

ORDINANCE NO. 151

AN ORDINANCE OF THE CITY OF WOODINVILLE,  
WASHINGTON AMENDING SECTIONS OF CHAPTER 21.16 OF THE  
WOODINVILLE MUNICIPAL CODE TO PROVIDE FOR THE  
SERVICES OF A CERTIFIED ARBORIST.

**WHEREAS**, the Tree Board of the City of Woodinville has determined that the services of a certified arborist for certain conditions would benefit the City by assuring that retained trees are viable, and

**WHEREAS**, the Tree Board presented the proposed amendments to the Planning Commission who supported the proposed amendments after study; NOW THEREFORE,

**THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Amend section 21.16.130 of the Woodinville Municipal Code to read as follows:**

- 21.16.130 Significant trees - retention required.** Except as provided in WMC 21.16.170, significant trees shall be retained in all residential, commercial, industrial or institutional developments as follows:
- A. All significant trees located within any required perimeter landscaping area shall be retained;
  - B. Ten percent, or ten trees per acre, whichever is greater, of the significant trees located in the interior of the lot, excluding sensitive areas or their buffers shall be retained, or replaced in accordance with Section 21.16.170, in an apartment, townhouse or institutional developments;
  - C. Five percent, or five trees per acre, whichever is greater, of the significant trees located in the interior of the lot, excluding sensitive areas or their buffers shall be retained, or replaced in accordance with Section 21.16.170, in commercial or industrial developments;
  - D. Utility developments and mineral extraction operations shall be exempt from the significant tree retention requirements of this chapter;
  - E. If significant trees were previously located in a closed, forested situation, an adequate buffer of smaller trees shall be retained or replaced on the fringe of such significant trees;

- F. A grouping of three or more existing trees with canopies that touch or overlap, may be substituted for each required significant tree, provided each tree has a diameter of at least three inches when measured four feet above grade;
- G. Except as provided in subsection H, significant trees to be retained shall not include significant trees that are:
  - 1. Identified by a certified arborist to be damaged or diseased,
  - 2. Determined by a certified arborist to be safety hazards due to potential root, trunk or primary limb failure, or exposure of mature trees which have grown in a closed, forested situation; and
- H. At the discretion of the City, damaged or diseased or standing dead trees may be retained and counted toward the significant tree requirement if demonstrated that such trees will provide important wildlife habitat and are not classified as a danger tree.

**Amend section 21.16.140 of the Woodinville Municipal Code to read as follows:**

- 21.16.140 Significant trees - retention plan.** The applicant shall submit a tree retention plan concurrent with a grading permit, building permit or preliminary subdivision or short subdivision application, whichever is reviewed and approved first. The tree retention plan shall consist of:
- A. A tree survey that identifies the location, size and species of all significant trees on a site. The tree survey may be conducted by a method that locates individual significant trees or by using standard timber cruising methods to reflect general locations, numbers and grouping of significant trees provided that, when using either method, the survey:
    - 1. Shall also show the location and species of each significant tree that is intended to qualify for additional credit pursuant to WMC 21.16.150, and
    - 2. Any tree 18 inches or greater diameter for the purpose of establishing wildlife habitat value;
  - B. A development plan identifying the significant trees that are proposed to be retained, transplanted or restored.
  - C. A report by Certified Arborist to include, as a minimum, the following:
    - 1. Plan review and impact assessment;
    - 2. Recommendations to reduce impact where impact is considered too severe;
    - 3. Tree preservation guidelines to be incorporated during site development;
    - 4. Maintenance recommendations for completed project.

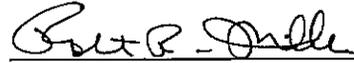
as follows:

**21.16.160 Significant trees - protection.** To provide the best protection for significant trees:

- A. No clearing shall be allowed on a site until approval of tree retention and landscape plans;
- B. An area of prohibited disturbance, generally corresponding to the drip line of the significant tree shall be identified during the planning stage and a temporary five-foot high chainlink or plastic net fence shall be placed prior to any clearing and grading;
- C. No impervious surfaces, fill, excavation, or storage of construction materials shall be permitted within the area defined by such fencing or stakes;
- D. If the grade is proposed to be raised more than 6 inches or if impervious surfaces are proposed to be installed within the dripline of the tree, a certified arborist shall assess the impact on trees affected as part of plan review and impact assessment. If the certified arborist determines the impact is too severe, the certified arborist shall recommend mitigation measures including assistance in designing an aeration system to be incorporated in the site development plans where such a system is appropriate as determined by the arborist. If the certified arborist determines there are no feasible mitigation measures that can reduce impacts to an acceptable level, the plan shall be modified or the tree removed. ;
- E. Except as provided herein, the grade level shall not be lowered within the larger of the two areas defined as follows:
  1. The drip line of the tree(s); or
  2. An area around the tree equal to one foot diameter for each inch of tree trunk diameter measured four feet above the ground.The grade may be lowered if a certified arborist determines the impact of lowering the grade within the area described in this subsection will not adversely affect the health of the tree.
- F. Grade level changes described in Subsections D. and E. above shall be done according to a plan prepared by a certified arborist that includes measures to be incorporated to reduce adverse impacts on significant trees protected.
- G. Alternative protection methods may be used if determined by the Planning Director to provide equal or greater tree protection.

PASSED by the City Council of the City of Woodinville this 8th day of April, 1996.

APPROVED:



Robert R. Miller, Mayor

ATTEST/AUTHENTICATED:



James Kafica, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY:



FILED WITH THE CITY CLERK: April 8, 1996  
PASSED BY THE COUNCIL: April 8, 1996  
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