



Significant Tree Removal – Summary of Regulations and Frequently Asked Questions

North Bend Municipal Code (NBMC) Chapter 19.10 governs the removal of Significant Trees. The entire chapter may be found by going to <http://northbendwa.gov/> and clicking on *Municipal Code*. The Clearing and Grading permit used for removal of significant trees can be found on the city's website by clicking on *Forms and Applications*.

For additional questions or information please contact the Community and Economic Development Department (425) 888-5633 at 126 E. Fourth Street (across from the library) or Senior Planner's Jamie Burrell or Mike McCarty at jburrell@northbendwa.gov and mmccarty@northbend.wa.gov.

What is a significant tree? "Significant tree" means any evergreen tree of at least 15 inches DSH and any deciduous tree, other than red alder, holly, poplar and cottonwood trees, at least 12 inches DSH. Red alder, holly, poplar, cottonwood and other invasive trees of any size are not considered significant trees. "DSH" means the diameter at standard height; the diameter of the trunk measured 54 inches (4.5 feet) above grade.

Do I need a permit to remove a significant tree and how many can I remove? Yes, per 19.10.030 a clearing and grading permit is required for the removal of any significant tree(s). The application materials and requirements for significant tree removal under NBMC [19.10.092](#) shall also be included in the clearing and grading permit. The number of trees that can be removed is determined by the applicable tree retention requirements.

Tree retention requirements are governed by 19.10.093 and require 30% of all significant trees to be retained in the developable site area for single-family, duplex, short plats, or subdivision development. Cottage and multi-family must retain 20% of all significant trees in the developable site area, and commercial must retain 15%. A 10% reduction is allowed per 19.10.093(D)(1). The developable site area consists of the entire lot except for critical areas and their buffers, including streams, wetlands, floodways, and steep slopes.

Per NBMC 19.10.092(A), significant trees are required to be maintained within **setback areas**. Please contact the Community Development Department to determine the setback areas applicable to your property, which are based on the zone in which your property is located.

Additional requirements and restrictions may be triggered if the tree is in an area of a Native Growth Protection Easement (NGPE), Critical Area (stream, slope, wetland), or if subdivision restrictions or other restrictions or conditions are on the deed or plat map for the property.

Within setback areas, hazard trees can be removed outside of emergency situations, when a certified arborist determines that the health of the tree is compromised or presents a likely potential to create structural damage to an existing building, per NBMC 19.10.092(B)(3).

Are there any exemptions? 19.10.040 identifies written exemptions and categorical exemptions from permits. Exemptions include the removal of dead or diseased trees, nonsignificant trees as determined by the CED director or ground cover and the removal of hazard trees and ground cover in emergency situations involving immediate danger to life, property or substantial fire hazard.

What are the fees and review procedures? For the removal of 7 significant trees or less there is no cost for the permit, but replacement as described below is required. A Qualified Professional's report may be requested for the removal of any significant tree to describe the general health of the tree(s). A "Qualified Professional" means an individual with relevant education and training in arboriculture or urban forestry. The individual must be an arborist certified by the International Society of Arboriculture or a registered consulting arborist from the American Society of Consulting Arborists and for forest management plans may be a certified forester by the Society of American Foresters.

The removal of 8 or more significant trees triggers a significant tree inventory per 19.10.093 and a deposit of \$230 in addition to the replacement as described below. A significant tree inventory shall be prepared by a qualified professional, under the direction of the CED director. The inventory shall identify all significant trees on the property excluding those areas located in critical areas and their buffers.

Significant tree replacement ratio and planting plan.

NBMC 19.10.094 requires any significant tree removed to be replaced at the expense of the applicant, and requires that a replanting plan be provided and approved prior to removal of any significant tree. The applicant shall replace significant tree(s) as follows:

On-Site Replacement. Native, drought-tolerant species, 75% of which shall be an evergreen species, unless otherwise approved. The applicant shall replant as many trees on-site as feasible and must replace the tree according to the following ratio, at the applicant's choice:

1. Replace at a 2:1 ratio with trees not less than four feet in height.
2. Replace at a 3:1 ratio with native and/or drought-tolerant potted trees in one-gallon size pots.

Off-Site Replacement. Off-site replacement at a 2:1 ratio may be allowed when approved by the CED director. The applicant shall pay costs associated with the replacement of said trees as outlined in Chapter [20.09](#) NBMC. The priority off-site replacement locations are as follows: (1) street trees, (2) parks, and (3) other public open spaces. Tree replacement amount per tree for off-site planting is \$200 per tree.