

A. Background

1. Name of proposed project, if applicable:

Tree Regulation Update. This is a non-project action amending the Seattle Municipal Code (SMC) including repealing and replacing Chapter 25.11.

2. Name of applicant:

City of Seattle

3. Address and phone number of applicant and contact person:

Seattle City Council

City Hall

600 Fourth Ave. 2nd Floor

PO Box 34025

Seattle, Washington 98124-4025

Contact: Eric McConaghy, Legislative Analyst
(206) 615-1071

4. Date checklist prepared:

August 14, 2018

5. Agency requesting checklist:

City of Seattle Department of Construction and Inspections (SDCI)

6. Proposed timing or schedule (including phasing, if applicable):

The City Council will review, discuss and vote on these proposed code amendments is anticipated in fall 2018.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No. The proposal is a non-project action that is not dependent upon any further action.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

A SEPA environmental checklist and environmental determination and related information are prepared for this proposal.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

This is a non-project action. The proposal's effect would be citywide where development is on-going. The action is not site specific. It covers all parcels and right-of-way in Seattle. Any pending permit approvals received prior to the adoption of the regulations would be subject to the existing code.

10. List any government approvals or permits that will be needed for your proposal, if known.

The proposed amendments require approval by Seattle City Council. No other agency approvals are anticipated.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site.

This is a non-project legislative action proposing amendments to the Land Use Code and Tree Protection Code. The purpose of the proposed ordinance is to provide increased protection and enhancement of the city's tree canopy, strengthen tree protection and replacement requirements, require a tree permit, and provide targeted flexibility for tree removals. In addition, the proposal to create a new Chapter 25.11 Tree Protection, after repealing the existing Chapter 25.11, would improve clarity and would assist staff with the implementation and enforcement of the code.

Generally, the proposed legislation would:

- define "significant tree";
- require a permit for tree removal of significant trees;
- set fees for a tree permits;
- clarify the definition of hazard trees;
- allow flexibility in development standards in order to preserve trees;
- establish requirements for the replacement of removed trees;
- allow for payment in lieu of when tree replacement is required;
- specify tree retention requirements;
- update enforcement provisions for tree regulations; and
- update tree protection provisions in the SMC.

12. Location of the proposal.

This is a non-project action. The proposal would apply citywide. The proposed regulations would apply to tree removal in all zones in the City of Seattle. Some exemptions to the regulations are proposed for emergency activities, tree removal by responsible public agencies and departments, tree removal in compliance with Environmentally Critical Area regulations (Seattle Municipal Code (SMC) 25.09.070), street tree removal regulated by Title 15 of the SMC, Street and Sidewalk Use, and normal and routine pruning operations and maintenance.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

Not applicable. This is a non-project action. This proposal has no specific site or project location.

b. What is the steepest slope on the site (approximate percent slope)?

This is a non-project action. This proposal has no specific site or project location. Slopes of varying steepness are located throughout the City of Seattle. Sites with slopes greater than 40 percent are regulated under the City's Environmentally Critical Areas Code (Chapter 25.09).

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)?

This is a non-project action. This proposal has no specific site or project location. Soils conditions vary considerably throughout the city and typically include a mix of glacial till found in the urban Seattle area.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

This is a non-project action. This proposal has no specific site or project location. Some areas within the City of Seattle feature unstable soils. Soil conditions vary from site to site and would be evaluated accordingly.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

This is a non-project action. This proposal has no specific site or project location. Many developable sites within Seattle are composed of unstable soils.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

This is a non-project action. This proposal has no specific site or project location. The potential for erosion is site-specific and would need to be evaluated on a project-by-project basis. The proposed amendments would not result in increased development activity.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This is a non-project action. This proposal has no specific site or project location. This proposal does not involve construction activity.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

This is a non-project action. This proposal has no specific site or project location. Development consistent with this proposal may occur over time and cannot be evaluated in terms of erosion at this stage. If a development proposal submitted to the City is found to meet or exceed thresholds for environmental review, that project(s) will be subject to the City's codes and ordinances in place at the time of submittal as well as subsequent environmental review.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

This is a non-project action and no changes to air standards are proposed other than it is anticipated that increased tree canopy over time would be beneficial to the overall air quality in Seattle. Greenhouse gas (GHG) emissions have also been considered, and no increases to GHG emissions are expected as a result of this non-project action.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No. This is a non-project action. This proposal has no specific site or project location.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

This proposal is a non-project action and does not involve construction or development activity. Individual projects that may use the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) including existing odor and emissions requirements including provisions currently contained in the Land Use Code and promulgated by the Puget Sound Clean Air Agency as those individual site-specific projects move forward.

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The City of Seattle has freshwater lakes, streams, and saltwater bodies. Major bodies of water include Lake Washington, Lake Union, the Duwamish River, and Puget Sound. The proposed amendments are not expected to result in increased impacts on water quality.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No. This proposal is a non-project action and does not involve construction or development activity. Individual projects that may use the provisions of this proposal will be subject to the city's codes and ordinances as well as environmental review (if they meet or exceed thresholds for environmental review).

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None. The proposed amendments are not site-specific.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No. The proposed amendments are not site-specific.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No. The proposed amendments are not site-specific, however there are some parts of Seattle that lie within the 100-year floodplain.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No. This non-project proposal defines no particular development site, and no construction is proposed.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

No. This is a non-project action.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

None identified. This is a non-project action.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

This non-project proposal defines no particular development site.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.**

The entire city of Seattle is served by a sewage system, generally sewer mains. The proposed legislation will not change existing regulations on septic tanks or waste material discharge.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

No. This non-project proposal defines no particular development site.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None proposed. This proposal is a non-project action and does not involve construction or development activity. Individual projects that may use the provisions of this proposal will be subject to the city's codes and ordinances as well as environmental review (if they meet or exceed thresholds for environmental review).

4. Plants

a. Check the types of vegetation found on the site:

- _X_ deciduous tree: alder, maple, aspen, other
- _X_ evergreen tree: fir, cedar, pine, other
- _X_ shrubs
- _X_ grass
- ___ pasture
- ___ crop or grain
- _X_ Orchards, vineyards or other permanent crops.
- _X_ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- _X_ water plants: water lily, eelgrass, milfoil, other
- _X_ other types of vegetation

This non-project proposal has no particular development site. Throughout the City, there are greenbelts and urban forest, and including trees, grass, and other types of vegetation on individual properties.

b. What kind and amount of vegetation will be removed or altered?

None identified. This proposal is a non-project action and does not involve construction or development activity. Individual projects that may use the provisions of this proposal will be subject to the city's codes and ordinances as well as environmental review (if they meet or exceed thresholds for environmental review).

See the response to Questions in #D later in this checklist for discussion of potential indirect impacts to vegetation.

c. List threatened and endangered species known to be on or near the site.

Not applicable. This is a non-project action. This proposal has no specific site or project location.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable. This is a non-project action. This proposal has no specific site or project location.

e. List all noxious weeds and invasive species known to be on or near the site.

Not applicable. This is a non-project action. This proposal has no specific site or project location.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other: crows, pigeons, starlings, gulls and other urban tolerant birds
mammals: deer, bear, elk, beaver, other: squirrels, rodents, raccoon, household pets, and other similar mammals tolerant to urban environments

fish: bass, salmon, trout, herring, shellfish, other _____

Not applicable. This is a non-project action. This proposal has no specific site or project location.

b. List any threatened and endangered species known to be on or near the site.

Not applicable. This is a non-project action. This proposal has no specific site or project location.

The proposal is not expected to impact threatened or endangered species. Chinook salmon in Puget Sound are listed as a threatened species under the Endangered Species Act. Bald Eagles are known to exist within the city limits. No impacts to any species are expected as a result of implementing this proposal.

c. Is the site part of a migration route? If so, explain.

Not applicable. This is a non-project action. This proposal has no specific site or project location. Individual projects that may use the provisions of this proposal will be subject to the city's codes and ordinances as well as environmental review (if they meet or exceed thresholds for environmental review).

d. Proposed measures to preserve or enhance wildlife, if any:

The adoption of updates to the municipal code is a non-project action meant to protect and enhance wildlife by protecting tree canopy.

e. List any invasive animal species known to be on or near the site.

This proposal is a non-project action and does not involve construction or development activity. Individual projects that may use the provisions of this proposal will be subject to the city's codes and ordinances as well as environmental review (if they meet or exceed thresholds for environmental review).

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable. This is a non-project action. This proposal has no specific site or project location.

Areas within the City of Seattle are served by electric and natural gas utilities. Future site-specific development is likely to use these sources of energy. Some residents may choose to use solar sources of energy depending on site-specific development proposals.

b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

This non-project proposal has no particular development site. However, additional protection of trees may reduce the amount of sunlight available for solar panels.

c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

This non-project proposal has no particular development site, and no features or measures are proposed.

Increased tree canopy coverage is an intended result of this proposal. In general, data indicates that additional shading may result in cooler overall temperatures within the city and thus less energy use by buildings. An increase in the number of trees planted may also have positive effects in terms of stormwater runoff mitigation.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

This proposal is a non-project action and does not involve construction or development activity. Future development projects may be subject to environmental review, the City's Environmentally Critical Areas Ordinance, and other requirements. Future development projects will need to comply with project-specific environmental regulations. Development regulation changes in the proposed legislation are unlikely to result in environmental health hazards as part of the site development for an individual project.

1) Describe any known or possible contamination at the site from present or past uses.

This non-project proposal has no particular development site. See the response to Question #D.1 later in this checklist.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

This non-project proposal has no particular development site. See the response to Question #D.1 later in this checklist.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

This non-project proposal has no particular development site. See the response to Question #D.1 later in this checklist.

4) Describe special emergency services that might be required.

This non-project proposal has no particular development site. As a non-project action, no emergency services are required by this amendment. In general, emergency service providers including the Fire and Police Departments will review the effects of increased development and propose enhanced services as necessary as part of their planning for future service needs.

5) Proposed measures to reduce or control environmental health hazards, if any:

None proposed.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

This non-project proposal has no particular development site. This proposal is a non-project action and does not involve construction or development activity.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

This non-project proposal defines no particular development site. Individual development projects will be required to comply with the City's noise ordinance.

3) Proposed measures to reduce or control noise impacts, if any:

This proposal is a non-project action and does not involve construction or development activity. Individual projects that may use the provisions of this proposal will be subject to the city's codes and ordinances as well as environmental review (if they meet or exceed thresholds for environmental review).

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

This proposal is not site-specific. The proposed regulations will apply in environmentally critical areas and floodplains, including areas within the Shoreline District.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The proposal is not site-specific. The implementation of this non-project proposal is not expected to impact land previously used for agricultural purposes. Upcoming site-specific projects may be evaluated for such impacts in the future.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

c. Describe any structures on the site.

This proposal is not site-specific.

d. Will any structures be demolished? If so, what?

No.

e. What is the current zoning classification of the site?

This non-project proposal defines no particular development site. The proposal's effect would be citywide. Multiple zoning designations apply ranging from single-family residential to high density mixed-use.

f. What is the current comprehensive plan designation of the site?

This non-project proposal defines no particular development site; the city as a whole has numerous comprehensive plan designations.

g. If applicable, what is the current shoreline master program designation of the site?

This non-project proposal defines no particular development site. The city has a number of shoreline master program designations. See the responses to Question #D later in this checklist for discussion of mitigation for any indirect impacts in shoreline environments.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

This non-project proposal defines no particular development site. Environmentally critical areas are located throughout the City of Seattle. See the responses to Question #D of this checklist for discussion of mitigation for any indirect impacts to critical areas.

i. Approximately how many people would reside or work in the completed project?

Not applicable. The proposal is a non-project action.

j. Approximately how many people would the completed project displace?

The proposal is not site-specific and therefore is not expected to result in displacement of people from existing housing.

k. Proposed measures to avoid or reduce displacement impacts, if any:

This proposal is a non-project action and does not involve construction or development activity. Individual projects that may use the provisions of this proposal will be subject to the city's codes and ordinances as well as environmental review (if they meet or exceed thresholds for environmental review).

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed tree regulations are consistent with the goals and policies of the City of Seattle Comprehensive Plan as well as the Urban Forest Stewardship Plan (UFSP). See the response to Questions #D later in this checklist for discussion of compatibility of the proposed legislation with existing and projected land uses and plans.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

None proposed.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No additional units are expected as a result of implementing the proposed amendments.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

This non-project proposal defines no particular development site or development. This proposal would not directly result in the elimination of any housing units. See the response to Question #D later in this checklist for discussion related to possible indirect impacts to housing.

c. Proposed measures to reduce or control housing impacts, if any:

None proposed. See the responses to Question #D later in this checklist.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The proposal is not site-specific and does not apply to any particular structure.

b. What views in the immediate vicinity would be altered or obstructed?

The proposal is not site-specific.

c. Proposed measures to reduce or control aesthetic impacts, if any:

None proposed.

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

This proposal is a non-project action and does not involve construction or development activity. Individual projects that may use the provisions of this proposal will be subject to the city's codes and ordinances as well as environmental review (if they meet or exceed thresholds for environmental review).

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

c. What existing off-site sources of light or glare may affect your proposal?

This non-project proposal defines no particular development site or development.

d. Proposed measures to reduce or control light and glare impacts, if any:

None proposed.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

This non-project proposal defines no particular development site or development.

b. Would the proposed project displace any existing recreational uses? If so, describe.

This non-project proposal defines no particular development site or development.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None proposed.

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

This proposal is not site-specific. Historic places and objects eligible for national, state, or local registers are located throughout Seattle.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

This proposal is not site-specific. Landmarks and cultural facilities are located throughout Seattle.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

This non-project proposal defines no particular development site or development. See the response to Question #D later in this checklist.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None of the proposed amendments is expected to impact historic/landmark structures. Individual projects will undergo SEPA review, as required. All future development is required to comply with local, state, and national regulations that require mitigation of impacts on historic and cultural resources.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

This non-project proposal defines no particular development site or development. The city is well-served by an urban street system and street classification system.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The proposal is not site-specific. The City is currently well-served by King County Metro and Sound Transit bus service and by Sound Transit regional commuter rail facilities.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

This non-project proposal defines no particular development site or development. Future development proposals will meet the applicable parking requirements under the existing applicable codes.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

This non-project proposal is not site-specific. No new roads, streets or pedestrian improvements will be required as a result of implementing the proposed amendments.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No. This non-project proposal defines no particular development site or development.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

This proposal is a non-project action and does not involve construction or development activity. Future development projects will be subject to environmental review (if they meet or exceed thresholds for environmental review for traffic and transportation impacts) and will need to meet transportation concurrency requirements.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No. This non-project proposal defines no particular development site or development.

i. Proposed measures to reduce or control transportation impacts, if any:

None proposed. This non-project proposal defines no particular development site or development.

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

This non-project proposal defines no particular development site or development. No new public services would be required.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed.

16. Utilities

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

The proposed amendments are a non-project action. Individual projects developed pursuant to this proposal would be served by utilities including electricity, natural gas, water, refuse service, telephone, and sanitary sewer.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

This non-project proposal defines no particular development site or development. In general, utility providers, including Seattle City Light, Seattle Public Utilities, Washington Natural Gas, Comcast Xfinity, and other utilities regularly review the effects of increased development and propose enhanced services as necessary as part of their planning for future service needs. This proposal will not create the need for additional utility services.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: On file
Name of signee Eric McConaghy
Position and Agency/Organization , Council Central Staff
Date Submitted: August 14, 2018

D. Supplemental sheet for nonproject actions

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would result in no direct impacts and is unlikely to result in significant indirect or cumulative impacts related to water, air, toxic/hazardous substances, or noise. The proposal is intended to help increase the canopy cover in Seattle. An increase in canopy cover will help to reduce polluting discharges to water and absorb CO2. The proposal does not address release of toxic or hazardous substances, emissions or noise.

Proposed measures to avoid or reduce such increases are:

None proposed. An increase in canopy cover will not have a significant adverse environmental impact.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed changes would result in no direct impacts and are unlikely to result in significant indirect or cumulative impacts related to plant, animal, fish or marine life. The proposed amendments would result in an increase in the protection of plants, animals, fish and marine life by protecting and enhancing tree canopy cover citywide for all parcels.

Lower Threshold:

The proposal will protect more trees than the existing regulations because the proposal is to lower the existing threshold to 6 inches diameter for all tree species (this would encompass categories in the existing tree protection code for significant trees, exceptional trees and trees over 24" in diameter at breast height). One of the long-term benefits of creating a lower threshold is that it allows for a wider range of trees to be protected citywide, which will help the existing smaller trees grow up to be larger trees therefore creating a healthier future tree canopy for both the benefit of plants, animals, fish, and marine life as well as for future generations.

Tree Canopy Cover:

The proposed amendments are intended to increase tree canopy in Seattle and will provide data that can be used to guide Seattle's management of the urban forest. The standards for tree retention would be specified by percent tree canopy cover by zone. These standards would be consistent with the tree canopy cover goals by management unit listed in the Urban Forest Stewardship Plan.

The 2016 Seattle Tree Canopy Assessment represents the most accurate accounting of Seattle's canopy to date and shows Seattle has a 28% canopy cover citywide. The majority of Seattle's urban trees are found in two locations: residential areas (representing 67% of the land with 72% of Seattle's tree canopy), and in the right-of-way, interspersed throughout the city (representing 27% of the land with 22% of the canopy).

It is anticipated that the proposal will regulate more trees than the existing tree code. The existing tree code does not regulate all zones, does not require a permit for tree removal and/or replacement in a number of situations and allows for up to three trees (measuring 6 inches or more diameter at breast height) to be removed annually without a permit in some zones. SMC 25.11.040.B provides that "...no more than three trees 6 inches or greater in diameter, measured 4.5 feet above the ground, may be removed in any one year period on lots in Lowrise, Midrise and Commercial zones or on lots 5,000

square feet or greater in a Single-family or Residential Small Lot zone, except when the tree removal is required for the construction of a new structure, retaining wall, rockery or other similar improvement that is approved as part of an issued building or grading permit...”

The existing code does include landscape standards for development projects, known as green factor, in multiple zones that can be satisfied by planting trees as part of a landscape plan¹.

Establishment of Tree Permit System:

The proposed code does not set an allowance for tree removal by the number trees per time period for any zone. Instead, the proposal would require that trees greater than six inches in diameter at standard height (DSH, measured at 4.5 feet from the ground) are to be protected citywide according tree canopy cover percentage goals listed in the Urban Forest Stewardship Plan.

The proposal removes the ability to removal trees greater than 6 inches diameter without a permit, requires mitigation for all tree removal over 6 inches DSH and establishes a tree removal permit as a requirement for both minor and major tree removal. The existing tree code regulated trees in the single family residential zones (excluding RSL zone), the multifamily zones and the neighborhood commercial zones. The proposal is to increase the area of applicability by providing tree protection in all zones citywide.

In addition, the proposed amendments authorize the Director to adopt rules for best management practices to further protect trees.

Exceptional Trees:

While the proposal would not include a definition exceptional trees, as occurs in the current code, the proposal is intended to regulate the removal of trees that would be designated as “exceptional” according the current code by including more trees as a result of regulating by using a lower threshold of 6 inches DSH.

Currently, SMC 25.11.020 defines “exceptional tree” as “a tree or group of trees that because of its unique historical, ecological, or aesthetic value constitutes an important community resource, and is deemed as such by the Director according to standards promulgated by the Seattle Department of Construction and Inspections.” The standards promulgated by SDCI for exceptional trees are found in Director’s Rule 16-2008².

Hazardous Trees:

The existing tree regulations exempt the abatement of hazardous trees from the tree regulations (SMC 25.11). The proposed amendments would require an applicant to obtain a permit for hazardous tree removal and would clarify the difference between and emergency action and designation and permit to remove a hazardous tree.

Mitigation for Tree Removal:

The proposed amendments include mitigation requirements scaled to the tree canopy provided by trees existing onsite such that the required mitigation is intended to result in tree canopy onsite

1 <http://www.seattle.gov/dpd/codesrules/codes/greenfactor/default.htm>

2 <http://www.seattle.gov/dpd/codes/dr/DR2008-16x.pdf>

meeting required standards. The tree canopy standards are derived from Seattle's Urban Forest Stewardship Plan and vary by tree management units, basically zoning types. Generally, mitigation would be in the form of planting replacement trees on-site or off-site, or payment in-lieu.

Fees in-lieu or Replanting:

The proposal does allow payment in-lieu of tree replacement for trees removed as permitted. Fees paid in-lieu of replacement would be managed in a fund for the purpose of tree replacement.

Acknowledgement of tree regulations:

The proposal would require that any person involved in tree maintenance, tree removal, development activity, or land clearing operations in the city of Seattle shall be required to sign and submit to SDCI on a form approved by SDCI, a statement acknowledging the person has reviewed the City's tree regulations and the permitting requirements for tree removal, and acknowledging that such person has obtained any and all licenses necessary to lawfully engage in the activities within the City of Seattle, if applicable.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None proposed. Applicable regulations, including the Land Use Code, SEPA regulations, Environmental Critical Areas regulations, and the Shoreline Master Program, are anticipated to adequately mitigate any impacts of any future associated project-specific actions.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed amendments would not deplete energy or natural resources and is intended to encourage energy conservation, as increased tree canopy coverage lowers local temperatures and can reduce household energy usage. The intent of the new regulations is to preserve more trees in Seattle by lowering the threshold to 6" diameter and to boost responsible management of the City's urban forest. As trees are an important natural resource, this proposal would enhance, rather than deplete, the natural resources of Seattle.

Proposed measures to protect or conserve energy and natural resources are:

See answer #2 above.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal would result in no direct impacts and are unlikely to result in significant indirect or cumulative impacts related to Environmentally Critical Areas (ECAs) but will likely instead help to preserve and enhance them.

The proposal does not alter any procedures or regulations related to natural environment protections and would not alter allowances for development that could otherwise occur in or near ECAs under existing regulations. Any project-specific action to remove a tree that is above adopted thresholds is subject to environmental review as a part of the permit review process and would continue to be

subject to environmental review under the proposal. Any project-specific actions to remove a tree that is regulated by the existing Environmental Critical Areas regulations must be in compliance with those regulations and would continue to be subject to ECA regulations under the proposal.

The proposal does not alter any procedures or regulations related to historic and cultural preservation. Restrictions on the demolition of designated landmarks and properties under consideration for landmark designation would remain in place under the proposal.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None proposed. Applicable regulations, including the Land Use Code, SEPA regulations, Environmental Critical Areas regulations, and the Shoreline Master Program, are anticipated to adequately mitigate any impacts of any future associated project-specific actions.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed amendments would continue to allow land uses compatible with the Comprehensive Plan. The proposal will not alter the development capacity or the zoning of any properties or the uses allowed in any zone and is not expected to alter the pace or scale of new development.

The proposal does not alter any procedures or regulations related to the Shoreline Management Program and would not alter allowances for development that could otherwise occur in or near shoreline areas under existing shoreline regulations.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None proposed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed amendments would result in no direct impacts and will not result in indirect or cumulative negative impacts related to transportation or public services/utilities. The proposal will have no adverse transportation or public service/utility impacts.

Proposed measures to reduce or respond to such demand(s) are:

None proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal would not result in conflicts with local, state, or federal laws or requirements for protection of the environment.