

Exhibit A

TREE PROTECTION

20A Definitions.

Diameter at Breast Height (d.b.h).

The diameter of any tree trunk, measured at four and one-half feet above average grade. For species of trees whose normal growth habit is characterized by multiple stems (e.g., hazelnut, vine maple) diameter shall mean the average diameter of all stems of the tree, measured at a point six inches from the point where the stems digress from the main trunk. In no case shall a branch more than six inches above average grade be considered a stem. (SMP) (Ord. 2486)

20A.20.120 “L” Definitions.

Landmark Tree.

Any healthy tree over thirty inches in diameter.

20A.20.200 “T” Definitions.

Three Tier Vegetative Plan:

A landscape plan prepared or approved by a certified landscape architect, certified nurseryman, or certified landscaper that includes groundcover, understory plantings, and trees.

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- 010 Purpose.

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- (1) The purpose of this chapter is to:
 - (a) Avoid the removal of stands of trees and significant trees in order to maintain the quality of Redmond's urban environment;
 - (b) Protect stands of trees and significant trees to the maximum extent possible in the design of new buildings, roadways and utilities;
 - (c) Mitigate the environmental and aesthetic consequences of tree removal in land development through on and off-site tree replacement to achieve a goal of no net loss of trees through-out the City of Redmond;
 - (d) Provide measures to protect trees that may be impacted during construction;
 - (e) Maintain and protect the public health, safety and general welfare; and
 - (f) Preserve the aesthetic, ecological and economic benefits of forests and tree-covered areas in Redmond, which include:
 - (i) Providing varied and rich habitats for wildlife;
 - (ii) Absorbing greenhouse gas emissions;
 - (iii) Moderating the effects of winds and temperatures;
 - (iv) Stabilizing and enriching the soil;
 - (v) Slowing runoff from precipitation and reducing soil erosion;
 - (vi) Improving air quality;
 - (vii) Improving water quality;
 - (viii) Masking unwanted sound;
 - (ix) Providing visual relief and screening buffers;
 - (x) Providing recreational benefits;
 - (xi) Enhancing the economic value of developments; and
 - (xii) Providing a valuable asset to the community as a whole.

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Permits Required.

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(1) Permit Required. Except as provided in Section 030, Exemptions, any person who desires to cut down or remove any significant tree or any stand of trees, or who desires to conduct grading activities on a site that will result in the removal of trees, must first obtain a permit to do so from the Administrator as provided in this section.

(2) Developed Single-Family Lots. The owners of developed single-family lots must obtain a permit prior to removing any significant tree located on the lot. Trees may be removed as follows:

Lots up to 10,000 sq. ft.:	Up to 2 significant trees may be removed per year.
Lots 10,001 sq. ft. to 20,000 sq.ft.:	Up to 4 significant trees may be removed per year.
Lots 20,001 sq. ft. to 30,000 sq ft.:	Up to 6 significant trees may be removed per year.
Lots 30,001 sq. ft. and greater:	Up to 8 significant trees may be removed per year.

PROVIDED, that trees previously designated for protection or located within a native growth protection area may not be removed unless they are determined to be hazardous. Hazardous, dead, or otherwise dangerous trees are not included in the limits established by this section. The Administrator may approve the removal of more trees in a given year than set forth above if the remaining trees would pose a hazard to life or property.

(3) Other Developed Lots. The owners of all other developed commercial, industrial, or multi-family lots must obtain a permit prior to removing any significant tree located on the lot. Permits shall be granted for the removal of no more than five significant trees per acre per year for the purposes of (a) thinning a heavily wooded area where remaining trees may benefit from the thinning and the site's forested look, value or function is maintained, or (b) maintaining the site's landscaped areas. Trees previously designated for protection or located within a native growth protection area may not be removed unless they are determined to be hazardous. Hazardous, dead, or otherwise dangerous trees are not included in the limits established by this section. Replacement trees shall be planted as provided in Section 080, Tree Replacement.

(4) Undeveloped Lots Not Under Land Use Permit Review. The owners of undeveloped lots for which no land use application is pending must obtain a permit prior to removing any significant tree(s) or stands of trees on the lot. Removal of 11 or more significant trees requires clearing and grading approval, in accordance with Chapter 15.24 RMC.

(5) Undeveloped Lots for which Land Use Permit Applications are Pending. When tree removal is planned in conjunction with the construction of a new or expanded site or building, no separate tree removal permit is required, but the tree protection and replacement standards of this chapter will be applied to the land use permit application in addition to the other criteria found in this code.

(6) Forest Practices Permittees. Permittees under Class IV - General forest practice permits issued by the Washington State Department of Natural Resources (DNR) for the conversion of forested sites to developed sites are also required to obtain a tree removal

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permit from the City. For all other forest practice permits (Class II, III, IV – special permit) issued by DNR for the purpose of commercial timber operations, no development permits will be issued for six years following tree removal.

030 Exemptions.

- (1) The following activities are exempt from obtaining a permit under this chapter:
 - (a) Emergency activities necessary to remedy an immediate threat to public health, safety or welfare.
 - (b) Routine maintenance of trees necessary to maintain the health of cultivated plants, to contain noxious weeds, or to remedy a potential fire or health hazard or threat to public safety.
 - (c) Removal of trees in easements and rights-of-way for the purposes of constructing public streets and utilities. Protection of trees shall be a major factor in the location, design, construction and maintenance of streets and utilities. These improvements are subject to the purpose and intent of this division. Removal of significant trees shall be mitigated with on- or off-site tree replacement as set forth in the requirements of Section 080, Tree Replacement.
- (2) Nothing in this section shall be interpreted to allow the removal of trees or other vegetation within critical areas or critical area buffers, where prohibited under RCDG 20D.140, Critical Areas, or in native growth protection areas.

040 Application Requirements.

The Administrator shall specify application submittal requirements, including the type of plans, level of detail and numbers of copies to be submitted. An application fee shall be paid at the time of application in an amount established in the City's fee schedule.

050 Permit Review Criteria.

- (1) Review Criteria. The Administrator shall review all tree removal permit applications and approve the permit, or approve the permit with conditions, provided that the application demonstrates compliance with the criteria below:
 - (a) The proposal complies with Section 060, Tree Protection Standards, and Section 080, Tree Replacement, or has been granted an exception pursuant to Section 90, Exceptions.
 - (b) All bonds or other assurance devices required per Section 110, Performance Assurance, are posted with the City.

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- (2) Professional Evaluation. In determining whether a tree removal permit is to be approved or conditioned, the Administrator may require the submittal of a professional evaluation and/or a tree protection plan prepared by a certified arborist, where the Administrator deems such services necessary to demonstrate compliance with the standards of this chapter. Such professional evaluation(s) and services may include:
 - (a) Providing a written evaluation of the anticipated effects of proposed construction on the viability of trees on a site;
 - (b) Providing a hazardous tree assessment;
 - (c) Developing plans for, supervising, and/or monitoring implementation of any required tree protection or replacement measures; and/or
 - (d) Conducting a post-construction site inspection and evaluation.
- (3) Conditions of Approval. The Administrator may specify conditions for work, at any stage of the application or project as he/she deems necessary to ensure the proposal's compliance with requirements of this division, the Critical Areas regulations, clearing, grading and storm water management regulations or to protect public or private property. These conditions may include, but are not limited to, hours or seasons within which work may be conducted, or specific work methods.

060 Tree Protection Standards.

- (1) Tree Protection, In General.
 - (a) In all new developments, including additions to existing non-single family buildings and parking areas, a minimum of 35 percent of all significant trees shall be retained. Trees that are located within Native Growth Protection Easements/Areas, critical areas, and their associated buffers as provided in RCDG 20D.140, Critical Areas, or that have otherwise been designated for protection shall not be removed. Exceptions to this standard shall be requested and reviewed in accordance with Section 90, Exceptions.
 - (b) Landmark Trees. Landmark trees shall not be removed unless an exception has been applied for and granted.
 - (c) Hazardous Trees. Hazardous trees or dead trees posing a hazard, outside of NGPAs, critical areas and buffers, should be removed and are not considered significant trees.

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- (2) Site Design Standards. Site improvements shall be designed and constructed to meet the following standards:
- (a) Site improvements shall be designed to protect trees with the following characteristics, functions, or location, with priority given to protection according to the following items, arranged from most important to least important:
 - (i) Existing stands of healthy trees;
 - (ii) Trees providing habitat value, such as riparian habitat;
 - (iii) Trees having a significant land stability function;
 - (iv) Trees adjacent to public parks and open space.
 - (v) Trees within the required yard setbacks or around the site perimeter; and
 - (vi) Trees that have a screening function or provide relief from glare, blight, commercial or industrial harshness;
 - (b) In considering trees for protection, applicants and the City shall avoid, to the extent known, the selection of trees that may become hazardous because of wind gusts, including trees adjacent to utility corridors where falling trees may cause power outages or other damage. Remaining trees may be susceptible to blow downs because of loss of a buffer from other trees, grade changes affecting the tree health and stability and/or the presence of buildings in close proximity.
- (3) Grading and Proximity to Structures, Utilities, and Roadways.
- (a) To ensure that structures, utilities, and roadways are located an adequate distance from the dripline of a protected tree to allow adequate room for construction activities, the construction limit line for a structure, utility, or roadway shall be located no closer than five feet outside of the dripline of a protected tree.
 - (b) No proposed structure, utility, or roadway shall be located within five feet of the dripline of a protected tree, except where such structure is a raised deck, bay window, or cantilevered or otherwise raised above the ground's surface so as not to disrupt the tree's roots.
 - (c) Sidewalks and utilities may be located within the dripline of a protected tree, provided that construction methods and materials used will result in minimal disruption of the tree's roots, and that additional measures for tree protection are proposed and approved which will ensure the long-term viability of the tree.

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- (d) The Administrator may allow construction limits or an alteration of grades within five feet of the dripline of a protected tree, provided that the applicant submits an evaluation by a certified arborist which demonstrates that the proposed construction will not reduce the long-term viability of the tree.
 - (e) The Administrator may require an evaluation by a certified arborist to determine if protective measures should be required beyond five feet of the dripline of a protected tree.
- (4) Designation of Protected Trees.
- (a) The tree protection and replacement plan and any application and permit plans that cover such areas shall show all trees designated for protection. These areas may be shown by labeling them as “protected trees,” “native growth protection areas,” “critical areas,” “critical area buffers,” or such other designation as may be approved by the Administrator. Protected vegetation, including protected trees, shall not be modified, harmed or removed except as provided in this division.
 - (b) The Administrator may require that protected trees be permanently preserved within a tract, easement or other permanent protective mechanism. When required, the location, purpose, and limitation of these protected areas shall be shown on the face of the deed, plat, binding site plan, or similar document and shall be recorded with the King County Department of Records and Elections or its successor. The recorded document shall include the requirement that the protected areas shall not be removed, amended or modified without the written approval of the City of Redmond.
- (5) Incentives for Higher Levels of Tree Protection
- (a) The Administrator may grant adjustments to site development standards for developments on which ten or more healthy significant trees per exist acre, as follows:
 - (i) Developments that preserve 40 percent or more of the healthy significant trees shall be entitled to the Administrative Design Flexibility provisions for residential or commercial properties as outlined in RCDG 20F.40.20;

070 Tree Protection Measures

- (1) Tree Protection Measures. To ensure long-term viability of trees and stands identified for protection, permit plans and construction activities shall comply with the following minimum required tree protection:
 - (a) All minimum required tree protection measures shall be shown on the tree protection and replacement plan.

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- (b) All construction activities, including staging and traffic areas, shall be prohibited within five feet of the dripline of protected trees.
 - (c) Tree protection barriers shall be installed five feet beyond the dripline of significant trees to be protected prior to any land disturbance.
 - (d) Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Administrator. On large or multiple-project sites, the Administrator may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances.
 - (e) Where tree protection areas are remote from areas of land disturbance, and where approved by the Administrator, alternative forms of tree protection may be used in lieu of tree protection barriers, provided that protected trees are completely surrounded with continuous rope or flagging and are accompanied by “Tree Save Area – Keep Out” signs.
- (2) Preventative Measures. In addition to the above minimum tree protection measures, the applicant shall support tree protection efforts by employing, as appropriate, the following preventative measures, consistent with best management practices for maintaining the health of the tree:
- (a) Pruning of visible deadwood on trees to be protected or relocated;
 - (b) Application of fertilizer to enhance the vigor of stressed trees;
 - (c) Use of soil amendments and soil aeration in tree protection and planting areas;
 - (d) Mulching over tree dripline areas; and
 - (e) Ensuring proper water availability during and immediately after construction.
- (3) Alternative Methods. The Administrator may approve the use of alternative tree protection techniques if a protected tree will be protected to an equal or greater degree than through the techniques listed above.

080 Tree Replacement.

- (1) Prior to any tree removal, the applicant shall demonstrate through a tree protection and replacement plan, critical area mitigation plan or other plans acceptable to the Administrator that tree replacement will meet the minimum standards of this section.
- (2) Replacement Required. A significant tree to be removed shall be replaced by one new tree in accordance with subsection (3) of this section. Trees that are removed which are

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classified as landmark shall be replaced by three new trees in accordance with subsection (3) of this section. No tree replacement is required in the following cases:

- (a) The tree is hazardous, dead, diseased, injured or in a declining condition with no reasonable assurance of regaining vigor.
 - (b) The tree is proposed to be relocated to another suitable planting site, provided that relocation complies with the standards in this section.
- (3) Replacement Specifications.
- (a) Minimum sizes for replacement trees shall be:
 - (i) Two-and-one-half-inch caliper at breast height for deciduous trees;
 - (ii) Six feet in height for evergreen trees.
 - (b) The Administrator may consider smaller-sized replacement trees if the applicant can demonstrate that smaller trees are more suited to the species, the site conditions, and the purposes of this section, and that such trees will be planted in sufficient quantities to meet the intent of this section.
 - (c) Replacement trees shall be primarily native species in order to restore and enhance the site as nearly as practicable to its pre-development character.
 - (d) The condition of replacement trees shall meet or exceed current American Nursery and Landscape Association or equivalent organization's standards for nursery stock.
 - (e) Installation.
 - (i) Installation of required replacement trees shall be in accordance with best management practices for landscaping which ensure the tree's long-term health and survival.
 - (ii) All required tree replacement and other required mitigation shall be bonded or completed prior to issuance of a building permit.
- (4) Location for Tree Replacement - On Site. Replacement trees shall be planted on the site from which significant trees are removed unless the Administrator accepts one or more of the alternatives set forth in subsection (5) of this section.
- (5) Location for Tree Replacement - Alternatives. When on-site replacement cannot be achieved, the Administrator may consider the following alternatives:
- (a) Off-Site Tree Replacement.

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- (i) The number of replacement trees shall be the same as described in subsection (2) of this section, Replacement Required. Replacement costs (material plus labor) shall be at the applicant's expense.
 - (ii) Allowable sites for receiving off-site replacement plantings.
 - (A) City or County-owned parks, open space areas, native growth protection areas (NGPA), or river and stream corridors within Redmond City limits, or lands controlled by the City;
 - (B) Private open space which is permanently protected and maintained, such as a native growth protection area (NGPA).
 - (iii) All trees to be replaced off-site shall meet the replacement standards of this section.
- (b) Tree Replacement Fee. A fee in lieu of tree replacement may be allowed, subject to approval by the Administrator after careful consideration of all other options. A tree replacement fee shall be required for each replacement tree required but not planted on the application site or an offsite location.
- (i) The amount of the fee shall be the tree base fee times the number of trees necessary to satisfy the tree replacement requirements of this section. The tree base fee shall cover the cost of a tree, installation (labor and equipment), maintenance for two years, and fund administration.
 - (ii) The fee shall be paid to the City prior to the issuance of a tree removal permit.
 - (iii) Fees collected under this subsection shall be expended only for the planting of new trees in City-owned parks, open spaces or rights-of-way.
- (c) Landscape Restoration. Where appropriate, the Administrator may consider other measures designed to mitigate the loss of trees by restoring all or parts of the forest landscape and its associated benefits. Measures may include, but are not limited to:
- (i) Creation of wildlife snags from trees which would otherwise be removed;
 - (ii) Replacement of certain ornamental trees with native shrubs and groundcover;
 - (iii) Replacement of hazardous or short-lived trees with healthy new trees more likely to survive;

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- (iv) Daylighting and restoration of stream corridors with native vegetation;
 - (v) Protection of nonsignificant trees to provide for the successional stages of forest development.
- (6) Tree Replacement Guidelines and Requirements.
- (a) When individual trees or tree stands are protected, replacement trees should be planted to re-establish or enhance tree clusters where they previously existed;
 - (b) Where possible, replacement trees should be planted within critical areas or buffers, provided that the proposed planting conforms to the requirements for mitigation of critical areas in Chapter 20D.140 RCDG, Critical Areas. Replacement trees may be planted within an existing NGPA, where the Administrator determines that such planting enhances and complements existing vegetation and environmental functions;
 - (c) Replacement trees shall be planted in locations appropriate to the species' growth habit and horticultural requirements;
 - (d) Replacement trees shall be located away from areas where damage is likely, based on the standards in RCDG 20D.80.20-070(3)(g), Grading and Proximity to Structures, Utilities and Roadways;
 - (e) Replacement trees shall be located to provide screening of the development from adjacent properties, where appropriate;
 - (f) Replacement trees shall be planted in areas that connect or are adjacent to native growth protection areas or other open space, where appropriate;
 - (g) Replacement trees shall be integrated into the required landscape plans, if any, for a development; and
 - (h) Replacement trees to be planted next to or under power lines shall be selected with consideration of the trees maturation and maintenance requirements.
- (7) Relocation of Trees
- (a) Trees designated as significant may be relocated to a new location on the property under the direction of a certified arborist;
 - (b) With written permission, significant trees may be relocated to another private property or city owned property under the direction of a certified arborist;
 - (c) Relocated trees, meeting the standards above, shall count toward the host property's 35 percent tree retention requirement; and

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- (d) Trees relocated to an offsite property shall be exempt from requirements for tree retention plans, recording, bonding or other assurances.

090 Exceptions.

- (1) **Exceptions Authorized.** Where exceptional conditions that prevent full compliance with Section 060, Tree Protection Standards, and/or Section 080, Tree Replacement, the applicant may request an exception. A request for any exception shall be submitted in writing by the property owner for consideration by the Administrator, and shall accompany the application for a permit reviewed under this division. The written request shall fully state all substantiating facts and evidence pertinent to the exception request, and include supporting maps or plans. The Administrator may also require the recommendation of a certified arborist in reviewing an exception request.
- (2) **Exception Criteria.** An exception shall not be granted unless criteria (2)(a) through (2)(c) of this section are satisfied:
 - (a) The exception is necessary because:
 - (i) There are special circumstances related to the size, shape, topography, location or surroundings of the subject property; or
 - (ii) Strict compliance with the provisions of this code may jeopardize reasonable use of property; or
 - (iii) Proposed vegetation removal, replacement, and any mitigative measures proposed are consistent with the purpose and intent of the regulations; or
 - (iv) The granting of the exception or standard reduction will not be detrimental to the public welfare or injurious to other property in the vicinity; or
 - (v) The strict compliance with the provisions of this code would be in conflict with the increased density of urban centers and result in development that would be inconsistent with the adopted vision for the neighborhood.
 - (b) If an exception is granted below the required minimum retention standard of 35 percent, tree replacement shall be at a minimum of three trees for each significant tree removed. Tree replacement ratios may be modified for master plans within urban centers to allow for 1:1 replacement when accompanied by a three tier vegetative replacement plan.
 - (c) **Native Growth Protection Areas (NGPA).** Trees within an established native growth protection area shall not be removed, except when removal has its specified purpose:
 - (i) To remedy a hazardous tree;

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- (ii) To establish a nonmotorized trail as part of a private environmental interpretation program or City of Redmond trail system;
 - (iii) To relocate or consolidate existing trails for the purpose of controlling human impacts to vegetation;
 - (iv) To stabilize slopes;
 - (v) To add or restore native plants;
 - (vi) To control and replace non-native vegetation;
 - (vii) To restore degraded watercourses or wetlands; or
 - (viii) To implement a City of Redmond long-term restoration or management plan.
- (d) Proposed tree removal, replacement, and any mitigation proposed are consistent with the purpose and intent of this division.

100 Maintenance.

- (1) All required replacement trees and relocated trees shown on an approved permit shall be maintained in healthy condition by the property owner throughout the life of the project, unless otherwise approved by the Administrator in a subsequent permit.
- (2) Cutting and Pruning.
- (a) Protected trees shall not be topped.
 - (b) Street trees, on all streets specified in the City of Redmond Street Tree Plan, shall be cut or pruned only under the supervision of the City of Redmond Parks Department.
 - (c) Pruning and maintenance of protected trees shall be consistent with best management practices in the field of arboriculture and further the long-term health of the tree.
 - (d) Excessive pruning shall not be allowed unless necessary to protect life and property. (Ord. 1998)

110 Performance Assurance.

Performance assurance shall be required for the following actions:

- (1) Tree Protection Assurance. The applicant shall post a performance bond or other acceptable security device to ensure the installation, maintenance and adequate performance of tree protection measures. The amount of this bond shall equal 150 percent of the City's estimated cost of replacing each protected tree. The estimated cost per tree shall be the tree base fee established by City Council. Prior to issuance of the certificate

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of occupancy, or in the case of short plats, plats, or binding site plans, prior to the City's final approval of the mylars for recording, any protected tree found to be irreparably damaged, severely stressed or dying shall be replaced according to the standards identified under RCDG 20D.80.20-130(1), Remediation. The bonding period shall be five years. The Administrator may release all or part of the bond prior to the conclusion of the bonding period if the applicant demonstrates that the requirements of this section have been satisfied and there is evidence that the protected trees will survive.

- (2) Tree Maintenance Assurance. Where replacement trees are required pursuant to this section, the applicant shall post a replacement tree maintenance bond or other acceptable security device to ensure the survival of replacement trees. The amount of the maintenance bond shall equal 150 percent the cost of plant material, periodic fertilizing and pruning, and labor until tree survival is ensured. Where possible, the bond may be combined with the landscape maintenance bond, required by Chapter 20D.80.10 RCDG, Landscaping and Natural Screening, which shall include a security covering 10 percent of the cost of the remaining plant materials. In the event a required replacement tree becomes irreparably damaged, severely stressed or dies, the tree shall be replaced according to the standards in Section 080, Tree Replacement. Replacement trees damaged due to natural disasters such as wind storms, hail, ice or snow storms, earthquakes and the like shall be exempt from replacement. The bonding period shall be three years. The Administrator may release all or part of the bond prior to the conclusion of the bonding period if the applicant demonstrates that the requirements of this section have been satisfied and there is evidence that the replacement trees will survive.
- (3) The required performance assurances shall be submitted prior to issuance of the land use permit for which the tree protection or replacement measures are required. The required maintenance assurances shall be submitted prior to certificate of occupancy or, in the case of short plats, plats, and binding site plans, prior to the City's final approval of the mylars for recording.
- (4) The applicant shall provide an estimate of the costs associated with the required performance bond or other security as described above. In lieu of an applicant's estimate, the performance assurance shall be equal to City Staff's best estimate of possible costs to meet the above requirements. In no case shall the performance assurance exceed an amount equal to two and one-half times the current cost of replacing the plants in accordance with Section 080, Tree Replacement.
- (5) The performance assurances shall not be fully released without final inspection and approval of completed work by the City, submittal of any post-construction evaluations or following any prescribed trial maintenance period required in the permit.
- (6) Performance assurances provided in accordance with this section may be redeemed in whole or in part by the City of Redmond upon determination by the Administrator that the applicant has failed to fully comply with approved plans and/or conditions. (Ord. 1998)

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120 Enforcement.

- (1) Application. This section shall apply in addition to the provisions of Chapter 1.14 RMC, Enforcement and Penalties.
- (2) Remediation. Any person who removes a tree in violation of the conditions of a tree removal permit or in violation of this division shall be subject to remedial measures. For the purpose of code enforcement, if a tree has been removed and only the stump remains, the size of the tree shall be the diameter of the top of the stump. The following provisions shall apply in instances where such remedial measures are required:

- (a) The applicant shall satisfy the permit provisions as specified in Section 020, Permits Required.
- (b) Remedial measures must conform to the purposes and intent of this division. In addition, remedial measures must meet the standards specified in Section 080, Tree Replacement, except that the number of replacement trees for significant trees damaged, destroyed or removed shall be as follows:

Size of removed tree	Number of replacement trees required
6"	2
Greater than 6" – 9"	3
Greater than 9" – 12"	4
Greater than 12" – 16"	5
Greater than 16"	6

Replacement trees shall be replanted with trees as follows:

Deciduous 3 inches in diameter (d.b.h.)
Evergreen 12 feet in height

- (c) Remedial measures must be completed within the time frame specified by the Administrator.
 - (d) The cost of any remedial measures necessary to correct violation(s) of this division shall be borne by the property owner and/or applicant. Upon the applicant's failure to implement required remedial measures, the Director may redeem all or any portion of any security submitted by the applicant to implement such remedial measures, pursuant to the provisions of RCDG 20D.80.20-080, Performance Assurance.
- (2) Penalties. The Administrator may impose a penalty of up to \$3,000 per tree for removal of or damage to significant trees in violation of this division.

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