



Bellevue Planning Commission

December 13, 2023

PLANNING COMMISSION STUDY SESSION ITEM

SUBJECT

Study Session on a Land Use Code Amendment (LUCA) to support tree preservation, retention, replacement, and protection.

STAFF CONTACT(S)

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POLICY ISSUES

The initiated LUCA and Bellevue City Code Amendment (BCCA) advance Environmental Stewardship Plan (ESP) Action N.1.1. calling for a comprehensive review of code provisions related to trees to further support the achievement of the city’s 40 percent tree canopy goal. Specific topics to be addressed include tree preservation, retention, replacement, and protection during construction.

DIRECTION NEEDED FROM THE PLANNING COMMISSION

ACTION

DIRECTION

INFORMATION ONLY

Staff will be presenting the components of the proposed LUCA in several study sessions. After the study sessions, the Planning Commission will be asked to hold a public hearing on and recommend approval of the proposed LUCA.

	Topic Areas
<input checked="" type="checkbox"/>	<u>Study Session 1 (tonight): Overview</u> <ul style="list-style-type: none"> Summary of major changes
<input type="checkbox"/>	<u>Study Session 2: LUCA Review 1</u>
<input type="checkbox"/>	<u>Study Session 3: LUCA Review 2</u>
<input type="checkbox"/>	<u>Public Hearing (To Be Scheduled):</u> <ul style="list-style-type: none"> Required Public Hearing Planning Commission Recommendation
<input type="checkbox"/>	<u>Study Session 4: Planning Commission Recommendation (if needed)</u>

BACKGROUND/ANALYSIS

Bellevue’s Environmental Stewardship Plan Action N.1.1 calls to introduce additional requirements for tree preservation to further support the achievement of the 40 percent tree canopy goal. This action includes a comprehensive review and update of provisions in the Land Use Code (LUC) and Bellevue City Code (BCC) for tree preservation, retention, replacement, and protection during construction.

Bellevue's tree canopy is a critical environmental asset and central to the vision of a "City in a Park". Tree retention requirements were first added to the LUC in the 1980s. Since then, the City's code provisions related to trees have been updated periodically, but never in a comprehensive fashion.

Overview of Proposed Amendments

During the meeting, staff will provide a summary of significant changes proposed with this LUCA and the research and outreach supporting these changes. The Planning Commission can provide any additional guidance on the high level approach to the scope items before staff finalize the full text of proposed amendments. The full draft LUCA will be reviewed over the following two study sessions. Some amendments will be contained in an update to the Bellevue City Code (BCC), which will not be reviewed by the Planning Commission, but staff will summarize these changes for full context. The topics and significant proposed changes under review are as follows:

Definitions

- Update significant tree definition for objectivity, smaller minimum diameter
- Add permanent landmark tree definition
- Add hazardous tree definition

Tree Removal

- Require permit to remove any significant tree
- Expand replacement requirements

Tree Retention

- Implement new tree credit system for calculating required tree retention
- Update retention criteria to encourage retaining the right tree in the right place
- Remove Bridle Trails-specific regulations, replace with variations for development type and/or lot size to achieve more consistency Citywide
- Clarify duration for retained trees
- Codify key protections during construction

Enforcement

- Evaluate implementing inspection requirements
- Evaluate imposing financial penalties for violations

Public Engagement Methods

Due to the complexity of regulations related to trees and the project's importance to the community, staff are following an alternative approach to processing these code amendments to accommodate extended engagement. This approach incorporates two major phases.

- **Phase One (Complete):** During this phase, outreach focused on listening to project stakeholders and the public and generating feedback on project priorities. At the end of this phase, the City Council reviewed findings from phase one engagement, Planning Commission input, and early staff recommendations for the code.
- **Phase Two (In Progress):** Staff are developing code recommendations, incorporating feedback from phase one. Phase two engagement will solicit feedback on proposed code amendments.

Staff has developed a public engagement plan with six modes of outreach to ensure the public, stakeholders, and interested parties have the opportunity to be informed and to provide comments. These modes will be employed across both phases of work, allowing members of the public to provide comment at key intervals and for staff to respond to feedback in developing recommendations.

- **Process IV Requirements.** Consistent with Chapter 20.35 LUC procedural requirements, public input will be solicited by a notice of application, notice of public hearing and the required public hearing.
- **Public Information Sessions.** At least two public information sessions will be held to provide information on the project and solicit feedback from the general public. The first public information session was held on June 8. The second public information session is scheduled for January 11.
- **Listening Sessions.** Focused listening sessions with representatives from community members, tree service providers, developers, environmental advocacy organizations, and Bellevue departments working with tree regulations.
- **Online Questionnaire.** Online questionnaire translated into multiple languages was available May 19-June 12 to gather broad perspectives on project priorities, ideas, and concerns. The questionnaire received 687 complete responses.
- **Direct Engagement and Feedback.** Dialogue with environmental advocates, residents, developers, and neighbor and peer cities. Staff sent an invitation to all Bellevue neighborhood associations offering to present at their meetings on the project and answer questions, but interest to date has been limited. Staff will review the proposed amendments with the Bellevue Development Committee (BDC) on January 10. BDC meetings are open to the public and invitations to attend the BDC meetings were recently sent to all Bellevue neighborhood associations.
- **Online Presence.** Engaging Bellevue and City webpages to provide the public information about the project, who to direct questions to, and how to submit comments.

ATTACHMENT(S)

N/A