Overview

• Tree Regulations Research Project
• Tree Regulations Research Findings
• Tree Regulations Research Recommendations
• Mayor’s Executive Order
• Questions
Tree Regulations Research Project

Objective: Tree Protection Recommendations

Scope:
- Tree regulations effectiveness in Multifamily Lowrise and Single-family
- Tree protection regulations in regional cities and those similar in size
Exceptional Trees and Groves

• Definitions:
  • Exceptional: Size, species, age, grove, or Heritage Tree.
  • Grove: 8 or more trees => \(12''\) in continuous canopy.
  • Heritage: designated by community and City of Seattle
Code, Title 25 - Removal of protected trees

• Prevent full development potential or hazardous. (If hazardous, no replacement required).

• Removed exceptional trees and >24” to be replaced, unless hazardous.
New and 100% Redevelopment

**Single-Family** - Trees required. Preservation and Planting options.
- Lots >3,000sqft - 2” diameter/1,000sqft.
- Lots <3,000sqft - 3” diameter/lot.

**Multifamily Low-rise** - Street trees required.
- Exceptional trees
  - If preserved, no Design Review for Tree Protection required.
  - If not preserved, Streamlined Design Review required to allow exceptions.
Findings

Over-the-Counter approvals

Type I and II permits
Development and Hardscape increase = Tree loss.
Conifers/large species coming out. Deciduous/dwarf species coming in.
• Landscaping Standards final inspection not consistently applied.
• Design Review “process” is not helping to preserve trees
Findings

Over-the-Counter approvals

• 725 hazard tree removal approvals (2008-2016) ➢ 59% in steep slopes.

• Approvals often include more than one tree.

• No replacement required
Findings

Trees removed prior to development without approval

• Trends: Tree cutting complaints resolved as “Non-violation”
  2008 = 27%, **2010 = 52%**, 2015 = 75%

• Tree cutting complaints with retroactive hazardous tree removal approval and no violation. Hazardous = no replacement.

• Perceived lack of responsiveness to tree removal complaints (Public comment at Urban Forestry Commission)
Findings

Type I and II permits

• Inconsistent application of regulations during permit review

• Landscaping standards inconsistently inspected/enforced

• Infrequent use of final inspection form - DR 30-2015
Recommendations – 3 Options

1. Improvements to implementation of existing regulations
   • Code improvements
   • Process improvements
   • Other opportunities

2. Permit system and protect additional trees
   • All of 1, and 2

3. Permit system “Plus” and protect more trees
   • All of 1, 2, and 3
Option 1. Existing Regulations with Improvements
1. Revise definition for ‘hazard’ conditions *
2. Require consistent documentation for permit applications that include tree code requirements and for tree removal applications *
3. When tree replacement required = canopy for replaced tree *
4. Add tree survivability language **
5. Update Director’s Rule for exceptional trees *
6. Payment in lieu and performance bond. Address potential equity concerns *

* In Mayor’s Executive Order
** Other recommendations not included in the Executive Order”
Existing with – Process Improvement

1. Record tree counts throughout development process (Pre-application site visit to Final inspection) **
2. Require use of Hansen/Accela monitoring tools **
   A. Monitor tree-related site work
   B. Add survivability monitoring
3. Ensure use of Landscape Improvement Checklist at final inspection, and upload to EDMS as individual doc with that title so that it can be queried *
4. Add dedicated urban forestry staff to oversee all tree and landscape regulations *
5. Remove Vine Maple from ECA Revegetation List and GF Tree List to improve size class distribution *

* In Mayor’s Executive Order
** Other recommendations not included in the Executive Order”
Other

Implement training program

1. Internal
   A. Tree Protection/Preservation/Planting
   B. Code enforcement

2. External
   A. Training requirement for tree service Cos.
   B. Hold them accountable for illegal removals
2. Permit System and Protect Additional Trees
Permit + protect additional trees

Permit highlights – Portland, Sammamish, Lake Forest Park

• Tree Permit for tree removal on private property both during and outside development
• Tiered permit type associated with/without development
• Categories of trees: exceptional, heritage, grove, and significant (6 – 12 inches)
• Allowances for tree removal based on zone and lot size per/year and over “X” years
• Emphasize retaining with hierarchy
• Require replacement/mitigation for hazardous tree removal
• Replacement required when trees are allowed to be removed.
Permit + protect additional trees

Permit highlights – Portland, Sammamish, Lake Forest Park

• Emphasize planting native conifers close to other trees so that it enhances environment
• Defines potential receiving sites - one being Environmentally Critical Areas
• Large penalties for removal without approval
• Exceptions for emergencies, like our regulations
• Payment-in-lieu
• Protection standards for trees that remain on site.
• On site density requirements Portland
• Exempt areas based on zone or land use type
Permit + protect additional trees

All of Option 1 and:
• Private property tree removal permit
  • Track allowance for annual removal of three trees >6”
  • Remove allowance for unlimited tree removal in SF<5,000
  • Require mitigation

• *Create tree injury/removal violation penalties
  • Hold tree service company accountable
  • Administrative appeal of penalties
3. Permit System “Plus” and Protect more Trees
Permit System “Plus” protect more trees

All of Option 1, 2, and:

• Protect tree groves through covenants.
• Provide support to home owners
• Explore transfer of development rights.
Mayor’s Executive Order

- Implement recommendations that do not require code changes
- Directs Office of Planning and Development to work with Urban Forestry Core Team to help preserve trees
Next Steps

- Implement Mayor’s Executive Order
- Brief new mayor
- Work with City Council
Tree Regulations

Questions?