



# CITY OF LAKE FOREST PARK

## CITY COUNCIL

### AGENDA COVER SHEET

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<b>Meeting Date</b>	October 12, 2023
<b>Originating Department</b>	Planning
<b>Contact Person</b>	Phillip Hill, City Administrator and Kim Adams Pratt, City Attorney
<b>Title</b>	Ordinance 23-1277/Adopting Final Development Regulations relating to Tree Canopy Preservation and Enhancement

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#### Legislative History

- First Presentation - April 13, 2023, City Council work session
  - Second Presentation – May 22, 2023, City Council Committee of the Whole meeting
  - Third Presentation - June 8, 2023, City Council work session
  - Fourth Presentation - June 22, 2023, City Council regular meeting
  - Fifth Presentation – October 12, 2023, City Council regular meeting
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#### Attachments:

1. Draft Ordinance 23-1277/Adopting Development Regulations relating to Tree Canopy Preservation and Enhancement
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#### Executive Summary

In Ordinance 23-1271, the City Council has adopted interim regulations amending Chapter 16.14 LFPMC, Tree Canopy Preservation and Enhancement (the “Tree Code”), to include a comprehensive regulatory program for large scale projects that necessitate removal of trees with the right-of-way (ROW) and adjacent private lots, such as Sound Transit’s Bus Rapid Transit project. Ordinance 23-1271 also regulates smaller scale projects that seek to remove trees in the ROW and provides general clarification of the permit process in the Tree Code. Proposed Ordinance 23-1277 adopts the interim regulations as permanent regulations with minor adjustments and/or clarifications. The City tree account in LFPMC 16.14.120 is amended to explicitly include funds collected from a ROW corridor permit and clarifies that the funds may be used to enhance forested areas in the City. The ROW Corridor Off-site Replanting Areas map includes areas previously discussed as potential replanting areas including the ROW corridor for the Sound Transit project. And, the list of street trees that may be

used for replanting is more clearly labeled with “+” to show that several of the trees on the list may grow above 30 feet.

**Background**

Under the Growth Management Act (GMA), interim regulations may be in effect for six months and may be renewed for one or more six-month periods. The interim regulations in Ordinance 23-1271 are scheduled to expire December 22, 2023. The proposed Ordinance 23-1277 would adopt permanent regulations. Ordinance 23-1277 furthers the goals of the City as described in Chapter 16.14 LFPMC, as well as provide a well-defined permitting path for applicants. The regulations define the ROW corridor as 500 feet on either side of the ROW, adjusting for Lake Washington and other cities; require a replacement of the canopy coverage that will be lost from the project; and require a 3-year maintenance and monitoring plan.

**Fiscal & Policy Implications**

There are no known fiscal implications at this time.

**Alternatives**

<i>Options</i>	<i>Results</i>
<ul style="list-style-type: none"><li>• Approve</li></ul>	The proposed Ordinance No. 23-1277 will implement permanent regulations
<ul style="list-style-type: none"><li>• Do not approve</li></ul>	Permanent regulations will not be adopted at this time and Council may continue to consider amendments to Chapter 16.14 LFPMC. Interim regulations expire December 22, 2023.

**Staff Recommendation**

Adopt Ordinance 23-1277, implementing and amending permanent regulations in Chapter 16.14 LFPMC, Tree Canopy Preservation and Enhancement.