



FOR IMMEDIATE RELEASE

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CITY COUNCIL ADOPTS ORDINANCE TO PROTECT LANDMARK TREES

- “Landmark trees” means trees, located on Bainbridge Island, that are unique because of their age, size, species, historical significance, or aesthetic quality, and based on specified criteria for their species.
- The City Council will be required to vote to approve removal of any tree that meets the definition of a Landmark Tree.
- If the ordinance is violated, a notice of violation will be issued, and the violator will be subject to civil penalties, including a penalty of \$25,000 for each Landmark Tree removed.

Bainbridge Island, Wash., (June, 2018) The City Council voted 6-1 on Tuesday night to adopt a Landmark Tree Preservation Ordinance ([2018-25](#)) that will protect certain trees that, because of their age, size, and condition, are recognized as having exceptional value in contributing to the character of the community. Under this new regulation, a Landmark Tree cannot be removed without approval from the City Council, and violators will be subject to civil penalties, including a \$25,000 penalty. The City Council adopted this ordinance on an emergency basis, which means it is effective immediately (i.e., effective as of June 26, 2018).

“The emergency tree ordinance fills the gap in our Municipal Code,” said Councilmember Ron Peltier. “We’ve discussed the topic but never got around to having mandatory protections for landmark trees. The ordinance may not be perfect, but it’s good enough to get us started.”

The emergency ordinance was adopted after numerous public comments were received expressing concern about the loss of Landmark Trees on Bainbridge Island. Under the ordinance, “Landmark Trees” are defined as trees, located on Bainbridge Island, that are unique because of their age, size, species, historical significance, or aesthetic quality, and based on specified criteria for their species.

The process for Landmark Tree Retention includes, but is not limited to, the following (a full list of the process as described in the ordinance is available on the City [website](#)):

- Anyone who wishes to remove a Landmark Tree must submit an Application for Removal of a Landmark Tree to the Planning Director.
- Once the application is received, the Planning Director will prepare a written recommendation on the removal for the City Council.
- Within 60 days following the receipt by the Planning Director of an application to remove a Landmark Tree, the City Council will hold a public hearing on the proposed removal.
- If the City Council grants an application for removal of a Landmark Tree upon a finding that

removal is necessary, then, depending on certain criteria, the property owner who submitted the application is required to provide mitigation.

If the ordinance is violated, a notice of violation will be issued by the City Code Enforcement Officer, and the violator will be subject to civil penalties, including a penalty of \$25,000 for each Landmark Tree removed. Given the penalties included with this new regulation, the City recommends that if a property owner is considering removing a tree that could potentially be a Landmark Tree, such owners should consult with a certified arborist to determine if the tree(s) at issue meet(s) the definition of a Landmark Tree before taking further action.

If there's an emergency involving immediate danger to life or real property, removal of a Landmark Tree is permitted without first getting approval from the City Council (please see ordinance for more information on these conditions). Also, the ordinance does not apply to applicants who filed a complete permit application before the effective date of this ordinance and have legally vested rights related to such an application.

“The preservation of trees is a community value supported by the policies and goals of the City’s Comprehensive Plan,” said City Manager Doug Schulze.

The Planning Commission, Design Review Board, and the former Ad Hoc Tree/LID Committee have expressed concerns regarding the loss of trees on Bainbridge Island. Currently, the Planning Commission and City staff are drafting, and will recommend, a set of comprehensive tree preservation regulations for review by the City Council. This ordinance is intended to be an interim regulation to protect Landmark Trees until such a comprehensive set of regulations is developed and adopted by the Council.

“Bainbridge Islanders feel that our Island is a special place,” said Mayor Kol Medina. “I believe that much of what makes it special is our trees and forests, so when residents implore the Council to protect the special nature of our Island, they are in large part telling us to protect our trees. This Landmark Tree ordinance means that the best of our trees has the highest level of protection possible.”

A Public Hearing will be held at a Council meeting within 60 days of the adoption of the ordinance. The date will be determined by the Council. For more information, please contact the Department of Planning and Community Development at pcd@bainbridgewa.gov.

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