



## **Memorandum**

**To:** City Council  
**Cc:** Mary Jane Goss, Mayor  
Pete Rose, City Administrator  
Steve Bennett, Planning and Building Director  
**From:** Tree Board, Sub-committee of the Environmental Quality Commission  
**Date:** October 26, 2015  
**Re:** Recommendation for update to Tree Ordinance LFPMC 16.14

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### **Executive Summary**

The Tree Board, in conjunction with the community, has developed a number of recommendations for the update to the Lake Forest Park Tree Ordinance. These recommendations focus on changes to regulations, policies, and community education that will strengthen and enhance the urban forest that defines our community.

### **Background**

The City of Lake Forest Park has long recognized the value of an extensive tree canopy. Indeed, our “urban forest” is the most distinctive characteristic of the city. In 2011, 45% of Lake Forest Park was covered with tree canopy. To maintain and enhance our urban forest, ordinances regarding trees have been established and revised over the last few decades. The goal of these ordinances has been to (1) maintain a healthy urban forest environment, (2) enable property owners to wisely manage their own tree canopy, and (3) prevent abuses on the part of certain developers, tree removal companies, and individuals who seek to benefit economically with little or no regard to the LFP tree canopy.

Tree ordinances must be able to apply to the city as a whole, while leaving enough targeted flexibility to recognize that every tree removal situation is unique. While the City’s tree ordinances (including the permitting process) have become more nuanced and flexible over the years, we have learned that the current ordinance has shortcomings, and have undertaken a carefully-considered revision process that will incorporate available data about the City’s tree canopy, the experience we have gained over the years, and—above all—the ideas and priorities of LFP residents and property owners. The public outreach process included two public meetings and a panel discussion, in which residents were able to express their opinions and ask questions of experts. Please see Appendix A for citizen comments. Appendix B contains information on tree permit numbers over the last several years.

The Tree Board recommends the following changes to the current tree ordinance:

## 1. Regulations

### A. Close loop-holes within current regulations.

- i. Define a “dead” tree as it relates to permit exemption.  
16.14.030 “Dead Tree”
- ii. Remove definition of “New development” so that the City Arborist is involved with all new single-family, multi-family, and commercial construction, especially as these relate to canopy coverage goals.  
16.14.030 “Major Development Activity” and “Minor Development Activity” replace “New Development”
- iii. Clarify criteria for tree tracts; including consideration for building setbacks.  
16.14.080(D)
- iv. Define multi-stemmed trees  
16.14.030 “Landmark Tree” “Multi-stemmed Tree” and “Significant Tree”
- v. Provide reasonable definition of trees vs. shrubs  
16.14.030 “Significant Tree” and “Tree”

### B. Exempt certain species tree removal requirements.

- i. Create a list of invasive species which would be exempt.  
16.14.050(B)(3)

### C. Credit high-canopy properties among the community.

- i. Encourage long-term forestry management planning for lots over 60% canopy coverage, through use of a multi-year permit.  
16.14.030 “Five-Year Forest Management Plan”; 16.14.070(C);  
16.14.080(C)(6)

### D. Standardize replacement requirements.

- i. All replacement requirements, including those for sensitive area and administrative permits, should be related to canopy coverage, not 1:1. Requiring canopy replacement in sensitive areas, but keeping 1:1 replacement for non-arborist-involved permits if the canopy is below or goes below the coverage goal. It was determined that having applicants pay for City Arborist visit to determine canopy coverage would be too burdensome.
- ii. Require an initial fee that covers the cost of replacement.
  - a) With this, the default fees due for replacement inspection or non-compliance could be directed to the tree fund, not the general fund.

City considering a tree voucher program. This would be a program rather than something addressed in the code.

### E. Change the permitting process to ensure canopy replacement.

- i. Consider alternatives for permit-holders to report tree replacement for a “permit final.”  
*See note above.*
- F. Incentivize removal and replacement of diseased or infested trees.
  - i. Provide a path for staff to encourage removal of trees that threaten neighboring trees.  
*City may provide free tree replacement vouchers in these cases. This would be a program rather than a part of the code.*
- G. Require moratorium on tree removal for new development.
  - i. New single-family development has typically undergone a thorough inventory and planting process, guided by the City Arborist. Unless a new, unforeseen hazard arises, there will likely be no reason to remove trees on newly built lots.  
*5 Year restriction after Major Development Activity - 16.14.050(F)*
- H. Increase City authority to deny tree removal permits
  - i. Consider additional criteria for permit denial.  
*16.14.050(C); (D); (E); (F); (G)*

## 2. Policies

- A. Raise fees for removal.
  - i. Require payment for all types of permits so that the City Arborist can assess canopy, and therefore, replacement requirements.  
*All permits now require payment.*
  - ii. Consider including a fee for replacement trees, to be returned through a voucher or other method.  
*City considering voucher program.*
- B. Increase transparency of current permits in review.
  - i. Allow the public better notice for tree removal during the review process.  
*Clarified notice procedures: 16.14.040(D)*
  - ii. Increase notice period to two weeks for all permit requests.  
*Commissioners decided to keep administrative permit at two days, but to clarify that it is two *business* days, not calendar days:  
16.14.040(D)(1)*
  - iii. Notice period must start over if arborist discovers permit has not been placed or has been placed incorrectly.  
*City currently requires this.*
- C. Streamline permitting process.
  - i. Allow applicants to fill out the same form initially, if possible, online  
*One form in place. Online coming in 2017.*
- D. Permit fee waiver request process.
  - i. Consider allowing residents with financial difficulties to apply to have permitting fees waived.

City considering this program. Would be outside of code.

E. Educate the community on the principles and goals of the Community Forest Management Plan.

- i. Produce and distribute tree regulation materials for realtors.
- ii. Use volunteers to provide education for homeowners and developers on proper tree planting and care.
- iii. Expand volunteer base for tree planting
- iv. Involve Youth Conservation Corps

City looking into implementing these programs.

The Tree Board recommends that the Lake Forest Park City Council and Planning Commission review these recommendations and incorporate them into the update to the tree ordinance.