

# Memo

**Date:** February 7, 2020  
**To:** Councilmember Dan Strauss, Chair, Land Use and Neighborhoods Committee  
**From:** Nathan Torgelson, SDCI Director and Jessica Finn Coven, OSE Director  
**Subject:** Tree Protections Update

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The City Council adopted [Resolution 31902](#) on September 16, 2019 with the Mayor concurring in the purpose. The resolution requests SDCI and OSE staff to explore strategies to protect existing trees, increase Seattle's tree canopy, and balance City goals to support future growth and density as provided in the City's Comprehensive Plan. The resolution also asks for quarterly reports to the Chair of the Land Use and Neighborhoods (LUN) Committee on progress made, including the anticipated timeline to complete outstanding actions, with the first report due on January 31, 2020.

This memo is our first progress report on the strategies Resolution 31902 requested departments to explore, including:

1. Retain protections for exceptional trees and expand the definition of exceptional trees
2. Adopt a definition of significant trees and trees at least six inches in diameter and create a permit process for the removal of these trees
3. Add replacement requirements for significant tree removal
4. Simplify tree planting and replacement requirements, including mitigation
5. Review and potentially modify tree removal limits in single-family zones
6. Establish an in-lieu fee option for tree planting
7. Track tree removal and replacement on both public and private land throughout Seattle
8. Require all tree service providers operating in Seattle to meet minimum certification and training requirements and register with the City

The resolution asks that these strategies prioritize the needs of low-income and low-canopy neighborhoods. Also, we are requested to develop and execute a culturally and linguistically appropriate community engagement plan that prioritizes engagement with residents of low-income and low-canopy neighborhoods and includes, but is not limited to, homeowners, renters, developers, neighborhood groups, environmental organizations, and climate and environmental justice organizations.

## Progress Made

SDCI has been working to improve tree protections. We have made significant progress since 2017, including:

- *Increased education and information:* Staff have updated the SDCI website including tree protection best practices and advice in TIP Sheets to help inform the public about the value of trees and the tree protection regulations.
- *Improved enforcement:* SDCI has adopted a new [Director's Rule 17-2018](#) that clarifies how fees are calculated when trees are cut illegally and increased fines as a greater deterrent.

- *Increased resources and staff training:* SDCI hired two arborists to assist in the review of permit applications that involve tree protection or removal, advise on enforcement cases, and provide tree protection information and trainings to plan review and code enforcement staff.

### **Work Underway**

SDCI is currently leading an effort to update tree protections for trees located on private property. During this update process, SDCI and OSE have been working closely to complete work outlined in [Executive Order 2017-11](#) to improve tree protections. Three outstanding work items, detailed below, have been the focus of work leading up to today. To date, subject matter experts from SDCI and OSE are working together and consulting with the Urban Forestry Commission (UFC) in deliberative sessions. This work includes:

- *Updates to the Exceptional Tree Director's Rule [16-2008](#):* potential updates include strengthening definitions of tree groves, tree protection measures and mitigation for tree removal, appropriate requirements for tree service providers, and of significant and exceptional trees, including trees over 24 inches.
- *Tree Tracking:* SDCI has been working with Seattle IT staff to develop new business practices and technology updates to track tree removal and planting. This would allow for data driven analysis of the effectiveness of tree protection regulations.
- *Urban Forest Management Plan (UFMP) Update:* The UFMP update is currently underway. SDCI will work jointly with OSE and the City's Urban Forestry Core Team to align plan update outreach and analysis to tree regulations update as much as possible.

We anticipate having recommendations for both work items in the coming months and in future progress reports to the LUN Committee.

### **Additional Ongoing Work**

SDCI continues to explore the strategies outlined in the resolution for possible updates to existing policies, regulations and business practices. This work is proposed to continue according to the schedule below.

### **Schedule and Budget**

The schedule outlined below intends for substantial progress on tree protection updates to be accomplished at various milestones throughout the year. This work is anticipated to be completed using existing resources.

<b>Task</b>	<b>Milestone</b>
<ul style="list-style-type: none"> <li>- Complete work on Updates to Exceptional Tree Director's Rule;</li> <li>- Technology updates to track tree removals and replanting</li> </ul>	March 2020
<ul style="list-style-type: none"> <li>- Develop outreach materials;</li> <li>- Public outreach;</li> </ul>	April/May 2020 May/June 2020
<ul style="list-style-type: none"> <li>- Summarize results of public outreach;</li> <li>- Prepare any additional strategies arising from outreach;</li> <li>- Conduct any necessary technical analysis;</li> <li>- Draft legislation/SEPA environmental review;</li> <li>- Prepare plans for technology and business practice updates; and</li> <li>- Assess resource needs to administer and enforce.</li> </ul>	July/October 2020
Draft recommendations to Mayor	October 2020

Issue SEPA decision	November 2020
Final recommendations to the Mayor and City Council*	December 2020

\*Assumes no appeal of SEPA decision.

### **Anticipated Budget**

SDCI expects to complete the tree protection updates to policies, regulations, and business practices using existing staff resources (cumulatively equivalent to approximately one and a half to two existing full-time employees from the Code Development, Land Use Services, Engineering Services, and Code Compliance work groups, and a half FTE from OSE). Technology-related work to accomplish tree tracking is already in the existing IT budget at \$30,000. Engaging stakeholders and the public, including underrepresented communities, homeowners, renters, builders and developers, as noted in the resolution, is also in the existing budget at \$20,000 to \$30,000 of staff or consultant time. This estimate is based on similar work conducted as part of the [Urban Forest Management Plan update](#).

Copy: Aly Pennucci and Yolanda Ho, City Council Central Staff