

## **Memorandum**

**To:** Planning Commission

**From:** Eric McConaghy, Associate Planner, 425-556-2414

**Date:** December 21, 2012

**Subject:** **Tree Regulation Exception Notice and Tree Removal and Replacement Amendments**

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### **INTRODUCTION/BACKGROUND**

On January 9, 2013 the Planning Commission will begin discussion of proposed amendments to the Redmond Comprehensive Plan and Zoning Code. These amendments, known as the Tree Regulation Exception Notice and Tree Removal and Replacement Amendments, are privately-initiated amendments that are part of the 2012-13 Comprehensive Plan annual docket.

### **PREPARATION FOR STUDY SESSION**

Please review the enclosed Technical Committee Report in advance of your January 9, 2013 meeting and identify questions and discussion issues.

### **REVIEW SCHEDULE**

The January 9, 2013 study session is for the purpose of staff overview of the Technical Committee's recommendation and initial Planning Commission issue identification and discussion in preparation for a public hearing and study session on January 16, 2013. Following the January 16, 2013 meeting, the Planning Commission is anticipated to make a recommendation on this proposal at the Commission's January 23, 2013 meeting. Council review and action would follow in the first quarter of 2013.

### **ENCLOSURES**

Technical Committee Report

Please contact Eric McConaghy (emcconaghy@redmond.gov) with questions or concerns.

# TECHNICAL COMMITTEE REPORT

**To:** Planning Commission

**From:** Technical Committee

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**Date:** December 26, 2012

**File Numbers and Title:** Tree Regulation Exception Notice and Tree Removal and Replacement Amendments  
L120159; SEPA L120469 and L120160; SEPA L120470

**Recommended Action:**

- Revise the Comprehensive Plan glossary to remove the definition for Technical Committee and instead use links to point to the definition of Technical Committee in the Redmond Municipal Code. (Exhibit A)
- Deny the applicant's requested amendments to the Comprehensive Plan and Zoning Code. (Exhibit B)

**Reasons for the Recommendation:** The applicant's requested amendments should not be adopted because:

- Existing tree protection regulations are effective; and
- Existing regulations and permit process provide for meaningful public participation.

A definition of "Technical Committee" is not needed in the Comprehensive Plan or Zoning Code because the Technical Committee is well-defined in Redmond Municipal Code (RMC), Chapter 4.50 and the digital documents enable direct links between the Comprehensive Plan or Zoning Code and the RMC.

## I. APPLICANT PROPOSAL

### A. APPLICANT

The applicant is Neighbors and Citizens for a Sustainable Redmond (Sustainable Redmond). Tom Hinman, Board Member, is representing Sustainable Redmond for the amendments.

Sustainable Redmond submitted one application for amendments to Redmond’s Zoning Code and another application for amendments to Redmond’s Zoning Code and Comprehensive Plan. Because both applications relate to exceptions to tree protection regulations, the applications are grouped together for consideration.

*Comprehensive Plan Amendment*

- Add definition for Technical Committee to the Glossary

*Zoning Code Amendments*

- Add definition for Technical Committee
- Revise code provisions regarding tree protection exceptions: notice boards, neighborhood meetings, and replacement ratios and retention percentages

*Zoning Code Appendix 6*

- Revise standards for extraordinary notice boards to include proposed tree exceptions

## **B. REASON FOR PROPOSAL AND BACKGROUND**

### **Reason for Proposal**

Sustainable Redmond states in the application for the exception notice amendments that the “intent of the proposed amendment is to engage the community more broadly whenever a tree protection exception is proposed as part of a development/ redevelopment project”. However, the proposed amendments, except for one, are not specified to apply only to development or redevelopment. The recommendations that follow, therefore, take into consideration the effects the amendments would have to any requested exceptions to the City’s tree protection standards.

The applicant also proposes to add a definition of the Technical Committee to the Comprehensive Plan and the Zoning Code. In context of the other proposed amendment, providing the definition in both documents would serve to promote community engagement, presumably, by informing the public about the Technical Committee. See Exhibit B for the applicant’s requested amendments.

The applicant states that the intent of the proposal is “to establish limits on tree removal exceptions and on tree removal ratios, so that...the purpose of the Tree Protection (regulations) continues to be preserved, with some number of existing trees being retained on a given property.” The statement continues “(m)any of the benefits of (tree preservation) are local in nature, and replacement in other locations does not provide benefits for the area impacted. Furthermore, given that replacement is allowed as off-site mitigation, a reduction in replacement ratios for urban centers is not justified.”

In summary, the applicant has stated that reasons for the proposals are:

- To engage the community more broadly in tree protection exceptions (exceptions)
- To remove special consideration of exceptions for master plans in urban centers

- To establish minimums for tree retention percentages for exceptions
- To retain some number of existing trees on sites undergoing development
- To modify the Comprehensive Plan and Zoning Code to include a definition of the Technical Committee

### **Background- Redmond’s Tree Protection Regulations**

Redmond City Council adopted tree protections regulations into the Community Development Guide (20D.80.20) in 1998. The purpose of the regulations were to:

- preserve the natural environment and Redmond’s forested appearance;
- provide guidance for the protection of trees in the design of new developments;
- clarify the permitting process for the review of requests to remove significant trees;
- establish standards for the replacement of significant trees removed; and
- ensure that trees are not injured during construction.

In 2011, the City Council adopted updates to the tree protection regulations as part of an overall update and rewrite of Redmond’s Zoning Code. A special-purpose commission, the Code Rewrite Commission, was established for the purpose of reviewing amendments proposed as part of the code update.

The Code Rewrite Commission held public hearings and several study sessions for each portion of the code rewrite. The Council held study sessions for each portion, and in April 2011 adopted the new Zoning Code. Among the changes to the tree protection regulations were: text updates and reorganization to provide greater clarity and ease of use, and an update to the exceptions section to include the consideration of development within urban centers as an exception and to allow for a modification of the tree replacement ratios for master plans in urban centers. In the new Zoning Code, Tree Protections are found in RZC 21.72<sup>1</sup>(Exhibit C).

### **Summary of Redmond’s Tree Protection Regulations**

The purpose of Redmond’s tree protection regulations are to:

1. Avoid the removal of stands of trees and significant trees in order to maintain the quality of Redmond’s urban environment;
2. Protect stands of trees and significant trees to the maximum extent possible in the design of new buildings, roadways, and utilities;
3. Mitigate the environmental and aesthetic consequences of tree removal in land development through on-site and off-site tree replacement to achieve a goal of no net loss of trees throughout the City of Redmond;
4. Provide measures to protect trees that may be impacted during construction;
5. Maintain and protect the public health, safety, and general welfare; and

<sup>1</sup> <http://www.zoningplus.com/regs/redmond/index.aspx?index=1997>

6. Preserve the aesthetic, ecological, and economic benefits of forests and tree-covered areas in Redmond...

*(RZC 21.72.010 Purpose)*

### ***Applicability***

Redmond's tree protection regulations are comprehensive and apply to the removal of all significant trees in Redmond. A significant tree is "any healthy tree six inches in diameter at breast height (d.b.h.), or any tree four inches in diameter at breast height (d.b.h.) that, after considering its age, height, value, or function, the tree or tree stand is determined to be significant."*(RZC Definitions)*

Removal of landmark trees is prohibited unless an exception has been applied for and granted. A landmark tree is any healthy tree over 30 inches in diameter.

The regulations cover all classes of tree removal:

- Undeveloped Lots for Which Land Use Permit Applications Are Pending
- Developed Lots (single family, commercial, industrial, or multifamily)
- Undeveloped Lots Not Under Land Use Permit Review
- Forest Practices Permittees

All of the above classes of tree removal require a permit. Tree removal on undeveloped lots for which land use permits are pending does not require a separate tree removal permit; staff administers the tree protection and replacement standards as part of the land use permit application.

Activities exempt from the requirement to obtain a tree permit include emergency activities for health, safety and public welfare; routine maintenance of trees to maintain the health of cultivated plants, contain noxious weeds, or to remedy potential fire or health hazard, or threat to public safety; and removal of trees in rights-of-way and easements for construction of public streets and utilities.

### ***Tree Replacement and Retention***

Each significant tree removed must be replaced by one new tree. Trees that are removed which are classified as landmark trees, upon the granting of an exception, must be replaced by three new trees. Replacement trees must be primarily native species. The minimum size of replacement trees is specified:

- Two-and-one-half-inch caliper<sup>2</sup> for deciduous trees
- Six feet in height for evergreen trees.

Smaller trees may be planted as replacement "if the applicant can demonstrate that smaller trees are more suited to the species, the site conditions, and the purposes (of

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<sup>2</sup>American Nursery and Landscape Association standard for measurement of trunk size of nursery stock. (RZC Definitions)

tree replacement) and that such trees will be planted in sufficient quantities to meet the intent of (tree replacement).” (RZC 21.72.080)

No tree replacement is required for trees that are “hazardous, dead, diseased, injured, or in a declining condition with no reasonable assurance of regaining vigor” or “proposed to be relocated to another suitable planting site.”

The number of trees that may be permitted for removal per year on a single-family lot is scaled to the area of the lot. The numbers of trees that may be permitted for other classes of tree removal, except new development, are similarly scaled to the size of the lot and land use. This scaling functions to retain a sufficient number of healthy, mature trees through time.

Tree retention for lots undergoing development is specified as a percentage, “(i)n all new developments, including additions to existing non-single-family buildings and parking areas, a minimum of 35 percent of all significant trees shall be retained.” Note that “(t)rees that are located within Native Growth Protection Areas, critical areas, and their associated buffers as provided in RZC 21.64, Critical Areas, or that have otherwise been designated for protection shall not be removed.” (RZC 21.72.060)

#### ***Exceptions to Tree Protection Regulations***

The means to request exceptions to the retention and replacement ratios of significant and landmark trees is available in RZC 21.72.090 when exceptional conditions prevent full compliance. The Administrator’s decision to grant or deny a request for an exception is not subjective. An exception shall not be granted unless the following criteria are satisfied. The exception is necessary because:

- There are special circumstances related to the size, shape, topography, location, or surroundings of the subject property; or
- Strict compliance with the provisions of this code may jeopardize reasonable use of property; or
- Proposed vegetation removal, replacement, and any mitigating measures proposed are consistent with the purpose and intent of the regulations; or
- The granting of the exception or standard reduction will not be detrimental to the public welfare or injurious to other property in the vicinity; or
- The strict compliance with the provisions of this code would be in conflict with the increased density of urban centers and result in development that would be inconsistent with the adopted vision for the neighborhood.

The property owner must submit written request for an exception with the permit application to the Planning Director. The request must “state all substantiating facts and evidence pertinent to the exception request, and include supporting maps or plans. The Administrator (Planning Director) may also require the recommendation of a certified arborist in reviewing an exception request.”

### ***Redmond Values Trees***

Redmond works actively to improve the health and number of trees in the community through other actions in addition to administering the tree protection regulations. For example, Redmond maintains a healthy population of street trees and forests in city parks, especially in the Redmond Watershed Preserve. Also, Redmond has completed 45 stream habitat restoration projects, including removing invasive plants and planting native perennials, shrubs and trees. In addition, the City of Redmond, Forterra and the volunteer community have formed the Green Redmond Partnership, and share the goal to build a sustainable network of healthy urban greenspace for the benefit and enjoyment of current and future generations by bringing 1,035 acres of Redmond's forested parkland into active management over the next 20 years.

## **II. RECOMMENDATION**

The Technical Committee recommends no change to the Comprehensive Plan or Zoning Code as requested by the applicant. The Technical Committee also recommends removing the definition of the Technical Committee recently added to the Glossary of the Comprehensive Plan under a separately conducted amendment and adopted by the City Council on December 4, 2012. (Exhibit A) The reasons for these recommendations are provided below in sections III and IV.

In addition, one of the requested amendments would require explicitly stating provisions of exceptions to tree protections on extraordinary notice boards as specified in Appendix 6 of the RZC. The Technical Committee considered and denies this amendment. The reasons for denial are the same as described below for the companion amendment dealing with notice boards. The Technical Committee has the authority to adopt and amend technical regulations and standards in order to implement the provisions of the RZC (RZC 21.02.050). These technical regulations and standards are found in the appendices to the RZC.

## **III. PRIMARY ISSUES CONSIDERED AND ALTERNATIVES**

### **A. ISSUES CONSIDERED AND ALTERNATIVES**

Primary Issues Considered:

#### **1. Community Engagement in Tree Protection Exceptions**

The section below describes each of the applicant's three requests related to community engagement. Overall, the Technical Committee recommends no change to RZC related to community engagement, because the regulations are appropriate and current practice is effective.

During the past few years, staff has made several improvements related to public participation related to development services, such as providing additional information about proposed land use actions and public information handouts on Redmond's web site. In addition, the City's E-Track system, available in January 2013, will enable people to search for the names of proposed projects such as by address or parcel number. Staff will continue to explore and implement opportunities for improvement as part of ongoing process improvement.

*Applicant Proposal: Addition to RZC 21.76.080 Notices (B) (4)  
Explicitly state provisions of tree protection exception on notice board.*

*Recommendation: No change.*

The RZC provides for the Administrator (Planning Director) to establish standards for size, color, layout, design, wording, and placement of the notice boards. The space on notice boards is limited. For effective notice, the size of the text must be legible at a reasonable distance. So, only critical information is listed on each notice board. Currently, this information is provided on the left hand side of notice boards under large, capital letters saying "PROPOSED LAND USE ACTION:

- Project Number
- Title
- Description
- Applicant
- Contact
- Phone Number for City of Redmond staff

To the right, a complete, laminated copy of the official notice for the proposal is attached. Attached to the sign, is a notice box. This allows people to take a copy of the notice with them. A site plan or other descriptive drawing is on the back of the notices in the box.

Current practice for notice boards is consistent with the review process in which aspects of land use applications, like requested tree protection exceptions, are considered as part of the complete application. There are many aspects of land use applications that are as important as the requested tree protection exceptions.

If staff were to attempt to add notice regarding other aspects of the review of land use actions to notice boards the consequence would be smaller text to allow for the additions, diminishing legibility. Or, there would be a need for larger signs to allow for more legible text which would increase the visual clutter at the posted sites.

*Applicant Proposal: Addition to RZC 21.76.060 Process Steps and Decision Makers (C) (2), Require neighborhood meeting for Tree Protection Exceptions.*

*Recommendation: No change.*



Redmond's Zoning Code requires neighborhood meetings for several types of land use actions in order to provide opportunity for public comment. Neighborhood meetings are required for:

- Essential Public Facility
- Master Planned Development
- Preliminary Plat
- Short plats that meet any of the following criteria:
  - propose three or more lots.
  - have critical areas on-site, or
  - are forested (75 percent tree canopy).
- As otherwise required within the RZC.

The Technical Committee may require neighborhood meetings for site plan entitlements; in practice neighborhood meetings are not usually held for SPE's. Redmond does not require neighborhood meetings for site plan entitlements (SPE) because they often deal with development of commercial land with defined zoning. The uses proposed under SPE's are appropriate to the sites and standards exist to evaluate the projects.

In addition, master plans are required for all projects of three acre in size or larger in Overlake. These projects would likely be processed as SPEs and it would be duplicative to hold neighborhood meetings as part of development of the master plan and as part of the subsequent SPE. Finally, the City's approach for neighborhood meetings reflects the public's desire for input to land use actions in residential areas.

Typically, tree preservation plans and requests for exceptions to tree protections are available before the required neighborhood meeting. Both are posted on the City's web site as part of development applications<sup>3</sup> and available from the lead Planner for the project. This material provides the relevant information for the community to allow for meaningful comment.

Moreover, the threshold for the requirement of public meetings has been defined. The threshold is set for land use actions listed above. Staff does not recommend requiring a neighborhood meeting for tree exceptions because doing so would, in effect, create a precedent to require neighborhood meetings for all permit types. The result would be a near shut-down of permit processing, especially for Type I permits.

Finally, the applicant's proposal would apply to all those who request exceptions to tree protections, without regard to the scope of the requests. For example, the proposal would require a homeowner to host a neighborhood meeting to seek input if submitted a request for a tree exception for tree removal on his property.

*Applicant Proposal: Addition to RZC 21.72.090 Exceptions (A)*

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<sup>3</sup> Redmond Land Use Action Notices web page  
[http://redmond.gov/BusinessDevelopment/DeveloperServicesCenter/redmon\\_land\\_use\\_action\\_notices/](http://redmond.gov/BusinessDevelopment/DeveloperServicesCenter/redmon_land_use_action_notices/)

*The Administrator’s decision to grant a tree protection exception shall also be informed by a public comment process to validate consistency with the vision for the neighborhood and that mitigation plans benefit affected portion of neighborhood.*

*Recommendation: No change.*

The current land use review process provides for multiple ways for the community to provide comment: written, in neighborhood meetings, and during public hearings, when applicable. In practice, the Administrator holds the decision on any application for exception to the City’s tree regulations until after the public comment period. The Administrator considers all relevant information in deciding on the request for an exception with respect to the defined criteria for exceptions listed in the RZC, see above.

Administrative decisions related to tree protection exceptions, such as where replacement trees will be planted, need to be primarily based on where there is land available that is an appropriate location and conditions for replacement trees. That location may not be part of the affected neighborhood. However, people and the natural environment are benefitted even if the replacement trees are located elsewhere in the community.

## 2. Minimum tree retention for exceptions

The section below describes each of the applicant’s two requests related to minimum tree retention in the case of exceptions. Overall, the Technical Committee recommends no change to the RZC because the regulations and current practice are appropriate.

*Applicant Proposal: Remove from RZC 21.72.090 Exceptions (B) (2)*

*“Tree replacement ratios may be modified for master plans within urban centers to allow for 1:1 replacement when accompanied by a three-tier vegetative replacement plan.”*

*Recommendation: No change*

The allowance for a 1:1 tree replacement ratio for master plans with urban centers, when accompanied by a three tier-vegetative replacement plan, allows for appropriate flexibility in order to achieve Redmond’s stated vision for two, vibrant urban centers. Redmond’s tree protection regulations balance the value of tree preservation with the value of achieving the City’s vision for two urban centers and providing for sufficient capacity within the urban growth area.

*Applicant Proposal: Addition to RZC 21.72.090 Exceptions (B) (4)*

*“Exceptions granted shall result in retention of at least 50% of landmark trees and 20% of significant trees.”*

*Recommendation: No change.*

If the City were to establish a minimum retention percentage with regard to exceptions, the result in essence would be a new minimum for tree retention. This would be at odds with the purpose of this section, which is to allow decisions regarding tree exceptions to be informed by the circumstances of the site. While a 50% retention of landmark trees may be reasonable on one site, it could preclude reasonable use on another site.

### 3. Definition of Technical Committee

*Applicant Proposal: Addition to Definitions in RZC and Glossary in Comprehensive Plan*

*Define “Technical Committee”*

- *Membership*
- *Decision process*
- *Means to report outcomes for both Planning and Parks Dept.’s*

*Recommendation: No change to RZC; remove definition from Comprehensive Plan Glossary; use hyperlinks instead*

A definition of the Technical Committee was recently added to the Glossary of the Comprehensive Plan under a separately conducted amendment. Upon further review, staff recommends that this definition be removed from the Glossary. Instead a hyperlink to the definition of the Technical Committee in the RMC should be provided from the occurrence of “Technical Committee” in the Comprehensive Plan. Similarly, the definition of the Technical Committee in the Zoning Code should be provided via hyperlink to the RMC. This will accomplish the objective of providing community members easy access to information about the Technical Committee. Linking to the RMC avoids the need to provide a summary definition that is not complete and it avoids encumbering the Comprehensive Plan and the Zoning Code with redundant language taken exactly from the RMC. The definitions cannot differ among these documents or unnecessary confusion would result.

The applicant’s requested amendment calls for the definition of the Technical Committee explaining the “membership, decision process and means to report outcomes for both Planning & Community and Parks & Recreation Departments”(abbreviation in the original). The RMC provides this information. Note, however, that the Technical Committee does not report to departments, it “acts in an advisory capacity to City departments, and other agencies, boards and bodies” (RMC 4.50). The RZC describes, for different types of review, to whom and how the Technical Committee provides its recommendations (RZC 21.76.060).

## **B. COMPARISON WITH OTHER COMMUNITIES, APPROACHES**

Among the stated purposes of Redmond’s tree protection regulations, RZC 21.72.010 lists the aesthetic, ecological, and economic benefits of forests and tree-covered areas in Redmond as:

- Providing varied and rich habitats for wildlife
- Absorbing greenhouse gas emissions
- Moderating the effects of winds and temperatures
- Stabilizing and enriching the soil
- Slowing runoff from precipitation and reducing soil erosion
- Improving air quality
- Improving water quality
- Masking unwanted sound
- Providing visual relief and screening buffers
- Providing recreational benefits
- Enhancing the economic value of developments
- Providing a valuable asset to the community as a whole

While the lists of benefits of trees and forests provided in the regulations of neighboring cities are quite similar to the above, Redmond's tree protections are stronger than those of its neighbors. Exhibit D provides a summary comparison of the tree protection regulations, per city.

Redmond requires the replacement of each significant tree removed, barring exemptions or exceptions. In Redmond, all tree removal requires a permit; removal associated with development is reviewed under the land use application. Redmond's neighbors do not require permits for all significant tree removals nor do they require a one-for-one replacement for all significant trees removed.

The RZC requires a minimum retention of 35% of the significant trees for all new developments. Neighboring cities require tree retention in terms of diameter inches or tree credits, based on diameter inches. While the comparison is not direct due to the difference in the basic units of the requirements, Redmond's requirements generally exceed those of neighboring cities in minimum tree retention. This can be judged by considering that, basically, Redmond requires the retention of significant trees *by number* while those of neighboring cities require retention *in the aggregate*.

For urban centers, Redmond includes a provision for consideration of exceptions to tree protection regulations. Bellevue excludes the downtown from tree retention requirements.

Overall, Redmond's tree protections are stronger, more predictable and more clearly articulated than those of its neighbors.

## **IV. SUPPORTING ANALYSIS**

### **A. EXISTING CONDITIONS**

The existing conditions are characterized in the Background section above.

### **B. COMPLIANCE WITH CRITERIA FOR AMENDMENTS**

The following is an analysis of how the proposed changes comply with the requirements for Comprehensive Plan and Zoning Code amendments. Amendments to the RZC must be consistent with the Comprehensive Plan, as required by RZC 21.76.070.AE. Comprehensive Plan Policy LU-26 and RZC 21.76.070.J provide that all amendments must meet the criteria also detailed below.

1. Consistency with the Growth Management Act (GMA), the State of Washington Department of Commerce Procedural Criteria, and the King County Countywide Planning Policies (CPPs).

The proposal to add the definition of Technical Committee to the Glossary (definition amendment) is the only Comprehensive Plan amendment in this package. GMA has thirteen stated goals (RCW 36.70A.020). Responding to the applicant's desire to add the definition to the Glossary with the recommendation to use hyperlinks to the definition for "Technical Committee" provided by the RMC is consistent with the 11<sup>th</sup> goal, encouraging the involvement of citizens in the planning process. The recommendation is also consistent with the Procedural Criteria and the Countywide Planning Policies as these grow from the GMA.

2. Consistency with the Comprehensive Plan policies and the designation criteria.

The amendment has no impact on designation criteria.

3. Consistency with the preferred growth and development pattern in the Land Use Element of the Comprehensive Plan.

Redmond's tree protection regulations reflect that the density of housing, jobs and services will increase within the City. The existing regulations balance the need to accommodate growth with the need to preserve trees. The requested amendments dealing with retention percentages and replacement ratios (retention/replacement amendments) would shift that balance and limit the effectiveness of recently-adopted legislation designed to make possible master plans for Redmond's Urban Centers and to accommodate planned growth in these locations. In this manner, the requested amendments are contrary to the preferred growth and development pattern in the Land Use Element.

4. The capability of the land, including the prevalence of critical areas.

The retention/replacement amendments would limit the potential of future development to utilize available land in the urban centers to create workplaces, transportation hubs and housing for workers. Redmond has regulations protecting critical areas; this amendment does not affect them.

5. The capacity of public facilities and whether public facilities and services can be provided cost-effectively at the intensity allowed by the designation.

This proposal has no impact.

6. Whether the proposed land use designations or uses are compatible with nearby land use designations or uses.

This proposal has no impact.

7. Whether the allowed uses are compatible with nearby uses.

This proposal has no impact.

8. If the purpose of the amendment is to change the allowed use in an area, the need for the land uses that would be allowed by the Comprehensive Plan amendment and whether the amendment would result in the loss of the capacity to meet other needed land uses, especially whether the proposed amendment complies with the policy on no net loss of housing capacity.

The proposal has no impact.

9. Potential general impacts to the natural environment, such as impacts to critical areas and other natural resources.

If the requested amendments dealing with retention percentages and replacement ratios (retention/replacement amendments) were adopted there could be an increase in tree retention. Redmond has regulations protecting critical areas; this amendment does not affect them.

10. Potential general economic impacts, such as impacts for business, residents, property owners or City Government.

The existing regulations balance the need to accommodate growth with the need to preserve trees. The requested amendments dealing with retention percentages and replacement ratios (retention/replacement amendments) would shift that balance and limit the effectiveness of recently-adopted legislation designed to make possible master plans for Redmond's Urban Centers and to accommodate planned growth in these locations. This would have an economic impact on property owners and on existing and future businesses and residents.

11. Potential general impacts to the ability of the City to provide fair and equitable access to services.

The proposal has no impact.

12. For issues that have been considered within the last four annual updates or Comprehensive Land Use Plan amendments, whether there has been a change in circumstances that makes the proposed plan designation or policy change appropriate or whether the amendment is needed to remedy a mistake.

The Technical Committee recommends removing the definition of “Technical Committee” from the Glossary of the Comprehensive Plan as a remedy for a mistake including a definition that is not fully consistent with that of the RMC as part of a recent adoption of a general update to the Glossary. Instead, the Committee recommends linking to the RMC.

## **V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW**

### **A. Amendment Process**

RZC 21.76 requires that amendments to the Comprehensive Plan and Zoning Code be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s) and an open record hearing(s) on the proposed amendment, and makes a recommendation to the City Council. The City Council is the decision-making body for this process.

### **B. Subject Matter Jurisdiction**

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed Comprehensive Plan and Zoning Code Amendments.

### **C. Washington State Environmental Policy Act (SEPA)**

SEPA checklists were prepared on DATE and determinations of non-significance were issued on December 14, 2012 (see Exhibits E and F).

### **D. 60-Day State Agency Review**

State agencies received 60-day notice of this proposed amendment on November 28, 2012.

### **E. Public Involvement**

The Planning Commission will receive oral and written testimony as part of a public hearing scheduled for January 16, 2012. Staff provided the required public notice on December 26, 2012 the required published notice as described in RZC 21.76.080.F.

### **F. Appeals**

RZC 21.76 identifies Comprehensive Plan Amendments and Zoning Code Text Amendments as Type VI permits. Final action is by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearings Board pursuant to the requirements.

## **VI. LIST OF EXHIBITS**

- Exhibit A: Staff Recommended Amendment to the Comprehensive Plan Glossary**
- Exhibit B: Applicant’s Requested Comprehensive Plan and Zoning Code and Comprehensive Plan Amendments**
- Exhibit C: RZC 21.72, Tree Protections**
- Exhibit D: Summary of Local Jurisdictions’ Tree Regulations**
- Exhibit E: SEPA Threshold Determination, Exception Notice**
- Exhibit F: SEPA Threshold Determination, Tree Removal and Replacement**

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Robert G. Odle, Director of Planning and Community Development Date

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Timothy K. Fuller, Director of Public Works Date



## Exhibit A, from Comprehensive Plan Glossary

excluding residential fences less than six feet in height; retaining walls, rockeries, patios, and decks less than 30 inches in height; and similar improvements of a minor character. For the purpose of administering the Shoreline Master Program, structure shall have the meaning given in WAC 173-27-030(15).

**Structure, Detached.** A structure which has no common or party wall with another structure.

**Subdivision.** The division of a parcel of land into two or more parcels. Subdivisions are classified into short subdivisions, also referred to as short plats, and long subdivisions, also referred to as long plats, based on the number of lots created. Redmond's subdivision regulations are included in the Redmond Zoning Code.

**Substantial Impacts.** Effects or consequences of actions of such a nature or intensity that they will create an undesirable condition for uses or activities likely to take place in the area.

**Sustainability Principles.** A statement of values regarding what sustainability means for the City of Redmond, created during a public process in 2010 and incorporated as part of the 2010-2011 Comprehensive Plan Update.

**Substantial Improvement.** Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (1) before the improvement or repair is started, or (2) if damaged, the value of the structure to be restored prior to being damaged.

**Sustainable/Sustainability.** Meeting the needs of the present without compromising the ability of future generations to meet their own needs.

**Target Industry Clusters.** As identified in the Redmond Comprehensive Plan Economic Vitality Element, these are highly integrated groups of businesses with strong linkages, including the suppliers and customers in a region, which have the potential for significant economic impact through the creation of high wage jobs and other benefits. As clusters grow, additional supplier firms are attracted to the region, eventually creating a well-diversified "critical mass" of production, labor, and information.

~~**Technical Committee.** A staff committee comprised of City staff representing interdisciplinary knowledge regarding the implementation of the Redmond Zoning Code and other matters of community development. The Technical Committee is responsible for making decisions or recommendations and for City implementation of the State Environmental Policy Act. The Committee acts in an advisory capacity to the City Council, Mayor, Hearing Examiner and Planning Commission, as well as other City departments, and other agencies, boards and bodies.~~

**Telecommuting.** The transportation of information using telecommunication technology such as teleconferencing, satellite television, facsimiles, cellular telephones and computer networking.

**Townhouse.** A form of ground-related housing where individual dwelling units are attached along at least one common wall to at least one other dwelling unit. Each dwelling unit occupies space from the ground to the roof and has direct access to private open space.

## Exhibit A, from Comprehensive Plan Glossary

excluding residential fences less than six feet in height; retaining walls, rockeries, patios, and decks less than 30 inches in height; and similar improvements of a minor character. For the purpose of administering the Shoreline Master Program, structure shall have the meaning given in WAC 173-27-030(15).

**Structure, Detached.** A structure which has no common or party wall with another structure.

**Subdivision.** The division of a parcel of land into two or more parcels. Subdivisions are classified into short subdivisions, also referred to as short plats, and long subdivisions, also referred to as long plats, based on the number of lots created. Redmond's subdivision regulations are included in the Redmond Zoning Code.

**Substantial Impacts.** Effects or consequences of actions of such a nature or intensity that they will create an undesirable condition for uses or activities likely to take place in the area.

**Sustainability Principles.** A statement of values regarding what sustainability means for the City of Redmond, created during a public process in 2010 and incorporated as part of the 2010-2011 Comprehensive Plan Update.

**Substantial Improvement.** Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (1) before the improvement or repair is started, or (2) if damaged, the value of the structure to be restored prior to being damaged.

**Sustainable/Sustainability.** Meeting the needs of the present without compromising the ability of future generations to meet their own needs.

**Target Industry Clusters.** As identified in the Redmond Comprehensive Plan Economic Vitality Element, these are highly integrated groups of businesses with strong linkages, including the suppliers and customers in a region, which have the potential for significant economic impact through the creation of high wage jobs and other benefits. As clusters grow, additional supplier firms are attracted to the region, eventually creating a well-diversified "critical mass" of production, labor, and information.

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