

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

20.20.900 Tree retention and replacement.

A. Purpose.

Retention of significant trees as required by this section is necessary to maintain and protect property values, to enhance the visual appearance of the City, to preserve the natural wooded character of the Pacific Northwest, to promote utilization of natural systems, to reduce the impacts of development on the storm drainage system and water resources, and to provide a better transition between the various land uses permitted in the City.

B. Applicability.

The requirements of this section shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage, or a change in the area devoted to parking and circulation is required by the Bellevue City Code or Land Use Code. Subsection F of this section shall apply to permits for new single-family structures and for additions to impervious surface areas that exceed 20 percent when located on a single-family lot developed with a residential use. Subsection E of this section applies to the removal of any significant trees in the R-1 Land Use District located in the Bridle Trails Subarea.

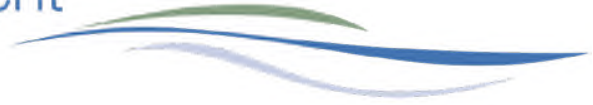
C. Required Review.

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

D. Retention of Significant Trees for Subdivisions, Short Subdivisions, Planned Unit Development, Change in Lot Coverage, or Change in the Area Devoted to Parking and Circulation, Excluding Areas Located in the R-1 Land Use District in the Bridle Trails Subarea and for New or Expanding Single-Family Structures.

1. Perimeter Landscaping Area. In the required perimeter landscaping area, as set forth in LUC 20.20.520.F.1, the applicant shall retain all significant trees which will not constitute a safety hazard. For properties located in Bel-Red Land Use Districts, refer to perimeter landscape development at LUC 20.25D.110. Area devoted to access and sight areas as defined in the Transportation Code (Chapter 14.06 BCC) and area to be cleared for required roads, utilities, sidewalks, trails, or storm drainage improvements are exempt from this requirement.
2. Site Interior.
 - a. In areas of the site other than the required perimeter landscaping area, the applicant must retain at least 15 percent of the diameter inches of the significant trees existing in this area; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5. In the event of a conflict between this section and Part 20.25H, Part 20.25H shall prevail. In applying the

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requirement for retention of significant trees, the Director shall ~~consider~~require the preservation of the following types of significant trees in the following order of a priority:

- i. Landmark trees as defined in LUC 20.50.032;
 - ~~i.ii. Healthy~~ii. Significant trees over 60 feet in height;
 - ~~ii.iii.~~iii. Significant trees which form a continuous canopy;
 - iv. Significant trees located within the rear yard; and
 - ~~iii.v.~~v. Significant trees which contribute to the character of the environment, and do not constitute a safety hazard;
 - ~~iv. Significant trees which provide winter wind protection or summer shade;~~
 - ~~v. Groups of significant trees which create a distinctive skyline feature; and~~
 - ~~vi. Significant trees in areas of steep slopes or adjacent to watercourses or wetlands.~~
- b. The Director may approve retention of trees which do not meet the definition of significant trees as a contribution toward the sum of the diameter inches required under subsection D.2.a of this section if a group of trees and its associated undergrowth can be preserved.
3. For subdivisions, short subdivisions, and planned unit developments, the applicant shall retain a minimum of 30 percent of the diameter inches of significant trees existing on the total site area of the development; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5. Preservation priority of significant trees shall occur in the same order as specified above for the site interior.
4. Exemption. The provisions of this subsection which require retention of significant trees are not applicable in any Downtown Land Use District.
5. The applicant shall utilize tree protection techniques approved by the Director during land alteration and construction in order to provide for the continual healthy life of retained significant trees. The Director may require a maintenance assurance device to ensure the continual healthy life of retained significant trees for a period of up to five years in conformance with LUC 20.20.490.
- 5.6. Any property where significant trees are retained to meet the requirements of this chapter shall include notice of the retained trees on the recorded survey, and shall include a reference to this section to ensure their continued retention.
- 6.7. Reduced Parking Bonus. If the proposed landscape plan incorporates the retention of significant trees above that required by this section, the Director may approve a reduction of up to 10 percent of the required number of parking spaces if adequate

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parking will remain on the subject property, and if land area for the required number of spaces remains available for future development on the subject property.

E. Retention of Significant Trees in the R-1 Land Use District in the Bridle Trails Subarea for any Type of Land Alteration or Development.

1. Permit Required. As required by BCC 23.76.035.A.8, a clearing and grading permit must be obtained from the City prior to the removal of any significant tree from any lot in the R-1 Land Use District in the Bridle Trails Subarea. The applicant may request a vegetation management plan to cover all proposed tree removal activities within a three-year period. In addition, for the removal of more than two significant trees within any three-year period, the requirements of subsections E.2 and E.3 of this section apply.
2. Perimeter Tree Retention Requirement. For all lots in the R-1 Land Use District in the Bridle Trails Subarea, all significant trees which do not constitute a safety hazard within the first 20 feet adjacent to all property lines shall be retained. Area devoted to access and sight areas as defined in the Transportation Code (Chapter 14.06 BCC), and area to be cleared for required roads, utilities, sidewalks, trails, or storm drainage improvements is exempt from this requirement. In the event this requirement conflicts with minimum setback requirements for structures (LUC 20.20.010), the Alternative Tree Retention Option (subsection G of this section) may be used to allow development consistent with the setbacks established under LUC 20.20.010.
3. Site Interior Tree Retention Requirement.
 - a. In addition to the required perimeter tree retention area, at least 25 percent of the cumulative diameter inches of existing significant trees must be retained; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5.
 - b. The Director may approve retention of trees which do not meet the definition of significant trees as a contribution toward the sum of the diameter inches required under subsection E.3.a of this section if a group of trees and its associated undergrowth can be preserved.
4. Tree Replacement Requirement. On any lot with eight or less significant trees, a planting plan showing a one-to-one ratio of replacement trees is required. Trees must be a minimum of six feet in height at planting.

F. Retention of Significant Trees for New or Expanding Single-Family Structures Excluding Single-Family Structures Located in the R-1 Land Use District in the Bridle Trails Subarea.

1. Site Area. For new single-family structures or additions to impervious surface areas that exceed 20 percent when located on a single-family lot developed with a residential use, the applicant shall retain a minimum of 30 percent of the diameter inches of significant trees existing in the site area; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5. In the event of a conflict between this

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section and Part 20.25H, Part 20.25H shall prevail. In applying the requirement for retention of significant trees, the Director shall ~~consider~~ require the preservation of the following types of significant trees in the following order of ~~a~~ priority:

a. Landmark trees as defined in LUC 20.50.032;

~~a.b. Healthy~~ Significant trees over 60 feet in height;

~~b.c.~~ Significant trees which form a continuous canopy;

d. Significant trees located within the rear yard;

e. Significant trees located within the first 20 feet adjacent to a property line; and

f. Significant trees which ~~contribute to the character of the environment, and do~~ not constitute a safety hazard;

~~e. Significant trees which provide winter wind protection or summer shade;~~

~~d. Groups of significant trees which create a distinctive skyline feature;~~

~~e. Significant trees in areas of steep slopes or adjacent to watercourses or wetlands; and~~

~~f.a. Significant trees located within the first 20 feet adjacent to a property line.~~

2. The Director may approve retention of trees which do not meet the definition of significant trees as a contribution toward the sum of the diameter inches required under LUC 20.20.900.F.1 if a group of trees and its associated undergrowth can be preserved.
 3. The applicant shall utilize tree protection techniques approved by the Director during land alteration and construction in order to provide for the continual healthy life of retained significant trees.
- G. Alternative Tree Retention or Replacement Option.
1. An applicant may request a modification of the tree retention requirements set forth in subsections D, E, and F of this section.
 2. The Director may administratively approve a modification of the perimeter or interior tree retention requirements if:
 - a. The modification is consistent with the stated purpose of this section; and
 - b. The modification proposal either:
 - i. Incorporates the retention or replacement of significant trees equal in equivalent diameter inches or incorporates the increased retention or replacement of significant trees and naturally occurring undergrowth to what would otherwise be required; or
 - ii. Incorporates the retention or replacement of other natural vegetation in consolidated locations which promotes the natural vegetated character of the site and neighborhood including use as pasture land or for agricultural uses.
 - iii. Where a modification proposal includes supplemental or replacement trees in lieu of retention, the applicant shall utilize plant materials which

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complement the natural character of the Pacific Northwest, and which are adaptable to the climatic, topographic, and hydrologic characteristics of the site. (~~Ord. 6197, 11-17-14, § 15; Ord. 5896, 8-3-09, § 3; Ord. 5876, 5-18-09, § 22; Ord. 5791, 12-3-07, § 14; Ord. 5662, 3-20-06, § 2~~)

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