

APP XII Tree Committee

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A. Objective

- To maintain Kala Point Owners' Association property as a wooded community with wooded and marine views.
- To approve, deny, or modify requests for the limbing, pruning, and/or removal of native trees by Kala Point homeowners except during the new construction of a home or when trees are located in the Common Areas or the Bluff Common Area, as defined by Jefferson County Community Development Association Office. Note: Native trees are species native to the Port Townsend area and not planted by or for the property owner.
- To educate, advise, and consult with KPOA homeowners regarding tree limbing, pruning, and removal of native trees as well as the advantages of planting replacement trees, the ecological benefit of habitat trees, and the need for cultivating species and habitat diversity for a healthy forest ecosystem.
- To coordinate with the Grounds, Architecture, and Bluff Management Advisory Committees to ensure reasonable uniformity in the application of Association policies related to trees.

B. Policy

General

- No Tree Committee approval is needed to remove any trees less than six inches in diameter (19 inches in circumference) measured three feet above trunk base.
- No Tree Committee approval is needed to limb tree branches that are less than 15 vertical feet above the ground, a roof, driveway, gazebo, or shed.
- No Tree Committee approval is needed for any work on non-native trees planted by or for the property owner.
- Native trees may only be removed without Tree Committee approval if the trunks are within ten feet from the side of the dwelling or other structure, including eaves.
- Emergency requests are determined by the presence of imminent danger to people, property, or obstruction to access.
 - The Chair will establish the emergency need based on the requestor's verbal description and the number of days until the next regular meeting.
 - The Chair or designee and a second committee member will visit the site and approve appropriate action if the danger or obstruction is deemed a legitimate emergency.
 - The Chair will contact two Board of Director representatives to the Tree Committee to vote to validate the decision.
 - A Tree Action Request Form is filled out on site and included in the next meeting agenda.
 - If the request is deemed not to be an immediate emergency, the requestor follows the protocols outlined for non-emergency tree actions.
 - Hazards or emergencies on Common Areas are removed by KPOA.
- The Tree Committee:
 - Prohibits the topping or crowning of any native tree without Tree Committee or ISA certified arborist consult.
 - Requires the approval of the Tree Committee, BMAC, or KPOA Board for anything other than the normal maintenance of native trees on Common Areas.
 - Supports the maintenance of existing views while maintaining the health of impacted trees.
 - Works with an ISA Certified Arborist, where deemed necessary by the Tree Committee or Board of Directors, to address and maintain tree health and preservation.
 - Evaluates, in a timely manner, all Tree Action Requests for limbing, pruning, or removal against established Kala Point Board approved criteria listed on the request form (see Procedures below) in a timely manner.

- Places responsibility for all costs of approved cutting, removal, and cleanup of trees on the requesting party, homeowner, or the owner of an undeveloped lot.
- Common Area trees must be evaluated by the General Manager, in conjunction with the Tree Committee, before any action is taken regarding removal or pruning. The General Manager must provide a 30-day notice of intent for public comment.
- Residents of condominiums and/or timeshares are required to secure written and signed approval from their Association Board prior to submission to the Tree Committee.
- Homeowners are responsible for maintaining the marine view of their neighbor(s) through their property; this includes both preexisting native and non-native trees and plants (those present at the time of the purchase of the home) as well as trees and plants planted after the purchase of the home. The homeowner with the trees in question is financially responsible.
- Documentation of the baseline view (the view present at the time of home purchase) is required for all Tree Committee decisions regarding view maintenance. Returning to the baseline view cannot be guaranteed, as trees and vegetation grow and change over time, even with regular maintenance. New homeowners cannot create a new view that is inconsistent with the historical view of the lot.

Tree Committee Organization

- The Tree Committee is designated as a Committee of the Board, by the KPOA Board.
- The organizational structure includes a Chair, Secretary, and not more than seven members, total, including two Board Members and one alternate Board Member. All Tree Committee members must be approved by the KPOA Board and should strive for terms of three years on a rotating basis.
- Officers and officer duties include:
 - Chair: Prepares meeting agenda 3-4 days prior to regular meetings, ensures tree requests are screened for completeness, and compiles requests to be reviewed at scheduled meetings. A general agenda is posted on the web site and includes a 15-minute period after guest introductions for guests to speak.
 - Secretary: Records minutes of meetings, submits a copy of the approved minutes to the Administration Office for posting on the Committee website, and maintains a list of interested prospective members.
 - Board Members: Two Board members are the voting members and liaisons between the Tree Committee and the KPOA Board. The alternate Board member is available for any absence of a regular Board member or tie vote.

- Ex-Officio General Manager: Attends meetings that involve KPOA Common Areas; acts as liaison with outside agencies; and reports status of such requests to the Tree Committee.
- Committee meets monthly to discuss, evaluate, and resolve Tree Committee business.
- Reviews APP XII annually and revises as necessary.

C. Procedure

General

- KPOA homeowner completes the Tree Action Request Form regarding alteration of native tree(s) on homeowner's property or neighboring property. The request form is housed in the Administration Office and on the KPOA website under FORMS. See *Tree Committee Form: [Tree Action Request Form](#)*.

- The reasons for the request must be clearly stated on the form, and the form should be submitted 15 days prior to a regularly scheduled Tree Committee meeting.
- For non-view requests, trees under consideration may be tagged and/or photographed for identification, but this does not preclude or replace one or more onsite visits by the Tree Committee.

**Photographic documentation must be of high reasonable quality, not pixelated or granulated, without zoom magnification, and include the date and location of each photograph.*

- For view related requests, first owners of the property must have documented the view established by the AC for future maintenance. Provide photographic documentation of baseline view including date and locations of photos.
- For view maintenance requests by subsequent owners, provide photographic documentation of the view, including the date and location of photo(s), from the time of purchase from former owner(s). If photo documentation is not available, consultation with an ISA certified arborist, may provide expertise on the amount of view lost due to tree growth over time, and suggest remedial pruning.
- If a request concerns property other than their own, the requestor(s) should try to resolve differences with the affected property owner(s) before submitting a written request to the Tree Committee. The request must include the written consent of the property owner whose trees are in question.
- After review of the Tree Action Request Form, the Tree Committee Chair assigns a Case Manager to the request.
- Case Manager makes a site visit with the homeowner present.
- If the homeowner cannot be present at a site visit, permission must be given for the Case Manager to enter the property without the homeowner's presence.

- Trees must be clearly tagged or marked if the homeowner (or a proxy) is unable to be present at the time of a visit.
- Case Manager reports findings back to the Tree Committee members at the next meeting. If sufficient information is available for a decision, a vote is taken and the requestor informed of the decision.
- If the case requires a site visit by the full Tree Committee, then a full site visit takes place.
- If the homeowner cannot be present at a full committee site visit, permission must be given for the Tree Committee to enter the property without the homeowner's presence.
- Tree(s) must be clearly tagged or marked if the homeowner (or a proxy) is unable to be present at the time of a visit.
- The Tree Committee evaluates all written requests for the alteration of native trees with respect to criteria such as:
 - Maintaining established view.
 - Possible hazard or fire danger.
 - Overall health of the tree (age, size, disease, injury).
 - Tree location – e.g., roof or structure safety.
 - Natural, native, or owner planted.
 - Are other smaller trees on the lot?
- Completed paperwork is filed by the Tree Committee with the Administration Office and becomes a part of the homeowner's lot file.

Non-Compliance and Appeals

- Homeowners and property owners have a right to appeal a Tree Committee decision. This can be a two-step process. The first is the appeal to the Tree Committee and if the homeowner is still not satisfied with the outcome, then the second step is to address the Board of Directors. See *APP I – Compliance & Appeals* for more information.
- Fines for non-compliance with KPOA policies and Tree Committee decisions may be levied and are at the discretion of the KPOA board. See *APP I – Compliance & Appeals* for more information on fines.
- Homeowners and property owners also have a right to appeal to decisions regarding trees on property owned by KPOA Common Areas.
- When pruning or removal of trees has been deemed appropriate in Common Areas by the Tree Committee and the General Manager, appeals must be made to the KPOA Board during the thirty (30) calendar day period for comments on the decision. Notices are posted at the mailbox bulletin boards. Comments must be written, directed to the Tree Committee Case Manager, and submitted to the KPOA Administration Office.

- If no comments are received, the decision stands. If comments are received, they will be addressed by the Tree Committee following the regular processes and protocols outlined above.
- No work will take place until the full appeal process has occurred. All work must take place within six (6) months of the final decision.

D. Glossary

Note: This Glossary includes commonly used arborist terms*

Action: Any activity affecting trees.

Affected Properties: All properties where tree maintenance including clearing, limbing, thinning, and/or trimming occurs.

Arborist Evaluation: An ISA Certified Arborist may be helpful in evaluating tree risk and health. An ISA Certified Arborist is a certified tree care professional who works with the lot owner/requestor and the Tree Committee to provide accurate arboricultural reports, tree risk assessments, or tree inventory information relevant to a tree action request, and is at the requestor's expense. In certain cases, the Tree Committee may recommend the additional expertise of a Registered Consulting Arborist.

Canopy: Collective branches and foliage of a tree or of multiple trees; aggregate of tree crowns.

Case Manager: A member of the Tree Committee who is assigned to evaluate and administer a requested tree action.

Clearing: Removal of one or more trees.

Crown: Upper part of the tree, measured from the lowest live branch, including all the branches and foliage. See Live Crown Ratio.

Crown Cleaning: Selective removal of dead, dying, diseased, and broken branches from the tree crown.

Crown Raising: Limbing the tree up from the bottom to allow a clear line of sight or to allow the growth of other trees or vegetation. Tree crown must be maintained at 25% or more of the total tree height (Live Crown Ratio) to promote health and safety and view maintenance. This pruning method is commonly referred to as "skirting up."

Crown Reduction: Method of reducing the height and/or spread of a tree crown by making selective pruning cuts from the outer branches while maintaining the health and safety of the tree.

Crown Thinning: The selective removal of live branches, or limbs, to reduce crown density.

Dead Tree: An evergreen tree will be considered dead if at least 80% of its foliage (or needles) has turned brown and/or have fallen to the ground. A deciduous tree will be considered dead if, at one month or later into the growing season, at least 80% of its foliage is brown and/or absent. Note: For Tree Committee purposes, a dead tree is a standing tree which may be considered hazardous.

Exempt Tree: A tree for which no Tree Committee approval is required for action.

Habitat Tree: A standing dead or dying tree that provides important nutrients, niches, cavities, bark pockets, and/or branches for insects and animals; dead, standing tree modified for wildlife rather than being removed.

Hazardous Tree: Any tree which is evaluated to be a hazard to property, persons, or access and can become an emergency.

ISA: International Society of Arboriculture. ISA provides training for tree care professionals seeking certification to assess and identify tree risk.

Limbing: The removal of one or more branches of a tree.

Live Crown Ratio: The amount of living foliage expressed as a percentage of the tree's height.

Mature Tree: Any tree larger than six (6) inches in diameter (19 inches in circumference) measured at three (3) feet above trunk base.

Native Tree: Tree species that commonly occur naturally in the Kala Point area and were not introduced by human activity including, but not limited to, Big Leaf Maple, Douglas Fir, Hemlock, Pacific Madrone, Red Alder, Vine Maple, and Western Red Cedar. For a complete list, see the Washington State University Pacific Northwest Plants website. Also referred to as Natural Trees because they are naturally seeded, not planted.

Native Vegetation. An assemblage of native plants that provides ground cover, a forest understory, or even enhances a forest canopy. Native vegetation occurs naturally rather than by human planting and cultivation.

Non-Mature Tree: Any tree smaller than six (6) inches in diameter (19 inches in circumference) measured at three (3) feet above trunk base.

Planted Tree: Any tree that is planted by or for a member, not a natural tree.

Pruning: Selective strategies or methods of removing or modifying branches to promote the health, safety, or appearance of trees.

Pruning Cycle: Amount of time between approved, scheduled pruning requests. In most cases, KPOA and the Tree Committee will determine the pruning cycle based on growth rate of individual tree species; however, pruning will occur no more than once per year. No more than 25 percent of live crown is removed during a Pruning Cycle.

Removal: Cutting a tree down to the ground or to a stump.

Review Criteria: Criteria that the Tree Committee uses to support tree action decisions. International Society of Arboriculture (ISA) standards and recommendations are followed. Members use these criteria when filling out the Tree Action Request Form.

Structure: A dwelling, deck, greenhouse, permanent shed, or gazebo that has been approved by the Architecture Committee.

Trimming: Removing the ends of branches to limit the spread of a tree, usually involving the maintenance of planted trees and/or shrubs to a particular shape or form.

Vegetation: Non-tree flora such as shrubs, ground covers, grasses, and vines.

Tree Action Request Form: The KPOA Tree Committee form (~~APP XII-3~~) used to request tree actions. Obtain at the KPOA Administration Office or www.kalapoint.org.

View: The vista as seen from an owner's home which could include, but is not limited to, views of Port Townsend, water, islands, mountains, and trees. Note: A view does not mean a full (180 degree) or unobstructed view free of trees.

View, Baseline: The view/vista from an owner's home as documented by photos at the time of completion of construction or home purchase.

View Corridor: A portion of the view.

View Maintenance: Tree Committee approved tree actions that over time maintain the view and are the responsibility of the current homeowner.

Vista Pruning: Selective pruning to maintain a view from a pre-determined specific location.

Whorls: Twigs or branches arranged in a circle around a point on the tree trunk.

Windsail: Effect caused by the force of wind on a tree's crown or branches.

Windthrow: Tree failure due to uprooting caused by wind.

Windowing: May be a feasible view maintenance solution when other pruning strategies are not possible; however, it is generally not recommended by arborists for aesthetic reasons.

*International Society of Arboriculture. 2014. Glossary of Arboricultural Terms. Champaign, Illinois, 199 p.