CITY OF KIRKLAND



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MEMORANDUM

To: Houghton Community Council

From: Deb Powers, Urban Forester

Jeremy McMahan, Planning and Building Deputy Director

Date: May 30, 2019

Subject: Draft Code Amendments, Kirkland Zoning Code Chapter 95

Tree Management and Required Landscaping, File Number CAM18-00408

Staff Recommendation

Review and provide staff direction to draft code revisions including the general concepts resulting from stakeholder input on <u>Kirkland Zoning Code Chapter 95</u> (KZC 95).

Background

KZC 95 establishes a permit process and standards for the protection and replacement of trees - mainly on private property. The regulations address tree management in three basic categories: tree removal where no development is involved; tree retention associated with development activity; and landscaping/buffer requirements.

Apart from minor code amendments, KZC 95 was last updated in 2010. Since then, policy goals established in Kirkland's Comprehensive Plan were revised and an <u>Urban Forestry Strategic Management Plan</u> was created to maintain a healthy, sustainable urban forest in Kirkland. The purpose of the 2018-2019 tree code amendment project is to support these goals, to address issues and challenges that have arisen since 2010 and to update the code so that it is effective and practical to use for developers, homeowners and City staff.

The process to update the tree code started with the Planning Commission (PC) in June of 2018, followed by an <u>August 27, 2018 meeting</u> with the Houghton Community Council (HCC). The HCC communicated to staff that code changes should:

- Define trees required to be retained in a less subjective manner
- Clarify the short plat/subdivision integrated tree plan review process (IDP)
- Clarify the language on public tree removals
- Address tree removal prior to development permit submittal
- Address damage to trees adjacent to development properties

Most of these code changes were reiterated at a joint meeting with the PC on <u>November</u> <u>26, 2018</u>. At that meeting, the HCC provided guiding principles developed for their

analysis of the Chapter 95 code amendments. Although not formally adopted, the principles (below) could be used by the HCC to ascertain code amendment priorities.:

- Strives to achieve a healthy, resilient urban forest with a 40% tree canopy cover.
- Will strive for an objective process with predictable outcomes.
- Will give consideration to homeowner preferences for sunlight to generate solar energy and/or photosynthesis, as well as views.
- Modifications to proposed building plans to retain trees should not result in unreasonably negative consequences to property owners.
- Promote simplicity and make code easier to implement.

From November 2018 to present, staff has been working with a newly-formed partnership between the Master Builders Association of King and Snohomish Counties (MBAKS) and the Finn Hill Neighborhood Alliance (FHNA) on general concepts that have not been drafted into code yet. Even so, the general approach described below achieves each of the Houghton Community Council's guiding principles.

The Planning Commission, Houghton Community Council, and City Council have held several study sessions and briefings to provide staff with direction on the proposed amendments.

Stakeholder Approach to Tree Retention with Development

Staff met with the stakeholder groups six times in March and April 2019 on the requested topics and general concepts for tree retention. Meetings included conducting exercises to better understand the challenges of retaining very large trees, responding to requests for additional data and gaining agreement on the topics tracked in Attachment 1. From those discussions and previous stakeholder work arose a two-tiered approach to tree retention described at the joint April 25, 2019 HCC-PC meeting presentation and in more detail below. A staff summary of the proposed approach and an analysis of the outcome is included below. The stakeholders have submitted a letter to the Planning Commission with their observations and conclusions, included as Attachment 8.

Tier 1 Trees

The primary objective of the MBAKS-FHNA tree retention approach is to retain the largest, mature trees on development sites using the highest standards and the most code requirement flexibility for protection. Tier 1 trees are defined as:

- A tree with a minimum 30-inch diameter trunk that receives the same level of protection regardless of their location on a development site; or
- Superior groupings or tree groves with:
 - 3 or more trees one of which has a minimum 30-inch diameter trunk
 - 5 or more trees the stakeholders may have intended that one of these trees must have a minimum 24-inch diameter trunk, but the intent is not clear

Details on the health and condition of Tier 1 trees and groves were briefly discussed but not resolved in staff meetings with the MBAKS-FHNA stakeholders.

Once Tier 1 trees were defined, staff developed a chart to facilitate the ongoing discussions exploring the protection standards to retain Tier 1 trees/groves (Attachment 2). The intended result was to move away from subjective requirements and code language such as "to the maximum extent possible," towards a more predictable code that describes more specifically how landmark trees would be retained. Discussions focused on the premise that a builder/property owner can always count on defined zoning provisions, but must retain landmark trees using clearly defined methods, and additional flexibility in development standards will be allowed/required to provide greater ability to retain these trees. These provisions are summarized below:

To retain landmark trees and groves, the applicant is guaranteed these development rights:

- A 40-foot wide by 36-foot deep building pad, with a 20-foot width allowed behind that pad, based on access to standard room sizes behind the garage.
- Floor Area Ratio (FAR) as allowed by zoning
- Lot coverage as allowed by zoning
- Density as allowed by zoning

The applicant shall, and City will require the following site plan alterations and engineering technologies to retain landmark trees and groves:

- Flip house and driveway configuration to mirror proposed plan
- 15-foot front/5-foot rear setbacks, possibly a 10-foot front setback
- Redesign deck, patio and paths
- Redesign/modify garage width to minimum parking pad limits
- Reroute utilities (unless gravity-fed utility conditions prevent it)
- Limited changes to grade, ie. rockery, retaining walls in root zones
- Vary lot size when clustering lots with short plats and subdivisions, while allowing achievement of full FAR & lot coverage through averaging
- Changes to access roads with short plats and subdivisions
- Utilize shoring for basements and excavations
- Allow 18 foot by 18-foot parking pads
- Cluster houses with short plats and subdivisions
- Modify right-of-way improvements subject to Public Works approval
- Adjust stormwater vault dimensions
- Cantilever structures over root zones (applicability uncertain)
- Mandatory property line adjustments with short plats/subdivisions
- Use methods to avoid impacting landmark tree roots such as air spade excavations, tunneling/boring under roots instead of trenching, placing additional protection over roots regardless of fencing (plywood sheets, steel plating, mats, wood chips, etc.
- Possibly increase allowed building height

To retain landmark trees and groves, the City has the authority to vary these development standards:

- Reduce side yard setbacks to 3 feet wide with internal lots only on short plats and subdivision developments
- Allow 15-foot-wide front (possibly 10 foot) and 5-foot-wide rear setbacks
- Modify garage widths requirements

- Vary lot size when clustering lots/building footprints while allowing achievement of full FAR & lot coverage through averaging with short plats and subdivisions
- Allow 18' x 18' parking pads
- Allow modifications to right of way improvements (no landscape strip, etc.)

While the stakeholder's requirements include a credit approach to limit the City's authority to require tree retention above the minimum credits (discussion below), the credit limit did not apply to these Tier 1 trees.

Analysis of the Tier 1 Trees Approach

Staff and the stakeholders discussed the complexities of large tree retention with mock development scenarios using paper cut-out building footprints, driveways, trees, etc. to scale on conference table tops. The group observed that the root zone of large (30-inch diameter trunk) can cover a significant portion of an average-sized lot and that it's often not possible to provide adequate root zone protection for large trees on smaller lots. Although affording the highest level of tree protection to these large trees "located anywhere on a lot" sounds promising, it became apparent that the greatest likelihood for successful tree retention is still with trees located farthest from the center of the lot, which is the rationale behind the current code protecting trees located in setbacks.

The exercise prompted discussion on measures that would need to be taken to protect Tier 1 trees. Staff and the stakeholders worked at length on Tier 1 tree requirements and expectations with general consensus around the conceptual approach outlined above and in Attachment 2. Attachment 3 is a handout staff prepared to illustrate some of the methods available to protect trees from development impacts.

Based on a number of examples discussed, staff and the stakeholders acknowledged that retention of these large trees on typical single family development sites will be challenging, and a high percentage of these large trees will continue to be lost to development. However, staff agrees with the stakeholder's conclusion that these larger trees are important to the community and they deserve the additional efforts and code flexibility to retain.

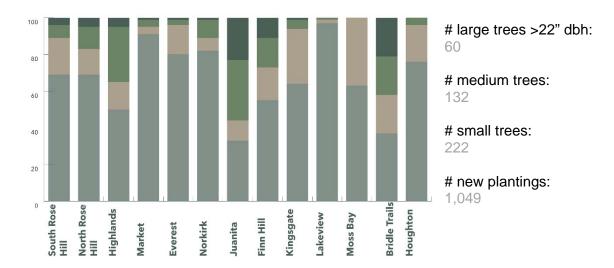
Tier 2 Trees

Tier 2 trees are any trees on the site that are not landmarks or protected grove trees. The key concept of the stakeholder's approach to retention of these trees is that once the minimum tree density credits (ranges of 40-50 credits per acre were discussed) were met, all other trees on the site could be removed. In addition, "capping" the credits awarded to any one retained tree was agreed to be limited to 11 credits.

Compared with the requirements for retention of Tier 1 trees, the stakeholder's concept was that there would be some lesser degree of authority to require retention of these smaller trees and greater ability to simply replant to meet the credit requirement.

Staff was uneasy with the unknown consequences of tilting current retention requirements toward Tier 1 trees and reducing retention requirements for trees less

than 30-inch diameter trunk. The data below from the 2018 field study for short plats indicates the number of large trees retained as a result of development is very low, primarily due to the challenges discussed under the Tier 1 tree exercise. In contrast, nearly six times the number of large trees retained on single family development sites were trees smaller than 22-inch diameter trunks, so describing Tier 2 tree retention standards is an important aspect of the tree code.



In addition to the raw data from the field study, the stakeholder group requested additional information on the number and size of trees found on the same sites *prior to development*, which was consolidated into one spreadsheet (Attachment 4). An analysis comparing the pre- and post-development trees is shown in Attachment 5.

Staff's concern with the stakeholder's approach to Tier 2 trees has been the focus of two meetings in May. To get a sense of the consequences of changing from current code requirements to meeting a tree credit quota, staff gathered 22 recently-approved single family building permits to document tree retention under the current code and estimated tree retention under the suggested Tier 1 and Tier 2 approach.

On May 13, staff presented the resulting analysis (Attachment 6). The result of this exercise indicated that taking a credits-per-acre quota approach resulted in a significant loss of trees under 30 inches dbh and a significant loss of associated tree credits compared to the results yielded by the current Chapter 95 standards. The cases reviewed did not indicate a substantive increase in the retention of trees greater than 30 inches diameter trunk.

Analysis of the Tier 2 Trees Approach

Based on discussions with the stakeholder group and conclusions drawn from the analysis of short plat and building permit data, staff recommends that the effort to retain trees that are not Tier 1 trees be focused on trees in setbacks. That continues Kirkland's long-standing approach to retaining trees on the portion of property that is least developable. Staff also concludes that imposing a tree retention quota, even at an

increased 50 credits per acres, would have a significant detrimental impact on the number of trees retained with development and the resultant tree canopy.

Staff does not conclude that planting replacement trees adequately addresses the potential impact of significantly increasing tree removal allowances. Discussions on the assumption that simply planting trees solves canopy loss were addressed in a 'This Week in Kirkland' article that was published April 10, 2019 (Attachment 7). Research does not support the assertion that tree planting efforts, rather than tree retention will result in greater canopy cover gains.

Planning Commission Comments

Discussions from the <u>September 13, 2018</u>, <u>September 27, 2018</u> and <u>November 8, 2018</u> PC meetings resulted in general agreement that a more streamlined and predictable tree ordinance could be achieved with code amendments that:

- Eliminate the three categories of high, moderate and low retention value tree definitions
- Clearly define those trees that are required to be retained
- Use tree density credits, not canopy cover, as the metric
- Increase tree credit requirements per acre
- "Cap" the number of credits awarded to any individual tree
- Not award credits for arborvitae and similar species

The November 8 PC meeting involved discussions on code sections addressing tree retention with development activity, the most complex and controversial of the potential code amendments. The PC agreed on a general approach for some items and directed staff to return with recommendations that incorporated input from the MBAKS-FHNA stakeholder group. The Houghton Community Council and the City Council agreed at subsequent public meetings that staff should continue working with the stakeholder groups on the remaining code issues.

The PC resumed discussions at the <u>February 14, 2019</u> PC meeting with information resulting from the prior three months stakeholders' collaboration. The PC supported most recommendations and directed staff to get additional stakeholder feedback on:

- Numerical thresholds such as Landmark tree size and credit requirements
- Descriptions and protection measures for trees aside from Landmarks
- Determining tree retention earlier in the short plat/subdivision design process (Integrated Development Plan, or IDP)

Next Steps

First, staff would like to acknowledge our appreciation for the stakeholder group members that have generously devoted their time and energy in providing their perspective on what the code should say and what mechanisms can be used or required to meet the City's goals for tree retention. Staff has met regularly with the stakeholder group ten times over the course of 6 months discussing the stakeholder's proposed changes to the Trees/Development section of the code and other topics outside of the PC-directed code changes.

This memo to the Houghton Community Council was prepared prior to the May 23, 2019 Planning Commission meeting. At the May 30, 2019 HCC meeting, staff will update the HCC on the PC's direction.

Staff has enough information to proceed with drafting a more prescriptive and streamlined tree ordinance and is seeking direction from the Houghton Community Council to draft code around the concepts discussed in this memo for the Houghton Community Council, the Planning Commission and the broader community to weigh in on. Staff plans on returning to the Planning Commission and Houghton Community Council and in July 2019 with draft code.

Attachments

- 1. Meeting Topic Summary
- 2. Tier 1 Tree Retention Matrix
- 3. Tree Protection Handout
- 4. Combined Field Study Data
- 5. Analysis of Combined Field Study Data
- 6. Analysis of Current Code Compared to Stakeholder Approach
- 7. This Week in Kirkland Article #6
- 8. Stakeholder's Joint Letter to the Planning Commission

cc: File Number CAM18-00408

GENERAL SUPPORT

KZC 95 TREE CODE UPDATE MBAKS-FHNA STAKEHOLDER MEETING TOPIC SUMMARY

Revised 5/15/19

Grey shaded areas: code topics for stakeholder input per PC (2/14/19)

Blue text: summary of discussion

Continue using tree density credits rather than canopy cover

Eliminate High, Moderate and Low Retention Value Trees

Agree in principle to define trees of merit, i.e. what's worthy of retention and the extent of requirements

Agree in principle to increase tree credit requirements per acre

Agree in principle to cap total number of credits awarded for individual trees

Don't award credits for arborvitae or other slow-growing/small-statured trees

Agree in principle to increase species diversity and a more uneven-aged urban forest

Tier 1 Landmark/grove trees may be located outside setbacks and required yards

Define Tier 1 groves by size/number of trees

3 or more trees that include one Landmark (30" dbh)

5 or more trees that include one 24" dbh tree (undecided)

Define Tier 1 Landmark tree by size

Stakeholders propose 30" dbh trees for highest level of protection measures, staff agrees. Conducted mock scenario exercise, discussed challenges with setting threshold at 30" dbh:

- The 2018 field study shows a very low percentage of 30" dbh trees on pre-development sites to begin with
- Targets trees with largest root zone (30' CRZ radius, 60' diameter) which typically covers small-average size lots.
- Singles out the most mature trees rather than a broader range of older trees
- High likelihood that the outcome on small and average size properties is no/few 30" Landmark retention
- Best chance of success may be large lots that are not maxing out lot coverage and medium to large short plats and subdivisions where clustering can be a new tool

Determine what development rights applicants are guaranteed to retain Tier 1 Landmark/grove trees:

See Tier 1 matrix

Determine what modifications/site plan alterations are required to retain Tier 1 Landmark/grove trees:

See Tier 1 matrix

Define trees that are *not* required to be retained or count towards tree density credits.

STILL UNDER CONSIDERATION

KZC 95 TREE CODE UPDATE MBAKS-FHNA STAKEHOLDER MEETING TOPIC SUMMARY

Revised 5/15/19

Grey shaded areas: code topics for stakeholder input per PC (2/14/19)

Blue text: summary of discussion

Defined as trees in poor health and/or have significant defects in structure that cannot be mitigated with treatment. Can be expected to decline regardless of management. The species or individual tree may possess characteristics that are incompatible or undesirable in landscape settings or be unsuited for the intended use of the site.

Don't require supplemental trees that grow to a certain size in 10 years and/or require native species.

Not typical code language. Requiring tree species on private property adds complexity to the code and additional review time. Incentives?

Hazard tree definition per TRAQ/industry standard is justified and clearly distinguished from emergency tree removal.

Don't "borrow" against future tree removal.

City can't track "borrowed" removals on its permit database. Doesn't meet intent of code to slow canopy loss. Staff concerned with abuse of rules by developers, who are already incentivized to cut trees prior to filing permits. The draft code partially closes loophole with 12-month delay on filing. Need to discuss consequences of Landmark/best tree removed from potential development sites then waiting 13 months to file permits.

Determine tree credit requirements per acre

Last discussed 50 credits per acre as a retention standard, not a planting requirement. May be contingent on Tier 2 tree retention.

Determine the "cap" or maximum credits awarded for any one tree. Currently credits correlate to dbh, with up to 21 credits for a 50" dbh tree Stakeholders propose 11 credits max (correlates to 30" dbh tree) contingent on Landmark and other tree retention measures. Staff may recommend lowering to 8 credits (24" dbh tree) pending staff input on retention data.

Define Tier 1 Landmark tree condition

Still under consideration

Define Tier 1 groves by condition

Master Builders (MBAKS) feels the current definition is often applied to trees of limited significance or health. Still under consideration.

Determine Tier 2 or "other" trees retention requirements/application of credits

Still under consideration

Define Tier 2 or "other" trees to be retained when no Landmark trees exist on site or they cannot be retained due to their location well within building footprint or are in poor condition.

Staff proposed criteria:

- Significant (6" dbh or greater)
- In good health*
- Low risk of failure due to structural defects*
- Windfirm if isolated (or remains as part of a grove) *
- A species suitable for its location*
- Has potential for longevity at the site*

KZC 95 TREE CODE UPDATE MBAKS-FHNA STAKEHOLDER MEETING TOPIC SUMMARY

Revised 5/15/19

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Blue text: summary of discussion

*as determined by a qualified professional per industry standards

Discussed moderate candidates for retention that are in fair health and/or have structural defects that may be mitigated with treatment.

Determine what development rights are guaranteed for applicants to retain Tier 2 trees.

Discussed 5/1 and 5/13, still under consideration

Determine what modifications/site plan alterations are required to retain Tier 2 Landmark/grove trees:

Discussed 5/1 and 5/13, still under consideration

Should an integrated development review process (IDP) be required city-wide (now mandated in the HPO)?

Current code offers phased review as an option, where tree removals can occur with multiple development permits. IDP allows tree retention decisions to be made early in the SPL/SUB design process, when access roads and utilities are planned. Another issue that's become a result of phased review is the public perception of "saved" trees getting removed. The stakeholder group has no consensus on mandating IDP city-wide. MBAKS would like to retain phased review for short plats (<10 lots) while allowing larger builders to use IDP. However, access road and utility locations dictate tree removal at the LSM phase regardless of development size. If successful at establishing clear and predictable regulations, we should circle back to the IDP question and see if objections remain.

MBAKS objects to adding the term "immovable" to tree protection fence requirements.

"Immovable" is an update on response to the public, City Council and Planning Commission regarding prevalence of fence creep/tree damage on construction sites. Staff is open to clarification on wording or further discussion of pros/cons of pier block vs driven fence posts.

A covenant rather than an easement is preferred by MBAKS for grove protection.

Current code says applicants can use appropriate legal mechanism, does not stipulate easement. CMO is considering alternative code language or a process to review applicant's grove covenants.

Did the intern's data record the sizes of trees retained or the sizes of trees removed or both? Is the City estimating the prevalence of 30" diameter trees that have been retained during development activity or does data include info on trees that were removed during such activity?

REQUESTS FOR INFORMATION

- The intern collected data on the end results of the tree code: the number of retained trees and their sizes, plus the number of new trees planted to meet credits. What we found was plenty of new trees are planted and a there's a low percentage of large retained trees, causing an uneven-aged urban forest.
- We obtained/shared additional data regarding the trees original to the development site, categorized by size.

Does the City have field data on groves to continue preserving groves in the same way as the current code?

Not from the intern's field work, but we do have general data from the <u>canopy assessment</u>. In the non-annexed city boundary under the current code, canopy cover increased from 2002 to 2010 in SFR areas. From 2010 to 2018 within the same boundary, the greatest canopy loss of any land use was SFR. The average number of trees removed (no development) over the same period is relatively low (approx. 1K/year).

'PARKING LOT" ISSUES TO CIRCLE BACK TO

KZC 95 TREE CODE UPDATE MBAKS-FHNA STAKEHOLDER MEETING TOPIC SUMMARY

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Does the City have data that breaks down land use and trees? That is, does the City know what zoned areas have what percentage of current tree canopy, what has been lost, and where the areas of potential gains could be seen over the next 20-years?

- Yes, the canopy assessment shows data in various land use/other geographic areas.
- Yes, it shows changes in canopy for all those areas from 2010 to 2018, the most recent canopy assessment cycle. It also shows potential planting areas for each land use classification.

MB-FH: In 95.05 there is no stated goal of balancing the needs of City landowners, nor recognition that those owners will bear all the costs of implementing Chapter 95. Is there room to insert recognition of the 'cost' side of the equation?

- Staff has not circled back to this section in our draft but is open to ongoing comment and discussion. KZC 95.05.2(c, d, e) addresses development in the context of tree retention. KZC 95.30 establishes that "the City's objective is to retain as many viable trees as possible on a developing site while still allowing the development proposal to move forward in a timely manner."
- The assertion that "owners will bear all the cost of implementing..." may not be true or appropriate code language.

MB-FH: Does the City have a concurrent plan, or is willing to include in 95.05, the City's role to improve tree canopy and urban tree health on municipal land? And to update the 2013 Urban Forest Management Plan?

- Speaking to municipal tree management is not the purpose of zoning codes, however it is addressed in KZC 95.05 in the general sense.
- Updates to the Urban Forestry Strategic Management Plan is on the Planning Department Work Plan, pending resources.

MB-FH: If data supports that greater gains could be found in some areas of the City on municipal land, should policy reflect that data and strategy shift to include ways to fund and implement (City Forestry Account?)

Data supports slowing canopy loss on private property, namely SFR. The primary purpose and current use of City Forestry Account funds is to plant trees on public property.

MB-FH: Short verbiage if possible when all this is done. We agree with City it's still too long

Is this asking when the revised code will be fully implemented?

MB-FH: Provide annual review with community and industry stakeholders on how the code is working in practice. Develop a community advisory committee for code implementation over the next few years. Propose to Council that KZC 95 is brought back for necessary amendments at 12, 18 and 24 months based on staff/stakeholder feedback?

Open for discussion.

Ge	eneral Principles to Reta	in Tier 1 Trees/Groves	
1.	The applicant is guaranteed	2. The applicant shall pursue, and City will require these site plan alterations and engineering technologies:	3and the City has the authority to vary these development standards:
•	40' wide by 36' deep building pad, with 20' width	Flip house and driveway configuration to mirror proposed plan	Reduction down to 3' wide side setbacks applicable only with internal lots on SPL/SUBs, not SF infill.
	behind pad. Total 40'w x 56-60'd pad based on garage location and access to rooms behind garage. 20' w based on standard room sizes. TBD if any adjustments will be made	15' front (how about 10'?)/5' rear setbacks Builders: Agree and would accept 10' front setback. DR Horton wants minimum 10' rear yard setback. 4/11 – City supports, visual appearance needs to be discussed Redesign deck, patio, path, etc. Builders: Agree in principle but need limits, including limits on reductions in path/driveway widths.	15' front (how about 10'?)/5' rear setbacks Builders: Agree (but note DR Horton comment re: rear yards). 4/11 – not discussed Modify garage width to minimum 18' x 18' parking pad limits, need to be designed to retain Landmark trees.
	on wider lots (just not with larger lot area). (by x' deep; maybe the depth of the	4/11 – discussed that redesign/alternative construction methods apply to retain Landmark trees. Need MBAKS/FHNA feedback on limits.	
•	garage if that is the primary layout issue?) FAR Lot coverage Density	Utility locations (with exception to gravity-fed limitations) 4/11 – Support to reroute gravity-fed utilities to retain Landmark trees. Note: ROW matters are a "parking lot" or separate discussion, can resume conversation with Public Works if MBAKS/FHNA wants.	Reduced common recreation space (applicable to MF/COMM)* N/A
	,	Limit changes to grade, ie. rockery, retaining walls Builders: Need to see details; grade changes are driven by necessity. 4/11 – details not discussed, City needs additional feedback from MBAKS-FHNA.	Can vary lot size when clustering to retain Landmark trees, while allowing achievement of full FAR & lot coverage through averaging (SPL/SUBs)
		Changes to access roads (for SPL/SUBs) 4/11 – City: what are limits to MBAKS/FHNA?	Parking /access location (applicable to MF/COMM) N/A
		Shoring for basements and excavations Builders: Need to see details; limits on requirements for shoring should be specified. 4/11 - City: what are limits to MBAKS/FH? Discussed costs.	Allow 18' x 18' parking pads
		Cluster houses on SPL/SUBs mandatory to retain Landmark trees. Subject to Public Works approval.	Modifications to ROW improvements (no landscape strip, etc.) Builders: City needs to clarify whether measures to save Landmark trees take precedence over Public Works priorities.

	Attacriment 2
	4/11 – discussed, can resume conversation with Public
	Works if MB/FH wants.
Stormwater vault sizing (ie. more depth vs. footprint, location)	Number of parking stalls* (applicable to MF, COMM,
4/11 – N/A in part because builders already have incentives to	ADU developments)
minimize vault footprint. Staff will ask Public Works for input.	N/A
Cantilever structures over CRZs	Swap Landmark tree if better trees are located outside
4/11 – need additional input from MBAKS-FHNA on who would	setbacks – explore how to equate quality for
be required to pursue cantilevering for Landmark tree	quality/DBH.
retention.	5/13 – MBAKS-FHNA supports concept that significant
	trees in a setbacks can be retained as Tier 2 trees.
Property line adjustments would be mandatory to retain	Building height restrictions loosened
Landmark trees.	MBAKS: Supportive if builders know during feasibility
City needs feedback on who would be required to pursue for	analysis whether they can build higher to save a
Landmark tree retention?	Landmark tree.
	FHNA: Relaxing height limits for lots on flat terrain is an
	appealing option but should the option of encouraging
	basements (particularly on sloped sites) also be
	explored? Satisfying FAR quotas via basements might
	be more palatable in neighborhoods where views are
	important.
	4/11 – MBAKS to provide specific design examples
	showing how this might result in Landmark tree
	retention.
Use arboricultural methods to minimize impacts to landmark	
trees such as air spade excavations, tunneling/ boring instead	
of trenching, additional CRZ protection (plywood sheets, steel	
plating, mats, hogfuel, etc.	
4/11 – Discussed developing Pre-Approved Plans or other site	
guidance notes.	
Buildance notes.	

^{*}an additional process is required to use these variations to development standards

RESOURCES FOR TREE PROTECTION ON DEVELOPMENT SITES

Tree Protection on Construction & Development Sites: A Best Management Practices Guidebook for the Pacific Northwest. Produced by Oregon Dept of Forestry, WA Dept of Natural Resources, Oregon State University Extension Service, WA State University Extension in cooperation with USDA Forest Service Urban and Community Forestry Program and the Pacific Northwest Chapter of the International Society of Arboriculture. On tunneling and boring, see pages 6, 9. Online at http://file.dnr.wa.gov/publications/rp_urban_treeprtctnguidbk.pdf

ANSI A300 Part 5 2012: Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Management of Trees & Shrubs During Site Development). Alternative building methods (discontinuous footings, piers and structural grade beams p. 15. Utilities p. 16. Trenchless pipe installation (ie: boring) p. 21.

Best Management Practices: Managing Trees During Construction - ISA companion publication to the ANSI standard above. Tunneling under roots p. 12, Table 1. Alternatives to Trenching (ie boring/auguring) p. 17, 18.

Webinar: *Reducing Tree Damage during Construction*. Urban Horticulture Institute/Cornell University, aired December 2018. Nation-wide presentation that used Kirkland tree protection signage as example (slide #36). https://forestry.usu.edu/files/webinars/bassuk-powerpoint.pdf or watch the YouTube presentation at https://www.youtube.com/watch?v=Zv4zFWlp3El&feature=youtu.be

Examples of typical tree retention methods - Urban Forestry Services, Inc.

Powerpoint presentation – *Tree Protection Case Studies*: http://urbanforestnursery.com/wp-content/uploads/2018/08/Tree-Protection-Case-Study-Presentation-Urban-Forestry-Services.com_.pdf
Examples of shoring, air spade excavations, root pruning, rooftop tree retention, etc.

Powerpoint presentation - *Saving Existing Mature Trees During Development*: http://urbanforestnursery.com/wp-content/uploads/2018/08/Why-Save-Trees-Presentation-Urban-Forestry-Services-Inc..pdf
High-level presentation on protecting trees with development.

Tree retention case studies - Tree Solutions, Inc.

King County Courthouse

Seattle, WA

Preserved 6 Sweetgum trees during major sidewalk and utility conduit replacement in downtown Seattle. Involved air spade work and other protection measures for trenchless utility installation.





Greenbridge Phases 1 & 2

Unincorporated King County, WA

Worked with King County/multiple contractors during demolition, soil abatement, and street/utility construction. Installed >360 yards of mulch in Critical Root Zones and surrounding tree protection fencing.



Bastyr University

Kenmore, WA

Worked with design team on new student housing proposed near a heavily-wooded area. Ensured landscape design was compatible with existing mature trees and adequate tree protection was in place for construction.

Rainier Vista

Seattle, WA

Seattle Housing Authority project with multiple contractors: began South Phase with Walsh Construction in 2005, worked on North Phase with Gary Merlino Construction in 2010.

Attachment 3

High Point

Seattle, WA

Seattle Housing Authority's innovative development; involved tree inventory, risk assessment, develop/implement tree protection.





Technical Guidance - Barrell Consultants, LLC

Publications, useful documents and illustrated Site Guidance Notes on:

SG Note 2: Fencing protected trees

SG Note 3: Ground protection

SG Note 7: Excavation in root protection areas

SG Note 8: Removing (paved) surfacing and structures in root protection areas

SG Note: 9: Installing/upgrading (paved) surfacing in root protection areas

SG Note 10: Installing structures in root protection areas

SG Note 11: Installing (utility) services in root protection areas

https://www.barrelltreecare.co.uk/resources/technical-guidance/

Local contractors on tree root protection costs

Root Cause, LLC on cost of root-air excavations: Rough numbers equate to approximately \$40 per linear foot for a 2' deep trench. Exploratory excavations to locate roots averages \$1500, most locations involve a \$2K minimum. For installation of a single utility line under existing tree roots, will air spade 3' deep by 2' wide. A 20' length takes approximately 1 day, roughly \$1800-2K. Doesn't do directional boring (Brian Holers 4/17/19 phone conversation). https://www.rootcauseseattle.com/

O'Neill Service Group performed air spade operation for the protected sequoia on Market Street and is a good resource for root protection estimates.

Full Bore, Inc. on boring for utilities under tree roots: Operates horizontal, directional, and pierce drilling for any diameter from 1" to 30" cable, electrical, fiber, water, sewer and gas pipe lines. Say trenchless digs save up to 40% cost over trenching, are much faster and more flexible with difficult terrain, can go under existing buildings, streams, parking lots, driveways, roads and trees (website and Cesar Iara 4/25/19 email). https://www.fullboretrenchless.com/

Architects/design professionals that incorporate tree protection measures

Jennifer Mundee <u>jennifer@cascadedesigncollab.com</u> of Cascade Design Collaborative. Architect David Moering <u>dmoehring@consultant.com</u>. Patrick Brennan of Brennan Architecture, Allworth Design, NK Architects, Build Urban.

Local consulting arborists with construction management expertise

Tree Solutions http://www.treesolutions.net/, Layton Tree Consulting LLC, Favero Greenforest, Urban Forestry Services http://www.urbanforestnursery.com/ufs/ufshomepage.html, American Forest Management, Inc. https://americanforestmanagement.com/land-management/arboriculture, the Watershed Company https://www.watershedco.com/arborist-services, Robert W. Williams & Associates robert@treeinspector.com, Katy Bigelow Arborist LLC https://www.katybigelow.com/, Symbiosis Tree Care LLC https://gillestreeconsulting.com/.

This handout is for informational purposes only; it is not an endorsement of these businesses nor is an all-inclusive list of contractors/services.

		SHOR	RT PLAT DA	ITA .					PRI	E-DEVELOPN	MENT TREE SIZ	E DATA			EARI	LY TREE REM	IOVAL DATA								POST-DEVELOP	MENT TREE DATA			
SUB/SPL File # Zone HPO	Neighborhood	# Lots	IDP (Y/N)	Apply Date	Complete	Sent to King		Total # Viable Trees a		Viable \	Viable Total	# of Total # o	of Tree	TRE Permit	Date of TRE	# Trees	Tree 1	Tree 1 Tree	e 2 Tree 2	Size Parcel Nur	nber Par	rcel Name	Address	Permit Number (Leave dash	Total # Trees -	Total # new planting	s # Small	# Medium	# Big
(Y/N)					Date	County for Recording Date	Significant Trees at SUB Application	SUB Application	Trees 6- 11.9"	Trees 12- Tr 21.9"	rees 22- Vial 23.9" Tre 24-2	es Trees	notification prior to application	File #	Application	Removed	Evergreen/ : Deciduous		rgreen/ (DBH) ciduous					in)	Current Conditions		Trees	Trees	Trees
SPL08-00003 RSX 7.2 no	South Rose Hill	2	no	1/29/2008	3/5/2008	7/16/2013	11	7	1	1	1 3	1	no (Y/N)							25472002									
SPL08-00004 RSX 7.2 Ino	North Rose Hill	7	lno.	1/21/2000	2/20/2008	7/0/2012	113	77	23	25	6 1	n 13	no.		1					25472002 25472001 38881001	00 Lot		13019 NE 74TH ST 13013 NE 74TH ST	BSF13-04638 BSF13-04637	11		2	8 0	1
3FL08-00004 R3A 7.2 IIIO	North Rose Hill		IIIO	1/31/2000	2/20/2008	7/5/2013	113		23	23	0 1	0 13	110	•		-			-	38881001 38881001	00 Lot		13001 NE 96TH PL 13002 NE 96TH PL	BSF12-03307 BSF14-01563	34	32 (26 Arbo 10 (10 Arbo	r)	0 1	1
																				38881001 38881001	98 Lot	t 3	13006 NE 96TH PL 13009 NE 96TH PL	BSF14-01535 BSF14-03594	15	10 (10 Arbo 22 (18 Arbo	r)	4 0	1 0
																				38881002 38881002	9 Lot	t 5	13010 NE 96TH PL 13014 NE 96TH PL	BSF14-01499 BSF14-01493	5		2	2 0	0
SPL08-00008 RSX 7.2 no	South Rose Hill	2	no	4/28/2008	5/19/2008	7/8/2016	9	9	2	5	0 0) 2	yes	TRE07-00018	1/9/2007	2				38881002 42505901	Lot		13017 NE 96TH PL	BSF14-01502	4		2	2 0	0
		·		•						•		•								42505901 42505901	Lot	t 1 t 2	8321 132ND AVE NE 8319 132ND AVE NE	BSF16-01544 BSF16-02225	5		0	0 1	0
SPL08-00010 RSX 7.2 no	South Rose Hill	2	no	6/16/2008	7/2/2008	5/21/2013	13	12	1	4	3 (1 4	no							64007003 64007003	i3 Lot		7017 122ND AVE NE	BSF13-02782	3		3	0 0	0
SPL08-00016 RSX 7.2 no	North Rose Hill	4	no	11/20/2008	1/29/2009	1/8/2014	60	49	16	19	1 5	8	no							64007003 12331007	03		7007 122ND AVE NE	BSF13-02432	6		5	0 1	0
																				12331007 12331007	IO Lot	t 2	8742 126TH AVE NE 8744 126TH AVE NE	BSF14-00152 BSF14-00115	7		0	1 2 5 1	. 1
7000																				12331007 12331007			8746 126TH AVE NE 8748 126TH AVE NE	BSF14-00221 BSF14-00263	5		3	2 0	0
SUB/SPL File # Zone HPO (Y/N)	Neighborhood	# Lots	IDP (Y/N)	Apply Date		Send to King County for	Total # Significant	Total # Viable Trees a SUB Application					Tree removal	TRE Permit	Date of TRE Application	W Trees			e 2 Tree 2 ergreen/ (DBH)	Size Parcel Nur	nber Par	rcel Name	Adress	Permit Number (Leave dash	Total # Trees -	Total # of new	# Small	# Medium	# Big
(7.8)					butc	Recording	Trees at SUB Application	эог гррпсийн					notification prior to	1	гррпсилоп	nemored	Evergreen/ Deciduous		iduous					,	Conditions	pidittiiga	lices	iii cc3	lices
						butc	Аррисации						application (Y/N)																
SPL09-00002 RS 8.5 no	Highlands	2	no	6/19/2009	7/13/2009	7/19/2013	4	2	0	0	0 1	. 1	yes	TRE06-00058	9/25/2006	2	Evergreen	Eve	rgreen	12363002 12363002		t 1	9412 112TH AVE NE	BSF13-05004	4	3	1	0	0
SPL09-00004 RS 7.2 no	Market	2	no	12/3/2009	1/8/2010	8/29/2012	9	8	3	3	1 0	1	no							12363003			9418 112TH AVE NE	BSF13-00886	3	2	1	0	0
		·		•						•	•	•			•					85600005 85600005			631 11TH AVE W 1012 WAVERLY WAY	BSF17-04488 BSF12-01129	6	0	5	1	0
2010 SUB/SPL File # Zone HPO	Neighborhood	# Lots	IDP (Y/N)	Apply Date	Complete	Send to King	Total #	Total # Viable Trees a	t				Tree	TRE Permit	Date of TRE	# Trees	Tree 1	Tree 1 Tree	e 2 Tree 2	Size Parcel Nur	nber Par	rcel Name	Adress	Permit Number (Leave dash	Total # Trees -	Total # of new	# Small	# Medium	# Big
(Y/N)					Date	County for Recording	Significant Trees at SUB	SUB Application					removal notification	File #	Application	Removed	Evergreen/ : Deciduous	Size Eve (DBH) Dec	rgreen/ (DBH) iduous					in)	Current Conditions	plantings	Trees	Trees	Trees
						Date	Application						prior to application																
SPL10-00008 RS 8.5 no	Everest	4	no	11/30/2010	12/28/2010	2/11/2016	47	44	18	20	2 1	. 3	no (Y/N)							01200002			222 071157.5	DC54.C 0070C	20	40 (44 days)			
																				01200002		t 2	333 8TH ST S 714 4TH LN S 710 4TH LN S	BSF16-00796 BSF16-03216 BSF16-03217	9	19 (11dead arbo	6	3 0	0
SPL10-00001 RS 8.5 no	Market	2	Ino	1/4/2010	2/16/2010	7/14/2014	12	6	1	0	1 4	. 1 0	ves	TRE08-00333	10/9/2008	2				01200002 12455008	3 Lot		706 4TH LN S	BSF16-04822	12	- 1 (1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	6	3 2	1
																				12455008 12455008	04 Lot		814 16TH AVE W 818 16TH AVE W	N/A N/A	NOT BUILT NOT BUILT		•		
SPL10-00007 RS 6.3 no	Nokirk	2	no	10/27/2010	12/13/2010	1/18/2012	4	4	0	2	0 1	1	no							12450027 12450027	55 Lot	t 1	116 12TH AVE	BLD11-00327	11		6	5 0	0
SPL10-00004 RSX 7.2 no	South Juanita	2	no	7/12/2010	9/1/2010	2/21/2013	36	18	3	10	0 5	0	no							12450027 29260591	55		120 12TH AVE	N/A	6		4	2 0	0
																				29260591 29260592			11104 NE 116TH ST 11616 111TH AVE NE	BSF18-00071 BLD12-00180	NOT BUILT		3	1 3	2
SUB/SPL File # Zone HPO (Y/N)	Neighborhood	# Lots	IDP (Y/N)	Apply Date	Complete	Send to King	Total # Significant	Total # Viable Trees a					Tree removal	TRE Permit File #	Date of TRE Application	# Trees	Tree 1	Tree 1 Tree	e 2 Tree 2 ergreen/ (DBH)	Size Parcel Nur	nber Par	rcel Name	Adress	Permit Number (Leave dash	Total # Trees - Current	Total # of new	# Small	# Medium Trees	# Big
(17N)					bate	County for Recording	Trees at SUB Application	SUB Application					notification prior to) File #	Аррисации	(1/2)	Evergreen/ Deciduous	Size Eve (DBH) Dec	iduous					,	Conditions	plantings	liees	lices	lices
						Date	Application						application (Y/N)																
SPL11-00008 RSA 6 no	Finn Hill	5	no	5/31/201	7/19/2011	9/21/2012	26	15	7	7	0 0	1	no							2426	049066 049066 Lot	11	7806 NE 143RD ST	BSF12-04794	5		0	4 1	0
																				2426	049196 Lot 049197 Lot	t 2	7812 NE 143RD ST 7804 NE 143RD ST	BSF12-03991 BSF12-03943	3		0	3 0	0 0
																				2426	049198 Lot 049199 Lot	t 4	7815 NE 144TH ST 7819 NE 144TH ST	BSF12-04795 BSF12-03944	3		2	1 0	0
SPL11-00011 RSA 6 no	Kingsgate	3	no	10/26/2011	2/8/2012	9/18/2012	3	3	0	2	0 0	1	no							866 866	000010 000010 Lot	t 1	13506 132ND AVE NE	N/A	12		7	4 1	1
																				866 866	000090 Lot 000100 Lot	t 2	13223 NE 135TH CT 13227 NE 135TH CT	BSF12-00374 BSF16-01915	8		1	7 0	0
SPL11-00005 RS 7.2 no	Nokirk	4	no	2/14/2011	3/30/2011	3/20/2013	62	47	10	24	5 4	4	no							1245 1245	002255 002253 Lot	t 1	318 13TH AVE	BSF16-09631	33	21 (20 Arbo	r)	2 10	0
																				1245 1245	002254 Lot 002255 Lot	t 2 t 3	314 13TH AVE 310 13TH AVE	BSF17-01747 BLD11-00213	NOT BUILT	1	9	0 5	0
SPL11-00001 RSX 7.2 no	North Rose Hill	2	no	1/18/2011	4/6/2011	1/8/2014	6	6	3	3	0 0	0	no							1245	002258 Lot	t 4	6	BSF16-06997	NOT BUILT				
																				3888	100192 Lot 100217 Lot	t 1 t 2	9515 132ND AVE NE 9521 132ND AVE NE	BSF13-05791 BSF14-03567	10 10		4	2 0 0 6	0
SUB11-00002 RSX 7.2 no	North Rose Hill	2	no	1/18/2011	4/6/2011	1/8/2014	12	12	4	3	2 3	0	no							3888	100186 100186 Lot 100216 Lot	t 1	9523 132ND AVE NE	BSF13-07341	8		5	2 1	0
SPL11-00009 RSX 7.2 no	North Rose Hill	4	no	12/5/2011	12/21/2011	9/21/2012	133	63	18	28	3 8	6	no							3326	100216 Lot 059126 059126 Lot		9527 132ND AVE NE 12904 NE 105TH PL	BSF14-03587 BSF12-01047	7		4	. 0	0
																				3326	J39126 LOT	1.1	12904 NE 1051H PL	BSF12-0104/	5		4	u 1	0

			3326059268	Lot 2	12908 NE 105TH PL	BSF12-01049	4	3	0	1 0
			3326059269	Lot 3	12905 NE 105TH PL	BSF12-01050	8	8 (4 Arbor)	0	0 0
			3326059270	Lot 4	12909 NE 105TH PL	BLD12-00059	4	3	0	1 0
SPL11-00014 RS 8.5 no South Juanita 2 no 4/13/2012 4/20/2012 3/9/2016 59 52	10 21 3 14 4	no e	3758900250							
			3758900250		10914 102ND AVE NE	N/A	NOT BUILT			
			3758900251	Lot 2	10916 102ND AVE NE	BSF14-07451	NOT BUILT			
SPL11-00013 RSX 7.2 no South Rose Hill 7 no 11/15/2011 12/28/2011 2/19/2013 33 18	10 6 0 1 1	no l	425059030 425059030		13100 NF 84TH ST	BSF13-04591	_			
			425059030		13100 NE 841H ST	BSF13-04591 BSF13-06486	5	5	0	0 0
			425059000		13104 NE 841H ST	RSF13-06480	3	4	1	0 0
			425059068		13116 NE 84TH ST	BSF13-03398			0	0 1
			425059069	Lot F	13120 NE 84TH ST	BSF13-03054	4	2	- 1	0 0
			425059070		13124 NE 84TH ST	BSF13-03198	9	3	2	0 0
			425059071	Lot 7	13128 NE 84TH ST	BSF13-00380	9	, ,	1	0 0
2012			423033071	LUCY	13120 112 04111 31	13 00300			1 1	0 0
SUB/SPL File II Zone HPO Neighborhood II Lots IDP (Y/N) Apply Date Complete Send to King Total II Total II Viable Trees	at	Tree TRE Permit Date of TRE W Trees Tree 1 cchrisaf Tree 2 Tree 2 Si	e Parcel Number	Parcel Name	Adress	Permit Number (Leave dash	Total # Trees	Total # of new	# Small # Media	um # Big
(Y/N) Date County for Significant SUB Application		removal File # Application Removed Evergreen/ Evergreen/ (DBH)				in)		plantings	Trees Trees	Trees
Recording Trees at SUB		notification (1/2) Deciduous Deciduous				,		p0+		
Date Application		prior to								
		application								
		(Y/N)								
SUB12-01203 RSA 4 yes Finn Hill 2 no 10/3/2012 11/5/2012 4/9/2013 102 67		no l								
			4055700505		6831 NE 129TH ST	BSF12-01498	11	8	5	3 3
			4055700506	Lot 2	6837 NE 129TH ST	BSF13-01943	30	0	0	12 18
SUB12-01499 RSA 4 yes Finn Hill 2 no 12/5/2012 1/9/2013 4/15/2013 75 ???		no l								
			4055700732		6840 NE 129TH ST	BSF13-01924	79	51 (46 Arbor)	10	15 3
			4055700733	Lot 2	6850 NE 129TH ST	BLD11-00429	NOT BUILT			
SUB12-01192 RS 8.5 no Lakeview 2 no 10/2/2012 11/6/2012 8/22/2013 13 13	12 0 0 1 0	no no		1-4-6	10316 NF 60TH ST	BI D02-01303	127	124 (124 Arhor)		
			825059336 825059353	Lot B	10316 NE 60TH ST 10308 NE 60TH ST	BLD02-01303 BSFP14-01089	NOT BUILT	124 (124 Arbor)	3	v 0
SUB12-01601 RS 7.2 no Market 2 no 12/28/2012 3/14/2013 4/13/2015 2 2	2 0 0 0 0	no.	825059353	LUL B	1030d NE 001H 31	D3F714-U1U89	MOT BUILT			
10 14/20/2012 3/19/2013 4/13/2013 2 2	_ 0 0 0 0		3885803465	Lot 1	530 16TH AVE W	64138	-			0 0
			3885803465	Lot 2	528 16TH AVE W	BSF16-00321		53 (50 Arbor)	0	0 0
SUB12-01347 RSX 7.2 no North Rose Hill 4 no 11/1/2012 12/19/2012 12/12/2013 9 8	1 4 1 1 1	no l	3003003400				33	33 (30 AIDOI)		-
1,100 -1,1			1241900030	Lot 1		BSF14-01680	4	4	0	0 0
			1241900031	Lot 2	8535 132ND AVE NE	BSF14-00029	3	3	0	0 0
			1241900032	Lot 3	8539 132ND AVE NE	BSF14-02989	15	15 (10 Arbor)	0	0 0
			1241900033	Lot 4	8543 132ND AVE NE	BSF14-01991	4	4	0	0 0
SUB12-00299 RSX 7.2 no South Rose Hill 2 no 6/5/2012 6/15/2012 12/18/2013 6 4	2 2 0 0 0	no								
			6400700061		7321 122ND AVE NE	BSF13-00042	4	2	1	1 0
			6400700063	Lot 2	7315 122ND AVE NE	BSF13-00866	4	1	3	0 0
SUB12-01040 RSX 7.2 no South Rose Hill 2 no 8/31/2012 9/27/2012 9/12/2013 0 0		yes TRE11-00301 8/31/2011 2								
			925059111		7835 126TH AVE NE	BSF12-04393	4	4	0	0 0
			925059323	Lot 2	7841 126TH AVE NE	BSF13-01924	11	7	4	0 0
2013										
SUB/SPL File # Zone HPO Neighborhood #Lots IDP (Y/N) Apply Date Complete Send to King Total # Total # Viole Trees	at	Tree TRE Permit Date of TRE # Tree 1 Tree 1 Tree 2 Tree 2 Si	e Parcel Number	Parcel Name		Permit Number (Leave dash		Total # of new	# Small # Media	um # Big
			C I dicci italiibei		Auress	r crime reamoer (Ecove duan	Total # Trees -			
		removal File # Application Removed Evergreen/ Size Evergreen/ (DBH)	r arcer reamoer		Auress	in)	Current	plantings	Trees Trees	Trees
Recording Trees at SUB		removal removal notification Application Removed Evergreen/ Size Evergreen/ (DBH) Deciduous Deciduous	a dicer ivaniber		Autess	in)	Current Conditions	plantings		Trees
		removal File II Application Removed (1/2) Evergreen/ Size Evergreen/ (DBH) Deciduous Deciduous	T dicer rumber		Autess	in)	Current	plantings		Trees
Recording Trees at SUB		removal File II Application Removed Evergreen/ Size Evergreen/ (DBH) prior to application	a deciration		Aures	in)	Current	plantings		Trees
Recording Trees at SUB Date Application		removal File # Application Removed Evergreen/ Size Deciduous CBH Deciduous C	T dict Number		Pulicis	in)	Current	plantings		Trees
Recording Trees at SUB	1 0 0 0 3	removal File # Application Removed Evergreen/ Size Deciduous CBH Deciduous C	1241500216		6521 128TH AVE NE	in)	Current	plantings		Trees
Recording Trees at SUB Date Application		removal File # Application Removed Evergreen/ Size Deciduous CBH Deciduous C	1241500216	Lot 1	6521 128TH AVE NE 6529 128TH AVE NE	BSF14-02430 BSF14-02247	Current	plantings 0		0 1 0 0
Recording Trees at SUB Date Application		removal File # Application Removed Evergreen/ Size Deciduous CBH Deciduous C		Lot 1 Lot 2		BSF14-02430	Current	plantings 0 0		0 1 0 0 0 1 0 1
Recording Trees at SUB Date Application		removal File # Application Removed Evergreen/ Size Evergreen/ (DBH) Individual File # Application (I,72) Deciduous (DBH) Deciduous (DBH) Deciduous (DBH) Deciduous (DBH)	1241500216 1241500229 1241500231	Lot 1 Lot 2 Lot 3	6529 128TH AVE NE 6525 128TH AVE NE	BSF14-02430 BSF14-02247 BSF14-02247	Current	plantings 0 0 0		0 1 0 0 0 1 0 1 0 1 1 0 0 1 1 0 1 1 1 1
Recording Trees at SUB Date Application	1 0 0 0 3	removal File # Application Removed Evergreen/ Size Evergreen/ (DBH) Individual File # Application (I,72) Deciduous (DBH) Deciduous (DBH) Deciduous (DBH) Deciduous (DBH)	1241500216 1241500229 1241500231 925059231	Lot 1 Lot 2 Lot 3	6529 128TH AVE NE 6525 128TH AVE NE 6928 125TH AVE NE	BSF14-02430 BSF14-02247 BSF14-02248 BSF14-01979	Current	plantings 0 0 0		0 1 0 0 0 1 0 1 2 0 0
Recording Trees at SUB Date Application	3 5 1 1 5	removal pile # Application Removed Evergreen/ Size Evergreen/ (Size) Evergreen/ (Siz	1241500216 1241500229 1241500231	Lot 1 Lot 2 Lot 3	6529 128TH AVE NE 6525 128TH AVE NE	BSF14-02430 BSF14-02247 BSF14-02247	Current	plantings 0 0 0 0 0		0 1 0 0 0 1 0 0 1 0 0 0 0 0 0 0 0 0 0 0
Recording Trees at SUB Date Application	1 0 0 0 3	removal pile # Application Removed Evergreen/ Size Evergreen/ (Size) Evergreen/ (Siz	1241500216 1241500229 1241500231 925059231 925059217	Lot 1 Lot 2 Lot 3 Lot 1 Lot 2	6529 128TH AVE NE 6525 128TH AVE NE 6928 125TH AVE NE 6924 125TH AVE NE	BSF14-02430 BSF14-02247 BSF14-02248 BSF14-01979 BSF14-04750	Current	plantings 0 0 0 0 0		7rees 0 1 1 0 0 0 0 1 1 2 0 0 0 0 0 0 0 0 0 0
Recording Trees at SUB Application	3 5 1 1 5	removal pile # Application Removed Evergreen/ Size Evergreen/ (Size) Evergreen/ (Siz	1241500216 1241500229 1241500231 925059231 925059217	Lot 1 Lot 2 Lot 3 Lot 1 Lot 2 Lot 1 Lot 2	6529 128TH AVE NE 6525 128TH AVE NE 6928 125TH AVE NE 6924 125TH AVE NE 6920 125TH AVE NE	BSF14-02430 BSF14-02247 BSF14-02247 BSF14-02248 BSF14-04750 BSF14-04750 BSF14-04750	Current	0 0 0 0		Trees 0 1 0 0 1 0 0 1 2 0 0 0 1 1 2 2
SUB13-02012 RSX 7.2 no Bridle Trails 2 yes 12/13/2013 12/13/2013 10/13/2014 15 15	1 0 0 0 3 3 5 1 1 5 15 24 3 1 2	removal pile # Application Removed Evergreen/ Size Evergreen/ (Size) Evergreen/ (Siz	1241500216 1241500229 1241500231 925059231 925059217	Lot 1 Lot 2 Lot 3 Lot 1 Lot 2 Lot 1 Lot 2	6529 128TH AVE NE 6525 128TH AVE NE 6928 125TH AVE NE 6924 125TH AVE NE	BSF14-02430 BSF14-02247 BSF14-02248 BSF14-01979 BSF14-04750	Current	0 0 0 0 0 5 5		Trees 0 1 0 0 1 0 0 1 2 0 0 0 1 2 1 2 1 0 0
Recording Trees at SUB Application	3 5 1 1 5	removal pile # Application Removed Evergreen/ Size Evergreen/ (Size) Evergreen/ (Siz	1241500216 1241500229 1241500231 925059211 925059217 925059100 925059243	Lot 1 Lot 2 Lot 3 Lot 1 Lot 2 Lot 1 Lot 2 Lot 2	6529 128TH AVE NE 6525 128TH AVE NE 6928 125TH AVE NE 6924 125TH AVE NE 6920 125TH AVE NE 6916 125TH AVE NE	85F14-02430 85F14-02247 85F14-02247 85F14-02248 85F14-01979 85F14-0750 85F14-06186	Current	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		Trees 0 1 0 0 1 0 0 1 2 0 0 0 1 2 1 0
SUB13-02012 RSX 7.2 no Bridle Trails 2 yes 12/13/2013 12/13/2013 10/13/2014 15 15	1 0 0 0 3 3 5 1 1 5 15 24 3 1 2	removal pile # Application Removed Evergreen/ Size Evergreen/ (Size) Evergreen/ (Siz	1241500216 1241500229 1241500231 925059213 925059217 925059100 925059243 1725059342	Lot 1 Lot 2 Lot 3 Lot 1 Lot 2 Lot 2 Lot 2 Lot 2 Lot 1 Lot 2 Lot 1	6529 128TH AVE NE 6525 128TH AVE NE 6928 125TH AVE NE 6926 125TH AVE NE 6920 125TH AVE NE 6920 125TH AVE NE 10323 NE 53RD ST	In) 85F14-02430 85F14-02247 85F14-02247 85F14-02247 85F14-04750 85F14-04750 85F14-04750 85F14-05F14-05F16 85F14-05F16 85F14-05F16 85F14-05F16	Current	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		Trees 0 1 0 0 1 0 0 1 2 0 0 0 1 2 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
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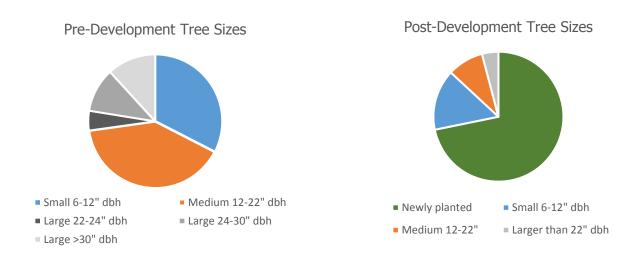
Analysis Comparing Combined 2018 Field Study Data

The 2018 field studies revealed interesting trends regarding the number and size of trees on sites following development, enabling staff to revise the City's tree codes to better support the policies and goals established in Kirkland's Comprehensive Plan and Urban Forest Strategic Management Plan.

Following the Planning Commission direction to establish appropriate numerical thresholds for trees required to be retained on development sites, staff proposed a 24" trunk diameter Landmark tree designation based on the field study data. Stakeholder groups working with City staff on the code update felt that establishing an appropriate Landmark tree size should be based on the size of trees that were present on the same sites *prior to development* and requested that additional information.

Because the scope of the 2018 field study was to examine the results of the City's tree code, the project intern collected data on trees that were on the site *after development*. To obtain the requested information, staff culled through the arborist reports required for 154 single family developments that were filed in the City's permit database, noting trees sizes in the related tree inventory or surveys.

Staff combined the two data sets into one spreadsheet (Attachment 4 in the May 23, 2019 Planning Commission meeting memo). When comparing the 2 datasets, it became even more clear that the effect the City's tree code has had on Kirkland's urban forest: from an even distribution of tree ages/sizes to begin with, a very low percentage of large trees are retained because of development:



The grey shades represent a breakdown of large trees sizes (greater than 22" dbh) on sites prior to development on the left. Combined, the large trees as a group are evenly distributed with small and medium trees, the ideal for a sustainable urban forest. On the right, two-thirds of all trees on sites after development are newly-planted. While it makes sense to plant trees to ensure future canopy cover, large numbers of trees planted at relatively the same time will decline and die at the same time. So, it's important to balance healthy, large tree retention with planting new trees.

Analysis – current code to stakeholder approach tree retention 22 projects randomly selected recently approved single family projects May 10, 2019

Permit No.			er current k credits per			Under P		dmark-Minir		Approach	# Trees	+/-	+/-	+/-	+/- Retained	
Property Size	Credits Needed	Credits Retained	# Trees Retained	Groves Retained	>30" dbh Trees Retained	Credits Needed	Likely Credits Retained	Likely # Trees Retained	Likely Groves Retained	Likely >30" dbh Retained	on Site >30" dbh	Retained Credits	Retained Trees	Retained Grove	Trees >30" dbh	Notes
BSF18-05491 7560 sq. ft.	6	0	0	0	0	9	0	0	0	0	0	0	0	0	0	Insignificant outcome. Poor existing trees; plant 6 or 9 trees to meet minimum credits
BSF18-07677 7701 sq. ft.	6	0	0	0	0	9	0	0	0	0	0	0	0	0	0	Insignificant outcome. No trees on site; plant 6 or 9 trees to meet minimum credits
BSF18-05718 7235 sq. ft.	5	11	1	0	1	9	11	1	?	1	1	0	0	?	0	Is grove possible with 30" DF, 24" BLM, 19" WRC, 22" DF? Would IDP result in Lot 1 grove/Landmark retention, prevent prior removals on Lot 2 east side?
BSF18-06307 32612 sq. ft.	23	51.5	6	1	3	38	49.5	3	1	3	3	-2	-3	0	0	3 Landmark >30" dbh trees create grove.
BSF18-07533 8500 sq. ft.	6	57	6	1	1	10	49.5	5	1	1	1	-7.5	-1	0	0	Retention of Tree #449 (not in grove) depends on Tier 2 rules.
BSF18-07358 7232 sq. ft.	5	30	19	2	0	8	8	2	0	0	0	-22	-17	-2	0	Unable to retain groves if defined as >30" dbh. Assumes applicant retains existing trees to meet minimum credits.
BSF19-00604 7640 sq. ft.	6	64.5	6	1	0	9	64.5	6	1	1	2	0	0	0	0	Could 29" DF and 24" DF been retained using modifications to development plans?
BSF18-06345 7290 sq. ft.	5	22	4	1	0	8	9	2	0	0	0	-13	-2	-1	0	Unable to retain grove if defined as >30" dbh. Could 29" DF be retained w/ modifications? Trees #40-41, 48 removed preemptively; would they be retained with IDP?
BSF18-06810 7252 sq. ft.	5	22	3	0	1	8	16.5	1	0	1	4	-5.5	-2	0	0	Unable to retain 3 additional Landmark trees (+28" WRC) using modifications due to lot size.
BSF19-00792 9115 sq. ft.	7	40.5	3	1	0	11	15	1	0	0	0	-25.5	-2	0	0	Lot 2 - proposed approach assumes applicant retains trees just to meet credits.
BSF18-04584 5444 sq. ft.	4	12.5	4	1	0	6	8	1	0	0	0	-4.5	-3	-1	0	$26^{\prime\prime}$ SEQ unable to retain due to lot size, could retain trees in rear setback easily.
BSF18-02800 7644 sq. ft.	6	10.5	1	0	0	9	10.5	1	0	0	0	0	0	0	0	Retention to meet 50 credits per acre depends on Tier 2 rules, raises issue of existing tree selection. Pin piles used to retain 22.5" SPR.
BSF19-00603 6980 sq. ft.	6	28	5	0	0	8	10.5?	1	0	0	0	-17.5	-4	0	0	Unable to retain 2 Landmark trees. Raises issue of how to select Tier 2 trees (largest possible? location? "Landmark Plus 1" etc.)
BSF18-07055 5544 sq. ft.	4	30	4	0	1	6	16.5	1	0	1	1	-13.5	-3	0	0	
BSF18-04380 12266 sq. ft.	9	17.5	2	0	1	14	16.5	1	1	1	1	-1	-1	0	0	Landmark located in stream buffer/critical area
BSF18-04585 4752 sq ft.	4	6	2	0	0	5	6	2	0	0	0	0	0	0	0	Proposed approach assumes applicant retains existing trees to meet credits.
BSF18-06258 8963 sq. ft.	7	4	1	0	0	11	4	1	0	0	0	0	0	0	0	Proposed approach assumes applicant retains existing trees to meet credits. Plant 3/7 supplemental trees to meet credits.
BSF18-05851 8142 sq. ft.	6	7.5	5	0	0	9	7.5	5	0	0	0	0	0	0	0	Proposed approach assumes applicant retains existing trees to meet credits (plus 2 supplemental trees). Note preemptive removals.
BSF18-04799 9181 sq. ft.	7	17	6	0	0	11	11	3	0	0	0	-6	-3	0	0	Proposed approach assumes applicant retains existing trees to meet credits.

Attachment 6

D			ler current I credits per			Under P		dmark-Minir		Approach	# Trees	+/-	+/-	+/-	+/-	
Permit No. Property Size	Credits Needed	Credits Retained	# Trees Retained	Groves Retained	>30" dbh Trees Retained	Credits Needed	Likely Credits Retained	Likely # Trees Retained	Likely Groves Retained	Likely >30" dbh Retained	on Site >30" dbh	Retained Credits	Retained Trees	Retained Grove	Retained Trees >30" dbh	Notes
BSF19-00488 8024 sq. ft.	6	34	4	0	1	9	11	1	0	1	1	-23	-3	0	0	Note number of >24" dbh trees that don't meet 30" dbh Tier 1 threshold. Raises issue of how to select Tier 2 trees (largest possible? location? "Landmark Plus 1" etc.)
BSF19-01336 7200 sq. ft.	5	57	4	0	2	9	33	2	0	2	5	-24	-2	0	?	Could additional 3 Landmarks be retained using modifications to development plans? If plat was laid out differently with IDP?
BSF18-04622 6065 sq. ft.	5	0	0	0	0	7	16.5	1	0	1	1	+16.5	+1	0	+1	May have retained Landmark using Tier 1 modifications to development plans.
										TOTALS	20	-148.5	45	-4	+1	

Observations

An additional 148.5 credits/45 trees/4 groves retained with the current KZC 95 in comparison to the hypothetical Proposed Landmark/Minimum Credit Approach. Potentially 1 Tier 1 tree (>30" dbh) may have been retained using modifications to development plans.

THIS WEEK IN KIRKLAND ARTICLE 6 – April 10th publication date

In our <u>last article</u> we explored how specific changes to Kirkland's tree code can address some emerging issues we've discovered through our monitoring efforts. This article discusses the importance of preserving mature trees.

Nearly 40 years of scientific <u>studies</u> tell us that trees make cities healthier places to live. Trees improve air and water quality, provide energy savings, regulate temperatures, mitigate flooding and buffer noise. Shoppers will spend 9-12% more in retail settings having a quality urban forest. The presence of larger trees in yards and on the street can add 3-15% to home values. Trees add value to our lives in a multitude of ways. We mentioned in a <u>previous article</u> that Kirkland has a city-wide 40% tree canopy cover goal.

One way to reach canopy cover goals is with tree planting initiatives that strive to plant a large number of trees by a certain date. Although tree planting efforts are very worthwhile, <u>research indicates</u> the majority of urban tree canopy cover is not the result of human planting.¹ Newly-planted trees must reach a certain size before they begin <u>contributing any benefits</u>.² Within the context of an existing urban forest a few hundred, or even a million planted trees, do not automatically translate into an <u>increase in the overall tree population</u>³ and the odds are s<u>tacked against a young tree "replacing" a mature one</u>.⁴

Our field studies showed that Kirkland is doing a great job replanting trees after land has been developed. However, preserving existing trees might be the best method of maximizing tree benefits. This brings us to an important question: when considering the benefits of trees, wouldn't our time and energy be better spent preserving the mature trees we already have?

The next public meeting on Kirkland's tree code includes a quick update at the April 25 Planning Commission meeting, then a more in-depth review of proposed tree codes at the May 9 Planning Commission meeting.

¹"Changing Urban Tree Canopy Cover," November 15, 2018 webinar, archived at urbanforestrytoday.org. http://www.urbanforestrytoday.org/videos.html, jump to 1:30 - 5 minutes.

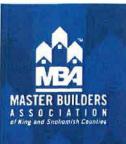
²David Nowak, Eric J. Greenfield, "Declining urban and community tree cover in the United States," Urban Forestry and Urban Greening 32 (2018) 32-55. https://www.fs.fed.us/nrs/pubs/jrnl/2018/nrs 2018 nowak 005.pdf

³How Many Trees are Enough? Tree Death and the Urban Canopy. Scenario Journal 2014. https://scenariojournal.com/article/how-many-trees-are-enough/

⁴Max Piana & Blake Troxel, "Beyond Planting: an Urban Forestry Primer," Scenario Journal Spring 2014. https://scenariojournal.com/article/beyond-planting/

⁵Leda Morritz, "A Million Trees? Only if We Can Keep Them Around," Next City, 1/18/2012. https://nextcity.org/daily/entry/a-million-trees-only-if-we-can-keep-them-around.

⁶Ellyn Shea, "Running to Stand Still: Predicting Benefits for Replacement Tree Plantings," deeproot.com, October 23, 2017.



May 15, 2019

Honorable Sandeep Singhal, Chair Kirkland Planning Commission 123 5th Avenue Kirkland, WA 98033

RE: KZC 95: Proposed Staff Amendments to Tier 2 Trees

Dear Chair Singhal and Kirkland Planning Commissioners:

The Master Builders Association of King and Snohomish Counties (MBAKS) and the Finn Hill Neighborhood Alliance (FHNA) are pleased to provide our first round of comment regarding the Kirkland Zoning Code, Chapter 95, Tree Protection Ordinance (tree code) for the May 23, 2019, Planning Commission (Commission) meeting.

As you're aware, the FHNA and MBAKS (workgroup) began meeting in October 2018 to discuss changes to the tree code. After a preliminary meeting, it was evident we shared common perspectives on key issues, and representatives of both groups presented this message at the November 8, 2018, Commission meeting. The Commission encouraged both sides to continue working together to help find potential solutions and code language for the City.

Our workgroup continued to meet on a regular basis, with eight in person meetings as well as via phone and email spanning October 2018 to January 2019. On January 15, we sent materials to staff addressing the most primary and contentious issues facing our two organizations and submitting what we'd hoped to be guidance to further assist the City with the difficult code draft and decision-making process.

Our two groups reached and drafted a significant baseline consensus through collaboration and compromise on the most-prickly issues, including predictability and feasibility, landmark trees, tree groupings, significant trees, retention versus replanting, tree canopy versus credits, and phased review/IDP.

Our workgroup continued meeting, sometimes twice a week, with the City's staff whose initial draft ordinance was different from the one we proposed, affording us the unique





opportunity to bring together experts at the same table; planners, engineers, an arborist, home builders, code drafters, lawyers, engaged and impacted citizens, to create a new, more equitable tree ordinance that was easier to understand and apply. We've made some meaningful progress with City staff on Tier 1/Landmark Trees ("exceptional" trees, provisionally defined as having a trunk diameter of at least 30"). This was an issue where our workgroup led the discussion and on which we placed a significant amount of priority, choosing to protect these trees because of their sheer size and community impact. They were the center of our negotiations and the basis for which each side gave a little and took a little when it came to other parts of the draft code.

The agreement on Tier 1/Landmark Trees also answered an immense concern raised by many City staff and leadership, a concern we were also tasked with help solving: the loss of these Landmark trees and the concerns of residents over their loss through development.

Regarding non-Landmark trees (or Tier 2 trees), our approach was to focus on retention up to a specific tree credit threshold regardless of the location of trees on a property being developed. In recent meetings with City staff, we began to discuss how to define standards for retaining Tier 2 trees, including tree groups, and potentially limiting site design and/or owner use of property for such retention.

However, a change in direction was proposed by City staff at our latest meeting, on May 13th. Instead of continuing with the minimum credit system as we had proposed, City staff has recommended that tree credits should not be used for retention purposes. The staff's recommendation is that tree retention rules should concentrate on:

- 1. Tier 1: Landmark trees and groups
- 2. Tier 2: Significant trees in setbacks (front, rear and side)

Under Tier 1, the applicant would receive certain negotiated guarantees and the City could require site plan alterations with the authority to vary development standards to accommodate those alterations to preserve landmark trees and groups. With respect to Tier 2, staff appears to suggest that the City should continue to endeavor to preserve all significant healthy trees in setbacks, like what it does today with High Retention value trees. Based on its assessment of recent permit applications, staff believes that its approach would result in the preservation of more trees on parcels undergoing development than the framework we had proposed.

The builder concessions made within the workgroup on Tier 1/Landmark Trees were largely tied to less restrictions on Tier 2 trees. It was a mutual agreement between MBAKS and the FHNA that we believed achieved a balance to place priority preservation





on Tier 1/Landmarks and Groups, allowing for the building of housing with the retention of "lesser" trees capped at certain credits throughout the development site.

Unfortunately, because of the late notice and significant change in policy course, our City/workgroup did not get the time to thoroughly vet the Tier 2/tree setback option or what associated guarantees or requirements should or should not be included in this lesser Tier 2 tree standard.

The work group believes that the setback proposal requires more in-depth analysis and review, and continued discussion of the potential impact of any standards, requirements, and site plan alterations the City may propose.

We will defer specific comment on the staff's suggestions until the Commission's meeting packet is published for the May 23rd meeting. In the meantime, we appreciate the significant work City staff is doing to consider different approaches that ultimately protects canopy while providing predictable and fair outcomes for property owners and builders. We also wish to emphasize that our workgroup is committed to maintaining open, transparent dialogue throughout the remainder of this code adoption process, even if it means we ultimately disagree on portions of this ordinance.

MBAKS and FHNA may have differing views on the City's proposals; FHNA is exceptionally keen to preserve as many trees as possible for a healthy canopy while MBAKS would like balanced and objective regulations that will not unduly impair the construction of a variety of housing choices for Kirkland residents at all price points. Despite our differing viewpoints, we have made encouraging progress in the past few months in aligning ourselves on key priorities. We want the opportunity to continue discussions so that we can find common ground on as many issues as possible. We've come too far in creating a trusted relationship and finding mutually beneficial ways to preserve trees and build homes.

We are committed to find the best possible solutions for a fairer, more balanced code that is easier to apply and understand, and that preserves tree canopy and landmark trees. To do this, we'd request to be included in the ordinance drafting process by the City, especially with a considerable, last-minute course change that requires continued discourse.

Thank you for your consideration. If you have any questions, please feel free to contact Gina Clark at gclark@mbaks.com or (425) 460-8224 or Scott Morris at scott@finnhilfalliance.org or 206-972-9493.



Sincerely,

Gina Clark

Government Affairs Manager

King County

MBAKS

Sincerely,

Scott Morris

President FHNA

cc:

Mayor Penny Sweet

Kirkland City Council

Houghton Community Council Kurt Triplett, City Manager

Adam Weinstein, Planning Director

Jeremy McMahan, Deputy Planning Director

Deb Powers, Urban Tree Forester