

Yolanda Ho  
**Committee: Land Use & Neighborhoods**  
**Date: July 28, 2021**  
**Version: 4a**

**Amendment 3**  
**to**  
**CB 120108 - SDCI Yesler Terrace Tree Protection Update ORD**  
**Sponsor: CM Pedersen**  
**Off-site Tree Replacement and Payment-in-Lieu**

Amend Attachment B (Exhibit C to Ordinance 123962) to Council Bill 120108 to specify where off-site planting may occur and when payment-in-lieu may be used.

**Effect:** Currently, the Yesler Terrace Planned Action Ordinance requires that replacement trees for tree removal mitigation be planted within the planned action area or, with permission, in Washington State Department of Transportation's property adjacent to planned action site. CB 120108 would provide greater flexibility to comply with tree removal mitigation requirements by creating the option of planting replacement trees off-site anywhere in Seattle or payment-in-lieu of tree replacement, if allowed pursuant to Seattle Municipal Code Chapter 25.11.

This amendment would specify that replacement trees planted off-site must be planted within 1,500 feet (approximately 5 blocks) of the planned action site. If SDCI determines that there is inadequate space for tree planting within the 1,500 foot area surrounding the planned action area, replacement trees may be planted on other existing Seattle Housing Authority properties or in Census tracts with canopy cover of 25 percent or less, according to the 2016 Seattle Tree Canopy Assessment (or successor tree canopy assessment). Additionally, the amendment would specify that payment-in-lieu of planting may only be used when SDCI determines that all on-site and off-site planting options have been exhausted.

# **Yesler Terrace Planned Action**

## **Exhibit C to Ordinance:**

### **Tree Protection Plan**

#### **INTRODUCTION**

This tree protection plan has been updated to reflect conditions on the site, which have changed during the course of implementation of the planned action since this Exhibit C, originally dated July 25, 2012, was adopted by the City Council.

In preparing the Yesler Terrace Environmental Impact Statement, Seattle Housing Authority and the City of Seattle conducted a thorough inventory and analysis of trees at the Yesler Terrace Planned Action Site (Planned Action Ordinance Exhibit A). The City has used this analysis, together with the redevelopment plan adopted by the Seattle Housing Authority Board of Commissioners, to develop a tree protection plan requiring protection of certain existing trees over the course of redevelopment at Yesler Terrace. This analysis was required as a result of the FEIS and identified mitigation. The updates to the tree protection plan satisfy the mitigation described in the FEIS.

The inventory included an evaluation of health for each tree, and a determination of exceptional tree status, pursuant to Department of Construction and Inspections Director's Rule 30-2015, or subsequent rule. In addition to classification of each tree as an exceptional or non-exceptional tree, the inventory included consideration of a third category: "valuable trees" are non-exceptional trees that have preservation value, either as a result of their size and vigor, or because of their proximity to exceptional trees.

For each tree existing on the Planned Action Site as of January 1, 2012, this revised document either designates preservation during redevelopment or authorizes removal. In addition to the tree preservation requirements stated here, development at Yesler Terrace shall provide new trees and landscape features consistent with the Seattle Green Factor and street tree requirements in Chapter 23.75 of the Land Use Code. Land Use Code requirements and Street Improvement Permit conditions may require more trees than the preserved and replacement trees provided pursuant to this document.

#### **REQUIREMENTS**

In applying this document SDCI shall be responsible for trees shown on this tree protection plan that are on private property and not within a street-right-of-way within the boundaries of the Yesler Terrace Planned Action Site. It is the responsibility of the Seattle Housing Authority to report on required tree mitigation including providing information needed for SDCI to determine if the proposal meets the PAO requirements, which means the applicant must document tree mitigation compliance within the PAO boundary, off-site citywide tree planting and/or payment in-lieu applicable to both Tier 1 and Tier 2 trees as required in the adopted

Cooperative Agreement. Compliance with all tree mitigation requirements is to be reported after total build-out of the Planned Action. This reporting on behalf of SHA is not intended to be required as part of the permit review process or necessary in order for SHA to obtain grading, demolition, master use, or building permits. The annual report that SHA submits to the SDCI Director required by the Cooperative Agreement will satisfy the SHA's reporting requirement. By entering into the Cooperative Agreement SHA is committed to the required tree mitigation.

In the following figures and table, each existing tree within the Yesler Terrace Planned Action Site is assigned to one of the following tiers:

**Tier 1:** Tier 1 trees are allowed to be removed and replaced at a 10:1 replacement ratio. Tier 1 trees are defined as exceptional or valuable trees in good health, and in locations where preservation can clearly be achieved within the planned street vacation/rededication and redevelopment plan. Trees in this category shall be preserved through protection in place or relocated or removed with the SDCI Director's approval. If a tree in this category is removed or damaged during, before, or after development the Tier 1 tree shall be replaced within the Yesler Terrace Planned Action Site (Exhibit A to the Yesler Planned Action Ordinance), or off-site outside the Planned Action Site in a location within 1,500 feet of the Planned Action Site identified by SHA and approved by the SDCI Director by 10 replacement trees. If SDCI determines that there is inadequate space for tree planting within the 1,500 foot area surrounding the Planned Action Site, replacement trees may be planted on other existing SHA properties or in census tracts with tree canopy cover of 25 percent or less, according to the 2016 Seattle Tree Canopy Assessment (or successor tree canopy assessment). Payment-in-lieu of planting may only be used after SDCI has determined that SHA has exhausted all viable options within the Planned Action Site and off-site areas. Each replacement tree shall be of a size and species determined by SDCI to have a canopy cover potential of at least equal to the tree that was lost. Tree removal mitigation, including replacement trees or payment in-lieu of tree replacement shall be done pursuant to rules promulgated by the SDCI Director.

**Tier 2:** Tier 2 trees are authorized for removal. Trees in this category either are not viable in the long term due to disease, topping, or other health problems, or are in locations where disturbances during construction will make preservation infeasible. This includes exceptional trees in locations where anticipated grading or construction preclude tree retention. Each removed tree shall be replaced by one replacement tree. Each replacement tree shall be of a size and species determined by SDCI to have a canopy cover potential at least equal to the tree that was removed. Replacement trees shall be located within the Yesler Terrace Planned Action Site or off-site outside the Planned Action Site in a location within 1,500 feet of the Planned Action Site identified by SHA and approved by the SDCI Director. If SDCI determines that there is inadequate space for tree planting within the 1,500 foot area surrounding the Planned Action Site, replacement trees may be planted on other existing SHA properties or in census tracts with tree canopy cover of 25 percent or less, according to the 2016 Seattle Tree Canopy Assessment (or successor tree canopy assessment). Payment-in-lieu of planting may only be used after SDCI has determined that SHA has exhausted all viable options within the Planned Action Site and off-site areas. Tree removal mitigation, including replacement trees or payment in-lieu of tree replacement shall be done pursuant to rules promulgated by the SDCI Director.

Replacement trees provided pursuant to this plan may include plantings on lots or in abutting rights-of-way, if approved by the Director of Transportation. If a planting and maintenance plan is approved by WSDOT, the applicant may elect to plant replacement trees on WSDOT property between the Planned Action Site and Interstate 5. All tree plantings shall conform to provisions in SDCI Director's Rule 30-15 or subsequent rule, including but not limited to soil amendments and tree spacing. For trees that will be preserved, protection techniques shall be identified in Master Use Permit, demolition, and building permit applications.

At a minimum, project proposals for lots that include or are adjacent to Tier 1 trees shall:

- Use fences and signage to protect trees and their critical root zones (CRZs, as defined in City of Seattle 20 1 1 Standard Plan #133) during construction, consistent with SDCI Director's Rule 30-2015 or subsequent rule.
- Where possible, in accordance with the Yesler Terrace Master Planned Community Design Guidelines or subsequent guidelines, the applicant shall design buildings, underground structures, sidewalks, roads, and other hardscape elements to avoid disturbance of trees and their CRZs.
- Install new trees and other landscape features in a manner that does not negatively affect the health of preserved trees, consistent with SDCI Director's Rule 30-2015 or subsequent rule.
- Comply with any other specific arboricultural techniques that SDCI or SDOT deems necessary for preservation given specific site conditions.

The figures and table show trees in the portion of the Yesler Terrace Redevelopment Area east of Boren Avenue, which is outside the Planned Action Site. The Planned Action Ordinance and its Exhibit C Tree Protection Plan do not apply to development outside of the Planned Action Site.