

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 1917

Dedicated to David Zander

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON
AMENDING SNOHOMISH MUNICIPAL CODE SECTIONS 14.31.020(C),
14.31.120, 14.41.030(C), 14.41.040(C), 14.41.040(F) AND ADDING NEW
SECTIONS 14.59.1705 AND 14.59.2345, RELATING TO TREE RETENTION.**

WHEREAS, various provisions within the Snohomish Municipal Code address significant trees and tree retention; and

WHEREAS, the City Planning Commission, after study of the City’s regulations relating to trees and tree retention has recommended language to address tree retention and the Council finds it necessary to incorporate this language into the Snohomish Municipal Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON DO ORDAIN AS FOLLOWS;

Section 1: SMC 14.31.020 (C) is hereby amended to read as follows:

14.31.020 Applicability

C. The PRD procedure may be used for developments only on those sites where critical areas exist or for the preservation of a substantial stand of preexisting trees.

Section 2. SMC 14.31.120 is hereby amended to read as follows:

14.31.120 Preservation of Existing Features

A. Existing trees and other natural and unique features shall be subject to the preservation requirements of SMC 14.41.030(C)(2). The location of these features must be considered when planning the open space, location of buildings, underground services, walks, paved areas, playgrounds, parking areas, and finished grade levels.

B. The City shall inquire into the means whereby trees and other natural features will be protected during construction. Excessive site clearing of topsoil, trees and natural or unique features before commencement of building operations may disqualify the project as a PRD.

Section 3. SMC 14.41.030 (C) is hereby amended to read as follows:

C. Significant Tree Protection Required. Any deciduous and evergreen trees six (6) inches or greater in diameter, four (4) feet above the ground is considered a significant tree, with the exception that alders and cottonwoods (*Alnus rubra* and *Populus trichocarpa*) are not

considered significant. The property owner will either furnish a site plan showing all significant trees, or have an arborist provide a certificate stating there are no significant trees on the property. Except for commercially grown Christmas trees.

For property proposed for single-family detached residential development, capable of being subdivided, Applicants shall retain significant trees, except in the following areas: utility corridors, roads, and building pads. If any significant trees are proposed to be removed, then the Design Review Board must be given a tour of the property by the applicant, at the Board's discretion.

Section 4. SMC 14.41.030 (C)(2) is hereby amended to read as follows:

2. Replacement if Significant Trees Removed.
 - a. For trees not exempted from removal the following shall apply: For any trees to be removed (except for diseased or dying trees) the City shall require the applicant to plant three (3) times the number of the trees that were removed (no replacement of Alder or Cottonwood trees is required). Each of the replacement trees must be at least two and one-half (2½) inches in diameter as measured four (4) feet above grade for deciduous trees, and a minimum of ten (10) feet in height for evergreen trees. Trees shall be replaced according to a plan, prepared by the applicant, and as approved by the City. For the removal of diseased or dying trees, an arborist, hired by the City, at the applicant's expense, shall determine which trees are healthy and shall provide a written report on their findings. Any tree, which poses an immediate threat to property, may be removed if a report from a qualified consultant is submitted and approved by the City. A two-year maintenance bond shall be provided for all replacement trees in an amount equal to no less than 200 percent of the arborist's estimate.
 - b. In the event that a property owner believes that a threat to life or property exists with regard to an existing tree, the property owner may request that the City Planner or his or her designee evaluate the tree, and if in the City Planner concurs that a hazardous condition exists, the property owner may approve the remove of the tree without a report from a qualified consultant.
 - 1) Replacement trees may be located in the street planter strip adjacent to the property.
 - 2) Subdivision development involving the removal of significant trees may locate replacement trees in the street planter strip on or adjacent to the development. If the number of replacement trees exceeds the number of trees required for street planters, then the developer may locate the trees off-site in street planter strips. The location of off-site replacement trees shall be reviewed and approved by the City Hearing Examiner.
 - a. For properties capable of being subdivided, 1 significant tree for each legal lot area may be removed annually. Property owners shall provide the City with written notice of removal within 30 days of removal.

- b. Individuals removing significant trees in violation of this chapter shall be subject to the enforcement provisions of SMC Chapter 14.21.
- c. For each significant stand of trees preserved during the platting process, one additional building lot may be created, subject to the lot dimensional requirements of SMC 14.31.110. The maximum dwelling units (per SMC 14.31.030(C) for a PRD may be increased 20 percent. Developments taking advantage of this provision shall be subject to design review provisions of SMC 14.39.040(B).
- d. For each significant stand of trees preserved during the development of properties with a multi-family or BP land use designation, one additional dwelling unit may be created to a maximum of 20 percent over the number which could be achieved per SMC 14.29.360. Developments taking advantage of this provision shall be subject to design review provisions of SMC 14.39.040(B).

Section 5. SMC 14.41.040(C) is hereby amended to read as follows:

C. Plant Materials. Landscape plant materials shall be selected from Appendix G of the City of Snohomish’s National Historic District Design Guidelines. Selected plants must be suited to local soil conditions if the site is not irrigated.

1. Street Trees.

- a. All subdivisions shall supply street trees along the entire frontage of the property and any interior streets. Trees must be planted to the following standards:
 - 1) 3½ feet back from the face of the curb.
 - 2) 5 feet from underground storm or sanitary sewer lines
 - 3) 10 feet from utility poles
 - 4) 7½ feet from driveways
 - 5) 20 feet from street lights or existing trees
 - 6) The lowest limb of a street tree shall be 8 feet from the ground.
 - 7) Trees located in the sidewalk require a minimum sidewalk width of 12 feet from the back of the curb to the face of the building.
 - 8) Trees in planting strips 6 feet in width shall provide 1 small tree every 16 feet.
 - 9) Trees in planting strips 10-15 feet in width shall provide 1 medium tree every 25 feet.
 - 10) Trees in planting strips 15 feet in width or greater shall provide 1 large tree every 35 feet.
- b. The following land use actions shall require the installation of street trees:
 - 1) Short Plat
 - 2) Formal Plat
 - 3) Site Development Plan
 - 4) Conditional Use Permit
 - 5) Any activity involving street frontage improvements

6) Rebuilding or installation of a street

- c. All trees planted adjacent to streets or in street right(s)-of-way must have approval from the City prior to planting and conform to the ROW Vegetation Ordinance (Ordinance No. 1507). The following street trees shall be used in planter strips:

STREET TREES

Small Trees (16 ft. maximum spacing)	Medium Trees (25 ft. maximum spacing)	Large Trees (35 ft. maximum spacing)
<i>Acer ginnala</i>	<i>Acer cappadocicum</i> , <i>A. campestre</i>	<i>Acer pseudoplatanus</i> (Sycamore maple)
<i>Acer pennsylvanicum</i>	<i>Acer davidii</i>	<i>Aesculus hippocastanum</i> (horsechestnut)
<i>Acer rubrum</i> 'Armstrong' 'Scanlon'	<i>Acer platanoides</i> 'Cavalier'	<i>Castanea mollissima</i> , <i>C. sativa</i> (Chinese and Spanish chestnuts)
<i>Amelanchier laevis</i>	'Columnare' 'Crimson King'	<i>Fagus sylvatica</i> and vars. <i>cuprea</i> , <i>purpurea</i> , European beech, <i>copr.</i> beech, purple beech
<i>Carpinus betulus pyramidalis</i> (Pyramidal hornbeam)	'Emerald Queen' 'Globosum' 'Summershade' etc.	<i>Gingko biloba</i> (Maidenhair tree)
<i>Cercidiphyllum japonicum</i> (Katsura tree)	<i>Acer rubrum</i> (Red maple) 'October Glory' 'Red Sunset' 'Schlesinger'	<i>Liriodendron tulipifera</i> (Tulip tree)
<i>Crataegus phaenopyrum</i> (Washington thorn)	<i>Acer saccharum</i> (Sugar maple) 'Green Mountain' 'Sweet Shadow' (cutleaf)	<i>Pterocarya</i> spp. (Wingnuts)
<i>Davidia involucrata</i> (Dove tree)	<i>Aesculus carnea</i> and <i>A.c. brioti</i> (Pink, red horsechestnuts)	<i>Quercus borealis</i> , <i>Quercus rubra</i> (Red oaks)
<i>Fagus sylvatica</i> 'Dawyck' (Pyramidal beech)	<i>Betula nigra</i> , <i>B. papyrifera</i> (River birch, paper birch)	
<i>Fraxinus ornus</i> (Flowing ash)	<i>Carpinus betulus</i> (Hornbeam)	
<i>Ginkgo biloba</i> 'Sentry' (Columnar ginkgo)	<i>Celtis occidentalis</i> (Hackberry)	
<i>Malesia monticola</i> (Silverbell)	<i>Cladastris lutea</i> (Yellowwood)	
<i>Magnolia grandiflora</i> (Evergreen magnolia) Non-windy site only	<i>Fraxinus</i> (Ash) 'Flame' 'Golden Dessert' 'Marshall Seedless' 'Rose Hill' 'Summit'	
<i>Malus floribunda</i> and selected small-growing crabapples	<i>Gleditsia</i> (Honeylocust) only thornless vars. 'Skyline' 'Shademaster' etc.	
<i>Prunus subhirtella autumnalis</i> (Autumnalis cherry)	<i>Liquidambar styraciflua</i> (Sweet gum) and newer vars.	
<i>Prunus sargentii columnaris</i> (Columnar Sargent cherry)	<i>Magnolia kobus</i>	
<i>Prunus</i> , flowering plums, <i>x blieriana</i> , 'Newport,' 'Thundercloud,' etc.	<i>Malus</i> , flowering crabapples, 'Snowdrift' 'Wintergold'	
<i>Pyrus calleryana</i> (Bradford pear) 'Chanticleer,' 'Trinity'	<i>Metasequoia</i> (Dawn redwood)	
<i>Quercus flex</i> (Holly oak)	<i>Morus alba</i> 'Kingan' (Seedless mulberry)	
<i>Quercus robur</i> 'Fastigiata'	<i>Prunus cerasifera pissardi</i>	
<i>Sorbus aria</i> (Whitebeam)	<i>Prunus sargentii</i> , <i>P. whitcombi</i> , <i>P. yedoensis</i> , and cherries 'Accolade' 'Akebono' 'Kwanzan' 'Shirofugen' 'Ukon' etc.	
<i>Stewartia pseudocamellia</i>	<i>Quercus coccinea</i> (Scarlet oak)	
<i>Styrax japonica</i> (Snowdrop tree)	<i>Quercus palustris</i> 'Sovereign'	
<i>Umbellularia</i> (California laurel, Oregon myrtle)	<i>Quercus phellos</i> , <i>Q. robur</i> , <i>Q. shumardii</i> (Willow oak, English oak, Texas red oak)	
	<i>Tilia cordata</i> (Littleleaf linden) 'Greenspire' 'Rancho' 'Salem'	
	<i>Tilia euchlora</i> (Crimean linden)	
	<i>Zelkova serrata</i> 'Village Green'	

2. Trees. Deciduous trees or broad leaf evergreen trees shall have a minimum caliper two and one-half (2½) inches measured four (4) feet above ground level. Trees in street right-of-way shall be a minimum two (2) inch caliper, dbh. Coniferous trees shall be a minimum of six (6) feet in height.
3. Shrubs and Ground Cover. An informal arrangement of plants shall be installed in order to provide a variety of height and texture that will enhance the architectural designs and attractively screen views of parked vehicles and visually incompatible site land uses, including, but not limited to, parking, dumpsters and service areas. Unless more specifically required, ground covers shall be installed so there is at least 75 percent coverage in two years. Installed shrubs shall be a minimum eighteen (18) inches in height, when mature height is three (3) feet or more. Shrubs with mature height of less than three (3) feet shall be a minimum of twelve (12) inches in height at planting.

Section 6. SMC 14.41.040(F)(3) is hereby amended to read as follows:

3. Parking. All parking lot and open vehicular use areas shall meet the following requirements for interior lot development:
 - a. Density. Planting areas shall constitute at least 5 percent of the parking and vehicular use area in commercial districts and 10 percent of the parking and vehicular use area in all other developments, except for developments of single-family residences.
 - b. Minimum Area. The minimum planting area permitted shall be forty-five (45) square feet with a minimum interior width of five (5) feet. For planter islands the width must average a minimum of five (5) feet for the full length of the planting area.
 - c. Location of Plantings. All parking lot planting areas must be located between parking stalls or the end of parking columns. The landscaping may be peninsular or island-type (See Landscape Development Guide for suggested layouts). No building or recreation area shall be considered contributing toward satisfaction of these requirements.
 - d. Plantings. One (1) tree for each seven (7) parking stalls shall be provided (see Figures 5, 6 and 7). The remaining area shall be landscaped with shrubs and/or living ground cover as specified by the landscape type in subsection (G) of this section.

FIGURE 5
14.41.040(F)(3)(d)(1)

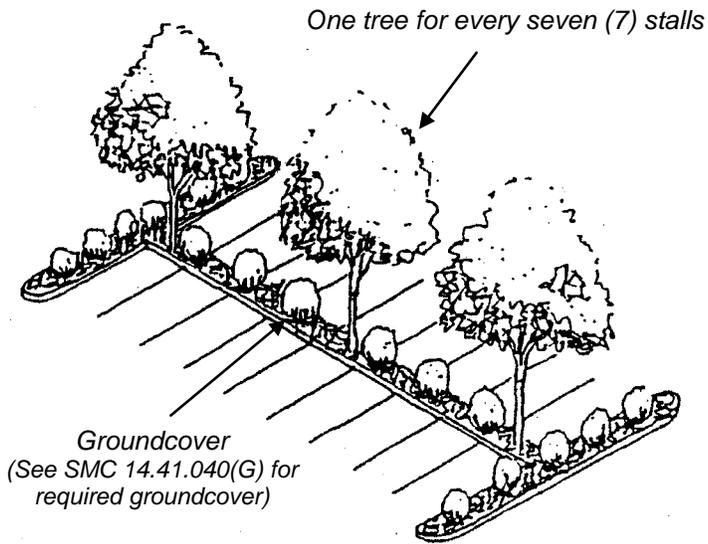
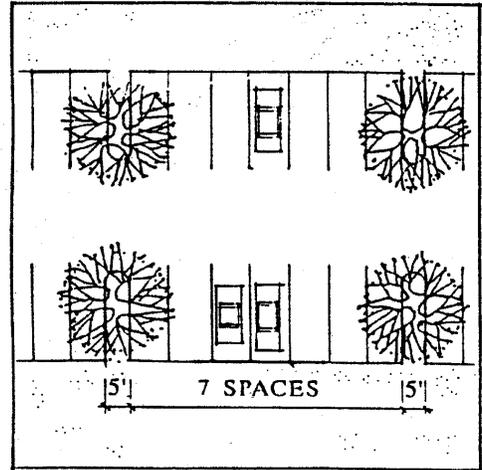
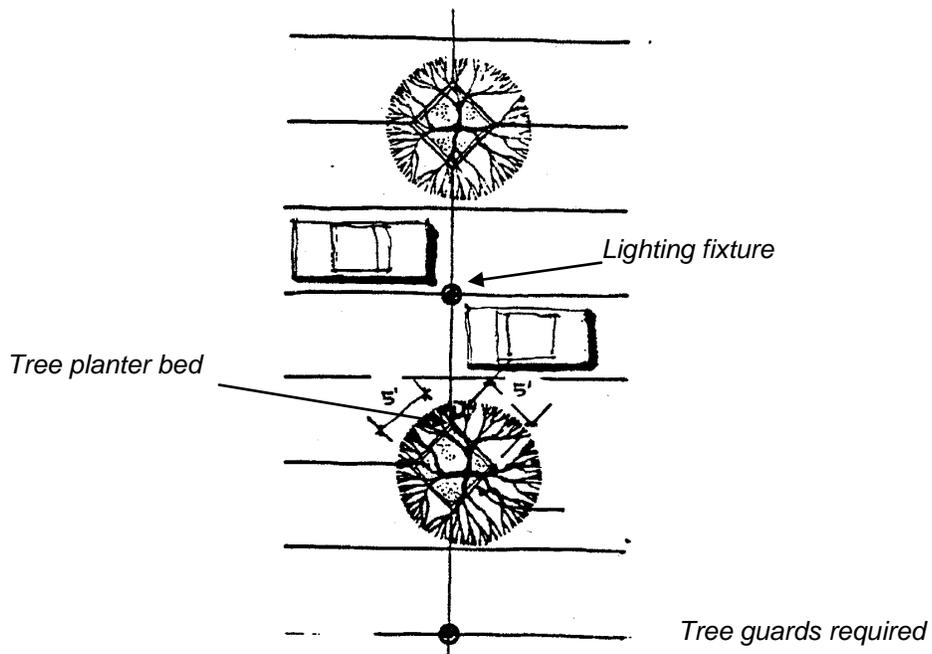


FIGURE 6
14.41.040(F)(3)(d)(2)



Tree guards required

FIGURE 7
14.41.040(F)(3)(d)(3)



- e. Vehicle Overhang. A curb or other wheel stop shall be provided wherever vehicles may overhang landscaped areas. Maximum overhang for parked vehicles is limited to two feet six inches (2'-6") including the curb or wheel stop. Within any vehicle overhang area, landscaping is solely limited to living ground covers.

Section 5. A new section SMC 14.59.1705 is hereby added to read as follows:

14.59.1705 Qualified Consultant, Trees. For the purposes of these regulations, qualified consultant shall mean an arborist who has been certified by the State of Washington.

Section 6. A new section SMC 14.59.2345 is hereby added to read as follows:

14.59.2345 Substantial Stand of Trees. Trees covering an area of at least 2,500 square feet, where the dripline of the trees cover half of the land area and supported with a report from an arborist stating that the stand of trees will be able to continue in a healthy viable condition.

PASSED by the City Council and APPROVED by the Mayor this 18th day of April, 2000.

CITY OF SNOHOMISH

By _____
A. Douglas Thorndike, Mayor

ATTEST:

By _____
Torchie Corey, City Clerk

APPROVED AS TO FORM:

By _____
Grant Weed, City Attorney

Date of Publication: 4/21/00

Effective Date (5 days after publication): 4/26/00