

A panoramic view of the Seattle skyline featuring the Space Needle, various skyscrapers, and Mount Rainier in the background under a clear blue sky. The foreground shows green trees.

Tree Protection Legislation

Photo by John Skelton



Seattle Department of
Construction & Inspections

Land Use Committee
April 7, 2023

TODAY'S PRESENTATION

- Recap – Summary of Key Updates
- More Details: Payment In-Lieu, Replacement and Budget Appropriations



RECAP: SUMMARY OF KEY UPDATES

PROPOSED CHANGES

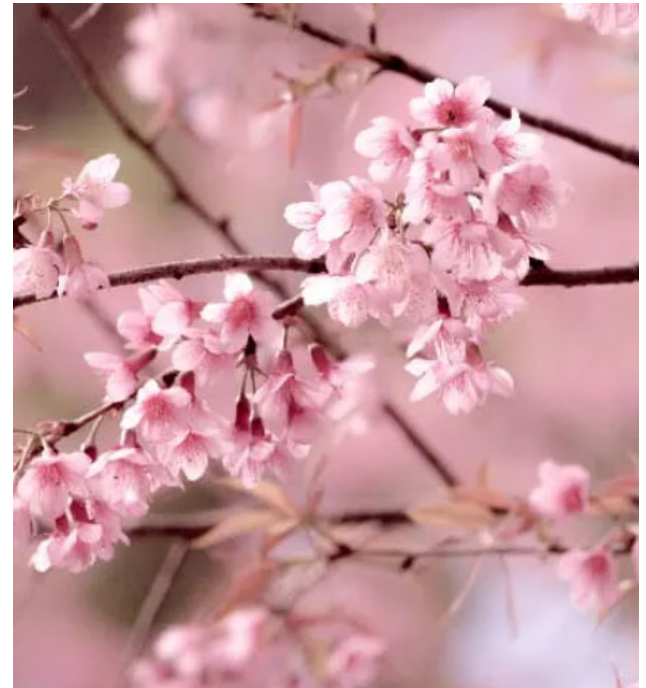
- Use tree tier nomenclature (Tiers 1 –4)
- Adjust tree removal limits
- Street trees required for new residential construction
- Use hardscape standard for zoned development capacity
- Add payment in-lieu option
- Require mitigation for hazardous tree removal (for trees 12” and greater)



PROTECTIONS OUTLINE

PROPOSED CHANGES - More trees regulated (70,400 trees)

1. **Payment In-Lieu** – starts at new 12” diameter
2. **Tree Tier Categories**
3. **Replacement Trees** – climate resiliency disease/pest/insect tolerance
4. **Threats to Canopy** – replacement trees
5. **Budget Appropriations**



PAYMENT IN-LIEU

PROPOSED CHANGES – Payment in lieu of planting on site

- Payment in lieu of planting based on cost of planting and establishing a tree per industry tree valuation manual
- Cost includes materials and labor necessary to plant the tree, and to establish for 5 years
- Payment can be reviewed annually and, if necessary, adjusted to reflect current costs



PAYMENT IN-LIEU

PROPOSED CHANGES – Applicable Tree Categories

TREE CATEGORY	REQUIRED MITIGATION	AMOUNT
TIER 1 (cannot be removed, only if hazardous or emergency action is necessary)	Cost per square inch of trunk for each hazardous tree removed	\$17.87/sq in
TIER 2 (24" or greater, tree groves and specific tree species in Director's Rule)	Cost per square inch of trunk for each tree removed	\$17.87/sq in
TIER 3 (12" up to less than 24")	Cost per tree removed	\$2,833

PAYMENT IN-LIEU

PROPOSED CHANGES

- Rate set to cover costs of City Departments (SDOT and SPR) to plant and establish new trees
- Rates designed to provide feasible option when on-site planting not feasible or desirable
- Helps make permit process more straight-forward
- Similar to approach taken in some peer cities in Pacific Northwest



PAYMENT IN-LIEU

FORMULA (Applicable to Tiers 1 and 2; Tier 3 is a flat fee)

Nursery purchase price divided by the **square inches of the nursery tree** = **unit cost to replace a tree**

Square inches of tree removed multiplied by the **unit cost to replace the tree** = **payment in-lieu amount**

Nursery purchase price is the average price of common trees found on sites in Seattle per survey from area nurseries

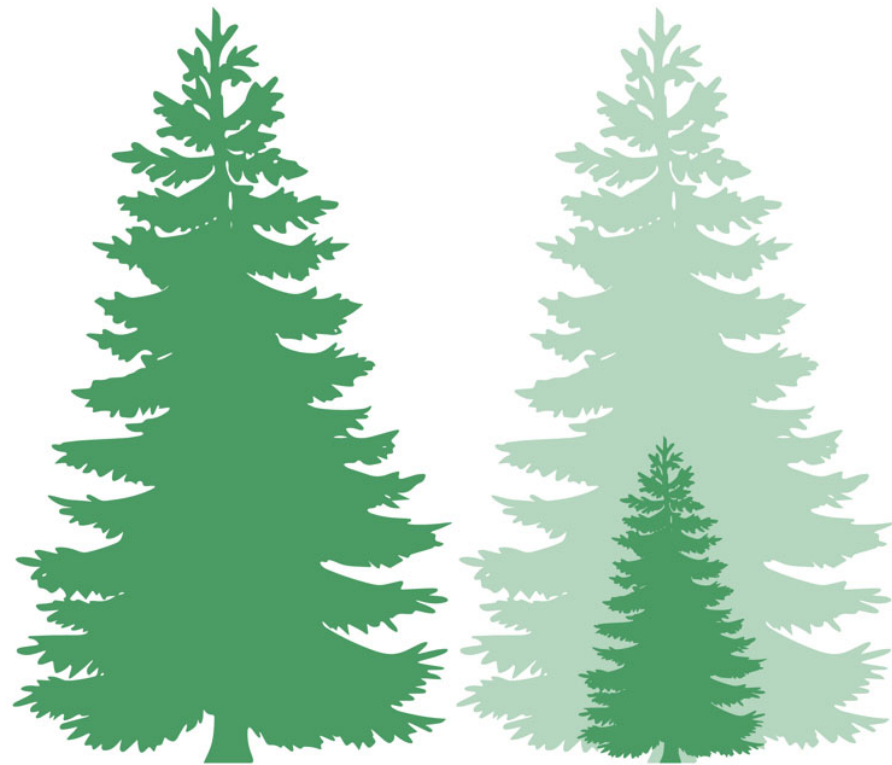
Square inches of the nursery tree is the average size of replacement tree per survey from area nurseries

Square inches of tree removed provided by permit applicant

REPLACEMENT, PAYMENT IN-LIEU

PROPOSED CHANGES

- Replacement trees will be required to reach the same canopy cover at maturity as the tree removed
- Same tree species or a species that is a better fit for site conditions and changing climate
- “Right tree, right place” to ensure long-term tree survival and best outcomes



TIER 1 TREES

HERITAGE TREE PROGRAM

- Cooperative program between City of Seattle and Plant Amnesty
- First Heritage Tree recognized jointly in 1996
- Currently – hundreds in the program; trees are added by property owners

PROPOSED CHANGES

- Continue to nominate 10-15 trees annually
- Heritage trees can be on City or private property
- Could be removed during development under existing regulations, but now may not be removed unless deemed hazardous or emergency action is necessary
- Must be replaced or the calculated payment in-lieu must be paid

TIER 2 TREES

PROPOSED CHANGES

- Updated Draft Director’s Rule includes Tier 2 trees that measure 6”, 8” and 9” diameters
- Tree groves are included for protections
- For all species not listed in Table 1, the threshold diameter is 24” or greater for Tier 2 trees
- Updates included removal of any tree that is listed on the adopted and as subsequently revised King County Noxious Weed/Tree List
- Must be replaced or the calculated payment in-lieu must be paid

Table 1: Size Thresholds for Tier 2 Trees

ALDER, Sitka – <i>Alnus sinuata</i>	6”
APPLE, Orchard (Common) – <i>Malus sp.</i>	20”
ASH, European – <i>Fraxinus excelsior</i>	22”
ASPEN, Quaking – <i>Populus tremuloides</i>	12”
BIRCH, Paper – <i>Betula papyrifera</i>	20”
CASCARA – <i>Rhamnus purshiana</i>	8”
CHERRY, Japanese Flowering – <i>Prunus sp. (kwanzan, serrula, serrulata, sargentii, subhirtella, yedoensis)</i>	23”
CRABAPPLE, Pacific – <i>Malus fusca</i>	12”
DOGWOOD, Eastern – <i>Cornus florida</i>	12”
DOGWOOD, Kousa – <i>Cornus kousa</i>	12”
DOGWOOD, Pacific – <i>Cornus nuttallii</i>	6”
HAWTHORN, Black – <i>Crataegus douglasii</i>	6”
HAWTHORN, Common <i>Crataegus monogyna Jacq.</i>	16”
HAWTHORN, Washington – <i>Crataegus phaenopyrum</i>	9”
HORNBEAM, European – <i>Carpinus betulus</i>	16”
LOCUST, Honey – <i>Gleditsia triacanthos</i>	20”
MADRONA – <i>Arbutus menziesii</i>	6”
MAGNOLIA, Southern – <i>Magnolia grandiflora</i>	16”
MAPLE, Dwarf or Rocky Mountain – <i>Acer glabrum var. Douglasii</i>	6”
MAPLE, Japanese – <i>Acer palmatum</i>	12”
MAPLE, Paperbark – <i>Acer griseum</i>	12”
MAPLE, Vine – <i>Acer circinatum</i>	8”
MONKEY PUZZLE TREE – <i>Araucaria araucana</i>	22”
OAK, Oregon White or Garry – <i>Quercus garryana</i>	6”
PEAR, Callery – <i>Pyrus calleryana</i>	13”
PINE, Lodgepole – <i>Pinus contorta</i>	6”
PINE, Shore – <i>Pinus contorta ‘contorta’</i>	12”
PLUM, CHERRY – <i>Prunus cerasifera</i>	21”
SERVICEBERRY, Western – <i>Amelanchier alnifolia</i>	6”
SNOWBELL, Japanese – <i>Styrax japonica</i>	12”
SPRUCE, Sitka – <i>Picea sitchensis</i>	6”
WILLOW (All native species) – <i>Salix sp. (Geyeriana ver meleiina, eriocephala ssp. mackenzieana, Hookeriana, Piperi, Scouleriana, sitchensis)</i>	8”
YEW, Pacific – <i>Taxus brevifolia</i>	6”

TIER 3 & TIER 4 TREES

PROPOSED CHANGES (TIER 3 – all trees 12” or greater and up to 24”)

- Existing regulations allowed up to three to be removed each year, but now, except during development and on lots already developed, these trees may not be removed, unless deemed hazardous or an emergency action is necessary
- During development and lots to be developed, must be replaced or the calculated payment in-lieu must be paid
- Tree protection standard restricts removal unless cannot meet development capacity
- Replacement required starting at 12” threshold

PROPOSED CHANGES (TIER 4 – all trees 6” but less than 12”)

- Up to two Tier 4 trees may be removed in any 36-month period (NR, LR, MR, C and SM zones)

REPLACEMENT TREES – Climate Resiliency

PROPOSED CHANGES

- Responds to the recent data presented by the Office of Sustainability & Environment (OSE)
- Replacement trees will increase tree diversity and planting tree species that are adapted to drier, warmer climates and will improve long-term functional stability
- Will include collaboration and partnerships with SPR, SDOT and others



THREATS TO TREE CANOPY (1 OF 2)

EXISTING CONDITIONS

- Two dangerous pests, the Bronze Birch Borer and Gypsy Moth, have arrived in Seattle
- Actual impact is greater because no data available for private property (majority of tree canopy is located)



PROPOSED CHANGES

- Replacement tree species will be selected with certified arborist input including consultation with subject matter experts
- Increase tree species diversity
- Ensure no one genus/species is overplanted



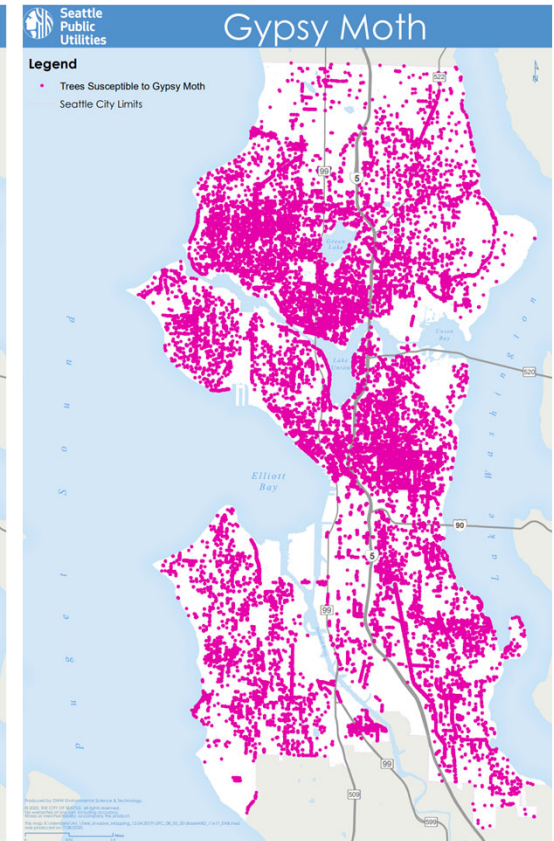
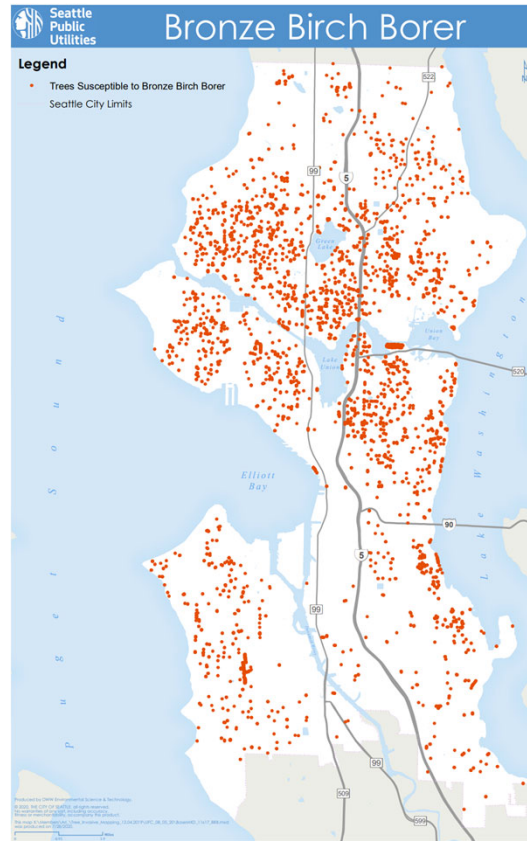
THREATS TO TREE CANOPY (2 OF 2)

IMPACT ON STREET TREES

- GIS maps show impacts citywide for dangerous pests
- Other pest/diseases prevalent

PROPOSED CHANGES

- Replacement tree species will be selected to anticipate future pests/diseases that have not yet arrived
- Preference given to tree species highest level of pest and disease resistance



BUDGET APPROPRIATIONS

PROPOSED CHANGES – Additional SDCI Positions

- Additional trees regulated and protected require more staff to review site plans and conduct inspections
- Three positions: Environmental Analyst, Site Inspector and Management Systems Analyst Supervisor
- Site inspector verify on-site tree protection
- Additional funding by the General Fund for code compliance and enforcement work may be necessary in the future



QUESTIONS?

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