



# **CITY OF WOODINVILLE**

## **TREE BOARD PACKET**

**February 25, 2015**

*CITY HALL COUNCIL CHAMBERS  
17301 133<sup>RD</sup> AVENUE NE  
WOODINVILLE, WASHINGTON 98072*



**CITY OF WOODINVILLE  
TREE BOARD AGENDA  
REGULAR MEETING WEDNESDAY, FEBRUARY 25, 2015 5:30 PM**



♦ Thomas L Quigley ♦ Michael Munniks ♦ Ron Smith ♦ Steve Yabroff ♦ Stephanie Young

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5:30 **CALL TO ORDER**

5:31 **ROLL CALL**

5:32 **APPROVE AGENDA IN CONTENT & ORDER**

5:33 **PUBLIC COMMENTS**

**BUSINESS AND DISCUSSION ITEMS**

5:38 **1. Approval of Draft Minutes – January 28, 2015**

5:40 **2. Study Session – Review of Tree Code**

6:00 **3. Study Session – Review City Tree Fund**

6:10 **4. Proposed 2015 Arbor Day Events**

6:25 **PUBLIC COMMENTS**

6:30 **ADJOURNMENT**

(Note: The agenda may be rearranged or changed at the beginning of the meeting, with a consensus of Tree Board members present.)

**Issue Date: February 17, 2015**

**Staff Contact: Jenny Ngo, Sr. Planner**

**Faxed to: News Media**  
**E-mailed to: Tree Board**  
**Publish: Not published**  
**Post: 1) In-House, 2) Post Office & 3) Website**

**CITY OF WOODINVILLE, CITY COUNCIL CHAMBERS  
17301 133RD AVE. NE, WOODINVILLE, WA 98072**

**NEXT REGULAR MEETING MARCH 25, 2015, 5:30 PM**

# **AGENDA ITEM 1**



City of Woodinville, Washington

**TREE BOARD REGULAR MEETING MINUTES OF JANUARY 28, 2014**

Woodinville City Hall City Council Chambers, 17301 133rd Avenue NE, Woodinville, WA

<p><b><u>CALL TO ORDER</u></b></p>	<p>The regular meeting for the Woodinville Tree Board was called to order at 5:37 p.m. by Vice Chair Munniks.</p>
<p><b><u>ROLL CALL</u></b></p>	<p><u>Tree Board Present:</u> Michael Munniks, Steve Yabroff, Stephanie Young, and Ron Smith</p> <p><u>Absent:</u> Tom Quigley</p> <p><u>City Staff Present:</u> Jenny Ngo, Senior Planner; Agnes Kowacz, Associate Planner</p> <p><b>MAIN MOTION:</b> to excuse Board Member Quigley. There was a motion to excuse Board Member Quigley from the meeting.</p> <p><b>Motion by:</b> Board Member Young</p> <p><b>Second by:</b> Board Member Smith</p> <p><b>Action for the Main Motion:</b> PASSED 4 - 0</p> <p><b>Vote:</b> Ayes: 4. Nays: 0. Abstain: 0.</p>
<p><b><u>APPROVAL OF AGENDA ORDER AND CONTENT</u></b></p>	<p>Motion to approve agenda as presented.</p>
<p><b><u>PUBLIC COMMENTS</u></b></p>	<p>None.</p>
<p><b><u>BUSINESS AND DISCUSSION ITEMS</u></b></p> <p><i>Election of Chair and Vice Chair</i></p>	<p><u>1a. Election of Chair</u></p> <p><b>MAIN MOTION:</b> to elect Tom Quigley as Tree Board Chair.</p> <p><b>Motion by:</b> Board Member Munniks</p> <p><b>Second by:</b> Board Member Yabroff</p> <p><b>Action for the Main Motion:</b> PASSED 4 - 0</p> <p><u>1b. Election of Vice-Chair</u></p> <p><b>MAIN MOTION:</b> to elect Michael Munniks as Tree Board Vice Chair.</p> <p><b>Motion by:</b> Board Member Yabroff</p>

<p><i>Approval of 12/10/14 Special Tree Board Minutes as presented</i></p>	<p><b>Second by: Board Member Smith</b>  <b>Action for the Main Motion: PASSED 4 - 0</b></p> <p><u>2. Approval of December 10, 2014 Tree Board Meeting Minutes as presented.</u></p> <p><b>MAIN MOTION: to approve the special meeting minutes of December 10, 2014, as presented.</b></p> <p><b>Motion by: Board Member Yabroff</b>  <b>Second by: Board Member Smith</b>  <b>Action for the Main Motion: PASSED 4 - 0</b></p> <p><b>Vote: Ayes: 4.</b>  <b>Nays: 0.</b>  <b>Abstain: 0.</b></p>
<p><i>Discussion and Review of Draft Tree Code</i></p>	<p><u>3. Discussion &amp; Review of Draft Tree Code</u>  The Tree Board continued discussion of the draft of the tree code.</p> <p>Sr. Planner Ngo discussed new revisions to the draft, including additional simplification of the code language, removal of the nuisance/dead tree sections, replaced the tree plan tables with a list of submittal materials, reducing scope of site reviews to 30 feet around the construction area, and simplified credit requirements.</p> <p>Board Members discussed the changes and stated that the overall length and format of the code appeared easier to follow. Board Members discussed how the range of code could both suit the needs of an individual property owner doing maintenance, as well as a large subdivision with extensive site work. Board Member Yabroff stated that language regarding tree thinning should be included or made more explicit in the language.</p> <p>Board Members stated that the flow chart was a useful tool for applicants and could be valuable for staff. Board Members expressed interest in developing handouts and charts to assist applicants with the process.</p> <p>Vice Chair Munniks asked staff about the City Tree Fund, including information on available funding, contribution amounts and any past or proposed expenditures. Staff stated that they would follow up with additional information at the next Tree Board meeting.</p>

<p><i>Discussion of Tree-ster Events for 2015</i></p>	<p><b>43. Discussion of Tree-ster Events for 2015</b></p> <p>Tree Board Members discussed different event opportunities for the 2015 Arbor Day event. Board Members discussed which dates would be best to hold an event and whether the event should be linked more closely to Easter or Arbor Day, as last year's event linked the two dates together. Board Members agreed that it was more important for the event to be held as closely to Arbor Day as possible. Vice Chair Munniks suggested holding the event on April 26, 2015, which is the Sunday after Arbor Day.</p> <p>Board Members discussed opportunities to better promote the event and directed staff to discuss different marketing avenues internally. Board Members mentioned that the event could link to different events held by different organizations to boost the schedule and event listing.</p> <p>Different events were briefly discussed during the meeting, including events similar as last year, new demonstration workshops, other children's games. Board Members discussed potential names, giveaways, and handouts.</p> <p><b>MAIN MOTION: To extend the meeting 15 minutes to finish discussion of 2015 Arbor Day events.</b></p> <p><b>Motion by: Board Member Yabroff</b></p> <p><b>Second by: Board Member Young</b></p> <p><b>Action for the Main Motion: PASSED 4 - 0</b></p> <p><b>Vote: Ayes: 4.</b>  <b>Nays: 0.</b>  <b>Abstain: 0.</b></p>
<p><b><u>PUBLIC COMMENTS</u></b></p>	<p>None.</p>
<p><b><u>DIRECTOR'S REPORT</u></b></p>	<p>None</p>
<p><b><u>ADJOURNMENT</u></b></p>	<p>Vice Chair Munniks called the meeting adjourned.</p> <p>The meeting was adjourned at 6:42 p.m.</p>

Respectfully submitted,

**Sandy Guinn**  
**Sr. Administrative Assistant**

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# **AGENDA ITEM 2**



CITY OF WOODINVILLE, WA  
**REPORT TO THE TREE BOARD**  
17301 133<sup>rd</sup> Avenue NE, Woodinville, WA 98072  
WWW.CI.WOODINVILLE.WA.US

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**To:** Tree Board **Date:** February 25, 2015  
**From:** Dave Kuhl, Development Services Director   
**By:** Jenny Ngo, AICP, Senior Planner   
**Subject:** Review of Tree Code

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**ISSUE:** Shall the Tree Board discuss proposed revisions to the Tree Code?

**STAFF RECOMMENDATION:** To review and provide feedback on the proposed changes.

**POLICY DECISION:** The Tree Board provides an advisory role to the City Council on matters of trees and urban forestry.

**BACKGROUND:**

During the November, December, and January meetings, Board Members discussed the preliminary draft of the tree code, planting requirements, and tree canopy goals. During the meetings, Tree Board Members emphasized creating code language that would match the City's adopted canopy goals, loosen restrictions for minor tree removal, and create standards to protect trees in large developments or subdivisions.

**DISCUSSION:**

This discussion is a continuation of the Tree Board's review of the code held on January 28, 2015. Staff has amended the preliminary tree code based on the Tree Board's discussions and recommendations (Attachments 1 and 2). Tree thinning and tree removal in subdivisions were clarified based on previous comments. In addition, staff has updated the permit flow chart based on the revised code (Attachment 3).

Staff believes that the draft of the tree code may be ready to take forward to a Planning Commission study session. The Tree Board should provide staff with direction on next steps.

**RECOMMENDED ACTION:**

**DISCUSS AND MAKE RECOMMENDATIONS**

Attachment 1: February 2015 Draft Tree Code without mark-ups

Attachment 2: February 2015 Draft Tree Code with mark-ups

Attachment 3: Flow Chart Outlining Tree Removal Process

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1 **Attachment 1 Proposed Code Changes to Chapter 21.15**  
 2 **DEVELOPMENT STANDARDS – TREE REQUIREMENTS**

3  
 4 **Sections:**

- 5 21.15.010 – Purpose and Intent  
 6 21.15.020 – Applicability  
 7 21.15.030 – Exemptions  
 8 21.15.040 – City Tree Fund Established  
 9 21.15.050 – Hazard, Nuisance and Dead Trees  
 10 21.15.060 – Tree Permits  
 11 21.15.070 – Minimum Tree Density  
 12 21.15.080 – Tree Removal in Critical Areas  
 13 21.15.090 – Supplemental Tree Planting Requirements  
 14 21.15.100 – Alternative Compliance  
 15 21.15.110 – Tree Maintenance  
 16 21.15.120 – Tree Protection During Construction  
 17 21.15.130 – Enforcement and Penalties  
 18

19 **21.15.010 – Purpose and Intent**

- 20 (1) Trees are integral to Woodinville's community character and protect public health, safety,  
 21 and general welfare. Protecting, enhancing, and maintaining healthy trees, groves of trees  
 22 and vegetation are key community values. The City's goal is to achieve an overall tree  
 23 canopy coverage of 40 percent. Healthy trees and vegetation contribute to Woodinville's  
 24 quality of life through reducing soil erosion and land instability; improving air quality,  
 25 providing protection from severe weather conditions; providing habitat and food supply for  
 26 fish and wildlife; enhancing property values and contributing to Woodinville's natural beauty,  
 27 aesthetic character, and livability.  
 28 (2) The purpose of this chapter is to establish processes and standards to provide for the  
 29 retention, protection, preservation, replacement, proper maintenance, and use of significant  
 30 trees and woodlands located in the City of Woodinville. The intent of this chapter is to:  
 31 (a) Maintain and enhance canopy coverage provided by native trees for their benefits;  
 32 (b) Preserve and enhance the City of Woodinville's environmental, economic, and  
 33 community character with mature landscapes;  
 34 (c) Promote site development practices that work to avoid removal, destruction, or  
 35 disturbance of significant trees, groves of trees, and the City's natural vegetation;  
 36 (d) Mitigate the consequences of required tree removal in land development through on-  
 37 and off-site native tree to achieve an overall healthy tree canopy cover of 40 percent  
 38 citywide over time;  
 39 (e) Implement the goals and objectives of the City's Comprehensive Plan;  
 40 (f) Implement the goals and objectives of the State Environmental Policy Act (SEPA).  
 41

42 **21.15.020 – Applicability**

- 43 (1) No persons shall conduct tree removal, trimming, or vegetation clearing within the  
 44 jurisdictional boundaries of the city except as provided in accordance with this chapter.  
 45 (2) Removal of trees not exempted by WMC 21.15.030 shall require a tree removal permit. Tree  
 46 permits shall be processed as a Type I project permit pursuant to Chapters 17.07 through  
 47 17.09 WMC. Appeals shall be processed consistent with Chapter 17.17 WMC.  
 48

49 **21.15.030 – Exemptions**

50 The following activities are exempt from the provisions of this chapter:

- 1 (1) Any tree on private, developed property that poses an imminent threat to life or property, due  
2 to a storm event such as a windstorm or ice storm, may be removed without first obtaining a  
3 permit. The party removing the tree will contact the City within seven days of removal to  
4 provide documentation of threat for approval of exemption.
- 5 (2) Trees may be removed by the City or utility provider in situations involving immediate danger  
6 to life or property, or interruption of services provided by a utility.
- 7 (3) A nursery or tree farm owner may remove trees that are grown for commercial Christmas or  
8 landscape tree sales.
- 9 (4) Removal of trees with a diameter-at-breast-height of less than two inches.
- 10 (5) Removal of nonsignificant trees with a diameter-at-breast-height of less than six inches  
11 within a 12-month period, and which have up to a combined diameter-at-breast height of 40  
12 inches or 10 tree credits.
- 13 (6) Trees within the public right-of-way and trees removed as part of a City construction project  
14 that is subject to the requirements of Chapter 2.24 WMC.

#### 15 **21.15.040 – City Tree Fund Established**

- 17 (1) Fund established. A City Tree Fund is established for the collection of any funds used for the  
18 purpose and intent set forth by this chapter.
- 19 (2) Funding sources. The following funding sources may be allocated to the City Tree Fund:  
20 payments received in lieu supplemental plantings; civil penalties collected pursuant to this  
21 chapter; agreed-upon restoration payments or settlements in lieu of penalties; sale of trees  
22 or wood from City property; donations and grants for tree purposes; sale of seedlings by the  
23 City; and other monies allocated by City Council.
- 24 (3) Funding purposes. The Tree Board shall provide recommendations to City Council for  
25 approval on how the funds will be allocated. Prioritization will be based on the Urban  
26 Forestry Plan. The City shall use money received pursuant to this section for the following  
27 purposes:
  - 28 (a) Acquiring, maintaining and preserving wooded areas within the City;
  - 29 (b) Planting and maintain trees within the City;
  - 30 (c) Identification and maintenance of heritage trees;
  - 31 (d) Establishment of a holding public tree nursery;
  - 32 (e) Urban forestry education; or
  - 33 (f) Other purposes relating to tree and woodland protection and enhancement as  
34 determined by City Council.

#### 35 **21.15.050 – Tree Permits**

36 The following materials are required to obtain a tree permit. The City Tree Official shall have the  
37 authority to waive certain application materials if the item is not necessary to evaluate a specific  
38 proposal for consistency with this chapter.

- 39 (1) Tree permit application, completed and signed by the property owner.
- 40 (2) Site plan prepared by an engineer, surveyor, arborist, or other qualified professional,  
41 showing the following:
  - 42 (a) Location of all existing and proposed structures; construction limits, easements, utility  
43 lines, and construction protection barriers consistent with WMC 21.16.110;
  - 44 (b) Location of all trees above 3 inches DBH within 30 feet of the construction limits,  
45 including size and species;
  - 46 (d) Identification of all trees to be removed and/or relocated;
  - 47 (e) Existing and proposed topography at 5-foot intervals; and
  - 48 (f) Location of all critical areas and buffers.
- 49 (3) Replanting plan, showing the following:
  - 50 (a) Location of proposed structures and retained trees;
  - 51

- 1 (b) Location of proposed replacement trees and/or vegetation, including species, size,  
2 and spacing;
- 3 (c) Location and design of other landscape restoration measures; and
- 4 (d) A planting schedule that indicates species, quantity, size, spacing, and tree density  
5 calculations for replanted trees
- 6 (4) Arborist report or professional recommendation, evaluating the following:
- 7 (a) Inventory of all impacted trees, including size, species, dripline, and critical root zone.  
8 The inventory must include all trees proposed for removal and any trees within 30  
9 feet of the construction limits. Written evaluation of anticipated impacts to tree health  
10 and viability resulting from construction, including any impacts to critical root zones;
- 11 (b) Information on compliance with coverage requirements, including a calculation of tree  
12 canopy or replanting schedule;
- 13 (c) Suggested location and species of supplemental trees, maintenance, and planting  
14 specifications consistent with WMC 21.15.120;
- 15 (d) Recommendations on tree protection measures consistent with WMC 21.16.110 and  
16 correspond to the tree Protection Plan in subsection (f);
- 17 (e) Special instructions for working within the protection area (hand-digging, tunneling,  
18 root pruning, maximum grade changes, etc.);
- 19 (f) Information on any required on-site supervision;
- 20 (g) Information on maintenance including duration, benchmarks for success, cost  
21 estimates, and financial guarantees/bonding; and
- 22 (h) If applicable, assessment and designation of a hazard or nuisance tree

23  
24 **21.15.060 – Minimum Tree Density**

- 25 (1) Any tree removal subject to a tree permit shall be required to meet minimum tree density of  
26 60 tree credits per acre for residential zones R-1 through R-8. All other zones are required  
27 to meet the landscape standards pursuant to Chapter 21.16 WMC.
- 28 (2) For the purposes of calculating required minimum tree density, City right-of-way and areas to  
29 be dedicated as City right-of-way shall be excluded from the lot area used for calculation of  
30 minimum tree density.
- 31 (3) The minimum tree density credits are calculated through a tree credit calculation using Table  
32 1. The tree credit calculation is the sum of all retained existing trees and any supplemental  
33 tree plantings. If a site falls below the minimum tree density with existing trees, supplemental  
34 planting shall be required pursuant to this section. The tree credit value that corresponds  
35 with diameter-at-breast-height shall be found in the table below:

36  
37 **WMC 21.15.070(3) Table 1 – Tree Credit Calculation**

Tree Diameter Inches		Total Credit
Minimum	Maximum	
1.0	3.0	0.5
3.1	6.0	1.0
6.1	12.0	2.0
12.1	24.0	5.0
24.1	36.0	8.0
36.1	50.0	14.0
50.1 and above		18.0

- 38 (a) Tree diameter inches shall be measured as diameter-at-breast-height 4.5 feet off the  
39 ground for existing trees and six inches off the ground for new plantings. The  
40 measured tree diameter shall be its size at the time of measurement.  
41

- 1 (b) Existing trees transplanted to an area on the same site may count toward the  
 2 required density if approved by the City Tree Official based on transplant  
 3 specifications provided by a qualified tree professional that will ensure a good  
 4 probability for survival.
- 5 (c) Trees shall be planted in accordance with WMC 21.15.090. On sites where additional  
 6 plantings are not feasible due to spacing or other site constraints, an applicant may  
 7 satisfy the minimum tree density requirement through payment into the City Tree  
 8 Fund pursuant to WMC 21.15.090(4)(f).

9 (4) Tree removal without construction. This requirement applies only to sites where no exterior  
 10 construction or demolition, grading, material storage, or other site activity is proposed, and  
 11 tree removal is located outside of all critical areas, NGPA or shared ownership tracts.

- 12 (a) Up to two trees may be removed per year with no replacement planting.  
 13 (b) Removal of additional trees for the purposes of tree thinning or removal of  
 14 nuisance/hazard trees shall require compliance with the minimum tree density or  
 15 replacement at a rate of three trees per each removed tree.  
 16

#### 17 **21.15.070 – Tree Removal for Subdivisions or Short Subdivisions**

18 (1) Tree removal associated with a new subdivision or short subdivision shall meet the following:

- 19 (a) The overall site must achieve the minimum tree density pursuant to WMC 21.15.060.  
 20 (b) The site shall retain at least 10 percent of the tree diameter inches of all existing  
 21 healthy, viable significant trees within the property boundaries prior to subdivision or  
 22 construction work.  
 23 (i) This requirement may be reduced for preservation of groves with five or more  
 24 trees consistent with WMC 21.15.100.  
 25 (ii) In certain circumstances where tree removal results in less than 10 percent of  
 26 tree diameter inches retained due to site conditions, infrastructure conflicts, or  
 27 other conditions beyond the applicant's control, the City Tree Official may grant an  
 28 exception. The applicant shall pay for the remaining tree diameter inches  
 29 consistent with WMC 21.15.090(f) in addition to any other required payment.  
 30 (c) The applicant shall submit a preservation and maintenance agreement for trees  
 31 located in common areas, including streets, drainage features, parks, or other jointly  
 32 maintained spaces. The document shall be approved and recorded prior to  
 33 occupancy, recording, or final inspection.  
 34 (d) When forest or critical areas are separate tract or Native Growth Protection Area  
 35 (NGPAs), any remaining tree credits within the NGPA above the required minimum  
 36 tree density may be applied towards the entire subdivision. The remaining tree  
 37 credits will be equally divided among the total number of lots. Where the tree credits  
 38 in the NGPA have not been determined, the minimum tree density shall apply to  
 39 each lot within the subdivision.  
 40 (e) A final arborist report shall be submitted at the end of the project verifying the total  
 41 trees removed, retained, and planted, prior to release of the performance bond.  
 42

#### 43 **21.15.080 – Tree Removal in Critical Areas**

- 44 (1) Within critical areas or critical area buffers, only hazard, nuisance, or dead trees may be  
 45 removed or trimmed. If more than two trees are removed, the City Tree Official may require  
 46 submittal of a critical areas alteration pursuant to Chapter 21.24 WMC.  
 47 (a) Tree removal proposed within a NGPA or an area under common ownership shall  
 48 meet tree density requirements pursuant to WMC 21.15.060. The applicant shall  
 49 obtain signatures from a majority of owners who hold interest in the land or approval  
 50 from the homeowner's association.

- 1 (b) The priority action for a tree proposed for removal is to create a "snag" or wildlife  
2 tree. If creating a snag or wildlife tree is not feasible, the felled tree shall be left in  
3 place.  
4 (c) Supplemental trees shall be planted consistent with WMC 21.15.060 and WMC  
5 21.15.090. The requirements may be modified if a qualified tree professional may  
6 determine to the satisfaction of the City Tree Official that equal or better habitat  
7 function and values can be achieved with following:  
8 (i) Native understory plantings are installed;  
9 (ii) Invasive species removal is conducted;  
10 (iii) A coverage analysis is submitted stating that the replanted trees will have  
11 equal or better coverage than the trees removed within five years; and  
12 (iii) A replanting plan is submitted.

15  
16 **21.15.090 – Supplemental Tree Planting Requirements**

- 17 (1) Sites and activities requiring supplemental trees shall be planted to achieve the required  
18 minimum tree density. Tree density credits for supplemental trees shall be calculated  
19 pursuant to WMC 21.15.060.  
20 (2) Tree species. The tree species chosen for the supplemental plantings shall either be trees of  
21 the same mix of species as the removed trees or mix of species listed in the Woodinville  
22 Plant Species List. Trees should be selected and sited to produce a hardy and drought-  
23 resistant landscape area.  
24 (3) Tree size and spacing. The required minimum size for any supplemental tree is a diameter-  
25 breast-height of two-inches or greater. Trees shall be spaced no closer than 15 feet on  
26 center.  
27 (4) Tree location. In designing a development and in meeting the required minimum tree  
28 density, the trees shall be planted in the following order of priority:  
29 (a) In preserved groves, critical areas or its buffers  
30 (b) Adjacent to stormwater facilities, within entrance landscaping, traffic islands, and  
31 other common areas in residential subdivisions that have enough area to support  
32 mature trees of the planted species  
33 (c) Site perimeter and/or required landscaped setbacks.  
34 (d) Individual building lots.  
35 (e) Off-site, when room is not available on-site to ensure long-term health and viability  
36 for the trees. Trees shall be planted at another location within the same City-  
37 designated neighborhood and as approved by the City Tree Official.  
38 (f) Payment to the City Tree Fund. If trees cannot be planted in accordance with (a)  
39 through (e), the applicant may satisfy the requirements by paying into the City Tree  
40 Fund 200 dollars per tree credit.  
41 (5) Installation. All required trees shall be installed according to sound horticultural practices in  
42 a manner designed to encourage quick establishment and healthy plant growth.  
43 (a) Timing. All trees shall be installed prior to the issuance of a certificate of occupancy  
44 or plat recording. The time limit for compliance may be extended to allow installation  
45 during the next planting season or deferred due to diseased soil or pest infestation. A  
46 determination shall be made at the discretion of the City Tree Official. Deferred  
47 installation shall be secured with a performance bond pursuant to Chapters 15.42 or  
48 20.06 WMC.  
49 (b) Placement. All supplemental trees shall be installed in the ground and not in  
50 aboveground containers.  
51 (c) Grading. Berms shall not exceed a slope of two horizontal feet to one vertical foot  
52 (2:1).

- 1 (d) Soil specification. Soils in planting areas shall have adequate porosity to allow root  
2 growth and adequate drainage. Compacted soils shall be loosened to a minimum  
3 depth of 24 inches or to the depth of the largest plant root ball, whichever is greater.  
4 Imported topsoils shall be tilled into existing soils to prevent a distinct soil interface  
5 from forming.
- 6 (e) Fertilization. The organic content of soils in any planting area shall be as necessary  
7 to provide adequate nutrient and moisture-retention levels for the establishment of  
8 plantings. Additional fertilization shall be the minimum necessary.
- 9 (f) Irrigation. Irrigation system shall be designed to ensure plant establishment. Irrigation  
10 shall be designed to conserve water by using best management techniques  
11 available, including, but not be limited to: drip irrigation; moisture sensors; automatic  
12 controllers; spacing designed to minimize overspray; and separate zones for different  
13 planting areas.
- 14 (i) Within right-of-ways and common areas, permanent irrigation with an  
15 automatic controller shall be installed for tree plantings. Temporary irrigation,  
16 providing sufficient water to ensure plant survival and establishment, may be  
17 approved at the discretion of the City Tree Official.
- 18 (ii) For individual residential lots, the applicant may choose permanent irrigation,  
19 temporary irrigation, or irrigation by hand.
- 20 (iii) Modifications to the irrigation requirement may be approved by the City Tree  
21 Official for less water-intensive strategies such planting native vegetation that  
22 does not require supplemental irrigation, low impact development, established  
23 native plant material, or where natural appearance is acceptable or desirable  
24 to the City.
- 25 (g) Mulch. Required plantings shall be covered with two inches or more of organic mulch  
26 to minimize evaporation and runoff. Mulch shall consist of materials such as yard  
27 waste, sawdust, bark or wood chips, and/or organic compost. All mulches shall be  
28 kept at least six inches away from the trunks of shrubs and trees.
- 29 (h) Protection. All required trees must be protected from potential damage by adjacent  
30 uses and development, including parking and storage areas. Protective devices such  
31 as bollards, wheel stops, trunk guards, and root guards, shall be required as needed  
32 to protect required trees.

### 33 **WMC 21.15.100 – Alternative Compliance**

- 34 (1) Additional density credits. The applicant may earn additional tree density credits through  
35 alternate measures or procedures that will be equal to or better to the provisions in this  
36 chapter. If the City Tree Official determines that the proposal meets the purpose and intent  
37 of the code through alternative compliance, the Official may modify the tree density  
38 requirements.
- 39 (2) Criteria. The City Tree Official shall review each alternative compliance request based on the  
40 following criteria:
- 41 (a) The alternative is designed to ensure the long-term health and maturity of the tree;  
42 (b) The alternative will provide increased environmental benefits including natural  
43 function and values beyond the standard requirements;  
44 (c) If applicable, the alternative will enhance or improve critical areas or NGPE areas.  
45 (d) The alternative will not increase soil erosion, slope instability, nor create drainage  
46 issues; and  
47 (e) The alternative provides equivalent or greater compliance with the tree code.
- 48 (3) The following activities or strategies may qualify for alternative compliance:  
49 (a) Retention of specimen or heritage trees and groves of at least five trees may earn up  
50 to an additional 10 percent of the tree credits of the subject tree or grove.  
51

- 1 (b) Use of low impact development (LID) designed to the satisfaction of the City Tree  
2 Official and Public Works Director may earn up to an additional one tree credit per  
3 1,000 square feet of designated LID area.
- 4 (c) Infrastructure installation or modifications such installation of root protection barriers,  
5 planter strips wider than eight feet, and other similar measures to ensure long-term  
6 tree health may earn up to 25 percent per affected tree.
- 7 (d) Planting 15 square feet of understory landscaping within the canopy area of each  
8 supplemental tree may earn up to 15 percent of the tree credits for the subject tree.  
9 Understory landscaping must include shrubs planted at least 24 inches on center  
10 and groundcovers planted 18 inches in center.

### 11 **21.15.110 – Tree Maintenance**

12 (1) The following maintenance requirements apply to all trees planted consistent with this  
13 chapter:

- 14 (a) Responsibility for Regular Maintenance. The applicant, landowner, or successors in  
15 interest shall be responsible for the regular maintenance of required trees. Trees that  
16 are dead and removed shall be replaced in-kind by the property owner.
- 17 (b) Maintenance Duration. Maintenance shall be ensured in the following manner except  
18 as set forth in subsections (1)(c) and (d) of this section:
- 19 (i) All required trees shall be maintained throughout the life of the development.  
20 (ii) Any existing tree or planted tree shall be maintained for a period of five years  
21 following issuance of the certificate of occupancy or plat recording for the  
22 individual lot or development. A maintenance guarantee pursuant to Chapter  
23 15.42 or 20.06 WMC shall be secured to ensure the maintenance.
- 24 (c) Non-native Invasive and Noxious Plants. It is the responsibility of the property owner to  
25 remove non-native invasive plants and noxious plants from the vicinity of any tree or  
26 other vegetation. Removal must be performed in a manner that will not harm the tree or  
27 other vegetation that the City has required to be planted or protected.
- 28 (d) Pesticides, Herbicides, and Fertilizer. The use of pesticides, herbicides, or fertilizer  
29 shall be by special approval of the City Tree Official only.
- 30 (2) Tree Permits and Utility Plans. Tree permits and utility plans shall be coordinated. In general,  
31 the placement of trees should be adjusted based on the plant's mature size and the location  
32 utility routes both above and below ground.
- 33 (3) Tree Pruning. Topping or pruning to the extent that would constitute tree removal as defined  
34 in Chapter 21.06 WMC is not allowed. If a required tree smaller than six inches in diameter-  
35 at-breast-height is topped, it must be replaced pursuant to the standards in WMC 21.15.120.  
36 If a tree six inches or larger in diameter-at-breast-height is topped, the property owner may  
37 be subject to enforcement actions pursuant to WMC 21.15.130. Trees may be windowed or  
38 limbed up using best management practices. This method of tree pruning shall maintain the  
39 health of the tree.
- 40 (4) Table 21.15.110 – Pruning Techniques. The following techniques for healthy pruning shall  
41 be used. No permit is required for pruning; however, all pruning should be done under the  
42 direction of a qualified tree professional.

43 **Table 21.15.110(4) Table 1 – Pruning Techniques**

Healthy Pruning Techniques	Improper Pruning Techniques
<b>Crown Cleaning</b> – removing dead, dying, diseased, crowded, weakly attached, or low-vigor branches, in a manner that should not reduce the canopy.	<b>Topping</b> – the cutting of a trunk or main branch to the point where there is no branch large enough and vigorous enough to become the new leader.

Healthy Pruning Techniques	Improper Pruning Techniques
<b>Crown Thinning</b> – selective removal of branches throughout the crown of the tree to improve interior light and air. Remaining branches should be well-distributed and balanced.	<b>Stripping</b> – removing the branches from the inner section of the trunk or branch. Can cause structural imbalances and potential failure.
<b>Crown Raising</b> – removal of the lower branches of the tree to provide height clearance, typically 8 feet for pedestrians and 16 feet for vehicles.	<b>Imbalance</b> – removing portions of the tree and creating an imbalance in the structure of the tree. Can cause cracking damage from the wind through twisting; or weak new growth.
<b>Windowing</b> – removing several branches symmetrically within an area of the tree's crown to enhance views.	<b>Excessive Pruning</b> – removing portions of the tree to a point where it can kill the tree. Can invite decay and disease.

1  
2 **21.15.120 – Tree Protection During Construction**

- 3 (1) Tree protection measures shall be installed prior to development activity or initiating tree  
4 removal on the site. These standards must be adhered to through the duration of site work  
5 and included on grading and building plans as necessary. A pre-construction meeting  
6 between the City Tree Official and the contractor shall be held prior to site disturbance.
- 7 (2) Tree protection measures shall include, but are not limited to, the following:
- 8 (a) Protective Barrier. A temporary protective barrier extending five feet beyond the  
9 dripline of all retained trees shall be installed prior to site disturbance and maintained  
10 until removal is authorized by the City Tree Official. The protective barrier shall be  
11 clearly visible and at least three feet in height. Signage shall be installed no further  
12 than 25 feet apart on the protective barrier. The protection barrier shall follow the  
13 fencing standard detail established by the City.
- 14 (b) Construction Activities. No excavation, storage, parking, construction vehicle access,  
15 dumping of toxic or polluted materials, or other potentially damaging activity is  
16 allowed in within the protective barrier. If construction activity within the protective  
17 barrier is unavoidable, the City Tree Official may allow and the following activities  
18 under the supervision of a qualified tree professional:
- 19 (i) Equipment may operate within the critical root zone if no other alternative is  
20 feasible. The areas adjoining the critical root zone of a tree shall be covered  
21 with mulch to a depth of at least six inches, or with plywood, metal or similar  
22 material in order to protect roots from damage caused by heavy equipment.
- 23 (ii) Utility trenches should be located outside of the critical root zone of trees. If  
24 utilities must be placed within the critical root zone, a qualified tree  
25 professional shall review the proposal to ensure the long-term viability of the  
26 trees. The work shall minimize root damage by excavating a two-foot-deep  
27 trench, at edge of critical root zone, to cleanly sever the tree roots.
- 28 (iii) Corrective pruning may be performed on protected trees in order to avoid  
29 damage from machinery or building activity.
- 30 (iv) Site grading within the critical root zone shall be the minimum necessary. The  
31 applicant's qualified tree professional shall establish the maximum amount of  
32 earthwork allowable in the critical root zone that will not imperil the survival of  
33 the tree. Suitability of activities shall be based on construction techniques,  
34 erosion potential, damage to the critical root zone, stabilization techniques,  
35 and other similar factors.

- 1 (c) Exposed soils. Trees and other vegetation to be retained shall be protected from  
2 erosion and sedimentation. Clearing operations shall be expose the smallest practical  
3 area of soil to erosion for the least possible time. To control erosion, it is encouraged  
4 that shrubs, groundcover, and stumps be maintained on the individual lots, where  
5 feasible.
- 6 (d) Directional Felling. Directional felling of trees shall be used to avoid damage to trees  
7 designated for retention. Any trees designated for preservation, per the approved  
8 tree plan, that are significantly damaged or destroyed during felling of trees approved  
9 for removal shall be replaced per WMC 21.15.070.
- 10 (e) Additional Requirements. The City Tree Official may require additional tree protection  
11 measures that are consistent with accepted urban forestry industry practices.

### 12 **21.15.130 – Enforcement and Penalties**

- 13
- 14 (1) Authority. It shall be the duty of the City Tree Official, or designee, to administer the  
15 provisions of this chapter. Enforcement shall be conducted in accordance with the  
16 procedures set forth in Chapter 1.06 WMC and special enforcement provisions related to  
17 tree conservation set forth below. If there is a conflict between the provisions of this section  
18 and Chapter 1.06 WMC, this section shall control.
- 19 (2) Voluntary Compliance. Voluntary compliance is the preferred method of enforcement. The  
20 following remedies should only be pursued when voluntary compliance is not effective or  
21 when other requirements are stipulated elsewhere in the code
- 22 (3) Cease and Desist. The City Tree Official may issue a notice to cease and desist if he/she  
23 finds that a violation of this code has occurred. Continued illegal tree activity following  
24 issuance of a cease and desist from the City for the tree activity shall result in fines of  
25 \$1,000 per day of continued activity.
- 26 (4) Stop Work Order. If a violation of this chapter occurs on property on which development  
27 activity is taking place, the City Tree Official may suspend work through issuance of a stop  
28 work order. The City Tree Official shall remove the stop work order when the/she determines  
29 that the violation has been corrected or when an agreement has been reached with the  
30 violator to remedy the violation.
- 31 (5) Notification of Infraction. A Notice of Infraction may be issued pursuant to WMC 1.06.060.  
32 The notification shall include a statement of the restoration action required to correct the  
33 violation as determined by the City Tree Official.
- 34 (6) Civil Penalty. A person who fails to comply with the requirements of this chapter or the terms  
35 of a permit issued hereunder, shall be subject to a civil penalty of \$1,000 per tree for  
36 unlawful removal of trees, including removal without obtaining permits, removal prior to  
37 issuance of tree removal permit, or other acts violating an approved tree protection plan.  
38 Each unlawfully removed or damaged tree shall constitute a separate violation.
- 39 (a) Any person who aids or abets in the violation shall be considered to have committed  
40 a violation for purposes of the civil penalty.
- 41 (b) The City Tree Official may elect not to seek penalties if he or she determines that the  
42 circumstances do not warrant imposition of civil penalties in addition to restoration.
- 43
- 44 (7) Tree Restoration.
- 45 (a) A restoration plan and arborist report shall be submitted that, to the greatest extent  
46 practical, equals the site condition that would have existed in the absence of the  
47 violation(s). The restoration plan shall be prepared in accordance with WMC  
48 21.15.070 and include supplemental trees equal to the number of tree credits illegally  
49 removed.
- 50 (i) In the event the violators cannot restore the unlawfully removed or damaged  
51 trees due to site conditions as determined by the City Tree Official, the  
52 violators shall make payment to the City tree fund. Unless otherwise

1 determined to base the restoration costs on appraised value, the amount paid  
 2 will be the City's unit cost for a restoration tree as calculated in WMC  
 3 21.15.090(4)(g).

4 (iv) The restoration plan shall include a maintenance plan and an agreement or  
 5 security to ensure survival and maintenance of restoration trees for a five-  
 6 year period.

7 (b) Violators of this chapter or of a permit issued thereunder shall be responsible for  
 8 restoring unlawfully damaged areas in conformance with this chapter.

9 (c) In cases where the violator intentionally or knowingly violated this chapter or  
 10 committed previous violations of this chapter, restoration costs shall be paid at the  
 11 discretion of the City Tree Official. Restoration costs may be based on the City-  
 12 appraised tree value of the subject trees, utilizing the industry standard trunk formula  
 13 method in the current edition of "Guide for Plant Appraisal." If diameter of removed  
 14 tree is unknown, determination of the diameter size shall be made by the City Tree  
 15 Official by comparing size of stump and species to similar trees in similar growing  
 16 conditions.

17 (8) Failure to Restore or Pay Fines. The City shall not approve any application for any  
 18 development permit or issue a certificate of occupancy for property on which a violation of this  
 19 chapter has occurred until the violation is cured by restoration and by payment of any penalty  
 20 imposed for the violation.

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23 **DEFINITIONS**

24 **WMC 21.06.063 Broadleaf tree**

25 Broadleaf tree: a tree characterized by leaves that are broad in width and may include both  
 26 deciduous and evergreen species.

27 **WMC 21.06.101 City Tree Official**

28 City Tree Official: the Development Services Director or his/her designees responsible for  
 29 implementing the Community Urban Forestry Plan and Regulations. The City Tree Official shall  
 30 use the expertise of a certified arborist, under contract by the City, for technical advice on  
 31 decisions related to the community urban forest.

32 **21.06.139 Critical root zone.**

33 Critical root zone: the area surrounding a tree at a distance from the trunk, which is equal to one  
 34 foot for every inch of tree diameter-at-breast-height or otherwise determined by a qualified tree  
 35 professional.

36 **21.06.140 Crown.**

37 Crown: the area of a tree containing leaf- or needle-bearing branches.

38 **21.06.143 Deciduous.**

39 Deciduous: a plant species with foliage that is shed annually

40 **21.06.168 Diameter-at-breast-height.**

41 Diameter-at-breast-height: the diameter measurement in inches of the outside bark of a tree  
 42 trunk, measured at four-and-a-half feet above the ground line. New plantings are to be  
 43 measured at six inches above the ground level.

**21.06.174 Dripline.**

Dripline: the distance from the tree trunk, that is equal to the furthest extent of the tree's crown.

**21.06.220 Evergreen.**

Evergreen: a plant species with foliage that persists and remains green year-round.

**21.06.xxx Hazard Tree.**

Hazard tree: A tree with a combination of structural defects and/or disease that makes it subject to a high probability of failure; is in the proximity to moderate-high frequency of persons or property; and the hazard condition of the tree cannot be lessened with reasonable and proper arboricultural practices nor can the persons or property be removed.

**21.06.309 Heritage tree**

Heritage tree: a tree or stand of trees that is particularly desirable because it has valued, unique characteristics that set them apart from other similar trees. Valued, unique characteristics include uncommon genus, species, form, size, location, historic significance or other desirable feature(s).

**21.06.359 Limit of disturbance, tree.**

Limit of disturbance, tree: the boundary between the area of minimum protection around a tree and the allowable site disturbance as determined by a qualified tree professional.

**21.06.406 Native growth protection area (NGPA).**

Native growth protection area (NGPA): an area where native vegetation is preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, buffering and protecting plants and animal habitat.

**21.06.408 Naturalized species.**

Naturalized species: nonnative species of vegetation that are adaptable to the climatic conditions of the coastal region of the Pacific Northwest.

**21.06.xxx Nuisance Tree.**

Nuisance tree: A tree that causes physical damage to private or public structures; has been damaged by past maintenance practices that cannot be corrected; is chronically diseased or infested; overplanted or overcrowded; part of a dense grove creating safety concerns or excessively obstructing sunlight.

**21.06.486 Qualified tree professional.**

Qualified tree professional: an individual with relevant education and training in arboriculture or urban forestry. The individual must be an arborist certified by the International Society of Arboriculture or a registered consulting arborist from the American Society of Consulting Arborists. For Forest Management Plans, the qualified tree professional must have the ability to assess wooded sites and prescribe measures for forest health and safety. A qualified tree professional that makes determinations on hazard or nuisance trees is required to have certification as a tree risk assessor.

**21.06.599 Significant tree**

Significant tree: an existing healthy tree which has a minimum diameter-at-breast-height of six inches, as measured according to the most current published edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

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**21.06.xxx Snag or wildlife tree.**

Snag or wildlife tree. The remaining trunk of a tree that intentionally reduced in height and usually tripped of its live branches.

**21.06.617 Specimen tree.**

Specimen tree: a viable tree that is considered in very good to excellent health and free of major defects, as determined by the City's Tree Official

**21.06.680 Tree removal**

Tree removal: the removal of a tree, through either direct or indirect actions, including but not limited to: (1) clearing, damaging or poisoning resulting in an unhealthy or dead tree; (2) removal of at least half of the live crown; or (3) damage to roots or trunk that is likely to destroy the tree's structural integrity

**21.06.xxx Tree grove**

Tree grove: a cluster or stand of at least five trees, generally lacking undergrowth.

**21.06.695 Viable tree.**

Viable tree: a significant tree that a qualified tree professional has determined to be in good health, not classified as a hazard or nuisance tree, and has a low risk of failure due to structural defects.

1 **Attachment 2 Proposed Code Changes to Chapter 21.15**  
2 **DEVELOPMENT STANDARDS – TREE REQUIREMENTS**

3  
4 Sections:

- 5 21.15.010 – Purpose and Intent
- 6 21.15.020 – Applicability
- 7 21.15.030 – Exemptions
- 8 21.15.040 – City Tree Fund Established
- 9 21.15.050 – Hazard, Nuisance and Dead Trees
- 10 21.15.060 – Tree ~~Removal~~ Permits
- 11 21.15.070 – ~~Tree Permit Submittal Requirements~~ Minimum Tree Density
- 12 21.15.080 – ~~Tree Replacement Requirements – Minimum Tree Density~~ Tree Removal in  
13 Critical Areas
- 14 21.15.090 – Supplemental Tree Planting Requirements
- 15 21.15.100 – Alternative Compliance
- 16 21.15.110 – Tree Maintenance
- 17 21.15.120 – Tree Protection During Construction
- 18 21.15.130 – Enforcement and Penalties

19  
20 **21.15.010 – Purpose and Intent**

21 (1) Trees are integral to Woodinville’s community character and protect public health, safety,  
22 and general welfare. Protecting, enhancing, and maintaining healthy trees, groves of trees  
23 and vegetation are key community values. The City’s goal is to achieve an overall tree  
24 canopy coverage of 40 percent ~~for the community. The many benefits of h~~Healthy trees and  
25 vegetation contribute to Woodinville’s quality of life ~~by:~~through reducing soil erosion and  
26 land instability; improving air quality, providing protection from severe weather conditions;  
27 providing habitat and food supply for fish and wildlife; enhancing property values and  
28 contributing to Woodinville’s natural beauty, aesthetic character, and livability.

- 29 ~~(a) Minimizing the adverse impacts of land disturbing activities and impervious surfaces~~  
30 ~~such as runoff, soil erosion, land instability, sedimentation, and pollution of waterways;~~
- 31 ~~(b) Improving the air quality by absorbing air pollutants and carbon dioxide, and generating~~  
32 ~~oxygen;~~
- 33 ~~(c) Providing cost-effective protection from severe weather conditions with cooling effects~~  
34 ~~in the summer months and insulating effects in winter;~~
- 35 ~~(d) Providing visual relief and screening buffers;~~
- 36 ~~(e) Providing habitat, cover, food supply, and corridors for a diversity of fish and wildlife;~~  
37 ~~and~~

38 ~~(f) Providing economic benefit by enhancing local property values and contributing to the~~  
39 ~~region’s natural beauty, aesthetic character, and livability of the communi~~(2) The purpose of  
40 this chapter is to establish processes and standards to provide for the retention, protection,  
41 preservation, replacement, proper maintenance, and use of significant trees and woodlands  
42 located in the City of Woodinville. The intent of this chapter is to:

- 43 (a) Maintain and enhance canopy coverage provided by native trees for their benefits;
- 44 (b) Preserve and enhance the City of Woodinville’s environmental, economic, and  
45 community character with mature landscapes;
- 46 (c) Promote site development practices that work to avoid removal, destruction, or  
47 disturbance of significant trees, groves of trees, and the City’s natural vegetation;
- 48 (d) Mitigate the consequences of required tree removal in land development through on-  
49 and off-site native tree ~~replacement with the goals of halting loss and enhancing~~  
50 ~~Woodinville’s tree canopy~~ to achieve an overall healthy tree canopy cover of 40  
51 percent ~~City-wide~~ citywide over time;

- (e) Implement the goals and objectives of the City's Comprehensive Plan;
- (f) Implement the goals and objectives of the State Environmental Policy Act (SEPA).

#### 21.15.020 – Applicability

- (1) No ~~property owner or their representative~~ persons shall ~~remove, destroy, or disturb~~ conduct tree removal, trimming, or vegetation clearing ~~trees located~~ within the jurisdictional boundaries of the city except as provided in accordance with this chapter.
- (2) Removal of trees not exempted by WMC 21.15.030 shall require a tree removal permit. Tree permits shall be processed as a Type I project permit pursuant to Chapters 17.07 through 17.09 WMC. Appeals shall be processed consistent with Chapter 17.17 WMC.  
~~Tree removal permits shall be processed as described in WMC 21.15.060.~~

#### 21.15.030 – Exemptions

- ~~(1)~~ The following activities are exempt from the provisions of this chapter:
  - ~~(a)~~ Any tree on private, developed property that poses an imminent threat to life or property, due to a storm event such as a windstorm or ice storm, may be removed without first obtaining a permit. The party removing the tree will contact the City within seven days of removal to provide documentation of threat for approval of exemption.
  - ~~(2)~~ Trees may be removed by the City or utility provider in situations involving immediate danger to life or property, or interruption of services provided by a utility.
  - ~~(3)~~ ~~Commercial Nurseries or Tree Farms.~~ A nursery or tree farm owner may remove trees that are ~~being grown to be sold as~~ for commercial Christmas or landscape tree sales.
  - ~~(4)~~ Removal of trees with a diameter-at-breast-height of less than two inches.
  - ~~(5)~~ Removal of nonsignificant trees with a diameter-at-breast-height of less than six inches within a 12-month period, and which have up to a combined diameter-at-breast height of 40 inches or 10 tree credits.
  - ~~(6)~~ Trees within the public right-of-way and trees removed as part of a City construction project that is subject to the requirements of Chapter 2.24 WMC.

#### 21.15.040 – City Tree Fund Established

- (1) Fund established. A City Tree Fund is established for the collection of any funds used for the purpose and intent set forth by this chapter.
- (2) Funding sources. The following funding sources may be allocated to the City Tree Fund: payments received in lieu supplemental plantings; civil penalties collected pursuant to this chapter; agreed-upon restoration payments or settlements in lieu of penalties; sale of trees or wood from City property; donations and grants for tree purposes; sale of seedlings by the City; and other monies allocated by City Council.
- (3) Funding purposes. The Tree Board shall provide recommendations to City Council for approval on how the funds will be allocated. Prioritization will be based on the Urban Forestry Plan. The City shall use money received pursuant to this section for the following purposes:
  - (a) Acquiring, maintaining and preserving wooded areas within the City;
  - (b) Planting and maintain trees within the City;
  - (c) Identification and maintenance of heritage trees;
  - (d) Establishment of a holding public tree nursery;
  - (e) Urban forestry education; or
  - (f) Other purposes relating to trees and woodland protection and enhancement as determined by City Council.

#### ~~21.15.050 – Hazard, Nuisance and Dead Trees~~

1 ~~(1) General Requirements. A hazard, nuisance, or dead tree shall be designated through an~~  
2 ~~arborist report prepared by a qualified tree professional consistent with WMC~~  
3 ~~21.15.070(2)(b). The arborist report shall provide information on how the tree meets the~~  
4 ~~following criteria if tree removal is based on nuisance or hazard. If the condition is obvious~~  
5 ~~as identified by a layperson through a cursory visual inspection, the City Tree Official may~~  
6 ~~waive the requirements for an arborist report.~~

7 ~~(2) Hazard trees. A tree may be designated as a hazard tree if all of the following criteria are~~  
8 ~~met:~~

9 ~~(a) The tree has a combination of structural defects and/or disease that makes it subject~~  
10 ~~to a high probability of failure;~~

11 ~~(b) Is in the proximity to moderate-high frequency of persons or property; and~~

12 ~~(c) The hazard condition of the tree cannot be lessened with reasonable and proper~~  
13 ~~arboricultural practices nor can the persons or property be removed.~~

14 ~~-(3)~~

15 ~~(3) Dead trees. The tree is determined to be diseased, dead, or dying, and may or may not pose~~  
16 ~~a potential safety hazard.~~

### 17 21.15.050 – Tree Permits

18 The following materials are required to obtain a tree permit. The City Tree Official shall have the  
19 authority to waive certain application materials if the item is not necessary to evaluate a specific  
20 proposal for consistency with this chapter.

21 (1) Tree permit application, completed and signed by the property owner.

22 (2) Site plan prepared by an engineer, surveyor, ~~arborist~~arborist, or other qualified professional,  
23 showing the following:

24 (a) Location of all existing and proposed structures; construction limits, easements, utility  
25 lines, and construction protection barriers consistent with WMC 21.16.110;

26 (b) Location of all trees above 3 inches DBH within 30 feet of the construction limits,  
27 including size and species;

28 (d) Identification of all trees to be removed and/or relocated;

29 (e) Existing and proposed topography at 5-foot intervals; and

30 (f) Location of all critical areas and buffers.

31 (3) Replanting plan, showing the following:

32 (a) Location of proposed structures and retained trees;

33 (b) Location of proposed replacement trees and/or vegetation, including species, size,  
34 and spacing;

35 (c) Location and design of other landscape restoration measures; and

36 (d) A planting schedule that indicates species, quantity, size, spacing, and tree density  
37 calculations for replanted trees

38 (4) Arborist report or professional recommendation, evaluating the following:

39 (a) Inventory of all impacted trees, including size, species, dripline, and critical root zone.  
40 The inventory must include all trees proposed for removal and any trees within 30  
41 feet of the construction limits. Written evaluation of anticipated impacts to tree health  
42 and viability resulting from construction, including any impacts to critical root zones;

43 (b) Information on compliance with coverage requirements, including a calculation of tree  
44 canopy or replanting schedule;

45 (c) Suggested location and species of supplemental trees, maintenance, and planting  
46 specifications consistent with WMC 21.15.120;

47 (d) Recommendations on tree protection measures consistent with WMC 21.16.110 and  
48 correspond to the tree Protection Plan in subsection (f);

49 (e) Special instructions for working within the protection area (hand-digging, tunneling,  
50 root pruning, maximum grade changes, etc.);

- (f) Information on any required on-site supervision;
- (g) Information on maintenance including duration, benchmarks for success, cost estimates, and financial guarantees/bonding; and
- (h) If applicable, assessment and designation of a hazard or nuisance tree

**21.15.060 – Minimum Tree Density**

- (1) Any tree removal subject to a tree permit shall be required to meet minimum tree density of 60 tree credits per acre for residential zones R-1 through R-8. All other zones are required to meet the landscape standards pursuant to Chapter 21.16 WMC.
- (2) For the purposes of calculating required minimum tree density, City right-of-way and areas to be dedicated as City right-of-way shall be excluded from the lot area used for calculation of minimum tree density.
- (3) The minimum tree density credits are calculated through a tree credit calculation using Table 1. The tree credit calculation is the sum of all retained existing trees and any supplemental tree plantings. If a site falls below the minimum tree density with existing trees, supplemental planting shall be required pursuant to this section. The tree credit value that corresponds with diameter-at-breast-height shall be found in the table below:

**WMC 21.15.070(3) Table 1 – Tree Credit Calculation**

Tree Diameter Inches		Total Credit
Minimum	Maximum	
1.0	3.0	0.5
3.1	6.0	1.0
6.1	12.0	2.0
12.1	24.0	5.0
24.1	36.0	8.0
36.1	50.0	14.0
50.1 and above		18.0

- (a) Tree diameter inches shall be measured as diameter-at-breast-height 4.5 feet off the ground for existing trees and six inches off the ground for new plantings. The measured tree diameter shall be its size at the time of measurement.
- (b) Existing trees transplanted to an area on the same site may count toward the required density if approved by the City Tree Official based on transplant specifications provided by a qualified tree professional that will ensure a good probability for survival.
- (c) Trees shall be planted in accordance with WMC 21.15.090. On sites where additional plantings are not feasible due to spacing or other site constraints, an applicant may satisfy the minimum tree density requirement through payment into the City Tree Fund pursuant to WMC 21.15.090(4)(f).
- (4) Tree removal without construction. This requirement applies only to sites where no exterior construction or demolition, grading, material storage, or other site activity is proposed, and tree removal is located outside of all critical areas, NGPA or shared ownership tracts.
  - (a) Up to two trees may be removed per year with no replacement planting.
  - (b) Removal of additional trees for the purposes of tree thinning or removal of nuisance/hazard trees shall require compliance with the minimum tree density or replacement at a rate of three trees per each removed tree.

**21.15.070 – Tree Removal for Subdivisions or Short Subdivisions**

1 ~~(e) No limit on re~~ (1) Tree removal associated with a new subdivision or short subdivision shall  
2 meet the following:

3 (a) The overall site must achieve the minimum tree density pursuant to WMC 21.15.060.

4 (b) The site shall retain at least 10 percent of the tree diameter inches of all existing  
5 healthy, viable significant trees within the property boundaries prior to subdivision or  
6 construction work.

7 (i) This requirement may be reduced for preservation of groves with five or more  
8 trees consistent with WMC 21.15.100.

9 (ii) In certain circumstances where tree removal results in less than 10 percent of  
10 tree diameter inches retained due to site conditions, infrastructure conflicts, or  
11 other conditions beyond the applicant's control, the City Tree Official may grant an  
12 exception. The applicant shall pay for the remaining tree diameter inches  
13 consistent with WMC 21.15.090(f) in additional to any other required payment.

14 (c) The applicant shall submit a preservation and maintenance agreement for trees  
15 located in common areas, including streets, drainage features, parks, or other jointly  
16 maintained spaces. The document shall be approved and recorded prior to  
17 occupancy, recording, or final inspection.

18 (d) When forest or critical areas are separate tract or Native Growth Protection Area  
19 (NGPAs), any remaining tree credits within the NGPA above the required minimum  
20 tree density may be applied towards the entire subdivision. The remaining tree  
21 credits will be equally divided among the total number of lots. Where the tree credits  
22 in the NGPA have not been determined, the minimum tree density shall apply to  
23 each lot within the subdivision.

24 (e) A final arborist report shall be submitted at the end of the project verifying the total  
25 trees removed, retained, and planted, prior to release of the performance bond.  
26

#### 27 **21.15.080 – Tree Removal in Critical Areas**

28 (1) Within critical areas or critical area buffers, only hazard, nuisance, or dead trees may be  
29 removed or trimmed. If more than two trees are removed, the City Tree Official may require  
30 submittal of a critical areas alteration pursuant to Chapter 21.24 WMC.

31 (a) Tree removal proposed within a NGPA or an area under common ownership shall  
32 meet tree density requirements pursuant to WMC 21.15.060. The applicant shall  
33 obtain signatures from a majority of owners who hold interest in the land or approval  
34 from the homeowner's association.

35 (b) The priority action for a tree proposed for removal is to create a "snag" or wildlife  
36 tree. If creating a snag or wildlife tree is not feasible, the felled tree shall be left in  
37 place.

38 (c) Supplemental trees shall be planted consistent with WMC 21.15.060 and WMC  
39 21.15.090. The requirements may be modified if a qualified tree professional may  
40 determine to the satisfaction of the City Tree Official that equal or better habitat  
41 function and values can be achieved with following:

42 (i) Native understory plantings are installed;

43 (ii) Invasive species removal is conducted;

44 (iii) A coverage analysis is submitted stating that the replanted trees will have  
45 equal or better coverage than the trees removed within five years; and

46 (iii) A replanting plan is submitted.

#### 47 **21.15.060— Tree Removal Permits**

48 ~~(1) Tree removal within properties zoned as single-family residential (R-1 through R-8) and not~~  
49 ~~exempted under WMC 21.15.030 shall be subject to a tree permit and required to meet~~  
50 ~~minimum tree density regulations in WMC 21.15.090. The following sets forth Tree Permit I~~

1 through IV required for development activities or removal requests. For tree removal in  
2 critical areas, requirements are listed in subsection (3).

3 (a) ~~Tree Permit I—Tree Removal No Construction. Required for tree removal on a~~  
4 ~~property on which no development activity is proposed or in progress. Removal of~~  
5 ~~trees is limited to the following:~~

6 ~~(i) In the R-1 zone, five healthy trees per 12-month period~~

7 ~~(ii) In the R-4 zone, three healthy trees per 12-month period~~

8 ~~(iii) In the R-6 through R-8 zones, two healthy trees per 12-month period~~

9 ~~(iv) A property owner may remove twice the maximum number of healthy~~  
10 ~~significant trees if he/she agrees not to remove additional healthy trees for a~~  
11 ~~24-month period.~~

12 ~~(v) No limit on the number of hazardous, nuisance or dead trees~~

13 ~~(vi) Any tree removal in residential subdivisions, tracts or easements under~~  
14 ~~common ownership shall comply with WMC 21.15.050(4).~~

15 ~~(b) Tree Permit II—Minor Construction. Required for any project where:~~

16 ~~(i) The total square footage of the proposed improvements is 25 percent or less~~  
17 ~~than the total square footage or assessed value of the existing structures on~~  
18 ~~the subject property, and the project includes site disturbance, impacts to the~~  
19 ~~dripline of existing trees, or tree removal; or~~

20 ~~(ii) Tree removal on a property on which no development activity is proposed or~~  
21 ~~in progress which does not qualify for Tree Permit I~~

22 ~~(c) Tree Permit III—Major Construction. Required for any project where:~~

23 ~~(i) Construction includes one to two dwelling units on an individual lot, or~~

24 ~~(ii) The total square footage of the proposed improvements exceeds 25 percent~~  
25 ~~of the total square footage of assessed value of the existing improvements on~~  
26 ~~the subject property, or~~

27 ~~(iii) A grading permit is required.~~

28 ~~(iv) Exceptions for previously approved development. Any subdivision or short~~  
29 ~~subdivision that is subject to tree permit approved prior to March 17, 2009~~  
30 ~~shall not be subject to tree retention and plan requirements in this section,~~  
31 ~~except that any modifications that results in removal of additional existing~~  
32 ~~trees shall be subject to the requirements of this chapter.~~

33 ~~(d) Tree Permit IV—Land Division. Required for any new residential subdivision or short~~  
34 ~~subdivision.~~

35 ~~(2) Tree removal within properties zoned as non-residential zones and not exempted under~~  
36 ~~WMC 21.15.030 shall be subject to the following requirements:~~

37 ~~(a) Tree Permit I—Tree Removal No Construction. Applies to tree removal on a property~~  
38 ~~on which no development activity is proposed or in progress. Removal of trees is~~  
39 ~~subject to the following requirements:~~

40 ~~—— (i) Removal of up to ten percent of tree credits per 12-month period~~

41 ~~(ii) No limit on the number of hazardous, nuisance or dead trees~~

42 ~~(b) All other development, redevelopment or additions shall meet the minimum~~  
43 ~~landscape requirements for replanting pursuant to Chapter 21.16 WMC.~~

44 ~~(3) Trees located in critical areas or critical area buffers. Any tree trimming or removal in areas~~  
45 ~~designated as critical areas and/or buffers as defined in Chapter 21.24 WMC shall submit a~~  
46 ~~Tree Permit I. If more than two trees are removed, the City Tree Official may require~~  
47 ~~submittal of a critical areas alteration pursuant to Chapter 21.24 WMC.~~

48 ~~(a) Priority action. If a tree is proposed for removal, the priority action for the tree is to~~  
49 ~~create a “snag” or wildlife tree. If creating a snag or wildlife tree is not feasible, then~~  
50 ~~the felled tree shall be left in place.~~

(b) Supplemental planting requirements. When tree removal is proposed in critical areas or its buffers, the following provisions shall be met:

- (i) If less than 10 trees are removed, supplemental trees shall be planted consistent with WMC 21.15.070 and WMC 21.15.090; or a qualified tree professional may determine to the satisfaction of the City Tree Official that equal or better habitat function and values can be achieved with the priority action and the following:
  - (A) A lesser number of tree credits are planted, using native species or the same species as the removed trees;
  - (B) Understory plantings are installed;
  - (C) A coverage analysis is submitted stating that the replanted trees will have equal or better coverage than the trees removed within five years; and
  - (D) A replanting plan is submitted.
- (ii) If more than 10 trees are removed, supplemental trees shall be planted consistent with WMC 21.15.070 and WMC 21.15.090.

(4) Tree permit requirements. Tree permits I through IV shall comply with the submittal requirements listed in WMC 21.15.070. Tree permits shall be processed as a Type I project permit pursuant to Chapters 17.07 through 17.09 WMC. Appeals shall be processed consistent with Chapter 17.17 WMC.

(5) If proposed development activities qualify for more than one tree permit, the tree permit with the most stringent requirements shall comply. The City Tree Official shall have the authority to determine which permit requirements apply and may require a combination of requirements based on the nature of the proposed development.

(6) Trees located in residential subdivisions or tracts under common ownership. Removal of any tree under common ownership shall require a Tree Plan I and shall meet tree density requirements pursuant to WMC 21.15.070. The applicant shall obtain signatures from a majority of owners who hold ownership or interest in the tree, or approval from the subdivision homeowner's association after notification is made to all affected owners and no objections are received.

**WMC 21.15.070 – Tree Permit Submittal Requirements**

(1) Tree removal permits required by WMC 21.15.050 and WMC 21.15.060 shall be submitted with the following materials outlined in Table 1.

**WMC 21.15.070(1) Table 1 – Tree Permit Submittal Requirements.**

Requirements	Tree Permit I	Tree Permit II	Tree Permit III	Tree Permit IV
Tree Permit Application	X	X	X	X
Arborist Report, prepared by a qualified tree professional		X	X	X
Tree Inventory	For affected trees only: 1) Size in DBH 2) Species	1) Size in DBH; 2) Species; 3) General Health; 4) Retention Status	1) Size in DBH; 2) Measured Driplines; 3) Critical Root Zone 4) Species; 5) General Health; 6) Retention Status	1) Size in DBH; 2) Measured Driplines; 3) Critical Root Zone; 4) Species; 5) General Health; 6) Retention Status
Tree Retention Plan	1) Location of structures	1) Location of structures	(i) Location of property lines, disturbance	(i) Location of property lines, disturbance

	2) Size, location and species for impacted trees only 3) Identify trees for removal	2) Size, location and species for impacted trees only 3) Identify trees for removal	activities, and all existing and proposed structures (ii) Size, location, driplines, and species of all trees (iii) Limits of disturbance (iv) Identification of trees to be retained (v) Location of protection measures consistent with WMC 21.16.110, including standard details, and any protection instructions	activities, and all existing and proposed structures (ii) Size, location, driplines, and species of all trees (iii) Limits of disturbance (iv) Identification of trees to be retained (v) Location of protection measures consistent with WMC 21.16.110, including standard details, and any protection instructions
Replanting Plan	X	X	X	X
Tree Density Requirements (WMC 21.15.090)	Property must meet the lesser of: 1) 2 trees planted per each tree removal, or 2) minimum tree density in WMC 21.15.090(1)	Property must meet the lesser of: 1) minimum tree density in WMC 21.15.090(1), 2) 50 percent greater than tree credits currently on site, or 3) 10 credits per acre if the site has zero credits	Property must meet minimum tree density in WMC 21.15.090(1)	Property must meet minimum tree density in WMC 21.15.090(1)
Preservation and Maintenance Agreement				X

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~~(2) Submittal Materials.~~

- ~~(a) Tree permit application. A city-designated tree permit application shall be completed and signed.~~
- ~~(b) Arborist report. Arborist reports prepared by a qualified tree professional shall contain the following information, unless waived by the City Tree Official. In cases where the City Tree Official does not agree with the arborist report, the Official may seek a third party review, to be reimbursed by the applicant according to the City's current fee schedule.~~
  - ~~(i) Description of each tree's health and viability. If a tree is not viable for retention, justification for removal based on health, risk of failure or suitability of species shall be provided. The impact of tree removal on nearby remaining trees shall be included.~~
  - ~~(ii) Location of the limits of disturbance around all trees potentially impacted by site disturbance and special instructions for working within the protection area (hand-digging, tunneling, root pruning, maximum grade changes, etc.)~~
  - ~~(iii) Existing and proposed tree credits on site, including a calculation of tree density credit requirements.~~

- 1 (iv) Suggested location and species of supplemental trees, maintenance, and  
2 planting specifications consistent with WMC 21.15.120.  
3 (v) Recommendations on tree protection measures consistent with WMC 21.16.110  
4 and correspond to the tree Protection Plan in subsection (f).  
5 (c) Tree inventory. A tree Inventory shall be submitted as a part of the Arborist Report,  
6 when required. The tree inventory shall include the information listed in Table 1  
7 above and shall correspond to the required site plan. The report shall include an  
8 indication for each tree, of whether it is proposed to be retained or removed, based  
9 on health, risk of failure and suitability of species; (b) limits of disturbance around  
10 viable trees;  
11 (d) Tree retention plan. The tree retention plan must show the approximate trunk location  
12 and measured driplines tree retention plan shall include the information listed in  
13 Table 1 above and any additional information from arborist report. The plan may be  
14 combined with demolition, grading, or drainage plans.  
15 (e) Replanting plan. A replanting plan shall be submitted if new trees are required  
16 pursuant to WMC 21.15.090. A replanting plan shall include the location of all trees  
17 and include a planting schedule that indicates species, quantity, size, and tree  
18 density calculations.  
19 (e) Preservation and Maintenance Agreement. The applicant shall submit a preservation  
20 and maintenance agreement pursuant to WMC 21.15.100, for approval prior to  
21 occupancy, recording, or final inspection.  
22

23 **21.15.080— Tree Replacement Requirements— Minimum Tree Density**

- 24 (1) Any tree removal subject to a tree permit shall be required to meet minimum tree density  
25 pursuant to WMC 21.15.070(2). The minimum tree density is calculated as the credits  
26 required per acre multiplied by the lot size in acres. For the purposes of calculating required  
27 minimum tree density, City right-of-way and areas to be dedicated as City right-of-way shall  
28 be excluded from the lot area used for calculation of minimum tree density. The following  
29 minimum tree credits are required based on zones:  
30 (a) R-1 zone: 60 tree credits per acre  
31 (b) R-4 zone: 40 tree credits per acre  
32 (c) R-6 through R-8 zone: 30 tree credits per acre  
33 (d) All other zones: 20 tree credits per acre or applicable landscape requirements  
34 pursuant to WMC 21.15.060.  
35 (2) For Tree Permit I, the property owner may select the lesser of: 1) plant two trees per each  
36 tree removed; or 2) the minimum tree density.  
37 (3) For Tree Permit II, the property owner may select the lesser of: 1) the minimum tree density;  
38 2) 50 percent greater of the tree credits currently on-site; or 3) 10 tree credits per acre if the  
39 site has zero credits.  
40 (4) The applicant shall demonstrate compliance with the minimum tree density through a tree  
41 credit calculation. The tree credit calculation is the sum of all retained existing trees and any  
42 supplemental tree plantings pursuant to this section. If a site falls below the minimum tree  
43 density with existing trees, supplemental planting shall be required. The tree credit value  
44 that corresponds with diameter-at-breast-height shall be found in the table below:  
45  
46

**WMC 21.15.090(3) Table 1— Tree Credit Calculation**

Diameter-at-Breast-Height		Total Credit
Minimum	Maximum	
1.0	3.0	0.5
3.1	6.0	0.75

6.1	10	1.0
10.1	15.0	2.0
15.1	23.0	4.0
23.1	36.0	6.0
36.1	50.0	11.0
50.1 and above		20.0

1  
2 (a) Diameter-at-breast-height of the tree shall be measured in inches. Existing trees are  
3 measured four-and-a-half feet off the ground; new plantings are measured six inches  
4 off the ground. The measured diameter-at-breast-height shall be its size at the time of  
5 measurement.

6 (b) Existing trees transplanted to an area on the same site may count toward the required  
7 density if approved by the City Tree Official based on transplant specifications  
8 provided by a qualified tree professional that will ensure a good probability for survival.

9 (5) For residential subdivisions with Native Growth Protection Easements (NGPEs), the tree  
10 credits within the NGPE may be counted where the homeowner's association or owner of  
11 the NGPE has determined the number of tree credits that exist within the NGPE. The  
12 remaining tree credits required for the entire subdivision to meet the minimum tree density  
13 will be equally divided among the total number of lots. Where the tree credits in the NGPE  
14 have not been determined, the minimum tree density shall apply to each lot within the  
15 subdivision.

#### 16 17 **21.15.090 – Supplemental Tree Planting Requirements**

18 (1) For sites and activities requiring a minimum tree density and where the existing retained  
19 trees do not meet the minimum requirement, supplemental trees shall be planted to achieve  
20 the required minimum tree density. Tree density credits for supplemental trees shall be  
21 calculated pursuant to WMC 21.15.0690.

22 (2) Tree species. The tree species chosen for the supplemental plantings shall either be trees of  
23 the same mix of species as the removed trees or mix of species listed in the Woodinville  
24 Plant Species List. Trees shall conform to American Association of Nurserymen (AAN)  
25 grades and standards as published in the American Standard for Nursery Stock Manual.  
26 Trees should be selected and sited to produce a hardy and drought-resistant landscape  
27 area.

28 (3) Tree size and spacing. The required minimum size for any supplemental tree is a diameter-  
29 breast-height of two-inches or greater. Trees shall be spaced no closer than 15 feet on  
30 center. Multiple-stemmed trees may be permitted as an option to single-stemmed trees,  
31 provided that such multiple-stemmed trees are at least 10 feet in height and that they are  
32 approved by the City Tree Official prior to installation.

33 (4) Tree location. In designing a development and in meeting the required minimum tree  
34 density, the trees shall be planted in the following order of priority:

35 (a) In preserved groves, critical areas or its buffers.

36 (b) Adjacent to stormwater facilities, as approved by the Public Works Director pursuant  
37 to Chapter 14.09 WMC, within

38 (c) Entrance landscaping, traffic islands, and other common areas in residential  
39 subdivisions that have enough area to support mature trees of the planted species

40 (d) Site perimeter and/or required landscaped setbacks.

41 (e) Individual building lots.

42 (f) Off-site, when room is not available on-site to ensure long-term health and viability  
43 for the trees. Trees shall be planted at another location within the same City-  
44 designated neighborhood and as approved by the City Tree Official.

- 1 (gf) Payment to the City Tree Fund. If trees cannot be planted in accordance with (a)  
2 through (eg), the applicant may satisfy the requirements by paying into the City Tree  
3 Fund ~~the current market value of the supplemental trees plus an additional 50~~  
4 ~~percent for maintenance~~ 200 dollars per tree credit.
- 5 (5) Installation. All required trees shall be installed according to sound horticultural practices in  
6 a manner designed to encourage quick establishment and healthy plant growth.
- 7 (a) Timing. All trees shall be installed prior to the issuance of a certificate of occupancy  
8 or plat recording, ~~except in the following instances where.~~ The time limit for  
9 compliance may be extended to allow installation during the next planting season or  
10 deferred due to diseased soil or pest infestation. A determination shall be made at  
11 the discretion of the City Tree Official. ~~d~~ Deferred installation shall ~~is~~ secured with a  
12 performance bond pursuant to Chapters 15.42 or 20.06 WMC ~~prior to issuance of~~  
13 ~~certificate of occupancy or plat recording.~~
- 14 (i) ~~Installation is deferred during the summer months up to six months at the next~~  
15 ~~planting season to increase survival rates of planted trees; or~~
- 16 (ii) ~~Installation is deferred due to diseased soil or other pest infestation that will~~  
17 ~~result in a low likelihood of survival, as determined by a qualified tree~~  
18 ~~professional who is ISA certified in risk assessment. Installations may be~~  
19 ~~delayed and not planted for a period of time at the discretion of the City Tree~~  
20 ~~Official. Alternative compliance may be required and replacement trees~~  
21 ~~planted at another site.~~
- 22 (b) Placement. All ~~required~~ supplemental trees shall be installed in the ground and not in  
23 aboveground containers. ~~When an applicant proposes to place trees above a~~  
24 ~~subterranean structure, the applicant shall: (a) provide site-specific documentation~~  
25 ~~prepared by a qualified expert establishing that the design will adequately support~~  
26 ~~the long-term viability of the trees; and (b) enter into an agreement with the City~~  
27 ~~indemnifying the City from any damage resulting from development activity on the~~  
28 ~~subject property which is related to the physical condition of the property. The~~  
29 ~~applicant shall record this agreement with the County Recorder's Office.~~
- 30 (c) Grading. Berms shall not exceed a slope of two horizontal feet to one vertical foot  
31 (2:1).
- 32 (d) Soil specification. Soils in planting areas shall have adequate porosity to allow root  
33 growth and adequate drainage. ~~Soils which have been compacted to a density~~  
34 ~~greater than one and three-tenths grams per cubic centimeters~~ Compacted soils  
35 ~~shall be loosened to increase aeration~~ to a minimum depth of 24 inches or to the  
36 depth of the largest plant root ball, whichever is greater. Imported topsoils shall be  
37 tilled into existing soils to prevent a distinct soil interface from forming. All planted  
38 areas shall have adequate drainage, either through natural percolation or through an  
39 installed drainage system. A percolation rate of one-half inch of water per hour is  
40 acceptable. ~~After soil preparation is completed, motorized vehicles shall be kept off to~~  
41 ~~prevent excessive compaction and underground pipe damage. The organic content~~  
42 ~~of soils in any planting area shall be as necessary to provide adequate nutrient and~~  
43 ~~moisture retention levels for the establishment of plantings.~~
- 44 (e) Fertilization. The organic content of soils in any planting area shall be as necessary  
45 to provide adequate nutrient and moisture-retention levels for the establishment of  
46 plantings. Additional Fertilization shall be the minimum necessary of trees planted  
47 ~~shall be by special approval of the City Tree Official only.~~
- 48 (f) Irrigation. ~~For any required tree planting, irrigation shall be in place.~~ Irrigation system  
49 shall be designed to ensure plant establishment. Irrigation shall be designed to  
50 conserve water by using best management techniques available, including, but not

1 be limited to: drip irrigation; moisture sensors; automatic controllers; spacing  
2 designed to minimize overspray; and separate zones for different planting areas.

3 (i) Within right-of-ways and common areas, permanent irrigation with an  
4 automatic controller shall be installed for tree plantings. Temporary irrigation,  
5 providing sufficient water to ensure plant survival and establishment, may be  
6 approved at the discretion of the City Tree Official.

7 (ii) For individual residential lots, the applicant may choose permanent irrigation,  
8 temporary irrigation, or irrigation by hand.

9 ~~(i) A permanent built-in irrigation system with an automatic controller designed~~  
10 ~~and certified by a licensed landscape architect. This option is required for Tree~~  
11 ~~Permit IV.~~

12 ~~(ii) An temporary irrigation system designed and certified by a licensed landscape~~  
13 ~~architect, which provides sufficient water to ensure that the plants will become~~  
14 ~~established.~~

15 ~~(iii) Irrigation by hand, applicable only for Tree Permits I or II. An inspection shall~~  
16 ~~be completed by City staff one year after the certificate of occupancy to~~  
17 ~~ensure that the trees have become established.~~

18 (iii) Exceptions-Modifications to the irrigation requirement may be approved by  
19 the City Tree Official for less water-intensive strategies such planting native  
20 vegetation that does not require supplemental irrigation, low impact  
21 development, established indigenous-native plant material, or where natural  
22 appearance is acceptable or desirable to the City. ~~However, these exceptions~~  
23 ~~will require temporary irrigation until established.~~

24 ~~(g) Drainage. All planted areas shall have adequate drainage, either through natural~~  
25 ~~percolation or through an installed drainage system. A percolation rate of one half~~  
26 ~~inch of water per hour is acceptable.~~

27 (hg) Mulch. Required plantings shall be covered with two inches or more of organic  
28 mulch to minimize evaporation and runoff. Mulch shall consist of materials such as  
29 yard waste, sawdust, bark or wood chips, and/or organic compost. All mulches shall  
30 be kept at least six inches away from the trunks of shrubs and trees.

31 (hi) Protection. All required trees must be protected from potential damage by adjacent  
32 uses and development, including parking and storage areas. Protective devices such  
33 as bollards, wheel stops, trunk guards, and root guards, ~~, etc.,~~ shall be required as  
34 needed to protect required trees.

### 35 **WMC 21.15.100 – Alternative Compliance**

36 (1) Additional density credits. The applicant may earn additional tree density credits through  
37 alternate measures or procedures that will be equal to or better to the provisions in this  
38 chapter. If the City Tree Official determines that the proposal meets the purpose and intent  
39 of the code through alternative compliance, the Official may modify the tree density  
40 requirements.

41 (2) Criteria. The City Tree Official shall review each alternative compliance request based on the  
42 following criteria:

43 (a) The alternative is designed to ensure the long-term health and maturity of the tree;

44 (b) The alternative will provide increased environmental benefits including natural  
45 function and values beyond the standard requirements;

46 (c) If applicable, the alternative will enhance or improve critical areas or NGPE areas.

47 (d) The alternative will not increase soil erosion, slope instability, nor create drainage  
48 issues; and

49 (e) The alternative provides equivalent or greater compliance with the tree code.

50 (3) The following activities or strategies may qualify for alternative compliance:  
51

- 1 (a) Retention of specimen or heritage trees and groves of at least five trees may earn up  
2 to an additional 10 percent of the tree credits ~~for~~of the subject tree or grove.
- 3 (b) Use of low impact development (LID) designed to the satisfaction of the City Tree  
4 Official and Public Works Director may earn up to an additional one tree credit per  
5 1,000 square feet of designated LID area.
- 6 ~~(3c)~~ Infrastructure installation or modifications such installation of root protection  
7 barriers, planter strips wider than eight feet, and other similar measures to ensure  
8 long-term tree health may earn up to 25 percent per affected tree.
- 9 ~~(4d)~~ Planting 15 square feet of understory landscaping within the canopy area of each  
10 supplemental tree may earn up to ~~25~~15 percent of the tree credits for the subject  
11 tree. Understory landscaping must include shrubs planted at least 24 inches on  
12 center ~~and~~ groundcovers planted 18 inches in center.

13  
14 **21.15.110 – Tree Maintenance**

15 (1) The following maintenance requirements apply to all trees planted consistent with this  
16 chapter:

- 17 (a) Responsibility for Regular Maintenance. The applicant, landowner, or successors in  
18 interest shall be responsible for the regular maintenance of required trees. Trees that  
19 are dead and removed shall be replaced in-kind by the property owner. ~~The timing of~~  
20 ~~the replacement planting shall be determined by the City Tree Official and a qualified~~  
21 ~~tree professional.~~
  - 22 (b) Maintenance Duration. Maintenance shall be ensured in the following manner except  
23 as set forth in subsections (1)(c) and (d) of this section:
    - 24 (i) All required trees shall be maintained throughout the life of the development.
    - 25 (ii) Any existing tree, ~~tree designated for preservation,~~ or planted tree shall be  
26 maintained for a period of five years following issuance of the certificate of  
27 occupancy or plat recording for the individual lot or development. A  
28 maintenance guarantee pursuant to Chapter 15.42 or 20.06 WMC shall be  
29 secured to ensure the maintenance.
  - 30 (c) Non-native Invasive and Noxious Plants. It is the responsibility of the property owner to  
31 remove non-native invasive plants and noxious plants from the vicinity of any tree or  
32 other vegetation. Removal must be performed in a manner that will not harm the tree or  
33 other vegetation that the City has required to be planted or protected.
  - 34 (d) Pesticides, Herbicides, and Fertilizer. The use of pesticides, herbicides, or fertilizer  
35 shall be by special approval of the City Tree Official only.
- 36 (2) Tree Permits and Utility Plans. Tree permits and utility plans shall be coordinated. In general,  
37 the placement of trees should be adjusted based on the plant's mature size and ~~to~~ the  
38 location ~~of required~~ utility routes both above and below ground. ~~Location of trees shall be~~  
39 ~~based on the plant's mature size both above and below ground.~~
- 40 (3) Tree Pruning. Topping or pruning to the extent that would constitute tree removal as defined  
41 in Chapter 21.06 WMC is not allowed. If a required tree smaller than six inches in diameter-  
42 at-breast-height is topped, it must be replaced pursuant to the standards in WMC 21.15.120.  
43 If a tree six inches or larger in diameter-at-breast-height is topped, the property owner may  
44 be subject to enforcement actions pursuant to WMC 21.15.130. Trees may be windowed or  
45 limbed up using best management practices. This method of tree pruning shall maintain the  
46 health of the tree.
- 47 (4) Table 21.15.110 – Pruning Techniques. The following techniques for healthy pruning shall  
48 be used. No permit is required for pruning; however, all pruning should be done under the  
49 direction of a qualified tree professional.

50  
51 **Table 21.15.110(4) Table 1 – Pruning Techniques**

Healthy Pruning Techniques	Improper Pruning Techniques
<b>Crown Cleaning</b> – removing dead, dying, diseased, crowded, weakly attached, or low-vigor branches, in a manner that should not reduce the canopy.	<b>Topping</b> – the cutting of a trunk or main branch to the point where there is no branch large enough and vigorous enough to become the new leader.
<b>Crown Thinning</b> – selective removal of branches throughout the crown of the tree to improve interior light and air. Remaining branches should be well-distributed and balanced.	<b>Stripping</b> – removing the branches from the inner section of the trunk or branch. Can cause structural imbalances and potential failure.
<b>Crown Raising</b> – removal of the lower branches of the tree to provide height clearance, typically 8 feet for pedestrians and 16 feet for vehicles.	<b>Imbalance</b> – removing portions of the tree and creating an imbalance in the structure of the tree. Can cause cracking damage from the wind through twisting; or weak new growth.
<b>Windowing</b> – removing several branches symmetrically within an area of the tree’s crown to enhance views.	<b>Excessive Pruning</b> – removing portions of the tree to a point where it can kill the tree. Can invite decay and disease.

1  
2 **21.15.120 – Tree Protection During Construction**

- 3 (1) Tree protection measures shall be installed prior to development activity or initiating tree  
4 removal on the site. These standards must be adhered to through the duration of site work  
5 and included on ~~demolition,~~ grading, and building plans as necessary. ~~Prior to development~~  
6 ~~activity or initiating tree removal on the site, vegetated areas, groves and individual trees to~~  
7 ~~be preserved shall be protected from potentially damaging activities.~~ A pre-construction  
8 ~~meeting on-site~~ between the City Tree Official ~~or designee~~ and the contractor shall be held  
9 ~~to determine that these standards have been met,~~ prior to site disturbance.
- 10 (2) Tree protection measures shall include, but are not limited to, the following:
- 11 (a) Protective Barrier. ~~Prior to any site disturbance, a~~ temporary protective barrier ~~shall~~  
12 ~~be erected to establish the limits of disturbance that extends~~ five feet beyond the  
13 dripline of all retained trees shall be installed prior to site disturbance and maintained  
14 until removal is authorized by the City Tree Official. ~~No construction activities,~~  
15 ~~storage, parking, or construction vehicle access is allowed in this area.~~
- 16 (i) The protective barrier shall be clearly visible and constructed of chainlink and at least four  
17 three feet in height. Signage shall be installed no further than ~~15~~ 25 feet apart on the protective  
18 barrier. The protection barrier shall follow the fencing standard detail established by the City.
- 19 (ii) ~~The protective barrier shall be maintained until completion of the project and is~~  
20 ~~authorized by City Tree Official.~~
- 21 (b) ~~Toxic Materials~~ Construction Activities. No excavation, storage, parking, construction  
22 vehicle access, dumping of toxic or polluted materials, or other potentially damaging  
23 activity is allowed in within the protective barrier. ~~Measures shall be in place for the~~  
24 ~~proper disposal of toxic materials such as polluted runoff, concrete washout or other~~  
25 ~~chemicals.~~
- 26 (c) ~~Excavation near trees. Excavation or compaction of earth or other potentially~~  
27 ~~damaging activities is prohibited within the protective barrier. The~~ If construction  
28 activity within the protective barrier is unavoidable, the City Tree Official may allow  
29 ~~such activities approved by and~~ and the following activities under the supervision of a  
30 qualified tree professional ~~retained by the applicant.~~

- 1 (i) ~~If e~~Equipment is authorized to operate may operate within the critical root zone  
2 if no other alternative is feasible. ~~t~~The areas adjoining the critical root zone  
3 of a tree shall be covered with mulch to a depth of at least six inches, or with  
4 plywood, metal or similar material in order to protect roots from damage  
5 caused by heavy equipment.
- 6 (ii) Utility trenches should be located outside of the critical root zone of trees. If  
7 utilities must be placed within the critical root zone, a qualified tree  
8 professional shall review the proposal to ensure the long-term viability of the  
9 trees. The work shall Mminimize root damage by excavating a two-foot-deep  
10 trench, at edge of critical root zone, to cleanly sever ~~the roots of trees to be~~  
11 ~~retained.~~the tree roots.
- 12 (iii) Corrective pruning may be performed on protected trees in order to avoid  
13 damage from machinery or building activity.
- 14 (iv) Site grading within the critical root zone shall be the minimum necessary. The  
15 applicant's qualified tree professional shall establish the maximum amount of  
16 earthwork allowable in the critical root zone that will not imperil the survival of  
17 the tree. Suitability of activities shall be based on construction techniques,  
18 erosion potential, damage to the critical root zone, stabilization techniques,  
19 and other similar factors
- 20 ~~(iv) Maintenance of trees throughout construction period by watering.~~
- 21 (d) ~~Grade. The grade shall not be elevated or reduced within the critical root zone of~~  
22 ~~trees to be preserved without the City Tree Official's authorization based on~~  
23 ~~recommendations from a qualified tree professional. The following activities may occur:~~
- 24 (i) ~~Coverage of up to one-half of the area of the tree's critical root zone with light~~  
25 ~~soils (no clay) to the minimum depth necessary to carry out grading or~~  
26 ~~landscaping plans, if it will not imperil the survival of the tree. Aeration devices~~  
27 ~~may be required to ensure the tree's survival.~~
- 28 (ii) ~~If the grade adjacent to a preserved tree is raised such that it could slough or~~  
29 ~~erode into the tree's critical root zone, it shall be permanently stabilized to~~  
30 ~~prevent suffocation of the roots.~~
- 31 (iii) ~~The applicant shall not install an impervious surface within the critical root~~  
32 ~~zone of any tree to be retained without the authorization of the City Tree~~  
33 ~~Official. Alternatives to installing impervious surface within the critical root~~  
34 ~~zone shall be considered.~~
- 35 (iv) ~~Utility trenches should be located outside of the critical root zone of trees. If~~  
36 ~~utilities must be placed within the critical root zone, the applicant's qualified~~  
37 ~~tree professional shall establish to the satisfaction of the City Tree Official that~~  
38 ~~the design will adequately support the long-term viability of the trees.~~
- 39 (vc) Exposed soils. Trees and other vegetation to be retained shall be protected from  
40 erosion and sedimentation. Clearing operations shall be expose the smallest practical  
41 area of soil to erosion for the least possible time. To control erosion, it is encouraged  
42 that shrubs, groundcover, and stumps be maintained on the individual lots, where  
43 feasible.
- 44 (ed) Directional Felling. Directional felling of trees shall be used to avoid damage to trees  
45 designated for retention. Any trees designated for preservation, per the approved  
46 tree plan, that are significantly damaged or destroyed during felling of trees approved  
47 for removal shall be replaced per WMC 21.15.070.
- 48 (fe) Additional Requirements. The City Tree Official may require additional tree  
49 protection measures that are consistent with accepted urban forestry industry  
50 practices.

1 **21.15.130 – Enforcement and Penalties**

2 (1) Authority. It shall be the duty of the City Tree Official, or designee, to administer the  
3 provisions of this chapter. ~~The City Tree Official shall have authority to enforce and carry out~~  
4 ~~the provisions of this chapter.~~ Enforcement shall be conducted in accordance with the  
5 ~~administrative code enforcement~~ procedures set forth in Chapter 1.06 WMC and special  
6 enforcement provisions related to tree conservation set forth below. ~~To the extent there is a~~  
7 ~~there is a~~ conflict between the provisions of this section and Chapter 1.06 WMC, this section  
8 shall control.

9 (2) Voluntary Compliance. Voluntary compliance is the preferred method of enforcement. The  
10 following remedies should only be pursued ~~when a violator is not voluntarily complying with~~  
11 ~~the restoration requirements, when other requirements are stipulated by the Code~~  
12 ~~Enforcement Officer or City Tree Official, or when the violator did knowingly act in a manner~~  
13 ~~contrary to the requirements of this code~~when voluntary compliance is not effective or when  
14 other requirements are stipulated elsewhere in the code.

15 (3) Cease and Desist. The City Tree Official may issue a notice to cease and desist ~~using the~~  
16 ~~procedure set forth in WMC if the City Tree Official~~ if he/she finds that a violation of this code  
17 has occurred. Continued illegal tree activity following issuance of a cease and desist from  
18 the City for the tree activity shall result in fines of \$1,000 per day of continued activity.

19 (4) Stop Work Order. If a violation of this chapter ~~or an approved tree plan~~ occurs on property  
20 on which work development activity is taking place ~~pursuant to a City of Woodinville~~  
21 ~~development or building permit~~, the City Tree Official may suspend work ~~as appropriate~~  
22 through issuance of a stop work order. The City Tree Official shall remove the stop work  
23 order when ~~the City Tree Official~~ he/she determines that the violation has been corrected or  
24 when an agreement has been reached with the violator ~~regarding rectification of the~~  
25 ~~to~~ remedy the violation. ~~Any stop work order issued under this section may be appealed using~~  
26 ~~the procedures set forth in Chapter 2.30 WMC.~~

27 (5) Notification of ~~Violation~~ Infraction. ~~The City's Code Enforcement Officer shall notify a person~~  
28 ~~who violates this chapter; A Notice of Infraction may be issued pursuant to WMC 1.06.060.~~  
29 ~~such~~ The notification shall ~~also~~ include a statement of the restoration action required ~~to be~~  
30 ~~taken~~ to correct the violation as determined by the City Tree Official.

31 (6) Civil Penalty. A person who fails to comply with the requirements of this chapter or the terms  
32 of a permit issued hereunder, ~~who undertakes an activity regulated by this chapter without~~  
33 ~~obtaining a permit, or fails to comply with a cease and desist or stop work order issued~~  
34 ~~under this chapter~~ shall ~~also~~ be subject to a civil penalty of \$1,000 per tree for unlawful  
35 removal of trees, including removal without obtaining permits, removal prior to issuance of  
36 tree removal permit, or other acts violating an approved tree protection plan. ~~as set forth in~~  
37 ~~Table 21.15.130.~~ Each unlawfully removed or damaged tree shall constitute a separate  
38 violation.

39 (a) Any person who aids or abets in the violation shall be considered to have committed  
40 a violation for purposes of the civil penalty.

41 (b) ~~The amount of the penalty shall be assessed in accordance with Table 21.15.130.~~  
42 The City Tree Official may elect not to seek penalties if he or she determines that the  
43 circumstances do not warrant imposition of civil penalties in addition to restoration.

44 ~~(c) Table 21.15.130 – Penalties.~~

45 **Table 21.15.130(6) Table 1 – Penalties**

Types of Violations	Allowable Fines per Violation
1. Removal of tree(s) approved to be removed, but prior to final tree plan approval or issuance of a City tree removal permit	\$1,000 per tree
2. Removal or damage of tree(s) that are or would be shown to be retained on an approved tree plan or any other violation of approved tree protection plan	\$1,000 per tree
3. Removal of tree(s) without applying for or obtaining a required City permit	\$1,000 per tree

1  
 2 (87) Tree Restoration.

3 (a) A restoration plan and arborist report shall be submitted that, to the greatest extent  
 4 practical, equals the site condition that would have existed in the absence of the  
 5 violation(s). The restoration plan shall be prepared in accordance with WMC  
 6 21.15.070 and include supplemental trees equal to the number of tree credits illegally  
 7 removed.

8 (i) In the event the violators cannot restore the unlawfully removed or damaged  
 9 trees due to site conditions as determined by the City Tree Official, the  
 10 violators shall make payment to the City tree fund. Unless otherwise  
 11 determined to base the restoration costs on appraised value, the amount paid  
 12 will be the City's unit cost for a restoration tree as calculated in WMC  
 13 21.15.090(4)(g).

14 (iv) The restoration plan shall include a maintenance plan and an agreement or  
 15 security to ensure survival and maintenance of restoration trees for a five-  
 16 year period. ~~Violators of this chapter or of a permit issued thereunder shall be~~  
 17 ~~responsible for restoring unlawfully damaged areas in conformance with the~~  
 18 ~~requirements of this chapter. Information shall be submitted on repair of any~~  
 19 ~~environmental and property damage and restoration of the site results in a~~  
 20 ~~site condition that, to the greatest extent practical, equals the site condition~~  
 21 ~~that would have existed in the absence of the violation(s).~~

22 (b) Violators of this chapter or of a permit issued thereunder shall be responsible for  
 23 restoring unlawfully damaged areas in conformance with this chapter. In cases  
 24 ~~where the violator intentionally or knowingly violated this chapter or committed~~  
 25 ~~previous violations of this chapter, restoration costs shall be paid at the discretion of~~  
 26 ~~the City Tree Official. Restoration costs may be based on the City appraised tree~~  
 27 ~~value of the subject trees, utilizing the industry standard trunk formula method in the~~  
 28 ~~current edition of "Guide for Plant Appraisal." If diameter of removed tree is unknown,~~  
 29 ~~determination of the diameter size shall be made by the City Tree Official by~~  
 30 ~~comparing size of stump and species to similar trees in similar growing conditions.~~  
 31 ~~The amount of costs above the approved restoration plan will be paid into the City~~  
 32 ~~tree fund.~~

33 (c) In cases where the violator intentionally or knowingly violated this chapter or  
 34 committed previous violations of this chapter, restoration costs shall be paid at the  
 35 discretion of the City Tree Official. Restoration costs may be based on the City-  
 36 appraised tree value of the subject trees, utilizing the industry standard trunk formula  
 37 method in the current edition of "Guide for Plant Appraisal." If diameter of removed  
 38 tree is unknown, determination of the diameter size shall be made by the City Tree

1 Official by comparing size of stump and species to similar trees in similar growing  
2 conditions. Restoration Plan Standards. Information shall be submitted on repair of  
3 any environmental and property damage and restoration of the site results in a site  
4 condition that, to the greatest extent practical, equals the site condition that would  
5 have existed in the absence of the violation(s). The restoration plan shall be in  
6 accordance to the following standards:

- 7 (i) ~~The number of trees required to be planted is equal to the number of tree credits of~~  
8 ~~illegally removed trees according to Table 21.15.070.~~  
9 (ii) ~~The minimum size for a tree planted for restoration shall be as required under WMC~~  
10 ~~21.15.070(2).~~  
11 (iii) ~~In the event the violators cannot restore the unlawfully removed or damaged trees~~  
12 ~~due to current or future development activity or other site conditions as determined~~  
13 ~~by the City Tree Official, the violators shall make payment to the City tree fund.~~  
14 ~~Unless otherwise determined to base the restoration costs on appraised value, the~~  
15 ~~amount paid will be the City's unit cost for a restoration tree multiplied by the number~~  
16 ~~of outstanding tree credits plus 50 percent for maintenance. The City's unit cost is~~  
17 ~~based on the current market cost of purchase, installation and five-year maintenance~~  
18 ~~for a minimum-sized tree for restoration.~~  
19 (iv) ~~The restoration plan shall include a maintenance plan and an agreement or security~~  
20 ~~to ensure survival and maintenance of restoration trees for a three-year period~~  
21 ~~unless the violation was on a site with an approved tree plan, in which case the~~  
22 ~~maintenance period is five years.~~

23 (98) Failure to Restore or Pay Fines.

24 (a) ~~Prohibition of Further Approvals.~~ The City shall not approve any application for ~~a subdivision,~~  
25 ~~short subdivision, or any other~~ any development permit ~~or approval~~ or issue a certificate of  
26 occupancy for property on which a violation of this chapter has occurred until the violation is  
27 cured by restoration ~~or other means accepted by the City Tree Official~~ and by payment of any  
28 penalty imposed for the violation.

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32 **DEFINITIONS**

33 **WMC 21.06.063 Broadleaf tree**

34 Broadleaf tree: a tree characterized by leaves that are broad in width and may include both  
35 deciduous and evergreen species.

36 **WMC 21.06.101 City Tree Official**

37 City Tree Official: the Development Services Director or his/her designees responsible for  
38 implementing the Community Urban Forestry Plan and Regulations. The City Tree Official shall  
39 use the expertise of a certified arborist, under contract by the City, for technical advice on  
40 decisions related to the community urban forest.

41 **21.06.139 Critical root zone.**

42 Critical root zone: the area surrounding a tree at a distance from the trunk, which is equal to one  
43 foot for every inch of tree diameter-at-breast-height or otherwise determined by a qualified tree  
44 professional.

45 **21.06.140 Crown.**

46 Crown: the area of a tree containing leaf- or needle-bearing branches.  
47  
48  
49  
50  
51

1  
2 **21.06.143 Deciduous.**

3 Deciduous: a plant species with foliage that is shed annually

4  
5 **21.06.168 Diameter-at-breast-height.**

6 Diameter-at-breast-height: the diameter measurement in inches of the outside bark of a tree  
7 trunk, measured at four-and-a-half feet above the ground line. New plantings are to be  
8 measured at six inches above the ground level.

9  
10 **21.06.174 Dripline.**

11 Dripline: the distance from the tree trunk, that is equal to the furthest extent of the tree's crown.

12  
13 **21.06.220 Evergreen.**

14 Evergreen: a plant species with foliage that persists and remains green year-round.

15  
16 **21.06.xxx Hazard Tree.**

17 Hazard tree: A tree meeting all of the following criteria: (a) The tree has a with a combination of  
18 structural defects and/or disease that makes it subject to a high probability of failure; (b) Is in the  
19 proximity to moderate-high frequency of persons or property; and- (c) The the -hazard condition  
20 of the tree cannot be lessened with reasonable and proper arboricultural practices nor can the  
21 persons or property be removed.

22  
23  
24 **21.06.309 Heritage tree**

25 Heritage tree: a tree or stand of trees that is particularly desirable because it has valued, unique  
26 characteristics that set them apart from other similar trees. Valued, unique characteristics  
27 include uncommon genus, species, form, size, location, historic significance or other desirable  
28 feature(s).

29  
30 **21.06.359 Limit of disturbance, tree.**

31 Limit of disturbance, tree: the boundary between the area of minimum protection around a tree  
32 and the allowable site disturbance as determined by a qualified tree professional.

33  
34 **21.06.406 Native growth protection area (NGPA).**

35 Native growth protection area (NGPA): an area where native vegetation is preserved for the  
36 purpose of preventing harm to property and the environment, including, but not limited to,  
37 controlling surface water runoff and erosion, maintaining slope stability, buffering and protecting  
38 plants and animal habitat.

39  
40 **21.06.408 Naturalized species.**

41 Naturalized species: nonnative species of vegetation that are adaptable to the climatic  
42 conditions of the coastal region of the Pacific Northwest.

43  
44 **21.06.xxx Nuisance Tree.**

45 Nuisance tree: A tree that causes physical damage to private or public structures; has been  
46 damaged by past maintenance practices that cannot be corrected; is chronically diseased or  
47 infested; overplanted or overcrowded; part of a dense grove creating safety concerns or  
48 excessively obstructing sunlight.

49  
50 **21.06.486 Qualified tree professional.**

1 Qualified tree professional: an individual with relevant education and training in arboriculture or  
2 urban forestry. The individual must be an arborist certified by the International Society of  
3 Arboriculture or a registered consulting arborist from the American Society of Consulting  
4 Arborists. For Forest Management Plans, the qualified tree professional must have the ability to  
5 assess wooded sites and prescribe measures for forest health and safety. A qualified tree  
6 professional that makes determinations on hazard or nuisance trees is required to have  
7 certification as a tree risk assessor.  
8

9 **21.06.599 Significant tree**

10 Significant tree: an existing healthy tree which has a minimum diameter-at-breast-height of six  
11 inches, as measured according to the most current published edition of the International Society  
12 of Arboriculture’s “Guide for Plant Appraisal.”  
13

14 **21.06.xxx Snag or wildlife tree.**

15 Snag or wildlife tree. The remaining trunk of a tree that intentionally reduced in height and  
16 usually tripped of its live branches.

17 **21.06.617 Specimen tree.**

18 Specimen tree: a viable tree that is considered in very good to excellent health and free of major  
19 defects, as determined by the City’s Tree Official  
20  
21

22 **21.06.680 Tree removal**

23 Tree removal: the removal of a tree, through either direct or indirect actions, including but not  
24 limited to: (1) clearing, damaging or poisoning resulting in an unhealthy or dead tree; (2)  
25 removal of at least half of the live crown; or (3) damage to roots or trunk that is likely to destroy  
26 the tree’s structural integrity  
27

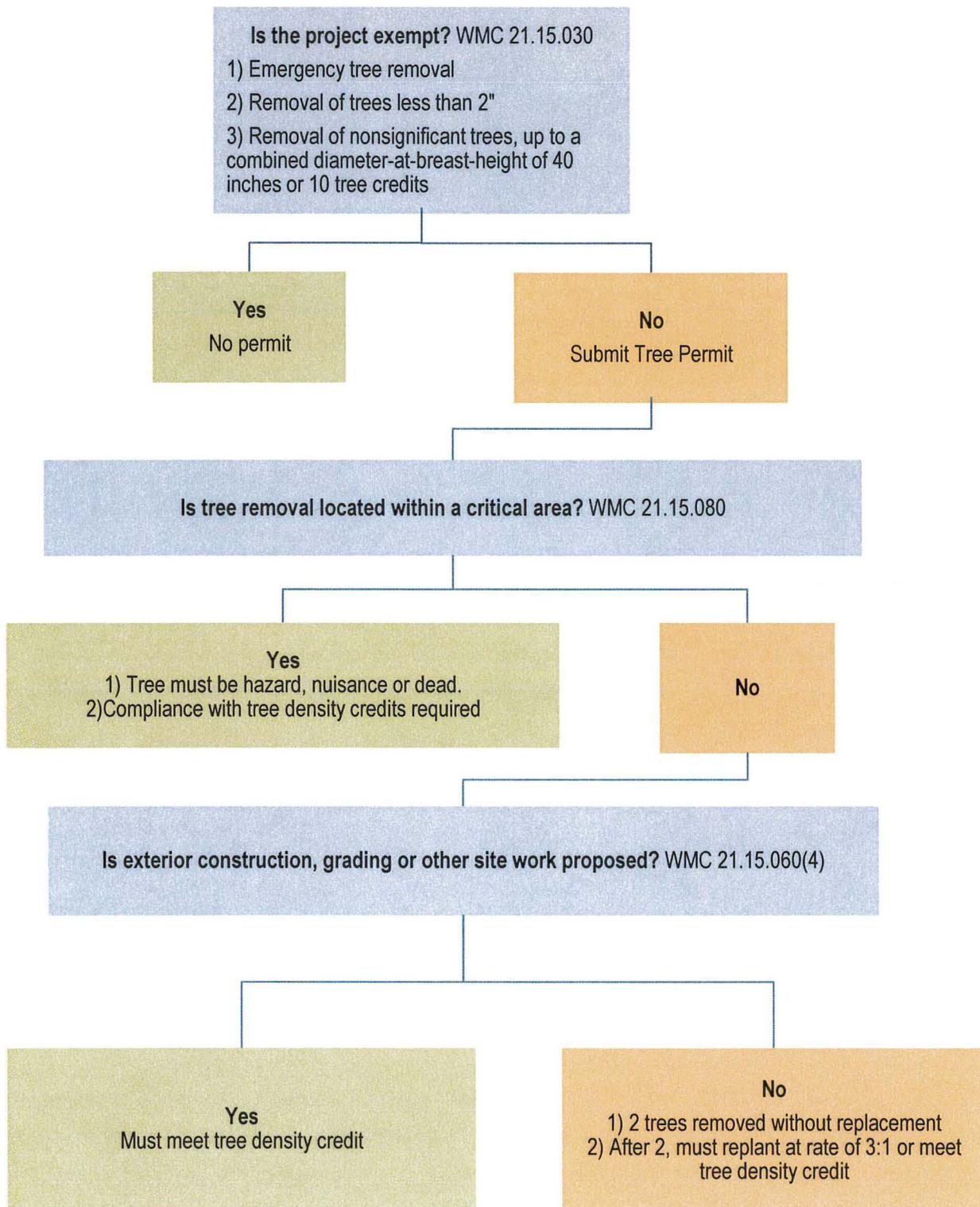
28 **21.06.xxx Tree grove**

29 Tree grove: a cluster or stand of at least five trees, generally lacking undergrowth.  
30

31 **21.06.695 Viable tree.**

32 Viable tree: a significant tree that a qualified tree professional has determined to be in good  
33 health, not classified as a hazard or nuisance tree, and haswith a low risk of failure due to  
34 structural defectss, is relatively windfirm if isolated or remains as part of a grove, and is a  
35 species that is suitable for its location  
36

Attachment 3. Flow Chart Outlining Tree Removal Process



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# **AGENDA ITEM 3**



CITY OF WOODINVILLE, WA  
**REPORT TO THE TREE BOARD**  
17301 133<sup>rd</sup> Avenue NE, Woodinville, WA 98072  
WWW.CI.WOODINVILLE.WA.US

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**To:** Tree Board **Date:** February 25, 2015  
**From:** Dave Kuhl, Development Services Director *D*  
**By:** Jenny Ngo, AICP, Senior Planner *JN*  
**Subject:** City Tree Fund

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**ISSUE:** Shall the Tree Board review information regarding the City Tree Fund

**STAFF RECOMMENDATION:** To review the City Tree Fund information summary.

**POLICY DECISION:** The Tree Board provides an advisory role to the City Council on matters of trees and urban forestry.

**BACKGROUND/DISCUSSION:**

The City Tree Fund was established in March 2009, as part of Ordinance 478 and the initial implementation of the adopted tree code. The City Tree Fund is generally comprised of donations and money collected as part of the permitting process.

As part of the tree code update, the Tree Board requested additional information from staff regarding the City's collection and expenditures of City Tree Funds, the existing balance, and any funds dedicated for projects.

Attachment 1 includes a brief summary of Tree Fund information as provided by Blaine Fritz, Finance Director.

**RECOMMENDED ACTION:  
DISCUSSION**

Attachment A: Tree Fund Information Summary

# City of Woodinville, Tree Fund

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## Established March 17, 2009

The Tree Fund was approved by the City Council as part of Ordinance 478 in March of 2009, and is part of WMC 21.15.

Tree money is restricted by WMC 21.15.050 to be used for the following purposes:

- (a) Acquiring, maintaining, and preserving wooded areas within the City;
- (b) Planting and maintaining trees within the City;
- (c) Identification and maintenance of heritage trees;
- (d) Establishment of a holding public tree nursery;
- (e) Urban forestry education; or
- (f) Other purposes relating to trees as determined by the City Council.

## Tree Fund Balance

As of December 31, 2014, the City has collected \$150,871 in tree fund revenue, plus a donation of \$13,360, for a total of \$164,231. The City budgeted to receive \$548,000 in tree fund revenue during the 2015/2016 biennium.

## Largest Contributions

The largest contribution to date is \$119,061 received throughout 2014 from Quadrant Homes for 23 houses in its Woodland Community.

## Tree Fund Use

The City has not expended any tree funds collected, but anticipates using \$525,000 during the 2015/2016 biennium on the following projects:

- |                                    |            |
|------------------------------------|------------|
| • SR522 Frontage Landscaping       | \$262,000  |
| • Woodin Creek Park Trailhead      | \$100,000  |
| • Woodinville/Duvall Road Widening | \$37,000   |
| • Property Purchases               | \$126,000* |

\* The \$126,000 in tree money allocated to property purchases was previously allocated to the Civic Center Improvement project associated with rehabilitation of the Old Woodinville Schoolhouse. When the City Council adopted the budget, they made one revision to eliminate the \$4 million Civic Center Improvement project and added the \$4 million Miscellaneous Property Acquisition. The funding sources were not reallocated at that time, but will be re-evaluated at the mid-year budget.

# **AGENDA ITEM 4**



CITY OF WOODINVILLE, WA  
**REPORT TO THE TREE BOARD**  
17301 133<sup>rd</sup> Avenue NE, Woodinville, WA 98072  
WWW.CI.WOODINVILLE.WA.US

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**To:** Tree Board **Date:** February 25, 2015  
**From:** Dave Kuhl, Development Services Director *DK*  
**By:** Jenny Ngo, AICP, Senior Planner *JN*  
**Subject:** Proposed 2015 Arbor Day Events

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**ISSUE:** Shall the Tree Board review proposed events for Arbor Day 2015?

**STAFF RECOMMENDATION:** To review and consider potential events for the annual spring Arbor Day/Tree-ster event.

**POLICY DECISION:** The Tree Board provides an advisory role to the City Council on matters of trees and urban forestry.

**BACKGROUND:**

As part of participation in the Tree City USA program, the City must recognize Arbor Day. In the past, the City has hosted celebration events that included educational outreach and Easter egg hunts. During the January 28, 2015 meeting, the Tree Board proposed a date for the event, renaming the event, potential activities, and event promotion.

**DISCUSSION:**

Information from the survey distributed in February is listed below, in order of highest votes.

- A. Time and Date:** Sunday, April 26, 2015. 1 to 4 PM
- B. Name:**
  - 1. Woodinville Arbor Day Celebration (2)
  - 2. Woodinville Tree Games (2)
  - 3. Tree Daze (1)
    - Festival of Trees
    - Woodinville Green Games
- C. Activities:**
  - 1. Workshop or demonstration – pruning or tree planting (5)
  - 2. Kids activities – decorate a flower pot, leaf art, collect leaves (3)
  - 3. Tree matching exercise (3)
  - 4. Clean-up or restoration (2)
    - Tree City planting ceremony
    - Art exhibits
    - Exhibitors or food vendors?
- D. Handouts and giveaways:**
  - 1. Seedlings/bulbs (5)
  - 2. Plant care handouts (water use, trimming/pruning, Arbor Day info) (4)
  - 3. Coloring books (2)
  - 4. Buttons (2)
  - 5. Candy bag (1)
  - 6. T-shirts (2)

- Bookmarks

**Time commitment:**

1-2 hours per week (3)

2-4 hours week (1)

4-5 hours (1)

**Attendance:**

Yes (3)

Maybe (1)

No (1)

**RECOMMENDED ACTION:**

**DISCUSS AND MAKE RECOMMENDATIONS**