

SDCI**Director's Rule 12-2023**

Applicant: City of Seattle Department of Construction and Inspections	Page 1 of 5	Supersedes: N/A
	Publication: 8/31/2023	Effective: 9/29/23
Subject: Interpretation and Administration of the Seattle Department of Construction and Inspections Tree Protection Code: Tree Replacement Requirements	Code and Section Reference: SMC Section 25.11.090	
	Type of Rule: Code Interpretation	
	Ordinance Authority: SMC 3.06.040	
Index: Tree Protection Ordinance Code SMC Chapter 25.11	Approved	Date
	(Signature on file _____ 9-28-23) Nathan Torgelson, Director, SDCI	

BACKGROUND:

This Rule details the standards that must be met when tree replacement is required according to the Tree Protection Code (Seattle Municipal Code (SMC) Title 25.11).

The City of Seattle's tree protection regulations require tree replacement when tree removal is allowed in certain instances. To satisfy the replacement requirements, planting trees on site, planting trees off-site and/or a voluntary payment in lieu of tree replacement on site is allowed. Maintenance and monitoring are required to ensure the long-term health and survival of replacement trees.

In all zones, Seattle's tree protection regulations (SMC Section 25.11.090) require replacement of Tier 1, Tier 2, and Tier 3 trees as follows:

- When removed in association with development
- Because they are hazardous, infested by insects, pests, or pathogens, or an invasive or nuisance tree

In Neighborhood Residential, Lowrise, Midrise, Commercial, and Seattle Mixed zones, replacement is required for Tier 3 trees if removal is approved by Seattle Department of Construction and Inspections (SDCI) due to obvious physical damage to building foundations or utility infrastructure (SMC subsection 25.11.050.D).

Any tree removal that requires replacement needs SDCI review and approval prior to tree removal.

The Tree Protection Code applies in all zones of the City. In order to not conflict with tree and vegetation regulations that apply in the Environmentally Critical Areas (ECA) Ordinance (SMC Title 25.09) the Tree Protection Code has historically provided an exception for tree removal that is part of an ECA tree and vegetation plan. This rule clarifies that the exemption for tree removal in Environmentally Critical Areas is limited to tree removal approved as part of an ECA tree and vegetation plan as provided in SMC Section 25.09.070.

RULE

SECTION 1 – TREE REPLACEMENT AND SELECTION

When tree replacement is required, a combination of planting trees on site, planting trees off-site and/or payment in lieu is allowed. For each tree allowed to be removed, only one of these replanting options may be used.

Required tree replacement must result, upon maturity, in a canopy cover that is at least roughly proportional to the canopy cover prior to tree removal. Qualifying tree species that will fulfill the replacement requirement are limited to trees that are native and/or culturally significant, and resilient to climate change. Tree selection should be based on climatic and topographic conditions to ensure compatibility with the site.

A list of acceptable trees is available at [GreenFactorPlantList2010.pdf \(seattle.gov\)](https://www.seattle.gov/utilities/construction-resources/standards-and-guidelines/standard-specs-and-plans). Only native trees on this list fulfill the replacement requirements of Seattle's tree protection requirements (SMC Section 25.11.090).

Other trees, not included in this list, can be used, provided the applicant provides a recommendation from a certified arborist documenting that proposed trees are native and/or culturally significant, and resilient to climate change.

SECTION 2 – REPLACEMENT TREE PLANTING

A. Planting specifications

New trees planted to satisfy tree replacement requirements per SMC 25.11 must be planted according to the City of Seattle standard plans and specifications for trees. See Standard Plans number 100a – 100c, and number 101. See Standard Specifications for Planting Trees 8-02.3(6) B: <http://www.seattle.gov/utilities/construction-resources/standards-and-guidelines/standard-specs-and-plans>

B. Size at the time of installation

- i. Deciduous trees with one trunk must be at least 1.5 inches in diameter, measured 6 inches above the ground.
- ii. Multi-stemmed deciduous trees must have at least 3 stems and be at least 6 feet tall.
- iii. Evergreen trees must be at least 4 feet tall.

C. Identification

The species identification nursery tag shall remain on at least two trees per species until the final Certificate of Occupancy has been issued, or when no Certificate of Occupancy is required, until the final inspection. After issuance of the Certificate of Occupancy or final inspection, the owner must remove the tags to prevent damage to the trees. If no Certificate of Occupancy or final inspection is required, no species identification nursery tag is required to remain on the replacement tree/s.

D. Soil and mulch

All new planting areas or areas disturbed during construction to be used for replacement trees must meet applicable standards for soil retained and protected from construction impacts following the standards in the Seattle Stormwater Manual. Applicants must include the relevant provisions from the manual in construction details on the approved plan set, including:

- a. Decompact (loosen) subsoil at a minimum of 4 inches depth (whether amended or imported soil) to produce a minimum 12-inch depth of un-compacted soil in all planting areas.
- b. In planting beds where soil is amended in place: place 3 inches of compost and till to a depth of 8 inches.
- c. Mulch is required in all planting areas to suppress weeds, conserve water, and improve soil health. Fine bark is discouraged because it can create hydrophobic conditions at the soil surface.
- d. For more detail, see the SDCI Standard Construction Stormwater Control and Soil Amendment Plan at [http://www.seattle.gov/sdci/codes/codes-we-enforce-\(az\)/stormwater-code](http://www.seattle.gov/sdci/codes/codes-we-enforce-(az)/stormwater-code).

SECTION 3 – TREE REPLACEMENT MAINTENANCE AND MONITORING REQUIREMENTS

Maintenance and monitoring are required for a five-year period to maintain the long-term health and survival of each relocated or required replacement tree.

Establishment of replacement trees, including drought-tolerant species, requires supplemental water for at least five growing seasons to ensure successful tree establishment and healthy, vigorous, long-term survival. The following monitoring and maintenance are required for a period

of 5 years from date of tree installation. Self-monitoring is sufficient. No documentation is required to be submitted to SDCI unless requested.

- 80 percent survival of on-site replacement trees at the end of five years. If there is only one on-site replacement tree, 100 percent survival is required;
- Supplemental watering to ensure successful tree establishment and healthy, vigorous, long-term survival;
- Annual inspections of the tree/s;
- Replacement of failed trees as needed to meet percent survival requirements; and
- Photographic documentation of planting success retained for the five-year period.

SECTION 4 – INVASIVE SPECIES REMOVAL

SMC subsection 25.11.090.A requires that site restoration where there is on-site tree replacement in association with development include the removal of all invasive vegetation and prohibits replacement with invasive species. For the purposes of SMC subsection 25.11.090.A, invasive vegetation and invasive species means any tree or vegetation species that is documented on the King County Noxious Weed Board's Class A, Class B, Class C Noxious Weed, or any Weeds of Concern Lists, except that the following trees shall not be considered an invasive species: Black locust - *Robinia pseudoacacia*; Harlequin (prev. Norway) maple - *Acer platanoides*; and Horsechestnut - *Aesculus hippocastanum*.

To meet the invasive vegetation removal requirement, a minimum 10-foot buffer around all areas planted with replacement trees must be cleared of invasive species, except in portions of this buffer which extend beyond the development site. If the replacement tree is located within an ECA subject to the tree and vegetation requirements of SMC Section 25.09.070, the tree and associated invasive species clearing must meet the requirements of that subsection.

SECTION 5 – OFF-SITE TREE REPLACEMENT REQUIREMENTS

The preferred location for off-site tree replacement is on public property. When off-site replacement is proposed on public property, the tree planting must follow the standards and specifications of the public agency responsible for the tree management on the property where the replacement tree is located.

SECTION 6 – PLAN SET REQUIREMENTS

You must show compliance with the tree replacement, maintenance and monitoring, and payment in lieu, if elected, requirements in the plan set of a building permit.

Your plan set for a project where tree replacement is required by SMC 25.11 must include the following information:

- Summary table showing tree replacement;
- Proposed tree replacements: locations, genus and species, and size of trees per Section 3 of this rule; and
- Proposed irrigation.

SECTION 7 – TREE PROTECTION AND REPLACEMENT IN ECAs

The tree protection and replacement requirements of SMC Chapter 25.11 apply in ECAs that do not require an approved tree and vegetation management plan pursuant to SMC Section 25.11.070.