

HIGHLAND HILLS MAINTENANCE COMMISSION

Board of Trustees

BOARD POLICY NO: 3-9

Dated: 28 Sep 2001
Revised: 2 Feb 2005

TITLE: GREENBELT TREE MANAGEMENT POLICY

PRIMARY RESPONSIBILITIES: Greenbelt Committee

REFERENCES:

- a) HHMC Board Policy 3-7 Preservation of the Environment: Tree Cutting
- b) Sewer Connection Agreement.

DEFINITIONS:

- a) HHMC is the Highland Hills Maintenance Commission.
- b) The Greenbelt is a 50 to 100-foot wide buffer area.
- c) The Greenbelt Committee reports to the HHMC and is responsible for the administration of this policy.
- d) The Greenbelt Committee is made up of resident appointees from Highland Hills and one representative from the Highland Ditch District.

PURPOSE:

To manage all requests for topping, windowing or removing trees in the Greenbelt in order to improve or maintain the property owners view and to fully utilize the greenbelt to protect the quantity and quality of storm water run off that may affect fish and/or fish habitat in a way that is acceptable to the City of Sequim and the Highland Ditch District. To insure continued cooperation between the City of Sequim, the Highland Ditch District and the HHMC.

1. RESPONSIBILITIES:

The Greenbelt Committee accepts and reviews all requests for view maintenance work within the Greenbelt.

2. BACKGROUND CONSIDERATIONS:

- a) Greenbelt authority: All authority for enforcement of the Greenbelt area buffer was transferred from HHMC, or its predecessor, to the City of Sequim at the time of the assignment of the sewer system to the ownership of the City of Sequim. The controlling documents therefore grant to the city the authority to control the clearing, grubbing and grading of vegetation within this area.
- b) Water runoff control: Water runoff/storm water control shall be maintained on site. Each lot shall be responsible for control, maintenance and protection of the

Greenbelt easement. It is the width of the Greenbelt and its vegetation that is an effective water runoff control.

- c) Views: The HHMC recognizes that the majority of property owners bordering the Greenbelt, present and future, wants to either maintain or improve views. The height of the Greenbelt trees was considerably less when the protective area was first established. With the rapid growth of these trees many views are blocked or soon will be.
- d) The Board has received from the City of Sequim the delegated authority to enforce the greenbelt requirements, as specified in this policy.

3. GREENBELT TREE MANAGEMENT POLICY STATED:

TREES WITHIN GREENBELT MAY BE REMOVED. TOPPED OR LIMBS THINNED WITH THE ADVANCE WRITTEN APPROVAL OF THE HHMC GREENBELT COMMITTEE AND THE CITY OF SEQUIM.

- a) STANDARDS: The committee and/or the City of Sequim, shall endeavor to allow the maximum view from each lot possible, while preserving adequate trees to maintain the general nature of the area as a greenbelt. If necessary, the committee may require replacement of removed trees with ground cover or other vegetation to maintain the nature of the buffer.
4. REQUEST PROCEDURE: A written request is to be submitted prior to any planned action for review and approval by the Greenbelt Committee and the City of Sequim (see Appendix). The request is to include:
- a) A plot plan sketch, including the owner name, address, phone number and lot number, indicating the approximate location of each tree to be altered.
 - b) The specific action for each lot:
 - 1. Plot plans showing all structures, driveways, roads, etc.
 - 2. Removal.
 - 3. Topping.
 - 4. The feet and percentage of the original height that will remain. No tree is to be topped so low as to endanger its life. In cases where there is any doubt as to the proper amount of tree to leave intact, a professional evaluation will be required. Generally two-thirds or more of the tree should be left intact to insure continued tree life.
 - 5. Limbing. Topping and limbing the same tree is not permitted.
 - 6. What professional service is to perform the work. include address and phone number.
 - 7. Vegetation, shrub and/or tree replacement may be required.
 - 8. The HHMC Architectural Control Committee's approval is necessary before the removing of any conifer or deciduous tree that is six inches at a height of 54 inches above the ground. The Greenbelt Committee will act as liaison for these approvals.

- c) Each tree to be altered is to be marked with an identifying ribbon so that the Greenbelt Committee can conduct an accurate inspection prior to approval.
5. APPROVAL PROCEDURE: Submit the written request to the Greenbelt Committee. A representative will make an on-site inspection of each tree to be altered and will then provide a copy of the application to the City for review. The committee will work with the City of Sequim to determine what action to take on the application. The City of Sequim will have twenty (20) days to respond to the application. In the event of a disagreement between the committee and the City of Sequim on the action to be taken on the application, the decision of the City of Sequim will control. After review by the -committee and the City of Sequim, the application will either be approved, disapproved or approved with conditions.
 6. NOTIFICATION OF PLANNED WORK: Notify the Greenbelt Committee of the exact date on which the cutting will be done. After receiving written approval from the Greenbelt Committee the owner may notify the contractor to start on the approved date. The owner or owner representative must be present during all work to assure that only the approved work is performed.
 7. COMPLETION: The lot owner is to notify the Greenbelt Committee, in writing, upon completion.
 8. RELATED REQUIREMENTS:
 - a) Cut limbs and trunks are to be removed from the Greenbelt.
 - b) Those wishing to remove or top trees on another's lot must negotiate an approval between the parties. The request to the committee must be signed and approved by both parties.
 - c) Any unapproved activity in the Greenbelt will be subject to legal proceedings.
 - d) Trees, which have been topped, may grow longer than normal branches that could later break and fall into the greenbelt. It is the owner's responsibility to monitor and remove all such deadfall to reduce fire risk and insect infestation.
 - e) The number and type of tree modifications should be planned so as to preserve as natural a Greenbelt as possible. In some cases a phased approach may be appropriate.
 - f) Bare ground. Should bare ground or soil disturbance result, mitigation measures should be taken by performing one of the following:
 1. Grass seeding.
 2. Shrub planting.
 3. Mulching with Hay.
 - g) Noxious weed removal is the responsibility of lot owners and does not require advance approval. However, it may be done only by hand cutting. Cuttings are to be removed from Highland Hills and disposed of in a manner acceptable to Clallam County.
 - h) Removal of non-noxious weeds, berry bushes and other such growth is at the discretion of lot owners and does not require advance approval. However, it may be done only by hand cutting or with a weed trimmer.
 - i) All other work in the Greenbelt may be done only by hand.

- j) No heavy equipment or mowers are allowed in the Greenbelt.
- k) Fertilizers and/or pesticides may not be applied in the Greenbelt.

9. LIMITATION OF AUTHORITY - Holds City Harmless.

HHMC assumes no liability or responsibility for actions within the greenbelt beyond the specific approval authority for tree and vegetation management granted to HHMC by the City of Sequim and specified in this policy. The individual lot owner remains responsible for compliance with the covenants controlling the greenbelt. Any action by the HHMC or the City of Sequim pursuant to this policy is without prejudice to the HHMC or the City of Sequim and is without prejudice to the rights of third parties to enforce the provisions of the covenants creating the greenbelt.

10. CAUTION CONCERNING EROSION HAZARD AREAS.

Much of Highland Hills has been identified as being in an erosion hazard area. Prior to clearing or grading, owners are responsible for compliance with the Clallam County Critical Areas Code, specifically, CCC27.12.420, and the City of Sequim Puget Sound Storm Water Management Manual.

11. PENALTY

In addition to all available legal remedies for enforcement, including, without limitation, actions to compel restoration, removal of trees or vegetation without approval will cause a lot owner to be subject to penalties under board policy 1-4 establishing fines for violations of HHMC policies.

