



City of Seattle
Urban Forestry Commission

SEATTLE URBAN FORESTRY COMMISSION

Becca Neumann (Position #4 – Hydrologist), Co-chair
Joshua Morris (Position #7 – NGO), Co-Chair
Laura Keil (Position #10 – Get Engaged), Co-Chair
Julia Michalak (Position #1 – Wildlife Biologist) • **Falisha Kurji** (Position #3 – Natural Resource Agency)
Stuart Niven (Position #5 – Arborist – ISA) • **Hao Liang** (Position #6 – Landscape Architect – ISA)
David Baker (Position #8 – Development) • **Blake Voorhees** (Position #9 – Realtor)
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

Draft meeting notes

March 15, 2023, 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: 2495 442 8916

Meeting password: 1234

Attending

Commissioners

Josh Morris – Co-Chair
Becca Neumann – Co-Chair
Laura Keil – Co-Chair
Falisha Kurji
Stuart Niven
Hao Liang
Blake Voorhees
Jessica Hernandez
Jessica Jones

Staff

Patti Bakker – OSE

Guests

Toby Thaler

Absent- Excused

Julia Michalak
David Baker
Lia Hall

Public

Steve Zemke
Martha Baskin
David Moehring

NOTE: Meeting notes are not exhaustive. For more details, listen to the digital recording of the meeting at:
<https://www.seattle.gov/urbanforestrycommission/meetingdocuments>

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

Public comment:

Steve Zemke noted that he sent out a preliminary assessment of the latest draft ordinance, and noted that the draft ordinance is now a tree protection and housing ordinance as it includes ideas coming from the building community. The draft ordinance has changed quite a bit from the 2022 version issued with the SEPA determination of non-significance. There are a number of issues that he includes in his assessment, including that street tree requirements are only for single-family houses and not for multi-family units which is what state legislation is pushing, the tiering system should not replace the historically-used terms of exceptional and significant, the ordinance remains a complaint-based system without a permit required, and the One Seattle Tree Fund is not included. Also, the ordinance should require a tree inventory to be done by developers who enter the tree info into the database rather than requiring city staff to pull the information from the plans.

David Moehring noted that the proposed tree ordinance hasn't gone through the city code requirement for the UFC to review policy before items go out to the public. The provision that trees can't be protected unless a lot is 85% covered by the building is concerning. With just trees in the right of way and without any trees on residential, the city's canopy would drop to around 15%. He suggested five points relative to the ordinance for the UFC to consider: 1) request the public comment record for the four-tier system and how it was created and whether it went through public comment; 2) given the major and substantial changes, ask for an environmental impact study to find out what the expected long-term outcome would be for the city's tree canopy with the proposed measures; 3) review the December 18, 2021 recommendation letter to the City Attorney; 4) the tree fees are too low to cover the cost of planting and establishment; and 5) the current draft is substantially different from last year's draft, and it would be a setback if it gets appealed again, so the Commission might want to recommend that last year's Mayor's proposed ordinance be put forward instead.

Chair, Committees, and Coordinator report:

Patti noted that Recruitment for positions 1 and 2 is proceeding. The Co-Chairs and Patti conducted interviews with the candidates for these positions and will be finalizing decisions later this week. It's a really good slate of candidates and they look forward to moving forward with appointments in the near future.

Adoption of February 1 and 15 meeting notes

Action: A motion to approve the February 1, 2023 meeting notes as amended was made, seconded and approved.

Action: A motion to approve the February 15, 2023 meeting notes as written was made, seconded and approved.

Seattle Arborists Association presentation

Allen Taylor noted the fortuitous timing of this briefing, as arborist practitioners and the UFC are reviewing the draft tree protection ordinance, and the arborists can be a resource for Commissioners in understanding the proposal's impacts. He provided a preliminary introduction of the organization as private sector practitioners in the greater Seattle area who do a lot of the work on the ground. They came together as an organization after not being involved in the process of developing the Tree Service Provider registration ordinance, and recognizing the need to be more involved in these processes. They can bring a deep understanding of how regulations play out on the ground.

Kelsey Guewnoldt outlined the mission and key objectives of the organization. They are currently working on objective 4: partnering with municipalities to encourage effective urban forest management and policy.

- They are a community of working, professional arborists, representing 28 tree care and arboricultural consulting businesses that employ 83 ISA Certified Arborists and over 200 other full time workers in the arboricultural profession.
- Collectively, they prune a minimum of 21,000 trees within the City of Seattle in a given year.

- When the tree service provider registration ordinance went into effect, they realized that as a professional community, they should get involved and help inform policy .

The group wants to care for a healthy urban forest now and for decades to come, and they are here today to help answer any questions Commissioners may have and hopefully help shed light on tree policy from their perspective. The group is currently reviewing the current SDCI Tree Protection Updates ordinance and plans to provide written comment soon.

Questions and comments from Commissioners included:

- What are some of the equitable approaches that the group is implementing to increase tree canopy?
- Beyond the tree code, how does the city's urban forest planning trickle down to arborists in the field?
- The tree protection ordinance and urban forestry in general is a shared vision and the responsibility of front line workers and policy creators.
- It's been hard to find arborists over the years that are interested in improving the code, so this is a beneficial and well-timed evolution of Arborists' involvement in this kind of work.

Urban Forest Protection ordinance update

Patti provided a recap of the process with this ordinance and what the main changes are in the new draft ordinance. The updated ordinance incorporates more of the stakeholder items requested, including a number of the UFC recommendations, including changing the tree removal limits outside of development, extending the establishment period for newly planted trees to five years, and covenants on replacement trees. The main recommendations remaining from the UFC that are not included is the permit system for trees removed outside of development, and increased replacement requirements.

Councilmember Strauss provided an overview of the timeline for moving the ordinance forward. There will be several special meetings of the Land Use Committee (LUC), then it may pass out of the LUC with a vote on April 26, be voted on by full Council May 2, and be in force in June 2023. One goal is to avoid a situation where folks cut down a bunch of trees between the time of introduction and passage of the bill.

Comments and discussion areas around the draft ordinance included:

- When the ordinance refers to Tier 2 trees incorporating historical and cultural aspects in determining trees in this canopy, what does that mean?
- Efforts to increase equitable distribution of tree canopy – payment in lieu can help with that, but we could also end up with many healthy trees removed and a long lag time before replacement trees planted in low canopy areas catch up to the canopy lost. The additional protections also included should help avoid that – it's not all about replacement and payment-in-lieu.
- Heritage trees – how many are there?
- The updated ordinance is an opportunity to fix some of the things SAA would like to see still in the TSP ordinance.
- A reservation: expansion or new build of single family get the same exemptions as development of multi-unit and affordable housing.
- ISA TRAQ certification is not accessible – expensive and hard to access (only available in English).
- Definitions of hazard trees – it's a high bar for a tree to be considered a hazard tree. There are sometimes trees that don't meet the TRAQ qualification as a high or imminent risk, but are dying trees with no chance of survival and are valid to be removed.

Commissioners discussed the process and schedule for developing their feedback on recommendations. Becca, Jessica H., Hao, Stuart agreed to work with Josh in developing draft feedback. Commissioners considered who else/what other groups should be included in conversations around the draft ordinance. Suggestions include educators who are teaching people about horticulture and arboriculture, landscape architects, environmental groups and tree advocates, the American Institute of Architects, Community Councils, WA Department of Health.

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:

Steve Zemke noted that as a former Commissioner and having followed the work of the UFC for 12-13 years, the process of the last two draft ordinances has not been good process for developing public policy. Both drafts were released without the UFC having the opportunity to weigh in on development of the drafts. They've been developed by the Mayor's Office and the building community has had much input on the current draft. The UFC should have a chance to review and comment on drafts before they are released.

Lois Martin noted that she is a teacher and is very concerned about the ordinance and how's it's going to impact the lives of her students. She hopes that the UFC will ask the Mayor's Office and City Council will slow the process down. She will share some additional materials to be posted with the meeting notes.

Adjourn: The meeting was adjourned at 5:03 PM.

Meeting chat:

from Lois Martin to everyone: 3:13 PM

First time attending - when documents are shared by the public, is a copy provided to attendees with meeting notes?

from Bakker, Patricia to everyone: 3:14 PM

Lois - yes, materials provided by the public are included in the meeting notes that are posted to the website.

from Lois Martin to everyone: 3:16 PM

Thanks Patricia. If I'm signed up for meeting notices, or am an attendee, are they automatically sent out or only via the website?

from Bakker, Patricia to everyone: 3:17 PM

Notes are not currently sent out via the meeting notices or to attendees as a group.

from Jessica Hernandez to everyone: 3:26 PM

Hello, joined late but here.

from Steve Zemke to everyone: 3:28 PM

Welcome Councilmember Dan Strauss

from Steve Zemke to everyone: 3:30 PM

Yes Dan please share timeline. Thanks.

from Jessica Hernandez to everyone: 3:38 PM

Question: What are some of the equitable approaches that you are all doing or implementing to increase tree canopy? Want to get a sense of what is being defined as "equitable" by the group. Thank you!

from Steve Zemke to everyone: 3:39 PM

for tree removal on line filing would it be possible to add why tree is being removed for data collection!purposes?

from Jessica Hernandez to everyone: 3:41 PM

Thank you Andrea.

from Lois Martin to everyone: 3:41 PM

One of the missing pieces is protections for neighboring trees on adjacent properties.

from Sandy Shettler to everyone: 3:43 PM

Agree. Also, in terms of regulatory burden, it should be shared beyond arborist companies to property owners who seek illegal removals and contract with non-TSP companies.

from Jessica Hernandez to everyone: 3:44 PM

Thank you Allen for defining what "equitable" distribution means to your group: definitely very important to go beyond just economic equity to address environmental justice.

from Lois Martin to everyone: 3:46 PM

As a legacy member of the redlined central district, I can share from my experience that more trees are removed via illegal tree work for development than homeowners.

from Steve Zemke to everyone: 3:52 PM

Yes thank you for your work and your involvement in the current ordinance update.

from Sandy Shettler to everyone: 3:53 PM

Common good, private burden.

from Steve Zemke to everyone: 3:59 PM

is 12'

from Steve Zemke to everyone: 4:00 PM

is 12 inches and over on site plans in current draft

from Steve Zemke to everyone: 4:05 PM

That is a rushed schedule for proposed changes. All of documents have not been made public!

from Lois Martin to everyone: 4:06 PM

How was the penalty amount set? It seems extremely low when compared to the amount of profit most developers make fully building out a lot by removing shrubs.

from Lois Martin to everyone: 4:06 PM

End of April isn't enough time for community members to weigh in.

from Jessica Hernandez to everyone: 4:07 PM

Can you define "radical" Stuart? How are you using that in this context?

from Steve Zemke to everyone: 4:08 PM

What is purpose of public hearing if you are limiting change proposals to Fri.?

from Joshua Morris to everyone: 4:10 PM

We've invited Taylor and colleagues to participate as they were, for this session, Jessica :)

from Lois Martin to everyone: 4:20 PM

I am concerned we will have more "fees" than "trees" as developers opt to pave parcels corner to corner.

Removing healthy trees to plant saplings will further hurt neighborhoods with lower tree canopies.

from Jim Davis to everyone: 4:21 PM

There are 178 Tier 1 trees currently I believe.

from Steve Zemke to everyone: 4:22 PM

no requirement in ordinance to maximize retention of existing trees on property during development

from Lois Martin to everyone: 4:23 PM

No requirement in ordinance to protect neighboring trees that may border two properties.

from Joshua Morris to everyone: 4:25 PM

Mayor's Executive Order: https://pedersen.seattle.gov/wp-content/uploads/2023/03/Executive-Order-cf_322585-delivered-2023.03.07.pdf

from Joshua Morris to everyone: 4:25 PM

<https://pedersen.seattle.gov/wp-content/uploads/2023/03/image.png>

from Steve Zemke to everyone: 4:26 PM

Heritage trees are only 178

from Jessica Dixon to everyone: 4:27 PM

The Heritage Tree program is not currently active online

from Sandy Shettler to everyone: 4:27 PM

The link to apply for Heritage tree status has been dead for at least two years.

from Steve Zemke to everyone: 4:27 PM

Not all heritage on private property also include city property. Site currently not working for applying for Heritage trees according to Plant Amnesty comment I've seen

from Andrea Starbird to everyone: 4:28 PM

Thank you for that background, Sandy, Jessica, Steve and Jim. The last number I was able to find was 131, so happy it's at least a bit more than that. Very, very low number

from Lois Martin to everyone: 4:28 PM

Patricia can you share the link for how to apply for a heritage tree or add it to the UFC website?

from Steve Zemke to everyone: 4:28 PM

Number can

from Steve Zemke to everyone: 4:29 PM

me from counting them on SDOT site which may not be updated for trees removed

from Steve Zemke to everyone: 4:30 PM

Harrell's One Seattle Tree Fund can added to include help for homeowners and trees as Portland does.

from Antieau, Clayton to everyone: 4:34 PM

TRAQ method is super easy to game.

from Jessica Hernandez to everyone: 4:38 PM

Can you give some examples of when this happens Taylor?

from Ethan Childs to everyone: 4:39 PM

Has any thought been given to how this will effect the housing market? This code removed most of the agency a new homeowner might have over shaping their property? It seems to insentivise fewer trees.

from Ethan Childs to everyone: 4:40 PM

Would remove*

from Taylor Duke to everyone: 4:40 PM

Often times larger, older trees take a long time to go from healthy to completely dead. Sometimes this takes 10+ years! A dead/almost dead tree can possibly still technically not pose a high risk.

from Hao Liang to everyone: 4:40 PM

Just a quick question to Allen as you mentioned about the burden of notice in the TSP bill - were you only referring to the physical notice? What's your feedback on the online public notice system

from Jessica Hernandez to everyone: 4:41 PM

When was the meeting for public comment? That was mentioned by the council member?

from Sandy Shettler to everyone: 4:41 PM

April 24

from Jessica Hernandez to everyone: 4:42 PM

Josh: Are we discussing next steps as commissioners?

from Jessica Hernandez to everyone: 4:42 PM

Want to make sure we have time for that.

from Joshua Morris to everyone: 4:43 PM

Thanks, Jessica, yes, coming next, I swear!

from Jessica Hernandez to everyone: 4:43 PM

Thank you. Want to make sure since the meeting is coming up April 24th.

from Lois Martin to everyone: 4:44 PM

The Urban Forestry Commission should ask to restore the tree ordinance that was proposed one year ago by Mayor Harrell, before that proposal was appealed by the Master Builders Association of King and Snohomish County. The City won that appeal with the Seattle Office of the Hearing Examiner ratifying the 2022 version of the tree ordinance. As such, the Mayor's office need not make any changes especially those of a dramatic scale that have just now been released without study of tree loss data and canopy assessment, without public comment, and without Urban Forestry Commission preview of the content .

from Jessica Hernandez to everyone: 4:45 PM

Volunteering!

from Jessica Hernandez to everyone: 4:46 PM

Would we present these on April 24th?

from Andrea Starbird to everyone: 4:46 PM

Hao, other issues with the notice requirement as of right now is that if we are on site and a tree owner.manager wants to add another tree with even one 2" cut, we cannot prune that tree that day but would need to leave the site, submit notice, return at least 3 business days later so the expense that may have been an additional \$40-50 may now be a few hundred dollars to cover that return site visit and additional logistics required

from Steve Zemke to everyone: 4:46 PM

25% previously has been called excessive pruning and not according to normal arboculture practices. so would be few or noone reporting. Is that correct?

from Stuart Niven to everyone: 4:47 PM

Does any body know of any conversations around FUNDING for the oversight of these changes with TSP and/or the code updates etc?

from Taylor Duke to everyone: 4:47 PM

@Hao - The code is written such that a TSP loses their registration (can't legally work in Seattle) with 2 "notices of a violation" not "unaddressed or not corrected violations"- these could easily be technicalities or honest mistakes. Alternatively, no such penalty exists for developers...

from Toby Thaler to everyone: 4:47 PM

Landscape architects

from Hao Liang to everyone: 4:47 PM

Thank you Andrea, I think this comes to the purpose of the notice and I believe some of the notices should be just for documenting the records

from Allen Taylor to everyone: 4:48 PM

Steve, 15% can be excessive for some trees. Appropriate pruning dose will vary widely by tree species, pruning objective, and tree condition. It's a really hard thing to make a rule about.

from Steve Zemke to everyone: 4:49 PM

Environmental groups and tree advocates need to also be considered a group to be consulted on a meeting basis rather than just a couple of minutes of public comment

from Laura Keil she/her to everyone: 4:49 PM

WASLA (Washington Chapter of the American Society of Landscape Architects)

from Hao Liang to everyone: 4:49 PM

Thanks Taylor!

from Toby Thaler to everyone: 4:49 PM

Thanks Laura...

from Jessica Hernandez to everyone: 4:49 PM

Would love to get the public health perspective. Dept of Health from WA?

from Steve Zemke to everyone: 4:50 PM

AIA - American institute of Architects

from Stuart Niven to everyone: 4:50 PM

Community Councils for different neighbourhoods

from Stuart Niven to everyone: 4:50 PM

and chamber of Commerce(s)

from Andrea Starbird to everyone: 4:50 PM

I also wonder about Got Green or other non-profits who work on green job development

from Allen Taylor to everyone: 4:50 PM

Washington State Nursery and Landscape Association

from Lois Martin to everyone: 4:50 PM

Outdoor preschools

from Steve Zemke to everyone: 4:50 PM

University of Washington college of Forestry, Environment

from Jessica Hernandez to everyone: 4:51 PM

Would love for us to move away from a narrow lens of focusing solely on urban planning and education. Pushing for this for next voices.

from Jessica Hernandez to everyone: 4:52 PM

Public health, South Seattle community organizations, Environmental justice organizations. I will help identify some.

from Jessica Hernandez to everyone: 4:52 PM

+1 Stuart

from Steve Zemke to everyone: 4:54 PM

Patrica - can all documents on the ordinance be posted on the UFC website.

from Bakker, Patricia to everyone: 4:54 PM

Steve - yes, so far I've posted the March 7 draft ordinance and the Mayor's EO and will post other materials as they become available.

from Laura Keil she/her to everyone: 4:55 PM

Puget Sounds Sage and Front and Centered are two local environmental justic orgs

from Jessica Hernandez to everyone: 4:56 PM

Do we have a set guideline of when a council member comes in unexpectedly so that we can have a productive conversation with them and commissioners? Was a lot today to process lol

from Jessica Hernandez to everyone: 4:57 PM

If not, can we work on one? I volunteer.

from Lois Martin to everyone: 4:57 PM

Central area Collaborative

from Joshua Morris to everyone: 4:57 PM

Thanks, Jessica, that's a great idea.

from Hao Liang to everyone: 4:57 PM

Good point Steve, a presentation could get everyone on the same page

from Jessica Hernandez to everyone: 4:57 PM

Yes, I had so many questions but many people giving input.

from Jessica Hernandez to everyone: 5:01 PM

Thank you Lois for bringing in the seven generations perspective.

from Jessica Hernandez to everyone: 5:01 PM

I call to bring in more Indigenous groups as well for next voices.

from Chris Gaul to everyone: 5:01 PM

Thanks!

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