

A panoramic view of the Seattle skyline under a clear blue sky. The Space Needle is the central focus, surrounded by various skyscrapers and buildings. In the background, the snow-capped Mount Rainier is visible. The foreground shows some green trees and a building with a white cylindrical structure.

Tree Protection Legislation

Photo by John Skelton



Seattle Department of
Construction & Inspections

Land Use Committee
March 29, 2023

TODAY'S PRESENTATION

- Recap – Summary of Key Updates
- More Details: Tree Protections and Protection Standards



RECAP: SUMMARY OF KEY UPDATES

PROPOSED CHANGES

- Use tree tier nomenclature (Tiers 1-4)
- Additional tree removal limits
- Use hardscape requirement for zoned development capacity
- Require hazardous tree replacement (over 12")



PROTECTIONS OUTLINE

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

1. **New tree replacement threshold** – starts at new 12” diameter
2. **Tree Protection Areas** – updated to include industry standards
3. **Hardscape requirement** – replaces floor area ratio in multifamily and commercial
4. **Hazardous trees** – requires replacement when removed
5. **Mitigation trees** – places restrictions on the removal of replacement trees

TREE PROTECTIONS – Tier 1

EXISTING REGULATIONS

- **Not Regulated, limited to exceptional trees, no payment in-lieu (PIL)**

PROPOSED CHANGES

- **Tier 1** – heritage trees
- **Tree Removal** – may not be removed unless deemed hazardous or emergency action is necessary
- **Must be replaced** or calculated in-lieu fee paid



TREE PROTECTIONS – Tier 2

EXISTING REGULATIONS

- **Limited to exceptional trees at 30” or greater, no tree groves, no PIL**

PROPOSED CHANGES

- **Tier 2 – 24” or greater, tree groves and specific tree species in Director’s Rule**
- **Tree Removal** – except during development, may not be removed unless hazardous or emergency action is necessary
- **Must be replaced** or calculated in-lieu fee paid



TREE PROTECTIONS – Tiers 3 and 4

EXISTING REGULATIONS

- **Not regulated, no replacement, no payment in-lieu**

PROPOSED CHANGES

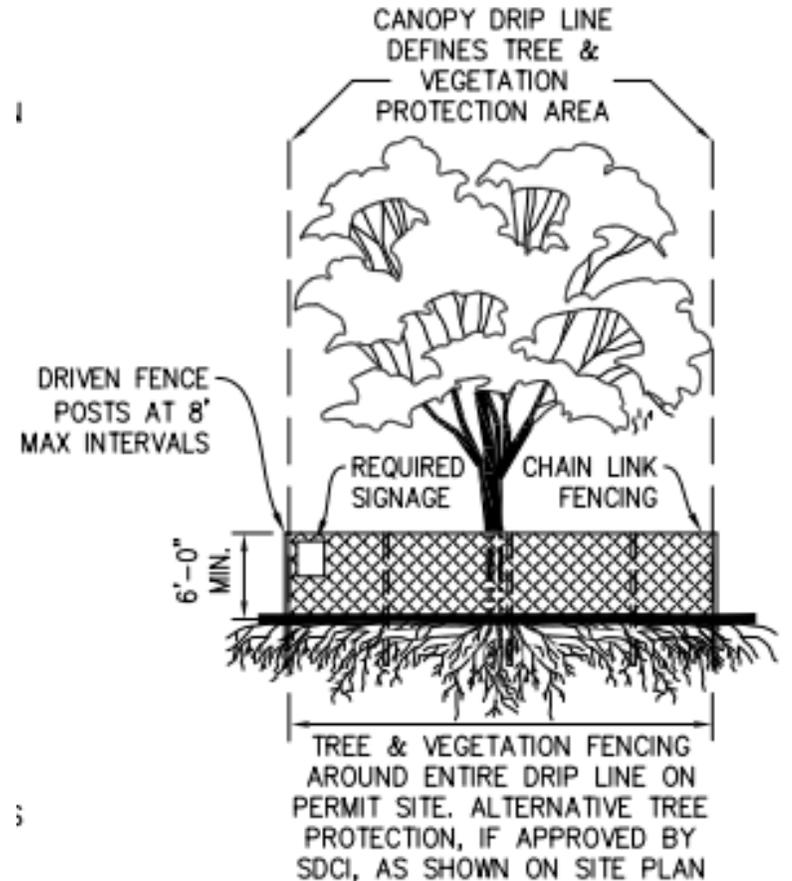
- **Tier 3** – 12” up to less than 24”
- **Tier 4** – 6” up to less than 12”
- **Tree Removal** – except during development, may not be removed unless hazardous or emergency action is necessary for Tier 3
- **Must be replaced** or in-lieu fee paid for Tier 3



TREE PROTECTIONS - STANDARDS

PROPOSED CHANGES – Tree Protection Areas

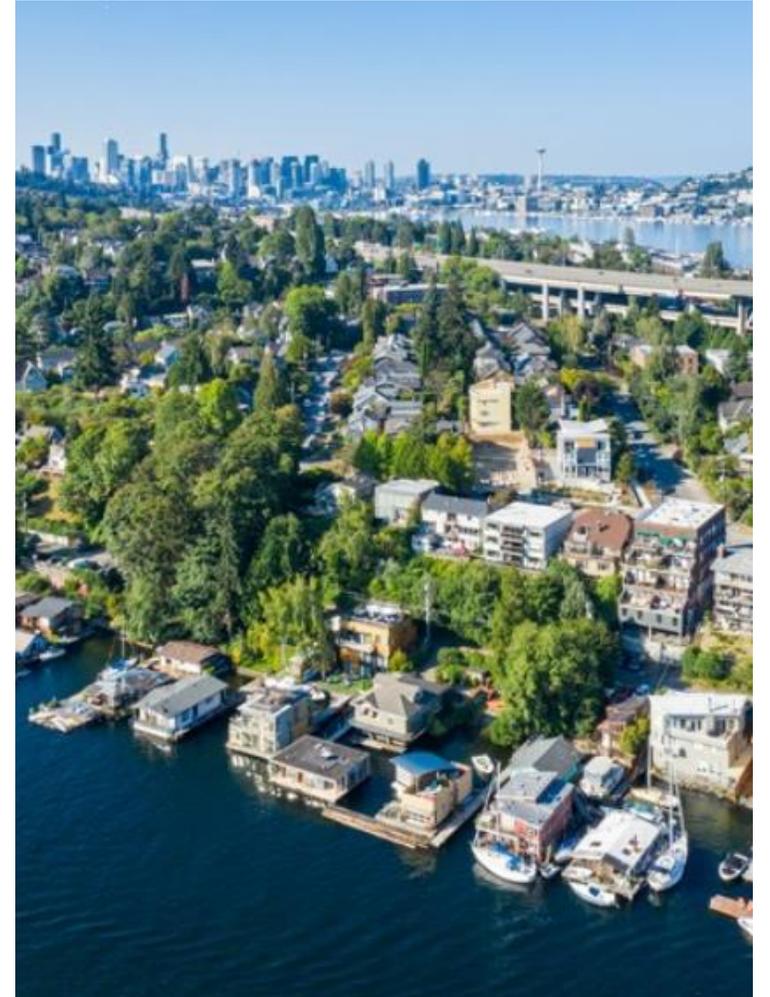
- May be adjusted to allow limited encroachment or larger protection area with certified arborist findings to fit site conditions and long term vitality of the tree that is being protected
- Updated SDCI Tree Protection Detail
- Arborist reports prepared by registered Tree Service Providers (i.e. – inventory of all trees 6” and greater, tree species and monitoring plan)



ZONED DEVELOPMENT CAPACITY - Examples

HOUSING PRODUCTION AND TREES

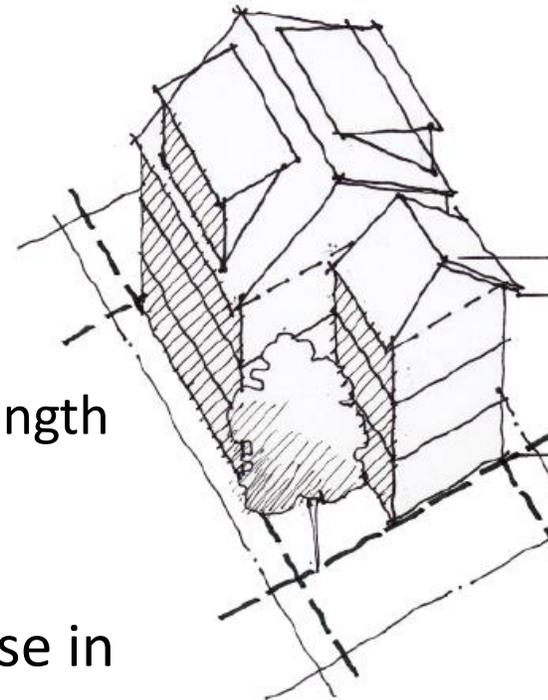
- Existing zoning capacity remains the same
- More predictable outcomes - hardscape standard replaces Floor Area Ratio (FAR) in multifamily and commercial zones
- Protection incentive with ability to use code flexibility



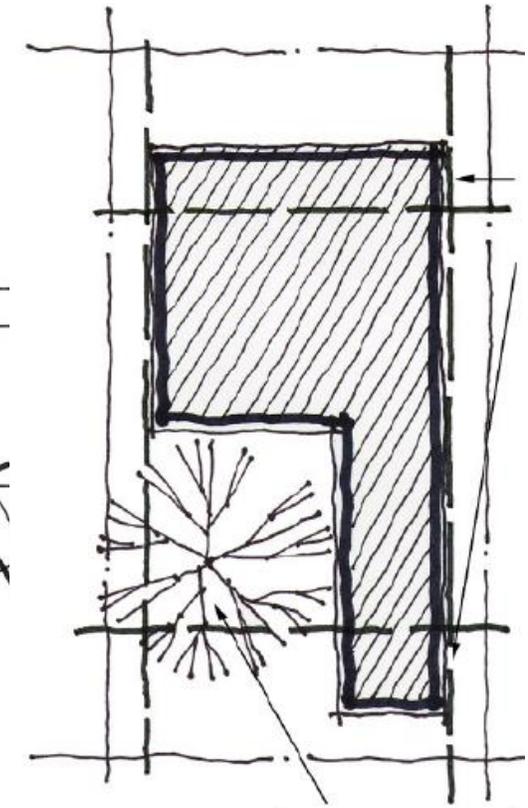
FLEXIBILITY AND INCENTIVES

CLARIFIES/MAINTAINS INCENTIVES

- Administrative SDCI review:
 - Setbacks can be modified by 50%
 - Amenity areas reduced by 10%
 - Landscaping and screening by 25%
 - Structure width, depth and façade length increased by 10%
- Design review departures allowed, including reduced parking and increase in height from 40 ft to 50 ft (LR zones)



RESULT

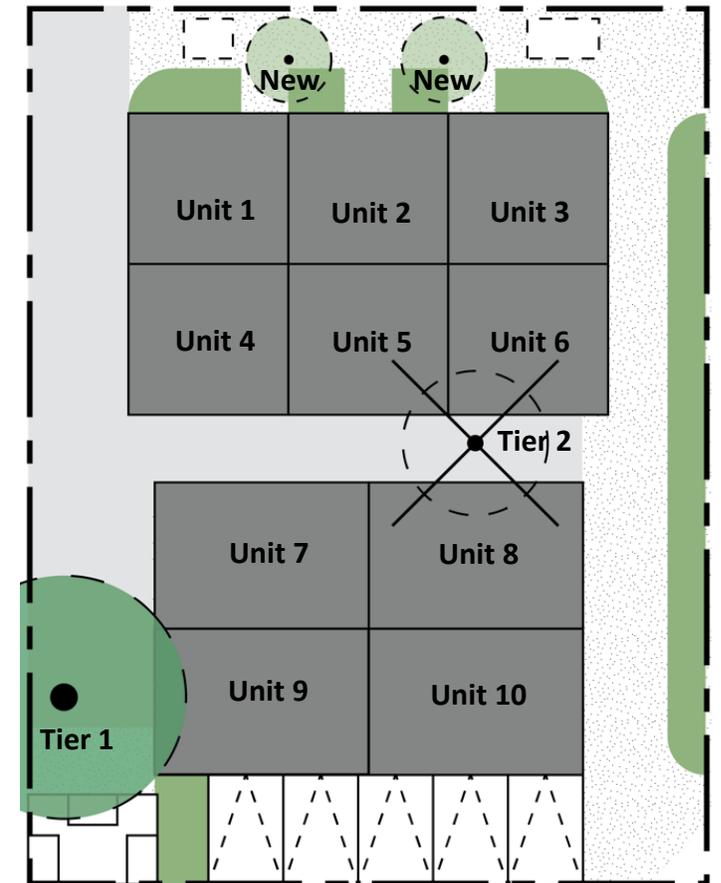


tree protection area

TOWNHOUSES

Development features – existing and proposed codes:

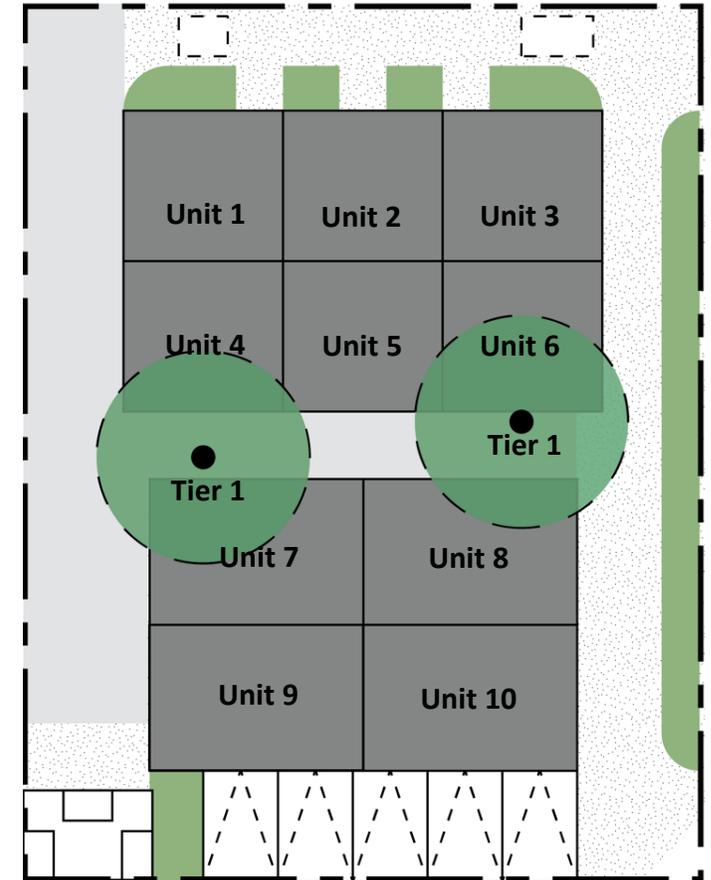
- FAR 1.4 allowed/ 1.39 built
- No parking required but provided 5 stalls from alley
- 9 bicycle parking required plus 2 short term stalls
- Solid waste/recyclables min 150 SF and 15' wide
- Walkways, driveway
- Hardscape 5,456 SF or 85%
- Impervious 944 SF
- One Tier 1 tree retained
- One Tier 2 tree removed
- Two new trees planted



*Not to scale

No Development

- Builder elects to “pass on this lot” due to locations of trees and increased tree protections
- FAR 1.4 allowed
- Hardscape 5,456 SF or 85%

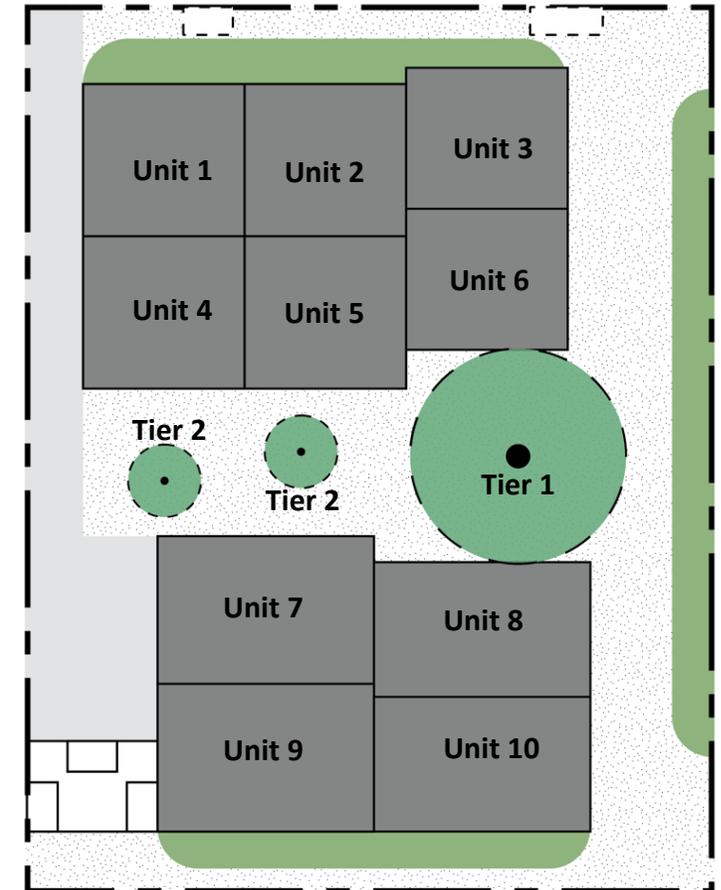


*Not to scale

TOWNHOUSES

Development features – existing and proposed codes:

- FAR 1.4 allowed/ 1.39 built
- No parking required, none provided
- 9 bicycle parking required plus 2 short term stalls
- Solid waste/recyclables min 150 SF and 15' wide
- Walkways, driveway
- Hardscape 5,456 SF or 85%
- Impervious 944 SF
- Units 3, 6, 8, and 10 use code incentives to retain healthy Tier 1 tree
- Two Tier 2 trees retained without need to use code incentives and flexibility

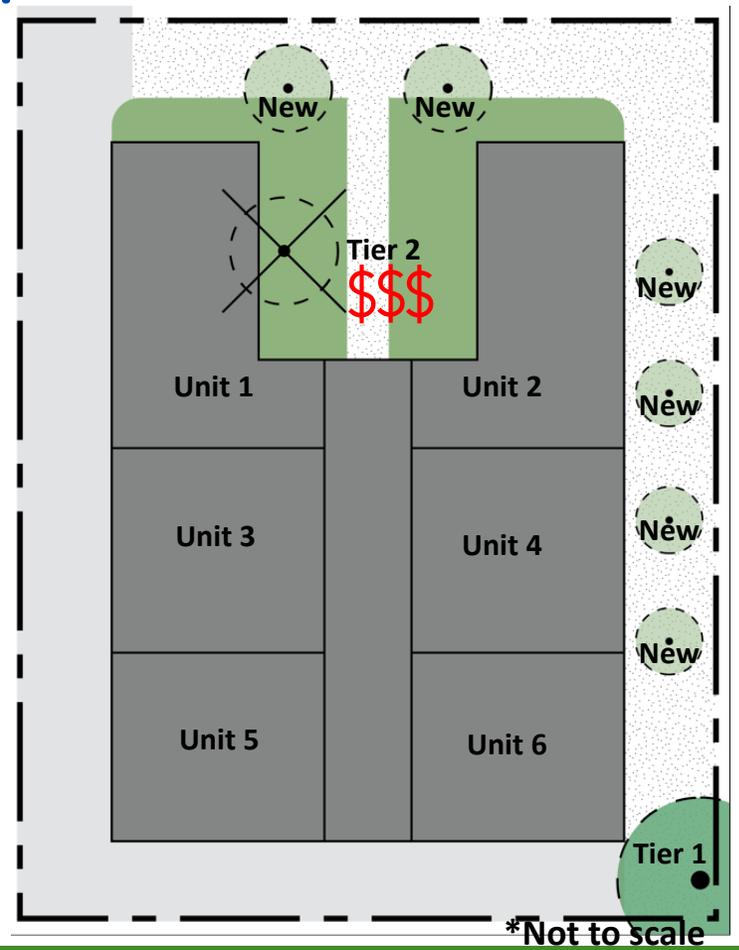


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MIXED USE BUILDING – APARTMENTS

Development features – existing and proposed codes:

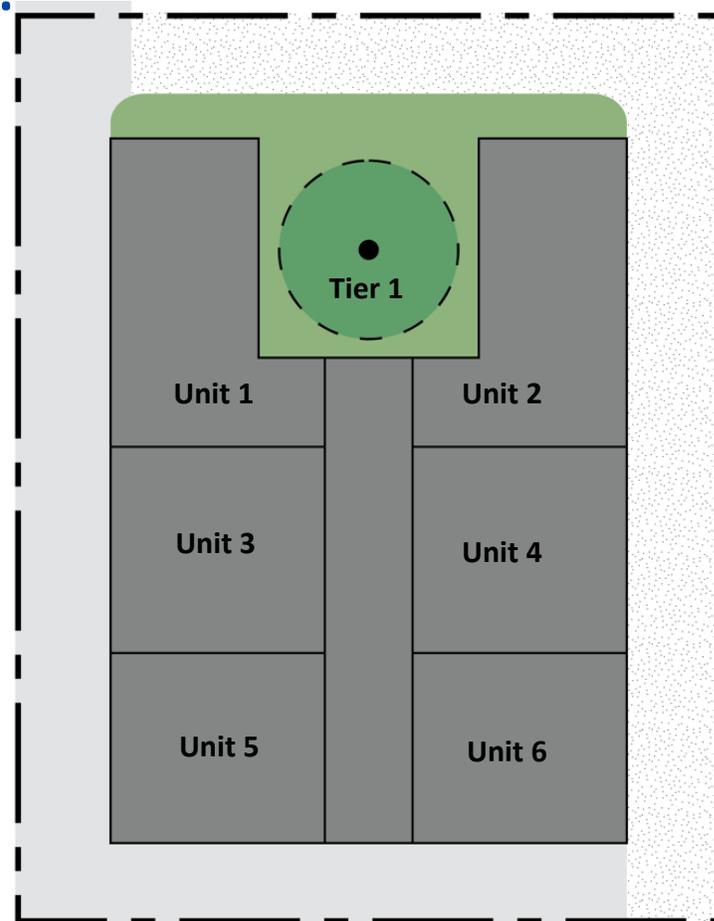
- FAR 4.25 allowed/4.25 built
- Underground parking garage
- Amenity area reduced by 42%
- Landscape and screening reduced by 15%
- Hardscape 8,500 SF or 85%
- Impervious 1,500 SF
- Design modification Units 1 and 2
- One Tier 1 tree retained
- One Tier 2 tree removed, costly in-lieu
- Six new trees planted



MIXED USE BUILDING – APARTMENTS

Development features – existing and proposed codes:

- FAR 4.25 allowed/4.25 built
- Underground parking garage
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- Landscape and screening reduced by 15%
- Hardscape 8,500 SF or 85%
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- Design modification Units 1 and 2
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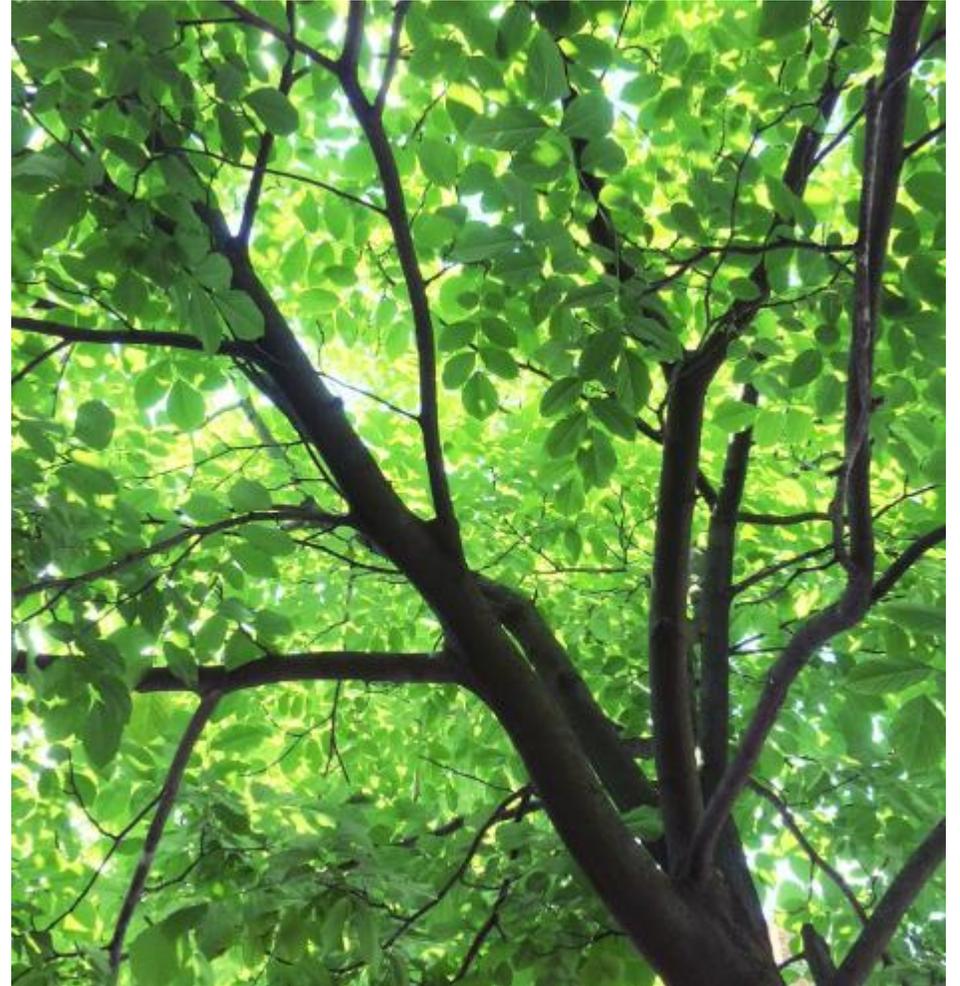


*Not to scale

REPLACEMENT TREES – CLIMATE RESILIENCY

PROPOSED CHANGES

- Replacement trees help future generation canopy by planting new tree species that are selected for disease/pest resistant tolerance
- Tree species selection also informed by spacing and soil volumes, preference to trees that grow well in urban environment based on arborist input
- Native species preferred over non-native tree species



QUESTIONS?

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