

Tree Protections Update

Photo by John Skelton



Seattle Department of
Construction & Inspections



Seattle
Office of Sustainability
& Environment

Land Use Committee
March 9, 2022

TODAY'S PRESENTATION

- UFMP Update
- Resolution 31902
- SEPA (Environmental) Draft Legislation - Applicability
- SEPA Draft Legislation - Highlights
- Next Steps

URBAN FOREST MANAGEMENT PLAN

- The 2020 Urban Forest Management Plan (UFMP) provides a framework for policy and action that guides city government decision-making to help Seattle maintain, preserve, enhance, and restore its urban forest.
- The core of the plan is a set of outcomes, strategies, actions, and indicators that will support a healthy and sustainable urban forest across Seattle's publicly and privately owned land.



URBAN FOREST MANAGEMENT PLAN

- Finalized in 2021
- Next step: implementation
 - Some work ongoing
 - Some new plans for 2022
 - Some longer-term
- Incorporating into 2022 planning and tracking full Action Agenda

Trees for Seattle 2022 Work Plan																																																																																		
Background: Seattle updated its Urban Forest Management Plan in 2020-21. The outcomes and strategies identified in this update are below:																																																																																		
<p>UFMP outcomes</p> <ol style="list-style-type: none"> Racial and social equity. Urban forestry benefits and responsibilities are shared fairly across communities, community trust is built, and decisions are guided by diverse perspectives, including those of environmental justice priority communities. Ecosystems and human health. The urban forest improves air quality, human well-being, public health and water quality, provides beauty, environmental and economic benefits, fish and wildlife habitat, food, outdoor fun, and helps store rainwater. Human safety and property protection. In implementing the work, urban forestry teams use up-to-date practices to protect the safety of the public and staff. Climate change. Urban forestry work helps people, and urban trees and vegetation adapt to, recover from, and mitigate the impacts of climate change. Community care. The Seattle community, including all people, organizations, institutions, and businesses, works together to appreciate and care for the urban forest and to understand tree protection regulations. Balance competing priorities. City government will work to grow, maintain, preserve, enhance, and restore Seattle's urban forest as it meets other priorities. Urban forestry practices and policies work with and support other City and community goals including access to spaces, climate action, culturally appropriate recreation, social justice, food and medicine production, housing, transportation, and utility provision. 	<p>UFMP strategies</p> <p>In order to meet the outcomes of this plan, seven overarching strategies were developed that represent a comprehensive approach to mobilizing informed and effective action. These strategies were used to develop the specific actions included in the action agenda.</p> <ol style="list-style-type: none"> 1. Consider the needs of environmental justice priority communities in all urban forestry actions. 2. Identify and implement management actions that increase the urban forest's resilience to potential impacts, including climate change. 3. Understand the condition and complexity of the urban forest resource, how it was different in the past and how it may change in the future. 4. Coordinate communication, cooperation, and decisions within the City and with other agencies. 5. Inspire, inform, and work with the community to help care for Seattle's urban forest. 6. Preserve, restore, and enhance the urban forest on City property and rights-of-way. 																																																																																	
<p>Given these outcomes and strategies, an Action Agenda was developed on an annual basis.</p> <p>2022 Work Plan: Each year the Urban Forestry Core Team creates implementation in a given year, and encompass work of the UF in this document include ongoing work described generally in whole to show which areas are seeing work now as part of this sections:</p> <p>Ongoing work 2022 UFMP Action Agenda work: Strategy 1 Strategy 2 Strategy 3 Strategy 4 Strategy 5 Strategy 7</p> <p>UFMP Action Agenda Tracker</p>	<p>UFMP Action Agenda Tracker</p> <table border="1"> <thead> <tr> <th>Action</th> <th>2022 Action?</th> <th>Status</th> </tr> </thead> <tbody> <tr> <td colspan="3">Strategy 1: Consider first the needs of environmental justice communities in all urban forestry actions</td> </tr> <tr> <td>1. 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URBAN FOREST MANAGEMENT PLAN

Implementation highlights

- Strategy 1, Action 1: Job training programs
- Strategy 1, Action 2: Tree planting in environmental equity priority communities
- Strategy 3, Action 8: Canopy cover assessment



Figure 6. Tree Canopy derived from high-resolution imagery and LiDAR.

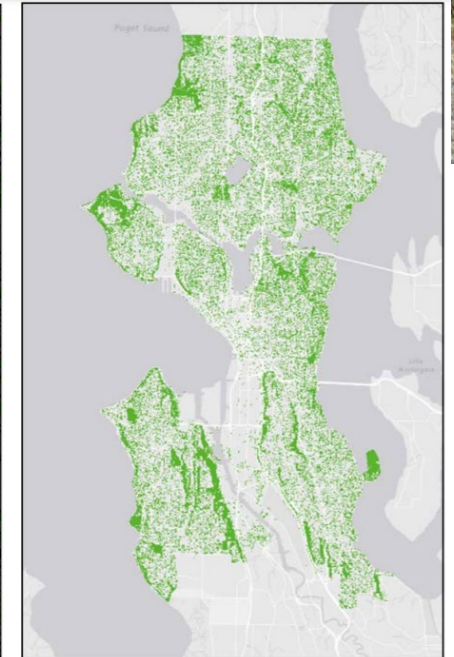


Figure 7. Tree Canopy at the city-scale derived from high-resolution imagery and LiDAR.

REMINDER:

RESOLUTION 31902

Council requested SDCI and OSE to explore the following strategies:

- Expand exceptional tree definition and retain protections
- Create significant tree removal permit
- Require replacement for significant tree removal
- Simplify tree planting and replacement requirements
- Maintain tree removal limits in single-family zones
- Explore in-lieu fee option for tree replacement
- Provide adequate funding to administer/enforce

SEPA (ENVIROMENTAL) DRAFT LEGISLATION

Three types of trees regulated:



1 - “Exceptional” trees



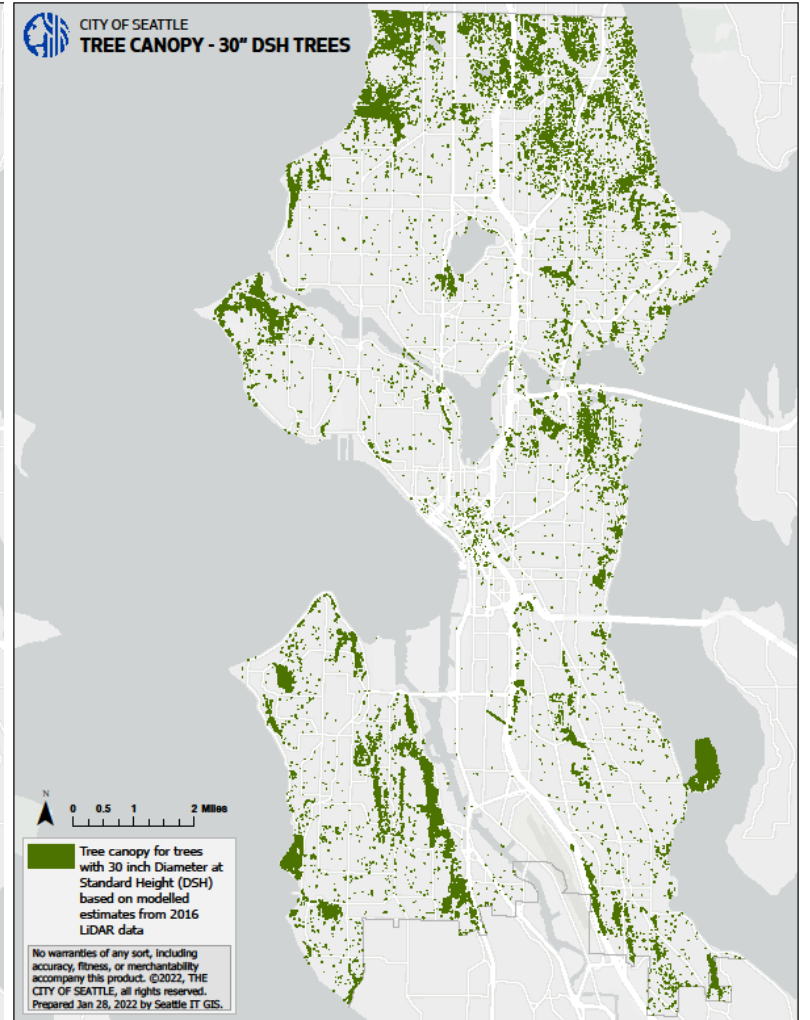
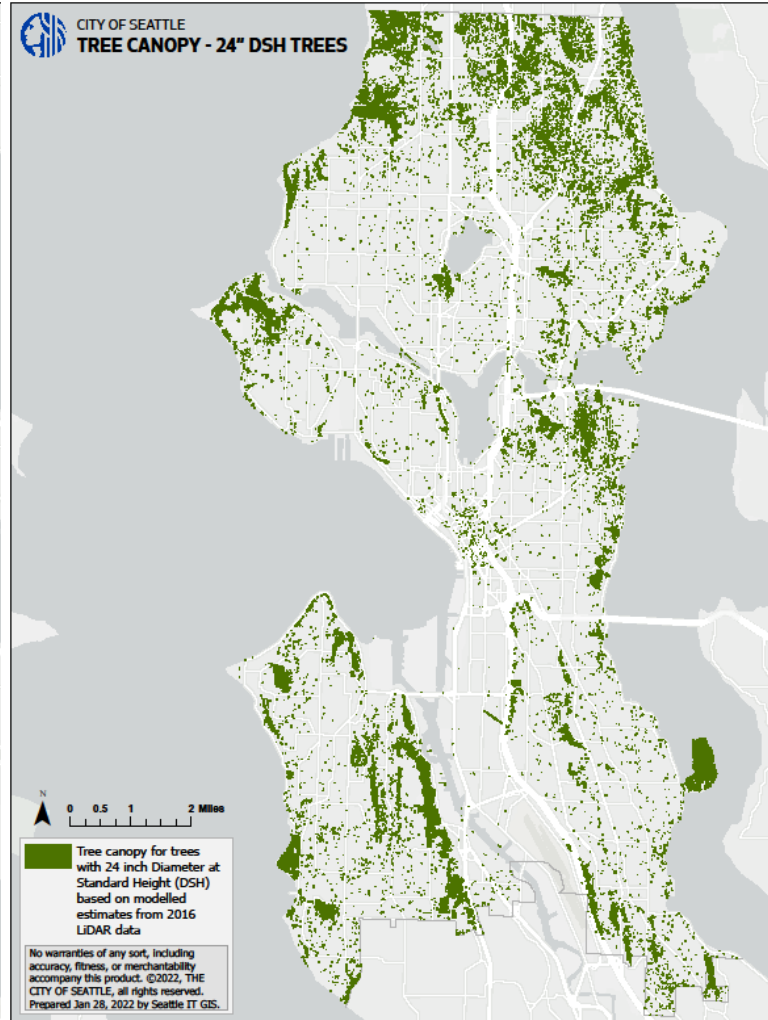
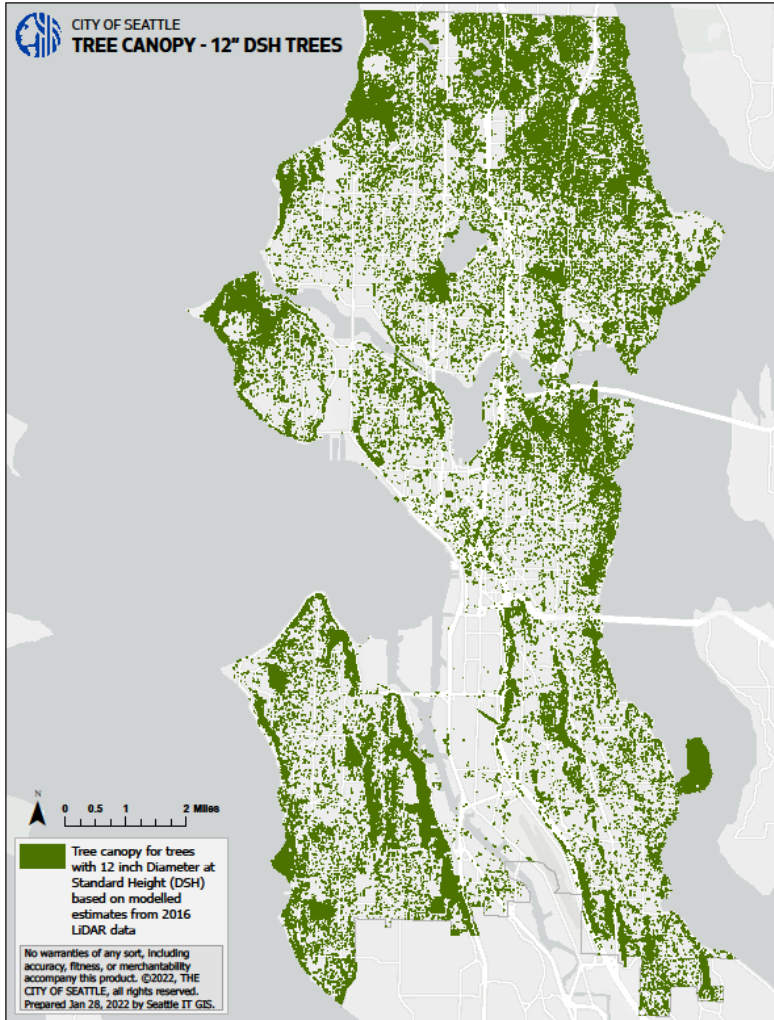
2 - “Significant” trees



3 - “Heritage” trees

“Other” trees under 6” diameter are not regulated

TREE CANOPY COMPARISONS: 12", 24", 30" DSH



APPLICABLE ZONING








- Neighborhood Residential, RSL
- Lowrise, Midrise
- Neighborhood Commercial
- Seattle Mixed*

*Not all zones are shown here**



SEPA (ENVIRONMENTAL) DRAFT LEGISLATION

HIGHLIGHTS

-  Expands definition of “Exceptional” tree
-  Defines “Significant” tree and requires replacement 12” and greater
-  Provides home builder flexibility to development standards to accommodate tree retention
-  Allows for payment in-lieu option in several circumstances (subject to further refinement to better account for City costs)
-  Addresses hazardous tree removal actions and emergency situations
-  Simplifies processes and supports tree tracking (SEPA Draft is compatible with CB 120207 Tree Service Provider Registration)
-  Updates enforcement provisions

DRAFT LEGISLATION

EXCEPTIONAL TREES

- Expands the minimum size threshold for certain tree species from 30 inches to 24 inches as measured by diameter at standard height (DSH)
- Adds tree groves and heritage trees to the definition of exceptional trees (with certain existing exceptional tree species with thresholds smaller than 24 inches continuing to be defined as exceptional)
- Accompanied by a Draft Director's Rule to provide additional guidance for exceptional trees that are 24" DSH and smaller pursuant to SMC Chapter 25.11

DRAFT LEGISLATION



SIGNIFICANT TREES

- Defines “significant tree” as any tree that has a diameter at standard height (DSH) of six inches or greater and is not defined as an exceptional tree
- Requires mitigation for removal of significant trees that are 12 inches or greater
- Limits removal of significant trees outside of development to trees smaller than 12 inches

DRAFT LEGISLATION

ADJUSTMENTS TO DEVELOPMENT STANDARDS

- Provides home builder flexibility to development standards, to accommodate retention of exceptional trees

For development not subject to Design Review:

- Setbacks and separation requirements may be reduced by a maximum of 50 percent
- Amenity areas may be reduced by a maximum of 10 percent
- Landscaping and screening may be reduced by a maximum of 25 percent
- Structure width, structure depth, and facade length limits may be increased by a maximum of 10 percent

For development subject to Design Review:

- Departures permitted in Section 23.41.012
- Parking reduction in the parking quantity allowed by Section 23.54.015 and the modification of standards for safe access
- In Lowrise zones, an increase in base height limit of 40 feet to 50 feet, for an additional building floor if needed to recover floor area lost within a tree protection area

DRAFT LEGISLATION

PAYMENT IN-LIEU

- Adds a new payment option (voluntary payment-in-lieu) when tree replacement is required - subject to further refinement to include City costs such as establishment of trees for a period of 3 to 5 years
- Includes Draft Director's Rule that defines a method for calculating in-lieu payments, and draft payment amounts for exceptional trees and significant trees 12 inches and greater

DRAFT LEGISLATION

HAZARDOUS TREES AND EMERGENCIES

- Adds a new section addressing provisions related to hazardous tree removal (25.11.037)
- Adds a new section that states specific emergency actions that may be undertaken without obtaining a permit in advance (25.11.035)
- Updates definitions further strengthen tree code (25.11.020)

DRAFT LEGISLATION



PROCESSES AND ENFORCEMENT

- Simplifies the permit review process by allowing flexibility with development standards to protect exceptional trees in multifamily and commercial zones as an administrative review rather than require streamlined design review
- Increases penalties for violations of tree regulations (25.11.100)

NEXT STEPS –

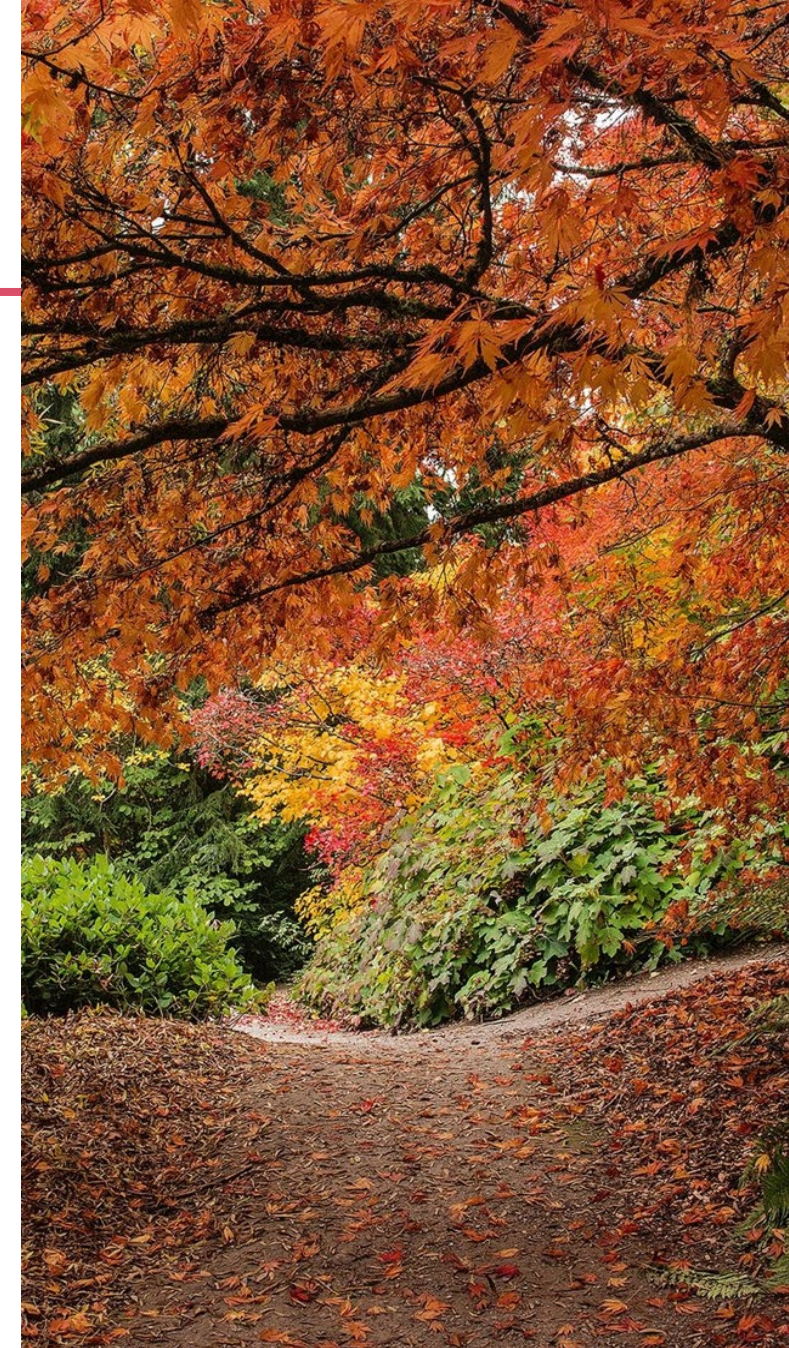
Q2/Q3 2022

- Work with stakeholders, including the UFC, on any potential updates to the SEPA Draft
- Resolve any appeal* of the SEPA determination
- Develop final recommendations

Ongoing

- Identify potential implementation and enforcement needs

**Deadline to appeal is March 10*



QUESTIONS?

Chanda Emery

chanda.emery@seattle.gov

(206) 233-2537

www.seattle.gov/sdci/codes/changes-to-code/tree-protection/project-documents

Patricia Bakker

patricia.bakker@seattle.gov

(206) 684-3194

www.seattle.gov/trees/management

