



Memo

Date: March 9, 2022
To: Councilmember Dan Strauss, Chair, Land Use Committee
From: Nathan Torgelson, SDCI Director
Subject: Tree Protections Update – 1Q 2022 Report

The City Council adopted [Resolution 31902](#) on September 16, 2019. The resolution directed SDCI in consultation with OSE to explore strategies to protect existing trees, increase Seattle’s tree canopy cover, and balance City goals to support future growth and density as provided in the City’s Comprehensive Plan.

The resolution also directs staff to provide quarterly reports to the Chair of the Land Use (LUC) Committee on progress made. Three quarterly reports were delivered on [February 12](#), [July 22](#), [November 25](#) in 2020 and four quarterly reports on [March 23](#), [July 14](#), [September 24](#) and [December 8](#) in 2021 which summarized work accomplished over each quarter, including work underway and anticipated next steps.

On February 17, 2022, SDCI released [SEPA \(environmental\) draft legislation](#) and a Director’s Report for new tree regulations. SDCI extended the public comment period to allow for additional time to review and provide feedback on the SEPA draft legislation to April 4, 2022. The previous comment deadline was March 3, 2022.

Urban Forest Management Plan (UFMP) Update

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. At 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.

The Urban Forestry Core Team prepared an action agenda as part of the UFMP Update. The action agenda outlines the steps that the City and community partners will take to implement the plan, and through which the City aims to ensure the urban forest is effectively managed. The UFMP includes nineteen actions which are organized within the plan’s overarching strategies. This quarter, staff have identified specific actions that have been prioritized due to their importance in managing the urban forest and in supporting and responding to community concerns.

Highlights are as follows:

- *Job training programs* – there is work to be done to identify gaps in department work that are needed to accomplish the larger action called out in the UFMP - work on definition of workforce development for urban forestry, what success looks like, then what are the gaps and opportunities. While that work gets underway, there are currently some programs in departments that are making progress in this area. SPR Green Seattle Partnership (GSP) job training programs with youth; SPU Rain City program
- *Strategy 1, Action 2* – focus tree planting in environmental equity priority communities – SPR and SDOT currently do have metrics/goals around prioritizing planting in these areas; SPU’s Trees for Neighborhoods (T4N) team focuses tree distribution in these areas.
- *Strategy 3, Action 8* – canopy cover assessment; this work is underway now

Environmental Review (SEPA) Draft Legislation Summary

Informed by a robust public outreach process prior to drafting legislation, SDCI released the [environmental review \(SEPA\) draft legislation](#) for publication on February 17, 2022. The draft legislation would amend SMC [Title 23](#) (Land Use Code) and SMC [Title 25](#) (Tree Protection Code). It is also compatible with CB 120207.

Summary Description of the Draft Legislation

The draft legislation expands the types and sizes of trees that are regulated to include the following zones: Lowrise, Midrise, Commercial and Neighborhood Residential as outlined in the table below.

<ul style="list-style-type: none"> Expands definition of exceptional tree by lowering the threshold for certain species from 30” to 24” DSH and adding groves and heritage trees to the definition of exceptional trees (with certain existing exceptional tree species with smaller thresholds than 24” continuing to be defined as exceptional). This is accompanied by a Draft Director’s Rule DR 	<ul style="list-style-type: none"> Allows for voluntary payment in-lieu when replacement is required (subject to further refinement to better account for City costs). This is accompanied by a 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
<ul style="list-style-type: none"> 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 and require mitigation for removal of significant trees that are 12 inches or greater. Limit removal of significant trees outside of development to trees smaller than 12 inches 	<ul style="list-style-type: none"> Adds new definitions of terms, including but not limited to: canopy cover, diameter at standard height (DSH), emergency action, excessive pruning, invasive tree, responsible party, and tree grove
<ul style="list-style-type: none"> Allows flexibility for off-site planting for replacement trees 	<ul style="list-style-type: none"> Allows adjustments to development standards, to accommodate tree retention; Simplifies processes and supports tree tracking
<ul style="list-style-type: none"> Adds two new sections (to clarify existing provisions) addressing emergency actions and hazardous tree removals 	<ul style="list-style-type: none"> Updates enforcement provisions for tree regulations, including increasing penalties for violations

Urban Forestry Commission Briefings

SDCI has engaged and briefed the Urban Forestry Commission about tree protection needs during the first quarter of 2022. Two recent briefings were held, one on [February 9](#) when SDCI briefed on the strategies explored per [Resolution 31902](#) and again on [March 2](#) when SDCI reviewed and summarized highlights of the [environmental review \(SEPA\) draft legislation](#) including the accompanying [Draft Director's Rules](#).

Schedule

The schedule outlined below includes the goal of development of final recommendations for the Mayor and City Council after the environmental review (SEPA) process is completed.

Task	Milestone
<ul style="list-style-type: none"> Complete environmental review including resolving any appeals to the Hearing Examiner of SDCI’s determination 	Issued: February 17 Appeal Period Ends: March 10
<ul style="list-style-type: none"> Work with stakeholders, including UFC, on any potential revisions to the SEPA Draft legislation; Identify resources needed for implementation enforcement; and Develop final recommendations for the Mayor and City Council 	Q2/Q3 2022

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