

Draft KZC 95 Amendments

December 2023

Chapter 95 – TREE MANAGEMENT AND REQUIRED LANDSCAPING

95.05 Purpose and Intent

1. Trees and other vegetation are important elements of the physical environment. They are integral to Kirkland's community character and protect public health, safety and general welfare. Protecting, enhancing, and maintaining healthy trees and vegetation are key community values. Comprehensive Plan Policy NE-3.1 describes working towards achieving a healthy, resilient urban forest with a City-wide tree canopy coverage of at least 40 percent. The many benefits of healthy trees and vegetation contribute to Kirkland's quality of life by:

a. Minimizing the adverse impacts of land-disturbing activities and impervious surfaces such as runoff, soil erosion, land instability, sedimentation and pollution of waterways, thus reducing the public and private costs for storm water control/treatment and utility maintenance;

b. Improving the air quality by absorbing air pollutants, mitigating the urban heat island effect, assimilating carbon dioxide and generating oxygen, and decreasing the impacts of climate change;

c. Reducing the effects of excessive noise pollution;

d. Providing cost-effective protection from severe weather conditions with cooling effects in the summer months and insulating effects in winter;

e. Providing visual relief and screening buffers;

f. Providing recreational benefits;

g. Providing habitat, cover, food supply and corridors for a diversity of fish and wildlife; and

h. Providing economic benefit by enhancing local property values and contributing to the region's natural beauty, aesthetic character, and livability of the community.

2. Tree and vegetation removal in urban areas has resulted in the loss to the public of these beneficial functions. The purpose of this chapter is to establish a process and standards to provide for the protection, preservation, replacement, proper maintenance, and use of regulated trees, associated vegetation, and woodlands located in the City of Kirkland.

The intent of this chapter is to:

a. Maintain and enhance canopy coverage provided by trees for the benefits identified in subsection (1) of this section;

b. Preserve and enhance the City of Kirkland's environmental, economic, and community character with mature landscapes;

c. Promote site planning, building, and development practices that work to avoid removal or destruction of trees and vegetation, that avoid unnecessary disturbance to the City's natural vegetation, and that provide landscaping to buffer the effects of built and paved areas;

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- 34 d. Mitigate the consequences of required tree removal in land development through on- and off-
35 site tree replacement with the goals of halting net loss and enhancing Kirkland's tree canopy to
36 achieve an overall healthy tree canopy cover of at least 40 percent City-wide over time;
- 37 e. Encourage tree retention efforts by providing flexibility with respect to certain other
38 development requirements;
- 39 f. Balance tree protection with other major City-wide interests, including, but not limited to,
40 provision of housing opportunities;
- 41 g. Implement the goals and objectives of the City's Comprehensive Plan and
42 Sustainability Master Plan;
- 43 h. Implement the goals and objectives of the State Environmental Policy Act (SEPA); and
- 44 i. Manage trees and other vegetation in a manner consistent with the City's Urban Forest
45 Strategic Management Plan; industry standards; and best management practices established by
46 the International Society of Arboriculture (ISA) and the American National Standards Institute
47 (ANSI) for Management of Trees During Site Planning, Development and Construction, Pruning,
48 and Tree Risk Assessment.
- 49 j. Preserve and protect street trees, trees in public parks and trees on other City property.

50 (Ord. 4786 § 1, 2022)

51 **95.30 Tree Retention Associated With Development Activity**

52 The City's objective is to mitigate the impacts of incremental canopy loss due to development by
53 establishing clear standards for the retention of existing trees and for planting and maintenance of new
54 trees.

55 This section includes provisions that establish tree retention priorities, incentives, and variations to
56 development standards in order to retain viable trees on development sites. Applicants for a development
57 permit are encouraged to confer with City staff as early in the design process as possible so that the
58 applicable tree retention and planting principles found in this chapter can be incorporated into the design
59 of the subject property. The Planning Official and the applicant shall work in good faith to find reasonable
60 solutions. Applications may use the pre-submittal procedures in subsection 7 to obtain an early
61 understanding of how tree retention, protection, and planting standards of this Code apply to a particular
62 property and proposed project.

63 1. Tree Retention Plan Applicability. A tree retention plan is required for any proposed development of
64 the subject property requiring approval through a building permit; land surface modification permit;
65 demolition permit; and/or Design Review, Process I, IIA, or IIB, described in
66 Chapters [142](#), [145](#), [150](#) and [152](#) KZC, respectively, unless:

- 67 a. Otherwise exempted pursuant to KZC [95.15](#).
- 68 b. The permit is for additions to and remodels of existing improvements in which the total square
69 footage of the proposed improvements is less than 50 percent of the total square footage of the

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70 existing footprint on the subject property and where no development activity is proposed within the
71 CRZ of regulated trees.

72 2. Tree Retention Plan Review Authority. The authority to make decisions under this chapter resides
73 with the Planning Official for building permit; land surface modification permit; demolition permit; and/or
74 with the applicable review authority for Design Review, Process I, IIA, or IIB, described in
75 Chapters [142](#), [145](#), [150](#) and [152](#) KZC. To retain regulated trees, the City shall review for consistency with
76 the provisions set forth in this chapter.

77 Based on the tree retention plan information submitted by the applicant, ~~and the subject to the~~
78 Planning Official's ~~evaluation of the trees relative to the proposed development on the subject~~
79 ~~property verification of accuracy~~, the Planning Official shall designate trees on the subject property
80 as viable high retention value trees, including landmark trees and groves, and/or trees with a
81 moderate retention value ~~based on using the definitions provided in KZC [95.10](#), Definitions, for~~
82 ~~application towards the regulations in this chapter.~~

83 The City does not require tree retention efforts that either (i) would reduce maximum allowed
84 density, number of allowed lots, maximum allowed floor area ratio (FAR) or lot coverage, (ii) or
85 preclude the ability to construct ADUs consistent with KZC [115.07](#), or (iii) ~~that~~ preclude required
86 access and utility connections.

87 3. Tree Retention Plan Requirements. Tree retention plans shall contain the following information,
88 unless waived by the Planning Official:

89 a. Inventory with the following information:

90 1) All existing regulated trees on the subject property identified by a numbering system that
91 is consistent throughout the arborist report, site plan and on-site tree tags. The inventory must
92 also include regulated trees that are on adjacent properties that appear to have CRZs
93 extending onto the subject property;

94 2) Identification of all existing trees in the public right-of-way adjacent to the subject
95 property, regardless of tree size;

96 3) The CRZ and the proposed TPZ of all existing regulated trees specified in feet from the
97 face of each tree trunk. The inventory must also include the approximate CRZ and proposed
98 TPZ of regulated trees on adjoining properties that appear to have CRZs extending onto the
99 subject property;

100 4) DBH of all existing regulated trees, including the approximate DBH of regulated trees on
101 adjoining properties that appear to have CRZs extending onto the subject property;

102 5) Proposed tree removals;

103 6) Viability status of each regulated tree based on the combined condition ratings pursuant
104 to KZC [95.30\(3\)\(c\)](#);

105 7) Tree species and/or common name; and

106 8) Potential landmark trees and groves.

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- 107 b. Site Plan. The site plan must be drawn to scale showing the following:
- 108 1) Location of all proposed improvements, including building footprint, access, utilities,
109 applicable required yards, buffers, and required landscaped areas clearly identified;
- 110 2) Surveyed location of regulated trees on the subject property. The site plan must also
111 show the approximate trunk location of regulated trees that are potentially impacted on
112 adjacent properties;
- 113 3) Trees labeled corresponding to the tree inventory numbering system per subsection
114 (3)(a) of this section;
- 115 4) CRZs drawn to scale around all trees potentially impacted by site disturbance resulting
116 from grading, demolition, or construction activities (including approximate CRZs of all trees
117 that are potentially impacted on adjacent properties). Site plans shall include site disturbances
118 associated with over-excavation of foundations, retaining walls, and similar improvements;
- 119 5) Location of tree protection fences at the proposed TPZs, with distances from the
120 applicable trunks to fences noted on the site plan. Specific tree protection standards during
121 construction, as described in KZC [95.32](#) or recommended by the qualified professional
122 arborist, shown on demolition, grading, and building permit plans;
- 123 6) Trees proposed to be removed, noted by an 'X' or by ghosting out; and
- 124 7) Proposed locations of any replacement trees to be planted to meet tree density credits
125 or mitigation requirements, including the proposed size and species, as outlined in KZC [95.34](#).
- 126 c. Qualified professional arborist report with the following:
- 127 1) A combined overall viability status based on the condition ratings of both health and
128 structure for each regulated tree, including regulated trees on adjoining properties that appear
129 to have CRZs extending onto the subject property. The condition ratings for each regulated
130 tree shall be assessed using the following criteria:


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Table 95.30.1 Tree Condition Ratings

Condition Rating	Tree Health <i>Twig and leaf density, size and growth, pest/pathogen issues</i>	Tree Structure <i>Root flare, trunk condition, branch assembly</i>
Excellent	High or above average vigor with little or no twig dieback, discoloration or defoliation.	Trunk and root flare exhibit no visible defects or cavities. Branch structure and attachments are normal for species and free of defects.
Good	Vigor is normal for species. No significant damage due to diseases or pests. Any twig dieback, defoliation or discoloration is minor (up to 10% of the crown).	Well-developed structure. Defects are minor and can be corrected. Codominant stem formation may be present. Trees in groves may have asymmetries/deviations from an open-grown form of the same species.
Fair	Reduced vigor. Twig dieback, defoliation, discoloration, and/or dead branches up to 30% of the crown. Obvious signs of pest problems contribute to a lesser condition but is not likely to be fatal.	Visible evidence of trunk damage or cavities, large girdling roots or branch attachments that require moderate corrections.
Poor	Poor vigor, unhealthy and declining. Low foliage density with extensive (more than 50%) twig and/or branch dieback. Smaller-than-normal leaf size and little evidence of new growth.	Structural problems cannot be corrected, such as recent change in tree orientation, extensive trunk decay or poor branch attachments. Tree/tree part failure may occur at any time.

131 Based on the condition ratings for health and structure in Table 95.30.1, the tree's overall
132 viability shall be assessed as follows in Table 95.30.2:

Table 95.30.2 Tree Viability

		Tree Health			
					
Tree Structure					
↓	Excellent	Excellent	Good	Fair	Poor
	Excellent	Viable	Viable	Viable	Not viable
	Good	Viable	Viable	Viable	Not viable
	Fair	Viable	Viable	Not viable	Not viable
	Poor	Not viable	Not viable	Not viable	Not viable

133 For example: an oak tree on a proposed development site rated as 'Fair' tree structure and
134 'Good' tree health has an overall viability status based on the tree condition ratings of 'Viable.'

135 2) For trees rated as not viable, a description of the reason(s) for removal must be given
136 based on the existing health condition; high risk of failure due to existing structure, other
137 defects, or unavoidable isolation (windfirmness); or unsuitability of species, etc., and for which

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- 138 no reasonable alternative action is possible (pruning, cabling, etc.). The City shall review the
139 viability ratings for consistency with the condition ratings in Table 95.30.1 and Table 95.30.2;
- 140 3) The qualified professional arborist's description of the method(s) used to determine TPZs
141 (i.e., CRZ formula, exploratory root excavations, or a case-by-case basis description for
142 individual trees);
- 143 4) Any special instructions specifically outlining any work proposed within the CRZ of
144 retained trees (i.e., additional protection from soil compaction, hand-digging, tunneling or
145 boring, root pruning, mitigating any grade changes, monitoring during development activity,
146 watering during summer and aftercare), including potentially impacted trees on adjacent
147 properties;
- 148 5) If development proposals result in the retention and/or removal of high retention value
149 trees (including landmark trees and groves) provide an explanation of how tree retention was
150 prioritized based on retention feasibility and proposed construction impacts;
- 151 6) A discussion of timing and installation of tree protection measures that must include
152 fencing in accordance with the tree protection standards in KZC [95.32](#), including any
153 anticipated changes to tree protection fence location or other activity within the CRZ of
154 retained trees during project construction (e.g., material delivery, equipment
155 access, landscaping);
- 156 7) Describe the impact of necessary tree removal on the trees to be retained, including
157 those on adjacent properties;
- 158 8) The suggested location and species of replacement trees to be planted. The report shall
159 include planting and maintenance specifications pursuant to KZC [95.50](#), [95.51](#), and [95.52](#);
160 and
- 161 9) Arborist reports that are based on field work collected three or more years prior to
162 submittal shall be updated with current tree data.
- 163 d. A description of additional tree retention and protection requirements that apply to properties
164 with development projects proposed within:
- 165 1) Shoreline setbacks as set forth in Chapter [83](#) KZC;
- 166 2) Critical areas and associated buffers as set forth in Chapters [85](#) and [90](#) KZC; and
- 167 3) Holmes Point Overlay Zone areas as set forth in Chapter [70](#) KZC.
- 168 4. Development of Single-Family Dwellings, Short Plats, Subdivisions, Two/Three-Unit Homes,
169 Cottage/Carriage Dwellings, and Accessory Structures. Tree retention plan review and approval shall be
170 based on compliance with the following provisions:
- 171 a. High Retention Value Trees. In order to retain trees located in required yards, land use buffers,
172 and/or common open spaces, and to retain landmark trees and groves located anywhere on the
173 subject property, the applicant shall ~~pursue~~ consider, and the Planning Official (or Public Works
174 Official, where applicable) is authorized to require, compliance with the following standards:

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- 175 1) Site Plan Alterations. Site plan alterations, including the following:
- 176 a) Shift or flip (mirror) the location of proposed building footprints and driveways;
- 177 b) Selection of the required front yard on corner lots in the RSA and RSX zones and
178 selection of the required side yard to meet the 15-foot total required in RS zones;
- 179 c) Shift the building footprint on the lot to utilize the variations to development
180 standards allowed in subsection (3) of this section;
- 181 d) Relocate utilities when feasible, taking into account gravity and location of existing
182 mains;
- 183 e) Adjust deck, patio, and path designs;
- 184 f) Avoid rockery/retaining walls located within ~~CRZs~~ TPZs to maintain existing grades.
- 185 2) Arboricultural Methods. ~~The applicant shall employ a~~ Arboriculture methods to retain
186 trees, such as, but not limited to, air excavations, boring under roots instead of trenching
187 within TPZs for utilities less than two inches diameter, and using additional ~~CRZ~~ protection
188 per KZC 95.32.
- 189 3) Variations to Development Standards. ~~The applicant shall pursue the following variations~~
190 ~~and the Planning Official (or Public Works Official, where applicable) is authorized to require~~
191 ~~these variations to development standards~~ Variations to development standards, such as, but
192 not limited to:
- 193 a) Reduce required front yard by up to five feet;
- 194 b) Reduce required rear yards by up to five feet where the rear yard is adjacent to an
195 access easement, tract, or alley;
- 196 c) Allow variations to the garage requirements of KZC 115.43(3);
- 197 d) Allow variations to increase the maximum lot coverage by not more than 10 percent
198 where necessary to extend access due to building footprint location while ensuring that
199 the driveway width does not exceed a width of 20 feet;
- 200 e) Allow minimum 18-foot by 18-foot parking pads;
- 201 f) Modify right-of-way frontage improvement requirements, such as adjusting the
202 location of any required landscape strip;
- 203 g) Allow up to a five-foot increase in building height where the additional height is
204 clearly related to tree retention (e.g., locating mechanical equipment in the attic,
205 avoiding excavation or fill); and
- 206 h) With short plats and subdivisions, allow clustering per subsection (4)(d) of this
207 section.

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208 b. In order to retain landmark trees and groves located anywhere on the subject property, in
209 addition to the site plan alterations and variations to development standards listed in subsection
210 (4)(a) of this section, the applicant shall ~~pursue~~ consider, and the Planning Official (or Public Works
211 Official, where applicable) is authorized to require, the following additional standards:

212 1) Site Plant Alterations. Site plan alterations, ~~as follows~~ including the following:

213 a) Reasonable modifications to the proposed building footprints and driveways;

214 b) Shore basements and other extensive excavations in order to avoid impact within
215 CRZs;

216 c) Cantilever structures over CRZs; and

217 d) With short plats and subdivisions, clustering per subsection (4)(d) of this section,
218 rearrangement of property lines within the applicable short plat or subdivision, relocation
219 of access roads, and relocation of utilities.

220 2) Arboricultural Methods. ~~The applicant shall employ a~~ Arboricultural methods to retain
221 landmark trees and groves such, but not limited to, as air excavations, boring under roots
222 instead of trenching, and using additional ~~CRZ~~ protection per KZC 95.32.

223 3) Variations to Development Standards. ~~The applicant shall pursue, and the Planning~~
224 ~~Official is authorized to require, the following additional standards~~ Variations to development
225 standards, such as, but not limited to:

226 a) Allow required side yards to be reduced to three feet where those yards are internal
227 within a proposed short plat or subdivision;

228 b) Allow required yards to be reduced to 10-foot front and five-foot rear;

229 c) Reductions and variations in required parking and driveways.

230 c. Moderate Retention Value Trees. The following incentives are available in order to protect
231 moderate retention value trees:

232 1) An applicant may propose to modify their development proposal in the same manner as
233 provided for high retention value trees in subsections (4)(a) and (b) of this section and
234 the Planning Official (or Public Works Official, where applicable) is authorized to approve
235 these variations to development standards for viable trees that are deemed to have
236 excellent/good health and structure per the Tree Condition Table 95.30.1.

237 2) When landmark trees cannot be feasibly retained after pursuing the variations in
238 subsections (4)(b)(3)(a) and (b) of this section, the applicant may propose to retain moderate
239 retention value trees to satisfy landmark tree mitigation requirements and/or pay associated
240 fees-in-lieu pursuant to KZC 95.23. The applicant shall indicate tree protection areas on site
241 plans and clearly indicate a request for this incentive.

242 3) When viable trees located in required yards, land use buffers, and/or common open
243 spaces cannot be feasibly retained after pursuing the variations in subsections (4)(b)(3)(a)

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244 and (b) of this section, the applicant may propose to retain moderate retention value trees
245 instead. The Planning Official may approve this incentive; provided, that the size and
246 condition of the moderate retention value tree(s) are equal or superior to that of the tree
247 removed in the required yard, land use buffer, and/or common open space.

248 d. Additional Tree Retention Standards for Short Plats and Subdivisions.

249 1) Clustering of Lots. The Planning and Building Director (for short plat applications) or
250 Hearing Examiner (for preliminary plat applications) may approve variations to minimum lot
251 size, maximum floor area ratio, and lot coverage requirements in order to facilitate retention of
252 high retention value trees where necessitated by retention of trees in protective tracts or
253 where lot sizes are averaged in order to retain trees. The following standards shall apply:

254 a) Lot sizes may be averaged, with no minimum lot size specified, provided there is no
255 increase in the allowed density or number of lots otherwise allowed for the subject
256 property;

257 b) The subject property is entitled to maintain the total aggregate maximum floor area
258 ratio (FAR) and maximum lot coverage that would otherwise be permitted for the subject
259 property under a conventional short plat or subdivision. The maximum FAR
260 and/or maximum lot coverage requirements may be adjusted proportionate to the lot
261 size reduction(s), provided there is no net increase in the aggregate FAR and/or
262 aggregate lot coverage otherwise allowed for the subject property;

263 c) The variations and resultant restrictions shall be included in a recorded agreement
264 and be binding on future owners of the lots.

265 2) Modifications to Tree Retention Plans for Short Plats and Subdivisions. Modifications to
266 an approved tree retention plan may be approved by the Planning and Building
267 Director pursuant to the following criteria:

268 a) The need for the modification was not known and could not reasonably have been
269 known before the tree retention plan was approved;

270 b) The modification is necessary because of special circumstances that are not the
271 result of actions by the applicant regarding the size, shape, topography, or other
272 physical limitations of the subject property relative to the location of proposed and/or
273 existing improvements on or adjacent to the subject property; and

274 c) There is no practicable or feasible alternative development proposal that results in
275 fewer additional tree removals.

276 3) Public Notice for Modifications. The Planning and Building Director shall not approve or
277 deny a modification pursuant to this subsection without first providing notice of the
278 modification request consistent with the noticing requirements for the short plat or subdivision
279 and providing opportunity for comments for consideration by the Planning and Building
280 Director. Said comment period shall not be less than 14 calendar days. The fee for processing
281 a modification request shall be established by City ordinance.

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282 5. Development of Multifamily, Commercial and Mixed Use. Tree retention plan review and approval
283 shall be based on compliance with the following provisions:

284 a. High Retention Value Trees. In order to retain trees located in required yards and/or land use
285 buffers, the applicant shall ~~pursue~~ consider, and the Planning Official (or Public Works Official,
286 where applicable) is authorized to require, compliance with the following standards:

287 1) Site Plan Alterations. Site plan alterations, including the following:

288 a) Adjust deck, patio, and path designs;

289 b) Relocate utilities when feasible, taking into account gravity and location of existing
290 mains;

291 c) Avoid rockery/retaining walls located within CRZs to maintain existing grades;

292 d) Shore basements and other extensive excavations in order to avoid impact within
293 CRZs;

294 e) Cantilever structures over CRZs.

295 2) Arboricultural Methods. ~~The applicant shall employ a~~ Arboriculture methods to retain
296 trees such as, but not limited to, air excavations, boring under roots instead of trenching within
297 TPZs for utilities less than two inches diameter, and using additional ~~CRZ~~ protection per
298 KZC 95.32.

299 3) Variations to Development Standards. ~~The applicant shall pursue the following variations~~
300 ~~and the Planning Official (or Public Works Official, where applicable) is authorized to require~~
301 ~~these variations to development standards~~ Variations to development standards, such as, but
302 not limited to:

303 a) Allow required yards to be reduced to 10-foot front;

304 b) Allow variations to the maximum lot coverage by not more than 10 percent where
305 necessary to extend access due to building footprint location while ensuring that
306 the driveway width does not exceed a width of 20 feet;

307 c) Modify right-of-way frontage improvement requirements, such as adjusting the
308 location of any required landscape strip;

309 d) Allow up to a five-foot increase in building height where the additional height is
310 clearly related to tree retention (e.g., locating mechanical equipment in the attic,
311 avoiding excavation or fill);

312 e) Vary parking lot design and/or access driveway requirements when the Public
313 Works Official and Planning Official both determine the variations to be consistent with
314 the intent of City policies and codes;

315 f) Vary requirements pertaining to stormwater if approved by the Public Works
316 Official under KMC 15.52.060; and

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- 317 g) Vary the physical features of any required common recreational open space.
- 318 b. Moderate Retention Value Trees. The following incentives are available in order to protect
319 moderate retention value trees:
- 320 1) An applicant may propose to modify their development proposal in the same manner as
321 provided for high retention value trees in subsection (5)(a) of this section and the Planning
322 Official (or Public Works Official, where applicable) is authorized to approve these variations
323 to development standards for viable trees that are deemed to have Excellent/Good health and
324 structure per the Tree Condition Table 95.30.1.
- 325 2) The applicant may propose to retain moderate retention value trees to satisfy landmark
326 tree mitigation requirements and/or associated fees-in-lieu pursuant to KZC [95.23](#). The
327 applicant shall indicate tree protection areas on site plans and clearly indicate a request for
328 this incentive.
- 329 6. The Planning Official ~~may~~ will authorize the removal of high retention value trees otherwise required
330 by this chapter to be retained; provided, that the following conditions are met:
- 331 a. After utilizing the required site plan alterations and allowed variations to development
332 standards listed in KZC [95.30](#)(4) and (5), there is no practicable or feasible alternative development
333 proposal that results in fewer tree removals.
- 334 b. Retention of such tree or trees would either (i) reduce maximum allowed density, number of
335 allowed lots, maximum allowed floor area ratio (FAR) or lot coverage, (ii) preclude the ability to
336 construct ADUs consistent with KZC [115.07](#), or (iii) preclude required access and utility
337 connections.
- 338 7. Pre-Submittal Procedures. Applicants may use the pre-submittal procedures in this section to obtain
339 an early understanding of how tree retention, protection, and planting standards of this Chapter apply to a
340 particular property and proposed project.
- 341 a. Checklist. The Planning and Building Department shall maintain a publicly-accessible checklist
342 for applicants identifying the information needed and process for the City to make a preliminary
343 determination whether a proposal complies with this Chapter as provided in subsection 7(c).
- 344 1) As part of a pre-submittal meeting for a Process I, IIA, or IIB application, or as a separate pre-
345 submittal meeting, an applicant should submit prior to the meeting the completed checklist,
346 together with a preliminary tree inventory and/or survey, and proposed site plan. Applicants are
347 encouraged to submit accurate information that identifies existing Landmark Trees and should
348 specify trees proposed for retention and removal with a brief narrative discussion of why the
349 applicant selected the trees for removal.
- 350 2) The Planning Official will review the checklist and documentation provided by the applicant at
351 the pre-submittal meeting. The Planning Official shall determine if the applicant needs to submit
352 additional information specified in subsection 1 above.
- 353 b. Site visit. The applicant may request a pre-submittal site visit. If a site visit is conducted, then the
354 applicant may incur additional pre-submittal fees.

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355 c. Findings. Following the pre-submittal meeting, and after all information submitted by the applicant
356 has been reviewed, the Planning Official shall advise the applicant, in writing, of their preliminary
357 determination and this document will be saved with the associated pre-submittal case file. This
358 preliminary determination shall address tree retention, protection, and planting standards of this
359 Chapter as applied to the applicant's property and proposed project, and the applicant may use this
360 preliminary determination in preparing an application. This preliminary determination is not a final
361 land use decision under the Land Use Petition Act and new or changed conditions could impact this
362 determination. The Planning Official will issue the preliminary determination consistent with the
363 target timelines published by the Planning and Building Department and will use best efforts to
364 ensure a timely review following the submittal of the required documents pursuant to subsection (a)
365 of this section.

366 (Ord. 4786 § 1, 2022)