

**Emails sent by Seattle residents regarding the tree protection ordinance through August 3, 2020.**

**From:** William Dixon <info@email.actionnetwork.org>  
**Sent:** Sunday, July 19, 2020 7:50 PM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Please Protect Seattle's Trees

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

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

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and prohibit Significant Trees being

removed on undeveloped lots.

4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

William Dixon

[williamtdixon@gmail.com](mailto:williamtdixon@gmail.com)

1934 4th Ave. West

Seattle, Washington 98119

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**From:** David Moehring <dmoehring@consultant.com>

**Sent:** Sunday, July 19, 2020 8:52 PM

**To:** SCI\_Code\_Compliance <SCI\_Code\_Compliance@seattle.gov>

**Cc:** Roberts, Ben <Ben.Roberts@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Looking for failed tree inspections of 3509 W. Thurman

**CAUTION: External Email**

Dear Seattle Code Compliance-

Please inspect potentially damaged roots within the inner critical root zone at **3509 W Thurman Street** where heavy earthwork equipment transversed this last week.

We were encouraged from the prior concerted efforts to protect 4 of the 5 trees on this site. All it takes is one 'bad apple' to over-stress the tree, and its likely these trees have experienced a bushel of bad news with tree barriers being disregarded as if they had no meaning.

Handwork only allowed within critical root zones.

David Moehring  
Magnolia Tree Keepers





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**From:** Stuart Niven <panorabor@gmail.com>

**Sent:** Monday, July 20, 2020 6:58 AM

**To:** David Moehring <dmoehring@consultant.com>

**Cc:** SCI\_Code\_Compliance <SCI\_Code\_Compliance@seattle.gov>; Roberts, Ben <Ben.Roberts@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>; Emery, Chanda <Chanda.Emery@Seattle.gov>; Pederson, Art <Art.Pederson@seattle.gov>; McGarry, Deborah <Deborah.McGarry@seattle.gov>; Torgelson, Nathan <Nathan.Torgelson@seattle.gov>; DOT\_SeattleTrees <Seattle.Trees@seattle.gov>

**Subject:** Re: Looking for failed tree inspections of 3509 W. Thurman

**CAUTION: External Email**

Thank you raising this issue David,

From what I know of this site, the Western red cedar trees were already excessively 'raised' prior to the start of any work on site, when at least 30% of their canopy was removed which without any other negative impacts around the trees would be enough to cause their decline due to the universal impact climate change is having on this native species; so by factoring in the blatant violation of maintaining any degree of Tree Protection Zone and the resulting root damage through visible compaction of the soil

around the trees, I would expect that the two 'exceptional' cedar trees to decline and die within the next five years.

This highlights significant failings in the current SMC 25.11 Tree Protection and DR 16-2008 codes which must be addressed immediately. The contractors should be fined, barring from working the City and disallowed future permits. SDCI Inspectors must do a better job of monitoring and inspecting these sites and preventing this type of situation. The developer needs to have an arborist be responsible for the protection of the trees on this site, as there needs to be accountability, which would help lessen the burden on SDCI. If SDCI cannot afford enough inspectors to manage and oversee sites like this, then quite simply the number of permits for 'development' should be reduced to match the number of available inspectors, who should be trained to assess and monitor tree protection.

This is not acceptable on any level.

Thank you and kind regards,

Stuart Niven, BA (Hons)

*PanorArborist*

[ISA Certified Arborist PN-7245A & Tree Risk Assessment Qualification \(TRAQ\)](#)

[Arborist on Seattle Audubon Society Conservation Committee](#)

[Arborist on Seattle's Urban Forestry Commission](#)

[Board Member of TreePAC](#)

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**From:** Callie Neylan <info@email.actionnetwork.org>

**Sent:** Monday, July 20, 2020 9:25 AM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Please Update Seattle's Tree Ordinance

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

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

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
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3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Callie Neylan

[neylano@me.com](mailto:neylano@me.com)

1934 4th Ave West

Seattle, Washington 98119

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**From:** David Moehring <dmoehring@consultant.com>

**Sent:** Monday, July 20, 2020 12:32 PM

**To:** PRC <PRC@seattle.gov>

**Cc:** markyoungflowers@gmail.com; frances.obrien@comcast.net; Wendy Robards

<wendy.robards@mac.com>; scruffyfalk@gmail.com; jennifer.weber@me.com; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>; stanley.minercomcast.net <stanley.miner@comcast.net>

**Subject:** 1511 NW 64TH ST (3036691-LU, etc) [Comments through:08/03]

**CAUTION: External Email**

Dear PRC,

If allowed, please provide a design review for the proposed development at **1511 NW 64TH ST.**

Project:3036691-LU [Notice Date:7/20/2020]

Project Description Land Use Application to subdivide one parcel into two parcels of land. Existing building to be demolished.

Concerns:

This appears to be a new attempt to short plat without considering **emergency access** to the proposed rear lot and without considering the **space needed for the existing native coniferous trees** along the rear property line (see attached PDF). Please ask that an arborist report be prepared accordingly.

Worse, the development intent is to **circumvent rowhouse development rules** and exceed the maximum allowed density within this zone. Look at the 2013 development next door at 1521, etc... to the west that squeezed in 8 dwellings on a combined development that should have had no more than 6 dwellings. Unit lots less than 1200 sq ft are a red flag in LR1 zoning, are not they? [3014827-LU](#) ; [3014828-LU](#)

Thank you,  
David Moehring  
Baker Street Community Group  
312-965-0634

> In case you may have not received a copy of the attached, included is the Streamlined Design Review Report of 1547 NW 60th Street. Nadia Welter also commented on this proposed development.

>

> The design documents for two townhouses behind an existing home is available for view on the SDCI website at:

>

> <http://web6.seattle.gov/dpd/eplan/GetDocument.aspx?id=873671&src=WorkingDocs&n=Design%20Proposal%3A%20SDR%20Proposal>

>

> Squeeze--- It appears the two townhouses are about the size of one 'single family' that is often built behind new row-houses.

>

> David Moehring

> 312-965-0634

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> Sent: Wednesday, October 18, 2017 at 8:10 AM

> From: "Ikstrums, Erika" <[Erika.Ikstrums@seattle.gov](mailto:Erika.Ikstrums@seattle.gov)>

> To: No recipient address

> Subject: SDR Report for Project No. 3027883 located at 1547 NW 60th St

>

> Hello,

>

> Please find the attached Streamlined Design Review report for the proposed development located at 1547 NW 60th St. You are receiving this message because you have been listed as a Party of Record for this project due to previous public comment.

>

> If you are unable to open the report attachment, please visit the Design Review website link here and enter the project number or address:

> <http://www.seattle.gov/DPD/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>

>

> The project plans and application materials (including the attached report) are also available in our electronic library at <http://web6.seattle.gov/dpd/edms/>[<http://web6.seattle.gov/dpd/edms/>].

>

> If you have further questions or concerns related to the project, please contact the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov)[<mailto:prc@seattle.gov>], or the planner Colin Vasquez at [Colin.Vasquez@Seattle.gov](mailto:Colin.Vasquez@Seattle.gov)[<mailto:Colin.Vasquez@Seattle.gov>].

>

>

> Erika Ikstrums

> Administrative Specialist, Design Review Program

> City of Seattle Department of Construction and Inspections[<http://www.seattle.gov/sdci/>]

> P.O. Box 34019, Seattle, WA 98124-4019

> P: 206.684.3160 | [Erika.Ikstrums@Seattle.gov](mailto:Erika.Ikstrums@Seattle.gov)[<mailto:Erika.Ikstrums@Seattle.gov>]

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**From:** Paul Javid <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

**Sent:** Monday, July 20, 2020 9:05 PM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Please Update Seattle's Tree Ordinance

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

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

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
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5. Establish one citywide database for applying for Tree Removal and Replacement Permits

and to track changes in the tree canopy.

6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Paul Javid

[paul.javid@gmail.com](mailto:paul.javid@gmail.com)

1920 Bigelow Ave North

Seattle, Washington 98109

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**From:** Shamim Sabeti <info@email.actionnetwork.org>  
**Sent:** Monday, July 20, 2020 9:32 PM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Please Strengthen Seattle's Tree Ordinance

**CAUTION: External Email**

Sandra Pinto de Bader,

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

Shamim Sabeti

[shamim.sabeti@gmail.com](mailto:shamim.sabeti@gmail.com)

1920 Bigelow Avenue North

Seattle, Washington 98109

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**From:** Charna Klein <charnaklein@msn.com>

**Sent:** Tuesday, July 21, 2020 6:53 PM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Keep Seattle Livable!

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

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

Charna Klein

[charnaklein@msn.com](mailto:charnaklein@msn.com)

6521 36 Ave ME

Seattle , Washington 98115

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**From:** Michelle Pavcovich <info@email.actionnetwork.org>  
**Sent:** Tuesday, July 21, 2020 8:17 PM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Keep Seattle Livable!

**CAUTION: External Email**

Sandra Pinto de Bader,

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

Michelle Pavcovich

[ladiabla333@hotmail.com](mailto:ladiabla333@hotmail.com)

11351 20th Ave NE

Seattle, Washington 98125

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**From:** Elaine Hickman <info@email.actionnetwork.org>

**Sent:** Tuesday, July 21, 2020 8:57 PM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Please Update Seattle's Tree Ordinance

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

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

Elaine Hickman

[elaine.hickman@gmail.com](mailto:elaine.hickman@gmail.com)

520 N. 120th St.

Seattle, Washington 98133

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**From:** Elaine Hickman <info@email.actionnetwork.org>  
**Sent:** Tuesday, July 21, 2020 9:02 PM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Please help save the Victory Heights Trees!

**CAUTION: External Email**

Sandra Pinto de Bader,

I want to bring your attention to a group of 49 large trees at risk in the Victory Heights Neighborhood at 11340 to 11344 23rd Ave NE. (Lot Boundary Adjustment #3030102-LU, Parcel B permit 6761539) The 3 lots are being divided into five 7000+ sq. ft lots, with five 3000+ sq. ft homes. There are 49 significant trees; 10 of those are exceptional with the largest being 71" DBH.

Unfortunately, the arborist report for this development is incomplete and contradictory. There is no indication as to which trees are being preserved.

The site-plan for Parcel B 6761539-cn is not available on the website (although the website says it was uploaded on 1/9/2020) and yet our window for comment is gone without the

relevant information ever being made public! The Victory Heights neighborhood is fearing yet another clear-cut to build mini-mansion housing. We have seen how ineffective our current tree ordinance is.

This situation raises the following questions:

- What is the city going to do to save our neighborhood trees? And when? We have already waited 11 years. What can be done now? An updated tree ordinance is delayed until December 2020 or later.
- Why has the city not updated the Tree Protection Ordinance using the Urban Forestry Commission's draft? The UFC draft has been available since June 2019.

A major problem is that DCI's priority is to facilitate construction, not to protect trees. There is no Urban Forestry division within DCI to oversee tree protection. Tree protection responsibilities are spread throughout DCI, but no one seems to be specifically tasked with tree protection as a priority. We urge that you create an Urban Forestry division within DCI or move tree oversight to the Office of Sustainability and Environment. Based on DCI's past failures to protect our tree canopy, tree oversight needs to be handled by an entity that is adequately staffed and funded and that has the sole accountability for tree protection.

Please take the following actions NOW for this case in Victory Heights:

1. Make available the site plan that shows the trees to be saved, removed or replaced. Reopen the comment period so that neighbors have an opportunity to comment with the relevant information.
2. Work with the developer to develop alternative designs to maximize tree retention.

Please help save these trees. Once they are gone, they are gone forever. Let's work together to ensure housing and trees are compatible.

Thank you,

Elaine Hickman

[elaine.hickman@gmail.com](mailto:elaine.hickman@gmail.com)

520 N. 120th St.

Seattle, Washington 98133

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**From:** David Moehring <dmoehring@consultant.com>

**Sent:** Tuesday, July 21, 2020 10:31 PM

**To:** Emery, Chanda <Chanda.Emery@Seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; SCI\_DRulesComments <SCI\_DRulesComments@seattle.gov>; Mosqueda, Teresa <Teresa.Mosqueda@seattle.gov>

**Cc:** Strauss, Dan <Dan.Strauss@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; An, Noah <Noah.An@seattle.gov>; Thaler, Toby <Toby.Thaler@seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>; Dawson, Parker <Parker.Dawson@seattle.gov>; Juarez, Debora <Debora.Juarez@seattle.gov>; Gonzalez, Lorena <Lorena.Gonzalez@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** PROPOSED [1] AMENDMENTS TO CORRECT AND CLARIFY LAND USE CODE and [2] TREE DIRECTORS RULE

**CAUTION: External Email**

Dear Land Use and Neighborhoods Committee and support team,

**TREE PROTECTION DIRECTORS RULE:**

*Thank you* for the proposed updates to the Exceptional Tree [Director's Rule 16-2008](#)!

Why:

- Per LIDAR 2017, Seattle is down to its last 6000 large trees.
- Seattle loses about 1000 private property trees each year.
- Per Seattle Staff Faith Ramos sampling tree loss report in 2017, **less than 3%** of Seattle's Exceptional Trees were retained during land use development!
- Per the attached pdf 3-page example, Seattle should have **BOTH added density AND Exceptional trees**. It needs to be stronger enforced!
  
- So **why are we losing and will continue to lose 95% of our Exceptional trees** with the proposed Director's Rule?
  - Unchanged deadly tree ordinance SMC 25.11.060 and .070 have and always will totally negate any improvements to the Director Rule that was intended to protect Exceptional Trees and Tree Groves. Take out "undo" code provisions.

- o In-lieu-of fees will just make it easier for development teams to say "... *it just does not pencil out to retain Exceptional trees. The collective environmental and climate change benefits of trees are not my concern!*"
- o TreePAC members may, if asked, provide the City with [over 100 documented examples](#) of Exceptional Trees and Tree Groves lost in the past three (3) years. Trees lost at the discretion of the SDCI Director.
- o Here is a short video of one such needlessly lost Exceptional tree example that you must have all known about since January 2020 ([2.5 minute video](#)).

**SEATTLE'S URBAN FOREST CHARGE:**

Please proceed with a thorough assessment of the *chain-saw-of-command* that result in tree loss and the corresponding long-term impacts to the existing Seattle **TREE REMOVAL code** sections SMC 25.11.060.A, SMC 25.11.070.A, SMC 25.11.090.B. These sections are a barrier to the hard work your teams have spent in these efforts.

Mayor's Executive Order:

<https://www.seattle.gov/Documents/Departments/UrbanForestryCommission/2018/2018docs/TreeExecOrder2017-11FINAL.pdf>



**MISSING IN OMNIBUS:**

- Please fix the Loopholes in administering the tree protection and replacement ordinance (as noted above);
- Please fix the Loopholes in using lot boundary adjustments as Type I decision to increase number of plats;
- Please fix the Loopholes that allow circumventing density by lot segregation.

Thank you, again,  
David Moehring AIA  
[TreePAC member](#)  
[dmoehring@consultant.com](mailto:dmoehring@consultant.com)

**Sent:** Tuesday, June 23, 2020 at 5:03 PM  
**From:** "An, Noah" <[Noah.An@seattle.gov](mailto:Noah.An@seattle.gov)>  
**To:** "David Moehring" <[dmoehring@consultant.com](mailto:dmoehring@consultant.com)>  
**Subject:** RE: PROPOSED AMENDMENTS TO CORRECT AND CLARIFY LAND USE CODE

Hello David,

Thank you for reaching out about this. My apologies for the slow reply.

All materials for the Omnibus Land Use bill can be found on the front page of the [Land Use and Neighborhoods Committee website](#). Just scroll down to the appropriate section.

The Public Hearing that was previously scheduled for tomorrow was cancelled due to the Council's special summer budget deliberations. It has been rescheduled for July 22, at 9:30am.

Thank you,

Noah



Noah An

Legislative Assistant (He/Him/His)  
Office of Councilmember Dan Strauss | District 6

O: 206-684-8806 | D: 206-684-5326 | [noah.an@seattle.gov](mailto:noah.an@seattle.gov)

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**From:** David Moehring <[dmoehring@consultant.com](mailto:dmoehring@consultant.com)>  
**Sent:** Friday, May 29, 2020 5:50 PM

**To:** Strauss, Dan <[Dan.Strauss@seattle.gov](mailto:Dan.Strauss@seattle.gov)>; An, Noah <[Noah.An@seattle.gov](mailto:Noah.An@seattle.gov)>  
**Cc:** Mosqueda, Teresa <[Teresa.Mosqueda@seattle.gov](mailto:Teresa.Mosqueda@seattle.gov)>; Juarez, Debora <[Debora.Juarez@seattle.gov](mailto:Debora.Juarez@seattle.gov)>; Lewis, Andrew <[Andrew.Lewis@seattle.gov](mailto:Andrew.Lewis@seattle.gov)>; Pedersen, Alex <[Alex.Pedersen@seattle.gov](mailto:Alex.Pedersen@seattle.gov)>; Gonzalez, Lorena <[Lorena.Gonzalez@seattle.gov](mailto:Lorena.Gonzalez@seattle.gov)>  
**Subject:** PROPOSED AMENDMENTS TO CORRECT AND CLARIFY LAND USE CODE

**CAUTION: External Email**

Dear Mr. An,

Please provide me access to the remote meeting and any forthcoming changes to the [draft and staff report documents](#) for the June 24 Seattle Land Use and Neighborhood Committee that will review [proposed amendments](#) [118 pp SDCI 2019-2020 Omnibus ORD D1a ] to correct and clarify the **Seattle Land Use Code** SMC Title 23. If possible, please register me to participate remotely given COVID-19.

**Not yet included in the draft:**

- Loopholes in administering the tree protection and replacement ordinance;
- Loopholes in using lot boundary adjustments as Type I decision to increase number of plats;
- Thank you---ADDRESSED! Loopholes in Fees Amounts, Deadlines, and Payment Recipient to Living Building Pilot and 2030 Challenge Pilot; and
- Loopholes that allow circumventing density by lot segregation.

Thank you,

David Moehring

[dmoehring@consultant.com](mailto:dmoehring@consultant.com)

3444B 23rd Ave W 98199

m 312-965-0634

=====

**Notice:**

NOTICE OF CITY COUNCIL PUBLIC HEARING ON PROPOSED AMENDMENTS TO CORRECT AND CLARIFY LAND USE AND RELATED CODE LANGUAGE (LAND USE CODE OMNIBUS BILL)

**Project Description:**

[SEE ATTACHED](#)

**PUBLIC HEARING**

The City Council’s Land Use and Neighborhoods Committee will hold a public hearing on the legislation on Wednesday, June 24 at 9:30 AM.

The hearing will be held in the City Council Chambers 2nd floor, Seattle City Hall 600 Fourth Avenue. Due to the COVID-19 civil emergency declared by the City and the State of Washington, persons who wish to participate in or attend the hearing may be offered the opportunity or required to do so remotely. If this is the case, the City will provide instructions in the meeting agenda on how to participate remotely. Please check the Land Use and Neighborhoods Committee agenda a few days prior to the meeting at <http://www.seattle.gov/council/committees>.

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The proposed bill, SDCI Director’s Report, which provides a plain-language description and rationale for proposed amendments, and hearing notice are available below.

-

- - [Proposed 2019 – 2020 Land Use Code Omnibus](#)

**Publication Date:**

05/21/2020

**Date of Meeting/Hearing:**

06/24/2020

**Time of Meeting/Hearing:**

09:30

**Location of Meeting/Hearing:**

City Council Chambers, 2nd Floor, Seattle City Hall, 600 Fourth Avenue

**End of Comment Period:**

06/23/2020

**Planner:**

Ketil Freeman

**CC: Committee Members:**

- **Chair:** [Dan Strauss](#)
- **Vice Chair:** [Teresa Mosqueda](#)
- **Member:** [Debora Juarez](#)
- **Member:** [Andrew J. Lewis](#)
- **Member:** [Alex Pedersen](#)
- **Alternate:** [Lorena González](#)

---

- **From:** catlady1@wavecable.com <catlady1@wavecable.com>  
**Sent:** Tuesday, July 21, 2020 10:47 PM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Keep Seattle Livable!

• **CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

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

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all

Tree Service Providers (arborists) working on trees in Seattle.

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

[catlady1@wavecable.com](mailto:catlady1@wavecable.com)

712 15th Ave

Seattle, Washington 98122

---

**From:** Scott Species <info@email.actionnetwork.org>

**Sent:** Tuesday, July 21, 2020 10:51 PM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Please Protect Seattle's Trees

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

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

Scott Species

[sspecies@yahoo.com](mailto:sspecies@yahoo.com)

1922 9th Ave Apt 401

Seattle, Washington 98101

---

**From:** Rebecca Cooper <africa1983fr@yahoo.fr>  
**Sent:** Wednesday, July 22, 2020 7:25 AM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Keep the focus on saving trees!

**CAUTION: External Email**

Sandra Pinto de Bader,

Thank you for the work you have done so far on the tree protections detailed in council resolution 31902. With Seattle constantly loosing excellent old trees from the neighborhoods that have them, and with other neighborhoods already low on canopy cover, time is of the essence. Please adopt the Urban Forestry Commission's recommendations and implement a mechanism of enforcing them without delay!

Rebecca Cooper

[africa1983fr@yahoo.fr](mailto:africa1983fr@yahoo.fr)

1000 Queen Anne Ave N., Apt 103.

Seattle, Washington 98109-3641

---

**From:** calmspot@gmail.com <info@email.actionnetwork.org>

**Sent:** Wednesday, July 22, 2020 8:22 AM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Save Our Trees!

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

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trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

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7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Thank you.

[calmspot@gmail.com](mailto:calmspot@gmail.com)

6521 23RD AVE NE

Seattle, Washington 98115

**From:** jebendich@comcast.net <jebendich@comcast.net>

**Sent:** Wednesday, July 22, 2020 8:46 AM

**To:** Strauss, Dan <Dan.Strauss@seattle.gov>; Mosqueda, Teresa <Teresa.Mosqueda@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Juarez, Debora <Debora.Juarez@seattle.gov>; Gonzalez, Lorena <Lorena.Gonzalez@seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>

**Cc:** An, Noah <Noah.An@seattle.gov>; Dawson, Parker <Parker.Dawson@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>; Emery, Chanda <Chanda.Emery@Seattle.gov>; SCI\_DRulesComments <SCI\_DRulesComments@seattle.gov>; 'David Moehring' <dmoehring@consultant.com>; Thaler, Toby <Toby.Thaler@seattle.gov>

**Subject:** Land Use Committee Meeting, 7/22/202 PROPOSED [1] AMENDMENTS TO CORRECT AND CLARIFY LAND USE CODE and [2] TREE DIRECTORS RULE

**CAUTION: External Email**

Dear Chairperson Strauss and Committee Members:

I learned about today's committee meeting late last night and have an appointment this morning. I join in Mr. Moering's comments. The major problem is that regardless of the definitions, there is no teeth and no enforcement. And the Director's proposal to push code revisions to 20121 is unacceptable. This needs to happen now. And enforcement needs to be done by a separate entity that believes in the goal of saving trees, not SDCI. I will submit additional comments later.

Sincerely,

Judith E. Bendich

1754 NE 62<sup>nd</sup> St.  
Seattle, WA 98115  
(206) 525-5914

**From:** [mha-feis-legal@googlegroups.com](mailto:mha-feis-legal@googlegroups.com) <[mha-feis-legal@googlegroups.com](mailto:mha-feis-legal@googlegroups.com)> **On Behalf Of** David Moehring

**Sent:** Tuesday, July 21, 2020 10:31 PM

**To:** [chanda.emery@seattle.gov](mailto:chanda.emery@seattle.gov); Dan.Strauss@seattle.gov <[Dan.Strauss@seattle.gov](mailto:Dan.Strauss@seattle.gov)>; [SCI\\_DRulesComments@seattle.gov](mailto:SCI_DRulesComments@seattle.gov); [Teresa.Mosqueda@seattle.gov](mailto:Teresa.Mosqueda@seattle.gov)

**Cc:** Dan.Strauss@seattle.gov <[Dan.Strauss@seattle.gov](mailto:Dan.Strauss@seattle.gov)>; [alex.pedersen@seattle.gov](mailto:alex.pedersen@seattle.gov); An, Noah <[Noah.An@seattle.gov](mailto:Noah.An@seattle.gov)>; Toby Thaler <[toby.thaler@seattle.gov](mailto:toby.thaler@seattle.gov)>; Lewis, Andrew <[Andrew.Lewis@seattle.gov](mailto:Andrew.Lewis@seattle.gov)>; Dawson, Parker <[Parker.Dawson@seattle.gov](mailto:Parker.Dawson@seattle.gov)>; [Debora.Juarez@seattle.gov](mailto:Debora.Juarez@seattle.gov); [Lorena.Gonzalez@seattle.gov](mailto:Lorena.Gonzalez@seattle.gov); Pinto de Bader, Sandra <[sandra.pinto\\_de\\_bader@seattle.gov](mailto:sandra.pinto_de_bader@seattle.gov)>

**Subject:** [MHA-FEIS-LEGAL] PROPOSED [1] AMENDMENTS TO CORRECT AND CLARIFY LAND USE CODE and [2] TREE DIRECTORS RULE

Dear Land Use and Neighborhoods Committee and support team,

## **TREE PROTECTION DIRECTORS RULE:**

Thank you for the proposed updates to the Exceptional Tree [Director's Rule 16-2008!](#)

Why:

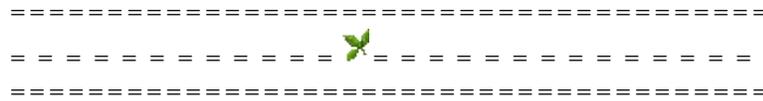
- Per LIDAR 2017, Seattle is down to its last 6000 large trees.
- Seattle loses about 1000 private property trees each year.
- Per Seattle Staff Faith Ramos sampling tree loss report in 2017, **less than 3%** of Seattle's Exceptional Trees were retained during land use development!
- Per the attached pdf 3-page example, Seattle should have **BOTH added density AND Exceptional trees**. It needs to be stronger enforced!
  
- So **why are we losing and will continue to lose 95% of our Exceptional trees** with the proposed Director's Rule?
  - Unchanged deadly tree ordinance SMC 25.11.060 and .070 have and always will totally negate any improvements to the Director Rule that was intended to protect Exceptional Trees and Tree Groves. Take out "undo" code provisions.
  - In-lieu-of fees will just make it easier for development teams to say "... *it just does not pencil out to retain Exceptional trees. The collective environmental and climate change benefits of trees are not my concern!*"
  - TreePAC members may, if asked, provide the City with [over 100 documented examples](#) of Exceptional Trees and Tree Groves lost in the past three (3) years. Trees lost at the discretion of the SDCI Director.
  - Here is a short video of one such needlessly lost Exceptional tree example that you must have all known about since January 2020 ([2.5 minute video](#)).

## **SEATTLE'S URBAN FOREST CHARGE:**

Please proceed with a thorough assessment of the *chain-saw-of-command* that result in tree loss and the corresponding long-term impacts to the existing Seattle **TREE REMOVAL code** sections SMC 25.11.060.A, SMC 25.11.070.A, SMC 25.11.090.B. These sections are a barrier to the hard work your teams have spent in these efforts.

Mayor's Executive Order:

<https://www.seattle.gov/Documents/Departments/UrbanForestryCommission/2018/2018docs/TreeExecOrder2017-11FINAL.pdf>



### MISSING IN OMNIBUS:

- Please fix the Loopholes in administering the tree protection and replacement ordinance (as noted above);
- Please fix the Loopholes in using lot boundary adjustments as Type I decision to increase number of plats;
- Please fix the Loopholes that allow circumventing density by lot segregation.

Thank you, again,  
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Noah An

Legislative Assistant (He/Him/His)  
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**Cc:** Mosqueda, Teresa <[Teresa.Mosqueda@seattle.gov](mailto:Teresa.Mosqueda@seattle.gov)>; Juarez, Debora <[Debora.Juarez@seattle.gov](mailto:Debora.Juarez@seattle.gov)>; Lewis, Andrew <[Andrew.Lewis@seattle.gov](mailto:Andrew.Lewis@seattle.gov)>; Pedersen, Alex <[Alex.Pedersen@seattle.gov](mailto:Alex.Pedersen@seattle.gov)>; Gonzalez, Lorena <[Lorena.Gonzalez@seattle.gov](mailto:Lorena.Gonzalez@seattle.gov)>

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[dmoehring@consultant.com](mailto:dmoehring@consultant.com)

3444B 23rd Ave W 98199

m 312-965-0634

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**Notice:**

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**Project Description:**

SEE ATTACHED

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Ketil Freeman

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--

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To view this discussion on the web visit <https://groups.google.com/d/msgid/mha-feis-legal/trinity-fb4df8c4-a5c8-4b7d-ac4e-f872910fe3c1-1595395883764%403c-app-mailcom-1xa11----->

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**From:** Heidi Siegelbaum <Heidi@calyxsite.com>

**Sent:** Wednesday, July 22, 2020 8:47 AM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Please Strengthen Seattle's Tree Ordinance

**CAUTION: External Email**

Sandra Pinto de Bader,

Dear Colleagues:

Thank you for your work in addressing issues in Resolution 31902 which asks you to submit legislation THIS YEAR, in 2020, regarding adopting a revised TREE ORDINANCE.

A few comments follow:

1. The Draft Tree and Urban Forest Protection Ordinance developed by the Urban Forestry Commission should be adopted.
2. Your retrospective analysis of tree loss needs to be changed from 2019 to 2016. It was during this period of time that development-inspired tree loss occurred. We have already asked the University of Washington to conduct a visual and ecosystem service accounting analysis of that longitudinal loss during those years.
3. You should be interested in why most SCA (Critical Areas Ordinance) applications for exemptions failed to contain supporting material. Where there was insufficient supporting material, the developer should be fined with money dedicated to a tree protection fund that subsidizes homeowners in caring for their mature trees.
4. The tree service certification is inadequate- signing a statement is insufficient. Rather, there should be a short annual report by tree companies to show their work and you should track complaints. There also needs to be a hotline that any resident can call when they suspect a tree is being illegally removed.
5. SDCI should hire additional arborists and develop an Urban Forestry Division internally. Ideally, tree regulations should be removed entirely from SDCI given conflict of interest considerations.
6. I support working to ensure tree loss is avoided and tree planting is amplified in low canopy and disadvantaged communities. Given this you may want to take a closer look at the clearcuts adjacent to Kubota Gardens and plans to remove the 20 acre Brick Pit on Beacon Hill.
7. The Council should ask OSE to include a tree retention and green infrastructure element to its Climate Action Plan, the way Austin, TX. Did. Trees for Seattle should include additional outreach that trains homeowners on how to care for mature trees and the value they bring to

the property, neighborhood, themselves, their children and the city's public health infrastructure and stormwater infrastructure.

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7. Expand SDOT's existing tree service provider's registration and certification to register all

Tree Service Providers (arborists) working on trees in Seattle.

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

Heidi Siegelbaum

[Heidi@calyxsite.com](mailto:Heidi@calyxsite.com)

3018 NW 85th Street

Seattle, Washington 98117

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**From:** Kathleen Gylland <kgylland@netzero.net>

**Sent:** Wednesday, July 22, 2020 8:48 AM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Save Our Trees!

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

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

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Kathleen Gylland

[kgylland@netzero.net](mailto:kgylland@netzero.net)

11055 20th Ave NE

Seattle , Washington 98125

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**From:** Annie Thoe <info@email.actionnetwork.org>  
**Sent:** Wednesday, July 22, 2020 9:01 AM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Please Protect Seattle's Trees - Now, not later....when they are gone

**CAUTION: External Email**

Sandra Pinto de Bader,

5 more trees -- some over 100 feet tall removed across the street from where I live. This is one of many cases in just this year. We have a proposed ordinance to strengthen our trees, can we at least put some protection for our groves and tall trees we cannot replace? The city is getting hotter, louder and smoggier. People are grumpy, frightened and concerned about their health. Removing trees and all the wildlife that lives and depends upon them (including us!) is sure madness.

You as elected officials need to rise above the greed factor with developers. Developers will not change their designs or practices, unless you create policies to do so. This is what the people hired to cut these trees down have told me!

So please act now -- it's saddening to hear and feel the empty hole left from those machines. The birds, the shade and cool respite are gone-- and this is because of our current policies.

Thank you for your service. I know many of you are trying, but please - please make a stronger tree ordinance now. The points below could at least be adopted now-- along with even stronger message in policy to retain our urban forest. You can't replace 60-100 year old trees overnight-- particularly in a global warming crisis.

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

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
3. Retain current protections for Exceptional Trees and reduce the upper threshold for

Exceptional Trees to 24" DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.

4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Annie Thoe

[anniethoe@gmail.com](mailto:anniethoe@gmail.com)

2201 NE 120th St

Seattle, Washington 98125

---

**From:** Stuart Niven <panorarbor@gmail.com>

**Sent:** Wednesday, July 22, 2020 9:03 AM

**To:** Strauss, Dan <Dan.Strauss@seattle.gov>

**Cc:** Pedersen, Alex <Alex.Pedersen@seattle.gov>; LEG\_CouncilMembers <council@seattle.gov>; Torgelson, Nathan <Nathan.Torgelson@seattle.gov>; DOT\_SeattleTrees <Seattle.Trees@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>; Emery, Chanda <Chanda.Emery@Seattle.gov>; Durkan, Jenny <Jenny.Durkan@seattle.gov>; Holmes, Peter <Peter.Holmes@seattle.gov>

**Subject:** Meeting this morning.

**CAUTION: External Email**

Good morning, I know I'm late in getting this to you but worth submitting this simple comment for the record.

The 'tree protection' ordinance does not work to protect trees. The Director's rule does not work to protect trees and the proposed draft of an update will not protect trees either as the clear and blatant fact remains that trees of any size, species and condition can be removed during 'development'. This is legal tree removal and the illegal tree removal continues, so to prevent both and truly make a stand for

our trees, environment and the health of all people in Seattle, there is only one simple action required; enact an immediate moratorium on all 'non- emergency' tree removals until a truly comprehensive tree protection ordinance can be put in place and the many loopholes and allowances for developers can be closed and prevented from destroying the Emerald City.

Thank you and I will be sending more examples of how the Tree Protection code does not work.

Stuart of PanorArbor

(Please excuse the postcard type sentences. My arborist fingers are not phone faeries!)

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**From:** Susan Ward <barrettmw@msn.com>

**Sent:** Wednesday, July 22, 2020 9:22 AM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Save Our Trees!

**CAUTION: External Email**

Sandra Pinto de Bader,

I urge you to pass a stronger ordinance to protect our city's endangered canopy. Trees are the best defense we have against global warming and disastrous sewer overflows caused by runoff. They are essential to cleaning city air, they cool the hot summers, and they give serenity and peace to urban streets.

Trees must be better protected in our increasing density and development. Replacing mature trees with spindly landscaping specimens is not a viable option.

Work creatively to stop the destruction of one of our most important and most -Seattle features.

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6” and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants

and set up easements.

3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Thank you.

Susan Ward

[barrettmw@msn.com](mailto:barrettmw@msn.com)

10330 Wallingford N

Seattle, Washington 98133

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**From:** Tess Stelzer <tesstify@gmail.com>

**Sent:** Wednesday, July 22, 2020 10:17 AM

**To:** David Moehring <dmoehring@consultant.com>

**Cc:** Emery, Chanda <Chanda.Emery@Seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; SCI\_DRulesComments <SCI\_DRulesComments@seattle.gov>; Mosqueda, Teresa <Teresa.Mosqueda@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; An, Noah <Noah.An@seattle.gov>; Thaler, Toby <Toby.Thaler@seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>; Dawson, Parker <Parker.Dawson@seattle.gov>; Juarez, Debora <Debora.Juarez@seattle.gov>; Gonzalez, Lorena <Lorena.Gonzalez@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Re: PROPOSED [1] AMENDMENTS TO CORRECT AND CLARIFY LAND USE CODE and [2] TREE DIRECTORS RULE

**CAUTION: External Email**

For letters to council members, city officials and residents, consider added a short paragraph about the public health contributions of trees. Studies show (see link) that particulate matter is reduced downwind of trees. PMs are inhaled into the lungs, where they do major damage, contributing to asthma, strokes, and heart attacks (likely also making people more vulnerable to Covid). Leaves and bark trap dust and remove PMs from the air. In areas where we are allowing the reduction of mature trees we are allowing an increase in air particulate matter. Trees also act as giant filters for nitrogen oxides, ammonia, sulfur dioxide and ozone. All this is to say that the global pandemic has already created a public health crisis. Allowing an obliteration of an urban tree canopy is allowing the obliteration of a public health benefit. It's irresponsible in the extreme.

<https://www.google.com/amp/s/blog.nature.org/science/2016/10/31/planting-healthy-air-can-urban-trees-help-clean-up-pollution/amp/>

Sent from my iPhone

On Jul 21, 2020, at 10:31 PM, David Moehring <[dmoehring@consultant.com](mailto:dmoehring@consultant.com)> wrote:

<How to Retain Trees WITH New Homes\_DM.pdf>

Dear Land Use and Neighborhoods Committee and support team,

## TREE PROTECTION DIRECTORS RULE:

*Thank you* for the proposed updates to the Exceptional Tree [Director's Rule 16-2008](#)!

Why:

- Per LIDAR 2017, Seattle is down to its last 6000 large trees.
- Seattle loses about 1000 private property trees each year.
- Per Seattle Staff Faith Ramos sampling tree loss report in 2017, **less than 3%** of Seattle's Exceptional Trees were retained during land use development!
- Per the attached pdf 3-page example, Seattle should have **BOTH added density AND Exceptional trees**. It needs to be stronger enforced!
  
- So **why are we losing and will continue to lose 95% of our Exceptional trees** with the proposed Director's Rule?

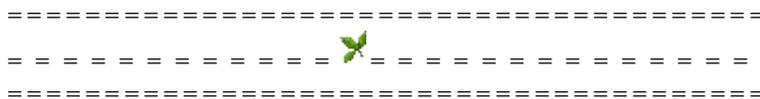
- o Unchanged deadly tree ordinance SMC 25.11.060 and .070 have and always will totally negate any improvements to the Director Rule that was intended to protect Exceptional Trees and Tree Groves. Take out "undo" code provisions.
- o In-lieu-of fees will just make it easier for development teams to say "... *it just does not pencil out to retain Exceptional trees. The collective environmental and climate change benefits of trees are not my concern!*"
- o TreePAC members may, if asked, provide the City with [over 100 documented examples](#) of Exceptional Trees and Tree Groves lost in the past three (3) years. Trees lost at the discretion of the SDCI Director.
- o Here is a short video of one such needlessly lost Exceptional tree example that you must have all known about since January 2020 ([2.5 minute video](#)).

**SEATTLE'S URBAN FOREST CHARGE:**

Please proceed with a thorough assessment of the *chain-saw-of-command* that result in tree loss and the corresponding long-term impacts to the existing Seattle **TREE REMOVAL code** sections SMC 25.11.060.A, SMC 25.11.070.A, SMC 25.11.090.B. These sections are a barrier to the hard work your teams have spent in these efforts.

Mayor's Executive Order:

<https://www.seattle.gov/Documents/Departments/UrbanForestryCommission/2018/2018docs/TreeExecOrder2017-11FINAL.pdf>



**MISSING IN OMNIBUS:**

- Please fix the Loopholes in administering the tree protection and replacement ordinance (as noted above);
- Please fix the Loopholes in using lot boundary adjustments as Type I decision to increase number of plats;

- Please fix the Loopholes that allow circumventing density by lot segregation.

Thank you, again,  
David Moehring AIA  
[TreePAC member](#)  
[dmoehring@consultant.com](mailto:dmoehring@consultant.com)

**Sent:** Tuesday, June 23, 2020 at 5:03 PM  
**From:** "An, Noah" <[Noah.An@seattle.gov](mailto:Noah.An@seattle.gov)>  
**To:** "David Moehring" <[dmoehring@consultant.com](mailto:dmoehring@consultant.com)>  
**Subject:** RE: PROPOSED AMENDMENTS TO CORRECT AND CLARIFY LAND USE CODE

Hello David,

Thank you for reaching out about this. My apologies for the slow reply.

All materials for the Omnibus Land Use bill can be found on the front page of the [Land Use and Neighborhoods Committee website](#). Just scroll down to the appropriate section.

The Public Hearing that was previously scheduled for tomorrow was cancelled due to the Council's special summer budget deliberations. It has been rescheduled for July 22, at 9:30am.

Thank you,

Noah

<mime-attachment.png>  
Noah An

Legislative Assistant (He/Him/His)  
Office of Councilmember Dan Strauss | District 6

O: 206-684-8806 | D: 206-684-5326 | [noah.an@seattle.gov](mailto:noah.an@seattle.gov)

[Facebook](#) | [Twitter](#) | [Subscribe to Our E-Newsletter](#)

**From:** David Moehring <[dmoehring@consultant.com](mailto:dmoehring@consultant.com)>  
**Sent:** Friday, May 29, 2020 5:50 PM  
**To:** Strauss, Dan <[Dan.Strauss@seattle.gov](mailto:Dan.Strauss@seattle.gov)>; An, Noah <[Noah.An@seattle.gov](mailto:Noah.An@seattle.gov)>  
**Cc:** Mosqueda, Teresa <[Teresa.Mosqueda@seattle.gov](mailto:Teresa.Mosqueda@seattle.gov)>; Juarez, Debora <[Debora.Juarez@seattle.gov](mailto:Debora.Juarez@seattle.gov)>; Lewis, Andrew <[Andrew.Lewis@seattle.gov](mailto:Andrew.Lewis@seattle.gov)>; Pedersen, Alex <[Alex.Pedersen@seattle.gov](mailto:Alex.Pedersen@seattle.gov)>; Gonzalez, Lorena <[Lorena.Gonzalez@seattle.gov](mailto:Lorena.Gonzalez@seattle.gov)>  
**Subject:** PROPOSED AMENDMENTS TO CORRECT AND CLARIFY LAND USE CODE

**CAUTION: External Email**

Dear Mr. An,

Please provide me access to the remote meeting and any forthcoming changes to the [draft and staff report documents](#) for the June 24 Seattle Land Use and Neighborhood Committee that will review [proposed amendments](#) [118 pp SDCI 2019-2020 Omnibus ORD D1a ] to correct and clarify the **Seattle Land Use Code** SMC Title 23. If possible, please register me to participate remotely given COVID-19.

**Not yet included in the draft:**

- Loopholes in administering the tree protection and replacement ordinance;
- Loopholes in using lot boundary adjustments as Type I decision to increase number of plats;
- Thank you---ADDRESSED! Loopholes in Fees Amounts, Deadlines, and Payment Recipient to Living Building Pilot and 2030 Challenge Pilot; and
- Loopholes that allow circumventing density by lot segregation.

Thank you,

David Moehring

[dmoehring@consultant.com](mailto:dmoehring@consultant.com)  
3444B 23rd Ave W 98199

m 312-965-0634

=====

**Notice:**

NOTICE OF CITY COUNCIL PUBLIC HEARING ON PROPOSED AMENDMENTS TO CORRECT AND CLARIFY LAND USE AND RELATED CODE LANGUAGE (LAND USE CODE OMNIBUS BILL)

**Project Description:**

[SEE ATTACHED](#)

**PUBLIC HEARING**

The City Council’s Land Use and Neighborhoods Committee will hold a public hearing on the legislation on Wednesday, June 24 at 9:30 AM.

The hearing will be held in the City Council Chambers 2nd floor, Seattle City Hall 600 Fourth Avenue. Due to the COVID-19 civil emergency declared by the City and the State of Washington, persons who wish to participate in or attend the hearing may be offered the opportunity or required to do so remotely. If this is the case, the City will provide instructions in the meeting agenda on how to participate remotely. Please check the Land Use and Neighborhoods Committee agenda a few days prior to the meeting at <http://www.seattle.gov/council/committees>.

Information regarding the legislation is available at:  
<https://www.seattle.gov/council/committees/land-use-and-neighborhoods>.

Approximately every two years the Council considers legislation developed by the Seattle Department of Construction and Inspections (SDCI) that compiles corrections to typographical errors and cross-references, clarifications to existing regulations, and recommendations for other minor amendments

into an omnibus bill. Changes in the omnibus are identified by SDCI in the course of administering construction-related regulations. The Land Use and Neighborhoods Committee intends to take up to the 2019 – 2020 omnibus bill in June with a public hearing scheduled for June 24.

The proposed bill, SDCI Director’s Report, which provides a plain-language description and rationale for proposed amendments, and hearing notice are available below.

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- 
- [Proposed 2019 – 2020 Land Use Code Omnibus](#)

**Publication Date:**

05/21/2020

**Date of Meeting/Hearing:**

06/24/2020

**Time of Meeting/Hearing:**

09:30

**Location of Meeting/Hearing:**

City Council Chambers, 2nd Floor, Seattle City Hall, 600 Fourth Avenue

**End of Comment Period:**

06/23/2020

**Planner:**

Ketil Freeman

**CC: Committee Members:**

- **Chair:** [Dan Strauss](#)
  - **Vice Chair:** [Teresa Mosqueda](#)
  - **Member:** [Debora Juarez](#)
  - **Member:** [Andrew J. Lewis](#)
  - **Member:** [Alex Pedersen](#)
  - **Alternate:** [Lorena González](#)
- 
- **From:** Lance Young <lance\_young@yahoo.com>
  - **Sent:** Wednesday, July 22, 2020 10:32 AM
  - **To:** Strauss, Dan <Dan.Strauss@seattle.gov>; Mosqueda, Teresa

<Teresa.Mosqueda@seattle.gov>; Juarez, Debora <Debora.Juarez@seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Gonzalez, Lorena <Lorena.Gonzalez@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Tree Protections are important for Neighborhoods

•  
• **CAUTION: External Email**

- To: Seattle Land Use & Neighborhoods Committee, Urban Forestry Commission, City council,
- Subject: Tree protections are important for Neighborhoods
- Dear Land Use & Neighborhoods Committee Members, and City Council Members
- I wanted to send a brief note to encourage your consideration of the importance of Seattle's neighborhood trees. It is easy to undervalue issues like this in times like these with covid-19 infection rates out of control, vulnerable homeless populations and city population growth still on the rise. However it is most critical to maintain the continuity of the cities character regarding livability not just its density and apartment count during times like these.
- It is interesting to note that 100 years ago we were dealing with very similar tree loss issues. Back at the turn of the previous century just as we were getting involved in WWI and dealing with the influenza breaking, the City bought Ravenna Park also at the time known as Big Tree Park. The park back then contained some of the largest Douglas Fir trees known to exist including the "Rosevelt Tree" clearly a city legacy tree. While everyone was distracted with these much bigger world changing issues, WWI & Influenza, the Seattle Parks Superintendent (J.W. Thompson at the time) cut down that tree (and several others in the park). When asked the Superintendent glibly responded that it had been rotten and was removed as a "threat to public safety". Later investigation by the University of Washington Forestry dept. revealed that the trees were not rotten and that Mr. Thompson had the tree cut down and sold for cord wood (63 cords) for his personal financial gain.
- This may be one of the earliest recorded cases of using the "hazard tree" exception to skirt tree protection/preservation for financial gain. This is just one of the issues we are trying to prevent with new tree protections discussed in the Seattle Dept of Construction and Inspections and Office of Sustainability today July 22 before the Land Use Committee.
- We are trying to get many of the things discussed in this "Tree Protections Update" implemented into city code in the near future. Most would agree that our tree codes are outdated and need to keep up with the times. If I may use one of my favorite quotes "Those who cannot remember the past are condemned to repeat it." George Santayana.
- Thank you for your consideration, for your service to the city, and your efforts to keep it Affordable and Livable!

- Lance Young (206)-363-0859  
(Interurban Trail Tree Preservation Society, Tree PAC)
- 

- **From:** Steve Zemke <stevezemke@msn.com>  
**Sent:** Wednesday, July 22, 2020 11:00 AM  
**To:** Strauss, Daniel <Daniel.Strauss@seattle.gov>; Mosqueda, Teresa <Teresa.Mosqueda@seattle.gov>; Juarez, Debora <Debora.Juarez@seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Gonzalez, Lorena <Lorena.Gonzalez@seattle.gov>; Morales, Tammy <Tammy.Morales@seattle.gov>; Herbold, Lisa <Lisa.Herbold@seattle.gov>; Sawant, Kshama <Kshama.Sawant@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>; Durkan, Jenny <Jenny.Durkan@seattle.gov>; natham.torgelson@seattle.gov; Emery, Chanda <Chanda.Emery@Seattle.gov>; michael.podowski@seattle.gov; Finn Coven, Jessica <Jessica.FinnCoven@seattle.gov>  
**Subject:** Public testimony on updating Tree Protection Regulations

• **CAUTION: External Email**

- Planning Land Use and Zoning Committee
- Public testimony on updating Tree Protection Regulations
- July 22, 2020
- Steve Zemke
- Chair – Tree PAC
- [stevezemke@TreePAC.org](mailto:stevezemke@TreePAC.org)
- 
- Committee Chair Dan Strauss, Councilmembers Teresa Mosqueda, Debora Juarez, Andrew J. Lewis, Alex Pedersen M. Lorena González
- 
- Thank you for the opportunity to comment on the progress of updating Seattle’s Tree Regulations and Tree Protection Ordinance SMC 25.11 as directed by [Council resolution 31902](#).
- We appreciate the progress made considering the multiple significant developments that have occurred this year including the COVID-19 pandemic, its associated economic impacts on the city and the police and Black Lives Matters all demanding your attention and the city’s attention.
- We want to thank SDCI and others for the progress made to date. A number of significant issues addressing tree and urban forestry protection are able to be addressed through the updating of regulations possible through existing City Code.

- While not specifically mentioned in today’s briefing, as Council resolution 31902 states at the end, it will require “Legislation to be submitted” because of the need to update specific language in SMC 25.11
- One prime example of this includes the need to maximize the retention of existing trees of all sizes and require replacement of all trees 6 inches DSH and larger that are removed . The reason is that while large exceptional trees provide the most benefits to the city and its residents, they do not live forever. A healthy urban forest needs a diversity of both tree species and ages.
- In fact in SMC 23 – Land Use Code it states that platting and short-platting “show the specific location and description of all trees at least 6 inches in diameter measured four and one-half feet above the ground with the species indicated” and that the platting is “designed to maximize retention of existing trees.” This retention of existing trees 6 inches DBH and larger should continue through the whole development process and not just apply to exceptional trees in the end.
- A second issue that the Urban Forestry Commission recently highlighted is *“Administration and enforcement of SMC 25.11 and other ordinance provisions relating to tree protection and the urban forest have no clear department section or division that is responsible for overall tree protection within SDCI. Instead, tree protection is spread diffusely throughout SDCI with many people having some oversight and responsibility, but currently, no one is clearly in charge and accountable”*
- The UFC recommended “Establish a separate Urban Forestry Division within SDCI to have a clear path for urban forestry issues decision-making or resolution and increased accountability. Alternatively, oversight authority for tree protection implementation could be assigned to the Office of Sustainability & Environment.”
- You can read the complete recommendations of the Urban Forestry Commission in their [July 1, 2020 letter to SDCI Director Nathan Torgelson](#).
- We would urge the Seattle City Council and Mayor to ultimately use the Seattle Urban Forestry Commission’s [draft Tree and Forest Protection Ordinance](#) as the starting point in adopting an updated Tree Protection Ordinance. Regulation updates being undertaken by SDCI and as recommended in Council Resolution 31902 are consistent with the draft ordinance language and can easily be incorporated in a final document.
- Again thank you for the progress to date in working to address tree protection as initially recommended in the [2009 council resolution 31138](#) and 11 years of efforts to increase tree protection since then.
- 

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**From:** Dean Drugge <info@email.actionnetwork.org>  
**Sent:** Thursday, July 23, 2020 7:42 AM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Save our Trees!

**CAUTION: External Email**

Sandra Pinto de Bader,

I urge passage of tree regulations for our urban environment in Seattle. I'm a forest steward volunteering with Seattle Parks and have seen first hand the value of natural spaces with tree cover, and have heard and seen from many users the valuable effects of tree cover on the health of our community. As a homeowner I love my natural space around my house, and have seen many owners (especially those not familiar with Northwest environment and landscape) move into areas and soon begin cutting down (day-lighting) their spaces. A Tree Protection Ordinance will give folks a chance to slow down, learn about our local environment and values, and find some 'Olmsted' sense of living in the Pacific Northwest.

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

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

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.

3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Dean Drugge

[deandrugge@hotmail.com](mailto:deandrugge@hotmail.com)

9515 40TH AVE NE

SEATTLE, Washington 98115

---

**From:** Don Syverson <info@email.actionnetwork.org>  
**Sent:** Thursday, July 23, 2020 9:26 AM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Please Update Seattle's Tree Ordinance

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

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

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
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6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Don Syverson

[dsy.ans@gmail.com](mailto:dsy.ans@gmail.com)

4707 35th Ave NE

Seattle, Washington 98105

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**From:** Tim Humes <info@email.actionnetwork.org>  
**Sent:** Thursday, July 23, 2020 9:41 AM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Keep Seattle Livable!

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

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Tim Humes

[britdanhuj@aol.com](mailto:britdanhuj@aol.com)

5105 1st Ave NW

Seattle, Washington 98107

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**From:** THOMAS DAVIES <info@email.actionnetwork.org>  
**Sent:** Thursday, July 23, 2020 5:37 PM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Keep Seattle Livable!

**CAUTION: External Email**

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THOMAS DAVIES

[Tomdavies44@gmail.com](mailto:Tomdavies44@gmail.com)

3017 NE 90th St

Seattle, Washington 98115-3533

From: dmoehring@consultant.com <dmoehring@consultant.com>  
Sent: Thursday, July 23, 2020 8:51 PM  
To: PRC <PRC@seattle.gov>  
Cc: Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>; DOT\_LA <DOT\_LA@seattle.gov>  
Subject: 8034 Mary Ave NW (3034301)

CAUTION: External Email

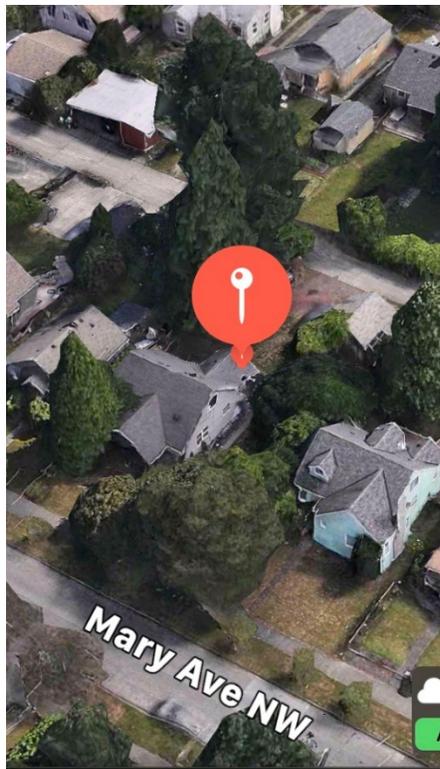
Subject: 8034 Mary Ave NW (3034301)

Dear PRC

Please keep me informed of the design review for the 6 townhouse units planned at 8034 Mary ave NW, especially the compliance with Seattle Design Guidelines points on retaining significant trees where possible, including the use of design variations when exceptional trees are involved.

An arborist report should include the assessment of all exceptional trees -including a healthy dogwood, *Cornus nuttali*. Time to look at SMC 25.11 relative to alternative configurations if the buildings proposed as the tree is Exceptional per DCI Directors Rule 16-2008. It straddles the property line.

David Moehring  
TreePAC  
> Sent using the mail.com mail app



**From:** Richard Lee <ricklee1@comcast.net>  
**Sent:** Thursday, July 23, 2020 9:34 PM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Save Our Trees!

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

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outside development

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7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Richard Lee

[ricklee1@comcast.net](mailto:ricklee1@comcast.net)

5210 37th ave ne

Seattle, Washington 98105

---

**From:** Michael Oxman <michaeloxman@comcast.net>

**Sent:** Friday, July 24, 2020 2:07 PM

**To:** Durkan, Jenny <Jenny.Durkan@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Public testimony before Land Use and Neighborhoods Committee on updating Tree Protection Regulations and Ordinance July 22, 2020

**CAUTION: External Email**

Subject: Public testimony before Land Use and Neighborhoods Committee on updating Tree Protection Regulations and Ordinance July 22, 2020

Howdy Jenny,

Seattle needs a Mayor who wants to be known as a "Tree Hugging, Dam-Busting Mayor".

Protecting the environment used to mean "Anti-Development". Good leaders now recognize that a tree hugging politician can get reelected in Seattle. It is a myth that trees prevent development. Irresponsible development removes excess numbers of trees, and turn neighborhoods into barren slums.

The reality is that, unless a budget to fund the new tree protection ordinance originates with the Mayors office, Council will not have time to revise a tree protection finance package in time for the October 2020 budget battle.

The July 22nd Council Land Use Committee meeting is in 2, half-hour videos on my Youtube Channel:

Part 1 is the staff briefing;

<https://youtu.be/scL1YPjO8Hg>

Part 2 is the last few minutes of the briefing and all the public comments:

<https://youtu.be/5iUk4IVJS5o>

Thanks to everyone who made this happen.

This was the second quarterly briefing responding on progress to the September 2019 City Council Resolution 31902.

<https://seattle.legistar.com/LegislationDetail.aspx?ID=4129523&GUID=6AC9ED61-D479-4DC9-9EAF-3C765F83E0C6&Options=ID|Text|&Search=31902>

The process at this stage of the Resolution is a draft update of the Exceptional Tree Directors Rule. <http://web6.seattle.gov/dpd/edms/GetDocument.aspx?id=5687881>

An anticipated part of the process is an (as yet unseen) update of the 2009 Tree Ordinance SMC 25.11.

The briefing video shows Councilmembers saying the ordinance draft timeline should be presented for a vote this year. This won't happen unless the Mayor makes it happen.

As yet, no Fiscal Note has been presented. It is expected that costs for new staff, tracking of tree removal permits, database maintenance, enforcement, and coordination of the 7 departments will be presented at the same time that the ordinance is introduced for Council adoption.

The only idea of a consolidated budget for our urban forestry program is included in the 2017 Office of Sustainability and Environment's Greenspace Blog, which is \$20 Million for 100 city employees. A public disclosure request has been filed for details of this budget because, in the past, citizen requests for information were countered by providing the entire annual budget, with the suggestion, 'Analyze each department's Urban Forestry budget, and compile the total aggregate yourself'.

The March, 2019 report by consultant Davey Resource Group, shows that the demands on staff resources for citywide urban forestry duties are not authorized by the 7 individual departments. This means that, even though we know what to do, want to do it, and realize our canopy cover goals will be advanced, staff may not perform the tasks requested by other members of the Urban Forestry Interdisciplinary Team (UFIDT). Page 16, Item 5.

**Optimal Score= 16, Core Team Score= 9, DRG Score= 8, Gap Score= 7-8**

***The City has good interdepartmental cooperation, as evidenced by the Urban Forestry Core Team. However, across all departments, Core Team (CT) engagement is not part of individual annual work plans. The result is ad hoc engagement where CT members recognize potential conflicts and reach out to collaborate on a project-specific basis. An optimal condition would be formal participation requirements between CT members.***

<http://www.seattle.gov/Documents/Departments/Trees/Mangement/SeattleInitialAssessmentFindings031119FINAL.pdf>

An exhaustively researched article this month in The Stranger left some 'strange' unanswered questions:

<https://www.invw.org/2020/07/09/tree-murder-song-got-seattle-councilmembers-attention-pre-covid-will-they-still-back-a-stronger-tree-protection-law/>

- 1) Why do we have a 30 year goal for canopy coverage, but no short term goal ?
- 2) Why aren't we taking a survey of vacant tree planting spaces? Shouldn't we be active participants in King County's goal to plant 1 million trees ?
- 3) Why are we focusing on the costs of maintaining the urban forest, when the SAVINGS are so significant on human health care costs, reducing pollutants carried by stormwater into Puget Sound, heating & cooling, and increased productivity of residents enlivened by close contact with nature in the city ?

Senator Patty Murray said 'this weeks passage of the funding legislation for the Land and Water Conservation Fund (LWCF) was stalled in Congress for years, and the only way they could unify the vote was to focus on the cost SAVINGS brought by maintaining resources, instead of allowing deterioration from neglect'.

<https://www.murray.senate.gov/public/index.cfm/newsreleases?ID=BD762D00-8AEA-4EE6-B831-828F737D003D>

Correcting inequity was a big part of the July 22nd briefing. The video shows slides & discussion of past and proposed meetings with underserved communities. What was not discussed is what reallocation can be done by staff NOW to modify procedures that

have been determined to focus on affluent neighborhoods. I'm going to give you 3 examples.

I don't believe the urgency of changing what we are currently doing is reflected by the schedule to 'present another quarterly briefing in 3 months'.

1) The Director of the Department of Construction and Inspection (DCI) can act immediately on the recommendation of the Urban Forestry Commission (UFC) to organize a city arborist division within his department, which is composed of many staff arborists and code compliance inspectors.

2) An example of an action we can take today is to demonstrate our commitment to correcting discriminatory practices is noted in the 17 page report by the Fisheries Biologist for the Muckleshoot Tribe. The tribe asks DCI to require a developer with a subdivision application to remove a private dam across Mapes Creek as a condition of receiving a development permit to build 9 houses abutting Kubota Garden. A meeting with the indigenous peoples was held about how to protect the environment.

[http://www.seattle.gov/Documents/Departments/Trees/Mangement/FINAL\\_REPORT\\_Native\\_UForest\\_121118.pdf](http://www.seattle.gov/Documents/Departments/Trees/Mangement/FINAL_REPORT_Native_UForest_121118.pdf)

3) Another example of an immediate action we can take to improve conditions in the racially diverse, and economically depressed neighborhood of Highland Park is to issue a Notice of Violation to the owner of the 20 acre shopping center with 15 dead trees, 15 half dead trees, and many vacant tree spaces thruout the planters in the parking lot. These missing trees are required by the landscape plan, which was issued as a condition of the development permit from 30 years ago.

I must thank the councilmember for the comment shown at the beginning of the Part 2 video that the solution to ensure that there is greater canopy is by working with historically underrepresented community leaders. But we cannot arrest canopy attrition by rezoning all single family zones to allow multi-family development. This council statement of "looking forward to fixing problems" does not give staff any direction, which made this into a one-way briefing. For example, moving towards all multi-family zoning belies the inadequate root space allowed by the new Accessory Dwelling Unit (ADU) ordinance, passed in 2019. This ADU ordinance creates the Residential Small Lot (RSL) zone in proximity to Neighborhood Commercial Zones. A last-minute change prior to the council's vote on ADU removed the requirement that 2" of tree caliber be planted per 1,000 square feet of lot.

This sudden change in ADU was introduced after public comment on the ordinance was concluded. Thus, RSL lots are only required to have one, 2" diameter tree planted on

the entire lot, which does not provide for adequate root and canopy space for trees to grow big enough to comply with the city's canopy goals. This bait and switch tactic should be rolled back to require RSL's to have 2" caliber inches of trees planted per 1,000 square feet of lot in any new proposal, such as the current Land Use Omnibus proposal that is currently in a Public Comment period.

Of course, staff resource reallocation pales in comparison to the opportunity to stem the bleeding caused by private development removing trees with little constraint. The Exceptional Tree Directors Rule only covers trees over 24" in diameter. No constraints other than a 3-trees-per-year limit on removals from private property preserve our precious tree resource. This 3-trees-per-year limit can allow all trees to be removed from a residential lot in only 2 or 3 years. The proposal to change this limit to 2 trees per year isn't much better, but it is a compromise included in the UFC tree ordinance proposal. If we had strong leadership, we would require all trees to be retained, unless a permit is applied for that describes the structural or health deficiencies of the tree that prevents it from being viable in the land use zone.

Leadership in city hall will probably stall action to protect trees until next year, just like they stalled it last year, and for the decade back to the 'Interim Tree Ordinance', enacted in 2009. This is not a complimentary statement on the resolve of the current council makeup, but shows the incredible inertia to do nothing while 200 contractors advertise tree removal services to clearcut \$660,000 lots.

The reality is that, unless a budget to fund the new tree protection ordinance originates with the Mayor, Council will not have time to revise a unified budget response in time for the October budget battle.

Arboreally yours,

Michael Oxman  
(206) 949-8733

**Subject:** Public testimony on updating Tree Protection Regulations

Planning Land Use and Zoning Committee

Public testimony on updating Tree Protection Regulations

July 22, 2020

Steve Zemke

Chair – Tree PAC

[stevezemke@TreePAC.org](mailto:stevezemke@TreePAC.org)

Committee Chair Dan Strauss, Councilmembers Teresa Mosqueda, Debora Juarez, Andrew J. Lewis, Alex Pedersen M. Lorena González

Thank you for the opportunity to comment on the progress of updating Seattle’s Tree Regulations and Tree Protection Ordinance SMC 25.11 as directed by [Council resolution 31902](#) .

We appreciate the progress made considering the multiple significant developments that have occurred this year including the COVID-19 pandemic, its associated economic impacts on the city and the police and Black Lives Matters all demanding your attention and the city’s attention.

We want to thank SDCI and others for the progress made to date. A number of significant issues addressing tree and urban forestry protection are not able to be addressed through the updating of regulations possible through existing City Code.

While not specifically mentioned in today’s briefing, as Council resolution 31902 states at the end, it will require “Legislation to be submitted” because of the need to update specific language in SMC 25.11

One prime example of this includes the need to maximize the retention of existing trees of all sizes and require replacement of all trees 6 inches DSH and larger that are removed . The reason is that while large exceptional trees provide the most benefits to the city and its residents, they do not live forever. A healthy urban forest needs a diversity of both tree species and ages.

In fact in SMC 23 – Land Use Code it states that platting and short-platting “show the specific location and description of all trees at least 6 inches in diameter measured four and one-half feet above the ground with the species indicated” and that the plating is “designed to maximize retention of existing trees.” This retention of existing trees 6 inches DBH and larger should continue through the whole development process and not just apply to exceptional trees in the end.

*A second issue that the Urban Forestry Commission recently highlighted is “ Administration and enforcement of SMC 25.11 and other ordinance provisions relating to tree protection and the urban forest have no clear department section or division that is responsible for overall tree protection within SDCI. Instead, tree protection is spread diffusely throughout SDCI with many people having some oversight and responsibility, but currently, no one is clearly in charge and accountable”*

The UFC recommended “ Establish a separate Urban Forestry Division within SDCI to have a clear path for urban forestry issues decision-making or resolution and increased accountability. Alternatively, oversight authority for tree protection implementation could be assigned to the Office of Sustainability & Environment.”

You can read the complete recommendations of the Urban Forestry Commission in their [July 1, 2020 letter to SDCI Director Nathan Torgelson](#).

We would urge the Seattle City Council and Mayor to ultimately use the Seattle Urban Forestry Commission’s [draft Tree and Forest Protection Ordinance](#) as the starting point in adopting an updated Tree Protection Ordinance. Regulation updates being undertaken by SDCI and as recommended in Council Resolution 31902 are consistent with the draft ordinance language and can easily be incorporated in a final document.

Again, thank you for the progress to date in working to address tree protection as initially recommended in the [2009 council resolution 31138](#) and 11 years of efforts to increase tree protection since then.

---

**From:** RICHARD ELLISON <climbwall@msn.com>

**Sent:** Saturday, July 25, 2020 10:13 AM

**To:** Michael Oxman <michaeloxman@comcast.net>; Durkan, Jenny <Jenny.Durkan@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Re: Public testimony before Land Use and Neighborhoods Committee on updating Tree Protection Regulations and Ordinance July 22, 2020

**CAUTION: External Email**

Nice letters guys! Glad I'm on your team!

---

**From:** Margaret Morrison <info@email.actionnetwork.org>

**Sent:** Friday, July 24, 2020 4:24 PM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Subject:** Please Update Seattle’s Tree Ordinance

**CAUTION: External Email**

Sandra Pinto de Bader,

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

Margaret Morrison  
[knowledgegal@aol.com](mailto:knowledgegal@aol.com)  
9257 bbn 7th Ave. N.W.  
SEATTLE, Washington 98117

---

**From:** Summer Montacute <info@email.actionnetwork.org>  
**Sent:** Saturday, July 25, 2020 4:19 PM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Save our Trees!

**CAUTION: External Email**

Sandra Pinto de Bader,

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Summer Montacute  
[summermontacute@gmail.com](mailto:summermontacute@gmail.com)  
4325 Jill Place South  
Seattle, Washington 98108

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From: Akalaitis.net <judy@akalaitis.net>  
Sent: Sunday, July 26, 2020 6:21 PM  
To: PRC <PRC@seattle.gov>  
Cc: Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>; DOT\_LA <DOT\_LA@seattle.gov>; David Moehring <dmoehring@consultant.com>  
Subject: Re: 8034 Mary Ave NW (3034301)

CAUTION: External Email

Dear PRC,  
Please keep me informed of the design review for the 6 townhouse units at 8034 Mary Avenue NW and any issues regarding retaining exceptional trees.  
Regards,  
Judy Akalaitis

> On Jul 23, 2020, at 8:51 PM, dmoehring@consultant.com wrote:  
>  
> Subject: 8034 Mary Ave NW (3034301)  
>  
> Dear PRC  
>  
> Please keep me informed of the design review for the 6 townhouse units planned at 8034 Mary ave NW, especially the compliance with Seattle Design Guidelines points on retaining significant trees where possible, including the use of design variations when exceptional trees are involved.  
>  
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>  
> David Moehring  
> TreePAC  
>> Sent using the mail.com mail app  
> <IMG\_9135.jpg>  
> <img\_9137.jpg>

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**From:** TAWNY BATES <info@email.actionnetwork.org>  
**Sent:** Monday, July 27, 2020 11:45 AM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Seattle's Tree Ordinance Needs to be Updated!

**CAUTION: External Email**

Sandra Pinto de Bader,

I know there are many distracting and important issues right now that stand before the City Council. I appreciate efforts to resolve all these difficult issues. But we still need a New a Tree Ordinance!. Pass the UFC Tree Protection Ordinance! Compared to dealing with many problems, passing a new tree ordinance should be an easy lift and a no brainer.

Seattle purports to be an environmental leader. However, that green "sentiment" is not coupled with commitment. This is highly visible in the current way we treat trees. We do not protect them and have never done an effective asssssment of canopy. Passing this ordinance is the minimum of what should be implemented, we really should be going way beyond this,

to offer incentives to retain trees by developers and residents. New York modified tax structure recently to provide “discounted” property taxes for retaining green/treed space.

Seattle’s trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle’s rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

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

Here are the key provisions that need to be in the updated tree ordinance:

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2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
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4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT’s existing tree service provider’s registration and certification to register all

Tree Service Providers (arborists) working on trees in Seattle.

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

Thank You!

TAWNY BATES

[tawny.bates@outlook.com](mailto:tawny.bates@outlook.com)

1208 , N. 42nd St

Seattle, Washington 98103

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**From:** David Moehring <dmoehring@consultant.com>

**Sent:** Friday, July 31, 2020 9:16 PM

**To:** PRC <PRC@seattle.gov>; Guillory, Carly <Carly.Guillory@seattle.gov>;  
doug@seattletreeconsulting.com

**Cc:** Pedersen, Alex <Alex.Pedersen@seattle.gov>; LEG\_CouncilMembers <council@seattle.gov>;  
Torgelson, Nathan <Nathan.Torgelson@seattle.gov>; Emery, Chanda <Chanda.Emery@Seattle.gov>;  
Durkan, Jenny <Jenny.Durkan@seattle.gov>; Pinto de Bader, Sandra  
<Sandra.Pinto\_de\_Bader@Seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; DOT\_SeattleTrees  
<Seattle.Trees@seattle.gov>; Pederson, Art <Art.Pederson@seattle.gov>; McGarry, Deborah  
<Deborah.McGarry@seattle.gov>; Stuart Niven <panorarbor@gmail.com>

**Subject:** 6851 40th Ave NE and 6850 39th AVE NE 3033117-LU and 6707431-CN

**CAUTION: External Email**

The subdivision of 6851 40th Ave NE (3033117) created new 6850 39th AVE NE.

Please advise how the criteria of maximizing the retention of existing trees with the short platting of lots has been followed through on subsequent permits for the development. By the way, whom was the notice of decision sent to?

The Director's boilerplate statement in the Type II decision states:

*"There does not appear to be any reasonable alternative configuration of this plat that would better maximize the retention of trees than the proposed plat. This criterion applies to the proposed division of land with respect to maximizing the retention of trees, not future development of the site. In this context, "maximize" does not mean to*

*retain trees to the maximum extent possible. Instead, it calls for a conclusion that the lots resulting from the short plat are designed such that they are making the best use of the division of land so that trees could be retained when they are developed."*

"Future construction will be subject to the provisions of SMC 23.44.008, 25.11.050 and 25.11.060 which sets forth tree planting and exceptional tree protection requirements on single family lots. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City."

Despite all this, the trees have since been cleared (see an arborist message below.)

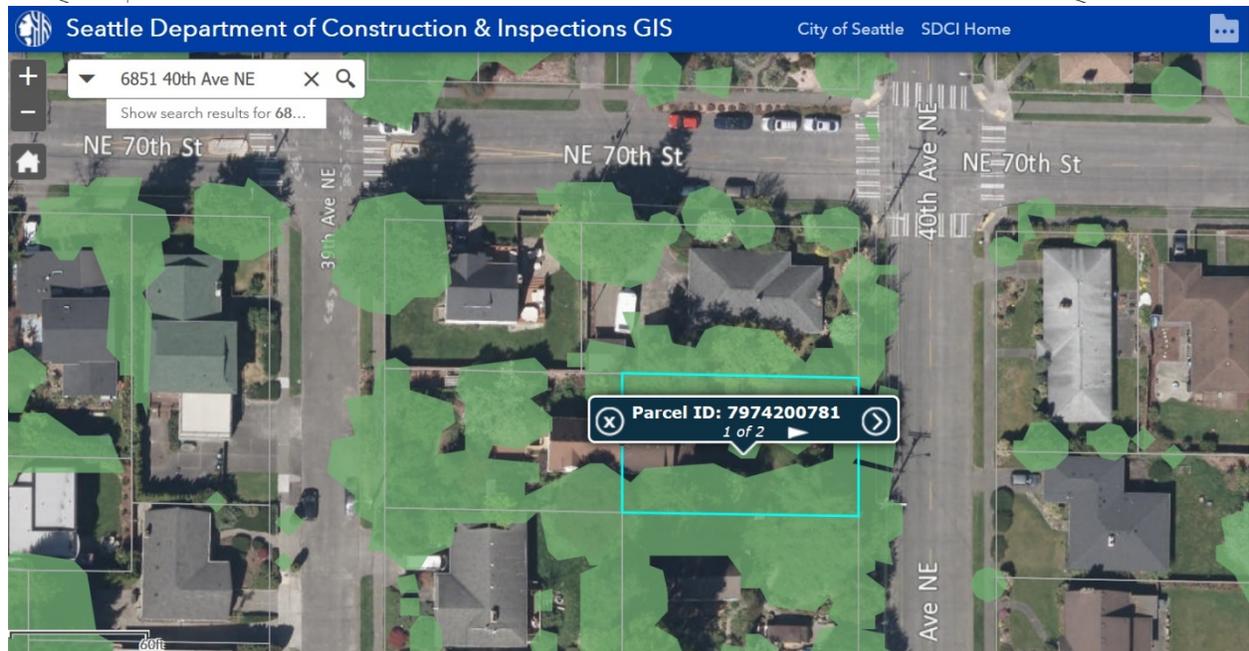
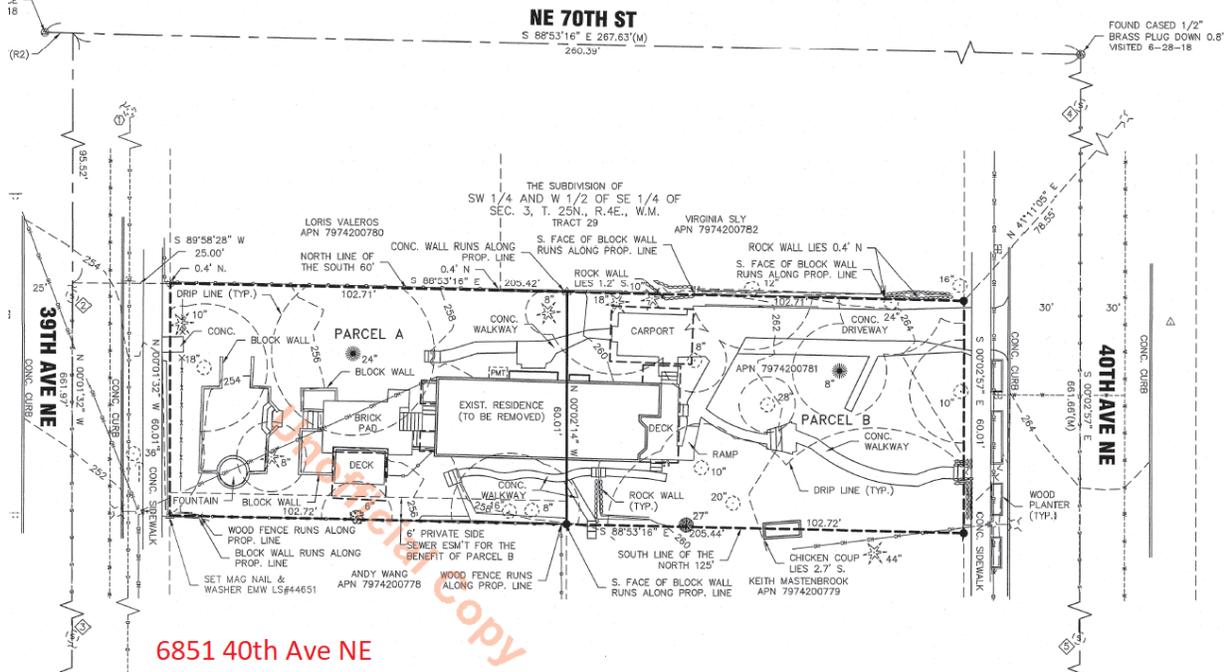
Let's go City Staff... lets at least try to manage the design and arborist team to apply the tree retention intentions of the land use code.

David Moehring  
Board Member, TreePAC

2019 Arborist report

[Arborist Report](#) 4 MB 06/24/19 [6707431-CN-001](#) Construction Application Intake

SDCI #3033117-LU TREE MASSACRE FOLLOWING SHORT PLAT



1. Green Leaf Plum. *Prunus* sp. DBH-10.5". Condition-2. **Remove**
2. Apple. *Malus* sp. 23" DBH. DLR-13'. Condition-2. **Remove/Exceptional Tree**
3. Oriental Spruce. *Picea orientalis*. DBH-8". DLR-10'. Condition-1. **Remove**
4. Japanese Maple. *Acer palmatum*. DBH-6". DLR-6'. Condition-1. Retain
5. Flowering Plum. *Prunus cerasifera*. DBH-6". DLR-13'. Condition-1/2. This tree is in the undisturbed area east of the site and should be protected during construction. Retain
6. Flowering Plum. *Prunus cerasifera*. DBH-8". DLR-7'. Condition-1/2. This tree is in the undisturbed area east of the site and should be protected during construction. Retain
7. Noble Fir. *Abies procera*. DBH-8". DLR-4'. Condition-1. **Remove**
8. Maple. *Acer*. DBH-22". DLR-20'. Condition-1. Southern parking strip tree on 39th Ave NE.

SDOT/Retain

9. Dogwood. Cornus. DBH-6". Condition-2. Wisteria-choked. SDOT/Retain
10. Incense Cedar. Calocedrus decurrens. DBH-10". DLR-7'. Condition-2/3. Topped. **Remove**
11. Weeping Japanese Maple. Acer palmatum 'pendula'. Caliper-5". DLR-6'. Condition-1. **Remove**
12. Incense Cedar. Calocedrus decurrens. DBH-10". DLR-7'. Condition-2/3. Topped. **Remove**
13. Western Hemlock. Tsuga heterophylla. DBH-7". DLR-3'. Condition-4. This tree is the easternmost in a row of 9 hedged hemlock that are mostly insignificant trees. The row of trees extends all the way to the corner. **Remove**
14. Western Hazelnut. Corylus cornuta. DBH-large multi-stemmed shrub. DLR-10'. 25' tall. Condition-1. Nice specimen of native cane-growing shrub. Retain

**Sent:** Monday, July 27, 2020 at 4:57 PM

**From:** "Stuart Niven" <[panorarbor@gmail.com](mailto:panorarbor@gmail.com)>

**To:** "[alex.pedersen@seattle.gov](mailto:alex.pedersen@seattle.gov)" <[alex.pedersen@seattle.gov](mailto:alex.pedersen@seattle.gov)>, [Council@seattle.gov](mailto:Council@seattle.gov), [nathan.torgelson@seattle.gov](mailto:nathan.torgelson@seattle.gov), "Emery, Chanda" <[Chanda.Emery@seattle.gov](mailto:Chanda.Emery@seattle.gov)>, "jenny.durkanseattle.gov" <[jenny.durkan@seattle.gov](mailto:jenny.durkan@seattle.gov)>, "Pinto de Bader, Sandra" <[sandra.pinto\\_de\\_bader@seattle.gov](mailto:sandra.pinto_de_bader@seattle.gov)>, "Dan Strauss" <[dan.strauss@seattle.gov](mailto:dan.strauss@seattle.gov)>, "DOT\_SeattleTrees" <[seattle.trees@seattle.gov](mailto:seattle.trees@seattle.gov)>, "Pederson, Art" <[Art.Pederson@seattle.gov](mailto:Art.Pederson@seattle.gov)>, "McGarry, Deborah" <[deborah.mcgarry@seattle.gov](mailto:deborah.mcgarry@seattle.gov)>

**Subject:** 6851 40th Ave NE

Good afternoon,

A short email to highlight another example of how there is NO tree protection in Seattle, on private property.

If you search the above property on Google and look at the maps with the satellite image, you will see a double lot with one house in the middle and trees on all sides, with literally no view to the ground at any point beyond the roof of the house.

**The property has since been razed, leaving only random individual trees that border adjacent properties, with the typical subdivision approved so more than one building can be erected in place of the original building which from what i can tell was perfectly habitable.**

I do see the arborist report for the development and a correction from SDCI about the fact adjacent trees had not been recorded in the tree inventory, but it was this issue that caught my eye as I drove by as I noticed the property to the South has an 'exceptional' deodar cedar on it which has not been protected and from what I can tell, the new building will likely be built within the inner root zone of the tree which is not permitted by the current SMC 25.11.050 which from what I can see means both SDCI and the developer are in violation of the current codes for tree protection during construction.

I have submitted yet another complaint through the portal but thought you should take a look at this as a good example of how the tree ordinance is not working to save trees as yet another property what was fully tree'd is not without any trees and the ones left, including neighbouring trees, will likely decline and die, fail or be removed by the new owners of each property as they are not good looking trees as they used to be surrounded by others and now are stand alone and relatively unattractive trees.

This is a clear example of why development should not have special privileges when it comes to how many trees can be removed from a property. It simply is not sustainable and yet another shaded property will become a hot, dusty mix of concrete, glass and siding which will increase the temperature of the neighbourhood, provide no habitat for wildlife and basically be an eye sore.

What are we doing here?

Thank you and kind regards,

Stuart Niven, BA (Hons)  
*PanorArborist*

[ISA Certified Arborist PN-7245A & Tree Risk Assessment Qualification \(TRAQ\)](#)  
[Arborist on Seattle Audubon Society Conservation Committee](#)  
[Arborist on Seattle's Urban Forestry Commission](#)  
[Board Member of TreePAC](#)

Company Website [www.panorarbor.com](http://www.panorarbor.com) Tel/Text: 206 501 9659

[WA Lic# PANORL\\*852P1](#) (Click to link to WA L&I's Verify a Contractor Page)

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**From:** Michele Hann <info@email.actionnetwork.org>  
**Sent:** Saturday, August 1, 2020 2:00 PM  
**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>  
**Subject:** Please Strengthen Seattle's Tree Ordinance

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

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

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
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5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Michele Hann

[michelehann90@gmail.com](mailto:michelehann90@gmail.com)

2031 NW 65th St

Seattle, Washington 98117

---

**From:** David Moehring <moehringconsultant@gmail.com>

**Sent:** Sunday, August 2, 2020 6:26 PM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Cc:** Treepac <Treepac@groups.outlook.com>; seattle-tree-ordinance-working-grouplists riseup. net

<seattle-tree-ordinance-working-group@lists.riseup.net>; Hoey, John <John.Hoey@seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; An, Noah <Noah.An@seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>; magnolia news - Joe Viera (qamagnewsnwlink.com) <qamagnews@nwlink.com>; Magnolia Community Council <magnoliacomunityclub@gmail.com>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Dawson, Parker <Parker.Dawson@seattle.gov>; Thaler, Toby <Toby.Thaler@seattle.gov>; dmoehringconsultant.com <dmoehring@consultant.com>; west.normanepamail.epa.gov <west.norman@epamail.epa.gov>; Daniel Beekman <dbeekman@seattletimes.com>

**Subject:** Planning Commission once again may reject consideration for Urbna Forest of the 2020-21 annual Comp Plan amendments

**Importance:** High

**CAUTION: External Email**

Dear Members of the Urban Forestry Commission and The Office of Sustainability and Environment,

Please consider the Urban Forestry Commission to "meeting" with the **Seattle Planning Commission** regarding the Planning Commission's reservations to support better tree canopy and urban forest provisions within the forthcoming updates to the Comprehensive Plan.

**URBAN FOREST**

Reference the attached item #11: "Tree Canopy and Urban Forest".

*(The Planning Commission is recommending not to amend various sections of the Comprehensive Plan to support the protection of trees)*

- Why? Previously submitted, most recently in 2019 2020 cycle (not docketed)
  - Not recommended for docketing this year, they are citing criterion D - 'If the amendment has previously been proposed, relevant circumstances have changed significantly so that there is sufficient cause for reconsidering the proposal.'
- (See page 4 of the attached --- and as summarized for your convenience near the end of this message.

Note: this was one of two proposals relative to trees that is being recommended not to docket.)

**SINGLE FAMILY ZONES - the FORMER HOME of SEATTLE'S URBAN FOREST**

As you know, the majority of Seattle's Urban Forest exists within Private Property (excludes the street right-of-way trees). So, please ask the Planning Commission what they are the long-range plans referring to in terms of "**Alternative Name for Single Family Zones**" near the end of

their attached presentation. As you may know, the ADU legislation passed one year ago by the City Council allowed reducing the number / size of trees within Single Family Zones where Accessory Dwellings have been added to the property. Yes, removing trees are considered an incentive for development!

They mention in the attached the following:

- City Council proposed an amendment that would recommend an alternative name for single family zones, such as Neighborhood Residential, and amend the Land Use Element of the Comprehensive Plan to implement this change.
- OPCD stated this amendment could be more appropriately addressed through next Major Update to the Comprehensive Plan.
- Planning Commission recommends moving the effort to rename single family zoning forward sooner than the Major Update
- This change could serve to inform the policy process considering alternatives to single family zoning.

This sounds like a repeat plan to exclude Single-Family zoning and remove this as a diverse property ownership option from Seattle. A current Omnibus is also allowing the Unit Lot Subdivision of lots with Accessory Dwellings to facilitate the removal of single-family property ownership.

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Reference to above on URBAN FOREST: SUMMARY OF THE PROPOSED AMENDMENT SHOWN AS HIGHLIGHTED.

1. The proposal also anticipates that the proposed Comprehensive Plan amendment would also require a change to the Seattle Municipal Code (SMC), which was referenced as SMC 25.11; SMC 23.44, Director’s Rule 16-2008, others by zoned land use type.

THE ELEMENTS OF THE COMPREHENSIVE PLAN to be AMENDED INCLUDE:

- - ENVIRONMENT (PAGE 84) ○ Amend policy T.4.5 to state: “Enhance the public street tree canopy and landscaping in the street right-of-way. Similarly, require citywide environmental accountability of the owners and developers of private property to enhance the yards with tree canopy and landscaping facing the street.”

- Amend Seattle’s Title 23 and Title 25 codes to require for new property developments “at least a 400 square foot contiguous planting area of at least 10 feet in any direction for which to plant one or more droughtresistant trees considered native to Washington.”
- 
- LAND-USE.
  - Amend Policy E1.2 to “Strive to increase citywide tree canopy coverage to 40% over time following 2018 recommendations in policy and codes made by Seattle’s Urban Forestry Commission.”

MAINTAINING PARK FACILITIES ○ Amend Policy P3.3 to “Enhance wildlife habitats by restoring urban forests and expanding the tree canopy on City-owned and privately-owned land.”

- - Amend on page 158 the Glossary for “urban forest” to state: “The trees and lower-growing plants (of at least 8-feet in mature growth height) that are found on public and private property within the city. This includes developed parks and natural areas, as well as the trees along streets and within yards of privately-owned properties.

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NOTES FROM THE PLANNING COMMISSION:

The minutes from the 6/25 meeting are available on the Planning Commission website:

<https://www.seattle.gov/planningcommission/meetings/minutes-and-agendas>

The minutes from the July 23<sup>rd</sup> meeting will be posted to our website after they are approved at the August 13 meeting.

The Planning Commission will approve their recommendations on the 2020-2021 Comprehensive Plan amendment docket at the August 13 Planning Commission meeting. A final draft of their recommendations will be posted on the Planning Commission website by the close of business on Monday August 10.

Public comment specific to the 2020-2021 Comprehensive Plan amendment docket submitted to John Hoey ([John.Hoey@Seattle.gov](mailto:John.Hoey@Seattle.gov)) via e-mail 8 hours in advance of the August 13 meeting will be read aloud at the August 13 meeting prior to the Commission taking action on their recommendations.

---

**From:** charles spitzack <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
**Sent:** Monday, August 3, 2020 11:25 AM  
**To:** Pinto de Bader, Sandra <[Sandra.Pinto\\_de\\_Bader@Seattle.gov](mailto:Sandra.Pinto_de_Bader@Seattle.gov)>  
**Subject:** Please Protect Seattle's Trees

**CAUTION: External Email**

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

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- private property in all land use zones, both during development and outside development.
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  8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

charles spitzack

[charles.spitzack@gmail.com](mailto:charles.spitzack@gmail.com)

711 Belmont Place East, Apt B

Seattle , Washington 98102

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**From:** David Moehring <moehringconsultant@gmail.com>

**Sent:** Monday, August 3, 2020 12:47 PM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>; Suder, Jerry <Jerry.Suder@seattle.gov>; Lofstedt, Emily <Emily.Lofstedt@seattle.gov>; Neylon, Theresa <Theresa.Neylon@seattle.gov>; Pederson, Art <Art.Pederson@seattle.gov>

**Cc:** Barbara Bernard via Magnolia Tree Keepers - All messages <magnolia-tree-keepers\_all@googlegroups.com>; Charles.spitzack@gmail.com; julia.hollenberg@gmail.com; authorkev@aol.com; susan@susanmlondon.com; Treepac <Treepac@groups.outlook.com>; markmalone1@comcast.net; a.k.magnus18@gmail.com; JCecchini@ckseattle.org; fahaines@aol.com; coryro@me.com; kellykaywhite@gmail.com; jubilation@h4consulting.com

**Subject:** Another Exceptional tree to be part of the 97.8-percent removal rate

**Importance:** High

Dear SDCI Planners-

In respect for your time, I do hope that you all are enjoying your lunch break.

Please identify the basis for why an Exceptional Cedar tree at 717 Belmont Place East should be removed?

- Is it the commonly-consulted developers' lawyer letter attached?
- Or is it the City arborist letter?

Take a fresh look at the attached 4 examples of Ballard HUB lots where Exceptional trees were retained. It's not that hard to retain our significant trees while we grow in density. This cedar tree is ideally located at the edge of the property... and any designer should be able to work amply with the remaining site as the examples in Ballard show. Let's get tough on design, and let's leave our Exceptional trees alone.

[Why does it matter?](#)

(1) We are down to our [last 6000](https://www.thelast6000.org/): <https://www.thelast6000.org/>

(2) People care:

<https://www.invw.org/2020/07/09/tree-murder-song-got-seattle-councilmembers-attention-pre-covid-will-they-still-back-a-stronger-tree-protection-law/>

(3) It's [the code](#).

Take two minutes to become re-inspired. Watch this [brief video](#) about the Exceptional Tulip Tree in Queen Anne.

For TreePAC,  
David Moehring  
[dmoehring@consultant.com](mailto:dmoehring@consultant.com)





spitzattack 10h



# SAVE *the* TREE

PLEASE CONTACT CITY PLANNERS

This **DEODAR CEDAR** is slated to be cut down. It is protected under Seattle's Exceptional Tree Ordinance (SMC 25.11). The developer **Blueprint Capital** and their Attorney bypassed public comments in order to remove the tree and move forward on a 5 townhouse construction

## PLEASE CONTACT:

- |                                                                                     |                                                                                       |
|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| DARLENE EDWARDS<br>LAND USE DIRECTOR<br>darlene.edwards@seattle.gov<br>206-684-5606 | THERESA NEYLON<br>theresa.neylon@seattle.gov<br>DESIGN REVIEW MANAGER<br>206-615-0179 |
| EMILY LOFSTEDT<br>LAND USE PLANNER<br>emilylofstedt@seattle.gov<br>206-386-0097     | JERRY SUDER<br>INTERIM MANAGER LAND USE<br>Jerry.SUDER@SEATTLE.GOV<br>206-386-4069    |









spitzattack 7h



717 BELMONT  
PLACE EAST

---

**From:** heidi calyxsite.com <heidi@calyxsite.com>

**Sent:** Monday, August 3, 2020 2:24 PM

**To:** Pinto de Bader, Sandra <Sandra.Pinto\_de\_Bader@Seattle.gov>

**Cc:** David Moehring <dmoehring@consultant.com>

**Subject:** Lot on NW corner 85th and 30th NW- large tree on corner removed- now no evidence- photo taken on July 25th- now what??

**CAUTION: External Email**

Hi Sandra

On my walk on July 25<sup>th</sup> I noted that a large tree was removed in the very corner of a lot being redeveloped. It did not need to be removed as it was on the edge- lazy, sloppy work. I would ask that you put this into the record and would like your recommendation for how to report. It just has a Windermere sign up. Now there are no signs of this tree but we live around the corner and know it was there- plus this photographic proof, time stamped from my cell phone.

I am going to guess this tree was at least 24 inches around.

Thoughts?

All the best,  
Heidi

Sat, Jul 25 Seattle, WA



[Heidi@calyxsite.com](mailto:Heidi@calyxsite.com)

(206) 784-4265

<https://www.linkedin.com/in/HeidiSiegelbaum>

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