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# EDMONDS CITIZENS' TREE BOARD

## APPROVED MINUTES

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**December 4, 2014**

The Edmonds Citizens' Tree Board Meeting was called to order at 6:04 p.m. by Board Member Roy Smith in the Brackett Room, 3<sup>rd</sup> Floor City Hall, 121 5<sup>th</sup> Avenue North, Edmonds, WA.

### BOARD MEMBERS PRESENT

Steve Hatzenbeler  
Darcy MacPherson  
Roy Smith  
Anna Heckman  
Rick Zitzmann  
Barbara Harrell  
Susan Paine (arrived 6:25 p.m.)  
Renee Travis, Alt (arrived 6:13 p.m.)

### STAFF PRESENT

Kernen Lien, Senior Planner  
Jeanie McConnell, Engineering Program Mgr. I  
Elizabeth Walker, Consultant  
Jeannie Dines, Recorder

### ELECTED OFFICIALS PRESENT

Joan Bloom – City Councilmember

#### 1. **CALL TO ORDER**

Board Member Roy Smith called the meeting to order.

#### 2. **ROLL CALL**

#### 3. **APPROVAL OF AGENDA**

Board Member MacPherson moved to approve the agenda; seconded by Board Member Heckman. Motion carried unanimously.

#### 4. **AUDIENCE COMMENTS** - None

#### 5. **APPROVAL OF MINUTES**

##### a. **November Minutes**

Board Member MacPherson moved to approve the November minutes; seconded by Board Member Zitzmann. Motion carried unanimously.

#### 6. **PUBLIC HEARING ON THE DRAFT PROPOSED TREE CODE ORDINANCE**

Board Member Smith opened the public hearing at 6:07 p.m.

Senior Planner Kernen Lien reviewed the Tree Code history:

- Edmonds Incorporated - 1890
- First Tree Ordinance - 1928
- Municipal Tree Ordinance - 1977
- Resolution 418 (Tree cutting in ROW) - 1978

- Street Tree Plan - 1982
- Land Clearing and Tree Cutting Ordinance - 1990
- Other Regulations
  - Critical Area Ordinance
  - Shoreline Master Program
  - Landscaping Requirements

He reviewed the current Tree Code

- ECDC 18.45 Land Clearing and Tree Cutting
- Right-of-way Tree Removal or Trimming Policy (Adopted November 18, 2014)
- Critical Area Regulations ECDC 23.40 – 23.90
- Other Codes and Policies

He reviewed current Tree Cutting Permit:

- Exemptions
  - Single Family Lots
    - No Critical Areas
    - Not Subdividable
  - Hazard Trees/Emergencies
  - Routine Maintenance
- Single Family
  - Type II Permit: Staff Issued Conditional Use
  - \$795 Permit Fee
- Multi-family/Commercial
  - Type I: Staff Decision
  - Landscape Modification (Design Review)
  - \$225 Permit Fee
- Right-of-way Trees
  - Right-of-way Construction Permit
  - \$90 - \$270 Permit Fee
- New Developments
  - No Separate Permit
  - Landscaping Plan
  - Street Trees

Mr. Lien explained the intent of the tree code update was to develop a more comprehensive tree code with clear vision, and code which is easier for citizens to understand and more efficient for staff to implement. He reviewed major changes in the proposed code over existing tree regulations:

- Permitting
  - Permit required for removal of any tree not associated with a development proposal
  - More balanced permitting process – same permit fees for single-family, multi-family, and commercial development
  - Right-of-way tree permit in same location
- Minimum Tree Density on Single-family Lots
- Updated fines for violations

Ms. Walker reviewed tree types:

- Significant – at least 6” in diameter
- Landmark – at least 24” in diameter
- Protected – identified for retention and protection on permit/plan
- Hazard – in a state of high probability of failure, close to target, and hazard cannot be mitigated

- Nuisance – causes significant damage to infrastructure and problem cannot be corrected

She described when a permit is required:

- Removal of significant, landmark or protected tree on private property
- Removal or pruning of significant, landmark or protected tree in City right-of-way
- Different permit types and criteria to be met to obtain permit.

She described the different review types:

Administrative staff review

- New single family – under development permit
  - Criteria – in conflict with development
- Existing single family – two significant trees within 36 month period
  - Criteria - none

Type 1 Arborist consult

- Multi-family, commercial, industrial
  - Hazard or nuisance
- Single family
  - Nuisance or hazard
  - Remove more than 2 significant per 36 month limit
- Protected tree
  - Hazard or nuisance

Type II Arborist consult

- Landmark Tree
  - Demonstrate how no other arboriculture practices can achieve desired outcome
- Trees in critical area buffers
  - Demonstrate removal improves health of remaining and does not compromise integrity of function

New Subdivision

- Under development permit
- Application must have extensive information about the existing trees, retention/protection plan, replacement plan
- Reviewed in conjunction with other plans (grading, design, LID)

She reviewed replacement requirements:

- Single family
  - Required if fall below minimum tree density (see table in 23.20.080)
- Multi-family, commercial
  - Landscape standards in 20.13 ECDC
- Critical area/buffers
  - Standards in 23.40 ECDC; minimum tree density
- Right-of-way Trees
  - Director determination (based on tree units removed)

Mr. Lien reviewed next steps:

- Brief City Council
- Need Urban Forest Management Plan to establish policy

Board Member Paine opened the public participation portion of the public hearing. There were no members of the public present who wished to provide testimony and Board Member Paine closed the public hearing.

Ms. Walker, Ms. McConnell and Mr. Lien responded to questions regarding information provided in the qualified tree professional's report, the tree assessment form, exemption for emergency, protected trees, tracking protected trees, existing tree density on single family lots, Council policy decision related to density requirements, implementation of the tree code, establishing a Heritage Tree Program, designating heritage trees as protected trees, criteria for removing/trimming right-of-way trees, payment in-lieu-of, fee and replacement requirements for illegal tree removal, bonding and security, property owner versus tree company liability, definition of tree removal, encouraging retention of wildlife snags, City Council briefing, and notice of the public hearing.

Board Member Paine expressed concern with debris stored on top of tree roots as part of the 15<sup>th</sup> Street sidewalk project. Ms. McConnell offered to consult with Public Works staff. Discussion followed regarding enforcement and including tree protection in capital project specifications.

Board Member Heckman moved to accept the proposed Tree Code, seconded by Board Member Zitzmann. Motion carried unanimously.

## **7. DISCUSSION**

### **a. Tree City USA Accounting Update**

Board Member Heckman agreed to prepare a Tree City USA accounting.

Mr. Lien advised tree grants applications are due December 19. Direction from the Council would be required to submit a grant for development of an Urban Forest Management Plan.

### **b. City of Edmonds Proposed Street Tree List**

Board Member MacPherson distributed a proposed street tree list. She described the development of this list using other cities' street tree list, noting most have winter interest and flower.

Mr. Lien asked for clarification whether this was a street tree list or the general tree list referred to in the Tree Code. Board Member MacPherson advised it is a list of potential street trees.

Discussion followed regarding the use of root barriers for street trees, areas covered by the Street Tree Plan, the Street Tree Plan as an appendix to the Streetscape Plan, differences between street trees and right-of-way trees, need for a general tree list to accompany the Tree Code, tree sizes and appropriate planting widths.

It was agreed this was a right-of-way tree list rather than a street tree List. Ms. Walker described the list of trees she created for Shoreline which began with Seattle's list and was amended by Shoreline.

Board Member MacPherson requested board members provide feedback on the list by the next meeting. She will post the spreadsheet on the Tree Board's FTP site.

### **c. Next Meeting Date – first Thursday is 1/1/2015 and a holiday**

The meeting was tentatively rescheduled to January 8, 2015.

## **8. NEW BUSINESS**

**a. Election of Chair and Vice Chair**

Councilmember Bloom relayed there were three candidates for two Tree Board vacancies. Alternate Board Member Travis will be interviewed with others, one will be appointed as a Tree Board Member and the other as an alternate.

Board Member Paine offered to prepare the agenda for the January meeting. She described the Chair's responsibilities.

Board Member Zitzmann moved to appoint Steve Hatzenbeler as Chair and Anna Heckman as Vice Chair, seconded by Board Member MacPherson. Motion carried unanimously.

**b. Thank you to Ms. Walker for her work**

Board Members thanked Ms. Walker for her assistance. Ms. Walker explained she has been doing this 23 years, this was the best opportunity to finally write code she likes that she knows will work based on her experience. She reminded that the groundwork for the Strategic and Management Plan has been done. She will be working on tree management plans for Olympia and Boise.

Board Members also thanked Ms. McConnell and Mr. Lien for their assistance. Mr. Lien requested the new Tree Board Chair assist with the presentation to Council.

**9. TREE BOARD MEMBER COMMENTS**

Board Members recognized departing Board Members Paine and Smith and thanked them for their service.

Board Member MacPherson reported the City of Redmond, population 58,000, has 6 full-time arborists on staff who are funded via a stormwater program. Redmond staff expressed their willing to talk to other cities about their Tree Code.

Board Member Zitzmann circulated the City of Vancouver's brochures regarding nuisance trees and how funds generated by fines/fees are used.

Board Members Paine and Smith commented on their experience serving on the Tree Board.

**10. ADJOURNMENT**

With no further business, the Edmonds Citizens' Tree Board adjourned at 7:56 p.m.