

SEATTLE URBAN FORESTRY COMMISSION

Tom Early, Chair • Steve Zemke, Vice-Chair
Weston Brinkley • Leif Fixen • Reid Haefer • Craig Johnson
Joanna Nelson de Flores • Sarah Rehder • Andrew Zellers

The Urban Forestry Commission was established to advise the Mayor and City Council concerning the establishment of policy and regulations governing the protection, management, and conservation of trees and vegetation in the City of Seattle

September 6, 2017

Meeting Notes

Seattle Municipal Tower, Room 2750 (27th floor)
700 5th Avenue, Seattle

Attending

Commissioners

Tom Early – chair
Leif Fixen
Meghan Herzog (non-voting)
Craig Johnson
Joanna Nelson de Flores
Sarah Rehder

Staff

Sandra Pinto de Bader - OSE

Guests

Scott Osterhage – Seattle Children’s
Jim Keller – Site Workshop

Public

None

Absent- Excused

Weston Brinkley
Reid Haefer
Andrew Zellers
Steve Zemke – vice-chair

NOTE: Meeting notes are not exhaustive. For more details, listen to the digital recording of the meeting at: <http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>

Call to order

Tom called the meeting to order. Due to lack of quorum minutes adoption will be moved to a later time.

Public comment

None.

Adoption of July 5, July 12, August 2, and August 9 meeting notes

ACTION: A motion to approve the July 5 meeting notes as amended was made, seconded, and approved.

ACTION: A motion to approve the July 12 meeting notes as amended was made, seconded, and approved.

ACTION: A motion to approve the August 2 meeting notes as amended was made, seconded, and approved.

ACTION: A motion to approve the August 9 meeting notes as written was made, seconded, and approved.

Seattle Children’s briefing

Jim Keller with Site Workshop delivered the briefing. The City's tree protection ordinance (SMC 25.11) applies to development authorized by Children's Major Institution Master Plan (MIMP). In addition, to the extent feasible, any trees that exceed 6 caliper inches in width measured three feet above the ground and that are located within the Laurelon expansion area shall be used on Children's campus. The project team went through a long process to determine which trees were going to be moved to comply with City council requirements and to preserve valuable trees.

The project includes a 2-year construction process. They established a nursery to keep trees during construction and are protecting existing soil to protect root zones. One way to do this was to not demolish existing foundations. During construction, they started to move large trees. Root balls were hand excavated, with some trees weighing 60,000 pounds, to be moved to the nursery. When the site was ready to receive trees, they were moved from the nursery to their final location.

The Project team is now going to start working on the next project, which is Forest B. Part of the tree protection/preservation effort will be to move eight trees that were already moved once to get them to a permanent home inside the campus. They are working on relocating trees and vegetation from the project footprint. Supplemental landscaping will be installed.

UFC comment/question: Tom has visited the site and was a great experience.

Answer: Jim said that as a landscape architect it's been a great experience to work with a client that cares about trees. Trees need to be moved while dormant which can be challenging when project permitting and timing is not pre-determined. He would like to know how could the City facilitate this process outside of the typical permit process.

UFC comment/question: were all the trees that were moved replanted on site?

Answer: the larger trees were kept on site. Some were pushed across Sand Point way and stayed on campus.

UFC comment/question: how many trees died?

Answer: Only one: the biggest Maple tree.

UFC comment/question: how much does it cost to move large trees?

Answer: in phase 1 they spent \$1.2M moving 17 trees. The expensive part was to store them before moving them to the final location. In general, the trees are doing extremely well. The Forest A project started in 2012. The MIMP was approved in early 2010. The trees have been in their new spot for 4-5 years. Tree Solutions was the arborist hired to do monthly reports. The contractor, Sellen Construction, made sure the trees were protected and cared for. Children's is committed to having a wide diversity of plant materials on campus.

UFC comment/question: do you provide organized walking tours? How are the spaces utilized?

Answer: they are all public spaces, this is part of the project public benefit. There are tours on request as well as classes. The Center for Urban Horticulture is very close by.

Design Review Board update – initial discussion

Steve Zemke provided preliminary comments, which Tom shared with the Commission

“For discussion and input to the Seattle Urban Forestry Commission:

I am not able to attend today's meeting but here are some preliminary comments. Steve Zemke [CB 119057 submitted to the Seattle City Council Planning, Land Use and Zoning Committee](#) on August 15 on significantly modifying the Design Review process. The purpose is to shorten and reduce much of the design review process for large projects and make administrative and hybrid decisions instead to speed up developers building more projects to meet housing needs. Exceptional trees would then in some decisions be an administrative or hybrid decision by DCI instead of public review.

A public hearing is scheduled for Monday Sept 11th from 6:30 to 9 PM at **SIFF Cinema Uptown, Auditorium 3, 511 Queen Anne Avenue North Seattle, WA 98109.**

Right now we are getting no return on trees lost and what they are proposing will accelerate the loss. Below are two recommendations critical to this bill. If we can get this established in this ordinance it will be a big leg up on revising a private tree ordinance. We have to act now. If we don't get this now it will be much harder or impossible later. As usual DCI has been working on this internally for a long time and not consulting the public.

- The need to track tree loss by requiring an urban forestry canopy impact assessment for all development.

- Mandate replacement on or off site of all tree canopy lost or payment into a City Tree Replacement and Maintenance Fund with tree value based on a professional appraisal as approved by the Council of Professional and Landscape Appraisers.

Starting on page 36 of the proposed ordinance the full design review removes all the current design review criteria and says "the Director may establish by rule, the information that the applicant shall present" Then removed on the next page are an initial site analysis, a drawing of existing site conditions that included all tree over 6 inches and species and a number of other conditions. The existing requirements should be retained and expanded to include the canopy impact assessment,

On page 43 the Administrative design review process also eliminates all the existing site evaluation requirements. They should remain. and add that "the administrator can add additional requirements."

The problem remains that DCI's mandate is to help builders build. Exceptional and other trees will continue to be lost. The city suffers canopy loss but there is no requirement that the developers compensate the city for the loss of existing canopy. They need to include a provision that if trees cannot be saved they need to pay into a Tree Replacement and Maintenance Fund to compensate the city for the ecological and environmental benefits currently provided by a healthy urban forest. If developers are not required to compensate the city, it will be impossible to require compensation from homeowners or anyone else.

Other cities have established tree funds. Here are two examples.

Here for example is language from Portland Oregon's Tree Ordinance

11.10.070 Fees. A. Generally. The City Council may establish and amend by ordinance permit, inspection, review, enforcement, in-lieu of planting or preservation, appeal and other fees as necessary to sustain the development permit, tree permit, and other Development Service or Urban Forestry programs. All fees, charges, civil penalties, and fines established by authority of this Title will be listed in the Portland Policy Documents. B. Fees in lieu of planting or preserving trees. Where allowed by other provisions of this Title, a fee may be paid into the Tree Planting and Preservation Fund in lieu of planting or preserving trees. The fee per tree is the entire cost of establishing a new tree in accordance with standards described by the City Forester. The cost includes materials and labor necessary to plant the tree, and to maintain it for 2 years. The fee will be reviewed annually and, if necessary, adjusted to reflect current costs. See Section 11.15.010 for more information on the Tree Planting and Preservation Fund.

"11.15.010 Tree Planting and Preservation Fund. A. Purpose. The purpose of the Tree Planting and Preservation Fund is to facilitate tree planting, to ensure mitigation or tree replacement when tree preservation or tree density standards are not met on a particular site, and to advance the City's goals for the urban forest and equitable distribution of tree-related benefits across the City. B. Expenditures. Money in the Tree Planting and Preservation Fund may be used only as follows: 1. To plant trees on public or private property, including streets, in the same watershed as the site from which the funds were collected. Planting trees includes the cost of materials and labor necessary to install and establish a tree for a 2 year period; 2. To purchase conservation easements for the perpetual retention of trees and tree canopy. Such conservation easements shall allow the City to replace trees that are removed when they die or become dangerous; and 3. To acquire land to permanently protect existing trees or groves. "

Woodinville is a local city that has established a Tree Fund

21.50.040 City Tree Fund established.

(1) Fund Established. A City Tree Fund is established for the collection of any funds used for the purpose and intent set forth by this chapter.

(2) Funding Sources. The following funding sources may be allocated to the City Tree Fund: payments received in lieu of supplemental plantings; civil penalties collected pursuant to this chapter; agreed-upon restoration payments or settlements in lieu of penalties; sale of trees or wood from City property; donations and grants for tree purposes; sale of seedlings by the City; and other monies allocated by City Council.

(3) Funding Purposes. The Tree Board shall provide recommendations with each budget to the City Council for approval of how the fund will be allocated. The City shall use money received pursuant to this section for the following purposes:

- (a) Acquiring, maintaining, and preserving wooded areas within the City;
- (b) Planting and maintaining trees within the City;
- (c) Identification and maintenance of heritage trees;
- (d) Establishment of a holding public tree nursery;
- (e) Urban forestry education;
- (f) Urban forest canopy coverage assessment; or
- (g) Other purposes relating to tree and woodland protection and enhancement as determined by the City Council. ([Ord. 611](#) § 8 (Att. A), 2016; [Ord. 589](#) § 2, 2016)

There is more in [CB 119057](#) but along with HALA, DCI is intent on helping developers build faster and more intensely. For 8 years they have ignored updating protection for trees but are very adept at finding ways to help developers. We also need to urge that tree protection be in a separate entity from DCI. They have a severe conflict of interest and this legislation is one more step to reduce protection for trees. Again, this work was drafted out of the public eye and they did not even choose to involve the Urban Forestry Commission in the process early on even though one of the main factors in the design review process has been trying to find ways to protect trees, especially exceptional ones.”

Commission’s comments:

- Don’t agree with removing exceptional tree for low rise zones.
- There needs to be some way to have the community not always lose to developers in order to make their development work. Need to have a tree fund, similar to when you can’t provide stormwater on site. Paying a fee-in-lieu would allow for the City to plant off site.
- Developers remove trees during the development process all the time. The idea of the tree fund would help.
- The tree fund should be specifically for trees, and not for other uses (such as combined sewer overflow projects).
- It would be better if the effort to save trees was owner driven and not City driven. Do people agree that there needs to be something else other than the Design Review Board? The DRB can only make comments based on guidelines.
- Keep track of Significant trees to get data on tree loss per project. SDCI say they don’t have the tools to keep track of this data.
- Would like to ask for a canopy analysis by project but the data would need to be aggregated somewhere. Plans to identify impervious surface and utilities. Trees are infrastructure and this needs to be documented.

Tom will put together a draft letter for early next week distribution. Any ideas will be sent to Sandra. Next week we will vote to adopt the letter of recommendation.

Public comment

None

New Business

Write a letter commending Children’s efforts to protect trees.

Adjourn

Public input: None