



May 6, 2021

Board of County Commissioners
Washington County
155 N First Ave. Suite 300
Hillsboro, OR 97214

RE: Draft 2021-22 Long Range Planning Work Program

Dear Commissioners:

Thank you for the opportunity to comment on the Washington County 2021-22 Long Range Planning work program. Both the Audubon Society of Portland and Urban Greenspaces Institute have had a long interest in natural resources and protection of habitats for people and wildlife in Washington County. We wish to provide a few comments or observations about the staff-proposed work prioritization for the Long Range Work Program.

We understand and support the County's proposed prioritization of HB 2001 middle housing implementation, transportation system plan, complete streets design, trails and transit planning. We also support the proposed Significant Natural Resources (SNR) follow-up work to develop a web-based mapping tool and a way to monitor development conditions. However, we believe that several other proposed priorities are not appropriate at this time, and several long-standing community concerns are not prioritized in the 2021-22 Long Range work plan.

Additional Significant Natural Resources Program Improvements – In addition to refinement of the 2020 SNR code and program update, there are additional components that should be addressed as part of the 2021-22 Long Range work plan. This includes development of more robust upland habitat protection measures, protections tailored to imperiled habitats like Northwest oak and prairie ecosystems, incentives for low-impact development practices, and requirements for use of best available science and data that is not part of the County's adopted SNR inventory.

We believe that these improvements could be implemented without a costly and time-consuming full update to the County's SNR inventory. We dispute the staff report assertion that 'the level of community-wide support is unclear.' The overwhelming majority of community input supplied to the staff, planning commission and board to date has indicated a strong support for a more robust and protective County SNR program. This is not a controversial item.

Misplaced Priorities – Washington County LUT staff propose to prioritize short-term rental regulations, a topic with no imminent need or community consensus. There is no pressing deadline for either short-term rental license regulations or for a rural tourism study. We respectfully suggest that neither of these items should be priorities for the Long Range work plan in 2021-22 – or at least should be lower priorities – to make way for more pressing matters that have been long-deferred needs like an urban tree code.

Urban Tree Code – Unfortunately once again the proposed Washington County Long Range work plan does not prioritize development of an urban tree code, suggesting that it would be complicated, controversial and would require extensive staff and consultant services. We respectfully disagree.

Washington County residents have advocated patiently and persistently for an urban tree code since at least the mid 2000s. In 2007, the joint CPO tree group developed recommendations and [a report](#) outlining the need for a tree code and comprehensive urban forestry program. In 2010, Portland State University and Audubon developed [an assessment](#) of the region's urban forestry programs. In 2014, the City of Beaverton requested that the County develop tree protection or incentive measures for South Cooper Mountain urban reserve area prior to inclusion within the UGB. In 2020 during the Washington County SNR update process, the County received numerous comments in support of developing an urban tree code – very few were opposed to this idea. There is clearly widespread community support for an urban tree code in Washington County.

Both of the reviews mentioned above highlight that unincorporated Washington County is among the few jurisdictions within the region with no urban tree code (Table 1, below). The only other medium-to-large jurisdictions without an urban tree code are the City of Gladstone and unincorporated Clark County (WA). Within Washington County, only the small cities of Banks, Gaston, and Cornelius are without an urban tree code. Unincorporated Washington County has a population of over 220,000 – if it was incorporated it would represent the second largest city in the State of Oregon. All other cities of this size have urban tree codes, and even unincorporated Multnomah and Clackamas counties have at least some urban tree protection rules.

The proposed Long Range work plan suggests residents and advocates wish to establish a tree protection program County-wide. This is incorrect, as the focus by residents and advocates has been on *urban unincorporated* Washington County, not the rural areas. These areas are not served by cities like Hillsboro, Beaverton, Tigard, etc. – they are served by Washington County. The County has jurisdiction over unincorporated urban areas with urban services, where it is appropriate and legitimate to develop and adopt a tree code.

The development of an urban tree code for Washington County does not have to be complicated or expensive. The cities of Tigard and Forest Grove are two cities with excellent tree codes that could serve as models for Washington County. Tigard's tree code is 16 pages long, and Forest Grove's is nine pages. Has the County staff inquired as to the expense and time commitment for development of a tree code, or what is behind their assertion that it would be costly? There might be an opportunity to learn from and even collaborate with neighboring jurisdictions on urban forestry matters. This is not a daunting task for the County to undertake and complete in one year, especially with the strong and long-standing public support for an urban tree code.

There is some urgency and timeliness to developing an urban tree code now. There is an increasing focus on climate change adaptation in relation to Oregon's land use system in the current State legislative session, and it would be strategic for Washington County to demonstrate it is being proactive. Second, development of an urban tree code could be aligned and integrated with the SNR program refinements. Third, the urban

tree code development could also be integrated with planned HB 2001 middle housing code reform to ensure in-fill development does not jeopardize but rather incentivizes tree protection, like other cities are doing or contemplating (e.g. Portland and Milwaukie). Lastly, an urban tree code could incorporate a tree mitigation fund to create a long-term income stream for urban tree planting, maintenance, stewardship, and other programs – it would be strategic to begin building up a tree fund now to give the County greater future budgetary flexibility, enable more equitable implementation, and support public donations. For all four reasons we believe it is timely for Washington County to develop an urban tree code as part of the Long Range 2021-22 workplan.

Please reconsider your proposed priorities in the draft LUT 2021-22 workplan. There is an urgent need for an urban tree code in Washington County, and no urgency around the issues of short-term rentals and rural tourism. The lack of an urban tree code has been a long-standing need and suggested to you for inclusion in the annual Long Range work plan numerous times by various CPOs and the CCI. Now is the time to address this issue.

Thank you.

Sincerely,



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