Tree Protections Update



Photo by John Skelton



Seattle Department of Construction & Inspections



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 F	Plan in 2020-21. The outcomes and strategies identified in	this update are below:		
UFMP outcomes		UFMP strategies		
 Rackit and social equity. Urban forestry benefits and responsibilities are shared fairly scross communities, community trust is built, and decisions are guided by diverse perspectives, including those of environmental justice priority communities. 		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 induced in the action agenda.		
Ecosystems and human health. The urban forest improves air quality, human well-being, public health and water quality, provide beauty, environmental and economic benefics, fails 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 safet. Community care. The Sestite community, including all people, organizations, institutions, and businesses, works together to apprecise and care for the urban forest to under their quality including all people, organizations, institutions, and businesses, works together to apprecise and care for the urban forest to understand tree protection regulation.		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. Balance competing priorities. City government will work to gro forest as it meets other priorities. Urban forestry practices and poli- including access to spaces, climate action, culturally appropriate res protection, social justice, food and medicine production, housing, b	gae work with and exposed other Cincard community male	6.Preserve, restore, and enhance the urban forest on City property and rights-of-way. UFMP Action Agenda Tracker		
protection, scolar goalet, not and meaning production, notaing, or transportation, and utility provision. Given these outcomes and strategies, an Action Agenda was develop Action Agenda on an annual basis. 2022 Work Plans, Each year the Urban Forestry Core Team cret implementation in a given year, and encompass work of the UF in this document include ongoing work described generally in t whole to show which areas are seeing work now as part of this sections:	Note action happlingted to real and assignmental participation of and "test regist."			
	-	tion	2022 Actions?	Status
	Create a program to improve access for people in environmental equity priority com	rmunities to intemships, apprenticeships, and jobs in urban forestry	V	2022 actions: see work plan Strategy 1 worksheet
	2. Focus tree planting in environmental equity priority communities		1	2022 actions: see work plan Strategy 1 worksheet
			1	2022 actions: see work plan Strategy I worksheet
	4. Explore ways to support property owners and renters in environmental equity priority communities to plant and care for trees on private property		1	SPU 2022 action: Focus Trees for Neighborhoods outreach and engagement on residents in these communities
	Strategy 2: Identify and implement management actions that increase the urban forest's realience to potential impacts, including climate change.			
Ongoing work	5. Conduct a climate change vulnerability assessment to inform how the City's urban fr pests	nduct a climate change vulnerability assessment to inform how the Chy's urban forestry work should respond to a changing climate, including increasing droughts and		2022 actions: departments undertaking some actions (listed in Strategy 3 worksheet) that are steps towards gathering information necessary to understand co status and vulnerabilities, as well as beginning to take steps to increase resilience. These can be used in developing a vulnerability assessment in successive
2022 UFMP Action Agenda work:	6. Develop a list of tree species resilient to climate change and pests		1	2022 action: Departments considering plants from south/east for drought resistance, conifers (both different varieties and different sourcing - *fecilitated mig
Strategy 1	6. Develop a list of tree species resilient to climate change and pests 7. Explore ways to reduce carbon clicable emissions from urban forestry work		√ 	2022 action: Departments considering plants from south/east for drought resistance, confers (both different varieties and different sourcing - "feditated mig No actions planned
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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:



"Other" trees under 6" diameter are not regulated

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



Seattle Office of Sustainability & Environment

APPLICABLE ZONING

- Neighborhood Residential, RSL ٠
- Lowrise, Midrise ٠
- **Neighborhood Commercial** ٠
- Seattle Mixed* ٠

Not all zones are shown here*



Residential Small Lot (RSL)













SEPA (ENVIRONMENTAL) DRAFT LEGISLATION

HIGHLIGHTS

- Expands definition of "Exceptional" tree
- A 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

Office of Sustainability

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

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

ADJUSTMENTS TO DEVELOPMENT STANDARDS

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

For development <u>not</u> 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

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

A 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)

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?

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

Patricia Bakker patricia.bakker@seattle.gov (206) 684-3194

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