

Seattle Permits

- part of a multi-departmental City of Seattle series on getting a permit

Tree Removal on Private Property

Updated April 8, 2024

The purpose of this Tip is to outline when a tree protected by Seattle's Tree Protection Ordinance, Seattle Municipal Code (SMC) <u>25.11</u>, may be removed, how to submit a request to Seattle Department of Construction and Inspections (SDCI) to remove a tree, and who is allowed to remove a tree. It also provides information about replacement requirements when trees are removed. This Tip is organized into the following sections, followed by a list of definitions for common terms:

- How Do You Measure Tree Size?
- What are the Tree Tiers?
- When is Tree Removal Allowed on Developing Properties?
- When is Tree Removal Allowed When No Development is Proposed?
- When is Hazard Tree Removal on Private Property Allowed?
- What if a Tree Needs to be Removed as Part of an Emergency Action?
- How are Trees Assessed for Risk?
- How Do I Apply for Tree Removal Approval?
- What Do I Need to Submit a Tree Removal Request?
- How Much Does it Cost?
- Who is Allowed to Remove a Tree?
- What are the Replacement Requirements for Tree Removal?
- What are the Zoning Standards for Trees?
- What about Hazard Tree(s) in the Right-of-Way?
- What about Hazard Tree(s) in Parks?

This Tip applies to trees on privately owned undeveloped lots (vacant) and developed lots and within certain environmentally critical areas (ECA), including peat-settlement prone areas, liquefaction-prone areas, flood-prone areas, and abandoned landfills. If a tree is located within any other ECA, SMC <u>25.09</u> applies for tree protection and revegetation. Please see Tip 331B, Environmentally Critical Areas: Tree and Vegetation Overview. You can use SDCI's online map tool to see if your property has any mapped ECAs.

Please note, in most cases even if tree removal is allowed, requirements for tree replacement, using providers from SDCI's Tree Service Provider Registry, and tree public noticing still apply. Please see Tip 242C, SDCI Tree Service Provider Registry, and Tip 242D, Tree Public Notice, for more information.

How to Measure Tree Size

Tree size is stated as DSH (diameter at standard height), which is a trunk diameter measurement taken at 4.5 feet above ground. Where a tree has branch(es) or swelling that interferes with measurement at 4.5 feet above ground or where a tree tapers below this point, the diameter is measured at the most narrow point below 4.5 feet. When measuring trees on slopes, measure the diameter 4.5 feet from the ground on the upper side of the slope. Where a tree splits into several trunks at the ground level, the DSH of the tree is the square root of the sum of the DSH for each individual trunk squared (example with three trunks: DSH = square root [(trunk 1)² + (trunk 2)² + (trunk 3)²]. If you have questions about how to measure a tree, please contact a registered tree service provider or SDCI for assistance.

What are the Tree Tiers?

Seattle's tree protection regulations categorize trees into 4 different tier groups – Tier 1, Tier 2, Tier 3, and Tier 4:

"Tier 1 tree" means a heritage tree. A heritage tree is a tree or group of trees as defined in Seattle Municipal Code, Title 15. You can learn more about heritage trees by visiting the City's <u>Heritage Tree Program</u>, cosponsored by Plant Amnesty and Seattle Department of Transportation.

- "Tier 2 tree" means any tree that is 24 inches in diameter at standard height or greater, tree groves, each tree comprising a tree grove, and specific tree species below 24 inches in diameter at standard height as provided by Director's Rule 7-2023, <u>Designation of Tier 2 Trees</u>.
- "Tier 3 tree" means any tree that is 12 inches in diameter at standard height or greater but less than 24 inches in diameter at standard height and is not defined as a Tier 1 or Tier 2 tree.
- "Tier 4 tree" means any tree that is 6 inches or greater in diameter at standard height but less than

12 inches in diameter at standard height and is not defined as a Tier 1 or Tier 2 tree.

When is Tree Removal Allowed on Developing Properties?

If you are developing your property, consider the tree protection regulations early in the design process. Seattle's tree protection regulations include limits on tree removal as part of a development permit in Neighborhood Residential, Residential Small Lot, Lowrise, Midrise, Neighborhood Commercial, Commercial, and Seattle Mixed Use

in Neighborhood Residential, Residential Small Lot, Lowrise, Midrise, Neighborhood Commercial, Commercial, and Seattle Mixed Use zones¹			
	Tree Removal Limits	Replacement Required	
Tier 1 trees	May not be removed unless hazardous or an emergency action ²	Yes	
Tier 2 trees	May not be removed unless hazardous, an emergency action ² , or permitted to achieve allowed development capacity per SMC 25.11.070 and 25.11.080	Yes	
Tier 3 trees	May be removed as part of a development permit	Yes	
Tier 4 trees	May be removed as part of a development permit	No	
Off-site trees with canopy	Must be retained. The responsible owner of the	NA	

1. In all other zones, all trees may be removed on developing property. Tier 1, Tier 2, and Tier 3 trees removed in association with development must be replaced by one or more new trees.

tree may request removal that complies with

SMC 25.11

- 2. Emergency actions do not require SDCI pre-approval or replacement. An after-the-fact application is required within 10 days of the emergency action. The arborist report can be limited to sufficient detail to document the tree status and emergency.
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zones. Tip 242A, <u>Tree Requirements Associated with</u> <u>Development</u>, provides additional information about tree protection associated with development.

and roots overhanging

The tree protection regulations include use of a basic tree protection area calculation to evaluate Tier 2 trees for removal. The basic tree protection area consists of the area surrounding the tree in which the Director would not allow excavation or other construction-related activity to occur that is delineated by a circle around the tree that is equal to 1 foot radius for every 1 inch of trunk diameter.

See our guides "site design in Neighborhood Residential zones" and "site design in Lowrise zones" for more information on the basic tree protection area and tree removals.

For developing property, SDCI reviews compliance with the tree protection regulations, including any proposed tree removal, as part of a development permit application. This includes the following record types: Construction (-CN), Grading (-GR), Demolition (-DM), and Master Use Permits (-LU). To qualify for tree removal for

one of the exemptions or allowances (as noted later in this Tip), you may either apply separately using the tree removal and vegetation restoration application or have the tree removal considered as part of your development permit application.

When is Tree Removal Allowed When No Development is Proposed?

Removal of Tier 1, Tier 2, Tier 3, or Tier 4 trees is generally prohibited in all zones when no development is proposed either on developed property (parcel or lot with legally permitted structures) or undeveloped land (parcel or lot with no structures).

While tree removal is generally prohibited when no development is proposed, the tree protection regulations include several exemptions and allowances that authorize removal of an otherwise protected tree.

- **Exemptions** are trees and tree activities that are not required to meet the provisions of the tree protection requirements if they meet the specific criteria.
- Allowances are where limited tree removal is permitted outright, in most cases without SDCI review and approval.

If you have a protected tree on your property, please be sure to read through the information about exemptions and allowances to know if it can be removed. If you are unsure, it is always best to contact SDCI before tree removal.

For all tree removal requiring SDCI review and approval outside of a development permit, you must complete and submit a <u>Tree Removal and Vegetation Restoration</u> application through the Seattle Services Portal. Application instructions are here: <u>How to Apply for SDCI Approval for Tree Removal and Vegetation Restoration</u>. More information about this application is in this Tip.

When is Hazard Tree Removal on Private Property Allowed?

If a tree is protected by the tree protection regulations, SDCI will approve its removal as a hazard tree only if it poses a high risk to people or property and meets the criteria for removal in SMC 25.11. An International Society of Arboriculture (ISA) Basic Tree Risk Assessment is required to document whether a tree meets a high-risk hazard rating. As part of a Tree Removal and Vegetation Restoration application, SDCI will determine whether the tree meets the high-risk hazard rating and that any other criteria for removal, including considering other risk mitigation options such

as pruning, are met. If the criteria are met, SDCI may approve the hazard tree for removal. If a hazard tree is located within an ECA not listed earlier in this Tip, please see Tip 331B, Environmentally Critical Areas: Tree and Vegetation Overview. You can use SDCI's online map tool to see if your property has any mapped ECAs.

What if a Tree Needs to be Removed as Part of an Emergency Action?

You may undertake emergency actions without obtaining approval in advance from SDCI. An "emergency action" applies only to any Tier 1, Tier 2, or Tier 3 tree that has an extreme risk of imminent failure. Emergency actions include trimming or removal that is necessary to remedy an immediate threat to people, structures, or health and safety.

You must notify SDCI before beginning any emergency action. To notify SDCI about an emergency action, contact our staff via email at SDCI-trees@seattle.gov or call (206) 233-5185 and leave a message. You must submit a Tree Removal and Vegetation Restoration application within ten calendar days of the emergency action.

How are Trees Assessed for Risk?

Trees with structural defects may be dangerous to people and property. If you are concerned about a tree, we recommend that you have it inspected by a registered Tree Service Provider to identify potential problems and establish an ongoing monitoring and maintenance plan to reduce the risk of property damage and injury.

A tree risk assessment identifies "targets" that may be threatened by a tree failure. Examples of targets include permanent structures, such as houses, garages, decks and other non-movable buildings, power lines, and areas of moderate-to-high-use, such as sidewalks, trails, regularly used sections of yards, parking areas, and roads.

In addition to identifying targets, a Tree Service Provider's risk assessment will check your tree's foliage, branches, trunk, and roots, looking for signs of disease, decay, structural problems, previous damage, and environmental conditions, to determine an overall tree risk rating.

If the hazard tree removal is approved by SDCI, consider leaving a portion of the tree as a wildlife snag. A Tree Service Provider can give you guidance on converting a hazard tree to a wildlife snag. When a dead or deteriorating tree is removed, it can negatively impact wildlife that is dependent on the tree. To minimize this impact, creating a snag retains many of the ecological functions

Summary of Exemptions and Allowances to Tree Protection Requirements on Undeveloped Land and Developed Property when No Development is Proposed

The following tree removal is allowed on developed property without SDCI review and approval:				
Zone	Tree Removal Allowed	Replacement Required		
NR, RSL, LR, MR, NC, C, and Seattle Mixed zones	Removal of no more than two Tier 4 trees in any 3-year period is allowed	No		
All other zones	Removal of no more than three Tier 3 and Tier 4 (combined) trees in any 1-year period is allowed	No		

In all zones, the following tree removal is allowed with SDCI review and approval on undeveloped and devel-
oped property:

	Arborist Report Required	Risk Assesment Required	Photos Required	Replacement Required ¹
Any tree if hazardous	Yes	Yes	Yes	Yes
Any tree if an emergency action ²	Yes ²	Yes	Yes	Yes
Any tree for an insect, pest, and/or pathogen infestation	Yes	No	Yes	Yes
Any tree to comply with ADA requirements or for elderly access	Yes	No	Yes	No
Any invasive or nuisance tree	No	No	Yes	Yes
Any dead tree	No	No	Yes	No

^{1.} Replacement required only for Tier 1, Tier 2, and Tier 3 trees.

^{2.} Emergency actions do not require SDCI pre-approval. An after-the-fact application is required within 10 days of the emergency action.

The following tree removal is allowed with SDCI review and approval only on developed property:				
	Arborist Report Required	Risk Assesment Required	Photos Required	Replacement Required
In all zones, Tier 3 and Tier 4 trees may be removed to thin trees that were initially overplanted resulting in 40% or higher canopy cover on the property.	Yes	No	Yes	No
In NR, RSL, LR, MR, NC, C, and Seattle Mixed zones, Tier 3 and 4 trees may be removed if needed because the tree is causing obvious physical damage to building foundations or utility infrastructure	No	No	Yes	Tier 3 only

provided by mature trees, including wildlife habitat, erosion control, and water quality protection.

How Do I Apply for Tree Removal Approval?

When SDCI review and approval is required to remove a tree outside of development, you can request approval using the Tree Removal and Vegetation Restoration application through the Seattle Services Portal. Either login to your existing account or create a new account if necessary. Instructions for submitting this application are at: How to Apply for SDCI Approval for Tree Removal and Vegetation Restoration.

Below is a list of request types for tree removal outside of development:

- 1. Hazardous tree removals (Tiers 1-4, with replacement required for Tiers 1-3; see SMC 25.11.040 for more information)
- 2. After the fact documentation of emergency tree removal (Tiers 1-3, no replacement required; see SMC 25.11.030 for more information)
- Tree removals due to insect, pest, and/or pathogen infestation (Tiers 1-4, with replacement required for Tiers 1-3)
- 4. Tree removals to comply with ADA or to improve access for elderly or people with disabilities (Tiers 1-4, no replacement required)
- 5. Removal of invasive or nuisance trees (Tiers 1-4, with replacement required for Tiers 1-3)
- 6. Removal of trees to thin overplanting (Tiers 3 and 4, no replacement required)
- 7. Removal of trees causing obvious damage to property (Tiers 3 and 4, replacement required for Tier 3)
- 8. Removal of dead trees (Tiers 1-4, no replacement required)

What Do I Need to Submit a Tree Removal Request?

Required submittal documents for a <u>Tree Removal and Vegetation Restoration</u> application vary depending on the type of tree removal. Details regarding the submittal documents are listed below. You will need to provide one or more of these documents specific to the removal request type when you are using the Tree Removal and Vegetation Restoration application through the <u>Seattle Services Portal</u>.

- (ISA) Basic Tree Risk Assessment form available from: Basic Tree Risk Assessment Form.
 - The assessment must be conducted by a certified arborist with a current ISA Tree Risk Assessment Qualification (TRAQ). The assessment must be submitted by a registered Tree Service Provider. If the assessment is submitted by a certified arborist on retainer, it must include the City-issued registration number of the tree service provider for whom the assessment was completed. Refer to Tip 242C, SDCI <u>Tree Service Provider Registry</u>, for more information.
 - If the tree is clearly dead, the assessment form is not required. SDCI staff arborists will rely on photos submitted with your application to confirm the high-risk rating.
- **Arborist Report** that summarizes factors contributing to the tree's condition. This report should include information on the overall health of the tree, analysis of potential targets, if present, factors contributing to the need for removal, and the dimensions and structure of the tree. When necessary, the report should also include analyses of tissue samples to confirm disease or other issues.
 - The report must be completed by a certified arborist registered on SDCI's <u>Tree Service Provider Directory</u> or on retainer with a registered tree service provider. The report must be submitted by a registered tree service provider. If the report is submitted by a certified arborist on retainer, it must include the City-issued registration number of the tree service provider for whom the report was completed. Refer to Tip 242C, <u>SDCI Tree</u> Service Provider Registry, for more information.
 - For emergency actions, the report must only include a brief narrative documenting the tree status and emergency. SDCI staff arborists will rely on photos submitted with your application to confirm the extreme risk rating.
 - If the tree is clearly dead, the arborist report is not required. SDCI staff arborists will rely on photos submitted with your application to confirm the status of the tree.
 - For other tree removal request types, the arborist report should include sufficient information about the tree and documentation of the specific conditions contributing to the need for removal.
- Site Plan that is legible and scaled showing the site

address, site tax parcel number, site configuration, location of existing structures or other potential targets, and location of the tree(s). If required, the location, size, and species of replacement trees must be shown. Follow guidance in Tips 103, <u>Site Plan Requirements</u>, 103A, Site Plan Guidelines.

- Photos that document the tree location and status. Photos need to be clear and detailed enough to determine the tree species and proximity to any other site features. Photos need to clearly show the reason for the tree removal request; i.e., signs of pest infestation, obvious damage to building foundations or utilities, or location of the target contributing to the risk. If the tree size appears close to a DSH threshold, you need to provide additional photos clarifying the measurement.
- Statement of Financial Responsibility form available from: Statement of Financial Responsibility/ Agent Authorization

How Much Does it Cost?

The fee for tree removal varies depending on the type of request, summarized below. We charge the fee when you apply. If it takes SDCI more than the fee assigned to review an application, we will charge additional time on an hourly basis. The Land Use rate is subject to change, so be sure to look at the current fee subtitle, which is available here: 2024 FEE SUBTITLE.

Who is Allowed to Remove a Tree?

Tree removal and most emergency actions are likely considered commercial tree work. Commercial tree work includes the following actions conducted in the City of Seattle in exchange for financial compensation:

- Removal of any Tier 1, Tier 2, Tier 3, or Tier 4 tree.
- Reportable work, which is the removal of live branches 4 inches in diameter or greater, pruning or removal of live roots 2 inches in diameter or greater, or removal of live branches constituting 25 percent or more of a tree's foliage-bearing area. Pruning of trees cultivated for fruit production and maintenance of hedges is not reportable work.

These actions are commercial tree work regardless of whether the tree is hazardous or the work is due to an emergency. All commercial tree work on private property must be conducted by a registered tree service provider. Any person or company you hire must be registered to complete commercial tree work. You can locate a

registered tree service provider on SDCI's <u>Tree Service Provider Directory</u>. Please also consult Director's Rule 10-2023, Administration of the Seattle Department of Construction and Inspections Tree Service Provider Registry, or successor rule, and Tip 242C, <u>Tree Service Provider Registry</u>.

What are the Replacement Requirements for Tree Removal?

Minimum Fee Calculation for Tree Removal Requests by Type ¹		
Request Type	Minimum Fee Calculation	
ADA/Elderly Access	No LU fee	
Dead	No LU fee	
Emergency	0.5 x LU hourly rate	
Hazard Tree Removal	0.5 x LU hourly rate	
Insect/Pest/Pathogen	0.5 x LU hourly rate	
Invasive/Nuisance	No LU fee	
Obvious Damage to building foundations or utility infrastructure	0.5 x LU hourly rate	
Response to Tree Code Violation (25.11)	0.5 x LU hourly rate	
Thinning Tier 3 and Tier 4 trees that were initially overplanted resulting in 40% or higher canopy cover	0.5 x LU hourly rate	
Vegetation Restoration	1x LU hourly rate	
1 Additional SDCI fees may apply in environmentally		

¹ Additional SDCI fees may apply in environmentally critical areas and the shoreline district.

Seattle's tree protection regulations include tree replacement requirements. In all zones, Tier 1, Tier 2, and Tier 3 trees removed in association with development, because they are hazardous, dead, invasive/nuisance, or causing obvious damage (Tier 3 only) require replacement with one or more new trees. Replacement trees must result, upon maturity, in a canopy cover that is at least roughly proportional to the canopy cover prior to tree removal. A list of acceptable replacement trees can be found on the <u>Green Factor Tree List</u>.

If tree removal is approved, replacement trees may be located on- or off-site according to SMC <u>25.11.090</u> and SMC <u>25.11.115</u>. You may also choose to make a voluntary payment in lieu of on-site tree replacement.

Payment in lieu of replacement planting is calculated pursuant to Director's Rule 8-2023, <u>Payment in lieu of tree replacement pursuant to the Tree Protection Code</u>, or successor rule. If you choose voluntary payment in lieu of on-site tree planting, all payments must be made to SDCI before SDCI issues the tree removal approval.

What are the Zoning Standards for Trees?

Depending on your project and its zoning, you may be required to comply with tree requirements in the zoning code. These requirements may include street trees, including in Neighborhood Residential zones. Other requirements include preserving or planting trees to comply with Green Factor, or incentives to protect trees during your construction project such as decreased yards and setbacks. When on-site replacement trees are planted, they may count towards the requirements of Seattle Green Factor and other tree requirements of the zone.

What about Tree(s) in the Right-of-Way?

If you do not know whether a tree is on your property or in the right-of-way, verify this with the Seattle Department of Transportation (SDOT). If the tree or trees are in the public street right-of-way, you must get approval from SDOT before pruning, altering, or removing a tree or vegetation. This includes open and unopened street and alley rights-of-way. The SDOT Urban Forestry Arborist Office issues these permits.

Submit an application for tree and vegetation pruning, removal, or planting in the right-of-way by following the instructions here: <u>How Do I Submit an Urban Forestry</u> Application for Tree Pruning, Removal, or Planting?.

More information about SDOT permits is available on the Urban Forestry website: <u>Street Tree Permits</u>.

What about Tree(s) in Parks?

If you do not know whether a tree is on your property or on Parks-owned property, verify this with Seattle Parks and Recreation. Any work performed on property owned by Seattle Parks and Recreation will require approval first. Submit a Revocable Use Permit application administered by Seattle Parks and Recreation available at: Revocable Use Permit Application for Non-Park use of park property.

More information about these permits can be found at the Seattle Parks and Recreation website: <u>Special Use of Seattle Parks Property: Permits.</u>

Still Need Help?

The best way to contact our staff is via email at <a href="mailto:sde-emailto:

Customers may also contact us at (206) 233-5185 if you have questions and/or need interpretation services (please be prepared to share your preferred language to help us locate the appropriate support).

Clarification of Terms

Arborist Report: For the purposes of this Tip, "arborist report" refers to any document prepared by a certified arborist registered on SDCI's <u>Tree Service Provider Directory</u> including, but not limited to, a tree protection report, tree inventory, tree assessment, or report/plan required by SDCI.

Commercial Tree Work: Any of the following actions conducted within Seattle in exchange for financial compensation: reportable work; and the removal or assessment of the health or hazard risk of any Tier 1, Tier 2, Tier 3, or Tier 4 tree. Normal pruning and maintenance that does not meet the definition of reportable work is not commercial tree work.

Emergency (tree related on private property): A situation in which there is an immediate danger to life and property that requires preventive action in a time frame too short to apply for and receive advanced approval. SDCI requires submittal of a full application for the removal once the emergency has been mitigated.

Hazardous tree: Any tree or tree part that poses a high risk of damage to persons or property, and that is designated as such by the Director according to the tree hazard evaluation standards established by the International Society of Arboriculture (ISA).

Protected tree: A protected tree is one defined in SMC 25.11 as either a a Tier 1, Tier 2, Tier 3, or Tier 4 tree that cannot be removed unless it meets specific exemptions or allowances.

Pruning: The pruning of a tree through crown thinning, crown cleaning, windowing, or crown raising, but not including topping of trees or any other trimming likely to kill or significantly damage the tree. When you prune trees, you must conform to the ANSI A300 standards outlined in the manual *American National Standard for Tree Care Operations - Tree, Shrub and Other Woody Plant Management - Standard Practices (Pruning).* When you contract with a company to prune your trees, we recommend obtaining written confirmation that pruning will be in accordance with these standards.

Removal: Removal of trees or vegetation, through either direct or indirect actions including, but not limited to, clearing, topping, or cutting; causing irreversible damage to roots or trunks; poisoning; destroying the structural integrity; and/or any filling, excavation, grading, or trenching in the dripline area of a tree which has the potential to cause irreversible damage to the tree; or relocation of an existing tree to a new planting location. Encroachment that exceeds the amount allowed under SMC 25.11 may be considered removal.

Reportable work: Removal of live branches 4 inches in diameter or greater; pruning or removal of live roots 2 inches in diameter or greater; or removal of live branches constituting 25 percent or more of a tree's foliage-bearing area. Pruning of trees cultivated for fruit production and maintenance of hedges is not reportable work.

Target: Person, object, or structure that could be harmed (damaged or injured) by a tree or tree part in the event of a failure.

Topping: The cutting back of limbs to stubs within the tree's crown, to such a degree as to remove the normal canopy and disfigure the tree; or the cutting back of limbs or branches to lateral branches that are less than one-half (1/2) of the diameter of the limb or branch that is cut.

Tree exemptions: Trees and tree activities that are not required to meet the provisions of the tree protection requirements if they meet the specific exemption criteria.

Tree allowances: Conditions where limited tree removal is permitted outright, in most cases without SDCI review and approval.

Resources

For more information on existing regulations, read:

- Tree Protection, Seattle Municipal Code (SMC 25.11)
 Director's Rule 7-2023, Designation of Tier 2 Trees
- Director's Rule 8-2023, <u>Payment in lieu of tree</u> replacement pursuant to the Tree Protection Code
- Director's Rule 12-2023, Interpretation and Administration of the Seattle Department of Construction and Inspections Tree Protection Code: Tree Replacement Requirements
- Tip 103, Site Plan Requirements
- Tip 103A, Site Plant Guidelines
- Tip 103B, Environmentally Critical Area Site Plan Requirements
- Tip 242A, <u>Tree Requirements Associated with</u> Development
- Tip 242C, SDCI Tree Service Provider Registry
- Tip 242D, Tree Public Notice
- Tip 331, Environmentally Critical Areas Tree and Vegetation Overview
- Tip331B, Hazard Trees
- How to Apply for <u>SDCI Approval for Tree Removal</u> and Vegetation Restoration
- ECA Advisory Map
- SDCI Tree Service Provider Directory
- Report illegal tree cutting

Access to Information

Links to SDCI Tips, Director's Rules, and forms are available on our website at www.seattle.gov/sdci.