

SEATTLE URBAN FORESTRY COMMISSION

Weston Brinkley (Position #3 – University), Chair • Sandra Whiting (Position #2 – Urban Ecologist) Vice-Chair
Steve Zemke (Position #1 – Wildlife Biologist) • Sarah Rehder (Position #4 – Hydrologist)
Stuart Niven (Position #5 – Arborist – ISA) • Michael Walton (Position #6 – Landscape Architect – ISA)
Joanna Nelson de Flores (Position #7 – NGO) • Andrew Zellers (Position #8 – Development)
Craig Johnson (Position #9 – Economist) • Bonnie Lei (Position #10 – Get Engaged)
Whit Bouton (Position #11 – Environmental Justice) • Jessica Jones (Position #12 – Public Health)
Shari Selch (Position #13 – Community/Neighborhood)

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

January 2, 2019

Meeting Notes

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

Attending

Commissioners

Sandra Whiting – Vice-Chair
Whit Bouton
Craig Johnson
Jessica Jones
Joanna Nelson de Flores
Sarah Rehder (via phone)
Shari Selch
Michael Walton
Steve Zemke

Staff

Sandra Pinto de Bader - OSE

Guests

Elijah Selch

Public

None

Absent- Excused

Weston Brinkley – Chair
Bonnie Lei
Stuart Niven
Andrew Zellers

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

Call to order

Sandra W called the meeting to order

Public comment

None

Adoption of December 5 and December 12 meeting notes

ACTION: A motion to approve the December 5 meeting notes as amended was made, seconded, and approved.

ACTION: A motion to approve the December 12 meeting notes as amended was made, seconded, and approved.

2018 UFC Annual Report

The UFC discussed, revised and adopted the text for the 2018 annual report. Sandra PdB will work on the graphic design and will bring back for approval.

ACTION: A motion to approve the 2018 Urban Forestry Commission Annual Report as amended was made, seconded, and approved.

2019 UFC work plan

Move to next meeting

Battery Street letter of recommendation

The UFC discussed, revised, and adopted the Battery Street Tunnel letter of recommendation.

ACTION: A motion to approve the Battery Street Tunnel letter of recommendation as amended was made, seconded, and approved.

Public comment

None

New Business

Send link to UFC listening session

Get a briefing from OPCD about the I-5 lid project: <http://consultants.seattle.gov/2018/12/13/i-5-lid-feasibility-study-rfp-opcd-121318/>

Ask SDCI:

- Accella tracking
- 25.11.090 accounting

Ask SDOT:

- Responsibilities for tree maintenance
- Better education to public
- Ordinance update and enforcement

Adjourn

Public input:

From: David Moehring <dmoehring@consultant.com>

Sent: Thursday, January 03, 2019 10:57 AM

To: An, Noah <Noah.An@seattle.gov>; Freeman, Ketil <Ketil.Freeman@seattle.gov>; geoff.wentlandt@seattle.gov

Cc: McConaghy, Eric <Eric.McConaghy@seattle.gov>; Sawant, Kshama <Kshama.Sawant@seattle.gov>; Juarez, Debora <Debora.Juarez@seattle.gov>; Herbold, Lisa <Lisa.Herbold@seattle.gov>; Harrell, Bruce <Bruce.Harrell@seattle.gov>; Bagshaw, Sally <Sally.Bagshaw@seattle.gov>; O'Brien, Mike <Mike.O'Brien@seattle.gov>; Johnson, Rob <Rob.Johnson@seattle.gov>; cynthia.phillips@seattle.gov; Mosqueda, Teresa <Teresa.Mosqueda@seattle.gov>; Lumsden, Faith <Faith.Lumsden@seattle.gov>; Dilley, Jana <Jana.Dilley@seattle.gov>; DOT_SeattleTrees <Seattle.Trees@seattle.gov>; ppceditor@nwlink.com; Strauss, Daniel <Daniel.Strauss@seattle.gov>; Magnolia Community Council <magnoliacomunityclub@gmail.com>; Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>;

Josh Morris <joshm@seattleaudubon.org>; Stuart Niven <panorarbor@gmail.com>; info@jayinslee.com;
Durkan, Jenny <Jenny.Durkan@seattle.gov>; qamagnews@nwlink.com
Subject: MHA removing Tree Protection within SF-zones (originally noted on 9/5/18)

Dear Seattle law makers on tree retention and protection ---

Does Mayor Jenny Durkan or Governor Jay Inslee or State Representative Gael Tarleton know of Seattle City Council's plans to eliminate significant tree protections within the MHA Legislation being finalized in January–February? This must be some type of reversible mistake. In what way is affordable housing related to reducing the need for tree retention /on–site tree replanting requirements for Single–Family–zoned lots in Seattle? Why this proposed move now following the prior Mayor's Executive Order for stronger (not weaker) Tree Protection? (1)

There must be an significant error within the proposed MHA Legislation (CB 119184) on pages 378 and 379 relative to removing tree protection on sites undergoing development within single–family zones. The existing code requirement of SMC 23.44.008.I requires at least 2–inches of tree diameter for every 1,000 square foot of lot area (see diagram below that attempts to demonstrate the current tree retention requirement.) The MHA Council Bill shows this code requirement being struck in its entirety. This is a huge change *with significant climate and wildlife effects!*

I am sorry, but the proposed "*Green Factor*" alternative to tree retention or replacement as shown on pages 374 to 377 is a joke. Why? Does anyone really believe that a medium–sized tree is no better than ~400 square foot of permeable paving as suggested with the 'Green Factor'? I am not even sure why 'permeable paving' and 'mulch' are equitably considered relative to environmental issues mitigated by trees such as urban heat island effect, carbon sequestration, and wildlife pathways.

The trees within single–family zones were not even addressed within the city's–prepared MHA FEIS. Seattle must have both density AND open space for trees – not just one or the other. Other cities around the world have done it, so it is no mystery. Unfortunately, tree–lined streets will never happen throughout the city until power lines are buried. Please assure us that this error is corrected, and that tree protection and retention requirements for single–family zones remain unaltered within the forthcoming MHA legislation.

Sincerely,

David Moehring AIA NCARB

architect
Trustee, Magnolia Community Council
Board Member, TreePAC
dmoehring@consultant.com

Please do NOT remove this code requirement:

23.44.008 - Development standards for uses permitted outright

Diagrammed interpretation on the Tree Requirements in Single-Family Zones.

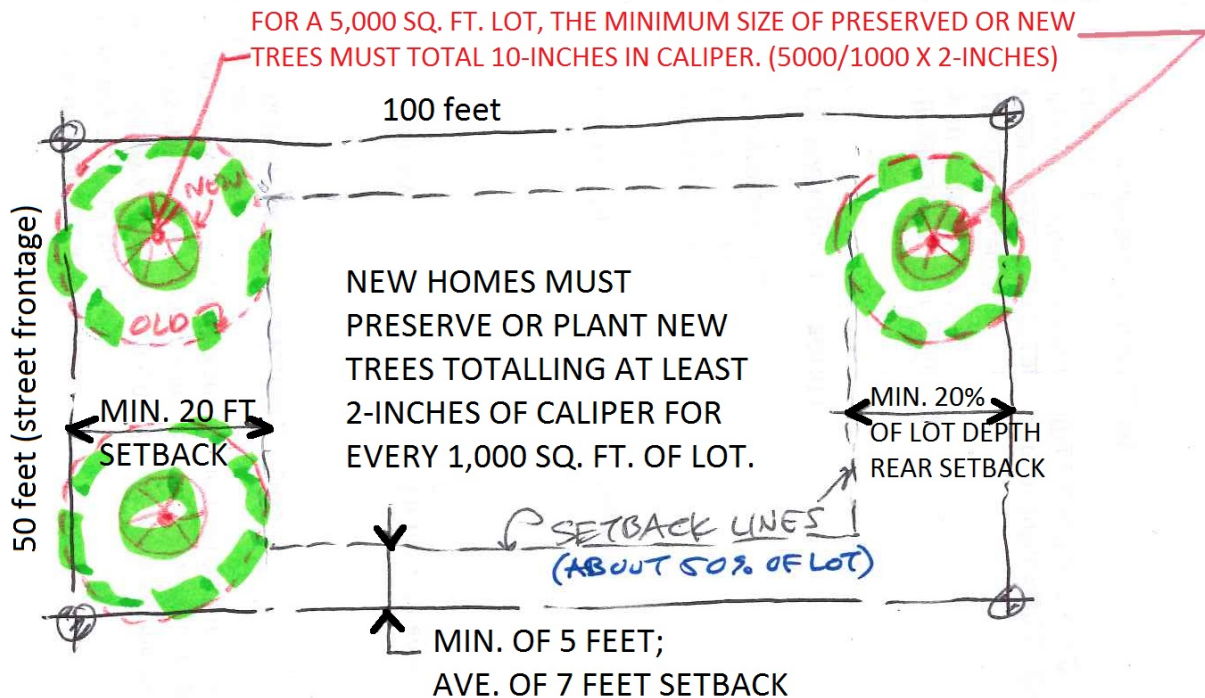


DIAGRAM OF TYPICAL 5,000 SQUARE FOOT LOT IN SINGLE FAMILY ZONE SF-5000.



(1)

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=2ahUKEwjfnPSwm9LfAhXNGDQIHRv6DVgQFjABegQIARAC&url=https%3A%2F%2Fwww.seattle.gov%2FDocuments%2FDepartments%2FUrbanForestryCommission%2F2017%2F2017docs%2FTreeExecOrderFINAL.pdf&usg=AOvVaw1KQ1PAJcSAfb5U4VIFhAV>

Sent: Friday, August 31, 2018 at 5:08 PM

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

To: noah.an@seattle.gov, eric.mcconaghy@seattle.gov

Cc: Kshama.Sawant@seattle.gov, Debora.Juarez@seattle.gov, Lisa.Herbold@seattle.gov, Bruce.Harrell@seattle.gov, sally.bagshaw@seattle.gov, mike.obrien@seattle.gov, rob.johnson@seattle.gov, cynthia.phillips@seattle.gov, Teresa.Mosqueda@seattle.gov, faith.lumsden@seattle.gov, "Joe3 Veyera" <gamagnews@nwlink.com>, jana.dilley@seattle.gov, DOT_SeattleTrees <Seattle.Trees@seattle.gov>

Subject: Planning, Land Use, and Zoning Committee Agenda – Public Hearing – 9/5/18

RE: Draft Tree Removal Ordinance

Please enter into the public record for the September 5th Hearing.

Copy to:

The Honorable Rob Johnson, Chair of Planning, Land Use & Zoning Seattle City Council

The Honorable Mike O'Brien

The Honorable Lisa Herbold

The Honorable Lorena Gonzalez

The Honorable Sally Bagshaw,

The Honorable Lorena Gonzalez

The Honorable Debora Juarez

The Honorable Teresa Mosqueda

The Honorable Lorena Gonzalez

The Honorable Kshama Sawant

Dear Mr. An and Mr. McConaghy,

Please explain how and why the "*Draft Tree Protection Ordinance*" and program mislabeled "*Trees for All*" results in the proposed **removal of tree protection** - making it easier for **new home builders** to remove trees without replacing them.

There are too many examples of reduced tree protections being proposed within the new ordinance. Please provide a citywide open forum. It is unjust to allow just ten (10) minutes of researched feedback on this significant issue! Most important, how may a City Council propose reductions in tree protection while disregarding the State requirements for an environmental impact study?



A Case in Point:

The proposed 'tree protection ordinance' weakens tree protection the most where the most of Seattle's "urban forest" exists - single-family zoned lots which hold almost **two-thirds of Seattle's trees**. Although the City proposed changes places additional burdens on existing home owners, it removes all barriers to tree removal from new home builders. Yet, Seattle does not suffer so much the residents yielding chain saws. The damage is done by the **home builders clear-cutting established groves and significant trees**. The new ordinance allows this to happen with the complete removal of section **23.44.008 paragraph 'I'** from the Seattle Municipal Code.



For years, Seattle codes required that NEW houses on single-family zoned lots maintain their heart of the urban forest. If, however, this environmentally smart code section is not maintained as it is today, **retaining existing trees and/or planting new trees in a size that is proportionate to the lot area will no longer be required**. To help explain the significant risk of striking this current tree retention and refurbishment requirement, I have added a general diagram herein. Specifically, if one builds a new house on a typical 5,000 square foot lot, then they also must retain and/or plant enough trees so that the total of all trees measured are at least 10-inches in width (measured at a set location). If that 5,000 square foot lot already has and will retain existing trees that at least total 10-inches in width - then no additional new trees are required to be planted. That seems in part a fair incentive to **retain existing mature trees** that do so much more for the micro-climate of Seattle than some convoluted "green factor"!



Why might some *councilpersons* likely be promoting the removal of this enduring tree retention / replanting code section? We all need to know. I suspect that without the existing trees being in the way on residential development lots (where most of Seattle's Urban Forest exists), it makes the forthcoming changes to Accessory Dwelling Unit (ADU) easier to be achieved.

For reference, I have copied and pasted the relative text that is shown by Mr. McConaghy to be completely struck from the Seattle Municipal Code --- which will definitely have a potential for significant environmental impacts. This text is at the bottom of the message - below the illustrative diagram.

Yes, Trees for all ...**including new** development sites!

David Moehring AIA
3444 23rd Ave W
Member, TreePAC

Subject: Planning, Land Use, and Zoning Committee Agenda – Public Hearing – 9/5/18

SEATTLE CITY COUNCIL

Planning, Land Use, and Zoning Committee

Agenda - Public Hearing

September 5, 2018

9:30 AM

Location:

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

Members:

[Rob Johnson](#), Chair

Mike O'Brien, Vice-Chair

Lisa Herbold, Member

M. Lorena González, Alternate

Committee Website:

<http://www.seattle.gov/council/committees/planning>

Council Meeting Listen Line: 206-684-8566

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

[View Agenda with Links](#)

Please Note: Times listed are estimated

A. Call To Order

B. Chair's Report
(5 minutes)

C. Public Comment
(10 minutes)

D. Items of Business

2. Draft Tree Protection Ordinance

Supporting Documents:

Draft Tree Protection Ordinance

Central Staff Memo (9/5/18)

Public Hearing, Briefing, and Discussion

Presenters: Diane Davis, Maggie Glowacki, and Mike Podowski, Seattle
Department of Construction and Inspections; Eric McConaghy, Council Central
Staff

E. Adjournment

City Hall is ADA compliant. For accessibility information and for accommodation requests, please call 206-684-8888 (TTY Relay 7-1-1), email CouncilAgenda@Seattle.gov, or visit <http://seattle.gov/cityclerk/accommodations>



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PLEASE KEEP IN THE CURRENT TREE REQUIREMENT of [SMC 23.44.008](#) in ITS ENTIRETY IN ORDER TO AVOID NEGATIVE IMPACTS TO THE SEATTLE ENVIRONMENT:

Template strikes the below section as last revised by the City November 21, 2017 by Eric McConaghy (LEG Tree regulation updates ORD D7)

I. Tree Requirements.

1. Trees are required when single-family dwelling units are constructed. The minimum number of caliper inches of tree required per lot may be met by using either the tree preservation option or tree planting option described in subsections 23.44.008.I.1.a. or I.1.b., or by a combination of preservation and planting. This requirement may be met by planting or preserving street trees in the public right-of-way. Submerged land shall not be included in calculating lot area for purposes of either the tree preservation option or tree planting option.

a. Tree Preservation Option. For lots over 3,000 square feet, at least 2 caliper inches of existing tree per 1,000 square feet of lot area must be preserved. On lots that are 3,000 square feet or smaller, at least 3 caliper inches of existing tree must be preserved per lot. When this option is used, a tree preservation plan is required.

b. Tree Planting Option. For lots over 3,000 square feet, at least 2 caliper inches of tree per 1,000 square feet of lot area must be planted. On lots that are 3,000 square feet or smaller, at least 3 caliper inches of tree must be planted per lot.

2. Tree Measurements. Trees planted to meet the requirements in subsection 23.44.008.I.1 shall be at least 1.5 inches in diameter. The diameter of new trees shall be measured (in caliper inches) 6 inches above the ground. Existing trees shall be measured 4.5 feet above the ground. When an existing tree is 3 to 10 inches in diameter, each 1 inch counts as 1 inch toward meeting the tree requirements in subsection 23.44.008.I.1. When an existing tree is more than 10 inches in diameter, each 1 inch of the tree that is over 10 inches shall count as 3 inches toward meeting the tree requirement.

3. Tree Preservation Plans. If the tree preservation option is chosen, a tree preservation plan must be submitted and approved. Tree preservation plans shall provide for protection of trees during construction according to standards promulgated by the [SDCI] Director.))

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You received this message because you are subscribed to the Google Groups "Central Magnolia Neighbors" group.

To unsubscribe from this group and stop receiving emails from it, send an email to central-magnolia-neighbors+unsubscribe@googlegroups.com.

To post to this group, send email to central-magnolia-neighbors@googlegroups.com.

To view this discussion on the web visit <https://groups.google.com/d/msgid/central-magnolia-neighbors/trinity-90286b87-58af-4a3e-bafb-1ac8bfcc564e-1535764116735%403c-app-mailcom-lxa09>.

For more options, visit <https://groups.google.com/d/optout>.

From: David Moehring <dmoehring@consultant.com>

Sent: Thursday, December 20, 2018 11:04 AM

To: Freeman, Ketil <Ketil.Freeman@seattle.gov>; McConaghy, Eric <Eric.McConaghy@seattle.gov>; Strauss, Daniel <Daniel.Strauss@seattle.gov>; An, Noah <Noah.An@seattle.gov>
Cc: Queen Anne Community Council <queenannecc@gmail.com>; Magnolia Community Council <magnoliacomunityclub@gmail.com>; Welch, Nicolas <Nicolas.Welch@seattle.gov>; McLean, Alyson <Alyson.McLean@seattle.gov>; Strauss, Daniel <Daniel.Strauss@seattle.gov>; Kaplan, Martin <mhk@martinhenrykaplan.com>; Bagshaw, Sally <Sally.Bagshaw@seattle.gov>; Johnson, Rob <Rob.Johnson@seattle.gov>; info@heronhelpers.org
Subject: Amendments to pending MHA council bill (CB 119184 or other)
Importance: High

Ketil Freeman, Supervisor
Neighborhoods & Development
206-684-8178
Ketil.Freeman@seattle.gov

Daniel Strauss
Representative for Councilperson Sally Bagshaw
Seattle City Hall
600 Fourth Avenue, 2nd Floor
Seattle, WA 98104

Noah An
Representative for Councilperson Sally Bagshaw
Seattle City Hall
600 Fourth Avenue, 2nd Floor
Seattle, WA 98104

Eric McConaghy, Analyst
Construction & Inspection (SDCI)
Planning & Development (OPCD)
Mandatory Housing Affordability (MHA)
206-615-1071

=====
=====

20 December, 2018

Dear Councilperson Bagshaw's MHA Representative Daniel Strauss, Mr. Freeman, Mr. An, and Mr. McConaghy-

Thank you for the opportunity to amend or adjust the pending Council Bill for the Mandatory Housing Affordability (MHA, CB 119184 or other).

With the helpful guidance of Mr. Freeman, this message amends yesterday's inquiry regarding specific amendments for the City Council to Consider with the Mandatory Housing Affordability (MHA) legislation.

COUNCIL SPONSORSHIP:

Mr. Strauss, the Magnolia Community Council and Queen Anne Community Council both have some adjustments that would allow the MHA adjustments to take place within our communities for more affordable housing opportunities. With the understanding that our District Councilperson would need to sponsor any proposed modifications in the process, and our understanding that the proposed modification must be proposed by January 11th. Hence, please advise when a good day and time is to meet with the following representatives:

- Marty Kaplan, architect, Queen Anne Community Council, Land Use Committee Chair
- David Moehring, architect, Magnolia Community Council, Land Use Committee Chair

DISTRICT 7 CHANGES ONLY:

Please add to the running list the following items that we would like to meet with the Councilpersons about in a timely manner:

- 1) The Neighborhood Commercial NC1-40 at W Government Way and 32nd Ave W (Magnolia) is within view corridors and the heron habitat buffer zone. Please amend the map to read NC1-40(M) rather than the proposed NC1-55(M) which would increase the height to 55 feet immediately adjacent to SF-5000 zones. Particular properties of concern include 4351 31st Ave W and 4340 to 4344 32nd Ave W. (Image attached below).
- 2) The Neighborhood Commercial NC2P-40 at Queen Anne Avenue North and Boston Street (Queen Anne) is being proposed to be increased 35 feet in height to NC2-75. This one-block area is immediately adjacent to SF-5000 zones. Please amend the map to read NC1-55(M) rather than the proposed NC1-75(M) in order to be consistent with the remaining Queen Anne Avenue North. (Map image attached below)
- 3) The Neighborhood Commercial NC2P-30 at West Galer Street (Queen Anne) is being proposed to be increased 25 and 45 feet in height to NC2P-55(M1) and NC2P-75(M1). This three-block area is immediately adjacent to SF-5000 zones to the north that will be blocked from sunlight without a buffer. Please amend the map to read NC2P-40(M) at the north side of the street and NC2P-55(M) at the south side of W Galer Street rather than the proposed to be consistent with the Seattle's zoning principle for gradual increases in height. (map Image attached below)

TREE PROTECTION CODE CHANGES ONLY:

Please add to the running list the following items that TreePAC and others would like to meet with the Councilpersons about in a timely manner:

- 1) Amendments to any sections that relate to the Burgess Tree Protection Order should be amended. This is a list only:

- **SMC 23.44.008** Development Standards for uses permitted outright. pp 40-41. This section is proposed to be repealed.
- **SMC 23.44.020** - Tree Requirements pp 84-87. This is a new section proposed that appears to replace SMC 23.44.008 and add in new provisions.
- **SMC 23.86.019** - Green Factor Amendment pp 374-377 - This is the most complex section that requires more review.
- **SMC 25.11.060** - Tree Protection on sites undergoing development in single family zones currently Tree Protection Ordinance SMC 25.11, The issue here is to require all trees 6"DBH and larger be noted on site plans and entered into the city database, noting trees removed, trees saved and trees replaced.

OTHER PROPOSED CITYWIDE CODE CHANGES ONLY:

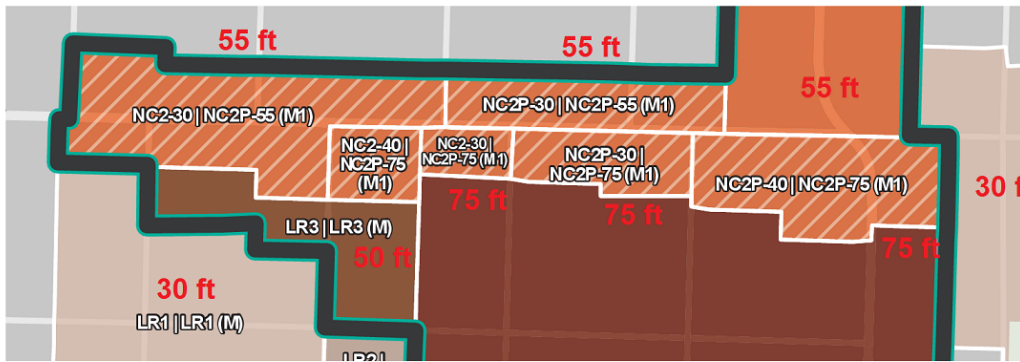
Please add to the running list the following current Draft 4 Code amendments that would like to review with the Councilpersons:

- 1) ZONING DESIGNATIONS SMC 23.30.010, 23.34.008, 23.34.010, 23.34.011, 23.34.012, 23.34.024, AND added Sections 23.34.006
- 2) SINGLE-FAMILY 23.44.002, 23.44.006, SMC 23.44.008, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.022, 23.44.024, 23.44.034, 23.44.041, 23.44.042, AND added Sections 23.44.009, 23.44.011, 23.44.017, 23.44.018, 23.44.019, 23.44.020,
- 3) MULTI-FAMILY SMC, 23.45.502, 23.45.508, 23.45.509, 23.45.510, 23.45.512, 23.45.514, AND added Sections 23.45.530
- 4) MULTI-FAMILY SMC 23.45.516, 23.45.517, 23.45.518, 23.45.520, 23.45.522, 23.45.529, 23.45.536, 23.45.545,
- 5) COMMERCIAL SMC 23.47A.002, 23.47A.005, 23.47A.008, 23.47A.009, 23.47A.012, 23.47A.013, 23.47A.014, 23.47A.017
- 6) SEATTLE MIXED SMC 23.48.002, 23.48.021, 23.48.025, 23.48.040, 23.48.055,
- 7) SEATTLE MIXED SMC 23.48.300, 23.48.320, 23.48.325, 23.48.400, 23.48.420, 23.48.421, 23.48.620, 23.48.623,
- 8) SEATTLE MIXED SMC 23.48.627, 23.48.635, 23.48.640, 23.48.645, 23.48.646, 23.48.650, AND added sections, 23.48.050, 23.48.340, 23.48.345, 23.48.445, 23.48.900, 23.48.905, 23.48.920, 23.48.940, and 23.48.945
- 9) INDUSTRIAL SMC 23.50.020, 23.50.026, 23.50.028, 23.50.053, 23.50.055, 23.53.006, 23.53.025, 23.54.015, 23.54.040,
- 10) INCENTIVES SMC 23.58A.002, 23.58A.014, and MHA FRAMEWORK COMMERCIAL 23.58B.040, 23.58B.050, and MHA FRAMEWORK RESIDENTIAL 23.58C.040, 23.58C.050,
- 11) GREEN BUILDING SMC 23.58D.002, 23.58D.006,

12) PROCEDURES 23.76.060, DEFINITIONS 23.84A.002, 23.84A.048, MEASUREMENTS 23.86.002, 23.86.007, 23.86.012, 23.86.014, 23.86.015, 23.86.016, 23.86.019, and PENALTIES 23.91.002.

Kind Regards,

David Moehring
312-965-0634



MHA Final EIS
Nov. 2017

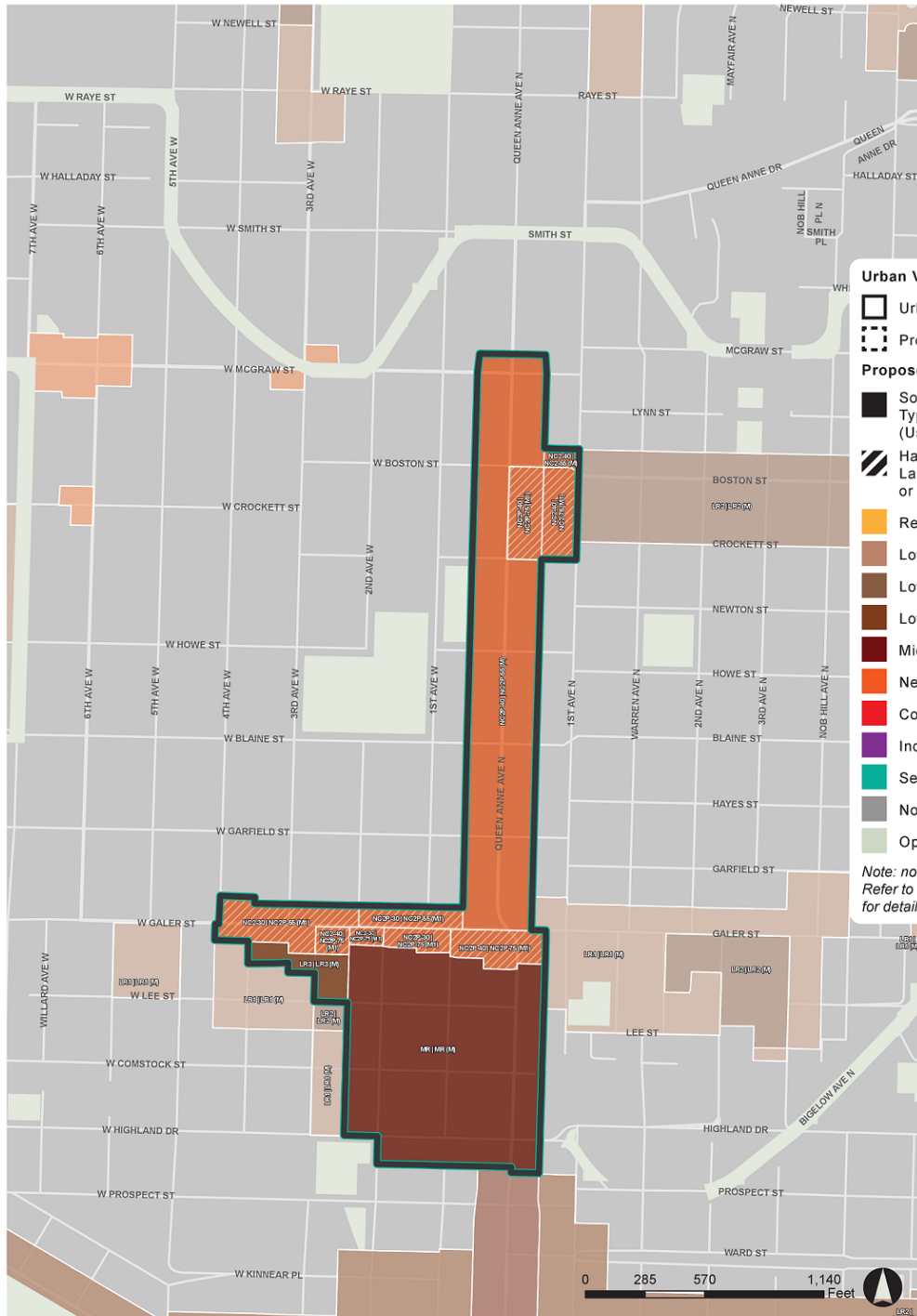


Exhibit H-76
Proposed Zoning,
Preferred Alternative:
Upper Queen Anne
Urban Village

- Urban Village Boundaries**
- Urban Village
 - Proposed Expansion
- Proposed Zoning Categories**
- Solid Areas Have a Typical Increase in Zoning (Usually One Story)
 - Hatched Areas Have a Larger Increase in Zoning or a Change in Zone Type
 - Residential Small Lot (RSL)
 - Lowrise 1 (LR1)
 - Lowrise 2 (LR2)
 - Lowrise 3 (LR3)
 - Midrise (MR)
 - Neighborhood Commercial (NC)
 - Commercial (C)
 - Industrial Commercial (IC)
 - Seattle Mixed (SM)
 - No Zoning Changes
 - Open Space
- Note: not all zoning changes are labeled. Refer to the MHA interactive web map for detailed zoning labels.*



Light Rail Station
(under construction)



Light Rail Station
(planned)



Urban Village
Expansion (Preferred
Alternative)



Magnolia (not mapped by MHA)

