

## Don't go out on a limb – know the laws about tree removal

“City in a park” is not just a marketing slogan for Bellevue, with abundant trees on public and private property helping make the city beautiful and healthful.

The city's trees aren't just pretty; they absorb stormwater runoff and carbon dioxide and other pollutants while producing oxygen. Preserving Bellevue's tree canopy was identified as a priority when the City Council launched an environmental stewardship initiative in 2007.

A variety of rules protect trees in Bellevue. Under certain conditions, residents must obtain a permit to cut or prune trees on their property. It is illegal to remove, prune, or “top” trees on public property; and the penalties are stiff. The city has collected more than \$200,000 in penalties in recent years.

The city receives many questions about tree regulations. Here are answers to some of the most frequent ones regarding tree removal:

### Private Property

#### Do I need a permit to remove one or more trees from my property?

For most homeowners, the answer is No. A permit, however, is required if one or more of the following conditions are true:

- Tree removal results in more than 1,000 square feet of disturbance of the ground.
- The property is part of a designated critical area or buffer.
- The tree is in a native growth protection area or a retained vegetation area.
- The tree is on the city's right of way adjacent to your property.
- The property is located in Bridle Trails.

Contact the Land Use desk in Development Services (425-452-4188 or [landusereview@Bellevuewa.gov](mailto:landusereview@Bellevuewa.gov)) for assistance in determining whether you need a permit or what restrictions may prevent you from removing trees.

#### What is disturbance of the ground?

Disturbance of the ground results from any action that displaces or destroys vegetation, resulting in increased soil exposure. This includes exposure of the existing ground due to tree removal, where no other vegetation is growing under the tree. Disturbance can also result from the physical process of tree removal, where foot and vehicle traffic, construction of access roads, felling of trees, dragging of felled trees, and excavation of stumps disturb the ground.

#### How do I estimate how much disturbance of the ground will result from tree removal?

Generally speaking, the removal of an evergreen or deciduous tree that is eight inches or greater measured four feet above the existing grade would result in 50 square feet of ground disturbance. The city's clearing & grading staff can help you with disturbance estimates and with other questions related to tree removal. They can be reached at 425-452-2019 or [clearandgradereview@bellevuewa.gov](mailto:clearandgradereview@bellevuewa.gov).

#### What are “critical” areas?

The City of Bellevue regulates six types of critical areas in its Land Use Code:

- Streams and riparian areas
- Wetlands
- Habitats for species of local importance
- Geological hazard areas
- Flood hazard areas
- Shorelines

These areas are given special protection because they provide unique environmental functions that are difficult, if not impossible, to replace and because they ensure public health, safety, and welfare.

### **Who can I contact to obtain a permit?**

Visit Permit Processing in Development Services or contact them at 425-452-4898 or [PermitProcessing@bellevuewa.gov](mailto:PermitProcessing@bellevuewa.gov).

### **What if I am concerned about the health or safety of my trees?**

One of the leading reasons given for tree removals is safety. To ensure you are not needlessly removing an otherwise healthy tree, it pays to talk with a qualified certified arborist or certified forester. There are two websites that can help. Contact the International Society of Arboriculture at [www.treesaregood.org](http://www.treesaregood.org) or the Society of American Foresters at [www.safnet.org](http://www.safnet.org).

### **What if I have a dispute with my neighbor about a tree?**

Tree “ownership” is determined by whose property the trunk stands completely on. If the tree is a boundary tree (the trunk straddles a property line), it is owned jointly. In most cases, property owners may trim branches and roots which encroach on their property if they stay within certain guidelines: trim only up to the property line; do not enter the owner’s property without permission; do not destroy or damage the tree by trimming roots or branches.

If you have a dispute with your neighbor, call the Mediation Program at 425-452-4019. They can help you explore your alternatives, coach you on how to negotiate with your neighbor, or provide free mediation to help you and your neighbor find a workable solution.

## **Public Property**

### **May I remove trees adjacent to my property, either in a public right of way or a park?**

No. The public is not authorized to remove (or reduce) any vegetation – including trees – from any public property. Please refer to your property title report, or e-mail either [rightofwayuse@bellevuewa.gov](mailto:rightofwayuse@bellevuewa.gov) or [parksweb@bellevuewa.gov](mailto:parksweb@bellevuewa.gov) to help determine whether a tree is on public or private property.

### **I noticed that some public trees look unhealthy. What can I do?**

The city has foresters and arborists on staff to respond to your concerns. To report a potentially unhealthy tree on park property, call 425-452-6855 or e-mail [parksweb@bellevuewa.gov](mailto:parksweb@bellevuewa.gov). To report a potentially unhealthy tree in the public right of way, call 425-452-7840.

### **What happens if I remove, top, or otherwise prune a tree on city property without permission?**

You may face civil penalties, including fines up to three times the assessed value of the trees involved. Depending on the circumstances, criminal charges may also be brought.