



**AGENDA
DES MOINES PLANNING COMMISSION
MEETING**

City Council Chambers
21630 11th Avenue S, Suite C
Des Moines, Washington
Tuesday, October 6, 2026 - 6:00 PM

CALL TO ORDER

ROLL CALL

COMMENTS FROM THE PUBLIC

AGENDA ITEMS

- Item 1. **Approval of Minutes**
Motion: "I move to approve the minutes for the July 7, 2026 Planning Commission Meeting."

UNFINISHED BUSINESS

- Item 1. **Downtown Planning Scenarios & Zoning Workshop**

NEW BUSINESS

- Item 1. **Discussion of Tree Regulations**
Provide direction to City Staff for additional development of tree removal, retention, and replacement ordinance.

COMMISSIONER AND DIRECTOR REPORTS

NEXT MEETING DATE

November 5, 2026 — Planning Commission Joint Meeting with City Council

ADJOURNMENT

**Planning Commission
AGENDA ITEM**

**BUSINESS OF THE PLANNING COMMISSION
City of Des Moines, WA**

SUBJECT: Approval of Minutes

ATTACHMENTS:

1. 07.07.2026 Planning Commission Meeting
Minutes Draft

FOR AGENDA OF:

October 6, 2026

DEPT OF ORIGIN:

City Clerk

DATE SUBMITTED:

September 29, 2026

CLEARANCES:

City Clerk

Purpose and Recommendation

The purpose of this agenda item is for the Planning Commission to review the minutes from the July 07, 2026 Planning Commission meeting.

<p>Motion: "I move to approve the minutes for the July 7, 2026 Planning Commission Meeting."</p>

Background

The City Clerk's Office has prepared action-format meeting minutes for the Planning Commission's consideration.

Alternatives

The Planning Commission may make corrections to errors and approve the meeting minutes as amended.

Recommendation

Staff recommends the Planning Commission approve the meeting minutes as presented.



**MINUTES
DES MOINES PLANNING COMMISSION
MEETING**

**City Council Chambers
21630 11th Avenue S, Suite C
Des Moines, Washington
Tuesday, July 7, 2026 - 6:00 PM**

CALL TO ORDER

Commissioner Colleen Gants called the meeting to order at 6:00 p.m.

ROLL CALL

Committee Present: Danielle Anderson, Traci Buxton, Chuck Coleman, Michelle Curry, Colleen Gants; Nicole Gunkle

Staff Present: Community Development Director Rebecca Deming, Planning & Development Services Manager Laura Techico, Senior Planner Jason Woycke, Land Use Planner II Peyton Murphy, Land Use Planner II Alicia Jacobs, Deputy City Clerk Sara Lee

COMMENTS FROM THE PUBLIC

AGENDA ITEMS

- Item 1. **Approval of Minutes**
Motion: "I move to approve the minutes for the June 02, 2026 Planning Commission Meeting."

Direction/Action

Motion made by Commissioner Colleen Gants to approve the June 02, 2026 Planning Commission Meeting; seconded by Commissioner Chuck Coleman.

Motion Approved 6-0.

PUBLIC HEARING

- Item 1. **Development Agreement Ordinance**
Recommendation: "Based on the findings, and in consideration of public input received for the public hearing, the Planning Commission

recommends approval of the Draft Ordinance No. 26-030."

Direction/Action

Motion: made by Traci Buxton to recommend approval of the Draft Ordinance 26-030 with the recommended amendments; seconded by Michelle Curry.

Motion Approved 6-0.

Direction/Action

Motion 1: made by Chuck Coleman that legal include revocable language to Draft Ordinance 26-030; seconded by Traci Buxton.

Motion Failed 1-5.

For: Chuck Coleman

Against: Colleen Gants, Traci Buxton, Nicole Gunkle, Danielle Anderson, Michelle Curry

Direction/Action

Motion 2: made by Chuck Coleman for development agreement be structured to be a maximum of 5 years from approval with three optional extensions approved by Council; seconded by Traci Buxton.

Motion Amended: made by Chuck Coleman to amend the language to the extension clause for one 10-year extension, and up to two additional 5-year extensions with the approval of council; seconded by Colleen Gants

Motion Failed: 1-5

For: Chuck Coleman

Against: Colleen Gants, Traci Buxton, Nicole Gunkle, Danielle Anderson, Michelle Curry

Direction/Action

Motion 3: made by Chuck Coleman to amend section 6.3.b to add "character" to "architectural treatment" to read "architectural character/treatment to Draft Ordinance 26-030; seconded by Colleen Gants.

Motion Approved 6-0.

Direction/Action

Motion 4: made by Chuck Coleman to amend section 6.4.a to add "property lines" and "easements" to Draft Ordinance 26-030; seconded by Danielle Anderson.

Motion Approved 6-0.

Direction/Action

Motion 5: made by Chuck Coleman to amend section 6.5 to add "offsite improvements" to Draft Ordinance 26-030; seconded by Colleen Gants.

Motion Approved 6-0.

NEW BUSINESS

Item 1. Introduction to Zoning and Permitted Uses

Presented by Planning & Development Services Manager Laura Techico.

COMMISSIONER AND DIRECTOR REPORTS

Commissioner Traci Buxton: Thanked Chuck Coleman and appreciation for being able to serve.

NEXT MEETING DATE

August 04, 2026

October 6, 2026.

ADJOURNMENT

Direction/Action

Motion made by Chuck Coleman to adjourn; seconded by Nicole Gunckle

Motion 6-0

The meeting adjourned at 7:15 p.m.

**Planning Commission
AGENDA ITEM**

**BUSINESS OF THE PLANNING COMMISSION
City of Des Moines, WA**

SUBJECT: Downtown Planning Scenarios & Zoning Workshop

ATTACHMENTS:

1. 2026.09.03 Meeting Summary
2. Downtown Planning Scenarios & Zoning Workshop PowerPoint

FOR AGENDA OF:

October 6, 2026

DEPT OF ORIGIN:

Community Development

DATE SUBMITTED:

September 28, 2026

CLEARANCES:

Purpose and Recommendation

The purpose of this item is to hold a workshop to discuss Des Moines downtown.

Background

At the June 25, 2026, City Council meeting, staff introduced several implementation strategies for the City's adopted Strategic Plan in support of the Economic Vitality goal. Economic development and growth scenarios were among the topics presented, including the engagement of ECONorthwest to conduct a comprehensive evaluation of downtown development opportunities and future growth scenarios. Unlike a traditional market study, this work is intended to help the City better understand what different futures for downtown could look like and the tradeoffs associated with each approach. The project will develop and evaluate multiple growth scenarios, analyzing factors such as housing and employment capacity, development feasibility, market demand, infrastructure considerations, economic activity, fiscal impacts, and the types of amenities and services that may be supported under different development patterns.

The work is intended to help answer important questions regarding the type, scale, and intensity of development that may be necessary to support a vibrant and economically sustainable downtown. The resulting analysis will provide the City Council and Planning Commission with objective, data-driven information to inform future discussions regarding land use policy, zoning, density, development standards, and long-term community investment strategies. The intent is not to predetermine outcomes, but to ensure that future decisions are informed by a clear understanding of opportunities, constraints, costs, and benefits.

On September 3, the City Council and the Planning Commission held a joint workshop to provide input and help guide the development discussion and evaluation of scenarios.

Discussion

This Planning Commission workshop is one of many in the series of sessions to provide input. ECONorthwest will be presenting:

- Recap from September 3rd
- Development Market 101
- Code Discussion

Des Moines Downtown Assessment

Meeting #1: Downtown Diagnostic

City Council and Planning Joint Session Summary

September 3rd, 2026

Group 1 Discussion Key Points

- ◆ It's time for Des Moines to "grow up", we're not just a small town anymore.
- ◆ Desire for "cute" retail like bakeries, bookshops, bike shops, cafes, etc.
- ◆ We want a "full bodied" downtown, with energy, and a cohesive aesthetic.
- ◆ Build the customer base for desired businesses by increasing local population density
- ◆ Mid-rise buildings 65-85 feet tall seem like the right scale.
- ◆ Poor urban design, with parking lots in front of buildings and no sidewalks, reflects the aging post-war building stock.
- ◆ Allow increased heights, especially at the north end of downtown where there are fewer views to block.
- ◆ The share of the Des Moines population with waterfront views is small compared to the number that benefit from a lively downtown.
- ◆ City has limited tools available to facilitate development; need to be realistic and strategic.
- ◆ Question for the team: how many nearby residents does it take to support a bakery?
- ◆ In the future the City should look at extending higher zoning further up the hill, it's silly to draw a hard line at 8th Ave.

Group 2 Discussion Key Points

- ◆ Consider eliminating RM-900 and RM-900A, they're outdated and restrictive.
- ◆ Examples to look to:
 - Edmonds, Poulsbo, and Gig Harbor are nice examples of marina-connected downtowns
 - Burien provides a nearby attainable example of a lively, walkable downtown.
 - Kirkland provides an example of a high-end transformation.
- ◆ Need more "third places" like cafes or bookshops that promote community.
- ◆ Need to address the "wall of condos" that blocks downtown off from the waterfront.

- ◆ Use official channels to pursue mitigation funds from the Port of Seattle tied to increasing air traffic volumes and attendant noise impacts.
- ◆ Target high-end office and residential customers for sites near the water.
- ◆ City may need to take an active role in land assembly to create larger development-ready parcels.
- ◆ Community opposition to increased building heights or development downtown in the interest of protecting views is probable.
- ◆ Zoning changes alone will not trigger development if underlying economics don't make sense, but zoning can make it more likely to work.
- ◆ Walkability is still a challenge between Marine View Drive and the waterfront.

Other Questions and Comments Raised During the Presentation

- ◆ Why have these parcels remained vacant?
- ◆ What is the tallest building height we could allow?
- ◆ How big are viable commercial districts in Edmonds, Leavenworth, or Seabrook?
- ◆ Is the airport a benefit or a challenge?
- ◆ Be careful about calling out "absentee landlords" when we don't know if that's accurate.
- ◆ CoStar categories are very broad. Service retail or service-oriented offices have different needs than a larger corporate space.
- ◆ How much property does the City own downtown?
- ◆ What types of property tax exemptions are in effect in Des Moines? Why are they so prevalent?





Des Moines Downtown Assessment

OCTOBER 6, 2026



Our Team



Morgan Shook
Partner & Senior
Policy Advisor



Ian Crozier, AICP
Senior Project
Manager

Tonight's Agenda

6:00 pm	Intro and Recap
6:10 pm	Development Market 101
6:30 pm	Homework and Code Discussion
7:30 pm	Close

September 2nd Join Session Key Outcomes

- Support for increasing the intensity and mix of land uses downtown
- High-quality retail is important – but needs customers to support it
- Edmonds, Poulsbo, Kirkland, Burien examples of places with lively downtowns and/or waterfronts
- New construction is essential to city finances – both property tax and construction sales tax



Building Blocks



Today's objective

Coalesce around preferred development types and feasibility issues to carry forward.

Development Examples

Townhouses

- Less expensive construction cost
- Density 20-45 units per acre
- Parking in individual garages or driveways
- Ownership-oriented



Development Examples

Three-story apartments

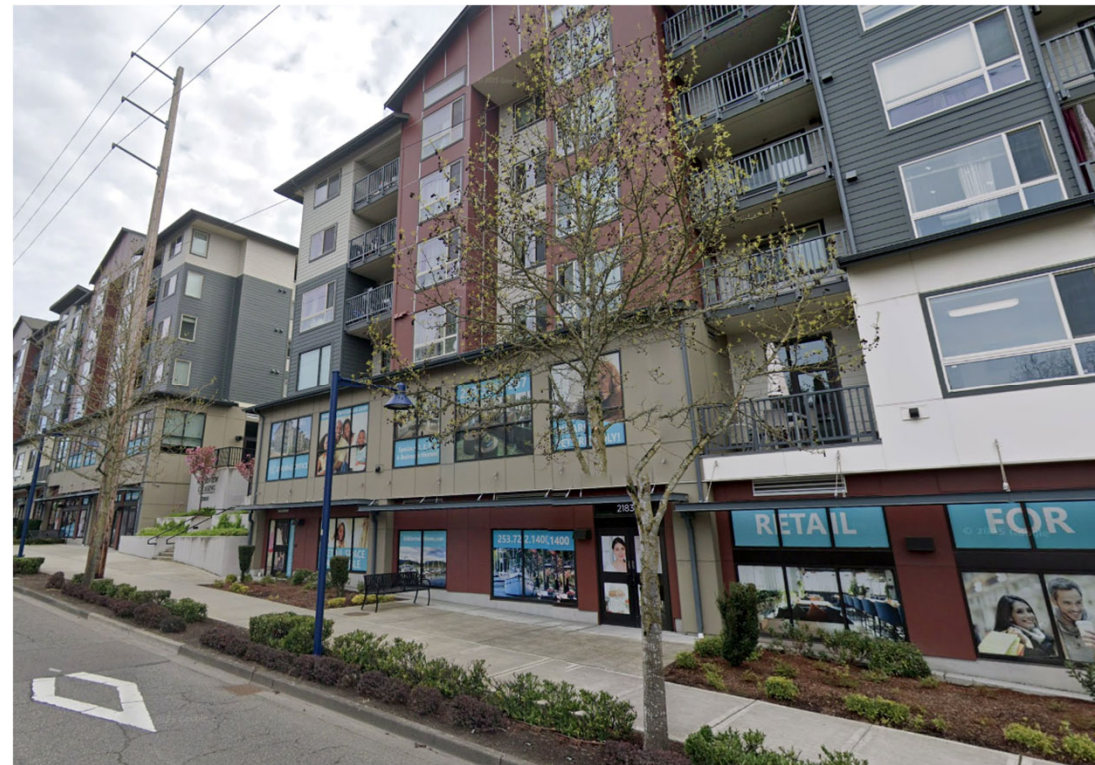
- "woody walk-up" or "stacked flats"
- Less expensive construction cost
- Density 20-45 units per acre
- Surface parking
- Rental-oriented



Development Examples

Mid-rise podium

- "five over one"
- Supports commercial mixed-use or all residential
- Two models tested: five and eight stories
- Moderately expensive construction cost
- Density 60-200 units per acre
- Usually garage parking
- Rental-oriented



Development Examples

Strip retail

- 5-10% lot coverage
- Surface parking



What This Analysis Does, and What It Does Not Do

WHAT IT DOES

Establishes where the downtown market sits today

Provides economic context for decisions about targeted zoning reform.

Tests a range of building types on a common site

Each prototype is measured against current rents, sale prices, construction costs and return requirements.

Asks one question of every prototype

Does the value the finished building creates cover what it costs to build?

WHAT IT DOES NOT DO

It is not a forecast

The economy is dynamic. Rents, construction costs, interest rates and capital availability all move, and they move together.

It does not predict individual decisions

Owners and developers hold property at different bases, on different timelines, with idiosyncratic objectives that economics alone will not explain.

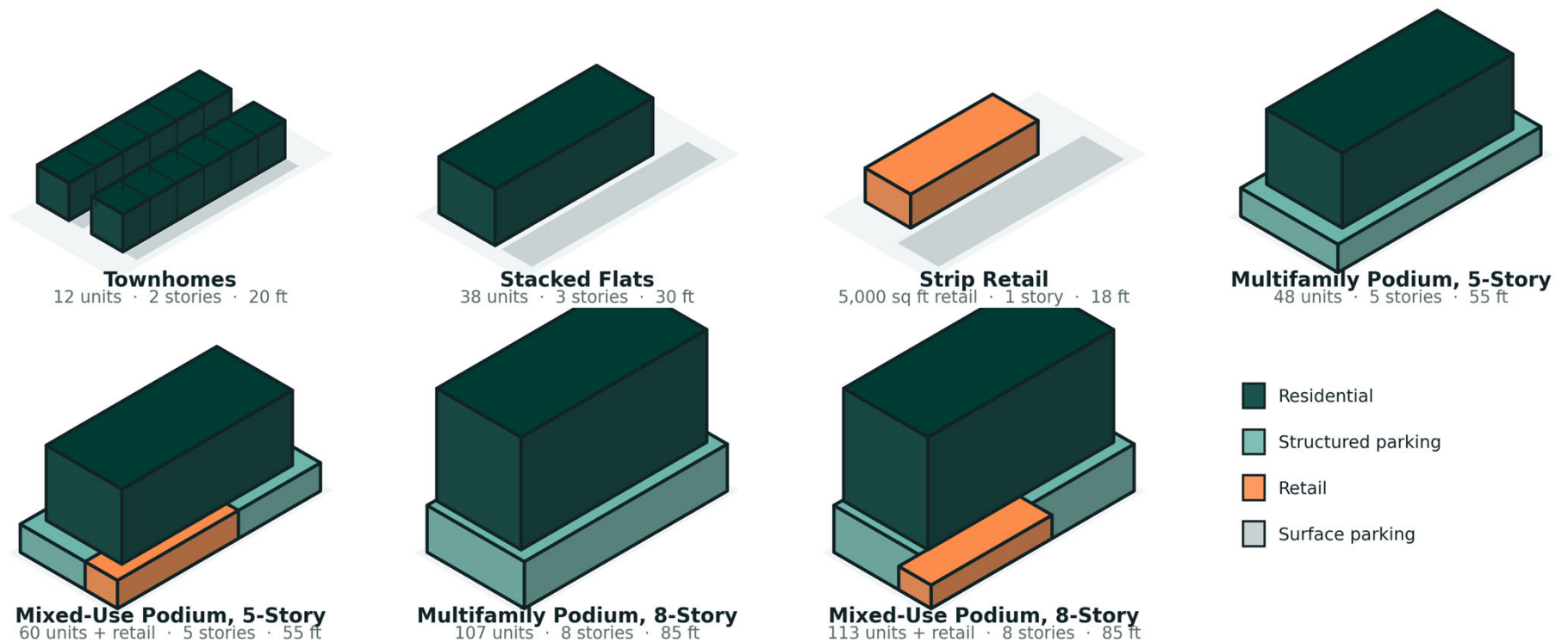
It is not a code analysis

Prototypes reflect a vision for what downtown could become, not what current zoning permits.

Results provide a directional read on feasibility, not a prediction of what will be built.

Seven Prototypes Spanning the Downtown Vision

Building types were chosen to cover the range of what downtown could reasonably accommodate, from ownership housing to eight-story mixed use. They are not limited to what current zoning allows.



Diagrammatic: same plan scale on a 20,000 sq ft site, heights exaggerated uniformly. Townhomes shown as twelve 1,600 sq ft lots.

Key: How Each Prototype Performs Today

Every prototype is assessed on how close it comes to covering its own cost of construction. Categories, not dollar figures, are the useful output at this stage.

Prototype	Scale	Density	Assessment	What would move it
Townhomes	2 stories	~27 units/acre	• Competitive today	Already pencils. Predictable standards and review are the main lever.
Stacked Flats	3 stories	~83 units/acre	• Competitive today	Already pencils. The densest form the current market supports.
Multifamily Podium	5 stories	~105 units/acre	• Within reach of tools	MFTE, fee relief or parking flexibility. Closest of the podium types.
Mixed-Use Podium	5 stories	~131 units/acre	• Within reach of tools	Same tools. Ground-floor retail adds cost in a thin retail market.
Multifamily Podium	8 stories	~233 units/acre	• Within reach of tools	Same tools. Cost per sq ft holds flat with height, so scale barely helps.
Mixed-Use Podium	8 stories	~246 units/acre	• Within reach of tools	Same tools, plus any view or location premium height could command.
Strip Retail	1 story	5,000 sq ft retail	• Rents lag construction cost	Retail rents that carry new shell cost, or delivery inside a mixed-use project.

Targeted incentives fit the middle group best, where the shortfall is smallest relative to what the building costs to produce.

Density is net units per acre on the prototype's own lot, excluding rights-of-way; unit counts assume 900 gross sq ft per unit. Rents are held constant across podium heights, so no view premium is assumed. Assessment reflects value relative to total development cost, not a dollar land value.

Implications for Targeted Zoning Reform

1

Low-rise housing is the near-term market

Townhomes and small-scale stacked flats already pencil. Code that accommodates them cleanly, with predictable standards and review, is the easiest route to see to new development.

2

Mid-rise is close

Podium prototypes fall short, but tools are available to close the gap. Pairing increased capacity with MFTE, fee relief or parking flexibility improves the odds mid-rise projects could pencil.

3

Scale is neutral here, but it need not be

Taller buildings should unlock efficiencies of scale and higher rents. It's not clear that is the case here, but we don't know what rent premium taller buildings could command.

4

Retail follows rooftops

Standalone retail rents don't support the cost of building new retail space. That is a rent constraint, not a flaw in the format: retail typically arrives inside a mixed-use project or once households accumulate. Ground-floor flexibility reduces the burden new housing projects have to bear.

Prototype testing by ECOnorthwest using current market rents, sale prices and construction costs. Results are directional and should be revisited as conditions change.

Code Barriers

Key:

Allowed

*Partial code
barrier*

Code barrier

Zone	TOWN- HOUSE	STACKED FLATS 3-STORY	MULTI- FAMLY 5-STORY	MIXED-USE 5-STORY	MULTI- FAMLY 8-STORY	MIXED-USE 8-STORY	STRIP RETAIL
<i>Feasibility</i>	<i>Feasible</i>	<i>Feasible</i>	<i>With help</i>	<i>With help</i>	<i>With help</i>	<i>With help</i>	<i>Out of reach</i>
D-C	Ground floor commercial req	Ground floor commercial req	Ground floor commercial req Height limit*	Height limit*	Height limit	Height limit	Allowed
RM-900	Allowed	Density limit	Height limit Density	Height limit Density	Height limit FAR Density	Height limit FAR Density	Use
RM-900A	Use	Density limit	Height limit FAR Density	Height limit Use FAR Density	Height limit FAR Density	Height limit Use FAR Density	Use

*Height limit allows less than five stories except on the Dollar Tree block

Share an example building you think would be appropriate for new development downtown.



Case Study: Edmonds & Des Moines

Case Study: Des Moines & Edmonds

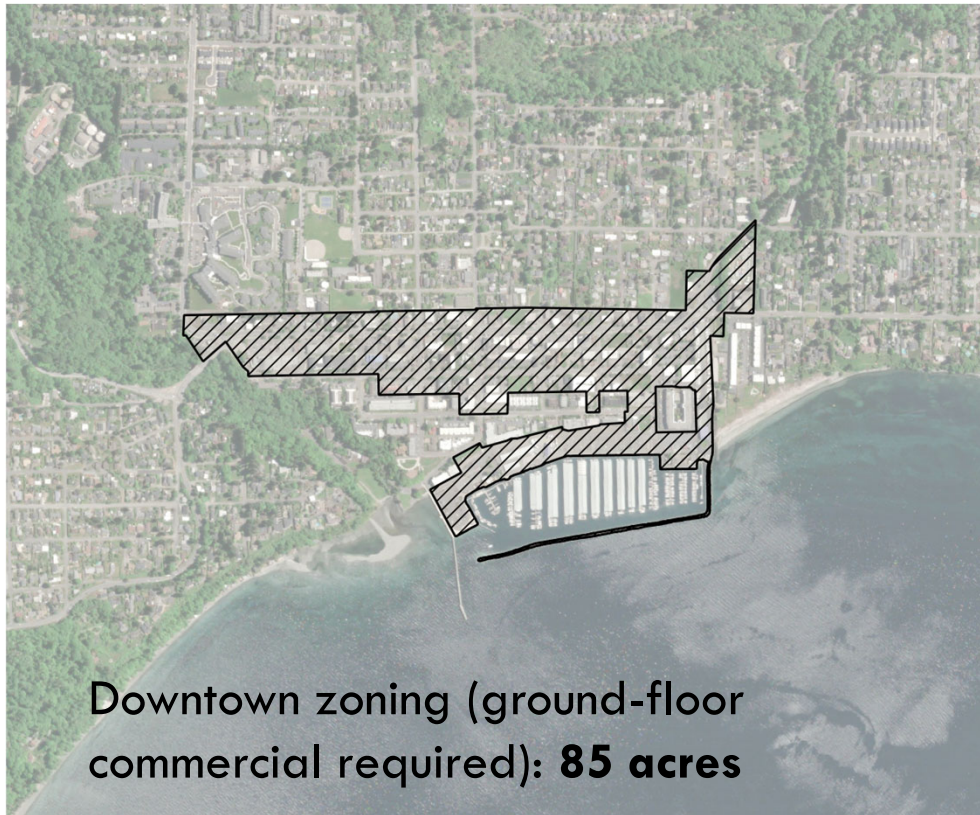
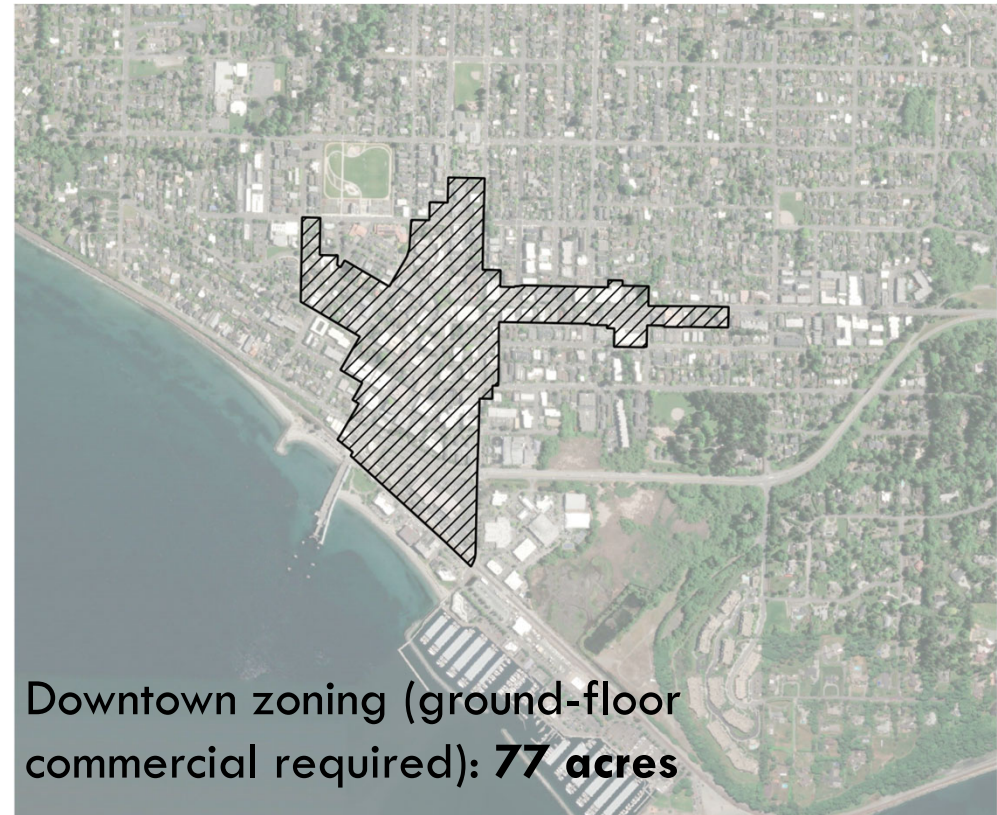


Scale 1:12,000

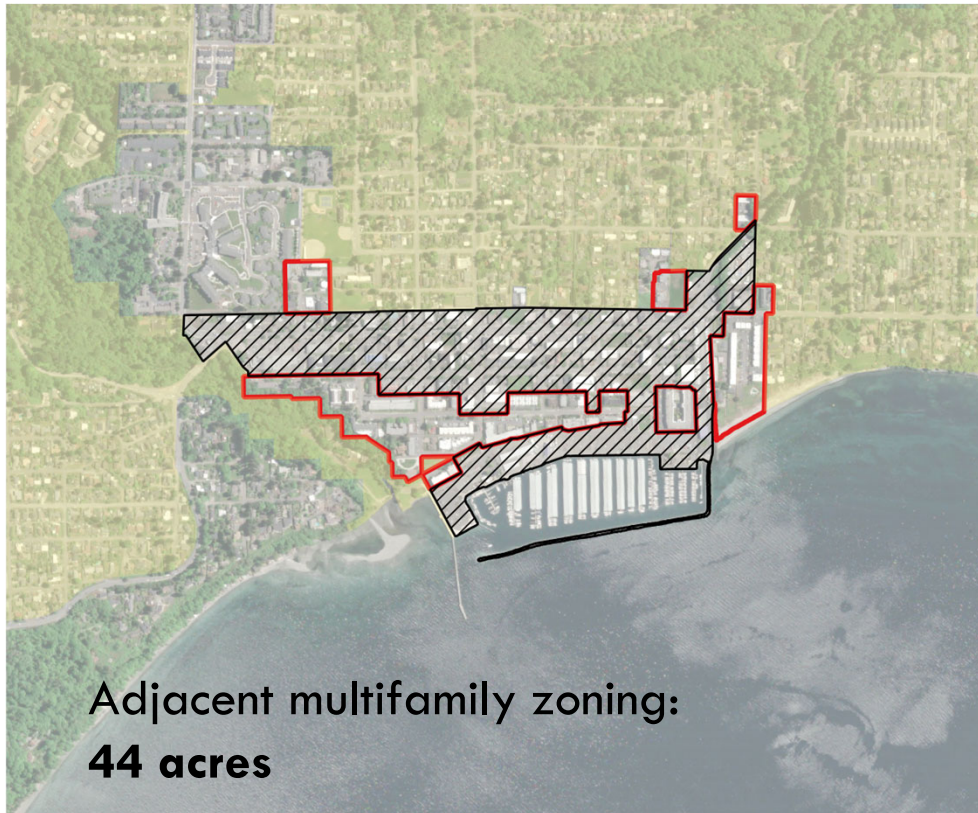
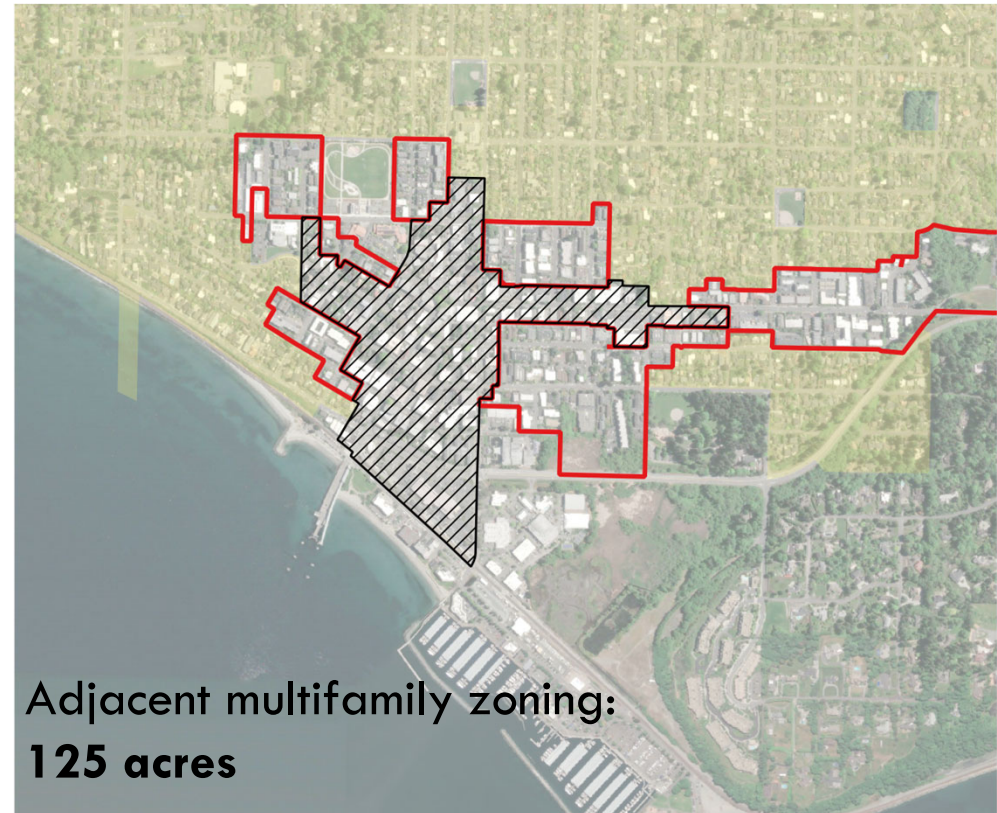


Scale 1:12,000

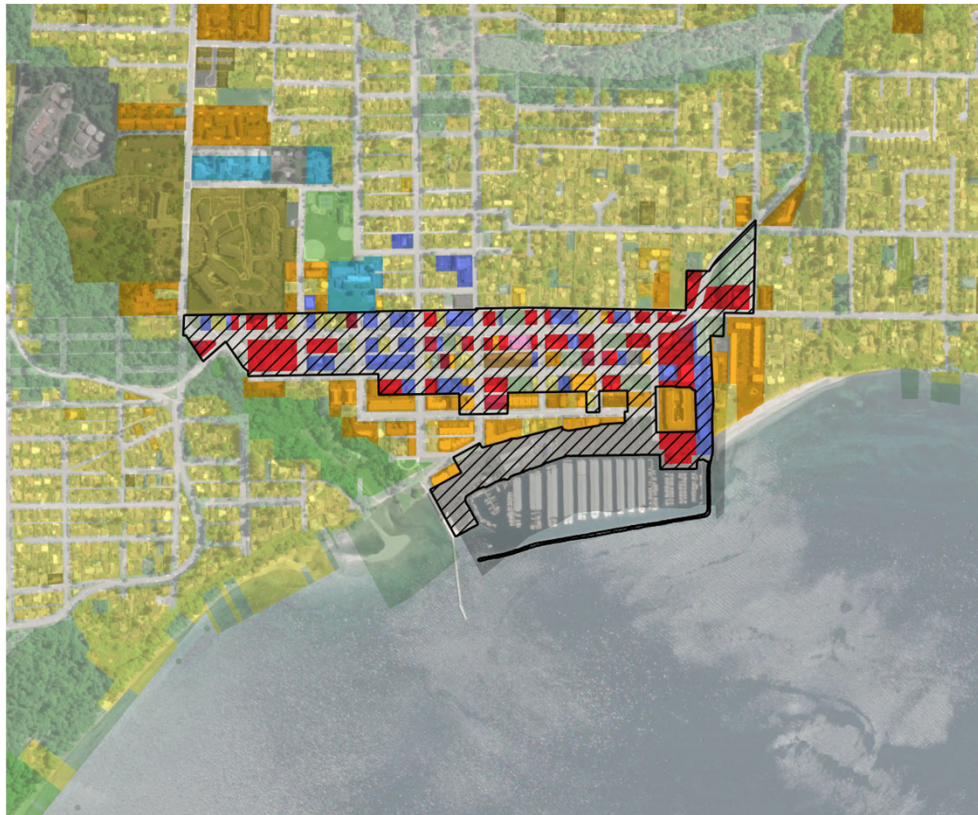
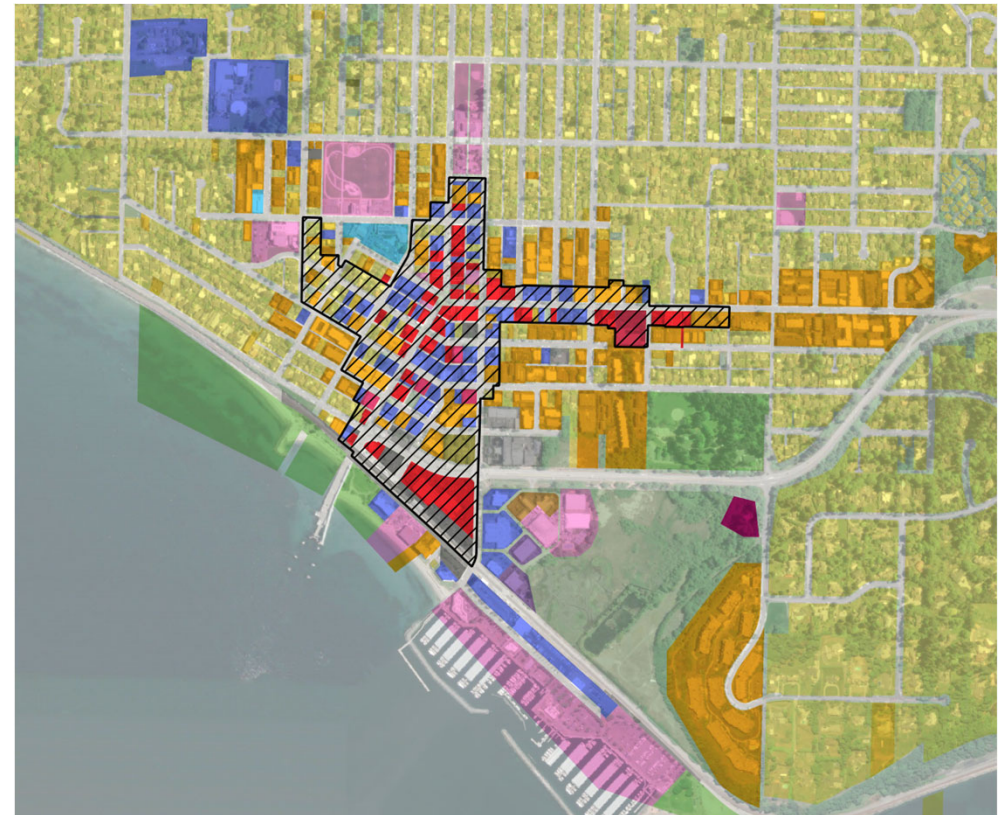
Downtown Zoning



Downtown Zoning

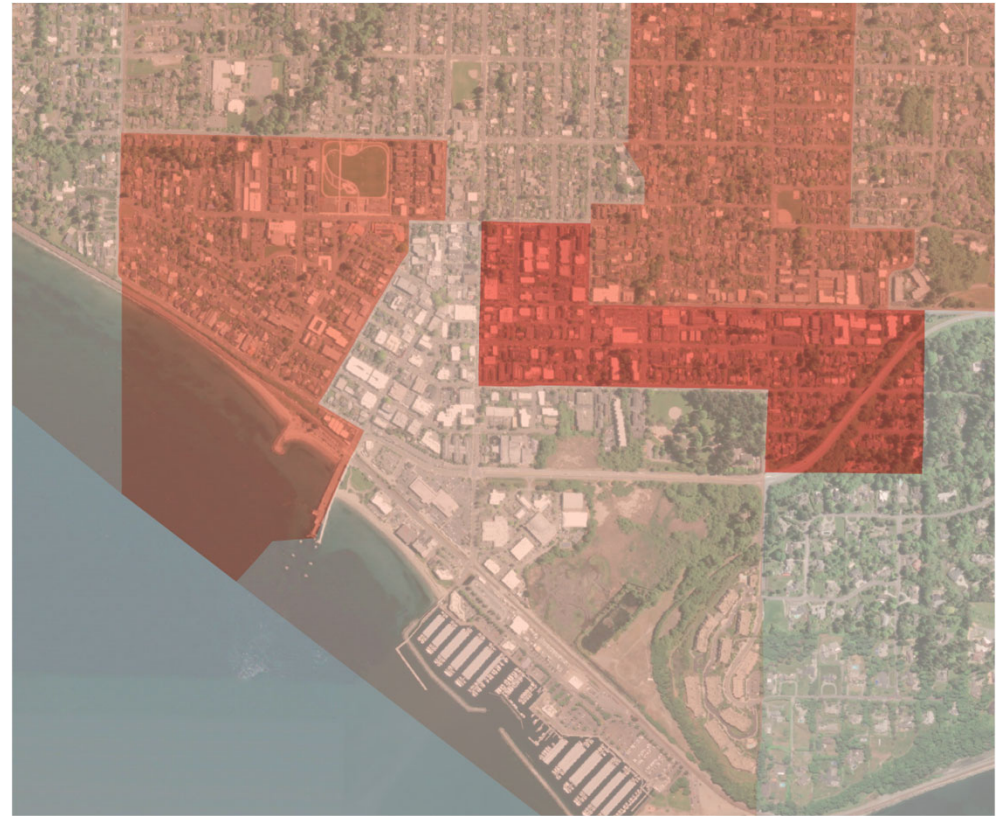


Current Land Use



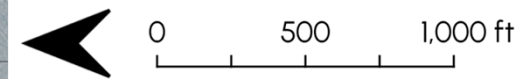
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|---------------------------|----------------------------|-----------|------------------------|--------------------|
| Single family residential | Other residential/lodging | Wholesale | Government & education | Parks & open space |
| Middle housing | Hotel / vacation rental | Retail | Culture & recreation | Undeveloped |
| Multifamily residential | Transportation & utilities | Services | Agriculture | |

Population Density

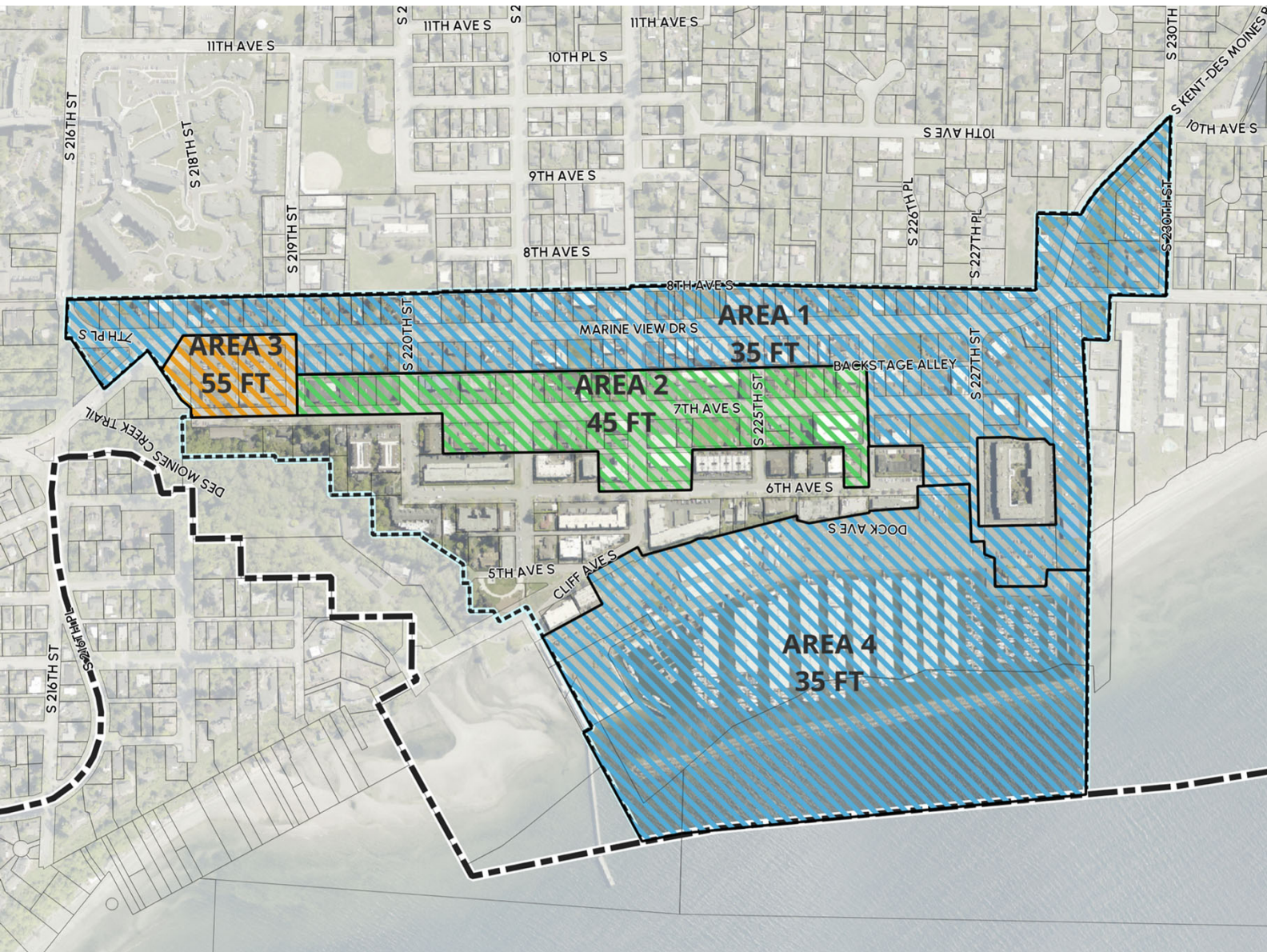


Building Heights

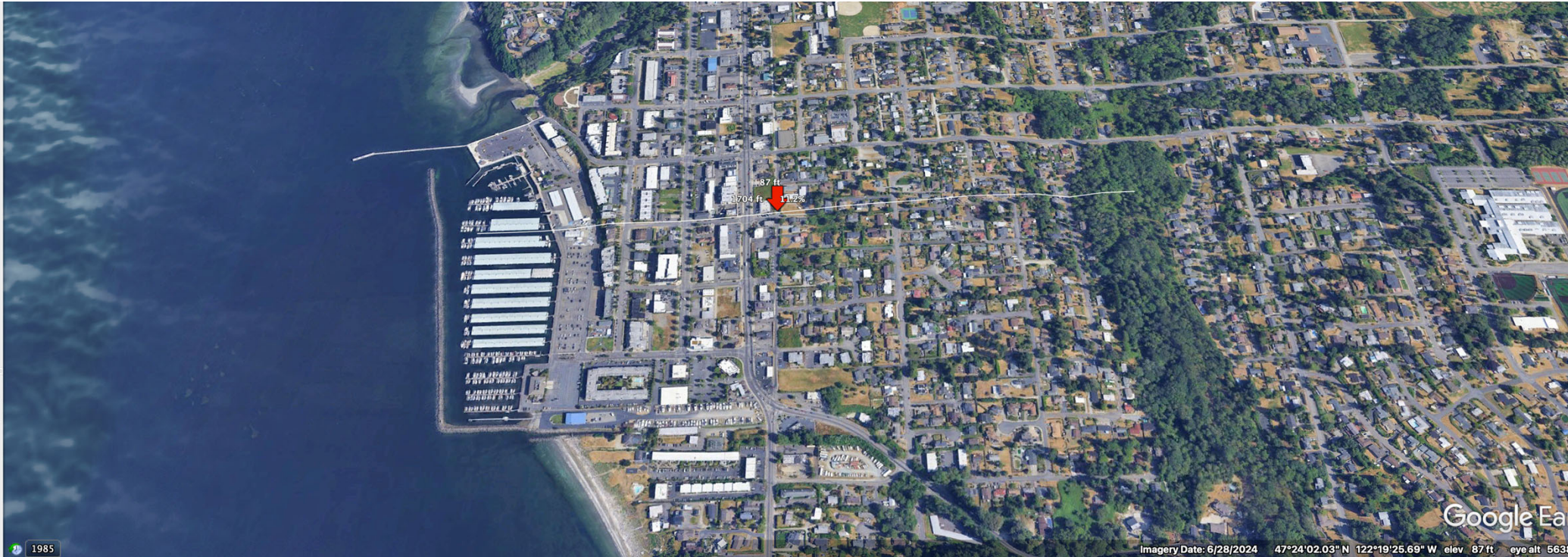
 D-C
 RM-900
 RM-900A
 Des Moines city limits
 Downtown study area



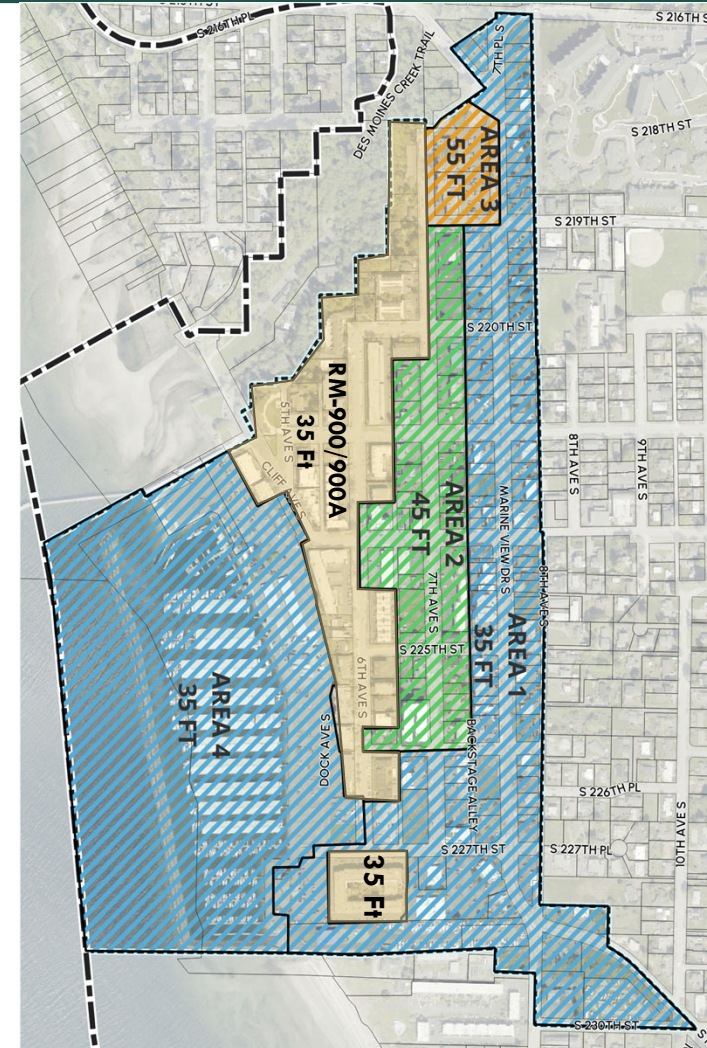
DC Height Limits



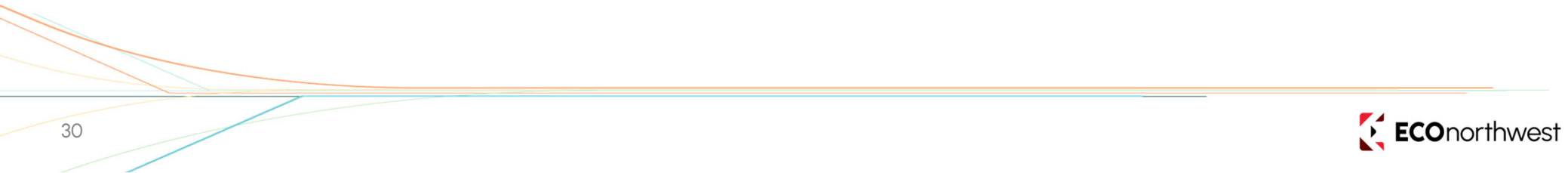




- What is an appropriate height for new buildings downtown?
- Are appropriate heights different in different areas?



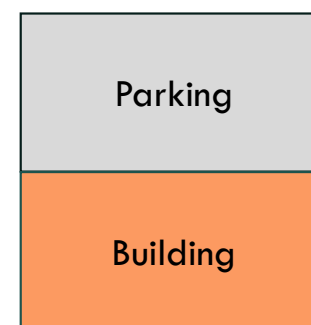
Parking



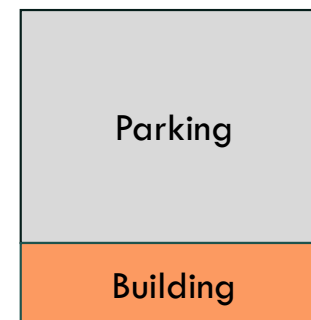
Parking

Use	Minimum Parking requirement
Retail (D-C zone)	1 per 350-400 sf floor area Depending on retail type
Restaurants	1 per 125 sf floor area (under 2,000 sf exempt in D-C zone)
Multifamily	2 per unit (Units under 1,200 sf exempt)
Moorage	1 space per 2 berths
Office	1 per 250 sf

1 per 350 sf retail

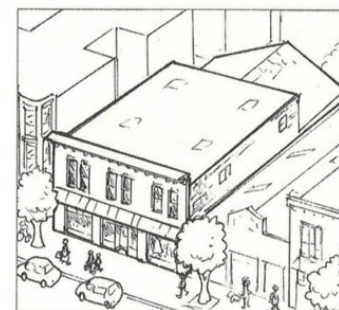


1 per 125 sf restaurant

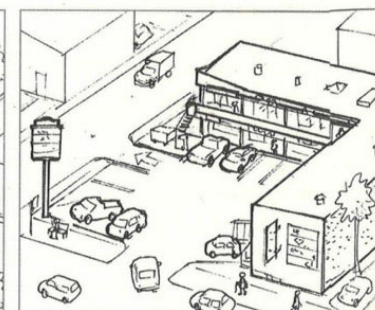


Parking

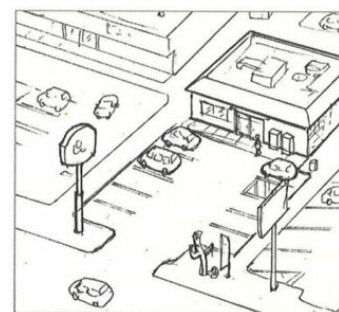
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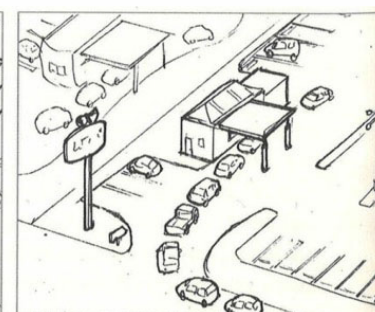
No parking



1 per 500 sf



1 per 250 sf



1 per 100 sf

Image Credit: Alfred Twu, from *Paved Paradise* by Henry Grabar

SB 5184 Passed May, 2025

Beginning July 2028, City can't require more than:

- 1 space per 1,000 sf of commercial space
- 0.5 spaces per multifamily unit

Can't require parking for:

- Existing buildings undergoing a change of use
- Residential units under 1,200 sf or affordable or senior housing
- Commercial units under 3,000 sf or in ground floor of mixed-use building

This will make development significantly easier, but may require more active street-parking management downtown.

Allowed Uses

Ground Floor Use

- D-C zone **requires** ground floor commercial uses on street fronts for all buildings
- RM-900 and 900A **prohibit** most ground-floor commercial uses.
- All the vacant lots downtown are in the D-C zone
- Retail development does not pencil because the local population isn't large enough to support existing retail footprint, let alone add more
- Downtown retail competes for customers on Highway 99, and in Normandy Park and Burien

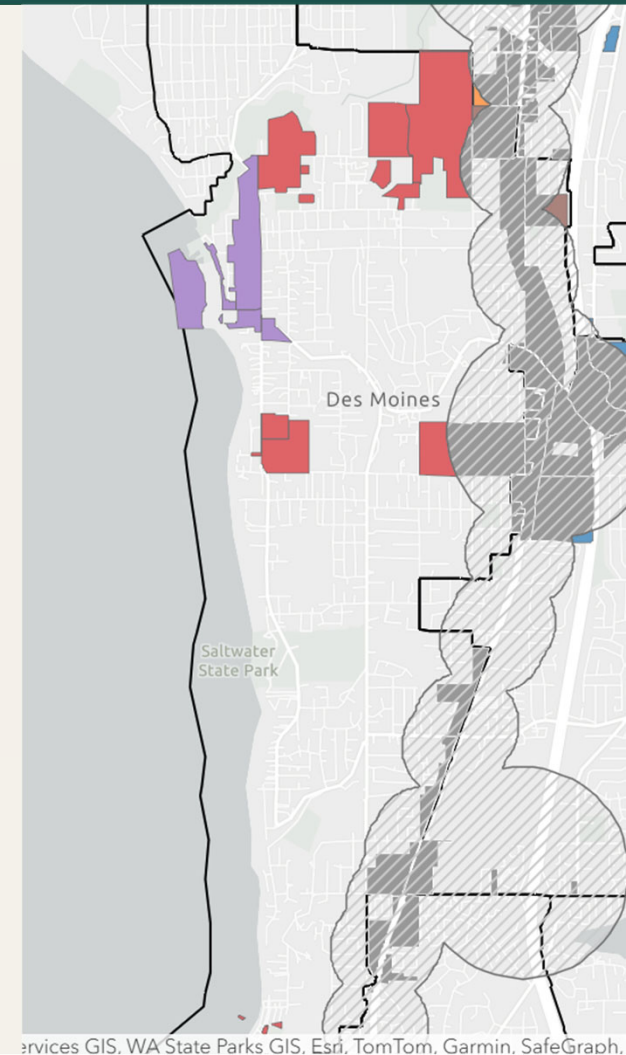
Ground Floor Use

SB 6026 Passed March, 2026

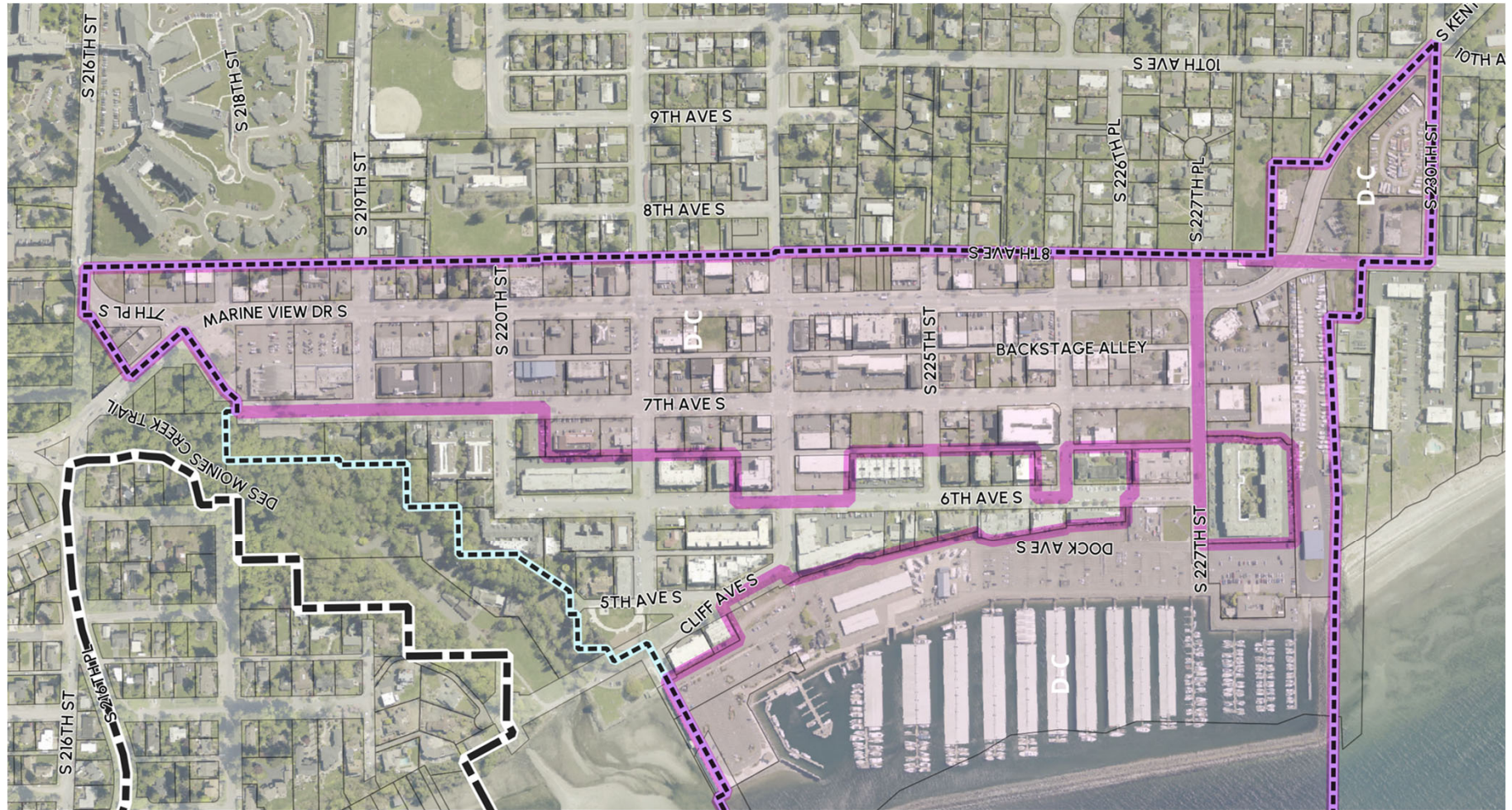
Beginning in 2028, City can't require ground floor commercial:

- within ½ mile of light rail stations or ¼ mile of RapidRide stops.
- in 60 % of the remaining areas zoned commercial or mixed-use

Des Moines will need to decide where (or if) ground-floor retail will continue to be required downtown.



Where is ground-floor retail most essential?



GROUP DISCUSSION

Discussion:

What types of development are realistic and desirable?

Which building types are appropriate for downtown Des Moines?

How much support are we willing to give to help desired types pencil?

What development types are most likely to contribute to housing choice, downtown activity, and fiscal sustainability?

NEXT STEPS

Joint Session November 5

How much change and where?

City Council December 3

Review and confirm direction.

Final recommendations packet and public information materials in Early 2027



ECONorthwest

IMPACT THROUGH INSIGHT

www.econw.com

PORTLAND, OR

Power + Light Building
920 SW 6th Ave, Suite 1400
Portland, OR 97204
503-222-6060

SEATTLE, WA

Park Place
1200 Sixth Avenue, Suite 615
Seattle, WA 98101
206-823-3060

LOS ANGELES, CA

9415 Culver Blvd
#248
Culver City, CA 90232
213-218-6740

BEND, OR

2863 NW Crossing Drive,
Suite 100
Bend, OR 97703
458-202-9016

DENVER, CO

1200 17th Street
Floor 10
Denver, CO 80202

**Planning Commission
AGENDA ITEM**

**BUSINESS OF THE PLANNING COMMISSION
City of Des Moines, WA**

SUBJECT: Discussion of Tree Regulations

ATTACHMENTS:

1. Draft Tree Regulations

FOR AGENDA OF:

October 6, 2026

DEPT OF ORIGIN:

Community Development

DATE SUBMITTED:

September 28, 2026

CLEARANCES:

Community Development

Purpose and Recommendation

The purpose of this agenda item is for the introduction of draft tree regulations and for the Commission to provide direction to staff for a draft Ordinance.

Provide direction to City Staff for development of tree removal, retention, and replacement ordinance.
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Background

Tree canopy is an important way to mitigate the impact of rising temperatures due to climate change. In June 2026, Staff presented a Tree Policy Memo for discussion and received direction from the Planning Commission. Staff were directed to prepare draft language for further discussion on implementing a tree ordinance to manage tree removal, retention, and replacement for both development and non-development scenarios. The proposed regulations do not include critical areas (such as wetlands or hillsides) as this is covered under the City's Critical Area Ordinance in the Municipal Code. Trees on public property are managed separately by the Public Works Department, primarily in connection with stormwater infrastructure and maintenance.

Discussion

The attached draft language provides an outline of proposed regulations for tree removal, retention, and replacement.

The draft is broken into the following categories:

- Definitions
- Title
- Purpose
- Application and Exemptions
- Tree Removal- Not Associated with Development Activity
- Tree Removal- Associated with Development Activity
- Minimum Tree Credits
- Tree Replacement

These sections took feedback from Planning Commission at the June 2, 2026 meeting, and review of other jurisdictions regulations, to create draft language to be implemented into a future code update. The purpose of this review is for feedback on the specific language, policies, and standards proposed. Based on Commission feedback the next meeting could include a complete draft ordinance, including redlined code sections, may include code clean up cross multiple chapters and/or sections to ensure clarity and consistency with new regulations.

Staff is looking for direction on what the Commission would like to see added, removed, and/or further discussed based on the draft language. Specific policy questions include:

For Exemptions:

In non-development scenarios, should the City allow for two trees to be removed on private, single-family properties, per year with a reduced fee or waived fee?

For Tree Retention:

Should standards only apply to developable areas (area outside of critical areas, buffers, and ROW) or the entire parcel?

For Minimum Tree Credits:

Where should the division of zones be for tree credits, specifically in the commercial zones?

Should lots be required to meet the minimum amount of tree credits when proposing construction of a new attached or detached structure exceeding **500** square feet of gross square footage or larger? Or a different number?

Replacement Ratio:

The existing provisions have a 3:1 penalty replacement ratio for trees identified to be retained that are removed during development activity. Should this increase to 4:1 or 5:1? Should there also be a fine?

Next Steps: City staff will draft a complete ordinance amending the Des Moines Municipal Code based on direction and return to the Planning Commission for further discussion and Public Hearing prior to going to Council for adoption. Additional direction

sought on scheduling. Would Commission like to meet on the November 3rd Planning Commission meeting to hold a public hearing on the draft ordinance along with other pending items. There would still be a joint Commission/Council meeting on November 5th or would you like to bring this item back in December?

Definitions

"Coverage" is defined as the ration of the dripline area to the lot area expressed as a percentage

"Director" is the Director of the City of Des Moines Community Development Department

"dripline area" is the area under the outermost circumference of branches of the tree.

"high-risk tree" is any tree that has been certified in a written arborist report as possessing the following ISA Tree Risk Assessment characterizations:

- a. The tree has a probable or imminent likelihood of failure; and
- b. The tree has a medium or high likelihood of impact; and
- c. The consequences of failure for the tree are significant or severe

"Significant tree" healthy evergreen trees six inches in diameter or greater as measured at 54 inches above the ground and healthy deciduous trees (excluding alders, European ashes, cottonwoods, and willows) eight inches in diameter or greater as measured 54 inches above the ground

"Retained tree" is defined as an existing tree designated for retention, excluding cottonwood and alders, that is less than 12 inches in diameter measured 54 inches above grade, but greater than six feet tall if evergreen, or two inches in diameter if deciduous. Retained trees must have a live crow ratio of greater than or equal to 50 percent.

"Qualified Professional" is defined as an individual though any combination of knowledge, experience, education, and training demonstrates a professional level of understanding in tree care, arboricultural sciences, and urban forestry. Qualified professionals must be professionally employed in a relevant field, and possess the ability to evaluate the health and hazard potential of existing trees, and the ability to prescribe appropriate measures necessary for the preservation of trees during land development. Qualified professionals may include landscape architects, certified arborists, and certified foresters.

Title.

This chapter shall be entitled "Tree removal, retention, and replacement".

Purpose.

The purpose of this chapter is to provide minimum standards for tree retention to foster a healthy and attractive community, to increase canopy cover in an equitable manner across Des Moines, to maintain a positive community image, to improve the aesthetic quality of the built environment, to enhance quality of life, to protect and enhance property values; to promote retention and protection of existing vegetation; to reduce the impacts of development on drainage systems and natural habitats; to absorb wind and noise; to enhance air quality; to conserve valuable water resource; and to increase privacy within residential zones by:

1. Retaining existing significant trees by incorporating them into site design
2. Promoting land development practices that result in minimal adverse disturbance to existing vegetation and soils within the City while at the same time recognizing that certain factors such as condition (including disease, danger of falling, etc.), proximity to existing and proposed structures, and the realization that reasonable enjoyment of a property many require the removal of certain trees or ground cover.
3. Protecting trees during construction activities from damage to tree roots, trunks, and branches
4. Absorbing greenhouse gases, mitigation climate change, and removing air pollution
5. Providing wildlife habitat
6. Maintaining and increasing tree canopy equitably within Des Moines

Application and Exemptions.

1. Standards set forth in this section apply to all tree removals in development and non-development scenarios, except those exempted by this chapter, or allowed under **CRITICAL AREAS ORDINANCE (CAO) REFERENCE HERE**
2. The following activities and uses are exempt from this Chapter:

- a. City of Des Moines owned-lands, including parks and Des Moines owned public street rights of way, which are regulated by **RIGHT OF WAY (ROW) REFERENCE HERE**
- b. Removal of trees below six (6) inches diameter at standard height
- c. Removal of trees by City of Des Moines, emergency responders, or public and private utilities in situations involving danger to life or property, substantial fire hazards, or interruption of utility services.
- d. Emergency tree work: if a tree removal permit cannot be obtained before emergency tree work, a retroactive permit shall be obtained within fourteen (14) calendar days following the tree removal, unless the removal is exempt pursuant to subsection 2 of this section. Or, in the following situations:
 - i. Removal of trees by property owner in emergency situations involving imminent likelihood of failure and high likelihood of impacting the target and significant to severe consequences using the ISA Basic Tree Risk Assessment process, substantial fire hazards, or interruption of utility services. It is the responsibility of the property owner or tenant to have a qualified tree professional document the reason for emergency removal with a qualified tree risk assessment report, as well as provide documentation of the emergency removal, including photos or a qualified tree risk assessment report; or
 - ii. Removal of dead trees that overhang a constant and immovable target (such as a house), that could result in significant to severe consequences held to the same standard of proof and documentation described in (i) above.
- e. Trees located in critical areas or associated buffers which are regulated by **CAO REFERENCE HERE**
- f. Trees reviewed under a preapproved tree maintenance and replacement program that meets equal intent of this title, as approved by the Director.

Tree Removal- Not associated with development activity

- 1. The following recommendations shall apply to significant tree removal not associated with development activity. Tree removal permit not associated with development may be granted when one or more of the following criteria are met:

- a. Removal of tree(s) meeting the definition of a high-risk tree
 - b. Removal of tree(s) for the purpose of replacing dead significant trees
 - c. Removal of dying, diseased, or hazard trees. Written recommendations from a qualified professional are required.
 - d. Removal of tree(s) for purpose of thinning a heavily wooded area where remaining trees may benefit by thinning and the site's overall appearance or function is maintained. Written recommendation from a qualified professional are required.
 - e. Removal of trees for the purpose of mitigation wildfire risk.
2. Tree replacement is required utilizing the City's adopted tree credits, as outlined in **TREE CREDIT REFERENCE HERE**
3. On single-family residential properties, removal of up to two (2) significant trees within a one-year period may be permitted with a waived or reduced fee, provided the removal is conducted in accordance with the following requirements;
- a. There is no active land use development permit for the subject site
 - b. A tree removal permit application is applied for prior to tree removal.
 - c. The tree proposed for removal is not one of the only two (2) significant trees remaining on the lot, unless it is identified as a high-risk tree, as confirmed by a qualified professional.
 - d. In conducting minor tree removal activities, rights-of-way shall remain unobstructed unless a right-of-way use permit is obtained

Tree Removal- Associated with development activity

- 1. All trees removed during development activity require permitting and review, unless otherwise exempted by this title.
- 2. Lots under 4,000 square feet are exempt from meeting the required tree credits with existing trees. These lots can meet the minimum required tree credits associated with development activity, either through tree replacement or fee-in-lieu.
- 3. If the lot does not have sufficient significant or exceptional trees to meet tree retention requirements,

then any existing healthy trees shall be retained provided the lot exceeds 4,000 square feet.

4. Retention Plans:

- a. For tree removal associated with a development, the applicant shall submit a Tree Retention Plan with the Land Use Application that shall consist of:
 - i. Location and species of each significant tree
 - 1. Accuracy of five (5) feet or less, or included on survey
 - ii. All trees proposed for removal clearly noted on the plan
 - iii. Location of trees within thirty (30) feet of any clearing or grading activity
 - iv. Trees labeled on all plan sheets with numbers to correspond to physical tags on trees
 - v. Location of critical root zones
 - b. A report by a qualified professional documenting current health of all significant trees in the proposed development area and within 25 feet of the bounds of any development.
 - c. Narrative description of feasibility of tree retention, and description of all tree protection measures and any special requirements to protect significant trees throughout construction, including but not limited to alternative excavation methods, irrigation, mulch, monitoring etc.
5. Any tree identified to be retained that is damaged, altered, or removed during development activity is subject to replanting at 3:1 ratio, and a fine set forth by the approved Community Development Department fee schedule.
- a. Each significant tree shall be clearly marked on site with identifiable tags, and a notice of fine associated with removal shall be affixed to the closest fence panel or on the tree itself in a manner that does not damage the tree. Signs must be clearly visible and maintained throughout the duration of development activity.
 - b. All clearing and grading shall take place outside of the dripline of the trees identified to be retained; provided that the Community Development Department may approve hand clearing within the drip line if it can be appropriately demonstrated that such work can occur without damaging the tree or roots. If roots are damaged, the Community Development Department may require additional

restoration measures and damage may be subject to a fine.

- c. Protective fencing may be required at the dripline of the tree through the duration of construction, at the discretion of Director or designee.

Minimum Tree Credits:

1. A minimum tree credit density shall be maintained on each lot as specified in the table below, regardless of development status. The tree credits may consist of existing significant trees, replacement trees, or a combination thereof. Any tree credit calculation resulting in a fraction of a tree shall be rounded up.
2. Calculating tree credits:
 - a. Tree retention standards apply to developable area which excludes critical areas and their buffers and public rights-of-way.

Table REFERENCE Required Minimum Tree Credits

Zones	Required minimum tree credits per 5,000 square feet of developable area, not exceeding 2 per 10,000 square feet
Residential: (RS-4000, RS-7200, RS-8400, RS-9600, RA-3600, RM-2400, RM-1800, RM-900, RM-900A, RM-900B, R-SE, R-SR, PR-R,)	1
	0.5
	0.25

3. Any trees planted to meet landscaping requirements of **LANDSCAPING REFERENCE HERE** shall count towards minimum tree credits, provided they meet the planting standards.
4. Trees within a critical area or associated buffer may not count towards that lots required minimum tree credits.
5. Trees growing on a surveyed property line may count towards one half (0.5) a tree credit for each bordering lot.

6. Tree credits shall be assessed in the following priority:
 - a. First, existing healthy trees
 - b. Second, replacement trees
 - c. Last, fee-in-lieu, per **FEE IN LIEU REFERENCE HERE** each fee in lieu held will count as one tree credit.
7. Any lot that does not meet the required minimum tree credits that is not exempt per **REFERENCE** shall be required to be brought into conformance when the following thresholds are met:
 - a. Construction of a new structure, attached to existing structure or detached, exceeding 500 square feet of gross square footage or larger
8. Minimum Tree Credits for Land Divisions
 - a. The required minimum tree credits shall be applied to the developable area of the short plat or subdivision. Each new lot requires a minimum of two tree credits per lot.
 - b. Planting schedule may be included as a condition of approval on land divisions, and may be required at time of construction, as applicable and determined by the Director or designee
9. Non-significant existing healthy trees, including ornamental trees between one and six inches in diameter at 54 inches above grade may count as 0.5 credit per retained tree, not to exceed 1 (one) credit, in lieu of replacement trees.

Tree Replacement

Trees required to be replaced shall be replaced according to provisions of this section.

1. The applicant shall submit a replacement plan prepared by a qualified professional that demonstrates tree installation will meet the minimum standards of this section. A tree replacement plan can be a component of the landscape plan, or a standalone plan.
2. Replacement trees shall be placed on the property where the significant trees were removed. In cases of development associated with land division, replacement trees shall be placed on each created lot, as outlined in **SECTION REFERENCE**. Off-site planting in lieu of planting on the project site is not permitted.

3. Any healthy significant tree removed as part of a development requires a ratio of **4:1 or** to the minimum tree credits required in **SECTION REFERENCE**, whichever is higher.
4. Any tree removed not associated with development activity that exceeds the allowance for removal set in **SECTION REFERENCE** will require replacement in accordance with the standards in this section.
5. Replacement trees shall be planted:
 - a. To reestablish or enhance areas where trees previously existed
 - b. In locations appropriate to the species growth habit and horticultural requirements
 - c. Away from infrastructure, both public and private, considering full growth and root spread
 - d. To provide screening from adjacent properties