

Carol Lumb

From: Padvorac, Andy <andy.padvorac@pse.com>
Sent: Thursday, October 06, 2016 1:39 PM
To: Carol Lumb
Cc: Andrea Cummins
Subject: Landscape Ordinance - PSE Comments
Attachments: Draft TMC 18.52 landscaping code-PSE edits Oct. 6th.docx

Carol,

Puget Sound Energy appreciates the opportunity to support the city's update process with comments. Enclosed are PSE's comments on this draft code update. I used "track changes" in the document you emailed out on September 16th – after I accepted all of the edits included in that proposed document. All of the PSE edits have been highlighted in yellow to make them more obvious.

PSE's focus is on right-tree, right-place. We have suggested wording to help avoid conflicts between new vegetation and overhead power lines, and tried to clarify processes to resolve conflicts between existing vegetation and power lines. The citations for those sections are noted below. As a side note, the code uses the phrase "utility lines" rather than "power lines," and PSE's comments follow that. That said, clearances to overhead powerlines are much more critical than what is needed for telecommunication lines.

Page 7 – 18.52.030.D.1; Edit wording, suggest revising definition of "hazardous tree" (18.06.395)

Page 8 – 18.52.040.A.9; Edit wording

Page 10 – 18.52.040.B.4; Edit wording

Page 12 – 18.52.050.B.1; Edit wording, maybe move utility text to new section

Page 14 – 18.52.050.B.6; Edit wording (street-side utilities can be in easements or city right-of-way)

Page 18 – 18.52.060.C.1.g.iv; Add section and wording

Page 19-20 – 18.52.070.A.2.b; Add section and wording

Page 21 – 18.52.070.B.1.b; Edit wording

Thank you!

Andy Padvorac, AICP / CESCL

Sr. Land Planner
Puget Sound Energy
Ofc 425-456-2550
Cel 206-790-8153

From: Carol Lumb [mailto:Carol.Lumb@TukwilaWA.gov]

Sent: Friday, September 16, 2016 4:12 PM

To: Padvorac, Andy; Bonnie Wong; Bruce Paquette; Dana Ramsey; Daryl Tapio; Gasper Alexander; Gordon Manley;

Joshua Watler; Katrina Dohn; Kelli Turner; Kriner, Kerry; Kim Karns; Kristine Murphy; Nhan Nguyen; Robert Ferguson; Sunny Mulholland (sunnymulholland@hotmail.com)

Cc: Andrea Cummins

Subject: Next Tree and Environment Advisory Committee Meeting

Dear Interested Party:

The next Tree and Environment Advisory Committee meeting will be **Thursday, September 29, 2016** from 6:00 p.m. to 8:30 p.m. in conference room #2, 6300 Southcenter Blvd., Tukwila, WA 98188. The Committee will pick up where it left off after its meeting on September 13th, on page 4, at TMC 18.52.030, Perimeter Landscaping Types, of the attached document. The attached draft landscaping code includes more citations on sources used to develop the draft code and was provided to the Committee at their meeting on September 13th.

The Tree and Environment Advisory Committee web site will be updated as any new materials are developed, and new meeting dates are established. You can check for any updates

here: <http://www.tukwilawa.gov/departments/community-development/community-planning/tree-environment-advisory-committee/>.

Please let me know if you have any questions.

Carol Lumb

*Carol Lumb, AICP, Senior Planner
Department of Community Development
City of Tukwila
6300 Southcenter Blvd., Suite 100
Tukwila, WA 98188
206-431-3661
Carol.Lumb@Tukwilawa.gov*

Tukwila, the City of opportunity, the community of choice

****My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56****

2016 Draft Landscaping Code

(PSE Edits Oct. 6th)

TMC 18.52: Landscaping

18.52.010 Purpose

18.52.020 Perimeter Landscaping Requirements by Zone District

- A. Landscaping by Zone District
- B. Clustering Landscaping
- C. Bioretention Facility Substitution
- D. Plant Material Clustering and Signage

18.52.030 Perimeter Landscaping Types

- A. Type I
- B. Type II
- C. Type III

18.52.040 Plant Material Requirements and Tree Standards

- A. Plant Material Requirements
- B. Tree Standards

18.52.050 General Landscaping and Screening Requirements

- A. Purpose
- B. General Landscaping Requirements
 - 1. Visibility
 - 2. Soil preparation and planting
 - 3. Design
 - 4. Screening of Outdoor Storage, Mechanical Equipment and Garbage Storage Areas
 - 5. Irrigation
 - 6. Utility Easements
 - 7. Maintenance and pruning
 - 8. Landscape Plan Requirements

18.52.060 Parking Lot Landscaping

- A. Purpose
- B. Interior Parking Lot Landscaping
- C. Street Trees in the Public Frontage

18.52.070 Procedures

- A. Landscape Modifications
 - 1. Types of Modifications
 - 2. Modification Approval Criteria
- B. Violations
 - 1. Chapter violations
 - 2. Remedial Measures

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3. Enforcement
4. Inspection Access
5. Penalties

18.52.010 Purpose:

The purpose of this chapter is to establish minimum requirements for landscaping to:

- promote safety;
- provide screening between incompatible land uses;
- mitigate the adverse effects of development on the environment;
- improve the visual environment for resident and nonresident alike;
- implement Urban Forestry Comprehensive Plan goals;
- increase tree canopy throughout the city to improve air quality, promote the health of residents, visitors and employees, reduce heat islands, and storm water flows;
- support the low impact development goals of the Comprehensive Plan and the City's National Pollution Discharge Elimination System permit;
- regulate the protection of existing landscaping; and
- establish requirements for the long-term maintenance of required landscaping.

18.52.020 Perimeter Landscaping Requirements by Zone District

A. In the various zone districts of the City, landscaping in the front, rear and side yards shall be provided as established by the various zone district chapters of this title. These requirements are summarized in the following table, except for Tukwila Urban Center (TUC) requirements, which are listed in TMC Chapter 18.28.

Table XX

ZONING DISTRICTS	FRONT YARD (SECOND FRONT)	LANDSCAPE TYPE FOR FRONTS	SIDE YARD	REAR YARD	LANDSCAPE TYPE FOR SIDE/REAR
LDR (for uses other than dwelling units)	15 ²	Type I	10	10	Type I
MDR	15 ^{1,2,11}	Type I	10	10	Type I
HDR	15 ^{1,2,11}	Type I	10	10	Type I
MUO	15 ²	Type I ⁷	6-5 ⁴	6-5 ^{4,11}	Type I ⁷
O	15 ²	Type I ⁷	6-5 ⁴	6-5 ⁴	Type I ⁷

Commented [CL1]: General note: to increase tree canopy per Comprehensive Plan goal of 3% for Commercially zoned properties, propose increasing front landscaping and adding side and rear landscaping in some districts. Other commercial districts increased or landscaping added for same reason – see chart.

Commented [CL2]: The current five feet is being increased to six feet as this is the minimum area needed for a large stature trees.

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RCC	20 ^{2,3}	Type I ⁷	6 ⁴	10 ¹¹	Type II
NCC	10 ^{5,4}	Type I ⁷	6 ⁴	6 ^{4,11}	Type II
RC	10	Type I	6 ⁴	6 ⁴	Type II ⁸
RCM	10	Type I	6 ⁴	6 ⁴	Type II ⁸
TUC – See TMC Chapter 18.28 (to be integrated into TMC 18.52)					
C/LI	15 ^{12,5}	Type I ⁶	5,12	0 ^{5,12}	Type II ⁸
LI	15 ^{12,6}	Type II	0 ^{4,12}	0 ^{4,12}	Type III
HI	15 ^{12,6}	Type II	0 ^{4,12}	0 ^{4,12}	Type III
MIC/L	10 ⁵	Type II	0 ^{5,12}	0 ^{5,12}	Type III
MIC/H	10 ⁵	Type II	0 ^{5,12}	0 ^{5,12}	Type III
TVS	15 ^{2,3}	Type II	0 ⁴	0 ⁴	Type III
TSO	15 ^{9,2}	Type I	0 ¹⁰	0 ¹⁰	Type III

Commented [CL3]: For NCC only an increase in the front landscaping is proposed, no side or rear landscaping is proposed for NCC and RC due to the small size of most lots.

Commented [CL4]: Landscaping required in TVS and TSO is subject to the Tukwila South Development Agreement and Tukwila South Master Plan –any changes to landscaping widths will be addressed through any amendments to the Development Agreement.

Notes:

1. Minimum required front yard landscaped areas in the MDR and HDR zones may have up to 20% of their required landscape area developed for pedestrian and transit facilities subject to the approval criteria in TMC 18.52.070 A.2.a.
2. In order to provide flexibility of the site design while still providing the full amount of landscaping required by code, the front yard landscape width may be divided into a perimeter strip and one or more other landscape areas between the building and the front property line, if the perimeter strip is a minimum of 10 feet and the landscape materials are sufficient to provide landscaping along the perimeter and screening of the building mass.
3. Required landscaping may include a mix of plant materials, pedestrian amenities and features, outdoor café-type seating and similar features subject to the approval criteria in TMC 18.52.060 A.2.a. .Bioretention may also be used as required landscaping subject to the approval criteria in TMC 18.52.070 A.2.d. Required plant materials will be reduced in proportion to the amount of perimeter area devoted to pedestrian oriented space.
4. Increased to 10 feet if any portion of the yard is within 50 feet of LDR, MDR or HDR.
5. Increased to 15 feet if any portion of the yard is within 50 feet of LDR, MDR or HDR.
6. Increased to Type II if the front yard contains truck loading bays, service areas or outdoor storage.
7. Increased to Type II if any portion of the yard is within 50 feet of LDR, MDR or HDR.
8. Increased to Type III if any portion of the yard is within 50 feet of LDR, MDR or HDR.
9. Only required along public streets.
10. Increased to 10 feet if adjacent to residential uses or non-TSO zoning.
11. In the MDR and HDR districts and other districts where multifamily development is permitted, a community garden may be substituted for some or all of the landscaping. In order to qualify, a partnership with a nonprofit with community garden expertise is required to provide training, tools and assistance to apartment residents. Partnership with the nonprofit with gardening expertise is required throughout the life of the garden. If the community garden is abandoned, the required landscaping must be installed.
12. To accommodate the types of uses found in the C/LI, LI, HI and MIC districts, landscaping may be clustered to permit truck movements or to accommodate other uses commonly found in these districts if the criteria in TMC 18.52.070 A.2.c. are met.

Commented [CL5]: As part of obtaining approval of a new National Pollution Discharge Elimination System permit from Washington State Dept. of Ecology, the City is incorporating the use of bioretention techniques to reduce the amount of storm water run-off. The landscaping code is incorporating recommendations from the City's consultant on the use of bioretention as part of the formal site landscaping.

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13. The amount of landscaping in commercially zoned properties may be reduced by 15% if buildings are moved to the front of the site to create a more pedestrian friendly site design.

Commented [CL6]: Applies to all commercially zoned districts

B. Clustering of Landscaping

The landscape perimeter may be clustered if the total required square footage is achieved, unless the landscaping requirement has been increased due to proximity to LDR, MDR or HDR. See TMC 18.52.070 A.2.c. for approval criteria. In addition, up to 50% of the perimeter landscaping may be relocated to the interior parking to provide more flexibility for site organization. See TMC 18.52.070 A.2.a. for approval criteria.

Commented [CL7]: 18.52.020 B.

Commented [CL8]: New text to allow flexibility in site design.

C. Bioretention Facility Substitution

Landscaping in a bioretention facility which includes trees, shrubs and groundcover may be counted up to 100% towards required landscaping depending on the location and proposed use. See TMC 18.52.070 A.2.d. for approval criteria.

Commented [CL9]: New text based on recommendations from OTAK on allowing up to 20% of required front yard landscaping in multifamily districts to count toward landscaping requirement.

D. Plant Material Clustering and Signage

Landscaping may be clustered to avoid conflicts with proposed signage. See TMC 18.52.070 A.2.c. for approval criteria.

Commented [CL10]: New text, based on experience with some requests to remove trees due to signage being blocked.

18.52.030 Perimeter Landscaping Types

Commented [CL11]: Mix of 18.28.230 and next text.

A. Type I - Light Screening

1. The purpose of Type I landscaping is to enhance Tukwila's streetscapes, provide a light visual separation between uses and zoning districts, screen parking areas, and allow views to building entryways and signage.
2. Plant materials shall consist of the following:
 - a. Trees spaced regularly at a distance based on the stature of tree selected (small, medium or large, see TMC 18.52.040 B.2. below) except where there are conflicts. Large canopy trees are preferred unless it can be shown that site conditions do not permit this size tree at maturity.
 - b. Shrub spacing is based on the mature size of plant material selected. One shrub per 7 lineal feet, excluding curb cuts, and which achieves a continuous vertical layer within three (3) years.
 - c. Sufficient live groundcovers of varying heights, colors and textures to cover, within three (3) years, 100% of the yard area not needed for trees and shrubs. If grass is being used as the groundcover, a three-foot diameter ring of bark mulch is required around each tree.

Commented [CL12]: This text should read the same as C.2.a below – we missed making this correction

B. -Type II - Moderate Screening.

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1. The purpose of Type II landscaping is to enhance Tukwila's streetscapes, provide a moderate visual separation between uses and zoning districts, screen blank building walls and parking areas, and allow views to building entryways and signage.
2. Plant materials shall consist of the following:
 - a. Trees shall be spaced based on the stature tree selected (small, medium or large stature of tree) (excluding curb cuts) spaced regularly (except where there are conflicts with utilities) and consisting of a mix of deciduous and evergreen trees along the applicable property line. The preference is for large canopy trees unless it can be shown that site conditions do not permit this size tree at maturity.
 - b. 1 shrub per 4 linear feet of property line, excluding curb cuts and which achieves a continuous vertical layer within three (3) years.
 - c. Sufficient live groundcovers of varying heights, colors and textures to cover, within 3 years, 100% of the yard area not needed for trees and shrubs. If grass is being used as the groundcover, a 3-foot diameter ring of bark mulch is required around each tree.

C. Type III - Heavy Screening.

1. The purpose of Type III landscaping is to provide extensive visual separation along property lines between highly incompatible development, such as warehousing and residential uses.
2. Plant materials shall consist of the following:
 - a. Trees shall be spaced based on the stature tree selected (excluding curb cuts) spaced regularly (except where there are conflicts with utilities) and consisting of at least 50% evergreen along the applicable property line (75% along property line adjacent to residential uses). The preference is for large canopy trees unless it can be shown that site conditions do not permit this size tree at maturity.
 - b. Privacy screening utilizing evergreen shrubs, screening walls or fences (up to 7 feet tall) is allowed.
 - c. Sufficient live groundcovers of varying heights, colors and textures to cover, within 3 years, 100% of the yard area not needed for trees and shrubs. If grass is being used as the groundcover, a 3-foot diameter ring of bark mulch is required around each tree.

D. Significant Tree Retention

1. Significant trees located within any required landscape area that are not dead, dying, diseased, or a nuisance species, as identified in the Tukwila Approved Tree List, and that do not pose a safety hazard or conflict with overhead utility

Commented [CL13]: D.1 almost verbatim from current code 18.52.030 D.10. First part of paragraph is from 18.28.240 B.f.

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lines, as determined by the City or an ISA certified arborist, shall be retained and protected during construction with temporary fencing or other enclosure, as appropriate to the site and following Tree Protection Best Management Practices (See TMC 18.54.XX)

Commented [CL14]: Revisions to TMC 18.54, the City's tree regulations, will propose tree protection requirements.

PSE NOTE: the city's definition of "hazardous tree," 18.06.395 has been interpreted to not allow removal of a tree that will grow too tall underneath overhead utility lines. We request the definition be revised to:

"Hazardous tree' means a tree with a structural defect or disease, or which impedes safe vision or traffic flow, or will mature at a height that could be too close to overhead utility lines, or otherwise currently poses a threat to life or property."

- Retained significant trees may be counted towards required landscaping. For each two percent of effective canopy cover provided by preserved trees that is incorporated into a development plan, a two percent reduction in the minimum landscape requirement may be granted. No more than 20% of the minimum landscape requirement may be reduced for any one development. Approval is required per TMC 18.52.070 A.2.e.
- The area designated for protection will vary based on the tree's diameter, species, age, and the characteristics of the planted area and utilize Best Management Practices for Protection (See TMC 18.54.XX). Property owners may be required to furnish a report by an ISA certified arborist to document a tree's condition if tree to be retained. The Director may require that an ISA certified arborist be retained to supervise tree protection during construction. Grade changes around existing trees are to be avoided.

Commented [CL15]: From Tigard Municipal Code – 18.790.050 C.4. – modified to allow 2% reduction in required landscaping rather than Tigard's 1% reduction allowance.

Commented [CL16]: Portion of #3 from 18.28.240 B.

Commented [CL17]: Revisions to TMC 18.54, the City's tree regulations, will propose tree protection requirements.

18.52.040 Plant Material Requirements and Tree Standards

A. Plant Material Requirements

- Plants shall meet the current American Standard for Nursery Plant Stock (American Nursery and Landscape Associations-ANLA) (ANSI Z60.1) and shall be healthy, vigorous and well-formed, with well-developed, fibrous root systems, free from dead branches or roots. Plants shall be free from damage caused by temperature extremes, pre-planting or on-site storage, lack of or excess moisture, insects, disease, and mechanical injury. Plants in leaf shall be well foliated and of good color. Plants shall be habituated to outdoor environmental conditions (i.e. hardened-off).
- A mix of evergreen trees and evergreen shrubs shall be used to screen blank walls.

Commented [CL18]: From 18.52.030 D.1.

Commented [CL19]: 18.52.030 D.2. and 18.28.040 B.1.a.

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3. Evergreen trees shall be a minimum of 6 feet in height at time of planting. Commented [CL20]: 18.52.030 D.6.
4. Deciduous trees shall be a minimum 2 inch caliper six inches off the ground when installed. Commented [CL21]: Mostly 18.52.030 D.7.
5. Shrubs shall be at least 18-24 inches in height, and full and bushy at time of planting. Commented [CL22]: Not sure source – both 18.28 and 18.52 specify 18”
6. New plant materials shall include native species or non-native species that are drought tolerant and are adapted to the climatic conditions of the Puget Sound Region. There must be a diversity of tree and shrub genus and species in the site landscaping, taking into account species in existing development around the site.
 - a. If there are more than 8 required trees, no more than 40 percent may be of one species. Commented [CL23]: 6 main text from 18.28.240 B.1.g.
 - b. If there are more than 24 required trees, no more than 20 percent may be of one species. Commented [CL24]: Items 6. a-c are from the City of Portland's landscaping code.
 - c. If there are more than 25 required shrubs, no more than 50 percent may be of one species.
7. No species that are listed on the State or King County noxious weed lists or otherwise known to be a nuisance or invasive may be planted. Commented [CL25]: 18.52.030 B.9.
8. Plant materials shall be selected that reinforce the landscape design concept, and are appropriate to their location in terms of hardiness, tolerance to urban conditions, maintenance needs and growth characteristics. Large and medium stature tree species are required, per Tukwila Approved Tree list except where there is insufficient planting area (due to proximity to a building, street light, above ground or underground utility line, etc.). Commented [CL26]: 18.28.240 B.1.i.
9. Landscape plans shall take into consideration the mature size of proposed landscape materials to minimize the future need for pruning i.e. placement such that mature trees will not cause problems for foundations, obscure signage, grow too close to overhead utility lines, obstruct traffic etc. Commented [CL27]: Staff developed this language based on problems we have encountered.
10. The classification of plant material as trees, shrubs and evergreens shall be as listed in the Hortus Third, A Concise Dictionary of Plants Cultivated in the U.S. and Canada, or as updated. Commented [CL28]: 18.52.030 D.11.
11. Evergreen landscaping is appropriate for screening utility vaults and cabinets, loading docks and some storage areas. Commented [CL29]: 18.28.240 B.c.e.
12. Species selection is very important in grouped plantings. Species with like cultural requirements should be grouped together. Drought tolerant species are strongly recommended and monoculture plantings are prohibited. Low

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maintenance cost and low replacement costs are two advantages of planting drought tolerant species in grouped configurations.

Commented [CL30]: 18.28.240 C.f.

13. Plant material requirements for bioretention facilities shall be in accordance with the City's bioretention plant list.

Commented [CL31]: OTAK

B. Tree Standards

1. Tree Species: shall be appropriate for the planting environment as determined by the Department Director in consultation with the City environmentalist and seek to achieve a balance of the following:
 - a. Consistency with approved Tree List or Bioretention Landscaping List.
 - b. Compatibility with space constraints for roots and branches at maturity.
 - c. Providing adequate species diversity citywide and reasonable resistance to pests and diseases.
2. Tree Spacing: trees shall be provided adequate spacing from new and existing trees according to the following standards wherever possible:
 - a. Trees categorized as small stature on the tree list shall be spaced no greater than 20 feet on center and not closer than 15 feet on center from other newly planted or existing trees
 - b. Trees categorized as medium stature on the tree list shall be spaced no greater than 30 feet on center and not closer than 20 on center from other newly planted or any existing trees.
 - c. Trees categorized as large stature on the tree list shall be spaced no greater than 40 feet on center and not closer than 30 feet on center from other newly planted or existing trees.
 - d. Any tree determined to have a mature spread of less than 20 feet (a columnar or fastigate variety) is discouraged except under specific conditions and shall be considered a small stature tree and spaced accordingly.
3. Trees shall be placed according to the following standards:
 - a. Small stature trees shall be planted with the center of their trunks a minimum of two feet from any hard surface paving.
 - b. Medium stature trees shall be planted with the center of their trunks a minimum of 2.5 feet from any hard surface paving;
 - c. Large stature trees shall be planted with the center of their trunks a minimum of 3 feet from any hard surface paving;
 - d. Trees shall be planted a minimum of:
 - i. 4 feet on center from any fire hydrant, above-ground utility or utility pole;
 - ii. 2 feet on center from any underground utility;
 - iii. 5 feet on center from a street light standard;

Commented [CL32]: From City of Tigard, Oregon Urban Forestry Manual

Commented [CL33]: From Tigard Urban Forestry Manual

Commented [CL34]: Tigard – Urban Forestry Manual pg. 7-4

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- iv. 20 feet from a street right of way corner; however, a greater or lesser corner setback may be required based on an analysis of traffic and pedestrian safety impacts.
 - v. 5 – 10 feet from building foundations depending on species.
4. Where there are overhead utility lines, the tree species selected shall be of a type which, at full maturity, will not interfere with the lines or require topping or pruning to maintain necessary clearances ~~height~~;
 5. Root barriers may be installed according to the manufacturer's specifications when a tree is planted within 5 feet of any hard surface paving or utility feature and in areas where Structural Soil is not required, subject to approval by the Department Director in consultation with the City's environmentalist.
 6. Drought resistant species are encouraged in order to minimize irrigation requirements, except where site conditions within the required landscape areas ensure adequate moisture for growth.
 7. The mature size of selected tree species should be suitable to lot size, the scale of adjacent structures; and the proximity to utility lines to minimize the need for future pruning.
 8. In general, deciduous trees with open branching structures are recommended to ensure visibility to retail establishments. More substantial shade trees or conifers are recommended in front of private residences.
 9. All trees should be selected and located so they will not obstruct views to windows and building signage as they mature.
 10. Shade trees should be planted to shade buildings' east and west-facing windows to provide a balance between summer cooling and winter heating through solar gain.

Commented [CL35]: Tigard Urban Forestry Manual pg. 2-2

Commented [CL36]: Tigard Urban Forestry Manual pg. 2-2

Commented [CL37]: #6-9 18.28.240 C.1. a-d

Commented [CL38]: This text accidentally repeated below under Design only need it in one spot – from 18.28.240 C.2.

18.52.050 General Landscaping and Screening Requirements

A. Purpose:

The purpose of this section is to provide standards applicable to setbacks, public frontage areas, open space, and other areas on-premises and to the planting of street trees. These regulations address plant materials and design, visibility, irrigation, landscape plans, utility and service areas.

B. General Landscaping Requirements.

1. Visibility.

Commented [CL39]: Whole Visibility subsection is from 18.28.240 B.2.

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- a. Design of new landscaping and maintenance of existing landscaping shall consider Crime Prevention Through Environmental Design (CPTED) principals and visibility for safety and views. Appropriate plant species shall be specified to avoid the need for excessive maintenance pruning. Trees along the street frontages, as they mature, shall be limbed up, using proper ISA pruning techniques, to a minimum height of 6-16 feet depending on location of tree (over sidewalk, adjacent to road etc.) to allow adequate visibility and clearance for vehicles. Trees may be pruned to improve views of signage and entryways by using such techniques as windowing, thinning, and limbing up. However, no more than 1/4 of the canopy may be removed within any 2-year period. All pruning shall be done in accordance with ANSI Standard A-300 specifications, as revised. Trees may only be topped and pruned to lower their height to prevent interference with an overhead utility or electrical line and with prior approval by the Director. The pruning must be carried out under the direction of a certified arborist. The crown shall be maintained to at least 2/3 the height of the tree prior to pruning. [PSE note: the "crown" criteria of 2/3 if not feasible for vegetation maintenance by utilities.] Otherwise, trees shall not be topped.

Commented [CL40]: Revised from 18.28.240 B.2. based on input from PW

PSE note: consider moving text that is specific to utility tree topping and pruning to a new section "4" for clarity.

- b. Landscaping shall not obstruct views from or into the driveway, sidewalk or street. Landscape design shall allow for surveillance from streets and buildings and avoid creating areas that might harbor criminal activity.
- c. Landscaping at crosswalks and other locations where vehicles and pedestrians intersect must not block pedestrians' and drivers' views.
- d. Evergreen shrubs and trees shall be used for screening along rear property lines, around solid waste/recycling areas, utility cabinets and mechanical equipment, and to obscure grillwork and fencing associated with subsurface parking garages. Evergreen shrubs and trees shall be pruned so that 18 inches visibility at the base is maintained.

2. Soil Preparation and Planting.

- a. For landscaping planted in sidewalks and parking lots, or in limited areas of soil volume, structural soils (Cornell University product or similar) must be used to a preferred depth of 36 inches, to promote tree root growth and provide structural support to the paved area. Minimum soil volumes for tree roots shall be 750 cubic feet per tree (see specifications and sample plans for CU-Structural Soils). Trees and other landscape materials shall be planted per specifications in "CU Structural Soils – A Comprehensive Guide" or using

Commented [CL41]: 18.28.240 B.3.

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current BMPs as approved by the Director. Suspended pavement systems (Silva Cells or similar) may also be used if approved by the Director.

Commented [CL42]: Language is mix of TUC landscaping chapter and new text developed by staff.

- b. For landscaping planted in a bioretention facility, soils appropriate for use in such facility must be used. See TMC 14.30, Surface Water Management for soil standards.

Commented [CL43]: Added b. to acknowledge soils used for bioretention facilities are different from those used for other planting areas. Reference to TMC 14.30 at request of PW

- c. For all other plantings, (such as large planting areas where soil volumes are adequate for healthy root growth) soils must be prepared for planting in accordance with BMP T5.13, "Post Construction Soil Quality and Depth," from the Washington Department of Ecology Stormwater Management Manual for Western Washington (or as amended), regardless of whether a stormwater permit is required by the City.

Commented [CL44]: 18.28.240 B.3 b.

- d. The applicant will be required to schedule an inspection by the City of the planting areas prior to planting to ensure soils are properly prepared. Soil must be amended, tilled and prepped to a depth of at least 12 inches.

Commented [CL45]: 4. d. and e from 18.28.240 B.3.

- e. Installation of landscape plants must comply with best management practices including:

- (1) Planting holes that are the same depth as the size of the root ball and 3 times wider than the root ball.
- (2) Root balls of potted and balled and burlapped (B&B) plants must be loosened and pruned as necessary to ensure there are no encircling roots prior to planting. All burlap and all straps or wire baskets must be removed from B&B plants prior to planting.
- (3) The top of the root flare, where the roots and the trunk begin, should be placed at grade. The root ball shall not extend above the soil surface or the flare be placed below grade.
- (4) If using mulch around trees and shrubs, maintain at least a 6-inch mulch-free ring around the base of the tree trunks and woody stems of shrubs. If using mulch around groundcovers until they become established, mulch shall not be placed over the crowns of perennial plants.

3. Design.

Commented [CL46]: From TMC 18.28, Tukwila Urban Center chapter.

- a. Shade trees should be planted to shade buildings' east and west-facing windows to provide a balance between summer cooling and winter heating through solar gain.
- b. All landscaped areas should be designed to allow aquifer filtration and minimize stormwater run-off utilizing bio-swales, filtration strips, and bioretention ponds where appropriate.

Commented [CL47]: 18.28.240 C.2.

4. Screening of outdoor storage, mechanical equipment and garbage storage areas and fences.

Commented [CL48]: This is currently a requirement in the TUC district – however, City-wide we do not want to have all landscaping areas serve as storm water collection areas – we meant to revise this before sending to Committee to say: "Landscape areas may be designed to allow...."

Commented [AC49]: Taken directly from current code, TMC 18.52.040 E.

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- a. Outdoor storage shall be screened from abutting public and private streets and from adjacent properties. Such screens shall be a minimum of eight feet high and not less than 60% of the height of the material stored. The screens shall be specified on the plot plan and approved by the Community Development Director. In the MDR and HDR zones, outdoor storage shall be fully screened from all public roadways and adjacent parcels with a high obscuring structure equal in height to the stored objects and with a solid screen of exterior landscaping.
- b. Ground level mechanical equipment and garbage storage areas shall be screened with evergreen plant materials and/or fences or masonry walls.
- c. Fences. All fences shall be placed on the interior side of any required perimeter landscaping.

Commented [CL50]: 18.52.040 F.

Commented [CL51]: 18.52.040 G.

5. Irrigation.

- a. The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering and to ensure their long term viability.
- b. All required plantings must be served by a permanent automatic irrigation system, unless approved by the Director.
 - (1) Irrigation shall be designed to conserve water by using the best practical management techniques available. These techniques may include, but not be limited to: drip irrigation (where appropriate) to minimize evaporation loss, moisture sensors to prevent irrigation during rainy periods, automatic controllers to insure proper duration of watering, sprinkler head selection and spacing designed to minimize overspray, and separate zones for turf and other landscaping and for full sun exposure and shady areas to meet watering needs of different sections of the landscape.
 - (2) Exceptions to the irrigation requirement may be approved by the Director, such as xeriscaping (i.e., low water usage plantings), plantings approved for low impact development techniques, established indigenous plant material, or landscapes where natural appearance is acceptable or desirable to the City. However, those exceptions will require temporary irrigation until established.

Commented [CL52]: Taken directly from TMC 18.28, Tukwila Urban Center (TUC) District.

Commented [CL53]: #5 from 18.28.240 B.4.

6. Utilityies along Streets Easements.

Utility alignments along streets, whether in easements or in city street rights-of-way, and other similar areas when located between property lines and behind street curbing shall be landscaped and/or treated with dust and erosion control planting or surfacing such as evergreens, groundcover, shrubs, trees, sod or a combination of similar materials. In areas of overhead transmission-utility lines, no shrubs or trees shall be allowed that could

Commented [CL54]: Taken directly from current code, TMC 18.52.040 J.

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mature over 20 feet in height-at maturity will be allowed. Trees should not be planted within 10 feet of underground water, sewer or storm drainage pipes.

7. Maintenance and Pruning.

- a. Any landscaping required by this chapter shall be retained and maintained by the property owner for the life of the project in conformance with the intent of the approved landscape plan and this chapter. Maintenance shall include keeping all planting areas free of weeds and trash and replacing any unhealthy or dead plant materials.
- b. Pruning of trees is only allowed for the health of the tree, to maintain sight distances or sight lines into commercial areas, or if interfering with overhead utilities. All pruning must be done in accordance with American National Standards Institute (ANSI) A-300 specifications.
- c. No tree planted by a property owner or the City to fulfill landscape requirements, or any existing tree, may be topped or removed without prior approval from the City. Any tree topped or removed without approval shall be subject to code enforcement action per TMC Chapter 8.45 in addition to the requirements of TMC 18.52.070 B, Violations.
- d. Private property owners shall collect all on-site landscaping debris and dispose of this material properly. Private property landscaping debris shall not be placed or blown into the public right of way for City collection. Violations will be subject to code enforcement action per TMC Chapter 8.45.

Commented [CL55]: Taken directly from TMC 18.28, Tukwila Urban Center district -

Commented [CL56]: 18.28.240 C.9.a.

Commented [CL57]: 18.28.240 C.9.b.

Commented [CL58]: This text a mix of current code (18.52.050 B.) and new text.

Commented [CL59]: New text to address problem of private property owners blowing debris into City ROW for City collection.

8. Landscape Plan Requirements.

- a. A Washington State licensed landscape architect or other landscape design professional shall prepare and stamp the landscape plans in accordance with the standards herein. Detailed plans for landscaping and screening shall be submitted with plans for building and site improvements. Included in the plans shall be type, quantity, spacing and location of plants and materials; typical planting details; soil amendment/installation; tree protection details as applicable; and the location of irrigation systems and significant trees within 20 feet of the property line on adjacent properties. Underground and at-ground utilities shall be shown on the plans so that planting conflicts are avoided. A detailed list of items to be included on the landscape plan is available in the Landscape Plan handout, available on-line or at the DCD offices.
- b. Installation of the landscaping and screening shall be completed and a Landscaping Declaration submitted by the owner or owner's agent prior to issuance of the Certificate of Occupancy. Any plant substitutions shall be noted on the Declaration. If necessary due to weather conditions or construction scheduling, the installation may be postponed to the next planting season (October – April) if approved by the Director and stated on the building permit. A performance assurance device equal to 150% of the

Commented [CL60]: All but last sentence in a. is from 18.52.050 A. New handout being prepared with list of items that must be included on landscape plan.

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cost of the labor and materials must be provided to the City before the deferral is approved.

18.52.060 Parking Lot Landscaping

- A. Purpose:** The purpose of this section is to mitigate adverse impacts created by parking lots which include noise, glare, and increased heat and to improve their physical appearance.
- B. Interior Parking Lot Landscaping:**
1. For surface parking lots adjacent to public or private streets, a minimum of 20 square feet of interior parking lot landscaping is required for each parking stall except in C/LI, LI and HI, a minimum of 15 square feet per stall is required and in the MIC/L, and MIC/H, a minimum of 10 square feet per stall is required.
 2. For surface parking lots located behind buildings or otherwise screened from public or private streets or public spaces, a minimum of 10 square feet of interior parking lot landscaping is required for each parking stall in all zones.
 3. Trees shall be evenly distributed throughout the parking lot and planted in continuous, landscaped planting strips between rows of parking is encouraged. Surface water management design may also be combined with landscaping in parking lots. However, in industrial districts, (C/LI, LI, HI, MIC/L, MIC/H) clustering of interior parking lot landscaping may be permitted to accommodate site usage.
 4. For parking lots adjacent to public or private streets, if landscape islands are designed into the parking lot layout to divide continuous rows of parking stalls, they must be placed at minimum spacing of every 10 parking spaces. For parking areas located behind buildings or otherwise screened from public or private streets or public spaces, if landscape islands are used, they shall be placed at a minimum of one island every 15 parking stalls.
 5. Landscape islands must be a minimum of 6 feet wide, exclusive of overhang, and a minimum of 100 square feet in area. All landscaped areas must be protected from damage by vehicles (curbs, tire stops, or other techniques).
 6. Landscape islands shall be placed at the ends of each row of parking to protect parked vehicles from turning movements of other vehicles.
 7. The number and stature of trees shall be based on the area available in the landscape island. A minimum of one large stature evergreen or deciduous tree or two medium stature trees are required for every 100 square feet of landscaped

Commented [CL61]: Most of b. from 18.28.240 B.5. Underlined text new to reflect current requirement when Landscaping Affidavit is completed & provided to City.

Commented [CL62]: Need to add storm water to list of impacts parking lot landscaping addresses.

Commented [CL63]: 18.28.240 B.6.b. Remainder of text new to require less landscaping in parking lots located in industrial districts

Commented [CL64]: 18.28.240 B.6.b.(2)

Commented [CL65]: 18.28.240 B.6.b.(3) portion.

Commented [CL66]: #3 - New text to allow flexibility of site design.

Commented [CL67]: Portion of 18.28.240 B.6.b.(3)

Commented [CL68]: 18.28.240 B.6.b.(4)

Commented [CL69]: 18.28.240 B.6.b.(5)

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island, with the remaining area to contain a combination of shrubs, living groundcover, and mulch.

8. Bioretention, which includes trees, shrubs, and groundcover, may be used to meet interior parking lot landscaping requirements. The bioretention facility must be designed by a professional trained or certified in Low Impact Development techniques.

Commented [CL70]: New text – goal is to increase number of large canopy trees in parking lots.

9. Vehicular Overhang.

- Vehicle overhang into any landscaping area shall not exceed two feet.
- No plant material greater than 12 inches in height shall be located within two feet of the curb or other protective barrier in landscape areas adjacent to parking spaces and vehicle use areas.
- Raised curbs or curb stops shall be used around the landscape islands to prevent plant material from being struck by automobiles. Where bioretention is used, curb cuts shall be placed to allow stormwater runoff from adjacent pavements to enter the bioretention system.

Commented [CL71]: New text to support implementation of bioretention techniques as part of formal landscaping.

Commented [CL72]: 9. a. and b. from Maple Valley landscape code

10. Pervious pavement shall be used, where feasible, adjacent to landscape areas.

Commented [CL73]: Last sentence in 9. c. - language recommended by OTAK, City's consultant on incorporating bioretention features into City code. First sentence from 18.52.035 4. d.

C. Street Trees in the Public Frontage.

1. Purpose: The purpose of this section is to implement Comprehensive Plan goals and policies to increase tree canopy throughout the City along street frontages on both public and private property.

Commented [CL74]: New text – supports new NPDES permit and reduction of impervious surfaces throughout City.

- Street tree spacing in the public frontage shall be as specified above in Section 18.52.040 B.2. based on the stature size of the tree. Spacing must also consider sight vision distance at intersections, driveway locations, and utility conflicts as specified above in Section 18.52.040 B.2.

Commented [CL75]: First sentence revised from 18.28.240 B.8 text

- Street trees in the public frontage shall be planted using the general guidance of the following spacing standards:

Commented [CL76]: 18.28.240 B.8. last sentence

- At least 3.5 feet back from the face of the curb
- At least 5 feet from underground utility lines.
- At least 10 feet from power poles.
- At least 7.5 feet from driveways.
- At least 3 feet from pad-mounted transformers (except 10 feet in front for access).

Commented [CL77]: 18.28.240 B.8 b. – yellow text added at request of PW.

- At least 4 feet from fire hydrants and connections.

- Tree grates are not encouraged, but when used, shall be designed so that sections of grate can be removed incrementally as the tree matures and shall be designed to avoid accumulation of trash. When used, tree grates and landscaped tree wells shall be a minimum 36 square feet in size (6' x 6'). Tree well size may be adjusted to comply with ADA standards on narrower sidewalks. See TMC Section 18.28.240.B.3, "Soil Preparation

Commented [CL78]: 18.28.240 B.8 C., yellow text revised based on meeting with PW staff

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- and Planting,” for structural soil requirements. Root barriers may be installed at the curb face if structural soils are not used.
- d. Planting and lighting plans shall be coordinated so that trees are not planted in locations where they will obstruct existing or planned street or site lighting, while maintaining appropriate spacing and allowing for their size and spread at maturity.
 - e. Planting plans shall consider the location of existing or planned signage to avoid future conflicts from mature trees and landscaping.
 - f. Street trees are subject to the most current planting, maintenance, and removal standards and BMPs. Street trees planted prior to the adoption of the most current tree planting standards shall be exempt from these planting standards but are still subject to current removal and maintenance standards.
 - g. Street Tree Maintenance: Landscaping in the right of way shall be maintained by the abutting property owner(s) unless maintenance has been accepted by the City. See TMC 11.20.150.
 - i. Street trees shall be maintained consistent with International Society of Arborists best management practices.
 - ii. Street trees shall be maintained in a manner that does not impede public street or sidewalk traffic, consistent with the specification in the Public Works Infrastructure Design Manual, including:
 - a) 8 feet of clearance above public sidewalks;
 - b) 13 feet of clearance above public local and neighborhood streets;
 - c) 15 feet of clearance above public collector streets; and
 - d) 18 feet of clearance above public arterial streets.
 - iii. Street trees shall be maintained so as not to become a defective tree as defined in TMC 18.06.XXX.
 - iv. For reasons of public and worker safety, trees near overhead utility lines shall only be pruned, topped or removed by professionals certified to work near energized utility wires.
 - h. Trees planted in a median shall be appropriate for the planting environment, to achieve a balance of the following:
 - i. Consistency with previously approved median tree plans given space constraints for roots and branches at maturity.
 - ii. Compatibility with space constraints for roots and branches at maturity;
 - iii. Providing adequate species diversity citywide and reasonable resistance to pests and diseases.
 - iv. Columnar trees may be considered for median plantings to avoid conflicts with vehicles.

Commented [CL79]:

Commented [CL80]: New text to ensure sign location is considered when landscaping plan is developed. Key Bank on TIB example of where this did not happen.

Commented [CL81]: New text – City of Tigard Urban Forestry Manual, pg. 2-2. H.

Commented [CL82]: From TMC 11.20.150 – i – iii are from City of Tigard Urban Forestry Manual, pg. 203

Commented [CL83]: The terminology currently used is “hazardous tree” – the definition will be revised to be called “defective tree”, a more accurate term.

Commented [CL84]: h. i-iii from City of Tigard Urban Forestry Manual, (pg. 4-1). Remaining text developed by staff. Currently there is no guidance on landscaping in medians in the City’s code.

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- v. Structural soils shall be used to avoid the need for root barriers and to ensure the success of the median plantings.
- vi. Any median tree that is removed must be replaced within the same median unless spacing constraints exist. Replacement trees shall be of the same stature or greater at maturity as the removed tree.

18.52.070 Procedures

A. Landscape Modifications

1. The following modifications to the requirements of this chapter may be considered either as a Type 2, Director decision or through the design review process if the project is subject to design review.
 - a. Modifications to the requirements of Type I, II, or III landscaping or revisions to existing landscaping;
 - b. Clustering and/or averaging of required landscaping;
 - c. Substitution of bioretention facility for required landscaping
 - d. Credit of retained significant trees towards landscaping requirement
2. The following criteria apply to requests to modify required landscaping or revise existing landscaping:
 - a. Modifications to required landscaping. Such modifications can include, but are not limited to the use of the landscape area for pedestrian and transit facilities, landscape planters, rooftop gardens or green roofs, terraced planters or green walls. The modification to landscaping requirements may be approved if two or more of criteria i-iii are met.
 - i. The modification or revision more effectively screens parking areas and blank building walls; or
 - ii. The modification or revision enables significant trees or existing built features to be retained; or
 - iii. The modification or revision is used to reduce the number of driveways and curb cuts and allow joint use of parking facilities between neighboring businesses.

In addition, both criteria below must be met:

- i. The modification or revision does not reduce the landscaping to the point that activities on the site become a nuisance to neighbors.;
and
- ii. The modification or revision does not diminish the quality of the site landscape as a whole.

Commented (CL85): This section identifies what types of modifications will be considered, the process for reviewing and establishes review criteria.

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- b. Revisions to existing landscaping may be approved if either i or ii are met and both **iii, iv and v** are met:
- i. Proposed vegetation removal, replacement, and any mitigation measures proposed are consistent with the purpose and intent given in this chapter; or
 - ii. The granting of an exception or standard reduction will not be detrimental to the public health, safety or welfare or injurious to other property in the vicinity; and
 - iii. The modification or revision does not reduce the landscaping to the point that activities on the site become a nuisance to neighbors.; and
 - iv. The modification or revision does not diminish the quality of the site landscape as a whole.
 - v. If modification or revision does diminish the site landscape, such as tree pruning, topping or removal to maintain safe clearance to overhead utility lines, then commensurate off-site planting will be provided.
- c. Clustering or perimeter averaging of landscaping may be considered if it does not diminish the quality of the site landscape as a whole and, if adjacent to residential development, the impacts from clustering to residential (LDR, MDR or HDR) must be considered. In addition, one or more of the following criteria must be met:
- i. Clustering or perimeter averaging of plant material allows more effective use of the industrial property; or
 - ii. Clustering or perimeter averaging of landscaping enables significant trees to be retained; or
 - iii. Clustering or perimeter averaging is used to reduce the number of driveways and curb cuts and allow joint use of parking facilities between neighboring businesses;
 - iv. Clustering or perimeter averaging avoids future conflicts with signage
 - v. Clustering or perimeter averaging the width of the perimeter landscaping does not create a nuisance to adjacent properties.
- d. Landscaping in a bioretention facility, which includes trees, shrubs, and groundcovers as identified on the City's approved Bioretention Vegetation list and as regulated in TMC 14.30, may be counted up to 100% towards required Type I or Type II landscaping. Bioretention facilities shall not be counted towards required Type III landscaping. All of the following criteria must be met:
- i. The bioretention facility has been designed by a professional trained or certified in Low Impact Development techniques; and
 - ii. The landscaping meets the screening requirements of the specified landscape type (Type I or II) and
 - iii. Public safety concerns have been addressed; and
 - iv. The number of trees required by the landscape type are provided.

Commented [CL86]: My apologies for the crazy formatting – I cannot get Word to accept the edits!

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- e. Credit of retained significant trees may be counted towards required landscaping if the following criteria are met:
- Assessment of trees by an ISA Certified Arborist as to tree health, value of the trees and the likelihood of survivability during and after construction is provided.
 - Retention of tree(s) supports the Tukwila Comprehensive Plan urban tree canopy goals and policies;
 - A financial assurance is posted based on 50% of the value of the retained tree(s) to ensure tree replacement should the retained trees be damaged or die as a result of construction impacts. The financial assurance shall be retained for three years.

B. Violations of this Chapter

- Violations.** The following actions shall be considered a violation of this chapter:
 - Any removal or damage of landscaping that is required by this Chapter;
 - Topping or excessive pruning of trees, except as allowed by this code.
- Remedial Measures:** In addition to penalties provided in TMC Chapter 8.45, the Director shall require any person conducting work in violation of this chapter to mitigate the impacts of unauthorized work by carrying out remedial measures.
 - Any illegal removal of required trees shall be subject to obtaining a tree permit and replacement with trees that meet or exceed the functional value of the removed trees; and
 - To replace the tree canopy lost due to the tree removal, additional trees must be planted on-site or payment may be made into the City's Tree Fund if the trees cannot be accommodated on-site. The number of replacement trees required will be based on the size of the tree(s) removed as follows:

Tree Replacement Requirements

Diameter* of Tree Removed (*measured at height of 4.5 feet from the ground)	Number of Replacement Trees Required
4-6 inches (single trunk) 2 inches (any trunk of a multi-trunk tree)	3
Over 6-8 inches	4
Over 8-20 inches	6
Over 20 inches	8

Commented [CL87]: Clarifies what is a violation of this chapter, and how violations will be addressed.

Commented [CL88]: The current landscaping code does not provide specific penalties for the removal of required trees. This chart mirrors the tree replacement ratios required in the shoreline regulations. Requiring replacement trees is a way to replace lost tree canopy due to tree removal without a permit.

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3. **Enforcement.** It shall be the duty of the Community Development Director to enforce this chapter pursuant to the terms and conditions of TMC 8.45.
4. **Inspection Access**
 - a. For the purposes of inspection for compliance with the provisions of a permit or this chapter, authorized representatives of the Community Development Director may enter all sites for which a permit has been issued.
 - b. Upon completion of all requirements of a permit, the applicant shall request a final inspection by contacting the planner of record. The permit process is complete upon final approval by an authorized representative of the Community Development Director.
5. **Penalties.**
 - a. Any violation of any provision of this chapter, or failure to comply with any of the requirements of this chapter shall be subject to the penalties prescribed in TMC Chapter 8.45, Enforcement and shall be imposed pursuant to the procedures and conditions set forth in that chapter.
 - b. It shall not be defense to the prosecution for a failure to obtain a permit required by this chapter that a contractor, subcontractor, person with responsibility on the site or person authorizing or directing the work erroneously believe a permit had been issued to the property owner or any other person.

Commented [CL89]: Items #3-5 are taken from the City's Sensitive Area regulations, TMC 18.45.

DRAFT