

CITY OF EDMONDS, WA TREE CODE AMENDMENT PROJECT FOCUS GROUP #3 SUMMARY AND ASSESSMENT

OVERVIEW

Edmonds' Tree Code was formally adopted in 2021, and City staff is now in the process of gathering public input on potential tree code amendments with the following objectives:

1. Clarify the current tree code related to development (minor amendments)
2. Consider regulations on private property tree removals

As a part of the Tree Code Amendment Project's Community Engagement Strategy, a series of focus group sessions are scheduled to hear perspectives and ideas from various interest groups about potential tree code amendments. City staff sent out invitations with the following stakeholder groups in mind:

- Developers
- Arborists
- Environmental sciences
- Tree preservation advocacy
- Climate action
- Underserved and underrepresented

Public engagement efforts sought feedback from the community and stakeholders with a range of little or no familiarity with the current tree code to those with a considerable understanding of the existing code. The latter group includes developers and arborists that regularly submit development permit applications or written reports to the City for review. The Developer/Arborist focus group meeting was held on April 27, 2023, followed by a Tree Board special meeting on May 3, 2023 and then Edmonds' Planning/Development/Code Enforcement staff on May 10 and 12, 2023. While the Developer/Arborist and Planning staff groups focused on changes to the existing code pertaining to development, the Tree Board focus group meeting also included facilitated questions on new codes that would apply to property owner tree removals.

Having implemented the code since its adoption two years ago, Planning and Code Enforcement staff have an interest in providing a high level of customer service by reducing revision cycles and in simplifying the code, streamlining the review process, and enabling effective code enforcement efforts. To the last point, feedback related specifically to code enforcement is noted in red text.

This meeting took place in lieu of a regular staff meeting using a hybrid format so that attendees could join virtually via Zoom, or in person at Edmonds City Hall, 121 5th Avenue N, on the 2nd floor in the Kerr Room.

The meeting results analysis and summary are included in this document as a progress report.

Tree Code Amendment Focus Group #3: Planning, Development & Code Enforcement Staff

Date: May 10, 2023, 2:00-3:30pm/Planning & Development
May 12, 2023, 9:00-10:00am/Code Enforcement
Location: Edmonds City Hall, 2nd floor in the Kerr Room
121 5th Ave. N., Edmonds, WA 98020
Attendees: 10 (9 in person and 1 virtual)

FACILITATED Q&A

WHAT CHALLENGES HAVE YOU EXPERIENCED WORKING WITH THE TREE CODE?

- It could be more concise and clearer if it was organized using charts and graphics instead of lengthy descriptions and overly narrated code language.

- Different code sections bounce back and forth, resulting in some disparate code sections within ECDC 23.10 (tree code) that are not in sequence.
- Outside of ECDC 23.10 (tree code), other code chapters relate to regulating trees, such as 20.13 (Required Landscaping for multi-family, commercial, etc.), 20.75.048 (Conservation Subdivision) and 23.40 (tree removals in critical areas) could be either cross-referenced from 23.10 more prominently or consolidated into 23.10.
- Too many redundancies.
- Overly complex
- Lack of specific tree retention threshold for subdivisions to get design flexibility in 20.75.048 (Conservation Subdivision), difficult to require 50% since the code doesn't directly tie together.
- Lengthy, verbose arborist reports...are they necessary? Can we just ask for TRAQ forms for tree removal requests and only an inventory/site plan for development review?
- Post-development tree protection (Protected Tree on Notice of Title) implies all trees on site are protected in perpetuity. Protected Tree Notice should apply to high retention value trees only, other trees should fall under a maintenance agreement for 3-5 years post-development (see below for other code examples).
- "Priorities" for tree retention in 23.10.060.D seem subjective and unclear
- **23.10.100 (code enforcement section) is too complex yet doesn't have enough "teeth" to effectively enforce.**
- **Obtaining appraised values for unauthorized tree removals is a lengthy process, so that Notice to Correct response deadlines are not feasible. Appraisals can be subjective. The appraisal process is unnecessarily complicated for all involved: property owner, code enforcement, staff reviewer, etc. See suggestion below under examples from other cities.**
- **Code doesn't distinguish high retention value tree criteria for critical areas, by species, etc.**
- **Code complexity can result in neighbor disputes and the expectation that City mediate/resolve.**
- **Invasive species are not identified or prohibited**

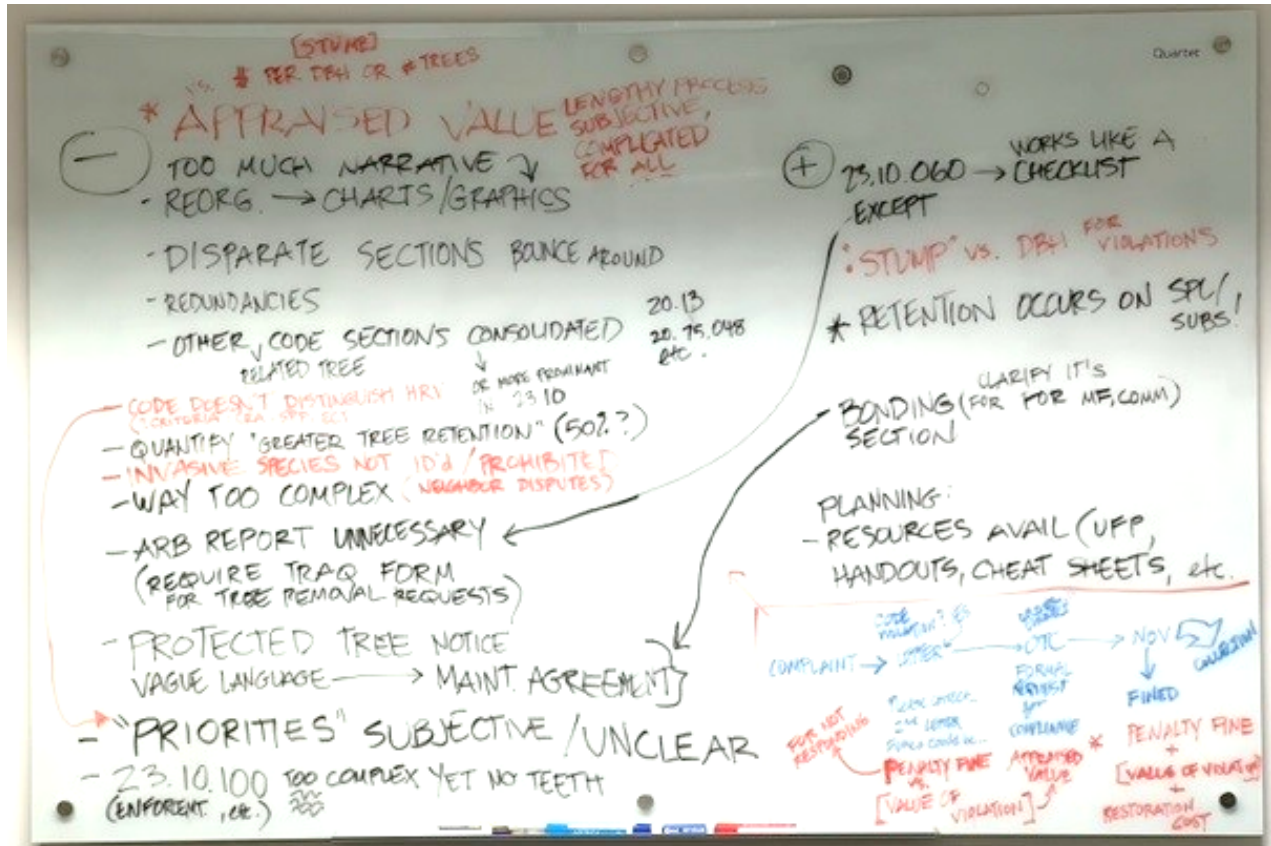
CONVERSELY, WHAT WORKS WELL WITH EDMONDS' TREE CODE?

- ECDC 23.10.060 (tree retention plan requirements) works like a checklist for applicants.
- ECDC 20.75.048 (Conservation Subdivision) is an effective incentive for developers to retain trees with shortplats and subdivisions!
- Bonding process for multifamily and commercial tree planting is a straightforward section, but code could clarify it doesn't apply to SF.
- Not the code itself, but Planning resources help staff and customers overcome a confusing, complex code (i.e.: handouts, cheat-sheets, etc. and in-house subject matter expertise).

CAN YOU POINT TO ANY EXAMPLES OF INCENTIVES AND CODES FROM OTHER CITIES THAT WORK BETTER TO RETAIN AND/OR MITIGATE TREES WITH DEVELOPMENT? ENFORCE TREE CODE?

- Use the same system (formula) for the ideal tree "quota" that applies to both retained and planted trees, instead of so many different requirements for tree retention, replacement, fees.
- Replant trees versus requiring the payment of appraised values for healthy trees >24" DBH removed with development.
- Require a 3 or 5-year maintenance agreement be recorded on title of property and protect in perpetuity only high retention value trees (once defined clearly in the code).
- **For code enforcement of unauthorized tree removals, assess an \$ amount for every inch DBH of the stump of removed tree (versus requiring the applicant to get appraised values of each tree). Or, a dollar amount for each illegally removed per tree per DBH. Make it simple, make it fair.**

IN-PERSON WHITE BOARD NOTES



ATTENDEES

IN-PERSON ATTENDEES:

- Dave Levitan, Planning Manager
- Brad Shipley, Senior Planner
- Mike Clugston, Senior Planner
- Amber Brokenshire, Planner
- Tristan Sewell, Planner
- Rose Haas, Planner
- Michelle Martin, Senior Administrative Assistant
- Dan Gooding, Code Enforcement Officer
- Deb Powers, Urban Forest Planner (Meeting Facilitator)

VIRTUAL ATTENDEES:

- Michele Szafran, Associate Planner