

## **City of Seattle Revised Draft Tree Regulations Update Summary July 11, 2012**

The Department of Planning and Development (DPD) is proposing to revise Seattle's regulations governing trees on private property. This update would affect the Tree Protection Code and the Land Use Code but would not change the Environmentally Critical Areas Code, which is updated separately through a state-mandated process that last occurred on 2006. These revisions are intended to advance the goals of the City's Urban Forest Management Plan (UFMP) to maintain and enhance a thriving and diverse urban forest. The UFMP establishes a goal of increasing Seattle's tree canopy from 23% in 2007 to 30% by 2037 as well as general strategies for accomplishing this goal. While canopy cover appeared to increase slightly between 2003 and 2007, this analysis suggested that canopy cover is not increasing at a rate sufficient to meet our overall goals.

In 2010, the Department of Planning and Development released a draft proposal for update these regulations. During July through December of 2010, DPD conducted extensive outreach on this proposal. A summary of comments received during this process as well as the original draft proposal is contained on our website at [www.seattle.gov/dpd/planning/trees](http://www.seattle.gov/dpd/planning/trees). After discussing the results of the public process with the Mayor and Council, DPD updated the original proposal and drafted new legislation for further public discussion. The new proposal, discussed below, is being put forward as part of a comprehensive update of urban forestry within the City, including an update of the Urban Forest Management Plan and updated regulations for street trees. More information about the City's comprehensive urban forest update is available at [www.seattle.gov/trees](http://www.seattle.gov/trees).

DPD is seeking feedback on the revised proposal and draft legislation through October 1, 2012. After October 1, DPD will revise the legislation and post it online before submitting it to the City Council for their consideration in 2013. Below is a summary the proposal and how it varies from the original.

### **What's Different from the Original Proposal?**

The following changes were made to the original proposal:

- Restrictions on the removal of Exceptional Trees that are currently in place, but were proposed to be removed, are now proposed to be retained with a simplified definition and additional allowance for removal where trees are causing physical damage to a building or utilities that can't be mitigated
- Proposed single family tree requirements were modified to further value preserved trees and to simplify the calculation
- Single family property owners will be allowed to pay into a tree planting fund to satisfy up to half of their tree requirements
- A requirement for maintenance bonds as part of new development will not be included the legislation

### **Summary of New Approach**

The intent of the update is to improve existing tree regulations and to add a number of new measures that would expand or improve development standards to better mitigate the impacts of development. Specifically, DPD's proposal would make the following changes to tree requirements for private property. For each bullet, it has been noted whether the change is the same as was included in the original proposal (AS ORIGINAL) or if it has been updated from the original proposal (UPDATED).

- (UPDATED) Make interim regulations limiting removal of exceptional trees permanent but make the following changes to make them easier to understand, implement, and enforce:

- Modify the threshold for designation as an exceptional tree (from the existing complex definition that varies by species and includes standards for groves, to one in which trees with a diameter of 24” or greater are designated as exceptional)
- Update criteria for tree removal to include trees that are causing physical damage to buildings or utilities that cannot be mitigated
- Remove the exemption for single family lots less than 5,000 sq ft in size
- Remove the limit on removal of more than three non-exceptional trees per year
- Simplify criteria for removal during development
- Move to online tree removal application
- Implement tree removal application fee to offset cost of review; initial fee will be set at \$177 and will increase annually
- (UPDATED) Update the existing tree requirement for properties undergoing development in Single-family zones. The new requirement would require applicants to plant or retain trees sufficient to meet a tree score equal to 1 tree point per 200 sq ft of lot area after the first 2000 square feet of new or replaced homes. Individual trees would be valued according to the table below. A 25% bonus would be given for evergreen trees.

<b>Tree Provided</b>	<b>Point Value</b>
New small species tree	1
New small/medium species tree	2
New medium/large species tree	3
New large species tree	4
Preserved tree 6” and greater	One point for each inch of diameter

- (UPDATED) Allow payment in lieu of planting in single family zones. As an alternative to meeting the proposed new tree requirement entirely through planting and retention, this option would allow homeowners to contribute to a fund to meet up to 50% of their obligation through off-site planting undertaken by the City. Fee-in-lieu rate would be \$200 per tree point. If 5% of total points go to fee-in-lieu, it would result in annual fund of \$180,000
- (AS ORIGINAL) Implement tree requirements for institutions in single-family zones, similar to those proposed for single-family homes.
- (AS ORIGINAL) Require street trees during development of new or replaced homes in single-family zones. Street trees are already required in multifamily, commercial, and downtown zones. Standards for street trees are contained in the Seattle Department of Transportation’s (SDOT) Right-of Way Improvement Manual.
- (AS ORIGINAL) Add a Green Factor requirement for commercial or retail development over 4,000 sq. ft. in size in Industrial areas. Green Factor is a flexible alternative to traditional landscaping standards that allows applicants to meet an overall environmental services goal by choosing from a menu of options including tree retention, new planting, green roofs, green walls, and permeable pavement.
- (AS ORIGINAL) Simplify the process for allowing departures to height, setbacks, and parking to preserve large trees during development.
- (UPDATED) Update existing enforcement process improve the effectiveness and reduce the cost of enforcement.