

Tree Protections Update

Photo by John Skelton



Seattle Department of
Construction & Inspections



Seattle
Office of Sustainability
& Environment

Urban Forestry Commission
March 2, 2022

TODAY'S PRESENTATION

- Resolution 31902
- Highlights - Environmental Review (SEPA) Draft Legislation
- Next Steps



REMINDER: RESOLUTION 31902

Council requested SDCI and OSE to explore the following strategies:

Strategies

Expand exceptional tree definition and retain protections

Create significant tree removal permit

Require replacement for significant tree removal

Simplify tree planting/replacement requirements

Maintain tree removal limits in single-family zones

Explore in-lieu fee option for tree replacement

Track tree removal and replacement

Provide adequate funding to administer/enforce



SEPA (ENVIRONMENTAL) DRAFT LEGISLATION

HIGHLIGHTS



Expands definition of “Exceptional” tree



Defines “Significant” tree and requires replacement 12” and greater



Allows adjustments to development standards to accommodate tree retention



Allows for payment in-lieu option in several circumstances



Addresses hazardous tree removal actions and emergency situations



Simplifies processes and supports tree tracking



Updates enforcement provisions

DRAFT LEGISLATION

EXCEPTIONAL TREES

- Expands the minimum size threshold for certain tree species from 30 inches to 24 inches as measured by diameter at standard height (DSH)
- Adds tree groves and heritage trees to the definition of exceptional trees (with certain existing exceptional tree species with thresholds smaller than 24 inches continuing to be defined as exceptional)
- Accompanied by a draft Director's Rule to provide additional guidance for exceptional trees that are 24" DSH and smaller pursuant to SMC Chapter 25.11

DRAFT LEGISLATION



SIGNIFICANT TREES

- Defines “significant tree” as any tree that has a diameter at standard height (DSH) of six inches or greater and is not defined as an exceptional tree
- Requires mitigation for removal of significant trees that are 12 inches or greater
- Limits removal of significant trees outside of development to trees smaller than 12 inches

DRAFT LEGISLATION

ADJUSTMENTS TO DEVELOPMENT STANDARDS

- Allows adjustments to development standards, to accommodate retention of exceptional trees:

For development not subject to Design Review:

- Setbacks and separation requirements may be reduced by a maximum of 50 percent
- Amenity areas may be reduced by a maximum of 10 percent
- Landscaping and screening may be reduced by a maximum of 25 percent
- Structure width, structure depth, and facade length limits may be increased by a maximum of 10 percent

For development subject to Design Review:

- Departures permitted in Section 23.41.012
- Parking reduction in the parking quantity allowed by Section 23.54.015 and the modification of standards for safe access
- In Lowrise zones, an increase in base height limit of 40 feet to 50 feet, for an additional building floor if needed to recover floor area lost within a tree protection area

DRAFT LEGISLATION

PAYMENT IN-LIEU

- Adds a new payment option (voluntary payment-in-lieu) when tree replacement is required - subject to further refinement to include City costs such as establishment of trees for a period of 3 to 5 years
- The draft includes a Director's Rule that defines a method for calculating in-lieu payments, and draft payment amounts for exceptional trees and significant trees 12 inches and greater

DRAFT LEGISLATION

HAZARDOUS TREES AND EMERGENCIES

- Adds a new section addressing provisions related to hazardous tree removal (25.11.037)
- Adds a new section that states specific emergency actions that may be undertaken without obtaining a permit in advance (25.11.035)
- Updated definitions further strengthen tree code (25.11.020)

DRAFT LEGISLATION



PROCESSES AND ENFORCEMENT

- Simplifies the permit review process by allowing flexibility with development standards to protect exceptional trees in multifamily and commercial zones as an administrative review rather than require streamlined design review
- Increase penalties for violations of tree regulations (25.11.100)

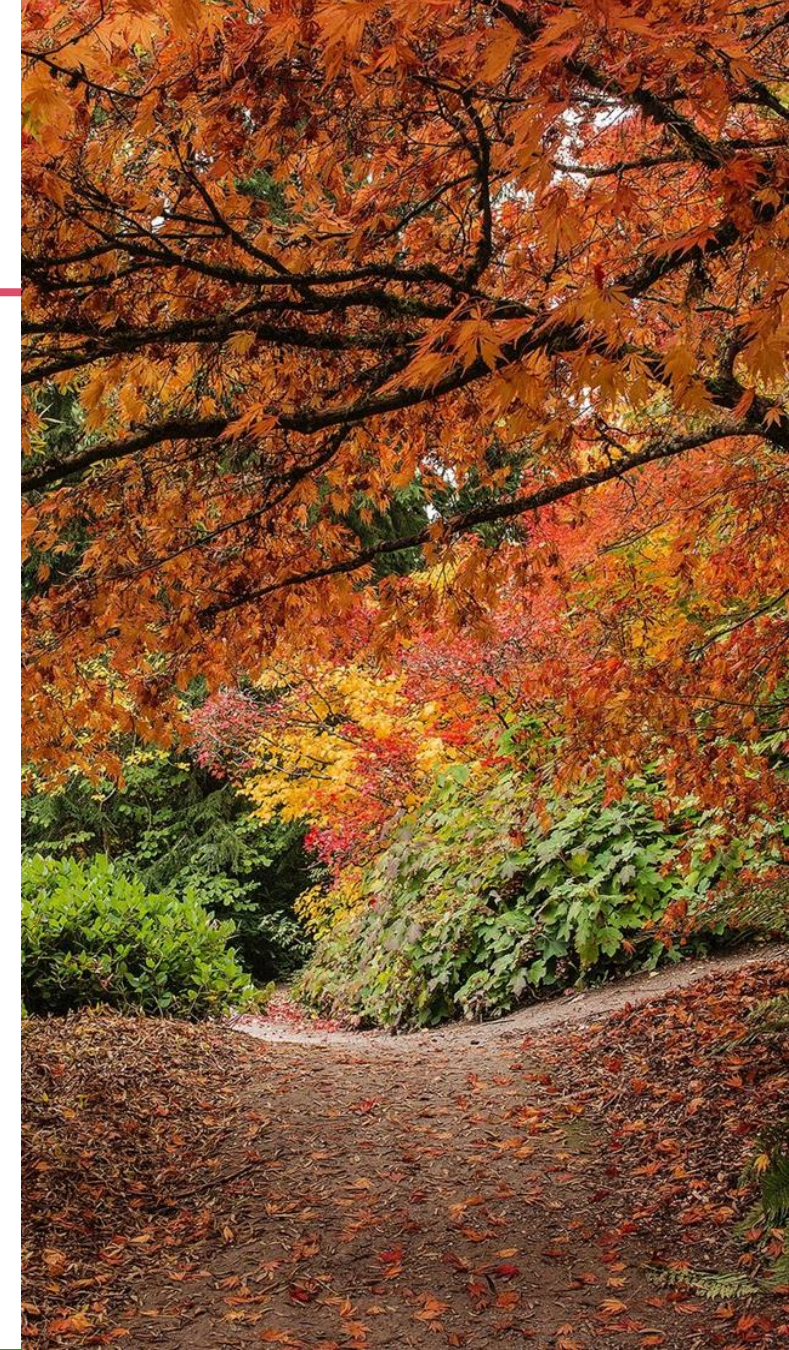
NEXT STEPS –

Q2/Q3 2022

- Work with UFC, including stakeholders, on any potential changes to the SEPA Draft
- Develop final recommendations for legislation

Ongoing

- Identify potential implementation and enforcement needs



QUESTIONS?

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www.seattle.gov/sdci

www.seattle.gov/sdci/codes/changes-to-code/tree-protection/project-documents

