



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

## STAFF ANALYSIS AND RECOMMENDATION PSE NON-ADMINISTRATIVE ROW TREE ACTIVITY PERMIT

Prepared by Andy Crossett, Medina Tree Consultant  
Date: February 24, 2026

### AGENDA Virtual Meeting Participation

The scheduled hearing will be held using remote meeting technology. Please either login or call in a few minutes before the start of the meeting to participate. Written comments may still be submitted before the hearing by emailing Andy Crossett, Tree Consultant, at [andycrossett@hotmail.com](mailto:andycrossett@hotmail.com). Written comments are given the same weight as verbal public testimony.

Join Zoom Meeting

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Meeting ID: 885 4063 7825

Passcode: 490696

One tap mobile

+12532158782,,88540637825#,,,,\*490696# US (Tacoma)

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### Public Hearings:

**NOTE:** *The Hearing Examiner has the discretion to limit testimony to relevant non-repetitive comments and to set time limits to ensure an equal opportunity is available for all people to testify.*

### Part 1 – General Information:

CASE NUMBER: TREE-24-045

LOCATION: Right-of-way adjacent to 3234 and 3248 78th PI NE, Medina 98039

TAX PARCEL NUMBER: Public street rights-of-way

PROPERTY OWNER: Not applicable

APPLICANT: Courtney Persson, PSE

LEGAL DESCRIPTION: MED-37 78TH AVE XFMR 101162397

PROPOSAL: Non-administrative Right-of-way Tree Activity Permit to authorize utility tree pruning and maintenance activities consistent with ANSI A300 Tree Pruning standards along the city's rights-of-way. This work includes: "TRIM TREES IN THE ROW TO ALLOW FOR PSE TO REPLACE TRANSFORMER"

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential.

ZONING DESIGNATION: R-16

CRITICAL AREAS: NONE IDENTIFIED.

ENVIRONMENTAL REVIEW (SEPA): Exempt pursuant to WAC 197-11-800(6).

EXHIBITS:

1. Staff Report
2. Application, received July 29, 2024
3. Site Plan, received July 29, 2024
4. Tree Pruning Plan & Photographs, received July 29, 2024
5. Affidavits declaration of mailing and posting and proof of publishing

## **Part 2 – Site Characteristics:**

EXISTING CONDITIONS: THE TREE GROWTH INTERFERING WITH OVERHEAD POWER LINES AND THEIR SUPPORTING UTILITY POLES.

SURROUNDING ZONING: TREES ARE LOCATED ADJACENT TO PROPERTIES CONTAINING ALL ZONING DESIGNATIONS WITHIN THE CITY.

ACCESS: TREES DESIGNATED FOR TRIMMING WILL BE ACCESSED FROM PUBLIC RIGHTS-OF-WAY.

## **Part 3 – Comprehensive Plan:**

The Medina Comprehensive Plan identifies the setting and character of Medina as enriched with valued natural features that enhance the quality of life for the community. One of the primary goals is: "To maintain Medina's high-quality residential setting and character" (Goal LU-G1).

### **Chapter 3: Community Design Element**

Trees and vegetation help reduce the impact of development, by providing significant aesthetic and environmental benefits. Trees and other forms of landscaping improve air quality, water quality, and soil stability. They provide limited wildlife habitat and reduce stress associated with urban life by providing visual and noise barriers between the City's streets and private property and between neighboring properties. They also have great aesthetic value and significant landscaping, including mature trees, which are always associated with well-designed communities.

It is important that citizens be sensitive to the impact that altering or placing trees may have on neighboring properties. Trees can disrupt existing and potential views and access to sun. Residents are required to consult with the City and urged to consult with their neighbors on both

removal and replacement of trees and tree groupings. This will help to protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence). Clear cutting is not permitted unless approved through a City issued tree removal permit.

The Medina Community Design provides planting options to perpetuate the informal, natural appearance of Medina's street rights-of-way, public areas, and the adjacent portions of private property. The Community Design provides the overall framework for the improvement goals in these areas and should be reviewed periodically and updated where appropriate. The goals include:

- provide a diversity of plant species;
- screen development projects from City streets and from neighboring properties;
- respect the privacy of the neighborhood by encouraging vegetation and landscaping that provides screening;
- respect the scale and nature of plantings in the immediate vicinity;
- recognize restrictions imposed by overhead wires, sidewalks, and street intersections;
- recognize "historical" view corridors; and
- maintain the City's informal, natural appearance.

**Part 4 – Agency Review/ Public Comment:**

NOTICES: (See Exhibit 5.)

|                                |                   |
|--------------------------------|-------------------|
| Application Received:          | July 29, 2024     |
| Determination of Completeness: | September 6, 2024 |
| Notice of Application:         | November 7, 2024  |
| Notice of Hearing:             | March 4, 2026     |

The application was received on October 21, 2024. The application was determined to be completed on November 14, 2024. A Notice of Application was issued on November 20, 2024. A 30-day public comment period was utilized. The notice was posted at Medina City Hall, the Post Office in Medina, the public notice board at Medina Park, the City's website, and at six locations throughout the City (see NOA declaration of posting page 6); and the notice was mailed to nearby property owners consistent with MMC 16.80.140(B)(2).

The notice of hearing was posted, mailed and published in The Seattle Times on Wednesday, March 4, 2026, pursuant to MMC 16.80.120. The notice was posted at Medina City Hall, the Post Office in Medina, the public notice board at Medina Park, the City's website, and at six locations throughout the City.

GENERAL PUBLIC COMMENTS:

NO PUBLIC COMMENTS WERE RECEIVED.

AGENCY COMMENTS: Not applicable.

**Part 5 – Staff Analysis/ Findings of Fact:**

GENERAL:

1. Puget Sound Energy (PSE) is a Washington State regulated utility providing electrical and natural gas services within the City of Medina. Puget Sound Energy conducts regular maintenance activity of trees and other vegetation that may affect or interfere with power lines. According to PSE, the pruning and maintenance activity is a critical component of their mission to provide safe and reliable electric services to the region.
2. Asplundh Tree Expert Company was selected by PSE as the contractor to perform tree pruning, removal, and vegetation maintenance around power lines on behalf of PSE. (See Exhibit 1, page 8.) Asplundh Tree Experts is a Washington State licensed and bonded tree services contractor who typically is used by PSE for tree maintenance activities near power lines.
3. The applicant submitted an application for a non-administrative tree activity permit for the pruning of two (2) non-significant trees located within the 78<sup>th</sup> Street city right-of-way adjacent to 3234 and 2348 78<sup>th</sup> PL NE.
4. MMC 2.78.070 authorizes the hearing examiner to conduct public hearings and make decisions or recommendations when authorized to do so under the Medina Municipal Code. MMC 16.72.090 establishes non-administrative tree activity permits as a Type 3 decision processed pursuant to the review procedures set forth in Chapter 16.80 MMC. Table 16.80.060(C) establishes the procedures for Type 3 decisions and authorizes the hearing examiner as the decision authority for non-administrative tree activity permit.

ANALYSIS OF THE NON-ADMINISTRATIVE TREE ACTIVITY PERMIT:

5. MMC 16.52.160(D)(2)(c) requires a non-administrative right-of-way tree activity permit for pruning or removal of any tree, excluding hazard trees and hazard pruning, when the application is made by a public or private utility or their agent, and the tree is located within an open or closed city right-of-way, and the tree is six inches diameter breast height or larger. Puget Sound Energy's proposal to remove a tree and prune other trees within the city right-of-way throughout the City meets these criteria.
6. The applicant is proposing to prune two (2) trees in total, including a non-significant Japanese maple (*Acer palmatum*) and a non-significant cherry plum (*Prunus cerasifera*), in order to provide sufficient clearance to replace a power transformer. These trees are considered non-significant because they are not included on "List 2: Significant Tree Species on City Rights-of-Way" in the City of Medina's Lists of Suitable Trees (Form T-05).
7. MMC 16.52.200(C) requires all tree pruning activities to follow ANSI standards in their most recent form. As noted previously, PSE has indicated that all tree pruning activities will follow ANSI A300 Standards with a specific focus on utility vegetation trimming practices. Any excessive pruning activity that would be expected to harm the tree from which it cannot recover, would be considered a tree removal re
8. Public outreach began with the Notice of Application on November 20, 2024. The City did not receive any public comments regarding this application.

STATE ENVIRONMENTAL POLICY ACT:

9. The Responsible Official concluded that the proposal is exempt from environmental (SEPA) review and threshold determination pursuant to WAC 197-11-800(6).

## Part 6 - Conclusions:

- A. Pursuant to MMC 2.78.070 and MMC 16.80.050(C), the hearing examiner has the authority to hold a hearing and decide non-administrative tree activity permits. Adequate public notice for the public hearing has been provided. Notice was posted at nineteen locations around the City including the City website, mailed to affected property owners, and published in the *Seattle Times* newspaper, at least 15 days prior to the date of the hearing.
- B. Pursuant to MMC 16.72.090(E), the Hearing Examiner may approve a Non-administrative Tree Activity Permit only if the following criteria are satisfied:

**1. *The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;***

STAFF CONCLUSION: The proposal to prune the two (2) above-mentioned trees located beneath existing power lines is compatible with Chapter 3 of the Medina Comprehensive Plan. The Community Design Element includes a Landscaping Plan that identifies landscaping alternatives intended to preserve the informal, natural character of Medina's street rights-of-way. Pruning activities conducted in accordance with ANSI A300 standards, and limited to what is necessary to provide clearance for replacement of a power transformer, will not alter the existing informal and natural appearance of the City's street rights-of-way. The proposal meets this requirement.

**2. *The proposal is consistent with the public interest in maintaining an attractive and safe environment;***

STAFF CONCLUSION: Pruning of the Japanese maple and cherry plum located beneath existing power lines is appropriate, as these trees require periodic maintenance to maintain adequate overhead clearance. This has required Puget Sound Energy to regularly prune vegetation to maintain separation between the canopy and the power lines, reducing the risk of service disruption and ensuring reliable power distribution. Pruning conducted to maintain utility clearance is consistent with the public interest in protecting utility infrastructure while maintaining a safe and attractive streetscape. With conditions, the proposal meets this requirement.

**3. *The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;***

STAFF CONCLUSION: The proposed utility pruning activities will have no materially detrimental effects on nearby properties or public streets. All work will be performed by personnel with extensive training in safe utility line clearance practices to prevent electrical hazards and maintain proper separation between power lines and adjacent trees, thereby reducing the risk of accidental fires caused by tree contact. The work will be conducted using aerial man-lifts and highly trained tree trimmers to safely lower all pruned material to the ground. Ropes will be used to control cut branches and prevent potential damage to nearby property. Tree trimming trucks and associated commercial vehicles involved in the operation will take appropriate precautions to avoid damage to lawns, driveways, or other private property.

**4. *The tree has not been granted special protection pursuant to MMC 16.52.080.***

STAFF CONCLUSION: None of the subject trees have been granted special protection under MMC 16.52.080. Therefore, this criterion is satisfied.

**5. All requirements set forth in Chapter 16.52 MMC are satisfied;**

STAFF CONCLUSION: The proposal complies with the applicable provisions of MMC 16.52 (Tree Management Code). The two (2) trees proposed for pruning are located within the public right-of-way beneath existing power lines and require ongoing clearance pruning to maintain safe separation from electrical infrastructure. Pruning activities conducted to maintain utility clearance are consistent with the intent of MMC 16.52 and applicable utility clearance provisions. With conditions, the proposal meets this requirement.

**6. All other ordinances, regulations and policies applicable to the tree removal are followed.**

The proposal complies with all other applicable ordinances, regulations, and policies governing tree activity within the City of Medina. The applicant has provided the necessary documentation, including a completed Administrative Right-of-Way Tree Activity Permit application, site plan, and supporting arborist information. The proposed pruning work meets the intent of MMC 16.52 (Tree Management Code), MMC 16.50 (Critical Areas), and MMC 16.66 (Shoreline Management), as none of the subject trees are located within a regulated critical area or shoreline jurisdiction.

Additionally, the proposal is consistent with the City of Medina Comprehensive Plan, which emphasizes maintaining an attractive and safe community environment while ensuring reliable public utility service. All conditions of approval will ensure compliance with applicable City policies. Therefore, this criterion is satisfied.

Pursuant to MMC 16.72.080(F), the Hearing Examiner may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

**Part 7 – Staff Recommendation:**

Staff recommends approval of the non-administrative tree activity permit for **utility maintenance tree pruning** within the City's rights-of-way, subject to the following conditions:

1. The applicant shall be responsible for all costs associated with the permitted tree pruning activities within the public right-of-way.
2. Coordination with the City Arborist is required prior to and during right-of-way tree work, including a required pre-pruning on-site meeting prior to any pruning activity.
3. All pruning shall be performed in accordance with ANSI A300 standards and industry best practices to protect the health and structural integrity of retained trees.
4. A Right of Way Use Permit is required prior to staging or any other use of the public right of way. The public right of way is property controlled by the City of Medina and is located outside of private property boundaries. A traffic control plan is required as part of the Right of Way Use Permit application. The traffic control plan must show the location of worker

parking, equipment staging, and any other vehicle parking. Contact the Building Official to obtain a Right of Way Use Permit prior to proceeding with the tree work.

5. Work within private property limits is prohibited unless written authorization is obtained from the property owner and submitted to the City Arborist.
6. If additional right-of-way trees are proposed for pruning beyond the scope of this approval, the applicant shall submit revisions to the City for review prior to any additional work. A new public notice and hearing before the Medina Hearing Examiner may be required, as determined by the City.
7. This Administrative Right-of-Way Tree Trimming Permit shall expire 18 months after the later of either the date the decision is issued or the date an appeal becomes final. Expiration of the permit is automatic and no notice is required. No extension of the permit period is allowed.

Report prepared by:



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Andy Crossett  
Medina Tree Consultant

January 2, 2026

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Date



# CITY OF MEDINA

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## STAFF ANALYSIS AND RECOMMENDATION PSE NON-ADMINISTRATIVE ROW TREE ACTIVITY PERMIT

Prepared by Andy Crossett, Medina Tree Consultant  
Date: February 24, 2026

### AGENDA Virtual Meeting Participation

The scheduled hearing will be held using remote meeting technology. Please either login or call in a few minutes before the start of the meeting to participate. Written comments may still be submitted before the hearing by emailing Andy Crossett, Tree Consultant, at [andycrossett@hotmail.com](mailto:andycrossett@hotmail.com). Written comments are given the same weight as verbal public testimony.

Join Zoom Meeting

<https://medina-wa.zoom.us/j/88540637825?pwd=g7PifwNVqnnndCBP0WWRvjIONOUUHoX.1>

Meeting ID: 885 4063 7825

Passcode: 490696

One tap mobile

+12532158782,,88540637825#,,,,\*490696# US (Tacoma)

+12532050468,,88540637825#,,,,\*490696# US

### Public Hearings:

**NOTE:** *The Hearing Examiner has the discretion to limit testimony to relevant non-repetitive comments and to set time limits to ensure an equal opportunity is available for all people to testify.*

### Part 1 – General Information:

CASE NUMBER: TREE-25-027

LOCATION: Right-of-way adjacent to 247 84TH AVE NE, Medina 98039

TAX PARCEL NUMBER: Public street rights-of-way

PROPERTY OWNER: Not applicable

APPLICANT: Courtney Persson, PSE

LEGAL DESCRIPTION: OVE-15 #2 TW 84TH AVE W & OVERLAKE DR

PROPOSAL: Non-administrative Right-of-way Tree Activity Permit to authorize utility tree pruning, removal and maintenance activities consistent with ANSI A300 Tree Pruning standards along a majority of the city's rights-of-way. This work includes: Removing four (4) trees within the right-of-way including the following: 17-inch Douglas fir, 15-inch Douglas fir, 18-inch Bigleaf Maple, 14-inch Weeping Alaskan Cedar to "RECONDUCTOR PSE OVERHEAD ELECTRIC CONDUCTORS & REPLACE POLES AS NEEDED TO IMPROVE SYSTEM RELIABILITY AND SAFETY"

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential.

ZONING DESIGNATION: R-16

CRITICAL AREAS: NONE IDENTIFIED.

ENVIRONMENTAL REVIEW (SEPA): Exempt pursuant to WAC 197-11-800(6).

EXHIBITS:

1. Staff Report
2. Application, received May 16, 2025
3. Site Plan, received May 16, 2025
4. Tree Removal and Replacement Plan, received May 16, 2025
5. Affidavits declaration of mailing and posting and proof of publishing
6. Public Comments

## **Part 2 – Site Characteristics:**

EXISTING CONDITIONS: THE TREE GROWTH INTERFERING WITH OVERHEAD POWER LINES AND THEIR SUPPORTING UTILITY POLES.

SURROUNDING ZONING: TREES ARE LOCATED ADJACENT TO PROPERTIES CONTAINING ALL ZONING DESIGNATIONS WITHIN THE CITY.

ACCESS: TREES DESIGNATED FOR TRIMMING WILL BE ACCESSED FROM PUBLIC RIGHTS-OF-WAY.

## **Part 3 – Comprehensive Plan:**

The Medina Comprehensive Plan identifies the setting and character of Medina as enriched with valued natural features that enhance the quality of life for the community. One of the primary goals is: "To maintain Medina's high-quality residential setting and character" (Goal LU-G1).

### **Chapter 3: Community Design Element**

Trees and vegetation help reduce the impact of development, by providing significant aesthetic and environmental benefits. Trees and other forms of landscaping improve air quality, water quality, and soil stability. They provide limited wildlife habitat and reduce stress associated with urban life by providing visual and noise barriers between the City's streets and private property and between neighboring properties. They also have great aesthetic value and significant landscaping, including mature trees, which are always associated with well-designed communities.

It is important that citizens be sensitive to the impact that altering or placing trees may have on neighboring properties. Trees can disrupt existing and potential views and access to sun. Residents are required to consult with the City and urged to consult with their neighbors on both removal and replacement of trees and tree groupings. This will help to protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence). Clear cutting is not permitted unless approved through a City issued tree removal permit.

The Medina Community Design provides planting options to perpetuate the informal, natural appearance of Medina's street rights-of-way, public areas, and the adjacent portions of private property. The Community Design provides the overall framework for the improvement goals in these areas and should be reviewed periodically and updated where appropriate. The goals include:

- provide a diversity of plant species;
- screen development projects from City streets and from neighboring properties;
- respect the privacy of the neighborhood by encouraging vegetation and landscaping that provides screening;
- respect the scale and nature of plantings in the immediate vicinity;
- recognize restrictions imposed by overhead wires, sidewalks, and street intersections;
- recognize “historical” view corridors; and
- maintain the City's informal, natural appearance.

**Part 4 – Agency Review/ Public Comment:**

NOTICES: (See Exhibit 5.)

|                                |                |
|--------------------------------|----------------|
| Application Received:          | May 16, 2025   |
| Determination of Completeness: | July 14, 2025  |
| Notice of Application:         | July 22, 2025  |
| Notice of Hearing:             | March 20, 2026 |

The application was received on May 29, 2025. The application was determined to be completed on July 27, 2025. A Notice of Application was issued on July 22, 2025. A 30-day public comment period was utilized. The notice was posted at Medina City Hall, the Post Office in Medina, the public notice board at Medina Park, the City’s website, and at six locations throughout the City (see NOA declaration of posting page 6); and the notice was mailed to nearby property owners consistent with MMC 16.80.140(B)(2).

The notice of hearing was posted, mailed and published in The Seattle Times on Wednesday, March 4, 2026, pursuant to MMC 16.80.120. The notice was posted at Medina City Hall, the Post Office in Medina, the public notice board at Medina Park, the City’s website, and at six locations throughout the City.

GENERAL PUBLIC COMMENTS:

| WHO  | SUMMARY OF COMMENTS           |
|--|-------------------------------|
| ANDREA STERN (247 84 <sup>TH</sup> AVE NE) | CONCERNING REPLACEMENT TREES  |
| BEN THORN (110 84 <sup>TH</sup> AVE NE)    | CLARIFICATION OF TREE REMOVAL |

|                                 |  |
|---------------------------------|--|
| DREW BLAZY (8338 OVERLAKE DR W) | CLARIFICATION AND INFORMING OF ADDITIONAL TREE/UTILITY CONFLICTS |
|---------------------------------|--|

AGENCY COMMENTS: Not applicable.

**Part 5 – Staff Analysis/ Findings of Fact:**

GENERAL:

1. Puget Sound Energy (PSE) is a Washington State regulated utility providing electrical and natural gas services within the City of Medina. Puget Sound Energy conducts regular maintenance activity of trees and other vegetation that may affect or interfere with power lines. According to PSE, the pruning and maintenance activity is a critical component of their mission to provide safe and reliable electric services to the region.
2. Asplundh Tree Expert Company was selected by PSE as the contractor to perform tree pruning, removal, and vegetation maintenance around power lines on behalf of PSE. (See Exhibit 1, page 8.) Asplundh Tree Experts is a Washington State licensed and bonded tree services contractor who typically is used by PSE for tree maintenance activities near power lines.
3. The applicant submitted an application for a non-administrative tree activity permit for the removal of three (3) significant trees located within the 84<sup>th</sup> Street city right-of-way adjacent to 247 Evergreen Point Road and one (1) significant tree located along Overlake Drive West adjacent to 110 84<sup>th</sup> Ave NE.
4. MMC 2.78.070 authorizes the hearing examiner to conduct public hearings and make decisions or recommendations when authorized to do so under the Medina Municipal Code. MMC 16.72.090 establishes non-administrative tree activity permits as a Type 3 decision processed pursuant to the review procedures set forth in Chapter 16.80 MMC. Table 16.80.060(C) establishes the procedures for Type 3 decisions and authorizes the hearing examiner as the decision authority for non-administrative tree activity permit.

ANALYSIS OF THE NON-ADMINISTRATIVE TREE ACTIVITY PERMIT:

5. MMC 16.52.160(D)(2)(c) requires a non-administrative right-of-way tree activity permit for pruning or removal of any tree, excluding hazard trees and hazard pruning, when the application is made by a public or private utility or their agent, and the tree is located within an open or closed city right-of-way, and the tree is six inches diameter breast height or larger. Puget Sound Energy’s proposal to remove a tree and prune other trees within the city right-of-way throughout the City meets these criteria.
6. The applicant is proposing to remove four (4) trees in total, including the following: a 17-inch Douglas fir, a 15-inch Douglas fir, an 18-inch bigleaf maple, and a 14-inch weeping Alaskan cedar. According to the City of Medina List of Suitable Tree Species, three of these species are listed on List 2 as significant tree species within City rights-of-way, with one tree (the bigleaf maple) unlisted. This designates the trees as a mix of significant and non-significant species. All of the above-mentioned trees are growing beneath power lines and, as a result, have been regularly pruned to reduce their height and natural vertical growth.

7. MMC 16.52.200(D) requires trees to meet certain conditions to qualify for removal when the tree is located within a city right-of-way. MMC 16.52.200(D)(3) authorizes a right-of-way tree removal if the tree is not suitable under utility lines, or in the city right-of-way, as prescribed in the “City of Medina List of Suitable Tree Species.
8. Table 20.52.400(E)(1) requires replacement trees to be planted when removing a right-of-way tree. A significant tree with a diameter at breast height (DBH) greater than 10 inches but less than 24 inches requires two (2) replacement trees. A non-significant tree with a DBH greater than 10 inches but less than 24 inches requires one (1) replacement tree. Additionally, a contribution to the Medina Tree Fund is required to compensate for the lost public benefit at a rate of \$25 per DBH inch removed. In this case, a total contribution of \$1,600 is required (64 inches × \$25), and a total of seven (7) replacement trees will be required.
9. Replacement trees are required to meet the standards set forth in MMC 16.52.200(E)(2). These include the following:
  - To be eligible as a replacement tree, the tree species must be selected from the appropriate list in the City of Medina List of Suitable Tree Species established in MMC 16.52.050.
  - Replacement trees shall be planted within the City right-of-way adjoining the subject lot.
  - Each replacement tree shall have a minimum caliper of two (2) inches, or, if the tree is coniferous, it shall have a minimum height of six (6) feet at the time of final inspection by the City.
  - Replacement trees shall be planted with proper spacing and access to light to allow for healthy growth to maturity.
  - At least one (1) replacement City tree shall be of the same plant division (coniferous or deciduous) as the tree removed.
  - Approval to remove a City tree shall include conditions ensuring that replacement trees remain healthy and viable for at least five (5) years after City inspection, including provisions to replace any trees that fail to remain healthy or viable.

These requirements will be included in the conditions of approval.

10. MMC 16.52.200(C) requires all tree pruning activities to follow ANSI standards in their most recent form. As noted previously, PSE has indicated that all tree pruning activities will follow ANSI A300 Standards with a specific focus on utility vegetation trimming practices. Any excessive pruning activity that would be expected to harm the tree from which it cannot recover, would be considered a tree removal re
11. Public outreach began with the Notice of Application on July 22, 2025. As of October 9, 2025, the City had received comments from three (3) separate concerned residents.

**STATE ENVIRONMENTAL POLICY ACT:**

12. The Responsible Official concluded that the proposal is exempt from environmental (SEPA) review and threshold determination pursuant to WAC 197-11-800(6).

**Part 6 - Conclusions:**

- A. Pursuant to MMC 2.78.070 and MMC 16.80.050(C), the hearing examiner has the authority to hold a hearing and decide non-administrative tree activity permits. Adequate public notice for the public hearing has been provided. Notice was posted at nineteen locations around the City including the City website, mailed to affected property owners, and published in the *Seattle Times* newspaper, at least 15 days prior to the date of the hearing.
- B. Pursuant to MMC 16.72.090(E), the Hearing Examiner may approve a Non-administrative Tree Activity Permit only if the following criteria are satisfied:

**1. *The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;***

STAFF CONCLUSION: The proposal to remove the above-mentioned trees located beneath existing power lines is compatible with Chapter 3 of the Medina Comprehensive Plan. The Community Design Element includes a Landscaping Plan that identifies landscaping alternatives intended to preserve the informal, natural character of Medina's street rights-of-way. The removal of the significant and non-significant trees and their replacement with more suitable species near power lines and within the City right-of-way is consistent with this plan. Pruning activities conducted in accordance with ANSI A300 standards, along with the replacement of the significant and non-significant trees, will not alter the existing informal and natural appearance of the City's street rights-of-way. The proposal meets this requirement.

**2. *The proposal is consistent with the public interest in maintaining an attractive and safe environment;***

STAFF CONCLUSION: The removal of the Douglas fir, bigleaf maple, and weeping Alaskan cedar located beneath existing power lines is appropriate, as these species mature to heights that exceed the available overhead clearance. This has required PSE to regularly prune the trees to maintain separation between the canopy and the power lines, reducing the risk of fire and ensuring reliable power distribution. Replacing these trees with species that mature to a lower overall height will substantially reduce these risks and is consistent with the public interest in protecting utility infrastructure while maintaining a safe and attractive streetscape. With conditions, the proposal meets this requirement.

**3. *The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;***

STAFF CONCLUSION: The proposed tree removal and utility pruning activities will have no materially detrimental effects on nearby properties or public streets. All work will be performed by workers with extensive training in safe utility line clearance to prevent electrical hazards and to maintain proper separation between the power lines and adjacent trees, thereby reducing the risk of accidental fires caused by tree contact. The work will be conducted using aerial man-lifts and highly trained tree trimmers to safely lower all trimmings to the ground. Ropes will be used to control cut branches and prevent potential damage to nearby property. Tree trimming trucks and associated commercial vehicles involved in the operation will take precautions to avoid any damage to lawns, driveways, or other private property.

**4. *The tree has not been granted special protection pursuant to MMC 16.52.080.***

STAFF CONCLUSION: None of the subject trees have been granted special protection under MMC 16.52.080. Therefore, this criterion is satisfied.

**5. All requirements set forth in Chapter 16.52 MMC are satisfied;**

STAFF CONCLUSION: The proposal complies with the applicable provisions of MMC 16.52 (Tree Management Code). The trees proposed for removal are located within the public right-of-way beneath existing power lines and have required ongoing clearance pruning to maintain safe separation from electrical infrastructure. Pursuant to MMC 16.52.200(D)(3), removal of trees that conflict with overhead utilities is permitted when replacement trees are selected from the City of Medina List of Suitable Tree Species.

Replacement trees will be provided consistent with MMC 16.52.200(E), and a contribution to the Medina Tree Fund will be made to compensate for the loss of public benefit associated with the removal of mature trees and replacement with smaller-caliper species. With these conditions, the proposal satisfies the requirements of Chapter 16.52 MMC.

**6. All other ordinances, regulations and policies applicable to the tree removal are followed.**

The proposal complies with all other applicable ordinances, regulations, and policies governing tree removal within the City of Medina. The applicant has provided the necessary documentation, including a completed Administrative Right-of-Way Tree Activity Permit application, site plan, and supporting arborist information. The proposed work meets the intent of MMC 16.52 (Tree Management Code), MMC 16.50 (Critical Areas), and MMC 16.66 (Shoreline Management), as none of the subject trees are located within a regulated critical area or shoreline jurisdiction.

Additionally, the proposal is consistent with the City of Medina Comprehensive Plan, which emphasizes maintaining an attractive and safe community environment and ensuring reliable public utility service. All conditions of approval, including required replacement planting and Tree Fund contributions, will ensure compliance with applicable City policies. Therefore, this criterion is satisfied.

Pursuant to MMC 16.72.080(F), the Hearing Examiner may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

**Part 7 – Staff Recommendation:**

Staff recommends approval of the non-administrative tree activity permit for the removal of one non-significant tree and utility maintenance tree pruning within the City's rights-of-way, subject to the following conditions:

1. The applicant shall be responsible for all costs associated with the permitted tree pruning activities within the public right-of-way.
2. Coordination with the Town Arborist is required prior to and during right-of-way tree work, including a required pre-pruning on-site meeting prior to any pruning activity.
3. The applicant shall provide seven (7) replacement trees selected from List 4 of the City of Medina Lists of Suitable Trees prior to completing work authorized under this

Administrative Right-of-Way Tree Activity Permit. The replacement trees shall meet all of the standards set forth in MMC 16.52.200(E)(2). The applicant shall coordinate the selection and planting locations of the replacement trees with the City Tree Consultant.

4. Replacement trees shall be selected from the City of Medina List of Suitable Tree Species (MMC 16.52.050) and planted within the City right-of-way adjacent to the subject property. Replacement trees shall have a minimum size of two (2) inches caliper for deciduous trees or six (6) feet in height for coniferous trees at the time of final City inspection and shall be planted with adequate spacing and access to light to allow for healthy growth to maturity. At least one (1) replacement tree shall be of the same plant division (coniferous or deciduous) as the tree removed.
5. Replacement trees shall be monitored and maintained for a minimum of five (5) years following City inspection. The City may inspect replacement trees during this period to verify continued health and viability. Any replacement tree that fails to remain healthy or viable shall be replaced in kind, as directed by the City.
6. A contribution of \$1,600 shall be made to the Medina Tree Fund prior to removal of the four (4) trees (two Douglas firs, one bigleaf maple, and one weeping Alaskan cedar). If additional trees are proposed for removal, contributions to the Medina Tree Fund consistent with MMC 16.52.200(E)(3) shall be made prior to completing the work authorized under this Administrative Right-of-Way Tree Activity Permit.
7. A Right of Way Use Permit is required prior to staging or any other use of the public right of way. The public right of way is property controlled by the City of Medina and is located outside of private property boundaries. A traffic control plan is required as part of the Right of Way Use Permit application. The traffic control plan must show the location of worker parking, equipment staging, and any other vehicle parking. Contact the Building Official to obtain a Right of Way Use Permit prior to proceeding with the tree work.
8. Work within private property limits is prohibited unless written authorization is obtained from the property owner and submitted to the Town Arborist.
9. If additional right-of-way trees are proposed for removal, the applicant is required to submit the revisions to the City prior to their removal. A new public notice and hearing before the Medina Hearing Examiner will be required for the revisions.
10. This Administrative Right-of-Way Tree Trimming/Removal Permit shall expire 18 months after the later of either the date the decision is issued or the date an appeal becomes final. Expiration of the permit is automatic and no notice is required. No extension of the permit period is allowed.

Report prepared by:



Andy Crossett  
Medina Tree Consultant

January 2, 2026

Date





# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

## STAFF ANALYSIS AND RECOMMENDATION PSE NON-ADMINISTRATIVE ROW TREE ACTIVITY PERMIT

Prepared by Andy Crossett, Medina Tree Consultant  
Date: February 24, 2026

### AGENDA Virtual Meeting Participation

The scheduled hearing will be held using remote meeting technology. Please either login or call in a few minutes before the start of the meeting to participate. Written comments may still be submitted before the hearing by emailing Andy Crossett, Tree Consultant, at [andycrossett@hotmail.com](mailto:andycrossett@hotmail.com). Written comments are given the same weight as verbal public testimony.

Join Zoom Meeting

<https://medina-wa.zoom.us/j/88540637825?pwd=q7PifwNVqndCBP0WWRvjIIONOUUHoX.1>

Meeting ID: 885 4063 7825

Passcode: 490696

One tap mobile

+12532158782,,88540637825#,,,,\*490696# US (Tacoma)

+12532050468,,88540637825#,,,,\*490696# US

### **Public Hearings:**

***NOTE:** The Hearing Examiner has the discretion to limit testimony to relevant non-repetitive comments and to set time limits to ensure an equal opportunity is available for all people to testify.*

### **Part 1 – General Information:**

CASE NUMBER: TREE-24-044

LOCATION: Right-of-way adjacent to 2450, 2500, and 2620 Evergreen Point Rd, Medina 98039

TAX PARCEL NUMBER: Public street rights-of-way

PROPERTY OWNER: Not applicable

APPLICANT: Courtney Persson, PSE

LEGAL DESCRIPTION: MED-37 RPL 5 POLES WO101160814 EVERGREEN PT RD

PROPOSAL: Non-administrative Right-of-way Tree Activity Permit to authorize utility tree pruning and maintenance activities consistent with ANSI A300 Tree Pruning standards along the city's rights-of-way. This work includes: "TREE TRIMMING TO SUPPORT REPLACEMENT OF MULTIPLE PSE POWER POLES IN ROW ALONG EVERGREEN PT RD"

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential.

ZONING DESIGNATION: R-16

CRITICAL AREAS: NONE IDENTIFIED.

ENVIRONMENTAL REVIEW (SEPA): Exempt pursuant to WAC 197-11-800(6).

EXHIBITS:

1. Staff Report
2. Application, received May 3, 2024
3. Site Plan, received July 29, 2024
4. Tree Pruning Plan & Photographs, received July 29, 2024
5. Affidavits declaration of mailing and posting and proof of publishing

## **Part 2 – Site Characteristics:**

EXISTING CONDITIONS: THE TREE GROWTH INTERFERING WITH OVERHEAD POWER LINES AND THEIR SUPPORTING UTILITY POLES.

SURROUNDING ZONING: TREES ARE LOCATED ADJACENT TO PROPERTIES CONTAINING ALL ZONING DESIGNATIONS WITHIN THE CITY.

ACCESS: TREES DESIGNATED FOR TRIMMING WILL BE ACCESSED FROM PUBLIC RIGHTS-OF-WAY.

## **Part 3 – Comprehensive Plan:**

The Medina Comprehensive Plan identifies the setting and character of Medina as enriched with valued natural features that enhance the quality of life for the community. One of the primary goals is: "To maintain Medina's high-quality residential setting and character" (Goal LU-G1).

### **Chapter 3: Community Design Element**

Trees and vegetation help reduce the impact of development, by providing significant aesthetic and environmental benefits. Trees and other forms of landscaping improve air quality, water quality, and soil stability. They provide limited wildlife habitat and reduce stress associated with urban life by providing visual and noise barriers between the City's streets and private property and between neighboring properties. They also have great aesthetic value and significant landscaping, including mature trees, which are always associated with well-designed communities.

It is important that citizens be sensitive to the impact that altering or placing trees may have on neighboring properties. Trees can disrupt existing and potential views and access to sun. Residents are required to consult with the City and urged to consult with their neighbors on both

removal and replacement of trees and tree groupings. This will help to protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence). Clear cutting is not permitted unless approved through a City issued tree removal permit.

The Medina Community Design provides planting options to perpetuate the informal, natural appearance of Medina's street rights-of-way, public areas, and the adjacent portions of private property. The Community Design provides the overall framework for the improvement goals in these areas and should be reviewed periodically and updated where appropriate. The goals include:

- provide a diversity of plant species;
- screen development projects from City streets and from neighboring properties;
- respect the privacy of the neighborhood by encouraging vegetation and landscaping that provides screening;
- respect the scale and nature of plantings in the immediate vicinity;
- recognize restrictions imposed by overhead wires, sidewalks, and street intersections;
- recognize "historical" view corridors; and
- maintain the City's informal, natural appearance.

**Part 4 – Agency Review/ Public Comment:**

NOTICES: (See Exhibit 5.)

|                                |                   |
|--------------------------------|-------------------|
| Application Received:          | October 21, 2024  |
| Determination of Completeness: | November 14, 2024 |
| Notice of Application:         | November 20, 2024 |
| Notice of Hearing:             | March 20, 2026    |

The application was received on October 21, 2024. The application was determined to be complete on November 14, 2024. A Notice of Application was issued on November 20, 2024. A 30-day public comment period was utilized. The notice was posted at Medina City Hall, the Post Office in Medina, the public notice board at Medina Park, the City's website, and at six locations throughout the City (see NOA declaration of posting page 6); and the notice was mailed to nearby property owners consistent with MMC 16.80.140(B)(2).

The notice of hearing was posted, mailed and published in The Seattle Times on Wednesday, March 4, 2026, pursuant to MMC 16.80.120. The notice was posted at Medina City Hall, the Post Office in Medina, the public notice board at Medina Park, the City's website, and at six locations throughout the City.

GENERAL PUBLIC COMMENTS:

NO PUBLIC COMMENTS WERE RECEIVED.

AGENCY COMMENTS: Not applicable.

**Part 5 – Staff Analysis/ Findings of Fact:**

GENERAL:

1. Puget Sound Energy (PSE) is a Washington State regulated utility providing electrical and natural gas services within the City of Medina. As part of its responsibility to provide safe and reliable electric service, PSE conducts maintenance and infrastructure upgrades, including the replacement of aging power poles. Limited tree pruning is sometimes required to safely access and replace utility infrastructure. According to PSE, these activities are a critical component of their mission to provide safe and reliable electric service to the region.
2. Asplundh Tree Expert Company was selected by PSE as the contractor to perform tree pruning and vegetation management necessary to facilitate the safe replacement of power poles on behalf of PSE. Asplundh Tree Expert Company is a Washington State licensed and bonded tree services contractor and is routinely used by PSE for vegetation management activities near energized power lines.
3. The applicant submitted an application for a non-administrative tree activity permit to prune several trees located within the public right-of-way adjacent to 2450, 2500, and 2620, as well as within an unconnected segment of the public right-of-way for NE 26th Street. The proposed pruning is limited to what is necessary to safely replace aging power poles within the right-of-way.
4. MMC 2.78.070 authorizes the Hearing Examiner to conduct public hearings and make decisions or recommendations when authorized to do so under the Medina Municipal Code. MMC 16.72.090 establishes non-administrative tree activity permits as a Type 3 decision processed pursuant to the review procedures set forth in Chapter 16.80 MMC. Table 16.80.060(C) establishes the procedures for Type 3 decisions and authorizes the Hearing Examiner as the decision authority for non-administrative tree activity permits.

ANALYSIS OF THE NON-ADMINISTRATIVE TREE ACTIVITY PERMIT:

5. MMC 16.52.160(D)(2)(c) requires a non-administrative right-of-way tree activity permit for the pruning or removal of any tree, excluding hazard trees and hazard pruning, when the application is submitted by a public or private utility or their agent and the tree is located within an open or closed City right-of-way and is six inches DBH or greater. Puget Sound Energy's proposal to prune trees within the City right-of-way adjacent to Evergreen Point Road meets these criteria.
6. The applicant is proposing to prune several trees located within the right-of-way adjacent to 2450, 2500, and 2620, as well as within an unconnected segment of the public right-of-way for NE 26th Street. This includes three cherry plum trees growing in a planting strip between Evergreen Point Road and the sidewalk, along with several native trees within the naturally vegetated right-of-way. These include species such as black cottonwood, Oregon ash, and English hawthorn. Pruning of these trees is necessary to provide sufficient clearance to safely replace the aging power poles.
7. MMC 16.52.200(C) requires all tree pruning activities to follow ANSI standards in their most recent form. As noted previously, PSE has indicated that all tree pruning activities will follow ANSI A300 Standards with a specific focus on utility vegetation trimming practices. Any excessive pruning activity that would be expected to harm the tree from which it cannot recover, would be considered a tree removal.
8. Public outreach began with the Notice of Application on November 20, 2024. The City did not receive any public comments regarding this application.

## STATE ENVIRONMENTAL POLICY ACT:

9. The Responsible Official concluded that the proposal is exempt from environmental (SEPA) review and threshold determination pursuant to WAC 197-11-800(6).

**Part 6 - Conclusions:**

- A. Pursuant to MMC 2.78.070 and MMC 16.80.050(C), the hearing examiner has the authority to hold a hearing and decide non-administrative tree activity permits. Adequate public notice for the public hearing has been provided. Notice was posted at nineteen locations around the City including the City website, mailed to affected property owners, and published in the *Seattle Times* newspaper, at least 15 days prior to the date of the hearing.
- B. Pursuant to MMC 16.72.090(E), the Hearing Examiner may approve a Non-administrative Tree Activity Permit only if the following criteria are satisfied:

**1. *The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;***

STAFF CONCLUSION: The proposal to prune the above-mentioned trees located beneath and within existing power lines is compatible with Chapter 3 of the Medina Comprehensive Plan. The Community Design Element includes a Landscaping Plan that identifies landscaping alternatives intended to preserve the informal, natural character of Medina's street rights-of-way. Pruning activities conducted in accordance with ANSI A300 standards, and limited to what is necessary to provide clearance for replacement of a power transformer, will not alter the existing informal and natural appearance of the City's street rights-of-way. The proposal meets this requirement.

**2. *The proposal is consistent with the public interest in maintaining an attractive and safe environment;***

STAFF CONCLUSION: Pruning of the trees is appropriate, as they require periodic maintenance to maintain adequate overhead clearance. Puget Sound Energy has historically needed to prune vegetation in this area to maintain separation between tree canopies and power lines, reducing the risk of service disruption and supporting reliable power distribution. Pruning conducted to maintain utility clearance is consistent with the public interest in protecting utility infrastructure while maintaining a safe and attractive streetscape. With conditions, the proposal meets this requirement.

**3. *The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;***

STAFF CONCLUSION: The proposed utility pruning activities will have no materially detrimental effects on nearby properties or public streets. All work will be performed by personnel with extensive training in safe utility line clearance practices to prevent electrical hazards and maintain proper separation between power lines and adjacent trees, thereby reducing the risk of accidental fires caused by tree contact. The work will be conducted using aerial man-lifts and highly trained tree trimmers to safely lower all pruned material to the ground. Ropes will be used to control cut branches and prevent potential damage to nearby property. Tree trimming trucks and associated commercial vehicles involved in

the operation will take appropriate precautions to avoid damage to lawns, driveways, or other private property.

**4. The tree has not been granted special protection pursuant to MMC 16.52.080.**

STAFF CONCLUSION: None of the subject trees have been granted special protection under MMC 16.52.080. Therefore, this criterion is satisfied.

**5. All requirements set forth in Chapter 16.52 MMC are satisfied;**

STAFF CONCLUSION: The proposal complies with the applicable provisions of MMC 16.52 (Tree Management Code). The trees proposed for pruning are located within the public right-of-way beneath and adjacent to existing power lines and require ongoing clearance pruning to maintain safe separation from electrical infrastructure. Pruning activities undertaken to maintain utility clearance are consistent with the intent of MMC 16.52 and applicable utility clearance provisions. With conditions, the proposal meets this requirement.

**6. All other ordinances, regulations and policies applicable to the tree removal are followed.**

The proposal complies with all other applicable ordinances, regulations, and policies governing tree activity within the City of Medina. The applicant has provided the necessary documentation, including a completed Administrative Right-of-Way Tree Activity Permit application, site plan, and supporting arborist information. The proposed pruning work meets the intent of MMC 16.52 (Tree Management Code), MMC 16.50 (Critical Areas), and MMC 16.66 (Shoreline Management), as none of the subject trees are located within a regulated critical area or shoreline jurisdiction.

Additionally, the proposal is consistent with the City of Medina Comprehensive Plan, which emphasizes maintaining an attractive and safe community environment while ensuring reliable public utility service. All conditions of approval will ensure compliance with applicable City policies. Therefore, this criterion is satisfied.

Pursuant to MMC 16.72.080(F), the Hearing Examiner may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

**Part 7 – Staff Recommendation:**

Staff recommends approval of the non-administrative tree activity permit for **utility maintenance tree pruning** within the City's rights-of-way, subject to the following conditions:

1. The applicant shall be responsible for all costs associated with the permitted tree pruning activities within the public right-of-way.
2. Coordination with the City Arborist is required prior to and during right-of-way tree work, including a required pre-pruning on-site meeting prior to any pruning activity.
3. All pruning shall be performed in accordance with ANSI A300 standards and industry best practices to protect the health and structural integrity of retained trees.

4. A Right of Way Use Permit is required prior to staging or any other use of the public right of way. The public right of way is property controlled by the City of Medina and is located outside of private property boundaries. A traffic control plan is required as part of the Right of Way Use Permit application. The traffic control plan must show the location of worker parking, equipment staging, and any other vehicle parking. Contact the Building Official to obtain a Right of Way Use Permit prior to proceeding with the tree work.
5. Work within private property limits is prohibited unless written authorization is obtained from the property owner and submitted to the City Arborist.
6. If additional right-of-way trees are proposed for pruning beyond the scope of this approval, the applicant shall submit revisions to the City for review prior to any additional work. A new public notice and hearing before the Medina Hearing Examiner may be required, as determined by the City.
7. This Administrative Right-of-Way Tree Trimming Permit shall expire 18 months after the later of either the date the decision is issued or the date an appeal becomes final. Expiration of the permit is automatic and no notice is required. No extension of the permit period is allowed.

Report prepared by:



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Andy Crossett  
Medina Tree Consultant

January 2, 2026

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Date