



## Memorandum

**DATE:** May 7, 2009

**TO:** Shoreline Planning Commission

**FROM:** Joseph W. Tovar, FAICP, Director of Planning and Development Services  
Paul Cohen, Senior Planner

**RE:** Tree Code Amendments – Other Jurisdiction and Proposal Comparisons

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As a part of the discussion of tree code amendments, staff presented the background support for and orientation to the City's tree code on March 26<sup>th</sup>. At your May 7 meeting staff will provide a selection of tree codes from other jurisdictions to provide comparisons with Shoreline and context for future discussions. In addition to looking at adopted regulations in Lake Forest Park, Bellevue, and Edmonds staff included a Shoreline citizen's and Innis Arden Club proposals. The Innis Arden Club proposal only modifies the hazardous tree provisions. Attached are their summaries and their public handouts as comparison to Shoreline's code.

In addition, staff suggests several key issues to consider in the context of amending our code.

1. Most of the positive environmental impacts coming from tree preservation occur when preserving other forms of vegetation as well. All plants such as grasses, vines, shrubs, and small trees have erosion control, water absorption, carbon sequestration, wildlife habitat, and oxygen producing attributes. Different types of vegetation are good because they provide plant community diversity. The percentage of lot coverage by vegetation is correlated to a large degree with our environmental health and the preservation of significant trees is a subset of that.
2. Counting trees, units, or percentages is necessary but may not satisfy preservation of large, prominent trees. A focus on numbers or percentages will satisfy the need to preserve a certain number of trees, but could result in the removal of large prominent trees. It is staff's experience that most of the tree comments and complaints that the City receives focus on the loss of the large trees. This is for a good reason – the presence of large trees is a part of Shoreline's identity and seen as a barometer of our environmental health. Staff will suggest incentives to preserve the more prominent trees.

3. The Commission asked for information about the number of trees removed in 2008. In 2008, 15 hazardous trees and 124 significant trees were removed through development permits for site development, remodels, and new construction. Annually, the City code enforcement officer handles between 10 and 20 illegally cut trees. These numbers do not include trees outside of a development permit that may have been legally removed under the code provision to remove up to 6 significant trees within a 3 years period.

At your May 7<sup>th</sup> meeting, Paul Cohen will discuss the differences and relative attributes of the other codes and proposals. If you have any questions prior to the meeting, contact Paul at (206) 801 2551 or at [pcohen@shorelinewa.gov](mailto:pcohen@shorelinewa.gov).

**Tree Code**  
**City of Shoreline**  
Municipal Code Chapter 20.50.290

**A. Intent/Purpose:** Preserve and enhance trees, reduce the environmental impacts of site development while promoting the reasonable use of land.

**B. Tree Removal requires a permit:**

- All tree removal requires a permit except:
  - 6 significant trees/ 3 years
  - Smaller than significant trees
  - City or utility provider in emergencies
  - Commercial zones RB, I, CB, NCB, NB, and O, unless within a critical area or buffer
  - Pruning 25% of tree crown with no topping

**C. Hazardous Trees**

- Private property emergency situations trees may be removed by Director permission.
- Potentially hazardous trees require a permit.

**D. Retention Requirements for Development**

- 20% significant trees excluding critical areas and buffers OR 30% significant trees including critical areas and buffers.
- Retained trees must be protected for 3 years.
- Director discretion allowed for reduction in retention requirements when:
  - Special circumstances regarding size, shape, topography or location.
  - Retention jeopardizes reasonable use of property.
  - Consistent with the purpose and intent of the regulations.
  - Not harmful to the public welfare or other property.
- Each significant tree removed beyond the retention percentage must be replaced with 4 trees -12 feet high for conifers and three inches in caliper for deciduous.

**E. Landmark Trees**

- May be designated and removed by Director from the retention requirements.

**F. Site Design Criteria**

- Promote tree groupings/clusters; large and healthy trees; visual interest; screening; habitat; land stability and water-retention; and trees within vegetated stands.

**G. Incentives**

When tree preservation levels are exceeded variations can occur for:

- Area, width, or composition of required open space and/or landscaping.
- Parking lot design and/or any access driveway requirements.
- Building setback requirements.
- Grading and storm water requirements.

## H. Tree Replacement

- Any significant tree proposed for removal beyond 6 significant trees is replaced as follows:
  - One new tree = one existing significant tree 8" – 11" in diameter
  - Two new trees = one existing significant tree 11" – 14" in diameter
  - Three new trees = one existing significant tree 14" – 17" in diameter
  - Deciduous trees ≤ 1.5" in caliper and evergreens ≤ 6' in height.
  -
- Excessive tree replacement can be relocated to another suitable site.
- Director discretion allowed for reduction of required replacement trees when:
  - Situation meets same criteria as for discretion of retention requirements
  - Approved site restoration or enhancement projects are conducted under an approved vegetation management plan

## I. Tree Protection Standards during construction

## J. Enforcement

- Fines for intentional tree violations up to \$1,000 per tree.

## K. Definitions

- **Landmark Tree:** Any healthy tree over 30 inches in diameter or any tree that is particularly impressive or unusual due to its size, shape, age, historical significant or any other trait that epitomizes the character of the species, or that is a regional erratic.
- **Significant Tree:** Any healthy, windfirm, and non-hazardous tree 8 inches or greater in diameter and deciduous trees 12 inches or greater in diameter.



**Planning and  
Development Services**

17500 Midvale Ave. N.  
Shoreline, WA 98133-4921  
(206) 801-2500  
Fax (206) 546-8761  
pds@shorelinewa.gov  
www.shorelinewa.gov

**Shoreline Municipal Code  
20.50, Subchapter 5  
20.80**

1/2009

## Tree Removal

The City of Shoreline regulates tree removal in the various situations. The following information is intended to educate property owners and contractors of the general requirements regarding tree removal. Please contact Planning and Development Services for specific regulations on each of these situations below. Development Code Section 20.30.290.370 contains most of what you need to know.

### Trees in Environmentally Critical Areas

If a tree is near an area such as a stream, wetland, or steep slope, then the tree may be in a critical area or its buffer. City review is required to determine whether trees in critical areas or buffers may be removed or pruned through a Clearing and Grading Permit. To find out if your tree is in or near a critical area contact the City's Planning and Development Services office. See Development Code Section 20.50 and 20.80.

### Exempt Zones of the City

The removal of trees on properties zoned Community Business, Regional Business, Industrial, Neighborhood Business, Office, or North City Business District is exempt from tree regulations unless the trees are located within a critical area or its buffer.

### Hazardous Trees

Trees of a significant size must be determined as dangerous, unhealthy, and within striking distance of a habitable building to be considered hazardous. Hazardous tree removal may be allowed after submitting a Tree Evaluation Form to the City. This form must be completed by a certified arborist and submitted to the City before the tree is removed. If the threat is an active and imminent hazard to life or property the Director may verbally authorize immediate removal. Call (206) 801-2500 during business hours or (206) 801-2260 after hours to obtain approval. See Development Code Section 20.50.310.

### Tree Pruning

Minor pruning is allowed without a permit for protected trees located outside critical areas and their buffers. Minor tree pruning does not include coppicing or the topping of tree crowns. Minor pruning in critical areas may be allowed with a Clearing and Grading Permit if the pruning meets tree removal and critical area regulations.

### Tree Removal Outside of Critical Areas

Up to 6 significant trees that are outside critical areas and their buffers may be removed during a three year period. A "significant tree" is defined as:

*Any healthy, wind-firm, and non-hazardous tree eight inches or greater in diameter at breast height if it is a conifer and 12 inches or greater at breast height if deciduous.*

Unless located in a critical area or buffer, any number of non-significant (smaller) trees may be removed without a permit.

*Note: This handout is for informational use only and is not to be substituted for the Shoreline Development Code.*

### **Tree Removal for Site Development**

Tree removal is not allowed on a site for the purpose of preparing the site for sale or future development. The site must minimally retain 20% of existing significant trees excluding critical areas or minimally retain 30% of significant trees including all significant trees in critical areas. A Clearing Grading Permit is required if more than 3,000 square feet are to be cleared or if more than 6 significant trees are to be removed. Trees retained as a condition of a development plan must be protected and maintained for at least 3 years. See Development Code Section 20.50.350.

**175004 Midvale Avenue North, Shoreline, Washington 98133-4921**

Telephone (206) 801-2500 Fax (206) 546-8761 [pds@shorelinewa.gov](mailto:pds@shorelinewa.gov)

The Municipal Code (Title 15 Buildings and Construction) can be reviewed at [mrsc.org](http://mrsc.org)



# Tree Code

## Shoreline Citizens' Proposal

**A. Intent/Purpose:** Enhance the existing tree canopy to a minimum of 40% citywide; promote the economic, environmental, and aesthetic benefits of retention; enhance, maintain and protect the public health, safety, and general welfare; and minimize adverse impact to the land, fish and wildlife.

### **B. Tree Removal requires a permit**

- A tree survey is required for all permit types
- Level I permit is required for:
  - Removal of up to 2 significant trees/year
  - For more than 2 significant trees with a solar permit and panel.
- Level II permit is required for:
  - Removal of trees for development
  - Removal of landmark or exceptional trees
- Exceptions, tree removal allowed:
  - Emergency situations by either Director permission or permit
  - City or utility provider in emergencies or utility service interruption.
  - Director discretion when:
    - Special circumstances regarding size, shape, topography or location.
    - Retention jeopardizes reasonable use of property.
    - The exception is consistent with the purpose and intent of the regulations.
    - The exception is not harmful to the public welfare or other property.
    - Approved site restoration or enhancement projects are conducted under an approved vegetation management plan

### **C. Hazardous Trees**

- In emergency situations trees may be removed by Director permission
- Potentially hazardous trees require a permit

### **D. Retention Requirements**

- In all cases, a minimum of 35 tree units of significant trees per acre
  - A base date should be set
  - Replacement trees planted in the interim must be viable to be considered part of the retention percentage
- Tree Units
  - Significant Trees 6" – 10" in diameter at breast height = 1 unit
  - Each additional 2" of a significant tree over 10" = 1 more unit, until 21 units.
- Director discretion allows higher minimum when viable trees are retained in a grove
- Urban Forestry Accounts to achieve a minimum 40% canopy across City:
  - Operational Account: to maintain and preserve wooded areas and plant and maintain trees within City paid by fines and violations related to tree code.
  - Capital Improvement Account: to acquire and plant trees in new locations paid by donations and mitigation fees related to tree preservation.

### **E. Landmark Trees**

- May be removed by Director as a part of the retention requirements.
- Two-for-one replacement required for all landmark trees removed, 1 tree unit = 2 new trees.

## **F. Site Design**

- Promote tree groupings/clusters, large and healthy trees, visual interest, screening, habitat, and land stability and water-retention. Trees should be protected within vegetated islands and stands

## **G. Incentives**

When 35% of existing, healthy, significant trees is exceeded:

- Reductions or variations of the area or width of required open space and/or landscaping
- Variations in parking lot design and/or access requirements
- Reduction in the width of certain easements

## **H. Tree Replacement**

- One tree unit removed = one new tree (units based on Table and tree type consistent with City Tree List)
  - deciduous trees and broad leafed evergreens  $\geq 2$ " in caliper
  - evergreen trees  $\geq 8'$  in height
  - native conifer species  $\geq 6'$  in height
- No tree replacement required when relocated to another suitable site.

## **I. Tree Protection Standards during construction**

### **J. Enforcement**

- Fines for intentional tree violations up to \$3,000 per tree.
- Replacement of trees illegally removed and cost of damages

### **K. Definitions**

- **Landmark Tree:** Any healthy tree over 28" (dbh) or any tree that is particularly impressive or unusual due to its size (relative to its species), shape, age, historical significant or any other trait that epitomizes the character of the species or that is a regional erratic.
- **Significant Tree:** any healthy tree a minimum diameter of 6" (dbh) or with a minimum diameter of 4" (dbh) that, after considering age, height, value or function the tree is considered significant.

## **Tree Code**

### **City of Lake Forest Park**

Ordinance No. 990 – An Ordinance of the City Council of the City of Lake Forest Park  
Amending Chapter 16.14 of the Lake Forest Park Municipal Code

**A. Intent/Purpose:** Maintain the existing tree canopy with no net loss; mitigate the economic, environmental, and aesthetic consequences of removal; allow flexibility for site improvement.

**B. Tree Removal requires a permit:**

- Tree survey required for all permit types
- Level I permit required for removal of up to 2 significant trees/year.
- Level II permit required for
  - Removal of 2 to 5 significant trees/year
  - Grading on a developed site
  - Removal related to new development
- Exceptions, tree removal allowed:
  - Emergencies
  - City or utility provider in emergencies or utility service interruption.
  - Director discretion when:
    - Special circumstances regarding size, shape, topography or location.
    - Retention jeopardizes reasonable use of property.
    - The exception is consistent with the purpose and intent of the regulations.
    - The exception is not harmful to the public welfare or other property.
    - Significant trees removed by director discretion must be replaced: at least 3 trees for each significant tree.

**C. Hazardous Trees**

- May be removed in emergency situations

**D. Retention Requirements**

- In all cases, a minimum of 35% of all significant trees based on trees existing in 2004
  - Replacement trees planted in the interim must be viable to be considered part of the retention percentage
- City Forestry Account
  - To acquire, maintain, and preserve wooded areas within City.
  - For planting and maintaining trees within City.
  - Paid by fines, fees and donations related to tree code.
- City Forestry Account to acquire, maintain, and preserve wooded areas within City and for planting and maintaining trees within City paid by fines, fees and donations related to tree code.

**E. Landmark Trees**

- May be removed by Director as part of the retention requirements.
- Two-for-one replacement required for all landmark trees removed.

**F. Site Design**

- Reflect a strong emphasis on tree protection; retain a forested look, value, and function; protect groups of healthy trees, promote screening, habitat, and land stability and water-retention.

## **G. Incentives**

When 35% retention levels are exceeded:

- Reductions or variations of required open space and/or landscaping
- Variations in parking lot design and access requirements
- Reduction in the width of easements.

## **H. Tree Replacement**

- One significant tree removed = one new tree
  - deciduous trees  $\geq 2$ " caliper
  - evergreen trees  $\geq 6' - 8'$  in height
- No tree replacement is required when relocated to another suitable site.

## **I. Tree Protection Standards during construction**

## **J. Enforcement**

- Fines for intentional tree violations up to \$3,000 per tree.
- Replacement of trees illegally removed and cost of damages.

## **K. Definitions**

- **Landmark Tree:** Any tree that is at least 28 inches in diameter.
- **Significant tree:** Any healthy tree 6 inches or greater in diameter (dbh)



## Forest is Our Middle Name CITY OF LAKE FOREST PARK

17425 BALLINGER WAY NE • LAKE FOREST PARK • WA • 98155 • USA • 206.368.5440

[Home](#) • [City Hall](#) • [Services](#) • [Our Community](#) • [City Calendar](#) • [News](#) • [Se](#)

### A Guide to Appreciating and Protecting Our Urban Forest

- ▶ [Urban Forest Guide Home](#)
- ▶ [Tree Walks of Lake Forest Park](#)
- ▶ [Forest Activities](#)
- ▶ [Forest News and Events](#)
- ▶ [Forest Resources and Links](#)

- ▶ [City Information Bulletins](#)
- ▶ [City Forms](#)
- ▶ [City Comprehensive Plan](#)
- ▶ [City Planning Department](#)



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website. It is available without charge by selecting the icon above.



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This guide was developed by the **Urban Forest Task Force**, a group of Forest Park citizens convened by the Mayor to look at the existing tree ordinance and make recommendations for changes, if necessary. The task force, assisted by a consultant, hosted a focus group and held two public meetings to gather input into the proposed changes. The task force submitted their recommendations to the City in January, 2007.

Members of the task force have worked on several non-code projects to increase appreciation for and protection of the forests of Lake Forest Park. This guide is the outgrowth of that work.

- ▶ [Click here for the Urban Forest Task Force Final Report.](#)
- ▶ [Click here for Proposed revisions to chapter 16.14: Tree Protection and Replacement \(final draft\).](#)
- ▶ For information on current permits, click to contact Lake Forest Park Planning Department.
- ▶ To contribute to this guide or contact the members of the task force, please email: [forest@cityoflfp.com](mailto:forest@cityoflfp.com)



#### Events and News

- ▶ On **Saturday, April 21st**, attend the LFP "Dig-It" Fair at Third Place Community Center to learn more about maintaining healthy trees.
- ▶ **Arbor Day is April 27th.** Scroll to the bottom of the page to watch a video titled "Trees Are Terrific" from the National Arbor Day Foundation



#### Learn More About Trees

- ▶ Check the [Resources Page](#) for links to useful information and special activities for the whole family.
- ▶ Read "[Forest](#)" Is Our Middle Name
- ▶ [More Events and News](#)



#### Related LFP Resources

- ▶ [LFP's Environmental Quality Commission](#)
- ▶ [LFP's Planning Commission](#)
- ▶ [LFP Streamkeepers](#)
- ▶ [LFP Stewardship Foundation](#)
- ▶ [Volunteering in Lake Forest Park](#)

[Click to watch an ad by The National Arbor Day Foundation](#)

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## **Tree Code City of Bellevue**

### Land Use Code 20.20.900 – General Development Requirements: Tree Retention and Replacement

**A. Intent/Purpose:** Maintain and protect property values, enhance the visual appearance of the City and preserve its wooded character, promote utilization of natural systems, reduce the impacts of development on the storm drainage system and water resources, and provide a better transition between the various land uses.

**B. Tree Removal requires a permit:**

- Significant tree removal on Land Use R-1 (Bridle Trails Subarea)
- Exemptions
  - Agricultural crop management of existing farmed areas.
  - Emergency with immediate danger to life or property.
  - No removal allowed for critical areas, buffers, habitat areas, and Retained Vegetation Areas.

**C. Hazardous Tree**

- No designation for hazardous tree

**D. Retention:** Specified by land use

Area 1: Planned development in subdivisions and short subdivisions

Area 2: Bridle Trails Subarea

Area 3: New or Expanding Single-Family Structures

- Perimeter Setback:
  - Area 1: complete retention required
  - Area 2: complete retention in first 20 feet adjacent to all property required
- Site Interior to Set Back:
  - Area 1: 15% significant trees
  - Area 2: 25% significant trees
  - Area 3: 30% significant trees
- Director discretion allowed for reduction in retention requirements .

**E. Landmark Tree**

- No designation for landmark trees.

**F. Site Design**

- Priorities for tree retention in Area 1 and 3 that promote large, healthy trees in groups which provide protection, land stability, water-quality, and visual interest.

**G. Incentives**

- Area 1 – When tree retention  $\geq$  15%, up to 10% reduction in required number of parking spaces.

**H. Tree Replacement**

- Required on Area 2 lots with 8 significant trees or less
  - 1:1 ratio of replacement trees, a minimum of six feet in height at planting

## **I. Tree Protection Standards during construction**

### **J. Definitions**

- **Significant Tree:** A healthy evergreen or deciduous tree, 8 inches in diameter or greater, measured 4 feet above existing grade.

## May I remove trees from my property?

Yes, if: (1) There are no restrictions on your property. Generally, you can remove several trees without a permit. Tree removal that results in over 1,000 square feet of disturbance of the ground requires a clearing & grading permit. (2) Your property is NOT located in a R-1 zone in Bridle Trails.

## What restrictions may prevent me from removing any trees I want from my property?

Generally, a decision about tree removal is yours to make. However, there can be restrictions for designated trees to remain, regardless of the amount of disturbance of the ground. If you are considering removing trees on your property, please check the following:

*Plat/PUD Restrictions:* Does your subdivision or planned unit development (PUD) have restrictions which prohibit tree removal? For example, does the plat or PUD document contain Native Growth Protection Areas (NGPAs), Retained Vegetation Areas (RVAs), or a Tree Retention Plan?

*Critical Areas:* Does your property contain a critical area (steep slope, stream corridor, wetland, etc.) or is one located adjacent to or near your property? If you are unsure, a land use planner can assist you in making this determination through the Land Use desk in Development Services.

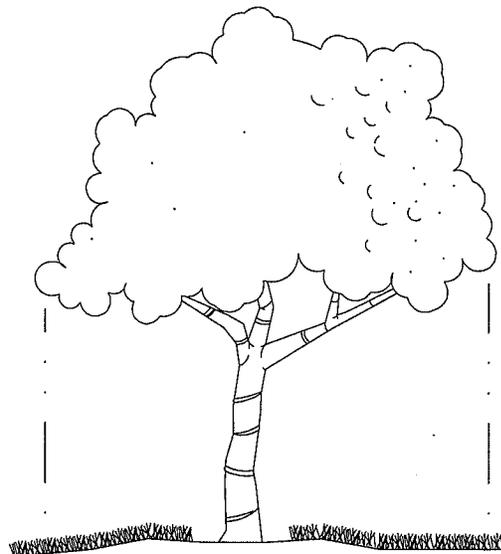
*Private Agreements:* Is your property subject to private contracts, covenants, or homeowner associations that might affect your ability to remove trees? Please note that the city does not enforce such private restrictions. If your property is located within a Bridle Trails R-1 zoning district, refer to Handout 27a for tree removal restrictions.

Any vegetation removal, including trees, is prohibited within the above areas. In some

cases, if trees are diseased or dying and are deemed hazardous by a certified arborist, they can be removed if a permit is obtained from the Land Use desk in Development Services. In such cases, the city will require replanting or other mitigation in place of the removed trees. Always check with a land use planner for needed permits and approvals prior to trimming, pruning, or removing trees within the areas listed above.

## What is disturbance of the ground?

Disturbance of the ground results from any action that displaces or destroys vegetation, resulting in increased exposure of the underlying soils. This can include exposure of the existing ground due to removal of tree canopy where no other vegetation is growing under the tree. Disturbance can also result from the physical process of tree removal, where foot and vehicle traffic, construction of access roads, felling of trees, dragging of felled trees, and excavation of stumps disturb the ground.



**Tree Canopy Area**  
elevation view

**How do I know if the tree I want to remove will result in disturbance of the ground of less than 1,000 square feet?**

For most single-family lots with a house, tree removal is done by hand or by using a crane. In these cases, disturbance would be minimal and can be estimated at 50 square feet of disturbance for each living evergreen or deciduous tree, eight inches or greater in diameter measured four feet above existing grade.

For larger and/or less developed areas, estimates of disturbance must be made on the anticipated amount of disturbance due to equipment access, tree felling, and dragging or skidding of trees.

**What if I want to remove more than one tree?**

For most developed single-family lots, you would determine the number of trees to be removed and multiply by 50 square feet. If the total does not exceed 1,000 square feet, a permit is not required. For larger or less developed lots, total disturbance must be estimated based on the expected number of trees to be removed, foot and vehicle traffic, construction of access, and felling and dragging of trees.

**What if the tree removal will result in more than 1,000 square feet of disturbance of the ground?**

A clearing & grading permit is required. Depending on the amount of tree removal proposed, site conditions such as critical areas, and other factors, the city might impose special conditions on the permit to minimize risk of damage to your site, surrounding properties, or the environment.

**Can someone help me estimate how much disturbance of the ground will result from my tree removal?**

The city's clearing & grading staff can help you with these estimates and with other questions related to tree removal. They can be reached at 425-452-2019.

**Where can I get more information?**

- Bellevue City Code 23.76
- Land Use Code 20.25H, Sensitive Area Overlay District

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This document is intended to provide guidance in applying certain Land Use Code regulations and is for informational use only. It cannot be used as a substitute for the Land Use Code or for other city codes, such as the Construction Codes. Additional information is available from Development Services at Bellevue City Hall or on the city website at [www.bellevuewa.gov](http://www.bellevuewa.gov).

For land use regulations that may apply to your project, contact the Land Use Information Desk in Development Services. Phone: 425-452-4188. E-mail: [landusereview@ci.bellevue.wa.us](mailto:landusereview@ci.bellevue.wa.us). Assistance for the hearing impaired: dial 711.

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## **Tree Code City of Edmonds**

### Municipal Code 18.45 – Public Works Requirements: Land Clearing and Tree Cutting Code

**A. Intent/Purpose:** Promote the public health, safety, and general welfare of the citizens by preserving the physical and aesthetic character of the city; protect the environment and implement SEPA; implement and further the goals and policies of the city's comprehensive plan; and promote improvement and development of land use

**B. Tree Removal requires a permit:**

- All tree removal requires a permit
- Exceptions, tree removal allowed for:
  - Developed, single-family lots
  - Unimproved lots with no potential to subdivide
  - Emergency situations
  - City or utility provider in emergencies or utility service interruption
- No tree removal is allowed on any portion of property:
  - That is located in a designated environmentally sensitive area
  - That is located within 25 feet of any stream or wetland
  - That that has slopes exceeding 25 percent
  - Clearing in wetlands may occur for installation of roads and utilities where no feasible alternative exists and it is part of an approved development plan

**C. Tree Replacement**

May be required for tree removal in critical areas or due to illegal removal of trees in any area

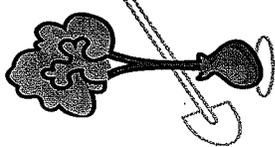
**D. Site Design**

- Should protect environmentally sensitive and critical areas; bodies of water, including wetlands; and steep slopes to avoid erosion and degradation of water quality and wildlife.

**E. Enforcement**

- Intentional violations are considered a misdemeanor and fines are up to \$1,000 per day and/or \$500.00 per tree
- When trees are removed from a protected area fines are tripled to \$3,000 per day and/or \$1,500 per tree

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Why is tree cutting regulated?



There are multiple reasons why trees are protected as noted verbatim in ECDC Chapter 18.45.000 below:

- This chapter provides regulations for the clearing of and the protection and preservation of trees and associated significant vegetation for the following purposes:
- A. To promote the public health, safety, and general welfare of the citizens of Edmonds by preserving the physical and aesthetic character of the city through the prevention of indiscriminate removal or destruction of trees and ground cover on undeveloped or partially developed property;
  - B. To implement the policies of the State Environmental Policy Act of 1971 as revised in 1984;
  - C. To implement and further the goals and policies of the city's comprehensive plan in regard to the environment, open space, wildlife habitat, vegetation, resources, surface drainage, watershed, and economics;
  - D. To ensure prompt development, restoration and replanting, and effective erosion control of property during and after land clearing;
  - E. To promote land development practices that result in a minimal adverse disturbance to existing vegetation and soils within the city;
  - F. To minimize surface water and ground water runoff and diversion;
  - G. To aid in the stabilization of soil, and to minimize erosion and sedimentation;
  - H. To minimize the need for additional storm drainage facilities caused by the destabilization of soils;
  - I. To retain clusters of trees for the abatement of noise and for wind protection;
  - J. To acknowledge that trees and ground cover reduce air pollution by producing pure oxygen from carbon dioxide;
  - K. To preserve and enhance wildlife and habitat including streams, riparian corridors, wetlands and groves of trees;
  - L. To promote building and site planning practices that are consistent with the city's natural topographic and vegetation features while recognizing that certain factors such as condition (e.g., disease, danger of falling, etc.), proximity to existing and proposed structures and improvement, interference with utility services, and the realization of a reasonable enjoyment of property may require the removal of certain trees and ground cover;
  - M. To promote the reasonable development of land in the city of Edmonds.

The complete Landclearing and Tree Cutting Code can be found in Chapter 18.45 of the Edmonds Community Development Code at [www.ci.edmonds.wa.us](http://www.ci.edmonds.wa.us)

I live in a single-family residential zone. Do I need a permit to cut any trees on my property?

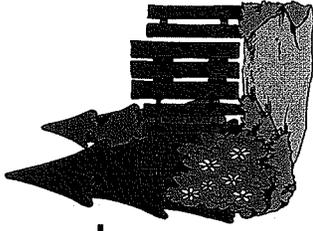


Per ECDC 18.45.020, a permit is required to engage in or cause any land to be cleared. However, many single-family zoned lots are exempt from this requirement as noted verbatim in ECDC Chapter 18.45.030 below. *If you have a slope, eagle's nest, wetland, or any type of stream or waterfront on or near your property, you should check with the Planning Division before proceeding.* If your property is in any zone other than single-family, a tree cutting permit is required. If you are not sure about the situation, please contact the Planning Division prior to proceeding.

### 18.45.030 Exemptions.

The following shall be exempt from the provisions of this chapter:

- A. Clearing on a developed single-family lot or clearing on a partially developed single-family lot, which is capable of being divided into one additional lot, except for:
  - 1. That portion of the lot that is located in a designated environmentally sensitive area;
  - 2. That portion of the lot that is located within 25 feet of any stream or wetland;
  - 3. That portion of the lot that has slopes exceeding 25 percent.
- B. Undeveloped lots which are not capable of being further subdivided, except for:
  - 1. That portion of the lot that is located in a designated environmentally sensitive area;
  - 2. That portion of the lot that is located within 25 feet of any stream or wetland;
  - 3. That portion of the lot that has slopes exceeding 25 percent.
- C. Routine landscape maintenance and gardening;
- D. Removal of trees and/or ground cover by the public works department, parks department, fire department and/or public or private utility in situations involving danger to life or property, substantial fire hazards, or interruption of services provided by a utility;
- E. Installation and maintenance of public utilities, after approval of the route by the planning division manager or his or her designee, except in parks or environmentally sensitive areas;
- F. Emergency situations on private property involving danger to life or property or substantial fire hazards. [Ord. 3507 § 1, 2004].



Can I cut or trim any of the trees in the City right-of-way or alley around my property?

**Not without prior review.** The City Public Works Department has specific procedures for approval/permitting of tree removal and/or trimming within the City right-of-way.

A Right-of-Way Construction Permit is required for any party other than the City for any/all removal or trimming of trees located within City right-of-way under any of the following conditions:

- Any removal or trimming of a "street tree" as defined in the City Street Tree Plan.
- Any removal of trees as defined in ECDC 18.45.040 Q.
- Any trimming of trees above a height of eight feet above the ground as measured from the down slope side of the tree.
- Any trimming of trees requiring or using equipment other than hand held equipment.
- Any trimming or removal of trees on City or private property of any size that will result in any branches or portions of the tree falling within the traveled way (e.g., street, sidewalk, etc.) of the City right-of-way.



What kind of criteria does the City use to determine what trees can be cut or trimmed in the right-of-way?

Removal or trimming of trees located in City right-of-way as delineated above will be approved only if one of the following conditions is met:

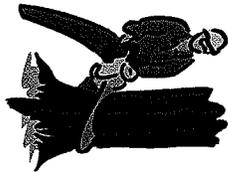
- The tree presents a safety or sight distance hazard;
- The tree's root system causes blockage of underground utility systems or damages other public improvements such as roadways, sidewalks, etc.;
- The tree is damaged or diseased requiring its removal or trimming in the interests of the public health, safety and general welfare.

Removal or trimming of trees located in the City right-of-way to enhance views will not be approved.

## How do I apply for a Right-of-Way Construction Permit?

Applications for Right-of-Way Construction Permits for removal or trimming of trees in the City right-of-way can be obtained at the Development Services Department.

- Only a licensed and bonded contractor or a utility company may apply for and obtain a right-of-way permit with the exception that, if the work is only trimming of branches using hand equipment and no branches will fall in the traveled way of the right-of-way, the property owner may apply.
- Only contractors authorized to represent the owner or the owner themselves of the property abutting the City right-of-way upon which the trees are located or a utility company may apply for the permit.

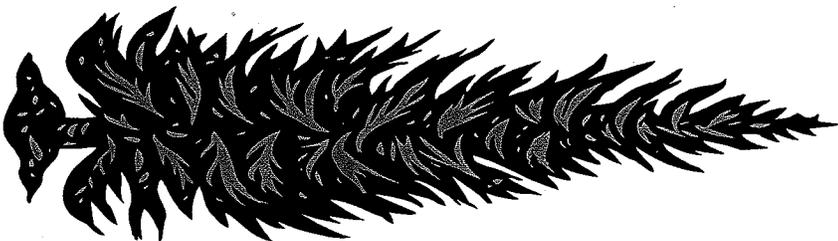


## What is marketable timber? What if the trees in the right-of-way have a marketable value?

“Marketable timber” means any portion of the trees that has resale value, could be offered for sale, and/or could result in money being paid to the City, abutting property owner, or entity removing/trimming the trees or could result in a reduction in the cost to have the trees removed/trimmed. Examples include but are not limited to fire wood, lumber, pulp,

## My neighbor's tree branches and roots appears to be on/over/beyond our shared property line? What can the City do?

Private property line issues are a civil matter. The City would only be included when there was a safety issue or if code violations were involved. A privately obtained licensed survey may be needed to clearly establish the property line.



## How can I get more information?

- If you have questions involving trees or land clearing:
- Planning or Engineering - 425-771-0220
  - Public Works - 425-771-0235
  - Parks Maintenance Manager (street trees) 425-771-0230

The Development Services Department provides many handouts and brochures to assist citizens with code enforcement, building, planning and engineering questions.

The City's website at [www.ci.edmonds.wa.us](http://www.ci.edmonds.wa.us) also provides contact information and is continually updated.

## Other selected brochures and information available:

- Accessory Dwelling Units
- Checklist For Good Neighbors
- Code Enforcement: Frequently Asked Questions
- Commercial Signs
- Dispute Resolution Center
- Frequently asked Questions
- Home Occupations
- Junk Vehicles
- Mold - Environmental Protection Agency - general resource references.
- Neighborhood Issues
- Nuisance Violations
- Outdoor Burning is Out - Puget Sound Clean Air Agency
- Pet Waste
- Rats: Snohomish Health
- Snohomish County Housing Authority
- Housing Rehabilitation Loan Program
- Summary of the Residential Landlord-Tenant Act of Washington
- Vehicles
- West Nile Virus

## Development Services

### Office Hours:

Monday—Friday

9:00am-12:00pm 1:00pm-4:00pm

Excluding Holidays

Phone: 425-771-0220

Fax: 425-771-0221

[www.ci.edmonds.wa.us](http://www.ci.edmonds.wa.us)

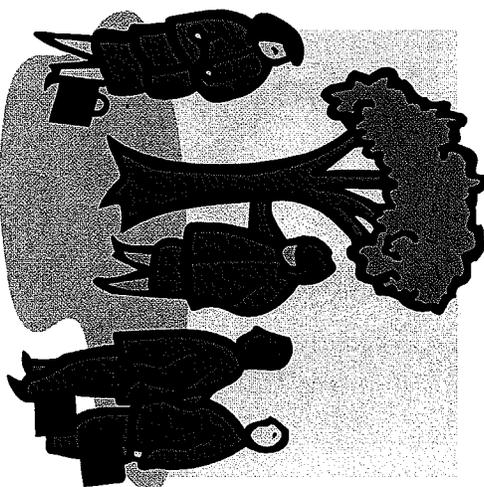
[codeenforcement@ci.edmonds.wa.us](mailto:codeenforcement@ci.edmonds.wa.us)

City of Edmonds  
Code Enforcement

City of Edmonds

## TREES

- Tree Cutting
- Trees in R-O-W



## **Tree Code Innis Arden Proposal (Underlined)**

### **A. Shoreline Code for Hazardous Trees**

- In emergency situations trees may be removed by Director's verbal permission.
- Potentially hazardous trees require a permit.
  - Permit exemption request form and a risk assessment form, both forms provided by Director.
  - Approval is based on form review and a site visit, exemption request form includes a grant of permission for a site visit.

### **B. Additions to permit submittal for potentially hazardous trees:**

- Permit exemption request form
  - Submission of this form is a grant of permission for the Director, staff, and or qualified professionals to visit site at an agreed time and date to evaluate specific circumstances.
  - Site visit permission is only relevant to the matter of the request form and may not be used for other purposes.
  - The applicant will be held exempt from any liability, damages or claims arising out of injuries suffered to City personnel or consultants related to the site visit
  - Director determines if site visit is necessary.
- Risk assessment form signed by a certified arborist or professional forester.
  - When forms are not made available by Director, may use form from the International Society of Arborists (ISA).
- Arborist must include an assessment if partial tree retention is useful and safe for a snag of wildlife habitat.