



# MEDINA, WASHINGTON

## AGENDA BILL

Tuesday, July 27, 2021

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**Subject:** Supplemental Trees and Enforcement

**Category:** Discussion

**Staff Contact(s):** Stephanie Keyser, AICP, Planning Manager

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### **Summary**

The topic of enforcement and ensuring that supplemental trees survive has been brought up multiple times throughout Planning Commission's tree code discussion. While the code requires supplemental trees and there is language that requires these trees to survive for five years after planting, there is not a process that outlines how that is accomplished. The answer is not as straightforward as writing code; there has to be a reasonable process in place that the city can both fund (if applicable) and enforce. At the July 12th City Council meeting, Planning Commission received direction to begin to consider how to address enforcement with the understanding that the enforcement piece of the tree code does not need to be a finalized piece that is included in the draft tree code presentation in September.

The topics that staff would like to discuss are:

- Enforcement of viability of supplemental/replacement trees
- Increasing the caliper size of supplemental/replacement trees
- Permitting supplemental/replacement trees in the ROW

**Attachment(s)** Supplemental Trees and Enforcement

**Budget/Fiscal Impact:** N/A

**Recommendation:** Discussion

**City Manager Approval:** N/A

**Proposed Council Motion:**

Time Estimate: 60 minutes



# CITY OF MEDINA

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## MEMORANDUM

DATE: July 27, 2021  
TO: Medina Planning Commission  
FROM: Stephanie Keyser, AICP, Planning Manager  
RE: Supplemental Trees and Enforcement

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The topic of enforcement and ensuring that supplemental trees survive has been brought up multiple times throughout Planning Commission's tree code discussion. While the code requires supplemental trees and there is language that requires these trees to survive for five years after planting, there is not a process that outlines how that is accomplished. The answer is not as straightforward as writing code; there has to be a reasonable process in place that the city can both fund (if applicable) and enforce. At the July 12th City Council meeting, Planning Commission received direction to begin to consider how to address enforcement with the understanding that the enforcement piece of the tree code does not need to be a finalized piece that is included in the draft tree code presentation in September.

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### **Enforcement of viability of supplemental/replacement trees**

What does enforcement mean for ensuring supplemental tree survival? Does it mean yearly inspections? Every other year? Should the city only follow up at the end of the five years? Properties can change hands multiple times in five years. How are new owners notified of the responsibility of keeping the supplemental trees on their property?

### **Increasing the caliper size of supplemental/replacement trees**

Part of the issue is the minimum size requirement of replacement trees having a 2-inch caliper. Although the code identifies these as significant, one would not necessarily realize that just by looking at them. Does it make more sense to increase the minimum sized supplemental tree that is

required? It should be noted that an increase would only be applicable for tree permits associated with land under development.

### **Permitting supplemental/replacement trees in the ROW**

The code permits supplemental trees to be planted in the ROW. This location makes it easier to ensure compliance with survival requirements however there is overlap as far as maintenance is concerned. A property owner is responsible for maintaining the ROW and ensuring there is proper clearance for sidewalks and overhang onto streets. But, if a homeowner does not maintain what's planted in their ROW, it is the responsibility of the city to trim back a hedge or cut tree branches.