



# CITY OF LAKE FOREST PARK CITY COUNCIL WORK SESSION

Thursday, June 09, 2022 at 6:00 PM

Meeting Location: Virtual / Zoom

17425 Ballinger Way NE Lake Forest Park, WA 98155

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## INSTRUCTIONS FOR PARTICIPATING IN THIS MEETING VIRTUALLY:

*Please note, this link works for both the Work Session (6:00 p.m.) and Regular Meeting (7:00 p.m.).*

Join Zoom Webinar: <https://us06web.zoom.us/j/89256100684>

Call into Webinar: 253-215-8782 | Webinar ID: 892 5610 0684

Public Comment is not taken during the Work Session.

As allowed by law, the Council may add items not listed on the agenda.

For up-to-date information on agendas, please visit the City's website at [www.cityofflp.com](http://www.cityofflp.com)

Meetings are shown on the city's website and on Comcast channel 21 for subscribers within the Lake Forest Park city limits.

## AGENDA

1. CALL TO ORDER: 6:00 PM

2. ADOPTION OF AGENDA

3. CONFIRMATION REVIEW CALENDAR

4. COUNCIL DISCUSSION TOPICS

A. Review the 2023-2024 Biennial Budget Calendar

B. Revisions to Chapter 16.14 Tree Canopy Preservation and Enhancement (Tree Code) of the Lake Forest Park Municipal Code

5. ADJOURN

## FUTURE SCHEDULE

--Wednesday, June 15, 2022 City Council Budget and Finance Committee Special meeting 6 pm *hybrid meeting (Zoom and City Hall)*

--Thursday, June 16, 2022 City Council Budget and Finance Committee Meeting *cancelled*

--Monday, June 20, 2022 City Council Committee of the Whole Meeting *cancelled*

--Tuesday, June 21, 2022 City Council Committee of the Whole Special Meeting 6 pm *hybrid meeting (Zoom and City Hall)*

--Thursday, June 23, 2022 City Council Regular Business Meeting 7 pm *hybrid meeting (Zoom and City Hall)*

--Monday, July 4, 2022 City Offices Closed in Observance of Independence Day

*Any person requiring a disability accommodation should contact city hall at 206-368-5440 by 4:00 p.m. on the day of the meeting for more information.*

**City of Lake Forest Park  
Budget Calendar, 2023-2024 Biennium**

DRAFT

<u>Date</u>		<u>Description</u>	<u>Time</u>	<u>Meeting Type</u>
7-Jun-22	Tuesday	Call for Department Budget Requests Issued by Administration	-	N/A
9-Jun-22	Thursday	Draft Budget Calendar Provided to City Council	6:00 PM	Work Session, Open to the Public
15-Jun-22	Wednesday	Discuss Budget Calendar for 2023-2024 for future adoption	6:00 PM	Special Budget & Finance Meeting, Open to the Public
23-Jun-22	Thursday	Budget 101 & Adopt Budget Calendar for 2023-2024 Biennial Budget (City Council Mtg.)	6:00 PM	Special Work Session, Open to the Public
1-Jul-22	Friday	Department Budget Requests Due to Administration	-	N/A
5-Jul-22	Tuesday	Administration Reviews Department Proposals	-	N/A
12-Jul-22	Tuesday	Department Presentations to Mayor, City Administrator, & Finance Director	-	N/A
14-Jul-22	Thursday	Department Presentations to Mayor, City Administrator, & Finance Director (Continued)	-	N/A
28-Jul-22	Thursday	Revenue & Expenditure Fiscal Year End Projections for 2021-2022 Biennium	6:00 PM	Special Work Session, Open to the Public
11-Aug-22	Thursday	Capital Improvement Project (CIP) Included in 2023-2024 Biennial Budget <i>Community Partners (Human Services) Presentations</i>	6:00 PM 7:30 PM	<i>Extended Work Session, Open to Public</i> <i>Regular City Council Meeting, Open to the Public</i>
18-Aug-22	Thursday	Capital Improvement Project (CIP) & Community Partners follow up, if needed	6:00 PM	Budget & Finance Meeting, Open to the Public
8-Sep-22	Thursday	Mayor's Proposed Budget Presented to City Council	7:00 PM	City Council Meeting, Open to the Public
15-Sep-22	Thursday	Mayor's Proposed Revenue Projection Overview	6:00 PM	Budget & Finance Meeting, Open to Public
17-Sep-22	Saturday	Detailed Department Presentations of Mayor's Proposed Budget	9:00 AM	Special Budget & Finance Meeting, Open to the Public
22-Sep-22	Thursday	Public Comment After the Mayor's Proposed 2023-2024 Biennial Budget is presented & City Council Budget Deliberations and Recommendations	6:00 PM	Committee of the Whole, Open to the Public
13-Oct-22	Thursday	City Council Budget Deliberations and Recommendations	6:00 PM	Work Session, Open to the Public
20-Oct-22	Thursday	City Council Budget Deliberations and Recommendations	6:00 PM	Budget & Finance Meeting, Open to Public
27-Oct-22	Thursday	Public Hearings - Property Tax Levy, Rates, and Budget Related Items	7:00 PM	City Council Meeting, Open to the Public
3-Nov-22	Thursday	City Council Budget Deliberations and Recommendations, if needed	6:00 PM	City Council Special Budget Meeting, Open to the Public
10-Nov-22	Thursday	Final Public Hearings on Property Tax Levy, Rates, and Budget Related Items	7:00 PM	City Council Meeting, Open to the Public
17-Nov-22	Thursday	Adoption of Budget, Property Tax Levy, Rates, and Related Items	6:00 PM	Special City Council Meeting, Open to Public



# CITY OF LAKE FOREST PARK CITY COUNCIL AGENDA COVER SHEET

**Meeting Date** June 9, 2022

**Originating Department** Planning Department

**Contact Person** Steve Bennett, Planning Director

**Title** Revisions to Chapter 16.14 Tree Canopy Preservation and Enhancement of the Lake Forest Park Municipal Code

### Legislative History

- First Presentation June 9, 2022 Work Session

### Attachments:

1. Recommended Changes to the Chapter 16.14

### Background

At the April 28, 2022 meeting, Council received a presentation from Tree Board Chair Richard Olmstead regarding the Tree Board's recommended changes to the current tree regulations (see Attachment 1). These recommendations include reducing the threshold diameter for certain Exception Tree species and making the requirement for a geotechnical report discretionary when a tree on a steep slope is proposed for removal. This work session will be the first opportunity for Councilmembers to discuss the recommendations and provide guidance to the Administration on the development of a draft ordinance for future Council adoption.

**Chapter 16.14  
TREE CANOPY PRESERVATION AND ENHANCEMENT**

Sections:

- 16.14.010 Policy.
- 16.14.020 Purpose and intent.
- 16.14.030 Definitions.
- 16.14.040 Tree removal – Application for permits and posting required.
- 16.14.050 Emergency actions.
- 16.14.060 Tree removal prohibited.
- 16.14.070 Tree permit approval criteria and conditions.
- 16.14.080 Environmentally critical areas and buffers.
- 16.14.090 Tree replacement.
- 16.14.100 Reasonable use exception.
- 16.14.110 Tree maintenance.
- 16.14.120 City tree account.
- 16.14.130 Enforcement.
- 16.14.140 Requirements for tree services and others doing land clearing and tree removal.
- 16.14.150 Liability.
- 16.14.160 Canopy study.
- 16.14.170 Urban forest education and awareness.

**16.14.010 Policy.**

Trees in Lake Forest Park serve an important role in mitigating climate change and its effects on our community, by simultaneously removing CO2 from the air and minimizing the “urban heat island” effect. Exceptional trees are the foundations that anchor our forest canopy; they sequester the most carbon and contribute the most seed to the next generation of forest trees. Groves of trees, anchored by exceptional trees, buffer most effectively against high winds, soil erosion and fluctuating surface temperature, provide canopy continuity for wildlife migration corridors, and are necessary for the ecological processes that integrate the canopy with the soil and the understory vegetation that make a viable ecosystem. As a “Tree City,” our community does not simply value trees for their aesthetic beauty, but for the ecological processes they provide.

**Commented [SB1]:** Policy language clarifies the purpose for the Lake Forest Park Tree Ordinance and serves to create alignment between the Ordinance and the Community Forest Management Plan.

It is the policy of the city to:

- A. Provide more diverse, healthier, and greater, predominantly evergreen tree canopy coverage to future generations of residents while protecting and respecting private property rights.
- B. Maximize the storm and surface water, wildlife, climate change, human health, and other benefits provided by trees and their understory vegetation, including everything from their canopy to their roots.
- C. Mitigate the economic, environmental, and community consequences of tree loss on public and private lands.
- D. Implement canopy-based regulatory and permitting strategies that result in at least no net loss in tree canopy coverage and is grounded in a 30-year maturity cycle for trees.
- E. Allow property owners to make reasonable use of their property while managing the trees, stands groves of trees and urban forests and their inter-related benefits.
- F. Promote and prefer the retention of viable existing trees and mature tree canopy coverage over removal and replacement through encouraging project designs that utilize existing trees in the landscape, or allow replacement of select native or acceptable substitute tree species (as defined on the city’s general tree list) to maintain the urban forests of Lake Forest Park.
- G. Protect exceptional trees that, because of their unique combination of species, age, size, location, and health, constitute an important community resource. (Ord. 1152 § 1, 2017)

**16.14.020 Purpose and intent.**

The purpose and intent of this chapter is to:

A. Implement certain strategies for the management and protection of Lake Forest Park’s urban forest resources described in those goals and policies of the Lake Forest Park community forest management plan that were accepted by the city council;

B. Preserve and enhance the tree canopy of Lake Forest Park by encouraging the protection of existing trees and ~~stands~~ groves of trees, and the replanting of new trees to replace those lost to old age, storms, development and other maladies;

C. Mitigate the economic, environmental, and aesthetic consequences of tree loss through protection and tree planting on public and private lands;

D. Provide guidelines to protect trees from adverse impacts during construction;

E. Encourage project designs that utilize existing trees in the landscape, or allow replacement of select native tree species to maintain the urban forests of Lake Forest Park;

F. To protect private property rights and allow property owners to make reasonable use of their property while protecting suitable and appropriate trees for that site; and

G. Maintain and protect the public health, safety, and general welfare. (Ord. 1152 § 1, 2017)

**16.14.030 Definitions.**

For the purposes of this chapter, the following terms are defined as follows:

“Administrator” means the planning director or the planning director’s designee.

“At-risk tree” means a tree that is exposed to potential damage but can be preserved during the construction process of major or minor development, through strict adherence to recommendations from the city’s qualified arborist.

“Best management practices (BMPs)” means adherence to tree health care standards detailed in the current edition of the American National Standards Institute (ANSI) A300 and the current edition of the International Society of Arboriculture (ISA) BMPs including the special companion publication to the ANSI A300, Best Management Practices for Utility Pruning of Trees.

“Caliper” means the industry standard for measurement of nursery stock size. Caliper is measured six inches above the root collar for nursery stock four inches in diameter and smaller.

“Canopy” means the part of the tree crown composed of leaves and small twigs or the collective branches and foliage of a group of trees’ crowns.

“Canopy coverage” means the area covered by the canopy of trees on the lot. When a tree trunk straddles a property line, 50 percent of the canopy shall be counted towards each property’s canopy coverage. The canopy coverage of the immature trees and newly planted trees is determined using the projected canopy areas in the Lake Forest Park general tree list.

“Critical root zone (CRZ)” means the International Society of Arboriculture (ISA) definition of CRZ as an area equal to one-foot radius from the base of the tree’s trunk for each one inch of the tree’s diameter at 4.5 feet above grade (referred to as diameter at breast height). Example: A 24-inch diameter tree would have a critical root zone radius (CRZ) of 24 feet. The total protection zone, including trunk, would be 50 feet in diameter.

“Crown” means that portion of the tree’s stem that is occupied by branches with live foliage.

“DBH” is an acronym for tree diameter at breast height which means the diameter of existing trees measured 4.5 feet above the ground line on the high side of the tree. For the purposes of code enforcement, if a tree has been removed and only the stump remains, the size of the tree shall be the diameter of the top of the stump adjusted to DBH using published tables or regression curves.

“Dead tree” means a tree with no live crown and no functioning vascular tissue.

**Commented [SB2]:** Replace the word “stand” with “groves.” The term “stand” is typically used in forest silviculture. From Wikipedia: “Stands are not logical, ecologically defined management units. Instead they have evolved from the Normalwald concept, which was predicated on the idea of harvesting efficiency and thus that forest land was primarily to generate income from timber production.” The term “stand” as it is used in the LFP City Code is more accurately considered a reference to an ecological unit of trees as opposed to a silvicultural unit. Therefore, the English term “grove” is more fitting.

“Demolition” means the complete tearing down, razing, or removal of a building or structure. A building is considered demolished even if the foundation remains.

“Dripline” for a tree is delineated by a vertical line extended from the outermost branch tips to the ground, or six-foot radius from the stem of the tree, whichever is greater.

“Environmentally critical areas” or “critical areas” and their buffers are defined in Chapter 16.16 LFPMC.

“Exceptional tree” means a viable tree, which because of its unique combination of size and species, age, location, and health is worthy of long-term retention, as determined by the city’s qualified arborist. To be considered exceptional, a tree must meet the following criteria:

1. The tree must be included in and have a diameter at breast height (DBH) that is equal to or greater than the threshold diameters listed in Table 1;
2. The tree shall exhibit healthful vigor for its age and species;
3. The tree shall not be considered a significant risk in regard to existing utilities and structures as evaluated per the tree risk assessment defined in LFPMC 16.14.080(A)(1);
4. The tree shall have no visual structural defects that cannot be mitigated by one or more measures outlined in the International Society of Arboriculture Best Management Practices; and
5. If retained under current tree growth conditions, the tree can be expected to remain viable with reasonable and prudent management and care.

**Table 1: Exceptional Tree Species and Their Threshold Diameters**

Species	Threshold Diameter (DBH)
Bigleaf MAPLE – <i>Acer macrophyllum</i>	42 inches, 36 inches
Douglas FIR – <i>Pseudotsuga menziesii</i>	42 inches, 36 inches
Grand FIR – <i>Abies grandis</i>	33 inches, 36 inches
MADRONA – <i>Arbutus menziesii</i>	12 inches
Western HEMLOCK – <i>Tsuga heterophylla</i>	36 inches
Western Red CEDAR – <i>Thuja plicata</i>	42 inches, 36 inches
Western White PINE – <i>Pinus monticola</i>	36 inches

**Commented [SB3]:** The current threshold diameters for exceptional trees applies to an exceedingly small percentage of the community forest. If these are the only trees protected under the majority of circumstances, the Lake Forest Park community forest may be reduced to a scattering of these trees in the process of converting Lake Forest Park into a relatively treeless suburban landscape like any other. The new dimensions apply to the population of noteworthy trees that form the foundation of our community forest and should be preserved as a means of preserving a forested community, consistent with the values and goals of our Community Forest Management Plan.

“Forest health emergency” means the introduction of, or an outbreak of, an exotic forest insect or disease that poses an imminent danger of damage to the environment by threatening the survivability of native tree species, as defined in Chapter 76.06 RCW.

“General tree list” means a list of tree species that is maintained by the city and approved by the city’s qualified arborist for planting as replacement trees, as well as tree species that are prohibited from being planted as replacement trees.

“Grove:” a contiguous grouping of trees with overlapping canopies that are 12” DBH or greater and that occupy no less than 7,000 square feet or more in size.

**Commented [SB4]:** Recognize “grove” as a management unit in the code that needs to be defined. A standard metric among cities with few groves of trees is, “8 or more trees 12” DBH or greater that form a continuous canopy.” Such a metric is too restrictive in Lake Forest Park where we have many large groves of trees. A more applicable metric for Lake Forest Park may be found in forest ecology literature on the study of interactive tree groves in nature. The typical study area is one quarter acre, or approximately 10,000 square feet in size within a larger matrix of natural forest. Seeing as how Lake Forest Park is not a large natural forest tract, it seems more reasonable to use a somewhat smaller, common metric within the city: the single family home RS 7,200 zoning category rounded down to 7,000 square feet. Finally, this grove determinant is large enough to support contiguous groups of mature trees containing an understory of multi-age trees of mixed species along with a stabilizing shrub layer, all contributing to a more ecologically functional forest grove.

“Interior critical root zone (ICRZ)” means an area encircling the base of a tree equal to one-half the diameter of the critical root zone. Disturbance of this area beneath a tree would cause significant impact to the tree, potentially life threatening, and would require maximum post-care treatment to retain the tree.

“Invasive tree” means a tree listed as a weed of concern in Chapter 16-750 WAC, Chapter 17.10 RCW, or by King County in its noxious weed list.

“Landmark tree” means a significant tree that is at least 24 inches in diameter (DBH).

“Limits of disturbance” means the boundary between the area of minimum protection around a tree and the allowable site disturbance as determined by the city’s qualified arborist.

“Major development activity” means subdivision or short subdivision; construction or demolition of single-family, multifamily, or commercial buildings; and alterations, repairs, enlargements or additions that add 1,000 square feet or more of impervious surface coverage.

“Minor development activity” means any activity that requires federal, state, or local approval for the use or modification of land or its resource, except those defined as “major development activity.” These activities include, but are not limited to, additions, enlargements, or alterations to existing structures, construction of retaining walls, fences, driveways, and garages, clearing and grading activity, and activity in the right-of-way that is not exempt from permit requirements.

“Multi-stemmed tree” means a tree that has one stem at ground level but that splits into two or more stems above ground level. Trees whose stems diverge below ground level are considered separate trees. Where a tree splits into several trunks below typical DBH, the DBH for the tree is the square root of the sum of the DBH for each individual stem squared (example with three stems:  $DBH = \text{square root of } [(stem 1)^2 + (stem 2)^2 + (stem 3)^2]$ ).

“Native” means trees and plants native to western Washington.

“Off-site replanting” means any one or combination of the following:

1. The planting of replacement trees pursuant to a permit on a lot different from the lot the tree was removed from, given that all other permit requirements and conditions are met.
2. The payment of a mitigation fee to the city tree account in an amount equal to replacement cost, as defined by the current edition of the Council of Tree and Landscape Appraisers Guide for Plant Appraisal, for trees not planted on site. For the purpose of calculation, each 450 square feet of canopy coverage being replaced off site shall be considered one tree.
3. For utility forest management plans, a utility-funded, city-approved, tree replacement program that provides monies or vouchers to adjacent property owners or the city to effectuate tree replacement, which may or may not be within the utility corridor or right-of-way.

“Person” means an individual, corporation, municipal corporation, association, LLC (limited liability corporation), or any legal entity.

“Proactive forest management plan” means a plan for maintenance, management, preservation and enhancement of trees on a lot or lots that includes a qualified arborist’s approach for maintenance and pruning, tree removal, tree planting and forest enhancement over the course of five or more years.

“Protected tree” means a tree and associated understory vegetation identified for retention and protection on an approved tree protection and replacement plan and/or permanently protected by easement, tract, or covenant restriction. Property owners are responsible for protected trees remaining viable and achieving their 30-year maturity goals, including normal care, maintenance, and pruning. Should a protected tree become diseased to the point that it must be removed or die, the property owner is also responsible for replacing the tree with a tree or trees that will achieve the original canopy coverage for which the protected tree was planted to achieve.

“Risk” in the context of trees is the cross-referencing of the likelihood of a tree failure occurring and the severity of the associated consequences to a target.

“Qualified arborist” is an individual who is a certified professional with academic and field experience that makes them a recognized expert in urban forestry and tree protection during development. A qualified arborist shall be a member of the International Society of Arboriculture (ISA) and/or the Association of Consulting Arborists and shall have specific experience with urban tree management in the state of Washington. Additionally the city’s qualified arborist shall be a certified arborist or board certified master arborist, as certified by the International Society of Arboriculture, and be ISA Tree Risk Assessment Qualified and have the necessary training and experience to use and apply the appraisal methodology prescribed in the current edition of the ISA Plant Appraisal Guide.



“Significant tree” means a tree six inches or greater in diameter (DBH) or a required replacement tree of any size. Dead trees shall not be considered significant trees.

“Street tree” means any planted tree on public rights-of-way.

“Target” or “risk target” means people, property, or activities that could be injured, damaged, or disrupted by a tree.

“Topping” means ~~the cutting back of limbs to stubs within the tree’s crown or the cutting back of limbs or branches to lateral branches that are less than one-third of the diameter of the limb or branch that is cut the removal of the primary leader or the whole top of a tree.~~

**Commented [SB5]:** The current definition applies more accurately to “crown reduction” using “drop-crotching” pruning cuts; a type of pruning that may be legitimate under certain circumstances. The new definition describes a pruning approach that is simply disfiguring and damaging.

“Tree” means a self-supporting woody plant characterized by one main trunk or, for certain species, multiple trunks, typically reaching at least ~~12 to 15~~ 20 feet in height at maturity that is recognized as a tree in the nursery and arboricultural industries.

**Commented [SB6]:** The current definition is too inclusive of a range of plants considered large shrubs that may be trained on a single standard.

“Tree removal” means the direct or indirect removal of a tree(s) through actions including, but not limited to: clearing, cutting, girdling, topping, or causing irreversible damage to roots or stems; destroying the structural integrity of trees through improper pruning; poisoning; filling, excavating, grading, or trenching within the dripline that results in the loss of more than 20 percent of the tree’s root system; or the removal through any of these processes of greater than 50 percent of the live crown of the significant tree.

“Tree risk assessment” means the systematic process to identify, analyze, and evaluate tree risk. Tree risk assessment shall be conducted in accordance with the latest version of the ISA Best Management Practices Guide.

“Tree risk assessor” means a qualified arborist who identifies subject tree(s) and site conditions, evaluates and classifies the likelihood of failure, estimates the consequences of tree(s) hitting a target, and determines options for treatment or mitigation. The city of Lake Forest Park requires that tree risk assessors be ISA Tree Risk Assessment Qualified.

“Understory vegetation” means small trees, shrubs, and groundcover plants, growing within the dripline or critical root zone (CRZ) of a significant tree.

“Utility forest management plan” means a proactive plan that is concurrent with a utility’s franchise agreement and right-of-way permit(s) for maintenance and management of trees in a utility corridor, right-of-way, or private property that includes the utility’s qualified arborist’s approach for maintenance and pruning, tree removal and off-site replanting, and a commitment to inventorying emergency tree removals.

“Viable (tree)” means a significant tree that a qualified arborist has determined to be in good health with a low risk of failure, is relatively windfirm if isolated or exposed, is a species that is suitable for its location, and is therefore worthy of long-term retention.

“Wildlife habitat tree” means the remaining trunk of a dead, dying, diseased, or hazard tree that is reduced in height and stripped of all live branches. To be considered as a wildlife habitat tree, the tree must be at least 12 inches DBH and 20 feet tall. The actual wildlife habitat tree height must consider the surrounding targets.

“Windfirm” means a tree that is healthy and well-rooted and the city’s qualified arborist has evaluated and determined that it can withstand normal winter storms in Lake Forest Park. (Ord. 1157 § 1, 2017; Ord. 1152 § 1, 2017)

**16.14.040 Tree removal – Application for permits and posting required.**

A. Permits Required. No person or their representative, directly or indirectly, shall remove or destroy any significant tree located within the city without first obtaining a tree permit in accordance with this chapter, unless exempted by LFPMC 16.14.050.

B. Permit Categories.

1. Minor Tree Permit. Unless a major tree permit is required below, tree removal may be permitted without arborist review in the following circumstances. The administrator may require review by the city’s qualified arborist if the administrator determines that the removal could result in a threat to persons or damage of property.

- a. When two or fewer significant trees are proposed for removal within any 36-month period, unless the trees are protected trees or are located in an environmentally critical area or buffer; or
- b. When any number of invasive trees are proposed for removal, except when those trees are located in an environmentally critical area or buffer; or
- c. When any tree(s) explicitly covered by an approved proactive forest management permit is proposed for removal.

2. Major Tree Permit. Tree removal may be permitted with review by the city's qualified arborist under the following circumstances:

- a. When one or more landmark tree is proposed for removal;
- b. When three or more significant trees are proposed for removal within any 36-month period;
- c. When any tree proposed for removal is a protected tree or is located in an environmentally critical area or buffer;
- d. When any major development activity is proposed;
- e. When any minor development activity is proposed within the critical root zone (CRZ) of significant trees; or
- f. When trees are proposed for removal on a property on which major development activity has occurred within the last five years.

3. Proactive Forest Management Permit. A proactive forest management permit may be permitted after review and approval by the city's qualified arborist when the applicant(s) commit(s) to forest enhancement on their lot(s) over the course of five or more years.

4. Utility Forest Management Permit. A utility forest management permit may be permitted after review and approval by the city's qualified arborist when a utility provider and their qualified arborist commits to collaborative efforts toward improved viability of the city's urban forest in tandem with necessary tree maintenance and management.

C. Application Requirements.

- 1. All tree removal permit applications, except utility forest management permits, shall include the completed permit application supplemented by a general site plan showing:
  - a. The name, address, email, and phone number of the applicant and owner of the property;
  - b. The locations of tree(s) to be removed;
  - c. Nearby structures and streets;
  - d. Locations of other significant trees surrounding the tree(s) to be removed;
  - e. Locations of critical areas or buffers;
  - f. A tree replacement plan if required by LFPMC 16.14.090; and
  - g. Authorization for the city's qualified arborist to access the site for the purpose of evaluating the viability of replacement trees.

2. Major tree permits and proactive forest management permit applications shall include the following:

- a. A site map (to scale) with a north arrow depicting accurate location of site features including buildings, driveways, environmentally critical areas and buffers, forest ~~stands~~ groves or open-grown single or clusters of significant trees; the CRZ of the ~~stand~~ grove, cluster, or individual tree, along with any off-site trees that may be impacted by tree removal, excavation, grading, or other development activity proposed; and
- b. A tree inventory and assessment report prepared by a qualified arborist that includes at a minimum: trees to be removed and protected (including CRZ), trees in the vicinity of construction or that could be impacted by the proposed development activity, tree protection fence location, timeline for tree protection activities, list of protection measures and conditions to be taken during all development activities to ensure code compliance during development activities; and
- c. A report including, at a minimum, information on tree species, diameter at breast height, condition (health), risk level, existing and proposed canopy coverage, and when applicable, design of a land use proposal that prioritizes healthy trees in accord with LFPMC 16.14.070(D)(3).

- 3. Proactive forest management permit applications shall also include the following:
  - a. A proactive forest management plan proposal that meets the definition in LFPMC 16.14.030; and
  - b. A timeline for tree-related activity, including tree removal, replacement, and maintenance.
- 4. Utility forest management permit applications shall include the following:
  - a. A utility forest management plan proposal that meets the definition in LFPMC 16.14.030; and
  - b. A timeline for tree-related activity, including notification periods that enable city participation in tree removal choices through comment by the city’s qualified arborist; and
  - c. Map(s) indicating the utility corridor(s), right(s)-of-way, or private property where proposed tree maintenance and management activity will occur; and
  - d. Maintenance and removal practices that reflect the need for continuity of utility service, and public health and safety concerns based on the specific utility facilities.

D. Application Posting Requirements – Notice of Application. Notice of application for all permits identified above shall be posted on site, in a place where it can be read from the nearest public street. If the property is located on a private street, notices shall be posted on site, in a place where it can be read from the private street, as well in a place where it can be read from the nearest public street.

- 1. For minor tree permits, the notice of application shall be posted for a minimum of two full business days prior to permit decision, and shall remain posted until a decision is issued.
- 2. For major tree permits, the notice of application shall be posted for a minimum of 14 full calendar days prior to permit decision, and shall remain posted until a decision is issued.
- 3. When the proposal involves removing five or more trees and constitutes 50 percent or more of the canopy on the subject lot, notice of application and public comment procedures shall comply with LFPMC 16.26.040(D)(1) and (E)(1).
- 4. When the number of trees proposed for removal increases after the notice of application has been posted or the permit has been approved, all tree removal activity must cease and the applicable notice of application procedure shall be repeated in full for the revised application.
- 5. For proactive forest management permits, the associated minor tree permits must be posted on the subject site in the same manner described in subsection (D)(1) of this section each time tree removal occurs, and must remain posted for at least seven calendar days after the approved activity has been completed.
- 6. For utility forest management permit, no posting requirements are required additional to those found in RCW 64.12.035. (Ord. 1152 § 1, 2017)

**16.14.050 Emergency actions.**

Emergency actions necessary to remedy an immediate threat to people, property, or public health, safety or welfare by a high-risk or extreme-risk tree may be undertaken without a previously issued permit. Emergency actions include measures necessary to control a fire and measures necessary to correct a forest health emergency. Any person undertaking such an action shall take the following actions:

- A. Notify the administrator within one business day following commencement of the emergency action;
- B. Complete the applicable tree removal application under LFPMC 16.14.040 within one week of the emergency action and post the application in accord with LFPMC 16.14.040(D);
- C. Tree replacement shall be required in accordance with LFPMC 16.14.070 and 16.14.090. (Ord. 1152 § 1, 2017)

**16.14.060 Tree removal prohibited.**

Tree removal permits shall not be granted for the following:

- A. Tree removal likely to cause injury or damage. Removal of significant trees is prohibited if the removal is substantially likely to cause injury or damage to persons or property, as determined by the city’s qualified arborist.
- B. Viable exceptional trees. Removal of viable exceptional trees, as defined by this chapter and determined by the city’s qualified arborist, is prohibited.
- C. Five-year major development activity restriction. Removal of viable significant trees is prohibited on properties that have undergone major development activity within the last five years and for which no new major development activity or minor development activity is proposed.

D. Removal of viable significant trees in a tree conservation easement, described in LFPMC 16.14.090(D)(4), is prohibited unless the proposal is consistent with regulations for tree removal in environmentally critical areas, LFPMC 16.14.080. (Ord. 1152 § 1, 2017)

**16.14.070 Tree permit approval criteria and conditions.**

The criteria by which minor tree permits, major tree permits, proactive forest management permits, and utility forest management permits are approved, conditioned, or denied.

A. The tree canopy coverage goal for the lot sizes and land use types is set forth in Table 2 below. Tree canopy coverage is measured by the percentage of canopy provided by existing trees or the projected canopy coverage to be provided by newly planted or immature trees (when such trees reach 30 years of age).

Table 2: Canopy Coverage Goal

Zoning and Lot Size	Canopy Coverage Goal
Single-family lots greater than 15,000 square feet	58%
Single-family lots 10,000 – 15,000 square feet	39%
Single-family lots less than 10,000 square feet	28%
Multi-family	15%
Commercial	15%
Southern Gateway Single Family	15%
Southern Gateway Transition	10%
Southern Gateway Corridor	5%

B. A lot’s canopy coverage shall be calculated by the city’s qualified arborist for all permits requiring arborist review.

C. Minor Tree Permits. A minor tree permit shall be granted if conditioned on at least one tree replacing each tree removed, to provide canopy coverage equal to or greater than the tree(s) being removed.

D. Major Tree Permits. A major tree permit shall be granted if the application satisfies or approval is conditioned to satisfy the following:

1. When the proposed tree removal is not associated with major development activity, trees may be removed if a tree replacement plan is approved that, at a minimum, does the lesser of the following:
  - a. Maintains the canopy coverage at or above the applicable canopy coverage goal; or
  - b. Maintains canopy coverage at or above the percentage existing prior to tree removal.
2. When the proposed tree removal is associated with major development activity, the trees may be removed if a tree replacement plan is approved that, at a minimum, brings canopy coverage to the applicable canopy coverage goal.
3. Development proposals associated with a tree permit shall:
  - a. Incorporate trees as a site amenity and to reflect a strong emphasis on tree protection.
  - b. Demonstrate the following prioritized factors for retention:
    - i. Existing viable trees in groups or stands groves;
    - ii. Exceptional trees or other high quality open-grown, windfirm trees;
    - iii. Landmark trees;
    - iv. Trees in critical area buffers, or adjacent to critical area buffers;

- v. Trees that are interdependent with and therefore critical to the integrity of ~~stands- groves~~ of other protected trees;
- vi. Other individual trees that will be windfirm, high quality trees if retained;
- vii. Other trees that provide wildlife or riparian habitat, screening, buffering or other amenities;
- viii. Trees that help to protect neighbors' trees from windthrow, or other trees within required yard setbacks or on the perimeter; and
- ix. Trees next to parks or other open space areas.

- c. Retain a forested look, value, and function after development or modification. Trees should be protected within vegetated islands and ~~stands-groves~~ rather than as individual, isolated trees scattered throughout the site.
- d. Consider tree protection opportunities in the design and location of building footprints, parking areas, roadways, utility corridors and other structures.
- e. Provide grading plans that accommodate existing trees and avoid alteration to grades around existing significant trees.

4. Conditions necessary to safeguard trees identified for protection.

5. A notice on title, in the form required by LFPMC 16.16.190, shall be recorded by the applicant disclosing the permit and associated tree retention conditions as required by this chapter. A notice on title is required for all major permits associated with major development activity, and for major permits which would cause the property's canopy coverage to fall below the canopy coverage goal.

6. Conditions required by the city's qualified arborist to safeguard at-risk trees throughout the development process.

7. Conditions that require sidewalks, structures, utilities, and roadways to be set back at least five feet from the CRZ, except where such structure is cantilevered or otherwise raised above the ground's surface so as not to disrupt the tree's roots, and the proposed construction is not likely to result in conflicts between the tree and the sidewalk, driveway, structure, or utility that would necessitate the tree's removal during its normal lifespan.

8. Conditions to allow trenching, construction, or an alteration of grades between the five-foot setback from the critical root zone (CRZ) and the interior critical root zone (ICRZ) of a protected tree; provided, that the tree protection plan approved by the city's qualified arborist demonstrates that the proposed activity will not adversely affect the long-term viability of the tree.

E. Proactive Forest Management Permits. A proactive forest management permit shall be granted if the application satisfies or can be conditioned to satisfy the following:

- 1. All recommendations by the city's qualified arborist for maintenance, management, preservation and enhancement of the viability of trees on a lot or lots must be incorporated into the proactive forest management plan prior to approval.
- 2. The proposed tree removal and replacement plan, at minimum, does the lesser of the following:
  - a. Maintains canopy coverage at or above the applicable canopy coverage goal; or
  - b. Maintains canopy coverage at or above the percentage existing prior to tree removal.
- 3. If major development activity is proposed while a proactive forest management permit is active, then tree replacement must comply with subsection (D)(2) of this section and bring the parcel(s) up to the canopy coverage goal.
- 4. Tree removal shall not exceed tree replacement on an annual basis unless otherwise authorized by the city's qualified arborist due to risks to viability of existing or replacement trees during the removal process.
- 5. Amendments to the approved proactive forest management plan may only be made with approval of both the administrator and the city's qualified arborist.

6. The standard duration of an active proactive forest management permit is five years, unless otherwise authorized by the city's qualified arborist.
7. Conditions necessary to safeguard trees identified for protection.
8. A notice on title, in the form required by LFPMC 16.16.190, shall be recorded by the applicant, disclosing the permit and associated tree retention conditions as required by this chapter.
9. A contract with a qualified arborist to undertake annual site visits at the expense of the applicant and submit annual progress reports to the administrator for each year that the permit is valid.

F. Utility Forest Management Permits. A utility forest management permit shall be granted if the application satisfies or can be conditioned to satisfy the following:

1. Establishes a commitment for collaboration between a utility provider's qualified arborist and the city's qualified arborist that results in a utility forest management plan which includes approaches, strategies, and timelines that are in keeping with the city policies of LFPMC 16.14.010; and
2. Establishes that tree removal shall be granted for safety and service related issues, conditioned on at least one tree replacing each tree removed, either through on-site planting, a voucher program, or other agreement between the city and the utility and that tree replacement is not required when tree removal is associated with emergency action; and
3. Establishes that the city is the recipient for all tree replacement required for tree removal in the right-of-way, either through on-site planting, a voucher program, or other agreement between the city and the utility; and
4. Establishes that tree removal in critical areas and their buffers, when necessary for safety and continuity of service related issues, is exempt from requirements of LFPMC 16.14.080 when confirmed by the city's qualified arborist; and
5. Establishes that tree removal defined as emergency actions according to LFPMC 16.14.050 is exempt from permitting requirements when necessary for safety and continuity of service related issues; and
6. Includes criteria acceptable to the city's qualified arborist for providing inventory of trees removed for emergency actions being regularly submitted to the city and, at minimum, including information describing the species and DBH; and
7. Includes a commitment that all tree removal and pruning shall be performed under the supervision of a qualified arborist using best management practices (BMPs).
8. Amendments to the approved utility forest management plan may only be made with approval of both the administrator and the city's qualified tree professional.
9. The standard duration of an active utility forest management permit is based on each utility provider's unique cycle of maintenance, not to exceed five years, unless otherwise authorized by the city's qualified arborist.

G. Notice of Decision. Tree removal may commence immediately upon posting of an approved tree permit on the subject site in the same manner described in LFPMC 16.14.040(D)(1). The tree permit shall remain posted at least one week (seven calendar days) after the approved activity has been completed.

H. Appeals. Appeals of tree permit decisions shall be processed under Chapter 16.26 LFPMC as appeals of ministerial administrative decisions.

I. Minor amendments to an approved tree removal permit may be made with written approval of the administrator and the city's qualified arborist. Major amendments that substantively amend the number of trees to be removed, increase impacts on retained trees, or change conditions imposed within the permit must be noticed pursuant to this section prior to written approval of the major amendment.

J. Tree removal permits expire six months (180 days) after the date the permit is issued, unless the city's qualified arborist has approved a proactive forest management permit, utilities forest management permit or the administrator grants one extension of up to six months when the applicant provides a written request prior to expiration that includes a reasonable justification for the extension, such as a financial hardship, hardship in obtaining replacement trees, or weather-related factors that prevent the applicant from completing the requirements of the permit. (Ord. 1152 § 1, 2017)

**16.14.080 Environmentally critical areas and buffers.**

A. Removal of trees in critical areas and their buffers is prohibited, except that permits may be issued in the following circumstances:

1. When trees have been determined to be any of the following under a tree risk assessment conducted in accordance with the International Society of Arboriculture Best Management Practices: Tree Risk Assessment (2013), done by a qualified arborist that is certified as a tree risk assessor, and where the risk cannot be reduced to low with mitigation such as pruning:
  - a. Moderate risk with significant consequences;
  - b. Moderate risk with severe consequences;
  - c. High risk; or
  - d. Extreme risk.
2. When trees proposed for removal are causing obvious physical damage to structures, utilities, or other infrastructure, such as building foundations, public sidewalks, roadways, or water conveyances, and the city's qualified arborist has determined that mitigation actions, such as root pruning, would not be feasible to minimize further damage.
3. When trees proposed for removal are invasive trees, as verified by the city's qualified arborist.
4. When trees proposed for removal are part of an approved action under Chapter 16.16 LFPMC.

~~B. If trees proposed for removal are located in steep slope or landslide hazard areas or their buffers, a qualified professional such as a geologist or geotechnical engineer, as defined in Chapter 16.16 LFPMC, shall certify that the trees can be safely removed or the proposal can be designed so the landslide hazard risk to the property or adjacent property is eliminated or mitigated.~~

B. The administrator may require review by a geologist, geotechnical engineer, wetland biologist, stream biologist, or other qualified professional, as defined in Chapter 16.16 LFPMC, at the applicant's expense, to determine whether or not the proposed removal is likely to cause damage to the critical area or buffer or reduce its ecological function. Permits may be conditioned based on the recommendations of these qualified professionals.

D. Unless authorized in writing by a qualified arborist, stumps of removed trees shall not be removed from the ground, and all vegetation cut shall remain within the critical area or buffer. Woody debris of removed trees shall be lopped and scattered so as not to smother native vegetation. (Ord. 1152 § 1, 2017)

**16.14.090 Tree replacement.**

The following apply to tree replacement required under the chapter:

A. All applicants or their successors in interest are required to maintain replacement trees until they are independently viable. Replacement trees that die prior to meeting the definition of significant tree must be replaced by a tree that meets the criteria of this section and any canopy coverage requirements that the expired tree was intended to provide. Changes to the approved tree replacement plan may only be made with approval of both the administrator and the city's qualified arborist.

B. Special emphasis should be given to choosing native replacement tree species due to their numerous environmental benefits. When replacements are being made for the removal of native trees, the same species will be selected unless the city's qualified arborist City Arborist deems a similar species acceptable. Replacement tree species should be selected from the approved Recommendations for replacements of When non-native landscape trees are removed, replacement tree recommendations are included in the general-General tree-Tree list-List for the city of Lake Forest

**Commented [SB7]:** The Board has found that it has been difficult for homeowners to get a geotechnical report for removal of trees in steep slope areas. Our suggestion is that instead of requiring it across the board, we can request it if we feel it is necessary, such as removal of a very large tree with an extensive canopy. Please keep in mind that we always require that the stump and roots are not disturbed. By removing section B and adding a few words to section C the City still has authority to ask for additional information if it's deemed necessary.

**Commented [SB8]:** The board suggests changes to the tree replacement code to emphasize native trees in keeping with this preference as stated in the Community Forest Management Plan for the overall purpose of retaining the ecological integrity and overall character of our community forest.

Park which is maintained by the city based on the recommendations from the city's qualified arborist, and should shall be evergreen species; whenever appropriate an evergreen tree is being replaced. In environmentally critical areas or their buffers, replacement trees should be native trees or acceptable substitutes, as defined by the general tree list. Selection of a species not on the list shall require approval by the city's qualified arborist. Invasive trees, as defined by this chapter, shall not be used as replacement trees.

C. All replacement trees shall meet the minimum standards for size and quality according to the current edition of the ANSI Z60.1 standard for nursery stock.

D. Major Tree Permits.

1. For lots on which major development activity is proposed, that are legally nonconforming with respect to the lot coverage and lot area requirements (LFPMC Title 18) and are below the canopy coverage goal prior to tree removal, off-site replanting may be approved for any portion of the required canopy coverage that the city's qualified arborist finds would be infeasible to locate on site. Conditions of the permit shall be recorded in the form of a notice on title as described in LFPMC 16.14.070 for the property on which off-site trees are planted.

2. For tree removals that cause a property's canopy coverage to drop below the canopy coverage goal, and for tree removals associated with major development activity, the city's qualified arborist shall undertake annual site visits at the expense of the applicant and submit annual progress reports to the administrator for five years following tree permit issuance. Changes to the approved replanting plan may only be made with approval of both the administrator and the city's qualified arborist.

3. Tree removal permits associated with preliminary subdivisions or preliminary short subdivisions approval shall condition final approval with placement on the face of the subdivision or short subdivision plat a note stating the minimum tree canopy that must be achieved and maintained on each lot.

4. Tree removal permits associated with preliminary subdivisions or preliminary short subdivisions shall include as a condition the creation of a tree conservation easement. The location of the tree conservation easement shall be selected based upon the prioritization for retaining trees listed in LFPMC 16.14.070(D)(3). If suitable trees are not present, then the tree conservation easement should abut other existing ~~stands~~ groves of off-site trees or environmentally critical areas. If all or portions of the tree conservation easement are not treed, then the conservation easement shall be replanted to achieve full canopy coverage (100 percent) when the newly planted trees reach 30 years of age, excluding borrowed canopy from off-site trees. A tree conservation easement shall meet the following criteria for approval:

- a. The easement shall equal 15 percent of the gross project area;
- b. No dimension of the easement may be less than 15 feet;
- c. A 15-foot setback shall be maintained from the edge of the easement and any structures;
- d. A five-foot setback from property lines shall be maintained from all sides of the easement;
- e. The easement shall not overlap with a critical area tract;
- f. If the city's qualified arborist determines that native understory vegetation shall be retained within the tree conservation easement, then the easement area shall be either demarcated with split rail fencing or identified with permanent signs;
- g. Tree conservation easements shall be delineated and dedicated on the face of the final recorded subdivision or short subdivision; and
- h. Any tree removal proposed in a tree conservation easement must meet the criteria for tree removal in critical areas. (Ord. 1152 § 1, 2017)

**16.14.100 Reasonable use exception.**

A. If the application of this chapter will prevent any reasonable economic use of the owner's property, then the applicant may apply to the planning department for an exception from the requirements of this chapter.

B. The administrator shall forward the application, along with the record submitted to the city and the administrator's recommendation, to the hearing examiner for a Type I decision under Chapter 16.26 LFPMC.

C. The hearing examiner shall grant a reasonable use exception only if:

- 1. Application of the requirements of this chapter will deny all reasonable economic use of the property; and



- 2. There is no other reasonable economic use with less impact; and
- 3. The proposed development does not pose an unreasonable threat to the public health, safety, or welfare, on or off the proposed site, and is consistent with the general purposes of this chapter; and
- 4. The alteration proposed is the minimum necessary to allow for reasonable economic use of the property.

D. To the extent feasible, all tree replacement shall be at a ratio of three times the canopy coverage proposed for removal. If on-site canopy coverage replacement is not feasible, off-site replanting shall be used to the extent on-site replacement is not feasible.

E. Conditions of approval shall be subject to the approval criteria in LFPMC 16.14.070(D), to the extent feasible.

F. The hearing examiner shall grant an exception from the requirements of this chapter only to the minimum necessary extent to allow for reasonable economic use of the applicant's property.

G. The hearing examiner shall consider conditioning any exception from the requirements of this chapter upon conditions recommended by the city and upon compliance with any mitigation plan approved by the city. (Ord. 1152 § 1, 2017)

**16.14.110 Tree maintenance.**

A. All protected trees and required replacement trees, so designated on an approved permit and replanting plan, shall be maintained in healthy condition by the property owner unless otherwise approved by the city in a subsequent permit. If the canopy coverage falls below the approved coverage granted by latest tree removal permit, the property owner will be required to plant replacement trees to achieve the approved canopy requirements.

**B. Pruning.**

- 1. Significant and protected trees, as defined in this chapter, shall not be topped.
- 2. Street trees shall be pruned only under the supervision of the Lake Forest Park public works department.
- 3. Pruning and maintenance of protected trees shall be consistent with the ANSI A300 standards and ISA best management practices for proper pruning. (Ord. 1152 § 1, 2017)

**16.14.120 City tree account.**

A. The city council shall establish in the budget ordinance a city tree account in the general fund.

B. The city shall credit to the city tree account:

- 1. All money paid to the city under LFPMC 16.14.090 and 16.14.130(A); and
- 2. Other monies allocated by the city council.

C. The city shall use the city tree account funds for the following purposes:

- 1. Acquiring, managing, maintaining, and preserving forested areas within the city;
- 2. Planting and maintaining trees within the city; and
- 3. Other purposes relating to trees as determined by the city council. (Ord. 1152 § 1, 2017)

**16.14.130 Enforcement.**

A. Violations. Violations of this chapter may be addressed by the administrator pursuant to the provisions set forth below. As an additional or alternative remedy and/or penalty, the administrator may also enforce the provisions of this chapter using the procedures set forth in Chapter 1.25 LFPMC.

- 1. Liability for violations of this chapter shall be the joint and several responsible of the landowner and any person performing activity.
- 2. Removal of existing trees in violation of this chapter will require an appraisal of the tree value by the qualified arborist using the trunk formula method in the current edition of the Council of Tree and Landscape Appraisers' Guide for Plant Appraisal. The cost of the appraisal shall be paid by the person(s) who removed existing trees in violation of this chapter and are jointly and severally liable.
- 3. Tree replacement is required in accordance with LFPMC 16.14.070 and 16.14.090.

4. In addition to tree replacement, the administrator shall require that the persons found in violation of this chapter or the conditions of a permit pay the appraised value of the trees, as established in subsection (A)(2) of this section, into the city tree account. A person may appeal the amount imposed under this section in accord with LFPMC 1.25.150 or 1.25.160(B).

B. Stop Work Order. If a violation of this chapter or an approved tree permit occurs on property on which work is taking place pursuant to a city of Lake Forest Park development or building permit, the building official may suspend some or all of the work as appropriate through issuance of a stop work order. The building official shall remove the stop work order when the city determines that the violation has been corrected or when the city has reached an agreement with the violator regarding rectification of the violation.

C. The persons found in violation of the conditions of a tree removal permit or in violation of this chapter may be required to perform remedial measures as ordered by the administrator that are necessary to correct the violation. The following provisions shall apply in instances where such remedial measures are ordered:

1. All work shall be performed in accordance with permits obtained pursuant to this chapter.
2. Remedial measures must conform to the purposes and intent of this chapter and meet all requirements and standards of this chapter.
3. Remedial measures must be completed within the time frame specified by the administrator.
4. The cost of any remedial measures necessary to correct violation(s) of this chapter shall be borne by the property owner and/or applicant. (Ord. 1152 § 1, 2017)

**16.14.140 Requirements for tree services and others doing land clearing and tree removal.**

A. In order to assure compliance with the standards and requirements of this chapter, private foresters, arborists, loggers, and contractors involved in major or minor development activity in the city of Lake Forest Park shall be required to annually sign and submit to the city, on a form approved by the city, a statement acknowledging the city’s tree protection requirements.

B. Private contractors involved in land clearing operations who do not provide the above statement shall be prohibited from performing tree removal and land clearing services in the city of Lake Forest Park, shall be in violation of this chapter and may be prosecuted under this chapter, the city’s civil penalties ordinance, or as otherwise provided by law. (Ord. 1152 § 1, 2017)

**16.14.150 Liability.**

Nothing in this chapter shall be deemed to impose any liability upon the city or upon any of its officers or employees, or to relieve the owner or occupant of any private property from the duty to keep in safe and healthy condition the trees upon their property or upon a public rights-of-way over their property. (Ord. 1152 § 1, 2017)

**16.14.160 Canopy study.**

The city shall assess its progress in achieving the goals and policies of LFPMC 16.14.010 by conducting a city-wide tree canopy study at least every five years beginning in 2022. For purposes of this study, canopy coverage shall be calculated both as it is at the time of the study and as it is projected to include replacement trees planted as a result of permitted and enforcement activity. The results of this assessment shall be transmitted to the members of the tree board, the planning commission, and city council, as well as publicly posted on the city website, to assist in the evaluation of regulation effectiveness. Additionally, on an annual basis every 5 years, the city shall assess the acreage of tree canopy coverage added as a result of lots being brought up to the canopy coverage goal through major development activity replacement requirements, as well as the acreage of canopy coverage above the canopy coverage goal that has been removed and not replaced. (Ord. 1152 § 1, 2017)

**Commented [SB9]:** The board members recognized an error in the code specifying that a tree canopy study should occur annually; we suggest that be changed to every 5 years.

**16.14.170 Urban forest education and awareness.**

The city, in conjunction with the tree board, shall publish and regularly update education and awareness materials about the city’s urban forest goals, maintenance of urban forests and their benefits, and these regulations. (Ord. 1152 § 1, 2017)