

# DPD

# DRAFT Director's Rule 16-2008

<b>Applicant:</b>  City of Seattle Department of Design, Construction and Land Use	<b>Page</b>  1 of 5	<b>Supersedes:</b>  6-2001
	<b>Publication:</b>	<b>Effective:</b>
<b>Subject:</b>  Designation of Exceptional Trees	<b>Code and Section Reference:</b>  SMC 25.11 SMC 25.05.675N	
	<b>Type of Rule:</b>  Code Interpretation	
	<b>Ordinance Authority:</b>  SMC 3.06.040	
<b>Index:</b>  SMC 25.11; SEPA Sec 25.05.675	<b>Approved</b>	<b>Date</b>
<hr/> <i>Diane M. Sugimura, Director, DPD</i>		

## PURPOSE

The purpose of this rule is to clarify the definition of Exceptional Tree pursuant to SMC Chapter 25.11, Tree Protection. This rule also clarifies SEPA Plants and Animals Policy (Seattle Municipal Code Section 25.05.675 N2c) for the purpose of determining the value of outstanding trees on sites undergoing environmental review, in order to establish appropriate tree protection mitigating measures.

## BACKGROUND

Seattle Municipal Code Chapter 25.11, Tree Protection, provides means for protecting outstanding trees in Seattle. Under this chapter, Exceptional Trees are given particular protections and are broadly defined as follows:

"Exceptional tree" means a tree or group of trees that because of its unique historical, ecological, or aesthetic value constitutes an important community resource, and is determined as such by the Director according to standards and procedures promulgated by the Department of Planning and Development.

This Director's Rule provides additional clarification for determining trees that should be considered for exceptional status as well as the standards and procedures for this determination.

Seattle Municipal Code Chapter 25.05, Environmental Policies and Procedures, implements the State Environmental Policy Act (SEPA) and authorizes the Department of Planning and Development (DPD) to grant, condition or deny construction and use permit applications for public or private proposals that are subject to environmental review. This authority must be exercised based on adopted City policies, plans, rules or regulations set forth in Chapter 25.05, SMC.

## **RULE**

An Exceptional Tree is a tree that:

1. Is designated by Plant Amnesty in partnership with the City of Seattle as a Class AAA-1 Heritage Tree; or
2. Is rare or exceptional by virtue of its size, species, condition, cultural/historic importance, age, and/or contribution as part of grove of trees as determined by method discussed below.

### **Size Thresholds**

Trees with a diameter at breast height (dbh) that are equal to or greater than the threshold diameters listed in Table 1 shall be considered exceptional if they meet the risk and condition criteria discussed in the following section. For all species not listed in Table 1, the threshold diameter shall be 24" or 75% of the largest documented diameter for a tree of that species in Seattle, whichever is less, as noted in Trees of Seattle, 2<sup>nd</sup> edition by Arthur Lee Jacobson. If no tree diameter or circumference is listed in this source, the threshold diameter shall be 24" or 65% of the largest document diameter for a tree of that species in Washington, whichever is less, as noted in Champion Trees of Washington State by Robert Van Pelt.

### **Tree Grove**

A grove means a group of 8 or more trees 12" in diameter or greater that form a continuous canopy. Trees that are part of a grove shall also be considered for

exceptional status. Trees that are less than 12" in diameter that are part of a grove's continuous canopy should not be removed if their removal may damage the health of the grove. Street trees shall not be included in determining whether a group of trees is a grove.

### **Measurement of Tree Diameter**

Diameter at breast height (dbh), which means the diameter of a tree trunk measured at 4.5 feet above average grade, shall be used in determining the diameter of existing trees. Where a tree has branches or swelling that interfere with measurement at 4.5 feet above average grade or where a tree tapers below this point, the diameter shall be measured at the most narrow point below 4.5 feet. For trees located on a slope, the 4.5 feet shall be measured from the average of the highest and lowest ground points or, on very steep slopes where this is not possible, the lowest practical point on the uphill side. Where a tree splits into several trunks close to ground level, the dbh for the tree shall be the square root of the sum of the individual stems' dbhs squared (i.e.  $dbh = \text{square root} [(stem1)^2 + (stem2)^2 + (stem3)^2 + \dots]$ ).

### **Risk and Condition Assessment**

Trees that meet the size threshold or grove definition discussed above shall be considered exceptional except if the tree is recommended for removal based on a risk and condition assessment produced by a qualified professional. In making this determination, a qualified professional will consider crown size, structure, disease, past maintenance practice, potential damage to existing or planned targets, risk mitigation options, and, when development is proposed, the likelihood of survival after construction. Red alders, black cottonwoods, weeping willows, and bitter cherries shall not be considered exceptional trees except as part of a grove.

A qualified professional is an individual with a minimum of 3 years experience in tree evaluation and, where applicable, work directly involving the protection of trees during construction along with one of the following qualifiers:

- Society of American Foresters (SAF) Certified Forester; or
- American Society of Consulting Arborists (ASCA) Registered Consulting Arborist; or
- Washington State Registered Landscape Architect; or
- International Society of Arborists (ISA) Certified Arborist with an Associate Degree and/or a minimum of 2 years of college-level credit and/or 120 Continuing Education Units.

To undertake tree risk assessment, a qualified professional must have a Tree Risk Assessor certification as established by the Pacific Northwest Chapter of the International Society of Arboriculture (ISA) or equivalent qualifications.

## **SEPA Implications**

The policy articulated in SMC 25.05.675 N2c calls for protecting three categories of trees and/or vegetation where development would reduce or damage:

1. Rare, uncommon, unique or exceptional plant or wildlife habitat; or
2. Wildlife travelways; or
3. Habitat diversity for species (plants or animals) of substantial aesthetic, educational, ecological or economic value.

Exceptional trees should be considered under the first and third categories listed above during environmental assessment of development applications. Other trees that have special wildlife habitat importance, such as those containing a bald eagle's nest or communal roost, also should be considered.

## **SOURCES**

Trees of Seattle, 2<sup>nd</sup> edition, 2006, by Arthur Lee Jacobson.

Champion Trees of Washington State, 1996, by Robert Van Pelt.

Table 1: Size Thresholds for Common and Native Seattle Trees to be considered for exceptional status.

Species	Threshold Diameter
<b>Native Species</b>	
Red ALDER – <i>Alnus rubra</i>	Never Exceptional (see risk & conditions section)
Sitka ALDER – <i>Alnus sinuata</i>	6"
Pacific CRABAPPLE – <i>Malus fusca</i>	1'0"
Oregon ASH – <i>Fraxinus latifolia</i>	2'0"
Quaking ASPEN – <i>Populus tremuloides</i>	1'0"
Paper BIRCH – <i>Betula papyrifera</i> var. <i>commutata</i>	1'8"
CASCARA – <i>Rhamnus purshiana</i>	8"
Western Red CEDAR – <i>Thuja plicata</i>	2'0"
Bitter CHERRY – <i>Prunus emarginata</i> var. <i>mollis</i>	Never Exceptional (see risk & conditions section)
Black COTTONWOOD – <i>Populus balsamifera</i> ssp. <i>trichocarpa</i> ( <i>P. trichocarpa</i> )	Never Exceptional (see risk & conditions section)
Pacific DOGWOOD – <i>Cornus nuttallii</i>	6"
Douglas FIR – <i>Pseudotsuga menziesii</i>	2'0"
Grand FIR – <i>Abies grandis</i>	2'0"
Black HAWTHORN – <i>Crataegus douglasii</i>	6"
Western HEMLOCK – <i>Tsuga heterophylla</i>	2'0"
MADRONA – <i>Arbutus menziesii</i>	6"
Bigleaf MAPLE – <i>Acer macrophyllum</i>	2'0"
Dwarf or Rocky Mountain MAPLE – <i>Acer glabrum</i> var. <i>Douglasii</i>	6"
Vine MAPLE – <i>Acer circinatum</i>	8"
Oregon White or Garry OAK – <i>Quercus garryana</i>	6"
Lodgepole PINE – <i>Pinus contorta</i>	6"
Shore PINE – <i>Pinus contorta</i> 'contorta'	1'0"
Western White PINE – <i>Pinus monticola</i>	2'0"
Western SERVICEBERRY – <i>Amelanchier alnifolia</i>	6"
Sitka SPRUCE – <i>Picea sitchensis</i>	6"
WILLOW (All native species)	8"
Pacific YEW – <i>Taxus brevifolia</i>	6"
<b>Non-native Species</b>	
Orchard (Common) APPLE – <i>Malus</i> sp.	1'8"
European ASH – <i>Fraxinus excelsior</i>	1'10"
Green ASH – <i>Fraxinus pennsylvanica</i>	2'0"
Raywood ASH – <i>Fraxinus oxycarpa</i>	2'0"
European BEECH – <i>Fagus sylvatica</i>	2'0"
see above (native)	2'0"
European White BIRCH – <i>Betula pendula</i>	2'0"
Deodor CEDAR – <i>Cedrus deodara</i>	2'0"
Incense CEDAR – <i>Calocedrus decurrens</i>	2'0"

Flowering CHERRY – <i>Prunus</i> sp. ( <i>serrula</i> , <i>serrulata</i> , <i>sargentii</i> , <i>subhirtella</i> , <i>yedoensis</i> )	1'11"
Lawson CYPRESS – <i>Chamaecyparis lawsoniana</i>	2'0"
Kousa DOGWOOD – <i>Cornus kousa</i>	1'0"
Eastern DOGWOOD – <i>Cornus florida</i>	1'0"
American ELM – <i>Ulmus americana</i>	2'0"
English ELM – <i>Ulmus procera</i>	2'0"
GINGKO – <i>Ginkgo biloba</i>	2'0"
Common HAWTHORN <i>Crataegus laevigata</i>	1'4"
Washington HAWTHORN – <i>Crataegus phaenopyrum</i>	9"
European HORNBEAM – <i>Carpinus betulus</i>	1'4"
Common HORSE CHESTNUT – <i>Aesculus hippocastanum</i>	2'0"
Red HORSE CHESTNUT – <i>Aesculus x carnea</i>	2'0"
KATSURA – <i>Cercidiphyllum japonicum</i>	2'0"
Littleleaf LINDEN – <i>Tilia cordata</i>	2'0"
Honey LOCUST – <i>Gleditsia triacanthos</i>	1'8"
Southern MAGNOLIA – <i>Magnolia grandiflora</i>	1'4"
Paperbark MAPLE – <i>Acer griseum</i>	1'0"
Japanese MAPLE – <i>Acer palmatum</i>	1'0"
Norway MAPLE – <i>Acer platanoides</i>	2'0"
Red MAPLE – <i>Acer rubrum</i>	2'0"
Sugar MAPLE – <i>Acer saccharum</i>	2'0"
Sycamore MAPLE – <i>Acer pseudoplatanus</i>	2'0"
MONKEY PUZZLE TREE – <i>Araucaria araucana</i>	1'10"
MOUNTAIN-ASH – <i>Sorbus aucuparia</i>	2'0"
Pin OAK – <i>Quercus palustris</i>	2'0"
Red OAK – <i>Quercus rubra</i>	2'0"
Callery PEAR – <i>Pyrus calleryana</i>	1'1"
Austrian Black PINE – <i>Pinus nigra</i>	2'0"
Ponderosa PINE – <i>Pinus ponderosa</i>	2'0"
Scot's PINE – <i>Pinus sylvestris</i>	2'0"
London PLANE – <i>Platanus acerifolia</i>	2'0"
Flowering PLUM – <i>Prunus cerasifera</i>	1'9"
Coastal REDWOOD – <i>Sequoia sempervirens</i>	2'0"
Giant SEQUOIA – <i>Sequoiadendron giganteum</i>	2'6"
Japanese SNOWBELL – <i>Styrax japonica</i>	1'0"
American SWEETGUM – <i>Liquidambar styraciflua</i>	2'0"
TULIP TREE – <i>Liriodendron tulipifera</i>	2'0"
Weeping WILLOW – <i>Salix sp.</i>	Never Exceptional (see risk & conditions section)