

**ORDINANCE NO. 2026-03-005**

**AN ORDINANCE RELATING TO THE PRESERVATION OF LANDMARK TREES AND EXTENDING FOR AN ADDITIONAL SIX MONTHS THE INTERIM DEVELOPMENT REGULATIONS WITH RESPECT TO LANDMARK TREES THROUGHOUT THE CITY**

**WHEREAS**, preservation of landmark trees safeguards all cultures, heritage, and ecology of the city of Bellingham as represented by those trees and/or grove of trees which reflect significant assets of the city's natural environment; and

**WHEREAS**, the City of Bellingham's commitment to tree management and health of the urban forest is reflected in the city's Comprehensive Plan, Climate Action Plan and Urban Forest Plan; and

**WHEREAS**, the urban forest's environmental services include stormwater mitigation, air quality improvement, wildlife habitat, biodiversity, food sources, as well as services critical to climate resiliency including carbon sequestration and temperature regulation through shade and transpiration; and

**WHEREAS**, Urban forest management aims to maximize the environmental, social, cultural and economic benefits that trees provide in urban areas as well as minimizing risk such as tree failures, storm damage or wildfire risk; and

**WHEREAS**, the City of Bellingham is a nationally recognized member of Tree City USA; and

**WHEREAS**, Bellingham's urban forest includes all trees, including landmark trees, within the city boundary located on public or private land; and

**WHEREAS**, landmark trees, and trees with special size, cultural, and/or spiritual significance, help form the distinctive character of a place and create a sense of community and identity; and

**WHEREAS**, the Growth Management Act, RCW 36.70A.390, allows the City to adopt an interim zoning ordinance or interim official control without holding a public hearing on the proposed interim zoning ordinance or interim official control, if the City holds a public hearing on the adopted interim zoning ordinance or interim official control within at least sixty days of its adoption, which occurred within sixty days of the initial adoption of these interim regulations on July 15, 2024; and

**WHEREAS**, an interim zoning ordinance or interim official control adopted under RCW 36.70A.390 may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period; and

**WHEREAS**, the Council initially adopted interim regulations with respect to landmark trees as an emergency ordinance on May 20, 2024 (ordinance 2024-05-017), revised the interim

regulations on July 15, 2022 following a public hearing (ordinance 2024-07-022), extended the interim regulations for an additional six months on November 4, 2024 (ordinance 2024-11-028), and then repealed, replaced, and extended the interim regulations for an additional six months on March 10, 2025 (ordinance 2025-03-004), and again on August 11, 2025 (Ordinance #2025-08-018); and

**WHEREAS**, the interim regulations with respect to landmark trees will expire on March 26, 2026, absent further action by Council; and

**WHEREAS**, staff recommends extending these amended interim development regulations for an additional six months in order to complete the Type VI legislative process to develop permanent regulations for the protection of landmark trees; and

**WHEREAS**, the Council held a public hearing on the ordinance extending these interim regulations on February 23, 2026, as required by RCW 36.70A.390.

**NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

**Sec. 1. Findings of Fact.** The City Council adopts the above "WHEREAS" recitals as findings of fact in support of its action, as required by RCW 36.70A.390 and RCW 35.63.200.

**Sec. 2. Purpose.** The purposes of this interim ordinance are to:

- a. Provide for the identification, evaluation, designation, and protection of landmark trees or groves of trees within the boundaries of the City, and to provide for the preservation of and mitigation for the loss of trees that require removal to
- b. Stabilize or improve the aesthetic character and ecological vitality by preventing the untimely and indiscriminate removal or destruction of trees; and
- c. Safeguard all cultures, heritage, and ecology of the City as represented by those trees and/or grove of trees which reflect significant elements of the City's natural environment; and
- d. Promote climate resiliency by protecting the natural environment; and
- e. Facilitate tree protection efforts by promoting site planning and horticultural practices that are consistent with reasonable uses of the property and granting flexibility for certain development standards to accommodate the protection of landmark trees; and
- f. Assist, encourage, and provide incentives to private owners to encourage nomination of landmark trees; and
- g. Promote and facilitate the early identification and resolution of conflicts between the preservation of landmark trees resources and alternative land uses; and
- h. Foster civic and neighborhood pride in the beauty and ecological value, and instill a sense of identity based on the City's natural history; and

- i. Support the goals of the Draft City of Bellingham Urban Forest Plan and the Comprehensive Plan, and the Climate Action Plan; and
- j. Balance the need to protect urban trees with the climate benefits of increasing density in urban areas; and
- k. Produce better development designs that balance the need to protect mature urban trees with other community goals as increased urban density occurs.

**Sec. 3. Definitions.** The following words and terms when used in this ordinance shall mean as follows, unless a different meaning clearly appears from the context:

“Arborist” means an individual trained in arboriculture, the art and science of planting, caring for, and maintaining individual trees, and is currently certified by the International Society of Arboriculture or similar.

“Building” means a structure constructed by human beings. This includes both residential and nonresidential buildings, main and accessory buildings.

“Certified Arborist” means a Tree Risk Assessment Qualified (TRAQ), International Society of Arboriculture (ISA) certified arborist.

“Critical Root Zone” also known as CRZ, is the area around a tree where the minimum amount of roots that are biologically essential to the structural stability and health of the tree are located. This area is delineated using a radius that is equal to one foot for every inch DBH of the tree, or as otherwise defined by a certified arborist.

“Committee” means the Bellingham Landmark Tree Committee (BLTC) which shall be comprised of one staff member with relevant training and experience from each department designated by the Planning & Community Development Director, the Parks & Recreation Director, and the Public Works Director.

“DBH” is short for Diameter at Breast Height as measured at 4.5 ft above the ground measured from the uphill side.

“Director” means the Planning and Community Development Director

“Emergency action” means any action taken to a Landmark Tree that has an “severe” risk of imminent failure risk rating according to tree risk assessment evaluation standards established by the International Society of Arboriculture (ISA), including but not limited to such actions as trimming or removal that is necessary to remedy an immediate threat to people, structures, or health and safety, prior to the issuance of a permit.

“Grove” means a group of eight or more trees, 12 inches in diameter at breast height or greater that has a continuous canopy. It excludes black cottonwoods and any invasive trees, the entire trunk of which is in the public place. Trees planted as hedges or clearly maintained as such are not tree groves. A tree grove may be located across property lines on abutting and/or adjacent lots.

"Invasive tree" or "noxious tree" means any tree species that is documented on the Whatcom County Noxious Weed Board's Class A, Class B, Class C Noxious Weed, State of Washington Noxious Wee Monitor List, or any Weeds of Concern Lists, except that the following trees shall not be considered an invasive tree or nuisance tree: Black locust - Robinia pseudo acacia; and Horse chestnut - Aesculus hippocastanum.

"Inventory" means the City's Landmark Tree Inventory.

"Mitigation plan" means a detailed plan that documents measures to avoid and minimize impacts to a landmark tree and may include the species, size, and location of any replacement tree(s) that will be planted to offset the loss of a landmark tree.

"Normal pruning and maintenance" mean compliance with American National Standards Institute (ANSI) A300 Tree Care standards for trees, shrubs, and other woody plants.

"Owner" of property means the fee simple owner of record as exists on the Whatcom County assessor's records.

"Site" means a place where a landmark tree is currently located. It may be on private property, public property, or within the public right-of-way.

"Topping" means the cutting back of limbs to stubs within the tree's crown, to such a degree as to remove the normal canopy and disfigure the tree; or the cutting back of limbs or branches to lateral branches that are less than half of the diameter of the limb or branch that is cut. Topping does not include acceptable pruning practices as described in the ANSI A300 standards or their successor such as crown reduction, utility pruning, or crown cleaning to remove a safety hazard or dead or diseased material. Topping is a type of tree removal.

"Tree" means a large woody perennial plant usually with a single main stem or trunk and generally over 25 feet tall at maturity.

"Tree protection zone" means the area surrounding a tree in which excavation and other construction-related activities must be avoided unless approved by the Director. This area is delineated using a radius that is equal to one foot for every inch DBH of the tree or as otherwise defined by a certified arborist.

"TRAQ" means the Tree Risk Assessment Qualification, a qualification program administered by the International Society of Arboriculture designed to train and assess candidates in a specialized field of arboriculture.

"Removal" means the removal of tree(s) or vegetation, through either direct or indirect actions including, but not limited to, clearing, topping, or cutting, causing irreversible damage to roots or trunks; poisoning; destroying the structural integrity; and/or any filling, excavation, grading, or trenching in the drip line area of a tree which is likely to prevent the tree from regaining its mature size or function, or relocation of an existing tree to a new planting location.

**Sec. 4. Landmark Tree Inventory.** City staff are directed to create and maintain the City's Landmark Tree Inventory using the following criteria:

- a. Criteria for Determining Inclusion in Inventory. Any tree that has single trunk with a DBH of 36 inches or greater in a healthy growing condition shall be automatically included in the Landmark Tree Inventory. Trees with multiple trunks shall have a single stem equal to or greater than 36 inches DBH to be automatically included. Black cottonwood (*Populus balsamifera*) trees are automatically excluded

Additionally, trees with one or more of the following may be nominated for inclusion in the Landmark Tree inventory:

- i. The tree has a distinctive size, shape, or location, or is of a distinctive species or age which warrants a Landmark Tree status; or
  - ii. The tree is distinctive due to a functional or aesthetic relationship to a natural resource, such as trees located along ridge lines; or
  - iii. The tree has a documented association with a historical figure, property, or significant historical event; or
  - iv. The tree serves significant benefit for wildlife habitat such as nesting or feeding.
- b. For any grove of trees to be nominated and included as a Landmark Tree(s), such grove must be in a healthy growing condition, and one or more of the following shall exist:
    - i. The grove has a distinctive size, or location, or is of a distinctive species or age which warrants a Landmark Tree status; or
    - ii. The grove is distinctive due to a functional or aesthetic relationship to a natural resource, such as trees located along ridge lines; or
    - iii. The grove has a documented association with a historical figure, property, or significant historical event; or
    - iv. The grove serves significant benefit for wildlife habitat such as nesting or feeding.

**Sec. 5. Landmark Tree Preservation.** No person may remove, damage, or harm any landmark tree without approval under this ordinance:

- a. All landmark trees that may be adversely impacted by any excavation, demolition, construction, or utility work must be sufficiently guarded and protected by those responsible for such work to minimize potential injury to landmark trees. Any work which requires a permit or is designated as an exempt activity per BMC 16.60.070, and which may remove, damage or harm landmark trees requires approval under this

chapter. The director may require protective measures consistent with national arborist organizations standards to protect landmark trees.

- b. No person may remove, damage or harm any landmark tree by any means without approval under this chapter, including, but not limited to, the following methods:
  - i. By impeding the free passage of water, air, or fertilizer to the roots of any landmark tree by depositing concrete, asphalt, plastic sheeting, or other material on the ground immediately surrounding any landmark tree, or
  - ii. By pouring any toxic material on any landmark tree or on the ground near any landmark tree; or
  - iii. By causing or encouraging any fire near or around any landmark tree; or
  - iv. By severely reducing a landmark tree's crown by removing more than twenty-five percent of the tree's foliage, except when pruning under utility wires or when eliminating obstructions of the right-of-way, as required by this chapter; or
  - v. By carving, attaching any sign, poster, notice, or other object, on any landmark tree, or by fastening any rope, wire, cable, nail, screw, staple or other device to any landmark tree, Nothing in this section shall be construed in such a manner that forbids lighting of a decorative or seasonal nature, provided that such lighting is draped or wrapped around a landmark tree and maintained without causing permanent damage to the landmark tree; or
  - vi. By using equipment that is not generally accepted by the tree care industry.

**Sec. 6. Landmark Tree Removal.** The director may approve an application that would result in the removal, damage, or harm of a landmark tree upon a finding that at least one of the following criteria is met:

- a. The removal, damage, impact, or harm to the Landmark Tree(s) is necessary to enable construction on or reasonable use of the property, and the applicant has demonstrated that all reasonable efforts have been examined with the intent to avoid and minimize the impact to or removal of the Landmark Tree(s). When removal of a Landmark Tree or trees is proposed, applicants shall follow the mitigation sequential order of preference below:
  - i. Avoiding the impact altogether by not taking a certain action or parts of an action;
  - ii. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, reducing driveways or other impervious areas, or relocating utilities, to avoid or reduce impacts; and

- iii. Compensating for the removal or impact at a ratio as determined by the director.
  - iv. Mitigation for individual actions may include a combination of the above measures. Additionally, in order to preserve or minimize the impacts associated with preserving a Landmark Tree, the director shall have the authority to reduce other development standards, such as setbacks, lot coverage, open space, and minimum parking requirements, upon a finding that the reduction will not create significant impacts, or
- b. The removal, damage, impact or harm to the Landmark Tree(s) is necessary to maintain utilities, access, or to fulfill the terms of an easement of covenant recorded prior to the adoption of ordinance 2024-05-017; or
  - c. The Landmark Tree is located in a stream habitat restoration project or area, the removal is necessary to relocate the stream, and removal will facilitate greater ecological benefits over the long term; or
  - d. The Landmark Tree is hazardous according to the following:
    - i. The landmark tree is rated as an Extreme or High Risk hazard in a risk tree assessment conducted by a Tree Risk Assessment Qualified (TRAQ) Arborist, according to the following:
      - 1. Extreme Risk. This category applies to trees (in whole or in part) in which structural failure is imminent and there is a high likelihood of impacting a target, and the consequences of the failure are severe.
      - 2. High Risk. This category applies to trees in which consequences are significant and likelihood is very likely or likely, or when consequences are severe and likelihood is likely.
      - 3. Moderate Risk. This category applies to trees in which consequences are minor and likelihood is very likely or likely, or when likelihood is somewhat likely and the consequences are significant or severe.
      - 4. Low Risk. This category applies to trees in which consequences are negligible and likelihood is unlikely; or when consequences are minor and likelihood is somewhat likely;
    - ii. A potential target includes permanent structures, electrical lines or facilities, or an area of moderate to high use;
    - iii. If a potential target does not exist, applicants may be limited to routine pruning and maintenance to mitigate hazards;
    - iv. Assessment of Extreme and High Risk trees:

1. If a landmark tree is assessed as an Extreme or High Risk and mitigation of the risk through pruning or moving of potential targets is not feasible, then the Director may authorize complete removal of the tree subject to compliance with an approved mitigation plan;
2. If a landmark tree is assessed as a High Risk, then the Director may authorize hazard pruning to mitigate the risk rather than removing the entire tree,
3. If a landmark tree is rated as Moderate Risk or Low Risk, the Director may allow complete removal of the tree subject to compliance with an approved mitigation plan, hazard pruning, or other actions, as appropriate, to mitigate the identified risk.

**Sec. 7. Exemptions.** The following activities are exempt activities which do not require review and approval by the Director:

- a. Normal pruning and maintenance, and
- b. Work performed or authorized by a state or federal agency including, but not limited to the following, the Washington State Department of Transportation, Washington State Department of Ecology, U.S. Fish and Wildlife.

**Sec. 8. Bellingham Landmark Tree Committee (BLTC)**

- a. **Creation, Size, and Composition.** The Bellingham Landmark Tree Committee (BLTC) shall be comprised of staff members, with relevant training and experience, for example, an arborist, designated by the Planning and Community Development Director, the Parks and Recreation Director, and the Public Works Director. Each department shall appoint one member to the BLTC, and each member on the BLTC shall have one vote for purposes of making recommendations to the director.
- b. **Powers and Duties.** The primary responsibility of the BLTC is to identify and actively encourage the conservation of the City's landmark trees by initiating and maintaining the Landmark Tree inventory.
- c. In carrying out these responsibilities, the BLTC is authorized to engage in the following:
  - i. Create and maintain a comprehensive inventory of landmark trees and groves of trees to be known as the City's Landmark Tree Inventory. Landmark Trees listed on the inventory shall be identified in the City's GIS database to alert staff and the public as to the presence of a landmark tree or trees.
  - ii. Review nominations to the Landmark Tree Inventory according to criteria in section 4 of this ordinance and make a recommendation to the director.

- iii. Review Applications for Removal of Landmark Tree that may result in the loss, removal or significantly affect trees or groves in the Landmark Tree inventory using criteria in section 6 of this ordinance and make a recommendation to the Director.
  - iv. Review and comment to the city council, the planning commission, or the hearing examiner, when a development proposal pending before them would impact trees on the inventory.
  - v. Provide information and recommendations to the city council, the planning commission, and the mayor generally with respect to landmark tree preservation, as requested.
  - vi. Encourage efforts by owners to maintain, rehabilitate and preserve landmark trees, and to provide information to the public on methods of maintaining and preserving landmark trees. This may take the form of pamphlets, newsletters, workshops, or similar activities.
- d. Process for Nominating Landmark Trees to the City's Landmark Tree Inventory.
- i. The City Council, Planning Commission, City staff, neighborhood association, property owner, or any person, may nominate a landmark tree, or grove of trees, for inclusion in the Landmark Tree Inventory. If someone other than the owner nominates a tree on the owner's property as a Landmark Tree, then the owner must approve the nomination before it will be forwarded to the BLTC for review.
  - ii. The BLTC shall consider the merits of the nomination for trees, or grove of trees, in accordance with the criteria in section 4 of this ordinance. If the BLTC finds that the nominated tree, or grove of trees, meets the criteria for inclusion on the Landmark Tree Inventory, the committee shall recommend to the Director that the tree, or grove of trees, be included in the Landmark Tree Inventory. If the BLTC determines that the nominated tree, or grove of trees, does not satisfy the criteria under section 4, then it shall notify the Director that the tree, or grove of trees, does not meet the criteria for inclusion in the Landmark Tree Inventory.
- e. Removal of Landmark Trees from the Inventory. If any tree individually listed on the Landmark Tree Inventory is no longer deemed appropriate for designation to the inventory, the BLTC may initiate removal the inventory by the same procedure as provided for in establishing the designation in subsection d of this section. A landmark tree may be removed from the inventory without the owner's consent.
- f. Effects of Listing on the Landmark Tree Inventory.
- i. The inclusion of a tree, or grove of trees, on the Landmark Tree Inventory means more than an honorary designation denoting significant association with the historic, ecological, environmental, or cultural heritage of the

community. Landmark trees on the inventory are subject to heightened protection from damage or removal as noted in section 5 of this ordinance.

- ii. Prior to the commencement of any work on a site containing a recognized landmark tree, or grove of trees, the owner must, in addition to any other development permit that may be required, submit appropriate documentation demonstrating the protection and preservation of a landmark tree, or the appropriate pruning, or have an approved mitigation plan for removal.
- iii. In addition to the variance criteria identified in Chapter 20.18 BMC, the hearing examiner shall consider the importance of preserving landmark trees when reviewing an application for a variance where the requested variance, if granted, would result in the preservation of the landmark tree.

**Sec. 9. Review Required.**

- a. No person, corporation or legal entity shall engage in any activity that has the potential to remove, damage, impact, or harm a landmark tree without review and approval by the Director or designee following a Type 1 process after a recommendation from the Bellingham Landmark Tree Committee. If the development proposal requires additional land use permits, then the application to remove or otherwise impact a landmark tree shall be consolidated with and reviewed under the process required for the permit with the highest process type number in BMC Chapter 21.10.
- b. Applications for Removal of a Landmark Tree shall include, at a minimum:
  - i. Applicant name and contact information,
  - ii. Site Plan showing limits of disturbance and tree protection zones(s) for landmark tree(s) proposed for retention,
  - iii. Species and DBH of each landmark tree proposed for removal, damage, or harm,
  - iv. Rationale for removal, damage, or harm meeting the criteria set forth in section 6 of this ordinance,
  - v. The proposed mitigation plan for the removal, damage, or harm to the landmark tree. If removal of a landmark tree is proposed, the mitigation plan shall meet the following criteria :
    - 1. The proposed replacement tree(s) shall have a professionally referenced DBH at maturity greater than or equal to the DBH of the subject landmark tree or trees being removed (the ratio of a replacement tree to a removed landmark tree is 3:1 or a required by the director).

2. The Critical Root Zone of the replacement tree(s) shall not exceed the mitigation area dedicated to the replacement tree.
  3. Replacement trees shall not be Invasive Tree or Noxious Tree species; and
  4. Replacement Trees shall be native to Puget Trough Ecoregion and/or culturally significant; and
- c. Maintenance and Monitoring. For each relocated or required replacement tree, the owner must maintain and monitor the health of the tree for a five-year period. The period begins when the replacement tree is planted or relocated. Maintenance and monitoring shall include the following:
- i. Sufficient maintenance actions to ensure survival of the replacement tree;
  - ii. Mitigation area shall be free of all noxious and invasive vegetation;
  - iii. Maintain 6 inches of mulch throughout the mitigation area;
  - iv. Provide irrigation from May through September during the first two growing seasons after replacement tree installation;
  - v. Two-thirds of survival of new trees planted at the end of five years;
  - vi. Replacement and replanting of failed trees to ensure the survival rate in subsection v; and
  - vii. Submission of Year 1 and Year 5 documentation to the Planning and Community Development Department.
- d. Exempt activities listed under section 7 of this ordinance do not require an application.
- e. Review Process
- i. The Director or designee shall forward Applications for Removal of a Landmark Tree to the BLTC. The BLTC shall review the application and make a recommendation to the Director. The Director shall not issue any permit that would authorize the removal, pruning, land disturbance of root zone of a landmark tree or other damage or harm to a landmark tree until it receives a recommendation from the BLTC.
  - ii. The BLTC shall only recommend approval of a proposed development activity which would result in the removal, damage or harm to a Landmark Tree upon a finding that at least one of the criteria for removal of a landmark tree in section 6 of this ordinance is satisfied.
  - iii. If the BLTC recommends removal of a landmark tree, it shall also forward the proposed mitigation plan to the Director or designee. The conditions in the

mitigation plan, if any, shall become conditions of approval for the associated development project. The BLTC shall initiate removal of the landmark tree from the Landmark Tree Inventory after a landmark tree is removed.

- iv. The Director will approve, deny, or request additional information based on the Application for Removal of a Landmark Tree, written recommendation from the Committee, criteria for removal of a landmark tree in section 6 of this ordinance, and all land use regulations applied to the subject property, such as: BMC Title 22 Shoreline Master Program, BMC 16.55 Critical Areas, or any other tree retention regulations applied through a land use permit. In determining whether an approval shall be granted, the submittal of a professional evaluation and/or a tree protection plan prepared by an Arborist may be required when the City deems such services are necessary to demonstrate compliance with the standards of this chapter. Such professional evaluation(s) and services may include providing a written evaluation of the anticipated effects of proposed construction on the viability of trees on a site and/or providing a hazardous tree assessment.
- v. Any Director decision under this section may be appealed by the applicant to the Hearing Examiner by filing a written notice of appeal stating the grounds for the appeal and attaching thereto a copy of the Director's decision. The written appeal and the appeal fee must be received by the Planning and Community Development Department office as specified on the appeal form no later than 5:00 p.m. on the fourteenth day following the date the notice of decision was issued or following the date of the decision if no notice was issued.

f. Emergency Actions.

- i. In emergency situations involving an immediate danger to life or real property, removal of a landmark tree is permitted without first obtaining approval from the Director; provided, that the following conditions are satisfied:
  - 1. The person, corporation, or other legal entity that removed the landmark tree must submit an application for removal of a landmark tree under this chapter within 14 days after the emergency situation is stabilized; and
  - 2. The person, corporation, or other legal entity that removed the landmark tree provides, within 14 days after the emergency situation is stabilized, the city with documentation establishing the existence of the emergency situation, with such documentation including at least four high resolution photographs evidencing the existence of the emergency situation; and
  - 3. The director authorizes the emergency removal pursuant to this chapter.
- ii. If the conditions of subsection i of this section are not satisfied, the person, corporation, or other legal entity that removed the landmark tree without first obtaining approval from the director will be in violation of this chapter.

- g. Incentives. To incentivize the retention, preservation, or protection of a landmark tree that may be impacted by proposed development, the owner may request consideration of any of the following or combination thereof:
- i. Reduced Setbacks,
  - ii. Reduction of on-site parking requirements,
  - iii. Reduction of on-site open space requirements,
  - iv. Reduction in landscape planting requirements, or
  - v. Increase in lot coverage.
  - vi. Authorization of requested incentives shall be proportionate to the landmark tree(s) to be retained as determined by the director.

**Sec. 10. Fees.** A nomination for inclusion on the Landmark Tree Inventory shall be accompanied by a fee payment in an amount set by City Council resolution.

**Sec. 11. Violations.** Anyone who violates or otherwise fails to comply with the provisions of this chapter, or who removes or causes the removal of a landmark tree shall be guilty of a civil infraction not to exceed \$2,400 for each violation. The minimum civil penalty shall be \$800.

**Sec. 12. Conflict with other BMC Provisions.** If the provisions of this ordinance are found to be inconsistent with other provisions of the Bellingham Municipal Code, this ordinance shall control.

**Sec. 13. Public Hearing Required.** The City Council held a public hearing on this ordinance which extends the interim regulations for landmark trees on February 23, 2026. The Council finds based on the information provided during that hearing and from City staff that the conditions that existed prior to the initial adoption of these interim regulations in May 2024 continue to exist, and that the public would be well served by extending these interim regulations to allow for the development of permanent regulations following a Type VI legislative process.

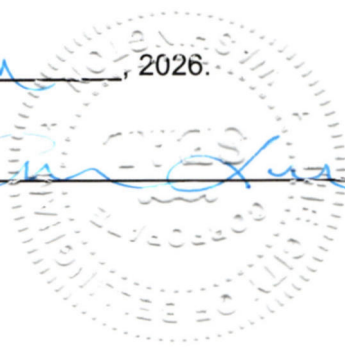
**Sec. 14. Effective Date.** This ordinance shall remain in effect for an additional six months beginning on March 26, 2026, and will expire on September 26, 2026, unless the Council takes additional legislative action to extend these interim development regulations, amend them, or make them permanent.

**PASSED** by the Council this 9th day of March, 2026.

  
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Council President

APPROVED by me this 13<sup>th</sup> day of March, 2026.

[Signature]  
Mayor



ATTEST: [Signature]  
Finance Director

APPROVED AS TO FORM:  
[Signature]  
Office of the City Attorney

Published:  
March 13, 2026