



SDCI: Tree Regulations



Seattle Department of
Construction & Inspections

Seattle Home Fairs
January 30, 2021

SDCI Home Fair Team

Paul Humphries

Senior Environmental Analyst (Arborist)

Deborah McGarry

Senior Environmental Analyst (Arborist)

Lisa Schwartzberger

Senior Housing/Zoning Inspector

Please remember ...

- This presentation and Q & A session are being recorded.
- Remain muted during the presentation
- Type questions into the Chat box
- Wait to the end to unmute and ask your question directly



Trees in Seattle

Trees are valued in Seattle and legally protected in a variety of ways. Tree protection regulations are contained in the Tree Protection Ordinance, Seattle Municipal Code (SMC) 25.11, as well as the Environmentally Critical Area Code, SMC 25.09, which provides specific requirements for environmentally critical areas (ECAs) including property adjacent to steep slopes, wetlands, streams, and shorelines.

Tree protection regulations vary based on location and are summarized below in three categories (undeveloped land, developed land and environmentally critical areas). *We may require an application for approval to remove a tree.*

Undeveloped Land

- You may not remove trees 6" in diameter or greater on undeveloped lots (property with no structures) unless they are found to be hazardous or unless you propose to remove a tree as part of a development.
- You must get a hazard tree assessment from a certified arborist or a registered consulting arborist with the ISA Tree Risk Assessment qualification.
- You must apply for and obtain approval from SDCI prior to tree removal.

Developed Land

- Tree removal on developed land is limited in all single-family, low-rise, mid-rise, and commercial zones.
- The following applies, unless trees are found to be hazardous or where tree removal is proposed as part of a development. No exceptional trees may be removed. No more than three non-exceptional trees six inches in diameter or greater may be removed on a lot during a one-year period.

Environmentally Critical Areas (ECAs)

- Tree removal in certain ECAs, such as steep slopes, riparian areas (shorelines of streams and rivers), wetlands, wetland buffers, and shorelines is regulated differently. This is because trees play a critical role in preventing erosion, protecting water quality, and providing habitat.

Do I Need Approval?

Within the City of Seattle, removing or pruning a tree on your property may be regulated depending on a number of factors:

- ✓ Zoning of your property
- ✓ If your property is in an Environmentally Critical Area
- ✓ If you are building an addition or new construction
- ✓ If you have any trees over 6" in diameter

*Trees on right-of-way are subject to additional regulations.
This presentation is about trees on private property.*

The Seattle Department of Construction & Inspections (SDCI) administers and enforces regulations related to private property and development that affects trees.

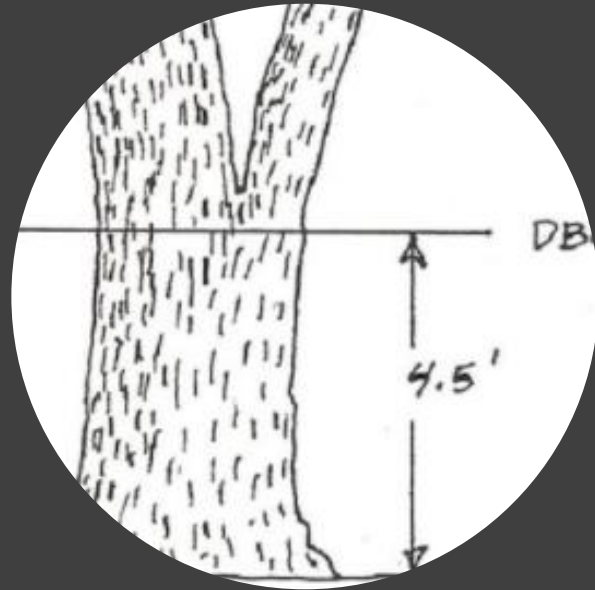
The Seattle Department of Transportation (SDOT) regulates trees in the street rights-of-way.



Categories of Trees Affected by Regulation

The main categories of trees on which these regulations focus are:

- Trees over six inches in diameter, measured four and one-half feet above the ground known as Diameter at Breast Height (DBH) or Diameter at Standard Height (DSH).
- Exceptional trees — trees that have significant value due to their size and species as defined in Director's Rule (DR) 16-2008 which have unique historical, ecological or aesthetic value.
- Hazardous trees — trees that pose a high risk of damage to persons or property



What is an Environmentally Critical Area (ECA)?

Our Environmentally Critical Areas (ECA) Code governs areas of Seattle that provide critical environmental functions.

- For example, wetlands protect water quality and provide fish and wildlife habitat.

It also addresses areas that represent particular challenges for development due to geologic or other natural conditions.

The goal of our ECA regulations is to effectively protect these areas and to protect public safety, while allowing reasonable development in our growing city.

Removing trees and vegetation in an ECA is only allowed in **limited** circumstances such as:

- Normal and routine maintenance
- When done as part of an issued building or grading permit
- Certain ECA restorations
- Mitigating removal of a hazard tree

Exceptional Trees

- An exceptional tree:
 - Designated as a heritage tree by the City of Seattle; or
 - Listed in Director's Rule 16-2008
 - 75% largest in "*Trees of Seattle*"
- What you must know to determine whether it is exceptional:
 - The diameter of the tree at 54" above the ground
 - The scientific name (genus and species) of the tree to determine
 - Heritage tree map



Hazard Trees (Exceptional or ECA)

- Structural defects and/ or disease
- Near potential targets
 - ISA-certified arborist qualified in tree risk assessment
 - More information in TIP 331B: Hazard Trees.
 - Removal of a hazard tree requires submitting an application **and** receiving approval by SDCI prior to removal.
- Infrastructure damage
 - Building foundation
 - Photos must show damage or proximity
- **Emergency Tree Removals:** Qualify if pose an immediate danger to life or property.
 - Immediately submit an application for tree removal with documentation and photos clearly demonstrating the defects and emergency conditions.



Removing Trees: ECA

- In Environmentally Critical Areas (ECA)
 - **SDCI APPROVAL/PERMIT REQUIRED**
 - Trees over 6" require permit
 - Tree removal may be allowed *if* part of an issued building or grading permit
- Hiring a qualified professional
- An expert that has an appropriate combination of:
 - professional certifications
 - education and training
 - experience
 - *For tree risk assessment: a current Tree Risk Assessment Qualification (TRAQ), as established by the International Society of Arboriculture (ISA).*





Removing Trees: not in ECA

Private Trees: SDCI APPROVAL is REQUIRED if

- Tree(s) are exceptional
- More than 3 in one calendar year
- Lot is undeveloped

Street Trees SDOT APPROVAL/PERMIT REQUIRED

- Under Seattle Ordinance #124166, you must obtain a permit from SDOT before removing any tree on a City right-of-way
- <https://www.seattle.gov/transportation/permits-and-services/permits/street-tree-permits>

Tree Pruning

The pruning of a tree through crown thinning, crown cleaning, windowing, or crown raising. Does not include the topping of trees or any other trimming which is likely to kill or significantly damage the tree.

Private Trees in Environmentally Critical Areas (ECA's)

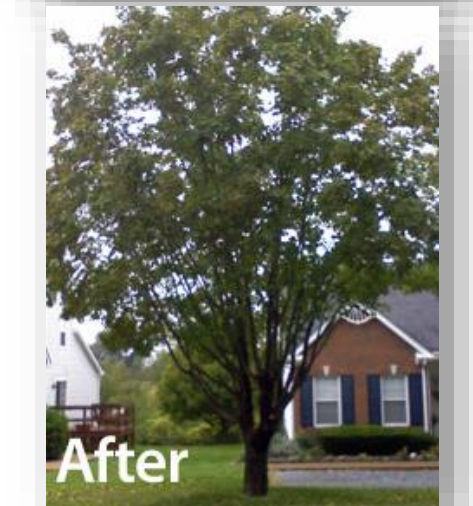
➤ **SDCI APPROVAL MAY BE REQUIRED**

- Pruning must meet ANSI 300 standards and large trees shall be pruned by I.S.A. certified arborists only. Pruning areas over 750 sq ft may require a maintenance plan

Street Trees (outside of environmentally critical areas)

➤ **SDOT PERMIT REQUIRED**

- Seattle City Ordinance #124166 requires that all persons who prune privately maintained trees within the public right-of-way area obtain a street use permit
- To apply for a pruning permit, call 206-684-TREE (8733)



Tree Pruning

Private Trees (outside of Environmentally Critical Areas)

➤ NO APPROVAL REQUIRED

- Topping* = Removal

**Topping—The cutting back of limbs to stubs within the tree's crown, to such a degree as to remove the normal canopy and disfigure the tree; or the cutting back of limbs or branches to lateral branches that are less than one-half (1/2) of the diameter of the limb or branch that is cut.*





Planting trees

- **Street Trees**
 - **SDOT PERMIT REQUIRED**
 - You must obtain a street use permit from SDOT before planting a tree along the street
 - Fruit trees, big leaf maples, cottonwoods, and Lombardy poplar trees are explicitly prohibited as street trees
- **Private Trees**
 - **NO SDCI APPROVAL REQUIRED (Except in ECA if part of larger restoration)**

Types of Illegal Cutting

PARKS

- Trees growing within the boundaries of City of Seattle, Department of Parks and Recreation-owned parks and boulevards, as well as City-owned greenbelts may only be pruned after obtaining a permit from the Department of Parks and Recreation.
- Tree removal is not allowed for view improvement.
- **Tree topping is prohibited on all Parks properties.**

RIGHTS-OF-WAY

- Trees growing within street or alley rights-of-way may only be pruned or removed after obtaining a permit from the Urban Forestry section of the Seattle Department of Transportation.
- Trees growing within unimproved rights-of-way are also included in these regulations.
- **Tree topping is prohibited on all rights-of-way.**

OTHER PRIVATE PROPERTY

- You cannot remove any Exceptional tree unless the tree is designated as hazardous.
- You must get a hazard tree assessment from a certified arborist or a registered consulting arborist with the ISA Tree Risk Assessment qualification.
- You must apply for and obtain approval from SDCI prior to tree removal.

Types of Illegal Cutting

ENVIRONMENTALLY CRITICAL AREAS (ECA's)

- Removing, clearing or any action detrimental to habitat, vegetation or trees is prohibited within ECAs and regulated by the Seattle Department of Construction & Inspections (SDCI).
- This includes areas characterized by steep slope, potential slide areas, known slide areas, wetlands, wetland buffers, riparian corridors, shoreline habitat and shoreline habitat buffers.
- Only non-native and hazardous trees can be removed within some of these ECAs and only with a replanting plan reviewed and approved by SDCI.
- General tree maintenance is allowed without approvals, as long as the action is not harmful to the health of the tree and meets accepted pruning standards. **Tree topping is prohibited in ECAs.**

NOTE: Tree companies working on regulated trees or in regulated areas should have a copy of any approval that has been issued by a City department in their possession on the job site. **If they cannot produce an approval, they are subject to a stop-work order.*





Shoreline District

- You cannot remove any trees or vegetation from the Shoreline District without an issued Shoreline Exemption or issued building permit.
- The regulations on Shoreline District vegetation are found in SMC 23.60A.190. The Shoreline District is generally the land within 200 feet of a shoreline and also larger bodies of water.
- The restriction on tree and vegetation removal in the Shoreline District is the same, regardless of whether the area is an environmentally critical area.
- Tree removal in the Shoreline District must also comply with the Tree Protection Code.

Where Do I Find More Information?

Information on Tree Protection Regulations in Seattle can be found on the City of Seattle website at [http://www.seattle.gov/sdci/codes/codes-we-enforce-\(a-z\)/tree-protection-code](http://www.seattle.gov/sdci/codes/codes-we-enforce-(a-z)/tree-protection-code).

- ❖ [Tree Protection SMC 25.11](#)
- ❖ [Environmentally Critical Areas, SMC 25.09](#)
- ❖ [Director's Rule 17-2018, Calculating Tree Valuations and Civil Penalties for Tree Protection Code Violations](#)
- ❖ [Director's Rule 16-2008, Designation for Exceptional Trees](#)
- ❖ [Tip 242, Tree Protection Regulations in Seattle](#)
- ❖ [Tip 331, Environmentally Critical Areas-Tree and Vegetation Overview](#)
- ❖ [Tip 331A, Environmentally Critical Areas-Vegetation Restoration](#)
- ❖ [Tip 331B, Hazard Tree](#)
- ❖ [Common Seattle Trees \(helpful guide to identifying common trees, including exceptional trees\)](#)
- ❖ [Tree Protection Area Sign](#)
- ❖ [Tree & Vegetation Protection Detail](#)
- ❖ [Ask a question \(SDCI Q and A portal\)](#)
- ❖ [Link to this presentation](#)

Helpful Resources

- ❖ [Seattle Department of Construction and Inspections Tree and Vegetation Removal](#)
- ❖ [Maps to see locations of Environmentally Critical Areas \(ECA\):](#)
- ❖ [Seattle City Light Vegetation Management](#)
- ❖ [Seattle Department of Transportation Street tree permits](#)
- ❖ [Seattle Parks and Recreation Tree Health and Management](#)
- ❖ [Trees for Seattle program](#)
- ❖ [Plant Amnesty referral service](#)
- ❖ [Great Plant Picks](#)
- ❖ [Verify an ISA credential](#)

Presenter Contact

Paul Humphries

Senior Environmental Analyst

Paul.Humphries@seattle.gov

Deborah McGarry

Senior Environmental Analyst

Deborah.McGarry@seattle.gov

Lisa Schwartzberger

Senior Housing/Zoning Inspector

Lisa.Schwartzberger@seattle.gov