



# CITY OF LAKE FOREST PARK

## CITY COUNCIL

### AGENDA COVER SHEET

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<b>Meeting Date</b>	June 8, 2023
<b>Originating Department</b>	Planning
<b>Contact Person</b>	Steve Bennett, Planning Director and Kim Adams Pratt, City Attorney
<b>Title</b>	Draft Ordinance 23-1269 amending Chapter 16.14 of the Lake Forest Park Municipal Code, Tree Canopy Preservation and Enhancement

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#### Legislative History

- First Presentation - April 13, 2023, City Council work session
  - Second Presentation – June 8, 2023, City Council work session
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#### Attachments:

1. ATT 1 - Draft Ordinance 23-1269 amending Chapter 16.14 of the Lake Forest Park Municipal Code, Tree Canopy Preservation and Enhancement
  2. ATT 2 - For consideration: ROW Corridor Off-site Replanting Areas
  3. ATT 3 – Cooperative Agreement Between Sound Transit, City of Shoreline, and King Conservation District for Lynnwood Link Urban Tree Canopy and Landscape Enhancement Partnership
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#### Executive Summary

Chapter 16.14 LFPMC, Tree Canopy Preservation and Enhancement, does not currently 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. The draft Ordinance proposes regulations that would further the goals of the City as described in Chapter 16.14 LFPMC, as well as provide a well-defined permitting path for applicants. The draft regulations define the ROW corridor as 1000 feet on either side of the ROW, adjusting for Lake Washington; require a replacement of the canopy coverage that will be lost from the project; and require a 3-year maintenance and monitoring plan.

The draft ordinance also prioritizes where replanting occurs. The first priority is replanting in the corridor. Two alternatives are proposed for the second priority: either defined areas where tree canopy is lacking in the City, or use of a third-party replanting program funded by the

agency and approved by the City. Attachment 3 is such an agreement between Sound Transit, City of Shoreline, and King Conservation District (KCD) related to mitigating tree/vegetation removal related to the Lynnwood Link light rail project. KCD serves as the third party that implements the replacement plan in this agreement. Section 16.14.040(C)(6) on page 12-13 of the draft ordinance includes this type of third party agreement as an option for Council to consider.

The provision in Chapter 16.14 LFPMC used to regulate small scale projects that seek removal of trees in the right-of-way would also benefit from additional detail and clarity. The draft ordinance proposes criteria for removal of trees in the ROW, and that one tree be replanted for each tree removed, replacing the canopy coverage lost.

### **Background**

At the April 13, 2023, work session Council discussed some of the draft provisions in the ordinance and associated policy questions. This discussion was used to develop the draft ordinance begin considered at the June 8, 2023, work session. The Tree Board also discussed this draft ordinance at its May 3, 2023, meeting and provided feedback to Planning Director Bennett.

### **Fiscal & Policy Implications**

There are no known fiscal implications at this time.

### **Staff Recommendation**

Staff recommends that the City Council review, discuss, and provide feedback regarding the draft ordinance. Staff also requests direction regarding a public hearing on the draft amendments to Chapter 16.14. LFPMC.