



Tree Canopy Code Amendments

Public Information Session

January 11, 2024

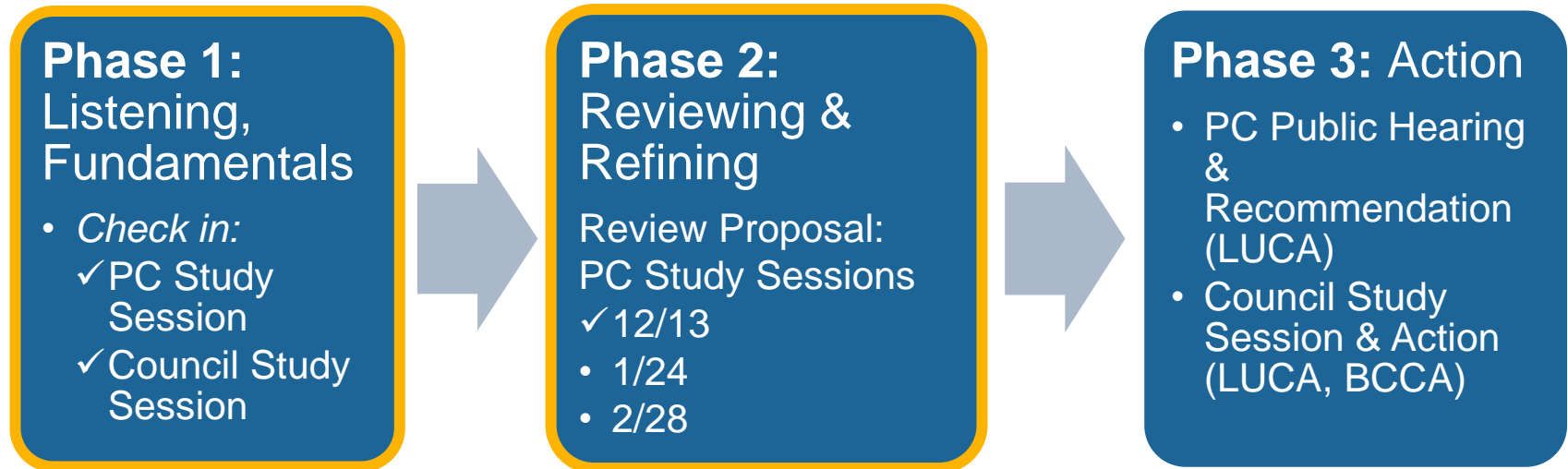


Agenda

- Project Overview
- Existing Tree Code
- Draft Recommendations
- Q&A
- Small Groups
- Next Steps



Project Overview



Technical Assistance

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★ 1/11

★ TBD

Bellevue Development Committee (BDC) ★ 1/10

Project Overview

- **Comprehensive** code review
- Support tree **preservation, retention, replacement,** and **protection**
- **Balance** housing production needs
- Improve the function and **clarity** of code
- Capture better **data**



Project Overview

City Council and Planning Commission Objectives

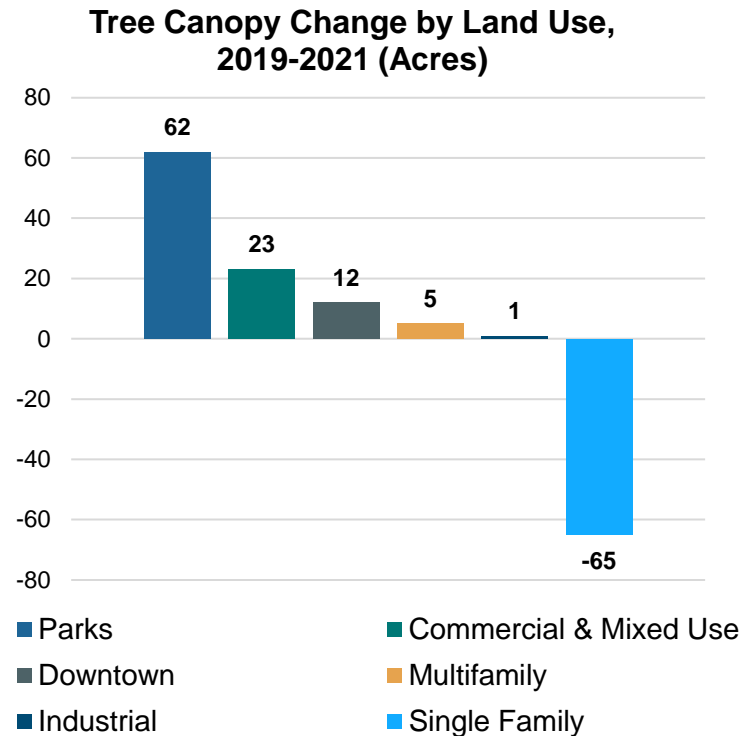
- Prevent lot clearing before development
- Preserve and protect large trees
- Avoid barriers to housing production
- Address neighborhood canopy gaps
- Encourage the right tree in the right place
- Provide meaningful deterrents to tree violations
- Develop incentives
- Ensure regulations are simple to follow



Project Overview

...But aren't we at 40% canopy?

- Growth in certain areas has offset losses in others
- Opportunity to address known flaws
- Opportunity to review regulations comprehensively



Existing Tree Code

- LUC 20.20.900
Tree Retention and Replacement
- LUC 20.20.520
Landscaping Development
- LUC 20.25D
Special and Overlay Districts
- Landmark Tree Ordinance 6665



Existing Tree Code

What is a *significant tree*?

Current definition (LUC 20.50.046)

- A healthy evergreen or deciduous tree
- Eight (8) inches DBH
- The Director of the Development Services Department may authorize an exemption to allow the removal of a tree that due to its health, age or site development is not desirable to retain



Existing Tree Code

Tree Retention

- Permit review and approval requirements for **land alteration** and **development**.
- Based on **Land Use Type** and **Neighborhood**
- All significant trees not deemed hazardous located in **perimeter landscaping area** must be retained.
- **Interior retention** requirements include retaining 15% or 30 % of the total diameter of significant trees, depending on development type.



Existing Tree Code

Tree Retention Priorities

LUC 20.20.900 prioritizes significant trees that

- Healthy and over 60 feet in height
- Form a continuous canopy
- Contribute to the character of the environment
- Provide winter wind protection or summer shade
- Are in groups which create a distinctive skyline feature
- Are in areas of steep slopes or adjacent to watercourses or wetlands



Existing Tree Code

Tree Replacement

Currently LUC 20.20.900.G

- Requires tree replacement **only in the Bridle Trails Subarea of the R-1 Land Use District.**
- Requires a 1:1 replacement ratio on lots with 8 or less significant trees
- Pacific Northwest climate adapted species
- Plant stock must be at least 6 ft in height.



Existing Tree Code Landmark Tree Ordinance

Ordinance No. 6665

- Adopted October 2020, recently extended through December 2024
- Regulates trees 20 feet or more in height with a DBH of 24 inches or greater
- Establishes basic permit requirements for removal
- Requires applicant to provide City with contractor information and valid registration prior to tree removal.



Regional Trends

- Significant Tree threshold: 6" DBH
- Methods for Quantifying Tree Retention:
 - Tree Canopy Approach
 - Tree Density Credit Approach
 - Cumulative DBH Inches
- Landmark Trees
 - Size Threshold range from 24" to 36" DBH
 - Establish a single diameter threshold, size based on species, or combination of both
 - Increased protections and removal criteria



Draft Consultant Recommendations

Significant Trees

- 6" DBH threshold
- Maintain requirement that trees be “healthy” or viable
- Protects larger number of established canopy trees during development



Draft Consultant Recommendations

Landmark Trees

- Revising the definition to include criteria for specific species
- Removing the height requirement
- Establishing increased levels of protection and criteria for removal
- Increase replacement requirements

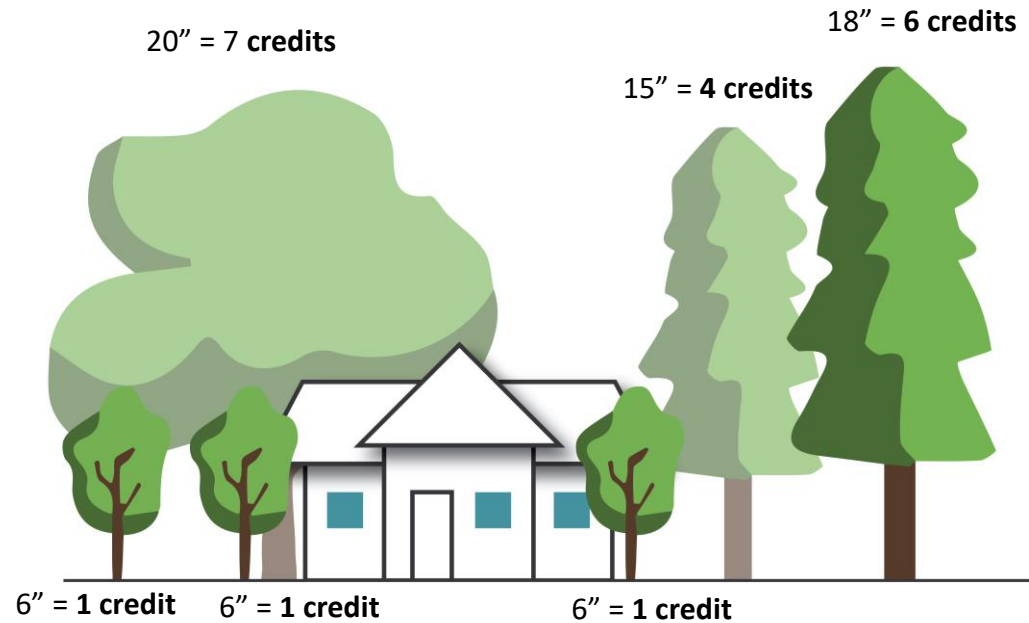


Draft Consultant Recommendations

Tree Density-Credit Method

Example: Single Family R-5 Land Use District

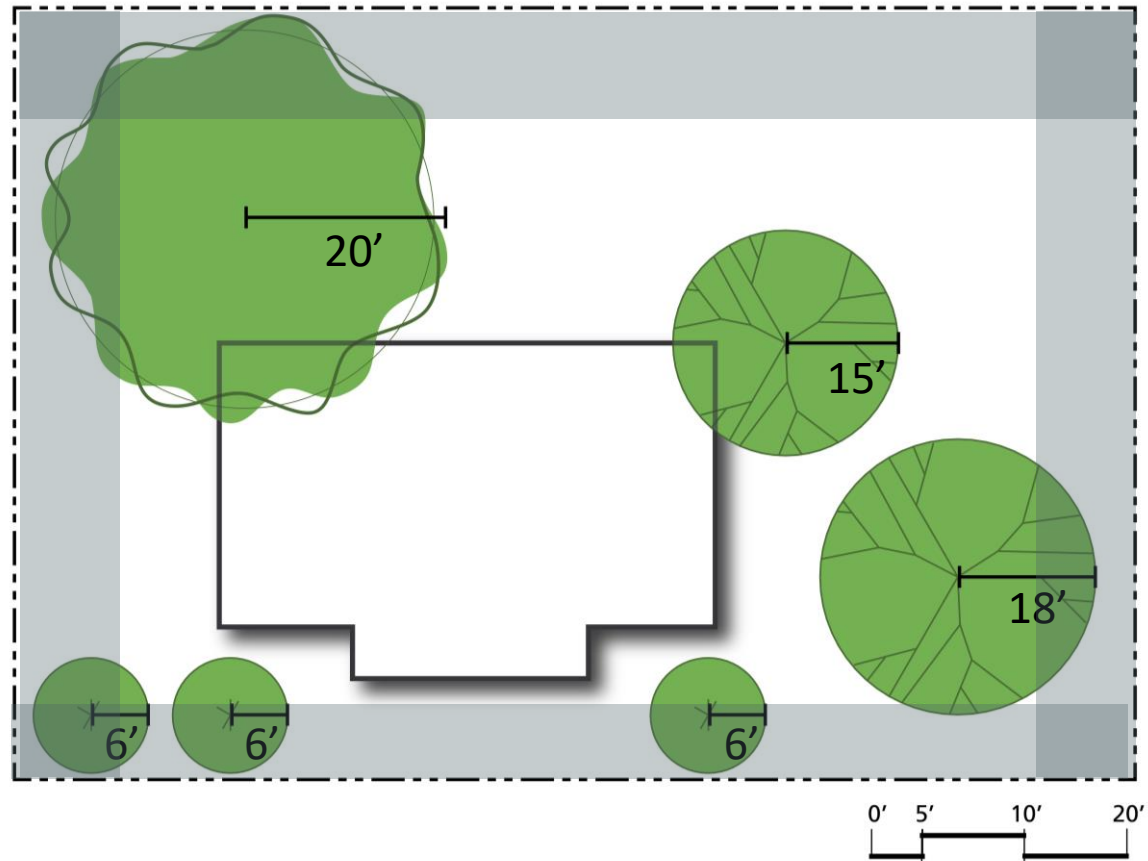
- 12,991 square foot single family residential property
- 1 tree credit required per 1,000 square feet of developable area
- $12,991 \text{ sf} / 1,000 \text{ sf} =$
13 minimum tree credits required
- Total tree credits on site:
 $7+4+6+1+1+1=$
20 tree credits



Draft Consultant Recommendations

Retention Priorities

- Landmark Trees
- Grove Trees
- Perimeter Trees



Draft Consultant Recommendations

Tree Replacement Requirements

- Tree replacement across all land use districts
- Species and size requirements
- Specify planting location requirements
- Additional requirements for landmark tree removal



Draft Consultant Recommendations

Alternative Tree Mitigation Tools

Fee-In-Lieu

- Alternative option if replacement trees cannot be planted on-site due to site constraints.
- Cost per tree based on tree appraisal value, cost of planting and maintenance, or a set price per tree.
- Funds held in “Urban Forestry Account” to be used by City to invest in additional tree planting or urban forest management activities.



Draft Recommendations

Calibrating Tree Credits



Extreme 1

- Tree credits can be achieved in any way
- Maximum development flexibility
- Least certainty for large trees

Future Bellevue

- Mixture of incentives and requirements



Extreme 2

- Strict retention standards, even above minimum credit
- Least development flexibility
- Maximum certainty for large trees



Draft Recommendations

How do we regulate the code?

- First seek voluntary compliance
- If not possible, may issue notice of civil violation if evidence is sufficient
- Hearing before Hearing Examiner is scheduled
- Hearing Examiner issues a decision, determines penalty



Draft Recommendations

Enforcement Updates

- Anticipate improvements through reducing ambiguity about when a violation has occurred
- Other tools being evaluated:
 - Inspection requirements to verify tree retention compliance
 - Registry for tree service providers
 - Higher monetary penalties for repeat offenses
 - Requiring signage during tree removal activity referencing permit information
 - Maintenance agreements requiring adherence to approved tree retention plans

Q&A

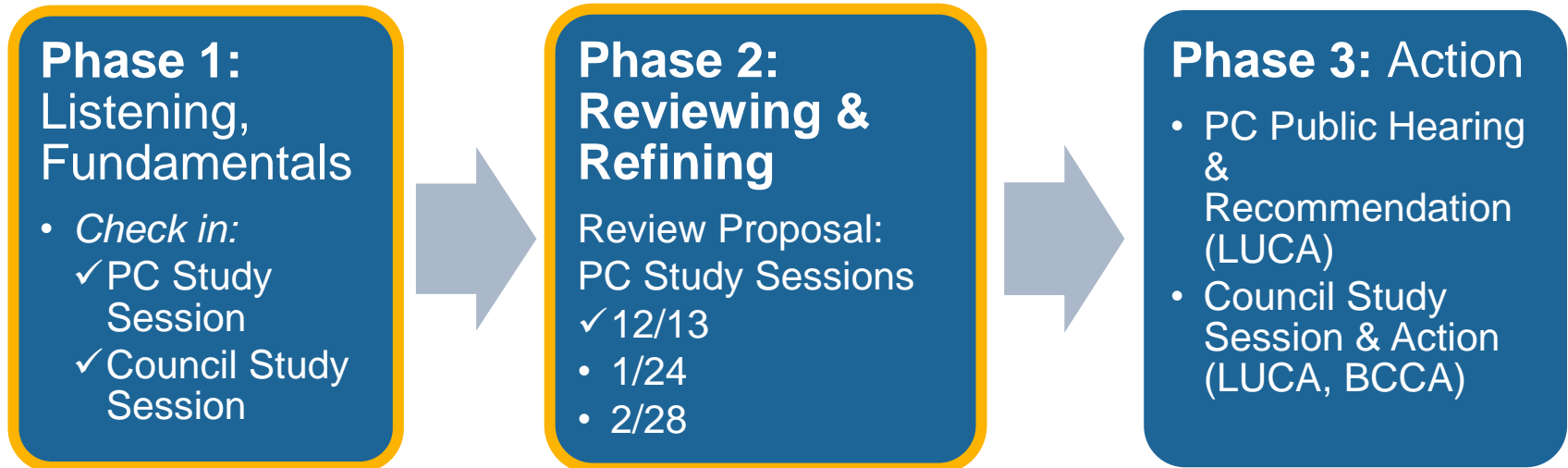
Additional questions or input can be addressed to Kristina at kgallant@bellevuewa.gov



Small Group Discussion



Next Steps



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Thank you!

For any questions or comments, contact Kristina Gallant at kgallant@bellevuewa.gov

