

**Draft Tree Canopy LUCA**  
**January 12, 2024**

**Attachment A**

**20.20.900 Tree retention and replacement.**

**A. Purpose.**

The purpose of this section is to:

1. Prevent Citywide net loss of tree canopy and address local canopy gaps;
2. Reduce the impacts of development on the storm and surface water systems and water resources;
3. Provide guidance and flexibility to support “the right tree in the right place”; and
4. Preserve other public benefits of Bellevue’s urban forest, including minimizing heat impacts, enhancing ecosystem resilience, and storing carbon.

**B. Applicability.**

1. The requirements of this section shall be imposed any time a permit, approval, or review for development activity is required by the Bellevue City Code or Land Use Code.
2. Tree removal that is not associated with development activity is regulated by the Clearing and Grading Code (Chapter 23.76 BCC).
3. Trees growing within or overhanging any public right-of-way are also subject to the requirements of Chapter 14.06 BCC.
4. Exceptions.
  - a. Trees located in the Shoreline Overlay District are regulated by Part 20.25E LUC Shoreline Overlay District.
  - b. Trees located in critical areas or their associated buffers are regulated by Part 20.25H LUC Critical Areas Overlay District.
  - c. The portions of this section which require retention of significant trees or planting new trees are not applicable in any Downtown Land Use District or in the East Main Transit Oriented Development Land Use District.

**C. Definitions**

The following definitions are specific to this section. Where a term defined below is used in this section its meaning shall be as defined below.

1. “Development Activity” means any alteration or development regulated by the Bellevue City Code or Land Use Code, including subdivisions, short subdivisions, planned unit developments, changes in lot coverage, and changes in the area devoted to parking and circulation.

**Commented [A1]:** Note: This section is a re-write. No track changes are shown for better readability.

**Commented [A2]:** Updated purpose, to emphasize canopy goals and environmental benefits, deemphasize appearance

**Commented [A3]:** New structure, for clarity. Maintains existing applicability, exceptions, and exemptions.

**Commented [A4]:** New definition, to establish when tree retention requirements are imposed. Maintains existing applicability, but separates for clarity.

2. "Grove" means
3. "Invasive or Noxious Species" means any species identified in the invasive or noxious weed lists established by Washington State or King County, as amended, or any species listed by the Director, who is hereby authorized to formulate and maintain a list of Invasive and Noxious Species likely to cause economic or environmental harm or harm to human health.
4. "Tree Canopy Site Area" means, for the purpose of determining the minimum tree density required for a site, the area of a site remaining after subtracting the following areas from the gross site area:
  - a. Critical areas and their buffers; and
  - b. Shoreline vegetation conservation areas; and
  - c. Public rights-of-way; and
  - d. Private roads in separate tracts; and
  - e. Submerged lands (lands waterward of the ordinary high water mark).

**Commented [A5]:** New definition, to be reviewed during February study session

**Commented [A6]:** New definition, used to establish invasive or noxious species which may not be planted, and which will not earn credit for retention.

**Commented [A7]:** New definition, used to calculate the total area used to determine minimum required tree credits.

**D. Required Review.**

The Development Services Department shall review the proposed removal of any significant or landmark trees with each application within the applicability of this section.

**E. Minimum Tree Density.**

1. The applicant shall maintain at least the minimum tree density, measured with tree credits, as provided in this subsection. Tree credits may consist of retained significant or landmark trees, newly planted trees, or a combination thereof.
2. Minimum Tree Credits by Land Use District.
3. Retained Trees.
  - a. Minimum Tree Retention.
  - b. Priorities for Retention.
  - c. Tree Credits for Retained Trees. Each retained significant tree provides a base tree credit value determined by its DBH or Landmark Tree classification, as identified in Table 20.20.900.E.2.

**Commented [A8]:** Outline provided, with full text to be reviewed at February study session.

**Commented [A9]:** Subsection will address priorities, exceptions, and incentives for tree retention. Full text to be reviewed at February study session.

**Table 20.20.900.E.2. Base Tree Credits for Retained Trees**

DBH	6"-10"	Larger than 10" and up to 12"	Larger than 12" and up to 14"	Larger than 14" and up to 16"	Larger than 16" and up to 18"	Larger than 18" and up to 20"	Larger than 20" and up to 22"	Larger than 22" and less than 24"	24" or greater and all Landmark Trees
Tree Credits	1	2	3	4	5	6	7	8	9

d. Multipliers.

e. Exceptions. The following shall not provide any tree credits if retained:

i. Invasive and noxious species.

ii. Trees located outside the tree canopy site area.

iii. Trees in areas devoted to access and sight areas as defined in the Transportation Code (Chapter 14.06 BCC).

4. **Planted Trees.**

a. Tree Credits for Planted Trees.

b. The applicant shall utilize plant materials which complement the natural character of the Pacific Northwest, and which are, in the written opinion of a qualified tree professional, adaptable to the climatic, topographic, and hydrologic characteristics of the site.

c. Planting invasive or noxious species is prohibited.

d. All plantings required by this section are subject to the street intersection sight obstruction requirements, BCC 14.60.240.

e. Exceptions.

f. Locations.

**F. Tree Protection.**

**20.25A.020 Definitions.**

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**B. General Definitions Not Applicable to Downtown.**

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~~Tree — Large Diameter. LUC 20.50.048.~~

~~Tree — Small Diameter. LUC 20.50.048.~~

**Commented [A10]:** Standards, credits earned, exceptions, and location priorities for new plantings to be reviewed at February study session.

**Commented [A11]:** Maintains existing language used in reference to newly-planted trees planted when retention is not possible. Added stipulation for "written opinion of a qualified tree professional".

**Commented [A12]:** To be reviewed in February study session

**Commented [A13]:** Cleanup: References unused definitions which proposed to be removed.

**20.25D.110 Landscape Development, Outdoor Storage, Retail Display, and Fence Standards.**

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**20.25Q.020 Definitions specific to East Main.**

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**B. General Definitions Not Applicable to East Main.**

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~~Tree — Large Diameter. LUC 20.50.048.~~

~~Tree — Small Diameter. LUC 20.50.048.~~

**Commented [A14]:** Cleanup: References unused definitions which proposed to be removed.

**20.50.014 C definitions.**

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~~Continuous Tree Canopy. Tree crown cover which forms a predominately solid overhead plane.~~

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**Commented [A15]:** Cleanup: Not used in code

**20.50.016 D definitions.**

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**Development Services Department.** The Development Services Department is an administrative department of the City as described in Chapter 3.44 BCC.

~~Diameter at Breast Height (DBH).~~

**Commented [A16]:** New definition, to be reviewed at February study session.

**Director.** The Director of the Development Services Department for the City of Bellevue, the Director's authorized representative, or any representative authorized by the City Manager, unless otherwise specified.

**District.** A land use district ~~established under LUC 20.10.020.~~

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**Commented [A17]:** Cleanup: Improves clarity

**20.50.024 H definitions.**

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**Hard Surface.** An impervious surface, permeable pavement, or a vegetated roof.

~~Hazardous Tree.~~

**Commented [A18]:** New definition, to be reviewed at February study session.

**Hazardous Waste.** All dangerous and extremely hazardous waste as defined in RCW 70.105.010 except for moderate-risk waste.

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**20.50.032 L definitions.**

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**Land Use.** The use to which an area of land, or building thereon, is put; human activity taking place thereon. Categories of land uses in this Code are found in Chart 20.10.440 and district-specific land use charts contained in Chapter 20.25 LUC.

**Landmark Tree.**

**Commented [A19]:** New, permanent definition, to be reviewed at February study session.

**Landscape Area.** An outdoor landscaped area providing visually or physically accessible space for tenants of the development of which it is a part.

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**20.50.042 Q definitions.**

**Qualified Professional.** A “Qualified Professional” is one who, by meeting certain defined educational, licensing or other qualifications established by the director, has the knowledge to provide expert design, engineering, habitat, or other evaluations necessary to allow the City to make a decision on a specific proposal. Where the applicant for a proposal is a City, county, state or federal agency, a Qualified Professional may include trained staff whose job functions include providing the expertise required by this code.

**Qualified Tree Professional.**

**Commented [A20]:** New definition, to be reviewed at February study session.

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**20.50.046 S definitions.**

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**Significant Tree.** A healthy evergreen or deciduous tree, eight inches in diameter or greater, measured four feet above existing grade. The Director of the Development Services Department may authorize the exclusion of any tree which for reasons of health, age or site development is not desirable to retain.

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**20.50.048 T definitions.**

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~~**Tree, Large Diameter.** A tree having a mature spread of at least 50 feet.~~

**Commented [A22]:** Cleanup: Not used in code.

~~**Tree, Small Diameter.** A tree having a mature spread of less than 50 feet.~~