



## **Notice to Applicant When Presenting as Type 2 Process to the Planning Commission**

The Type 2 Process includes review and decision by the Planning Commission with prior notice to affected persons (neighbors within 300 feet of your property) but without a public hearing. The public is provided a 14-day comment period prior to consideration of the application. The applicant has the burden of proof and persuasion.

Per Chapter 5 of the Durham Development Code, every application to remove a tree(s) shall:

- 1.** Provide a diagram of the lot drawn to approximate scale showing the number, size, species and location of all trees on the property and the tree(s) proposed to be Cut.
- 2.** Demonstrate that the topography of the property is such that to cut the tree will not adversely affect, soil retention, stability of earth, flow of surface water, protection of nearby trees, windbreaks and a desirable balance between shade and open space.
- 3.** Demonstrate that to Cut the tree will not materially affect the preservation of an upland wooded corridor or stream side vegetated corridor as identified in the City's Comprehensive Land Use Plan.
- 4.** When mitigation is anticipated, provide a mitigation plan showing location and species of tree or trees to be planted subject to the standards set forth in the section applicable to the permit type, or tender of payment of the in-lieu fee to the mitigation fund.

Please submit all of the above information to City Hall. Once this information is submitted the applicant will be informed that the application is complete and provided the date of the meeting that the Planning Commission will have their application on its agenda. The meetings are held at City Hall on the first Tuesday of each month at 7:30 pm. Since the applicant has the burden of proof and persuasion, it is highly recommended that the applicant attend the meeting and be prepared to present their application.

The City is required to make a decision on the removal application within 60 days of the application being deemed complete. After the decision is posted, there is a 12-day period for appeal of the decision.