



# City of Tukwila

*Jim Haggerton, Mayor*

**Department of Community Development** *Jack Pace, Director*

## STAFF REPORT TO THE PLANNING COMMISSION

Prepared June 12, 2013

HEARING DATE: June 27, 2013

FILE NUMBERS: L12-049 — 2015 Comprehensive Plan Update

APPLICANT: City of Tukwila

REQUEST: 2015 Comprehensive Plan Update—The Planning Commission will hold a public hearing on proposed amendments to the Natural Environment Chapter. This is part of the periodic review and update of the Comprehensive Plan required by the Washington Growth Management Act per the Revised Code of Washington (RCW) Chapter 36.70A.130.

LOCATION: Goals and policies apply throughout the City of Tukwila

NOTIFICATION: Hearing Notice was published in the Seattle Times on June 13, 2013, and posted on the City of Tukwila website on June 13, 2013.

SEPA DETERMINATION: Addendum to L92-0053, Final EIS for the 1995 Tukwila Comprehensive Plan, addressing 2015 Update to the Comprehensive Plan (E13-004) issued March 27, 2013

STAFF: Carol Lumb, Senior Planner; Sandra Whiting, Urban Environmentalist

ATTACHMENTS:

- A. Proposed Natural Environment Chapter, formatted
- B. Proposed Natural Environment Chapter, strike-out/underline version
- C. Natural Environment Regulatory Background Report
- D. Tukwila Urban Canopy Study, Executive Summary

## **REVIEW PROCESS TO DATE**

Planning Commission is continuing its phased review of the Comprehensive Plan in order to complete the periodic update that the Washington Growth Management Act requires by the June 30, 2015 deadline.

In order to assist the City with the update of the Natural Environment Chapter, a citizen advisory committee, the Tukwila Tree and Environment Advisory Committee, was created by City Council Resolution 1767 on May 21, 2012. The Committee was made up of one City Council member, one Planning Commission member, one Parks Commission member, two representatives from local businesses, one representative of an environmental group, one landscape professional, and two citizen at-large members. It began meeting in September of 2012 and completed its work in May of 2013, culminating in revised and new goals and policies and a presentation to a joint meeting of the Planning Commission and the City Council to present the recommendations.

During a work session on June 24, 2013, the Planning Commission heard presentations from staff and the Advisory Committee. A public hearing is scheduled for June 27, 2013.

## **NATURAL ENVIRONMENT CHAPTER BACKGROUND:**

The Growth Management Act requires consideration of the natural environment in all Comprehensive Plans. Specifically the Act requires policies to protect and enhance sensitive areas: wetlands, watercourses, fish and wildlife habitat; flood prone areas, and areas of geologic instability (including abandoned mines). Air quality and water quality sections are also included in the Chapter to address King County County-wide planning policies. A new section – trees and urban forestry – and a new policy related to climate change are also included because of their importance to the natural environment. Urban forestry is also addressed to anticipate compliance with the Evergreen Communities Act, approved by the Washington State Legislature in 2008. This Act requires local jurisdictions to develop urban forestry management plans in order to be eligible for state funding and provides for technical assistance to local communities in developing and implementing the plans. No funding was provided by the Legislature to implement the Act, so the requirements are not currently in force.

### **KEY ISSUES:**

There are several key issues that are addressed in the Natural Environment Chapter that reflect new community priorities and respond to new regulations and policies at the local, regional, state and federal levels.

**Environmental Quality, Community Education and Environmental Stewardship.** In order to foster best practices for protecting Tukwila's environmental quality, improve the protection and restoration of the City's sensitive areas and fish and wildlife habitat and improvement of air and water quality, the City needs to provide information and education to the community in various forms. In addition the City should continue and expand efforts, in collaboration with other organizations and businesses, to engage the community through hands on environmental stewardship and restoration activities. Policies regarding the protection of fish and wildlife and climate change are also important to incorporate into the Natural Environment Chapter.

**Sensitive Areas.** Although Tukwila enacted significant revisions to its Sensitive Areas regulations in 2004 and again in 2010, new policies are needed to reflect the most current best available

science information and new federal and state regulations and guidelines. Tukwila also needs to improve the protection of watercourses and find mechanisms to ensure that compensatory mitigation is successful for the long term.

**Fish and Wildlife Habitat.** The listing of Puget Sound Chinook Salmon and Bull Trout under the Endangered Species Act has underscored the need for the City to protect and restore habitat for fish and other wildlife. New policies, continued efforts, and new sources of funding are needed to carry out restoration of habitat on the Green/Duwamish River and its tributaries. The City must continue to be actively involved in shaping policies and programs and helping to implement the Water Resource Inventory Area 9 Salmon Habitat Enhancement Plan “Fit for a King”, in collaboration with other local jurisdictions and County, State and Federal government agencies.

**Water Quality.** More efforts are needed to improve and protect water quality in the City’s wetlands, watercourses and the Green/Duwamish River. Programs for monitoring water quality, retrofitting surface water management systems where there are water quality problems and, improving riparian buffers are important actions for the City to carry out.

**Surface Water Management.** With new State requirements for the management of surface water effective in Tukwila in 2016, the City must modify its surface water regulations and begin implementing and requiring low impact development techniques for surface water system retrofits and for new development.

**Flood Management.** Because the City has levees along parts of the Green-Duwamish River to reduce flood potential, it is necessary for the City to coordinate with County and federal officials, and neighboring local jurisdictions on maintenance and rebuilding of the levees, and ensuring that federal certification is continued, where applicable. Also, due to the listing of Chinook salmon under the Endangered Species Act, and Corps of Engineers policies restricting vegetation on levees, the City needs to be involved in efforts to achieve good riparian conditions, while not compromising the integrity of levees or losing federal certification.

**Earth Resources.** The definition of steep slopes should be clarified and new policies are needed to require setbacks and better protect trees on steep slopes.

**Trees and the Urban Forest.** Because trees provide important environmental, economic and aesthetic benefits to urban areas, the City needs to recognize the value of the urban forest and establish policies and programs to protect and enhance it. Because of new surface water management requirements and the implications of climate change, trees become even more crucial in providing a sustainable urban environment. Tukwila needs to plan for a healthy urban forest, including establishing improved policies for protecting trees, increasing tree canopy, and ensuring sufficient resources to properly maintain trees to improve tree health and reduce potential hazards to the public. This Chapter provides new goals and policies to address these issues.

## **PROPOSED POLICIES:**

The Chapter has been reorganized and expanded. The proposed goals and policies address updates of the Sensitive Areas regulations, adopted since the last Comprehensive Plan update. In addition, the proposed goals and policies reflect new state and federal regulations related to sensitive areas, surface

water management, fish and wildlife, and flood management. Because of the significant environmental, social and economic benefits of trees for urban areas, a new set of urban forest goals and policies has been proposed for this chapter. A study to assess the urban forest canopy, completed by the City in 2012, forms a baseline for setting new canopy goals, which, in turn drive proposed policies to retain and improve canopy coverage. The proposed policies also address urban forestry management issues, and the health of the urban forest. These goals and policies expand on an urban forest policy that was formerly found in the Community Image Chapter of the Comprehensive Plan (Policy 1.10.12).

Surface water management and flood management goals and policies from the Utilities Element have been moved into this Chapter, as they relate more to the topic areas of the Natural Environment. Archaeological and Paleontological Resources goals and policies, with some modifications, have been moved from this chapter into the Community Vision Chapter. Other policies have been proposed to be consistent with Countywide Planning Policies and state requirements.

Key proposed policies include:

- a. Environmental Quality and Stewardship:
  - Consideration of climate change in planning
  - Wildlife protection and education policies
  - Programs to promote environmental stewardship
- b. Water Resources:
  - Actions for restoration of sensitive areas and fish and wildlife habitat
  - Prohibiting new fish barriers and promoting removal of barriers
  - Improving the effectiveness of sensitive area mitigation
  - Consideration of fee-in-lieu programs for wetland mitigation
  - Provision of sensitive areas management technical assistance to businesses and residential citizens
  - Protecting sensitive area hydrology when development occurs
  - Increasing public education about protecting water quality
  - Improvement of water quality monitoring
  - Continuation and improvement of flood control actions
  - Promoting use of low impact development techniques
- c. Earth Resources
  - Protection against erosion
  - Consideration of the role of trees in slope stability; require areas where vegetation must remain undisturbed
  - Requirement of setbacks from top and/or toe of slope
- d. Urban Forestry
  - Creation of an urban forester/municipal arborist position or consultant contract that would serve all City Departments and could assist the public
  - Development of a comprehensive urban forestry plan
  - Adoption of new standards and production of guidance manuals on tree selection, care, and protection
  - Development of programs to educate the general public, businesses, developers and programs to involve the community in stewardship of the urban forest

- Establishment of tree canopy goals for different land use categories
- Prohibiting removal of trees, except for hazardous trees, on undeveloped parcels without an approved permit;
- Incorporating more flexibility into the landscape code, and providing incentives for tree retention or additional plantings while improving tree canopy
- Improving tools for enforcement when required trees are removed or damaged

### **MATERIALS AND FORMAT**

The packet contains the following materials, which are intended to provide background and encourage discussion:

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1. A “clean,” newly-formatted, version of the proposed Natural Environment Chapter recommended by the Tukwila Tree and Environment Committee. This version reflects the proposed appearance of the updated Comprehensive Plan.
2. A complete strikeout/underline version of the proposed chapter with all language that has been added to and/or deleted from the current Natural Environment chapter. This version indicates the rationale for proposed changes, and lets the reader follow the revision process.
3. Background materials that provide additional supporting information for the element and policies.
  - a. The “Background Report on Regulations for the Natural Environment Chapter of the Comprehensive Plan Update” (June 2013).
  - b. Executive Summary from the Tukwila Urban Tree Canopy Assessment (Davey Resource Group (December 2012). The complete report is available at <http://www.tukwilawa.gov/dcd/treepolicy.html>. The report is included with the materials for the March 13, 2013 Advisory Committee meeting.

### **REQUESTED ACTION**

The Planning Commission is asked to hold a hearing on the proposed changes to the Natural Environment Chapter, develop a recommended version and forward it to the City Council for final action.