

Urban Forestry Commission

October 6, 2010

Meeting Notes

Seattle Municipal Tower Room 1940

700 5th Avenue, Seattle

3:00 p.m. – 5:00 p.m.

Attending

Commissioners

Matt Mega – vice chair

Gordon Bradley

John Hushagen

Kirk Prindle

Jeff Reibman

John Small

Peg Staeheli (via phone)

Staff

Sandra Pinto de Bader - OSE

Dave LaClergue - DPD

Brennon Staley - DPD

Absent- Excused

Elizabeta Stacishin-Moura

Nancy Bird

Call to Order

Matt Mega chaired the meeting

Public Comment

Steve Zemke: Provided written comments (also via email) to the commission.

Tree management and oversight needs to be consolidated

This needs to be a public process due to the different interests involved for people to have the opportunity to provide input

Recommends changing 'great' to 'effective' tree ordinance

Proposed to use the term 'urban forest' instead of 'tree' throughout the document

In the permit system part, provide posting like SDOT does

Consider tree canopy as a three dimensional volume not just area

Greater emphasis on habitat value of trees

SMC 25 11 doesn't define tree, canopy, critical root zone; it only requires that trees over 2 ft in diameter have to be marked in site plans. Proposed reducing to 6"

Professional standards section: arborists should be licensed

John Dixon: Commission's draft speaks softly. It needs a stick. Change language from "a permit system may or may not " to "we absolutely need a permit system in Seattle"

Professional standards – all arborists and tree professionals should be licensed and have to comply with the tree ordinance. Are subject to fines and suspensions if not.

Central tree authority. Change from “more research needs...” to “we definitely need...”

CAMs 331 and 331B show that there already is a tree permit system in Seattle. Talked to city staff and found out that most of the canopy increase happened in street trees, they all are deciduous, small trees that live from 25-50 years. They are not planting natives.

Michael Oxman: He lives in Seattle and is an arborist. He is excited to see that the UFC is diving into DPD’s proposed regulations. He found out that Atlanta makes over \$250K/year in tree permit fees and fines. In Seattle enforcement is looking the other way. In Seattle we had 17 investigations with 11 of those becoming fines. Make it illegal to cut down a tree without a good reason. Have arborists working in City departments. He asked Seattle City Light for their tree removal criteria and they responded saying that anything that is within 10 feet of a wire gets trimmed. He asked DPD and other departments for their criteria and they did not provide any. He hopes that, when the time comes, it will be illegal to cut trees without a good reason.

Richard Ellison: He supports the UFC opposing DPD’s proposal that will not protect trees. It’s important to preserve large, heritage type trees as wildlife habitat and this is not mentioned in the letter. Unless you demand and ask hard, you won’t get anything from the city. To support the development community provide incentives to keep trees. Allow increased height and density in exchange for development easements.

Approve August 4, September 1, and September 29 Minutes

A motion was made to approve the August 4 meeting minutes without any changes. The motion was seconded and it was unanimously carried.

A motion was made to approve the September 1 meeting minutes without any changes. The motion was seconded and it was unanimously carried.

A motion was made to approve the September 15 meeting minutes without any changes. The motion was seconded and it was unanimously carried.

Emerald City Task Force Developers’ Briefing

Peg Staeheli joined the meeting via phone.

The UFC wants to have stakeholders’ input and invited the Emerald City Task Force (ECTF) developers to have an open dialogue. Garrett Huffman (Master Builders Association) and Randy Bannecker (Seattle King County Association of Realtors) joined the meeting. Martin Liebowitz (The Madrona Co.) was not able to attend the meeting. John Hushaugen is a member of both the ECTF and the UFC. The needs of the development community need to be taken into consideration as the ordinance gets drafted. The Commission has a member architect and

that's as close as the Commission gets to the development world. They want to get it right and want to hear from developers.

Garret mentioned that they are drafting comments to support DPD's proposal. It's not the developer the UFC gas to convince, it's the bank. Bank's rule and they are only willing to take so much risk. The city is having a hard time recognizing that development was moving and now it is the lenders ruling. They are asking for 30% down and banks want a very predictable system regarding whether that tree will come down or not. To encourage development, the more predictable the process is the better. Future homes will have a smaller footprint on the lot. The time of the McMansions is gone. If this is the case, then the characteristics of the site will shape the development process and building design. You might see single family homes in a large lot taken down, subdivided, not the most attractive but efficient, easily financed. In the past developers had to go through hoops for large homes. Now the banks will likely finance ugly homes that are practical and efficient.

Question: Will we see more flexibility due to reduced footprint?

Answer: No. Because there will be more dense development.

Question: DPD's ordinance addresses development only. How to address tree protection outside of development?

Answer: Randy mentioned that realtors are working mostly with resale (there is little new construction going on). A single family detached home may or may not be candidate for re-development. Looking at the big picture, he has spent 12-15 years working within the context of the Growth Management Act (MGA). Making cities dense and save forested areas outside of cities. The question is how to accommodate density, not from a financial point of view, but from a MGA perspective. This is the city, stop behaving like the suburbs.

Parks, City Light, SPU need to be at the table preparing this ordinance. Right-of-way, utility property, parks property and other types of property have a role to play. What he sees as desirable are regulations with ease of use for the layman. Make it approachable. They prefer voluntary vs. mandatory. The residential footprint will be small but demands on the lot will be higher: detachable dwelling units, sun light, gardens, etc. There is an opportunity, Randy visited with members of his organization and he believes that the re-development point is a perfect time to educate home owners on retention and new tree planting. The discussion about planting and tree retention needs to take place at the neighborhood level. Work with your neighbor to protect trees. Commercial zones have opportunities to offer street tree relocation for businesses that want more exposure and are willing to pay a fee. Flexibility will give at the end of the day the biggest bang.

Garret: He represents the Master Builders Association with 800 members in King and Snohomish County. He is the Seattle manager. When it comes to the development process and

there is a tree on a lot, if the home owner can legally remove the tree, they will; if it's not legal they might illegally remove it. He will not take a position on how people deal with trees prior to development. A developer has to pay people to figure out if the site is viable for development (money is spent on design and engineering). He is looking for predictability, that's the biggest factor. The current proposal removes protection for significant trees, that gives them more options. It's important to work on the protected tree list to make it more meaningful, instead of adding any old tree. His organization will support the ordinance as it is. A developer needs to deal with storm water with or without trees.

Question: What carrots can the UFC offer?

Answer: Trees remove density from the site and there is no compensation for that lost density. This increases costs and prices. It makes the project less viable for the developer. They would support increased height. He mentioned that there was an appeal in the low-rise zone and they are now going to 30' from 25' in the multifamily code. At this point in time, it should always be assumed that the tree in the lot will be removed because it will cause a higher price. If they can't put enough housing to make the project pencil out the banks won't lend the money. The City is asking to build density and save trees – it's hard to do both. It's a choice between trees and people right now. At this point there are no circumstances under which a tree on a lot is a benefit, right now a tree is a liability. Where do you make the determination that the tree is an asset and look into how to save it? Get the homeowner wanting to redevelop and educate him on the value of trees. How to evaluate if a tree is healthy and worth saving, etc. people want to do the right thing. Those who are not engaged have to go through steps to find information. The tree ambassadors is a great model. When would education be mandated? At what step? Jurisdictions that are heavily forested don't have the resources and are small cities. When trying to find value for a tree on a site, when that lot is appraised the tree is not worth anything. Until someone gives you a financial value for the tree on the site, it will not be included in the loan.

Question: How can we approach appraisers?

Answer: they have their own institute and now builders and banks can't approach them. There is an effort to try to ensure that an appraiser has location specific knowledge to avoid disconnect on market value. Same thing holds true with site features.

Question: Pressure is being put on small business developers. If you are an institution you have a master plan. Urban Forest protection hassles small developers. Is that your experience?

Answer: Smaller developers do town home development. They are putting density where the zoning allows. It's either trees or people. Most lots are single family in Seattle (+/- 65%) density will happen in multi-family and commercial. It's going to be important to have a broad approach to reach 30% canopy cover. Places like Kirkland have a permit system that is predictable but very expensive for developers. DPD already chose some cities as examples and

most cities don't have a problem with tree protection. Banks are driving the process. There is only a certain amount of canopy we'll get from the development community. It's important to accept that.

A piece of the tree ordinance should be written by DPD, the rest should be written by other departments. Developers' impact on canopy in Seattle is fairly small. Need to focus on saving quality forest.

Randy: We are facing the maturity of the GMA. Areas are getting full. How do we deal with things after the GMA is done?

Garret: Builders would be advocates for a tree bank – figure out what you want to save and builders are willing to contribute to it. But not site by site. Builders want to do the right thing.

Randy: Seattle is a patchwork of distinct neighborhoods. Some areas such as Magnolia could be about view preservation and have few trees; Montlake could expand tree protection. Consumer preference counts. I want to live there because they have amazing trees. It's hard to regulate but it taps into the things people like about Seattle. Outside of the development process, it's all about the home owner.

Garret: an example is wetland banking. They made a farm in Snohomish into a wetland. Transportation projects purchase credits in wetland banks. Might want to do that with trees in Seattle. Members would pay into it. Balance density with canopy needs to be done.

Question: Wouldn't a permit system help provide education?

Answer: would prefer people to work together positively rather than mandated with a stick. When you convene a neighborhood discussion, people come together. How to build the bigger picture in those areas that are being densified? That's the City's responsibility. Usually there is agreement to identify parcels that are more appropriate for density and save those parcels that are better for tree preservation. Consumer preference and ability to pay. Banks play a responsible role. Developers pass costs to the consumer.

SDOT has had a permit system for a while now and people got used to it. People learned that they are stewards of street trees.

Something that gave the developers heartburn is the mentioned bond measure. It can't be legally done. They would like to see the homeowner be responsible financially. That would be a good incentive to protect the trees in the property.

Question: If the bond measure were to go forward, could the responsibility be transferred to the owner?

Answer: He wouldn't set it up as a bond. It could be something like a delayed collection of impact fee, or a lien put on the title that escrow would clear at the time of sale and include it in the final price of the building. Trees are the responsibility of the homeowner and they would get the money back down the road. The home can't be sold until the amount is paid. Money is a big motivator.

A Good Tree Protection Ordinance Response to Council – review

The tree protection letter was a summary of the meeting facilitated by Pyramid Communications. Matt received comments from Peg, Nancy, John, and Kirk.

More comments from commissioners:

It's time to take a real step inside of public comment. The letter is too long with many equivocating statements. Let's get down to specific recommendations in the professional standards, tree standards, and permit sections. The language is confusing in some areas. Could eliminate the first page and tighten language. Structure is good and hits all the right points.

The current version seeks to educate Council. It's worth repeating to give background and not assume Council already knows. Hit on big issues, permit system, problem with process. Ask to extend public comment timeline and give Council UFC's opinion.

What's UFC's goal?

- To stop the process and re-write ordinance
- It's lacking in things that UFC wants in an ordinance. Two commissioners seconded. If it goes forward as it is, it's doomed to failure
- The public comment process yields feedback and it gets incorporated so let's move forward. Don't throw the work away, modify it and move forward. Current proposal does a good job on the development side of things but it's lacking in many areas. The other portion has not been through public comment process. We don't really know what the public is saying.

Question to Brennon: What happens with the public comment received?

Answer: DPD is creating a matrix of comments to summarize what they have heard from people. That will go on the website and to DPD's director, the Mayor, and City Council. DPD is hearing very divided opinions. People care about trees and want something to be done. Whether a permit is the way to go, it's difficult to say. Hearing a lot from people who are organized. Not hearing a lot from private citizens. When Save the Trees asked to be informed of all the presentations to be made to the public, DPD doesn't feel comfortable telling an advocacy group so they attend all those public meetings. DPD wants to hear from the people.

Kirkland had a process where public comment lasted for a year.

The sooner trees are considered infrastructure the better. Retaining walls need a permit. Tree removal should need a permit.

The direction the letter is going is very good. Good to include what's missing in the proposal.

Current letter is appropriate. The next step is to send as part of public comment.

Add to the intro that the UFC disagrees with the proposal and this is what we want. Talk about inappropriate public process.

When talking about permit system, how is DPD going to pay for its staff?

Need to come up with solutions as well. Who else in the City needs to be involved writing legislation?

Stopping things is not helpful or realistic. The letter does a nice job given what it is that the UFC should be doing. Broad goals and specific tools are included. Maybe add underline bullets speaking about the process. Reflect interest of broader community, need process that will ensure input is provided. The letter structure allows for the policy maker to read at high level and go into details if desired. When the ordinance comes forward, there will be another opportunity to get into more detail. State explicitly what UFC wants to continue engaging and provide input.

Should the letter specifically propose a tree permit system? Emphasize that the rest of the single family properties (not under development) are not being considered.

Take a second cut, one page that lays the process and highlights with the rest as an addendum. Can use both the Community and the Management committees' time next week. We'll also use the Ecosystems committee.

DPD's point system is okay. After listening to the builders it was confirmed that points don't help as much. Get the letter out. Do not wait until Oct. 31. If asking to extend comment period need to provide comments before 10/31.

Brennon encouraged the UFC to say more of what they want to see in the regulations. An ordinance is a piece of legislation to change code on regulations to private property and street trees. The idea of changing how government works by centralizing tree authority would be a different ordinance. He encourages the commission to keep the stuff that doesn't pertain to the current issue out of the letter.

All agree that trees need to be elevated to be infrastructure, more focus on tree permitting and a tree replacement system.

Committee Reports

The Community (10/13), Management (10/13), Ecosystem (10/20), and Tree/Wildlife Interaction (10/20) committees will not take place. Instead those times will be used for Special Full Commission meetings to continue working on the Tree Ordinance response to Council.

New Business

None

Announcements

None

Adjourn

Community Correspondence

From: Michael Oxman [mailto:michaeloxman@comcast.net]

Sent: Friday, September 10, 2010 11:26 AM

To: Wallis Bolz; Steve Zemke; richard_ellison@hotmail.com; nicholas@treesolutions.net; mpoe@ifcae.org; thouless1@comcast.net; Liz Kearns; Isu@u.washington.edu; larrylange36@comcast.net; shoudypk@comcast.net; nativetrees@gmail.com; John "Hooper" Havekotte ; Jenkins, Michael; heidicar@att.net; ghuffman@mbaks.com; Gala, Rob; escigliano@seattlemet.com; elizabeth@campbellcentral.org; Donna Kostka; David Miller; Cheryl Trivison; Bonnie Miller; okomski@msn.com; o.rhyan@gmail.com; PintodeBader, Sandra

Cc: SeattlePOSA@yahoogroups.com; O'Brien, Mike

Subject: New Publication

Howdy,

This new report shows the annual \$ value of carbon sequestration in the urban communities of Washington state exceeds that of California.

<http://nrs.fs.fed.us/data/urban/state/viz.asp?var=STUCSEDOL®ion=PAC&state=WA>

Arboreally yours,

Michael Oxman

Urban and Community Forests of the Pacific Region **California Oregon Washington**

David J. Nowak, Eric J. Greenfield

http://www.nrs.fs.fed.us/pubs/gtr/gtr_nrs65.pdf

Abstract

This report details how land cover and urbanization vary within the states of California, Oregon, and Washington by community (incorporated and census designated places), county subdivision, and county. Specifically this report provides critical urban and community forestry information for each state including human population characteristics and trends, changes in urban and community lands, tree canopy and impervious surface cover characteristics, distribution of land-cover classes, a relative comparison of urban and community forests among local government types, determination of priority areas for tree planting, and a summary of urban tree benefits. Report information can improve the understanding, management, and planning of urban and community forests. The data from this report is reported for each state on the CD provided in the back of this book, and it may be accessed by state at: <http://www.nrs.fs.fed.us/data/urban>.

From: shoudypk@comcast.net [mailto:shoudypk@comcast.net]

Sent: Wednesday, September 15, 2010 5:12 PM

To: PintodeBader, Sandra

Subject: SUFC Work Session

I attended the work session today and just wanted to let you know what a good job I thought you and the Commission did. I am a retired planning director and I was impressed with the product you produced in such a short meeting.

Thanks for your good work.

Kay Shoudy

Heron Habitat Helpers

Comments on draft Urban Forestry Commission letter to DPD 10/6/2010

Steve Zemke, Chair Save the Trees - Seattle

To: Urban Forestry Commission:

Drafting an effective Urban Forestry and Tree Ordinance is a critical task facing the Seattle City Council and Mayor. Unfortunately the current process is not moving the city forward and is not being carried out in a way that creates the necessary public support to implement it. The process is confusing, closed and non-inspiring. It is coming from only one Department while 9 city departments have tree management or regulatory responsibilities according to the Office of the City Auditor.

Department meetings with those involved in the city in drafting the framework document were behind closed doors and participants were instructed to not keep notes. Public meetings with community groups and District Councils to present the report around the city are not posted on the internet or communicated via the internet list on the web where I signed up to be kept informed. The person directing the effort has several times personally said he does not have to and will tell us where or when he is giving public presentations on the document he has prepared so that we can notify interested citizens to listen to the proposal or comment.

There appears to be based on several meetings I was aware of and attended, no recording kept of public comments or anyone taking notes of public comments. Only at the one Urban Forest Open House held by DPD was there a feedback sheet and I encouraged this to be available at all presentations.

The framework proposed is incomplete and very vague on details. It deregulates tree protection and mostly deals with the .5% of property undergoing development in any year, rescinding and eliminating protections for our urban forest and trees on the other 99.5% of property. It is actually similar in scope to SMC 25.11 prior to the 2009 additions, in that it mainly addresses the development process.

DPD has drafted a framework based on its perspective and that, as they have repeated numerous times, is to protect trees unless it prevents the full development potential of a lot. DPD is approaching tree protection or lack thereof based on their mission to assist the public in development of their property. There is an inherent conflict of interest in asking the same department to oversee and manage our urban forest across the city, while that same department is responsible for helping people develop their property to the full potential. DPD funding depends on permit fees. It is the same conflict that resulted in lack of effective regulation of the oil industry by the federal agency that both issued permits and received the permit fees, that was also asked to oversee safety and environment regulations of the oil industry. President Obama has subsequently after the Gulf Oil Spill split the agency to eliminate this conflict.

Management and oversight of our urban forest needs to be done by an independent entity, whose mission is not divided but is to advocate for, monitor and oversee efforts to protect, maintain and enhance our urban forest infrastructure for the benefit of all citizens who live and work in Seattle.

Save the Trees-Seattle also believes that the Urban Forestry Commission should advocate that a better public process be initiated to develop a comprehensive tree ordinance. We believe the current process basically only represents the view of one city department. We can not necessarily fault DPD for trying to push their mission of assisting people in their building plans. Instead it was maybe a mistake of the Mayor and City Council to assign them sole responsibility to oversee the development of a city wide comprehensive urban forestry and tree protection ordinance.

The Urban Forestry Commission was formed at the same time that the council passed resolution 31138. In hindsight it seems that the Urban Forestry Commission would have been the more appropriate agency in the city to oversee the development of an urban forestry ordinance, given that its mission is not in conflict. It is also vital that the interests of all nine city departments having tree oversight be fairly represented in the process. It is important that the public be involved in the process and that the discussion and drafting of a proposed new ordinance be done in public.

The City needs to recognize that making critical choices behind closed doors was how the Legislature used to work many years ago. It now holds open committee meetings. One possibility that remains is to redirect the process of developing an Urban Forestry Ordinance to be a public joint effort of the Urban

Forestry Commission and the representatives of the nine departments comprising the cities internal forestry group. They have never officially publicly met as a joint group, which I believe is important to exchange ideas and foster cooperation. Their interest in drafting an effective working ordinance is mutual.

We believe the development of an ordinance needs to have a more effective and open public involvement processes where the drafting committee on an ongoing basis seeks public input and review of proposals. It needs to be seeking ideas and representing them to the public for comment. It needs to involve an educational outreach effort to the public about discussing the value of a sustainable urban forest infrastructure. It needs to listen to public concerns. The current process is a black box. It's like the Wizard of Oz; someone is behind the curtain pulling the levers, while the rest of us watch.

We believe the drafting process needs to be more directed and focused. There are a number of examples of what topics generally should be in an urban forestry ordinance based on the experiences of other cities that have gone through this process. There are also summary papers detailing this process. At the same time we need to be willing to add items specific to Seattle 's needs and be willing to propose new ideas, not just recycling other peoples past ideas.

As an example of issues that comprise an urban forest ordinance here is one list from "Tree Ordinance" at <http://conservationtools.org/tools/general/show/37> . The original document is only 7 pages long but I have copied verbatim several sections that I think are relevant in your proposal to the city council of things that need to be in an urban forest and tree ordinance. You will notice that many of these issues parallel what you have come up with in your discussions. Even so there are omissions in their list.

The following copied from "Tree Ordinance":

"6. Prepare a tree ordinance.

If your community decides that a tree ordinance is an appropriate tool, it is time to develop it. If possible, review tree ordinances of nearby communities and speak with members of their working group to learn about successes and problems they had in their creation process, as well as learn how they dealt with issues similar to those your community faces. Your community though should avoid the tendency to simply copy the tree ordinance of another community, as it will not reflect your community's unique needs and government structure.

The ordinance should address 5 key areas:

1. **Goals** should be clearly defined and the ordinance should address how these goals will be attained. Goals should be specific and easy to quantifiably evaluate.
2. **Acceptable and unacceptable basic performance standards** should be set and the language used to define these practices should be clear and quantifiable so that the ordinance will be enforceable. At the same time, communities should be cautious of including too many details, as materials and methods often change and this would render the ordinance out-of date. Specific details about items such as allowed species and plant sizes should be included in a management plan, which can be frequently updated.
3. **Flexibility** should be part of the ordinance's design to allowed trained personnel to make decisions that factor in site-specific physical and biological conditions.
4. **Channels of responsibility and authority should be set**, either to one to two people or a tree commission, and amounts of responsibility and authority should be commensurate with each other.
5. **The means of enforcement, including penalties** for not following the ordinance should be clearly designated.

The following further breaks down the typical sections of a tree ordinance. The two main portions of the ordinance are the **basic topics** and the **special topics**.

The basic topics section can be thought of as the boilerplate or the ordinance core. It is usually in the beginning of the ordinance, consisting of the following sections:

- **Title:** Brief description that reflects the purpose of ordinance.
- **Findings:** Describes the community's vision and perspective of itself in terms of its tree resources. This section can also establish the legal authority of the ordinance.
- **Purpose:** Clearly states the goals.
- **Definition of Terms:** Defines each term that is used in the ordinance, including what a tree is so that there can be no misunderstanding.
- **Applicability:** Delineates the extent of the property covered.
- **Authority:** Defines who is responsible for the work and whose has the authority to make decisions. This could designate a single person (a tree manager), possibly already employed by the community, multiple people, or create a tree advisory committee.
- **Tree Committee:** If a tree advisory committee is created, this states how long the members are in office and who will appoint them. It defines the governing rules of the committee, the number of members and required expertise and place of

residence of members, compensation (if any), rotation of terms and how vacancies will be dealt with. Tree committees can be either advisory or administrative, and this section should outline the responsibilities of the group, which could include reviewing and proposing revisions to the tree ordinance, public outreach and education, adjudicating tree-related disputes, approving permits for tree planting, pruning and removal and arranging for tree planting and removal.

- **Appeals:** Establishes how decisions can be appealed
- **Permits:** Delineates the process of getting permission to do removals, pruning or planting.
- **Enforcement:** Defines who addresses violations and issues permits and stop work orders.
- **Penalties:** Sets fines and restitutions for being out of compliance with the ordinance.
- **Exceptions:** Lists what allowances are made for unusual situations such as weather or emergencies.
- **Performance Evaluation:** Designates who is responsible for monitoring the effectiveness of the ordinance and the basics of how the monitoring is to be done.
- **Public Notice:** States how public meetings will be announced.
- **Severance:** If one portion of the ordinance is disallowed, the whole ordinance will not be voided.
- **Effective date:** Gives the date the ordinance will become enforceable.
- **Non-liability:** This is the hold harmless provision that will protect tree commission members from liability from civil litigation.

Special topics are additional provisions that are needed to reach the community's goals and may consist of any number of items, including what is suggested below:

- **Utility trimming:** Defines requirements and responsibilities.
- **Park trees:** Defines management practices and responsibilities for management of trees in public parks.
- **Hardscape conflict resolution:** This section sets priorities in the resolution of conflicts between trees and street hardscapes. For example when repairs to sidewalks damaged by tree roots are made, this could direct the community tree manager work with the city engineer to minimize damage to the tree.
- **Guidelines for species diversity:** Sets basic standards for species diversities, and directs the community to keep updated, specific guidelines in its tree management plan.
- **Arborist registration and licensing:** Sets a registration or licensing process, which might involve showing proof of insurance and certification of training.

- **Requirements for private landowners:** This could include permits and restrictions on development, tree protection during construction, tree removal, replanting and mitigation. This section could require landowners to file plans or assessments of these activities.
- **Plan review process:** This defines the process developers must follow to have their plans for new development reviewed/approved.
- **Tree replacement:** Establishes how trees lost to development should be replaced. Some processes could be requiring developers to set aside wooded areas, off-site reforestation, percentage replacement or flexible, no-net loss formulas.
- **Incentives for compliance:** Defines incentives for compliance with voluntary measures.
- **Care of private trees:** This can establish guidelines for when municipal staff should aid private owners, or for when private owners should hire professional staff. Funding assistance for low-income residents could be established.
- **Tree Removal:** Requirements for the removal of dead, dangerous or diseased trees.
- **Clearance limits:** Sets tree clearance limits over roadways and sidewalks to allow for vehicular, bicycle and pedestrian traffic.
- **Buffers:** Defines buffer requirements.
- **Landmark and historical trees:** Establishes what defines landmark and historical trees and how they should be managed. “

End of material copied from “Tree Ordinance”

A good starting point is to also review current city law like SMC 25.11 tree protection at <http://clerk.ci.seattle.wa.us/~scripts/nph-brs.exe?d=CHAP&s1=25.11.h2.&Sect6=HITOFF&l=20&p=1&u=/~public/chap1.htm&r=1&f=G>

which includes some of the interim ordinance provisions passed in 2009. It shows how limited tree protection is currently in the city, mainly dealing with trees during development.

In particular just as a starting point notice the paucity of definitions – no definition for what is a tree, tree grove, canopy, critical root zone and so on.

A review of DPD client assistance memos reveals that in fact Seattle has a second tree permit system in place in addition to the SDOT right of way permit. It involves the removal of hazard trees in environmentally critical areas and other areas.

“Removal of a hazard tree is allowed in all circumstances under Tree Protection and Environmentally Critical Area (ECA) tree and vegetation requirements when an applicant demonstrates a significant risk exists. ...

Designation of a hazard tree must be done by a qualified professional and will require approval by DPD prior to removal except in emergency situations.”

A detailed tree assessment form done by a qualified professional is required as well as a 2 page hazard tree removal application.

See <http://www.seattle.gov/dpd/publications/cam/cam331b.pdf>

Regarding some other specifics in your draft letter my recommendations also include changing as many of the designations of a tree ordinance to an urban forest and tree protection ordinance. Change as many of the “tree” words to urban forest. The urban forest and the sustainability and effectiveness of it depends on its being considered part of the cities green infrastructure and vital to the health safety and welfare of our city. Change the word “great” describing tree protection ordinance to “effective” You could also use the word sustainable.

Permit system needs to include 2 week posting requirement like SDOT does. Remove the first and last sentence in the first paragraph of “Permit System”. You need to make your case, not be wishy washy and tentative. You are expected to provide advice not add uncertainty. The City Council and Mayor need your opinion, as you are viewed as the experts.

Canopy goal needs to include defining canopy as volume - 3 dimensional not just area, 2 dimensional. There is a huge difference in terms of what type of urban forest we have.

There needs to be more focus on the habitat value of our urban forest, including the benefit of prioritizing native trees and vegetation in protecting native insect, bird and animal populations. In addition to identifying trees in the city, we need to identify native trees, plants and understory vegetation that contributes to a healthy functioning sustainable ecosystem that provides important infrastructure services to the city. We need to also identify native insects, birds and animal life as components important to maintain in our urban forest.

Site plans need to include all trees over 6 inches in diameter. SMC 25.11.080A2B only requires identification of trees over 2 feet in diameter.

I believe that under “Professional Standards” heading the second sentence is in error. If I heard John Husagen correctly at a previous meeting, the only license that is required is the business license required by every business doing work in the city. There are no special requirements like professional certification or training or education regarding the cities tree laws

Trees for People: Urban Forestry 101



Trees Cool Cities and Save Energy

- Strategically planted urban trees reduce energy use by shading buildings in summer and blocking cold winter winds
- As they grow trees remove carbon dioxide and other green house gasses from the atmosphere and sequester them in their leaves, branches, trunks and roots.

For more information: [Center for Urban Forest Research](#)

Trees Strengthen Quality of Place and the Local Economy

- Increase property values by 10 to 20 % and attract more homebuyers
- Increase municipal revenue through property tax assessments
- Urban parks provide the settings for festival and other special events that add millions of dollars to the local economy
- In retail/commercial districts shoppers spend more time and money and come back more often
- Give people places to recreate, connect with nature and experience a sense of well being

For more information: [Human Dimensions of Urban Forestry and Urban Greening at the University of Washington](#)

Trees Improve Social Connections

- Planting trees is one of the most valuable ways engage residents
- Creates safer, supportive neighborhoods working for a common vision
- Are a Focal point for community revitalization
- Relieves mental fatigue and impulse control, restoring concentration
- Offers a sense of place and improves the quality of life
- Strengthens the social and economic components of environmental justice

For more information: [Landscape and Human Health Laboratory at the University of Illinois at Urbana-Champaign](#)

Trees Create Walkable Communities

- Tree-lined streets encourage people to walk in their communities and walk further
- Street trees have been shown to calm traffic through neighborhoods
- Strengthen Complete Street policies for all users
- Making streets more walkable and pedestrian encourages transit oriented development

For more information: [Complete Streets](#)

Trees Improve Air Quality

- By absorbing gaseous pollutants through their leaves
- Binding or dissolving water soluble pollutants onto leaf surfaces
- Intercepting and storing pollutants on the leaf surfaces
- Capturing and storing air pollutants in the uneven, rough branches and trunk
- Sequestering CO₂ in trunk, branches and roots
- Shading buildings and pavement reduces the demand for air conditioning and the formation of ozone

For more information: [Northern Research Station](#)

Trees Reduce Storm Water Runoff

- Trees act as sponges that keep water onsite and recharge the groundwater
- A typical urban forest of 10,000 trees will retain 10 million gallons of rainwater per year
- Reduce the amount of runoff and pollutants into creeks
- While manmade drainage systems such sewers and storm drains accelerate the flow of polluted water through community, trees slow it down and clean the water
- Tree canopies and roots protect the soil from erosion
- More trees equals lower costs for storm water management

For more information: [Center for Urban Forest Research](#)

Trees Help Promote Smart Growth

- Strengthen the urban core by improving public social space and the walking experience
- Give people access to nature in the city
- Add breathing room to more compact development
- Separate incompatible uses and buffer noise pollution
- Support mixed use that improves real estate values and the local economy
- Create an interconnected framework of green infrastructure that recovers ecological function, biodiversity and wildlife habitat

For more information: [Smart Growth Network](#)



From: John Dixon [mailto:nativetrees@gmail.com]
Sent: Thursday, October 07, 2010 7:30 PM
To: PintodeBader, Sandra
Subject: Seattle Tree Permits

Dear Sandra,

Please convey my thoughts to the 9 commission members.

Dear Urban Forestry Commissioners:

Yesterday I spoke to the 6 male members of the commission about the draft as composed by Matt Mega.

On the subject of tree permits it is important to be aware that SDOT is not the only city agency that issues tree permits. DPD requires tree permits for ECA areas (331) and Hazard Trees (331B).

Lake Forest Park has a succinctly written one page description of their tree permits with posting requirements and penalties. You folks may not wish to get to that level of detail just yet. It works for them and it can work for us.

John Dixon