



# Planning & Economic Development

200 NE Moe Street | Poulsbo, WA 98370-7347

(360) 394-9748 | fax (360) 697-8269

www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

## TREE CUTTING AND CLEARING

Poulsbo Municipal Code (PMC) [Chapter 15.35](#) sets forth rules and regulations for tree removal, pruning, cutting and clearing, establishes the procedures for issuance of permits, and provides for approval of plans, inspections, enforcement and penalties.

The Planning and Economic Development (PED) Director is responsible for the interpretation and administration of Chapter 15.35. When required or determined necessary, the PED Director will consult with the City Arborist. All costs associated with review by the City Arborist shall be the responsibility of the property owner or applicant.

Except as otherwise specifically exempted in [Chapter 15.35](#), a Tree Cutting and Clearing Permit shall be obtained from the City before commencing any activity for which a permit is required.

### WHAT IS THE PURPOSE OF THE TREE CUTTING AND CLEARING ORDINANCE?

- A. Regulate the cutting of trees in order to help preserve the wooded character of the City of Poulsbo and to protect its urban forest.
- B. Promote, protect and preserve the public interest by regulating land alteration, particularly the clearing of land in the City.
- C. Enhance the City's physical character by managing the removal of vegetation, trees and ground cover.
- D. Recognize there will be circumstances, such as land development, disease or danger of falling, that may require the removal of trees and ground cover.

### WHEN IS A TREE CUTTING AND CLEARING PERMIT REQUIRED?

**A permit is not required in the following situations:**

- A. Normal and routine maintenance of existing landscaping, such as lawn mowing, rototilling, composting, gardening and pruning of vegetation.
- B. Any removal or cutting when the total area to be disturbed is 7,000 square feet (SF) or less per calendar year.
- C. The installation and maintenance of fire hydrants, water meters, and pumping stations by the City.
- D. Minimal blazing for line-of-site surveying and foot access and limited clearing and grading as required to perform geotechnical exploration to characterize geologic formations and soils.
- E. The removal of plants designated as noxious weeds by government agencies.

- F. Trees that are damaged during a weather event, such as windstorm.
- G. Removal of trees in emergency situations involving immediate danger to life or property or substantial fire hazards. If the removal is 7,001 SF or more of disturbed area, or is located within an open space tract, tree retention tract, required landscaping, designated critical area (including buffers) and other protective areas, the City shall be notified within seven days of the removal and shall be provided additional information, as needed to verify the emergency. An after-the-fact permit may be required.
- H. Removal of dead, dying or dangerous trees ([15.35.120](#)).

An exemption from a Tree Cutting or Clearing Permit does not necessarily exempt a property owner from complying with other requirements. These may include final plat requirements, HOA rules, or other applicable local, state, or federal regulations or permit requirements.

**A permit is required in the following situations:**

- A. Any removal or cutting when the total area to be disturbed is 7,001 SF or more per calendar year.
- B. Full site tree clearing, allowed only when a land use development permit has been obtained; except for any tree retention or vegetation protection required by the land use development permit.
- C. Tree cutting and clearing in order to develop property with substantial permanent improvements, such as streets, utilities, buildings, parking, driveways, etc.
- D. Selective thinning limited to once a calendar year and subject to provisions.
- E. Any proposed tree removal that is not specifically exempt in [PMC 15.35.070](#).
- F. Class IV General Forest Practice permittees for conversion, thinning or maintenance. (No harvesting is allowed without a land use development permit approval.)
- G. Tree removal in Open Space Tracts, Tree Retention Tracts, Critical Areas and Buffers and other protective areas. See [PMC 15.35.100 and 110](#).
- H. Removal of street trees within the City right-of-way shall be as set forth in Chapter 16.24.
- I. Removal and replacement of trees within an approved and required landscape area shall be as set forth in [Chapter 18.130](#).

Disclaimer: this handout should not be used as a substitute for codes and regulations. The applicant/property owner is responsible for compliance with all code and rule requirements, whether or not described here. Please see the City of Poulsbo Municipal Code for complete text and requirements.

## CRITICAL AREAS AND SHORELINES

Consultation with the PED Department is required for any tree cutting, tree topping, tree trimming, pruning, thinning and/or vegetation clearing within a critical area, critical area buffer, shoreline and shoreline buffer. A critical areas or shoreline permit may be required for such activities under certain circumstances. Consultation requirements and special critical area permits are provided for in [Chapter 16.20](#), Critical Areas, and [16.08](#), Shoreline Master Program.

## OPEN SPACE AND TREE RETENTION TRACTS

- A. Trees located in open space tracts, tree retention tracts, or other protected areas may only be removed if the tree is dead, dying, or dangerous and pose potential hazard to persons or property. See [PMC 15.35.120](#) for provisions to dead, dying or dangerous trees.
- B. A tree cutting and clearing permit is required for tree removal in these protective areas.
- C. Replacement trees shall conform to the original planting installation or as approved by the PED Director.

## DEAD, DYING, OR DANGEROUS TREES

- A. "Dead" means the tree is lifeless.
- B. "Dying" means the tree is in an advance state of decline because it is diseased, infested by insects or rotting and cannot be saved by reasonable treatment or pruning, or must be removed to prevent the spread of the infestation or disease to other trees.
- C. "Dangerous" means the condition or location of the tree presents a clear public safety hazard or a foreseeable danger of property damage to an existing structure and such hazard or danger cannot reasonably be alleviated by treatment or pruning.
- D. Removal of dead, dying or dangerous trees is allowed. If the removal is 7,001 SF or more of disturbed area, or is located within an open space tract, tree retention tract, required landscaping, designated critical area and other protective areas, a tree cutting and clearing permit shall be required.
- E. When a permit is required, a qualified arborist or landscape architect shall provide written verification which states the removal is essential for the protection of life, limb or property. The PED Director may consult with the City Arborist to assist in the review of the submitted written verification when deemed necessary.
- F. The PED Director, upon consultation with the City Arborist, may determine that dead or dying trees be retained in order to provide for wildlife habitat and natural processes, unless the tree presents a potential hazard to person or properties.

## CLASS IV FOREST PRACTICES

- A. As established in RCW 76.09.070, lands within the city limits and Poulsbo Urban Growth Area are not considered appropriate for long term timber production and harvesting, which takes a full 40-year cycle.
- B. Conversion of properties within the UGA can reasonably be expected, therefore, significant land clearing of such properties shall only take place at the time of a valid land use application. Tree tracts, open spaces and buffers can

then be properly coordinated with the actual development plans. Conversion of the land to non-timber production shall occur when the City has approved a land use development permit for the site.

- C. For Class IV General Forest Practices, maintenance and thinning of existing timber stands is allowed to promote the overall health and growth of the stand until the area is converted. A tree cutting and clearing permit shall be required for any maintenance and thinning and shall be reviewed by the City Arborist.

## PERFORMANCE STANDARDS

Clearing, cutting or removal of trees shall not occur on any lot or parcel without the consent of the property owner.

Clearing, cutting or removal of trees shall not result in any damage to abutting lots or parcels, public property or water resources, including but not limited to, trunk, bark, limb or leaf damage, damage to roads, trails or utilities, water or soil contamination, alteration of drainage courses, transport and disposition of dirt, mud or sediment or the creation of a fire hazard or other unsafe condition.

## BEST PRUNING PRACTICES

When a tree cutting and/or clearing permit is required per [PMC 15.35.050](#) or for trees within an open space tract, tree retention tract, required landscaping, designated critical area (including buffers) and other protective areas:

- A. Tree pruning shall not exceed more than 25% of a tree's total leaf area. Tree pruning best practices shall conform to the International Society of Arboriculture standards or other accepted standards.
- B. Tree topping is prohibited.

## ENFORCEMENT AND VIOLATIONS

Removal of a tree (or its stump) that is subject to a tree cutting and clearing permit, without obtaining a tree removal permit prior to its removal, constitutes a violation of [Chapter 15.35](#). Mitigation is required if a tree is cut in violation of this Chapter.

## REVIEW AUTHORITY/PERMITTING PROCESS

Tree Cutting and Clearing applications are an administrative Type I permit application according to the provisions of Title 19. The PED Director is the Review Authority.

## APPLICATION REQUIREMENTS

In order to apply, you must submit a Tree Cutting and Clearing Application Form and pay the application fee. Submittal requirements are listed on the application form.

## HOMEOWNERS ASSOCIATION (HOA)

Some HOAs have additional regulations regarding tree removal. It is the responsibility of the property owner to contact the homeowners' association and get permission to remove trees, if applicable.

**HELPFUL DEFINITIONS**

**Blazing.** Minor non-vehicular cutting or removal of vegetation, including trees, shrubs or groundcover, sufficient for line-of-site surveying and foot access trails to the extent that the site is not otherwise significantly disturbed.

**Clearing.** Any tree cutting, clearing or removal of vegetation in any manner exceeding the extent of blazing as defined above.

**City Arborist.** The City of Poulsbo designated contract arborist. When required or determined necessary, the PED Director shall consult with the City Arborist. All costs associated with review by the City Arborist shall be the responsibility of the applicant of the tree cutting or clearing permit.

**Cutting.** The felling or removal of a tree, or any procedure in which the natural result will lead to the death or substantial destruction of a tree. Such acts include but are not limited to the severe cutting back of limbs, and damage inflicted upon the root system of the tree. Cutting does not include normal pruning within the bounds of accepted arboricultural practices.

**Diameter at Breast Height (DBH).** A tree's diameter in inches at 4 1/2 feet above the ground. On multi-stemmed or -trunk trees, the diameter shall be the diameter equivalent to the sum of trunk areas measured at 4 1/2 foot above the ground.

**Land Disturbing Activity.** Any activity resulting in a movement of earth, or a change in the existing soil cover, both vegetative and nonvegetative, or the existing topography. Land disturbing activities include, but are not limited to, tree removal, grading, filling, excavation, or addition of new or the replacement of impervious surface. Vegetative maintenance practices are not considered land disturbing activities.

**Limbing.** Removal of branches and leaving at least two-thirds of the existing tree branch structure. Limbing does not include topping of trees.

**Pruning.** Cutting back of limbs larger than one and one-half inches in diameter. Pruning shall conform to the International Society of Arboriculture standards, or other standards approved by the Department of Natural Resources (DNR) and/or the Department of Ecology (DOE), to maintain trees within environmentally critical areas and shoreline areas in a healthy and safe condition.

**Thinning.** The removal of trees less than 18 inches DBH where removal will improve the growth of remaining trees or removal of diseased trees that might otherwise die.

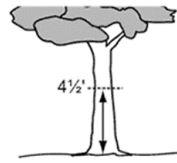
**Tree.** A living woody plant characterized by one main stem or trunk and many branches and having a diameter of six inches or more measured at DBH or is generally referred to in the nursery and landscape industry as a tree.

**Topping.** The severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

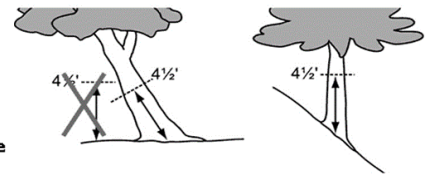
**Vegetation Removal.** The act of removing vegetation by digging up, cutting down or any act which is likely to cause vegetation to die within a period of five years, including but not limited to, damage inflicted to the root system by machinery, storage of materials, or soil compaction, change to the ground level in the area of the root system; damage inflicted on vegetation permitting infection or infestation, excessive pruning or any other action which is deemed harmful to vegetation.

**Measuring DBH**

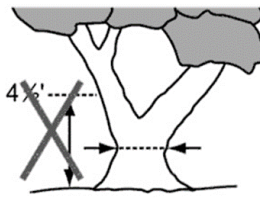
**Measuring Tree Size for Existing Trees**



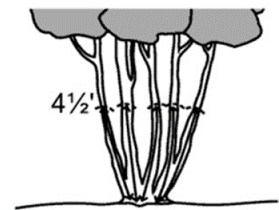
**Measuring Existing Trees with an Angle or on Slope**



**Measuring Split Trunk Tree**

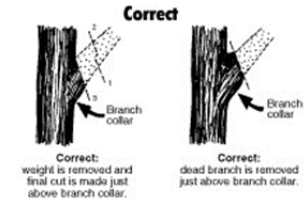
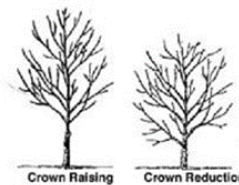
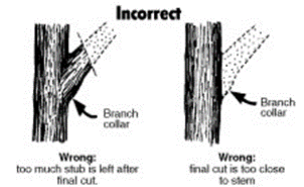
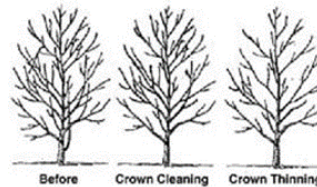


**Measuring Multi-stemmed Trees**



When the trunk branches or splits less than 4.5' from the ground, measure the smallest circumference below the lowest branch.

**Pruning**



**Tree Topping**

