



Bellevue Planning Commission

A Resolution of the Planning Commission April 24, 2024

Tree Canopy Land Use Code Amendment Recommendation

AYE	NAY	ABSENT	
		x	Vishal Bhargava, Chair
x			Craighton Goepppele, Vice-chair
x			Luisa Cuellar-Calad
x			Carolynn Ferris
		x	Negin Khanloo
x			Jonny Lu
x			Andres Villaveces
On the motion of: Commissioner Ferris			
Seconded by: Commissioner Lu			
The following resolution was adopted: Tree Canopy Land Use Code Amendment (FILE NO. 22-128467-AD)			

WHEREAS, in December 2020, the City Council adopted the Bellevue Environmental Stewardship Plan (ESP), including a strategy to increase tree canopy Citywide; and

WHEREAS, ESP Action N.1.1 recommends a comprehensive review of City Codes and requirements related to tree preservation, retention, replacement, and protection during construction, including considerations for significant or exceptional trees; and

WHEREAS, ahead of and during the pendency of the City's review of any potential amendments to the Bellevue City Code (BCC) or Land Use Code (LUC), and consistent with ESP Action N.1.1, the City Council has expressed an interest in implementing permit requirements for the removal of any Landmark Tree, as interim regulations, while allowing adequate time to develop and process permanent and comprehensive code amendments; and

WHEREAS, on June 21, 2022, the City Council adopted Ordinance No. 6665 to implement interim Landmark Tree permit requirements, with an expiration date of December 31, 2023 or on the effective date of an ordinance establishing permanent amendments to the City of Bellevue's tree regulations, whichever is earlier; and

WHEREAS, the City Council directed staff to initiate work on potential amendments to the BCC and LUC, consistent with ESP Action N.1.1, on November 21, 2022; and



Bellevue Planning Commission

WHEREAS, on December 4, 2023, the City Council adopted Ordinance No. 6767, which extended the duration of interim Landmark Tree permit requirements by an additional year, expiring December 31, 2024 or on the effective date of an ordinance establishing permanent amendments to the City of Bellevue's tree regulations, whichever is earlier; and

WHEREAS, the definition of "Significant Tree" in LUC 20.50.046 establishes a minimum diameter of eight inches or greater, while a minimum diameter of six inches or greater has become more common among jurisdictions in the Puget Sound region; and

WHEREAS, the City's existing tree retention requirements do not include provisions to discourage excessive tree removal before applying for a development permit or to require planting trees on sites with few or no existing trees; and

WHEREAS, the City's existing tree retention requirements do not include provisions to prevent applicants from receiving credit for retaining Significant Trees which are also invasive or noxious species; and

WHEREAS, larger diameter trees and groves of Significant and Landmark Trees provide greater ecological benefits to the urban forest compared to individual, smaller trees; and

WHEREAS, Bellevue City Code section 3.64.070, section 20.35.410 of the Land Use Code (LUC), and LUC 20.30J.130 establish the powers and duties of the Planning Commission to act in an advisory capacity to the City Council by holding public hearings, advising, and making recommendations to the City Council on land use ordinances and regulations to implement the comprehensive plan; and

WHEREAS, the Planning Commission held study sessions on December 13, 2023, January 24, 2024 and March 27, 2024 to discuss this LUC amendment to update tree preservation, retention and protection provisions to better support citywide tree canopy goals; and

WHEREAS, the Environmental Coordinator for the City of Bellevue determined that this text amendment to the LUC will not result in any probable, significant, adverse impact and issued a final threshold determination of non-significance on April 4, 2024; and

WHEREAS, after providing legally-required public notice, the Planning Commission held a public hearing for this LUC amendment on April 24, 2024 and considered the LUC amendment under LUC 20.35.410.B and the decision criteria in LUC 20.30J.135; and

WHEREAS the Planning Commission finds that the proposed amendments meet the decision criteria of LUC 20.30J.135 and are consistent with the Comprehensive Plan, enhance the public safety and welfare, and are not contrary to the best interest of the citizens and property owners of the City of Bellevue; now, therefore,

THE PLANNING COMMISSION RECOMMENDS TO THE CITY COUNCIL THAT IT ADOPTS THE TREE CANOPY LAND USE CODE AMENDMENT (FILE NO. 22-128467-AD).



Bellevue Planning Commission

A handwritten signature in blue ink that reads "Vishal".

Vishal Bhargava, Chair

05/10/2024

Date

A handwritten signature in black ink that reads "Johnson".

Thara Johnson, staff liaison

05/10/2024

Date