



**\*\*\*\*\*Notice to Our Customers\*\*\*\*\***

**New Tree Regulations –Tree Removal Unrelated to  
Development Activity**  
Effective January 1, 2006

**Purpose of the new tree regulations**

Trees and other vegetation are important elements of the physical environment which protect public health, safety and general welfare in a variety of ways. These regulations establish a process and standards to provide for the protection, preservation, replacement, proper maintenance and use of significant trees, associated vegetation and woodlands located in the City of Kirkland. **An owner of developed property is generally allowed to remove up to two significant trees per 12 month period. More specific details related to this exemption are contained in Section 95.20.1 of the Kirkland Zoning Code (KZC). Allowances and requirements for tree removal other than that are discussed in Section KZC 95.35.2.B.4 and are summarized below.**

**Helpful terms to complete the tree plans described below:**

1. **Significant Tree:** A tree that is at least 6 inches in diameter at breast height (DBH) (The diameter or thickness of a tree trunk measured at 4.5 feet from the ground).
2. A **hazard tree** must meet the following criteria:
  - Must have a combination of structural defects and/or disease which makes it subject to a high probability of failure and be in proximity to moderate to high frequency of persons or property; AND.
  - The hazard condition of the tree cannot be lessened with reasonable and proper arboricultural practices nor can the target be removed.
3. A **nuisance tree** must meet the following criteria:
  - Tree is causing obvious, physical damage to private or public structures, including but not limited to sidewalk, curb, road, driveway, parking lot, building foundation, or roof; or
  - Tree has been damaged by past maintenance practices that cannot be corrected with proper arboricultural practices; AND
  - The problems associated with the tree must be such that they cannot be corrected by any other reasonable practice, including but not limited to the following:
    - Pruning of the crown or roots of the tree and/or small modifications to the site, including but not limited to a driveway, parking lot, patio or sidewalk to alleviate the problem; or
    - Pruning, bracing or cabling to reconstruct a healthy crown.
4. **Qualified Professional:** An individual that must possess and demonstrate the ability to perform tree risk assessments and prescribe appropriate measures necessary for the preservation of trees during development; must at a minimum be certified by the International Society of Arboriculture (ISA).

## **Permit Submittal Requirements – Tree Plan IV**

***A Tree Plan IV is for removal requests on a property on which no development activity is proposed or in progress. Activity requiring a Tree Plan IV includes:***

- Removal of hazard or nuisance trees when more than two significant trees are requested to be removed
- Tree removal in areas dedicated to ensure protection of vegetation, Critical Areas or Critical Area Buffers as defined in KZC 90.30.7.
- Removal of one or both of the last two significant trees on site
- Removal of trees on an approved Tree Plan that are to be retained (under tree maintenance agreement)
- Removal of hazard or nuisance trees on undeveloped property

**NOTE: Removal or pruning of a public tree (i.e. street tree) requires approval of a “Tree Removal Request” application.**

### **Tree Plan Requirements**

All Tree Plan IV's require at a minimum a site plan showing the approximate location of significant trees, their size (DBH) and their species, along with the location of structures, driveways, access ways and easements. Additional requirements are dependent on the type and location of the request:

1. If removal is based on **nuisance or hazard** and the nuisance or hazard condition is not obvious, a report from a qualified professional explaining how the tree(s) fit the criteria (listed above under terms) is required.
2. For **nuisance or hazard trees in critical areas or their buffers**, the plan must propose action to mitigate the hazard or nuisance in accordance to the following standards:  
The intent of preserving vegetation in and near streams and wetlands and in geologically hazardous areas is to support the functions of healthy sensitive areas and sensitive area buffers (see KZC Chapter 90) and/or avoid disturbance of geologically hazardous areas (see KZC Chapter 85). The property owner must submit a Level IV Tree Plan to the City Planning and Community Development Department to trim or remove any tree from a critical area or critical area buffer. If a tree is considered a nuisance or hazard in a critical area or its buffer, the priority action is to create a “snag” or wildlife tree with the subject tree. If creation of a snag is not feasible, then the felled tree shall be left in place unless the Planning Official permits its removal in writing. The removal of any tree will require the planting of a native tree of a minimum of six feet in height in close proximity to where the removed tree was located. Selection of native species and timing of installation shall be coordinated with the Planning Official.
3. If the removal request is **for one or both of the last two (2) significant trees**, even if nuisance or hazard, a planting plan showing a one-for-one replacement is required. Please provide location, size and species of the new trees. Planted trees must be at least 6 feet tall if they are conifers or 2 inches in caliper if they are deciduous or broad-leaf evergreens.
4. Tree removal on undeveloped property shall be approved only for hazard or nuisance trees. The tree removal exemptions in KZC 95.20 generally are not applicable to undeveloped property.

### **Qualified Professionals**

A list of certified arborists can be located at [www.pnwis.org](http://www.pnwis.org), [www.isa-arbor.com](http://www.isa-arbor.com) or call Pacific Northwest Chapter of International Society of Arboriculture at (800) 335-4391, or if using “Tree Service” in the yellow pages look for the “certified arborist” logo. Be sure to check references and information on licensing, bonding, and insurance.

**Note: This is an overview of tree requirements, for more details and information visit our website at <http://www.ci.kirkland.wa.us/depart/planning/trees.htm> or request a copy of Ordinance 4010.**