



HOW WILL THE TREE CODE APPLY TO A DEVELOPMENT SITE?

Tree Preservation Standards

Where these regulations apply.

On sites. Development activities with ground disturbance where there are Private Trees 12 or more inches in diameter and/or City Trees 6 or more inches in diameter and the site:

- (1) is 5,000 square feet or larger in area; and
- (2) has existing or proposed building coverage less than 85 percent.

Any Heritage Trees and trees required to be preserved through a land use condition of approval or tree preservation plan cannot be removed using the provisions in this Chapter, but may be counted toward the tree preservation requirements of this Section.

****Exemptions. The following are exempt from the tree preservation standards of this Section:

- 1. On portions of sites located within an IH, IG1, EX, CX, CS, or CM zone.
- 2. Trees that are dead, dying, dangerous, or a nuisance species, as documented in a Tree Plan per Subsection 11.50.070 B. These are subtracted from the total number of trees to be addressed by the standards.
- 3. Trees exempted from this standard by a land use decision.
- 4. Tree preservation requirements approved in a land division or planned development review under Title 33, Planning and Zoning and the requirements of that review are still in effect.

Preservation of Private Trees.

a. General tree preservation.

(1) Retention. An applicant shall preserve and protect at least 1/3 of the non-exempt trees 12 inches and larger in diameter located completely or partially on the development site, unless mitigation occurs per 11.50.040.C.1.a(2) below. Retaining trees at least 6 and less than 12 inches in diameter that are documented in a report prepared by an arborist or landscape professional to be Garry Oak (*Quercus garryana*), Pacific Madrone (*Arbutus menziesii*), Pacific Yew (*Taxus brevifolia*), Ponderosa Pine (*Pinus ponderosa*), or Western Flowering Dogwood (*Cornus nuttallii*) species are not included in the total count of trees on the site but may be used toward meeting the preservation standard.

(2) Mitigation. For each tree not preserved and protected below the 1/3 requirement, payment to the Tree Planting and Preservation Fund is required as shown in Table 50-1. The fee is calculated using the per-inch Restoration Fee for Tree Removal in the adopted fee schedule for Title 11. In cases where more than one tree is proposed for removal in excess of that allowed by 11.50.040.C.1.a(1), the mitigation payment required to meet the 1/3 retention standard is based on the largest tree or trees proposed for removal.

Table 50-1: Required Mitigation

Size of Tree Removed (inches in diameter)	Required Mitigation
At least 12 and less than 20	The cost of (2) two-inch diameter replacement trees
At least 20 and less than 36	The cost of (4) two-inch diameter replacement trees
At least 36 or more	The cost per inch of tree removed

b. Preservation of trees 36 inches or greater.

(1) Retention. An applicant shall preserve and protect all nonexempt trees 36 inches in diameter or greater located completely or partially on the development site, unless mitigation and notice occurs per 11.50.040.C.1.b(2) and 11.50.040.C.1.b(3), below. Retention or mitigation of these trees may also be used to meet the standards for general tree preservation in 11.50.040.C.1.a above.

(2) Mitigation. For each tree 36 or more inches in diameter not preserved and protected, payment to the Tree Planting and Preservation Fund is required as shown in Table 50-1. The fee is calculated using the per-inch Restoration Fee for Tree Removal in the adopted fee schedule for Title 11.

(3) Notice. If a tree 36 inches or greater in diameter is not preserved and protected as allowed by 11.50.040.C.1.b(2) above, the property owner or the property owner’s representative must post a notice on the site and send a notice to the recognized Neighborhood Association and District Coalition in which the site is located.

The notices are for notification purposes only. The notices do not provide for public comment on the proposal or for appeal of the proposal. The property owner or the property owner’s representative must provide a signed certification to the Bureau of Development Services that a notice was posted on the site and a notice was sent to the Neighborhood Association and District Coalition. The development permit may not be issued until the business day following the day the notification period is completed.

The posted notice must:

- Be posted on the site for at least 45 calendar days prior to development permit issuance;
- Be posted within 10 feet of the street lot line nearest the tree or trees to be removed;
- Include the date of posting and the date of the end of the notification period;
- Include a site plan at least 8.5 x 11 inches in size showing the location and description of the trees(s) to be removed including diameter inch size(s); and
- Include contact information for the property owner or the property owner’s representative.

The notices to the Neighborhood Association and District Coalition must:

- Be e-mailed or mailed to the Neighborhood Association and District Coalition using the contact information maintained by the Office of Neighborhood Involvement.

If mailed, the notice must be sent via certified or registered mail. The date of the e-mail or the mailing must be at least 45 calendar days prior to development permit issuance;

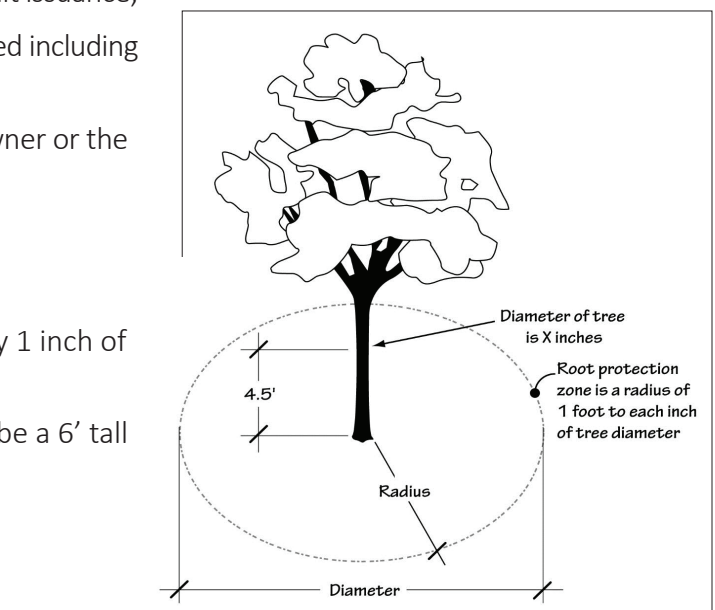
- Include a description of the trees(s) to be removed including diameter inch size(s); and
- Include contact information for the property owner or the property owner’s representative.

Tree Protection:

Prescriptive Path:

The root protection zone is a minimum of 1 foot for every 1 inch of tree diameter.

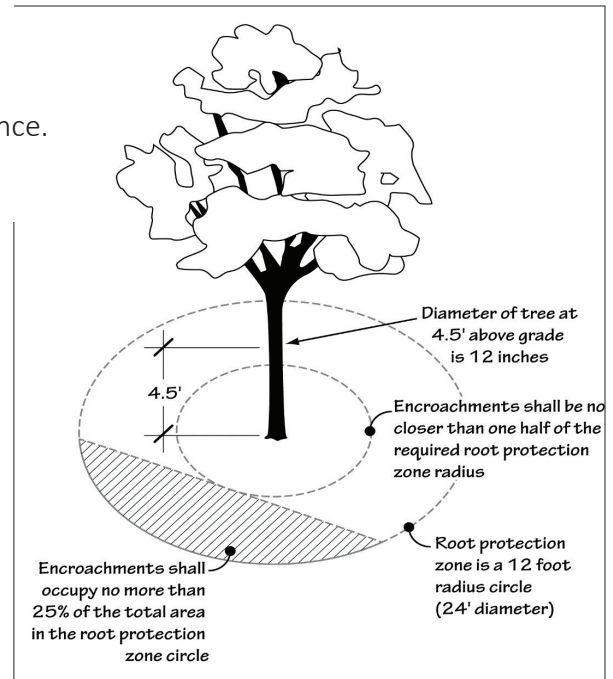
At the perimeter of the root protection zone there must be a 6’ tall chainlink fence having 8’ posts.



****Encroachments:

All encroachments are no more than 25% of total RPZ area.

Encroachments can be no closer than ½ the required radius distance.



Performance Path: An alternative root protection plan provided in an arborist report having the following information:

Guidelines for Alternative Tree Protection Plan:

1. Arborist information
 - a. ISA or ASCA Number
 - b. Contact Information
 - c. Signature
2. Date and Time of site visit
3. Description of why is the Prescriptive path not practicable.
Examples: Cost of fencing more than 10% of project valuation, site conditions prevent installing prescriptive fence, site conditions provide some level of protection already.
4. Tree Information
 - a. Specific tree's size, location, and extent of root cover
 - b. Tree's tolerance to construction impact based on its species and health
 - c. Identify any past impacts that have occurred within the root zone.
5. Describe Alternate Tree Protection Plan
 - a. Describe Alternate Tree protection methods
 - b. Describe Alternate Construction Techniques
6. Explain how the alternate method will adequately protect the tree

Is an Arborist required to be on site?

1. Provide stages of construction the Arborist needs to be on site
2. Provide copy of the contract for onsite inspections and final report
3. Provide final Arborist report prior to final inspection
 - a. Provide date and time of inspections
 - b. Describe construction activity monitored, how trees have been impacted, and any changes to tree preservation in response to inspection
 - c. Verify the viability of trees

TREE DENSITY STANDARDS

Depending on your type of project a specific amount of area must be planted with small, medium, or large trees (existing trees preserved as discussed above may count towards tree density).

Applies to: • New development • Exterior alterations • House additions larger than 200 s.f.

- **** Some exemptions apply:
- Projects less than \$155,900
 - Some industrial and commercial zones
 - Demos, grading permits

Required Tree Area.

The required tree area is based on the size of the site and the type and size of proposed and existing development as shown in Table 50-1. Applicants may choose Option A or Option B for calculating required tree area except only Option A may be used to apply standards to a "Development Impact Area".

Table 50-2: Determining Required Tree Area

Development Type	Option A	Option B
One and Two Family Residential	40 percent of site or development impact area	Site area minus building coverage of existing and proposed development
Multi Dwelling Residential	20 percent of site or development impact area	
Commercial/Office/Retail/Mixed Use	15 percent of site or development impact area	
Industrial	10 percent of site or development impact area	
Institutional	25 percent of site or development impact area	
Other	25 percent of site or development impact area	

REQUIRED TREE DENSITY

Table 50-2: Number of Required Trees and Minimum Planting Area

Canopy size category (at maturity)	Number of trees required per size of tree area	Min. required planting area per tree (min. dimension)
Large	1 per 1,000 s.f.	150 s.f. (10' x 10')
Medium	1 per 500 s.f.	75 s.f. (5' x 5')
Small	1 per 300 s.f.	50 s.f. (3' x 3')

*** Tree Density Credits

- a. Trees planted on site to meet any required stormwater or other landscaping requirement may be counted toward the On-site tree density requirements.
- b. Trees that are retained and protected, including trees preserved per Section 11.50.040, may be credited as follows:
 - (1) Trees between 1.5 and less than 6 inches in diameter count as one small canopy size tree.
 - (2) Trees 6 or more inches in diameter count as one medium canopy size tree for each full increment of 6 diameter inches.
- c. Payment in lieu of planting. The applicant may pay a fee to the Tree Planting and Preservation Fund per Section 11.15.010 equivalent to the cost of planting and establishing one 1.5-inch caliper tree. The fee per tree shall be credited at a rate of one medium canopy size tree.
- d. On sites less than or equal to 3,000 square feet, healthy non-nuisance species trees planted or retained in the street planting strip may be credited as described in this Subsection.

TREE PLAN SUBMITTAL REQUIREMENTS

Site Plan Requirements. The site plan shall include the following information with sufficient detail to show that the proposal complies with this Title.

1. Existing improvements;
2. Proposed alterations including structures, impervious area, grading, and utilities;
3. Existing trees:
 - a. Trees on the site. Indicate the location and the diameter size of:
 - (1) Any Heritage Trees and trees required to be preserved as part of a condition of land use approval. These shall be clearly labeled.

- (2) All trees completely or partially on the site that are at least 6 inches in diameter.
- (3) Trees smaller than 6 inches in diameter shall be shown when proposed to be retained for tree density credit. On City-owned or –managed sites, the City Forester may require smaller size trees be shown. Applicants using the development impact area option as described in Section 11.50.030, need only identify the trees on the site inside and 25 feet beyond the edge of the development impact area.

b. Trees in the street. For the street area adjacent to the development site or development impact area, indicate the location and the diameter size of:

(1) Any Heritage Trees and trees required to be preserved as part of a condition of land use approval

(2) All trees within the adjacent street that are at least 3 inches in diameter. Applicants using the development impact area option within the street when not associated with development of an adjacent site as described in Section 11.50.030, shall identify trees 3 or more inches in diameter inside and 15 feet beyond the edge of the development impact area. When the 15 foot distance extends onto property outside the street, provide estimates of tree size and location for trees 6 or more inches in diameter on these properties. For City projects, the City Forester or project arborist may determine which trees on adjacent properties shall be identified per this Subsection.

4. Proposed tree activity:

a. Indicate trees to be retained and proposed tree protection measures meeting the specifications in Chapter 11.60. Trees that are retained but are not protected in accordance with the protection requirements in Chapter 11.60 may not be used to meet preservation or density standards.

b. Indicate trees to be removed. It is the applicant’s responsibility to obtain the appropriate consent from the adjacent property owner for tree removal when the tree is only partially on the site.

c. Show location, species, planting size and number of trees proposed to be planted. Trees to be planted shall meet the specifications in Chapter 11.60.

Narrative requirements.

- 1. If alternative tree protection measures are proposed, documentation addressing the requirements in Section 11.60.030, Tree Protection Specifications, shall be included.
- 2. If a tree is to be exempted from tree preservation standards based on poor tree health or condition, supporting documentation from an arborist shall be included.
- 3. If a tree is to be exempted from tree preservation standards based on it being listed on the Nuisance Plants List, supporting documentation from a landscape professional or an arborist shall be included.

STREET TREE REQUIREMENTS

Street trees must be integrated into frontage improvements where practicable. The code requires that one street tree per 25 linear feet be planted or preserved, and in cases where new utilities or proposed driveways makes this impractical, payment into the Tree Fund will be required. This puts street trees on par with other frontage improvements, and encourages innovative approaches to maintain sufficient room for street trees (like combining utilities under driveways).