



**PLANNING COMMISSION AGENDA**  
June 22, 2016, 7:00 p.m.  
Multipurpose Room/Council Chamber  
Burien City Hall, 400 SW 152<sup>nd</sup> Street  
Burien, Washington 98166

**This meeting can be watched live on Burien Cable Channel 21 or on [www.burienmedia.org](http://www.burienmedia.org)**

**1. ROLL CALL**

**2. AGENDA CONFIRMATION**

**3. APPROVAL OF MINUTES**

A. June 8, 2016

**4. PUBLIC COMMENT**

Public comment will be accepted on topics not scheduled for a public hearing.

**5. PUBLIC HEARING**

A. Transportation Impact Fee Deferral Zoning Code Amendments

**6. OLD BUSINESS**

- A. Transportation Impact Fee Deferral Zoning Code Amendments - Recommendation
- B. Significant Tree Retention Discussion

**7. PLANNING COMMISSION COMMUNICATIONS**

**8. DIRECTOR'S REPORT**

**9. ADJOURNMENT**

**Future Agendas (Tentative)**

July 13, 2016

- Highline School District School Impact Fees – Introduction
- Significant Tree Zoning Code Amendments – Public Hearing
- Election of Planning Commission Chair and Vice Chair

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Planning Commissioners

Kim Davis Anna Markee	Curtis Olsen (Chair) Amy Rosenfield (Vice-Chair) Kaelene Nobis	Butch Henderson Douglas Weber
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*City of Burien*

BURIEN PLANNING COMMISSION  
June 8, 2016  
7:00 p.m.  
Multipurpose Room/Council Chambers  
MINUTES

*To hear the Planning Commission's full discussion of a specific topic or the complete meeting, the following resources are available:*

- Watch the video-stream available on the City website, [www.burienwa.gov](http://www.burienwa.gov)
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

**CALL TO ORDER**

Vice Chair Amy Rosenfield called the June 8, 2016, meeting of the Burien Planning Commission to order at 7:01 p.m.

**ROLL CALL**

Present: Kim Davis, Butch Henderson, Anna Markee and Amy Rosenfield

Absent: Kaelene Nobis, Curtis Olsen and Douglas Weber, all excused

Administrative staff present: Chip Davis, Community Development Department director, and Niomi Zinn, planner

**AGENDA CONFIRMATION**

**Direction/Action**

**Motion** was made by Commissioner Henderson and seconded by Commissioner Markee to confirm the agenda. Motion passed 4-0.

**APPROVAL OF MINUTES**

**Direction/Action**

**Motion** was made by Commissioner Henderson, seconded by Commissioner Davis, and passed 4-0 to approve the minutes of the May 25, 2016, meeting.

**PUBLIC COMMENT**

None.

**NEW BUSINESS**

**A. Transportation Impact Fee Deferral Zoning Code Amendments**

Chip Davis introduced a proposed amendment to BMC 19.35, Transportation Impact Fee, which would allow deferred payment of transportation impact fees. He said the state Legislature passed a law in 2015 requiring jurisdictions collecting impact fees to adopt a deferral for new single-family detached and attached residential construction allowing developers to defer the fee to one of three milestones: final inspection, issuance of a certificate of occupancy or equivalent certification, or the closing of the first sale of the property, whichever comes first. He said the law states that jurisdictions need to have the new code language in place by Sept. 1<sup>st</sup>.

He noted that the maximum term the fee can be deferred is 18 months from the time the building permit is issued. The amount of the fee is determined by the schedule that is in effect at the time the developer makes the deferral agreement with the City. He said the deferral is limited to the first 20 single-family residential building permits issued annually for that applicant. He explained that the applicant seeking the deferral must grant and record a lien against the property in favor of the City in the amount of the deferred fee; state law authorizes jurisdictions to institute foreclosure proceedings if the impact fees are not paid.

Mr. Davis noted that the Planning Commission will conduct a public hearing on the proposed amendment at its next meeting, June 22<sup>nd</sup>. He said that at the next meeting he will provide the commissioners with a draft application form, including the lien documents, for their review and a draft City Council ordinance. It will go before the City Council for consideration in July.

In response to a question from Commissioner Henderson, Mr. Davis said the transportation impact fee for single-family residential is currently a flat fee of \$957 per unit.

He also noted that in the next few meetings the commissioners will be looking at a request from the Highline School District to impose a school impact fee, adding that there potentially could be a parks impact fee to fund parks services coming to the Planning Commission for consideration at some point as well.

Further discussion concluded with a reminder that the commission will conduct a public hearing on the proposed amendment at its next meeting. Mr. Davis also said he will come back to the commissioners with responses to the comments and questions he heard from them tonight.

## **OLD BUSINESS**

None.

## **PLANNING COMMISSION COMMUNICATIONS**

None.

## **DIRECTOR'S REPORT**

Mr. Davis told the commissioners their next three meeting agendas will be full and encouraged all the commissioners to attend the meetings if at all possible. There will be a public hearing and possible recommendation to the City Council on the proposed Transportation Impact Fee deferral Zoning Code amendment on June 22<sup>nd</sup> and the commissioners will receive draft language on the tree ordinance for their review. There will be a public hearing on the proposed tree ordinance language and an introductory briefing on the Highline School District school impact fee ordinance on July 13<sup>th</sup>. The public hearing on the proposed school impact fee amendment will be conducted on July 27<sup>th</sup>, and the commission may make a recommendation to the City Council on the proposed tree ordinance language.

## **ADJOURNMENT**

### **Direction/Action**

Commissioner Henderson moved for adjournment; Commissioner Davis seconded. Motion carried unanimously. The meeting adjourned at 7:32 p.m.

**APPROVED:** \_\_\_\_\_

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Curtis Olsen, chair  
Planning Commission

## **CITY OF BURIEN, WASHINGTON MEMORANDUM**

**DATE:** June 15, 2016

**TO:** Burien Planning Commission

**FROM:** Charles W. “Chip” Davis, AICP, Community Development Director

**SUBJECT:** Public Hearing on Proposed Amendments to BMC 19.35 Transportation Impact Fee to Allow Deferred Payment of Impact Fees

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### **PURPOSE**

At this meeting the Commission will conduct a Public Hearing on proposed amendments to BMC 19.35, Transportation Impact Fees providing a process for deferred payment of transportation impact fees. Following the Public Hearing the Planning Commission is scheduled to discuss and make a recommendation on the proposed amendments to the Burien City Council for consideration at their July 18, 2016 regular meeting.

### **BACKGROUND**

During the 2015 legislative session, the Washington State Legislature enacted a new law (ESB 5923) that requires counties, cities and towns collecting impact fees to adopt a deferral system for new single-family detached and attached residential construction. This law gave local governments until September 1, 2016 to develop a deferral system that best meets statutory requirements and local objectives.

The new law allows local choice on at what point in the development process impact fees are collected, allows the imposition of a reasonable administrative fee and allows the deferral to be limited to the first 20 building permits per developer per year.

Since Burien is collecting a Transportation Impact Fee for all new development, we are subject to this legislation and are required to have the deferral language in place not later than September 1<sup>st</sup>. Staff has drafted proposed language to amend BMC 19.35, Transportation Impact Fees which addresses state requirements and includes the following provisions:

- A developer/applicant may request that payment of the impact fee be deferred until (1) final inspect; (2) issuance of a certificate of occupancy or equivalent certification; or (3) the closing of the first sale of the property after the issuance of the building permit, whichever comes first.
- The maximum term for the deferral is 18 months from the issuance of the building permit.
- The amount of impact fees that may be deferred is determined by the fee schedule in effect at the time the applicant applies for the deferral.
- Deferral of impact fees is limited to the first 20 single-family residential building permits, annually, per applicant.

- The applicant seeking a deferral must grant and record a lien against the property in favor of the City of Burien in the amount of the deferred fee.
- The City of Burien will collect a fee of \$50 per application to compensate for reasonable administrative costs for administering the deferral program. The fee shall be included on Burien's Permit Fee and Engineering Review Deposit Schedule and will be subject to annual review and adjustment.
- To limit the "spin-off LLC" issue, "applicant" has been defined to include "an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant".
- The City of Burien is authorized to institute foreclosure proceedings if impact fees are not paid.

At the June 8<sup>th</sup> Planning Commission meeting, staff provided an introduction for the proposed amendments and draft language for the Commission to review. At the conclusion of the meeting the Planning Commission established June 22, 2016 as the Public Hearing date for the proposed amendments. During Commission discussion of the proposed amendments a suggestion was made to insert the deferral language in two other sections of BMC Chapter 19.35: In BMC 19.35.060 Imposition of transportation impact fees and in BMC 19.35.100 Independent calculations.

The deferral language has been added to BMC.35.060 to more clearly indicate to applicants that they must request the deferral or pay all transportation impact fees at time of permit issuance. The deferral language has not been added to BMC 19.35.100 due to the fact that if the applicant chooses to provide an independent analysis and has not completed that analysis prior to issuance of the permit, then the fee must be entirely paid prior to issuance of the permit to begin work. If the city ultimately accepts the independent fee calculation, then that portion of the fee in excess of the approved fee will be refunded. Not having an agreed upon transportation impact fee would make it impossible to complete a lien agreement as required by the deferral program.

The following attachments have been provided for the Planning Commissions review and comment: Attachment 1, is a copy of BMC Chapter 19.35 in which proposed amended language has been underlined. This language has been provided to the Washington State Department of Commerce for state agency review and comment as required by RCW 36.70A.106.

Attachment 2, is a copy of the Community Development Permit Fees and Engineering Review Deposit Schedule which contains the \$50 administrative fee proposed for impact fee deferral applications. This fee would be adjusted annually based on the Consumer Price Index (CPI) as are all other fees currently listed on the fee schedule.

Attachment 3, is a draft of the Impact Fee Deferral Application which includes a lien agreement to be executed by applicants requesting deferral of impact fees.

Attachment 4, is a copy of the Public Hearing Notice for tonight's Public Hearing.

## **PLANNING COMMISSION ACTION**

Staff is requesting that the Planning Commission conduct a Public Hearing on the proposed amendments to BMC 19.35 Transportation Impact Fees and following the hearing discuss and provide a recommendation to the Burien City Council.

If the Commission wishes to make a recommendation following the Public Hearing staff suggests the following motion language:

**Motion to Approve:** *I move the Planning Commission recommend to the City Council approval of Amendments to BMC 19.35 Transportation Impact Fee to allow deferred payment of impact fees and establish a reasonable administrative fee as set forth in the June 15, 2016 staff memo and associated attachments.*

**Motion to Deny:** *I move the Planning Commission not recommend to the City Council approval of Amendments to BMC 19.35 Transportation Impact Fee to allow deferred payment of impact fees and establish a reasonable administrative fee as set forth in the June 15, 2016 staff memo and associated attachments.*

Attachments:

1. BMC 19.35 Transportation Impact Fees Including Proposed Amendments
2. Community Development Permit Fees and Engineering Review Deposit Schedule
3. Draft Impact Fee Deferral Application
4. Public Hearing Notice – Published June 8, 2016 in the Seattle Times

## **19.35 Transportation Impact Fees**

19.35.010	Authority
19.35.020	Purpose
19.35.030	Definitions
19.35.040	Applicability
19.35.050	Geographic scope
19.35.060	Imposition of transportation impact fees
19.35.070	Service area
19.35.080	Exemptions
19.35.090	Assessment of transportation impact fees
19.35.100	Independent fee calculations
19.35.110	Credits
19.35.120	Project list
19.35.130	Time of payment of fees
19.35.140	Impact fee account
19.35.150	Use of funds
19.35.160	Refunds
19.35.170	Appeals
19.35.180	Authorization for interlocal agreements
19.35.190	Relationship to State Environmental Policy Act (SEPA)
19.35.200	Relationship to concurrency management
19.35.210	Necessity of compliance

### **19.35.010 Authority**

This chapter is enacted pursuant to the Washington State Growth Management Act codified at Chapter 36.70A RCW and RCW 82.02 et seq., which authorizes cities planning under the Growth Management Act to assess, collect, and use impact fees to pay for capital projects related to transportation facilities needed to accommodate growth. The City of Burien is required to plan under the Growth Management Act and has adopted a Comprehensive Plan which includes a Capital Facilities Program which complies with RCW 36.70A.070(3), RCW 82.02.050(4), and all other applicable requirements. The City's Comprehensive Plan identifies the objective to pursue a transportation impact fee as part of the overall transportation financing mechanism. Consequently, the City of Burien is authorized to impose, collect, and use impact fees. [Ord. 493 § 1, 2008]

### **19.35.020 Purpose**

The purpose of this chapter is to:

1. Develop a transportation impact fee program consistent with the Burien Comprehensive Plan for joint public and private financing of transportation improvements necessitated in whole or in part by development in the city;
2. Create a mechanism to charge and collect fees to ensure that all new development pays a proportionate share of the capital costs of off-site transportation facilities necessitated by new development;
3. Ensure that the city pays its fair share of the capital costs of transportation facilities necessitated by public use of the transportation system; and
4. Ensure fair collection and administration of such impact fees. [Ord. 493 § 1, 2008]

### 19.35.030 Definitions

The following are definitions provided for administering the transportation impact fee program. The public works director shall have the authority to resolve questions of interpretation or conflicts between definitions.

**“Applicant”** means any property owner, developer, or other person who seeks a building permit from the City of Burien.

**“Building permit”** means the official document or certification that is issued by the building department and that authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, tenant improvement, demolition, moving or repair of a building or structure or other construction permits in those instances where a building permit is not required.

**“Capital facilities plan”** means the capital facilities plan element of the city’s Comprehensive Plan adopted pursuant to Chapter 36.70A RCW, and such plan as amended.

**“City Council”** or **“Council”** means the City Council of the City of Burien.

**“Development activity”** means any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land, that creates additional demand and need for public facilities,

**“Director”** means the director of the department of public works of the City of Burien or his/her designee.

**“Encumbered”** means the anticipated expenditure or funds restricted for anticipated expenditures on a transportation project.

**“Finance director”** means the finance director of the City of Burien or his/her designee.

**“Impact fee”** or **“transportation impact fee”** means a payment of money imposed upon development as a condition of development approval to pay for system improvements needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for system improvements, that is a proportionate share of the cost of the system improvements, and that is used for system improvements that reasonably benefit the new development.

**“Impact fee account”** or **“account”** means the account established for the system improvements for which impact fees are collected. The account shall be established pursuant to this chapter, and shall comply with the requirements of RCW 82.02.070.

**“Interlocal agreement”** or **“agreement”** means a roads interlocal agreement, authorized in this chapter, by and between the city and other government agencies concerning the collection and expenditure of impact fees, or any other interlocal agreement entered by and between the city and another municipality or public agency to implement the provisions of this chapter.

**“Jurisdiction”** means a municipality or county.

**“Project improvements”** mean site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No

improvement or facility included in the capital facilities plan approved by the city council shall be considered a project improvement.

**“Project list”** means system improvements included in the transportation impact fee program as defined in 19.35.120 and Table 19.35-1 which is herein incorporated by reference.

**“Proportionate share”** means that portion of the cost of system improvements that are reasonably related to the service demands and needs of new development.

**“Schedule”** means the list of adopted transportation impact fees for development activity that is subject to impact fees which is based upon a formula or other calculation method consistent with RCW 82.02.060. The schedule of impact fees is defined in Table 19.35-2 which is herein incorporated by reference.

**“Service area”** means a geographic area defined by the city or interlocal agreement, in which a defined set of system improvements provide service to development within the area. Service areas shall be designated on the basis of sound planning or engineering principles. Development in a service area may, and will likely be found to, impact and be served by system improvements outside of the service area, and the resulting transportation impact fee will reflect a proportionate share charge based on those impacts.

**“System improvements”** mean public streets or roads that are included in the capital facilities plan and are designed to provide service areas within the community at large, in contrast to project improvements.

**“Trip generation manual”** means the most current edition of the report entitled “Trip Generation” produced by the Institute of Transportation Engineers. [Ord. 493 § 1, 2008]

#### **19.35.040      Applicability**

1. The requirements of this chapter apply to all development activity in the City of Burien for which a building permit or other construction permit is issued after the effective date of this ordinance.
2. Mitigation of impacts on transportation facilities located in jurisdictions outside the city will be required when there is an interlocal agreement between the city and the effective jurisdiction specifically addressing transportation impact identification and mitigation per section 19.35.180. [Ord. 493 § 1, 2008]

#### **19.35.050      Geographic scope**

The boundaries within which impact fees shall be charged and collected are co-extensive with the corporate city limits, and shall include all unincorporated areas annexed to the city on and after the effective date of the ordinance codified in this chapter. A revision of this chapter will be required prior to charging impact fees for developments in the annexed area(s). [Ord. 493 § 1, 2008]

#### **19.35.060      Imposition of transportation impact fees**

Any person who receives a building permit or other construction permit for any development activity or who undertakes any development activity within the city’s corporate limits for which a building permit, or other construction permit if a building permit is not required, shall pay the transportation impact fees as set forth in this chapter to the city. The impact fees shall be paid at the time of

issuance of the permit, unless the applicant applies for deferred payment of impact fees pursuant to BMC 19.35.135. [Ord. 493 § 1, 2008]

**19.35.070 Service area**

For the purpose of this chapter, the entire city shall be considered one service area. [Ord. 493 § 1, 2008]

**19.35.080 Exemptions**

1. The transportation impact fees referenced in this chapter shall not apply to the following:
  - A. Alteration, expansion, enlargement, remodeling, rehabilitation, or conversion of an existing unit where no additional units are created and the use is not changed.
  - B. A change in use that results in no additional impact to the city’s transportation system.
  - C. The construction of accessory structures that will not create additional transportation impacts on system improvements.
  - D. A structure moved from one location within the city to another location within the city. The vacated lot will not be exempted from paying all appropriate impact fees upon development.
2. The director shall be authorized to determine whether a particular development for a proposed building permit, or certificate of occupancy if no building permit is required, falls within an exemption of this chapter. Determinations of the director shall be subject to the appeals procedures set forth in section 19.35.170. [Ord. 493 § 1, 2008]

**19.35.090 Assessment of transportation impact fees**

1. An impact fee schedule setting forth the amount of the transportation impact fees to be paid by a development is set out in Table 19.35-2 and incorporated herein by this reference.
2. The impact fee schedule, as set out in Table 19.35-2, shall be updated annually at a rate adjusted in accordance with the Washington State Department of Transportation Construction Cost Index (CCI) to establish revised fee schedules for each subsequent year.
3. The impact fee amount is calculated by using the following formula:

$$\begin{array}{l} \text{Amount of Transportation Impact Fee} \\ \text{that shall be paid for that development} \\ \text{use} \end{array} = \begin{array}{l} \text{Number of units of} \\ \text{each use} \end{array} \times \begin{array}{l} \text{Transportation Impact Fee per} \\ \text{unit amount for the service area in} \\ \text{which the development is located} \end{array}$$

- A. The number of units of each use is determined as follows: (i) for residential uses it is the number of dwelling units for which a building permit application has been made and (ii) for office, retail, or manufacturing uses it is the gross floor area of building(s) to be used for each use expressed in square feet divided by 1,000 square feet, or in the units defined in the schedules.
- B. Using the formula in 19.35.090.3, transportation impact fees shall be calculated separately for each use. The transportation impact fees that shall be paid are the sum of these calculations.

- C. If a development activity will include more than one use in a building or site, then the transportation impact fee shall be determined using the above formula by apportioning the space committed to the various uses specified on the schedule in Table 19.35-2.
  - D. If the type of use or development activity is not specified on the transportation impact fee schedules in Table 19.35-2, the director shall use the transportation impact fee applicable to the most comparable type of land use on the fee schedule. The director shall be guided in the selection of a comparable type by the most recent *Trip Generation* manual (Institute of Transportation Engineers) or other recognized national standard.
  - E. In the case of a change in use, development activity, redevelopment, or expansion or modification of an existing use, the transportation impact fee shall be based upon the net positive increase in the impact fee for the new development activity as compared to the impact fee that would have applied to the previous development activity. The director shall be guided in this determination by the sources and agencies listed above.
4. As described in this section, the impact fees set forth in the schedule included in Table 19.35-2 shall be presumed valid and appropriate, unless revised pursuant to the following provisions:
- A. An applicant may request a credit following the procedures set forth in Section 19.35.110.
  - B. An applicant may submit an independent fee calculation following the procedures set forth in Section 19.35.100. [Ord. 493 § 1, 2008]

**19.35.100 Independent fee calculations**

- 1. If, in the judgment of the director, none of the land use categories set forth in the fee schedule in Table 19.35-2 accurately describes the proposed land use, the applicant shall provide to the department for its review and evaluation an independent fee calculation, prepared by a traffic engineer approved by the director and paid for by the applicant. The independent fee calculation shall show the basis upon which it was made and shall include, but not limited to, trip generation characteristics. The director may accept this calculation and impose an impact fee based on this calculation, or it may obtain a second independent fee calculation and then decide which impact fee calculation is more appropriate. The second independent fee calculation will be paid for by the city.
- 2. If an applicant requests not to have the impact fees determined according to the schedule in Table 19.35-2, then the applicant shall submit to the director an independent fee calculation, prepared by a traffic engineer approved by the director and paid for by the applicant. The independent fee calculation shall show the basis upon which it was made and shall include, but not be limited to, trip generation characteristics.
- 3. When an independent fee calculation is sought under 19.35.100.2, the city may issue a building permit or certificate of occupancy when no building permit is required for a change in use, prior to completion of the independent fee calculation; provided, that the impact fee must be collected based on the fee schedule in Table 19.35-2, at the time of issuance. If the director ultimately approves the independent fee calculation, the city shall refund the portion of the fee that exceeds the approved independent fee calculation.
- 4. Any independent fee calculation proposed under this section shall be accompanied by a study that complies with the following standards:

- A. The study shall follow accepted traffic impact fee assessment practices and methodologies and be consistent with the methods used in developing the city's transportation impact fee schedules.
  - B. The study shall use acceptable data sources and the data shall be comparable with the uses and intensities proposed for the proposed development activity.
  - C. The study shall comply with the applicable State laws governing impact fees including RCW 82.02.050 – 82.02.100 as these statutes may be amended from time to time.
  - D. The study, including any data collection and analysis, shall be prepared and documented by a professional traffic engineer.
  - E. The study shall show the basis upon which the independent fee calculation was made.
5. The director shall consider the independent fee calculation study and related documentation submitted by the applicant, but is not required to accept the calculation if the director decides that the study is not accurate or reliable. If the director finds the study to be unreliable, the director may require the applicant to submit additional or different documentation for consideration. If the director decides that third-party engineers are needed to review the calculation and related documentation, the applicant shall pay for the reasonable cost of a review by such engineers. If an acceptable independent fee calculation study is not presented, the applicant shall pay the transportation impact fees based upon the process and schedules referenced in this chapter. If an acceptable independent fee calculation study is presented, the director may adjust the fee to an appropriate amount.
  6. Determinations made by the director pursuant to this section may be appealed to the hearing examiner subject to the procedures set forth in Section 19.35.170. [Ord. 493 § 1, 2008]

**19.35.110 Credits**

1. An applicant may request a credit for the value of dedicated land, improvements, or construction if the land and/or the facility constructed are (a) required as a condition of development approval; and (b) included within the project list entitled, Transportation Impact Fee Project List, which is attached to this ordinance as Table 19.35-1, and incorporated herein by reference as if set forth in full.
2. Each request for a credit or credits shall include a legal description of land donated, a detailed description of improvements or construction provided, and a legal description or other adequate description of the development to which the credit will be applied.
3. The credit shall not exceed the impact fee payable by the applicant.
4. For each request for a credit, the land value or costs of construction shall be determined as follows:
  - A. The amount of credit for land dedicated shall be the higher of either the value of the land established in the impact fee project list, if such value is identified, or by an appraisal conducted by an independent professional appraiser chosen by the fee payer from a list of at least three such appraisers provided by the city. The cost of the appraisal shall be borne by the fee payer. For purposes of this section, the date of value shall be the date the land was dedicated to the county. The appraisal shall only value the land dedicated and not any alleged

damages to any abutting property.

- B. The amount of credit for facilities constructed shall be based upon the actual cost of construction at the time of construction.
5. After the director has determined the amount of the credit, the department shall include the determination with issuance of the building permit along with a statement setting forth the dollar amount of the credit, the basis for the credit, where applicable, the description of the land dedicated and the date of the determination.
6. Any credit must be requested before payment of the impact fee and prior to issuance of the building permit or other construction permit. Any claim not so made shall be deemed waived.
7. No credit shall be given for project improvements.
8. Determinations made by the director pursuant to this chapter shall be subject to the appeals procedures set forth in section 19.35.170. [Ord. 493 § 1, 2008]

#### **19.35.120 Project list**

1. The project list for the city's transportation impact fee program is established in Table 19.35-1 and is herein incorporated by reference.
2. Transportation impact fees shall only be imposed for system improvements that are reasonably related to the new development.
3. Transportation impact fees shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development.
4. Transportation impact fees shall be used for system improvements that will reasonably benefit the new development.
5. Transportation impact fees must be spent on system improvements included in the project list (Table 19.35-1).
6. The director shall periodically review the project list and costs for the transportation impact fee program and shall recommend updates, if any, as part of an amendment to BMC 19.35. [Ord. 493 § 1, 2008]

#### **19.35.130 Time of payment of fees**

1. All applicants shall pay an impact fee in accordance with the provisions of this chapter at the time that the applicable building permit or certificate of occupancy when a building permit is not required, is ready for issuance, **unless the applicant applies for deferred payment of impact fees pursuant to BMC 19.35.135.** The impact fee paid shall be based upon the schedule in effect at the time of the issuance.
2. If the development is modified or conditioned in such a way as to alter the land uses or unit count for the development after issuance of the building permit or certificate of occupancy, the impact fee will be recalculated accordingly, based on the provisions of this chapter. If the recalculated fee is greater than the previously paid fee, the city shall withhold or revoke the certificate of occupancy until the updated fee is paid. If the recalculated fee is less than the

previously paid fee, then the city will refund the difference, unless the fees have already been spent or encumbered by the city.

3. No building permit or certificate of occupancy shall be issued until the impact fee is paid, unless the applicant applies for deferred payment of impact fees pursuant to BMC 19.35.135.
4. Impact fees may be paid under protest in order to obtain a permit or other approval of development activity. [Ord. 493 § 1, 2008]
5. The city may impose an application fee, as provided for in the city's adopted Permit Fees and Engineering Review Deposit Schedule, to cover the reasonable cost of administration of the impact fee program. The fee is not refundable and is collected from the applicant of the development activity permit at time of permit issuance.

#### 19.35.135 Option for deferred payment of impact fees

1. An applicant may request, at any time prior to building permit issuance, and consistent with the requirements of this section, to defer to the final inspection the payment of an impact fee for a residential development unit. The following shall apply to any request to defer payment of an impact fee:
  - A. The applicant shall submit to the city a written request to defer the payment of an impact fee for a specifically identified building permit. The applicant's request shall identify, as applicable, the applicant's corporate identity and contractor registration number, the full names of all legal owners of the property upon which the development activity allowed by the building permit is to occur, the legal description of the property upon which the development activity allowed by the building permit is to occur, the tax parcel identification number of the property upon which the development activity allowed by the building permit is to occur, and the address of the property upon which the development activity allowed by the building permit is to occur. All applications shall be accompanied by an administrative fee as provided for in the city's adopted Permit Fees and Engineering Deposit Schedule.
  - B. The impact fee amount due under any request to defer payment of impact fees shall be based on the schedule in effect at the time the applicant provides the city with the information required in subsection A of this section.
  - C. Prior to the issuance of a building permit that is the subject of a request for a deferred payment of impact fee, all applicants and/or legal owners of the property upon which the development activity allowed by the building permit is to occur must sign a deferred impact fee payment lien in a form acceptable to the city attorney. The deferred impact fee payment lien shall be recorded against the property subject to the building permit and be granted in favor of the city in the amount of the deferred impact fee. Any such lien shall be junior and subordinate only to one mortgage for the purpose of construction upon the same real property subject to the building permit. In addition to the administrative fee required in subsection A of this section, the applicant shall pay to the city the fees necessary for recording the lien agreement with the King County recorder.
  - D. The city shall not approve a final inspection until the transportation impact fees identified in the deferred impact fee payment lien are paid in full.

- E. In no case shall payment of the impact fee be deferred for a period of more than 18 months from the date of building permit issuance.**
- F. Upon receipt of final payment of the deferred impact fee as identified in the deferred impact fee payment lien, the city shall execute a release of lien for the property. The property owner may, at his or her own expense, record the lien release.**
- G. In the event that the deferred impact fee is not paid within the time provided in this subsection, the city shall institute foreclosure proceedings under the process set forth in Chapter 61.12 RCW.**
- H. An applicant is entitled to defer impact fees pursuant to this section for no more than 20 single-family dwelling unit building permits per year in the city. For the purposes of this section, an “applicant” includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.**

**19.35.140 Impact fee account**

1. There is created and established a special purpose, non-lapse transportation impact fee fund. As necessary, the city shall establish separate accounts within such fund and maintain records for each such account whereby transportation impact fees collected can be segregated by service area in accordance with this chapter.
2. All interest shall be retained in the account and expended for the purposes for which the impact fees were imposed.
3. The city shall provide a report for the previous calendar year on each impact fee account showing the source and amount of moneys collected, earned or received and system improvements that were financed in whole or in part by impact fees.
4. The transportation impact fees paid to the city shall be held and disbursed as follows:
  - A. The transportation impact fees collected shall be placed in a deposit account within the impact fee fund;
  - B. When the council appropriates capital improvement project (CIP) funds for a project on the project list, the fees held in the transportation impact fee fund shall be transferred to the CIP fund. Any non-impact fee moneys appropriated for the project may comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in transportation impact fees;
  - C. The first money spent by the finance director on a project after a council appropriation shall be deemed to be the fees from the impact fee fund;
  - D. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the city of the public moneys advanced for the private share of the project.
  - E. Projects shall be funded by a balance between transportation impact fees and public funds, and shall not be funded solely by transportation impact fees.
  - F. Transportation impact fees shall be expended or encumbered for a permissible use within six years of receipt, unless an extraordinary or compelling reason exists for the fees to be held

longer than six years. The finance director may recommend to the council that the city hold fees beyond six years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council. [Ord. 493 § 1, 2008]

#### **19.35.150 Use of funds**

1. Transportation impact fees shall only be used for transportation system improvements identified in the capital facilities plan and on the project list as set forth in Table 19.35-1.
2. Transportation impact fees referenced in this chapter may be spent for public improvements, including but not limited to planning, land acquisition, site improvements, necessary off-site improvements, construction, engineering, architectural, permitting, financing and administrative expenses, applicable impact fees or mitigation costs, capital equipment pertaining to planned facilities, and any other expenses which can be capitalized.
3. Transportation impact fees may also be used to recoup public improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements or incurred costs.
4. In the event that bonds or similar debt instruments are or have been issued for the advanced provision of public improvements for which impact fees may be expended, impact fees may be used to pay the principal on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section and are used to serve the new development. [Ord. 493 § 1, 2008]

#### **19.35.160 Refunds**

1. An applicant may request and shall receive a refund when the developer does not proceed with the development activity for which transportation impact fees were paid, and the applicant shows that no impact has resulted, and the city has not yet spent or encumbered the fees; however, the impact fee administrative fee shall not be refunded. If the city has spent or encumbered the fees, no refund shall be made to the applicant.
2. If an owner appears to be entitled to a refund of transportation impact fee under RCW 82.02.080, the finance director shall notify the owner by first class mail deposited with the United States Postal Service at their last known address. The owner must submit a request for a refund to the finance director in writing within one year of the date the right to claim the refund arises or the date the notice is given, whichever is later. Any transportation impact fees that are not expended or encumbered within the time limitations established by this chapter and for which no application for a refund has been made within this one-year period, shall be retained and expended on any transportation project.
3. In the event that transportation impact fees must be refunded for any reason, they shall be refunded with interest earned to the owners as they appear of record with the King County assessor at the time of refund.
4. When the city seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail to the last known address of claimants. Claimants shall request refunds as in subsection (2) of this section. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained

by the city, but must be expended on the system improvements included in the project list (Table 19.35-1). This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated. [Ord. 493 § 1, 2008]

**19.35.170 Appeals**

An applicant may appeal the amount of an impact fee determined by the director as provided in BMC 19.65.065 Type 1 Decision Appeal Provisions. [Ord. 493 § 1, 2008]

**19.35.180 Authorization for interlocal agreements**

The city council is authorized to execute, on behalf of the city, an interlocal agreement with other local governments for the collection, expenditure, and reporting of impact fees. [Ord. 493 § 1, 2008]

**19.35.190 Relationship to State Environmental Policy Act (SEPA)**

1. All development shall be subject to environmental review pursuant to SEPA and other applicable city ordinances and regulations.
2. Further mitigation in addition to the impact fee shall be required for identified adverse impacts appropriate for mitigation pursuant to SEPA that are not mitigated by an impact fee.
3. Nothing in this chapter shall be construed to limit the city's authority to deny development permits when a proposal would result in significant adverse transportation impacts identified in an environmental impact statement and reasonable mitigation measures are insufficient to mitigate the identified impact. [Ord. 493 § 1, 2008]

**19.35.200 Relationship to concurrency management**

Neither compliance with this chapter or the payment of any fee hereunder shall constitute a determination of transportation concurrency under this chapter. [Ord. 493 § 1, 2008]

**19.35.210 Necessity of compliance**

A building permit, or other construction permit in those instances where a building permit is not required, issued after the effective date of this ordinance shall be null and void if issued without substantial compliance with this chapter by the department, the approving authority and the director. [Ord. 493 § 1, 2008]

**Table 19.35-1  
Transportation Impact Fee Project List**

<b>ID</b>	<b>Project Name</b>	<b>Project Limits</b>	<b>Total Cost</b>	<b>Impact Fee Cost</b>	<b>Impact Fee Project</b>
1	1 <sup>st</sup> Ave S – Phase 1	SW 146 <sup>th</sup> St to SW 163 <sup>rd</sup> Pl	\$11,535,100	\$9,035,100	PARTIAL
2A	1 <sup>st</sup> Ave S – Phase 2	SW 140 <sup>th</sup> St to SW 146 <sup>th</sup> St	\$7,527,800	\$2,258,300	PARTIAL
2B	1 <sup>st</sup> Ave S – Phase 3	SW 128 <sup>th</sup> St to SW 140 <sup>th</sup> St	\$15,000,000	\$2,500,000	PARTIAL
3	Sylvester Rd SW	SW 160 <sup>th</sup> St to 6 <sup>th</sup> Ave SW	\$1,000,000	\$0	No
4	SW 160 <sup>th</sup> St	Sylvester Rd SW to 1 <sup>st</sup> Ave S	\$1,500,000	\$1,500,000	YES
5	Ambaum Blvd SW/SW 148 <sup>th</sup> St	Intersection	\$168,900	\$0	No
6	4 <sup>th</sup> Ave SW/SW 148 <sup>th</sup> St	Intersection	\$254,400	\$0	No
7	4 <sup>th</sup> Ave SW/SW 153 <sup>rd</sup> St	Intersection	\$354,800	\$354,800	YES
8	Ambaum Blvd SW Corridor Study	SW 116 <sup>th</sup> St to 1 <sup>st</sup> Ave S (116 <sup>th</sup> , 126 <sup>th</sup> , 128 <sup>th</sup> , 136 <sup>th</sup> , 156 <sup>th</sup> )	\$240,000	\$0	No
9	1 <sup>st</sup> Ave S Interim Left-Turn Signals	SW 136 <sup>th</sup> St & SW 143 <sup>rd</sup> St Intersections	\$150,000	\$0	No
10	21 <sup>st</sup> Ave SW	15700 Block of 21 <sup>st</sup> Ave S	\$492,520	\$0	No
11	16 <sup>th</sup> Ave S		\$40,000	\$0	No
12	Maplewild Ave SW	29 <sup>th</sup> Pl SW to 33 <sup>rd</sup> Ave SW	\$5,700,000	\$0	No
13	Overlay Projects	CITYWIDE – Arterials and Neighborhood Streets	\$2,432,670	\$0	No
14	Downtown Street and Sidewalk Improvements	Downtown Burien	\$6,500,000	\$0	No
15	8 <sup>th</sup> Ave S	S 128 <sup>th</sup> St to S 152 <sup>nd</sup> St	\$7,602,655	\$2,280,800	Partial
16	4 <sup>th</sup> Ave SW Pedestrian Safety Project, Phase 2	SW 153 <sup>rd</sup> St to SW 156 <sup>th</sup> St (east side of street)	\$1,355,015	\$0	No

<b>Total City Costs</b>	<b>\$61,853,860</b>	<b>\$17,929,000</b>
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Sources: City of Burien Long-range Transportation Improvement Program. City of Burien 2008 Adopted Budget, and City Staff

\*Re-typed version of chart that was adopted by Ord. 493, 2009.

**Table 19.35-2  
Schedule of Transportation Impact Fees**

Land Use Category – Trip Generation, 7 <sup>th</sup> Edition*	Notes	ITE Land Use Code	ITE Average PM Peak Hour Trip Rate (1)	Unit**	Pass-By Trip Reduction Factor*** (2)	Net New Trip Rate (3)	Impact Fee Per Unit (4)
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**Residential**

Single-Family Detached Housing	3	210	1.01	Dwelling Unit	1.00	1.01	957
Apartment	3	220	0.62	Dwelling Unit	1.00	0.62	588
Low-Rise Apartment (1-2 Floors)	3	221	0.58	Occupied Dwelling Unit	1.00	0.58	550
High-Rise Apartment (> 10 floors)	3	222	0.35	Dwelling Unit	1.00	0.35	332
Mid-Rise Apartment (3-10 floors)	3	223	0.39	Dwelling Unit	1.00	0.39	370
Residential Condominium/Townhouse	3	230	0.52	Dwelling Unit	1.00	0.52	493
Mobile Home Park	3	240	0.59	Occupied Dwelling Unit	1.00	0.59	559
Senior Adult Housing – Detached	3	251	0.26	Dwelling Unit	1.00	0.26	246
Senior Adult Housing – Attached		252	0.11	Occupied Dwelling Unit	1.00	0.11	104
Congregate Care Facility	1	253	0.17	Occupied Dwelling Unit	1.00	0.17	161
Assisted Living		254	0.22	Bed	1.00	0.22	209
Recreational Homes	1	260	0.26	Dwelling Unit	1.00	0.26	246
Residential Planned Unit Development (PUD)	3	270	0.62	Dwelling Unit	1.00	0.62	588

**Institutional**

County Park	1	412	0.06	Acre	1.00	0.06	57
Beach Park	1	415	1.30	Acre	1.00	1.30	1,232
Regional Park	1	417	0.20	Acre	1.00	0.20	190
Golf Course	1	430	0.30	Acre	1.00	0.30	284
Multipurpose Recreational Facility	1	435	3.35	1,000 sf GFA	1.00	3.35	3,176
Bowling Alley	1	437	3.54	1,000 sf GFA	1.00	3.54	3,356
Movie Theater with Matinee	1	444	0.07	Seat	1.00	0.07	66
Casino/Video Lottery Establishment		473	13.43	1,000 sf GFA	1.00	13.43	12,732
Tennis Courts	1	490	3.88	Tennis Court	1.00	3.88	3,678
Recreational Community Center	1	495	1.64	1,000 sf GFA	1.00	1.64	1,555
Health/Fitness Club	1	492	4.05	1,000 sf GFA	1.00	4.05	3,839
Elementary School	4	520	n/a (see note)	1,000 sf GFA	1.00	n/a	n/a
Middle School/Junior High School		522	1.19	1,000 sf GFA	1.00	1.19	1,128
High School		530	0.97	1,000 sf GFA	1.00	0.97	920
Church		560	0.66	1,000 sf GFA	1.00	0.66	626

**Table 19.35-2  
Schedule of Transportation Impact Fees**

Land Use Category – Trip Generation, 7 <sup>th</sup> Edition*	Notes	ITE Land Use Code	ITE Average PM Peak Hour Trip Rate (1)	Unit**	Pass-By Trip Reduction Factor*** (2)	Net New Trip Rate (3)	Impact Fee Per Unit (4)
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**Institutional (cont)**

Day Care Center		565	13.18	1,000 sf GFA	1.00	13.18	12,495
Library		590	7.09	1,000 sf GFA	1.00	7.09	6,721
Hospital		610	1.18	1,000 sf GFA	1.00	1.18	1,119
Nursing Home	1	620	0.42	1,000 sf GFA	1.00	0.42	398
Clinic	1	630	1.23	Employee	1.00	1.23	1,166

**Business & Commercial**

Hotel		310	0.59	Room	1.00	0.59	559
All Suites Hotel	1	311	0.40	Room	1.00	0.40	379
Motel		320	0.47	Room	1.00	0.47	446
Resort Hotel	3	330	0.42	Room	1.00	0.42	398
Building Materials and Lumber Store	2(a), 3	812	4.49	1,000 sf GFA	0.75	3.37	3,192
Free-Standing Discount Superstore		813	3.87	1,000 sf GFA	0.72	2.79	2,642
Specialty Retail Center	1, 2(b), 3	814	2.71	1,000 sf GLA	0.66	1.79	1,696
Free-Standing Discount Store		815	5.06	1,000 sf GFA	0.83	4.20	3,981
Hardware/Paint Store	3	816	4.84	1,000 sf GFA	0.74	3.58	3,395
Nursery (Garden Center)	2(a)	817	3.80	1,000 sf GFA	0.72	2.74	2,594
Nursery (Wholesale)	2(a)	818	5.17	1,000 sf GFA	0.72	3.72	3,529
Shopping Center	5	820	n/a (see note)	1,000 sf GLA	0.66	n/a	n/a
Factory Outlet Center	2(b)	823	2.29	1,000 sf GFA	0.66	1.51	1,433
New Car Sales	2(a)	841	2.64	1,000 sf GFA	0.75	1.98	1,877
Automotive Parts Sales	1, 3	843	5.98	1,000 sf GFA	0.57	3.41	3,231
Tire Store		848	4.15	1,000 sf GFA	0.72	2.99	2,833
Tire Superstore	2(e)	849	2.11	1,000 sf GFA	0.72	1.52	1,440
Supermarket	3	850	10.45	1,000 sf GFA	0.64	6.69	6,340
Convenience Market (Open 24-Hours)		851	52.41	1,000 sf GFA	0.39	20.44	19,377
Convenience Market (Open 15-16 Hours)	1, 2(i)	852	34.57	1,000 sf GFA	0.39	13.48	12,781
Convenience Store with Gasoline Pumps		853	19.22	Vehicle Fueling Position	0.34	6.53	6,195
Discount Supermarket	3	854	8.90	1,000 sf GFA	0.77	6.85	6,497
Discount Club	2(f)	861	4.24	1,000 sf GFA	0.77	3.26	3,095

**Table 19.35-2  
Schedule of Transportation Impact Fees**

Land Use Category – Trip Generation, 7 <sup>th</sup> Edition*	Notes	ITE Land Use Code	ITE Average PM Peak Hour Trip Rate (1)	Unit**	Pass-By Trip Reduction Factor*** (2)	Net New Trip Rate (3)	Impact Fee Per Unit (4)
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**Business & Commercial (cont)**

Home Improvement Superstore		862	2.45	1,000 sf GFA	0.52	1.27	1,208
Electronic Superstore	1	863	4.50	1,000 sf GFA	0.60	2.70	2,560
Toy Children’s Superstore	1, 2(b)	864	4.99	1,000 sf GFA	0.66	3.29	3,122
Pet Supply Superstore	1, 2(b)	866	4.96	1,000 sf GFA	0.66	3.27	3,103
Office Supply	1, 2(f)	867	3.40	1,000 sf GFA	0.77	2.62	2,482
Book Superstore	1, 2(b)	868	19.53	1,000 sf GFA	0.66	12.89	12,220
Discount Home Furnishing Superstore	1, 2(b)	869	4.01	1,000 sf GFA	0.66	2.65	2,509
Apparel Store	2(b)	870	3.83	1,000 sf GFA	0.66	2.53	2,396
Art and Craft Store	1, 2(f)	879	6.21	1,000 sf GFA	0.77	4.78	4,533
Pharmacy/Drug Store without Drive-Through		880	8.42	1,000 sf GFA	0.47	3.96	3,752
Pharmacy/Drug Store with Drive Through		881	8.62	1,000 sf GFA	0.51	4.40	4,168
Furniture Store		890	0.46	1,000 sf GFA	0.47	0.22	205
Video Rental Store	2(b), 3	896	13.60	1,000 sf GFA	0.66	8.98	8,509
Walk-in Bank	1, 2(d)	911	33.15	1,000 sf GFA	0.53	17.57	16,656
Drive-in Bank		912	45.74	1,000 sf GFA	0.53	24.24	22,982
Quality Restaurant		931	7.49	1,000 sf GFA	0.56	4.19	3,976
High Turnover (Sit –Down) Restaurant		932	10.92	1,000 sf GFA	0.57	6.22	5,901
Fast Food Restaurant without Drive-Through	1, 2(g)	933	26.15	1,000 sf GFA	0.50	13.08	12,395
Fast Food Restaurant with Drive-Through		934	34.64	1,000 sf GFA	0.50	17.32	16,419
Quick Lubrication Vehicle Shop	2(c)	941	5.19	Servicing Position	0.57	2.96	2,804
Automobile Care Center	1, 2(c)	942	3.38	1,000 sf GLA	0.57	1.93	1,826
Automobile Parts and Service Center	1, 2(c)	943	4.46	1,000 sf GLA	0.57	2.54	2,410
Gasoline/Service Station		944	13.86	Vehicle Fueling Position	0.58	8.04	7,621
Gasoline/Service Station w/ Convenience Market		945	13.38	Vehicle Fueling Position	0.44	5.89	5,581
Gasoline/Service Station w/ Convenience Market & Car Wash	2(h)	946	13.33	Vehicle Fueling Position	0.44	5.87	5,560
Self-Service Car Wash	2(h)	947	5.54	Wash Stall	0.44	2.44	2,311

**Office**

General Office Building	3	710	1.49	1,000 sf GFA	1.00	1.49	1,413
Corporate Headquarters Building	3	714	1.40	1,000 sf GFA	1.00	1.40	1,327

**Table 19.35-2  
Schedule of Transportation Impact Fees**

Land Use Category – Trip Generation, 7 <sup>th</sup> Edition*	Notes	ITE Land Use Code	ITE Average PM Peak Hour Trip Rate (1)	Unit**	Pass-By Trip Reduction Factor*** (2)	Net New Trip Rate (3)	Impact Fee Per Unit (4)
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**Office (cont)**

Single Tenant Office Building	3	715	1.73	1,000 sf GFA	1.00	1.73	1,640
Medical Dental Office Building	3	720	3.72	1,000 sf GFA	1.00	3.72	3,527
Government Office Building	1	730	1.20	1,000 sf GFA	1.00	1.20	1,138
United States Post Office		732	10.89	1,000 sf GFA	1.00	10.89	10,324
Office Park	3	750	1.50	1,000 sf GFA	1.00	1.50	1,422
Research and Development Center	3	760	1.08	1,000 sf GFA	1.00	1.08	1,024
Business Park	3	770	1.29	1,000 sf GFA	1.00	1.29	1,223

**Industrial**

General Light Industrial	3	110	0.98	1,000 sf GFA	1.00	0.98	929
General Heavy Industrial	1	120	0.88	Employee	1.00	0.88	834
Industrial Park		130	0.86	1,000 sf GFA	1.00	0.86	815
Manufacturing	3	140	0.74	1,000 sf GFA	1.00	0.74	702
Warehousing	3	150	0.47	1,000 sf GFA	1.00	0.47	446
Mini-Warehouse		151	0.26	1,000 sf GFA	1.00	0.26	246
Utilities	1	170	0.76	1,000 sf GFA	1.00	0.76	720

**Port and Terminal**

Truck Terminal	1	30	0.55	Employee	1.00	0.55	521
Park-and-Ride Lot with Bus Service	3	90	0.62	Parking Space	1.00	0.62	588

\*Trip Generation, Institute of Transportation Engineers, 7<sup>th</sup> Edition, 2003

\*\*Abbreviations include: GFA = Gross Floor Area, sf = square feet, and GLA = Gross Leasable Area

\*\*\*The Pass-By Trip Reduction Factor reduces the Average Trip Rate based on average Pass-By trip percentages in the *ITE Trip Generation Handbook* (2<sup>nd</sup> Edition, 2004).

NET NEW TRIP RATE CALCULATION:

ITE Trip Rate (1)	X	Pass-By Reduction Factor (2)	=	Net New Trip Rate (3)
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IMPACT FEE CALCULATION:

Net New Trip Rate (3)	X	\$948 Per New PM Peak Hour Trip	=	Impact Fee per Unit of Development (4)
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NOTES:

(1) *Trip Generation* (7<sup>th</sup> Edition, 2003) has less than 6 studies supporting this average rate. Applicants are strongly encouraged to conduct, at their own expense, independent trip generation studies in support of their application.

(2) No pass-by rates are available. Pass-by rates were estimated from other similar uses.

Code	Land Use	Pass-By	Trip Reduction Factor
2 (a)	No Data Available 25% Estimated Pass-by		0.75
2 (b)	Shopping Center (850)	0.66	
2 (c)	Auto Parts Sales (843)		0.57
2 (d)	Bank/Drive-in (912)		0.53
2 (e)	Tire Store (848)		0.72
2 (f)	Discount Supermarket (854)		0.77
2 (g)	Fast Food Restaurant with Drive-Through (934)		0.50
2 (h)	Gasoline/Service Station w/ Convenience Market (945)		0.44
2 (i)	Convenience Market (24 Hr) (851)	0.39	

(3) Alternatively, the PM peak hour trip regression equation in *Trip Generation* can be used instead of the average trip rate identified in the table. However, the equation must be used according to the instructions in *Trip Generation*.

(4) No Average PM peak hour trip rate available. Need to perform own PM peak hour traffic count for the identified land use to calculate impact fee.

(5) ITE *Trip Generation* (7<sup>th</sup> Edition, 2003) equation used instead of trip rate.

***Note: The information in this document is a retyped version of the chart and notes that were adopted by Ord. 493, 2009***



# Burien

Washington, USA

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## Community Development Permit Fees and Engineering Review Deposit Schedule

Effective January 1, 2016

Resolution 297

LAND USE PERMIT FEE SCHEDULE	
Type	Fee
Appeal to City Council or Hearing Examiner	\$ 314
Binding Site Plan, Minor	\$ 1,689 + Costs
Binding Site Plan, Major	\$ 5,628 + Costs
Building Permit - Planning Review	\$ 151 + Costs
Comprehensive Plan Map Amendment	\$ 1,878 + Costs
Comprehensive Plan Text Amendment	\$ 1,252 + Costs
Critical Area Reviews	
• Administrative Review Process	\$ 151 + Costs
• Type 1 Review Process	\$ 2,439 + Costs
• Additional Fee For Flood Hazard Area	\$ 1,252 + Costs
Director Approvals	\$ 188 + Costs
Land Use Review, Type 1	\$ 2,439+ Costs
Impact Fee Deferral Administrative Fee	\$ 50
Land Use Review, Type 2	\$ 4,127 + Costs
Land Use Review, Type 3	\$ 5,191 + Costs
Lot Line Adjustment	\$ 625 + Costs
Master Sign Plan	\$ 345 + Costs
Multi-Family Tax Exemption (DC Zone):	
• Application	\$ 625+ \$ 33/unit (maximum \$ 1,751 total)
• Contract Amendment	\$ 439
• Extension of Conditional Certificate	\$ 314
• County Recording and Processing Fees	Fees are established by County
Park /Open Space Mitigation Fees (For Subdivisions/Multi-Family Developments)	Determined on a project-by-project basis.
Pre-application meeting	\$ 314 (will be credited toward application fee if application filed within 6 months)
Quasi-Judicial Rezone	\$ 5,191 + Costs
Road Standards Variance	+ Costs only (Review Time)
Road Vacations	\$ 2,032 + Costs
Shoreline, Substantial Development Permit, Conditional Use or Variance	\$ 1,219 + Costs
Shoreline, Exemption	\$ 156 + Costs
Short Plats, Preliminary	\$ 2,439 + Costs
Short Plats, Final	\$ 1,689 + Costs
Sign Permit—Planning Review	\$ 76
Special Event Sign Permit	\$ 39 except schools, public uses and non-profit organizations
Subdivision, Alteration/Vacation—Type 1 Review Process	\$ 2,439 + Costs
Subdivision, Alteration/Vacation—Type 3 Review Process	\$ 5,191 + Costs
Subdivision, Preliminary	\$ 5,628 + Costs
Subdivision, Final	\$ 1,689 + Costs
Temporary Use Permit	\$ 314 + Costs
Vegetation Management Plan Review (Tree Removal/Pruning Permit)	\$ 218 + Costs
Zoning Compliance Letter	\$ 82

**LEGEND**

1. + Costs: The Land Use Permit Fee Schedule includes within the application base fee the ordinary costs associated with project review by Community Development Department Staff. In addition to the application fee, the applicant shall deposit the minimum amounts required for engineering review in accordance with the schedule set forth. The City may draw upon such deposits at the rate of \$ 82.00 for each hour of engineering review. The applicant shall replenish such deposits when the reimbursable costs for engineering review meet or exceed the amount deposited.

In addition to the application base fee and engineering fees, the applicant shall, by mutual agreement, reimburse the City for the costs of professional engineers and other consultants hired by the City to review and inspect the applicant's proposal when the City is unable to do so with existing in-house staff. These professional services may include, but are not limited to: engineering, traffic engineering, legal, planning, hearing examiner, environmental review, financial, accounting, soils, mechanical and structural engineering. The City may require the applicant to deposit an amount with the City to cover anticipated costs of retaining professional consultants.

In the event that a project requires special staff analysis beyond that which is included in the base fee, the applicant shall reimburse the City at a rate of \$ 82.00 per hour for this extra staff time. The City may require the applicant to deposit an amount with the City to cover anticipated costs of performing special staff analysis.

2. For site development inspections, including inspections required by NPDES Phase 2 permit, the applicant shall provide a \$ 486.00 base fee plus the applicant shall reimburse the City at the rate of \$82.00 per hour for additional inspection time beyond the 6 hours included in the \$ 486.00 base fee.

<b>ENGINEERING REVIEW DEPOSITS FOR PUBLIC WORKS</b>	
<b>Item</b>	<b>Engineering Review Deposit</b>
Short plats	\$ 1,634
Critical Area Review	\$ 2,177
Plats 10 lots or less	\$ 2,722
Plats more than 10 lots	\$ 4,355
Multi-Family & commercial project less than 4,000.00 square feet building area	\$ 2,177
Multi-Family & commercial project more than 4,000.00 square feet building area	\$ 3,266

Notes:

1. These amounts are the minimum deposit required.
2. Actual engineering review costs may differ from the deposits required above. If the actual engineering review costs are less, the balance of the engineering deposit will be returned. Additional deposits and/or full payment will be required if actual engineering review costs exceed the deposit.

## BUILDING PERMIT FEE SCHEDULE

*Permit fees are computed on the basis of project valuation plus Review Fees.*

Project Valuation	Fee Amount
\$1 - \$ 2,000	\$ 82.00
\$2,000.01 - \$25,000	\$ 82.00 for the first \$ 2,000 + \$ 16.00 for each additional \$ 1,000 or fraction thereof, to and including \$ 25,000
\$25,000.01 - \$50,000	\$ 450.00 for the first \$ 25,000 + \$ 12.00 for each additional \$ 1,000 or fraction thereof, to and including \$50,000
\$50,000.01 - \$100,000	\$ 750.00 for the first \$ 50,000 + \$ 8.00 for each additional \$ 1,000 or fraction thereof, to and including \$ 100,000
\$100,000.01 - \$500,000	\$ 1,150.00 for the first \$ 100,000 + \$ 6.45 for each additional \$ 1,000 or fraction thereof, to and including \$ 500,000
\$500,000.01 - \$1,000,000	\$ 3,730.00 for the first \$ 500,000 + \$ 5.50 for each additional \$ 1,000 or fraction thereof, to and including \$ 1,000,000
\$1,000,000.01 & up	\$ 6,480.00 for the first \$ 1,000,000 + \$ 4.30 for each additional \$ 1,000 or fraction thereof
Plan Review Fee	65% of the Permit Fee – minimum \$ 82.00
Plan Review for revisions / Modifications / Deferred Submittals	\$ 82.00 per hour review fee
Inspection or plan review not otherwise included or specified	\$ 82.00 per hour
Reinspection	\$ 82.00 per hour
Demolition Permit	Flat fee: \$ 110.00
Clear and Grade Permit	Same as Building Permit Fees
Reroof: Commercial	Same as Building Permit Fees
Reroof: Residential	Flat Fee: \$ 110.00
Damage Assessment Inspection	\$ 82.00 per hour
Site Development and NPDES Inspection	\$ 486 + Costs
Planning Review Fee	\$ 151.00
Public Works Drainage Review Fee	\$ 82.00
State Building Code Council Surcharge	\$ 4.50 each building permit, plus \$ 2.00 for each additional unit in a Multi-Family residential building.

<b>MECHANICAL PERMIT FEE SCHEDULE – Single Family Dwellings</b>	
New single-family dwelling	\$ 192.00
Each new one family dwelling within a two-family dwelling or townhome	\$ 192.00 each
New installation (existing dwelling with no existing ducting or venting)	\$ 192.00
<b>Additions and Remodels</b>	
Each new or replaced appliance*	\$ 64.00
More than two new or replaced appliances*	\$ 192.00
Gas piping only (no equipment or appliances)	\$ 64.00
Plan Review Fee	65% of the Permit Fee – Minimum \$ 82.00
Plan Review for revisions / modifications	\$ 82.00 per hour review fee
Inspection, reinspection or plan review not otherwise included or specified	\$ 82.00 per hour

(\*Gas piping included)

<b>MECHANICAL PERMIT FEE SCHEDULE – Multi-Family and Commercial</b>	
<i>Permit fees are computed on the basis of project valuation plus Review Fees.</i>	
<b>Project Valuation</b>	<b>Fee Amount</b>
\$1 - \$ 2,000	\$ 82.00
\$2,000.01 - \$25,000	\$ 82.00 for the first \$ 2,000 + \$ 16.00 for each additional \$ 1,000 or fraction thereof, to and including \$ 25,000
\$25,000.01 - \$50,000	\$ 450.00 for the first \$ 25,000 + \$ 12.00 for each additional \$ 1,000 or fraction thereof, to and including \$50,000
\$50,000.01 - \$100,000	\$ 750.00 for the first \$ 50,000 + \$ 8.00 for each additional \$ 1,000 or fraction thereof, to and including \$ 100,000
\$100,000.01 - \$500,000	\$ 1,150.00 for the first \$ 100,000 + \$ 6.45 for each additional \$ 1,000 or fraction thereof, to and including \$ 500,000
\$500,000.01 - \$1,000,000	\$ 3,730.00 for the first \$ 500,000 + \$ 5.50 for each additional \$ 1,000 or fraction thereof, to and including \$ 1,000,000
\$1,000,000.01 & up	\$ 6,480.00 for the first \$ 1,000,000 + \$ 4.30 for each additional \$ 1,000 or fraction thereof
Plan Review Fee	65% of the Permit Fee – Minimum \$ 82.00
Plan Review for revisions / modifications	\$ 82.00 per hour review fee
Inspection or plan review not otherwise included or specified	\$ 82.00 per hour
Reinspection	\$ 82.00 per hour

<b>PLUMBING PERMIT FEE SCHEDULE - Single-Family Dwellings</b>	
New single-family dwelling	\$ 192.00
Each new one family dwelling within a two-family dwelling or townhome	\$ 192.00 each
Additions and Remodels	
Each new or replaced fixture	\$ 64.00
More than two new or replaced fixtures	\$ 192.00
Plan Review Fee	65% of the Permit Fee- Minimum \$ 82.00
Plan Review for revisions / modifications	\$ 82.00 per hour review fee
Inspection or plan review not otherwise included or specified	\$ 82.00 per hour
Reinspection	\$ 82.00 per hour

<b>PLUMBING PERMIT FEES SCHEDULE – Multi-Family and Commercial</b>	
<i>Permit fees are computed on the basis of project valuation plus Review Fees.</i>	
<b>Project Valuation</b>	<b>Fee Amount</b>
\$1 - \$ 2,000	\$ 82.00
\$2,000.01 - \$25,000	\$ 82.00 for the first \$ 2,000 + \$ 16.00 for each additional \$ 1,000 or fraction thereof, to and including \$ 25,000
\$25,000.01 - \$50,000	\$ 450.00 for the first \$ 25,000 + \$ 12.00 for each additional \$ 1,000 or fraction thereof, to and including \$50,000
\$50,000.01 - \$100,000	\$ 750.00 for the first \$ 50,000 + \$ 8.00 for each additional \$ 1,000 or fraction thereof, to and including \$ 100,000
\$100,000.01 - \$500,000	\$ 1,150.00 for the first \$ 100,000 + \$ 6.45 for each additional \$ 1,000 or fraction thereof, to and including \$ 500,000
\$500,000.01 - \$1,000,000	\$ 3,730.00 for the first \$ 500,000 + \$ 5.50 for each additional \$ 1,000 or fraction thereof, to and including \$ 1,000,000
\$1,000,000.01 & up	\$ 6,480.00 for the first \$ 1,000,000 + \$ 4.30 for each additional \$ 1,000 or fraction thereof
Plan Review Fee	65% of the Permit Fee – Minimum \$ 82.00
Plan Review for revisions / modifications	\$ 82.00 per hour review fee
Inspection, reinspection or plan review not otherwise included or specified	\$ 82.00 per hour

<b>ELECTRICAL PERMIT FEES - Single-Family Dwellings</b>	
New single-family dwelling	\$ 123.00
Each new one family dwelling within a two-family dwelling or townhome	\$ 123.00 each
Solar Photo-Voltaic Installations	\$ 123.00
Garages, Pools, Spas, and Outbuildings	\$ 88.00
Low Voltage Systems	\$ 79.00
Single Family Remodel and Service Changes	
Adding or extending 0-5 circuits	\$ 88.00
Adding or extending 6 or more circuits	\$ 123.00
Service Reactivation	\$ 59.00
Temporary Service	\$ 59.00
Mobile Home Service	\$ 59.00
Plan Review Fee	25% of the Permit Fee – Minimum \$ 82.00
Plan Review for revisions / modifications	\$ 82.00 per hour review fee
Inspection, reinspection or plan review not otherwise included or specified	\$ 82.00 per hour

<b>ELECTRICAL &amp; LOW VOLTAGE PERMIT FEE SCHEDULE – Multi-Family and Commercial</b>	
<i>Permit fees are computed on the basis of project valuation plus Review Fees.</i>	
<b>Project Valuation</b>	<b>Fee Amount</b>
\$ 1 - \$1,000	\$ 82.00
\$1,000.01 - \$5,000	\$ 82.00 plus 2.13% of the cost over \$ 1,000
\$5,000.01 - \$50,000	\$ 167.20 plus 1.59% of the cost over \$5 ,000
\$50,000.01 - \$250,000	\$ 883.00 plus 1.16% of the cost over \$ 50,000
\$250,000.01 - \$1,000,000	\$ 3,203.00 plus 0.92% of the cost over \$ 250,000
\$1,000,000.01 & up	\$ 10,103. plus 0.51% of the cost over \$ 1,000,000
Plan Review Fee	25% of the Permit Fee – Minimum \$ 82.00
Plan Review for revisions / modifications	\$ 82.00 per hour review fee
Inspection, reinspection or plan review not otherwise included or specified	\$ 82.00 per hour
Temporary Service	\$ 59.00
Service Reactivation	\$ 59.00
Electrical Safety Inspection	\$ 134.00
Mobile Home Service	\$ 59.00
Carnivals	
Base Fee	\$ 76.00
Each Concession	\$ 14.00

**FIRE SERVICE PERMIT FEE SCHEDULE – (FIRE SPRINKLER & ALARM SYSTEMS)**

*Permit fees are computed on the basis of project valuation plus Review Fees.*

Project Valuation	Fee Amount
\$1 - \$ 2,000	\$ 82.00
\$2,000.01 - \$25,000	\$ 82.00 for the first \$ 2,000 + \$ 16.00 for each additional \$ 1,000 or fraction thereof, to and including \$ 25,000
\$25,000.01 - \$50,000	\$ 450.00 for the first \$ 25,000 + \$ 12.00 for each additional \$ 1,000 or fraction thereof, to and including \$50,000
\$50,000.01 - \$100,000	\$ 750.00 for the first \$ 50,000 + \$ 8.00 for each additional \$ 1,000 or fraction thereof, to and including \$ 100,000
\$100,000.01 - \$500,000	\$ 1,150.00 for the first \$ 100,000 + \$ 6.45 for each additional \$ 1,000 or fraction thereof, to and including \$ 500,000
\$500,000.01 - \$1,000,000	\$ 3,730.00 for the first \$ 500,000 + \$ 5.50 for each additional \$ 1,000 or fraction thereof, to and including \$ 1,000,000
\$1,000,000.01 & up	\$ 6,480.00 for the first \$ 1,000,000 + \$ 4.30 for each additional \$ 1,000 or fraction thereof
Plan Review Fee	65% of the Permit Fee – minimum \$ 82.00
Plan Review for revisions / modifications / deferred submittals	\$ 82.00 per hour review fee
Intake Fee for revisions / modifications / deferred submittals when no plan review fee is collected	\$ 82.00



## Impact Fee Deferral Application

400 SW 152<sup>nd</sup> Street, Suite 300 Burien, WA 98166  
Phone: (206) 241-4647 • FAX: (206) 248-5539  
www.burienwa.gov

File Number  
\_\_\_\_\_

### Impact Fee Deferral

Pursuant to Revised Code of Washington (RCW) 82.02.050(3) and City of Burien Ordinance No. 646, a developer/applicant may request that payment of impact fees be deferred until (1) final inspection; (2) issuance of the Certificate of Occupancy or equivalent certification; or (3) the closing of the first sale of the property after the issuance of the applicable building permit, whichever comes first; provided that the term of the impact fee deferral shall not exceed 18 months from the date of building permit issuance.

#### IMPACT FEE DEFERRAL PROCESS

1. The applicant may begin the fee deferral process at any time in advance of building permit issuance. The process begins by requesting a calculation of the impact fee(s) from staff at the permit counter. The impact fee is calculated based on the fee schedule in effect at the time this application is submitted to the City. Impact fees do not vest and are subject to change.
2. The applicant must grant and record a deferred impact fee lien, on a form provided by the City, against the property in favor of the City in the amount of the deferred impact fee. This lien will be released upon payment of the impact fee. The lien must include the legal description of the property, tax parcel number and address of the property. The lien must also be notarized and signed by all of the individuals listed on the title to the property. The applicant must provide the City with a copy of a current Title Report (created within 30 days of the recording of the lien) for verification.

If the property is owned by a company, partnership, corporation, or other entity, then the lien must be signed by an authorized company representative and documentation must be provided verifying this individual's authority to sign. The applicant must [record the lien](#) with the King County Recorder's Office and is responsible for any [fees](#) associated with the recording of the lien and for complying with the requirements of the King County Recorder's Office.

3. The applicant may then submit the Impact Fee Deferral Request form along with a copy of the recorded lien and pay a non-refundable \$50 administration fee at the permit counter.

4. Payment of the impact fee is due at the Community Development permit counter prior to (1) final inspection; (2) issuance of the Certificate of Occupancy or equivalent certification; or (3) the closing of the first sale of the property after the issuance of the applicable building permit, whichever comes first and further provided that the term of the impact fee deferral shall not exceed 18 months from the date of building permit issuance. Once payment is received, the City will issue a lien release document that the applicant may file with the King County Recorder's Office. The applicant is responsible for any [fees](#) associated with releasing the lien.

#### **THINGS TO KNOW**

- Impact fees do not vest and, therefore, are subject to change. To check the current transportation and school impact fees amount, please call Burien Community Development: (206) 248-5510.
- An applicant is entitled to defer impact fees for no more than 20 single family dwelling unit building permits per year in the City.
- Buildings cannot be occupied until impact fees are paid and final inspection has occurred. Temporary certificates of occupancy will NOT be issued until any deferred impact fees are paid.
- In the event that the deferred impact fee is not paid within the 18-month timeframe, the City may pursue foreclosure proceedings under the process set forth in Chapter 61.12 RCW. The property owners will be responsible for all costs incurred in foreclosure proceedings, including reasonable attorneys' fees.

*[This section to be completed by City of Burien Community Development staff]*

<b>Impact Fee Calculation</b> Total fees due: _____ Staff Signature: _____ Date: _____	Building Permit Issued:  Impact Fee Due Date:
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### IMPACT FEE DEFERRAL APPLICATION FORM

#### Ownership information

Property Owner(s)/Lien Grantor(s) (list full legal name(s)/corporate identities of all owners listed on the title):

\_\_\_\_\_

Preferred contact person: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Contractor registration number: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

#### Property Information

Property Address: \_\_\_\_\_

Building permit number: \_\_\_\_\_ Parcel Number: \_\_\_\_\_

Legal description of the property (please attach as Exhibit A)

**WHEN RECORDED, RETURN TO:**

**City of Burien  
400 SW 152<sup>nd</sup> Street, Suite 300  
Burien, WA 98166**

**AGREEMENT FOR LIEN FOR DEVELOPMENT IMPACT FEES**

**Lien for Benefit of Grantee:** City of Burien, a municipal corporation

**Person(s) Indebted to Grantee (“Grantor(s)”):** \_\_\_\_\_

**Reference Number(s) of Related Document(s):** \_\_\_\_\_

**Impact Fee Deferral Application Number:** \_\_\_\_\_

**Principal Amount of the Lien for Development Impact Fees:** \_\_\_\_\_

**Assessor’s Tax Parcel Number:** \_\_\_\_\_

**Legal Description (Abbreviated):** \_\_\_\_\_

**Full legal description:** See Exhibit A attached.

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This AGREEMENT FOR LIEN FOR DEVELOPMENT IMPACT FEES (“Agreement”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between \_\_\_\_\_ (“Grantor”) and the CITY OF BURIEN, a Washington municipal corporation (“City” or “Grantee”).

I/we hereby request deferral of payment of impact fees associated with building permit # \_\_\_\_\_ and agree that impact fees of \$ \_\_\_\_\_ are due to the City of Burien prior to (1) final building inspection conducted by the City, (2) issuance of the certificate of occupancy or (3) the closing of the first dale of the property after issuance of the building permit, whichever comes first; provided that the term of the impact fee deferral shall not exceed 18 months from the date of building permit issuance.

The City of Burien hereby claims a Lien for Development Impact Fees (which may include school and/or transportation impact fees), against the above described real property.

This agreement runs with the land and creates an obligation on behalf of the Grantor and owners of the affected real property. The agreement is binding on successors and assigns of the Grantor. The Grantor shall record this agreement in the King County property records and submit copy of recording to the City.

The Grantor agrees and acknowledges that the City will not perform a final inspection on the property until the impact fees are paid. The Grantor acknowledges that the building cannot and will not be occupied prior to final inspection and issuance of a certificate of occupancy. The Grantor also acknowledges that the City and/or the Highline School District may pursue foreclosure proceedings if the impact fees are not paid.

The lien amount is due and owing to the City upon (1) final building inspection conducted by the City; (2) issuance of the certificate of occupancy; or (3) closing of sale of the above-described real property by the escrow agent from the proceeds of sale, whichever comes first. The term of the impact fee deferral shall not exceed 18 months. All payments shall be made payable to the City and shall be directed to the City of Burien Community Development Permit Center, 400 SW 152<sup>nd</sup> Street, Suite 300, Burien, WA 98166.

Upon payment of the impact fees, the City agrees to execute a Release of Lien, substantially in the form attached hereto as Exhibit B. The Grantor may, at his or her own expense, record the Release of Lien.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY OF BURIEN,  
GRANTEE/LIENHOLDER**

By: \_\_\_\_\_  
Title: Director of Community Development  
Address: 400 SW 152<sup>nd</sup> Street, Suite 300  
Burien, WA 98166

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**GRANTOR(S)**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*



**EXHIBIT A**

**(Full Legal Description of Property)**



# Public Hearing Notice

City of Burien

400 SW 152<sup>nd</sup> St, Suite 300

Burien, Washington 98166

## Hearing Information

The City of Burien Planning Commission will hold a public hearing on **June 22, 2016, at 7:00 p.m.** at Burien City Hall, 400 SW 152<sup>nd</sup> St, to receive public comments on proposed amendments to zoning code regulations pertaining to transportation impact fees. The proposed amendments will establish a process for deferred payment of transportation impact fees.

## Applicant

City of Burien

## Proposal

Amendments are proposed to the Burien Zoning Code (BMC Title 19.35) amending transportation impact fee regulations to comply with the State requirement to include a deferral system for the collection of transportation impact fees for new single-family detached and attached residential construction. The proposed amendment will establish a process and maximum term for deferral of the impact fee, impose a reasonable administrative application fee and limit the deferral to the first 20 single-family residential building permits, annually, per applicant.

## File No.

2016 Transportation Impact Fee Deferred Payment Amendment

A summary of the proposed zoning regulations and the project file are available for viewing at Burien City Hall during regular business hours.

## How to Comment

Any person may submit written or oral comments or testimony at the public hearing, or may submit written comments prior to the hearing. Written comments may be submitted in person, via mail, e-mail or by facsimile. All documents submitted or requested as part of this application, including the City staff report are available for review at City Hall during regular business hours.

## Project Planner (for submittal of written comments or for more information)

Charles W. "Chip" Davis, AICP  
Community Development Director  
City of Burien  
400 SW 152<sup>nd</sup> St, Suite 300  
Burien, WA 98166

Phone: (206) 248-5501  
E-Mail: [chipd@burienwa.gov](mailto:chipd@burienwa.gov)

Date of Notice: June 8, 2016

## Published in the Seattle Times

June 8, 2016

cc: Burien City Council  
Burien City Staff  
Burien Library

Westside Weekly  
Seahurst Post Office  
Web site: [www.burienwa.gov](http://www.burienwa.gov)

B-Town Blog  
Discover Burien  
White Center Now

CITY OF BURIEN, WASHINGTON  
MEMORANDUM

**DATE:** June 22, 2016

**TO:** Planning Commission

**FROM:** Niomi Zinn, Planner & Brandi Eyerly, AICP, Planner

**SUBJECT:** Amending BMC 19.25.120 through 180 Significant Tree Retention, Incentives, Protection, Replacement, and Maintenance  
Item 1: Existing Significant Tree Retention Regulations  
Item 2: Heritage/Exceptional Tree Preservation

**PURPOSE/REQUIRED ACTION:**

Review and discuss proposed significant tree language. Provide further direction to staff with changes and or amendments in preparation for the July 13<sup>th</sup> public hearing. No action required.

**BACKGROUND:**

At the May 25, 2016 meeting, Planning Commission discussed Item 1 on the significant tree priority list "Existing Significant Tree Retention Regulations". The commission was able to reach a consensus on ten (10) amendment recommendations were agreed upon. Planning staff was directed to bring back language that incorporated these ten (10) amendment recommendations into BMC 19.25.120. Attachment 1 contains language pertaining to six (6) of those items. , (see Attachment 1, "Draft Amendments to BMC 19.10 Definitions, 19.25.080 Landscaping, and 19.25.120 Significant trees – Retention required).

The following four (3) amendment recommendations were not included in Attachment 1 as they not specifically require changes to the BMC and need further discussion:

1. Create a process for defining, designating and protecting heritage trees.

*This is Item 2 on the priority list. Information is provided in the Commissioner Agenda packet for discussion. Five cities on "Sampling of Regional Tree Retention Policies" were found to have heritage tree programs. Attachment 2 "Heritage Tree Program Study" compares the cities' heritage tree definitions, the nomination and review process, retention incentives and other miscellaneous items such as enforcement.*

Consider how the definition, designation and retention regulations of Heritage Trees in these jurisdictions might apply to the City of Burien

- For the definition of Heritage/exceptional trees consider size, species, age, historical significance, location, and aesthetics as potential defining factors for heritage trees.
- For the designation of Heritage/Exceptional trees consider nomination by property owners, council, staff, and residents.
- For the retention of Heritage Trees consider voluntary and incentivized measures.
- Identify any known trees of local importance to the community.
- Review existing Comprehensive Plan policies that provide direction for the preservation of trees of local and historical significance within the City and consider if amendments are required to include the implementation of a Heritage/Exceptional Tree Program.

2. A higher standard for public tree replacement in parks, city owned properties and rights-of way. Establish a minimum tree retention and density requirements for parks, city owned properties and rights-of-way properties.

*Planning staff needs to coordinate this with the Parks and Public Works Department. This will be brought back to the Commission at a later date.*

3. Create charts/tables showing requirements for minor tree removal, density and retention.

*A table was created for tree removal. Retention is outlined in percentages for each landscape category (see Attachment 1, section 19.25.120).*

4. Create a public outreach program teaching the importance of trees to wildlife, environment and quality of life.

*Planning staff needs more time to create a program and coordinate with Public Works and Parks Departments. This will be brought back to the Commission at a later date.*

#### **ATTACHMENTS:**

- (1) Draft Amendments to BMC 19.10 Definitions, 19.25.080 Landscaping, and 19.25.120 Significant trees – Retention required.
- (2) Heritage Tree Program Study and associated documents

#### **PLANNING COMMISSION ACTION**

Review and discuss proposed significant tree language. Provide further direction to staff with changes and or amendments in preparation for the July 13th public hearing. No formal action is required at this time.

Commission should discuss and reach a consensus on:

- The new language in Attachment 1; and
- What will define a heritage tree in the City of Burien? What type of program and process should be created to protect them?

A public hearing is scheduled for July 13<sup>th</sup> to hear public comment and to discuss “Existing Significant Tree Retention Regulations and Heritage/Exceptional Tree Preservation”.

If you have any questions before the meeting, please contact either Brandi Eyerly at (206) 248-5519 or by email at [BrandiE@burienwa.gov](mailto:BrandiE@burienwa.gov) or Niomi Zinn (206) 248-5152 or by email at [NiomiZ@burienwa.gov](mailto:NiomiZ@burienwa.gov).

<p><b>Draft Amendments to BMC 19.10 Definitions, 19.25.080 Landscaping, and 19.25.120 Significant trees – Retention required.</b></p>	<p><b>Recommendations &amp; Comments</b></p>
<p><b>DEFINITIONS</b></p> <p><b><u>19.10.412 Prohibited tree</u></b></p> <p><i>- Black locust, cottonwood, native alder, native willow, Lombardy poplar, and European ash are prohibited in new land development landscaping or planted as a required replacement tree on private and public property. However, these prohibited trees when existing on a lot shall be included on tree retention plans and counted as a significant tree if meeting the definition in BMC 19.10.493.</i></p> <p><b><u>19.10.493 Significant tree</u></b></p> <p>– An existing healthy tree which, when measured four feet above grade, has a minimum diameter of <u>six (6) inches</u>.</p> <p><u>1. Eight inches for evergreen trees, or</u></p> <p><u>2. Twelve inches for deciduous trees.</u> [Ord. 293 § 1, 2000]</p> <p><b><u>19.25.080 Landscaping – General requirements.</u></b></p> <p>1. A landscaping and irrigation plan shall be submitted for review and approval by the Director. Written requirements for the landscaping and irrigation plan shall be established by the Director. The landscaping and irrigation plan shall be prepared by a Washington State registered landscape architect, Washington Certified Nurseryman/Landscaper, or other qualified landscape designer as authorized by the Director. The irrigation plan may be prepared by a certified irrigation designer.</p> <p>2. New landscaping materials shall include species native to the Pacific Northwest or non-native noninvasive species that have adapted to the climatic conditions of the coastal region of the Pacific Northwest in the following minimum amounts:</p> <p style="padding-left: 40px;">A. Seventy-five percent of groundcover and shrubs, and</p>	<p>Prohibit the planting of black locust, cottonwood, native alder, native willow, Lombardy poplar, and European ash; existing will be considered the same as other trees and will count towards significant tree total.</p> <p>Refine definition of significant tree as 6 inch caliper for both deciduous and evergreen trees.</p>

<p>B. Fifty percent of trees;</p> <p>3. At least 60 percent of new landscaping materials shall consist of drought-tolerant species, except where site conditions within the required landscape areas assure adequate moisture for growth;</p> <p>4. Existing vegetation may be used to augment new plantings to meet the standards of this chapter;</p> <p>5. Deciduous trees shall have a caliper of at least 1.75 inches at the time of planting. The caliper may be averaged, but no individual tree shall have a caliper of less than 1.5 inches;</p> <p>6. Evergreen trees shall be at least six feet in height measured from treetop to the ground at the time of planting;</p> <p><u>7. No tree defined as a prohibited tree in BMC 19.10.142 shall be planted.</u></p> <p><b>19.25.120 Significant trees – Retention required.</b></p> <p>Significant trees shall be retained as follows:</p> <p>1. All significant trees on an undeveloped lot shall be retained. <u>There shall be no tree removal or land clearing on any site for preparing that site for future development unless a Land Use Permit has been approved by the City.</u></p> <p>2. Landscape category A: Thirty percent (30%) of the significant trees located on the site, excluding critical areas or their buffers.</p> <p>3. Landscape category B: Ten percent of the significant trees located on the site, excluding critical areas or their buffers.</p> <p>4. Landscape categories C, D and F: Five percent of the significant trees located on the site, excluding critical areas or their buffers.</p>	<p>Prohibited trees cannot be planted.</p> <p>New language added by Planning staff prohibiting clearing in preparation of development before land use permit approved.</p>
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5. If significant trees were previously located in a closed, forested situation, an adequate area of smaller trees shall be retained or replaced on the fringe of such significant trees;

6. A grouping of three or more existing trees with canopies that touch or overlap, may be substituted for each required significant tree, provided each tree has a diameter of at least three inches when measured four feet above grade;

7. Except as provided in BMC 19.25.120.8, significant trees to be retained shall not include significant trees that, according to an evaluation by a Certified Arborist, are:

A. Damaged or diseased; or

B. Safety hazards due to potential root, trunk or primary limb failure, or exposure of mature trees which have grown in a closed, forested situation.

8. At the discretion of the Director, damaged or diseased or standing dead trees may be retained and counted toward the significant tree requirement if demonstrated that such trees will provide important wildlife habitat and is not classified as a dangerous tree. [Ord. 293 § 1, 2000]

9. If the formula for determining the number of significant trees to be retained results in a fraction, the number of significant trees to be retained shall be rounded up to the nearest whole number. [Ord. 620 § 1, 2016; Ord. 484 § 1, 2008]

**19.25.130 Significant trees – Retention plan.**

The applicant shall submit a tree retention plan concurrent with a land use review application, grading permit application, building permit application, preliminary subdivision application or short subdivision application, whichever is reviewed and approved first. The Director shall compile and maintain a

Determination by professional added by Planning staff to verify condition of tree and appropriate action.

database of significant trees based upon the submitted and approved tree retention plans. The tree retention plan shall consist of:

1. A tree survey that identifies the location, size and species of all significant trees on a site. The tree survey may be conducted by a method that locates individual significant trees or by using standard timber cruising methods to reflect general locations, numbers and grouping of significant trees provided that, when using either method, the survey:

A. Shall also show the location and species of each significant tree that is intended to qualify for additional credit pursuant to BMC 19.25.140; and

B. Any tree 18 inches or greater diameter for the purpose of establishing wildlife habitat value;

2. A development plan identifying the significant trees that are proposed to be retained, transplanted or restored. [Ord. 293 § 1, 2000]

**19.25.140 Significant trees – Incentives for retention.**

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Each significant tree that is retained may be credited as two trees for complying with the retention requirements of BMC 19.25.120, provided it meets one or more of the following criteria:

1. The tree exceeds 60 feet in height, or 24 inches in diameter for evergreen trees or 30 inches for deciduous trees;

2. The tree is located in a grouping of at least five trees with canopies that touch or overlap;

3. The tree provides energy savings through winter wind protection or summer shading as a result of its location relative to buildings;

4. The tree belongs to a unique or unusual species;

5. The tree is located within 25 feet of any critical area or required critical area buffer; and

6. The tree is 18 inches or greater and is identified as providing valuable wildlife habitat. [Ord. 293 § 1, 2000]

**19.25.150 Significant trees – Protection.**

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To provide the best protection for significant trees:

1. No clearing shall be allowed on a site until approval of tree retention and landscape plans;

2. An area of prohibited disturbance, generally corresponding to the dripline of the significant tree shall be protected during construction with a temporary five-foot-high chain link or plastic net fence. The fencing shall be installed prior to issuance of development permits for the site;

3. No impervious surfaces, fill, excavation, or storage of construction materials shall be permitted within the area defined by such fencing;

4. A rock well shall be constructed if the grade level around the tree is to be raised by more than one foot. The inside diameter of the well shall be equal to the diameter of the dripline of the tree;

5. The grade level shall not be lowered within the larger of the two areas defined as follows:

A. The dripline of the tree(s); or

B. An area around the tree equal to one foot diameter for each inch of tree trunk diameter measured four feet above the ground;  
and

6. Alternative protection methods may be used if determined by the Director to provide equal or greater tree protection. [Ord. 293 § 1, 2000]

**19.25.160 Minor Tree Removal Activities.**

Except as provided in BMC 19.40 Critical Areas, removal of trees and associated use of mechanical equipment is permitted on developed lots subject to Landscape Category A requirements at the rates specified within the table below, provided subsections 1 through 3 of this Section are satisfied. No trees may be removed from a vacant lot. A Vegetation Management Plan prepared by a Certified Arborist is required for removal of trees in excess of the rates listed in Table 19.25.160 1 Tree Removal Schedule.

<u>Lot Size</u>	<u>Maximum number of significant trees* allowed to be removed in any twelve (12) month period</u>	<u>Maximum number of significant trees* allowed to be removed in five (5) years</u>
<u>Lots up to 7,200 sq. ft.</u>	<u>1</u>	<u>2</u>
<u>Lots 7,201 to 12,000 sq. ft.</u>	<u>3</u>	<u>6</u>
<u>Lots 12,001 to 20,000 sq. ft.</u>	<u>4</u>	<u>8</u>
<u>Lots 20,001 sq. ft. or greater</u>	<u>6</u>	<u>12</u>

\*Except Heritage trees shall not be removed without a Vegetation Management Plan prepared by a Certified Arborist.

Table 19.25.160 1 Tree Removal Schedule

1. Percentage of trees required in BMC 19.25.120 shall be retained;
2. There is not an active land development application for the site; and
3. The tree is not a Heritage tree.

“Stagger tree removal over time on private and public properties.”

“Create charts/tables showing requirements for minor tree removal..”

Staff added requirement for a vegetation management plan prepared by a Certified arborist if more trees than maximum stated are to be removed.

**19.25.160 Significant trees – Replacement.**

When the required number of significant trees pursuant to BMC 19.25.120 cannot be retained, the required number of significant trees that are removed shall be replaced with: [Ord. 484 § 1, 2008]

1. Transplanted significant trees; or
2. New trees measuring three-inch caliper or more, at a replacement rate of one and one-half (1.5) inches diameter for every one inch diameter of the largest caliper removed significant tree; or
3. New trees measuring less than three-inch caliper at a replacement rate of two inches diameter for every one inch diameter of the largest caliper removed significant tree on a space available basis in conjunction with the site plan. [Ord. 293 § 1, 2000]

4. No tree defined as a prohibited tree in BMC 19.10.142 shall be planted.

**19.25.170 Maintenance.**

1. All landscaping and significant trees shall be maintained for the life of the project.
2. All landscape materials and significant trees shall be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent primary limb failure;
3. With the exception of dead, diseased or damaged trees specifically retained to provide wildlife habitat, other dead, diseased, damaged or stolen plantings shall be replaced within three months or during the next planting season if the loss does not occur in a planting season; and
4. Landscape areas shall be kept free of trash. [Ord. 293 § 1, 2000]

Use the largest caliper significant tree to be removed for basis of replacement ratio.

Prohibits planting trees defined as prohibited.

**19.25.180 Bonds/security.**

Performance bonds or other appropriate security (including letters of credit and set-aside letters) shall be required for a period of two years after the planting or transplanting of vegetation to insure proper installation, establishment and maintenance. [Ord. 293 § 1, 2000]

# HERITAGE TREE PROGRAM STUDY

CITY & ASSOCIATED GROUPS	HERITAGE TREE DEFINITION	NOMINATION & REVIEW	RETENTION INCENTIVES	OTHER
<b>Seattle &amp; Plant Amnesty</b>	<ul style="list-style-type: none"> <li>• Specimen: A tree of exceptional size, form, or rarity.</li> <li>• Historic: A tree recognized by virtue of its age, its association with or contribution to a historic structure or district, or its association with a noted person or historic event.</li> <li>• Landmark: Trees that are landmarks of a community.</li> <li>• Collection: Trees in a notable grove, avenue, or other planting.</li> </ul>	<ul style="list-style-type: none"> <li>• Tree must be within city limits.</li> <li>• Nomination must include owners name and contact information.</li> <li>• With owner approval, nomination is reviewed by committee and voted upon.</li> <li>• Then, it is assessed by a certified arborist.</li> <li>• Trees can be nominated as an individual or collection</li> </ul>	Dedications (public, private) Includes a certificate, tree owner’s manual, and a “City among the trees” booklet.	<ul style="list-style-type: none"> <li>• Plant Amnesty Suggests that owners can seek legal protection via a conservation easement.</li> <li>• The heritage tree is listed on the website and entered in the registry.</li> <li>• Signage is optional.</li> <li>• Annually, Plant Amnesty mails a Tree Condition Report to be completed by the owner.</li> <li>• Non-Profit (Plant Amnesty) Coordinates, &amp; City Enforces.</li> </ul>
<b>Vancouver &amp; Urban Forestry Commission</b>	<p><i>Possess one or more of the following;</i></p> <ul style="list-style-type: none"> <li>• The tree has a diameter (at breast height) of 36 inches or greater;</li> <li>• The tree has a distinctive size, shape, or location, or is of a distinctive species or age which warrants a Heritage Tree status;</li> <li>• The tree possesses exceptional beauty which warrants a Heritage Tree status;</li> <li>• The tree is distinctive due to a functional or aesthetic relationship to a natural resource, such as trees located along stream banks or trees located along ridge lines; OR</li> <li>• The tree has a documented association with a historical</li> </ul>	<ul style="list-style-type: none"> <li>• The City shall notify each property owner by certified or registered mail when a tree on the owner's property has been proposed for designation to the Heritage Tree Inventory.</li> <li>• Nomination must include owners name and contact information.</li> <li>• Trees can be nominated as an individual or collection</li> </ul>	<ul style="list-style-type: none"> <li>• In exchange for the City's designation of the subject tree as a Heritage Tree, the Property Owner agrees to protect, maintain and care for the Heritage Tree located on his or her property.</li> <li>• This agreement runs with the land and binds all successors, heirs and assigns to this property.</li> <li>• Property Owner must agree to abide by conditions set forth in the City of Vancouver Code</li> </ul>	<ul style="list-style-type: none"> <li>• When development is proposed for a property that contains a Heritage Tree, and the</li> <li>• Director determines that the proposed development may affect a Heritage Tree, the property owner must have a tree preservation plan prepared by a qualified professional demonstrating how the Heritage Tree will be protected and preserved.</li> <li>• Commission Coordinates, &amp; City Codifies and Enforces</li> </ul>

CITY & ASSOCIATED GROUPS	HERITAGE TREE DEFINITION	NOMINATION & REVIEW	RETENTION INCENTIVES	OTHER
	figure, property, or significant historical event.			
<b>City of Lake Forest Park &amp; Tree Board under Environmental Quality Commission</b>	<p><i>A tree will be recognized as a Heritage Tree if it meets one of these criteria:</i></p> <ul style="list-style-type: none"> <li>• Outstanding specimen – The tree is an outstanding instance of the species.</li> <li>• Rare or unique – The tree is an unusual species or unusual in its form or growth.</li> <li>• Historical significance – The tree is associated with an historic event, structure, or noted person.</li> <li>• Personal significance – A tree that is central to a personal experience whose retelling will be highly meaningful to many in the community.</li> <li>• Outstanding group of trees – Trees that comprise a notable grove or grouping.</li> </ul>	<ul style="list-style-type: none"> <li>• Nomination must include owners name and contact information. Anyone can nominate a tree or group of trees. Nomination form provided as a link on like on the heritage tree page.</li> </ul>	None	Not a frequently used program according to staff.
<b>City of Puyallup Arborist</b>	<p><i>Trees of significant</i></p> <ul style="list-style-type: none"> <li>• Age</li> <li>• Size</li> <li>• Species, or</li> <li>• Have other special characteristics such as historical significance.</li> <li>• A heritage tree can be located on either public or private property.</li> </ul>	<ul style="list-style-type: none"> <li>• For trees on private property, the heritage tree program is entirely voluntary.</li> <li>• You may nominate a tree for heritage tree status by filling out an application.</li> </ul>	All Heritage Trees are regulated and protected by the city from removal and/or construction impacts. A permit is required to remove these trees. No other incentives are provided.	
<b>Issaquah – Parks &amp; Recreation Department</b>	<p><i>Heritage Trees have one or more of the following characteristics:</i></p> <ul style="list-style-type: none"> <li>• Size &amp; Age</li> <li>• Not normal for species</li> <li>• Historic significance or</li> <li>• Ecological value.</li> </ul>	<ul style="list-style-type: none"> <li>• To nominate a tree, anyone can email the Parks &amp; Recreation Department.</li> </ul>	None	Issaquah’s Heritage Tree Program was developed in 2005 by the City’s Park Board to promote identification and recognition of trees that reflect the unique character of Issaquah.

## Seattle Heritage Tree Program Nomination Form

Anyone may nominate a tree. The owner's approval is needed for Heritage Tree designation. To nominate a tree, fill out the following and return to the Heritage Tree Committee. Please print legibly.

**Nominator's Name:**

**Address:**

**Program?**

How did you learn about the Heritage Tree

**City:**

**State:**

**Zip:**

**Phone:**

**Email:**

**Today's Date:**

**Tree Species/Common Name (If Known):**

*Please indicate if this nomination is for an individual tree or a group of trees. Use a separate page for each tree or one page for a group nomination.*

**Location of the tree in Seattle.** (Give the address and nearest cross streets)

(If possible please attach a photo of the tree and a map showing the tree on the site. Indicate which direction is North.)

**Owner's Name** \_\_\_\_\_

**Owner's Address** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_

**Phone** \_\_\_\_\_ **E-mail** \_\_\_\_\_

**Measured or Approximate size: Circumference of trunk at 4.5 feet above ground:**  
**Height:**

**Why is this tree special?**

If you have questions about this form, call 206-684-5008.

*Nominating a tree provides recognition of a tree's intrinsic worth and value to the community.*

Heritage Tree Program  
SDOT Urban Forestry  
206-684-TREE (8733)  
Fax: 206-615-0899

Seattle Heritage Tree Program  
c/o PlantAmnesty  
PO Box 15377  
Seattle, WA 98115-0377

<http://www.cityofseattle.net/transportation/heritagetree.htm>



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Scott Kubly, Director

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# Japanese Umbrella Pine

*Sciadopitys verticillata*

This species is a member of the illustrious redwood family of trees, and is native only in Japan, where it is called **Koya-maki**.

It grows slowly in Seattle, especially when not watered in the summer. This specimen, one of the oldest in Washington, may date from 1900. In 1996 it became Seattle's first tree designated as heritage.

The scientific name *Sciadopitys* dates from 1784, and derives from the Greek *skias* or *skiados*, an umbrella, and *pitys*, a fir or pine - literally the parasol or umbrella pine, in allusion to the whorls of broad needles.



2003

**HERITAGE TREE**  
Japanese Umbrella Pine  
(*Sciadopitys verticillata*)

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Plant Amnesty Heritage Tree Project 96.1

Owner: Curry Temple  
Address: 172 - 23rd Ave  
Location: Parking Lot  
Size: 34.3 inch diameter  
Category: Specimen AAA

Heritage Tree 96.1

# Red Oak

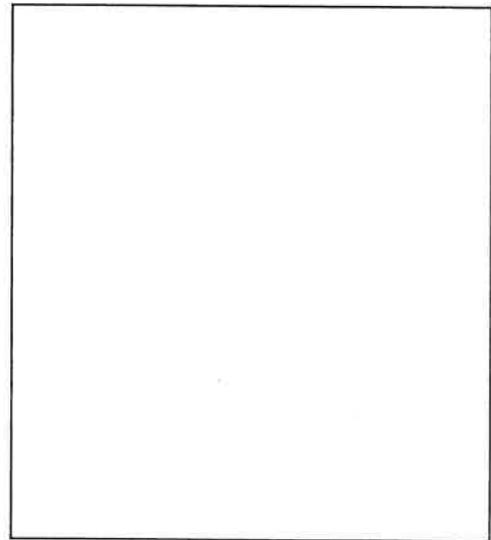
*Quercus rubra*

On Arbor Day (April 9) 1997, this oak was officially recognized as a Heritage Tree. This and other nearby big, old trees were planted in 1911 as part of the original Hiawatha Park, in Seattle's first playfield designed by the Olmsted Brothers, famous landscape architects of the era. More than 100 feet wide, this stout oak is an excellent specimen.

Native in central and eastern North America, Northern Red Oak is widely planted, prized for rapid growth, thrifty hardiness, strong form and handsome red or gold fall color. It is also valued for its wood. "Great oaks from little acorns grow."



2003



**HERITAGE TREE**  
**Northern Red Oak**  
*(Quercus rubra)*

On Arbor Day, 1997, this oak was officially recognized as a Heritage Tree. This and nearby big, old trees were planted in 1911 as part of the original Hiawatha Park, in Seattle's first playfield designed by the Olmsted Brothers, famous landscape architects of the era. More than 100 feet wide, this stout oak is an excellent specimen.

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Plant Amnesty Heritage Tree Project 97.1

**Owner:** Hiawatha Park, West Seattle  
**Address:** 2700 California Ave SW  
**Location:** Northside of Hiawatha Community Center; between California Ave and Walnut Ave SW  
**Size:** 4 feet diameter trunk, 100 feet crown spread  
**Category:** Specimen / Historic AAA

Heritage Tree 97.1

## Japanese Maple

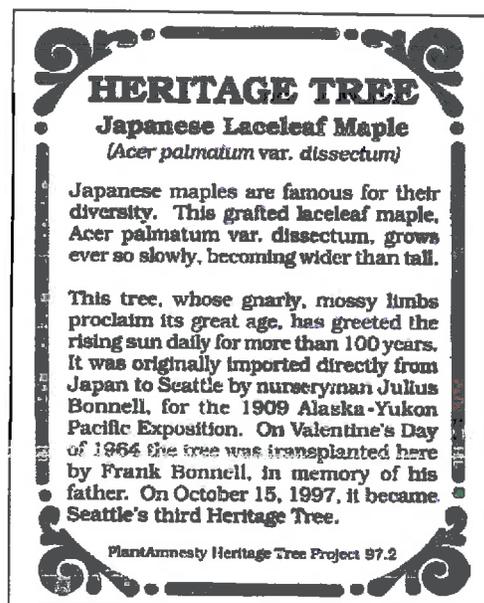
*Acer palmatum var. dissectum*

Japanese maples are famous for their diversity. This grafted laceleaf maple, *Acer palmatum var. dissectum*, grows ever so slowly, becoming wider than tall. It measures 6' 7" tall.

This tree, whose gnarly, mossy limbs proclaim its great age, has greeted the rising sun daily for more than 100 years. It was originally imported directly from Japan to Seattle by nurseryman Julius Bonnell, for the 1909 Alaska-Yukon Pacific Exposition. On Valentine's Day of 1964, the tree was transplanted here by Frank Bonnell, in memory of his father. On October 15, 1997, it became Seattle's third Heritage Tree.



2003



**Owner:** Museum of History and Industry

**Address:** 2700 24th Ave East

**Location:** North side of building

**Size:** 6 feet 7 inches tall

**Category:** Historic AA

Heritage Tree 97.2

# Black Walnut

*Juglans nigra*

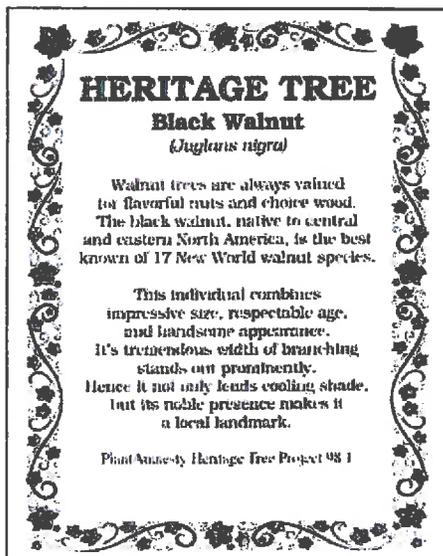
Walnut trees are always valued for flavorful nuts and choice wood. The black walnut, native to central and eastern North America, is the best known of 17 New World walnut species.

This individual combines impressive size, respectable age, and handsome appearance. Its tremendous width of branching stands out prominently. Hence it not only lends cooling shade, but its noble presence makes it a local landmark.

On October 15, 1998 it became Seattle's fourth heritage tree and the first one located on a private residential property.



2003



**Owner:** Vivian McLean

**Address:** 3814 – 20th Ave SW (backyard)

**Location:** Pigeon Point, West Seattle

**Size:** 107.5 inch circumference, 80 feet tall

**Category:** Specimen / Historic AAA

Heritage Tree 98.1

# Pacific Madrona

*Arbutus menziesii*

On Arbor Day, April 14, 1999, this magnificent specimen of one of our most beautiful native trees, *Arbutus menziesii* was dedicated in Seattle's Ravenna neighborhood. Unfortunately, this tree has succumbed to disease and is slated for removal in 2004.

Introduced to cultivation in 1827, the madrone can be found from British Columbia to southern California. Early Spanish Californians first called this tree madrono, meaning "strawberry tree", because they recognized its resemblance to the strawberry madrone (*Arbutus unedo*) of their Mediterranean homeland.

A distinctive feature of this tree is its papery bark, which shreds off in ragged, crinkly strips and ranges in color from chartreuse on younger stems to reddish-brown on mature trees.



**Owner:** Barbara and Cameron DeVore  
**Address:** 5740 – 27th Ave NE  
**Location:** Parking Strip  
**Size:** 11 feet circumference, 55 feet tall  
**Category:** Specimen AA

# Blue Atlas Cedar

*Cedrus atlantica 'Glauca'*

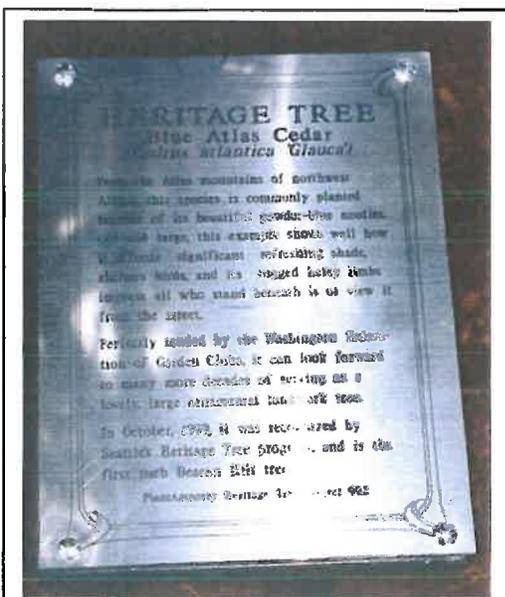
From the Atlas mountains of northwest Africa, this species is commonly planted because of its beautiful powder-blue needles. Old and large, this example shows well how it affords significant refreshing shade, shelters birds, and its rugged hefty limbs impress all who stand beneath it or view it from the street.

Perfectly tended by the Washington Federation of Garden Clubs, it can look forward to many more decades of serving as a lovely, large ornamental landmark tree.

Dedicated October 7, 1999, and is the first Beacon Hill Heritage Tree.



1999



**Owner:** WA Federation of Garden Clubs  
**Address:** 2336 – 15th Ave S  
**Location:** Building grounds  
**Size:** 10 feet 2 in. circumference, 82 feet tall  
**Category:** Historic AA

## Coast Redwood

*Sequoia sempervirens*

This is the first redwood recognized by Seattle's Heritage Tree program. It was dedicated on December 16, 1999. Handsome, healthy, venerable and massive, this conspicuous landmark is beloved by generations of Franklin High School students. Unlike most of its peers planted in Seattle, it stoutly stands in the open rather than being crowded by other trees.

Coast redwoods are earth's tallest trees, native to the foggy coast of California and Southern Oregon. They live for many centuries, and thrive when planted in Seattle.



1999

**Owner:** Franklin High School  
**Address:** 3013 S Mt Baker Blvd  
**Location:** West side of the school  
**Size:** 198 inch circumference, 125 feet tall  
**Category:** Specimen

# Copper Beech

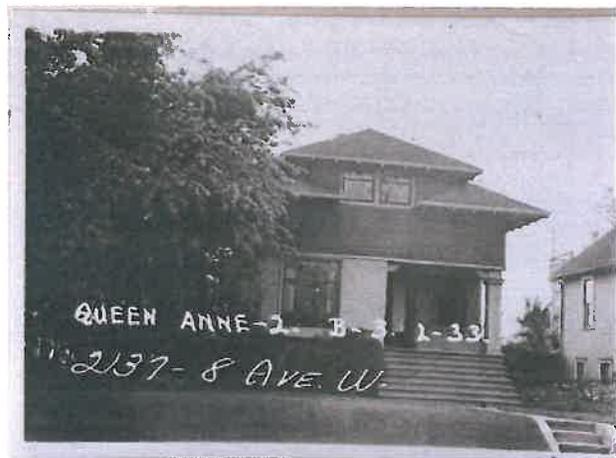
*Fagus sylvatica f. purpurea*

This is Seattle's first Copper Beech recognized by Plant Amnesty's Heritage Tree Program, in 1999. Handsome, healthy, large and mature, it exemplifies well why people love these stately ornamental shade trees from Europe.

The first recorded Copper Beeches originated in Switzerland in the 1600s. Thousands have been planted since then, wherever the climate permits. They vary in color from faintly copper to deep purple -- always a striking contrast to our normal green arboreal world.



2003



1937



**Owner:** John Martin  
**Address:** 2137 – 8th Ave W  
**Location:** Front yard  
**Size:** 10 feet 6 in. circumference, 90 feet tall  
**Category:** Specimen AA

Heritage Tree 99.4

# Purple Beech

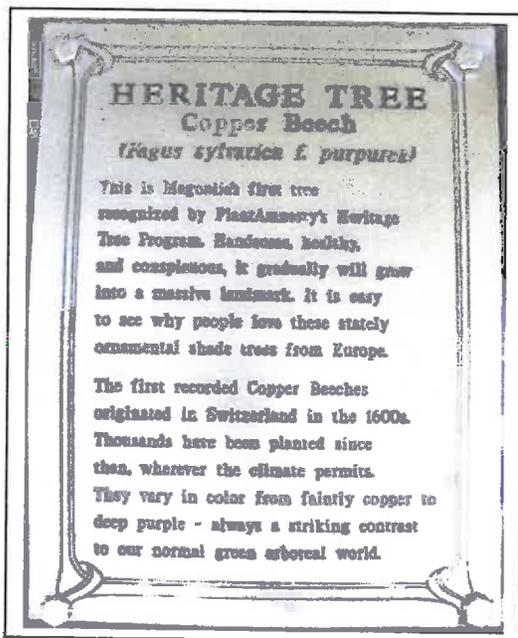
*Fagus sylvatica f. 'purpurea'*

This Magnolia's tree was recognized by Plant Amnesty's Heritage Tree program in 1999. Handsome, healthy and conspicuous, it gradually will grow into a massive landmark. It is easy to see why people love these stately ornamental shade trees from Europe.

The first recorded Copper Beeches originated in Switzerland in the 1600's. Thousands have been planted since then, wherever the climate permits. They vary in color from faintly copper to deep purple—always a striking contrast to our normal green arboreal world.



2003



**Owner:** Lindsay Brown  
**Address:** 3008 – 39th Ave W.  
**Location:** Front yard  
**Size:** 105 inch circumference, 33.4 inch diameter, 50 – 55 feet tall  
**Category:** Specimen

Heritage Tree 99.5

# Douglas Fir

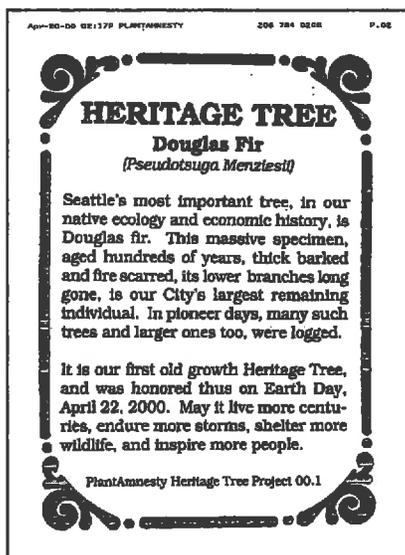
*Pseudotsuga menziesii*

The Douglas Fir is Seattle's most important tree, in our native ecology and economic history. This massive specimen, aged hundreds of years, thick barked and fire scarred, its lower branches long gone, is our City's largest remaining individual. In pioneer days, many such trees and larger ones too, were logged.

It is our first old growth Heritage Tree, and was honored thus on Earth Day, April 22, 2000. May it live more centuries, endure more storms, shelter more wildlife, and inspire more people.



2000



**Owner:** Seward Park  
**Address:** 5898 Lake Washington Blvd S  
**Location:** NW end of park, north and east along road from the old bathhouse  
**Size:** 23 feet circumference, 125 feet tall  
**Category:** Specimen AAA

Heritage Tree 00.1

# Tulip Tree / Yellow Poplar

*Liriodendron tulipifera*

This tall stately tree was the first street tree growing along an arterial street to have a curb bulb built around it for additional space. Glossy, leathery notched leaves and “tulip” shaped creamy white flowers in the in early-mid summer characterize this fast growing tree that is native to the American East Coast. It is the Indiana and Tennessee State Tree.

A member of the Magnoliaceae family.



2000



**Owner:** Praghoush

**Address:** 16th Ave E. and E. Aloha

**Location:** SW Corner

**Size:** 131.75 inch circumference, 70 feet tall

**Category:** Landmark / Specimen

Heritage Tree 00.2

# Ponderosa (Yellow) Pine, Giant Sequoia/Sierra Redwood

*Pinus ponderosa, Sequoiadendron giganteum*

These two magnificent trees were started from seed at the turn of the century. The original owner moved to the area from California and built what was to be the first house on the street. The current house was built in 1926, long after the seeds germinated and the two trees were well established.

The Ponderosa pine is perhaps the most far ranging and best known of western North American Pines. It is prized for its jigsaw-puzzle like bark.

Giant Sequoias are the most massive of all trees and are well adapted to the Pacific Northwest.

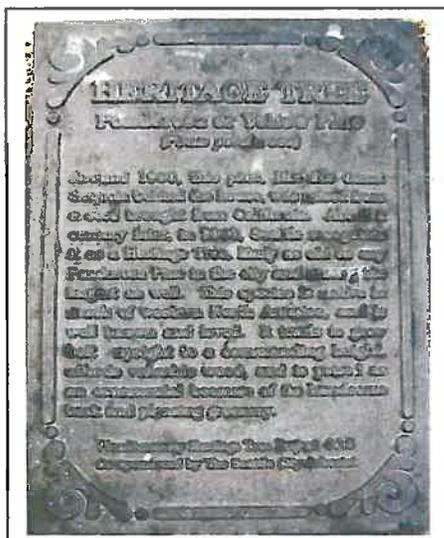
Both trees were dedicated November 4, 2000.



Ponderosa Pine – 2003



1937



**Owner:** Kim Pate and Eileen Cuba  
**Address:** 8034 Wallingford Ave N.  
**Location:** South of house (Pine), East of House (Sequoia)  
**Size:** Pine – 100 feet tall; Sequoia – 105 feet tall  
**Category:** Both trees are Specimen

Heritage Tree 00.3 (Pine), 00.4 (Sequoia)

# Western Crabapple, Montezuma Pine, Katsura

*Malus fusca, Pinus montezumae, Cercidiphyllum japonicum*

This collection includes:

- An elegantly-shaped native **Western crabapple**, which may be the largest specimen in the city, as well as the widest spreading specimen in the state. It is reported to have existed before the Arboretum was established. (Located across from the Graham Visitors Center on the way to the Winter Garden)
- A shimmeringly beautiful **Montezuma pine** from Mexico (one of only two in Seattle), located in the Crabapple Meadow, south of the Graham Visitors Center & across from the Woodland Garden 32N 5E
- The tallest **Japanese katsura** in the state—an elegant, double-trunked specimen with long sweeping branches in a majestic woodland setting. (Located in the Rhododendron Glen, across from parking lot #5 137E)



Western Crabapple - 2001

**Owner:** Washington Park Arboretum  
**Address:** 2300 Arboretum Drive E  
(Graham Visitors Center)  
**Location:** See descriptions above  
**Size:** Varies  
**Category:** Collection

Heritage Tree Collection 2001

# Giant Sequoia / Sierra Redwood

*Sequoiadendron giganteum*

This tree is a neighborhood landmark, notable for its large size and two-trunk form, decidedly uncharacteristic of the world's largest trees.

Its native range is in the mountains of California. Besides being immense, the species is strong, very long-lived and handsome. Its red trunk and blue-green foliage are admirable. Many have been planted in Seattle and thrive here.



This tree was dedicated on Valentines Day,  
February 14, 2002

2003



**Owner:** Paul and Bonnie Shure  
**Address:** 2840 – 40th Ave W  
**Location:** North of Armour at 40th Ave W  
**Size:** 27 feet circumference, 100 feet tall  
**Category:** Specimen

Heritage Tree 01.1

# Golden Weeping Willow

*Salix x. sepulcralis 'chrysocoma'*

Weeping willows symbolize graceful repose. The golden-twigged versions additionally feature dramatic color. This clone has been in cultivation for more than 100 years; its name Chrysocoma is from the Greek 'chryso' (golden) and 'kome' (hair). It is perhaps the most popular of all weeping willows.

This particular specimen is likely Seattle's largest. Its 2001 dimensions are 63 feet tall, 80 feet wide, with a massive trunk over 13 feet in circumference. Impressively bulky wood volume, plus its age of perhaps 90 years, along with its lovely garden setting, make it premier among the city's many other examples.



2003



1937



**Owner:** Gary and Darlene Blurton  
**Address:** 9220 Wallingford Ave N.  
**Location:** SE corner of lot  
**Size:** 13 feet 6 in. circumference, 63 feet tall  
**Category:** AA  
**Heritage Tree 01.5**

# Canyon Live Oak

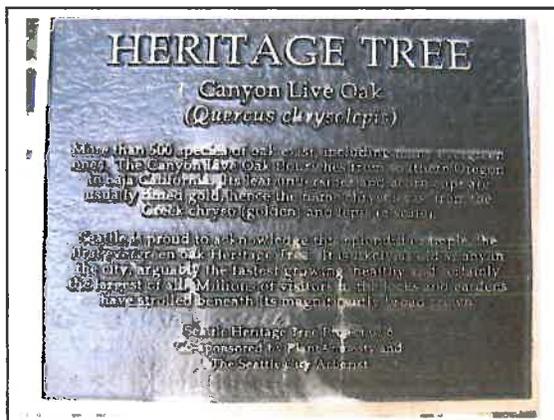
*Quercus chrysolepis*

More than 500 species of oak exist, including many evergreen ones. The Canyon Live Oak is found from SW Oregon, California and the Southwest. Its leaf undersides and acorn cups are usually tinted gold, hence the name chrysolepis—from the Greek *chryso* (golden) and *lepis* (a scale).

Seattle is proud to acknowledge this splendid example, the first evergreen oak Heritage Tree. Planted in 1943, it is likely as old as any in the city, arguably the fastest growing, healthiest, and certainly the largest of all. Millions of visitors to the locks and gardens have strolled beneath its magnificently broad crown.



2003



**Owner:** Carl English Gardens  
**Address:** 3015 NW 54th St  
**Location:** West side of administration bldg.  
**Size:** 96 inch circumference  
**Category:** Specimen / Historical AAA

Heritage Tree 01.6

# Bigleaf Maple

*Acer macrophyllum*

Bigleaf Maple grows along the Pacific Coast and is Seattle's most common native tree. This Ballard specimen is particularly impressive from its mossy base to its towering leafy crown. This tree is a wildlife sanctuary and beloved and inspiring neighborhood landmark. Year after year it marks the seasonal progression: spring's bright exuberance, summer's shady greenery, autumn's golden retreat, and winter's cool rest.

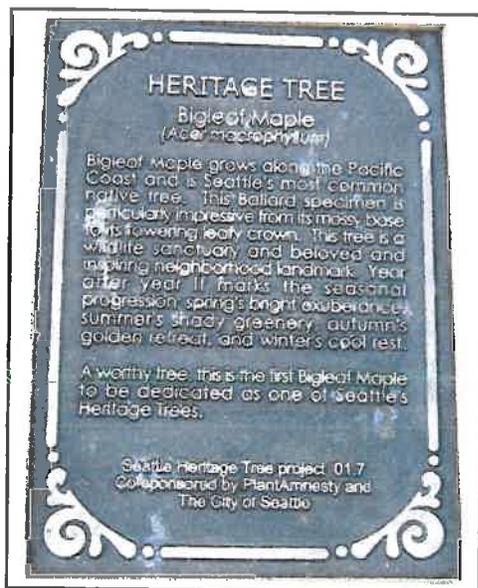
A worthy tree, this is the first Bigleaf Maple dedicated as one of Seattle's Heritage Trees, on December 15, 2001.



2003



1937



**Owner:** Kelly Taylor  
**Address:** 1707 NW 62nd St  
**Location:** Side yard  
**Size:** 72 inch diameter, 80 feet tall  
**Category:** Specimen AA

Heritage Tree 01.7

# Giant Sequoia

*Sequoiadendron giganteum*

This tree was planted around 1927, far from its native range in the mountains of California. It displays a magnificent stout branching and width, as well as a huge trunk characteristic of the world's largest trees. The sidewalk deflected around it is a beneficial concession to its great size.

Besides being immense, the species is strong, very long-lived and handsome. Its red trunk and blue-green foliage are admirable. Though many have been planted in Seattle and thrive here, this individual is one of the largest growing on private property.

Recognized as a local landmark heritage tree and dedicated in tribute to Ralph Willet Young, whose ancestors first settled in Washington in 1865, and who held a reverence for trees and all things living.



2002



1937



**Owner:** Belinda Young  
**Address:** 6531 – 40th Ave SW  
**Location:** Front yard  
**Size:** 92.71 inch diameter, 75 feet tall  
**Category:** Landmark AAA

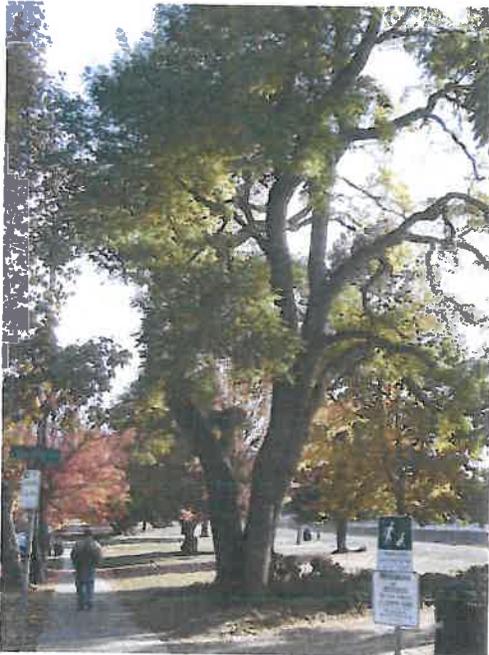
Heritage Tree 02.3

## Chinese Scholar or Japanese Pagoda Tree

*Styphnolobium japonicum* formerly *Sophora japonica*

This graceful tree is one of the largest Chinese Scholar trees in Washington State. A member of the family Leguminosae, it produces white flowers in late summer. This was the tree traditionally planted on the graves of Chinese scholars. A diagnostic is that the bruised twigs are stinky.

This one is estimated to be about 90 years old and serves as a specimen gateway tree to Cal Anderson Park.



2003



**Owner:** Cal Anderson Park

**Address:** SE cnr. E Denny and Nagle Place

**Location:** SE cnr. E Denny and Nagle Place

**Size:** 15.91 inch diameter, 60 feet tall

**Category:** Landmark / Specimen AAA

Heritage Tree 03.1

# Black Walnut

*Juglans nigra*

Called “black” because its nuts and bark are very dark, this species is more prized for wood than for nuts, though the latter are delicious. The dark, heavy wood is so sought after that many a stately tree gets logged before reaching maturity.

An important, widely distributed, much cultivated species, noble and long-lived.



2003



1937

**Owner:** George Scranton  
**Address:** 1406 Orange Place N.  
**Location:** West side of house  
**Size:** 50 feet tall  
**Category:** Landmark

Heritage Tree

## European White Elm

*Ulmus laevis*

The magnificent elm in the center of the West Lawn of Roanoke Park was planted around 1910, shortly after the 2.2-acre property on which the elm stands was transferred to the Seattle Parks and Recreation Department in 1908.

European White Elms are closely related to the American Elm. There are many planted in Seattle. This Elm has witnessed generations of neighbors strolling through the park or hood baseball games

Dedicated August 26, 2003 as a specimen Heritage Tree.



**Owner:** Seattle Parks

**Address:** Roanoke Park

**Location:** West side of Roanoke Park; across from St. Patrick's church

**Size:** 118 inch circumference, 110 feet tall

**Category:** Landmark/Specimen

## Douglas Fir

*Pseudotsuga menziesii*

Seattle owed its early economic health to this tree. Clearing the fir-clad hills gave Seattle the room to expand, as well as wood to build with and to export. This is still our most abundant conifer, largest tree, and a contender for the title of oldest as well.



**Owner:** Katy and Shawn Smith  
**Address:** 3833 – 54th Ave SW  
**Location:** SW corner of lot, east of garage  
**Size:**  
**Category:** Specimen/Landmark AA

# Dawn Redwood

*Metasequoia glyptostoboides*

This is native to the Szechwan Province of China and introduced into the US in 1948.

Kate Battuello & Kay Johansen  
2322 12<sup>th</sup> Avenue East  
Seattle



P.O. Box 1995  
Vancouver, WA 98668-1995



[www.cityofvancouver.us/  
urbanforestry](http://www.cityofvancouver.us/urbanforestry)

## Vancouver Heritage Tree Program

Thank you for considering nominating a tree or grove of trees for Heritage status with the City of Vancouver. The attached packet has information on the criteria for a Heritage Tree, the designation process, and the level of protection and review procedure should the tree(s) be considered for removal. The nomination form and property/tree owner agreement are also provided. The Urban Forestry Commission can assist in filling out the nomination form. The applicant at a minimum shall secure property owners permission through a signed property/tree owner agreement. *Remember that the property owner must agree to the nomination and potential designation of their tree(s) before we can entertain the nomination.*

The Urban Forestry Commission coordinates the program and it is looking forward to pursuing partnerships in maintaining designated Heritage Trees. A clear maintenance plan will be essential in further protecting the heritage of our mature trees in the community.

If you require assistance determining if your nomination is appropriate, gathering the necessary data on a tree, or assembling a maintenance plan, please contact me anytime.

Thank you again for your interest,

Nicholas Redmond  
Urban Forestry Specialist  
City of Vancouver  
(360)-487-8332  
[Nick.Redmond@cityofvancouver.us](mailto:Nick.Redmond@cityofvancouver.us)



# CITY OF VANCOUVER URBAN FORESTRY COMMISSION

415 W 6<sup>th</sup> ST • PO Box 1995  
Vancouver, WA 98668-1995  
Phone (360) 487-8332 • FAX (360) 487-8305  
Website: [www.cityofvancouver.us/urbanforestry](http://www.cityofvancouver.us/urbanforestry)

## Heritage Tree Nomination

*(Deadlines: End of April & October)*

**Nominator:**  
Name

**Property/Tree Owner:**  
Name

Address

Address

Phone (day)

Phone (day)

(eve.)  
(email address)

(eve.)

**Neighborhood:**

**Location** (street address):

**Species of tree** (common or botanical name):

**Single or grove of trees** (if grove, how many trees):

**Size:** Height (approx.) \_\_\_\_\_ (feet)

Crown (approx.) measure distance of total spread from one side to other: \_\_\_\_\_ (feet)

Circumference (distance around trunk at 4.5 feet from ground): \_\_\_\_\_ (inches)

**Age of tree** (if known): \_\_\_\_\_

**Condition:** Healthy?: \_\_\_\_\_ Diseased?: \_\_\_\_\_ Pruning/Structural problems?: \_\_\_\_\_

(Explain any issues on back of page)

**Any historical fact about the tree (documented)?**

**What is most noteworthy about the tree(s) that meets the criteria?**

Size? \_\_\_\_\_ Shape/Condition? \_\_\_\_\_ Unique species? \_\_\_\_\_

Function (shade, natural resources)? \_\_\_\_\_ Beauty \_\_\_\_\_ History \_\_\_\_\_

**Explain why you think the tree(s) should be nominated for heritage distinction (use back of page if necessary).**

*Please include a photograph (black & white or color)*

**Submit nomination form and owner's consent to Urban Forestry Commission  
(address above)**

# Agreement of the Property Owner and The City of Vancouver to Designate A Heritage Tree

In exchange for the City's designation of the subject tree as a Heritage Tree, the Property Owner agrees to protect, maintain and care for the Heritage Tree located on his or her property. This agreement shall run with the land and bind all successors, heirs and assigns to this property. Property Owner agrees to abide by conditions set forth in the City of Vancouver Code, Section 20.770.120, particularly:

- A. "When development is proposed for property which contains a Heritage Tree, the property owner must have a tree preservation plan prepared by a qualified arborist demonstrating how the Heritage Tree will be protected and preserved."
- B. "No person may cut or remove a Heritage Tree without obtaining approval from the Urban Forestry Commission following the set criteria."
- C. "The limb structure or crown of a Heritage Tree may be pruned in any one year period without obtaining approval from the Urban Forestry Commission, provided that at least 80 percent of the existing tree crown remains undisturbed."
- D. "Any person who wishes to prune a Heritage Tree in excess of 20 percent of the existing crown shall obtain approval from the Urban Forestry Commission subject to [various] conditions."

Property Owner understands that sponsorships or assistance for care of the tree may be available from the City's Urban Forestry program. In addition, if the Property Owner may want any advice, it can be offered at no cost by the City Forester or designee (360/ 619-1128).

Property Owner as owner of the \_\_\_\_\_ (species) tree now being considered for this distinction, hereby consent to its being designated a Heritage Tree by the Urban Forestry Commission of Vancouver, Washington.

Tree Location (address, tax lot): \_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_, Property Owner

Date: \_\_\_\_\_

Submitted by Urban Forestry Commission: \_\_\_\_\_ (date)

# The City of Vancouver's Heritage Trees

Through December 31, 2011

Third Edition



"The Old Apple Tree"

The Heritage Tree Program was established to recognize, preserve and protect the trees in our community that possess a high level of historical, cultural and personal significance. By preserving our natural resources the City of Vancouver maintains "a colorful past and a bright future".



P.O. Box 1995 • Vancouver, WA 98668-1995  
[www.cityofvancouver.us](http://www.cityofvancouver.us)



## CITY OF VANCOUVER

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# URBAN ♦ FORESTRY ♦ COMMISSION

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**City of Vancouver**  
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**charles.ray@cityof**  
**vancouver.us**  
**Web:**  
**www.cityofvancouver.us**  
**/urbanforestry**

To the Citizens of Vancouver:

Under Vancouver Municipal Code 20.77.120, an inventory of the City's Heritage Trees has been established through the Vancouver's Urban Forestry Commission. The Heritage Tree program is a way for the City of Vancouver to give official recognition to those trees that are of special importance to the community because of their historical significance, age, beauty, size, or personal distinction. Vancouver is a community that highly values both the future and the past; the Heritage Tree Program is a way to both honor those trees that have played a role in our past and also preserve them for the enjoyment of future generations.

Trees are nominated for Heritage status by community members with the willing consent of the property owner. The City Forester then compiles these nominations and submits them to the Urban Forestry Commission for review. Those trees that meet the established criteria are then recommended for Heritage Tree designation and approved for official designation through a public hearing. According to the Tree Conservation Ordinance, no person may cut or remove a Heritage Tree without obtaining written approval from the Urban Forestry Commission, except under the provisions in Section 20.770.030. It is also unlawful for any person to willfully cause harm to a Heritage Tree. These protections ensure that no Heritage Tree will be unnecessarily removed or destroyed.

The Urban Forestry Commission is pleased to present *The City of Vancouver's Heritage Trees, Third Edition*. Please use this guide to take a tour of Vancouver's Heritage Trees and see for yourself what makes these trees so special.

While it is the responsibility of the City Forester to compile a list of potential Heritage Trees, it falls upon the community to first nominate these trees for Heritage status. I encourage any person who knows of a tree that they believe should be honored and preserved to contact the City's Urban Forestry Program at 360-487-8332 for more information.

Sincerely,

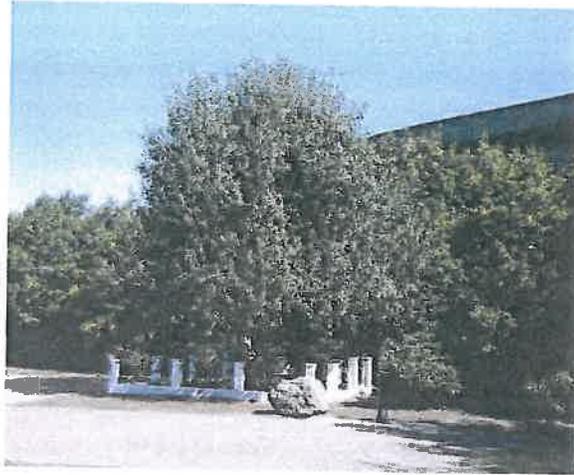
Jim Wasden  
Urban Forestry Commission Chair  
Chair Heritage Tree Subcommittee

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## THE CITY OF VANCOUVER HERITAGE TREES



**The Old Apple Tree**  
*Malus spp.*

### Statistics:

Dbh (diameter at breast height): 31”

Height: 32ft

Spread: 35ft

Location: Old Apple Tree Park

Heritage Tree ID # HT1

### History/Information:

Vancouver's Old Apple Tree is the greatest living symbol of the Pacific Northwest's orchard industry. Its modest beginning has been traced to the whimsical flirtations of an English woman in 1825.

Historical detectives have learned from diary entries that Lt. Aemilius Simpson, an officer in the Royal Navy, was attending a formal dinner on the eve of his departure to the rugged Pacific Northwest. A young woman admirer collected some apple seeds left over from the fruit dessert that evening. She dropped the seeds in Lt. Simpson's dinner jacket pocket and said, "Plant these when you reach your Northwest wilderness." Simpson forgot about the seeds during his long sea voyage across the Atlantic Ocean, around Cape Horn and north through the Pacific to the Columbia River.

When he reached Fort Vancouver he donned the jacket for a formal dinner given in his honor by Dr. John McLoughlin. In 1826, under the direction of McLoughlin, the seeds were planted. One of the five original apple trees, the Old Apple Tree is the only one to survive. It has stoically withstood flood, wind and the steady encroachment of the railroad and Highway 14.

On October 19, 1984, the venerable Old Apple Tree was celebrated during the festive opening of Old Apple Tree Park located at 112 Columbia Way. The tree is now celebrated each fall at the Old Apple Tree Festival.

## THE CITY OF VANCOUVER HERITAGE TREES



### **Officer's Row** (mixed tree species)

#### **Statistics:**

Dbh (diameter at breast height): 35"+

Height: 55ft+

Spread: 50ft+

Location: Evergreen Blvd. (Between Ft. Vancouver Way & Reserve St.)

Heritage Tree ID # HT3

#### **History/Information:**

The beautiful trees that line Officers Row on Evergreen Boulevard were planted by the Army when the Barracks were still part of the active military base. The variety of trees creates a wonderful setting for a stroll or jog. Officer's Row is a splendid example of the temperate Pacific Northwest's ability to nurture a great diversity of tree species.

## THE CITY OF VANCOUVER HERITAGE TREES



**Red Oak**  
*Quercus rubra*

### Statistics:

Dbh (diameter at breast height): 28"

Height: 65ft

Spread: 55ft

Location: SW corner of Fourth Plain and Main St.

Heritage Tree ID # HT4

### History/Information:

At the location of the old Fort Vancouver High School, this red oak was planted by the students of the high school on June 25, 1945, in honor of the first meeting of the United Nations in San Francisco. The high school is now gone, but the tree remains as a symbol for the creation of the United Nations.

## THE CITY OF VANCOUVER HERITAGE TREES



**Mayor's Grove**  
(mixed tree species)

### **Statistics:**

Dbh (diameter at breast height): 30"+  
Height: 60ft+  
Spread: 45ft+  
Location: Southside Marshall Park  
Heritage Tree ID # HT5

### **History/Information:**

The "Mayor's Grove" of trees are located at the northwest corner of Mill Plain Boulevard and Fort Vancouver Way in Central Park. The grove was first planted in 1971-72 by and for the mayors of the City of Vancouver. In 1987 the grove was officially designated for the purpose of commemorating each individual mayor. Each new incoming mayor of Vancouver will add to the collection by choosing a tree species to plant on the first Arbor Day of their term.

## THE CITY OF VANCOUVER HERITAGE TREES



**Norway Maples**  
*Acer platanoides*

### **Statistics:**

Dbh (diameter at breast height): 35" (average of four trees)

Height: 42.5 (average)

Spread: 47.5 (average)

Location: 117-127 W 24<sup>th</sup> St.

Heritage Tree ID # HT8

### **History/Information:**

This boulevard of maples was closely related to the old Fort Vancouver High School which was located on the north side of the street. An old photograph of the area (circa 1921) shows the row of trees planted on both sides of West 24<sup>th</sup> Street. Three out of four of the maples nominated are large enough to date back to the time of the photograph and are most likely the only remnant of the canopy along the street. With over 89 listed cultivars of Norway maple, it is one of the most widely planted trees in the United States.

## THE CITY OF VANCOUVER HERITAGE TREES



**Conifer Grove at Esther Short Park  
(mixed tree species)**

### **Statistics:**

Dbh (diameter at breast height): 45"+  
Height: 80ft+  
Spread: 50ft+  
Location: Esther Short Park  
Heritage Tree ID # HT9

### **History/Information:**

In the 1800's the Esther Short family used the park for cattle and hogs. In 1853 the park became the first public park in the Pacific Northwest with small additions of park amenities. Unfortunately, the Columbus Day storm in 1962 severely damaged a large number of trees in the southeast corner resulting in their removal. The location and cultivation of the existing trees imply that no formal landscape design was ever done for Esther Short Park. The conifers in this grove, associated with the 1937 Grand Army of the Republic, have been designated as Heritage Trees. The western red-cedar has a plaque in honor of the past Department President Sarah Tomlinson Parker at the base of the tree. An article in *The Columbian* also mentions the dedication of at least another tree for past Department Commander George E. Hill; however, no plaque relating to this honor is found in the park. Because of the relatively similar size of some adjacent cedars and two significantly large giant sequoias, the trees are considered a "grove".

## THE CITY OF VANCOUVER HERITAGE TREES



**European Beech**  
*Fagus sylvatica*

### **Statistics:**

Dbh (diameter at breast height): 22"

Height: 25ft

Spread: 25ft

Location: Esther Short Park

Heritage Tree ID # HT10

### **History/Information:**

The Slocum House, located at the corner of Esther St. and 6<sup>th</sup> St., was moved to the Esther Short Park site in 1966. The beech was planted in 1974 to mimic the landscape setting at the original location of the Slocum House.

With countless cultivated varieties, the European beech is one of the most versatile landscape trees. It offers a beautiful form and lustrous foliage in the summer, beautiful fall color and interesting bark in the winter. Its nuts are prized by wildlife in winter.

## THE CITY OF VANCOUVER HERITAGE TREES



**Black Locust**  
*Robinia pseudoacacia*

### **Statistics:**

Dbh (diameter at breast height): 44"  
Height: 55ft  
Spread: 60ft  
Location: Mill Plain Elementary  
Heritage Tree ID # HT11

### **History/Information:**

This tree was nominated by Ms. Treosti, a long time teacher at Mill Plain Elementary School. The tree was planted at the historic schoolyard as an Arbor Day project around 1910 or 1912 when it was Union High School. In 1982 the tree was slated to be removed for parking spaces. Ms. Treosti and her third grade students petitioned the School Board to save the tree. The tree was preserved and eventually received Heritage Tree designation. Seven of Ms. Treosti's former students returned for the Heritage Tree Dedication ceremony on National Arbor Day in 2000.

## THE CITY OF VANCOUVER HERITAGE TREES



### Oregon White Oaks *Quercus garryana*

#### Statistics:

Dbh (diameter at breast height): 48"

Height: 70ft

Spread: 60ft

Location: Headache Creek Wetlands (Bagely Downs)

Heritage Tree ID # HT12

#### History/Information:

In the open space that is utilized as an outdoor classroom by Lewis and Clark High School stand two large Oregon white oaks. The trees are fairly large for the species and have been a fixture in the neighborhood for many years.

Native to western British Columbia, Washington, Oregon and northwestern California, Oregon white oak is one of the most majestic of the Pacific Northwest's deciduous trees.

## THE CITY OF VANCOUVER HERITAGE TREES



Old Apple Tree Offspring  
*Malus spp.*

### Statistics:

Dbh (diameter at breast height): 17"  
Height: 30ft  
Spread: 32ft  
Location: Clark Co. Historical Museum  
Heritage Tree ID # HT13

### History/Information:

This tree is an offspring of the "Old Apple Tree" (HT1). Thus, this apple tree has a high historic value. The tree was planted as a scion through the efforts of Harley Mays in 1950. This tree was one of the only cuttings to survive.

As a part of the Old Apple Tree Festival each year, The City of Vancouver and its Urban Forestry Commission distribute cuttings of the Old Apple Tree so the public can also share in the history of the city and continue the legacy of the Old Apple Tree, much like Harley Mays.

## THE CITY OF VANCOUVER HERITAGE TREES



**Black Walnut**  
*Juglans nigra*

### **Statistics:**

**Dbh (diameter at breast height): 51"**

**Height: 90ft**

**Spread: 75ft**

**Location: Arnada Park**

**Heritage Tree ID # HT14**

### **History/Information:**

The black walnut tree sits on the south perimeter of Arnada Park at the dead-end of "G" street. It is a prominent landmark in the neighborhood.

Black walnut, a rapidly growing tree, is most common in moist bottomlands and open fields of the Midwest, but can be found everywhere due to squirrels burying its nuts. It's beautiful, fine-grained, chocolate-brown, relatively lightweight heartwood is the ultimate choice for making solid wood furniture, interior trim, gunstocks, and high-quality veneer

## THE CITY OF VANCOUVER HERITAGE TREES



**Oregon White Oak**  
*Quercus garryana*

### **Statistics:**

Dbh (diameter at breast height): 52"

Height: 80ft

Spread: 75ft

Location: Oakbrook Park (next to the tennis courts)

Heritage Tree ID # HT15

### **History/Information:**

Located in Oakbrook Park, this tree is the largest of the remaining Oregon white oaks for which the park was named. It is also the most statuesque.

Native to western British Columbia, Washington, Oregon and northwestern California, Oregon white oak is one of the most majestic of the Pacific Northwest's deciduous trees.

## THE CITY OF VANCOUVER HERITAGE TREES



Oregon White Oak  
*Quercus garryana*

### Statistics:

Dbh (diameter at breast height): 57"

Height: 75ft

Spread: 70ft

Location: 2811 Stapleton Rd.

Heritage Tree ID # HT16

### History/Information:

This tree represents the largest of the oaks that populated this area long before the area was developed. The area was then much more rural, but the tree was no less impressive.

Native to western British Columbia, Washington, Oregon and northwestern California, Oregon white oak is one of the most majestic of the Pacific Northwest's deciduous trees.

## THE CITY OF VANCOUVER HERITAGE TREES



**London Planetree**  
*Platanus x acerifolia*

### **Statistics:**

Dbh (diameter at breast height): 47"  
Height: 80ft  
Spread: 70ft  
Location: 200 E 38<sup>th</sup> St.  
Heritage Tree ID # HT17

### **History/Information:**

Designated as a Heritage Tree in 2002, this tree serves the residents of the Lincoln neighborhood as a reminder of the value of preserving our city's urban canopy and the legacy that old trees represent.

The London planetree, a hybrid of the Oriental planetree and the American sycamore, was bred to maintain the growth habit and exfoliating bark of the American sycamore while providing resistance to the diseases that traditionally afflict that species. Its relative disease resistance and drought tolerance make it a useful Pacific Northwest shade tree.

## THE CITY OF VANCOUVER HERITAGE TREES



**California Bay Tree**  
*Umbellularia californica*

### **Statistics:**

Dbh (diameter at breast height): 36"

Height: 45ft

Spread: 40ft

Location: 401 E 22<sup>nd</sup> St.

Heritage Tree ID # HT18

### **History/Information:**

This tree, which has been used as a meeting spot for the children of Arnada neighborhood for years, is also affectionately known as "Curmudgeon Park". This is in reference to the previous homeowner's periodic "notes from the neighborhood curmudgeon" that were included in the neighborhood newsletter.

The leaves from this very aromatic tree were used by native peoples in the treatment of headaches and poison oak rashes as well as to repel fleas. The leaves have also been used as a substitute for traditional bay leaves in cooking, but with a much stronger flavor.

## THE CITY OF VANCOUVER HERITAGE TREES



**Monkey Puzzle Tree**  
*Araucaria araucana*

### **Statistics:**

Dbh (diameter at breast height): 29"  
Height: 140ft  
Spread: 45ft  
Location: 11418 SE Evergreen Hwy  
Heritage Tree ID # HT19, HT20

### **History/Information:**

Thought to be well over 150 years old, one of two magnificent ancient trees were considered extremely large at first record, over 80 years ago!

The monkey puzzle, also known as a Chilean pine, received its common name from an Englishman in the 1800's, who thought it would certainly be a puzzle for a monkey to climb.

## THE CITY OF VANCOUVER HERITAGE TREES



**Western White Pine**  
*Pinus monticola*

### **Statistics:**

Dbh (diameter at breast height): 54"

Height: 175ft

Spread: 50ft

Location: 11418 SE Evergreen Hwy

Heritage Tree ID # HT21

### **History/Information:**

This beautiful specimen towers over SE Evergreen Highway, something this tree has done for over 150 years. This was threatened with removal years ago so a jogging trail could be built, but thanks to the efforts of local citizens the tree was spared and will be preserved.

The botanist David Douglas first identified western white pine on the slopes of Mount St. Helens. Also known as silver pine, it gets its common name from the light color of the wood. The Latin name *monticola* means "inhabiting mountains."

## THE CITY OF VANCOUVER HERITAGE TREES



**Big Leaf Maple**  
*Acer macrophyllum*

### Statistics:

Dbh (diameter at breast height): 55" & 54"

Height: 80 & 65ft

Spread: 65 & 50ft

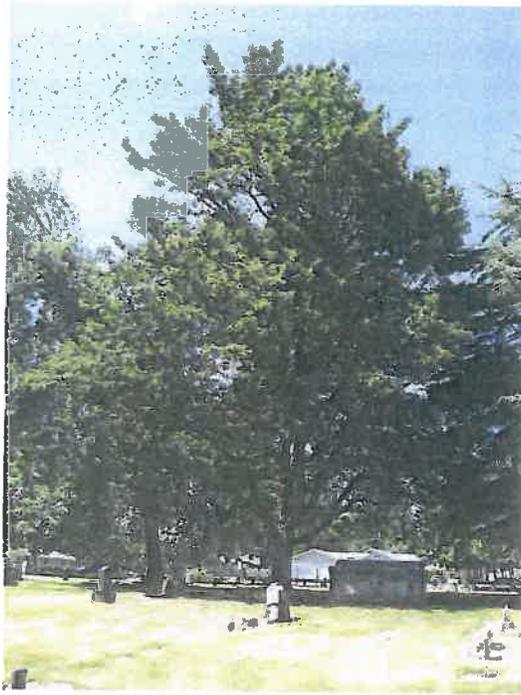
Location: Clearmeadows Park

Heritage Tree ID # HT22 & HT 23

### History/Information:

These two large Big Leaf Maples stand out in Clearmeadows Park and have been used as a gathering place and picnic spot by neighborhood residents for years. Their beautiful fall color adds character and distinction to both the park and the neighborhood. Loved by local residents and visitors alike, these two majestic native trees truly define the neighborhood and area.

## THE CITY OF VANCOUVER HERITAGE TREES



**Chestnut Oak**  
*Quercus prinus*

### Statistics:

Dbh (diameter at breast height): 34"

Height: 85ft

Spread: 80ft

Location: Old City Cemetery 2700 Mill Plain Blvd

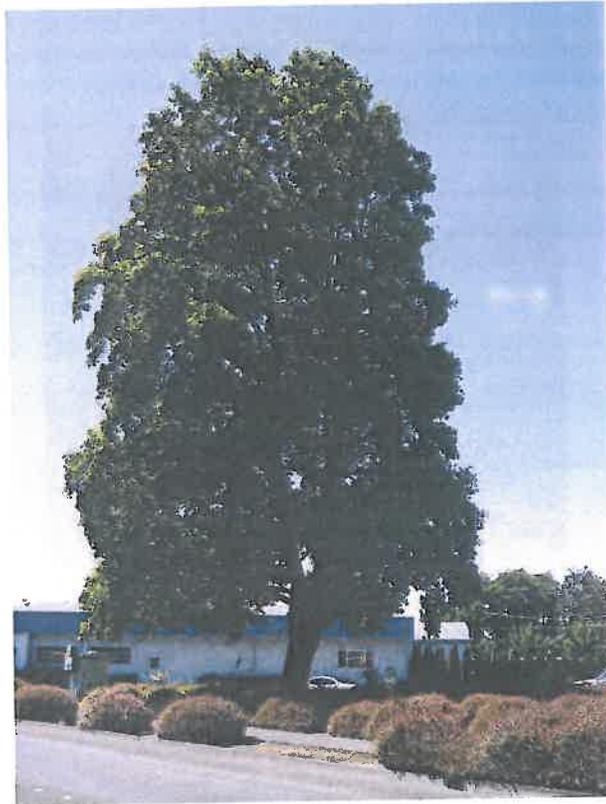
Heritage Tree ID # HT24

### History/Information:

Native to the Appalachian region of the US, this tree was sent as a seedling from George Washington's Plantation, Mount Vernon, as a gift to the local Free and Accepted Mason's Lodge #4 and planted in 1931 to celebrate the 75<sup>th</sup> anniversary of the lodge. The tree is located in the Mason's section of the Old City Cemetery on Mill Plain Blvd.

Also known as Rock Oak or Basket Oak, the tree is valued for its bark which is richer in tannin acid (11%) than any other of the oaks making it useful in the tanning of leather.

## THE CITY OF VANCOUVER HERITAGE TREES



**Tuliptree**  
*Liriodendron tulipifera*

### **Statistics:**

Dbh (diameter at breast height): 34"  
Height: 78ft  
Spread: 50ft  
Location: St. John's Blvd & 33<sup>rd</sup> St.  
Heritage Tree ID # HT25

### **History/Information:**

Also known as a Tulip Poplar or Yellow Poplar, Tuliptree is a large ornamental tree that is best suited for an open yard or boulevard. This tree stands out among the trees in Rose Village and has been prized by the neighborhood for many years. The tree's name reflects both the shape of the leaves and the structure of the flower, which usually emerge in late May or early June. Tuliptree is very showy in the fall with bright yellow colors mottled with areas of brown.

## THE CITY OF VANCOUVER HERITAGE TREES



**Crimson King Maple**  
*Acer platanoides* 'Crimson King'

### Statistics:

Dbh (diameter at breast height): 30"

Height: 60ft

Spread: 45ft

Location: 2003 SE 141<sup>st</sup> Pl.

Heritage Tree ID # HT26

### History/Information:

A cultivar of Norway Maple, Crimson King has probably the most consistent color of the red leafed maples and may be the most vigorous as well. Commonly planted throughout the United States, Crimson King adapts well to a multitude of environments and can tolerate a variety of soils, shade and drought. This tree illustrates why the Crimson King Maple is such a prized landscape tree.

## THE CITY OF VANCOUVER HERITAGE TREES



White Ash x3  
*Fraxinus americana*

### Statistics:

Dbh (diameter at breast height): 33", 35", 28"

Height: 75ft

Spread: 40ft

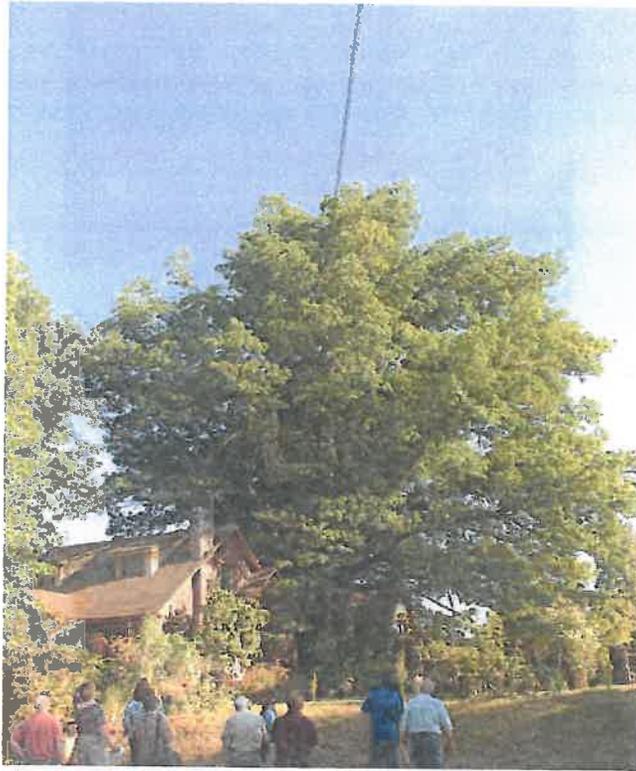
Location: Old City Cemetery near the corner of Mill Plain and Grand Ave.

Heritage Tree ID # HT27, 28 & 29

### History/Information:

Also known as American Biltmore, White Ash has been prized for years as the best wood to make baseball bats, hockey sticks and other sporting goods. White Ash is also known for its beautiful fall color which can vary from bright red to deep purple. Each fall these trees brighten up the intersection of Mill Plain and Grand Ave. Ash trees (both green and white) are under attack in the Midwest by an exotic pest, known as Emerald Ash Borer. Research is being done on how best to contain the pest, but this pest poses a grave danger to our nation's ash populations.

## THE CITY OF VANCOUVER HERITAGE TREES



Scarlet Oak  
*Quercus coccinea*

### Statistics:

Dbh (diameter at breast height): 57"

Height: 90ft

Spread: 125ft

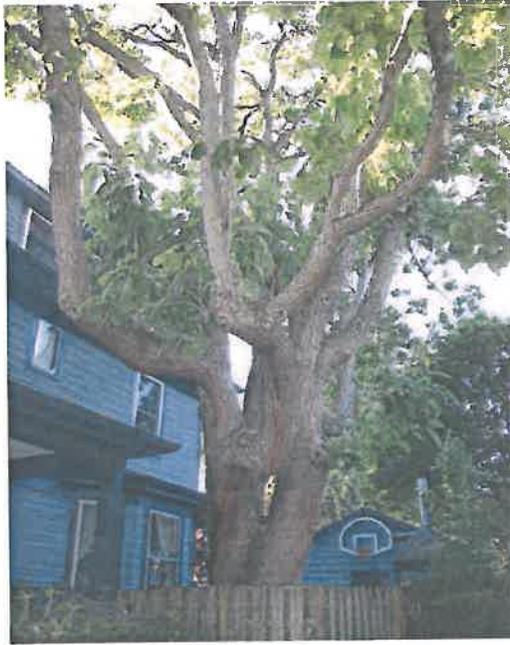
Location: 511 W 21<sup>st</sup> St.

Heritage Tree ID # HT30

### History/Information:

This mature tree is rather unique to this area and it is rare to find a specimen of this in our community. While the dry leaves persist on the tree through the winter, in the fall the tree turns a brilliant shade of red. This tree also serves as a landmark to the Hough Neighborhood as pilots landing at Pearson Airfield use this tree to mark where they need to initiate their turn in order to land.

## THE CITY OF VANCOUVER HERITAGE TREES



Northern Catalpa  
*Catalpa speciosa*

### Statistics:

Dbh (diameter at breast height): 44"  
Height: 55ft  
Spread: 60ft  
Location: 112 W 28<sup>th</sup> St.  
Heritage Tree ID # HT31

### History/Information:

Also known as Cigar Tree or Catawba-tree, Northern Catalpa is native to the mid-western states and therefore is not commonly found in our region. Catalpa wood is particularly rot resistance and therefore historically was used for fence posts and railroad ties, though given the striking nature of the grain it has more recently been used for furniture and cabinetry. This particular tree does an excellent job of framing this property that has applied for designation on Vancouver's Historical Registry.

## THE CITY OF VANCOUVER HERITAGE TREES



**Japanese Snowbell**  
*Styrax japonicus*

### **Statistics:**

Dbh (diameter at breast height): 28"  
Height: 37ft  
Spread: 47ft  
Location: 112 W 28<sup>th</sup> St.  
Heritage Tree ID # HT32

### **History/Information:**

Nominated by a local Master Arborist, this is truly an exceptional representative of this lovely flowering tree. The tree's showy white bell shaped flowers bloom in late April and cascade throughout the tree. This particular tree is very large for the species and is therefore very rare. It is estimated that the tree is over 75 years old. Native to the far east, Japanese Snowbell was traditionally used to make prayer beads and umbrella handles.

## THE CITY OF VANCOUVER HERITAGE TREES



**Giant Sequoia x2**  
*Sequoiadendron giganteum*

### Statistics:

Dbh (diameter at breast height): 43" & 55"  
Height: 68ft & 75ft  
Spread: 32ft & 45ft  
Location: 512 SE Ellsworth Rd.  
Heritage Tree ID # HT33 & 34

### History/Information:

Nominated by the Ellsworth Spring Neighborhood Association, these 2 trees are over 75 years old and highly valued by both the neighborhood and the elementary school that they sit on. Giant Sequoias are the largest trees in the world in terms of overall volume and can grow average heights of 250' to 300' and 20-25ft in diameter in the wild. Record trees have been measured at 311 ft high and 56 ft in diameter. The oldest Giant Sequoia by ring count is over 3500 years old.

## THE CITY OF VANCOUVER HERITAGE TREES



American Chestnut x2  
*Castanea dentata*

### Statistics:

Dbh (diameter at breast height): 51" & 40"

Height: 90ft & 62ft

Spread: 70ft & 50ft

Location: 750 Anderson St.

Heritage Tree ID # HT35 & 36

### History/Information:

These 2 trees sit on the west and east sides of the Howard House, located near the historic Officer's Row and are very rare indeed. Until the early 20th century, The American Chestnut was the dominant forest tree in the eastern United States until an exotic disease, Chestnut Blight, was introduced in the early 1900's. In what can be described as one of the most devastating environmental disasters in American history, Chestnut Blight destroyed the entire native range of American Chestnut and pushed them the brink of extinction. There are an estimated 300-500 mature American Chestnuts remaining and based on historical photos, these 2 particular trees were likely grown from seed prior to 1890.

## 20.77.120 HERITAGE TREES

### A. Heritage Tree Inventory

1. The City shall develop an inventory of Heritage Trees that shall satisfy the criteria of this of section. The initial inventory shall be the responsibility of the Urban Forestry Commission as established under VMC 12.02 and shall be updated annually by the Commission. The City Council, Planning Commission, Urban Forestry Commission, Neighborhood Association, a property owner, or any person may recommend to the City that a tree be designated a Heritage Tree.
2. The Heritage Tree designation may be applied to a tree or grove of trees.
3. The Urban Forestry Commission shall hold at least one public hearing on the proposed designations. The City shall notify each property owner by certified or registered mail when a tree on the owner's property has been proposed for designation to the Heritage Tree Inventory. The notice and a response form shall be mailed at least 30 calendar days prior to the public hearing. If the owner of the property objects to such designation in writing to the Urban Forestry Commission prior to the public hearing or at the public hearing, the designation procedure shall not proceed.
4. After the Commission completes its hearing, it shall establish a list of Heritage Trees based on the criteria found in this section. Decisions of the Urban Forestry Commission may be appealed to the Hearings Examiner/City Council by any aggrieved party.

### B. Criteria

For any individual tree or grove of trees to be listed as a Heritage Tree(s), it must be in an apparently *healthy growing condition* and *one or more* of the following exist:

1. The tree has a diameter (at breast height) of 36 inches or greater;
2. The tree has a distinctive size, shape, or location, or is of a distinctive species or age which warrants a Heritage Tree status;
3. The tree possesses exceptional beauty which warrants a Heritage Tree status;
4. The tree is distinctive due to a functional or aesthetic relationship to a natural resource, such as trees located along stream banks or trees located along ridge lines; OR
5. The tree has a documented association with a historical figure, property, or significant historical event.

A grove may be considered for Heritage Grove Status if it is apparently in a healthy growing condition and one or more of the following criteria:

1. The grove is relatively mature and is of a rare or unusual nature containing trees that are distinctive either due to size, shape, species or age;
2. The grove is distinctive due to a functional or aesthetic relationship to a natural resource, such as trees located along stream banks, or trees located along ridge lines; OR
3. The grove has documented association with a historical figure, property, or significant historical event.

### C. Heritage Trees Development Review

When development is proposed for property which contains a Heritage Tree, and the Director determines that the proposed development may affect a Heritage Tree, the property owner must have a tree preservation plan prepared by a qualified professional demonstrating how the Heritage Tree will be protected and preserved. A Heritage Tree shall be preserved unless the Urban Forestry Commission determines that the tree may be removed based on the removal criteria for Heritage tree in following section.

A tree preservation plan shall be composed of the following:

- a. A site plan indicating the location of Heritage Trees.
- b. The methods to be used to preserve the Heritage Trees.
- c. If a Heritage Tree is proposed for removal, a narrative statement outlining the reasons why the Heritage Tree should be removed.
- d. A mitigation plan indicating the replacement trees or additional new trees to be placed on the site. The mitigation plan should demonstrate, to the extent possible, that the character of the site will not substantially change as the result of development.

Site design adjustments may be allowed in some cases, as follows:

- a. The Director may grant a variance to front, side, and/or rear yard setback standards by up to 20 percent to retain a Heritage Tree(s). The adjustment shall be the minimum necessary to accomplish preservation of trees on site and shall not conflict with the Uniform Building Code or other adopted ordinances or conditions placed on the property.
- b. The Director may grant a 10 percent variance to the lot size and/or a ten percent variance to the lot width and/or lot depth standards in approving a short plat or other land division if necessary to retain Heritage Trees. The Director may accept a preliminary plat application and recommend approval to the hearing body of a plat which provides for similar variance to lot size, width and depth standards if necessary to retain Heritage Trees.

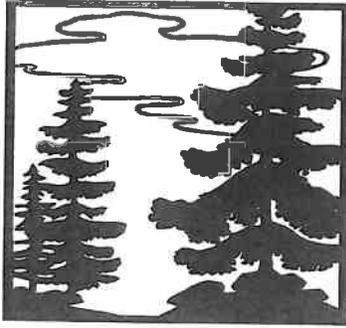
**D. Removal of a Heritage Tree.**

Except for the provisions in Section 20.770.030, no person may cut or remove a Heritage Tree without obtaining approval from the Urban Forestry Commission. The tree removal permit shall be approved if one of the criteria is satisfied:

- a. Retention of the tree would make reasonable use of the property allowed under the current zoning impractical or impossible in that the development would not be allowed to meet the maximum density allowed by the applicable zoning or would require special design features that would significantly increase the cost of development by 5 percent or more.
- b. The removal is necessary to accommodate a new improvement, structure or remodeled structure, and no alternative exists for relocation of the improvement on the site, or that variances to setback provisions of the Development Code will not allow the tree to be saved or will cause other undesirable circumstances on the site or adjacent properties.
- c. The tree is hazardous, diseased or storm damaged and poses a threat to the health, safety or welfare of the public.
- d. The tree has lost its importance as a Heritage Tree due to damage from natural or accidental causes, or is no longer of historic or natural significance.
- e. The tree needs to be removed to accomplish a public purpose and no practical alternative exists.

The limb structure, or crown, of a Heritage Tree may be pruned in any one year period without obtaining approval from the Urban Forestry Commission, provided that at least 80 percent of the existing tree crown remains undisturbed. Any person who wishes to prune a Heritage Tree in excess of 20 percent of the existing crown shall obtain approval from the Urban Forestry Commission subject to the following conditions:

- a. The protected tree shall be pruned following acceptable arboricultural standards.
- b. The tree shall be pruned in a manner which ensures safety to public and private property and shall be done by a qualified professional.
- c. Any other conditions necessary to ensure compliance with the requirements of the community development plan.



## **The Lake Forest Park Heritage Tree Program: Overview & Nomination Form**

The Heritage Tree Committee, sponsored by the City's Environmental Quality Commission, seeks to maintain and enhance Lake Forest Park's forest canopy and to encourage appreciation and enjoyment of our trees. To do so, we identify and honor trees that have special value to the community.

A tree will be recognized as a Heritage Tree if it meets one of these criteria:

- **Outstanding** – The tree is an outstanding instance of the species.
- **Rare/unique** – The tree is an unusual species or unusual in its form or growth.
- **Historical significance** – The tree is associated with an historic event, structure, or noted person.
- **Personal significance** – A tree that is central to a personal experience whose retelling will be highly meaningful to many in the community.
- **Outstanding group of trees** – Trees that comprise a notable grove or grouping.

Anyone can nominate a tree or group of trees. The tree can be on your own property or on public land.

If the tree is selected, it will be photographed, measured, and added to the web-based registry of Heritage Trees. Many of our Heritage Trees also appear in a photo album on the City website and in a digital slide show shown at public events. Also, Heritage Tree owners receive a Heritage Tree certificate.

Heritage Trees have no special legal protection, although we certainly hope that these trees will live and flourish long into the future.

Do you have a tree that you would like to nominate as a Heritage Tree?

Please complete the Heritage Tree Nomination Form and return it to the Heritage Tree Committee or to Lake Forest Park City Hall.

<p><b>Heritage Tree Committee</b> c/o Jean Farkas 5119 NE 201<sup>st</sup> Place Lake Forest Park, WA 98155-1817</p>	<p><b>Heritage Tree Committee</b> Lake Forest Park City Hall 17425 Ballinger Way NE Lake Forest Park, WA 98155-5556</p>
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# Heritage Tree Nomination Form

## 1. TREE SPECIES

Common (American) name: \_\_\_\_\_

Botanical name (if known): \_\_\_\_\_

## 2. LOCATION ON PROPERTY (If public land, give the nearest cross streets or landmark.)

\_\_\_\_\_

## 3. MEASUREMENTS

Circumference of trunk at 4.5 feet above ground: \_\_\_\_\_ Approximate height: \_\_\_\_\_

## 4. NOMINATION CATEGORY (Please select one category. The categories are defined on the reverse side.)

Outstanding Specimen

Personal Significance

Rare/Unique Tree

Outstanding Group of Trees

Historical Significance

Briefly explain why you think the tree fits the category: (Attach a separate sheet of paper if needed.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 5. PROPERTY OWNER INFORMATION or NOMINATOR INFORMATION (if tree is on Public property)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email and phone number: \_\_\_\_\_

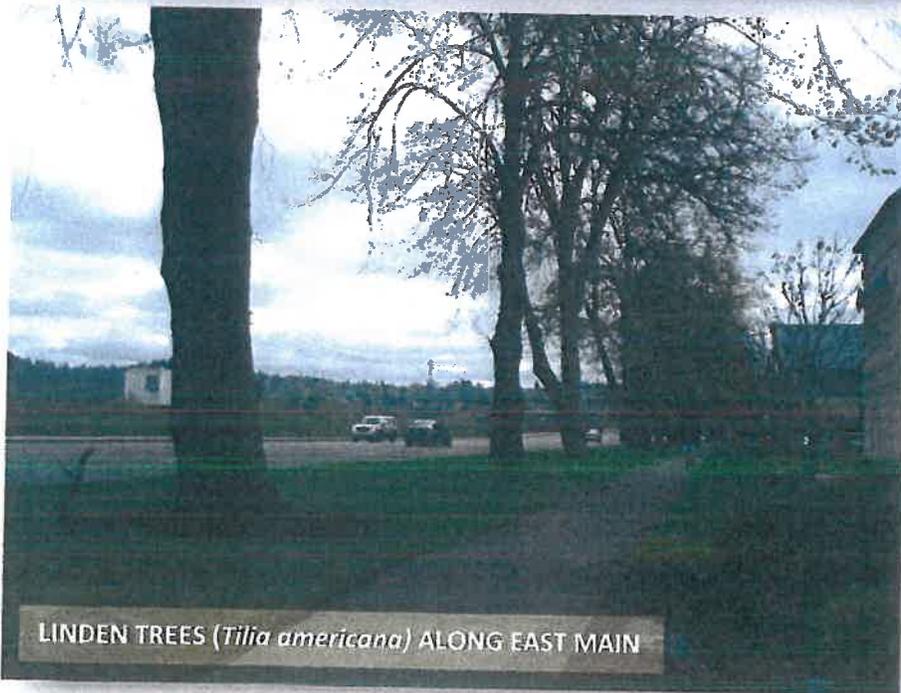
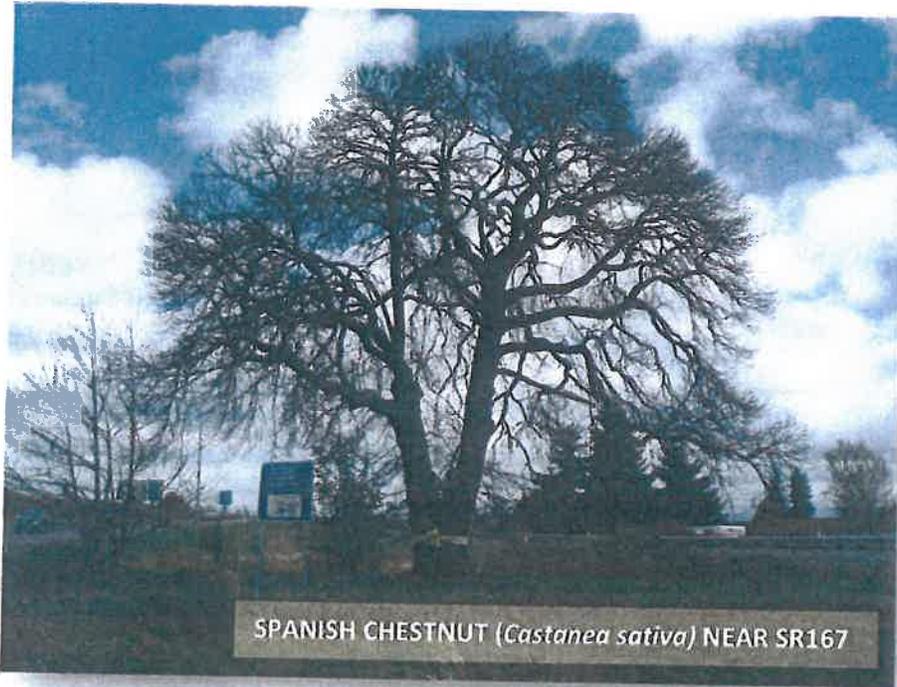
## 6. PROPERTY OWNER'S PERMISSION

I give permission for a photograph of the tree along with the approximate street address to be exhibited at public events, such as the Lake Forest Park Framers' Market, and in various media, such as a digital slide show at City Hall and on the City website.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

CITY OF PUYALLUP

# HERITAGE TREE PROGRAM SUMMARY



**TREE CITY USA**

## HISTORY OF THE CURRENT HERITAGE TREE INVENTORY

In 1987, the Puyallup Parks Department started an informal 'heritage tree' inventory, documenting some of the oldest, largest, rarest and historically valuable trees in the city. The list was added onto throughout the 1990s and currently contains approximately 122 trees. The inventory has not been updated since 2003 and it is suspected that a number of the trees listed on the 2003 inventory are no longer standing. Due to the lack of a formal Heritage Tree ordinance, the trees on the current informal list lack protection and formal recognition. The Puyallup City Council passed an ordinance in 2015 that now protects trees designated under the city's program.

Approximately 65% of the trees on the list are under public ownership, either on city property, city right-of-way, on Puyallup School District property or contained within the campus boundaries of the WSU Extension Center in west Puyallup. A number of these trees are known to be some of the oldest and/or largest trees of their kind in the entire state of Washington (See *Champion Trees of Washington State*, Pelt, 1996). The following are a few notable trees from the list:

### Norway Spruce (*Picea abies*)



*The Norway Spruce tree that looms over the playground equipment at Grayland Park in downtown Puyallup is nearly 100 years old – planted in the early-1920s to memorialize WWI veteran's. Originally, two trees were planted, but one was removed in the 1990s due to declining health. The current tree was treated a few years ago for branch dieback – the soils around the tree were removed with compressed air and backfilled to combat the effects of soil compaction – and is doing better.*

### Black walnut (*Juglans nigra*) – “Statehood Tree”

*The black walnut tree at 705 7<sup>th</sup> St NW predates the incorporation date of the city itself – the tree was planted on November 11, 1889 in honor of Washington receiving its statehood designation (hence the term 'Statehood Tree'). The tree has utility wires running through the center of the canopy, but is healthy and thriving otherwise.*



### Spanish chestnut (*Castanea sativa*) – “Carson Chestnut”

*The Spanish chestnut tree standing alongside the on-ramp to SR167, near North Meridian, is over 160 years old, known to have been planted in 1853 by early settlers, the Carsons. The Carsons operated a ferry crossing service near where the tree was planted.. The tree was spared removal in 1972 when WSDOT, after community outcry over proposed removal of the tree for the on-ramp lane, saved the tree. The tree now has a recognition sign near it, installed in 2007 as a part of an Eagle Scout project.*

## **BACKGROUND AND FAQs REGARDING THE DRAFT HERITAGE TREE ORDINANCE**

The City of Puyallup heritage tree ordinance provides a process for nomination and designation of the city's largest, oldest, most unique and/or most culturally important trees on an official city heritage tree list. This summary is meant to answer some common questions regarding the Puyallup Heritage Tree program.

### **How would the process work for designating a candidate Heritage tree?**

A Heritage Tree application must be submitted to the Planning Division for review. Only the owner of the tree may apply for designation under the program. The Planning Division would review the application in accordance with criteria established in the Heritage Tree ordinance.

#### **Designation of trees must be based on a finding that the tree is:**

- A significantly large, old or rare specimen tree
- The tree has special significance in the overall 'landscape' of the city (such as a highly visible tree at a community park or gateway)
- The tree has an association with historical or community related events

The Development Services Director ("Director") and the city's certified arborist will conduct review of the application materials and conduct a site visit to review the tree's current condition. This will be part of the review process as the Planning Division reviews the application.

### **How would a tree on City of Puyallup land or city right-of-way be designated?**

Any community member, neighborhood organization or city staff may petition the Director to consider the designation of a tree currently on city property (such as a tree in a park or open space area) or in a city right-of-way (such as a street tree) through an informal request. The City Council may also designate a newly planted tree as a part of a city-sponsored event or any existing tree on city property or city right-of-way.

### **What public notification/outreach is involved in the designation process?**

Once the Director has reviewed the application materials and made a decision on the application (either to approve, approve with conditions or denial), the Planning Division will contact by mail all owners of property abutting the site where the proposed heritage tree is located asking for public comments on the Director's decision. Those property owners will have 10 days to provide written comments. At the end of the 10 day comment period, the Director shall consider all comments received and respond in writing to the commenting parties.

If the comments result in a change to the findings of the original decision, the Director will withdraw the original decision, modify that decision based on the new information and re-issue a new decision for public comment. If public comments received do not change the Director's decision and findings, the Director will re-affirm the original decision in writing to all parties who submitted comments and a five (5) day appeal period will begin. If a commenting party is further aggrieved by the Director's final decision, an appeal to the city's Hearing Examiner may be filed.

### **How will a property owner know that a heritage tree is on their property?**

As currently drafted, the ordinance would allow (voluntarily) all owners of heritage trees to record a covenant on the property's title report indicating the presence of a designated heritage tree; recordation of a heritage tree covenant is not a requirement to participate in the program. The Planning Division, as a part of the operation of the heritage tree program, will also send out annual mailers to all property owners notifying them of tree status. The city supports the program by paying for all voluntary heritage tree covenants for program participants.

**What if a land owner wants to remove a heritage tree from the registry or cut it down?**

A tree owner may request that his or her tree be removed from the city's heritage tree registry. In order to request removal, a tree owner shall submit a removal request to the city, which shall include a location map of the proposed heritage tree, a photograph of the tree, reasons for the removal request and other information that is reasonably related to the removal request, when requested by the city.

**What enforcement mechanisms and mitigation measures are included in the draft proposal?**

Unpermitted (e.g. unlawful) removal of a heritage tree will be considered a Class I civil infraction, punishable by a fine of up to \$250.00 in accordance with PMC 1.02. Due to the relatively minimal fee under the class I civil infraction, unlawful removals would also be subject to re-planting mitigation requirements, as follows:

- For each deciduous heritage tree removed, a minimum of three (3) new trees would be required to be planted.
- For evergreen trees, a minimum of four (4) new trees would be required.
- The owner would have the option to pay a 'fee-in-lieu' to the city for planting elsewhere on public property.



# Heritage Tree Designation

## CITY OF PUYALLUP

Planning Division  
333 South Meridian  
Puyallup, WA 98371  
Phone: 253-864-4165  
Fax: 253-840-6678  
Email: cbeale@ci.puyallup.wa.us

### Submittal Checklist:

- Include three (3) copies of a site plan (map) of the property with the approximate location of the proposed heritage tree.
- Include three (3) photos of the tree, preferably from different angles with as much of the tree shown as possible in each photo.
- A description of the tree and its characteristics. A proposed heritage tree must be either significantly large, old or rare specimen tree; **OR**, the tree has special significance in the overall 'landscape' of the city (such as a highly visible tree at a community park or gateway), **OR** the tree has an association with historical or community related events. The tree must be in healthy condition.
- Signature of the owner of the tree (Note: no heritage tree proposal will be processed without property owner consent)

### Office Use Only:

Submittal Date: \_\_\_/\_\_\_/\_\_\_ Case No: \_\_\_-\_\_\_-\_\_\_ GIS: \_\_\_ Inventory: \_\_\_

This permit application is for requesting designation of a Heritage Tree. A tree may be deemed a candidate for the Heritage Tree program if it is a significantly large, old or rare specimen tree, if the tree has special significance in the overall 'landscape' of the city (such as a highly visible tree at a community park or gateway), or if the tree has an association with historical or community related events. The tree must be healthy and in good condition to be considered a candidate for designation.

Please print or type the reply to each question. If you have any questions, please contact the *Development Services Center at (253) 864-4165.*

Application Fee: *Free*

## Application Information

### Applicant Information:

Name		
Street Address		
City	State	Zip
Phone	E-mail	
Fax		

### Location of Tree: (if different than the applicant's info)

Name		
Street Address		
City	State	Zip

### Tree Information:

Do you own the tree proposed to be designated?  Yes  No\*

#### Basic tree information:

TREE SPECIES	TRUNK DIAMETER (MEASURED AT 4.5' ABOVE GRADE)	TREE HEIGHT (EST.)	TREE CANOPY SPREAD (EST.)

\* No heritage tree proposal will be processed without property owner consent, **UNLESS** the tree proposed for designation is on City of Puyallup property (e.g. city park or city right of way). Anyone may request a city owned tree to be designated through this form.

**Heritage tree criteria:**

Is the tree a significantly large, old or rare specimen tree? Please describe below.

Does the tree have special significance in the overall 'landscape' of the city (such as a highly visible tree at a community park or gateway)? Please describe below.

Does the tree have an association with historical or community related events? Please describe below and provide any supporting documentation (e.g. newspaper articles, photos, etc.).

Do you believe the tree(s) is healthy and in overall good condition? Please describe below and provide any supporting documentation regarding the health of the tree(s) (e.g. arborist report).

Describe anything else we should know about the tree(s).

**CERTIFICATION:**

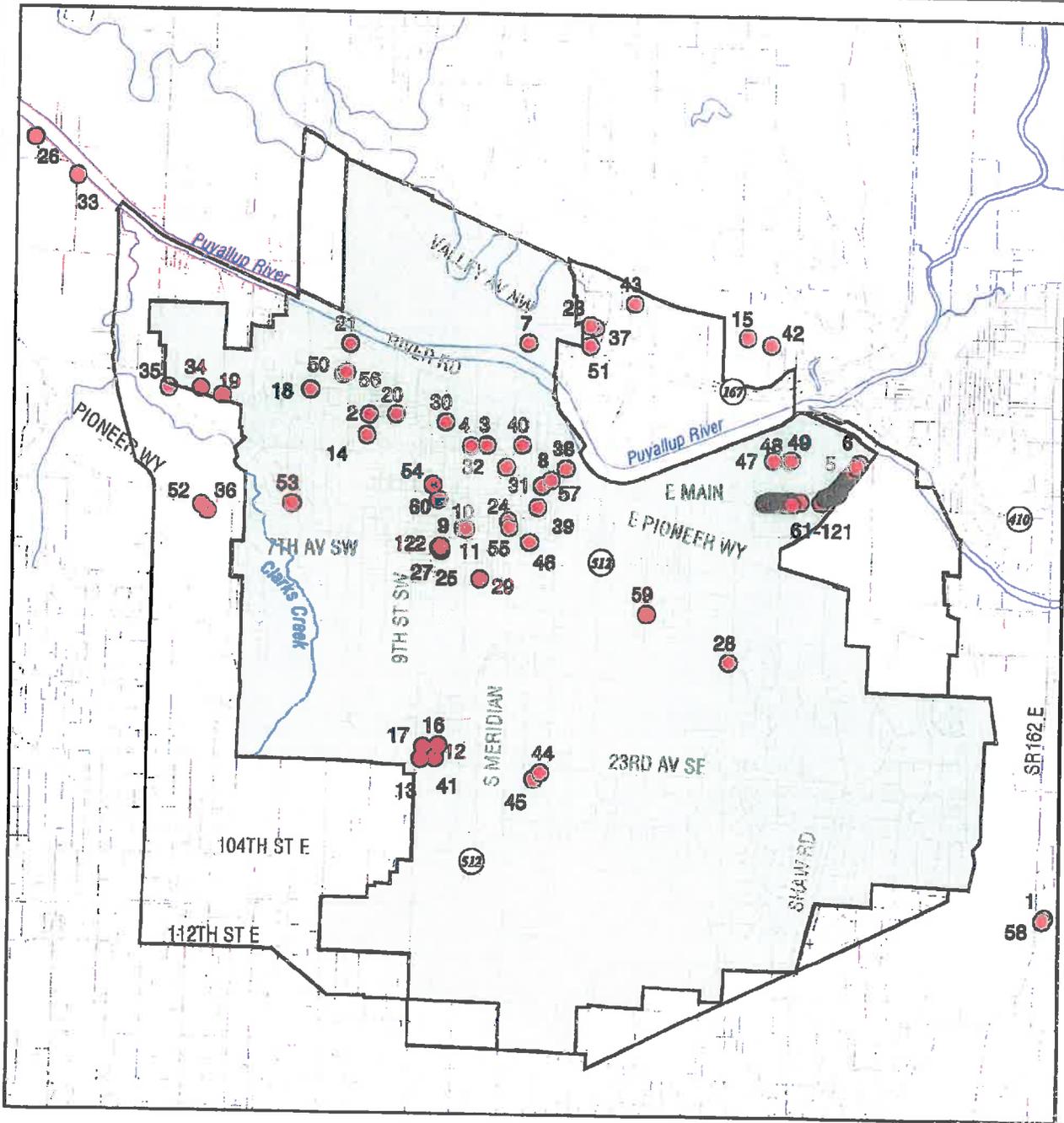
I hereby state that I am the applicant listed above, and certify that all information contained above and in exhibits attached hereto is true and correct to the best of my knowledge and belief and is submitted for consideration by the City of Puyallup, pursuant to the provisions of the Puyallup Municipal Code.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Signature of Owner\* \_\_\_\_\_ Date \_\_\_\_\_

(\*If different than the Applicant. **Owner signature required if the tree(s) are located on private property**)

# Heritage Trees



City of Puyallup  
Planning Division



0.2 0 0.20.4 Miles



May 23, 2003

Created by: Telda Moen, GIS Intern  
File name: heritage\_trees.apr

## MAP LEGEND

- Heritage Trees
- Roads
- Waterways
- 123: ID number

ID	Common Name	Botanical Name	Size	Location	Lrg Sz	Historic	Rare	Health	Comments
1	Blue Spanish Fir	Abies pinsapo 'Glauca'	8'7"	15014 106th St E	Y				State Champ
2	Yellow Buckeye	Aesculus flava	12'	Karshner Elem	Y		Y		3rd in State
3,4	American Chestnut (2)	Castanea dentata	36"+	219 5th Av NW	Y	Y		Ex	House built by Stewart-plants from Meeker
5,6	American Chestnut (2)	Castanea dentata	36"-48"	5th Av & E Main	Y	Y		Ex	Planted in 1920s
7	John Carson Chestnut	Castanea dentata	48"	Meridian/SR 167	Y	Y		Ex	Very noteworthy-planted in 1850s
8	American Chestnut	Castanea dentata	38"	Stewart Elem	Y		Y		Nice form, in playground
9,10,11	Cataipa, Indian Bean (3)	Catalpa bignonioides	36"-48"	503 4th Av SW	Y			Ex	In parking strip- planted c.1900
12	Atlas Cedar	Cedrus atlantica	15'	Woodbine Cem	Y				State Champ
16	Lawson Cypress 'Fraseri'	Cham.lawsoniana 'Fraseri'	8'3"	Woodbine Cem	Y				2nd in State
17	Lawson Cypress 'Weeping'	Cham.lawsoniana 'Pendula'	7'2"	Woodbine Cem	Y				2nd in State
13	Law.Cyp. 'Triomf van Boskoop'	Cham.lawsoniana 'Triomf van Boskoop'	8'9"	Woodbine Cem	Y				State Champ
14	Gold Threadbranch Cypress	Cham.pisifera 'Filifera Aurea'	36"	1301 Stewart Av	Y				State Champ
18	Lawson Cypress	Chamaecyparis lawsoniana		913 18th St NW	Y				
15	Lawson Cypress 'Erecta Viridis'	Cham.lawsoniana 'E.V.'	14'6"	Valley Av & 122 AvCt	Y				2nd in State
19	Yellowwood	Cladrastis kentukea	7'8"	7613 Stewart Av E	Y				2nd in State
20	Glorybower	Clereodendrum trichotomum	28"	715 11th St NW	Y				State Champ
21	European Copper Besch	Fagus sylvatica	80"	1341 15th St NW	Y				NW side roots cut-road rebuilt in 1998
22	Flowering Ash	Fraxinus ornus	7'	Riverside/78th St E	Y		Y		State Champ, Sumner- not shown on the map
23	Ruby Lace Honeylocust	Gleditsia triacanthos 'Ruby Lace'	22"	10825 57th St E	Y				State Champ
24	Baltic Ivy	Hedera helix 'Baltica'		Pioneer Park		Y	Y	Ex	Planted by Meeker- near statue
26	Heartnut Walnut	Juglans ailanthifolia v.cordiform	6'4"	5728 River Rd E	Y				State Champ
27	Butternut	Juglans cinera	24"+	6th Av SW	Y		Y		Puy Sch Dist-Sparks, planted 1890s
29	Manchurian Walnut	Juglans mandshurica	8'4"	815 4th St SW	Y				State Champ (WWF cut down Summer 2003)
28	Manchurian Walnut	Juglans mandshurica	8'	1402 21st St SE	Y				2nd in State
25	Paradox Walnut	Juglans 'Paradox'	12'9"	517 7th St SW	Y	Y	Y		St.Champ, Sparks, Luther Burbank to FS Martin 1905
31	Walnut	Juglans sp.	48"+	123 4th Av NW	Y			F	Summerhill Retr Cntr-planted 1880s
30	Pihl Black Walnut	Juglans sp.	24"+	709 7th St NW	Y	Y		Ex	Planted by CJA Pihl for statehood- Nov 11, 1889
32	Tulip Tree	Liriodendron tulipifera	30"	403 5th Av NW	Y			Ex	50-60' tall- close to corner
33	Osage Orange	Maclura pomifera	6'8"	62nd Av E/River Rd	Y				State Champ
34	Kobus Magnolia	Magnolia kobus	7'4"	7321 Stewart E	Y				2nd in State
35	Pink Star Magnolia	Magnolia stellata 'Rosea'	6'1"	7300 Stewart Av E	Y				State Champ
36	Flwrg Crabapple 'Katherine'	Malus 'Katherine'	19"	WSU Exp Station	Y				State Champ
37	Flwrg Crabapple	Malus 'Van Eseltine'	4'6"	10918 57th St E	Y				State Champ
38	Dawn Redwood	Metasequoia glyptostroboides	36"+	315 5th St NE	Y		Y	Ex	In backyard
39	Empress Tree	Paulownia tomentosa		Meeker Mansion	Y				
40	Norway Spruce	Picea abies	24-30"	Grayland Park	Y		P		2 planted 1924 by Elks for WWI memorial- 1 cut 1990s

ID	Common Name	Botanical Name	Size	Location	Lrg Sz	Historic	Rare	Health	Comments
41	Weeping Norway Spruce	Picea abies 'Inversa'	51"	Woodbine Cem	Y				State Champ
42	Oriental Spruce	Picea orientalis	9'1"	5811 124th AvCtE	Y				2nd in State
43	Korean Pine	Pinus koraiensis	53"	11215 Valley Av E	Y				State Champ
44	Japanese White Pine(Blue form)	Pinus parviflora 'Glauca'	51"	404 23rd Av SE	Y				2nd in State
45	Weeping White Pine	Pinus strobus 'Pendula'	46"	404 23rd Av SE	Y				State Champ
46	London Plane,Sycamore	Platanus sp.	48"+	504 3rd St SE	Y			Ex	60'+tall, a must save-across from Kalles Jr High
47-49	Poplar 'Serotina Aurea' (3)	Populus x canadensis 'Ser. Aurea'	12'1"	Linden Golf Club	Y				State Champ, 2nd & 3rd in State- 99' tall
50	Newport Flwrg Plum	Prunus 'Newport'	6'8"	1102 15th St NW	Y				State Champ- purple leaves
51	Weeping Pink Flwrg Cherry	Prunus pendula 'Plena Rosea'	5'9"	5821 108th AvCtE	Y				State Champ
52	Sargent Flwrg Cherry	Prunus sargentii	47"	WSU Exp Station	Y				2nd in State
53	Moser Flwrg Plum	Prunus x bireiana 'Moseri'	60"	1829 W Pioneer	Y				State Champ- purple leaves
54	Moser Flwrg Plum	Prunus x bireiana 'Moseri'	55"	714 2nd Av NW	Y				2nd in State - purple leaves
55	Red Oak	Quercus rubra		Pioneer Park	Y			Ex	Bicentennial tree 1976 - FAILED IN 2017
56	Contorted Locust	Robinia psuedoacacia 'Tortuosa'	4'8"	1102 15th St NW	Y				State Champ
57	Giant Sequoia	Sequoiadendron giganteum	8'+	406 2nd Av NE	Y		Y	Ex	Close to corner-potential redev. Problems
58	Stewartia	Stewartia psuedocamellia	41"	15014 106th St E	Y			G	State Champ
59	English Yew	Taxus baccata	13'10"	1007 13th St SE	Y				State Champ
60	George Peabody' Arborvitae	Thuja occidentalis'Lutea'	48"	Puy High Sch	Y		Y		State Champ
61-121	Little Leaf Linden,Basswood(6'	Tilia americana	24-48"	E Main\Linden Dr		Y		VG	WWI commemorative planting 1920s
122	Camperdown Elm	Ulmus glabra 'Camperdown'	36"+	607 7th St SW	Y		Y	VG	State Champ-MM Leavitt 845-6226 -planted 1906-10



## ISSAQUAH'S HERITAGE TREES

Those trees that have unique  
or noteworthy characteristics  
or values to Issaquah  
shall be designated  
as Heritage Trees.

### HERITAGE TREE CHARACTERISTICS

Heritage trees reflect important community values because they have one or more of the characteristics below:

**Size or Age:** A tree that has reached a size or age not normally seen for that species in the Pacific Northwest. It can be the largest, oldest or most outstanding specimen in the local area.

**Historic Significance:** A tree that is notable because of its association with early settlers of the region or a historic event.

**Ecological Value:** A notable tree that provides a special ecological benefit not commonly seen in the area.



### THE PROGRAM

Issaquah's Heritage Tree Program was developed by the City's Park Board to promote identification and recognition of those trees that reflect the unique character of Issaquah.

It is a component of the City's Urban Forestry Program and was begun in honor of Issaquah's tenth consecutive year as a Tree City USA.

### HOW YOU CAN NOMINATE A TREE

Complete the form on the reverse side. You must own the property on which the tree, or group of trees, grows or obtain the signature of the owner on this form before a nomination can be acted upon.

In order to keep the process competitive, there will be no limitation on the number of trees nominated; however, the maximum number of trees selected will be limited to three.

The deadline for submitting applications is September 1st. This will provide the Park Board time to review the nominations before their September meeting. Incomplete applications may not be considered.

### Mail or deliver the form to:

Issaquah Parks and Recreation Dept.  
Attn: Heritage Tree Program  
P.O. Box 1307  
Issaquah, WA 98027-1307

Your nomination will be reviewed and acted upon by the City Park Board and you will be notified of the status of your application.

### HERITAGE TREE STATUS

All heritage trees will be identified and recorded in a register maintained by the Issaquah Parks and Recreation Department.

All trees so designated, including names of the nominator and the property owner will be acknowledged in a Mayoral Proclamation at a City Council meeting.

All heritage trees will be designated on an appropriate map distributed for general public use.

A certificate identifying the tree and its Heritage Tree status will be provided to the property owner.

Heritage Tree status is a contribution to the Community Urban Forest that will aid in maintaining Issaquah's Northwest woodland character and recognition of Issaquah's history and character.





## HERITAGE TREE NOMINATION

a program sponsored by the  
PARK BOARD  
of the  
CITY OF ISSAQUAH

Please complete the following in as much detail as possible. Please include a photograph.

Name of property owner:

Person nominating tree (if different than above):

Address and Telephone number:

Description and location of tree nominated:

Description of photograph (i.e., date, direction of view, etc.):

Description of characteristics of the tree nominated that merit consideration for heritage status:

(Use additional sheets as needed.)

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I am the owner of the property that is the location of the tree nominated for heritage status described above. I consent to the Park Board's designation of the above designated tree to heritage status. I also agree to the trees being listed on a map for public information. I understand that the heritage designation does not limit my ability to prune, remove or otherwise maintain my tree.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Recognizing and  
Honoring the Beauty  
and History of Issaquah**



**ISSAQUAH'S  
HERITAGE  
TREES**