

Exhibit 3

Redmond Tree Exception Approval Practices

ERROR # 2 LANDMARK TREE EXCEPTION WITHOUT REQUIRED APPLICATION

ERROR - Tree Removal Plan does not retain 35% of all significant trees – tree count and retention percentage has been addressed within ERROR #1

ERROR - Landmark tree exception was not applied for, should not have been granted and should be revoked

ERROR – Exceptional conditions do not exist

ERROR – Request did not state fully all substantiating facts, significant change to original plan and residential design was not complete or submitted when exceptions were approved.

Summary - The Appellant states that tree exceptions were not applied for in a timely fashion, that exceptional conditions do not exist, that when applications were submitted that they did not state substantiating facts since there had been changes to the original plan, and that residential design was not either complete or submitted when exceptions were approved.

A. ERROR - Landmark tree exception was not applied for, should not have been granted and should be revoked.

The submission of tree exception letter requests in February, 2015 was not evident in information provided to interested parties, despite the timing of public noticing in June, 2015 as addressed in Exhibit 5. By the time this information was known, the approval had already been granted by City staff. This approval was premature and should be revoked pending additional review of field conditions.

B. ERROR – Exceptional conditions do not exist

The definition of/criteria for “exceptional conditions” does not contemplate meaningful appeal by members of the public. (The “takings’ doctrine is clearly expressed in RZC 21.72.090.B.1.b. “*Strict compliance with the provisions of this code may jeopardize reasonable use of the property.*”)

As noted in Attachment A to this exhibit provided in support of a Comprehensive Plan Amendment, the City of Redmond routinely approves exception requests which makes a mockery of the term “exceptional.” Retaining **all** (100%) of landmark trees, is directed in RZC 21.72.060 - Tree Protection Standards. Precedents for tree removal down to the overall minimum requirement of 35% has been documented as a matter of course in a Sustainable Redmond study of 2013 entitled “*Tree Protection Practices in Redmond, Washington*”. (Sustainable Redmond thanks Heather Maiefski for her assistance in this study.)

C. ERROR – Request did not state fully all substantiating facts, significant change to original plan and residential design was not complete or submitted when exceptions were approved.

There were no substantiating facts, current site plans or residential design evident in information provided to interested parties, despite the timing of public noticing in June, 2015 as addressed in Exhibit 5. Revision from 5 dwellings to 3 only took place after Planning Commission review on June 10, 2015. By the time this information was known, the appeal period had nearly expired. Since the site plan has been redesigned without further information to the neighborhood, approval should be suspended until a community meeting has been held providing opportunity for substantial citizen comment.

Attachment A to Exhibit 3

Summary of Findings from Sustainable Redmond Report of April 2, 2013

Full Study available on Request or see http://redmond.granicus.com/MediaPlayer.php?view_id=2&clip_id=218

Presented to the Redmond City Council as an Item from the Audience prior to consideration of Comp Plan item.



Tree Protection Practices in Redmond, Washington:

Research to support proposed amendments to the
Redmond Comprehensive Plan

April 2, 2013

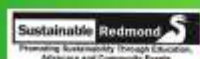
A Natural Resources Management Research Project sponsored by:



Promoting Sustainability by Education,
Advocacy and Community Events

PROJECT SELECTION CRITERIA:

- 2010 to date from:
 - Current Land Use Action Notices
 - Hearing Examiner Archives
 - City Ordinances
- Reviewed Private, public and utility projects
- New Residential or Mixed Use Developments
- Few Short Plats
- No Single Family Tree Removal Permits



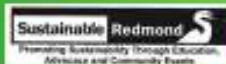
PRELIMINARY FINDINGS BASED ON PROJECT DISTRIBUTION

- Urban centers are largely built out but tree losses in:
Redmond Central Connector
Former Group Health Campus
- Natural settings in urban centers are disappearing
- Majority of tree loss in North Redmond as it develops
- Some loss of trees in Education Hill, Grass Lawn
- Analysis of tree canopy loss over time is recommended
as a new Community Indicator of environmental quality



PRELIMINARY FINDINGS BASED ON TREE PRESERVATION STATISTICS

- Private developments tend to be closer to 35% standard than
public sector projects, which raise the average retained percentage
- Only one project saved 100% of landmark trees
- Request and approval of "exceptions" is routine in practice
- Inconsistencies exist among developers/arborists in calculating
tree percentages by co-mingling of significant and landmark trees
- Total trees, healthy vs significant trees, on-site vs arborist
evaluated trees, Native Growth Protection Area allocations add
complexity to analysis by inconsistency
- "Impacted" tree status, dripline criteria add ambiguity



PRELIMINARY FINDINGS BASED ON ENVIRONMENTAL SERVICES RESEARCH

- Significant economic contribution of lost trees could have reduced future stormwater infrastructure needs like vaults
- Carbon sequestration (green house gas reduction) and air quality losses are also significant to broader community
- Near-term mitigation plantings are no match for environmental services lost, even if no net tree loss
- In-lieu tree fund contribution of \$250/tree is a bargain for developers
- Loss of community character cannot be quantified



OVERALL COMMENTS ON REDMOND TREE PRESERVATION PRACTICES

- Findings above are not directed at any individual developer or project; a look across the community
- Sometimes the developer is more innovative than City staff
- Precedent of past exception approvals means less stringent reviews over time...become "routine"
- Extent of tree preservation can be blurred in applications due to inconsistent presentations in the past
- Public notice and engagement is generally minimal and not enthusiastic unless appeals or legal action is involved

