

SEATTLE URBAN FORESTRY COMMISSION

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July 11, 2018.

Mayor Jenny A. Durkan, Seattle City Councilmembers, City Attorney Pete Holmes,
Seattle City Hall
600 4th Avenue
Seattle, WA 98124

RE: Enforcement of SMC 25.11.090 - Tree Replacement and Site Restoration

Dear Mayor Durkan, Seattle City Councilmembers, and City Attorney Pete Holmes,

Council Central Staff briefed the Urban Forestry Commission (UFC) on the expected timeline for the update of the tree protection ordinance. We commend the City for taking swift action and moving this important legislation forward prior to the budget cycle.

The UFC has provided recommendations on what it believes would make a strong tree protection ordinance and wants to ensure the City takes advantage of this opportunity to take a stand to protect Seattle's trees. The UFC would like to emphasize the need for effective enforcement of the current City's tree protection ordinance while the regulations update is underway.

[SMC 25.11.090](#) which has been in place since 2001, requires that developers replace all trees removed that are either 24" in diameter at breast height (DBH) or that are non-hazardous exceptional. This provision is a critical component to protect Seattle's large trees and meeting the City's tree canopy goals. The UFC has tried to confirm that the City has worked on enforcing the provisions in SMC 25.11.090, and after doing research at the SDCI Public Resource Center, was unable to find any documentation to that effect.

Additionally, research done through SDCI's website, directed the UFC to [TIP 242](#) (Tree Protection Regulations in Seattle) which not only doesn't reference SMC 25.11.090 but contradicts it. DPD's [Director's Rule 16-2008](#) (Designation of Exceptional Trees) also doesn't reference SMC 25.11.090. Section 25.11.090 is very specific on tree replacement and site restoration requirements during development; Section [25.11.100](#) clearly gives the Seattle Department of Construction and Inspections (SDCI) Director authority to enforce the provisions of SMC 25.11.

Also, it appears SDCI's newly implemented Accela system doesn't include tree planting/tree survivability tracking, precluding the City from obtaining important tree-related data to support informed decision-making.

The Commission urges you to require that SDCI immediately start enforcing SMC 25.11.090 as outlined in 25.11.100. We also urge you to include the spirit of provision SMC 25.11.090 in the next iteration of the tree code and all supplemental documentation related to the new code, stressing the importance of identifying existing trees; discouraging removal of large and exceptional trees; keeping track of preservation/removals/replacement; replanting trees on site, when possible; and establishing a fee-in-lieu to fund tree protection and planting.

We reiterate our recommendations to require tree mitigation/replacement for all trees 6" DBH and larger (whether hazardous or not); in all zones; during and outside of development; to establish a tree removal permit; and to institute a fee-in-lieu option to seed a tree mitigation fund.

Sincerely,

A handwritten signature in black ink on a light yellow background. The signature is cursive and appears to read 'Weston Brinkley'.

Weston Brinkley, Chair

cc: Jessica Finn Coven, Nathan Torgelson, Michelle Caulfield, Mike Podowski, Maggie Glowacki, Chanda Emery, Urban Forestry Management Team, Urban Forestry Core Team, Sara Maxana, Spencer Williams, Susie Levy, Aaron Blumenthal, Peter Lindsay, Eric McConaghy, Evan Philip

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