



January 31, 2024

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Stacie Pratschner  
Director  
CC: Rebecca Bradley-Lowell, Senior Planner  
Development Services  
City of Mount Vernon  
910 Cleveland Avenue  
Mount Vernon, WA 98273

Dear Director Pratschner,

I am writing to request a text amendment to the City's comprehensive land use plan and development regulations, also known as the municipal code. This **not** a comprehensive plan map amendment request. This request should be considered under Resolution 491, where the City Council adopted the Growth Management Act, RCW 36.70A.140 with the intention to promote early and continuous public participation. Although the resolution states suggested amendments will be accepted at any time of year (Section (1)a), the formal process in place with your department is to accept applications on or before January 31. For requests for amendments in the text that apply city-wide, there shall be no fee for applications.

The forms your department requires – Master Land Use Application, Agent Authorization Form, SEPA Checklist, and Traffic Concurrent Application – apply to requests for a map amendment. There is no information on your website that supplies forms or format instructions for a text amendment request. Please accept this letter as my request in the absence of forms available from the City.

I would greatly appreciate you or your staff notifying me ahead of time when this and other amendment requests will be presented to the Planning Commission and City Council at their regularly scheduled meetings.

### **Comprehensive Plan Text Amendment Request**

The stated vision for the Land Use element includes an emphasis on strategies that promote environmental and cultural resources. The single largest type of land area in the city is single-family housing (Table 6.0). Yet, there is no mention of strategies for promoting environmental resources in established single-family neighborhoods. Critical areas are one exception, but they cover a very small area and the overwhelming majority of people do not live on land with a critical area overlay.

I would like to propose the Land Use Element, Section 8 on Goals, Objectives, and Policies include the following:

1. **AMENDMENT:** under Land Use Goal 1, Objective 1.2, add **Preserve a healthy tree canopy as a cultural resource for single-family neighborhoods.**

**EXPLANATION:** Land Use Goal 1 is to enhance the quality of life for people in the city. Objective 1.2 is to maintain and enhance the character of existing single-family neighborhoods. Many neighborhoods have established trees in backyards and in the right-of-way along residential streets. Some of these trees were planted as long ago as the 1950's when the owners built their houses. These trees across the landscape give a special look and feel to today's homeowners. The trees are a part of the Pacific Northwest identity and they are a part of Mount Vernon's history.

2. **AMENDMENT:** under Land Use Goal 5, add **Preserve and grow an equitable and healthy tree canopy to provide ecological benefits for single-family and multi-family neighborhoods.**

**EXPLANATION:** Land Use Goal 5 is to enhance and improve the quality of single-family environments throughout the city. Trees are essential green infrastructure in any city, yet there is no reference to them in this goal about single-family environments. The many human health and economic benefits of trees include:

- **Improved air quality** and a reduction in human health issues associated with vehicle omissions. Many of Mount Vernon's most trafficked streets have the fewest trees.
- **Reduce home energy costs** for cooling during the summer. Mount Vernon has had several spikes in summer temperatures over the past few years. Extreme heat can be expensive for home owners, put a strain on the electric grid, and lead to human health problems. Individual trees can cool houses through direct shading. Groups of trees cool nearby houses (i.e. park cooling effect).
- **Increased property values.** Homes with healthy and well-maintained trees on the property and in the neighborhood typically sell for more than comparable houses without trees. Mount Vernon residents may lose this financial advantage when they lose tree canopy in their neighborhood.
- **Reduced peak stormwater surges** and filter pollutants in run-off. Major rain events and flooding is expected to increase in Skagit Valley and the Skagit River. Excess rain puts a strain on the City's sewer system and waste water treatment facility. Tree canopy across the city can help moderate the impacts of big rain and floods to keep the Skagit River cleaner and the sewer system running smoother.
- **Sequester carbon dioxide.** While this is not really a direct benefit to people living in Mount Vernon, new state legislation passed in 2023 mandates Washington municipalities to demonstrate their contribution to or reduction in emissions. The city's urban forest canopy cover will help manage the city's carbon budget.

**Development Code Amendments Request**

In addition to the two comprehensive land use plan amendments, I would like to propose an amendment to the development code, Mount Vernon Municipal Code.

- 1. **AMENDMENT:** add a new chapter, Title 20, for Trees and Tree Canopy. This section of code will be applicable to residentially zoned private property with existing single-family or multi-family structures. The sections of the code should address:
  - What type and size tree require a permit to remove?
  - How many trees can be removed in a specified time period?
  - What is acceptable justification for removal (e.g. hazard, nuisance) that is verified at the owner’s expense by a qualified professional?
  - What activities require a tree protection plan to safeguard against accidental tree failure or unintended tree death?
  - When is replacing trees required?
  - What information is required for a permit application?
  - What penalties are applied to code violations?

**EXPLANATION:** There is essentially no code that prevents the removal of trees with a high preservation value on single-family private property in Mount Vernon. Trees are a public good and in most Mount Vernon neighborhoods, an owner removing a tree on their property can affect their neighbors. The city already has code for regulating what land owners can do on their property that will affect neighbors. You can’t burn trash in your backyard, have a backyard bonfire during a burn ban, build unstable structures that could hurt someone, or shoot a gun for fun in a high density area. The zoning regulations are much more specific, such as how tall a house can be or how many covered parking spaces have to be on the property.

Trees can also be a public hazard and owners should be responsible for the safety of their neighbors. For example, cutting roots close to the trunk of an 80-foot tall tree for an outdoor pool should not be allowed if the tree is more likely to fall onto the neighbor’s house. Most homeowners don’t know where that line is for working around trees. This code would help set guidelines.

I appreciate your dedication to public service. I look forward to hearing the response to these amendment requests from public officials, city staff, and other residents.

Sincerely,

Miles Becker