

HIGHLAND HILLS MAINTENANCE COMMISSION
Board of Trustees

BOARD POLICY NO: 3-7

Dated: July 1992
Last Revised: Oct 2000

**TITLE: PRESERVATION OF THE ENVIRONMENT:
 TREE CUTTING**

PRIMARY RESPONSIBILITY: Architectural Control Committee

REFERENCES: a.) HHMC Board Meeting Minutes, 1 July 1992
 b.) HHMC PC&R's, Covenant 21, August 1983 PC&R #21 which states "...nor shall any tree of six-inch or more breast-high diameter be cut... [unless] specific identification of individual trees to be cut) have been submitted to and approved by the Architectural Control Committee."

DEFINITIONS: a.) ACC is the Architectural Control Committee
 b.) PC&R's are the Highland Hills Protective Covenants and Restrictions that run with the land.
 c.) "breast-high" (PC&R #21) shall mean 54" above the ground.
 d.) "cut" (PC&R #21) means altering any tree 6" in diameter measured 54" above the ground past the point that a reasonable person would expect it to live.

Clarification: d.) above. Any tree may be windowed, pruned, or topped at owner's discretion without committee approval, as long as it is not tantamount to removal or otherwise threatens the survival of the tree.

PURPOSE:

To interpret, expand, and provide an orderly and consistent process to lend management to that portion of Protective Covenant #21 dealing with the cutting of trees.

1. RESPONSIBILITIES

The ACC is the responsible committee dealing with removal of qualifying trees on all properties.

Trees in the greenbelt, regardless of size, cannot be removed or altered without permission of the City of Sequim as part of our sewer agreement.

2. BACKGROUND CONSIDERATIONS

a. *Views:* The Board recognizes that the majority sentiment of property owners is that the view is the pre-eminent reason for locating within this hillside community. It is the stated intent of the Board to be responsive to the preservation of views by allowing owners to remove trees that impair those views.

b. *Alternative to complete removal:* In some cases, windowing (the removal of specific branches), topping, or thinning tree overgrowth may be suggested as an alternative to the complete removal of trees.

c. *Impact on neighbors:* Tree growth is a slow but steady process that most owners are unaware of until after a view problem has been created. In some cases, we may be careful to maintain the trees on our lot (and thus protect our view) without similar consideration of what our trees may be doing to our neighbors' view. This may be especially applicable to vacant lots and absentee owners.

d. *Committee decisions*: Decisions on tree removal need to reflect the specification of the PC&R's, the evolving needs of the residents and the changing setting and nature of our community. This document is to address those criteria, the desires of our members, provide guidance to the ACC on tree removal requests, and ensure consistent decisions.

3. BOARD TREE CUTTING POLICY STATED:

Owners already have the right to remove any tree under 6" in diameter measured 54" above the ground without contacting anyone. In addition to that which is already allowed: IT SHALL BE THE POLICY OF THE HHMC BOARD OF TRUSTEES THAT ON WRITTEN REQUEST BY AN OWNER, THE ACC WILL NORMALLY APPROVE THE CUTTING OF TREES THAT FALL WITHIN THE FOLLOWING SIZE AND SPECIES CRITERIA: ¹

- a. *any deciduous* tree other than Maple, Madrona, or Garry Oak *regardless* of trunk diameter.
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- b. *any other* tree with a trunk diameter of less than 8" for any reason.
- c. *any tree regardless of trunk diameter* that impairs the owner's view from his home or that of a neighbor (upon request by the owner and concurrence by the neighbor).
- d. *any tree* for safety reasons; or because they are dead, dying or diseased.

4. REQUEST PROCEDURE: A written request for the cutting of trees with a trunk diameter of 6" or greater shall be accompanied by a simple written site plan showing the location of the trees to be cut. Forward your request to the ACC. The individual trees should be flagged at the site to make it easy for the committee to locate them.

- a. **Developing lots:** Upon submission of a set of house plans for a lot, the ACC will approve the property owner's request to remove trees *regardless of trunk diameter*:
 - (1) -- in a house foot-print or necessary clearing for construction.
 - (2) -- in the path of a driveway and related cuts.
 - (3) -- in a utility easement that is being used.
 - (4) -- that impair the owner's view or that of a neighbor (upon request by the owner and concurrence by the neighbor).
 - (5) -- that pose a potential for wind damage to a house or related facilities.

b. **Undeveloped lots-** If the provisions of 3. a, and 3.b above result in an inadequate opening of view, the ACC may approve the removal of an additional limited number of trees (up to 50%) on an undeveloped lot for sale to help present a representative view from the property or for an owner preparing for future building. For potential purchasers, the ACC may approve an agreed upon preliminary tree removal plan in writing guaranteeing that designated trees may be removed.

5. RELATED REQUIREMENTS

- a. Firewood from felled or downed trees is to be cut and stacked within 45 days.
- b. Small trees, slash, brush and related debris are to be removed, burned or chipped within a reasonable time span. Such "reasonable time periods" should not exceed six (6) months if legal/safe burning of the

¹ Tree removal requests involving trees not meeting the "normally approved" criteria will be considered on their individual merits.

dried slash is the removal option employed. Other options include truck removal or chipping where up to a two (2) month time span is considered "reasonable".

c. Owners are required to dispose of trees that have fallen or blown down, within the time period defined above. Fallen trees are an eyesore for the neighborhood, a potential fire hazard, provide a home for undesirable insects, and create a problem during annual weed abatement. HHMC will notify non-resident property owners of fallen trees.

6. TREES BLOCKING VIEW - NOT ON YOUR PROPERTY

Many owners are concerned about what to do with trees blocking their views that are on someone else's property. Unfortunately, the original developers did not take this into consideration when they drew up the original covenants. Now, tree growth is a problem for many, and it is too late to impose restriction on trees blocking the views of others.

Suggested solution:

AWARENESS - HHMC will create an atmosphere of awareness by periodically bring this problem to the attention of all owners. Is your landscaping having a detrimental impact on your neighbor's view?

COOPERATION - Most neighbors will cooperate with impacted neighbors in the pruning, limbing, windowing, and topping of trees if they are aware of the detrimental impact it is having on the neighbor's view, and they don't have to bear the cost.

COST - The cost of such alteration of overgrown landscaping may have to be born by the impacted neighbor.

SUPPORT - HHMC will support agreements between neighbors to alter or remove view blocking trees. Ownership information for vacant properties is available from the HHMC Treasurer.

7. EROSION HAZARD AREA

Much of Highland Hills has been identified as being an erosion hazard area. Prior to clearing or grading, owners are responsible for compliance with the Clallam Country Critical Areas Code, specifically, CCC 27.12. 420.

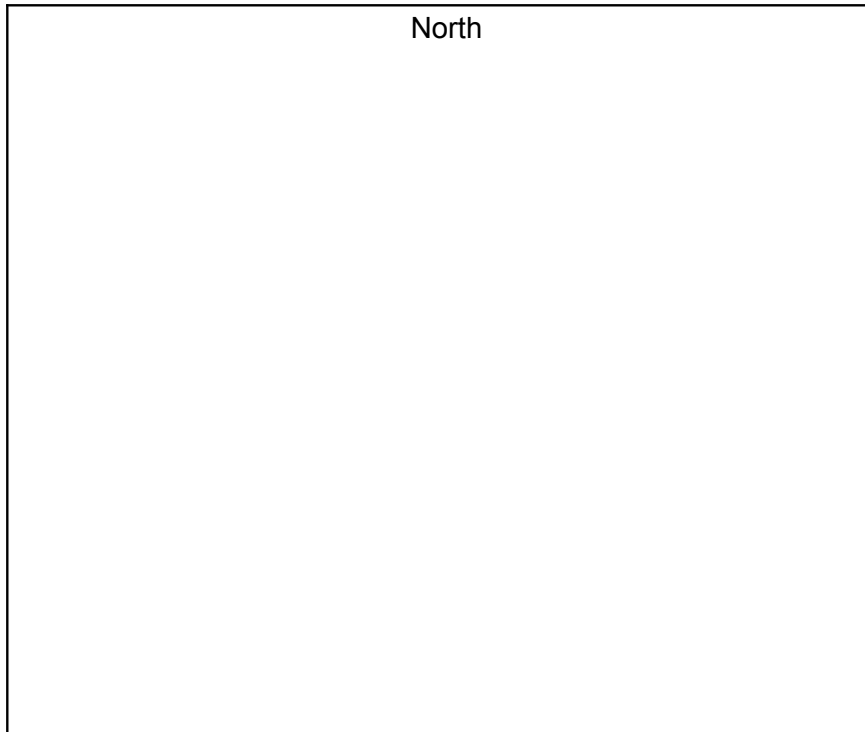
Tree Removal Request

Date: _____

I request to remove tree(s) from my property that are 6" in diameter measured 54" above the ground.

Map of tree(s) to be removed:

North



Map Legend

O = Tree

□ = House

— = Street

Instructions:

Simply draw in the tree(s) you wish to remove using a *circle* for each tree. Use the *square* and the *parallel lines* to show where your house and street(s) are relative to the location of the tree(s).

Outside: Mark the tree(s) to be removed with bright colored "flagging" tape. This will help the ACC identify the trees(s) you wish to remove.

Owner comment:

Owner: _____

Address: _____

Phone: _____ Email address: _____

Parcel # _____ Lot # _____ (required if site has no street address)

Owner Signature _____

ACC Disposition _____ **Date** _____ **Initial** _____