



LAND CLEARING PERMIT PER MVMC CHAPTER 15.18 NOTICE OF DECISION

A. BACKGROUND INFORMATION:

PROJECT ADDRESS:	NA, north and west of 4707 South 48 th Place	PROJECT PARCEL NUMBERS:	P133323 P133335 P133336 P133337
APPLICANT:	CH Creek, LLC		
PROJECT DESCRIPTION:	The applicant wishes to remove the timber and stumps from portions of their property to allow the development of a single-family residential subdivision. The timber removal is expected to yield approximately 50,000 board feet of merchantable timber across 6.3 acres.		
APPLICABLE MVMC	MVMC 15.18		

B. APPROVAL CRITERIA:

The approval criteria found in the MVMC 15.18.040 for land clearing permits is provided below.

1. Land clearing shall not be permitted until all required land use or building permits are approved.

Staff Note: preliminary plat, and final PUD approvals are complete for this project.

Yes No
2. Land clearing shall not be permitted until SEPA review of the project is complete, including the issuance of the final environmental impact statement if required.

Staff Note: the SEPA MDNS was issued on 6.23.09 with project number: LU07-009

Yes No
3. Fencing is provided where necessary and other methods of property management will be implemented to prevent damage to adjacent land and natural resources.

Staff Note: see condition #1 on page 2 of this Permit

Yes No
4. The maximum area being cleared is one and one-half times the minimum lot size for the zone where the property is located.

Staff Note: not applicable, this project had preliminary plat approval prior to the adoption of MVMC Chapter 15.18; and as such, is not subject to this condition of approval.

Yes No
5. An appropriate erosion and sedimentation control plan is provided and will be implemented before, during and after clearing.

Staff Note: see condition #2 on page 2 of this Permit

Yes No
6. The activity complies with the requirements of Chapters 15.06, 15.07 and 15.40 MVMC.

Yes No

C. DECISION & CONDITIONS:

The Land Clearing Permit for Woodside Divisions 3 to 5 Land Clearing, file number: PL17-013 has been **APPROVED** by the Development Services Department subject to compliance with the standards of the Mount Vernon Municipal Code and the following specific requirements placed on this action that allow this permit to be issued:

1. Prior to initiating any clearing activities on the site, trees to be protected and preserved shall be protected from potentially damaging activities as follows. Once the following tree protection measures are in place the DS inspector will complete an inspection of these measures to ensure compliance. No clearing activities can commence until the DS inspector has approved the tree protection measures below.
 - a. Trees to be left on the subject site, along with their associated critical root zones, shall be identified and fenced. The critical root zone surrounding each tree that will remain on the site shall also be identified. The critical root zone is defined as an area that is no less than the area of a circle with a radius that extends one foot out from the tree for every inch of trunk DBH or the area of a circle with a radius extending from a tree's trunk to a point no less than the end of the tree's longest branch, whichever is greater.
 - b. Three inches of composted woodchips shall be placed over the critical root zone of the trees to be retained. The purpose of this is to retain moisture, increase organic matter, and visually establish the critical root zone.
 - c. The protective fence surrounding the trees to be left on the site along with their above-described critical root zones shall be a minimum of four feet high and may be higher if needed to ensure clear visual delineation. Chain-link fence fastened to steel stakes/posts driven securely into the ground shall be required to discourage easy movement. Chain-link fence is not required along the entire length of proposed roadways.
2. Prior to initiating any clearing activities on the site the applicant shall have the CEDD Engineering Division approve the stormwater control BMPs to be utilized on this site. The BMPs shall be in compliance with DOE Stormwater Manual and all other stormwater regulations adopted by the City. The applicant shall be required to comply with all conditions of approval that the Engineering Division places on the proposed clearing activities that ensure compliance with the DOE Stormwater Manual and the MVMC.
3. With regard to the tree protection and critical root zones that are required to be protected throughout the clearing activities; the following additional conditions shall apply:
 - a. The tree/CRZ protection fence shall remain in place until the city authorizes removal or final plat approval whichever occurs first.
 - b. No clearing, grading, filling, or other development activities shall occur within the tree protection areas.
 - c. No vehicles, construction materials, fuel, or other materials shall be placed in tree protection areas.
 - d. No nails, rope, cable, signs, or fencing shall be attached to any tree within the tree protection areas.
 - e. The grade within the tree protection area shall not be altered.
 - f. No impervious surface shall be installed within the tree protection area.
 - g. Utility trenches shall be located outside of the tree protection area. Boring or tunneling under the critical root zone may be considered an alternative but shall require advanced written approval from the city.
4. Dust from clearing activities shall be minimized at all times. Impervious surfaces on or near the construction area shall be swept, vacuumed, or otherwise maintained to suppress dust entrainment. Any dust suppressants used shall be approved by the director or designee. Petrochemical dust suppressants are prohibited. Watering the site to suppress dust is also prohibited unless it can be done in a way that keeps sediment out of the drainage system.
5. Native soil (duff and topsoil) shall be stockpiled and reapplied to cleared areas.



Rebecca Lowell, Senior Planner
Development Services Department

February 24, 2017

Date

D. EXPIRATION/APPEALS/NOTES TO APPLICANT:

Land Clearing Permits are Process II decisions per MVMC Chapter 14.05; where a final decision is made by the director or the director's designee without a public hearing.

This decision may be appealed in an open record appeal hearing to the hearing examiner within 14 days of the date this document was signed by the approval authority, as noted above. The hearing examiner decision may be appealed in a closed record appeal to the city council.

Consistent with MVMC 15.18.040(N) this approval shall be valid for two consecutive years following the date of issuance.

Further information may be obtained by contacting the Development Services Department at: 910 Cleveland Ave / P.O. Box 809, Mount Vernon, WA 98273, (360) 336-6214.