

Seattle Urban Forestry Commission

Weston Brinkley, Chair • Joanna Nelson de Flores, Vice-Chair
Tom Early • Megan Herzog • Craig Johnson • Sarah Rehder
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May 9, 2018.

Councilmembers Lorena Gonzalez, Lisa Herbold, Rob Johnson, and Mike O'Brien
Council Planning, Land Use, and Zoning Committee
Seattle City Hall
600 Fourth Avenue
Seattle, WA 98104

RE: Tree regulations update "Trees for All" proposal recommendation

Dear Councilmembers,

The Urban Forestry Commission (UFC) commends Councilmember Johnson for providing the impetus to move forward a tree protection ordinance update proposed as "[Trees for All](#)". The UFC is excited to support the City in this important effort.

Seattle recognizes the important role trees play in our city. The UFC is interested in finding ways to allow for flexible management of trees by property owners, while protecting trees and accomplishing the City's urban forestry goals. The UFC has issued numerous letters in support of an update of the tree protection ordinance over the years which are available on the UFC [website](#). Links are provided at the end of this letter.

While we strongly support the spirit of the proposed tree code update, we recommend the following adjustments to the "Trees for All" proposal:

1. Use 6 inches as the threshold for tree removal permits.

Current code uses a 6" standard in several instances including: Green Factor; Tree requirements in RSL and SF zones grant points for preservation of trees 6" or greater; Restrictions on tree removal outside of development establish that trees 6" or greater cannot be removed and no more than three trees over 6" may be removed in any one year; during development, site plans must contain all trees 6" and larger.

The proposal of a 12" tree removal permit threshold is not appropriate for the city of Seattle. The most comprehensive ground-based assessment of Seattle's trees¹ found that in single family zones a 12" threshold would not protect many trees in Seattle. The [study](#) identified that in single family residential zones, only 18% of the trees are over 12" in diameter, while 55% are less than 6" in diameter. And importantly, on average, 46% of the tree species that will be large at maturation currently have a trunk diameter less than 12". Additionally, a number of other cities in the region use 6" as a threshold already.

Per [Seattle's Exceptional Tree list](#)², 14 tree species reach exceptional status at a size smaller than 12". A threshold of for a "Significant" tree higher than that of an "Exceptional" tree would be extremely confusing and counter-productive.

¹ Ciecko L. et al. (2012) *Seattle's Forest Ecosystem Values*. Green Cities Research Alliance.
https://www.seattle.gov/trees/docs/Seattles_Forest_Ecosystem_Values_Report.pdf

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

2. Tree offset payments should be made only when trees cannot be preserved or replaced on site.

CM Johnson’s proposal uses the term tree offset, the UFC recommends changing it to mitigation fees or mitigation payments. Trees take a lifetime of care and maintenance to grow. Please structure the mitigation portion of the process such that removal of trees is the action of last resort. Preservation of existing trees has a much more significant impact on our ability to grow our canopy than planting new trees. Existing trees provide value now, not just in the future.

During development, to help monitor and replace equivalently-sized trees for canopy lost, require that an urban tree assessment be done by a certified arborist – basically a tree survey detailing the impact of the development on the urban forest canopy and trees on site and a replacement plan prior to issuing a construction permit.

3. Ensure that the tree removal mitigation fund can accept fines, donations, and grants in addition to mitigation payments.

The establishment of a separate tree fund through the implementation of a permit system provides a unique opportunity for supporting increased canopy. A separate fund for mitigation payments as well as outside funding would simplify and increase support for urban forestry administratively and for public understanding.

4. Remove the tree protection exemptions for small lots.

The majority of Seattle’s private property land is divided into small lots. In fact, approximately 40% of the city’s lots are less than 5,000 square feet in size³. Exempting these properties from the program may be a key factor in Seattle’s current canopy loss and will undermine the goals and effectiveness of the “Trees for All” proposal. This exemption would add to the confusion by property owners as to whether the ordinance applies to a particular property and has been used by developers who subdivide a lot to avoid compliance with the current ordinance.

5. Require that tree care service providers meet certain qualifications and be registered with the City.

The proposal doesn’t address tree care which is an important aspect of maintaining canopy. Ensuring that our urban forest grows and thrives will require knowledgeable professionals implementing tree care.

6. Consider methodologies for calculating necessary replacement trees that align with a net increase in canopy.

In order to meet the City’s 30% canopy cover goal, we need to establish policies that result in a net increase in canopy over time. Replacement tree requirements therefore should be calculated such that what is planted will result in a net increase in canopy over time, as replacement trees mature, and to discourage tree removal. To help monitor and replace equivalently-sized trees, require that an urban tree assessment be done by a certified arborist.

³ King County Department of Assessments, File “Parcels”, Date Extracted 5/4/18.
<http://info.kingcounty.gov/assessor/DataDownload/default.aspx>

7. Properly resource the initiative

Please ensure that adequate funding levels are made available to implement, track, and enforce this ordinance.

We appreciate your commitment to Seattle's urban forest and look forward to working with you on this matter.

Sincerely,



Weston Brinkley, Chair



Steve Zemke

Links to past UFC letters of recommendation related to the tree protection ordinance update:

- [August 13, 2010 recommendation](#) on DPD's proposed tree regulations
- [October 20, 2010 follow up recommendation](#) on DPD's proposed tree regulations
- [February 7, 2011 position paper](#) on tracking and permitting of tree removals
- [February 9, 2011 position paper](#) on professional standards for tree pruning and tree removal
- [May 15, 2013 recommendation](#) on Tree preservation protocols for small development projects
- [June 12, 2013 recommendation](#) on Small lot development in single-family zones
- [June 25, 2014 recommendation](#) on DPD reporting
- [July 15, 2014 recommendation](#) on resuming work to update the tree protection ordinance
- [November 1, 2017 recommendation](#) on Mayor Burgess' Tree Protection Executive Order
- [April 11, 2018 recommendation](#) on tree regulations update

cc: Mayor Jenny A. Durkan, Council President Harrell, Councilmember Bagshaw, Councilmember Juarez, Councilmember Mosqueda, Councilmember Sawant, Jessica Finn Coven, Nathan Torgelson, Michelle Caulfield, Mike Podowski, Maggie Glowacki, Urban Forestry Management Team, Urban Forestry Core Team, Aaron Blumenthal, Peter Lindsay, Eric McConaghy, Yolanda Ho, Susie Levy, Alberta Bleck, Evan Philip

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