

## **Summary of Comments**

### **DPD Tree Regulations Proposal Public Outreach – Second Round**

### **Compiled December 20, 2012**

The following table summarizes comments received during the public comment period on DPD's revised Tree Regulations Proposal from July 11, 2012 through October 3, 2012. There is a separate document for comments received during the public comment period on DPD's initial Tree Regulations Proposal in 2010.

This document compiles comments received through an August Open House, discussions with the Urban Forestry Commission, Planning Commissions, and Freight Advisory Board, and discussions with community and stakeholder groups including formal presentations to the Seattle Community Council Federation, Thornton Creek Watershed Oversight Committee, Master Builder Association, and Save the Trees Seattle as well as letters, emails and other correspondence from individuals and groups. For additional information about the update process, go to [www.seattle.gov/dpd/planning/trees/](http://www.seattle.gov/dpd/planning/trees/).

Overall, the number of comments received during this public comment period was significantly less than the first round, primarily due to the decreased number of presentations given to community and stakeholder groups. Similar to the first round, comments focused predominately on tree removal permits outside of the development process, although discussion was more focused on specific concepts, principally the following:

1. Whether the goal of the permit should be to prevent removal or to achieve mitigation?
2. Whether the permit threshold should be species specific?
3. What diameter thresholds should be used for permit thresholds?
4. Whether the City should require notification for trees that are below the threshold for a full permit?

Comments on the permit approach were varied and difficult to summarize. In general, comments from tree advocacy stakeholders tended to express a desire for a species-specific threshold and a concern that only a small number of trees were affected; while comments from unaffiliated homeowners tended to express a desire for simple diameter thresholds and concern about the lack of flexibility and potential unintended consequences of prohibiting removal of healthy large trees.

Comments received on the proposed development standards during construction generally expressed that they were an improvement on existing regulations; however, a couple issues were raised. The majority of comments received expressed a concern that the lack of predictability in how standards might be applied could make development very difficult on some lots. Specifically, many people were concerned that the application of retention standards to individual lots could become extremely complicated where they considered arborist recommendations on root retention, impacts of excavation and lay-back, staging areas, access locations, underground utilities, and other issues. This level of unpredictability could make it difficult to estimate potential project costs. Consequently, many developers and property owners might not be able to get funding for development projects simply due lack of predictability. Other comments on the proposed development standards mostly revolved around getting additional mitigation for trees removed during construction or increasing landscaping requirements in certain areas, particularly industrial areas.

A summary of specific comments is below.

Issue	Comment From
<b>GENERAL COMMENTS</b>	
The inflexible nature of regulations for exceptional trees would preclude gardens, solar panels, and open backyard areas in many cases.	Numerous Commenters
<p>The focus on preservation of large trees is problematic because:</p> <ol style="list-style-type: none"> <li>1. large trees can be very expensive to maintain due to necessary leaf removal, gutter cleaning, ongoing pruning work, and need for regular hazard assessment</li> <li>2. large trees may not be appropriate for certain spaces, particularly on small and high-density lots;</li> <li>3. many people feel uncomfortable with very large trees near their home, particularly people who come from other areas of the country or world where large trees are not common; and</li> <li>4. trees that may not meet the definition of a hazard tree still pose a risk of falling or dropping large branches which some people may not feel comfortable living with.</li> </ol>	Numerous Commenters
A single threshold between unregulated trees and regulated trees with strict standards provides a strong incentive to remove trees prior to reaching 24". This situation could encourage "predatory" practices where tree care professionals proactively approach property owners to encourage them to remove a tree before it reaches a certain size.	Numerous Commenters
The exceptional tree threshold should be 24" for non-native and 8" for native trees;	Numerous Commenters
The exceptional tree threshold should be 12" for deciduous and 6" for evergreen trees.	Washington Native Plant Society
The exceptional tree definition should continue to include groves of trees	Numerous Commenters
The City should do more to protect trees.	Numerous Commenters
Seattle is a multi-cultural city and we need to respect the fact that people value trees differently and provide flexibility for them to manage their property in light of these values while also meeting communal goals.	Paul W
Many species of trees do not grow 24" in diameter and will therefore never be protected by the proposed exceptional tree regulations.	Steve Zemke
The current complex exceptional tree threshold may help raise people's awareness about trees.	Open House participant
An exceptional tree threshold that doesn't vary by species is an improvement because determining species requires an arborist consultation for most people which is very expensive.	meeting participant
Requiring property owners to engage arborist to identify species on their property may not cost the property owner that much since the arborist will have an incentive to do it for free in order to get potential tree removal work.	Steve Zemke
More emphasis should be placed on the value of native trees and habitat in tree plantings and preservation.	Save the Trees

TREE REMOVAL PERMITS	
Permits for should be required for every tree 8" in diameter or greater, even if there are not mitigation requirements.	Numerous Commenters
Mitigation should be required for trees that are removed. Multiple commenters suggested that the 5 trees should be planted for every tree over 20" that is cut or that a payment-in-lieu could be made.	Numerous Commenters
Posting of completed tree removal applications on property for a period prior to removal should be required.	Save the Trees
Requiring permits for the removal of non-exceptional trees would help to prevent issue where people remove trees that are on adjacent properties.	Steve Zemke
This proposal could greatly diminish ability to have gardens. City should consider exemptions for people who want to have gardens.	Freight Advisory Board member
All properties in Seattle should be required to meet a ratio of tree trunk cross section area to lot size.	Garth Ferber
The permit system should be extended to include public trees or at least public parks or open space. Exceptions could be considered in the case of environmental restoration projects that contribute to urban forest goals by introducing additional, preferred tree species or protecting existing high-function trees.	Save the Trees, Washington Native Plant Society
Tree permits should provide consideration for documented wildlife value of a tree.	Heron Habitat Helpers
It may be difficult to meet our canopy cover goals without implementing a tree removal permit.	Washington Native Plant Society
DEVELOPMENT REGULATIONS	
In many cases, the exceptional tree retention standards will prevent development from occurring because the standards are too unpredictable and may require a developer to completely redesign their project which will make a project too costly.	Numerous Commenters
Requiring an arborist report at the Pre-Application Site Visit is problematic as this visit usually occurs during the investigation portion of development so it is a substantial expense before a potential developer has even committed to a project.	Master Builder Association member
Proposed changes to development standards in Commercial and Multi-family zones will create much more predictability in development process which has been a big issue in the past.	Tim O'Shea
The Green Factor landscaping standards does not require tree plantings, which makes it ineffective in helping to grow Seattle's tree canopy.	Ruth Williams
Current requirements during platting create a lot of uncertainty about how they will be implemented.	Open House participant
The Single Family Tree Requirement bonus for evergreens should be limited to conifers to prevent incentives for small trees like laurels and magnolias and better incentivize conifers which have a high environmental benefit.	David Miller
The payment-in-lieu option should not be allowed because it may be cheaper than planting or preserving trees.	Nancy Oyloe
Require identification of all trees on property in development plans.	Save the Trees

City should consider minimal tree requirements for every industrial property in order to start getting at least a couple trees on the edges of every property.	Meeting participant
Larger setbacks should be required in industrial areas to allow planting of large trees and landscaping.	Washington Native Plant Society
Single Family Tree Retention standards should provide an additional allowance for backyard cottages which are only allowed in a limited area of the backyard.	Randy Bannecker
Ordinance should require people to remove invasive species on their property.	Richard Ellison
People who are proposing development on a property should pay higher permit fees than people who are not proposing development.	Cass Turnbull
Green Factor regulations for commercial properties in industrial areas could impact the industrial area by encouraging gentrification or impeding freight mobility on properties that have commercial and industrial uses if the applicant chooses to plant trees.	North Seattle Industrial Association member
<b>OTHER</b>	
The city should consider more incentives to retain trees including: <ol style="list-style-type: none"> <li>1. removing fee for extra yard waste bags since it is a disincentive to have trees;</li> <li>2. reduced stormwater or property tax rates;</li> <li>3. reduced drinking water rates for watering trees;</li> <li>4. free help with leaf clean-up and tree maintenance;</li> <li>5. allowing property owners to dump leaves in the street for city clean-up; and</li> <li>6. reducing fees for staging in planting strip and parking area when it is need to preserve a large tree.</li> </ol>	Numerous Commenters
All reviews and programs regarding trees should be moved to one department focused on trees.	Numerous Commenters
City should consider requiring mitigation for removal of street trees where it is proposed to accommodate larger driveways, new development, etc.	Meeting participant
Licensing and training for arborists and tree removal companies should be required.	Save the Trees
Disclosure of exceptional trees on property by real estate agents when property is sold should be required.	Save the Trees
City should have more protection for Herons.	Heron Habitat Helpers
Bioremediation should be considered as an alternative form of environmental benefit where appropriate.	meeting participant