

**Washington County Tree Code Group
Recommendations Summary**

EXECUTIVE SUMMARY

**WASHINGTON COUNTY JOINT CPO TREE
GROUP RECOMMENDATIONS**

Introduction

The following document represents more than a year of work by the Joint Citizens Participation Organization (CPO) Tree Code Group to address a gap in Washington County governance which has direct impacts to the desirability of our County as a place to live and work.

Unlike many other jurisdictions in the Portland Metropolitan area, Washington County does not have in place a comprehensive Urban Forest Management Plan or a tree code. As a result, there are few protections in place for Washington County trees and for preserving the urban tree canopy.

The following executive summary explains who we are, the scope of research done, and our recommendations for the County Commissioners and Planning Staff. It also outlines the key principles of a comprehensive Urban Forest Management Plan and the elements of code that should be considered.

We hope that you share our enthusiasm for the opportunities ahead of us and we respectfully request that our proposal for an Urban Forest Management Plan and Tree Code in Washington County be considered in the Tier I section of the 2009 Department of Land Use and Transportation Work Program.

Who we are and why we are here

In December 2007, the Joint CPO Tree Code Group, made up of members from six urban CPOs, met to discuss concerns over the status of trees in Washington County. The first meeting was characterized by a shared sense of loss – loss of trees to development (particularly the large native trees that are central to the experience of living in the Pacific Northwest), frustration with existing government process with no avenues for concerned citizens to protect the trees in their neighborhoods, and alarm over continued decline of the tree canopy.

These concerns were compounded by projections of future development and its impact on the urban tree canopy. Specifically,

- How will our tree canopy be further impacted if the population growth projections for Washington County come true?
- How will Washington County remain a desirable place to work and live for existing and new residents as well as for future generations?

The Joint CPO Tree Code Group agreed to pursue these issues and committed itself to work within the public process to complete a balanced assessment of what other similarly situated communities have done to reverse these trends.

Our team hosted monthly open meetings with multiple subteam sessions to work through these issues.

- We explored the current tools for managing trees available to the County through our discussion with Nadine Smith, Principal Planner for Washington County Department of Land Use and Transportation.
- We interviewed the advocacy group Clackamas County Urban Green to learn about their efforts in getting a tree code in place for Clackamas County.
- Margot Barnett, then Co-Chair of the City of Portland Urban Forest Commission, shared her insights as to the elements of an effective tree code.
- The team sent a representative to the 2008 Oregon Urban Forestry Conference “Urban Forests: A Tool for Sustainable Communities” to make sure we heard the latest thinking in urban forestry management.
- We invited nine developers as well as the Home Builders Association to one of our meetings so that we could get developer community input on the ways that tree preservation and enforcement can work for developers. One developer attended our meeting and shared his perspective.
- The team researched the urban forestry policy documents and associated tree codes of more than nine cities and counties.
- The team also presented our findings to the active urban CPOs during November/December 2008. Letters of support are attached.

The results of this work form the basis for our recommendations to Washington County Commissioners and Planning Staff and are detailed later in this package.

After ten months of interviews, research and deliberations, we have hope for the future of the tree canopy in Washington County.

Other communities have in place or are in the process of developing innovative and thoughtful ways to build and protect their tree canopy. Underlying these efforts is the acknowledgment that a healthy urban forest is core to the desirability of a community to live and work. They also recognize that a robust tree canopy has benefits beyond aesthetics – that trees have clear, tangible benefits in managing the city/county infrastructure services and have significant dollar values as community assets.

These communities are taking leadership roles in aggressively protecting and building these assets through comprehensive urban forest management plans and robust tree ordinances.

Current tree protections in Washington County

Urban trees in unincorporated Washington County currently have very little protection except for vegetative buffers required by Clean Water Services. County planners and development services staff have no basis for requiring developers to preserve trees and no enforcement capabilities.¹

¹Relevant Washington County codes relating to trees: Section 430-72.3 provides for a buffer and is used for privacy considerations where an additional set-back may be allowed. Section 407-3 addresses exemptions and submission requirements for applications to remove trees. Sections 407-7 and 407-8 address the requirements for trees to be put in by developments.

Some believe that trees are removed for convenience. Trees are viewed as more expendable than they have been in the past perhaps due to our consumer-focused society. The result is that trees are too often lost to development that favors cleared ground as opposed to integrating trees into the design. There may appear to be no consideration of the role trees play in the county's infrastructure or in the community.

The challenge is to meet the needs of the communities and the developers by offering realistic tree protection codes.

The loss of these trees has an impact far beyond simply landscaping. The loss of trees also negatively impacts the overall health of the urban forest, habitat for wildlife, community attractiveness and livability, and county infrastructure (storm water management, ground water recharge, air quality, and heat sink reduction). An excellent primer for understanding the urban forest's net contribution to the county's infrastructure and for quantifying the value lost as we lose our tree canopy is the "The Western Washington and Oregon Community Tree Guide: Benefits, Costs and Strategic Planning" produced by the US Forest Service's Center for Urban Forest Research.² The report outlines how to calculate the annualized \$ value on the benefits and costs of trees in a community – examples include the impact of the urban forest to a community's net energy savings, annual air quality improvement (such as pollution uptake and avoided power plant emissions), annual reductions in storm water run-off as well as carbon

² "Western Washington and Oregon Community Tree Guide: Benefits, Costs and Strategic Planting," by E. Gregory McPherson, et al. Center for Urban Forest Research, USDA Forest Service, Pacific Southwest Research Station, March 2002.

dioxide emissions, and aesthetics. The guide also addresses how communities can maintain a cost-effective tree program.

The increase in property values attributed to a healthy tree canopy has a direct benefit to the public sector through tax revenues. For example, US Forest Service reported that the City of Portland receives increased annual property tax revenues of \$13 million dollars due to street trees.³ From the US Forest Service's report:

“... crown area within 100 feet of the house, and number of trees fronting the house were significant...these two variables add an average of \$7,020 to the price of a house, which is equivalent to adding 106 finished square feet to a house. Extrapolating our results to the entire city, the total value of Portland's street trees is \$1.1 billion, which compounded into the future is equivalent to a perpetual benefit of \$45 million annually. For comparison, the City of Portland estimates that the annual maintenance of Portland's street trees costs \$4.6 million, of which \$3.3 million is borne by private landowners.”

The study also found that these trees influence the property value of houses within 100 feet. For a tree that has a canopy of 312 feet, it adds an average of \$9,241 to the value of neighboring houses. An older study (2000) cited by Northwest Builder Magazine found that “one mature tree can add approximately \$6,000 to a property's value. Each large tree increases home value by 1% on average, and a large specimen tree can increase the home value by 10% or more.”⁴

As our tree canopy is chipped away by individual decisions of developers and property owners, the larger community loses livability and its sense of place. People appreciate a

³ “The Value of Street Trees in Portland, Oregon” USDA Forest Service PNW Research Station, March 2008.

⁴ From Lake Oswego Urban and Community Forest Plan, City of Lake Oswego, OR, 2007 citing statistic from “Blending In Residential Landscape Architecture,” Northwest Builder Magazine. May/June 2000.

diversity of ages and species of trees in neighborhoods, and the loss of these trees has a cumulative impact on a neighborhood's identity. People may feel that something of great value has been stolen and they have no say in preventing its loss.

Unfortunately there is no measurement at this time of how much tree canopy we have lost as a community over the past 35 years.

Preparing for the future

Given the already rapid growth, the forecasted spike in population growth and demand on land resources, the Joint CPO Tree Code Group believes it is time for the County to adopt a comprehensive Urban Forest Management Plan and the associated Tree Code.

Principles that are essential for an effective urban forest policy include:

- **Commitment to measuring outcomes (% of tree canopy)**

A comprehensive Urban Forest Management Plan has clear and measurable criteria in place for determining progress to goals. There is a commitment across agencies to regularly assess progress to these goals and take corrective action if progress is slower than expected. We recommend using the percent of tree cover benchmark because 1) it is measurable; 2) is a standard often used by other jurisdictions for measuring progress in achieving their urban forest management plans; and 3) Metro will be conducting a tree canopy survey every two years at no direct cost to the County.

- **Commitment to achieve a 40% tree canopy coverage**

An effective Urban Forest Management Plan sets clear targets as to the desired percent of tree canopy. Our recommendation is to regain an average 40% percent tree canopy coverage as recommended by American Forests for communities in the Pacific Northwest.⁵ This target would be broken out by type of land use. For example, residential areas = 50% canopy coverage; transit-oriented = 30%; central business districts = 15%; and industrial = 10%. Given that a high percentage of the area in question is residential (which has a specific target of 50%), we recommend the County be aggressive on meeting the canopy coverage goal.

- **Balancing developer interests with community needs**

Developers have a legitimate business interest and provide essential housing for growing populations. On the other hand, equally important is recognizing that existing and future members of the community put a high value on preserving trees and neighborhood ‘feel.’ Balancing developer and private home owner interests with the community will require trade-offs. Community needs must be factored into development decisions. Developers find value in preserving the neighborhood identity and produce more innovative and thoughtful design as a result.

- **Preservation is the first priority. Increase and enhance is second priority.**

- If mitigation is selected, then there are penalties.**

Preservation of existing trees should be of first priority. There needs to be an equal commitment to increasing the overall canopy size with an emphasis on

⁵ American Forests. “Setting Urban Tree Canopy Goals”. Available online <http://www.americanforests.org/resources/urbanforests/treedeficit.php>

native species. Enhancing forest health through good forest management practices should be the second priority. The last recourse option should be mitigation.

- **Official recognition that trees are essential to the County infrastructure, have a tangible dollar value, and are keys to sustainability.**

The County Commissioners officially recognize the role that trees play in the County infrastructure and sustainability. An assessment shall be completed to dollarize the benefits and costs of Washington County trees and the services they provide to the County's infrastructure. This information will help the county in better decision-making in planning for infrastructure services, will provide a baseline for assessing future progress towards preserving the tree canopy, and will help educate the public as to the need for preserving these community assets.

- **Commitment to accountability and enforcement**

Commitment to accountability and enforcement includes requiring developers to contractually agree to adhere to the Tree Code as well as agreeing to train all subcontractors on requirements. The County shall also have enforcement mechanisms, sufficient staffing, and clear lines of authority for assessing penalties. Penalties are incremental based on frequency of violations.

- **Education of citizens to encourage valuing trees as a community asset.**

Citizen involvement in the preservation of trees as community assets should be emphasized in the urban forestry management plan. Education is essential as to promoting an urban forestry stewardship ethic in the community through general education events as well as with the public schools. Citizens should also share

responsibility for monitoring and enforcement of the County's urban forest management plan and implementation. The County participates in national Arbor Day foundation activities and works to Tree City USA status.

- **Encourage innovative approaches and flexibility in preservation of trees in areas of infill and high density development.**

Regulations for development should be structured so that developers have opportunities to explore creative and innovative ways to site homes and infrastructure such that mature trees can be successfully preserved.

Specific recommendations for Washington County

Based on our review of the tree policies of comparable counties and cities, we recommend that Washington County put in place the following:

1. Establish an Urban Forest Management Plan and a measurable urban forest canopy restoration goal.
2. Establish a Tree Board or Commission with members from the community including citizens as well as professionals (i.e. developers, arborists, landscaping).
A Tree Fund should be established and should be administered by Tree Board.
3. Create a County Forester position on County Staff.
4. Establish a Tree Inventory of:
 - a. Public trees (street trees);
 - b. Historic trees (establish a historic tree program); and
 - c. Significant Individual Trees/Groves.
5. Establish a permit process for tree removal.

6. Codify a Tree Preservation/Protection Plan which must be submitted with any development application that involves removal/preservation of trees.
7. Codify tree preservation incentives.
8. Codify Tree Protection guidelines for trees that are preserved during the development process.
9. Codify Replacement/Mitigation requirements.
10. Review/expand street tree requirements and produce public tree maintenance education materials.
11. Achieve “Tree City USA” status.

The research surrounding each of these recommendations is detailed in the attached Washington County Joint CPO Tree Group Research Committee Report.

Conclusion and next steps

From our discussions with others involved in planning processes and in developing tree ordinances, we have also found that others see the increasing importance of protecting and preserving trees in Washington County. Washington County’s urban growth requires attention to these details and it is an opportunity for the County to take the lead and be a model for other Oregon urban counties.

As the county population grows, we see the need to educate the public of the importance of stewardship and preservation of trees as community assets. We also see the opportunity for creative ways to address the necessary development to provide interesting and enjoyable space in which to live and work as well as addressing the core

infrastructure needs of the community. We recognize there are inherent trade-offs in preservation versus development, but we have been encouraged by learning of other communities' innovative solutions to addressing these conflicts.

We respectfully request our proposal to be included in the County's 2009 Work Program as a Tier 1 item. We are available to work with County planners to review our research and recommendations in more detail. Thank you for your consideration and we look forward to working with you over the 2009 planning cycle.