AGENDA
Revised

October 14, 2014

Call to Order

Roll Call

Pledge of Allegiance

Approval of Agenda

Presentation: Sammamish Community & Aquatic Center

Public Comment

Note: This is an opportunity for the public to address the Council. Three-minutes limit per person or five-minutes if representing the official position of a recognized community organization.

New Business:

1. Emergency Ordinance: An Ordinance Of The City Of Sammamish, Washington, Establishing Interim Development Regulations As Authorized By The Growth Management Act Relating To Tree Retention; Providing For Severability; And Declaring An Emergency

Council Reports

City Manager Report

Executive Session – If necessary

OPEN STUDY SESSION

Topics

- Department Budgets:
  - Parks & Recreation

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.
• Public Works (including Facilities & Maintenance)

➤ Discussion: Public Works Standards

Adjourn 10:00 pm

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.
# AGENDA CALENDAR

<table>
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<tr>
<th>October 2014</th>
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<tr>
<td>Mon 10/20 6:30 pm</td>
<td>Regular Committee of the Whole Meeting</td>
<td>Budget (If needed)</td>
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<td>Human Service Grants – Committee Recommendation</td>
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<td>Tues 10/21 6:30 pm</td>
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<td>Flag Ceremony Pack 225</td>
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<td>Presentation: Friends of the Issaquah Salmon Hatchery</td>
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<td>Budget Deliberations</td>
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<td>Ordinance: 2nd Reading Recreational Marijuana Ban (consent)</td>
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<th>Nov 2014</th>
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<tr>
<td>Tues 11/04 6:30 pm</td>
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<td>Hearing: 1st Reading Property Tax Levy Ordinance</td>
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<td>Public Hearing: 1st Reading 2015-2016 Budget</td>
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<td>Ordinance: First Reading School Impact Fees (LWSD, ISD, SVSD)</td>
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<td>Mon 11/17 6:30 pm</td>
<td>Special Meeting</td>
<td>Resolution: 2015 Fee Schedule</td>
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<td>Resolution: 2015 Salary Schedule</td>
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<td>Resolution: 2015 Medical Premium Co-pay percent</td>
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<td>Study Session</td>
<td>Cancelled (tentative) – Veteran’s Day City offices closed</td>
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<td>Mon 11/17 6:30 pm</td>
<td>Special Meeting</td>
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<td>Regular Meeting</td>
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<td>Tues 1/13</td>
<td>Study Session</td>
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<td>Mon 1/19</td>
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<td>Martin Luther King Day</td>
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<td>Tues 1/20</td>
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<td>Thurs 1/22</td>
<td>6:00 pm Council Retreat</td>
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<td>Friday 1/23</td>
<td>9:00 am Council Retreat</td>
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<td>Sat 1/24</td>
<td>9:00 am Council Retreat</td>
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<tr>
<th>To Be Scheduled</th>
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<th>Parked Items</th>
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<tr>
<td>Ordinance: Second Reading Puget Sound Energy Franchise</td>
<td>Ordinance: First Reading Social Hosts Economic Development Plan</td>
<td>Mountains to Sound Greenway Sustainability/Climate Change Bid Award: Stormwater Repairs</td>
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<td>Final Acceptance: 2013 Crack Seal Project</td>
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If you are looking for facility rentals, please click [here].

**October 2014**

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<td>Arts Fair</td>
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<td>City Council Special Meeting / Study Session</td>
<td>Klahanie Annexation open house</td>
<td>Finance Committee Meeting</td>
<td>&quot;A Cut Above&quot; - Exhibit</td>
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<td>Sammamish Recycling Collection Event</td>
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[Add Event]
If you are looking for facility rentals, please click [here](http://www.sammamish.us/events/Default.aspx?Month=11&Year=2014).

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<td>City offices closed</td>
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City Council Agenda Bill

Meeting Date: October 14, 2014
Date Submitted: October 9, 2014

Originating Department: Community Development

Clearances:
- City Manager
- Attorney
- Admin Services
- Community Development
- Parks & Recreation
- Finance & IT
- Police
- Fire
- Public Works

Subject: Emergency ordinance adopting interim tree retention regulations amending Sammamish Municipal Code (SMC) 21A.35

Action Required: Adopt Emergency Ordinance

Exhibits: Emergency Ordinance with Attachment A

Budget: No budget impact

Summary Statement:
The Sammamish Municipal Code (SMC) 21A.35 requires the retention of significant trees as defined in SMC 21A.15.1333 for new subdivisions and short plats. There are upwards of 45 vested new subdivision and short plat proposals currently being processed by the City leading to the removal of large numbers of significant trees. The application of the current tree retention regulations to these proposals is not adequately accomplishing the goals of the Sammamish Comprehensive Plan. Therefore, this emergency ordinance temporarily enacts interim tree retention regulations until permanent regulations can be developed through the normal Planning Commission/City Council legislative review process.

Background:
The current tree retention requirement for new subdivisions and short plats is 25% within areas unconstrained by environmentally sensitive areas. Up to 50% of this retention requirement can be allocated to significant trees in an environmentally sensitive area thereby reducing the total number of significant trees being retained on a site. Additionally, significant tree retention incentives are available that reduce recreation space site requirements as well as increase the net density of a site, but are rarely used. No replacement is currently required for the removal of significant trees.

The current Sammamish Comprehensive Plan contains a number of goals and policies regarding tree retention in the city:

Land Use Element
- LUG-10: Preserve trees and other natural resources as integral components of the community’s overall design.
LUP-10.1: **Clustering of existing trees and native vegetation should be incorporated into site and building designs** when appropriate. This policy should be implemented during design review and other land use reviews.

**Environment & Conservation Element**

- **ECP-6.12:** The City shall prepare regulations to preserve and protect trees in easements, rights-of-way, parks, and potentially, under certain circumstances, private property. These regulations shall include, but shall not be limited to, guidelines for utility providers, private firms, City contractors and staff, as well as private individuals and neighborhood associations regarding appropriate practices for the pruning, maintenance, and/or removal of trees.

- **ECP-6.7:** Clearing and grading shall be limited on all short plats, plats, commercial projects, and all non-residential projects to protect water quality, maintain hydrologic functions or wetlands, attenuate surface water runoff, limit erosion, and maintain fish and wildlife habitat and visual buffers. Seasonal limits shall restrict clearing and grading to the driest months. **Tree retention shall be required for soil stability, significant trees, and buffering of development.**

While permanent tree retention regulations are developed through the normal Planning Commission / City Council legislative review process, this emergency ordinance will assist in accomplishing the goals of the Sammamish Comprehensive Plan by:

1. Adding a new standard in SMC 21A.35.210 maintaining the significant tree retention requirement of 25% for new short plats of 2 lots.

2. Raising the significant tree retention requirement currently in SMC 21A.35.210 (2) for new subdivisions and short plats of 3 or more lots from 25% to 35%.

3. Eliminating the “double count” currently in SMC 21A.35.210 (2) of up to 50% of significant trees in environmentally sensitive areas to count towards the retention requirements for all new subdivisions and short plats.

4. Eliminating incentives in SMC 21A.35.220 for significant tree retention of 30% for reduced recreation space site requirements and 35% for increased net density of a site.

5. Adding a new requirement in SMC 21A.35.240 for a 1:1 replanting of every significant tree lawfully removed as part of a new subdivision or short plat of 3 or more lots.

**Financial Impact:**

There is no financial impact directly associated with the adoption of this emergency ordinance.

**Recommended Motion:**

Adopt the emergency ordinance and schedule a public hearing within 60 days.
AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, ESTABLISHING INTERIM DEVELOPMENT REGULATIONS AS AUTHORIZED BY THE GROWTH MANAGEMENT ACT RELATING TO TREE RETENTION; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim development regulations; and

WHEREAS, to promote the public health, safety, aesthetic, and welfare, the City of Sammamish (the “City”) provides for the retention of significant trees, which is done through the implementation of comprehensive and thorough review of new subdivisions and short plats; and

WHEREAS, the City has determined that tree retention for new subdivisions and short plats as currently codified in Sammamish Municipal Code (SMC) chapter 21A.35 is not accomplishing the goals set forth by the Sammamish Comprehensive Plan; and

WHEREAS, the City has determined that amendments to the tree retention regulations are required, and is interested in preventing the removal of additional significant trees until such time as the tree retention regulations can be thoroughly reviewed; and

WHEREAS, the City has determined that interim development regulations adopted under the provisions of RCW 36.70A.390 are necessary in order to allow adequate time for the City to effectively analyze and determine if the current development regulations are sufficient to provide for appropriate tree retention within the City; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as the City Council’s initial findings of fact in support of the interim development regulations adopted herein. The City Council may, in its discretion, adopt additional findings after the public hearing referenced in Section 4 of this Ordinance.

Section 2. Adoption of Interim Zoning Regulations. The City Council hereby adopts the interim development regulations as set forth in Attachment A to this Ordinance amending Chapter 21A.35 SMC.
Section 3. Effective Duration of Interim Development Regulations. The interim development regulations set forth in this Ordinance shall be in effect for a period of six (6) months from the effective date of this Ordinance and shall automatically expire at the conclusion of that six-month period unless sooner repealed.

Section 4. Public Hearing. The City Council will hold a public hearing at the City Council’s regular meeting beginning at 6:30 p.m. on November 18, 2014 or as soon thereafter as the business of the City Council shall permit, in order to take public testimony and to consider adopting further findings of fact.

Section 5. Referral to the City Manager. The City Manager is hereby authorized and directed to study the issues described in the above findings and to develop appropriate regulations for same as authorized by law. The City council requests that the City Manager and his staff work diligently to produce regulations for City Council consideration as soon as possible, and not later than April 14, 2015.

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 7. Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, and public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), non-exhaustive underlying facts necessary to support this emergency declaration are included in the “WHEREAS” clauses, above, all of which are adopted by reference as findings of fact as if fully set forth herein.

ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON THE ___ DAY OF OCTOBER, 2014.

CITY OF SAMMAMISH

________________________________________________________________________

Mayor Thomas E. Vance

ATTEST/AUTHENTICATED:

____________________________
Melonie Anderson, City Clerk
Exhibit 1

Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk: October 10, 2014
First Reading: October 14, 2014
Passed by the City Council:
Date of Publication:
Effective Date:
Attachment A

Interim Development Regulations

Chapter 21A.35

DEVELOPMENT STANDARDS – LANDSCAPING AND IRRIGATION

21A.35.210 Tree retention requirements

The following tree retention requirements shall be applied in addition to the applicable requirements of Chapters 16.15 and 21A.50 SMC:

1. Emergency tree removal to prevent imminent danger or hazard to persons or property shall not be limited by this section or SMC 21A.35.230, Tree protection standards.

2. All new short plats of 2 lots shall retain significant trees subject to the following standards:
   
   a. Within areas unconstrained by environmentally sensitive areas and associated buffers, a minimum of 25 percent of significant trees shall be retained.
   
   b. Within environmentally sensitive areas and associated buffers, significant trees and other vegetation shall be retained subject to the requirements of Chapter 21A.50 SMC.

3. All new subdivisions and short plats of 3 or more lots shall retain significant trees subject to the following standards:

   a. Within areas unconstrained by environmentally sensitive areas and associated buffers, a minimum of 35 percent of significant trees shall be retained.

   b. Within environmentally sensitive areas and associated buffers, significant trees and other vegetation shall be retained subject to the requirements of Chapter 21A.50 SMC, provided that trees retained within environmentally sensitive areas and associated buffers may be counted for up to 50 percent of the tree retention requirement in subsection (2)(a) of this section.

4. All new commercial and institutional developments shall retain significant trees subject to the following standards:

   a. Within areas unconstrained by environmentally sensitive areas and associated buffers, a minimum of 30 percent of significant trees shall be retained.
(b) Within environmentally sensitive areas and associated buffers, significant trees and other vegetation shall be retained subject to the requirements of Chapter 21A.50 SMC; provided, that trees retained within environmentally sensitive areas and associated buffers may be counted for up to 50 percent of the tree retention requirement in subsection (3)(a) of this section.

(54) All clearing and grading of existing undeveloped properties shall retain significant trees subject to the requirements for tree retention of commercial developments.

(65) Trees identified for retention shall be selected, to the extent feasible, subject to the following criteria:

(a) Trees located within healthy, vegetated groups and stands rather than as isolated trees scattered throughout the site;
(b) Trees that have a reasonable chance of survival once the site is developed;
(c) Trees that will not pose a threat to persons or property;
(d) Trees that can be incorporated into required landscaping or can be used to screen the site from adjacent properties;
(e) Trees adjacent to open space, sensitive area buffers or sensitive area tracts;
(f) Trees having a significant land stability function; or
(g) Trees that meet the definition of heritage tree.

(76) Subject to review and approval by the director, up to 50 percent of trees identified for retention may be removed, provided replacement trees shall be required pursuant to SMC 21A.35.240, Tree replacement and enforcement.

(87) Exceptions to the tree retention standards may be requested and approved by the City subject to the satisfying all of the following criteria:

(a) Strict compliance with the provisions of this code would prevent reasonable use of the property;
(b) Proposed tree removal and proposed replacement is consistent with this section and SMC 21A.35.230, Tree protection standards, Chapters 21A.50 and 16.15 SMC; and
(c) Proposed tree replacement is consistent with the requirements of SMC 21A.35.240, Tree replacement and enforcement. (Ord. O2005-175 § 1)

21A.35.220 Tree-retention incentives
Projects that retain more trees than required pursuant to SMC 21A.35.210 may be granted the following incentives, subject to City review and approval:
(1) New subdivisions and short plats which retain a total of 30 percent or more of significant trees (outside of environmentally sensitive areas and associated buffers) on the subject site may reduce required on-site recreation space by up to 10 percent, and
(2) New subdivisions and short plats which retain a total of 35 percent or more of significant trees (outside of environmentally sensitive areas and associated buffers) on the subject site may modify the net density calculation pursuant to SMC 21A.25.080 to
include up to 10 percent of the area within environmentally sensitive areas towards site
density calculations. (Ord. O2005-175 § 1)

21A.35.230 Tree protection standards

The following tree protection standards shall apply to trees retained pursuant to SMC
21A.35.210, Tree retention requirements:

(1) All trees identified for retention shall be identified on project site plans, and shall
include a summary of the project specific tree protection measures.

(2) Trees identified for retention shall be identified on the project site by use of one or
more of the following methods:

(a) Tree protection barriers shall be installed along the outer edge and
completely encompass the dripline of trees identified for retention. Protection
barriers shall consist of fencing at least four feet high, constructed of chain
link or polyethylene laminar safety fencing or similar material; or
(b) Tree protection flagging shall be installed along the outer edge and
completely encompass the dripline of trees identified for retention. Flagging
should include signs reading “Tree Save Area.”

(3) All construction activities shall be located outside of the dripline of trees identified for
retention.

(4) Site plans shall be designed to provide long-term protection of trees identified for
retention. Site design shall incorporate one of the following to provide protection of
retained trees:

(a) Curbing or other physical barrier in areas used by vehicular traffic;
(b) Fencing around areas adjacent to areas not used by vehicular traffic; or
(c) Other protection means subject to approval by the director.

(5) All trees identified for retention may be pruned and otherwise maintained at the
property owner’s discretion; provided, that topping of retained trees and removal of
more than 25 percent of existing limbs shall only be permitted under the direction of a
certified arborist. (Ord. O2005-175 § 1)

21A.35.240 Tree replacement and enforcement

This section shall apply in addition to the provisions of SMC Title 23, Code enforcement.

(1) Any significant tree lawfully removed pursuant to SMC 21A.35.210(3), Tree retention
requirement, shall be subject to the following replacement requirements:
(a) Coniferous trees shall be replaced by coniferous trees native to Washington and deciduous trees shall be replaced by deciduous trees native to Washington;
(b) Replacement coniferous trees shall be at least eight (8) feet in height. Replacement deciduous trees shall be at least two and one-half (2.5) inches in diameter (DBH); and
(c) Significant trees shall be replaced with one (1) new tree.

Any tree removed in violation of SMC 21A.35.210, Tree retention requirement, or any tree removed pursuant to the exception process of SMC 21A.35.210(6), Tree retention requirement, shall be subject to the following replacement requirements:

(a) Coniferous trees shall be replaced by coniferous trees native to Washington and deciduous trees shall be replaced by deciduous trees native to Washington;
(b) Replacement coniferous trees shall be at least eight (8) feet in height. Replacement deciduous trees shall be at least two and one-half (2.5) inches in diameter (DBH); and
(c) Trees shall be replaced subject to the following replacement ratios:
   (i) Removed trees with a DBH greater than nine (9) inches up to twelve (12) inches shall be replaced by four (4) trees;
   (ii) Removed trees with a DBH greater than twelve (12) inches up to sixteen (16) inches shall be replaced by six (6) trees; and
   (iii) Removed trees with a DBH of sixteen (16) inches or more shall be replaced by eight (8) trees.

Financial guarantees for replacement trees may be required consistent with the provisions of SMC Title 27A.

At the discretion of the director, each tree removed in violation of this chapter may be considered a separate code enforcement case for the purposes of SMC Title 23, Code Enforcement. (Ord. O2005-175 § 1)
MEMORANDUM

DATE: October 9, 2014
TO: City Council
    Ben Yazici, City Manager
FROM: Laura Philpot, PE; Assistant City Manager/Public Works Director
RE: Public Works Standards Update

This memo is to provide a brief summary of the upcoming presentation to Council on the update the Public Works Standards.

The current Interim Public Works Standards (PWS) were adopted on April 19, 2000 by Ordinance No. O2000-60. Staff is currently working to update the adopted standards with the following goals in mind:

- Improve Document organization and format
- Improve Document clarity and internal consistency
- Update standards to be consistent with City Council direction
- Update standards to provide clarification based on Hearing Examiner Feedback
- Maintain compatibility with regional, State and Federal regulations

The following items are areas within the Standards that staff is recommending changes to. Each of these items will be discussed with the City Council on Tuesday, October 14 at the study session.

Roadway Cross Sections (specifically for local streets): Based on previous City Council direction, Public Works Staff is regularly approving roadway variations to allow narrower pavement widths from 36-ft to 28-ft for local roads. This was confirmed with City Council in May 2013 at a Study Session discussion. Staff has heard conflicting comments regarding the actual required public right of way width and hopes to get direction from Council during Tuesday’s meeting. Our current standards for a local road require a 60 foot right of way (attached here to this memo for reference) and our proposed narrower roadway cross section requires only 50 feet of public right of way.

Development on substandard streets (PWS 15.100): The current section 15.100 in our adopted public works standards has been a reoccurring subject of appeal and has been cited by our Hearing Examiner as an area requiring clarification. Currently, applicants are required to improve substandard streets (public or private) up to current standards. The amount of improvements required when reading this citation, is beyond the City’s allowable nexus and has made some connections between new neighborhoods to existing neighborhoods impossible. Staff is
recommending adopting language that would require upgrades only if the roadway did not meet standards at the time it was construction or if there is a documented safety issue that needs to be addressed. For reference, the current standards read as follows:

“PWS.15.100 Developments on substandard streets.
All new developments which obtain access from substandard public or private streets shall be required to construct all necessary street improvements to bring any street up to current City standards prior to final approval. Such improvements shall be made from the point of access to the closest intersection of a public street that meets current standards. Street improvements may include but are not limited to curb and gutter, sidewalk, street storm drainage, street lighting, traffic signal modification, relocation or installation, utility relocation, and street widening all per these standards.”

Connectivity: Staff recommends adding a section requiring new neighborhoods to look for opportunities to connect the transportation system both for vehicles and non-motorized users and to promote future connectivity when adjacent to undeveloped parcels whenever possible.

Street lighting: In Oct. 2009, staff shared street lighting standards with the City Council. Staff has been implementing the direction received from Council and recommends writing the standards to be consistent with this direction. Direction includes:
- Full Cut off – Dark Sky Friendly fixtures
- New arterial lighting standards shall be black cobra head light standards – except for the existing city core along 228th where the green decorative standards shall remain

Access Requirements: Currently the adopted standards do not restrict the number of residents that may be accessed through a single access point or roadway. For primarily emergency response purposes, staff is recommending restricting the total number of lots allowed on a single access to no more than 100 dwelling units. This would apply to new development only.

Please feel free to contact staff if you have any questions prior to our meeting.
ROADWAY SECTION
LOCAL ROAD
DETAIL
N.T.S.

NOTES:
1. ADD 5' OF PAVEMENT WIDTH EACH SIDE
   AND 10' OF RIGHT-OF-WAY WIDTH
   WHEN BIKE LANES ARE REQUIRED.

2. ON-STREET PARKING MAY BE REDUCED
   WITH CITY ENGINEER'S APPROVAL
   FOR CUL-DE-SAC STREETS.
Department Budgets:

- Parks & Recreation

- Public Works (including Facilities & Maintenance)

Staff will give a PowerPoint presentation at the meeting.