



SEATTLE URBAN FORESTRY COMMISSION

Julia Michalak (Position #1 – Wildlife Biologist), Co-chair
Joshua Morris (Position #7 – NGO), Co-Chair
Joe Sisneros (Position #2 – Urban Ecologist - ISA) • **Falisha Kurji** (Position #3 – Natural Resource Agency)
Becca Neumann (Position #4 – Hydrologist) • **Stuart Niven** (Position #5 – Arborist – ISA)
Hao Liang (Position #6 – Landscape Architect – ISA) • **David Moehring** (Position # 8 – Development)
Blake Voorhees (Position # 9 – Realtor) • **Laura Keil** (Position #10 – Get Engaged)
Jessica Hernandez (Position #11 – Environmental Justice) • **Jessica Jones** (Position # 12 – Public Health)
Lia Hall (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

Meeting notes

July 6, 2022, 3:00 p.m. – 5:00 p.m.
Via Webex call and in-person at the
Seattle Municipal Tower, Room 1872 (18th floor)
700 5th Avenue, Seattle

(206) 207-1700

Meeting number: 2489 551 1854

Meeting password: 1234

Attending

Commissioners

Julia Michalak – Co-Chair
Becca Neumann
Stuart Niven
Hao Liang
Blake Voorhees
Jessica Jones
Lia Hall
Laura Keil

Staff

Patti Bakker – OSE

Guests

Toby Thaler

Public

Steve Zemke
Sandy Shettler
Jessica Dixon
Tina Cohen
Richard Ellison

Absent- Excused

Josh Morris – Co-Chair
Joe Sisneros
Falisha Kurji
David Moehring
Jessica Hernandez

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: Julia called the meeting to order and offered a land acknowledgement.

Public comment:

Steve Zemke noted that he sent in two detailed letters on a tree permit system and the draft protection ordinance. SDOT is already using the Accela system, as well as the cities of Atlanta, Lake Forest Park, Tacoma, etc., and SDCI should also have a permit system for tree removal, for trees down to 6". The city should also require a tree inventory so that tree issues and accommodations can be addressed up front and not have to be addressed later. The payment in lieu funds should go into a tree replacement and maintenance fund rather than SDCI's general budget, and the fines received for illegal cutting should go to that same place. The ordinance should include all land use zones; include those that are currently excluded such as Downtown. Consider allowing city approved inspectors and arborists the ability to enter properties to check for potential violations. In terms of tree replacement, the current draft includes a 1:1 replacement and that needs to be much higher given the amount of time it will take for replacement trees to reach similar canopy. The ratio needs to increase as the size of the tree increases.

Sandy Shettler thanked the Commission for volunteering and persisting in standing up for trees, and the efforts to marry the tree protection ordinance with the needs for tree protection. More emphasis needs to be put on younger trees. The ecosystem services report notes that 46% of the trees that will be large at maturation right now are less than 12" DBH. Trees 6-12" have passed the high infant mortality time and can make big contributions to our future urban forest.

Lia relayed comments she received from a community member in south Seattle who is concerned about the general public not being made aware of the tree code. They state we need more ways for it to be accessible and publicized. Because of experiences they've had with illegal cutting on their and their neighbors' trees, they want more penalties for arborists and especially non-arborists doing illegal work. The SDCI business hours are not enough for the reporting (close at 4:30 weekdays and closed weekends) and cutting often happens outside of those hours. Tree protections should be the responsibility of a department other than SDCI.

Chair, Committees, and Coordinator report:

Patti noted that Seattle Forest Week is being planned now. This event happens in the fall, in late October-early November. The city used to have two separate events: Green Seattle Day as the celebration to kick off the planting season and Arbor Day as the celebration of trees to satisfy our Tree City designation through the Arbor Day Foundation. Both events evolved during the pandemic and in 2021, we joined the events as weekend bookends for a week of in-person and virtual events celebrating trees and planting, called Seattle Forest Week. Staff are now planning for a similar weeklong event for either October 22-29 or October 29-November 5. They welcome participation and ideas from the UFC; any interested Commissioners should contact Patti.

Julia noted that we have confirmed that The Nature Conservancy will be able to join the September 7 meeting to brief the UFC on the work they did with New York City to assess their canopy and the potential for plantable land and how to grow their urban forest.

Adoption of June 1 and June 15 meeting notes

ACTION: A motion to approve the June 1 meeting notes as written was made, seconded, and approved.

ACTION: A motion to approve the June 15 meeting notes as written was made, seconded, and approved.

SEPA draft urban forest protection ordinance

Julia reviewed the draft of the current set of recommendations, as edited from the last meeting. The first section of recommendations covers tree replacement requirements. One area in this section for continued discussion is in the replacement ratio for 12-24" trees removed. Options for requirements include focusing on future canopy volume of replacement trees or focusing on the trunk size of replacement trees. Commissioners opted to include a recommendation for an inch-for-inch replacement. Commissioners also discussed ways to encourage species that provide sufficient replacement canopy, specifically conifer trees, and ways to ensure establishment and protection of replacement trees. Establishment recommendations include considering assistance for unduly burdened homeowners who need assistance for this, providing guidance to homeowners for establishment and requiring a five-year establishment period. A recommendation was also included to require that adequate soil volume for roots and space for canopy is ensured for replacement trees at maturity.

The second section includes tree protections during the development process. Recommendations include ways encouraging and incentivizing tree protection from the beginning of the development process instead of later phases. Additional recommendations were added to strengthen the protections and include more specificity, including:

- Requiring developers to hire certified arborists to guide them through the development process.
- Requiring a tree inventory of all trees 6" DBH and larger and a tree landscaping plan for development projects.
- Requiring maximizing tree retention of existing trees throughout the development process, and potentially providing incentives for retention.
- Requiring tree replacement or payment in lieu for trees removed one year prior to development.

Commissioners also made edits to the last section in the recommendations, covering other requests and priorities. These recommendations will continue to be reviewed and edited at the next meeting.

Comprehensive Plan Environmental Impact Statement alternatives

Patti reviewed the process that OPCD is going through currently in the Comprehensive Plan update effort, as described by Brennon Staley when he presented to the UFC in June. They are evaluating potential alternatives to be included in the Environmental Impact Statement (EIS). The alternatives selected will then be analyzed as part of the EIS process and Plan development. The alternatives were presented on June 23 and there is a public comment period ending on July 25 for feedback to be submitted.

All EIS's are required to include a no-action alternative. For this effort that means that there would be no change to how growth is managed in the city; it would continue as it is now as outlined in the current Comprehensive Plan, which is to center growth (housing and jobs) in urban villages and urban centers. There are also four additional alternatives that outline new ways to direct growth:

- Focused – this alternative would include new and expanded urban villages and also new smaller neighborhood nodes.
- Broad – this alternative would allow multi-family housing options in all neighborhood residential zones.
- Corridor – this alternative focuses density in corridors near transit and amenities.
- Combined – this alternative combines the density options in neighborhood residential zones with the incorporation of neighborhood nodes and corridors.

These alternatives could potentially have very different impacts on trees. The vast majority of trees in the city are on single family residential areas, so converting those to higher density units could open up the opportunity for tree removals if not done carefully. One recommendation on these alternatives could be the they are not exclusive, but rather phased so that they happen individually and ultimately lead to the final combined alternative. The corridor alternative could be good for a focus on street trees.

The four new alternatives will require different sets of implementation tools, policies, etc. The city will also conduct additional analyses in the 130th and 145th Street Station areas, considering how the draft alternatives will apply in these areas. The subgroup interested in working on this will try to meet before the next meeting to draft initial comments on the alternatives.

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>

Public comment:

Jessica Dixon noted she is in the Greenwood area, where there are lots of examples of our increasing density (e.g., 200 unit apartment complex) and they aren't making space for trees other than in parking strips. Regardless of alternatives chosen, space for trees need to be incorporated into any Plan. More than 65% of our trees have been on private lands.

Steve Zemke noted some items not yet included in the ordinance recommendations, such as allowing access for inspectors to enter properties to check on potential violations, and the two-week posting requirement which is necessary due to after-hours cutting. People don't know whether the work is legal or not if there isn't posting. Regarding Comp Plan EIS alternatives, alternative 5 is basically building everywhere in the city without adequately considering space for trees. He appreciates the UFC incorporating input from public while working on this.

Tina Cohen encouraged incorporating a provision to allow for city inspections during development including initial grading and clearing because violations are happening under the current regulations.

Richard Ellison thanked the UFC for their efforts and for advocating for trees for many years. SDCI continues to play hardball and have excuses for things like requiring permits for tree removal and protecting trees during development. They are not supporting the UFC to support tree protection alternatives. There needs to be a comprehensive way to preserve the trees on lots as best as possible. Voluntary preservation hasn't worked and isn't going to work. Incentives are good, but the reality is that unless there's a requirement to save trees, it won't work. Development pattern doesn't matter if you have adequate protections in place for trees no matter what kind of development happens. There needs to be strong push back from the UFC, and UFC needs to educate the public if we want to deal with climate change, absorb runoff, and provide habitat. Planting small trees to replace large trees on an inch-for-inch basis is not enough, there's not enough space. There needs to be something done to maximize open space on a parcel regardless of zone or development type.

Adjourn: The meeting was adjourned at 5:07 PM.

Meeting Chat:

from Steve Zemke to everyone: 3:34 PM
looking also for replacement values for exceptional trees removed during development
from Steve Zemke to everyone: 3:35 PM
inch for inch easier to quantify
from Steve Zemke to everyone: 3:37 PM
current draft refers to replacement of tree that has similar canopy at maturity
from Laura Keil she/her to everyone: 3:39 PM
<https://www.wsdot.wa.gov/publications/manuals/fulltext/M3110/RPM.pdf>
from Laura Keil she/her to everyone: 3:40 PM
Appendix C is the chart Hao is discussing
from Steve Zemke to everyone: 3:42 PM

City currently has a list of trees recommended for replacement based on relative sizes at maturity eg small, medium and large. I can't find link at the moment

from Steve Zemke to everyone: 3:42 PM

suggest existing tree size or larger dependent on site being planted on.

from Steve Zemke to everyone: 3:46 PM

prioritize native trees and climate resilient trees that contribute to habitat value. conifers preferred

from Tina Cohen to everyone: 3:49 PM

Cannot hear Mr. Liang. Please ask him to speak up. I can hear everyone else. Thank you

from Tina Cohen to everyone: 3:51 PM

Problem is usually there isn't sufficient room for the canopy and roots of native trees.

from Steve Zemke to everyone: 3:54 PM

Trees that die in 5 year period should be replaced.and 5 year period start over.

from jessica dixon to everyone: 3:56 PM

Washington DC Urban Forestry department helps homeowners for a period of time to take care of their trees

from Lia Hall to everyone: 3:57 PM

I think for folks who have barriers to resources for tree care should be given resources for assistance

from Lia Hall to everyone: 3:58 PM

Whether monetary or in the form of volunteer orgs.

from Lia Hall to everyone: 3:59 PM

to my knowledge, DIRT Corps is currently partnered with Trees for Seattle for example

from Hao Liang to everyone: 4:01 PM

I think it's also good for SDCl to provide guidelines of establishment or monitoring to ensure the trees' health and survivability

from Steve Zemke to everyone: 4:01 PM

In lieu fees should be large enough payment for maintenance of trees not just cost of buying the trees as it currently implies in in draft Director's Rule

from Steve Zemke to everyone: 4:02 PM

Give Director authority to set rules for assistance for property owners if necessary

from Steve Zemke to everyone: 4:06 PM

establishment and maintenance

from Tina Cohen to everyone: 4:08 PM

Please add a proviso about adequate space at maturity as necessary

from Tina Cohen to everyone: 4:11 PM

specify space for ROOTS AND CANOPY

from Julia Michalak She/Her to everyone: 4:14 PM

- Require a Tree Inventory of all trees 6" DBH and larger and a Tree Landscaping Plan prior to any building permits being approved.

from Julia Michalak She/Her to everyone: 4:17 PM

- Keep requirement that all 6" DBH and larger trees be on site plans
- Require and/or incentivize developers throughout the total development process to maximize the retention of existing trees with adequate space for trees to grow and survive.
- Require tree replacement or in lieu fees by developers for trees removed 1 year prior to property purchase

from richard Ellison to everyone: 4:17 PM

require maximize retention of existing healthy trees. provide additional bonuses in height, bulk, etc to offset/increase buildable space

from Tina Cohen to everyone: 4:22 PM

As you know, if lot coverage and set backs can't be met, then the developer can remove even Exceptional trees. So then none of this will matter.

from Lia Hall to everyone: 4:22 PM

I wonder if along with a Public Notice of Land Use action, could include plans for removal of trees or tree replacements?

from richard Ellison to everyone: 4:23 PM

voluntary retention of trees has not worked historically in 20+ years of city council politics

from Tina Cohen to everyone: 4:23 PM

And currently developers aren't complying with the existing regs. Can you add a provision requiring City inspection?

from Steve Zemke to everyone: 4:24 PM

Development on lot depends on SDCI's approval They can require developer's to produce alternative building plans to save more trees. Other cities do this..

from jessica dixon to everyone: 4:25 PM

I think that currently, builders are allowed extra FAR and possibly more height than would be allowed if they retain an exceptional tree.

from Steve Zemke to everyone: 4:27 PM

There is some language in the draft for incentives to save exceptional trees.

from Steve Zemke to everyone: 4:29 PM

Platting and short-platting already has language to "maximize retention of existing trees"

from Hao Liang to everyone: 4:29 PM

To Jessica's comment. Here is the link, <https://www.seattle.gov/DPD/Publications/CAM/cam242.pdf>

from Steve Zemke to everyone: 4:36 PM

Problem is developers currently asking property owners to remove trees before they buy property

from Julia Michalak She/Her to everyone: 4:36 PM

- Expand the existing Seattle Department of Transportation (SDOT) Tree Removal and Replacement Permit Program using the Accela database system to include SDCI to cover all significant trees 6" DBH and larger, and all exceptional trees, on private property in all land use zones, both during development and outside development.
- Require SDCI submit quarterly reports to the Office of Sustainability and Environment on tree removal and replacement as required by other City Departments

from Steve Zemke to everyone: 4:38 PM

Urge that ordinance covers all land use zones in city.- Industrial and downtown not in current ordinance.

from richard Ellison to everyone: 4:41 PM

quality of soul

from Laura Keil she/her to everyone: 4:42 PM

<https://storymaps.arcgis.com/collections/8c90f3a5e0704f8687213b669efa6fb0?item=6>

from richard Ellison to everyone: 4:42 PM

soil is critical to tree planting survival. live microbial/ fungal ecosystems are part, as well as adequate watering

from Toby Thaler to everyone: 4:47 PM

Single family residential is gone already. It's now "Neighborhood Residential" and except for the smallest lots allows three housing units per lot.

from Toby Thaler to everyone: 4:47 PM

The only difference from "triplex" is the size of the units allowed.

from Toby Thaler to everyone: 4:48 PM

And also set backs etc

from Toby Thaler to everyone: 4:48 PM

Could be significant diff in tree impacts

from richard Ellison to everyone: 4:48 PM

its not necessarily which development alternative goes forward, but if there were stringent tree protection requirements (maximum retention of existing healthy trees, etc) and minimum open space existed to foster a mixture big and smaller trees/ shrubs to allow for a legitimate canopy and habitat, it might mitigate for whichever neighborhood undergoes development.

from Hao Liang to everyone: 4:49 PM

I see the alternatives are not mutually exclusive. Instead they could be different phases - thinking to start from Alternative 1, to 2, then to Alternative 4, and 3. Alternative 5 maybe the long-term goal.

from Steve Zemke to everyone: 4:53 PM

Alternative 5 basically removes neighborhood residential zoning and rezones it as current low rise 1 properties across whole city.

from Steve Zemke to everyone: 4:56 PM

Question of many neighborhood shave no sidewalks and make access to transit difficult if maximize building everywhere in city the same.

from Lia Hall to everyone: 4:56 PM

Alternative 4 seems to be most logical and multifamily homes would benefit from street trees and allow for continuity of canopy.

from Stuart Niven to everyone: 4:59 PM

Sorry to be so late to the meeting but I have been listening off and on via phone but could not speak as was 'otherwise occupaied' and not safe to faff with my phone to unmute and remute etc. I look forward to being able to comment at the next meeting about items being continued to be discussed. I am also happy to be part of a 'core team' if and when this can be organised. Thank you to you all, especially to Julia for chairing today.

Public input: (see next page and posted notes):

From: Magda Ashtok <info@email.actionnetwork.org>

Sent: Monday, June 20, 2022 3:07 PM

To: Bakker, Patricia <Patricia.Bakker@seattle.gov>

Subject: Please Protect Seattle's Trees

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

It's time to end the delay by the Seattle Department of Construction and Inspections (SDCI) on presenting the Seattle City Council with an updated draft Tree and Urban Forest Protection Ordinance. Over the last 12 years, the Seattle City Council has repeatedly asked successive Seattle Mayors and SDCI for an updated workable and effective ordinance draft to consider and it is obvious SDCI is not responding as requested. In its most recent 2019 Resolution 31902, the Council gave specific issues for SDCI to address.

SDCI, once again, has not responded in a timely manner with a comprehensive tree protection ordinance update. It's been delay after delay. Please remove tree and urban forestry protection from their Department. In 2009 the Seattle City Auditor proposed transferring tree and urban forestry oversight and authority to an independent entity that does not have a conflict of interest. The Auditor proposed oversight be moved to the Office of Sustainability and the Environment.

Much has changed since 2009 and it is time to create an independent Department with authority over environment, urban forestry, and climate issues. SDCI has a conflict of interest in tree oversight – their priority mission has been to help developers build, not protect trees. Years of inaction on effective oversight and protection of trees by SDCI demands that a separate independent entity take over the city's

responsibility to protect and enhance our urban forest. We propose that an Urban Forestry Division be created within a new Department of the Environment and Climate.

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise vital green infrastructure needed to keep our city and people healthy. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents. A robust urban forest is critical for climate resilience and tree equity.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not even replaced. It is urgent to act now to stop this continued loss of existing trees, particularly large mature trees and tree groves. It is important to promote environmental equity by retaining as many trees as possible and replacing those removed.

Please update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in an updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume lost – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants, purchase land and set up easements.
3. Expand current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and heritage trees and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development.
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests for 2 weeks prior to removal and all permit approvals for public viewing. Establish and maintain a city-wide database and inventory of existing trees, trees removed, and trees planted. Post on-line quarterly reports.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.

8. Require developers throughout the development process to maximize the retention of existing trees with adequate space for trees to grow and survive.
9. Require a Tree Inventory and Tree Landscaping Plan prior to any development permits being approved.
10. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Magda Ashtok
gronx3400@gmail.com
13542 42nd Ave. NE
Seattle, Washington 98125

From: Mariann Carle <tmanley6@comcast.net>
Sent: Sunday, July 3, 2022 11:28 AM
To: Bakker, Patricia <Patricia.Bakker@seattle.gov>
Subject: Save our Trees!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

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10. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Mariann Carle
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Seattle, Washington 98105