



CITY OF TUKWILA

Department of Community Development
6300 Southcenter Boulevard, Tukwila, WA 98188
Telephone: (206) 431-3670

SHORELINE TREE REMOVAL AND VEGETATION CLEARING PERMIT

INFORMATION

Washington State Shoreline requirements are implemented through the Shoreline Overlay District in the Tukwila Zoning Code (Tukwila Municipal Code (TMC) 18.44). Tukwila's shoreline regulations were updated in October, 2011 when the Department of Ecology approved the City's new Shoreline Master Program (SMP) and implementing regulations. The new Shoreline Master Program regulates the removal of vegetation and trees in the shoreline jurisdiction of the Green/Duwamish River, which is the area 200 feet landward of the ordinary high water mark (OHWM). The guidance for tree removal and vegetation clearing is found in TMC 18.44.080.

The main purpose of the vegetation regulations is to protect existing trees and native vegetation in the shoreline jurisdiction to ensure that the benefits provided by trees and vegetation are maintained. The regulations, which require a permit for any tree or other vegetation removal within the shoreline jurisdiction, also establish requirements for long term maintenance of trees and native vegetation.

Trees and vegetation play an important role in shoreline habitat and ecosystem processes:

- Overhead tree canopy provides shade for water temperature control;
- Trees provide habitat for birds, insects and small mammals;
- Vegetation that overhangs the river provides places for fish to shelter;
- Trees and vegetation are a source of insects for fish;
- Vegetation next to the river filters pollutants and slows stormwater prior to its entering the river; and
- Trees next to the river provide a long-term source of woody debris for the river.

Removal of significant vegetation in the shoreline jurisdiction is generally only allowed on sites undergoing development or redevelopment. As many significant trees and as much native vegetation as possible are to be retained on a site proposed for development or re-development, taking into account the condition and age of the trees. Trees located on properties not undergoing development or re-development may not be removed except for those trees that interfere with access and passage on public trails or that present an imminent hazard to existing structures or the public. If the hazard is not readily apparent, the City may require an evaluation by an International Society of Arborists (ISA)-certified arborist. Factors that will be considered in approving tree removal include but are not limited to: tree condition and health, age, risks to structures, and potential for root or canopy interference with utilities.

A Shoreline Tree Removal and Vegetation Clearing Permit is required when requesting removal of any significant tree in the shoreline jurisdiction or native vegetation in the shoreline, even if a Shoreline Substantial Development Permit is not required. Removal of invasive vegetation in the shoreline must be done in conjunction with an approved shoreline buffer restoration plan. If tree removal or native vegetation removal is proposed as part of an activity that triggers a Shoreline Substantial Development Permit, then a separate Shoreline Tree Removal and Vegetation Clearing Permit will not be required.

DEFINITIONS:

Shoreline jurisdiction means the channel of the Green/Duwamish River, its banks, the upland area which extends from the ordinary high water mark landward for 200 feet on each side of the river, floodways and all associated wetlands within its floodplain.

Shoreline Significant tree means a single-trunked tree that is four (4) inches or more in diameter at a height of four (4) feet above the ground or a multi-trunked tree with a diameter of two (2) inches or more (such as willows or vine maple).

Significant vegetation removal means the removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means or other activity that causes significant ecological impacts to functions provided by such vegetation. The removal of invasive or noxious weeds does not constitute significant vegetation removal. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.

PROCEDURES: At the time you submit your application you must have all of the items listed on the attached "Complete Application Checklist." You may request a waiver from items on the checklist that are not applicable to your project. Please discuss this waiver request with City staff either at a pre-application meeting or at the time of application submittal. Within 28 days of receiving your application, City staff will determine if it is complete based on the attached checklist. If not complete City staff will mail you a letter outlining what additional information is needed. If you do not submit requested materials within 90 days from the City's request for additional information the City may cancel your application. Once the application is complete it will be reviewed by the Director who will issue a decision to approve, modify or deny the application based on the review criteria.

EXCEPTIONS: Per TMC 18.44.080 B.6. if all required replacement trees cannot be reasonably accommodated on the site, off-site tree replacement within the shoreline jurisdiction may be allowed at a site approved by the City. Priority for off-site tree planting will be at locations within the Duwamish Transition Zone. If no suitable off-site location is available, the applicant shall pay into a tree replacement fund. The fee shall be based on the value of the replacement trees and their delivery, labor for site preparation and plant installation, soil amendments, mulch, and other supplies.

COMPLETE APPLICATION CHECKLIST

The materials listed below must be submitted with your application unless specifically waived in writing by the Public Works Department and the Department of Community Development. Please contact each Department if you feel that certain items are not applicable to your project and should be waived. Application review will not begin until it is determined to be complete. **ADDITIONAL MATERIALS MAY BE REQUIRED.**

The initial application materials allow project review to begin and vest the applicant's rights. However, the City may require additional information as needed to establish consistency with development standards.

City Staff are available to answer questions about application materials at 206-431-3670 (Department of Community Development) and 206-433-0179 (Department of Public Works).

Check items submitted with application	Information Required. <i>May be waived in unusual cases, upon approval of both Public Works and Planning</i>
APPLICATION MATERIALS:	
	1. Application Checklist one (1) copy, indicating items submitted with application.
	2. Permit Fee: See Land Use Fee Schedule (see Land Use Fee Schedule) for application fee.
	3. Completed Application Form and drawings (4 copies).
	4. Completed and notarized Affidavit of Ownership and Hold Harmless Permission to Enter Property (1 copy attached).
	5. One set of all plans reduced to either 8 1/2" x 11" or 11" x 17".
	6. Written response to the relevant approval criteria found on pages 3-5 of this Application.
	7. If all required replacement trees cannot be accommodated on-site, a written request to plant off-site or pay into the City's tree replacement fund. See TMC 18.44.080 B.6. for details
	8. Explanation for removal of vegetation and proposed time schedule of vegetation removal, relocation and/or replacement, within the shoreline jurisdiction.
	9. An ISA-certified arborist risk evaluation justifying the removal of hazardous trees, if the tree hazard is not readily apparent.
	10. Site Plan and Landscape Plan as set forth below.
SITE PLAN:	
	10. (a) The site plan must include a graphic scale, north arrow and project name. Maximum size 24" x 36".
	(b) Existing building footprints and utilities.
	(c) Parking lots, driveways and fire access lanes.
	(d) Fences, rockeries and retaining walls.
	(e) Existing and proposed topography at 2-foot contour intervals if bank reconstruction is proposed.
	(f) Top of bank and location of the OHWM, river buffer and shoreline jurisdiction boundary and any sensitive areas with their buffers.
	(g) A vegetation survey that shows the diameter, species and location of all significant trees and all other existing vegetation. Trees and native vegetation to be retained and trees to be removed should be clearly marked.
	(h) Provide a table showing the number of significant trees to be removed, their sizes and the number of replacement trees required per TMC 18.44.080 B.4. This table can be found on page 7 of the application.

Check items submitted with application	Information Required. <i>May be waived in unusual cases, upon approval of both Public Works and Planning</i>
LANDSCAPE PLAN:	
	11. (a) Landscape planting plan by a Washington State licensed landscape architect, approved biologist (qualified and with experience in fisheries habitat management, wetland management, shoreline restoration, native plant restoration) or ISA-certified arborist. Maximum size 24" x 36".
	(b) All existing significant trees and vegetation to be retained including diameter, species name and location. Proposed tree protection measures in accordance with TMC 18.44.080.B.10.
	(c) Proposed replacement trees/vegetation, including diameter, species name, spacing, size and location per TMC 18.44.080 B.4 and 18.44.080 C. Note: all plants must be native species.
	(d) Sensitive area mitigation plan for any vegetation removal in a sensitive area (wetlands, watercourses and/or steep slopes) per TMC 18.44.090 L.
	(e) Any other measures proposed to restore the shoreline environmental and aesthetic benefits previously provided by on-site vegetation, including placement of large logs from the tree removal in the shoreline buffer area.
	(f) Identify methods to be utilized to remove invasive vegetation (note that special permission is required for use of herbicides), plans for soil amendment and soil preparation, mulching, irrigation and long-term maintenance of new plantings. Note that the owner is required to maintain the new vegetation for the life of the project, which includes watering until the plants are established and replacing dead plants. Irrigation for buffer plantings is required for at least two dry seasons or until plants are established. An irrigation plan is to be included as part of the planting plan.



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**SHORELINE
 TREE REMOVAL AND
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 CLEARING
 PERMIT**

APPLICATION

<i>FOR STAFF USE ONLY Permits Plus Type: P-TREE</i>	
Planner:	File Number:
Application Complete Date:	Project File Number:
Application Incomplete Date:	Other File Numbers:

NAME OF PROJECT/DEVELOPMENT: _____

LOCATION OF PROJECT/DEVELOPMENT: *Give street address or, if vacant, indicate lot(s), block and subdivision, access street, and nearest intersection.*

LIST ALL TAX LOT NUMBERS (this information may be found on your tax statement).

DEVELOPMENT COORDINATOR :

The individual who:

- has decision making authority on behalf of the owner/applicant in meetings with City staff,
- has full responsibility for identifying and satisfying all relevant and sometimes overlapping development standards, and
- is the primary contact with the City to whom all notices and reports will be sent.

Name: _____

Address: _____

Phone: _____ FAX: _____

E-mail: _____

Signature: _____ Date: _____



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**AFFIDAVIT OF OWNERSHIP AND HOLD HARMLESS
 PERMISSION TO ENTER PROPERTY**

STATE OF WASHINGTON

ss

COUNTY OF KING

The undersigned being duly sworn and upon oath states as follows:

1. I am the current owner of the property which is the subject of this application.
2. All statements contained in the applications have been prepared by me or my agents and are true and correct to the best of my knowledge.
3. The application is being submitted with my knowledge and consent.
4. Owner grants the City, its employees, agents, engineers, contractors or other representatives the right to enter upon Owner's real property, located at _____ for the purpose of application review, for the limited time necessary to complete that purpose.
5. Owner agrees to hold the City harmless for any loss or damage to persons or property occurring on the private property during the City's entry upon the property, unless the loss or damage is the result of the sole negligence of the City.
6. Non-responsiveness to a City information request for ninety (90) or more days, shall be cause to cancel the application(s) without refund of fees.

EXECUTED at _____ (city), _____ (state), on _____, 20_____

 (Print Name)

 (Address)

 (Phone Number)

 (Signature)

On this day personally appeared before me _____ to me known to be the individual who executed the foregoing instrument and acknowledged that he/she signed the same as his/her voluntary act and deed for the uses and purposes mentioned therein.

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS _____ DAY OF _____, 20_____

 NOTARY PUBLIC in and for the State of Washington
 residing at _____

My Commission expires on _____

PERMIT APPROVAL CRITERIA

The applicant bears responsibility for demonstrating that the proposal satisfies all of the permit approval criteria. Planning Division staff is available to discuss the decision criteria you must respond to and the necessary supporting materials. The request to remove trees and vegetation from the shoreline jurisdiction will be reviewed against the standards in **TMC 18.44.080**, Vegetation Protection and Landscaping section of the Shoreline Overlay District which are summarized in Section I. Please see TMC 18.44.080 for verbatim text.

TREE AND VEGETATION REMOVAL APPROVAL CRITERIA

The Tree Removal and Vegetation Clearing Permit will be reviewed to ensure the following items have been adequately addressed:

1. Site preparation specifications and vegetation planting details shall be in accordance with best management practices for ensuring the vegetation’s long-term health and survival. Site preparation shall include removal of invasive species and soil preparation, in accordance with best management practices for ensuring the vegetation’s long-term health and survival. Removal of invasive species shall be done by hand or with hand-held power tools.
2. A mix of native trees, shrubs and groundcovers (including grasses, sedges, rushes and vines) shall be planted to replace any removed vegetation. Plants listed in the “Riparian Restoration and Management Table” of the 2004 Washington Stream Habitat Restoration Guidelines (Washington Dept. of Fish and Wildlife, Washington Dept. of Ecology and U.S. Fish and Wildlife Service, Olympia, WA, as amended (<http://wdfw.wa.gov/publications/01374/> see 2012 Guidelines, Table 10 – or request a copy of the table from DCD) shall provide the basis for plant selection. Site conditions, such as topography, exposure, and hydrology shall be taken into account for plant selection. Plants shall meet the current American Standard for Nursery Stock (American Nursery and Landscape Association-ANLA).
3. The number of replacement trees required for each removed tree in the shoreline jurisdiction shall be based on the following table, up to a density of 100 trees per acre (including existing trees):

Tree Replacement Requirements

Diameter* of Tree Removed	No. 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

*measured at height of 4.5 feet from the ground

4. Planting material in the non-buffer areas of all Shoreline Environments based on the following standards:

Deciduous trees:	2" caliper
Conifers:	6-8' height.
Shrubs:	24" height
Groundcover/grasses:	4-inch or 1 gallon container

5. Buffer planting material that follows the minimum size standards below (smaller plant sizes - generally one gallon, bareroot, plugs, or stakes, depending on plant species - are preferred for buffer plantings):

Buffer Vegetation Planting Densities

Plant Material Type	Planting Density
Stakes/cutting along the river bank (willows, red osier dogwood)	1-2 feet on center or per bioengineering method. Willow stakes must be at least ½-inch in diameter
Shrubs	3-5 feet on center, depending on species
Trees	15-20 feet on center, depending on species
Groundcovers, grasses, sedges, rushes, other herbaceous plants	1-1.5 feet on center, depending on species
Native seed mixes	5-25 lbs. per acre, depending on species

6. Plants shall be installed from the Ordinary High Water Mark to the upland edge of the River Buffer unless site conditions would make planting unsafe. Plantings close to and on the bank shall include native willows, red osier dogwood and other native vegetation that will extend out over the water, to provide shade and habitat functions when mature. Species selected must be able to withstand seasonal water level fluctuations. Plants may be selected and placed to allow for public and private view corridors and/or access to the water's edge. On properties located behind publicly maintained levees an applicant is not required to plant native vegetation within the buffer.
7. Plants shall be maintained (i.e. watering, weeding, replacement of dead plant material) over the long term. Irrigation for buffer plantings is required for at least two dry seasons or until plants are established. An irrigation plan is to be included as part of the planting plan, per TMC 18.44.080 C.2.e. Invasive plants (such as blackberry, ivy, knotweed, etc) shall be removed on a regular basis to prevent establishment of invasive species and to promote healthy growth of new plants. Replaced trees that do not survive must be replanted in the next appropriate season for planting.

FREQUENTLY ASKED QUESTIONS ABOUT TREE PROTECTION, RETENTION AND REPLACEMENT

1. What trees are allowed to be removed?
 - a. As many significant trees and as much native vegetation as possible must be retained on the site, taking into account the condition and age of the trees. The factors that will be considered in approving tree removal include, but are not limited to tree condition and health, age, risk to structure, and potential for root or canopy interference with utilities.
 - b. Removal of trees and vegetation is generally allowed only on sites undergoing development or redevelopment.
 - c. For sites not undergoing development, only trees that interfere with access and passage on public trails or trees that present an imminent hazard to existing structures or the public may be removed. Factors that will be considered in approving tree removal include, but are not limited to: tree condition and health, age, risks to structures and potential for root or canopy interference with utilities. If the hazard is not readily apparent, the City may require an evaluation by an International Society of Arborists (ISA)-certified arborist.
2. What are the requirements for site preparation?

Removal of invasive species vegetation is to be done by hand or with hand-held power tools. Use of mechanized equipment must be approved through this permit. If you are proposing to use mechanized equipment, provide information on how slope stability of the bank will be maintained, proposed erosion control and tree protection features. (TMC 18.44.080 C. 1.d.) Pesticides shall not be used unless previously approved by the city in writing per TMC 18.44.080D3.

3. What are the standards for tree protection measures?

For new development or re-development where trees are proposed for retention, tree protection zones shall be indicated on site plans and shall be established in the field prior to commencement of any construction or site clearing activity. A minimum 4 feet high construction barrier shall be installed around significant trees and stands of native trees or vegetation to be retained. Minimum distances from the trunk for the construction barriers shall be based on the approximate age of the tree (height and canopy) as follows:

- a. Young trees (have reached less than 20% of life expectancy): 0.75 feet per inch of trunk diameter.
- b. Mature trees (have reached 20–80% of life expectancy): 1 foot per inch of trunk diameter.
- c. Over mature trees (have reached greater than 80% of life expectancy): 1.5 feet per inch of trunk diameter.

4. What if all the required replacement trees cannot be accommodated on the site?

If all required replacement trees cannot be reasonably accommodated on the site, off-site tree replacement within the shoreline jurisdiction may be allowed at a site approved by the City. Priority for off-site tree planting will be at locations within the Transition Zone (located in the Lower Duwamish River area). If no suitable off-site location is available, the applicant shall pay into a tree replacement fund. The fee shall be based on the value of the replacement trees and their delivery, labor for site preparation and plant installation, soil amendments, mulch and staking supplies.

5. What trees have to be left for wildlife snags?

- a. Dead or dying trees located within the buffer or underdeveloped upland portion of the shoreline jurisdiction shall be left in place as wildlife snags, unless they present a hazard to structures, facilities or the public.
- b. When a tree suitable for use as large woody debris (LWD) is permitted to be removed from the shoreline buffer, the tree trunk and root ball (where possible) will be saved for use in a restoration project elsewhere in the shoreline jurisdiction. The applicant will be responsible for the cost of moving the removed tree(s) to a location designated by the City. If no restoration project or storage location is available at the time, the Director may waive this requirement. Trees removed in the shoreline jurisdiction outside the buffer shall be placed as LWD in the buffer (not on the bank) if feasible. Priority for LWD placement projects will be in the Transition Zone.

6. Is topping of trees allowed?

Topping of trees is prohibited unless absolutely necessary to protect overhead utility lines. Topping of trees will be regulated as removal and tree replacement will be required. Trees and shrubs may only be pruned for safety, to maintain views or access corridors and trails by pruning up or on the sides of trees, to maintain clearance for utility lines and/or for improving shoreline ecological function. Trees and shrubs may only be pruned for safety, to maintain views or access corridors and trails by pruning up or on the sides of trees, to maintain clearance for utility lines.

Other sources of information that may be helpful in completing this application:

- Pacific NW Chapter of the International Society of Arborists website for a listing of ISA certified arborists: <http://pnwisa.org/hire-an-arborist.html>
- King County Noxious Weed website for information on identifying and controlling noxious weeds: <http://www.kingcounty.gov/environment/animalsAndPlants/noxious-weeds.aspx>
- <http://wdfw.wa.gov/publications/01374/> See the Plant list (“Riparian Restoration and Management Table”) beginning on page 340 of the 2012 update of the 2004 Washington Stream Habitat Restoration Guidelines (Washington Dept. of Fish and Wildlife, Washington Dept. of Ecology and U.S. Fish and Wildlife Service, Olympia, WA, as amended)