

Seattle DPD Tree Regulations Proposal

August 4, 2010



Department of Planning and Development

Overview

- Comprehensive revision of private property landscaping and tree regulations
- First update since creation of Tree Protection Code in 2001
- ECA regulations were updated in 2006 and are not impacted by proposal
- Street tree ordinance being updated separately



Timeline to Date

- 2007 – Urban Forest Management Plan
- 2007 – Emerald City Task Force
- 2008 – Canopy Cover Analysis
- Feb 2009 - Interim Regulations
- Sept 2009 – Revised Stormwater Code
- Nov 2009 – Urban Forestry Commission
- Nov 2009 – Council Resolution 31138
- Proposal released in July 2010



Timeline Going Forward

- Outreach through October 31, 2010
 - UFC, ECTF, Planning Comm, Design Comm
 - Presentations to community groups & stakeholders
 - City-wide Open House
 - Council Public Hearing
- Draft Legislation in Early 2011
- Final Legislation to Council by Mid 2011



City-wide approach

- INSPIRE AND INFORM through ReLeaf
- PRESERVE existing trees through education, incentives, and regulations
- PLANT new trees on public and private property
- MAINTAIN existing city trees
- RESTORE forested parkland through GSP



Seattle reLeaf
keep the emerald city green



Key programs

- Planting & management on City property
 - Plant thousands of trees each year
 - Maintain hundreds of thousands of trees
 - Restore forested parklands -Green Seattle Partnership (GSP)
- Incentives & Engagement
 - Neighborhood tree planting
 - Tree Ambassadors -new!
 - >80,000 GSP volunteer hours
- Education



DPD Code Responsibilities

- **Tree Protections**
- **Land Use Code Regulations:**
 - Landscaping/Green Factor
 - Street Trees
 - Screening
 - Open space standards & setbacks
- **Platting Requirements**
- **Environmentally Critical Areas**
- **State Environmental Policy Act Ordinance**
- **Design Review**
- **Weed Nuisance Ordinance**



During Development

- SF, LR, MR, C zones
- Exceptional trees must be protected unless doing so prevents the structure from meeting full “development potential”
- Modifications to setbacks, parking, & height allowed to accommodate large trees



Outside Development

- Undeveloped Lots - no removal of trees over 6"
- INTERIM - Developed Lots in LR, MR & C zones or on SF lots >5000 sq ft
 - No removal of exceptional trees
 - Removal of non-exceptional trees limited to 3 in any year period
- No permit requirement
- Hazardous trees exception



Landscaping

- Varies by Zone
 - Single Family: 2 caliper inches per 1,000 sq ft with preservation option
 - Lowrise: landscaped area (3 ft x length of all property lines), plus SF tree requirement
 - Midrise, Highrise: Green Factor of 0.5
 - Commercial: Green Factor of 0.3
- Landscaping plans enforceable after permit



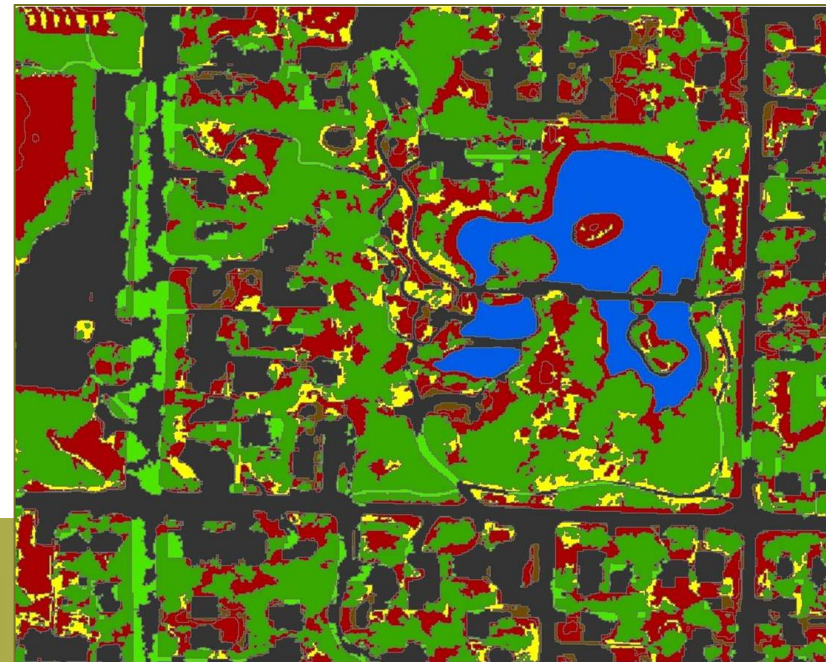
Lessons Learned

- Coordination between non-development and development regulations
- Focus on preservation of largest tree on dense lots is problematic
- SF tree requirements are not achieving canopy cover goals
- Enforcement outside of development is challenging and costly



Canopy Cover Analysis

- 22.5% in 2003 → 22.9% in 2007
- Slight increases across all areas except parks - both private property and ROW
- Redeveloped parcels
 - 1.8% of parcels
 - SF: 30% → 17%
 - MF: 17.7% → 5.4%
 - C: 6.5% → 4.3%



Goal of Proposal

To advance the goals of the Urban Forest Management Plan to maintain and enhance a thriving and diverse urban forest that maximizes the environmental, economic, and social benefits of trees, while recognizing other citywide goals and policies for sustainability and growth management relating to density, transportation, housing affordability, and urban design; and accommodating property owner's desires for solar access, solar energy, gardens, accessory structures, views, access, and risk management.



Permit Approaches Considered

- Removal Criteria (Redmond, Issaquah)
- Replacement Requirement (Lake Forest, Woodinville)
- Annual Limit (Kirkland, Shoreline)
- Construction Only (Bellevue, Tacoma, Olympia)



Removal Criteria Approach

- Maximum control over tree removal
- Difficult to balance trees with light access, gardens, aesthetics, views, etc.
- Requires lifetime protection of certain trees which is strong disincentive to allowing trees to grow
- Substantial fines is only way to enforce



Replacement Approach

- Maintains basic canopy cover
- More equitable for forested lots
- Allows gradual removal of large trees
- Cost = site plan + permit + inspection + replacement
- Replaced trees require maintenance to establish



Annual Limit Approach

- Limits clearing prior to development and for commercial harvest
- Spreads removal of multiple years
- Allows gradual removal



Construction Only

- Maintains flexibility for property owners outside of development
- Trees are benefit rather than a burden
- Can still address development process where decline has occurred
- Lot can be cleared prior to development
- No direct control or tracking



Overall Permit Evaluation

- Limited effectiveness
- Limited enforcement potential
- Inflexibility and burden on property owners
- Cost
- Effective alternatives



Proposal Overview

- Apply more rigorous SF tree requirements during construction
- New regulations for SF street trees, institutions, industrial areas
- Repeal provisions not achieving their intent
- Make voluntary retention easier
- Discontinue interim regulations



Proposed Changes

- SF Tree Credit
 - 1 credit / 200 sq ft after first 1500 sq ft
 - 25% bonus for native or evergreen

Example Case

Lot size = 6000 sq. ft.
Minimum Tree Credit =
 $(6000-1500)/200 = 23$

Sample Planting Plan

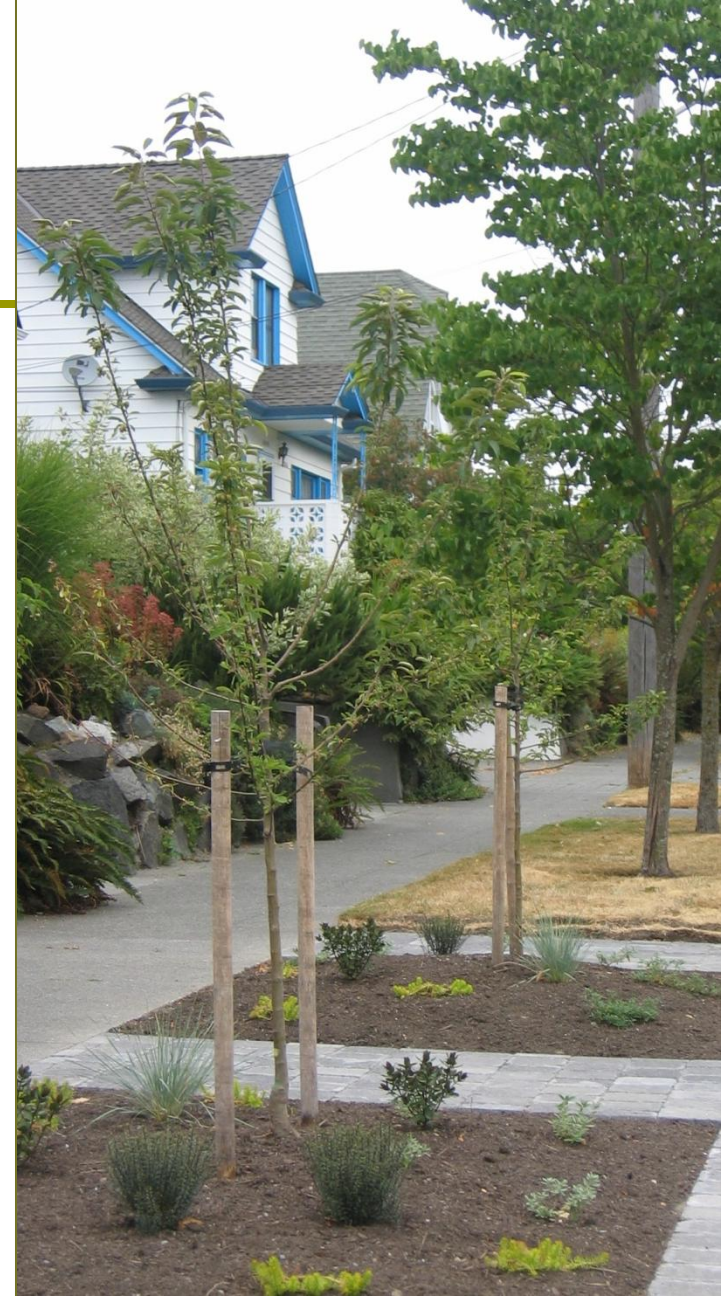
Preserve one 23" tree = 11 credits
Preserve one 6" tree = 6 credits
Plant one native large tree = 5 credits
Plant one small tree = 1 credit

Tree Provided	Tree Credits
New small species tree	1
New small/medium species tree	2
New medium/large species tree	3
New large species tree	4
Preserved tree 6-9"	6
Preserved tree 9-12"	7
Preserved tree 12-15"	8
Preserved tree 15-18"	9
Preserved tree 18-21"	10
Preserved tree 21-24"	11
Preserved tree 24-28"	12
Preserved tree 28-32"	13
Preserved tree 32-36"	14
Preserved tree 36" and greater	15



Proposed Changes

- Implement tree requirements for institutions in SF zones
- Require street trees during development of new or replaced homes in SF zones



Proposed Changes

- Expand Green Factor and repeal “exceptional tree” regulations in LR, MR, and C zones; revisit scoring
- Add Green Factor requirement for principal commercial and retail uses over 4,000 sq. ft. in size in Industrial areas



Proposed Changes

- Simplify the process for allowing departures to height, setbacks, and parking to preserve large trees during development
- Integrate regulations into Land Use Code
- Repeal interim tree regulations



Proposals for Consideration

- Require maintenance bonds to ensure establishment of new plantings in Multi-family and Commercial zones
- Allow payment in lieu of planting in single family zones



Questions

- Should the City require permits to remove any trees outside of development?
- If so, what should the removal criteria be?
- Are there more effective ways to require preservation and planting during development?
- Are there better ways incentivize preservation and planting?



More Info

[www.seattle.gov/dpd/planning/
SeattlesTreeRegulationUpdate/](http://www.seattle.gov/dpd/planning/SeattlesTreeRegulationUpdate/)

www.seattle.gov/trees

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