



**CITY OF TUKWILA**  
*Department of Community Development*  
6300 Southcenter Boulevard, Tukwila, WA 98188  
Telephone: (206) 431-3670 FAX: (206) 431-3665

# TREE REMOVAL AND LANDSCAPE MODIFICATION PERMIT

## INFORMATION

Under certain circumstances, Tukwila's landscaping regulations found in TMC 18.52 may be modified, either as a Type 2 Special Permission, Director permit or through design review if a project is subject to that process. The following modifications to landscaping may be allowed:

1. Modifications to the requirements of Type I, II, or III landscaping, including but not limited to:
  - a. the use of the required landscape area for pedestrian and transit facilities,
  - b. the use of landscape planters,
  - c. the use of rooftop gardens or green roofs, terraced planters or green walls, or
  - d. revisions to City approved existing landscaping.
2. Modifications to an approved landscape plan.
3. Clustering of required landscaping in the C/LI, LI, HI and MIC districts, or perimeter averaging in the LDR, MDR, HDR, MUO, O, RCC, LI, HI, TVS and TSO districts.
4. Substitution of a bioretention facility for Type I or II required landscaping.
5. Credit for retained significant trees towards landscaping requirement.
6. Tree removal or topping in landscaped areas without a permit is subject to the replacement requirements and penalties as described in 18.52.110.

The criteria for review of these requests are found on the Review Criteria page that follows at the end of this application.

**PROCEDURES:** All of the items listed on the attached "Complete Application Checklist" must be submitted with the application. 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 prior to application submittal. Within 28 days of receiving your application, City staff will determine if the application is complete based on the attached checklist. If not complete, City staff will notify you about 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, staff will review the request and make a recommendation to the Director, who will issue a decision to approve, modify or deny the application based on the review criteria.

# COMPLETE APPLICATION CHECKLIST

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.

## ADDITIONAL MATERIALS MAY BE REQUIRED.

Department of Community Development (DCD) City Staff are available to answer questions about application materials at (206) 431-3670 at the DCD offices at 6300 Southcenter Blvd, Suite 100, Tukwila, WA 98188.

Check items submitted with application	<b>Information Required.</b> <i>May be waived in unusual cases, upon approval of the Department of Community Development.</i>
<b>APPLICATION MATERIALS:</b>	
	1. Application Checklist one (1) copy, indicating items submitted with application.
	2. Permit Fee: See <a href="#">Land Use Fee Schedule</a> for standard application fee.
	3. Completed Application Form and drawings (4 copies). Maximum size 24" x 36".
	4. Completed and notarized Affidavit of Ownership and Hold Harmless Permission to Enter Property (1 copy attached).
	5. An electronic set of all plans in PDF format.
	6. Written response to the applicable approval criteria of TMC 18.52.100.
<b>SITE PLAN:</b>	
	7. (a) The site plan must include a graphic scale, north arrow and project name. Maximum size 24" x 36".
	(b) Existing and proposed building footprints and utilities, utility cabinets and proposed signage.
	(c) Limits of construction.
	(d) Parking lots, driveways and fire access lanes.
	(e) Fences, rockeries and retaining walls.
	(f) Existing and proposed topography at 2-foot contour intervals.
	(g) Location of all sensitive areas (e.g. streams, wetlands, slopes over 15%, and their buffers and setbacks).
	(h) Diameter, species name, location and canopy of existing significant trees.
	(i) Identification of all significant trees to be removed and/or relocated.
	(k) Proposed or existing lighting
<b>LANDSCAPING PLAN:</b>	
	8. Landscape planting plan by a Washington State licensed landscape architect or other accredited landscape design professional or bioretention facility certified designer (for projects substituting bioretention facilities for required landscaping). The landscape plan should clearly identify the proposed landscape modification, as well as show the remaining site landscaping that meets the requirements of TMC 18.52.
	9. If required, a report prepared by a Qualified Tree Professional to: <ul style="list-style-type: none"> <li>(a) Assess the health and/or value of significant trees to be retained during construction;</li> <li>(b) Assess the marketable value of retained significant trees damaged or removed during construction for the purposes of determining penalties per TMC 18.52.110.</li> </ul>



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**TREE REMOVAL  
 AND LANDSCAPE  
 MODIFICATION  
 PERMIT**

**APPLICATION**

<i>FOR STAFF USE ONLY</i>	
<b>Planner:</b>	<b>File Number:</b>
<b>Application Complete Date:</b>	<b>Project File Number:</b>
<b>Application Incomplete Date:</b>	<b>Other File Numbers:</b>

**NAME OF PROJECT/DEVELOPMENT:** \_\_\_\_\_

**BRIEF DESCRIPTION OF PROJECT:** \_\_\_\_\_

**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: \_\_\_\_\_ E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



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

STATE OF WASHINGTON

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 \_\_\_\_\_

# REVIEW CRITERIA

The applicant bears responsibility for demonstrating that the proposal satisfies all of the permit approval criteria. Planning Division staff are available to discuss the decision criteria you must respond to and the necessary supporting materials. Please address all criteria that apply to your project.

## PERMIT APPROVAL CRITERIA

The criteria below shall be the basis for approval, approval with conditions or denial of any Landscape Modification Permit application.

- A. Modifications to **required landscaping** for new projects may be approved only if the following criteria are met:
1. The modification or revision does not reduce the landscaping to the point that activities on the site become a nuisance to neighbors; **and**
  2. The modification or revision does not diminish the quality of the site landscape as a whole; **and**
  3. **One or more** of the following are met:
    - a. The modification or revision more effectively screens parking areas and blank building walls; or
    - b. The modification or revision enables significant trees or existing built features to be retained; or
    - c. The modification or revision is used to reduce the number of driveways and curb cuts and allow joint use of parking facilities between neighboring businesses; or
    - d. The modification or revision is used to incorporate pedestrian or transit facilities; or
    - e. The modification is for properties in the NCC or RC districts along Tukwila International Boulevard, where the buildings are brought out to the street edge and a primary entrance from the front sidewalk as well as from off-street parking areas is provided; or
    - f. The modification is to incorporate alternative forms of landscaping such as landscape planters, rooftop gardens, green roof, terraced planters or green walls; or
    - g. The modification is to incorporate a community garden, subject to the provisions of TMC Section 18.52.030, Note 11.
- B. Revisions to **existing landscaping** may be approved only if the following criteria are met:
1. The modification or revision does not reduce the landscaping to the point that activities on the site become a nuisance to neighbors; and
  2. The modification or revision does not diminish the quality of the site landscape as a whole; and either
    - a. Proposed vegetation removal, replacement, and any mitigation measures proposed are consistent with the purpose and intent given in this chapter; or
    - b. The granting of an exception or standard reduction will not be detrimental to the public health, safety or welfare or injurious to other property in the vicinity.
  3. In addition, if trees are removed without prior approval these trees shall be replaced based on the tree replacement table (Table C) in TMC Chapter 18.52.110.
- C. **Clustering or perimeter averaging** of landscaping may be considered if:
1. It does not diminish the quality of the site landscape as a whole; and
  2. It does not create a nuisance to adjacent properties; and
  3. If adjacent to residential development, the impacts from clustering are minimized; and
  4. One or more of the following criteria are met:
    - a. Clustering or perimeter averaging of plant material allows more effective use of the property; or
    - b. Clustering or perimeter averaging of landscaping enables significant trees to be retained; or
    - c. Clustering or perimeter averaging is used to reduce the number of driveways and curb cuts and/or allow joint use of parking facilities between neighboring businesses; or
    - d. Clustering or perimeter averaging avoids future conflicts with signage.

5. The front yard landscape width may be divided into a perimeter strip and one or more other landscape areas between the building and the front property line if the perimeter strip is a minimum of 10 feet and the landscape materials are sufficient to provide landscaping along the perimeter and screening of the building mass.
6. The total required landscape square footage must be provided if perimeter landscaping is clustered. Clustering may not be used if the amount of perimeter landscaping has been increased due to proximity to LDR, MDR or HDR.
7. If up to 50% of the perimeter landscaping is relocated to the interior parking, it provides more flexibility for site organization.

D. **Substituting required landscaping in a bioretention facility.** Substituted landscaping in a bioretention facility must include trees, shrubs, and groundcovers as identified on the City's approved Bioretention Plant List and as regulated in TMC Chapter 14.30. The substituted landscaping in a bioretention facility may be counted up to 100% towards required Type I or Type II landscaping. Landscaping in bioretention facilities cannot be counted towards required Type III landscaping. All of the following criteria must be met:

1. The bioretention facility is designed by a professional trained or certified in low impact development techniques; and
2. The landscaping meets the screening requirements of the specified landscape type; and
3. Public safety concerns have been addressed; and
4. The number of trees, shrubs and groundcover required by the landscape type are provided.

E. **Retained significant tree(s)** may be counted towards required landscaping if the following criteria are met:

1. Assessment of tree by an ISA certified arborist as to tree health, value of the trees and the likelihood of survivability during and after construction is provided; and
2. Retention of tree(s) supports the Tukwila Comprehensive Plan urban tree canopy goals and policies; and
3. A financial assurance is posted based on 150% of the value of the retained tree(s) to ensure tree replacement should the retained trees be damaged or die as a result of construction impacts.

\*The monetary value of the significant tree(s) to be retained, as determined by an ISA certified arborist, shall be posted on the tree prior to site preparation and retained throughout the construction of the project.

F. **Trees removed or topped** in violation of the landscape chapter (TMC 18.52) shall be replaced and are subject to penalties per TMC 18.52.110. Applicant should submit this permit, fees, and the associated materials as part of the remediation. The replacement planting plan shall meet the requirements of 18.52.110.C.2 Table C and the underlying zoning requirements for that landscape.