

SEATTLE URBAN FORESTRY COMMISSION

Weston Brinkley (Position #3 – University), Chair • Steve Zemke (Position #1 – Wildlife Biologist), Vice-Chair
Sarah Rehder (Position #4 – Hydrologist) • Stuart Niven (Position #5 – Arborist – ISA)
Michael Walton (Position #6 – Landscape Architect – ISA)
Joshua Morris (Position #7 – NGO) • Steven Fry (Position #8 – Development)
Bonnie Lei (Position #10 – Get Engaged) • Whit Bouton (Position #11 – Environmental Justice)
Jessica Jones (Position # 12 – Public Health) • Shari Selch (Position # 13 – Community/Neighborhood)

The Urban Forestry Commission was established to advise the Mayor and City Council concerning the establishment of policy and regulations governing the protection, management, and conservation of trees and vegetation in the City of Seattle

August 14, 2019

Meeting Notes

Seattle Municipal Tower, Room 2750 (27th floor)
700 5th Avenue, Seattle

Attending

Commissioners

Weston Brinkley – Chair
Steve Zemke - Chair
Whit Bouton
Bonnie Lei
Jessica Jones
Josh Morris
Stuart Niven
Sarah Rehder
Shari Selch
Michael Walton

Absent- Excused

Steven Fry

Staff

Sandra Pinto de Bader - OSE
Chanda Emery
Shane Dewald
Peter Trinh

Guests

Elijah Selch

Public

Nancy Penrose

NOTE: Meeting notes are not exhaustive. For more details, listen to the digital recording of the meeting at: <http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>

Call to order

Weston called the meeting to order and acknowledged that this is the last meeting in Bonnie's term and thanked her for her contributions to the UFC.

Weston sent out an email last week after receiving a call from DM Moseley where he clarified the timeline for the tree regulations update to take place. He said SDCI won't be able to do all the work that needs to take place to update the regulations, so the timeline is likely moving to Q2 2020.

Public comment

None.

Adoption of July 3 and July 10 meeting notes

ACTION: A motion to approve the July 3 meeting notes as amended was made, seconded, and approved.

ACTION: A motion to approve the July 10 meeting notes as amended was made, seconded, and approved.

Ballard multimodal project – Burke-Gilman Trail Missing Link Project

Shane Dewald and Peter Trinh from SDOT briefed the UFC on the project. This is a three-phase project also known as the Burke-Gilman trail missing link. Two-for-one tree replacement will take place during the duration of the project.

UFC question/comment: is tree replacement done based on canopy volume or stem count?

Response: The Executive Order mandates stem replacement. Staff mentioned that projects that are constructed for public benefit (that reduce the number of cars on the road) would benefit from special consideration.

UFC question/comment: If power lines are only on one side of the street, SDOT could compensate by planting larger trees on the street side without wires.

Response: SDOT requires planting the largest appropriate tree for the location.

UFC question/comment: the UFC might issue a recommendation to replace the canopy volume lost. This would be coupled with a recommendation to increase funding for maintenance.

Response: SDOT is looking at interpreting code that would provide additional mitigation for removal of very large trees.

UFC question/comment: How many trees are planning to be removed as part of this project?

Response: They will get back to the UFC with a number. The later phases of the project are taking place in industrial areas where it's challenging to plant trees and still comply with sight lines for bicycle lanes, etc.

SDOT is using permeable pavement for the trail using a different color for tree pits. This material eliminates the competition for water. Watering will be done with Gator bags and closely monitored. Design is done to minimize maintenance so they can focus on maintaining the trees.

UFC question/comment: What's driving the tree species selection for the site?

Response: Their experience is that Oaks are long-lived and fast-growing. They try to stay away from trees that grow fast but are short-lived. Due to space restrictions, the project can't accommodate conifers.

NOTE: Meeting notes are not exhaustive. For more details, especially the Q&A portion of the briefing, please listen to the digital recording of the meeting at:

<http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>

Tree Regulations update

Chanda Emery, SDCI code development staff, provided an update on the work SDCI is currently doing on tree regulations. She has met with OSE and the subcommittee of the UFC. City Council tried to update the tree code last summer. CM Bagshaw took over this effort from CM Johnson. The Mayor's Office is supportive and would like to see robust engagement for voices that haven't been included thus far.

OSE and SDCI are working on an outreach plan. SDCI is also creating an internal inter-departmental team to review all tree-related work that SDCI does.

In the next four months SDCI and OSE will undertake public outreach and plans to continue to have conversations with the UFC. SDCI is hoping not to write a whole new chapter. The expectation is to finalize the update by Q2 2020 with targeted changes to the legislation.

Would like to finalize implementation of EO 2017-11 in 2019 and update the Exceptional Tree Director's Rule and tree-related information tracking efforts. Having information will help the City do analysis of tree loss and replacement.

UFC question/comment: Existing ordinance establishes that when replacement can't happen on-site, then trees can be planted elsewhere, but without a fee-in-lieu how would the City be able to plant?

Response: SDCI and OSE are putting together a list of issues and policy options to get direction from the Executive to go out to the public.

UFC question/comment: the UFC is willing to meet to deliberate with staff to answer questions about their recommendations.

SMC 25.11.090 already calls for tree replacement.

SMC 25.11.100 – allows for a permit system

In terms of the TIPs... there are different work groups that update TIPs. TIP 242 and TIP 103.

TIP 103 – the checklist doesn't actually mention trees.

UFC to provide input to any TIPs having to do with urban forestry.

NOTE: Meeting notes are not exhaustive. For more details, especially the discussion and Q&A portion of the briefing, please listen to the digital recording of the meeting at:

<http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>

Hazardous tree definition

Whit put together a document with initial thoughts to be discussed at the next meeting.

Public comment

None.

New Business

Sandra will share past position papers on tree regs with the UFC for the group to consider refining and resending.

Recommendations:

- SDCI on what they heard today. Thank you/holding them accountable. Glad of public outreach in the next 4 months, complete by 2020, implementing 25.11.090, Acella to report, EO implemented this year.
- Revisions to the TIPS 242, 103, 331B
- Two -for-one – propose something more aligned with current times.
- One-pager

Adjourn

Public input: (posted online)

-----Original Message-----

From: David Moehring <dmoehring@consultant.com>
Sent: Tuesday, August 13, 2019 1:09 PM
To: Bagshaw, Sally <Sally.Bagshaw@seattle.gov>; Steve Zemke <stevezemke@msn.com>
Cc: Strauss, Daniel <Daniel.Strauss@seattle.gov>; Chu, Brian <Brian.Chu@seattle.gov>; Steve Zemke <stevezemke@msn.com>; Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Trees in the Comp Plan

CAUTION: External Email

Honorable City Councilmember Bagshaw,

It's been a while since I had an opportunity to share some opportunities to enhance the weak tree protections in Seattle, and the resolution with the MHA seems to head in the right protection. Thank you in your efforts to arrive to this point.

On a parallel track, I'd be very interested in what can be achieved relative to Seattle's most valuable environmental resource –trees – in the Comp Plan amendments outlined in resolution 31870 (section E). There is a draft of amending the Comprehensive Plan published May 16, 2019 that may be of interest.

I'll call your office to see if the Comp Plan amendments for stronger tree protections might align with your current endeavors.

Kind Regards,
David Moehring AIA NCARB
3444 23rd Ave W, #B
Seattle WA 98199
Dmoehring@consultant.com
312-965-0634

From: Judith Akalaitis <info@sg.actionnetwork.org>
Sent: Tuesday, August 13, 2019 11:15 AM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Seattle NEEDS the Tree Ordinance

CAUTION: External Email

Sandra Pinto de Bader,
Dear Mayor Durkan,

I am a mom, a teacher and a librarian. I believe in progress but I do not believe in developers clearcutting lots, tree companies cutting down trees without complying with permitting, and developers doing mostly whatever they want to get their own agenda.

I believe in a future for my children and for Seattle, and that includes a healthy and not rapidly disappearing tree canopy.

I urge you to stand up and protect our city and its children by putting the tree ordinance on the table and fighting for it. I voted for you and I believe that you can do better. This is what needs to be done:

Please update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Expand the existing tree removal and replacement permit program, including 2-week public notice and posting, as used by the Seattle Department of transportation (SDOT) – to cover all trees 6” DBH and larger on private property in all land use zones, both during development and outside development.

Require the replacement of all trees removed that are 6” DBH and larger with trees that in 25 years will reach equivalent canopy volume – either on site or pay an in-lieu fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.

Retain current protections for Exceptional Trees and reduce the upper threshold for exceptional trees to 24” DBH, protect tree groves and prohibit trees over 6”DBH being removed on undeveloped lots.

Allow removal of no more than 2 significant non-exceptional trees in 3 years per lot outside development

Establish one citywide database for applying for tree removal and replacement permits and to track changes in the tree canopy. Post online all permit requests and permit approvals for public viewing.

Expand SDOT's existing tree service provider's registration and certification to register all tree service providers working on trees in Seattle.

Provide adequate funding in the budget to implement and enforce the updated ordinance.

Please give me a call or have any of your staff give me a call ANYTIME to talk about this crucial issue.

Kind Regards,

Judith Akalaitis and Family

206-370-4176

Judith Akalaitis

judy@akalaitis.net

3116 NE 84th St

Seattle, Washington 98115-4718

From: woodrow thompson <info@sg.actionnetwork.org>

Sent: Tuesday, August 13, 2019 7:59 PM

To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>

Subject: Trees - #1 mitigation in climate crisis

CAUTION: External Email

Sandra Pinto de Bader,
with the expanded backyard cottage, adu, ddu allowance law, more trees will be in risk of being chopped down to be replaced by adu's, ddu's. any adu or ddu should give trees first priority to the land and the adu or ddu be reduced or not allowed if it means to harm or displace trees tin order to build the adu or ddu

woodrow thompson

tomwc44@hotmail.com

11527 25th ave n.e.
seattle, wa, Washington 981245

From: Judith Leshner <jack2729rabbit@earthlink.net>
Sent: Wednesday, August 14, 2019 10:37 AM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: TREES: Updating Tree Protection Ordinance

CAUTION: External Email

Dear Ms. Pinto de Bader:

I wish to share with you and your team the email that I am sending to Mayor Durkan and to each Seattle City Council member on the importance of following through with the recommendations by the Urban Forestry Commission to update the current Tree Protection Ordinance. I thank all of you on the Urban Forestry Commission for all the work you have done to protect the trees of Seattle. They are treasures that are too often taken for granted and sorely missed when gone.

Thanks to you and to your team.

Sincerely,
Judith Leshner

Dear Mayor Durkan:

I have written to each City Council member as well as to you many times about the imperative need for Seattle to update its Tree Protection Ordinance. As a member of TreePac, Friends of the Urban Forest and now Don't Clearcut Seattle, I am familiar with the recommended improvements and updates from the Urban Forestry Commission to the current Tree Ordinance and I wholeheartedly support these proposals.

Particularly important is the need to establish a database where tree removals and replacements are tracked and where permits can be viewed by the public.

Funding for our improved Tree Protection Ordinance has to be provided. We all are becoming more and more aware of the benefits of trees to our environment. They provide clean air and water and shade to help keep the increasing temperatures bearable. A downside of trees might only be when someone determines that "that tree is in my way" and is not really aware of the consequences of the removal of that tree.

You and the City Council have the power to help us all keep these treasures of our city and to help insure that Seattle will have trees, significant trees 20, 30 and more years from now. In the future citizens will surely notice if our city is looking rather bare in the winter and hot in the summer and will wish that the Mayor and the City Council had done more to keep our city Green.

Please help preserve our trees and encourage the City Council to vote this year for a new Tree Protection Ordinance with ample protective provisions and funding for it.

Thank you for your care.

Sincerely,
Judith Leshner
2568 10th Ave W
Seattle, WA 98119"
jack2729rabbit@earthlink.net

From: Catherine Ruha <info@sg.actionnetwork.org>
Sent: Wednesday, August 14, 2019 7:35 PM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Trees are important in the Green New Deal!

CAUTION: External Email

Sandra Pinto de Bader,
It is time to pass the Tree Ordinance with the new updates. Losing tree canopy feeds Heat Island issues and climate change. Trees cool, clean the air, and help people feel better and reduce stress. This city can no longer allow developers to cut down our trees. Developers who want to build here must think of the health of the city environment and the beings who life here. Please Expand the existing tree removal and replacement permit program, including 2-week public notice and posting, as used by the Seattle Department of transportation (SDOT) – to cover all trees 6" DBH and larger on private property in all land use zones, both during development and require the replacement of all trees removed that are 6" DBH and larger with trees that in 25 years will reach equivalent canopy volume – either on site or pay an in-lieu fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.

Trees are not a luxury items. They are helpful and healthful in many ways and on many levels. Keep the Emerald City green.

Catherine Ruha
cathyruha@yahoo.com
1541 NE 91st Street
Seattle, Washington 98115

From: Stuart Niven <panorarbor@gmail.com>
Sent: Monday, August 12, 2019 1:20 PM
To: PRC <PRC@seattle.gov>; DOT_LA <DOT_LA@seattle.gov>; Juarez, Debora <Debora.Juarez@seattle.gov>; McGarry, Deborah <Deborah.McGarry@seattle.gov>; Pederson, Art <Art.Pederson@seattle.gov>; Landry, David <David.Landry@seattle.gov>; TreesforSeattle <TreesforSeattle@seattle.gov>
Cc: David Moehring <Dmoehring@consultant.com>; Annie Thoe <neighborhoodtreekeepers@gmail.com>; LEG_CouncilMembers <council@seattle.gov>; Durkan, Jenny <Jenny.Durkan@seattle.gov>
Subject: At least 2 'Exceptional' & 7 Significant Trees under threat from 12 large townhouses at 14302 30TH AVE NE upzone from SF to LR3

CAUTION: External Email

Following the recent Design Review meeting for the proposed development at the above property, it appears that yet another development of a property with mature native and non-native 'exceptional' and 'significant' trees on site is not being reviewed as per the SMC 25.11.070 requirements that are in place to protect 'exceptional' trees. Please take the appropriate action to request design alternatives to protect and retain all existing 'exceptional' trees on site, as well as many 'significant' trees.

It is possible to design new developments and retain trees as the attached document clearly shows is possible in the City of Seattle.

It is universally accepted that trees are essential for all life on planet Earth. Every week there are news articles and reports about the fact that climate change is negatively affecting the health and livelihood of all people around the world and how important trees are in urban environments for help provide essential ecological benefits that in turn reduce the financial burden on individuals and Cities. This is a scientific fact, yet Seattle continues to allow the removal of large, mature trees and does not adequately protect any of its so-called 'exceptional' trees when a site is being developed, nor does it track these losses or enforce the replacement of them (25.11.090). This must STOP before it is too late and we lose all mature tree canopy cover and are left with small ornamental trees that provide very little ecological benefits.

This project, like many before it, needs to be reviewed properly, per current Tree Protection Codes and so it is in line with the City's own claim on the 'Trees for Seattle' website that, "Seattle's goal, established in 2007, is to reach 30% canopy cover by 2037. The City of Seattle's most recent canopy cover study, using data from 2016, found that 28% of Seattle is covered with trees." There is absolutely no way the canopy can increase if there is a continual allowance for the removal of significant and exceptional trees on properties being developed.

SDCI's own tag line claims "As stewards and regulators of land and buildings, we preserve and enhance the equity, livability, safety, and health in our communities", but this is absolute hypocrisy given the blatant disregard for threats like this one to existing mature tree canopy cover, and the lack of adherence to its own Tree Protection Codes.

One excuse and reasoning for this type of development is typically the claim that it is creating 'affordable housing'. With no subsidy for housing or caps on property values in Seattle, this is an abstract concept that has no basis in reality and is clearly political rhetoric that benefits the few, not the many, and is destroying our environment and fragile ecology along the way.

Please enforce the Tree Protection Code and work with the Urban Forestry Commission to adopt the proposed revisions to the ordinance so that Seattle can retain and enhance its tree canopy cover and volume. Protecting trees does not mean increased density cannot exist; intelligent design and conscientious review will mean both trees and development can co-exist in relatively harmony.

Thank you and kind regards,

Stuart Niven, BA(Hons)

PanorArborist

ISA Certified Arborist PN-7245A (2012 - Present)

Tree Risk Assessment Qualification (TRAQ) (2013 - Present)

ISA Certified Tree Worker - Climber Specialist (2011 - 2015)

Arborist on Seattle's Urban Forestry Commission (2018 - Present)

Lifetime Member of PNW-ISA & Member of Seattle Audubon

www.panorarbor.com

Tel/Text: 206 501 9659

Ballard Townhouses Retain Exceptional and Large Trees

Add More Housing to Seattle *with* a Retained Tree Canopy!!!

Anyone Can Do It!

Pass the Tree Ordinance *NOW*

**SAVE OUR
TREES**

DONTCLEARCUTSEATTLE.ORG





Before

After

2000 NW 61st
Street and
6105 200th
Ave NW



Before

After

2000 NW 61st
Street and
6105 200th
Ave NW



From: Michelle Najera <info@sg.actionnetwork.org>
Sent: Monday, August 12, 2019 1:03 PM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: We need a new tree ordinance now

CAUTION: External Email

Sandra Pinto de Bader,
Hello. I'm writing to support updates to Seattle's tree ordinance. The trees of Seattle should be a source of pride. The shading they provide impact the appeal of the city and the comfort of its residence. Studies show that cities with 30% shading have greatly reduced needs for cooling. Due to heavy development that does not consider trees, we are losing the canopy that many of us connect with this place. Homeowners that have invested in Seattle are rightly encouraged to protect trees. But developers have free reign. The city should set and hold to tree coverage goals and hold developers to the same or higher standard for tree preservation. We only get one chance to steer the development of Seattle in the right direction. Once the trees are gone, we won't be able to bring them back.

Michelle Najera
mnajerira@gmail.com
12008 22nd Ave NE
Seattle, Washington 98125

From: seattleposa@googlegroups.com <seattleposa@googlegroups.com> **On Behalf Of** michaeloxman
Sent: Saturday, July 20, 2019 8:26 AM
To: David Moehring <dmoehring@consultant.com>; Herbold, Lisa <Lisa.Herbold@seattle.gov>
Cc: ADU Magnolia Appeal <adu-magnolia-appeal@googlegroups.com>; seattleposa@googlegroups.com
Subject: [SeattlePOSA] Re: Tree Legal Comment on ADUs Update from Councilmember Herbold

CAUTION: External Email

Dear Councilmember Herbold,

I am writing regarding the number of ADU's you estimate will probably be built per year under the new ordinance voted in unanimously by the City Council.

I am wondering if the staff arborists in our city planning department will be able to process 1.3 new building permit applications per day?

Can you tell me how many applications per day the arborists currently process per day?

I understand in 2018 there was only 1 arborist employed by the city planning department.

This is a small arborist personnel capability, considering the \$5 billion dollars worth of active projects currently being administered by the Department of Construction and Inspection.

I understand 2 new arborists have been hired this year by DCI. I called DCI recently and left a voicemail message asking what their duties are, but have not received a reply.

Thanks for listening.

Michael Oxman
(206) 949-8733

From: David Moehring <dmoehring@consultant.com>
Sent: Friday, July 19, 2019 9:34 PM
To: Herbold, Lisa <Lisa.Herbold@seattle.gov>
Cc: ADU Magnolia Appeal <adu-magnolia-appeal@googlegroups.com>
Subject: Comment on ADUs Update from Councilmember Herbold

CAUTION: External Email

Honorable Councilmember Lisa Herbold-

Thank you for the thoughtful and detailed response on why you supported the ADU legislation despite some noted flaws relative to affordability and displacement potential.

Within the recent 10 months (Sept 2018 to today), there have been **239** permits just for ADU (split about 50% between attached AADU and detached DADU.)

That 239 count was likely a slower ADU-application period given the pending legislation changes proceeding July 2019. So, now that the new legislation is in place; and now that developers are free to do speculative tear-downs and new triplex configurations; and now that anyone is allowed both an AADU and a DADU along with a primary house, we should certainly find no problem in reaching the 400-plus ADU this next year.

The ADU production over the last prior 10 years has not been flat per the FEIS, nor would one anticipate a constant flat-rate amount of ADU being built over the next 10 years. There were steep spikes in the number of DADU from 2014 to 2017, and increases in annual production will likely grow especially as properties are flipped by speculative developers. In fact, it is very reasonable to think that there may be a small 10% increase each year in the number of permitted ADU (including some lots having as many as two ADU.)

So if **400** ADU are permitted in 2019, then **440** might be permitted in 2020, and **480** might be permitted in 2021. Would that not be a reasonable assumption for an area like Seattle? If you concur, that would mean the tenth year (or 2028) might yield around **940** new ADU permits... especially with locations of smaller lots that are within the parts of Seattle that are less expensive. In the first 10 years, this growth rate results in **~6,300 ADU** rather than just 4,430 the City used in the FEIS study.

But why stop looking at the impacts in 2028? Is that when the 9.0 quake hits and people evacuate Seattle for greener pastures? Unlikely and let's pray that never be the case.

What is the real impact of three dwellings across every lot over 3200 SF in Seattle at the steady **10% growth rate** in the number of ADU permitted per year:

- Seattle has permitted **~6,300** ADU by 2028;
- and then Seattle could permit about **22,900** ADU by 2038;
- and then Seattle could permit about **65,800** ADU by 2048 at 10% annual growth, or the equivalent of half of all SF-zoned lots being fitted with a house and ADU.

Not buying a 10% growth in the number of permitted ADU per year (as being too aggressive), then how about just **5% annual growth** in the number of ADU permits per year:

- Seattle would permit **~5,030** ADU by 2028;
- and then Seattle could permit about **13,220** ADU by 2038;

- and then Seattle could permit about **26,500** ADU by 2048 at just 5% annual growth, or the equivalent of 20% of all SF-zoned lots being fitted with a house and ADU.

Numbers may not be your or my game... so please have your knowledgeable staff look into the likelihood of rate of production growth for at least 30 years. In any case, responsible legislation does not look at the impacts to the city in just one decade. One generation - or 30 years of accountability - should have been considered a reasonable approach.

That's where **Urban Heat Island Effect and Climate Change** come into play. Since the new legislation only requires one 2-inch diameter tree of any species to be planted on a single lot of any size with an ADU, the urban forest of Seattle will deplete rapidly. Where is the proof? Just look at the first 10 properties actual on the attached list of current Seattle properties with ADU permit applications. Those lots have existing tree canopies in back or along side of existing houses ranging from 20 to 87 percent tree canopy coverage. The average lot tree canopy coverage at risk is 40% across those 10 lots. Think about the impact to Seattle's tree canopy coverage thirty years from now where 26,500 to 65,000 lots may have their tree coverage reduced from 40% to perhaps just 20% or likely even less.

You don't need to look too far to find dense cities with hills and waterfront without tree canopies. Is that the goal of this City Council?

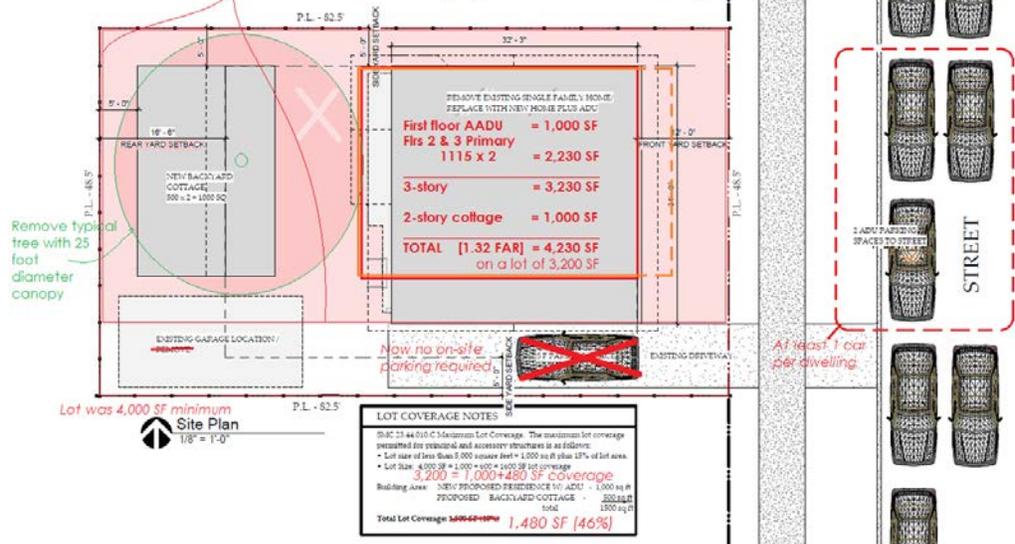
David Moehring AIA

Lima, Peru swelled from a population of 500,000 in 1940 to 3,000,000 thirty years later. Now the City is 10.5-million despite its natural disasters. Tree canopy is almost non-existent within occupied areas.



PROPOSED ADU / BACKYARD COTTAGE ADDITION

New minimum lot size is **Now >= 3,200 SF (4,000 SF LOT)**



Realistic example: 26 ft by 20 ft = 520 SF level one + 480 SF level two = 1000 SF
<https://samphoas.com/plan-3d-home-design-8x6m-with-3-bedrooms/>

Sent: Wednesday, July 17, 2019 at 3:28 PM
 From: "Herbold, Lisa" <Lisa.Herbold@seattle.gov>
 To: "David Moehring" <dmoehring@consultant.com>
 Subject: RE: ADUs Update from Councilmember Herbold

Dear David,
 Thank you for writing to me about the Accessory Dwelling Units (ADUs) [legislation](#).

I support the construction of ADUs to provide more housing options in our city, as well as potentially provide homeowners an option to have family members – both aging parents and adult children – live in units on their property as well as create an income source for those struggling to keep up with a high mortgage and increasing property taxes. The numbers of people who attended the Council's ADU public hearing to say that they had been waiting for years for the legislation to be passed so that they could build an ADU for their parents and/or adult children – who otherwise could not afford to live in Seattle – was a compelling story of property owners who want to share their asset to create affordable living for people about whom they care.

My hope is that this legislation will lead to, not only more housing options, but more *affordable* long-term housing options. However, I believe that the likely outcomes of this legislation need to be put in perspective. It will neither significantly address our affordable housing needs nor “destroy single-family neighborhoods.”

First, I think it’s important to recognize that the areas that we refer to as Single Family Zoned areas are not truly exclusively areas for “single families.” Individuals and roommates can live in a house together without being a family and ADUs have been legal in these neighborhoods since 2010. Even before passage of this new law, if you live in a Single-Family Zoned neighborhood, you could build a detached unit and rent a room (or more) in your own home.

Secondly, the Environmental Impact Statement (EIS) predicts 4,430 new ADUs will be constructed over the next 10 years. On a per year basis that works out to only 443 ADUs built each year. The total number of acres of single-family zoned land where ADUs can be built under this legislation, totals 35,107 acres across the entire city. If only 443 ADUs are built each year, that’s approximately one ADU per 79 acres, across the city. Put another way, under the projection in the EIS, only one ADU per about approximately 12 city square blocks will be built each year. This EIS analysis suggests that this legislation will not dramatically change our neighborhoods.

Councilmember O’Brien brought forth an [amendment](#) stating that, in the future, Council intends to impose additional restrictions on short-term rentals in ADUs should significant numbers of ADUs be used exclusively for short-term rentals. I believe it would have been more prudent to limit the number of short-term rentals allowed in ADUs within the legislation. I proposed an amendment to do so. I voted in favor of the legislation in spite of this amendment not passing because [a report from Puget Sound Sage in 2016](#) indicated that there were 2,817 whole unit listings on Airbnb. If you compare that to the roughly 357,000 housing units in the city, it works out to be 0.79 percent of housing units being used as short-term rentals. If this trend is replicated in the ADU development market and considering the EIS projections of numbers of ADUs to be built over the next ten years, that would suggest that only about 35 of the 4,430 units built over 10 years will be built as short-term rentals. While that number seems to be unrealistically low, I am willing to wait to see what the report says about short-term rental production in ADUs.

I also [proposed an amendment](#) that before property owners could receive a permit to build a second ADU they would have to own the property for one year, only impacting new owners of property. 20% of single-family properties are currently occupied by renters. These are the properties most vulnerable to the speculative market. The EIS shows that there is, under the new law, more profit to be made by selling ones’ property, rather than the possible profit from building 2 ADUs. About 88 renter households each year (according to the EIS) will be displaced when the owners of those properties sell them to a developer who will evict the tenants and build 3 high cost units. My amendment would have limited the likelihood of that occurring. In opposing my amendment my colleagues voted in favor of the interests of a person (or LLC) newly purchasing a property and wishing to develop it, over the interests of the tenants occupying the property in an increasingly speculative single-family market. I don’t believe that 88 renter households displaced each year is minimal, as my colleagues seem to believe.

Speculation and concentration of global investment in real estate are a real issues, and as outlined in [this](#) UN Human Rights Commission report, something that is occurring not just in Seattle, but around the world. There are also several articles about the rise of speculation after the housing market collapses which you can read [here](#), [here](#), or [here](#). The purpose of the amendment was to curb this speculative development; as I said during the vote: “while we cannot prohibit speculative development, this amendment would create a ‘speed bump’... creating a more cautious approach.” Ultimately the amendment failed.

As I stated in an earlier paragraph, my hope is that this legislation will lead to, not only more housing options, but more *affordable* long-term housing options. Although amendments I care about failed, the promise of ADUs hold to provide more affordable housing options, while not guaranteed, can still be realized. Elements of work yet to be done are described in the [Mayor’s Executive Order](#) which among other things, calls for:

1. The submission of ADU designs to **streamline and lower the costs and permitting** process by making **pre-approved plans available at low or no cost** to homeowners.
2. That the Department of Construction and Inspection (SDCI) support innovative prefab and modular construction methods, and to issue construction notices within 30 days for homeowners using a pre-approved plan.
3. SDCI will hire a staff member, otherwise known as a navigator, to help through the permitting process.
4. The pilot Home Repair Program outlined in the Affordability and Finance plan, [passed by the City Council last month](#), will allow for low-interest financing through the Office of Housing to help low-income homeowners create ADUs which will be **affordable at 80% area medium income**.

Again, thank you for writing me about this legislation and for your advocacy - whether in support or in opposition.

Best,



Lisa Herbold

District 1 Councilmember, Chair Civil Rights, Utilities, Economic Development, and Arts Committee
206-684-8803

lisa.herbold@seattle.gov

P. S. Please feel free to [click on this link](#) to sign up for my weekly blog posts!

From: annie sensingvitality.com <annie@sensingvitality.com>

Sent: Wednesday, July 17, 2019 8:36 AM

To: Carolyn Rodenberg <carolynrodenberg@mindspring.com>; heidi calyxsite.com <heidi@calyxsite.com>; Libs Schlater <mschlater7108@gmail.com>; Clark Casebolt <casebolt.clark@gmail.com>; Alanna Ruddell <alanna.ruddell@gmail.com>; John Thoe <johnthoe@gmail.com>; Steve Zemke <stevezemke@msn.com>; David Moehring <dmoehring@consultant.com>; Vandna H. Milligan <vandna@gmail.com>; Martha Baskin <mobaskin@earthlink.net>; Stuart Niven <panorarbor@gmail.com>

Subject: Latest illegal cutting 19th NE and Northgate way/105th

Hi everyone-

This travesty happened just yesterday and the day (s) before- The owner of this house is a retired logger who cut this himself, used the excuse that the neighbor was complaining of the tree dropping needles or concern that the tree would fall on his house. When folks asked the neighbor if this was true the neighbor denied it- saying they did not want the tree cut.

The Merlin Raptor people were there last night with scopes to watch the babies in the nest at the top of this tree! I gave them our flyers and talk to them and took their flyers. They have data from 2000 for documenting all the Merlin nests in the city. The city stopped him because of the nests- we think.

Candidate John Lombard of District 5 was there-I talked him for quite a while -as well as 20-30 neighbors at the Victory Heights ice cream social that was going on at the same time. Lombard agreed that a moratorium was absolutely the way to go until we get this ordinance passed. He was in support of the new ordinance.

we need to post this picture and share it, as well as complain to the city about this travesty. As you can see it's the tallest tree around that block, and maybe several blocks.

I encouraged everyone there to write and call about it.

We're working on our Neighborhood Treekeepers action plan email which will go out tomorrow.

Carolyn- This is a perfect place for the "tree at risk" sign that you guys have.

Thanks everyone for spreading the word and also calling/complaining about this.

Annie

From: Anne Siems <annesiemsart@gmail.com>
Sent: Wednesday, July 10, 2019 8:07 PM
To: dmoehring@consultant.com; ovaltinelatte@hotmail.com; heidi calyxsite.com <heidi@calyxsite.com>
Subject: Fwd: Seattle's vanishing tree canopy

Sent from my iPad

Begin forwarded message:

From: K Schultz <kirischultz@gmail.com>
Date: July 10, 2019 at 6:46:06 PM PDT
To: Anne Siems <annesiemsart@gmail.com>
Subject: Re: Seattle's vanishing tree canopy

There are THREE areas close to us that have been effectively wooded since we've lived here:

1) 48 44th Ave. S/98118. No photos, but here's the listing for 2 lots on 0.25 acre, propped up over Genesee Park. <https://www.redfin.com/WA/Seattle/48-44th-Ave-S-98118/home/101809744#marketing-remarks-scroll>

2) 44th Ave. S and S. Angeline/98118. Three lots are apparently for sale, but not sold. Neighbors note that easement and water lines are a concern and there is a semi-abandoned house adjacent to the lots (tied up in family drama). Here are the photos I just took there:







3) 46th Ave. S and S. Angeline/98118. Apparently 3 lots have been sold on the hillside (on the left, between the blue house with the curved windows and the cell phone tower, both of which have been installed in the last 14 years or so). I spoke to someone who described that the lot adjacent to the road was bought "by someone who just wanted to have some property in Columbia City" and doesn't plan to build, but there are plans to build on the other 2 lots. No signs up for development, but these would be very easy to miss due to easement challenges.





That's what I've got. We are, frankly, burned out by the overdevelopment and gentrification of Columbia City right now. If you and your partner have ideas, I'd love to help out however I can. If you're a developer, I hope to God I haven't just handed you some juicy properties...but I remain at heart an optimist as well as a lover of arboreal cover.

Kind regards,
Kiri

On Wed, Jul 10, 2019 at 5:21 PM Anne Siems <annesiemsart@gmail.com> wrote:

Hi Kirk,

Quickly, send pics and exact street address. Maybe we are early enough to intervene.

My partner David who is an architect and been trying to hold the city accountable property by property is cc'd and he needs the info, asap.

is there a yellow sign up about building plans?

You must fight this with us!

Warmly,

Anne

Sent from my iPad

> On Jul 10, 2019, at 12:40 PM, K Schultz <kirischultz@gmail.com> wrote:

>

> I saw the post on Vanishing Seattle/FB. We have owned our home in Columbia City for 20 years. Our home is 98 years old, in a valley facing a gorgeous ridge of old trees (a number of big leaf maples, but also spruce and cedars mixed among them). We've raised our kids and documented them growing in front of one of our apple trees.

>

> Recently, 2 hillside lots that have never been developed were put up for sale. I spoke with a neighbor who
> 1) thinks it might have been 3 lots (not 2) and
> 2) that they've sold.

>

> It looked like there was also some "pruning" occurring earlier today.

>

> Another neighbor has reported that two OTHER lots in a similar situation have gone up for sale (on a steep slope that has been filled with trees since we moved here, and is adjacent to one of our neighborhood's OLD pedestrian staircases on a dead end).

>

> We have kept the beautiful Western Red Cedar in front of our house and have cultivated maples and two apple trees as well gardening as much of our small corner lot as we can. Sometime this week, Kemp will "prune" our Western Red Cedar away from the power lines again.

>

> If you are writing and documenting vanishing tree cover, please get in touch--this might be an excellent opportunity to take some "before" pictures of a neighborhood that many of us "old-timers" do see disappearing as Columbia City gentrification goes crazy.

>

> --Kiri Schultz/98118

From: Anne Siems <annesiemsart@gmail.com>

Sent: Wednesday, July 10, 2019 9:46 PM

To: dmoehring@consultant.com; heidi calyxsite.com <heidi@calyxsite.com>; panorarbor@gmail.com; ovaltinelatte@hotmail.com; neighborhoodtreekeepers@gmail.com

Subject: This evening on 70th/19th in Ballard

Massacre.

I wish the city would punish them by not allowing them to add the DADU (or sell with property rights to DADU.That would be the right thing to do.

Shameful.



They cut more all around the building