



TREE CLEARING PERMIT

PROCESS

Title 17.54 – TREE REGULATIONS

No person shall conduct any clearing of vegetation without first obtaining a tree clearing permit on a form approved by the building official; unless specifically exempted under this chapter.

The building official may waive the requirement for any or all plans or permit materials specified in this chapter upon finding that the information on the application is sufficient to demonstrate that the proposed work will meet the approval criteria detailed in this chapter and other Town ordinances. All waivers must be granted in writing and kept on file with the permit application. Such waiver of a requirement for permit materials shall not be construed as waiving any other requirements of this or related regulations.

Purpose

To set forth rules and regulations to control clearing of trees and understory vegetation within the Town of Darrington.

- A. Mitigate certain environmental consequences of land development and to maintain and improve the quality of Darrington's urban environment;
- B. Promote building and site planning practices that are responsive to the community's natural environment, without preventing reasonable development of land;
- C. Regulate clearing of trees and understory vegetation in the town of Darrington, in order to:
 1. Maintain and enhance the aesthetic, ecological and economic benefits provided by vegetation, such as:
 - a. Providing wildlife habitat,
 - b. Reducing runoff and soil erosion,
 - c. Reducing air pollution,
 - d. Masking noise,
 - e. Reducing wind speed and urban "wind tunnels,"
 - f. Energy conservation, cooling of urban centers,
 - g. Increasing real property values,
 - h. Enhancing visual and aesthetic qualities of the urban environment;
 2. Maintain the viability of existing stands of trees and understory vegetation;

3. Promote retention of native vegetation in sensitive areas and their buffers, shoreline areas, and wildlife habitat areas;
- D. Provide a means to implement the requirements of the sensitive areas' ordinance of this title, relative to vegetation removal in sensitive areas and sensitive area buffers.

Exempt activities

The following activities are exempt from the application of this chapter and do not require a tree clearing permit:

- A. Clearing of up to four significant trees on a site currently zoned and developed for single family residential use within any thirty-six-month period; unless the significant trees to be removed are located within a wetland, watercourse and their associated buffers or within the shoreline zone;
- B. Clearing of any vegetation located outside a sensitive area, sensitive area buffer or outside the shoreline zone;
- C. Removal of hazardous trees;
- D. Routine maintenance of vegetation 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;
- E. Vegetation removal necessary to the operation of an established Christmas tree farm or commercial plant nursery;
- F. Construction and maintenance of streets and utilities within town-approved rights-of-way and easements.

17.54.060 Permit application materials

The following materials are required to obtain a tree clearing permit:

- A. Site plan of the proposal, showing;
 1. Diameter, species name, location and canopy of existing significant trees in relation to proposed and existing structures, utility lines, and construction limit line;
 2. Identification of all significant trees to be removed and/or relocated;
 3. Existing and proposed topography of the site at two-foot contour intervals;
 4. Limits of any sensitive area and sensitive area buffer, and mean high water mark of the river.
- B. Landscape plan for the proposal, showing;
 1. Diameter, species name, spacing and location of replacement trees/vegetation to be used to replace vegetation clear;
 2. Diameter, species name and location of all significant trees and vegetation to be retained;
 3. Proposed vegetation protection measures;
 4. Any other measures proposed to restore the environmental and aesthetic benefits previously provided by on-site vegetation.

- C. Professional Review or Recommendation. Submittal of, or agreement to submit, a review, evaluation, recommendation or plan related to vegetation clearing or replacement prepared by a professional such as a landscape architect, surveyor, or certified arborist. Services may include, but are not limited to:
 - 1. Providing a written evaluation of the anticipated effects of proposed construction on the viability of trees on-site; and/or
 - 2. Developing plans for, supervising, and/or monitoring implementation of any required tree protection or replacement measures; and/or
 - 3. Post-construction site inspection and evaluation.
- D. Sensitive Area Mitigation Plan. Identify measures proposed for mitigation of vegetation clearing in a sensitive area and/or its buffer per the adopted sensitive areas ordinance.
- E. Time Schedule. Proposed time schedule of vegetation removal, relocation and/or replacement, and other construction activities which may affect on-site vegetation, sensitive area, sensitive area buffer, and/or shoreline zone.
- F. Additional Studies and Conditions. The building official may require supplemental studies or other documentation, or specify conditions for work, at any stage of the application or project as he/she may deem necessary to ensure the proposal's compliance with the requirements of this chapter, the adopted sensitive areas ordinance, 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.

(Ord. 541 § 1 (part), 1999)

17.54.090 Applicant insurance required

- A. In addition to any permit materials or conditions specified pursuant to this chapter, if in the opinion of building official, the nature of the work is such that it may create a hazard to human life or endanger adjoining property, then the building official may require the applicant to submit a certificate of insurance.
- B. The certificate must show that the applicant is insured against claims of damages involving personal injuries and property in an amount prescribed by the building official in accordance with the nature of the risks involved and the following minimum amounts:
 - 1. Bodily injury liability: one million dollars per occurrence;
 - 2. Property damage liability: one million dollars per occurrence.
- C. All insurance policies obtained in accordance with these provisions shall name the town of Darrington as an "additional insured" and shall be written by a company licensed to do business in the state of Washington.

(Ord. 541 § 1 (part), 1999)

17.54.130 Permit processing and duration

- A. If the proposed vegetation clearing and permit application meet the requirements of this chapter, the building official shall approve the application and issue the tree clearing permit.

All tree clearing permits and exceptions shall be processed as Type 1 decisions and are not subject to administrative appeal.

- B. If the tree clearing permit application is not approved, the building official shall inform the applicant in writing of the reasons for disapproval.
- C. From the date of issuance, permits shall be valid for a period of 180 (one hundred eighty) days.
- D. Public notice is not required.

Fees

In order to receive preliminary approval, the applicant must submit to the Darrington Building Department a complete application, and meet the criteria for approval.

The application fee will provide for the cost of plan review, administration and management of the permitting process, inspections, and processing of exceptions to standards and appeals pursuant to this chapter.

A. Application. A complete application consists of the following:

- 1. A completed application on a form provided by the Planning Department and fee as identified in Chapter 17.88 DMC;

FEE: \$ 100.00 Non-Refundable

17.88.10 - Application fees.

Any applicant shall pay the following fees for a land use permit at the same time that said application is filed with the town

Applicant shall be required to bear any engineering and legal fees incurred by the Town in connection with the application, which are not covered by other fees. All fees must be paid prior to final approval.

- 2. A neat and readable plan drawn to a standard decimal (engineer) scale, (if required). A survey may be required if it is determined that level of information is needed to ensure the Variance meets the approval criteria.