Attachment C

Existing findings for removal of protected trees

Tree removal permits are rigorously reviewed by Staff to ensure as many trees are preserved and protected as possible. This removal process requires an applicant to demonstrate one of the following six findings [8.52.075 Private property tree removal]

Any permit or approval which will result in injury to or removal of a landmark, native or specimen tree protected under this chapter shall be denied unless one of the following findings is made:

- (1) there is a public benefit as defined in Section 8.52.024(R), or a public health, safety or welfare benefit, to the injury or removal that outweighs the protection of the specific tree; or
- (2) the present condition of the tree is such that it is not reasonably likely to survive; or
- (3) there is an objective feature of the tree that makes the tree not suitable for the protections of this chapter; or
- (4) there would be a substantial hardship to a private property owner in the enjoyment and use of real property if the injury or removal is not permitted; or
- (5) to not permit injury to or removal of a tree would constitute a taking of the underlying real property; or
- (6) the project, as defined in Section 17.12.020, includes a landscape design plan which will result in a tree canopy coverage of greater significance than the tree canopy coverage being removed, within a reasonable time after completion of the project.

In addition, for removal of a landmark tree, any such permit or approval shall be denied unless procedures specified for removal of landmarks in Chapter 2.75 are first followed.