

CHAPTER 9.19

TREES – PLANTING

Sections:

- 9.19.010 Intent.
- 9.19.020 Applicability.
- 9.19.030 Definitions.
- 9.19.040 Types of trees prohibited.
- 9.19.050 Types of trees permitted.
- 9.19.060 Permit for planting.
- 9.19.070 Issuance of permit.
- 9.19.080 Penalty for violation.

9.19.010 Intent.

It is the intent of this chapter to provide regulation regarding the planting of trees in the right-of-way in a way that maximizes the benefits of trees while minimizing potential future impacts to infrastructure. Additionally, effective tree planting regulations will help to achieve the greatest possible gain in environmental health city-wide, improve tree species diversity and age diversity, and to increase awareness and use of urban forest best management practices, including proper tree selection, planting practices and maintenance, invasive species avoidance, protection from adverse insects and diseases, and appropriate use of native species.

9.19.020 Applicability.

This chapter shall apply to requests to plant trees in the right-of-way limits of any improved or unimproved street or alley in the City of Tacoma.

(Ord. 16610 § 1; passed Jul. 12, 1960)

9.19.030 Definitions.

A. “Street Tree(s)” means a tree(s) whose trunk is wholly or partially located within the public right-of-way. Street trees may be owned by the City or by a private party.

B. “Right-of-way” or “rights-of-way” means the public streets, roadways, courts, alleys and any other public passages, whether developed or undeveloped, over which the City has a possessory interest or right of use either by easement, license, permit or other such authority, or by fee simple ownership. For purposes of this definition, developed rights-of-way may contain items such as pavement, parking or loading areas, retaining walls or other structures, landscape or planting strips, sidewalks, curbs, vehicle, bicycle or pedestrian traffic lanes, traffic circles and other such development. This definition is intended to be construed so as to be consistent with other definitions of the term Right-of-Way or Rights-of-Way as may be found in Tacoma Municipal Code or Washington State statutory and case law.

C. “Urban Forest Manual” (UFM) or “City of Tacoma Urban Forest Manual” provides best management practices for plant selection, design, installation, care, and other specifications. Trees shall be selected, installed and maintained consistent with the technical guidance of the UFM.

9.19.040 Types of trees prohibited.

It shall be unlawful to plant in any parking strip or improved right-of-way in the City of Tacoma tree species considered to be invasive as identified in the Prohibited Trees List in the UFM, Noxious Weeds regulated by the Pierce County Noxious Weed Control Board or any other trees known to be considered ecosystem nuisances as defined in the UFM.

(Ord. 28515 Ex. 5; passed Jun. 26, 2018; Ord. 16610 § 1; passed Jul. 12, 1960)

9.19.050 Types of trees permitted.

Tree species shall be permitted in the parking strips or improved rights-of-way per the direction of the UFM or other City-approved tree list, and shall generally conform to:

A. Climate adapted to the Pacific Northwest region. The use of natives is encouraged, and all tree species shall be adapted to live in the region and specific conditions of the planting location.

Tacoma Municipal Code

B. Visibility and safety. Except in cases where required landscaping is intended to provide dense visual buffers or to enhance natural conditions, trees and shrubs shall be selected and maintained to maximize visibility at eye level for safety. To meet this requirement, trees shall be selected and pruned (once tall enough) to maximize views below 7 feet in height.

C. Species selection. Species shall be selected to avoid or minimize potential conflicts with infrastructure and utilities. Trees under power lines shall have a maximum mature height (at 25 years of age) not greater than 25 feet. New tree plantings shall be a minimum of 2 feet from pavement (curb, sidewalk, alley, street), 5 feet from a structure, 5 feet from underground utilities, and 10 feet from light standards. Distances may be reduced, with staff approval, upon a demonstration that the species selected will not cause infrastructure conflicts. The UFM and City of Tacoma Right-of-Way Design Manual contain additional guidelines on this subject.

(Ord. 28518 Ex. 5; passed Jun. 26, 2018; Ord. 16610 § 1; passed Jun. 12, 1960)

9.19.060 Permit for planting.

It shall be unlawful for any person, firm or corporation to hereafter plant any tree in the right-of-way including, parking strip or public place in the City of Tacoma without first securing a permit from the Director of Public Works or his or her designee.

Before any right-of-way tree planting permit shall be issued, the applicant or applicants therefor shall file a written application with the proper officers of the City of Tacoma, which shall contain the following information, together with such other information as may be requested by the City of Tacoma:

A. Detailed plans showing existing site features including the location(s) of adjacent buildings, streets, sidewalks and/or other paved surfaces, known utility locations both above and below ground, and dimensions of available planting space, such as the width of the tree pit or planting strip.

B. The names and addresses of any and all persons participating in the tree planting, with written authorization permitting the planting of trees in the right-of-way from the adjacent property owner, if other than the persons applying for the permit.

C. Pertinent proposed tree planting information including quantity of trees, planting locations, and tree species names (common and scientific). Species shall be selected from the Preapproved Street Tree Lists provided in the UFM, or alternatives as approved through the permit review process. If the proposed tree species is not listed in the UFM, the applicant must provide an authoritative source of information about the tree's mature height, crown spread and growth rate. Objective information must come from published sources or from the nursery providing the tree growth information, often called "cut sheets".

(Ord. 16610 § 1; passed Jul. 12, 1960)

9.19.070 Issuance of permit.

A right-of-way tree planting permit shall be issued pursuant to this chapter should the applicant sufficiently demonstrate that the standards of this section, City of Tacoma Right-of-Way Design Manual, and UFM can be met, in addition to any specially recommended by the City of Tacoma after studying the plans submitted in the application.

(Ord. 16610 § 1; passed Jul. 12, 1960)

9.19.080 Penalty for violation.

Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to payment of a fine in an amount not exceeding \$300.00.

(Ord. 16610 § 1; passed Jul. 12, 1960)