

SEATTLE URBAN FORESTRY COMMISSION

Weston Brinkley (Position #3 – University), Chair • Sandra Whiting (Position #2 – Urban Ecologist) Vice-Chair
Steve Zemke (Position #1 – Wildlife Biologist) • Sarah Rehder (Position #4 – Hydrologist)
Stuart Niven (Position #5 – Arborist – ISA) • Michael Walton (Position #6 – Landscape Architect – ISA)
Joshua Morris (Position #7 – NGO) • Andrew Zellers (Position #8 – Development)
Craig Johnson (Position #9 – Economist) • Bonnie Lei (Position #10 – Get Engaged)
Whit Bouton (Position #11 – Environmental Justice) • Jessica Jones (Position #12 – Public Health)
Shari Selch (Position #13 – Community/Neighborhood)

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

June 5, 2019

Meeting Notes

Seattle Municipal Tower, Room 1940 (19th floor)
700 5th Avenue, Seattle

Attending

Commissioners

Steve Zemke - chairing
Craig Johnson
Bonnie Lei
Josh Morris
Stuart Niven
Sarah Rehder
Shari Selch

Absent- Excused

Weston Brinkley – Chair
Sandra Whiting – Vice- chair
Whit Bouton
Jessica Jones
Michael Walton
Andrew Zellers

Staff

Sandra Pinto de Bader - OSE
David Bayard - SCL
Michelle Caulfield - OSE

Public

Annie Thoe
Mary Schlater
Lance Young
Susan Seniuk
Clark Casebolt
Martha Baskin
Janet Way

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

Steve Zemke called the meeting to order.
Sandra PdB shared that Sandra Whiting had resigned from the UFC due to personal reasons.
Craig shared that he accepted a job with Facebook and will be moving to San Francisco in July.
Sandra PdB will begin recruitment processes.

Public comment

Annie Thoe – She will send a copy of a document. Representing a neighborhood that had clear cutting. 32 trees were cut to accommodate two McMansions. There are several developments happening that are either damaging or removing trees. Possibly establish a minimum tree requirement (instead of a number of trees that can be removed). Signs need to be larger for people to be aware of what's happening. People

come in the middle of the night to cut down trees. Cambridge has established a tree cutting moratorium for a year. Work with developers to come up with more creative ways to build and preserve trees. How to get more people to plant trees. Make a fun campaign. Critical Merlin habitat is being endangered.

Mary Schlater - there is an empty lot next door. Has building permit. Has 10-15 old trees on the lot. What can they do? Steve recommended getting in touch with CM Bagshaw.

Lance Young- Interurban trail. Shared a great article by City Club on the value of urban trees. Thanks the UFC for the work they are doing to update the ordinance. Encourage UFC to ask SCL to post clearances. Other communities do it. He believes SCL is using old technology and they are topping trees.

Janet Way – Shoreline resident. She is a SCL customer and lives in the Thornton Creek watershed. Sound Transit is having a big impact cutting trees for light rail. With the summertime smoke coming from Canada, trees in the area will help clean the air.

Adoption of May 1 and May 8 meeting notes

Move to next month

OSE briefing

Michelle Caulfield, OSE Deputy Director – Gave a presentation on OSE’s work.

Was established in 2000. 30 staff focusing on different areas including climate change, racial and environmental justice. The three main areas OSE works on are:

- Meeting the climate challenge
- Championing equity and
- Growing Sustainable Communities
 - o Food policy
 - o Urban Forestry

Climate change:

- 62% of emissions come from transportation
- 35% come from building energy
- 2005 – Seattle’s first climate action plan and SCL becomes carbo neutral
- 2011 – Adopted Carbon Neutral Goal
- 2013 – First climate action plan update
- 2018 – Mayor Durkan’s climate strategy

Partnering up with SCL to retrofit existing buildings.

Buildings now report energy use with over 95% compliance. Buildings tracking energy usage have been reducing energy use.

Working to convert 18,000 (10% of homes in Seattle) oil heated homes to electric heat pumps by 2030:

- Potential to reduce GHG emissions 16-18% from residential sector
- Partnership with Seattle City Light, Office of Housing, and manufactures – rebates and assistance.
- Prevent future leaks and environmental damage, reduce pollution and costs
 - o Converted over 400 homes from oil heat to energy-efficient heat pumps since by 2017
 - o Saved more than 20,000 gallons of oil
 - o Reduced carbon emissions by 2,000 MtCO₂e
 - o Launched pilot to support low income households

Have been targeting City facilities to comply with ordinances. Have been reducing energy usage within government.

Drive Clean Seattle

Working to reduce the miles we need to drive for daily needs. Electrify cars, buses, trucks, ferries, and equipment to be zero-carbon.

Environmental Equity

Partnership of the City, community, and private foundations to deepen Seattle's commitment to race and social justice in environmental work.

Duwamish Valley Program

To advance environmental Justice and equitable development in partnership with community.

Food policies and programs

To foster a healthy, local, equitable, and sustainable food system

Fresh Bucks

To help families and individuals stretch their right food budget, incentivize healthy food, and support local businesses and farms

Urban Forestry

Trees for Seattle is the umbrella for all urban forestry work including community tree planting, tree maintenance, tree walks and education, tree ambassadors, and tree protections. OSE staffs the Urban Forestry Commission, is part of the Green Seattle Partnership and stewards the City's Urban Forest Management Plan.

UFC question/comment: In drafting the tree ordinance the UFC is going to recommend OSE having a stronger role in tree tracking and replacement, especially for community trees.

NOTE: Meeting notes are not meant to capture the whole conversation. For more details, specifically for Q and A, refer to the digital recording of the meeting at:

<http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>

Seattle City Light briefing

David Bayard is the manager for the Power Line Clearance and Landscapes (PLC&L) section in SCL. The group has nine certified arborists. It hasn't always been that way in SCL but in the last eight years they have increased the tree expertise of the team.

SCL is the 10th largest public utility in the US with 430,000 meters, 656 miles of transmission lines, 2,300 miles of distribution lines, and 317 network circuit miles. They have seven hydroelectric generation sites and 16 mayor substations. Public power is accountable to the residents they serve.

SCL's distribution service territory includes: Shoreline, Lake Forest Park, Seattle, Un-incorporated King County, Burien, Renton, Tukwila, SeaTac, and Normandy Park.

Mission statement of the PLC&L group:

PLCL is committed to ensuring safe and reliable power delivery through the comprehensive and environmentally responsible management of the vegetation our lines and infrastructure impact.

Distribution tree trimming program:

- Maintains and monitors over 300,000 trees with grow/fall in potential
- Trims over 2,300 circuit-miles of overhead lines in Seattle and parts of franchise cities.

Distribution Tree Trimming Methodology

- Feeder-based
- 4-5 year cycle for entire service area
- All regular maintenance tree trimming done by contractors
- Vegetative clearance distances informed by WA WAC 296-24-960, tree care industry best management practices and budget

SCL does directional pruning: natural or drop crotch: an increased focus on proper arboriculture yields deeper cuts the first time around. No rounding-over or shaping. All contractors are Journey-level tree trimmers or apprentices. All work identified (notified) and audited by ISA Certified Arborists (CA). All contract tree crews have minimum one ISA certified arborist per crew – anomaly in the industry.

Importance of regular cycle maintenance:

- Deferral of line clearance beyond an optimal cycle can result in increased costs of 23% - 70% per unit (2009 ACRT assessment).
- 71% of distribution trees are medium or fast-growing species
- In 2006 after several years of not funding vegetation management, we had over 875 outages due to vegetation, mostly trees. Since then the average has been about 12 outages/year.

SCL urban forestry

- Urban Tree Replacement Program: partners with Trees for Seattle and SDOT on tree planting/establishment projects
- Partners with WA State nursery and landscape association (WSNLA) to provide urban landscape tree replacement certificates in franchise cities.

NOTE: Meeting notes are not meant to capture the whole conversation. For more details, specifically for Q and A, refer to the digital recording of the meeting at:

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Tree regulations discussion continues

Steve and Sandra PdB provided the context to the UFC work to provide input to Council in an informal meeting in the next couple of weeks. Sandra asked UFC members to let her know if they would be able/interested in participating in a 1.5 hr meeting potentially in one of the following dates:

6/14 1-2:30

6/17 11:30 – 1

6/19 12 - 1

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

Public comment

None

New Business

None

Adjourn

Public input:

From: David Moehring <dmoehring@consultant.com>
Sent: Wednesday, May 15, 2019 6:20 PM
To: City Clerk Filing <CityClerkFiling@Seattle.gov>
Cc: DOT_SeattleTrees <Seattle.Trees@seattle.gov>; TreesForNeighborhoods <TreesForNeighborhoods@seattle.gov>; Marcus Green <mgreen@seattletimes.com>; Danielle Chastaine <ppceditor@nwlink.com>; Magnolia Community Council <magnoliacommunityclub@gmail.com>; magnolia news - Joe Viera (qamagnewsnwlink.com) <qamagnews@nwlink.com>; Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; Bagshaw, Sally <Sally.Bagshaw@seattle.gov>; O'Brien, Mike <Mike.O'Brien@seattle.gov>
Subject: May 15 filing proposed amendment to the Seattle Comprehensive Plan
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Comp Plan Representative(s) for the City Council -

The attached amendments are proposed to the **Seattle 2035 Comprehensive Plan for Managing Growth**.

The emphasis attached is two-fold:

- Allowing the appropriate growth of urban density without the code-deviating loopholes , and
- Allowing growth of Seattle's urban forest to achieved the pre-established 40% tree canopy cover (currently just 28% canopy cover... and dropping).

Let me know if you need supporting information.



David Moehring AIA NCARB
3444 23rd Ave W, #B
Seattle WA 98199
dmoehring@consultant.com

Seattle’s annual amendment process for the Comp Plan is governed by the 2018 [Resolution 31807](#) (click [here](#) for its text), which requires two public hearings—the first one on all the proposals, and the second one after the City Council has adopted a resolution dismissing some amendments and designating others for additional study and possible adoption. To apply, all that is required is to fill out a simple one-page on-line [application form](#) and to provide with it an attachment answering various additional questions.

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[The following section is from the web site of the City Council’s Planning, Land Use, and Zoning Committee: <http://www.seattle.gov/council/committees/planning>.]

Annual Seattle Comprehensive Plan Amendments for 2019-2020

The Washington State Growth Management Act gives Seattleites the opportunity to amend our Comprehensive Plan once a year. Anyone can suggest an amendment, including neighbors, business owners, councilmembers and City departments.

How to Apply

Use the [application form](#) to submit your proposal to the Council. **To be eligible for consideration, applications for proposed amendments must be submitted by 5 p.m. on May 15th.** Submit the application electronically via email at compplan@seattle.gov.

Background

With a few limited exceptions, the City Council may amend the Comprehensive Plan once a year. Generally, the Council process occurs in five steps.

First, in the spring the Council issues a call for amendment proposals. Anyone can submit a proposal.

Second, in the summer the Council reviews the amendment applications it has received and considers recommendations from the Office of Planning and Community Development (OPCD) and the Seattle Planning Commission. The Council then establishes by resolution a docket of the amendments the City will consider. This is often referred to as the “docket setting” resolution.

Third, the Office of Planning and Community Development (OPCD) reviews the docketed amendments and conducts environmental analysis, making a recommendation to the Council regarding which amendments should be made.

Fourth, in the winter, the Council receives recommendations from the Seattle Planning Commission.

Fifth, the Council considers the merits of proposed amendments, and acts on a bill amending the Comprehensive Plan.

Timeline

[Resolution 31807](#) updated the expected timeline for the annual Comprehensive Plan amendment process:

Event	Date
Deadline for amendment proposals	May 15, 2019
OPCD’s and Planning Commission’s recommendations due	July 15, 2019
Council adopts docket resolution	August 15, 2019
OPCD’s recommendations on docketed amendments due	December 31, 2019
Planning Commission’s recommendations on docketed amendments due	March 1, 2020
Council votes on amendments	March 31, 2020

For questions about the annual amendments process:

Eric McConaghy | Council Central Staff| 206-615-1071

| eric.mcconaghy@seattle.gov

From: Elizabeth Archambault <elizabeth.archambault@gmail.com>

Sent: Tuesday, May 28, 2019 1:20 PM

To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>

Subject: Queen Anne Transportation Committee supports the Thomas Greenway Project

CAUTION: External Email.

Hi Sandra,

I thought you'd like to know that at the Queen Anne Transportation Committee next meeting's agenda is focused on the gateway connection to Uptown and the Seattle Center from the SLU neighborhood to the east. And one of the reasons I thought that the Urban Forestry Commission would be interested is embedded within this Thomas Street Greenway project is the potential for SDOT to plant more trees in this corridor. I am very excited that the QA Transportation Committee is lending its support to planting trees and it's a goal of mine to get trees planted in the Lower Queen Anne and surrounding area therefore the improvements that the Thomas Street Greenways project may indeed add to the tree canopy in this area is important.

In case you'd like to know where the QA Transportation Committees meet here is the address:

The 6/3 (first Monday) meeting will be in the regular OVG office location (16 W Harrison - enter off alley to east) at the regular 7PM time. Topic will be the status of the Thomas Street Greenway project.

Elizabeth Archambault

From: heidi calyxsite.com <heidi@calyxsite.com>

Sent: Wednesday, May 29, 2019 7:22 AM

To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>

Subject: 11347 20th Avenue NE- loss of 7 exceptional trees

CAUTION: External Email.

Hi Folks,

It saddens me to see this huge loss of trees on just one site. Especially knowing there is a means of fighting these cases sometimes (as in this case) over one year in advance of the chain saws coming out.

The process is relatively simple but a painful and often frustrating waste of time and energy. yet so few are aware they could do something...

1) The first caution would be the property's for sale sign. (There is even more sleuthing that can be done in advance that I will not get into here.) Please don't wait, find out as much as you can.

2) The next major alert is the large white sign or the smaller yellow sign in the photo you had attached. That is your 2-week notice to investigate and start to seriously act.

Then,

3) look online at the documents available , especially for an arborist report if there are trees on the site -- <http://web6.seattle.gov/dpd/edms/> Then Enter the project number on the sign 3028864 OR BETTER YET the house address Then /

4) look for the existing and proposed site plans showing trees to be removed sometimes available a year in advance. Do contact neighbors immediately and ask them to write an email for that project to PRC@seattle.gov. look on that site for others who may have written in. Usually it takes a few days

<http://web6.seattle.gov/dpd/edms/GetDocument.aspx?id=4630623>

Then:

5) seek professional help! I'm just an e-mail aware. I'm not a Landuse attorney... but You know I will volunteer my architectural and code assistance to at least take you through the process of saving large trees and tree groves where possible... and even contact people with the City. Spoiler alert: the Seattle Dept of Construction and Inspections will do nothing to help you 90 percent of the time. I highly recommend hiring one of our good-side Landuse attorneys. If you are talking to Helsell Fetterman, the developer beat you to it.

The truth is that in watching these developments in QA, Ballard, and Magnolia the past 3 years, There is NO protection for trees in Seattle EXCEPT when concerned residents force a stand.

For this development at 11347 20th Ave NE, the official city notice on the yellow sign came out September 2017. Comments were taken through mid-October 18-months ago. There is no record of anyone writing in.

The plan set issued August 2017 shows 7 exceptional trees to be removed with a short-plat submission. 🌳🌳🌳🌳🌳🌳🌳

A "short plat" Lot subdivision is a developer tactic used to circumvent the maximum allowed number of dwellings that can be built on a site. The Seattle Code fortunately requires (criteria 6) the "maximum retention of existing trees" with short plat subdivisions. Folks need to work that criteria and appeal these poorly made SDCI decisions that ignore evidence of retaining as many of these large and Exceptional trees as possible.

Site plan being divided with all trees removed:

<http://web6.seattle.gov/dpd/edms/GetDocument.aspx?id=3406401>

In this case, the developer hired the same weak Arborist that I see in many developments to write a minimalist tree inventory, but no more:

<http://web6.seattle.gov/dpd/edms/GetDocument.aspx?id=3406396>

This arborist failed to identify protected tree groves (8 trees of touching canopy with trunks 12" or larger DBH, on a lot with 26 trees!!)

The short plat subdivision decision was issued in October 2018, which is a discretionary decision that may be appealed to the Office of the Hearing Examiner within 14 calendar days. The city no longer posts these notices by letter... and simply rely on the digital bulletins to do the job for the few dozen of residents who know how to enroll and painfully check 2 times a week.

A building permit was issued on April 25, 2019. Seattle Code does not require approved building permits to notify the public (unlike subdivisions). If you are on top of things, you'll find out by accident, and then you will have only 21 days to file an appeal with the Washington Superior Court to stop a permit.

The drawing for permit show 2 houses built on 2 lots of 7500 sq ft each:

<http://web6.seattle.gov/dpd/edms/GetDocument.aspx?id=3430574>

By SMC Code, each site must be replanted with new trees with a total DBH per lot of 15-inches measured at 6" above the ground. The new drawings don't show where these 10 to 14 young new trees will be planted. And if no one asks, they will not be planted in most cases. The developer could have retained 30-inches of existing trees and met the code requirement.

What should the in-lieu-of fee be to skip planting trees in the site and allow the city to pocket the money without accountability to replanting somewhere else?

It is obvious from the before and after floor plans that this site did not need to be clear-cut by the code. But it's whoa-fully too late now.

Speak to your city council representative who is new to the game, but needs to be made aware that the enforcement of tree protection codes rarely takes place with a code laden with exceptions and a Department fearful of being sued if they enforce the written codes.

David

Heidi Siegelbaum

(206) 784-4265

<http://www.linkedin.com/in/heidisiegelbaum>

Trustee of TreePAC

2019 Comprehensive Plan Amendment Application - Res 31807

Questionnaire Responses

City of Seattle

COMPREHENSIVE PLAN AMENDMENT APPLICATION

Use this application to propose an amendment to the goals, policies, Future Land Use Map, appendices, or other components of the adopted City of Seattle Comprehensive Plan.

Applications are due to the Seattle City Council (sent electronically to: compplan@seattle.gov) no later than 5:00 p.m. on May 15th for consideration in the next annual review cycle. Any proposals received after May 15th will be considered in the review process for the following year. (Please Print or Type)

Applicant: David Moehring

Date: May 15, 2019

Email: dmoehring@consultant.com

Street Address: 3444 23rd Ave West, #B,

City: State: Zip: Seattle WA 98199

Phone: 312-965-0634

Contact person (if not the applicant): same

Email:

Street Address:

City: State: Zip: Phone:

Name of general area, location, or site that would be affected by this proposed amendment (attach additional sheets if necessary):

Seattle Citywide

If the application is approved for further consideration by the City Council, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval

Applicant Signature:  Date: 15 May 2019

Trustee of TreePAC

2019 Comprehensive Plan Amendment Application - Res 31807

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REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

Please answer the following questions. Attach any additional sheets, supporting maps or graphics. If you use separate sheets to provide your answers, then answer each question separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

1. Provide a *detailed description of the proposed amendment* and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc.), maps, goals and/or policies you propose to amend.

RESPONSE:

THIS IS A PROPOSED AMENDMENT TO THE 2019 COMPREHENIVE PLAN TO FACILITATE BOTH GOALS the OF RESIDENTIAL DENSITY WHILE PROVIDING STRATEGIES OF RETAINING AND EXPANDING THE URBAN FOREST AND TREE CANOPY COVER.

- Reference Seattle's 2035 Comprehensive Plan mandate with the Land section "E1.2. Strive to increase the citywide tree canopy coverage to 40 percent over time." And
- "E1.7 Promote the care and retention of trees and groups of trees that enhance Seattle's historical, cultural, recreational, environmental, and aesthetic character." And
- "Environmental Stewardship. Even as the city becomes increasingly urban, Seattle is committed to protecting and restoring the natural environment. By taking on a significant share of the region's growth, Seattle helps protect rural farmed and forested areas from development. And by concentrating growth in urban villages, we help preserve the existing green areas in the city, including the areas that now contain low-density development."

To the contrary of the above Comp Plan stipulations, current Seattle development practices are not succeeding relative to the preservation and growth of the urban forest practices. Per the 2016 LiDAR study, Seattle's tree canopy is reducing citywide rather than increasing (Figures 1 and 2 for residential properties, following page).

Recent MHA and ADU FEIS deemed tree loss as being insignificant to the environment. Seattle is currently the 10th worst in the nation impacted by the urban heat island effect. To support this concern, the LiDAR study shows a direct correlation with the increased surface temperature in areas with reduced canopy cover (Figure 3).

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2019 Comprehensive Plan Amendment Application - Res 31807

Questionnaire Responses

Using the recent 2016 LiDAR dataset, we compared average tree canopy coverage on study area lots with DADUs and the average for other study area lots. Exhibit 4.2-9 summarizes this analysis.²

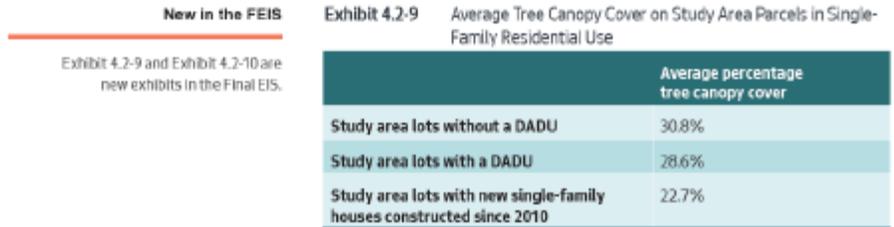


Figure 1- Seattle ADU FEIS exhibit 4.2-9

THE ELEMENTS OF THE COMPREHENSIVE PAN INCLUDE THAT MUST BE REINFORCED ARE:

- ENVIRONMENT.
- LAND-USE.
- MAINTAINING PARK FACILITIES. And
- Other sections- including the introduction - that may include consideration for tree canopy and Seattle’s urban forest.

From Exhibit 37 "2016 0000 Seattle Tree Canopy Assessment Report" page 13.

Figure 18. Percent tree canopy cover for each CPSP Management Unit in 2007, 2010 and 2015. The gray area represents the standard error.

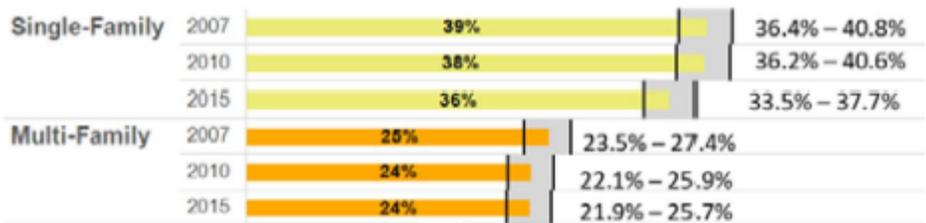


Figure 2- Figure 18 of the 2016 LiDAR study showing a steady decline in tree canopies of Seattle’s residential properties.

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2019 Comprehensive Plan Amendment Application - Res 31807

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FOR ILLUSTRATIVE PURPOSES: F.E.I.S. REQUIRES MODELING 'HEAT ISLAND EFFECT' (WITH REDUCED TREE CANOPY)

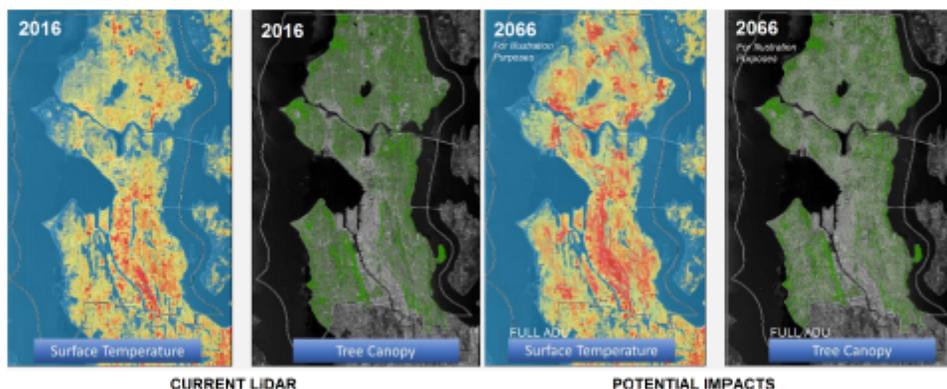


Figure 3- (left two) 2016 LiDAR study exhibits; (right two) artist rendering of potential impacts to the future Seattle given current trend in tree canopy loss

a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with strikeouts.

b. If you anticipate that the proposed Comprehensive Plan amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) that would need to be changed. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.

THE ELEMENTS OF THE COMPREHENSIVE PLAN to be AMENDED INCLUDE:

- ENVIRONMENT (PAGE 84)
 - Amend policy T.4.5 to state: "Enhance the public street tree canopy and landscaping in the street right-of-way. Similarly, require citywide environmental accountability of the owners and developers of private property to enhance the yards with tree canopy and landscaping facing the street."

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- Amend Seattle's Title 23 and Title 25 codes to require for new property developments "at least a 400 square foot contiguous planting area of at least 10 feet in any direction for which to plant one or more drought-resistant trees considered native to Washington."

- LAND-USE.
 - Amend Policy E1.2 to "Strive to increase citywide tree canopy coverage to 40% over time following 2018 recommendations in policy and codes made by Seattle's Urban Forestry Commission."

- MAINTAINING PARK FACILITIES
 - Amend Policy P3.3 to "Enhance wildlife habitats by restoring urban forests and expanding the tree canopy on City-owned and privately-owned land."
 - Amend on page 158 the Glossary for "urban forest" to state: "The trees and lower-growing plants (of at least 8-feet in mature growth height) that are found on public and private property within the city. This includes developed parks and natural areas, as well as the trees along streets and within yards of privately-owned properties."

- INTRODUCTION

Within the section: "*What Drives This Plan*" is 'King County Countywide Planning Policies' (page 9). It states that "GMA requires that counties adopt policies that will guide the plans for all the jurisdictions in the county. In King County, the Growth Management Planning Council is a body of elected officials representing all the jurisdictions who develop the Countywide Planning Policies (CPPs). The CPPs contain the urban growth boundary for the county, which separates areas designated for more or less development and density. These planning policies also contain twenty-year housing and job-growth targets for all the jurisdictions. These policies address the need for affordable housing in the county, for local action to address climate change, and for growing in ways that will contribute to positive health impacts for residents."

Accordingly, the Seattle Municipal code must be modified to avoid the practice of lot subdivision and historical lot boundary adjustments that seek to circumvent land-use zoning density limits.

- Specifically, the SMC shall be modified for all residential zones to prohibit lot segregation for the purpose of increasing the allowable

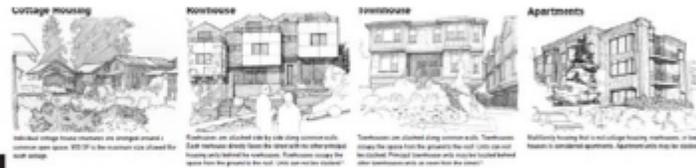
2019 Comprehensive Plan Amendment Application - Res 31807

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density within functionally-related developments and parent lots sold as one property.

- The SMC Title 23 should be explicit in requiring that any functionally-related development to comply with applicable townhouse and rowhouses development rules enforcing the existing code provisions of SMC 23.84a.032(20).
- Suggested code language in avoiding the circumvention of density limits through the use of short plat subdivisions or Lot Boundary Adjustments may be taken directly from King County Code KCC 19A.08.180.
- The SMC Title 23 should be amended to prohibit the use of Historical Parcels as a means of creating one or more lots from a parent lot. A parent lot may be divided with Short Plat Subdivisions.
- Refer to the SDCI publication in Figure 4 and 5.

Housing types:
Development standards apply according to the following housing types: cottage housing, rowhouses, townhouses, or apartments.
See SMC 23.84.032 for complete housing type definitions.



LR1 - Lowrise 1

The LR1 zone provides a transition between single family zoned areas and more intense residential and commercial areas. LR1 is most appropriate for areas within Growth Areas¹. Areas of housing types similar in scale to single family homes such as cottages, rowhouses, and townhouses are encouraged.

Floor Area Ratio (FAR) ²	1.0 or 1.2	1.0 or 1.2	1.0 or 1.2	1.0
Density Limit ³	1 unit/1,000 SF of area	1 unit/1,000 SF of area (includes lot 1,000 SF)	1 unit/1,000 SF of area (includes lot 1,000 SF)	1 unit/1,000 SF of area (includes and excludes lots)
Building Height	10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch
Building setbacks	Front: 7' average, 7' minimum Rear: 7' or 5' side, 7' or 5' side Side: 7' minimum	Front: 7' minimum Rear: 7' or 5' side, 7' average, 7' minimum Side: 7'	Front: 7' minimum Rear: 7' average, 7' minimum Side: 7' building is 40' or less in length, or 7' average 7' min.	Front: 7' minimum Rear: 10' minimum with 5' side, 10' minimum in 5' side Side: 7' building is 40' or less in length, or 7' average 7' min.
Building Width Limit	60'	60'	60'	60'
Max. Parade Length	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.
Notes	1. Option	2. Option If space existing another rowhouse, alternative 2.2, instead of building a single family zone, the setback is 0'	3. Required for 2 or more units	4. Option

LR2 - Lowrise 2

The LR2 zone provides for a variety of residential housing types in existing multifamily neighborhoods and along arterial streets. LR2 is most appropriate for areas within Growth Areas¹. Areas of small scale multifamily housing such as townhouses, rowhouses, and apartments are encouraged.

Floor Area Ratio (FAR) ²	1.0	1.0 or 1.5	1.0 or 1.2	1.0 or 1.0
Density Limit ³	1 unit/1,000 SF of area	No Limit	1 unit/1,000 SF of area or No Limit	1 unit/1,000 SF of area or No Limit
Building Height	10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch or 10' or 12' for a lot with maximum 6'12' pitch
Building setbacks	Same as LR1	Same as LR1	Same as LR1	Same as LR1
Building Width Limit	No Limit	No Limit	60'	60'
Max. Parade Length	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.
Notes	1. Option	2. Option If space existing another rowhouse, alternative 2.2, instead of building a single family zone, the setback is 0'	3. Required for 2 or more units	4. Option

LR3 - Lowrise 3

The LR3 zone provides for a variety of residential housing types in existing multifamily neighborhoods of moderate scale. LR3 accommodates residential growth primarily within Growth Areas¹. Areas of small to moderate scale multifamily housing is encouraged including apartments, townhouses and rowhouses.

Floor Area Ratio (FAR) ²	1.0	1.2 or 1.4					
Density Limit ³	1 unit/1,000 SF of area	No Limit	1 unit/1,000 SF of area in the zone	1 unit/1,000 SF of area in the zone	1 unit/1,000 SF of area in the zone	1 unit/1,000 SF of area in the zone	1 unit/1,000 SF of area in the zone
Building Height	10' or 12' for a lot with maximum 6'12' pitch	No Limit	10' or 12' for a lot with maximum 6'12' pitch or 10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch or 10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch or 10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch or 10' or 12' for a lot with maximum 6'12' pitch	10' or 12' for a lot with maximum 6'12' pitch or 10' or 12' for a lot with maximum 6'12' pitch
Building setbacks	Same as LR1						
Building Width Limit	No Limit	No Limit	60'	60'	60'	60'	60'
Max. Parade Length	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.	Applies to all. 50% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40% for a rowhouse unit located within 10' of a side lot line that abuts a lot in a single family zone.
Notes	1. Option	2. Option If space existing another rowhouse, alternative 2.2, instead of building a single family zone, the setback is 0'	3. Required for 2 or more units	4. Option	5. Option If space existing another rowhouse, alternative 2.2, instead of building a single family zone, the setback is 0'	6. Option If space existing another rowhouse, alternative 2.2, instead of building a single family zone, the setback is 0'	7. Option If space existing another rowhouse, alternative 2.2, instead of building a single family zone, the setback is 0'

Figure 2 – Lowrise Zoning Summary table from SDCI website on Zoning Codes and Rules (above).

Figure 4- Lowrise zoning summary table from SDCI on codes and rules.

Questionnaire Responses

Housing Types:

Development standards apply according to the following housing types: cottage housing, rowhouses, townhouses or apartments.

See SMC 23.84.032 for complete housing type definitions.

Rowhouse



Rowhouses are attached side by side along common walls. Each rowhouse directly faces the street with no other principal housing units behind the rowhouses. Rowhouses occupy the space from the ground to the roof. Units can not be stacked.*

LR1 - Lowrise 1

Figure 5- Enlarged portion of figure 4 that states "Each rowhouse directly faces the street with no other principal housing units behind the rowhouses."



Figure 6- Very commonly practiced example of where the Department is allowing by policy the circumvention of SMC 23.84A row-house development rules through the intentional use of short plats (Type II decision) or lot boundary adjustments (Type I decision).

Trustee of TreePAC

2019 Comprehensive Plan Amendment Application - Res 31807

Questionnaire Responses

c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area(s) proposed to be changed. List the address(es) for each property, the current land use category as shown on the Future Land Use Map and the proposed new land use category for each property in the area to be changed. Identify your relationship to the owner(s) of the property. Describe how the change is consistent with Policy LU1.5, which states "Require Future Land Use Map amendments only when needed to achieve a significant change to the intended function of a large area."

These amendments apply to all areas of Seattle.

2. For amendments to goals and policies only: Describe how the issue is currently addressed in the Comprehensive Plan. Why is a change needed?

As described above, these enhancements are required to correct practices that are contrary to the Comprehensive Plan, and that the Department of Construction and Planning has been using policy to accept rather than the explicit intent of the code.

3. Describe why the proposed change meets each of the criteria established in [Resolution31807](#) which sets criteria for Council to consider an amendment to the Comprehensive Plan.

- A. The proposed amendments are legal under state and local law.
- B. The proposed amendments are appropriate for the Comprehensive Plan because they are consistent with the role of the Comprehensive Plan under the State Growth Management Act;
- C. The proposed amendments are consistent with the Countywide Planning Policies and with the multi-county policies contained in the Puget Sound Regional Council's regional growth strategy Vision 2040 strategy;
- D. The proposed content intent cannot be accomplished by a change in regulations alone;
- E. The proposed may not be addressed as a budgetary or programmatic decisions;
- F. The proposed amendments may not be better addressed through another process, such as neighborhood planning, as they are citywide issues.
- G. The proposed amendments are practical to consider because the timing of the amendment is appropriate and Council has sufficient information to make an informed decision since the Mayor's Executive Order for greater Tree Protection in 2017.
- H. The amendments are straightforward and city staff will be able to develop within the time available the text for the Comprehensive Plan and, if necessary, amendments to the Municipal Code, and to conduct sufficient analysis and public review.
- I. The proposed amendments are consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy as described above; and
- J. Neither of these amendments have not been recently proposed or rejected by the City Council.

Trustee of TreePAC

2019 Comprehensive Plan Amendment Application - Res 31807

Questionnaire Responses

- K. The amendment will make a material difference in a future City regulatory decisions.
- L. This proposal would not require a change the boundary of an urban center, urban village, or manufacturing/industrial center.

4. What other options are there for meeting the goal or objectives of the amendment? Why is a Comprehensive Plan amendment needed to meet the goals or objectives?

There are no other options to implement the proposed amendments to express the intent of the Comprehensive Plan under state and local law.

5. What do you anticipate will be the impacts of the proposed amendment, including impacts to the geographic area affected? Why will the proposed amendment result in a net benefit to the community? Please include any data, research, or analysis that supports the proposed amendments.

There will only be positive impacts with the proposed amendment as it does not change the code allowed density limits within each zone. Nor does it increase or decrease the required open space or required exterior amenity areas within residential properties under redevelopment.

6. How does the proposed amendment support the existing goals and policies of the Comprehensive Plan? If the proposal would change existing goals and policies or add new goals and policies to the Comprehensive Plan, describe how the proposed amendment is consistent with the Washington State Growth Management Act (<http://apps.leg.wa.gov/rcw/default.aspx?cite=36.70A>), the Puget Sound Regional Council's Vision 2040 (<http://www.psrc.org/growth/vision2040/>), and the King County Countywide Planning Policies (<http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/CPPs.aspx>).

The amendment supports the goals of environmental stewardship increasing the tree canopy within Seattle's urban forest and the goal allowing King County to apply their Countywide Planning Policies that should guide the plans for all the jurisdictions within the county.

7. Is there public support for this proposed amendment? If the amendment would change the Future Land Use Map or a Neighborhood Plan, please list any meetings that you have held or other communication you have had with the community about the amendment. If the amendment would have a citywide impact, please list any organizations that you have discussed the amendment with. *Notes: You may attach letters of support for the amendment or other documentation. The City will provide public notice and opportunity for public comment, and environmental review for all applications.*

From: Annie Thoe <annie@sensingvitality.com>

Sent: Wednesday, May 29, 2019 11:21 AM

To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>

Subject: help with preventing clearcutting our tall trees in our neighborhoods by developers

CAUTION: External Email.

Hi Sandra,

I was given your name to contact regarding help to protect our trees in Seattle.

I've written the Mayor, City Councilmembers, the PRC, and feel so powerless to protect the trees in our neighborhoods from developers. As you will see by the letters and photos I've attached below, the devastating effect of this one project has ravaged our neighborhood with two more lots to be done soon. From what I can tell, there is no way to prevent developers from doing this, even though this is a rare merlin nesting area of the city! They only live/surive in tall trees. That's only a piece of the grief of this loss. How do we communicate to developers, homeowners and lawmakers the value of old, tall trees? — The value to of established habitat in general for mental health and well-being of everyone.

What can I do? and my neighbors and friends? I've contacted the Audubon and ConservationNW.

Let me know I and others can do, i.e., petition, march, call the TV stations, rally the environmental groups in town together for action, etc. I **want to alert you to the impending lots that will be cut soon in this same neighborhood.**

Thank you so much for your help.

Annie Thoe
206-271-4270

Dear Mayor Durkan,
Recently, an entire lot in my neighborhood with a beautiful stand of old douglas fir trees was clear cut (on 20th Ave NE between 115th and 113th NE Street - Project 3028864). The entire lot was completely scraped clean. **Once habitat like this is gone, it's not replaceable— not for another 150 years or more.**

I've written my councilmembers and the city planning department but I want to reach out to you with a bigger vision for development of our city and region. I think we all want a livable, beautiful Seattle.

While, I support Seattle working with conscious density for development— **this kind of development seems to only serve the developer and rich clientele.** Not affordable housing at all!

I have five suggestions toward sustainability:

- 1. Protect trees, streams and habitat areas as we develop more density. If we remove habitat, we need to set aside an equal amount of habitat** that can be oasis for birds and wildlife (and for our own health and sanity) before we become a concrete city. Developers must pay for helping restore or protect habitat, particularly old stands of trees and streams, necessary for environmental balance.
- 2. More rooftop gardens with small trees and gardens on apartment complexes to help with cooling environment, shade, oxygen and habitat for birds.**
- 3. Moratorium on new Overly Large Houses** that exceed a certain square footage or footprint. We can reduce house size within the city to a reasonable square footage. Be **discriminating on allowing overly large houses built using precious resources for both building, heating and maintaining**— and consideration of the landscape which gives us clean air, shade, cools the planet, holds moisture, etc.?

4. **Limit non-U.S. developers and buyers from purchasing land and homes in our city** so our U.S. citizens can buy property here. This is a policy Vancouver, BC adopted over a decade ago with their housing crisis.

5. **New Large Apartment Building Projects must have underground parking.** As a local business owner, my business has suffered from the lack of street parking for clientele. We are creating a difficult environment for small businesses outside of the tech industry to survive. Even if we eliminate cars, there will be need to keep vehicles off the street - I have clients who are handicapped, can't take the bus and need to drive cars. There are folks who will continue to drive. Even if we someday had a full-grid subway system like New York City, we still need more parking under apartment buildings for the sake of businesses and accessibility.

Thank you for your consideration and I hope this is helpful.

Sincerely,

Annie Thoe

Here's the letter I wrote to PRC@seattle.gov:

Dear Sir/Madam,

I'm appalled and saddened that our city permitted this clear-cut this entire lot of mature douglas fir trees on 20th Ave NE between 115th and 113th NE Street - **Project 3028864**. This grove of trees is one of the gems of our neighborhood and has been here over 100-150 years. Is this legal? **I thought we had permits protecting mature, healthy trees. Why did you approve this?**

How much did the permit charge to remove these trees?

I can't imagine the dollar value this permit pays for those trees, our neighborhood livability and our future with global warming. Is it worth it? -- other than to one developer and a few people who will own a million dollar house like the other development built a block away from this one? (At least that multi-million dollar development kept three of the trees)

These trees cool our neighborhood, filter the air, provide oxygen, connect with other trees underground for health and underground stream flow, habitat for birds and animals. These trees cannot be replaced. By the rate in which our city is developing, I see no signs of replacing trees and habitat that is being removed.

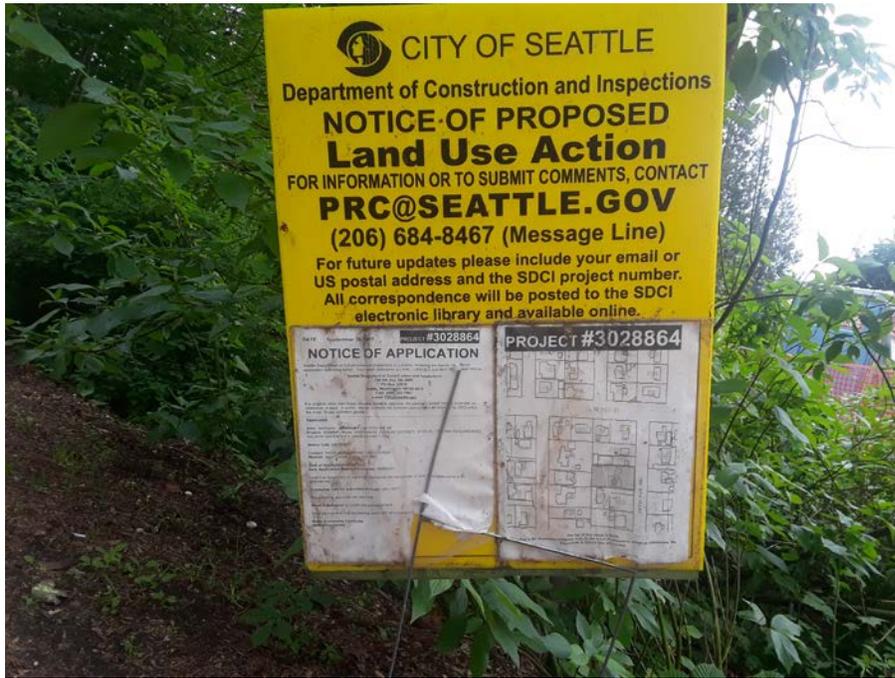
I'm so saddened and angry by the development that is going on in this city without thought of our long-term environment, habitat for wildlife and beauty. If we build more density we must plan and safeguard for more greenbelts, not less—and we must build in a way that will take global warming seriously, not more giant single homes with no yards, trees, shrubs for birds and wildlife. We can't be thinking of just an immediate profit and livability for a small few, wealthy people but for all life.

Check out this article on a Nobel prize winner whose life ambition was to plant trees not as some environmental nut, but to save our communities: <http://www.dailygood.org/story/2307/wangari-maathai-marching-with-trees-on-being/>

Please tighten the protection of these large trees, our habitat and our ecosystem. Our survival and welfare depends on your upholding this protection. I have also written to my city council members as well as the mayor of the approval of this project.

Attached are photos of these this lot.





Annie Thoe, GCFP

annie@sensingvitality.com

www.sensingvitality.com

youtube channel: <http://www.youtube.com/c/SensingVitality>

Trustee of TreePAC

2019 Comprehensive Plan Amendment Application - Res 31807

Questionnaire Responses

The amendment does not change future land use map or Neighborhood Plans. TreePAC has conducted an online survey of residents throughout Seattle identifying the importance of retaining large and mature trees when possible.

8. Has the proposed amendment been considered before by the Council? If so, when was it considered and what was the outcome? If the amendment has been previously rejected, please explain either:

- How the proposal has changed since it was last rejected, or
- Changed circumstances since the proposal was last considered that support reconsideration of the proposal.

Although the City Council has considered other Tree Ordinance changes, those are not related or should be misconstrued to correspond to the content of these amendments.

Application electronically submitted via email at compplan@seattle.gov

David Moehring AIA NCARB

3444 23rd Ave West, #B

Seattle WA 98199

Member of TreePAC



A RESOLUTION relating to the Seattle Comprehensive Plan; revising the procedures and the criteria for consideration of proposed amendments to the Comprehensive Plan as part of the annual "docket," and repealing Resolutions 31402 and 31117.

<http://seattle.legistar.com/LegislationDetail.aspx?ID=3466708&GUID=8A45CEAF-BBEC-4797-AD41-53D223CA4D32&Options=Advanced&Search=>

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From: Bagshaw, Sally <Sally.Bagshaw@seattle.gov>
Sent: Wednesday, May 29, 2019 3:08 PM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Cc: Chu, Brian <Brian.Chu@seattle.gov>; Strauss, Daniel <Daniel.Strauss@seattle.gov>; Tebeau, Lena <Lena.Tebeau@seattle.gov>; McLean, Alyson <Alyson.McLean@seattle.gov>
Subject: Tree Ordinance

Sandra, hello!

I received the following request from Estella Ortega, all of which reflects the concerns from Beacon Hill:

“Request to Include Our Input in the Tree Ordinance

Therefore, based on our environmental and health injustice circumstances and concerns, we respectfully request that the the Tree Legislation:

1. Aligns with the recommendation of the Urban Tree Forest Commission,
2. Requires Beacon Hill and other environmentally challenged neighborhood communities to have a higher tree canopy goals,
3. Requires an updated and more detailed tree canopy assessment and inventory of mature/exceptional trees to establish an accurate bench mark for monitoring Seattle’s Tree canopy.
4. Requires city departmental technical support to Beacon Hill and other communities to calculate the increase in tree canopy goal,
5. Excludes Beacon Hill and said community tree canopy goals and progress from the overall City tree canopy goal and progress monitoring to 1) align with the Office of Sustainability and Environments goal for equitable environmental progress, and 2) inadvertent masking of developing neighborhood community environmental challenges in the City.
6. Includes appropriate and adequate resources to ensure implementation and ordinance compliance

We are more than happy to answer any questions you might have. Please contact Maria Batayola, our Environmental Justice Coordinator at mbatayola@elcentrodelaraza or at 206 293 2951.”

Can you give me a status report of the proposed tree ordinance?

- Sally



Councilmember Sally Bagshaw
Chair, Finance & Neighborhoods Committee
[Seattle City Council](#)
206.684-8801
www.seattle.gov/council/bagshaw/



From: Marie Lee <mlee98643@gmail.com>
Sent: Monday, June 03, 2019 5:53 PM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Protecting our trees

CAUTION: External Email

Hi Sandra,

I will not be able to attend the meeting with Urban Forestry on Wednesday.

I would like to express my concerns for all the trees being cut down for new development. Trees are so important to our environment. It cleans our air, it's habitat for the birds and animals, and gives us shade to

the warmer temperatures we have been experiencing. Many times I read articles about how they cut down a massive amount of trees, but plan to plant double that amount. Yes, they are doubling the amount of trees, but the ones they cut down took hundreds of years to get to that size. The one old growth tree does more for our environment than two smaller trees. The city needs to be a leader in setting guideline to protect the trees and the environment. We only have one earth and we need to take better care of it.

Thank you.

M.Lee



Virus-free. www.avg.com

From: David Moehring <dmoehring@consultant.com>

Sent: Wednesday, June 05, 2019 8:42 AM

To: SCI_Code_Compliance <SCI_Code_Compliance@seattle.gov>; DOT_LA <DOT_LA@seattle.gov>

Cc: Lum, Gregory <Gregory.Lum@seattle.gov>; Baker Street Community Group Steering Committee <baker-street-community-group-steering-committee@googlegroups.com>; seattle-tree-ordinance-working-grouplists.riseup.net <seattle-tree-ordinance-working-group@lists.riseup.net>; DOT_SeattleTrees <Seattle.Trees@seattle.gov>; Tree Ordinance Legal <tree-ordinance-legal@googlegroups.com>; Bagshaw, Sally <Sally.Bagshaw@seattle.gov>; Marcus Green <mgreen@seattletimes.com>; Danielle Chastaine <ppceditor@nwlink.com>; Strauss, Daniel <Daniel.Strauss@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; O'Brien, Mike <Mike.O'Brien@seattle.gov>; Pacheco, Abel <Abel.Pacheco@seattle.gov>; Herbold, Lisa <Lisa.Herbold@seattle.gov>; treepac_seattlelists.riseup.net <treepac_seattle@lists.riseup.net>; TreesForNeighborhoods <TreesForNeighborhoods@seattle.gov>; Torgelson, Nathan <Nathan.Torgelson@seattle.gov>

Subject: Grove of 9 Trees Massacred at 2213 NW 63rd

Importance: High

CAUTION: External Email

Who is taking the responsibility for the **code-protected Grove of nine trees** that was completely massacred this week at 2213 NW 63rd Street (Ballard)?

The Seattle Department of Construction and Inspections has been alerted and called out all along the way back during the November 2017 start of demo work the next door 9 rowhouses - to the recent application for a noncomplying development proposal of the lot where the Tree Grove recently existed.

- 1) Who is paying the protected tree removal penalties and fees?
- 2) Who is enforcing the replanting of protected trees per Seattle Municipal Code 25.11?
- 3) Who is going to assure this practice of ignoring the mayor's Executive Order for tree protection does not continue?

Very concerned,

David Moehring AIA NCARB
TreePAC Board Member
dmoehring@consultant.com



Sent: Thursday, March 21, 2019 at 7:55 PM

From: "David Moehring" <dmoehring@consultant.com>

To: DPD_Code_Compliance@seattle.gov

Cc: "Lum, Gregory" <Gregory.Lum@seattle.gov>, "Baker Street Community Group Steering Committee" <baker-street-community-group-steering-committee@googlegroups.com>

Subject: SDCI Complaint at 2213 NW 63rd At (erroneous investigation into Tree Grove damage)

Good evening,

Please review the following as I believe the response to the code compliance is in error:

- 1) no permit of occupancy has been record on the SDCI website.
- 2) this loss of three trees from a grove is not a structural compliance issue, it is an issue regarding SMC tree protection requirements and SDCI director rule 16-2008

<http://web6.seattle.gov/DPD/DirRulesViewer/Rule.aspx?id=16-2008>

3) see attached reports for these two properties... there is no record of tree damage or hazardous trees;

4) the multiple arborist reports and photos of the trees before the construction-generated accident indicate no tree damage from three years earlier.

Please enforce tree protection requirements and require the remediation of the grove of nine trees that have been reduced by the 2203 NW 63rd Street builder down to 6 trees.

Thank you,

David Moehring

dmoehring@consultant.com

Project Description:

CONSTRUCTION: GL Case relayed to me. This is a Complaint of trees taken down. However, the date of damage to the trees appear to go back to **May of 2014**. At this point, (in 2019) the structure have been given the final inspection and approval. GL

Application Information

COMPLAINT INFORMATION

What is your complaint?:

Three trees within a tree grove have been removed during construction due to demo of a garage foundation wall. Trees h. i. and j from the arborist report for this development dated 6/20/2017

https://web6.seattle.gov/dp_d/eplan/GetDocument.aspx?id=855115&src=WorkingDocs&n=Arborist%20Report

Location On Site:

west property line

Housing Unit Number (if applicable):

n/a

How many residential units exist on the property? (If applicable):

9

Do you want your contact information to remain confidential?:

Yes

Would you like to know the results of the inspection?:

Yes

David Moehring
312-965-0634

Sent: Thursday, March 21, 2019 at 10:59 AM

From: "SDCI Code Compliance" <SCI_CODECOMP_NOREPLY@seattle.gov>

To: "dmoehring@consultant.com" <dmoehring@consultant.com>

Subject: SDCI Complaint Resolution

We've completed investigation of your complaint 001987-19CP. To view the resolution, visit the [Seattle Services Portal](#).

From: Lance Young <lance_young@yahoo.com>

Sent: Wednesday, June 05, 2019 3:05 PM

To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>

Subject: Importance of Street Trees to our Urban Forest Canopy

CAUTION: External Email

Dear Sandra

Would you please pass this email along to the Urban Forestry Commission for their consideration.

Thank You!

+++++

To: Seattle Urban Forestry Commission

Subject: Importance of Street Trees to our Urban Forest Canopy

There is a good article attached "What Are Trees Worth in Cities" with comments by David Nowak one of the developers of the Forest Service's I-Tree program. He did a 2016 study of Austin Texas where he estimated that trees saved that city nearly \$19 million annually in reduced building energy use, and \$5 million in reduced carbon emissions. In Seattle about 27% of our city's total surface area is right of way land compared to only 11% in parks and natural areas (see 2013 Urban Forestry Stewardship Plan p. 38). The commissions work on the new Seattle Tree Code is very important but it does not directly address street tree preservation which is also of primary importance to the health and livability of our region. Mr. Nowak's comments are perhaps even more important now than when he made them "in an era of overwhelming need for urban infrastructure improvements, trees offer cities some of the best bang for their buck".

Our power companies pruning policies are perhaps the biggest single influence on our cities publicly owned street tree canopy. Minimizing canopy loss to these street trees could be one of the biggest positive influence in increasing our urban forest canopy for all the many benefits it provides. Several questions should be asked of Seattle City Light (SCL).

1. Why do they not list specific street tree pruning clearance standards on their web sight as other utilities do so that neighborhoods can be better informed and check the effectiveness of the pruning crews who trim the trees on their street? (See attached examples)
2. At a May 2017 meeting with City Light we suggested they consider preserving more vegetation by taking advantage of modern pruning practices to reduce the vegetation removed from street trees. At the time SCL of course claimed they were using the best possible practices. The standard street tree clearances used at the time of pruning (~10') are the same they have been using for several decades. Back then these were established street trees were routinely topped to maintain clearance. We now know that topping actually accelerated regrowth toward the lines. Now that we use directional pruning why have we not reevaluated those pruning clearances. An article was presented at that meeting and is attached here that was brought to my attention by Cass Turnbull about a Power Utility in Tallahassee Florida that under public pressure was persuaded to reevaluate their pruning clearances and they were able to cut them almost in half and found that it could be done on the same budget and provided more reliable power (see attached article).

Portland:	Pre-Trim 3'	Post-Trim 8'-10'	(2-3 year trim cycle)
Snohomish:	Pre-Trim 4'	Post-Trim 12'	(Snohomish is on a 5 year trim cycle)
Centralia:	N/A	Post-Trim 12'	(Centralia is on an 8 year trim cycle)
Jefferson PUD:	Pre-Trim 6'	Post-Trim 10'	(3 year trim cycle)
Tacoma	N/A	Post-Trim 10'	(4 year trim cycle, up to 50kV lines)
Tallahassee, Fl:	N/A	Post-Trim 4'-6'	(18 month trim cycle, same \$ as old 4 year cycle)

3. For several years prior to our May 2017 meeting with SCL, senior SCL Vegetation management staff and web sight materials were mistakenly listing power line clearances at twice what they should have been, have they taken any measures to prevent this from happening in the future?

Thank You for your work to preserve our green spaces!
Lance Young
ITTPS; Interurban Trail Tree Preservation Society, and Tree PAC

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

From: Angela Pinchero <apinchero@gmail.com>
Sent: Wednesday, June 05, 2019 10:58 AM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Concern about the tree canopy, health and urban forests

CAUTION: External Email

Hello Ms Pinto de Bader,

I can't be at the meeting today. I can't come, but I am anxious to hear how it goes.

We have contacted your office before regarding the wooded grove that runs behind our house. We received great advice and information on who to contact regarding this. (It is actually two undeveloped lots and a third which is 16000 ft with a small house. It has many exceptional trees including Grand and Douglas firs that are hundreds of years old, as well as Madronas.) Our neighbours haven't finalized their plans or put in permit requests, so we still wait. We offered to buy one parcel for tax value plus their estimated profit, but developers have been telling them they can make a lot more.

We have a great relationship with our neighbours who want to develop it, but they have not been well supported or advised on how to protect the trees while doing this. (For example, they are being told they will make considerably more money on the houses they move their driveway and build three separate ones, which would result in the cutting of several exceptional trees including one on city property. They also said "someone they spoke with down at the city" told them they could clear the grove they just have to plant more trees, but I don't get the impression this was official or a person with authority.)

I understand their financial interests, but we need ways to develop the city and protect exceptional trees. I know there are people with these expertise, but I don't know if there is incentives or services that work with residents because it's clearly not the developers interest and they are the ones offering counsel.

Regarding the enforcement - We have already seen an adjacent neighbour come and cut one of their trees in the grove while the owners house was vacant, take the wood in a truck and then try to cover the trunk with brush. There isn't much we could do after the fact but call the city. The city person that came out said it was clear that some tree cutting activity had taken place, but they didn't see it or where and left. Surely there is a better way?

We know that the tree canopy is important. We know how it improves the quality of life for the city. This city is exceptional in it's opportunity to save grand old trees living side by side with the human residents, but we need good leadership to make sure this actually happens. Please let me know if there things we can do to encourage this.

Thank you for your time and work on this issue! Angela Pinchero

From: Annie Thoe <annie@sensingvitality.com>
Sent: Wednesday, June 05, 2019 1:44 PM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Research and Request for Tree Protection

CAUTION: External Email

Hi Sandra,

I have been researching and writing about this crisis around tree cutting in Seattle. I've been contacting folks in media and other groups.

We're having a major crisis in Seattle with failing to protect our trees and tree canopy in Seattle neighborhoods with recent development. In my research, this crisis seems like an epidemic throughout other cities and the world. As masses of people move here, we're cutting mature, 100 year old trees faster than ever. Developers skirt around permits by hiring their own arborists to agree that a big, healthy tree will need to come down since it will become a liability or some other excuse. It may cost more to create new designs to include trees and companies who bear the "Green-built" titles are generally not considering keeping these trees without enormous pressure from the public.

I have many more devastating photos of 100+ year old trees in a recent project that skirted these issues in a critical habitat. Our neighborhood is distraught since more projects like this are schedule to cut down more tall and beautifully healthy trees to build mansions within the city which also are killing adjacent trees in neighboring lots. Such loss with not even with affordable housing in mind. Many other projects like this one have been going on throughout the city and outlying areas including the possibility of clear-cutting **11344 23rd ave ne. - a heavily wooded lot and also the only nesting area for merlins.** My research into what other cities are doing shows this is an epidemic in most cities throughout the country.

I've been compiling research some of which I'm attaching below, with weblinks for this story - how we compare with other cities, etc. Our city has about 27% canopy cover— not very green for the "Emerald Green" city!

Nature Conservancy just came out with a Cover Issue story on "Concrete Jungle." While urban planners in Seattle are pushing for more and more highrise density, with Amazon and Google developing huge swaths of high rise real estate and 65,000 employees with homes to find, we're headed toward the grim look of what happened in Chicago with fast development without infrastructure— a disaster for crime, ecology and deeper divided community. **Density without infrastructure and without green is unlivable.**

Please look into this story— there are many builders hiding under the "Green-built Developer" status touting they are using green building methods while clear-cutting lots, damaging surrounding trees, eliminating habitat forever and designing giant homes using excessive resources. There plans show and allow for no tall canopy trees, no place for parks, no grass— mostly tiny yards or concrete.

We need to shift consciousness fast from "Land Use" to "Land Stewardship" - an attitude that might ripple beyond developers to miners and oil folks as well. Eventually the rich people will run out of homes with woods and wildlife, too. Until then, this drive to build giant homes with no thought of how clearing land, tearing down with no re-use of materials, mining and moving oil in critical habitats, rivers and spawning grounds has got to change how we do business. Government and business needs to be committed to service and protection of the land in order to sustain the people. I believe we've had good intentions with "making jobs" in Seattle but **without the vision of service to the land that gives us these resources to begin with.**

It's sadly silent on this lot now. No bird song, sounds of leaves in the wind or chatter of squirrels- so devoid of the rich air, green canopy holding vitality and beauty that graced this neighborhood before this clear cut.

Trees represent community, family ("Family Tree"), peace, vitality and the mainstay for survival for every culture on the planet. They are necessary for survival for all of us on this planet for air, habitat, cooling the ground, providing their wood, warmth and many many other health benefits — including lowering stress and lifting one's spirits from depression.

Thank you so much for getting protection measures in place on this important topic. And please work with your power to get something to save this critical habitat quickly. We don't have time or resources to waste.

Sincerely,
Annie Thoe





photos above from Lake City area within Seattle where developer cleared entire lot of 32 trees with a small home to build two giant spec "mansions" #6621656-CN and 6621671-CN at 11345 and 11347 20th Ave. NE, Seattle, 98125.

See **Nature Conservancy Issue: Summer 2019 “Concrete Jungle: Cities are deploying millions of trees in the fight against climate change**

Article "The more trees we're surrounded by, the lower our Stress levels" https://returntonow.net/2018/09/21/study-the-more-trees-were-surrounded-by-the-lower-our-stress-levels/?fbclid=IwAR1RHASTibuuZ5fJWRGwtnZ_aMT6XBTPnpThrY445Gms_3_kNhCd3cjs0Hk

Article on work of Nobel prize winner Wangari Maathai- "Marching with Trees"
<http://www.dailygood.org/story/2307/wangari-maathai-marching-with-trees-on-being/?fbclid=IwAR3Obkxw9ujX3FAejsp5CXHAIyRLouDnEQyENKwCV1hDshydRHb9k4KkK5o>

Cambridge, MA passed a moratorium and banned cutting trees for one year this year - lots of good articles

Articles on best tree canopies

<https://saportareport.com/atlantas-urban-tree-canopy-leads-nation-trees-not-protected/>
<https://treesatlanta.org/what-we-do/tree-protection/> - ordinance information

"The problem is that trees are not being lost in some stream beds we don't often visit. It's block by block, lot by lot, where people live and where trees are falling for infill development and fancy upgrades. It's an ironic twist. People want to move to neighborhoods because of the wooded feel — and then they clear their property to build their home."

"Community advocate deLille Anthony, a co-founder of the group The Tree Next Door, notes that the developer [who largely clear-cut a property along DeKalb Avenue](#) is now touting the 42 homes squeezed onto the site as being in "Atlanta's leafy east side."

"They mean the leafy atmosphere of other people's property," said Anthony. "If everyone does what they're doing, there will be nothing left."

<https://www.ajc.com/news/local/torpy-large-will-new-tree-law-make-atlanta-more-leafy/ncczb5dKXToEQmQuUx2rKM/> May 1, 2019

<https://www.ajc.com/news/local/torpy-large-will-new-tree-law-make-atlanta-more-leafy/ncczb5dKXToEQmQuUx2rKM/>

<https://saportareport.com/atlantas-urban-tree-canopy-leads-nation-trees-not-protected/>

Companies working with tree protection

<https://www.americanforests.org/about-us/our-people/staff/>

*A little over one month after citizens banded in outrage over exceptional trees be cut, **The city council of Cambridge, MA passes legislation one-year moratorium on tree cutting on 3/11/19 and expanding tree protection ordinance on 3/4/19 banning exceptional tree**

<https://cambridge.wickedlocal.com/news/20190227/cambridge-councilors-pass-tree-removal-moratorium>

<https://www.thecrimson.com/article/2019/1/29/city-council-tree-removal-ban/>

<https://www.cambridgema.gov/theworks/newsandevents/news/detail.aspx?path=%2Fsitecore%2Fcontent%2Fhome%2Ftheworks%2Fnewsandevents%2Fnews%2F2019%2F03%2Ftreeprotectionordinance>

<http://www.cambridgeday.com/2019/01/15/days-after-debate-on-tree-cutting-moratorium-see-at-least-21-chopped-down-200-on-the-block/>

<https://www.cambridgeday.com/2019/02/26/tree-cutting-moratorium-passes-council-7-2-expected-to-burden-works-staff-with-permits/>

<http://www.treeremoval.com/tree-removal-regulations-by-state/#.XPgAVS-ZPdc>

*Palo Alto bans cutting down oak trees - https://www.paloaltoonline.com/weekly/morque/news/1996_Jul_31.TREE.html

<https://www.cityofpaloalto.org/gov/depts/pwd/trees/regulated.asp>

<https://www.paloaltoonline.com/news/2016/11/18/the-clash-over-cutting-down-palo-altos-trees>

Phillipines moratorium on tree cutting: <https://www.sunstar.com.ph/article/141225>

Saanich, BC <https://www.saanichnews.com/news/councillor-wants-to-plant-improvements-in-saanichs-tree-protection-bylaw/>

Glendale, CA - Indigenous tree protection <https://www.glendaleca.gov/government/departments/public-works/indigenous-tree-program/guidelines-for-submitting-an-indigenous-tree-removal-request>

My notes on benefits of trees:

Reminder of Benefits of trees:

Trees are the #1 element: we can steward needed for survival in the balance of the planet. The health of our trees and green spaces affects the livability of our communities.

Provides Oxygen for breathing (similar to algae— equivalent to trees in ocean)

Conifers and evergreens (particularly hemlocks some of the denser ratios for O2 production)

Filters and cleans the air from particulates

Cools the ground and waters by it's Insulation/protection from sun as well

Protection for smaller shrubs, trees, plants to grow by retaining water

Prevention of soil erosion

Holding and adding minerals and nutrients to ground, through breaking up rocks - Alders are excellent nitrogen builders to the soil

Prevention of flooding

Windblock

Retaining warmth in cold weather

Homes and food for nesting birds, mammals, insects, pollinators and people (the tall trees particularly are needed for a wide range of species that rely on tall trees for survival.)

Resources for building: The timber from Douglas firs is said to be stronger than concrete.

Peacekeepers of the planet: for mental health, physical well-being, support, comfort, beauty- reducing stress and brings people together.

The tree is a symbol for peace, vitality and harmony— throughout the world and in most religions and spiritual symbolism.

Annie Thoe, GCFP

annie@sensingvitality.com

www.sensingvitality.com

youtube channel: <http://www.youtube.com/c/SensingVitality>

Annie Thoe, GCFP

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From: Annie Thoe <annie@sensingvitality.com>

Sent: Wednesday, June 05, 2019 4:10 PM

To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>

Cc: Stuart Niven <panorarbor@gmail.com>

Subject: Outline of Suggestions for Tree Protection for Seattle

CAUTION: External Email

Hi Susan,

I've attached my presentation today in two formats and yes, I'll send these along with a letter with a list of neighbors to the City Council and Mayor.

I've contacted numerous media, local and national organizations to work together on this issue.

Thank you so much for your work in this committee.

All the best,
Annie

Urban Forestry Meeting 6/5/19

Suggestions for Tree Protection and Stewardship in Seattle

- from Annie Thoe, Seattle Victory Heights and Pinehurst neighbors

Trees represent the concept of Teamwork: community, peace, inclusion, protection, homes and habitat for all, survival and vitality

- **Moratorium: Outlaw logging in the city for development immediately until a stronger policy to protect critical areas is in place.** (Cambridge, MA- just issued a moratorium this year in response to public outcry) **We have two more critical wooded lots that could be logged again in our neighborhood alone- one by this same developer: 11344 23rd Ave NE. and the other is 2203 22nd Ave. NE.** Until a moratorium can be placed, uphold strict enforcement of the current policy that all trees over 6" diameter: *"No more than three non-exceptional trees six inches in diameter or greater may be removed on a lot in any one-year period."* - This current policy should be removed and is no longer working with our current situation and with global warming— We can't afford or allow to lose any of these larger trees at this point.
- **Mandatory Review on development designs for minimum number of trees to be retained** like at least three trees of significant diameter size (or what environmental consultants design) to ensure tree protection in residential neighborhoods, single family home zones least monitored in the city. Engage non-profit groups to help.
- **Arborists hired by developers make money to cut down trees and can be persuaded with the excuse that the tree is hazardous.** There will always be some hazards with trees. But even worse hazards without trees— We need an **independent arborist** to review a building project without the developer present to intimidate the arborist.
- **Pruning versus Cutting.** Trees are disappearing faster than replaced. Pruning requires more expertise but gives arborists more work later and just as much or more money. Cutting, when unnecessary, stresses and can diminish or threaten the health of other trees. How do you replace trees that are 100 -130 feet tall quickly? this is a false claim that the canopy taken away can be replaced by a developer. This current development case would take over 100- 120 years.
- **Larger signage in residential areas of project intentions** .The signage in this recent development was so small with no indication of clear-cutting. Signs should indicate when a large tree is going to be removed and reasoning so folks can be alerted. Removing these trees increasing the temperatures, costs for cooling homes, kills other trees and native plants- not to mention wildlife that rely on shade, increase watering demands, basically depletes our infrastructure costs to the city.
- **Easements currently once issued for a building permit cannot be withdrawn and need to be when permits threaten large trees.** Right now even with massive public complaints in this case with removing a perfectly healthy big tree, the developer has the right to remove a heritage tree if they've been granted easement. This needs to be changed to allow some public input and appeal.

Suggestions for Tree Protection and Stewardship (pg. 2)

- **What avenues to punish tree poachers? or developers who disobey the law?**

Suspend licensure, bigger fines. The tree itself may pay more than the fine. When calling the Building Code Violations & Complaints for the City about this developer- Gamut360 who clear-cut this recent property, the city representative I talked with Eddie Scott 206-233-7857 said this developer had all his permits approved to cut. He checked with his supervisor who said “everything was fine.” How is this possible?

- **Awards for designs/projects that work with retaining trees** and their impact on the environment. Let’s have developers strive to do better with ecosystem design. Work with Universities to award better research and design for maximizing tree use, sustainability and green building that necessitates trees as part of the design and development.
- **Steward policy for stewarding trees in every neighborhood - part of block watch, block parties.** Anytime sensitive habitat or trees over 6” are removed, developer or homeowner must replace the habitat removed or pay for city to replace it— again, that’s a big tree to replace. How do we replace these big trees that took 30, 50, 100 years to grow?
- **Neighborhood involvement with tree monitoring for health, measuring, tending (ivy removal or other maintenance) and mapping trees in neighborhood** to raise awareness, bird counts— can engage interest in stewardship through block parties. Ranking neighborhoods for most tall trees, best bird habitat, best bee and butterfly, best native plants, Frog habitat, owl/raptor/hawk habitat, best “green” houses, best vegetable gardens and rooftop/container gardens
- **School programs: adopt a tree in your neighborhood for the year**, study about this type of tree and compare with others, change through season, which birds live there, etc. - can pair up with neighbors or non-profit education groups for interest in our local trees and habitat.
- **University programs:** more research with urban forestry with effects of health and livability, community building, combat global warming, business attraction, tourism, habitat. Tracking tree loss and replacement.
- **Engaging more local non-profit communities from environmental groups, garden groups, churches, social clubs, sporting groups, boy scouts, girl scouts, outdoor activity groups** to assist with their ways of retaining, stewarding trees - cheering each other on. Mapping trees helps expand awareness and community. NYC has a tree map for birders at Central Park that is now a tourist attracting tool but can also be attractive for gardeners, designers, etc.
- **Awards for Businesses** get involved with tree preservation, rooftop gardens, tree-planting possibly work with Social Venture Partners – Seattle (SVP) to encourage businesses to develop more around supporting tree habitats <http://www.socialventurepartners.org/seattle/who-we-are/>

Comments in Opposition to the Proposed ADU Legislation (Special Meeting - Public Hearing)

June 11, 2019, 5:30 PM

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

Members:

[Mike O'Brien](#), Chair

Abel Pacheco, Vice-Chair

Kshama Sawant, Member

Bruce Harrell, Alternative

Honorable City Council and Mayor Durkan-

1. "No one" objects to **accessory dwelling units** – especially as often described as quaint 'backyard cottages' or "granny flats" tucked within a daylight basement.
2. "No one" objects to home-owners with rental revenues – especially if that means that **rental income will avoid folks from being displaced** by the increasing costs of rent and living in Seattle.
3. "Many" may even be acceptable with two accessory dwellings on a single lot – **provided the lot is large enough** to accommodate the impacts of that density (vehicles, tree loss, storm water, natural habitats).

So, what is there to be concerned about?

The Answer: We need to be Increasing land density without accommodating trees.

In the decades to follow, this City Council will very likely not be around to explain the city's increased urban temperatures as a result losing Seattle's tree canopy. The appeal on the ADU dismissed any concerned to the tree canopy.

- *Seattle is the 10th worst in the nation relative to the urban heat island effect.*
- *Seattle LiDAR maps prove that increased surface temps result from areas with fewer trees.*
- *About two-thirds of Seattle's existing tree canopy is on private property within single family zones.*
- *Current development stats on single-family lots reduces the average tree canopy almost by 25% from 32 percent average tree cover down to less than 24% average tree cover!¹*

¹ Please request documentation to support these statistics from David Moehring at dmoehring@consultant.com or call 425-352-5143.

However, this City Council Bill fails at responding to the impacts of tree loss – saying that this Bill to remove “all barriers” will only result in 1800 additional ADU units and just lose only 0.3 acres of tree. We all know the impacts will more significant.

Moreover, this Bill fails to achieve all three of the above interests and Seattle Housing Objectives. IN what ways?:

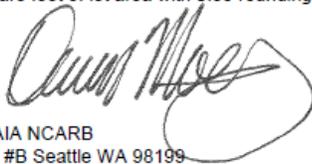
1. The Bill eliminates the diversity of single-family properties by allowing triplexes with over 5200 square feet on a typical 5000 square foot lot. That building size matches what Seattle sees today in the boxy rowhouse and townhouse developments with “roof gardens”
2. The Bill allows any developer to outbid a traditional home owner want-a-be with developers paying almost \$1-million for a standard lot, leveling the property, and sell three townhouse condos (or subdivide into 3 unit lots) for over \$3-million in revenues.
3. This Bill allows for 3 dwellings on lots as small as 3,200 square feet. With the multifamily rezoning of today, a developer cannot even build 3 homes on a lot that size! Yes, single-family zones will be denser than multifamily zones! (At LR1 density of one unit for every 1300 SF of lot area, the lot would need to be at least 3,700 square feet.)

Many values here to contemplate, I know. We must ... for the sake of this City... be critical thinkers and *not just over-reactors*.

How do we amend this Council Bill without damaging Seattle's environments?

- 1) Allow waiving off-street parking requirements ONLY if it is necessary to retain a significant, Exceptional or Heritage tree or part of a Tree Grove.
- 2) Allow a second AADU (or DADU if not already on lot) only when the property owner has record of the deed for at least 3 years.
- 3) Allow an second AADU (or DADU if not already on lot) only when the parent lot size is at least 4,080 square feet (which is the 2018 multifamily limit of 1 dwelling for every 1,600 square feet of lot area with 0.85 rounding factor)

Sincerely,



David Moehring AIA NCARB
3444 23rd Ave W, #B Seattle WA 98199

Personal observations of Board Member: Tree PAC, and Trustee, Magnolia Community Council

From: Stuart Niven <panorarbor@gmail.com>
Sent: Wednesday, June 12, 2019 7:21 AM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Open Letter to City of Seattle

CAUTION: External Email

Good morning Sandra,

Please can you pass the attached letter to the UFC for their attention. This is sent to the UFC from me as a member of the public.

Thank you and kind regards,

Stuart Niven

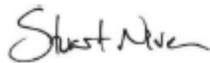
With these points in mind, please, please, please take a moment to look again at the images from this site. Imagine the property as it was; shaded, cool, awash with life; birds tweeting, singing, feeding on the bugs in the trees and on the ground, flying from branch to branch, nesting peacefully, feeding their young, nurturing their next generation, enjoying the diversity of needles and leaves until suddenly men arrive revving their noisy and polluting machines. Then within hours their lives and the lives of their kin are over, or disturbed so deeply, that they will never recover.

We are *all* responsible for this, but we can do something about it so it does not happen again, and again, and again. Once one property suffers this fate, it sets a precedent for others to follow, and the cumulative effect of other clear-cutting operations will be monumental and will remain relatively invisible until it is too late to stop it. Please use your power to influence the world around you by speaking up and voicing your own concerns, creating a positive and creative reaction to this, before it is too late and before Seattle is a dirty, dusty and dry desert city, void of character or natural diversity and full of pollution, smog and illness.

We could all live in relative ecological paradise, if we truly work to protect and enhance our amazing trees and the abundance of life that exists in and around them, which keeps us all healthy, happy and productive.

Thank you for your time.

Yours sincerely,



Stuart Niven

It is essential that you take a moment to consider your position within the city and the role you are playing, directly or indirectly, in allowing such negative changes to neighbourhoods such as this particular catastrophe which cannot be undone. Apathy is the same as being complicit in a negative action, so please voice your concerns and take part in positive action, as we all are responsible for what happens where we live and work. The current scourge of rapid development is affecting our future and the future of our children; it is easy to forget this as we go about our daily business but I know from experience as an arborist and environmentalist, every single action taken, does have an impact on everything else, whether we realise it or not. This is commonly known as *The Butterfly Effect* and represents the ripple that evolves from each and every action. The scale of this particular destructive action means the resulting effect will be of tidal wave proportions for the neighbouring community, which will eventually be felt by the whole city, if something significant is not done to stop this happening again.

(The photograph below shows more stumps, broken branches and the attached foliage that was serving an essential ecological purpose for the local residents and ecosystem of the neighbourhood, including much needed shade.)



Furthermore, the biggest threat to canopy cover is the type of residential neighbourhoods with the smallest amount of regulation but the largest volume of privately-owned tree coverage; 'single-family residential' neighbourhoods. This is frightening and if the destruction of properties like this continues we will lose all of our mature residential tree canopy and landscaping, as developers quite literally scrape the environment for their own gain. A case in point is that a developer has recently purchased adjoining properties in the same neighbourhood, again with mature landscaping and many healthy native tree species covering most of the land, and has applied for permits to clear the properties to sub-divide the properties in order to build several new houses, which would not be possible without removing most, if not all, of the trees. If this allowed, and the trend becomes the new 'norm', more developers will swoop into this neighbourhood and others like it, rapidly changing them and the landscape forever.

Despite being self-employed and married to a cancer research scientist, I am unable to afford to buy a property in the city, and like many other hard working residents, I have to rent from foreign owners that have bought property as an investment, despite living and working in a different country; I therefore understand the need for increased density and a push for affordable housing. However, this must be sensibly planned, looking at everything that will be impacted by shortsighted development like this project, which is going to dramatically change the neighbourhood around it, both from a human and ecological perspective. Putting it simply, any development proposals that threaten mature trees and landscaping should be rejected, and they should be focused on areas that already have little or no canopy coverage and landscaping. Once this has been exhausted, the areas with trees can be considered, but there must be a plan for incorporating trees and landscapes into designs, which is simple to do, if property owners and development companies are encouraged to do so, through rules and codes that truly protect trees and adequately penalize those who ignore them or who use the loop holes in the existing code to their advantage.

Finally, the City Arborists must have their own 'Urban Tree Canopy and Ecology' department, and their own dedicated staff of at least 20 ISA (International Society of Arboriculture) certified arborists and ecologists to help develop and enforce the tree protection codes that are in place to protect and enhance the existing tree canopy of the city. It is a blatant conflict of interest to have only two arborists working in the same department that dictates and controls 'development' within the city. SDCI is overriding any semblance of its own 'tree protection' codes in the city currently, so much so that even when 'exceptional trees' are being claimed to be 'hazardous' when they are not, threats of legal action by the property owner who wants to remove them, and the biased reports from unethical arborists that support such claims, force the city to allow their removal; this is a deeply worrying trend. From my own experience of several situations recently, both on properties owned by 'regular' people and those bought by developers, it is painfully clear that the City Arborists' hands are tied, as their colleagues higher up the chain of command, impose their authority and disallow them any semblance of ability to enforce the department's own codes. Oversight of the tree protection ordinance must be removed from SDCI to remove this conflict of interest.

Currently the only way for residents of the city to have any say about threats to trees being removed, is through the SDCI Portal which allows 'complaints' to be made. This is completely pointless as there is no way to adequately affect protection of a tree, or trees, under threat of removal by development, by complaining to the same department that is allowing their removal. Typically, it is only possible to complain during or after the tree's removal, once a situation is observed by a concerned neighbour or tree care professional that understands the current codes.

Currently we are living in a time of political and cultural uncertainty, both locally and globally, as increasing concerns for the environment and natural resources are clashing with corporations which are continuing to ignore the clear signs that we need to change our behavior and attitudes worldwide. Thankfully there is an evolving shift in attitudes among people and organizations across the planet that are pushing for increasing levels of environmental protection and responsible use of resources. Locally, individuals and community groups are focusing on making positive changes in the next elections, so that the environment and planning of the city are at the forefront of the political agenda. Our own Governor Jay Inslee is pushing the environment and climate into his political agenda when discussing his nomination to run for President, which is inspiring and motivating.

Developers are just people, like regular property owners, so there is absolutely no reason whatsoever why should mean they can flaunt, bend, and break the rules that are in place already, nor pressure the city to allow them to control the future evolution of codes and rules, for their short term benefit at the detriment to the city as a whole. Without immediate changes, Seattle will be just another concrete jungle where large trees are in parks and smaller trees are lining the streets, with the only trees on private property are in planters as there is no room for anything else.

(Below is a photograph of the site, completely cleared and ready for the construction process to commence. Two weeks ago this site was awash with life; now there is nothing, and even the soil is dead following hours of compaction from heavy equipment used to clear and level the site.)



The current *Trees for Seattle* website claims, "Seattle's goal, established in 2007, is to reach 30% canopy cover by 2037. The City of Seattle's most recent canopy cover study, using data from 2016, found that 28% of Seattle is covered with trees." If sites like this one with at least 25 trees are being permitted for clearing and development with little or no room for adequate replacement trees, there is absolutely no way that the desired goal of 30% tree canopy cover will ever be reached. In fact it is likely that the tree canopy cover will decrease dramatically and will never increase in our lifetime, as even removing one 100ft Douglas-fir tree today and planting 100 replacement trees tomorrow, would not adequately replace the lost canopy, biomass and habitat in our lifetime nor that of our children's children.

Painfully this ecological and community devastation cannot be undone, however we *can* prevent it happening again. This will require a significant, yet simple action, that has already been implemented by the city of Cambridge, Massachusetts earlier this year (<https://cambridge.wickedlocal.com/news/20190227/cambridge-councilors-pass-tree-removal-moratorium>), following the stark realization that they had lost 18% of their tree canopy since 2009.

I therefore vehemently urge that the Mayor and Council Members, voted into office to protect the interests of the city's residents and its fragile environment, immediately put a stop to and cease all development that involves the removal of trees and mature landscaping; implementing an immediate moratorium on any new projects where trees over 6" in diameter are on site and there is a claim that they need to be removed for development. This can be done, though one simple amendment to the current tree protection ordinance, which is currently being reviewed by the city's council.

Upon initiation of said moratorium, all relevant departments related to trees and development should work directly with the communities of the city and with tree protection and advocacy groups, including the Seattle Urban Forestry Commission to create a tree protection code that *actually* protects trees, and the life that depends on and benefits from their existence, before Seattle loses all of its mature canopy cover and wildlife, leaving only trees in parks for people to enjoy. Many of the old European cities (for example Paris: <https://www.theguardian.com/cities/2018/aug/16/could-greening-every-paris-schoolyard-cool-the-city>) have suffered this fate, and are now having to scramble to reverse the issue by planting tens of thousands of new trees in a vain attempt to combat the increased heat, (<https://www.theguardian.com/environment/2019/jun/05/thousands-could-perish-annually-us-global-heating-study>) pollution and illnesses that are being recorded, due to the lack of tree canopy cover in areas beyond their public parks (<https://www.theguardian.com/sustainable-business/2017/feb/21/urban-heat-islands-cooling-things-down-with-trees-green-roads-and-fewer-cars>).

Currently, and this situation is clear proof of this, there is absolutely no real and enforced tree protection in Seattle, except for the trees managed by SDOT and Seattle Parks. SDCI's current ordinances related to 'tree protection' including SMC 25.11 may exist on paper, but in practice they do not mean anything, as the power, influence and financial sway of developers has removed any ability or interest by SDCI to adhere to their own rules and regulations. Currently, there is no such thing as a 'significant' or 'exceptional' tree, when 'development' is mentioned, which is shocking and must be addressed immediately, before it is too late.

It makes absolutely no sense whatsoever when developers have more power than local residents, or the city departments that are meant to exist to help protect and enhance the city's neighbourhoods through sensible planning. SDCI's own tag line claims "*As stewards and regulators of land and buildings, we preserve and enhance the equity, livability, safety, and health in our communities*", but this is absolute hypocrisy.

It is easy to think the problem is complicated and has many layers to it, however the solution to this frightening situation is simple: do not allow developers to remove trees, that are protected by the city's own codes. Many developers and property owners do not even live in Seattle, or even within the United States, so they have no vested interest in the city, its people or its environment; now or into the future. They are simply taking advantage of the boom in employment, and the rush of people from all over the world to live and work here, which is unsustainable and inherently destructive.

Seattle was cleared of its original 'old growth' forest over a hundred years ago, which was bad enough from a cultural and ecological standpoint, but it has recovered over the past century so that neighbourhoods have people and wildlife living together harmoniously under the varied canopies of trees reaching the lofty heights of 100-150ft, but these majestic trees are disappearing faster than anyone can record (even SDCI's own staff are not recording this information, meaning no one can be held accountable for the losses), and the city is allowing this to happen.

In only a few hours, the essential habitat for countless different bird species including the rarely seen Merlin (*Falco columbarius*), which is known to inhabit this neighbourhood as many Audubon members over the years have enjoyed their calls and flights to and from the trees, was destroyed without any inspection of the trees' canopies to look for nesting or perched birds which are still nesting at this time of year. This is a Federal offense as nesting birds are protected by Federal Law. Equally, the homes and hideouts of local squirrels, raccoons, bees, butterflies, bats, eagles, owls, tree voles, mice, moss, lichen, and whole host of beneficial microscopic bacteria and fungi, were literally turned to dust. No one will ever know how much of this innocent life was killed in the process, but the loss is reprehensible.

I have seen many healthy trees removed around the city over the past ten years since moving here from Scotland to live and work as an arborist, but never have I seen so many trees on one single property be destroyed in such a thoughtless and aggressive manner, with complete disregard for the immediate impact to the ecology and wider environment, including the adjacent property owners and neighbourhood as a whole. When I arrived at the site to look at what was happening, I did not know that the removals had already taken place so when I pulled up to the property, I was shocked, appalled and heart broken. When I walked around the perimeter of the property and looked at the piles of mangled branches, upturned stumps and gashed logs lined up for collection and disposal, I could not hold back my tears. I know other neighbours felt the same way, having met and talked to several people living on adjacent properties who all wept when they saw the trees coming down, helpless to prevent or stop it. The sight was truly soul destroying, and I cannot believe that the current rules within the city allow for this level of ecological devastation in a residential community known for its remarkable trees and vibrant ecology. It is painful enough to see commercial logging and clear-cutting in rural areas, but within the 'Emerald City'? This is diabolical.

(The photograph below shows piles of logs, ready to be taken to the lumber yard for processing.)



(Below is a photograph showing a large stump and structural roots that were literally ripped from the ground and dumped unceremoniously into a large waste container, which was rapidly removed from the site.)



This rapid and highly destructive removal process can be described as 'inner-city logging' and video footage of the removal process clearly demonstrates it was dangerous and irresponsible. This may be common in the forests of the Northwest, but it is highly unusual within residential neighbourhoods of Seattle due to the proximity of adjacent properties, passing cars and pedestrians, and overhead utility lines. According to details available to the public through the City of Seattle's Department of Construction and Inspections (SDCI) online 'service portal', this clear-cutting was approved and permitted to make way for two new houses to be built by *Gamut360*, a development contractor, part of the *BuiltGreen* group, which has links to the City of Seattle's *Office of Sustainability & Environment* (and other local municipalities), according to the *BuiltGreen* website. This connection clearly represents a conflict of interest and raises serious questions of the objectivity of any interested party involved in this process.

(Below is a photograph of stumps left following the felling of healthy trees; none of the stumps were left on site.)



10th June 2019

Dear City of Seattle,

RE: Ecological Devastation at 11347 20th Ave Ne, Seattle, WA 98125

(Copied to The Mayor and City Council of Seattle, Washington State Senators, Congress and Governor, as well as local and international media.)

My name is Stuart Niven and I am a current resident of the NE of Seattle. I would like to draw your attention to the following situation in the North Seattle neighbourhood of Victory Heights at 11347 20th AVE NE, where in the past couple of weeks what can only be described as indefensible ecological devastation has occurred.

(The photograph below was taken after all of the trees on the property had been destroyed.)



Before a logging service and an excavator arrived to clear the site, this property was like many in the neighbourhood with towering native conifer trees and some large deciduous species, with an established landscape under all of the trees. According to the arborist report submitted to the city with the construction permit applications, there were 25 trees on site, of which 20 based on their size were considered 'significant' and 8 were 'exceptional' by the current codes of the City of Seattle. It is likely that there were more than this, based on the testament and observations of neighbours, who are already having to deal with increased heat from direct sunlight, which has dramatically changed their properties overnight. Using the publicly available land survey data from SDCI's GIS report from 2016, the approximate canopy cover was 4,176 square feet, spread over varying heights of up to, and possibly exceeding, 120'. The collective biomass of these trees is irreplaceable in our lifetime and would likely take three generations before the replacement canopy, if there was room for it, would come anywhere close to being the same as what was destroyed in only a few hours.