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**City of Lake Forest Park
Planning Commission
Regular Meeting Summary*
17425 Ballinger Way NE—The Forest Room
July 10, 2007**

Commissioners present: Jeff Foster, Chair; Linda Owens, Vice Chair; Judy Herring, Don Shaffer, Chuck Paulsen, Robert Lee, Shary Van, Tom Lerner

Commissioners absent: All commissioners were present.

Staff present: Stephen Bennett, Planning Director; Shana Restall, Associate Planner; Aaron Halverson, Clerk

Others present: There were no others present.

Call to order: Jeff Foster, Chair, called the meeting to order at 7:07pm.

Approval of meeting notes:

Chair Foster asked that lines 25 through 28 be revised to accurately reflect his statement during the last meeting following review by staff of audio recording from the June 26, 2007 meeting.

Unfinished Business:

Tree Protection and Replacement Ordinance Discussion

Director Bennett initiated discussion by presenting a revised version of the Tree Protection and Replacement Ordinance.

Dir. Bennett stated that the ‘street trees’ section will be included in the Chapter 12 of the Lake Forest Park Municipal Code and has, therefore, been removed from the proposed Tree Protection and Replacement Ordinance.

The next revision was related to landmark or heritage trees. The revision requires for the removal of each landmark or heritage tree that is that is not a nuisance or hazard, the replacement requirements are one replacement tree for each two tree units removed.

The next revision includes new language that allows for the creation of a Level III major and minor permit, to include the statement when there are feasible and prudent alternatives for a proposed new development requiring a Level III Major Tree Removal Permit viable trees are to be preserved. This addresses the issue that applicants for a Level III Minor Tree Removable Permit are not required to type all of the trees on their property.

The final revision, Dir. Bennett explains, was to include language associated with tree replacement. The new language requires a one tree to one tree replacement for Level I Tree Removal Permits if the trees removed are the last two trees on the property. For Level II Tree Removal Permits, the replacement ratio is one tree to one tree for removed trees with a diameter between six inches and 20 inches, two replacement trees for each tree removed with a diameter that exceeds 20 inches and does not exceed 28 inches while removal of landmark/heritage trees requires replacement as noted in another section.

The Commissioners discussed emergency tree removal and the possibility of the associated tree replacement. The Commission agreed that the intent of the ordinance is to not require tree replacement for removal of nuisance/hazardous trees.

1 Dir. Bennett explained that section titled ‘Replacement ratio’ should be struck, except for the last sentence,
2 because it contradicts other sections of the proposed ordinance related to tree removal.

3
4 The Commissioners discussed tree removal and replacement in sensitive areas. Dir. Bennett explained that
5 tree removal in sensitive areas requires an arborist’s report that indicates the tree(s) proposed for removal are
6 hazardous or unhealthy.

7
8 Dir. Bennett discussed removal of a non-hazard tree with a diameter between 6 and 28 inches after the
9 homeowner has already removed two trees that year. If the homeowner were not doing a development, they
10 would be unable to attain a permit to remove the third tree. He also noted that the section related to Level III
11 Minor Tree Removal Permits does not require tree replacement.

12
13 Cmr. Lerner stated that there is additional confusion regarding surveyed tree locations in the Level III Minor
14 Tree Removal Permit. The first condition of the section states, “surveyed locations [of significant trees] may
15 be required” while the last condition states, “surveyed tree locations shall not be required”. Dir. Bennett
16 stated that he would ask Elizabeth Walker, Urban Tree Taskforce Consultant, about her intentions regarding
17 survey tree locations related to a Level III Minor Tree Removal Permit.

18
19 The Commissioners discussed tree replacement for Level III Minor Permits to restrict the ability of property
20 owners to remove all of the trees on their property, except for two, without any requirements related to tree
21 replacement. To remedy this potential problem, the Commissioners proposed an addition of the language
22 “or an any case where more than six trees are proposed for removal” to page 7, line 50 of the proposed Tree
23 Protection and Replacement Ordinance.

24
25 Discussion ensued regarding tree replacement. Dir. Bennett stated that in order to be consistent with the
26 Sensitive Areas Ordinance, trees removed under a Level II and Level III Minor Tree Removal Permit should
27 require a replacement ration of one tree to one tree. He proposed to add the sentence, “For Level II and
28 Level III Minor Tree Removal Permits a one tree for one tree replacement is required” to page 14, line 4
29 replacing the sentence that reads, “For Level II Tree permits allowing removal of trees less than 20” in
30 diameter, a one-for-one replacement ratio is required.”

31
32 The Commissioners discussed the definition of landmark trees. Cmr. Van discussed research she conducted
33 regarding landmark trees. She explained that she spoke with Urban Tree Taskforce Member, Stephen
34 Plusch, and he indicated that his research involved a drive-by survey of trees. She also called the University
35 of Washington and inquired about their definition of significant tree. She concluded that 28” was
36 appropriate because the represents less than one percent of the trees in Lake Forest Park. Furthermore, she
37 explained that there should be a grant program for people that are financially unable to replace all of the
38 trees associated with the removal of a landmark tree. Following Cmr. Van’s discussion there, was a motion
39 to define landmark trees at trees with a diameter for 28 inches or greater.

40
41 Discussion ensued regarding the heritage tree program. Many of the commissioners expressed concern
42 regarding ownership change of a property that has a heritage tree on it that may not be removed. The
43 commission discussed removal of the heritage tree program from the proposed Tree Protection and
44 Replacement Ordinance. Following extensive discussion, the Planning Commissioners decided not to
45 remove the heritage tree program from the ordinance and decided to instead prepare a cover letter that
46 should go to City Council with their recommendations for the proposed ordinance. They ask that staff
47 prepare a cover letter that states the Planning Commission is concerned that the heritage tree program is
48 redundant, could be a problem when property ownership changes, the heritage tree program does not have a
49 well defined criteria for nomination and therefore may not need to be included in the propose Tree
50 Protection and Replacement Ordinance.

51
52 Cmr. Shaffer asked that the staff also prepare a table that will more clearly illustrate tree replacement and
53 removal according to the proposed Tree Protection and Replacement Ordinance.

1
2 Following a presentation by Planner Restall, Chair Foster made a motion to change the required tree density
3 for Level III Tree Removal Permits from 35 tree units to 45 tree units. The motion carried.
4

5 Cmr. Lerner asked that paragraph D of the code enforcement section of the proposed ordinance involve the
6 language “intentional and willful violations of this chapter” allowing this section of the proposed ordinance
7 to remain manageable.
8

9 The schedule for the next Planning Commission meetings was discussed. Chair Foster asked that there be
10 one more meeting on August 28, 2007.
11

12 **Adjournment: 9:10 PM**

13
14 Aaron Halverson, Clerk
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16 APPROVED:

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18 _____
19 Jeff Foster, Chair
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21 * A full audio record of this and all other Planning Commission Meetings may be obtained at the City of Lake
22 Forest Park City Hall.