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Council Meeting Date: November 7, 2011

Agenda Item: 7(b)

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**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Tree City USA Discussion
<b>DEPARTMENT:</b>	City Manager's Office Parks, Recreation and Cultural Services
<b>PRESENTED BY:</b>	John Norris, CMO Management Analyst Dick Deal, Parks, Recreation and Cultural Services Director
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion

**PROBLEM/ISSUE STATEMENT:**

In the City Council's 2011-2012 goal work plan, Council Goal No. 1 is to implement the adopted Community Vision by updating the Comprehensive Plan and key development regulations in partnership with residents, neighborhoods, and businesses. An objective of this goal is to become a designated Tree City USA. This report provides an overview of the process of how a City becomes a Tree City USA, makes a recommendation about how to structure the required Tree Board, and also provides a draft tree management ordinance for city-owned trees for Council review.

**RESOURCE/FINANCIAL IMPACT:**

There is no direct fiscal impact to becoming a Tree City USA. Although there is a requirement that a Tree City USA jurisdiction have a community forestry program with an annual budget of at least \$2.00 per capita (roughly \$106,000 annually for Shoreline), this level of funding is already provided in regular tree maintenance in City parks and rights-of-way. If however the City were to engage in Arbor Day tree planting efforts or other tree-related projects or activities, these initiatives might have a cost associated with them, over and above the City's current budget.

**RECOMMENDATION:**

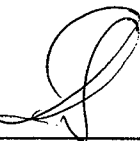
No action is required at this time. This report presents a draft tree management ordinance to the Council for review that proposes to designate the Parks, Recreation and Cultural Services Director as the legally responsible tree manager for the City of Shoreline and proposes to have the Parks, Recreation and Cultural Services Board also serve as an advisory Tree Board. This is for city-owned trees and not for trees on private property. Council is scheduled to adopt the tree management ordinance that is required for a Tree City USA designation on November 28.

Approved by:

City Manager



City Attorney



**BACKGROUND:**

In the City Council's 2011-2012 goal work plan, Council Goal No. 1 is to implement the adopted Community Vision by updating the Comprehensive Plan and key development regulations in partnership with residents, neighborhoods, and businesses. An objective of this goal is to become a Tree City USA. This report provides an overview of the process of how a designated City becomes a Tree City USA, makes a recommendation about how to structure the required Tree Board, and also provides a draft tree management ordinance for city-owned trees for Council review.

The Tree City USA program, sponsored by the Arbor Day Foundation in cooperation with the United States Forest Service and the National Association of State Foresters, provides direction, technical assistance, public attention, and national recognition for urban and community forestry programs in thousands of towns and cities across America. In Washington State, there are currently 80 cities that are recognized Tree Cities.

Although the Council has already identified becoming a Tree City USA as a goal for Shoreline, it should be noted that the Arbor Day Foundation has identified many benefits of Tree City USA recognition. Some of these benefits include:

- better care of community forests,
- increased public awareness of the many social, economical and environmental benefits urban forestry practices,
- educational opportunities to improve current urban forestry practices,
- provision of a blueprint for planting and maintaining a community's trees,
- publicity opportunities through presentation of the Tree City USA award and the celebration of Arbor Day, and
- regional and national branding, through community signage, that shows that the community cares about its environment and supports tree preservation and planting.

As well, the established Tree Board that is required to become a Tree City USA will serve as a sounding board for and provide oversight of the City's annual tree care and management activities.

It should also be noted that the tree management component of the Tree City USA program is specific to public trees, most notably "street trees" in city rights-of-way and trees on city-owned property, such as park trees. The tree management component of Tree City USA does not relate to trees on private property. Although all trees in Shoreline are highly valued and the City of Shoreline does have a goal of maintaining and enhancing the City's tree canopy, which includes trees on private property, Tree City USA and the required Tree Department or Tree Board will not have jurisdiction over Shoreline Development Code issues as they relate to these private trees.

**DISCUSSION:**

To qualify as a Tree City USA, cities must meet four standards established by the Arbor Day Foundation and the National Association of State Foresters. These standards were

established to ensure that every qualifying community would have a viable tree management plan and program. The standards as are follows:

A. Tree Department/Tree Board

Someone must be legally responsible for the care and management of the community's trees. This may be the City Manager or her designee, a professional forester on City staff, an inter-departmental group of staff that deals with tree issues in their course of work, or a volunteer Tree Board. A Tree Board is usually a group of volunteer residents with designated responsibilities within the City's tree management ordinance. Tree City USA is very flexible and unrestrictive when it comes to how this requirement is implemented and managed.

In speaking with Sarah Foster, Urban and Community Forestry Coordinator at the Washington State Department of Natural Resources (DNR) who is responsible for working with cities interested in the Tree City USA program, she stated that most larger cities in Washington State (cities with a population of greater than 10,000 residents) identify a City staff member or inter-departmental group of staff as the party responsible for tree care and management in the City. This is sometimes coupled with a volunteer Tree Board, which would make recommendations to the responsible party on tree management issues. The City of Everett, for instance, uses this model by designating their Parks and Recreation Director as the person responsible for all trees on City streets, rights-of-way and city-owned public property (parks and other city property), but also has a Tree Committee that is an advisory group to their Parks Board that makes recommendations to the Parks Board and Parks Director on tree care issues.

The other Tree Cities in Washington State have various ways this requirement is managed, from having an individual staff member as the responsible tree manager, to having an inter-departmental team of staff, to having a Tree Board that also serves as a standing advisory board (Parks Board/Planning Commission), to having a "stand alone" Tree Board, made up of citizens who are appointed by the Council or are representative of other boards and commissions or neighborhood groups. All of these configurations are allowable under the Tree City USA guidelines, and it recommended that cities adopt a configuration that works best for their community and is able to be managed and staffed within existing resources.

For Shoreline, staff recommends that the legally responsible tree manager be the Director of Parks, Recreation and Cultural Services. This would entail being responsible for all public trees on City-owned property and in City rights-of-way. Although right-of-way management, including tree management within the right-of-way, would still be performed by the City's Public Works Department, Public Works staff would work with the Parks Director when planning for tree planting, pruning, and other management in the right-of-way. Consistent with this approach, approval of right-of-way site permits for the planting, pruning or removal of street trees has been removed from Chapter 12.15 *Use of Right of Way* administered by Public Works to the new proposed Chapter 12.30 *Public Tree Management* administered by Parks, Recreation and

Cultural Services. Criteria for the permit is a codification of Right of Way Site Permits Policy No. 12.111025. See proposed Ordinance No.617, Attachment A.

In addition to this designation, staff also recommends that the Shoreline Parks, Recreation and Cultural Services Board serve as an advisory Tree Board that will make recommendations to the Parks Director regarding tree care and management issues. This includes providing input and recommendations on the annual community forestry work plan that is a component of the Tree City USA program.

At this time, given the completion of the 2006 Parks Bond projects and the Parks, Recreation and Open Space Plan, the Parks Board has the capacity to take on this additional role. Although this role would be an ongoing function of the Parks Board and not an ad hoc responsibility, it is likely that Tree Board issues would not be discussed at every Parks Board meeting. As well, given the staffing levels typically required to staff an advisory committee, co-locating this responsibility with an existing advisory board provides a cost-effective way to manage this additional workload.

#### B. Tree Ordinance

A tree ordinance is required to designate the party responsible for the care and management of the community's trees, whether it is an individual staff member, group of staff, Tree Board, etc. The ordinance must also give this person or body the responsibility for writing and implementing an annual community forestry work plan. The annual work plan identifies when tree management activities such as pruning, planting, removal, and leaf clean-up, among others, will take place throughout the year, given the City's budget and staffing for these activities. Proposed Ordinance No. 617 satisfies this requirement.

Staff proposes that one of the initial work items of the newly designated tree manager and Tree Board is to review best practices and prepare internal policies that provide clear guidance for planting, maintaining and removing trees from streets, parks and other public places.

#### C. Community Forestry Program with an Annual Budget of at Least \$2 Per Capita

The third requirement to become a Tree City is to provide evidence that the jurisdiction has established a community forestry program that is supported by an annual budget of at least \$2.00 per capita. For Shoreline, this would be an annual expenditure of roughly \$106,000. Evidence of the community forestry program is provided through a work plan of the tree care and maintenance work that was carried out over the past year. Given that the City already spends more than this amount in regular tree maintenance in City parks and rights-of-way, staff will be able to demonstrate compliance with this requirement.

Specifically, the City has spent roughly \$135,000 thus far in 2011 on tree maintenance. This figure includes the cost of park maintenance staff time, contracted tree maintenance services, and the cost of materials. However, it should also be noted that in addition to annual tree maintenance expenditures, the City installed many trees and

shrubs as part of capital projects in 2011. As part of the Aurora Project for example, the City planted over 200 trees and thousands of shrubs and groundcover along the corridor. The capital costs for purchase and installation of these new trees have not been included in the annual tree maintenance expenditure.

#### D. Arbor Day Observance and Proclamation

The final requirement is an annual Council proclamation prior to Arbor Day, which in Washington State is held on the second Wednesday in April (the upcoming Arbor Day is April 11, 2012.) However, the City could choose its own designated Arbor Day, as there is no requirement to have a local Arbor Day coincide with the State's. As well, many cities observe Arbor Day in their communities with a tree planting event or other tree events, such as an award ceremony that honors leading tree planters or "champion trees." Arbor Day is also a great opportunity for publicity around tree planting and education of residents regarding proper tree care. It is also possible to align Arbor Day activities with the City's already well established Earth Day events. This information and events could be shared through articles in *Currents* or through other Shoreline communication channels.

#### **NEXT STEPS:**

To become a Tree City USA, the City must first adopt an ordinance that designates a legally responsible tree manager. Proposed Ordinance No. 617 (Attachment A) provides this designation. Staff will be bringing back proposed Ordinance No. 617 for adoption on November 28.

Subsequent to this, the Council will need to observe and proclaim Arbor Day in Shoreline. Although the State's Arbor Day is in April, staff recommends that the Council conduct the initial Arbor Day proclamation in December 2011. This will allow staff to submit the Tree City USA application this calendar year (by December 31, 2011), which will also allow for the City's initial Tree City USA designation to be in 2012. If the City waits until 2012 to conduct the Arbor Day proclamation and to submit the application, the Tree City designation would have to wait until 2013.

Once the tree management ordinance is adopted and Arbor Day is proclaimed, staff will submit the Tree City USA application to the Washington State Urban and Community Forestry Office. This office would then certify Shoreline as a Tree City USA, and provide the City promotional materials to use, such as signage for our community and parks and other marketing material. After the designation, the Tree Board (Parks Board) and legally responsible tree manager (Parks Director) can then begin to explore a more comprehensive tree management ordinance and work on the community forestry work plan for the coming year. These work items will need to be managed within existing staff resources however, so it will take some time to get these additional planning and management tools in place.

#### **STAKEHOLDER OUTREACH:**

In bringing this recommendation to the Council to have the Parks Director serve as the legally responsible tree manager and have the Parks, Recreation and Cultural Services

Board serve as the advisory Tree Board, staff discussed this with the Parks Board at their September 22 and October 27 meetings. Generally, Parks Board members provided positive feedback regarding this additional role and were excited about working on tree management issues going forward. On October 27 the Parks Board voted unanimously to support the staff recommendation as is proposed in this staff report.

**COUNCIL GOAL ADDRESSED:**

This staff report addresses Council Goal No. 1: Implement the adopted Community Vision by updating the Comprehensive Plan and key development regulations in partnership with residents, neighborhoods, and businesses.

**RESOURCE/FINANCIAL IMPACT:**

There is no direct fiscal impact to becoming a Tree City USA. Although there is a requirement that a Tree City USA jurisdiction have a community forestry program with an annual budget of at least \$2.00 per capita (roughly \$106,000 annually for Shoreline), this level of funding is already provided in regular tree maintenance in City parks and rights-of-way. If however the City were to engage in Arbor Day tree planting efforts or other tree-related projects or activities, these initiatives might have a cost associated with them.

**RECOMMENDATION:**

No action is required at this time. This report presents a draft tree management ordinance to the Council for review that proposes to designate the Parks, Recreation and Cultural Services Director as the legally responsible tree manager for the City of Shoreline and proposes to have the Parks, Recreation and Cultural Services Board also serve as an advisory Tree Board. It is recommended that Council adopt the tree management ordinance when it is brought back to Council on November 28.

**ATTACHMENTS:**

- A: Ordinance No. 617, draft Tree Management Ordinance
- B: Tree City USA Application

**ORDINANCE NO. 617**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON  
DESIGNATING A RESPONSIBLE INDIVIDUAL FOR THE  
MANAGEMENT OF CITY-OWNED PUBLIC TREES IN THE CITY OF  
SHORELINE AND ESTABLISHING A TREE BOARD**

WHEREAS, the Tree City USA program is sponsored by the Arbor Day Foundation in cooperation with the United States Forest Service and the National Association of State Foresters; and

WHEREAS, benefits of joining the Tree City USA program, as outlined by the Arbor Day Foundation, include increased public awareness of social, economical and environmental benefits of urban forestry practices, educational opportunities to improve urban forestry practices, provision of a blueprint for planting and maintaining City-owned trees, and community signage that shows that the community cares about its environment and supports tree preservation and planting; and

WHEREAS, to become a Tree City USA, the City must designate an individual to oversee the planting, care, maintenance and removal of City-owned trees; and

WHEREAS, designating a Tree Board to make tree management recommendations to the City-designated individual is beneficial to Tree City USA programs; and

WHEREAS, the responsibility for issuing right-of-way site permits for planting, pruning or removing streets trees has heretofore been under the direction of Director of Public Works but will now transfer to the Director of Parks, Recreation and Cultural Services Department.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE,  
WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1. New Chapter.** A new chapter, Chapter 12.30, *Public Tree Management*, is hereby adopted to read as follows:

**12.30.010 Jurisdiction and administration.**

It shall be the responsibility of the Director of the Parks, Recreation and Cultural Services Department (hereafter "director") to manage and oversee the planting, care, maintenance and removal of all trees on all streets, rights-of-way, and City-owned public property within the City limits in accordance with the provisions of this chapter.

**12.30.020 Tree Board.**

The Parks, Recreation and Cultural Services Board is authorized to serve as the City's Tree Board. The Tree Board shall be advisory to the Director of Parks, Recreation and Cultural Services. The primary responsibility of the Tree Board shall be to make recommendations to the director concerning the management of trees located on City-owned public property and in City rights-of-way. The Tree Board shall be comprised of all members of the Parks,

Recreation and Cultural Services Board acting in an ex officio capacity, and the roles, officers and terms of the Tree Board shall be the same as the Parks, Recreation and Cultural Services Board.

**12.30.030 Right-of-way street trees.**

A. A right-of-way site permit shall be required and issued by the director for planting street trees in rights-of-way according to the variety and spacing approved in the Engineering Development Guide if such activity does not physically disturb the existing or planned public use of the right-of-way.

B. A right-of-way site permit may be issued to an adjacent property owner for the pruning or removal of trees in the right-of-way by extending the clearing and grading regulations applicable to trees on the adjacent parcel, including limits on removal under Chapter 20.50 SMC and critical area regulations, except as follows:

1) No permit shall issue for removal of trees on rights-of-way that have not been opened with public improvements.

2) No trees listed in the Engineering Development Guide as approved street tree varieties shall be removed regardless of size.

3) All significant trees, as defined in SMC 20.20.048, allowed to be removed under clearing and grading regulations shall be replaced with an approved variety of street tree in the area of removal according to the replacement formula in SMC 20.12.15.030C(3). If the director determines there is not suitable space for replanting street trees in the vicinity of removal, the applicant shall pay a fee in lieu of replacement according to a schedule maintained by the director to be used exclusively for planting public trees in rights-of-way, parks or other public places.

**12.30.040 Adoption of administrative procedures.**

The director may prepare and adopt policies and procedures necessary to implement this chapter. Such policies do not require approval by the city council.

**Section 2. Amendment.** SMC 12.15.030(C) is hereby amended as follows:

**SMC 12.15.030 Right-of-way permit issuance**

*(A and B unchanged)*

C. Right-of-Way Site Permit. Right-of-way site permit is a specific class of right-of-way permit that may be available for utilities or other parties who do not hold a valid city franchise in accordance with Chapter 12.25 SMC for activities of extended duration which will not further physically disturb the existing or planned public use of the right-of-way once in place. This may include structures, facilities, and uses that involve capital expenditures.

1. Right-of-way site permits, if allowed in the nearest classified land use zone may be issued for:

- a. Accessory uses permitted to the adjacent property such as parking, displays, and signage, provided the proposed use is not required to meet city development standards for any private property development;
- b. Air rights;
- c. Bus shelters/stops;



- d. Construction site/haul roads;
- e. Fences, retaining walls, terracing, and similar structures;
- f. Litter and recycle receptacles placed by private parties;
- g. Special and unique structures such as benches, fountains, clocks, flagpoles, kiosks, banners, street furniture, decorations, bicycle racks, private planters, or any other obstruction to be placed in the right-of-way by an entity other than the city;
- h. Sales structures, including sidewalk cafes, telephone booths or the usage of the right-of-way for the sale of flowers, food, or beverages, newspapers, or other items
- i. Underground rights
- j. Utility facilities;
- k. ~~Planting pruning or removing of street trees.~~

...

*(remainder of section unchanged)*

**Section 3. Amendment.** SMC 2.55.010 is hereby amended to read as follows:

**2.55.010 Created – Purpose.**

The Shoreline parks, recreation and cultural services board is hereby created. The board is to provide additional citizen input on park maintenance and operations, design matters, programs and services in sports, leisure and cultural activities, and management of trees located in City-owned public property and in City rights-of-way.

**Section 4. Amendment.** SMC 2.55.060(B) is hereby amended to read as follows:

**2.55.060 Responsibilities.**

B. The full board may make reports and recommendations to the city council concerning parks and recreation plans and policies, maintenance, operation and design of parks, and program activities in sports, leisure and cultural services. The board will make recommendations concerning the acquisition, care, maintenance, utilization and disposition of buildings, property and equipment related to parks programs. The board will also make recommendations to city staff concerning the management of trees located in City-owned public property and in City rights-of-way.

**Section 5. Effective Date and Publication.** A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five days after passage and publication.

**ADOPTED BY THE CITY COUNCIL ON NOVEMBER 28, 2011.**

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Mayor Keith A. McGlashan

**ATTEST:**

**APPROVED AS TO FORM:**

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Scott Passey  
City Clerk

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Ian Sievers  
City Attorney

Publication Date:  
Effective Date:

# TREE CITY USA Application

Mail completed application with requested attachments to your state forester no later than December 31.  
The TREE CITY USA award is in recognition of work completed by the community during the calendar year.  
Please provide information for the year ending.

(Some states require information in addition to the requested on this application. Check with your state foresters.)

As \_\_\_\_\_ of the community of \_\_\_\_\_  
(Title - Mayor or other city official)

I herewith make application for this community to be officially recognized and designated as a Tree City USA for \_\_\_\_\_, having achieved the standards set forth by The National Arbor Day Foundation as noted below.  
(year)

**Standard 1: A Tree Board or Department**

List date of establishment of board, board members, and meeting dates for the past year; or name of city department and manager.

\_\_\_\_\_  
\_\_\_\_\_

**Standard 2: A Community Tree Ordinance**

Date ordinance established \_\_\_\_\_  
Attach ordinance.

**Standard 3: A Community Forestry Program with an Annual Budget of at Least \$2 Per Capita**

Total community forestry expenditures ..... \$ \_\_\_\_\_  
Community population ..... \_\_\_\_\_

Attach annual work plan outlining the work carried out during the past year. Attach breakdown of community forestry expenditures.

**Standard 4: An Arbor Day Observance and Proclamation**

Date observance was held \_\_\_\_\_  
Attach program of activities and/or news coverage. Attach Arbor Day proclamation.

Signature	Title	Date
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Please type or print the following:

**Mayor or equivalent:**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email: \_\_\_\_\_

**City Forestry Contact:**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email: \_\_\_\_\_

NOTE: Application will not be processed without attachments.

## Certification

(To Be Completed By The State Forester)

\_\_\_\_\_  
(Community)

The above named community has made formal application to this office. I am pleased to advise you that we reviewed the application and have concluded that, based on the information contained herein, said community is eligible to be recognized and designated as a Tree City USA, for the \_\_\_\_\_ calendar year, having in my opinion met the four standards of achievement in urban forestry.

Signed \_\_\_\_\_ State Forester \_\_\_\_\_ Date \_\_\_\_\_

**Person in State Forester's Office who should receive recognition material:**

Name: _____	UPS Address: _____
Title: _____	City, State, Zip: _____
Agency: _____	PH #: _____ Email: _____

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