



MANAGEMENT BRIEF

DATE: June 20, 2011

TO: Mayor Don Davidson and City Councilmembers

FROM: Dan Stroh, Acting Director, 452-5255
Andrew Kidde, Mediation Program Manager, 452-5288
Patricia Knight, Community Outreach Coordinator, 452-7917
Department of Planning & Community Development

SUBJECT: Report on Enatai Tree Preservation Study

This staff memorandum and the accompanying transmittal memorandum from the Planning Commission provide the City Council with a report on the conclusion of the Enatai Tree Preservation Study. The Commission is recommending that the City not pursue additional tree regulations for the Enatai neighborhood.

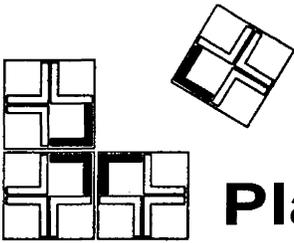
In early 2009, residents of the Enatai neighborhood approached the City Council with their concerns regarding tree preservation in their residential neighborhood. After considering a variety of approaches to address their concerns, Council directed staff and the Planning Commission in early 2010 to conduct a study of the residents of the Enatai neighborhood to determine the level of support for additional tree regulations. The Council developed a set of guiding principles for the study (see Attachment A of the Planning Commission Transmittal Memorandum).

Staff noted that this study was comparable to the effort conducted in the Bridle Trails neighborhood. Staff therefore undertook a process similar to the Bridle Trails effort, including a survey of residents on the tree preservation question, and additional public outreach. The survey revealed a minority level of support in Enatai for additional tree preservation regulation (42.6%). It was notable that this was significantly less than the 69% of survey respondents in the Bridle Trails study who supported additional tree preservation. Staff also offered a neighborhood workshop in the summer of 2010, which included information on the results of the survey (see Attachment B and C of the Planning Commission Transmittal Memorandum) and presentations by City arborists on existing regulations and on the benefits of tree preservation.

On April 13, 2011, staff briefed the Planning Council on the results of our survey and outreach effort. The Planning Commission noted that there was not the "very strong" level of neighborhood support that, per the Council principles, would warrant new regulations. The Commission recommends that the City not pursue this alternative. However, the Planning Commission supports the City undertaking ongoing education regarding the benefits of tree preservation, with the hope that this reinforces voluntary tree preservation efforts. PCD staff will work with other departments to explore opportunities for such educational projects to the extent these can be done within existing budget resources.

ATTACHMENTS:

1. Planning Commission Transmittal Memorandum and Attachments A-C



Planning Commission

TRANSMITTAL

DATE: June 20, 2011

TO: Mayor Davidson and Councilmembers

FROM: Hal Ferris, Chair
Members of the Bellevue Planning Commission

SUBJECT: Enatai Tree Preservation

I. RECOMMENDATION

With this transmittal, the Planning Commission recommends that the City Council:

- Not advance new tree preservation regulations for the Enatai neighborhood, and instead promote on-going educational and voluntary approaches to promoting residential tree preservation.

II. BACKGROUND

In January of 2009, several residents of Enatai requested that the City adopt “Bridle Trails-like” enhanced tree standards to preserve the character of their neighborhood. On October 26, 2009, Council referred the request to the Planning Commission with direction to develop a potential regulatory approach which only addressed Enatai. This would include engaging the neighborhood in a discussion about enhanced tree preservation through education, regulation or a combination of the two. In its referral to the Planning Commission, the City Council included a set of guiding principles to provide clear direction about what the Council would like to accomplish with this effort. See Attachment A.

Following a staff briefing in February of 2010, the Planning Commission directed staff to conduct a public engagement effort and investigate the level of interest in the tree preservation issue with the entire neighborhood.

III. PUBLIC ENGAGEMENT

Staff considered the boundaries of the potentially affected area, and found that the Enatai neighborhood was bounded to the south by 1-90, to the west by Lake Washington, and to the east by Bellevue Way, and on the north by the boundary of the Enatai Neighborhood Association.

Staff also determined that the neighborhood includes the Killarney Circle Neighborhood Association, which is surrounded by the Enatai Neighborhood Association area.

The first three principles articulated by Council were the basis for the outreach program and the initial step in particular. In March 2010, staff worked with Enatai residents that have been active on this issue to develop a process and survey instrument for gauging residents' feelings about how they valued the trees in their neighborhood and how they felt about tree preservation efforts that the city might undertake. A survey (Attachment B) was mailed to every owner of property in Enatai and Killarney Circle (958 in total). A total of 338 responses (35%) were received, which is fairly high for this kind of survey.

A summary of the survey results is included as Attachment C. Following are three key results that form the basis for staff's recommendation on next steps:

- 93% of respondents considered trees to be an important neighborhood asset; that they were valued for their natural beauty, promoting privacy, providing wildlife habitat and shade, reducing air pollution, and increasing property values;
- Responses were evenly split regarding whether the number of trees being cut down was a concern; and
- Responses were nearly split regarding whether additional tree preservation regulation was required (47.7 % indicated current regulations for removal of trees were either sufficient or more than required to protect trees; 42.6% indicated current regulations were not sufficient).

Given the Council's fourth principal, that "Planning Commission's recommendation should reflect very strong neighborhood support and strive for consensus," the Planning Commission does not believe that the survey result demonstrate sufficient support for the City to take action on enhanced tree preservation standards. It is notable that a similar survey of the Bridal Trails community during that process found 69% preferred adopting new regulations to require retaining some trees on single-family lots.

In order to learn more about residents' feelings on this issue and provide the neighborhood with feedback on the results of the survey, staff coordinated with residents to conduct a Neighborhood Workshop on tree preservation on June 30, 2010 at Bellevue Christian Church in the Enatai neighborhood. The presentation included results of survey, information on the tree canopy, discussion of pruning and safety, existing regulation and enforcement. Eighteen residents of the Enatai neighborhood attended; most were advocates of additional tree preservation regulations. In presenting the results of the survey, staff emphasized that only a minority of the survey respondents were in favor of additional tree regulations. Staff also explained that City Council had expressed the view that the City should proceed with additional regulation only if there was a strong level of neighborhood support.

IV. CONCLUSION

On April 13th the Planning Commission was briefed on the results of the survey and outreach effort. Based on the results of the survey, the Planning Commission found that clear and strong support is lacking to develop tree preservation regulations beyond what currently exists. Guided

by the Council's fourth principle, that any recommendation should reflect very strong neighborhood support, the Commission reached consensus that **the City should not proceed with developing tree regulations applicable to the Enatai neighborhood**. Since no additional regulations are recommended, the original Council principles 5 and 6 do not apply.

The Planning Commission was also briefed on possible additional actions that the city could take to reinforce voluntary tree preservation and the values that were identified as important in survey responses. These include:

- Posting materials that were presented at the follow-up workshop on the city's website;
- Creating a separate page on the city's website devoted to information about the city's tree canopy with link to the citywide and neighborhood-specific information that is available;
- GIS monitoring to track tree canopy by neighborhood; and
- A BTV segment on Bellevue's tree canopy and the importance of trees for the urban ecosystem

In addition to these steps, members of the Planning Commission suggested other efforts:

- Anyone seeking a permit for an action on their property should be given a flyer regarding the need to preserve trees.
- Outreach targeted toward the tree cutting services to make sure they understand the City's tree regulations.

ATTACHMENTS

- A. Council Planning Principles
- B. Copy of survey sent to Enatai Residents
- C. Summary of survey results

Bellevue City Council
Guiding Principles for the Enatai Tree Preservation Study

1. The issues around tree preservation vary by area and within neighborhoods; therefore, the discussion of these issues and how to address them should be led by neighborhood residents, with City assistance, and seek to engage all potentially-affected residents and property owners;
2. The Planning Commission's initial efforts should be focused on engaging the neighborhood in a discussion about whether there is general interest in preserving trees and what approach would have broad support;
3. Neighborhood residents and City staff should work together to ensure that clear and accurate information is provided and that potentially-affected residents understand the implications of any proposal;
4. The Planning Commission's recommendation should reflect very strong neighborhood support and strive for consensus – conversely, the Commission is not obligated to recommend further City action if it does not believe there is sufficient support;
5. If enhanced tree preservation standards are recommended:
 - they should be tested to ensure they are workable and appropriate on typical single family lots (far less than the one-acre size applied in Bridle Trails);
 - the process for applying the standards should be clearly defined, streamlined, and provide flexibility for Council to maintain its discretionary authority and address individual neighborhood circumstances;
 - boundaries of the potentially-affected area should be logical and based on attributes such as tree canopy, property lines, local support/opposition, and neighborhood identity; and
6. Any recommendation should balance the objectives of tree preservation with the needs of owners to maintain and develop their properties.



Enatai/Killarney Circle Neighborhood Survey on Tree Preservation

Your responses to this survey will help the City understand your opinions about trees in your neighborhood a property owner in the Enatai neighborhood. Please return this survey by April 5, 2010.

1. How many years have you owned property in Enatai/Killarney Circle? _____ years
Check if this is your: _____ primary residence _____ part time residence _____ undeveloped property

2. What is the nearest intersection to your property?
Intersection of _____ Avenue SE and SE _____ Street

3. Do you live in Enatai _____ or Killarney Circle _____ (Please check one.)

4. Do you consider trees an important neighborhood asset? _____ yes _____ no
If yes, what are the most important benefits of trees in your neighborhood?
(Rank the top 3 benefits in order with #1 being the most important benefit)

_____ shade _____ privacy _____ reduce air pollution _____ natural beauty
_____ reduce flooding _____ wildlife habitat _____ increase property values
_____ Other: (please specify) _____

5. Do you think trees cause problems? _____ yes _____ no
If yes, what problems do trees cause in your neighborhood?
(Rank the top 3 problems in order with #1 being the biggest problem)

_____ block sun _____ block views _____ storm damage to structures/fences
_____ tree pollen _____ falling branches / leaves
_____ Other: (please specify) _____

6. Are you concerned about the number of trees being cut down in your neighborhood?
_____ Yes _____ No If yes, could you please describe what has caused your concern:

7. Do you think trees are an important aspect of Enatai/Killarney's distinctive character?
_____ Yes _____ No Comments _____

8. Are you aware that the City of Bellevue currently regulates the removal of trees in certain situations? _____ Yes _____ No

Currently the removal of trees on property in Enatai may trigger the following City ordinances:
a) when an area of over 1,000 square feet is being cleared (typically 20 mature trees) a clear and grade permit is required (LUC 23.76.025).
b) when a property is being redeveloped, expanded, or subdivided there is a limitation on the number of trees that may be removed as part of that process (LUC 20.20.900).
c) existing plat conditions may require tree preservation on specific properties.
d) special provisions govern trees in critical areas (e.g. steep slopes, streams, and wetlands).

For single family properties that are not in critical areas and are **not undergoing development**, any number of trees may be removed, provided that a clear and grade permit is obtained if more than 1,000 square feet is disturbed.



Enatai / Killarney resident

A group of your neighbors have expressed concern to City of Bellevue staff about the loss of trees in the neighborhood. They feel that an abundance of trees is an important part of the Enatai/Killarney Circle character, and they are interested in exploring what can be done to preserve trees, and whether the City of Bellevue can play a role in that effort.

In response to this issue...

The City of Bellevue staff, in collaboration with your concerned neighbors, would like to know how you feel about tree preservation in your neighborhood, and whether you too feel that something more should be done.

We are asking you to complete the attached survey. In addition to obtaining information through this survey, we will follow up with an open house event here at City Hall and probably community discussions in your neighborhood.

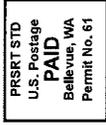
We plan on sharing our findings back with the community. We can then engage in further discussion about tree preservation efforts in Enatai/Killarney Circle that would be consistent with what the community wants.

Thank you for taking your time to fill out the survey, and feel free to contact Patricia at 425-452-7917 for more information about this process.

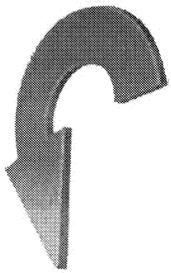
Sincerely,

Andrew Krude, Mediation Program Manager

Patricia Knight, Neighborhood Outreach Coordinator



PLANNING & COMMUNITY DEVELOPMENT
CITY OF BELLEVUE
P O BOX 90012
BELLEVUE WA 98009-9805



9. Given the existing regulations, do you think: (Circle one)

- A. The current regulations regarding the removal of trees are sufficient for protection of trees in Enatai.
- B. The current regulations regarding the removal of trees are not sufficient for the protection of trees in Enatai.
- C. The current regulations regarding the removal of trees are more than is required for the protection of trees in Enatai.

10. What factors do you consider in deciding whether to cut down or prune a tree?

(Rank the top 2 considerations in order with #1 being the biggest consideration)

- _____ increase light _____ increase views _____ safety _____ landscape aesthetics
- _____ reduce falling leaves and branches _____ reduce moss and dampness on roofs
- Other, (please specify) _____

11. In order to protect trees in Enatai, do you think the City is doing just the right amount, not enough, or too much for each of the following:

(For each item please check only one answer that most accurately corresponds to your opinion)

- A. Informing people about the value of trees and alternative ways to address tree issues
Just right _____ Not enough _____ Too much _____
- B. Regulating to help retain trees.
Just right _____ Not enough _____ Too much _____
- C. Enforcing and levying penalties for existing code
Just right _____ Not enough _____ Too much _____
- D. Balancing property rights and tree preservation
Just right _____ Not enough _____ Too much _____

12. Do you have any additional comments about trees in Enatai?

Thank you for completing this survey!

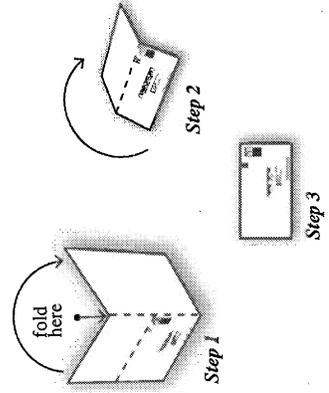
- Optional: _____ I am interested in being on the mailing list for additional information
- _____ I am interested in participating in neighborhood discussions about tree issues:

Name _____ Address _____ Phone _____

E-mail _____

Instructions for mailing back the survey.

1. Fold sheet in half along the fold line to 8.5" x 11" so that these instructions are on the outside.
2. Fold down again along the second fold line with "Business Reply Mail" postage showing.
3. Tape is optional, no staples please.
4. Drop it in the mail by _____.

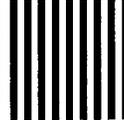


Step 1. Fold down first.

Step 2. Fold down second.



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 823 BELLEVUE, WA

POSTAGE WILL BE PAID BY ADDRESSEE

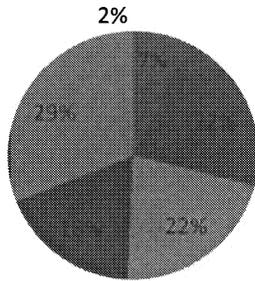
ATTN: NEIGHBORHOOD OUTREACH
CITY OF BELLEVUE
P O BOX 90012
BELLEVUE WA 98009-9805



Enatai/ Killarney Circle Tree Survey Results

How many years have you owned property in Enatai/Killarney Circle?

Years of property ownership	Response Total	Response Percent
up to 3 years	24	7%
3-10 years	74	22%
11-20 years	73	22%
21-30 years	62	18%
over 30 years	98	29%
(blank)	7	2%
Grand Total	338	100%



- up to 3 years
- 3-10 years
- 11-20 years
- 21-30 years
- over 30 years
- (blank)

Over two thirds of respondents had owned their property 11 years or more.

Check if this is your:

Type of residence	Response Total	Response Percent
Part-time residence	9	3%
Primary residence	325	96%
Undeveloped property	1	0%
(blank)	3	1%
Grand Total	338	100%

Over 96 percent of respondents said this was their primary residence.

Do you live in:

Enatai or Killarney Circle	Response Total	Response Percent
Enatai	298	88.2%
Killarney Circle	33	9.8%
(blank)	7	2.1%
Grand Total	338	100%

Over 88 percent of respondents lived in Enatai and almost 10 percent in Killarney Circle.

Do you consider trees an important neighborhood asset?

Trees considered an important asset	Response Total	Response Percent
No	10	3.0%
Yes	316	93.5%
(blank)	12	3.6%
Grand Total	338	100.0%



Over 93 percent of respondents said that trees are an important asset.

If yes, what are the most important benefits of trees in your neighborhood

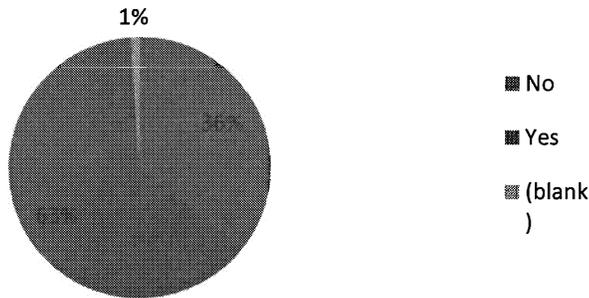
Most important benefits of trees	Response Total	Response Percent
increase property values	88	9.5%
natural beauty	286	30.8%
privacy	176	18.9%
reduce air pollution	112	12.0%
reduce flooding	38	4.1%
shade	104	11.2%
wildlife habitat	126	13.5%
Grand Total	930	100.0%



Of those tree benefits checked, almost 31 percent were for trees' natural beauty. Another 19 percent were for privacy and over 13 percent were for wildlife habitat. Of those benefits that were written in, 35 percent were for noise reduction.

Do you think trees cause problems?

Do trees cause problems?	Response Total	Response Percent
No	121	35.8%
Yes	213	63.0%
(blank)	4	1.2%
Grand Total	338	100.0%



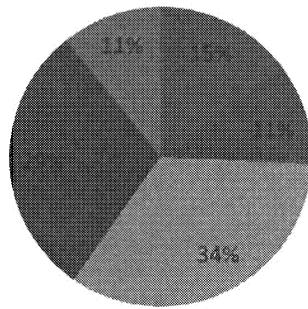
Exactly 63 percent of survey respondents said that trees cause problems.

Years owning property	# of respondents that think trees cause problems	% of respondents that think trees cause problems in each category
up to 3 years	13	54.2%
3-10 years	54	73.0%
11-20 years	40	54.8%
21-30 years	40	64.5%
over 30 years	61	62.2%
(blank)	5	71.4%
Grand Total	213	63.0%

Exactly 63 percent of respondents said that trees cause problems. Residents that had owned their property between three and 10 years had the highest proportion of respondents saying that trees cause problems at 73 percent, whereas residents that had owned their property less than 3 years had the lowest proportion of respondents saying that trees cause problems at just over 54 percent.

If yes, what problems do trees cause in your neighborhood?

Problems trees cause	Response Total	Response Percent
block sun	74	14.9%
block views	54	10.9%
falling branches/leaves	168	33.9%
storm damage to structures/fences	147	29.6%
tree pollen	53	10.7%
Grand Total	496	100.0%

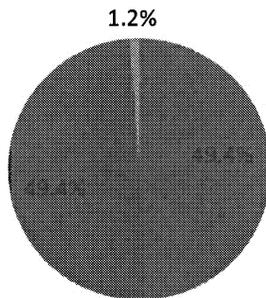


- block sun
- block views
- falling branches/leaves
- storm damage to structures/fences
- tree pollen

Of those tree problems checked, over a third were for falling branches and leaves and another 30 percent were for storm damage to structures and fences. Fifteen percent were for blocking sun and 11 percent for block views and tree pollen. Of those that wrote in another problem, damage to utilities and maintenance issues were the most common.

Are you concerned about the number of trees being cut down in your neighborhood?

Concerned over the number of trees being cut down in their neighborhood	Response Total	Response Percent
No	167	49.4%
Yes	167	49.4%
(blank)	4	1.2%
Grand Total	338	100.0%



- No
- Yes
- (blank)

There was an even split between the number of survey respondents who said they were concerned about the number of trees being cut down in their neighborhood and those who were not. Forty percent of those that are concerned wrote in that they were concerned about excessive cutting done during new construction. Another 17 percent were concerned about the loss of neighborhood character and/or beauty, and five percent were concerned with safety issues resulting from the loss of trees.

Years at Primary Residence	# of respondents that are concerned with cutting of trees	% of respondents that are concerned with cutting of trees in each category
up to 3 years	8	33.3%
3-10 years	34	45.9%
11-20 years	40	54.8%
21-30 years	29	46.8%
over 30 years	54	55.1%
(blank)	2	28.6%
Grand Total	167	49.4%

More than half of the residents who lived at their residence over 30 years or between 11 and 20 years were concerned with the cutting of trees, while only a third of residents who lived at their residence less than 3 years were concerned.

Do you think trees are an important aspect of Enatai/Killarney Circle's distinctive character?

Trees are important to neighborhood character	Response Total	Response Percent
No	26	7.7%
Yes	309	91.4%
(blank)	3	0.9%
Grand Total	338	

Over 300 or 91 percent of survey respondents said that trees are important to neighborhood character.

Are you aware that the City of Bellevue currently regulates the removal of trees in certain situations?

Awareness of City tree removal regulations	Response Total	Response Percent
No	77	22.8%
Yes	246	72.8%
(blank)	15	4.4%
Grand Total	338	100.0%

Nearly 73 percent of survey respondents said that they were aware of the City's tree removal regulations.

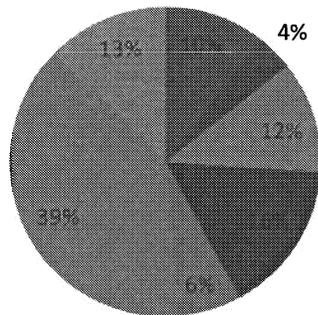
Given the existing regulations, do you think:

Current regulations regarding the removal of trees are _____ to protect trees	Response Total	Response Percent
More than is required	31	9.2%
Not sufficient	144	42.6%
Sufficient	130	38.5%
(blank)	33	9.8%
Grand Total	338	

Nearly 43 percent of survey respondents said that city regulations on tree removal were not sufficient for protecting trees, while another 39 percent said city regulations were sufficient and 9 percent said city tree removal regulations were more than what was required.

What factors do you consider in deciding whether to cut down or prune a tree?

Factors considered when deciding whether to cut down or prune a tree	Response Total	Response Percent
increase light	70	10.4%
increase views	27	4.0%
landscape aesthetics	79	11.7%
reduce falling leaves and branches	108	16.0%
reduce moss and dampness on roofs	44	6.5%
safety	263	38.9%
(blank)	85	12.6%
Grand Total	676	

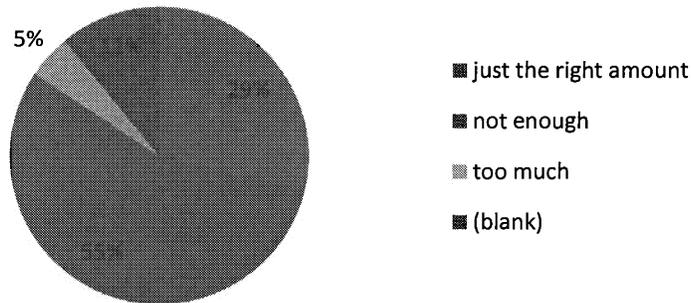


- increase light
- increase views
- landscape aesthetics
- reduce falling leaves and branches
- reduce moss and dampness on roofs
- safety
- (blank)

Safety was the most frequent box checked, capturing nearly 39 percent of the responses for factors considered when deciding whether to cut down or prune a tree. Another 16 percent were for reducing the amount of falling leaves and branches, 12 percent were for landscape aesthetics and 10 percent for increasing light. Of 'other' responses written in, over 44 percent were in regards to the health of a tree. Another 8 percent wrote in 'reducing falling leaves and branches.'

In order to protect trees in Enatai, do you think the City is informing people about the value of trees and alternative ways to address tree issues:

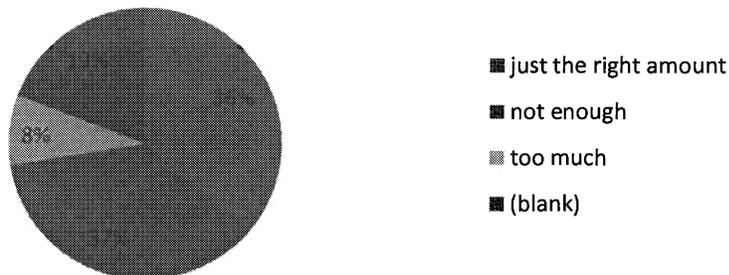
Amount of information about the value of trees and alternative ways to address tree issues is	Response Total	Response Percent
just the right amount	97	28.7%
not enough	188	55.6%
too much	16	4.7%
(blank)	37	10.9%
Grand Total	338	100.0%



Over 55 percent of survey respondents said that the City was not providing enough information about the value of trees and alternative ways to address tree issues, whereas 29 percent said the City was providing just the right amount and almost 5 percent said the City was providing too much information.

In order to protect trees in Enatai, do you think the City is enforcing and levying penalties for existing code:

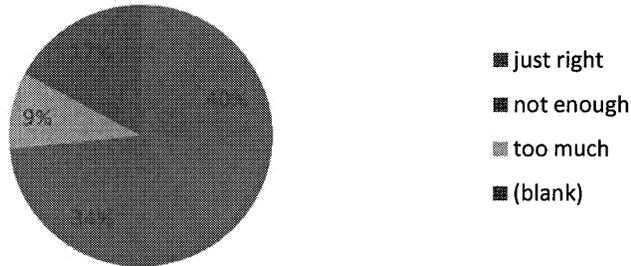
Amount of enforcement and levying of penalties is	Response Total	Response Percent
just the right amount	122	36.1%
not enough	123	36.4%
too much	28	8.3%
(blank)	65	19.2%
Grand Total	338	100.0%



There were nearly an equal number of respondents who said the City was not doing enough enforcement of existing tree regulations and those who said the City was doing just the right amount of enforcement. Just over 8 percent said the City was doing too much enforcement.

In order to protect trees in Enatai, do you think the City is balancing property rights and tree preservation:

Is the amount the City is doing to balance property rights and tree preservation...	Response Total	Response Percent
just right	134	39.6%
not enough	114	33.7%
too much	32	9.5%
(blank)	58	17.2%
Grand Total	338	100.0%



Nearly 40 percent of survey respondents said that the City was doing the right amount to balance property rights and tree preservation. Almost 34 percent said the City was not doing enough and almost 10 percent said that the City was doing too much to balance property rights and tree preservation.