



City Council Study Session/Joint Meeting with the Planning Commission

AGENDA

September 9, 2014

6:30 pm – 10:00 pm

Call to Order

Public Comment

This is an opportunity for the public to address the Council. Three-minutes limit per person or five-minutes if representing the official position of a recognized community organization.

Topics

- Comprehensive Plan Vision Statement
- Tree Retention Code Amendments
- Preliminary Budget Overview
- Department Budgets: Finance/IT/City Council/City Manager/Non-Department

Adjournment

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.



Memorandum

Date: September 9, 2014
To: City Council
From: Jeff Thomas, Community Development Director
Re: 2015 Comprehensive Plan Update, Vision Statement

This memorandum introduces the final draft vision statement to be used for the 2015 Comprehensive Plan update process. The vision statement was derived from a joint City Council / Planning Commission meeting in February 2014. At the April 1, 2014 meeting, the City Council approved the vision statement as a “working vision statement” with one revision; inclusion of the phrase “excellent recreational opportunities” in the first sentence. Additionally, City Council indicated they would like further revisions made before final approval of the Comprehensive Plan in June 2015 including making the vision statement more location specific. Without changing the core values, staff has incorporated such by including key places unique to Sammamish into this final draft vision statement that will be reviewed by both the Planning Commission and City Council. The net result is a vision statement that cannot be confused with any other community’s vision statement:

Sammamish is a welcoming, culturally diverse and family friendly community. We feature excellent recreational opportunities, safe neighborhoods and outstanding schools. Our natural environments are highly valued and preserved. We encourage and support local entrepreneurship throughout our Town Center as well as the Inglewood, Pine Lake and Klahanie commercial nodes. Our wide array of densities and unique housing forms such as cottages and townhomes provide choice for all. Public events and gatherings at our civic campus as well as Pine and Beaver lakes provide a foundation for us to continue to shape our community and make Sammamish a special place.



Memorandum

Date: September 9, 2014
To: City Council
From: Jeff Thomas, Community Development Director
Re: **Potential Code Amendments to Tree Retention Provisions**

Introduction

Staff is seeking to affirm the City Council's recommendations from its December 10, 2013 meeting on potential amendments to the tree retention provisions in the Sammamish Municipal Code (SMC). At this meeting, staff was asked to provide information on the current tree retention provisions in response to public concern about the number of trees being removed for new development and single-family home construction on existing lots in the city.

Summary of Current Regulations

The SMC currently requires that new subdivision and short plat developments retain 25% of significant trees and new commercial and institutional developments retain 30% of significant trees. All significant trees within environmentally critical areas and associated buffers shall be retained, but may be counted for up to 50% of the tree retention requirement.

Subject to review and approval by the Director, up to 50% of the trees identified for retention may be removed, provided replacement trees shall be required. Exceptions to the tree retention standards may be required and approved by the City if strict compliance with the provisions of the SMC would prevent reasonable use of the property. Incentives are allowed when additional tree retention is offered that would allow for reduced on-site recreation space and increased density on lots with critical areas.

Trees removed in violation of the tree retention requirements are subject to replacement and enforcement. Civil penalties are outlined in SMC 23.100.

The SMC does not address tree retention on existing single-family lots that are under one acre in size. There are no requirements for replanting and/or reforestation when existing developed lots are entirely cleared of trees when outside a critical area. There's no limit to how many trees can be removed in any given time period on single-family lots.

Current SMC provisions are included as **Attachment A** for your reference.

City Council Recommendations

On December 10, 2013, Community Development provided the City Council with an overview of the City's current tree retention provisions, criteria for retention, and an overview of code compliance issues.

The following recommendations were provided by the City Council during the meeting as general direction to staff and the Planning Commission:

- 1) Look at increasing tree retention for developments from the currently required 25% to 30% with a replanting option (allow flexibility with requiring 30% but reducing to 25% through replanting).
- 2) Review incentives for retaining trees and evaluate types of trees that count towards retention calculations. Establish list of trees acceptable for replanting to try and avoid a hazardous situation in the future.
- 3) Amend the code to add tree retention requirements to existing single-family lots under one acre with reduced clearing limits. The current regulations do not require any tree retention on existing lots under one acre that are developed with a home unless they have critical areas on the property.
- 4) Consider requiring a reforestation/replanting plan by a qualified arborist for all land clearing. Provide additional information on what training is needed for an arborist to obtain certification.
- 5) Limit the number of trees removed per year for existing single-family lots and establish a fee for removing 1-3 trees. Currently, up to three trees can be removed with a free tree removal permit without any limitations for how many permits can be applied for in any given period of time.
- 6) Would like to see more teeth in our current ordinance and penalties for removing trees not authorized in advance, particularly imposing fines for high habitat tree removal and repeat offenders.
- 7) Design developments around the trees. Require new developments to keep healthy stands of trees in groups and not just in rows along the property lines.

Public Outreach Efforts

Subsequent to the recommendations made by City Council, staff held an open house with citizens on March 27, 2014 to obtain feedback on tree retention regulations. Attendees were provided with a copy of the current tree retention code and a questionnaire asking for recommendations for improvements.

Staff also reached out to several developers who do regular business in the city to obtain input from a development standpoint on our current regulations. In addition, an article was placed in the City's April 2014 newsletter requesting feedback and participation in the review process.

The feedback obtained to date from the open house and via e-mails to the City has been summarized and included as **Attachment B** for your reference.

Next Steps

Upon providing a brief review on this subject this evening, staff is seeking to affirm the City Council's recommendations from its December 10, 2013 meeting on potential amendments to the tree retention provisions in the Sammamish Municipal Code (SMC). Next steps to be completed this fall include conducting additional public outreach, researching and preparing options to address recommendations and conducting a work session and public hearing with the Planning Commission. It is anticipated that City Council would receive Planning Commission recommendations for consideration in early 2015.

Attachment A – Current SMC provisions

Attachment B – Public input received

Attachment A

21A.15.1333 Tree, significant

“Tree, significant” means a tree that is:

- (1) A coniferous tree with a diameter of eight (8) inches or more DBH; or
- (2) A deciduous tree with a diameter of twelve (12) inches or more DBH. (Ord. O2005-175 § 1)

Chapter 21A.35

DEVELOPMENT STANDARDS – LANDSCAPING AND IRRIGATION

21A.35.210 Tree retention requirements

The following tree retention requirements shall be applied in addition to the applicable requirements of Chapters [16.15](#) and [21A.50](#) SMC:

- (1) Emergency tree removal to prevent imminent danger or hazard to persons or property shall not be limited by this section or SMC [21A.35.230](#), Tree protection standards.
- (2) All new subdivisions and short plats shall retain significant trees subject to the following standards:
 - (a) Within areas unconstrained by environmentally sensitive areas and associated buffers, a minimum of 25 percent of significant trees shall be retained.
 - (b) Within environmentally sensitive areas and associated buffers, significant trees and other vegetation shall be retained subject to the requirements of Chapter [21A.50](#) SMC; provided, that trees retained within environmentally sensitive areas and associated buffers may be counted for up to 50 percent of the tree retention requirement in subsection (2)(a) of this section.
- (3) All new commercial and institutional developments shall retain significant trees subject to the following standards:
 - (a) Within areas unconstrained by environmentally sensitive areas and associated buffers, a minimum of 30 percent of significant trees shall be retained.
 - (b) Within environmentally sensitive areas and associated buffers, significant trees and other vegetation shall be retained subject to the requirements of Chapter [21A.50](#) SMC; provided, that trees retained within environmentally sensitive areas and associated

Attachment A

buffers may be counted for up to 50 percent of the tree retention requirement in subsection (3)(a) of this section.

(4) All clearing and grading of existing undeveloped properties shall retain significant trees subject to the requirements for tree retention of commercial developments.

(5) Trees identified for retention shall be selected, to the extent feasible, subject to the following criteria:

- (a) Trees located within healthy, vegetated groups and stands rather than as isolated trees scattered throughout the site;
- (b) Trees that have a reasonable chance of survival once the site is developed;
- (c) Trees that will not pose a threat to persons or property;
- (d) Trees that can be incorporated into required landscaping or can be used to screen the site from adjacent properties;
- (e) Trees adjacent to open space, sensitive area buffers or sensitive area tracts;
- (f) Trees having a significant land stability function; or
- (g) Trees that meet the definition of heritage tree.

(6) Subject to review and approval by the director, up to 50 percent of trees identified for retention may be removed, provided replacement trees shall be required pursuant to SMC [21A.35.240](#), Tree replacement and enforcement.

(7) Exceptions to the tree retention standards may be requested and approved by the City subject to the satisfying all of the following criteria:

- (a) Strict compliance with the provisions of this code would prevent reasonable use of the property;
- (b) Proposed tree removal and proposed replacement is consistent with this section and SMC [21A.35.230](#), Tree protection standards, Chapters [21A.50](#) and [16.15](#) SMC; and

Attachment A

(c) Proposed tree replacement is consistent with the requirements of SMC [21A.35.240](#), Tree replacement and enforcement. (Ord. O2005-175 § 1)

21A.35.220 Tree retention incentives

Projects that retain more trees than required pursuant to SMC [21A.35.210](#) may be granted the following incentives, subject to City review and approval:

- (1) New subdivisions and short plats which retain a total of 30 percent or more of significant trees (outside of environmentally sensitive areas and associated buffers) on the subject site may reduce required on-site recreation space by up to 10 percent; and
- (2) New subdivisions and short plats which retain a total of 35 percent or more of significant trees (outside of environmentally sensitive areas and associated buffers) on the subject site may modify the net density calculation pursuant to SMC [21A.25.080](#) to include up to 10 percent of the area within environmentally sensitive areas towards site density calculations. (Ord. O2005-175 § 1)

21A.35.230 Tree protection standards

The following tree protection standards shall apply to trees retained pursuant to SMC [21A.35.210](#), Tree retention requirements:

- (1) All trees identified for retention shall be identified on project site plans, and shall include a summary of the project specific tree protection measures.
- (2) Trees identified for retention shall be identified on the project site by use of one or more of the following methods:
 - (a) Tree protection barriers shall be installed along the outer edge and completely encompass the dripline of trees identified for retention. Protection barriers shall consist of fencing at least four feet high, constructed of chain link or polyethylene laminar safety fencing or similar material; or
 - (b) Tree protection flagging shall be installed along the outer edge and completely encompass the dripline of trees identified for retention. Flagging should include signs reading "Tree Save Area."
- (3) All construction activities shall be located outside of the dripline of trees identified for retention.

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(4) Site plans shall be designed to provide long-term protection of trees identified for retention. Site design shall incorporate one of the following to provide protection of retained trees:

- (a) Curbing or other physical barrier in areas used by vehicular traffic;
- (b) Fencing around areas adjacent to areas not used by vehicular traffic; or
- (c) Other protection means subject to approval by the director.

(5) All trees identified for retention may be pruned and otherwise maintained at the property owner's discretion; provided, that topping of retained trees and removal of more than 25 percent of existing limbs shall only be permitted under the direction of a certified arborist. (Ord. O2005-175 § 1)

21A.35.240 Tree replacement and enforcement

This section shall apply in addition to the provisions of SMC Title [23](#), Code enforcement.

(1) Any tree removed in violation of SMC [21A.35.210](#), Tree retention requirement, or any tree removed pursuant to the exception process of SMC [21A.35.210](#)(6), Tree retention requirement, shall be subject to the following replacement requirements:

- (a) Coniferous trees shall be replaced by coniferous trees native to Washington and deciduous trees shall be replaced by deciduous trees native to Washington;
- (b) Replacement coniferous trees shall be at least eight (8) feet in height. Replacement deciduous trees shall be at least one and one-half (1.5) inches in diameter (DBH); and
- (c) Trees shall be replaced subject to the following replacement ratios:
 - (i) Removed trees with a DBH greater than nine (9) inches up to twelve (12) inches shall be replaced by four (4) trees;
 - (ii) Removed trees with a DBH greater than twelve (12) inches up to sixteen (16) inches shall be replaced by six (6) trees; and
 - (iii) Removed trees with a DBH of sixteen (16) inches or more shall be replaced by eight (8) trees.

Attachment A

(2) Financial guarantees for replacement trees may be required consistent with the provisions of SMC Title [27A](#).

(3) At the discretion of the director, each tree removed in violation of this chapter may be considered a separate code enforcement case for the purposes of SMC Title [23](#), Code Enforcement. (Ord. O2005-175 § 1)

Definitions of acronyms in this document:

- Open House – March 27th, 2014
- Anon. – Anonymous author
- Dev - Developer

| Date Submitted | Name | Summary of Written Comment | Staff Comments |
|--------------------------|----------|--|----------------|
| 1. Open House 3/27/14 | Jan Bird | <ul style="list-style-type: none"> • Need for a comprehensive Tree Survey for the City to Catalog the Current Status of trees within the Community. • Need an Urban Forest Management Plan. • Municipal Code change adding “Heritage Tree Status” to outstanding trees. • Consider becoming an Arbor Day Foundation Tree City. • Applying for Community Forest Assistance Grants. • Code Restrictions regarding tree removal during wildlife breeding season. • Tree Mitigation • Homeowners encouraged to replant native vegetation. • Web Page on Tree Retention Code with educational pointers. • Create a canopy coverage goal for various size lots. • Certified Tree Professional on contract who can assist homeowners/developers. • City should maintain a list of approval trees for replacement. • Maintenance Bond requirements for watering for developers replacing trees. | Duly noted |

Please note that this document is intended to summarize written public comment. As a summary it necessarily characterizes the substance of the comments. Care has been taken to ensure that comments are not mis-characterized, however if a mistake has been made, please inform staff (treeretention@sammamish.us) so the mistake may be corrected.

| | Date Submitted | Name | Summary of Written Comment | Staff Comments |
|-----|--------------------|--|--|----------------|
| | | | <ul style="list-style-type: none"> Contractors and Arborists to sign a document that they are aware of the tree ordinance. | |
| 2. | Open House 3/27/14 | Katherine Low | <ul style="list-style-type: none"> Repeat of Comments 1 above. | Duly noted |
| 3. | Open House 3/27/14 | Katja May Wildlife Habitat Team Member | <ul style="list-style-type: none"> Expresses her unreserved support to Jan Bird's comments supplied in (Comment 1 above). | Duly noted |
| 4. | Open House 3/27/14 | Katja May Wildlife Habitat Team Member | <ul style="list-style-type: none"> Expresses her unreserved support to Jan Bird's comments supplied in (Comment 1 above also repeat of Comment 3). | Duly noted |
| 5. | Open House 3/27/14 | Sharon Steinbis | <ul style="list-style-type: none"> Keep trees in Lakes Districts around parks – Soaring Eagle, Beaver Lake, Beaver Lake Preserve Plant more trees. | Duly noted |
| 6. | Open House 3/27/14 | Anon. | <ul style="list-style-type: none"> Stronger penalties for developers exceeding proposed tree removal. | Duly noted |
| 7. | Open House 3/27/14 | Anon. | <ul style="list-style-type: none"> Reduce fees for developments who volunteer to exceed tree retention standards. | Duly noted |
| 8. | Open House 3/27/14 | Anon. | <ul style="list-style-type: none"> City should have arborist they contract with to review trees to be retrained by developers. | Duly noted |
| 9. | Open House 3/27/14 | Anon. | <ul style="list-style-type: none"> 214.35.240 – Replacement trees need to be larger 12-15 ft. for Conifers 2-3 in in diameter for deciduous. Replacements trees need to increase c(i) 6 trees, c(ii) 8 trees, c(iii) 10 trees. | Duly noted |
| 10. | 03/26/2014 | Harry & Claradell Shedd | <ul style="list-style-type: none"> Would like Sammamish to become a "Tree City" Concerns with Sahalee HOA and other private community club tree removal permits | Duly noted |
| 11. | 03/27/2014 | Email Jan Bird | <ul style="list-style-type: none"> Email Repeat of Comment 1 submitted at Open House. | Duly noted |
| 12. | 03/30/2014 | Katherine Low | <ul style="list-style-type: none"> Repeat of Comments 1 submitted via Jan Bird | Duly noted |
| 13. | 04/10/2014 | Jack Evans | <ul style="list-style-type: none"> Concerns about trees on adjacent properties. | Duly noted |

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| 14. | 04/10/14 | Carly Hilios | <ul style="list-style-type: none"> • Interested in learning more about the review on tree retention rules. • Interested in attending upcoming public meetings. | Duly noted |
| 15. | 04/22/14 | Denise Darnell | <ul style="list-style-type: none"> • Citizen for over 10 years loves the gorgeous trees and open spaces • Implores the City Council to have a tree retention policy. • Saddened that the trees in Sammamish are decimating, retain as many trees as possible. | Duly noted |
| 16. | 02/26/14 | Mike Collins | <ul style="list-style-type: none"> • Provide a large buffer (setback) that can be reduced if a) the under canopy is filled in b) the perimeter is completely treed c) other areas of the development are treed d) older trees survive (success v set aside v theoretical) • Increase canopy and offer reduction due to past development • Encourages higher tree replanting/incorporating replacement ratios • Encourages small tree i.e. hemlocks • Encourages a financial incentive. Trees and trails go together. | Duly noted |
| 17. | 04/22/14 | Mary Johnson | <ul style="list-style-type: none"> • Trees are resources that need to be managed. • The City needs to conduct a tree survey to establish a baseline of the composition, condition, and distribution of trees in the City. • Prepare long-term management plan of City's urban forest, documenting the City's sustainability efforts in reducing the urban heat index, greenhouse gas emission reductions, absorb stormwater runoff and improve air quality. | Duly noted |

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| | | <ul style="list-style-type: none"> • Needs to be stronger, enforceable penalties in place when trees are removed in violation (zero tolerance for repeat offenders). The City needs to get serious about enforcement and hold developers accountable when they don't adhere to the policies. • Evaluate replacement tree mitigation (replanting saplings to mitigate for old-growth tree loss doesn't work) • Increase tree retention requirements to 30% • Don't allow clear cutting of lots to build new houses; retain existing vegetation and require native replacements. | |
| 18. | 04/22/14 Gene Welch | <ul style="list-style-type: none"> • Concerns with old-growth/mature tree removal in Timberline & Timberline Park. • Citizens need to be educated on benefits of trees. | Duly noted |
| 19. | 04/28/14 Geoff Tamble (Dev) | <ul style="list-style-type: none"> • Requested that there should be not tree preservation with the exception of sensitive areas and their buffers on properties within the UGA. • Encourages additional thought into replanting trees and vegetation throughout developments. • Establish a long running plan that creates a growing and sustainable tree canopy that allows property owners maximize a sites zoning potential. | Duly noted |
| 20. | 04/28/14 Jean Reynolds | <ul style="list-style-type: none"> • Leave the Tree Retention Policy "as is" or reduce requirements. Sees value in letting sunshine in homeowner's yards and having space/sun for vegetable gardens. | Duly noted |
| 21. | 05/14/14 Greg Nelson (Dev) | <ul style="list-style-type: none"> • Current tree retention regulations require developers save trees, but homeowners on existing lots don't have to | Duly noted |

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|-----|----------------|------------------------------|---|----------------|
| 22. | 08/13/14 | Olga Barooah | <ul style="list-style-type: none"> • Current code has advisory character; doesn't mandate that builder retain 25% of trees. • Increase tree retention to 40% • Require tree retention on existing single-family lots. • Retained trees disclosed at public hearing should not be allowed to be removed later. | Duly noted |
| 23. | 8/26/14 | Dan & Shane DeWald | <ul style="list-style-type: none"> • Remove the ability to only flag for tree protection • Prohibit topping unless a wildlife snap • Penalties for illegal tree removal • Look at tree values and triple value if removed in violation of code | Duly noted |
| 24. | 8/26/14 | Mike Miller, Murray Franklyn | <ul style="list-style-type: none"> • Gave comparison of other jurisdictions in area • Suggests only retaining healthy trees at a retention of 25-30% | Duly noted |
| 25. | | | <ul style="list-style-type: none"> • | |

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