Memorandum

To: Planning Commission

From: Eric McConaghy, Associate Planner, 425-556-2414

Date: January 11, 2013

Subject: Tree Regulation Exception Notice and Tree Removal and Replacement

Amendments

INTRODUCTION/BACKGROUND

On January 9, 2013 the Planning Commission began discussion of proposed amendments to the Redmond Comprehensive Plan and Zoning Code. These amendments, known as the Tree Regulation Exception Notice and Tree Removal and Replacement Amendments, are privately-initiated amendments that are part of the 2012-13 Comprehensive Plan annual docket.

PREPARATION FOR STUDY SESSION AND PUBLIC HEARING

Please review the enclosed issue matrix in advance of your January 16, 2013 meeting and identify questions and any further discussion issues.

REVIEW SCHEDULE

The January 9, 2013 study session was for the purpose of staff overview of the Technical Committee's recommendation and initial Planning Commission issue identification. Planning Commission will hold a public hearing on January 16, 2013, with a study session to follow. On January 23, 2013, The Planning Commission will hold a final study session to close any remaining issues and to make a recommendation on this proposal. Council review and action would follow in the first quarter of 2013.

ENCLOSURES

Issue matrix.

Please contact Eric McConaghy (emcconaghy@redmond.gov) with questions or concerns.

Issue	Discussion Notes	Status
1. Are there guidelines for the number and placement of notice signs based on the size of the property? (Sanders)	Planning Commission Discussion Staff Response/Recommendation 01/09: Notice signs are required for proposed land use actions. One sign is required along each property frontage. Extraordinary notice signs are required for major land use actions. Appendix 6 of the Redmond Zoning Code requires that extraordinary notice signs be four feet by eight feet in size, placed no closer than five feet from the right-of-way, visible from each public street on which the subject property has frontage, and placed outside the sight distance triangle. The obstruction of a motor vehicle operator's view at an intersection is prohibited within the sight distance triangle, a triangular area on a corner of an intersection. Public Comment	Opened 01/09
2. Who receives mailed notice of land use actions? (Sanders)	<u>Staff Response/Recommendation</u> 01/09: Mailed notice is required to all property owners and occupants within 500 feet of the perimeter of the project. Also, the notice is made available online on the Land Use Actions Notice web page and by contacting the lead planner for the project. In addition, Redmond sends notice to any person requesting to receive mailed notice for a proposal. <u>Public Comment</u>	Opened 01/09
3. Are there design guidelines for notice signs? Who is the intended audience for the notice boards: pedestrians or drivers? What is the goal in terms of readability and accessibility to the public? (Miller)	Planning Commission Discussion 01/09: Tech Committee Report states that the applicant's proposal is not recommended because the signs cannot accommodate more information based on font size, presentation and room on the board. However, all that really matters in terms of font size is the portion of the sign that alerts the public to the proposed land use action (Miller) Staff Response/Recommendation 01/09 The purpose of the signs is to alert anyone passing by that there is a land use action; those interested need to stop to read the sign and to take away a notice sheet with information on how to contact staff and get more information. The intent is alert the public that a land use	Opened 01/09

Issue	Discussion Notes	Status
	action is proposed for the parcel (property). Staff showed photos of actual notice boards and	
	extraordinary notice boards currently posted on properties in Redmond as well as the schematics governing their design.	
	scriematics governing their design.	
	Public Comment	
		0 101/00
4. Is there a method for a citizen or someone else to	Planning Commission Discussion	Opened 01/09
register as a party of	Staff Response/Recommendation	
interest for a certain	01/09: Redmond provides free subscription to electronic newsletters, organized by topics of	
neighborhood or area or	interest, such as news for a particular neighborhood. The link to the sign-up page is provided on	
would the citizen need to	Redmond's homepage. For reference, the application that staff uses to provide this service is	
follow all of the proposed	called GovDelivery. Also, anyone can search and access information on permit applications via E-	
land use actions in an area	Track, a new tool made available as part of the implementation of the new permitting system,	
independent of one	EnerGov. In addition, Redmond provides public information handouts online on topics such as	
another? (Sanders)	public participation, the Technical Committee, and sign boards.	
	<u>Public Comment</u>	
5. Are urban center sites	Planning Commission Discussion	Opened 01/09
complex with many factors	The state of the s	Spenied 01/03
with requests for	Staff Response/Recommendation	
exceptions being only one	01/09: A request for an exception to tree regulations would be only one of many factors related	
of many factors to	to a development proposal. Current requirements for notice boards do not require specific	
consider? Does the	factors, such as tree exceptions, to be listed on the boards. This information is made available as	
applicant want one of these	part of the information posted online for public access, also available by contacting Planning	
factors, tree exceptions,	staff.	
called out specifically on	Dublic Comment	
notice signs? (Biethan)	Public Comment	
6. Is the City of Redmond	Planning Commission Discussion	Opened 01/09
looking into adding QR		
codes to signs? (Miller)	Staff Response/Recommendation	

Issue	Discussion Notes	Status
	01/09: Yes. Redmond is looking into various scannable formats to add to the way that people can	
	connect to useful development information.	
	Public Comment	
7. Do the applicant's	Planning Commission Discussion	Opened 01/09
proposals apply to any tree	Does the removal of a tree from a single-family lot (Mr. Biethan's property described in the	
exception request? Under	example) require an exception? (O'Hara)	
the proposed amendments	Stoff Door ones / Door ones odetion	
would a neighborhood meeting be required for	Staff Response/Recommendation 01/09: Yes and yes to the issue questions. Per the example in Mr. O'Hara's question, the removal	
any request for an	of a tree from a single-family lot would only require an exception if the tree was a landmark tree,	
exception? (Biethan)	(30 inches measured at diameter at breast height)	
, , ,		
	<u>Public Comment</u>	
	01/09: The applicant has stated that the "intended focus (of the amendments) was on	
	undeveloped property and redevelopment of properties other than single family lots." (Tom	
	Hinman, email 01/10/2013)	
8. Is the applicant seeking a	Planning Commission Discussion	Opened 01/09
"hard floor" for		
percentages of tree	Staff Response/Recommendation	
retention when an	01/09: The applicant expressed concern that there are no fixed minimum percentages for the	
exception is granted to the standard of 35% retention?	retention of trees when an exception to the 35% minimum is approved.	
(Gregory)	Public Comment	
(Gregory)	<u>rable comment</u>	
9. Do Redmond's tree	Planning Commission Discussion	Opened 01/09
regulations apply to all		
trees (Gregory)	Staff Response/Recommendation	
	01/09: Yes. Any healthy tree with a diameter of six inches measured 4.5 feet from grade is a	
	significant tree and a permit is required for its removal.	

Issue	Discussion Notes	Status
	Public Comment	
10. Does Redmond have special protections for trees along ridgelines? (Miller)	Planning Commission Discussion Staff Response/Recommendation 01/09: Trees on ridgelines are not specifically called out in the tree protection regulations. However, the Zoning Code specifies preferences for the consideration of tree retention, including existing stands of healthy trees; trees providing habitat value, such as riparian habitat; trees having a significant land stability function; trees adjacent to public parks and open space; trees within the required yard setbacks or around the site perimeter; and trees that have a screening function or provide relief from glare, blight, or commercial or industrial harshness. Also note that trees may not be removed from critical areas or critical area buffers. In addition, the transferrable development rights program provides an incentive for property owners to grant permanent protective easements to Redmond for forested areas in exchange for development rights that may be applied elsewhere in Redmond.	Opened 01/09
	Public Comment Public Comment	
11. Does the 1:1 replacement ratio required for the removal of significant trees apply everywhere in Redmond? (Gregory)	Planning Commission Discussion Staff Response/Recommendation 01/09: Yes. The replacement ratio of 1:1 is required for the removal of significant trees and 3:1 for landmark trees throughout Redmond. If an exception to the tree protection regulations is granted, then the ratio must be 3 new trees for each tree removed. Tree replacement ratios may be modified for master plans within urban centers to allow for 1:1 replacement when accompanied by a three-tier vegetative replacement plan. Public Comment	Opened 01/09
12. How do Redmond's tree regulations compare to tree preservation best practices?(Miller)	Planning Commission Discussion 01/09: How do comparable places in other places in the country provide for tree protection in their regulations? What do advocates and experts say with regard to the best practices for tree preservation? (Gregory)	Opened 01/09

Issue	Discussion Notes	Status
	Staff Response/Recommendation 01/09: The specifications in Redmond's tree regulations regarding determining the size and condition of trees, the qualities of replacement trees, the techniques to protect trees during construction, and the like, all follow best arboriculture practice. Staff will prepare more information regarding how Redmond's regulations compare to examples beyond its neighboring cities for a future study session. Public Comment	
13. For the discussion, clarify the terminology of the criteria for exceptions to tree standards, especially "reasonable use" and "special circumstances." (Sanders)	Planning Commission Discussion 01/09: The criteria seem subjective (Miller). The Technical Report explains that the application for a tree exception is required by code to substantiate the request with data in the form of plans, maps and a written explanation. As well, the Administrator making the decision may require a report from an arborist on the request (Gregory). The standard to meet for an exception to tree regulations should be tough. It should be demonstrated that Redmond's process to make decisions on exceptions is clear, accessible and understandable (Miller). Staff Response/Recommendation 01/09: Staff will prepare to discuss "reasonable use" at the next study session. The special circumstances described in an application for an exception must be described in terms of the size, shape, topography, location, or surroundings of the subject property. Public Comment	Opened 01/09
14. How would the proposed changes have affected the Group Health decision or some other example proposal? (Miller)	Planning Commission Discussion Staff Response/Recommendation 01/09: Staff won't revisit a completed decision. However, time at a study session can be set aside for discussing the impacts of the applicant's requested changes to minimum required percentages for tree retention for exceptions. Public Comment	Opened 01/09

Issue	Discussion Notes	Status
15. How does the Technical	Planning Commission Discussion	Opened 01/09
Committee balance the		
many relevant factors	Staff Response/Recommendation	
besides trees,	01/09: The Technical Committee reviews development applications for approval or	
transportation,	recommendations based on the criteria established in the Zoning Code.	
employment, land use,		
etc, in making decisions?	Public Comment	
(Miller)		
16. Who is the Technical	Planning Commission Discussion	Opened 01/09
Committee, how do they		
receive information and	Staff Response/Recommendation	
how do they make	01/09: See the response to issue #17 below.	
decisions? How can the		
public know about the	Public Comment	
recommendations of the		
Technical Committee?		
Miller)		
17. What impact does the	<u>Planning Commission Discussion</u>	Opened 01/09
Technical Committee have?	01/09: The Technical Committee Report is a recommendation to the Planning Commission. The	
(Gregory)	Technical Committee Report is not policy. (Gregory). The Technical Committee is a driver of	
	policy, though; has extraordinary influence. The Tech Committee makes decisions, for example,	
	on SEPA (Miller). Access and clarity and receiving information is pretty good. The method to	
	input information is very good; lots of information is available. The question is who has a vote at	
	the table (of the Technical Committee) (Biethan). Information regarding the Technical	
	Committee is harder to obtain than for other aspects of development review. (Miller)	
	Staff Response/Recommendation	
	01/09: The Technical Committee consists of Director of Planning and Community Development	
	and the Director of Public Works, with other city staff participating at their discretion. City	
	Council sets the rules for the Technical Committee. The recommendations of the Technical	
	Committee are made available as the Technical Committee Report to the Planning Commission.	
	The Report is always posted with the Planning Commission materials online and is available	

Issue	Discussion Notes	Status
	otherwise to those who wish to review it. The Planning Commission discusses during their public meetings the recommendations of the Technical Committee in the process of preparing their own recommendation to Council. The meetings of the Technical Committee are documented in meeting notes; these materials are public documents available upon request. Technical Committee meetings are not public meetings, though; they are staff meetings to coordinate the review of technical aspects of proposals per Redmond's Zoning Code. The applicant proposes to add the definition of the Technical Committee to the Comprehensive Plan and to the Redmond Zoning Code. The staff recommendation in response to the proposal is to link the word, "Technical Committee," when it occurs in the Comprehensive Plan and in the Redmond Zoning Code, to the Redmond Municipal Code (RMC Chapter 4.50) where a complete definition is provided. Public Comment	
18. How can the public provide input into the Technical Committee? How can the public follow the decision-making process of the Technical Committee? (Biethan)	Planning Commission Discussion Staff Response/Recommendation 01/09: The activity of the Technical Committee is routine and documented. The notes of the Technical Committee are documents subject to public request. Many means are available for public input into the development review process: written, public hearings, and neighborhood meetings. Most land use actions have a notice of application that specifically provides for a comment period before a decision is made on an application. Public Comment	Opened 01/09
19. Is the Technical Committee subject to the Open Public Meetings Act? What is the nature of the Technical Committee? (Gregory)	Planning Commission Discussion 01/09: The staff meeting to prepare the Technical Committee Report, like the one prepared for the Sustainable Redmond amendments, does not include public attendance because that meeting is not subject to the Open Public Meetings Act (Biethan). The Technical Committee Report is essentially a staff report that provides background, analysis and recommendation to the Planning Commission. The Planning Commission, in turn, uses the information in the Report for their recommendation to the City Council. The City Council is the policy-making body (Gregory).	Opened 01/09

Planning Commission Issues Matrix for January 16, 2013

Issue	Discussion Notes	Status
	Staff Response/Recommendation	
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	01/09: See the response to issue #17 above.	
	Public Comment	
20. Are the meetings of the	<u>Planning Commission Discussion</u>	Opened 01/09
Technical Committee		
related to State	Staff Response/Recommendation	
Environmental Protection	01/09: The meetings of the Technical Committee regarding SEPA decisions are not public	
Act (SEPA) subject to the	meetings. However, SEPA determinations are publicized and some decisions have a 14-day	
Open Public Meetings Act?	comment period. SEPA threshold determinations can be appealed within 14 days of the decision.	
(Miller)		
	Public Comment	

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