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This Assistance Bulletin only applies to property within unincorporated Snohomish County and does not apply to property within incorporated city limits.

# Tree Retention and Replacement

Assistance Bulletin

# #76

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## Introduction

In order to reduce tree loss during residential land development and construction in urban growth areas, Snohomish County has regulations governing the preservation and replacement of significant trees. All new residential land development or construction within unincorporated urban growth areas is required to obtain county permission to remove significant trees. In addition, tree retention may be required when developing under PCB, BP, IP, RFS, RB, RI, and CRC zoning and is required when developing a personal wireless communications facility.

## Definition of Significant Tree

The county defines a significant tree as one with a caliper of at least 10 inches, except the dogwoods and vine maples are considered significant trees if they have a caliper of at least seven inches. An alder is not a significant tree. For trees with multiple stems, such as vine maples, the caliper of the individual stems are added together to determine if a tree meets the minimum caliper for a significant tree.

## Removing a Significant Tree

Significant trees removed with permission may be required to be replaced. Significant trees removed without prior permission are subject to a fine pursuant to SCC 30.85.090. A significant tree may be removed under the following circumstances:

- 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;
- Removal of trees within or adjacent to existing public rights-of-way or easements, at the direction of the county or public or private utility for the protection of the public safety, such as obstructions inhibiting visibility at intersections;
- Removal of trees for construction of a single-family dwelling, duplex, accessory or non-accessory storage structure on an individual lot created prior to April 21, 2009;
- Removal of trees that have been grown for the purpose of sales of Christmas trees or commercial landscaping materials by commercial nurseries and tree farms; and
- Any forest practices occurring on forest land as those terms are defined in RCW 76.09.020 of the Forest Practices Act, chapter 76.09 RCW.

This bulletin is intended only as an information guide. The information may not be complete and is subject to change. For complete legal information, refer to Snohomish County Code.

### Removal of Significant Trees Prior to Residential Development

If any significant trees other than hazardous trees were removed after January 7, 2009, and within six years prior to the date of submitting an application for a subdivision, short subdivision, or residential rezone, then that application shall not be approved. The county may approve an application if:

- The removal of trees was authorized by a forest practices permit issued by the State Department of Natural Resources;
- The public is notified of the prior removal of trees consistent with the posting, publication, and mailing requirements of SCC 30.70.045;
- A tree survey of all significant trees is completed and significant trees are replaced as required by county code;
- All significant trees within any perimeter landscaping required under SCC 30.25.020 and all significant trees within critical area protection areas and required buffers are retained;
- All significant trees on site are retained on 5% of the site in addition to those retained as required in SCC 30.25.016(3)(c)(iv); and
- The owner of the property at the time of tree removal is not a person, corporation, or other entity engaged in residential land development or construction within unincorporated urban growth areas.

### Retention of Significant Trees

Significant trees are required to be retained under the following circumstances:

- Perimeter landscaping required pursuant to SCC 30.25.020;
- On-site recreation space pursuant to SCC 30.23A.080; or
- Critical area protection areas and required buffers, except for trees exempted by SCC 30.25.016(2).

### Replacement of Significant Trees

Except for those circumstances where significant trees are required to be retained, all other significant trees shall be replaced according to the schedule below.

Tree Replacement Schedule

Caliper of Tree Removed	Number of Replacement Trees Required
10—16 inches	1
16.1—24	2
Over 24 inches	3

The number of required replacement trees shall be reduced by 30% if an additional buffer of 15 feet is provided around the edge of a subdivision and all significant trees and native understory in the buffer are retained. This buffer must be in addition to all buffers and landscaping requirements in the code, and it must be provided around the entire subdivision except where roads and other required infrastructure enter the subdivision.

### Incentives to Retain Significant Trees

In an effort to retain significant trees several incentives are available and may be incorporated into a development application. These include:

- The on-site recreation space required by SCC 30.23A.080 may be reduced by up to 10 percent when at least 10 percent of the site's significant trees (outside of any required perimeter landscaping or critical area protection areas and required buffers) are retained;
- The lot width or size may be reduced by up to 20 percent of that required by the underlying zone when at least 10 percent of the site's significant trees (outside of any required perimeter landscaping or critical area protection areas and required buffers) are retained; or
- The overall landscape requirements may be reduced by up to 10 percent when at least 10 percent of the site's significant trees (outside of any required perimeter landscaping or critical area protection areas and required buffers) are retained.

### Definitions

“Caliper” means the standard for trunk diameter measurement of nursery stock. Caliper of the trunk shall be the trunk diameter measured at DBH (Diameter at Breast Height), which is defined as four feet, six inches (4.5 feet) above the grade around the base of the tree trunk.

“Understory” means an underlying layer of vegetation, especially the plants that grow beneath a forest's canopy.

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