

**Urban Forestry Commission**  
**July 7, 2010**  
**Regular Meeting Summary**

Seattle Municipal Tower Room 1940  
700 5<sup>th</sup> Avenue, Seattle 3:00pm – 5:00pm

Attending	
<u>Commissioners</u>	<u>Staff</u>
Elizabetha Stacishin-Moura, Chair	Brennon Staley - DPD
Matt Mega	Tracy Morgenstern – OSE
Peg Staeheli	Maggie Glowacki - DPD
Nancy Bird	Jana Dilley - OSE
John Hushagen	
John Small	
Jeff Reibman	
Absent- Excused - Gordon Bradley	Kirk Prindle

**Tree Protection Enforcement Briefing & Discussion**

Brennon provided an overview of the process the City follows for tree protection code compliance issues.

Comments from individual commissioners included:

- The hot line is only open during business hours but a lot of cutting occurs on weekends or later in the day when no enforcement staff is available.
- The value of conifers in the table used to assess damages is too low.
- Are we not fully assessing fines/enforcing to avoid the legal issues?
- Assessing home owners high fines is problematic. Making sure there is broad awareness of the regulations is important.
- Two loopholes:
  - If the tree trunk is on a neighboring property but the critical root zone extends into the property undergoing development, no protection measures are required.
  - Projects with no site disturbance have no tree protection requirements e.g. remodels so not include tree protection requirements but construction materials storage etc. may have negative impacts on trees.
- Could we require that if you are within a certain number of feet of a significant tree then there are certain requirements – similar to cultural or archeological sites?
- Small single family residential projects do not show trees on site plans so there is no opportunity to consider impacts. Increasing permitting requirements can increase cost of SFR projects and negatively impact affordability.
- Tree requirements could prevent a remodel that would increase the value of the house leaving it more affordable.
- Damage to root zones is not necessarily related to development or remodels – more education is needed.
- Codes need to have exceptions – trees may be large and not hazardous but no longer appropriate to the site. There should be a way to allow their removal.
- If the system is based on citizen complaints – we need a better system.

DPD has received about 20 complaints during the year and half the interim regulations have been in force. Most were not subject to a violation (e.g. the tree was not exceptional.)

Brennon provided an update on three specific potential tree code compliance cases:

- Monkey Puzzle Tree- this was determined to be exceptional and was cut. A notice of violation (NOV) was issued but was withdrawn during the director's appeal. Unclear and conflicting language in the Interim Tree Protection Code made it unenforceable. A fix has been proposed by DPD, but this has left and continues to leave exceptional trees unprotected.
- 926 N 96<sup>th</sup> Street two complaints were received –
  - one alleging that the fencing was not adequate- the inspector determined that construction had not yet started so there was no violation.
  - the second alleging that the area around a tree was filled. The inspector determined that 1-2" of soils was deposited by a backhoe driving across the area. The contractor was required to remove the deposited soil and move the fencing out.
- 938 n 86<sup>th</sup> Street - A Hawthorne tree was removed but determined not be exceptional so no NOV was issued.

John S requested that DPD provide an update each month to the full commission or a committee on requests for removal of exceptional trees and complaints received.

John S. noted that he filed an ECA complaint on June 2<sup>nd</sup> and there has been no follow up by DPD.

#### Public Comment

Steve Zemke provided comment. He thanked Jeff and Kirk for testifying at the hearing on Ingraham High School appeal. Steve also noted a case where a neighbor removed a street tree from the right-of-way in front of another neighbor's property without getting any approvals. If there were a permit process, there would be an approval process.

#### Shoreline Master Plan Update Briefing

Maggie Glowacki provided a briefing on the update to the Shoreline Master Plan. No formal recommendations were provided by the Commission. The Commission is awaiting the draft shoreline vegetation standards for review. The following comments were provided by individual commissioners:

- There were questions about how the shoreline requirements apply to the Army Corps of Engineers.
- More should be done to incorporate Seattle's canopy goals into the shoreline master plan.

#### Committee Reports

Community Committee- Nancy reported that Tracy provided an overview of OSE's existing and planned outreach and incentive programs. She also noted that there is a need for increasing corporate partnerships to assist with outreach. There will be no Community committee meeting in July.

Ecosystems Committee- John S. reported that Mark Mead attended the meeting to discuss the Parks Tree Policy. Elizabetha asked why this was revisited in committee when the full commission had already provided comments to Parks. The next meeting will be a working session looking at the canopy cover GIS data including how it relates to land use and if the goals are appropriate.

Management Committee – Jeff reported that the committee further discussed the DPD tree protection regulatory proposal.

New Business -

August Agenda

The August meeting agenda will include discussion of the Tree Protection Regulatory Proposal and the Office of Sustainability & Environment 2011 urban forest work plan.

Commission Work Plan

There will be two commission work planning sessions facilitated by a consultant provided by Council. Each session will address 1) creating guidelines for decision making to help prioritize issues and 2) creating a 5-year work plan.

Approval of June 2, 2010 Minutes

Jeff proposed an amendment to the June minutes to clarify that no formal recommendation was made in response to the Parks tree policy briefing and that the comments provided were from individual commissioners. The minutes were approved as amended.

The meeting adjourned at 5:00 p.m.

APPROVED: \_\_\_\_\_ DATE \_\_\_\_\_

Elizabeta Stacishin-Moura, Chair  
Urban Forestry Commission