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| current code |  pLANNING COMMISSION RECOMENDATION1 *Factors Considered2*  |  what DOES IT do? | **effect3** |  **city council direction** |
| **Property Owner Tree Removals** | Allows 2 tree removals per 12 months on any size property, without a permit.  | Increase annual tree removal allowance according to property size*+ More equitable with larger properties**+ Balanced by limited Landmark tree removal**+ No permit required; notification requested (more streamlined)**- Cannot track specific tree removal data* | Allows greater tree removals without a permit:2 removals for lots <10,000 sq. ft 3 removals for lots 10,001-20,000 sq. ft4 removals for lots >20,001 sq. ft |  | Concur with PC recommendationsResult: greater tree removal. |
| Requires replanting only when the last 2 trees are removed. Permit required.  | Increase number of replacement trees and minimum number of existing trees to remain on larger properties*+ Commensurate with tree removal allowances**+ Offsets increased tree removal allowances over time* | Requires 1:1 tree replacements when removals on larger properties include the last 2, 3, or 4 remaining existing trees.  |  | Concur with PC recommendationsResult: increases number of trees replanted on larger lots.  |
| Maintain larger, wooded lots using Forest Management Plan. Permit required. | minor changes to Forest Management Plan:*+ To remove >6 trees per 12 months**+ Cannot remove Landmark trees or designated groves**+ May require performance security*  | Supports traditional stand management for selective thinning/replanting on wooded lots >35,000 sq. ft.  | **O** | CONCUR with PC recommendations + INCREASE size of replacements from 3’ to 6’height Result: no change in canopy effect.  |
| No age/size distinction for property owner removal or development tree retention.  | establish new Landmark tree category*+ Define as minimum 30” DBH trees in good-excellent condition**+ Retention efforts result in immediate and long-term effects*  | Protects large, healthy trees that provide greatest public benefit until newly-planted trees can (10-20 years).  | **O** | Broaden PC recommendation: minimum 26” DBH treesResult: definition has little consequence without removal limits. (see Tier 1 Landmark trees/with development below). |
| Allows 2 tree removals per 12 months, regardless of tree size, without a permit or replacements. | Limit property owner Landmark tree removal*+ Compromise with HCC to limit vs. prohibit Landmark tree removals**+ Offsets increased tree removal allowances immediately**+ Can track Landmark tree removal/replacement data*  | Allows 1 Landmark tree removal per 24 months with a permit (slows loss of Landmark trees). | **O** | **Disagree with PC recommendation**Result: allow 2 (3? 4?) Landmark tree removals within 12 months (no permit), consistent with current code. Cannot track Landmark tree removal data. |
| 1:1 replacements are nursery-sized trees, regardless of removed tree size.  | increase replanting standards for Landmark tree removals*+ Described as “robust” replacement standards**+* *Provides an even succession of benefits over time*  | Undetermined. More “robust” tree replacement standards may incentivize Landmark tree retention.  | **?** | No direction, considering greater mitigation standards for the 2nd Landmark removal within 12 months. |
| Does not allow removal of overgrown tree-hedges under “2-per” code provision. | Increase allowed tree removals to remove overgrown hedges consisting of trees >6” DBH *+ Balances limited Landmark tree removal**+ Require 1:1 replacements**+ Will provide even succession of benefits over time*  *- Greater number of allowed tree removals at one time* | Allows the removal of overgrown hedges that exceed allotted tree removal allowances. Permit required. |  | Concur with PC recommendationsResult: greater tree removal  |
| Tree removal (including girdling) to avoid development code compliance is not addressed in the current code.  | **Prohibit preemptive tree removals: require wait period to submit SPL/SUB development permits following tree removals by size:** 1-year wait for regulated trees (>6” DBH) 2-year wait for Landmark trees (>30” DBH)**Prohibit girdling of trees on prospective development sites:*** *Add/adjust girdling and removal definitions*
* *Increase penalties for unauthorized tree removals*
 | Allows equitable application of development codes and prevents potential hazard tree failure resulting from girdling |  | **Increase wait period to submit SPL/SUB development permits following tree removals by size:*** *2-year wait for regulated trees (>6” DBH)*
* *4-year wait for Landmark trees (>26” DBH)*

**ADD** hardship clause to allow leniency with wait periods for special circumstances justifying Landmark tree removals prior to development. |

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| **current code** |  pLANNING COMMISSION RECOMENDATION1 *Factors Considered2*  |  **what DOES IT do?** | **effect3** |  **city council direction** |
| **Development Requirements** | Currently retain large-DBH trees where practicable. | **Tier 1 - Landmark trees** *+ May improve retention on clustered SPLs/SUBs and larger lots**o No change in large tree retention on average-sized lots* *-* *Retaining large tree critical root zones on average lots with minimum 50% lot coverage will continue to be a challenge* | Intends to provide highest level of tree protection for 30” DBH minimum Landmark trees in good-excellent health with development.  | **X** | **Concur with PC recommendation** Result: potentially slight increase in Landmark tree retention with larger lots, however, efforts may be neutralized by property owner removal allowances. |
| Grove trees defined without size or condition limits, protected in perpetuity.  | Tier 1 - Groves*+ Increased code predictability and known development feasibility* *- Reduces age diversity of retained grove trees* *- Condition criteria exclude trees in fair condition**- Size criteria eliminate 6-11” DBH trees in groves*  | Redefines grove by size and condition:* Must fit good-excellent condition criteria
* Each tree must be minimum 12” DBH
* Cannot remove preserved groves as a hedge
 |  | Result: less tree retentionCouncil has indicated general agreement with PC recommendation |
| High/Moderate Retention Value trees | Tier 2 trees *+ Increase predictability of review process**- Slightly less tree retention by excluding Moderate Retention Value trees located outside setbacks* | Tier 2 trees defined as good-excellent condition trees located in setbacks  |  | Result: less tree retentionNo direction |
|  “…good health, with low risk of failure due to structural defects…is a species suitable for its location.” | ESTABLISH tree condition ratings*+ Greater code clarity**- Current definitions are considered too subjective* *- Significantly less tree retention without “fair” condition tree protection* | Clearly define tree health/structure using industry standards in layperson terms organized within chart format  |  | Result: less tree retentionCouncil has indicated general agreement with PC recommendation |
| Simply focused on trees located in setbacks  | ESTABLISH specific building envelope dimensions*+ Greater predictability for developers**- Increased code complexity for all* *- Increased code text**- Increased difficulty at development feasibility phase**- Increased design/review time applying 2 building envelope dimension standards*  | Guarantees development rights using specific building envelopes: * Tier 1: 40’w x 40’d with contiguous/shifting 20’w x 20’d
* Tier 2: 50’w x 50’d footprint, or
* Building facades greater than 50’w: the maximum footprint shall be less 10% a distance between side setbacks, etc.
 | **O** | Result: no or negligible effectNo Council direction |
| “Retain if feasible” or “to the maximum extent possible” code language | Specify extent of tree retention requirements*+ Greater predictability for developers**+ Greater code clarity*  | Specifies requirements for:* Site plan alterations (building design/configuration on lot)
* Tree retention/protection methods
 | **O** | Result: no or negligible effectNo Council direction |
| “Retain if feasible” or “to the maximum extent possible” code language | SPECIFY code flexibility elsewhere*+ Greater predictability for developers**+ Greater code clarity* | Allow variations to other codes/standards to retain trees | **O** | Result: no or negligible effectNo Council direction |
| Not clearly specified | ESTABLISH order of priority for tree retention and replanting*+ Greater predictability for developers**+ Greater code clarity* | Must exhaust, in this order, these code options: 1. Retain
2. Plant on site
3. Plant offsite
4. Payment in lieu of planting
 | **O** | Result: no or negligible effectNo Council direction  |
| IDP required in HPO but optional citywide | **Integrated Development Plans (IDP) for SPL/SUB development***+ Greater predictability for developers**+ Greater awareness of tree protection and removals upfront**+ More information available to neighbors**+ Greater successful tree retention with early planning* | Citywide IDP standards will: Eliminate phased development review process Limit tree removals that occur at various permit stages Streamline modification section of codeRequire Planning Director decision for modifications (vs. Hearing Examiner)  |  | Result: greater tree retention, less tree removal Council has indicated general agreement with PC recommendation |
| Arborvitae is currently eligible for tree density credits when planted as replacement trees | Arborvitae not eligible for tree density credits *+ Supplemental tree planting should meet code intent*+ *Allow its planting, it just don’t count for credits* | Prevents excessive use of arborvitae planted on development sites in response to field study findings | **?** | Result: assumption of meeting intent of code over timeCouncil has indicated general agreement with PC recommendation |

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| **Key:** | O | No change compared to current code |  | PC recommendation: results in greater tree retention, less tree removals |  | PC recommendation: results in greater tree removal, less tree retention | **?** | Unknown or untested | **X** | City Council direction neutralizes effect of PC recommendation  |

1PC RECOMMENDATIONS – shown in the [draft code](https://kirkland.prelive.opencities.com/files/sharedassets/public/planning-amp-building/planning-and-building-images/pbd-general-images/webpage-draft-kzc-95.pdf) and summarized in the January 9, 2019 Planning Commission [memo](https://www.kirklandwa.gov/files/sharedassets/public/city-council/agenda-documents/2020/january-21-2020/item-3b.pdf) to City Council, Attachment 1 on E-pages 14-18

2factors considered – shown in italics as *(o) No, neutral or negligible, (+) Positive, and (-) Negative change based on a comparison to the current code, stakeholder/public feedback and current development review procedures.*

3EFFECTS – tree removal/retention outcomes from analysis of 22 issued Single Family development permits using the current tree code as a baseline for comparison. Shown in the January 21, 2020 [memo](https://www.kirklandwa.gov/files/sharedassets/public/city-council/agenda-documents/2020/january-21-2020/item-3b.pdf) to City Council, Attachment 3, on E-page 24

Key to acronyms/abbreviations:

DBH – Diameter at Breast Height; tree trunk measurement at 4.5’ feet above grade

HCC – Houghton Community Council

HPO – Holmes Point Overlay

IDP Integrated Development Plan

PC – Planning Commission

SPL/SUB – short plat or subdivision development