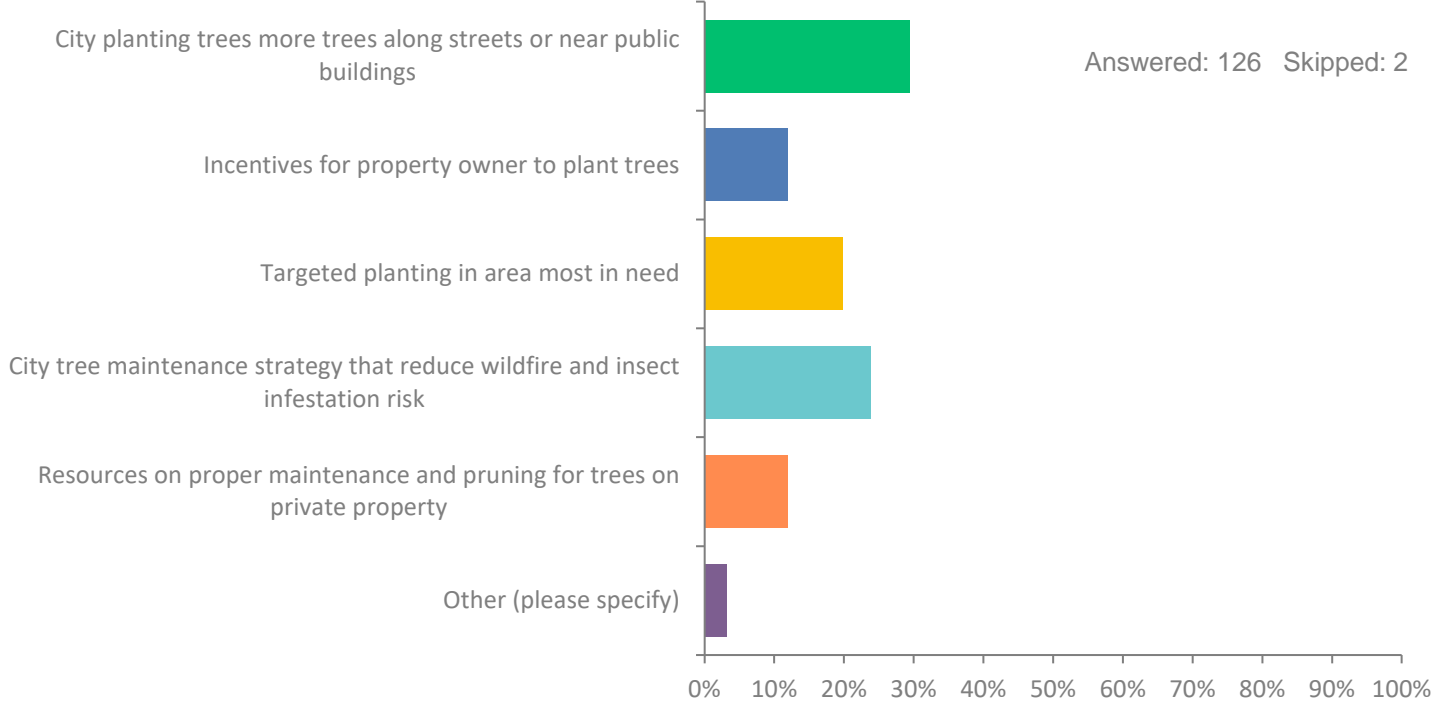
Q4: What strategy for tree retention would you most prefer the City implement in their Heritage Tree regulatory update?

Answered: 128 Skipped: 0

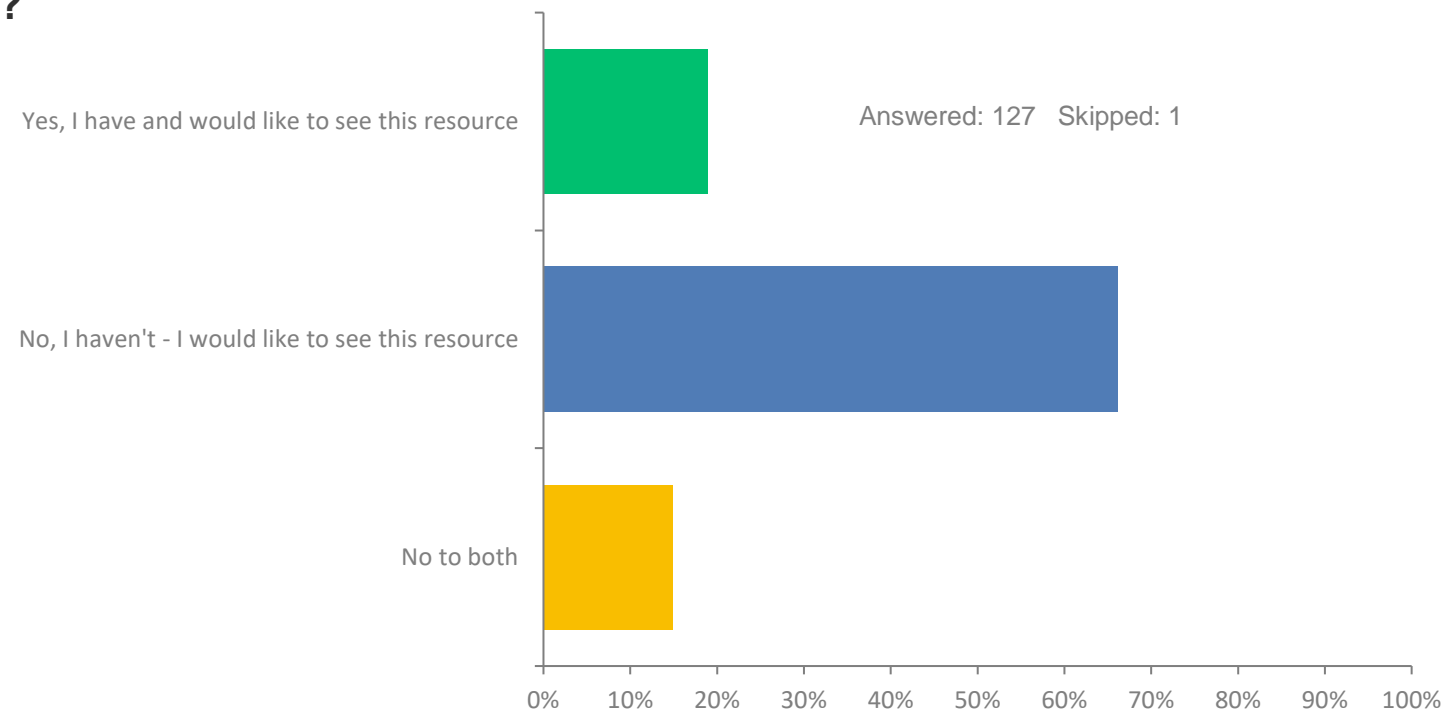


Other summary: Most support more than one option. Several see tree protection regulations on private property as an unreasonable regulation. Several desire flexibility for removing trees of a certain height. Several desire for a prescriptive scenario for tree replacement based upon a specified diameter and from a predetermined list of native species. Finally, comments also outline conflict between housing and life/property hazards of tree protection, and needing a balance between these factors.

Q5: A Heritage Tree Program often includes a tree canopy goal. Tree canopy goals assess the percentage of trees (eaves, branches and stems) that shelter the ground when viewed from above. In order to accomplish the tree canopy goal what specific strategies would you support



Q6: Have you ever tried to find tree care, tree planting or recommended tree species list information on the City's website? If not, is this a resource you would like to see?



Chapter ~~18XX.40YY~~ – HERITAGE TREESTREE PROTECTION.

~~XX18.40YY.10~~ - Special provisions—Heritage trees.IntentPurpose

A. Intent. Heritage Purpose statement. 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:

1. Implement the policy goals and objectives in the City’s Comprehensive Plan, Community Forest Management Plan, and support efforts towards greater climate resiliency (placeholder for Climate Action Plan);
2. 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 reduce erosion and risk of wildfires;
3. Preserve and enhance White Salmon’s aesthetic and community character, property values and wildlife habitat related to native vegetation and mature trees, and
—Promote best practices to maximize trees’ contributions to the livability, public health, safety and quality of life in White Salmon and the benefits trees provide, including improved air quality, stormwater mitigation and carbon sequestration.

4.

B.A. Definitions

The requirements provided in this section supplement those identified in Section 18.10.200 General Provisions. All heritage trees qualifying for protection provide valuable local habitat and shall be protected as critical areas. The tree protection area shall be equal to ten times the trunk diameter of the tree or the average diameter of the area enclosed within the outer edge of the drip line of the canopy, whichever is greater.

1. Diameter at Breast Height (DBH) – The diameter or thickness of a tree trunk measured at 54 inches above the ground. If the tree is a multi-trunk tree, the measurement will be taken below the main union. If the main union is at or below grade, each trunk will be considered individually.
2. Grove – A group of three or more exceptional or heritage trees with overlapping or touching crowns.
3. Hazard Tree - A tree/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.
4. (B) Heritage tree – any tree that because of its age, size, unique type, or historical association that is of special importance to the city. The city acknowledges that heritage trees provide valuable local habitat and preserving such trees may be beneficial and has

set forth a procedure to preserve and protect these heritage trees. Heritage trees include:

- a. Oregon White Oaks with a trunk diameter larger than six fourteen inches,
 - b. All other tree species with a trunk diameter greater than twelve eighteen inches, or
 - c. Any tree designated as a heritage tree by the city council in accordance with the nomination process detailed below provided within this chapter. Any party may nominate To be considered a heritage tree, however the nomination must be approved 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.
5. 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.
6. ProhibitedRegulated Tree – Trees that are exempt from tree protection provisions in this chapter, except those located within critical areas, including A Grove of trees, Exceptional or Heritage Tree, as listed and defined below. This does not include alder, cottonwood, holly, Tree of Heaven (Ailanthus altissima), or other common invasive trees listed by the state or county Weed Control Board. Other regulated tree thresholds are as follows:
- 6-7. Qualified Professional Arborist -" means 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.
- 7-8. Topping -; indiscriminate cuts made between branches that leave a stub, used to reduce the height or crown size of an established tree. Topping is not an acceptable practice pursuant to best management practices in the ANSI A300 Pruning Standards. This definition does not apply when the sole purpose is to create snag(s) for wildlife habitat.
9. Tree Protection Zone (TPZ) -- An area defined during site development by a qualified professional arborist that is equal to 6-18 times the trunk diameter, 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. TPZ for heritage trees shall be 10 times the trunk diameter of the tree or the average diameter of the area enclosed within the outer edge of the drip line of the canopy, whichever is greater.

10. Exceptional Tree - A regulated tree with a diameter of more than 36 inches, or with a diameter that is equal to or greater than the diameter listed in the Exceptional Tree List below, are considered exceptional trees:

<u>Exceptional Tree Table</u>	
<u>Species</u>	<u>Threshold Diameter</u>
<u>Native Species</u>	
<u>Oregon ASH — Fraxinus latifolia</u>	<u>2 ft</u>
<u>Quaking ASPEN — Populus tremuloides</u>	<u>1 ft</u>
<u>Paper BIRCH — Betula papyrifera</u>	<u>1 ft 8 in</u>
<u>CASCARA — Rhamnus purshiana</u>	<u>8 in</u>
<u>Western Red CEDAR — Thuja plicata</u>	<u>2 ft 6 in</u>
<u>Pacific CRABAPPLE — Malus fusca</u>	<u>1 ft</u>
<u>Pacific DOGWOOD — Cornus nuttallii</u>	<u>6 in</u>
<u>Douglas FIR — Pseudotsuga menziesii</u>	<u>2 ft 6 in</u>
<u>Grand FIR — Abies grandis</u>	<u>2 ft</u>
<u>Black HAWTHORN — Crataegus douglasii</u>	<u>6 in</u>
<u>Western HEMLOCK — Tsuga heterophylla</u>	<u>2 ft</u>
<u>MADRONA — Arbutus menziesii</u>	<u>6 in</u>
<u>Bigleaf MAPLE — Acer macrophyllum</u>	<u>2 ft 6 in</u>
<u>Dwarf or Rocky Mountain MAPLE — Acer glabrum var. Douglasii</u>	<u>6 in</u>
<u>Vine MAPLE — Acer circinatum</u>	<u>8 in</u>
<u>Oregon White or Garry OAK — Quercus garryana</u>	<u>6 in</u>
<u>Lodgepole PINE — Pinus contorta</u>	<u>6 in</u>
<u>Shore PINE — Pinus contorta 'contorta'</u>	<u>1 ft</u>

Exceptional Tree Table

<u>Species</u>	<u>Threshold Diameter</u>
<u>Western White PINE — Pinus monticola</u>	<u>2 ft</u>
<u>Western SERVICEBERRY — Amelanchier alnifolia</u>	<u>6 in</u>
<u>Sitka SPRUCE — Picea sitchensis</u>	<u>6 in</u>
<u>WILLOW (All native species) — Salix sp. (Geyeriana ver meleina, eriocephala ssp. mackenzieana, Hookeriana, Piperi, Scouleriana, sitchensis)</u>	<u>8 in</u>
<u>Pacific YEW — Taxus brevifolia</u>	<u>6 in</u>
<u>Nonnative Species</u>	
<u>Orchard (Common) APPLE — Malus sp.</u>	<u>1 ft 8 in</u>
<u>European ASH — Fraxinus excelsior</u>	<u>1 ft 10 in</u>
<u>Green ASH — Fraxinus pennsylvanica</u>	<u>2 ft 6 in</u>
<u>Raywood ASH — Fraxinus oxycarpa</u>	<u>2 ft</u>
<u>European BEECH — Fagus sylvatica</u>	<u>2 ft 6 in</u>
<u>European White BIRCH — Betula pendula</u>	<u>2 ft</u>
<u>Atlas CEDAR — Cedrus atlantica</u>	<u>2 ft 6 in</u>
<u>Deodor CEDAR — Cedrus deodara</u>	<u>2 ft 6 in</u>
<u>Incense CEDAR — Calocedrus decurrens</u>	<u>2 ft 6 in</u>
<u>Flowering CHERRY — Prunus sp. (serrula, serrulata, sargentii, subhirtella, yedoensis)</u>	<u>1 ft 11 in</u>
<u>Lawson CYPRESS — Chamaecyparis lawsoniana</u>	<u>2 ft 6 in</u>
<u>Kousa DOGWOOD — Cornus kousa</u>	<u>1 ft</u>
<u>Eastern DOGWOOD — Cornus florida</u>	<u>1 ft</u>
<u>American ELM — Ulmus americana</u>	<u>2 ft 6 in</u>

Exceptional Tree Table

<u>Species</u>	<u>Threshold Diameter</u>
<u>English ELM — <i>Ulmus procera</i></u>	<u>2 ft 6 in</u>
<u>GINGKO — <i>Ginkgo biloba</i></u>	<u>2 ft</u>
<u>Common HAWTHORN <i>Crataegus laevigata</i></u>	<u>1 ft 4 in</u>
<u>Washington HAWTHORN — <i>Crataegus phaenopyrum</i></u>	<u>9 in</u>
<u>European HORNBEAM — <i>Carpinus betulus</i></u>	<u>1 ft 4 in</u>
<u>KATSURA — <i>Cercidiphyllum japonicum</i></u>	<u>2 ft 6 in</u>
<u>Littleleaf LINDEN — <i>Tilia cordata</i></u>	<u>2 ft 6 in</u>
<u>Honey LOCUST — <i>Gleditsia triancanthos</i></u>	<u>1 ft 8 in</u>
<u>Southern MAGNOLIA — <i>Magnolia grandiflora</i></u>	<u>1 ft 4 in</u>
<u>Paperbark MAPLE — <i>Acer griseum</i></u>	<u>1 ft</u>
<u>Japanese MAPLE — <i>Acer palmatum</i></u>	<u>1 ft</u>
<u>Red MAPLE — <i>Acer rubrum</i></u>	<u>2 ft 1 in</u>
<u>Sugar MAPLE — <i>Acer saccharum</i></u>	<u>2 ft 6 in</u>
<u>Sycamore MAPLE — <i>Acer pseudoplatanus</i></u>	<u>2 ft</u>
<u>MONKEY PUZZLE TREE — <i>Araucaria araucana</i></u>	<u>1 ft 10 in</u>
<u>MOUNTAIN-ASH — <i>Sorbus aucuparia</i></u>	<u>2 ft 5 in</u>
<u>Pin OAK — <i>Quercus palustris</i></u>	<u>2 ft 6 in</u>
<u>Red OAK — <i>Quercus rubra</i></u>	<u>2 ft 6 in</u>
<u>Callery PEAR — <i>Pyrus calleryana</i></u>	<u>1 ft 1 in</u>
<u>Austrian Black PINE — <i>Pinus nigra</i></u>	<u>2 ft</u>
<u>Ponderosa PINE — <i>Pinus ponderosa</i></u>	<u>2 ft 6 in</u>

<u>Exceptional Tree Table</u>	
<u>Species</u>	<u>Threshold Diameter</u>
<u>Scot's PINE — Pinus sylvestris</u>	<u>2 ft</u>
<u>London PLANE — Platanus acerifolia</u>	<u>2 ft 6 in</u>
<u>Flowering PLUM — Prunus cerasifera</u>	<u>1 ft 9 in</u>
<u>Coastal REDWOOD — Sequoia sempervirens</u>	<u>2 ft 6 in</u>
<u>Giant SEQUOIA — Sequoiadendron giganteum</u>	<u>2 ft 6 in</u>
<u>Japanese SNOWBELL — Styrax japonica</u>	<u>1 ft</u>
<u>American SWEETGUM — Liquidambar styraciflua</u>	<u>2 ft 3 in</u>
<u>TULIP TREE — Liriodendron tulipifera</u>	<u>2 ft 6 in</u>
<u>WILLOW (All nonnative species)</u>	<u>2 ft</u>

B.C. Heritage tree nomination process. Heritage trees may be designated in accordance with the following nomination and designation process (*reorganized*):

1. Any party may nominate ~~To be considered~~ a heritage tree; ~~the tree must be 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.
2. Nominations for ~~To receive heritage tree such a designation, a heritage~~ tree(s) must fit the size criteria defined in this chapter, ~~be an~~ outstanding specimens, ~~especially old or large,~~ or of distinctive age, form, location, or of ecological, cultural or historical significance.
3. Nomination applications must include ~~by the property owner by submitting~~ a map showing the tree's location on the property, ~~a~~ photograph, and a narrative description of including the location, species, trunk diameter, approximate age, and the specific characteristics and reasoning on which the nomination is based. Trees with smaller trunk diameters may also be nominated for heritage status ~~by the property owner.~~
4. The city shall inspect the tree(s) ~~-, consider public comments,~~ consult with a certified qualified professional arborist to verify the nominated tree does not fit hazard tree criteria if relevant, and decide whether or not the tree(s) are-is 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 ~~evaluation-nomination~~ process.

~~3.—5. At the behest of the property owner, the Council may be asked, but is not required to, reverse the designation of a heritage tree. The council may be asked by the property owner to reverse its designation of a heritage tree.~~

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

E. Heritage tree removals and maintenance, unrelated to development. Any owner or applicant shall use reasonable efforts to maintain and preserve all heritage trees located ~~thereon on~~ public or private property in a state of good health pursuant to the provisions of this chapter. Failure to do so shall constitute a violation of this chapter.

1. Permit required. Heritage tree removal and major pruning, including topping, without a permit is prohibited. It is unlawful for any person to remove, or cause to be removed any heritage tree from any parcel of property in the city, or perform major pruning more than one-fourth of the branches or roots within a twelve-month period, without obtaining a permit. A heritage tree may only can be removed if it is dead, dangerous~~fits hazardous tree criteria~~, or is an approved nuisance. The city may opt to request for any reason, as attested by an arborist's report by a city approved arborist, submitted to the city and paid for by the tree owner. Any person who vandalizes, grievously mutilates, destroys or unbalances a heritage tree without a permit or beyond the scope of an approved permit shall be in violation of this chapter.

2. Emergency tree removal. ~~provided, that if~~ 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.

2.3. Notification of heritage tree removal.

- a. 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. Removal decisions by the administrator are not contestable by the public, but illegal removals are reportable by the public.
- b. Exception. It is the joint responsibility of the property owner and party removing the heritage tree or trees, or portions thereof to obtain exception. Arborists who knowingly remove a heritage tree without a permit will be considered in violation of this ordinance. The city may only issue a permit for the removal or major pruning of a heritage tree if it is determined that there is good cause for such action. In determining whether there is good cause, the city shall consult with a certified arborist.

paid for by the applicant, as appropriate. The city shall also consider the following:

- i. The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;
- ii. The necessity to remove the tree or trees in order to construct proposed improvements to the property;
- iii. The topography of the land and the effect of the removal of the tree on erosion, soil retention and diversion or increased flow of surface waters;
- iv. The long-term value of the species under consideration, particularly lifespan and growth rate;
- v. The ecological value of the tree or group of trees, such as food, nesting, habitat, protection and shade for wildlife or other plant species;
- vi. The number, size, species, age distribution and location of existing trees in the area and the effect the removal would have upon shade, privacy impact and scenic beauty;
- vii. The remaining number of trees the particular parcel can adequately support according to good arboricultural practices;
- viii. The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s);
- ix. The wildfire risk posed by the tree(s), and
- x. After a heritage tree or grove removal has been completed, it is the land owner's responsibility to correct the land title with the county recorder.

F. Heritage and ~~significant~~ exceptional tree retention with development. Any properties subject to development with grading, excavation, demolition or construction activity within at least 6 times the DBH of exceptional or 10 times the DBH of heritage 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. Site plan - showing the footprint of the house(s), driveway(s), streets and any other improvements and changes to grade, the location of exceptional and any heritage trees, with x's or ghosted out indicating proposed tree removals. Indicate the location of tree protection fence drawn to scale at the TPZ for retained significant and heritage trees.
- b. Tree inventory – showing all exceptional and any heritage trees on the subject property identified by numbers corresponding to the site plan, listed by common

name, genus/species, trunk diameter, general condition and indications of proposed tree removals. Include trees on adjacent property with canopies extending into the subject parcel that may be impacted by the proposed development.

2. Allowable heritage and exceptional tree removals on development sites:

- a. A heritage tree in or very close to the "building area" of an approved single family residence design can be replaced by another tree. A heritage or exceptional tree can be removed if its presence reduces the building area of the lot by more than fifty percent after all potential alternatives including possible setbacks to minimum yard depth and width requirements have been considered.
- b. Any heritage or exceptional tree within the footprint of an approved building plan, including an approved driveway, may be removed provided the approval allows at least the minimum TPZs for retained heritage and exceptional trees specified in this subsection to the greatest extent possible.
- c. A heritage or exceptional 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.

3. Retention of exceptional trees. Development proposals shall retain exceptional trees. Removal of exceptional trees shall be limited to the following circumstances under authorization of a variance under WSMC 17.80.058 and demonstration of the following:

- a. Retention of exceptional tree(s) will result in an unavoidable hazardous situation;
or
- b. Retention of an exceptional tree(s) will limit structure footprint to less than:
 - i. Single-family home – 1,000 square feet
 - ii. Townhomes or multi-family units – 900 square feet per unit
 - iii. Accessory Dwelling Unit – 700 square feet
 - iv. 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
- a-c. Retention of exceptional or other regulated trees or grove will prevent creation of a residential lot through a subdivision or short subdivision

4. Tree protection with development. Reasonable efforts to protect heritage and exceptional trees include:

- b.4. Avoidance of grading, excavation, demolition or construction activity including site access for large equipment within the TPZ heritage tree protection area where possible. The city shall consider special variances to allow location of structures outside the building setback line of a heritage or exceptional tree whenever it is reasonable to approve such variance to yard requirements or other set back requirements.

~~Grading, excavation, demolition or construction activity within the TPZ heritage tree protection area shall require submittal of a tree protection plan, which shall include construction of tree buffer fencing that shall be left in place for the duration of the activity, prepared in accordance [with] applicable guidelines for a critical area report and habitat management plan per Section 18.10.200, General Provisions. (moved above).~~

~~b.a. Consideration of the habitat or other value of heritage mature trees in the request for a variance under WSMC 17.80.058 or other modification of land use standards may require listing-designating of the tree for protection as an exceptional (see Tree Table within WSMC 18.10.010.B(10)) or heritage tree. Once listed for protection or designated based upon size provided within, approval under WSMC 18.10.010.F(3) or of with a variances or modification of standards are considered reasonable actions and not the result of a self-created hardship.~~

~~2. The critical area report for purpose of this section shall include a heritage tree protection plan and shall be prepared by a certified arborist. The plan shall address issues related to protective fencing and protective techniques to minimize impacts associated with grading, excavation, demolition and construction. The city may impose conditions on any permit to assure compliance with this section. (Note: Some provisions in section 18.10.200, such as 18.10.211 Buffers, 18.10.214 Native growth protection easement, 18.10.215 Critical areas tracts, and 18.10.216 Marking and/or fencing requirements; may not be applicable to protection areas for heritage trees.) (consolidated, moved above)~~

~~3. Building set back lines stipulated by subsection 18.10.212 shall be measured from the outer line of the tree protection area for heritage trees.~~

~~4. Review and approval of the critical areas report and tree protection plan by the city is required prior to issuance of any permit for grading or construction within the heritage tree protection area.~~

~~5. In lieu of the NGPE required in subsection 18.10.214, a heritage tree protection easement (HTPE) shall be required. A HTPE is an easement granted to the city for the protection of a heritage tree protection area. HTPEs shall be required as specified in these rules and shall be recorded on final development permits and all documents of title and with the county recorder at the applicant's expense. The required language is as follows:~~

~~"Dedication of a Heritage Tree Protection Easement (HTPE) conveys to the public a beneficial interest in the land within the easement. This interest includes the preservation of existing heritage tree for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, visual and aural buffering, and protection of plant and animal habitat. The HTPE imposes upon all present and future owners and occupiers of land subject to the easement the obligation, enforceable on behalf of the public of the city of White Salmon, to leave undisturbed all heritage trees within the easement. The~~

~~heritage tree protection area may not be impacted by grading, excavation, demolition or construction without express permission from the city of White Salmon, which permission must be obtained in writing."~~

~~G. a. Tree replacement requirements with development. Each heritage or exceptional tree removal associated with an approved development permit within the footprint of an approved building plan, including an approved driveway, may be must be replaced as provided:~~

~~The approval allows retained heritage and significant tree TPZs to the greatest extent possible.~~

~~A replanting plan is presented to and accepted by the White Salmon Tree Board/Planning Administrator. (moved to tree retention plan submittal requirements)~~

~~1. The number of tree replacements is based on the of number of removed heritage or exceptional trees, per zoning:~~

Zone	Number of Replacement Trees per Removed Tree
R1	2
R2	2
R3	1
Commercial	1
RL	3
MH	1
All others	1

~~ii. The Planning Administrator may require up to four (4) replacement trees per heritage or exceptional tree removed on a tree-by-tree basis in all zones if:~~

~~a. The tree in question was designated as heritage tree by the current or previous land owner(s).~~

~~—At the board's discretion when supported by public comment.~~

~~This does not include decks, patios, pools, fences, outbuildings, or other landscape features. The White Salmon Tree board/Planning Administrator will evaluate the replanting plan which shall include planting of~~

~~i. Replacement tree standards. New trees shall be with a minimum diameter of two (2) inches caliper (measured six to twelve inches above the ground). The minimum number of replacement trees per heritage/regulated exceptional tree removed by zone is:~~

~~iii.~~

~~2:1 multiplier shall be applied for proposed removal of landmark See (G)(7) below exceptional tree retention requirements.~~

~~The Tree Board Administrator may require up to four (4) replacement trees per heritage tree removed on a tree-by-tree basis in all zones if:~~

~~The tree in question was designated as heritage tree by the current or previous land owner(s).~~

~~At the board's discretion when supported by public comment.~~

~~3-iv. Fees in lieu of replanting replacement trees. A fee in lieu of tree replacement may be allowed, subject to approval by the Planning Administrator after careful consideration of all other options.~~

~~a. Fee-in-lieu is required for each replacement tree required but not planted on site or at an approved off-site location.~~

~~b. 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.~~

~~c. The fee must be paid prior to the issuance of a development permit or tree permit.~~

~~d. Funds may be used for the purposes of:~~

~~i. Planting and maintaining trees on publicly owned property within the City;~~

~~ii. Irrigation and related work necessary for the successful planting of new trees;~~

~~iii. Establishing and maintaining a monitoring program for the removal and replacement of trees~~

~~iv. Urban forestry education~~

~~v. Other purposes relating to public trees as determined by the City Council.~~

~~3. Any person desiring to remove one or more heritage trees or perform major pruning (per subsection 18.10.316 F, above) shall apply for an exception pursuant to procedures established by this section rather than subsection 18.10.125 Exceptions, which generally applies elsewhere in this chapter.~~

~~3. Removal of a heritage or exceptional tree requires public signage of the pending removal including permit number and date of removal no less than 14 days before the removal date. Removal decisions by the administrator are not contestable by the public, but illegal removals are reportable by the public (moved to heritage tree removals/maintenance).~~

~~i. If heritage or exceptional tree removal is approved after due process, the tree will be replaced with 4-2 new trees, or an amount as deemed appropriate by the administrator.~~

~~6.4. It is the joint responsibility of the property owner and party removing the heritage tree or trees, or portions thereof to obtain exception. Arborists who~~

~~knowingly remove a regulated tree without a permit will be considered in violation of this ordinance. The city may only issue a permit for the removal or major pruning of a heritage tree if it is determined that there is good cause for such action. In determining whether there is good cause, the city shall consult with a certified arborist, paid for by the applicant, as appropriate. The city shall also give consideration to the following:~~

- ~~a. The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;~~
- ~~b. The necessity to remove the tree or trees in order to construct proposed improvements to the property;~~
- ~~c. The topography of the land and the effect of the removal of the tree on erosion, soil retention and diversion or increased flow of surface waters;~~
- ~~d. The long-term value of the species under consideration, particularly lifespan and growth rate;~~
- ~~e. The ecological value of the tree or group of trees, such as food, nesting, habitat, protection and shade for wildlife or other plant species;~~
- ~~f. The number, size, species, age distribution and location of existing trees in the area and the effect the removal would have upon shade, privacy impact and scenic beauty;~~
- ~~g. The remaining number of trees the particular parcel can adequately support according to good arboricultural practices; and~~
- ~~h. The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s).~~
- ~~i. The wildfire risk posed by the tree(s).~~
- ~~j. After a heritage tree or grove removal has been completed, it is the land owner's responsibility to correct the land title with the county recorder. (moved to heritage tree removals/maintenance)~~
- ~~Retention of exceptional trees. Development proposals shall retain exceptional trees. Removal of exceptional trees shall be limited to the following circumstances under authorization of a variance under WSMC 17.80.058 and demonstration of the following:~~
- ~~Retention of exceptional tree(s) with will result in an unavoidable hazardous situation;~~
- ~~or~~
- ~~Retention of an exceptional tree(s) will limit structure footprint to less than:~~

- ~~— Single family home — 1,000 square feet~~
- ~~— Townhomes or multi-family units — 900 square feet per unit~~
- ~~— Accessory Dwelling Unit — 700 square feet~~
- ~~— 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~~

~~j.i. Retention of exceptional or other regulated trees or grove will prevent creation of a residential lot through a subdivision or short subdivision (moved to tree retention with development)~~

H. 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. Stop work on any arborist work or construction project that does not display a permit for removal or major pruning of a heritage tree.~~

~~23.~~ 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 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.

~~(Ord. No. 2012-11-906, § 1, 11-26-2012)~~

Chapter 18.40 – TREE PROTECTION.

18.40.10 - Purpose

A. Purpose statement. 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:

1. Implement the policy goals and objectives in the City's Comprehensive Plan, Community Forest Management Plan, and support efforts towards greater climate resiliency (placeholder for Climate Action Plan);
2. 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 reduce erosion and risk of wildfires;
3. Preserve and enhance White Salmon's aesthetic and community character, property values and wildlife habitat related to native vegetation and mature trees, and
4. Promote best practices to maximize trees' contributions to the livability, public health, safety and quality of life in White Salmon and the benefits trees provide, including improved air quality, stormwater mitigation and carbon sequestration.

B. Definitions

The requirements provided in this section supplement those identified in Section 18.10.200 General Provisions. All heritage trees qualifying for protection provide valuable local habitat and shall be protected as critical areas. The tree protection area shall be equal to ten times the trunk diameter of the tree or the average diameter of the area enclosed within the outer edge of the drip line of the canopy, whichever is greater.

1. Diameter at Breast Height (DBH) – The diameter or thickness of a tree trunk measured at 54 inches above the ground. If the tree is a multi-trunk tree, the measurement will be taken below the main union. If the main union is at or below grade, each trunk will be considered individually.
2. Grove – A group of three or more exceptional or heritage trees with overlapping or touching crowns.
3. Hazard Tree - A tree/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.
4. Heritage tree – any tree that because of its age, size, unique type, or historical association that is of special importance to the city. The city acknowledges that heritage trees provide valuable local habitat and preserving such trees may be beneficial and has set forth a procedure to preserve and protect these heritage trees. Heritage trees include:

- a. Oregon White Oaks with a trunk diameter larger than six inches,
 - b. All other tree species with a trunk diameter greater than twelve inches, or
 - c. Any tree designated as a heritage tree by the city council in accordance with the nomination process provided within this chapter. Any party may nominate a heritage tree, however the nomination must be approved by the landowner of the ground sustaining the tree.
5. 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.
 6. Prohibited Tree – Trees that are exempt from tree protection provisions in this chapter, except those located within critical areas, including alder, cottonwood, holly, Tree of Heaven (*Ailanthus altissima*), or other invasive trees listed by the state or county Weed Control Board.
 7. Qualified Professional Arborist - means 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.
 8. Topping - indiscriminate cuts made between branches that leave a stub, used to reduce the height or crown size of an established tree. Topping is not an acceptable practice pursuant to [best management practices](#) in the ANSI A300 Pruning Standards. This definition does not apply when the sole purpose is to create snag(s) for wildlife habitat.
 9. Tree Protection Zone (TPZ) – An area defined during site development by a qualified professional arborist that is equal to 6-18 times the trunk diameter, 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. TPZ for heritage trees shall be 10 times the trunk diameter of the tree.
 10. Exceptional Tree - A regulated tree with a diameter of more than 36 inches, or with a diameter that is equal to or greater than the diameter listed in the Exceptional Tree List below, are considered exceptional trees:

Exceptional Tree Table	
Species	Threshold Diameter
<u>Native Species</u>	
Oregon ASH — <i>Fraxinus latifolia</i>	2 ft

Exceptional Tree Table	
Species	Threshold Diameter
Quaking ASPEN — <i>Populus tremuloides</i>	1 ft
Paper BIRCH — <i>Betula papyrifera</i>	1 ft 8 in
CASCARA — <i>Rhamnus purshiana</i>	8 in
Western Red CEDAR — <i>Thuja plicata</i>	2 ft 6 in
Pacific CRABAPPLE — <i>Malus fusca</i>	1 ft
Pacific DOGWOOD — <i>Cornus nuttallii</i>	6 in
Douglas FIR — <i>Pseudotsuga menziesii</i>	2 ft 6 in
Grand FIR — <i>Abies grandis</i>	2 ft
Black HAWTHORN — <i>Crataegus douglasii</i>	6 in
Western HEMLOCK — <i>Tsuga heterophylla</i>	2 ft
MADRONA — <i>Arbutus menziesii</i>	6 in
Bigleaf MAPLE — <i>Acer macrophyllum</i>	2 ft 6 in
Dwarf or Rocky Mountain MAPLE — <i>Acer glabrum</i> var. <i>Douglasii</i>	6 in
Vine MAPLE — <i>Acer circinatum</i>	8 in
Oregon White or Garry OAK — <i>Quercus garryana</i>	6 in
Lodgepole PINE — <i>Pinus contorta</i>	6 in
Shore PINE — <i>Pinus contorta</i> 'contorta'	1 ft
Western White PINE — <i>Pinus monticola</i>	2 ft
Western SERVICEBERRY — <i>Amelanchier alnifolia</i>	6 in
Sitka SPRUCE — <i>Picea sitchensis</i>	6 in

Exceptional Tree Table	
Species	Threshold Diameter
WILLOW (All native species) — <i>Salix</i> sp. (<i>Geyeriana</i> ver <i>meleina</i> , <i>eriocephala</i> ssp. <i>mackenzieana</i> , <i>Hookeriana</i> , <i>Piperi</i> , <i>Scouleriana</i> , <i>sitchensis</i>)	8 in
Pacific YEW — <i>Taxus brevifolia</i>	6 in
Nonnative Species	
Orchard (Common) APPLE — <i>Malus</i> sp.	1 ft 8 in
European ASH — <i>Fraxinus excelsior</i>	1 ft 10 in
Green ASH — <i>Fraxinus pennsylvanica</i>	2 ft 6 in
Raywood ASH — <i>Fraxinus oxycarpa</i>	2 ft
European BEECH — <i>Fagus sylvatica</i>	2 ft 6 in
European White BIRCH — <i>Betula pendula</i>	2 ft
Atlas CEDAR — <i>Cedrus atlantica</i>	2 ft 6 in
Deodor CEDAR — <i>Cedrus deodara</i>	2 ft 6 in
Incense CEDAR — <i>Calocedrus decurrens</i>	2 ft 6 in
Flowering CHERRY — <i>Prunus</i> sp. (<i>serrula</i> , <i>serrulata</i> , <i>sargentii</i> , <i>subhirtella</i> , <i>yedoensis</i>)	1 ft 11 in
Lawson CYPRESS — <i>Chamaecyparis lawsoniana</i>	2 ft 6 in
Kousa DOGWOOD — <i>Cornus kousa</i>	1 ft
Eastern DOGWOOD — <i>Cornus florida</i>	1 ft
American ELM — <i>Ulmus americana</i>	2 ft 6 in
English ELM — <i>Ulmus procera</i>	2 ft 6 in
GINGKO — <i>Ginkgo biloba</i>	2 ft
Common HAWTHORN <i>Crataegus laevigata</i>	1 ft 4 in

Exceptional Tree Table	
Species	Threshold Diameter
Washington HAWTHORN — <i>Crataegus phaenopyrum</i>	9 in
European HORNBEAM — <i>Carpinus betulus</i>	1 ft 4 in
KATSURA — <i>Cercidiphyllum japonicum</i>	2 ft 6 in
Littleleaf LINDEN — <i>Tilia cordata</i>	2 ft 6 in
Honey LOCUST — <i>Gleditsia triacanthos</i>	1 ft 8 in
Southern MAGNOLIA — <i>Magnolia grandiflora</i>	1 ft 4 in
Paperbark MAPLE — <i>Acer griseum</i>	1 ft
Japanese MAPLE — <i>Acer palmatum</i>	1 ft
Red MAPLE — <i>Acer rubrum</i>	2 ft 1 in
Sugar MAPLE — <i>Acer saccharum</i>	2 ft 6 in
Sycamore MAPLE — <i>Acer pseudoplatanus</i>	2 ft
MONKEY PUZZLE TREE — <i>Araucaria araucana</i>	1 ft 10 in
MOUNTAIN-ASH — <i>Sorbus aucuparia</i>	2 ft 5 in
Pin OAK — <i>Quercus palustris</i>	2 ft 6 in
Red OAK — <i>Quercus rubra</i>	2 ft 6 in
Callery PEAR — <i>Pyrus calleryana</i>	1 ft 1 in
Austrian Black PINE — <i>Pinus nigra</i>	2 ft
Ponderosa PINE — <i>Pinus ponderosa</i>	2 ft 6 in
Scot's PINE — <i>Pinus sylvestris</i>	2 ft
London PLANE — <i>Platanus acerifolia</i>	2 ft 6 in
Flowering PLUM — <i>Prunus cerasifera</i>	1 ft 9 in

Exceptional Tree Table	
Species	Threshold Diameter
Coastal REDWOOD — <i>Sequoia sempervirens</i>	2 ft 6 in
Giant SEQUOIA — <i>Sequoiadendron giganteum</i>	2 ft 6 in
Japanese SNOWBELL — <i>Styrax japonica</i>	1 ft
American SWEETGUM — <i>Liquidambar styraciflua</i>	2 ft 3 in
TULIP TREE — <i>Liriodendron tulipifera</i>	2 ft 6 in
WILLOW (All nonnative species)	2 ft

C. Heritage tree nomination process. Heritage trees may be designated in accordance with the following nomination and designation process (*reorganized*):

1. 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.
2. 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.
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. Trees with smaller trunk diameters may also be nominated for heritage status.
4. 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.

5. At the behest of the property owner, the Council may be asked, but is not required to, reverse the designation of a heritage tree.

D. 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.

E. Heritage tree removals and maintenance, unrelated to development. Any owner or applicant shall use reasonable efforts to maintain and preserve all heritage trees located on public or

private property in a state of good health pursuant to the provisions of this chapter. Failure to do so shall constitute a violation of this chapter.

1. Permit required. Heritage tree removal and major pruning, including topping, without a permit is prohibited. It is unlawful for any person to remove, or cause to be removed any heritage tree from any parcel of property in the city, or perform major pruning without obtaining a permit. A heritage tree may only be removed if it is dead, fits hazardous tree criteria, or is an approved nuisance. The city may opt to request for any reason an arborist's report by a city approved arborist, submitted to the city and paid for by the tree owner. Any person who vandalizes, grievously mutilates, destroys or unbalances a heritage tree without a permit or beyond the scope of an approved permit shall be in violation of this chapter.
2. 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.
3. Notification of heritage tree removal.
 - a. 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. Removal decisions by the administrator are not contestable by the public, but illegal removals are reportable by the public.
 - b. Exception. It is the joint responsibility of the property owner and party removing the heritage tree or trees, or portions thereof to obtain exception. Arborists who knowingly remove a heritage tree without a permit will be considered in violation of this ordinance. The city may only issue a permit for the removal or major pruning of a heritage tree if it is determined that there is good cause for such action. In determining whether there is good cause, the city shall consult with a certified arborist, paid for by the applicant, as appropriate. The city shall also consider the following:
 - i. The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;
 - ii. The necessity to remove the tree or trees in order to construct proposed improvements to the property;
 - iii. The topography of the land and the effect of the removal of the tree on erosion, soil retention and diversion or increased flow of surface waters;
 - iv. The long-term value of the species under consideration, particularly lifespan and growth rate;

- v. The ecological value of the tree or group of trees, such as food, nesting, habitat, protection and shade for wildlife or other plant species;
- vi. The number, size, species, age distribution and location of existing trees in the area and the effect the removal would have upon shade, privacy impact and scenic beauty;
- vii. The remaining number of trees the particular parcel can adequately support according to good arboricultural practices;
- viii. The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s);
- ix. The wildfire risk posed by the tree(s), and
- x. After a heritage tree or grove removal has been completed, it is the land owner's responsibility to correct the land title with the county recorder.

F. Heritage and exceptional tree retention with development. Any properties subject to development with grading, excavation, demolition or construction activity within at least 6 times the DBH of exceptional or 10 times the DBH of heritage 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. Site plan - showing the footprint of the house(s), driveway(s), streets and any other improvements and changes to grade, the location of exceptional and any heritage trees, with x's or ghosted out indicating proposed tree removals. Indicate the location of tree protection fence drawn to scale at the TPZ for retained significant and heritage trees.
 - b. Tree inventory – showing all exceptional and any heritage trees on the subject property identified by numbers corresponding to the site plan, listed by common name, genus/species, trunk diameter, general condition and indications of proposed tree removals. Include trees on adjacent property with canopies extending into the subject parcel that may be impacted by the proposed development.
2. Allowable heritage and exceptional tree removals on development sites:
 - a. A heritage or exceptional tree can be removed if its presence reduces the building area of the lot by more than fifty percent after all potential alternatives including possible setbacks to minimum yard depth and width requirements have been considered.
 - b. Any heritage or exceptional tree within the footprint of an approved building plan, including an approved driveway, may be removed provided the approval allows at least the minimum TPZs for retained heritage and exceptional trees specified in this subsection.

- c. A heritage or exceptional 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.
- 3. Retention of exceptional trees. Development proposals shall retain exceptional trees. Removal of exceptional trees shall be limited to the following circumstances under authorization of a variance under WSMC 17.80.058 and demonstration of the following:
 - a. Retention of exceptional tree(s) will result in an unavoidable hazardous situation; or
 - b. Retention of an exceptional tree(s) will limit structure footprint to less than:
 - i. Single-family home – 1,000 square feet
 - ii. Townhomes or multi-family units – 900 square feet per unit
 - iii. Accessory Dwelling Unit – 700 square feet
 - iv. 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
 - c. Retention of exceptional or other regulated trees or grove will prevent creation of a residential lot through a subdivision or short subdivision
- 4. Tree protection with development. Reasonable efforts to protect heritage and exceptional trees include: Avoidance of grading, excavation, demolition or construction activity including site access for large equipment within the TPZ. The city shall consider special variances to allow location of structures outside the building setback line of a heritage or exceptional tree whenever it is reasonable to approve such variance to yard requirements or other set back requirements.

(moved above).

- a. Consideration of the habitat or other value of heritage trees in the request for a variance under WSMC 17.80.058 or other modification of land use standards may require designating the tree for protection as an exceptional (see Tree Table within WSMC18.10.010.B(10)) or heritage tree. Once listed for protection or designated based upon size provided within, approval under WSMC 18.10.010.F(3) or with a variance are considered reasonable actions and not the result of a self-created hardship.
- G. *(consolidated, moved above)* Tree replacement requirements with development. Each heritage or exceptional tree removal associated with an approved development permit must be replaced as provided:
 - .. *(moved to tree retention plan submittal requirements)*
 - 1. The number of tree replacements is based on the of number of removed heritage or exceptional trees, per zoning:

Zone	Number of Replacement Trees per Removed Tree
R1	2
R2	2
R3	1
Commercial	1
RL	3
MH	1
All others	1

- ii. The Planning Administrator may require up to four (4) replacement trees per heritage or exceptional tree removed on a tree-by-tree basis in all zones if:
 - a. The tree in question was designated as heritage tree by the current or previous land owner(s).

At the board's discretion when supported by public comment.

- iii. Replacement tree standards. New trees shall be a minimum diameter of two (2) inches caliper (measured six to twelve inches above the ground).
- iv. Fees in lieu of replanting replacement trees. A fee in lieu of tree replacement may be allowed, subject to approval by the Planning Administrator after careful consideration of all other options.
 - a. Fee-in-lieu is required for each replacement tree required but not planted on site or at an approved off-site location.
 - b. 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.
 - c. The fee must be paid prior to the issuance of a development permit or tree permit.
 - d. Funds may be used for the purposes of:
 - i. Planting and maintaining trees on publicly owned property within the City;
 - ii. Irrigation and related work necessary for the successful planting of new trees;
 - iii. Establishing and maintaining a monitoring program for the removal and replacement of trees
 - iv. Urban forestry education
 - v. Other purposes relating to public trees as determined by the City Council.

(moved to heritage tree removals/maintenance).

- i. *(moved to heritage tree removals/maintenance) (moved to tree retention with development)*

H. 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. Stop work on any arborist work or construction project that does not display a permit for removal or major pruning of a heritage tree.
3. 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.