

Tree Canopy Code Amendments Highlights of Ordinance

Effective Date of Amended Ordinance No. 14-073---October 27, 2014

- Applies to all new residential development located within unincorporated Urban Growth Areas
- Tree canopy requirements do not apply to:
 - Removal of any hazardous, dead or diseased trees, and as necessary to remedy an immediate threat to person or property as determined by a letter from a qualified arborist (*same as old code*)
 - Construction of a single-family dwelling, duplex, accessory or non-accessory storage structure on an individual lot created prior to April 21, 2009 or created by a subdivision or short subdivision for which a complete application was submitted prior to April 21, 2009 (*same as old code*)
 - Construction or maintenance of public or private road network elements, and public or private utilities including utility easements not related to development subject to chapters 30.23A, 30.34A, 30.41G or 30.42E SCC (*new*)
 - Construction or maintenance of public parks and trails when located within an urban residential zone (*new*)
 - Pruning and maintenance of trees (*new*)
- All significant trees within perimeter landscaping and critical protection areas and required buffers shall be retained (*same as old code*)
- Significant Tree Retention and Replacement approach changed to Tree Canopy (*new*)
- **Tree canopy requirements apply to all properties whether they have existing tree canopy or not (*new*)**
- Tree canopy requirements are set to a sliding scale based on density and number of lots/units (*see page 2*)
- Tree canopy shall include all evergreen and deciduous trees six feet in height or greater, excluding invasive species or noxious weeds, within the gross site area
- Existing or planted tree canopy may include street trees and may be located within perimeter landscaping, site landscaping, critical area protection areas and required buffers, and open space tracts or easements
- Incentives to retain significant trees and tree canopy (*see page 2*)
- Director discretion to reduce canopy requirements by 5 percentage points under certain conditions
- **New Tree Canopy Calculation Sheet developed to assist staff and developers (web based)**
- 6-year moratorium for pre-clearing site repealed
- Trees may be planted in critical area buffers to meet canopy requirements (*new*)
- Landscaping checklist requirements removed from chapter 30.25 SCC; **new landscaping checklist being prepared (30 day public notice required)**
- Expansion of exemption to landscaping chapter related to remodels
- Annual Report Requirement added to code
- Allowing a complete development application to opt-in to the requirements of Ordinance No. 14-073:
 - An applicant with a residential development application within unincorporated urban growth areas, determined to be complete between April 21, 2009, and the effective date of Ordinance 14-073, may voluntarily submit a signed waiver to the department requesting the development application be reviewed under the provisions in Amended Ordinance No. 14-073. All other development regulations in effect as of the date the original development application was determined to be complete shall apply.
 - Applicants submitting a signed waiver shall have 12 months from the effective date of Amended Ordinance 14-073 to submit a revised site plan and landscaping plan.
 - Residential site and landscaping plans re-submitted under this section shall require public notice pursuant to chapter 30.70 SCC and any applicable fees.
 - The department shall include in its written decision for a Type 1 permit or staff recommendation on a Type 2 permit a statement explaining which landscaping requirements related to the preservation and replanting of trees apply.
 - This section SCC 30.25.013 is repealed effective 12 months from the date of adoption of Amended Ordinance No. 14-073.

Table 30.25.016(3)

Tree Canopy Coverage Requirements

Type of Development	Required Tree Canopy Coverage of Development Site (gross site area)
Subdivisions for Single Family Residential 10 or more lots	30 percent
Short Subdivisions for Single Family Residential 4 to 9 lots	25 percent
Short Subdivisions for Single Family Residential Less than 4 lots	20 percent
Single Family Detached Units, Cottage Housing, Townhouse, Multi-family 10 or more units	20 percent
Single Family Detached Units, Cottage Housing, Townhouse, Multi-family Less than 10 units	15 percent
Urban Center (residential and mixed use projects only)	15 percent

Tree Canopy Incentives (SCC 30.25.016(5))

- Individual significant trees retained on site shall be counted at 125 percent of their actual canopy area.
- For clusters or stands of five or more trees, each tree shall be counted at 150 percent of its actual canopy area.
- For clusters or stands of five or more significant trees, each tree shall be counted at 200 percent of its actual canopy area.
- Retained trees located within no more than twenty feet of a rain garden or a bio-swale on site shall be counted at 150 percent of their actual canopy area.
- Retained significant trees qualified to receive flow control credits under Appendix III-C of the Snohomish County Drainage Manual shall be counted at 150 percent of their actual canopy area.
- The on-site recreation space required by SCC 30.23A.080 may be reduced by 100 percent if 40 percent or more of the site has existing tree canopy that is retained along with all native vegetation under that canopy area.
- A project may be exempted from all other requirements of SCC 30.25.015 and 30.25.016 if the canopy area of significant trees retained onsite is 45 percent or more of the gross site area and the majority of the canopy is provided by evergreen species.
- The minimum required lot area in subdivisions or short subdivisions not using the lot size averaging provisions of SCC 30.23.210 may be reduced by 20 percent when at least 20 percent of the site, not including any critical area protection areas and perimeter buffers, is put into a separate tract or tracts that have at least 20 significant trees per acre and where at least 60 percent of the significant trees within the tract or tracts are retained. This does not change the tree canopy requirements.
- For subdivisions or short subdivisions using the lot size averaging provisions of SCC 30.23.210(5), the minimum size for each single lot in SCC 30.23.210(5)(a) may be reduced by 20 percent when at least 20 percent of the site, not including any critical area protection areas and perimeter buffers, is put into a separate tract or tracts that have at least 20 significant trees per acre and where at least 60 percent of the significant trees within the tract or tracts are retained. This does not change the tree canopy requirements.