

Lake Forest Park Tree Ordinance

Suggestions for Ordinance Revisions and Related Topics

(Notes: These were suggestions offered in two discussions: 1) at the LFP Tree Board meeting on 3/30/2015 and 2) at a special public meeting at City Hall on 4/15/15. All suggestions mentioned were recorded as accurately as possible, but some may need further clarification. Numbering and grouping are to facilitate discussion and do not represent value or any ranking of importance or priority. This list was recorded by LFP Tree Board members Bill Leon and Lisa Wathne and compiled by Bill. As the list expands and is sorted, it would be advantageous to keep the date of revisions in the filename so that all can track their development and provide more details and more suggestions.)

Process – General

1. Place a moratorium for tree removal permits until the current ordinance is reviewed and revised.
2. Place a moratorium on tree cutting after property sales so trees are not cut down too soon.
3. Put more weight on the arborist's suggestions.
4. Improve ability for public input before making decisions to allow trees to be removed, especially when large numbers of trees are requested to be cut.
5. Allow opportunities for a public hearing before a certain number of trees are cut.
6. Require more deliberation and meaningful reasoning in order to cut down more than four trees.
7. Consider wind exposure to neighbors when large trees are proposed to be cut; and consider other impacts on neighboring properties such as erosion, mudslides, loss of habitat.

Process—Administration and General Communication

8. Use tree removal fees or other city funding to purchase the software updates needed to share data with the public about proposed activities within the city that affect all residents (e.g., arborist reviews in process, history and maps of tree cut approvals).
9. Develop and make public a tree permit database that allows people to see more easily the effects of tree cutting their neighborhoods and in the city as a whole.

Process—Notification and Participation in Tree Removal Discussions and Decisions

10. Make sure that application for tree cutting notice shows how many trees will be cut, what the status of those trees are and why they are being cut.
11. Provide some rights for neighbors to comment on requests to cut significant trees.
12. Have City officials post the notices for tree removal so that they go in the right places at the right times to enable the right amount of time for people; or require a resident who obtains a tree cutting permit to show proof (e.g., via an emailed picture) to show that the notice was properly posted.

13. If a certain number of trees are requested to be cut (e.g., four or more), send notice to neighbors when the application is filed so that those most immediately affected have an opportunity to respond to the application. This could be done when the arborist review is conducted. When on site, the arborist could collect the addresses of the neighboring properties to make sure that the arborist recommendation is sent or emailed to the neighbors as well as to the homeowner who requested.
14. Send PDF copies of all requests for arborist reviews to properties that surround the property of the person requesting the review.
15. Make requests for tree removal more public.
16. Make notifications larger, have them posted in more obvious places, and have them posted long enough for neighbors to see and react to them.
17. In addition to posting the tree removal permit request, use bright colored tape mark trees that are proposed for removal so that observers outside the property can more easily visualize what kind of cutting is going to take place. Such markings should be visible from beyond the property line.

Process—Funding

18. Require a per-tree fee for cutting a living, viable tree (e.g., \$75 or enough to replace it with a tree of proper size, age, species, etc.) and offer the homeowner a voucher to be used within one year to get and plant a replacement tree. If the homeowner does not use it, give it to someone who will. Such trees could be planted on private property, not on the parking strip owned by the City. This will help insure more re-planting.
19. Ask or require residents in tree-sparse areas to pay for the benefits of trees that we all receive.
20. The city should explore extra insurance to protect itself from any lawsuits if it denies permits to cut trees when homeowners fear that a healthy tree might in some way harm them.

Requirements—General

21. Provide the city with more authority to deny a tree cutting permit in order to preserve the tree canopy (especially for landmark trees).
22. Require an EIS type of review on major tree removal requests.
23. Do not allow trees to be cut in order to build bigger homes.
24. Make fines or fees higher to provide more of a deterrence effect.
25. Do not allow the sale of lumber for trees that are cut or require payment of a large percentage of that windfall back to the city.
26. Require residents or homebuyers to read and initial statements recognizing the benefits of trees and their intention not to cut them unlawfully or unwisely.
27. When trees are removed because they are infected (for example with bark beetles) require replanting as is done with property owners who elect to remove healthy trees.

28. When trees are removed because they are infected, the city should provide free trees to the property owner to replant appropriate species and the property owner should be educated on how to take care of them.
29. Never allow property owners to cut more than two trees.
30. Do not allow landmark trees that are at low risk to be removed without more serious consideration or clear circumstances.
31. Do not allow homeowners to remove trees simply because they fear that branches from them might fall onto their property and cause damage. Homeowners in the city should recognize that living in a forest carries some risk like this.
32. In reviewing requests to cut tree consider the cumulative impact of removing trees from the surrounding area that might have occurred before or might occur later. In other words, consider the general neighborhood, the tree cover in it, and other actions that might also affect the tree canopy.
33. Consider having Lake Forest Park Tree Board review some requests for the removal of trees of certain sizes, ages, conditions, or numbers.
34. If solar access is a reason for tree removal require the installation of solar panels to make use of some of that sunshine, thereby mitigating some of the environmental effects of the tree cutting.
35. Require a tree cutting permit for each tree, not for each property.
36. Reduce loopholes for developers to get authority to remove trees.

Requirements—Replanting

37. For replanting plans, require the eventual growth of similar biomass to that which is being cut. In other words, do not replace hundred foot Douglass fir trees with dogwoods.
38. Require that replacement trees be of particular species.
39. Revise the code to allow one year for replanting so it can be done in the proper seasons.
40. Work with homeowners to make sure that they plant the right species of trees of the right age and height in the right seasons. Educate them on watering and other maintenance needs.
41. Strengthen incentives for homeowners to follow through with their replanting plans (bonds, support, asking if replanting has happened).
42. Raise the amount of the bond required for replanting to \$15,000 per site or \$1,500 per tree.

Planning for Healthy Forests

43. Identify and label trees that should not be removed because they are significant or otherwise useful.
44. Require that tree planting and removal permits to be approved before building plans are approved so that tree saving can become part of the planning process and not something that is adjusted later to accommodate the building.

Collaboration and Community Development

45. Set up a citizens-managed Facebook page or other media to keep residents informed about important decisions or threats to the local environment. This has been done. It is called ***Friends of the Forest Watershed of Lake forest Park on Facebook***.
46. Develop a citizens committee similar to stream keepers that can advocate for and work toward maintaining healthy urban forests. Possible name: Tree Keepers.
47. Organize neighbors in particular neighborhoods to work together to protect and manage trees in their areas and to learn more about how to care for trees in general. These could be similar to neighborhood watch type committees.
48. Develop covenants similar to those for historic properties that place restrictions on tree cutting in some areas of Lake forest Park where all neighboring property owners agree to self-restrictions so that future owners in the area are bound by the norms for that area. This could be done by groups of neighbors who come to mutual agreement about how to manage and maintain the trees in their neighborhoods.

Education

49. Educate residents on the value of trees and impacts on neighbors neighboring trees in order to achieve a better balance between individual property rights and the needs of the commons.
50. Find ways to ensure that when new trees are planted someone cares for them so they are more likely to survive. This could be through education or enforcement.
51. Educate homeowners on options for protecting trees from bark beetles.
52. When tree infestations are known, and when trees are removed for such reasons, notify neighboring property owners in areas that might also be affected.
53. Make sure that the arborist who reviews a property provides options for risk mitigation and that these options are considered by the homeowner (for example by having the homeowner read and initial parts of the report that provide this information).
54. Provide City or volunteer staff to monitor what is being planted as replacement trees and help homeowners care for them.
55. Educate homeowners about the hazards they face by living in a forest and how to mitigate those hazards (for example by appropriate tree pruning, watering in general were during a drought, dealing with infestation, and better placement trees).