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# Critical Slopes

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The City of Mukilteo, located in southwest Snohomish County, is surrounded by high-banked ridges and plateaus overlooking Possession Sound, Whidbey Island, and the Olympic Mountains to the north and west. The City of Everett, Paine Field Airport, and unincorporated Snohomish County lie to the east and the south. Along with the high coast bluff areas, several deep ravines protrude into the upland plateaus areas. These ravines include: Japanese Gulch, Big Gulch, Upper and Lower Chennault Creek, and South Gulch.

Because of the City's natural scenic features, many homes in Mukilteo are built along the edges of these ravines and bluffs. Although the ravines provide a variety of amenities such as open space, wildlife habitat, and buffering between neighborhoods, they are also subject to increasing instability due to increased ground water seepage, storm water drainage, soil types, and natural erosion patterns.

The City's Critical Areas Ordinance requires those that build next to ravines, bluffs, and steep slopes to consider several factors when planning their home including identifying and classify average slopes, soil categories, groundwater seepage, and proximity of steep slopes. Vegetation retention and replanting is an important consideration because of ongoing slope failures in the City's ravines.

## What Type of Projects are Subject to Review Under the Critical Slopes Ordinance?

Any activity which requires a building permit or grading permit is subject to review under the critical slope area regulations. This includes building additions and decks associated with single family residential development.

## Can I cut a tree on a steep slope?

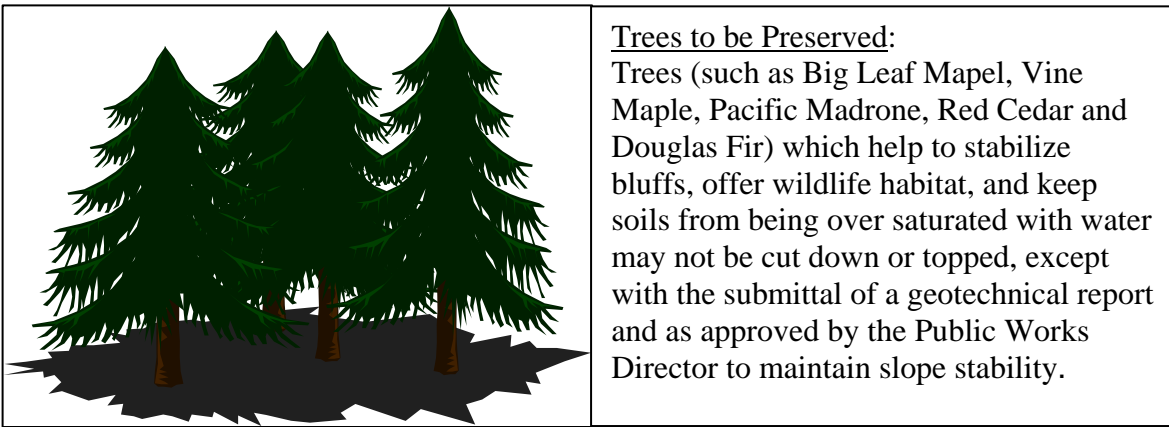
Vegetation on steep slopes (slopes of forty percent (40%) and greater) shall be preserved over the entire steep sloped area except as allowed below.

Modifications from this section may be allowed as recommended in the Department of Ecology's handbook "*Vegetation Management: A Guide for Puget Sound Bluff Property Owners*" and as approved by the City's Planning and Public Works Director.

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City of Mukilteo  
Planning and Community Development Department  
11930 Cyrus Way  
Mukilteo, WA 98275  
(425) 263-8000

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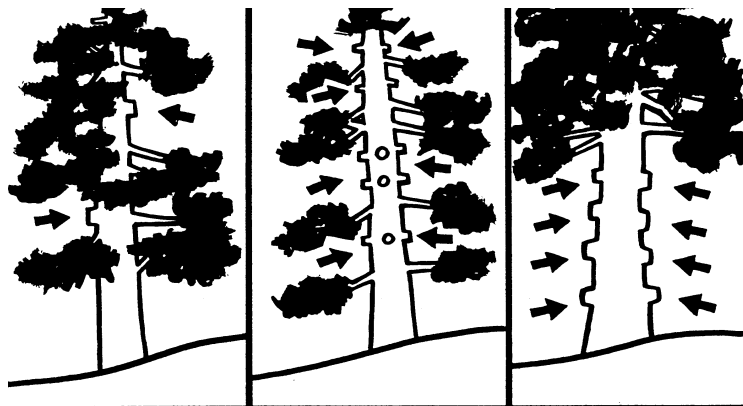


Trees Allowed to be Removed:

Alder, Willow, and Bitter Cherry, and other similar trees may be cut and removed from the site in a method determined by the Planning Director and Public Works Director, however the stumps and root systems shall be left undisturbed to protect the slope from erosion. Deep rooted bushes or ground cover such as Ocean Spray, Snow Berry, Salal, or Evergreen Huckleberry shall be planted around the stump of the tree to establish erosion control functions that the tree once provided.

When using the following tree trimming or pruning practices, a minimum of sixty percent (60%) of the original tree canopy/foliage must be retained to maintain the tree's health.

- a. Windowing: pruning major limbs that obscure a view, excluding the top third of the tree;
- b. Interlimbing: removal of an entire branch or individual branches throughout the canopy, excluding the top third of the tree, to allow more light to pass through as well as reducing wind resistance; and
- c. Skirting-Up: limbing the tree from the bottom upward to a maximum of twenty (20) feet from the ground.



Windowing:  
Maintain the top  
1/3 of tree

Interlimbing:  
Maintain the top 1/3  
of tree

Skirting-Up:  
Maximum height  
of 20 feet from the  
ground level

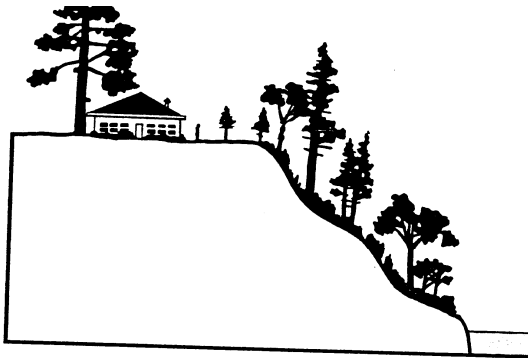
### Brush Removal:

Himalayan Blackberry, Scot's Broom, Thistle and other similar invasive plants (including those listed by the Snohomish County Noxious Weed Control Board) may be removed manually from a steep slope, but the slope must immediately be replanted with native shrub species such as Oregon Grape, Salal, and Evergreen Huckleberry.

### Eagle Stands:

To ensure adequate habitat for wildlife, no cutting of trees over twenty-four (24) inches in diameter is allowed. Removal of trees over twenty-four (24) inches in diameter may only be considered if they are dead, dying, diseased, or hazardous trees as determined by a certified landscape architect or arborist and approved by the Planning and Public Works Directors.

## When is Geotechnical Engineering Required for Development?



A "Site Assessment" is required for all property which:

- Contains unstable slopes (Generally Type II or III soils);
- Evidence of ground water seepage is present on soils greater than 20%;
- The overall slope of the property is equal to or greater than 40%;

- Single family residential structures within 100 feet of a landslide hazard area; and/or
- Multi-Family, commercial, or industrial structures within 200 feet of a landslide hazard area.

To determine if your property lies within a Landslide Hazard Area or contains unstable slopes, check the City of Mukilteo's critical area maps.

## What is a "Site Assessment"?

A site assessment is a complete land use analysis consisting of a geotechnical report prepared by a Registered Professional Engineer licensed in the State of Washington, a grading and temporary erosion control plan, and a landscape/re-vegetation plan describing the development and its environmental characteristics and any impacts.

## What is a "Steep Slope" and can I develop on one?

Any ground that rises ten (10) feet or more for every twenty-five (25) feet horizontal (i.e., forty percent (40%) or greater) A slope is delineated by establishing its toe and top.

Generally, no development is allowed on slopes 40% or greater and all major structures need to be setback 25 feet from the top or toe of a slope. Minor structures such as decks or sheds (up to 120 square feet) may be setback 10 feet from the top or toe of a steep slope.

However, to provide some flexibility in site plan designs, the Planning and Public Works Directors may allow some modification of these standards if it can be shown:

1. A site assessment has been submitted showing that the amendment has minimal impact on the site and surrounding properties;
2. Modifications to slopes of forty percent (40%) or greater may only be allowed in small, isolated areas;

3. An increase in the amount of open space is provided;
4. The modification results in a reduction in the amount of impervious surface and storm water runoff; and/or
5. An applicant may request approval of an innovative design which addresses critical slope areas in a creative manner that deviates from the standards set forth in this chapter. The creative solution must demonstrate that the proposal will achieve an improvement in site design, protection of slope areas, or provide further slope stabilization of the property than that which is achievable using the provisions of this chapter.

## What happens if my entire lot contains steep slopes or a critical slope area?

The standards and regulations for Critical Slope Areas are not intended to deny all reasonable economic use of private property. If a property owner can show that the strict application of these standards would deny all reasonable economic use of its property, development may be permitted subject to the following review criteria:

1. That no reasonable use with less impact on the Critical Slope Area, or steep slope, is feasible and reasonable;
2. That there is no feasible and reasonable on-site alternative to the activities proposed, considering possible changes to the site layout, reductions in density and similar factors;
3. That the proposed activities as conditioned will result in the most minimal possible impacts to Critical Slope Areas and steep slopes;
4. That all mitigation measures have been implemented or insured; and
5. That the inability to derive reasonable economic use is not a result of actions by the applicant.

### **For questions or additional information:**

#### Call...

City of Mukilteo  
Planning & Community Development Department  
(425) 263-8000  
Fax (425) 212-2068

#### Location...

11930 Cyrus Way  
Mukilteo, Washington 98275

#### Hours...

Monday - Thursday  
7:30 a.m. to 5:00 p.m.  
Friday  
7:30 a.m. to 4:30 p.m.

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