



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

Meeting notes

April 5, 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 150 7045

Meeting password: 1234

Attending

Commissioners

Josh Morris – Co-Chair
Becca Neumann – Co-Chair
Laura Keil – Co-Chair
Falisha Kurji
Stuart Niven
Hao Liang
David Baker
Jessica Hernandez
Jessica Jones
Lia Hall

Absent- Excused

Julia Michalak
Blake Voorhees

Staff

Patti Bakker – OSE

Guests

Toby Thaler

Public

Michael Ruby
David Gloger
Jim Davis
Michael Oxman
Steve Zemke
Anne Phillips
June BlueSpruce
Dana Harper
Andrea Starbird
Allen Taylor

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

Public comment:

Michael Ruby encouraged the UFC to study the ordinance carefully and make significant comments to Council since they don't seem to know the issue very well.

David Gloger asked the UFC to ask the Council for more time to review the ordinance so the public can be more informed.

Jim Davis noted he encourages the UFC to recommend that more trees be considered and protected in Tier 1-Heritage Trees. There are less than 300 trees considered Heritage trees currently, mostly on public land, and there are many large trees that have no protection.

Michael Oxman expressed his concern that the current version of the ordinance is very different from the previous version published last year, and this version could also be appealed. Also, the lot coverage limits allowed under the current version don't allow enough room for trees, especially the large trees that are the best way to grow canopy.

Steve Zemke agreed that this process has been very rushed. The city drastically changed the previous draft and there hasn't been adequate time to evaluate the new version. The public also didn't get access to the draft UFC recommendations until a couple of hours ago. This is complicated by the fact that the State Legislature is moving forward with the multifamily bill that will expand Multi-Family zoned areas in the city. The consequences of that is something that needs to be analyzed and not brushed off. He urged the UFC to have a special meeting Friday or Monday to further evaluate the recommendations.

Chair, Committees, and Coordinator report:

Patti noted that the selected candidates for Positions 1 and 2 have been put forward to the Mayor and City Council for approval. Their confirmation will be added to an upcoming LUC meeting and they will start joining meetings soon. Patti also noted that Blake's second term ended at the end of March, so recruitment for that position – Position 9-Real Estate – will begin soon as well. Blake has indicated he can stay on until the new Position 9 member is confirmed.

Josh thanked the subgroup of Commissioners who spent some significant time meeting and discussing the draft ordinance and putting together the draft recommendations that will be considered today. It's a complex set of policy issues that the UFC has to review and most Commissioners have only had some hours to review the very draft set of recommendations. He proposed calling a special meeting for Friday or Monday, so that good discussion can happen today around the draft recommendations, a couple of days can be spent refining based on that discussion, then the UFC can come together again to finalize and adopt the recommendations. After polling Commissioners on availability, the special meeting was set for Friday 9:00-11:00 a.m.

UFC feedback on draft urban Forest Protection ordinance

Josh thanked fellow subgroup members Jessica, Stuart and Hao for helping to put the draft recommendations together, and he reviewed the structure and content of the draft. The letter expresses the UFC's frustration with the policy development process, then lists general items the UFC supports in the updated ordinance, and then includes section by section background, rationale and recommendations.

The UFC read through each part of letter, working through and noting questions, notes and recommendation refinements for each section. Primary discussion areas included:

- Refining the paragraph about the policy development process, with the UFC not being involved in development and instead reacting to an already prepared ordinance.
- Clarifying the lists of items supported by the UFC and urban forestry issues and items that are not covered in the ordinance but should be addressed somehow by the city.
- Recommendation for adjusting the building size for the exemption for the requirement for planting street trees based on structure size when building principal dwelling units or commercial buildings.

- In section 25.11.020, regarding payment-in-lieu exemptions, a recommendation was added to include affordable housing projects in addition to exemptions for insect, pest or pathogen infestations.
- Regarding the general provisions for regulated tree categories: refining what the UFC recommends for the proposed tiering system, clarifying that protection of Tier 1-Heritage trees is not actually protecting that many trees as the Heritage Tree program currently stands, and recommendation to amend the tree removal limitations outside of development.
- Refining recommendations around the determination of tree protection delineations.

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:

Michael Oxman shared 5 points: 1) the ordinance will be administered by the new urban forestry leads, so these recommendations and the ordinance should be strong, 2) the 11-month lifespan of the advance notification of tree removal requirements in the tree service provider registration law is not encouraging because it indicates that it was not thoroughly considered, 3) the 2021 budget request for two additional staff did not succeed in the budget hearings, so that means the City Council probably doesn't want to spend money on trees, 4) the ordinance isn't an ecosystem protection measure, it's a tree protection measure,

June BlueSpruce thanked the UFC for their detailed attention to and leadership on giving feedback on this less-than-perfect draft ordinance. She is alarmed at the potential for the connection between the State's "middle housing bill" and this draft ordinance to completely strip Seattle of any large trees. This is the moment the community has been waiting for and we have to do it better.

Toby Thaler provided five points to help the UFC refine their recommendations: 1) include a call for early site planning work up front, 2) regarding the 85% lot coverage, the UFC can recommend not including that and be clear on saying no to it, 3) including the Tier 4 trees in the site plans, there is support for an amendment on that, 4) the UFC should continue to advocate for more funding for arborists, 5)

Dana Harper expressed concern that the types of development proposed for protecting trees can lead to die-back of the trees so that they shed limbs and become less healthy. The places they are proposing to place trees are heavily populated and more densely urban areas and will face stresses there. With the current ordinance, developers might utilize the tiered system to pay the in-lieu payment instead of identifying upfront and knowing exactly what trees are on the properties, the types and their purpose.

David Gloger commented regarding the replacement trees, that an establishment period of five years is not enough, and that a bond should be put on the developers for those replacement trees.

Steve Zemke agreed that there is an issue of tree care often not happening after a developer sells a house. The biggest issue with the ordinance is the 85% lot coverage guarantee, without a set-aside for tree protection areas. The ordinance should retain the current FAR coverage. The city should look at what the potential impacts will be of the ordinance and the State legislation on multi-family zoning, and how that will work together, and that is currently dealt with in the ordinance.

Andrea Starbird from the Seattle Arborist Association noted the alignment between the UFC and SAA in their recommendations. She mentioned that their key issues are outlined on their website. She urged the UFC to push for better protections for both on-site and off-site trees. She also encouraged considering allowing smaller tree stock to be used in tree replacement because they tend to establish better and provides better return on investment than installing larger trees.

Allen Taylor noted that when it comes to trees that are both retained during development and also new trees planted, the UFC should research requiring bonds that go along with the property. Folks are highly motivated to ensure that their trees survive if they have a 5, 10, 20 or 50,000 dollar bond on that tree and it's going to be checked on in 5 or 10 years and if the tree is dead, they have to remediate.

Barbara Bernard thanked the UFC so working so hard on such a limited amount of information and time given.

Carol Fahrenbruch echoed the comments already made and asked when would be the most effective time to submit comments to the Council with feedback given that the UFC will be meeting again on Friday and finalizing the recommendations.

Francisca, as a homeowner in the Shoreline area, noted appreciation for all of the UFC's hard work.

Michael Ruby asked whether the draft UFC recommendation letter can be made available to the public and how comments can be submitted to the UFC prior to the Friday meeting.

Patti Bakker read comments submitted by the Beacon Hill Council for public comment:

"Thank you for the opportunity to give public comment. My name is Maria Batayola and I serve as Beacon Hill Council Chair. We are sending a letter to the City Land Use Committee to inform them 1) of our support for UFC recommendations and 2) inform them of our equity needs with regards of the tree canopy.

We at Beacon Hill have 40,000+ residents who live in the vulnerable SE Seattle in a tree desert, as identified by the City of Seattle. The City of Seattle's 2023 Racial and Social Equity Index identified Beacon Hill as the first and second highest equity priority given the demographics of our residents which include 73% people of color and 40% immigrants and refugees. The recent 2023 Office of Sustainability and Environment Tree Canopy Assessment confirmed our inequitable low tree canopy and high frequency of experiencing "heat islands".

We ask the Land Use Committee to amend the Tree Ordinance to

1. Add a context statement before the Tree Ordinance purpose regarding the City's multiple goals of housing, climate and equity
2. Amend For neighborhoods like ours, reinvest the in-lieu fee to replace, if not increase the tree stock.
3. and for neighborhood tree deserts, have Office of Sustainability and Environment (OSE) develop and implement a plan to mitigate the tree disparity and defer implementation of sections of the Tree Ordinance."

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

Meeting chat:

from Jessica Hernandez #11 to everyone: 3:01 PM

Can folks on phones mute themselves? thanks!

from Jessica Hernandez #11 to everyone: 3:05 PM

i think we are looking for just yes or no answers

from Jessica Hernandez #11 to everyone: 3:11 PM

Someone on the phone is making noise

from Jessica Hernandez #11 to everyone: 3:15 PM

Sorry can we mute everyone on phones?

from Jessica Hernandez #11 to everyone: 3:15 PM

I have my earbuds on and they are making a lot of noise thank you!

from Steve Zemke to everyone: 3:15 PM

Friday morning as Land Use Committee meets Fri at 2 PM

from Toby Thaler to everyone: 3:15 PM

Remember LU committee meets 2 p.m. Friday

from Steve Zemke to everyone: 3:17 PM

Land Use committee Friday discussing ordinance on Fri at 2 - 4 PM

from Lia Hall to everyone: 3:21 PM

Would tomorrow be an option?

from Bakker, Patricia to everyone: 3:22 PM

Blake, are you available for a special meeting Friday morning at 9:00?

from Toby Thaler to everyone: 3:24 PM

Draft is on line at UFC site.

from June BlueSpruce to everyone: 3:26 PM

Any way you can enlarge the document you are sharing? It's very hard to read onscreen. Thanks.

from Jessica Hernandez #11 to everyone: 3:26 PM

Blake: can you mute yourself?

from Steve Zemke to everyone: 3:29 PM

Can note UFC was not involved in seeing language during the time SDCI was revising it which gives us a very short time to analyze and comment

from Toby Thaler to everyone: 3:29 PM

Here's a link to pdf draft letter:

<https://www.seattle.gov/documents/Departments/UrbanForestryCommission/2023/2023Docs/DRAFTUFCRecommendationsTreeProtectionsBill040523.pdf>

from Steve Zemke to everyone: 3:31 PM

Updates by SDCI never discussed specific specific ordinance language being considered - only general broad discussion

from Steve Zemke to everyone: 3:33 PM

A lot of changes were never discussed with UFC or the public in advance of current draft being released

from Steve Zemke to everyone: 3:41 PM

Tacoma with 20% tree canopy is proposing 30% by 2030.

from Jessica Hernandez #11 to everyone: 3:43 PM

I agree David! Brought it up during our working meeting bc it seems this admin. wants to use this as leverage for the new changes to the ordinance and had to ask Chanda several times what was the connection and it was only one (the one you mentioned).

from Jessica Hernandez #11 to everyone: 3:44 PM

David: If you want to meet to discuss this, I would be open to that. (so that we can come up with additional bullets). I worked with Chief Seattle Club for a while so I have some familiarity with affordable housing from that lens.

from Steve Zemke to everyone: 3:45 PM

Need to check street trees only new construction single family homes

from Steve Zemke to everyone: 3:45 PM

mes

from Steve Zemke to everyone: 3:48 PM

"modifying principal single-familydwelling units " except from single family homes

from anne phillips to everyone: 3:49 PM

23.45 makes no sense grammatically.

from David Baker - UFC 8 to everyone: 3:50 PM

Jessica: I am certainly interested in chatting to exchange thoughts.

from Steve Zemke to everyone: 3:50 PM

Recommend any addition should be required to plant street trees as addition is removing areas where trees could be planted.

from Jessica Hernandez #11 to everyone: 3:54 PM

Difference between equity area vs EJ areas?

from Jessica Hernandez #11 to everyone: 3:54 PM

I am confused*

from Jessica Hernandez #11 to everyone: 3:55 PM

interesting

from Jessica Hernandez #11 to everyone: 3:55 PM

yes it does but not 100% but that is more of a city issue

from Jessica Hernandez #11 to everyone: 3:57 PM

Why is the table there?

from Jessica Hernandez #11 to everyone: 3:57 PM

Is it a recommendaiton?

from Jessica Hernandez #11 to everyone: 3:59 PM

Adding to what Becca said: Maybe add the table as an appendix and reference it in the text .

from Jessica Hernandez #11 to everyone: 4:02 PM

maybe explain in bullets why this language is being recommended

from Steve Zemke to everyone: 4:05 PM

language in purpose and intent is to explain why city is proposing language and actions in the ordinance

from Jessica Hernandez #11 to everyone: 4:08 PM

thank you

from Steve Zemke to everyone: 4:08 PM

ordinance is to help have trees where people live, including affordable housing. Maybe exempt in lieu fees but not exception for saving trees where can be done.

from Jessica Hernandez #11 to everyone: 4:09 PM

Just to describe in words: first part of the letter adds "concerns" to specific sections and then the second part is just adding "edits to language on used on ordiance edits"

from David Baker - UFC 8 to everyone: 4:11 PM

- Extend payment-in-lieu exemption to affordable housing developments where at least 50% of units are rented to households 60% AMI or less or sold to households of 80% or less AMI

from Jessica Hernandez #11 to everyone: 4:11 PM

The tree fund is to increase canopy cover right?

from Jessica Hernandez #11 to everyone: 4:12 PM

I think I read that somewhere when working with yall

from Jessica Hernandez #11 to everyone: 4:12 PM

focusing on communities with low canopy cover though

from Jessica Hernandez #11 to everyone: 4:12 PM

let me pull it up

from Jessica Hernandez #11 to everyone: 4:13 PM

<https://harrell.seattle.gov/2023/03/07/mayor-harrell-and-councilmember-strauss-advance-new-efforts-to-increase-seattles-tree-canopy-plant-and-preserve-thousands-of-trees/>

from Steve Zemke to everyone: 4:13 PM

Maybe add this language in a One Seattle Ttree Fund proposed by Mayor Harrell and add that fund can accept grants for help

from Jessica Hernandez #11 to everyone: 4:13 PM

+1 Steve yes that is what I am referencing!

from Lia Hall to everyone: 4:15 PM

agree

from Jessica Hernandez #11 to everyone: 4:16 PM

So format so far of letter: concerns, specific language edits, and agreements?

from Andrea Starbird (privately): 4:18 PM

Hi Patti, thank you for your efforts today and pardon this interruption -- I've just noticed that Steve frequently advises commissioners during meetings -- as a member of the public, outside of the public comment period, is this type of invovlement invited/allowed? If so, I will start encouaging more arborists to show up and participate -- but my understanding is that it is not (and that a member of the public would not be allowed to actively particpate during the commission meeting unless invited if this were occuring in person). Can you clarify when you have a moment? Thank you!

from Jessica Hernandez #11 to everyone: 4:18 PM

or break it down to three letters: one focuses on concerns, the other one on specific language edits, and the last one of agreements? Not sure if they will read three letters though

from Dana Harper to everyone: 4:18 PM

In hearing the other day on NPR that the mayor is suggesting raising property tax to 3 times the current, if a homeowner has to pay for an emergency removal of a hazardous tree and pay for a permit after the fact and plant a replacement tree, does this add to people throwing their hands up and selling to development thus further decreasing green space?

from Steve Zemke to everyone: 4:18 PM

Harrell in his executive order said a One Seattle Tree Fund should be created but it is not in current draft. I sent city Portland's language for their Tree Planting and Maintenance Fund.

from Steve Zemke to everyone: 4:19 PM

It will be confusing to public to change current terminology. Exceptional trees have been in ordinance since 2001

from Sandy Shettler to everyone: 4:20 PM

The general public will have a hard time with numbers. A hybrid approach--categories with numbers AND names would be better.

from Barbara to everyone: 4:21 PM

Let's keep the language we are already familiar with and that sounds positive

from Michael Ruby to everyone: 4:21 PM

Suggesting we use "Large" for Tier 4

from Steve Zemke to everyone: 4:21 PM

Tier says nothing about value of trees. Saying protecting exceptional trees provides justification to public why tree should be saved.

from Sandy Shettler to everyone: 4:21 PM

Agree with Stuart and Barbara! Our goal is to bring the people of Seattle closer to trees, numbers are dystopian as descriptors but retaining them for technical work would be helpful.

from Dinushi to everyone: 4:24 PM

Heritage, exceptional, significant—these names give weight, meaning, and value to the trees we talk about.

from Steve Zemke to everyone: 4:25 PM

Lots of code will need to be changed and saying Tier one trees without adding heritage will result in confusion to the public

from Steve Zemke to everyone: 4:25 PM

public

from Dana Harper to everyone: 4:25 PM

Protecting heritage trees located within the zones proposed development types used in the last city council meeting is basically a slow death sentence to those trees

from Jessica Hernandez #11 to everyone: 4:27 PM

can you explain why 3?

from Steve Zemke to everyone: 4:27 PM

Just hearing you read that sentence explains why keeping the terminology of exceptional and significant is important

from Jessica Hernandez #11 to everyone: 4:28 PM

nvm you answered the question with Becca's

from Steve Zemke to everyone: 4:29 PM

What are other zones? They should be listed - how do people know what the other zones are?

from Jessica Hernandez #11 to everyone: 4:31 PM

yes counterproductive to the One Seattle Plan: increase tree canopy where it is low by planting more, but not prevent further decrease of existing trees

from Allen Taylor to everyone: 4:31 PM

One challenge in downtown is often an entire planer bed is redone at once and may contain several trees.

from Steve Zemke to everyone: 4:35 PM

Could add reasons but make replacement a requirement

from Taylor Duke to everyone: 4:36 PM

replacement should always be a requirement!

from David Gloger to everyone: 4:37 PM

If these restrictions that Allen is proposing aren't specific, people will take advantage of them.

from Steve Zemke to everyone: 4:38 PM

Agree with establishing permit system like SDOT has where people can apply on Accela system. Also if a tree is dead it should be able to be removed without requiring arborist report. Provide picture for proof.

from Andrea Starbird to everyone: 4:47 PM

I believe SDCI has proposed a new 'environmental reviewer', but not specifically indicated that the individual will be an arborist

from Andrea Starbird to everyone: 4:47 PM

(there are other, non-arborist environmental reviewers at SDCI)

from Steve Zemke to everyone: 4:49 PM

Question is what is the urban forest worth to the city to invest in more arborists in SDCI. Very expensive and maintenance intensive to replace trees versus saving existing trees.

from Jessica Hernandez #11 to everyone: 4:50 PM

To Allen's point: would increasing the # of days notice that should be submitted for tree removal, would that give the city an excuse to take longer to get back to people? That was a suggestion at the beginning of the letter

from Jessica Hernandez #11 to everyone: 4:51 PM

I think Allen and his team asked for an extension, but it raises the concern he just raised of having to wait longer to hear back due to # of arborists reviewing requests

from Allen Taylor to everyone: 4:52 PM

Please keep in mind the notice is for trees that are allowed to be removed either by an already approved permit or because the tree is not protected.

from Allen Taylor to everyone: 4:52 PM

The length of notice time won't have any impact on permit applications to remove trees. The main issue with the notice requirement is the more notice that is needed the harder it is on our business processes and scheduling.

from Andrea Starbird to everyone: 4:53 PM

Jessica, forgive me if I'm misunderstanding your question, but the notice is not a permit, just submitting information to the city. So it does not get reviewed by the city. That system relies on TSPs doing legal tree work, and/or neighbors calling in what complaints about what might look like illegal tree work.

from Steve Zemke to everyone: 4:55 PM

Provisions on covenants needs to be a "protected tree planting area" for the life of the project, not project and life of tree. tree needs to be replaced if dies.

from Jessica Hernandez #11 to everyone: 4:56 PM

Thanks Andrea: you answer what I was missing from the recommendations made by the arborist association, but your clarification helps me.

from June BlueSpruce to everyone: 4:56 PM

Josh, can you share that lunch & learn link with all of us?

from Barbara to everyone: 4:57 PM

Lia, The Last 6000 will be happy to share the posts you create!

from Joshua Morris to everyone: 4:57 PM

Link to Lunch and Learn on "Updating Seattle's Tree Protection Ordinance" <https://vimeo.com/814421226>

from Lia Hall to everyone: 4:59 PM

I really appreciate all the work commissioners put into this letter

from Dana Harper to everyone: 5:02 PM

I do not see how to put my hand up

from Toby Thaler to everyone: 5:12 PM

Second Josh -- Land Use Committee Friday, sign up starts at Noon

from Francisca to everyone: 5:12 PM

Thank you for asking for public comment.

from Jessica Hernandez #11 to everyone: 5:13 PM

We posted the link at the beginning of meeting:

<https://www.seattle.gov/documents/Departments/UrbanForestryCommission/2023/2023Docs/DRAFTUFCRe commendationsTreeProtectionsBill040523.pdf>

from Laura Keil she/her to everyone: 5:14 PM

patricia.bakker@seattle.gov

from Laura Keil she/her to everyone: 5:14 PM

You can email Patti any recommendations

from Toby Thaler to everyone: 5:15 PM

<https://seattle.legistar.com/View.ashx?M=F&ID=9894383&GUID=74982A78-82FE-4CD6-85B7-66B233BCF08C>

from Dana Harper to everyone: 5:15 PM



from Toby Thaler to everyone: 5:15 PM

Above link goes to list of urban heat island references

from anne phillips to everyone: 5:16 PM

What is Friday at 9 AM?

Public input (additional comments received):

From: Woody Wheeler <woody.wheeler@gmail.com>

Sent: Thursday, March 16, 2023 10:25 AM

To: David Moehring <dmoehring@consultant.com>

Cc: Bakker, Patricia <Patricia.Bakker@seattle.gov>; Josh Morris <joshm@seattleaudubon.org>; lauraannekeil@gmail.com; Becca Neumann <ufc.pos4@gmail.com>; Trees and People Coalition <treesandpeople@pacificwest.com>; Strauss, Dan <Dan.Strauss@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>

Subject: Re: April 16 public comment points on proposed tree removal provisions

To amplify David's thorough and excellent comments, attached is a fact sheet about Seattle's tree canopy losses along with steps to restore our city's tree canopy and provide tree equity.

We can do this!

On Thu, Mar 16, 2023 at 1:18 AM David Moehring <dmoehring@consultant.com> wrote:

Seattle requires approximately 1,000 acres of added tree canopy (roughly 100,000 new trees) within the next few years in order to meet the 2035 Seattle Comprehensive Plan 30% canopy cover objective.

Good evening, Patti and the UFC co-chairs, Becca, Laura and Josh-

Thank you for allowing public comment during the beginning of the [UFC meeting](#) this afternoon. My comments regarding the [proposed tree ordinance revisions](#) went longer than I expected, so I do apologize for the precious time carved out of the meeting.

*For those Commissioners who may have not been present or joined later during the meeting, below are the **five suggestions** offered for the Urban Forestry Commission to consider today. Unfortunately, I had to break for another meeting after the public comment period, but I do hope to listen to the recording this weekend.*

Regarding the proposed 50-page tree ordinance:

(1) UFC to ask for a **record of the public comment(s) and UFC recommendation(s)** that has led to the 2023 proposed tree ordinance revisions and the Mayor's 2023 revised Executive Order,

(2) UFC to ask for an **environmental impact study** relative to the proposed four-tier tree removal approach (replacing existing Seattle Municipal Code SMC 23 and SMC 25 provisions) and proposed lot coverage. The four-tier approach is indeed complicated beyond the existing Exceptional tree AND tree groves protected within the current tree ordinance.

It is important to note that approximately HALF of Seattle's [existing 33 Exceptional tree species](#) fall within the Tier 3 and Tier 4 proposed categories. Thus, this tree removal proposal significantly impacts a significant portion of Exceptional trees by removing them from consideration.

(3) UFC to act on the prior [December 8 2021 Urban Forestry Commission letter](#) sent to the Seattle City Attorney to delineate the role of the Urban Forestry Commission and confirm the process of significant revisions to Seattle's tree ordinance. Per City Ordinance 123052 of August 2009, the Urban Forestry Commission's recommendations are required in advance of the public release of any significant proposed changes to Tree Protection and Removal.

(4) The proposed **fee-in-lieu for allowing typical tree removal** is lower than the \$3,500 to \$4,000 cost to plant and maintain a tree for five years according to the estimates provided by Seattle Parks and Recreation. Planting two trees from one large tree removed would double that cost for planting and maintenance.

- For context, SDOT posts tree protection value signs that include fines of over \$10,000 for large damaged trees and trebled when there is intentional removal or the larger trees are without permit.
- The in-lieu-fee of \$8000 to remove a protected Exceptional 24" DBH tree, for example, would only cover planting and maintaining two trees of which only a portion might survive.

(5) Therefore, the **proposed tree-removal ordinance should be rejected** in its entirety because of the items indicated above.

- The Urban Forestry Commission should ask to **restore the tree ordinance that was proposed one year ago** by the Mayor's Office. That proposal was appealed by the Master Builders Association of King and Snohomish County. The City successfully defended that appeal with the Seattle Office of the Hearing Examiner that ratified 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.

In conclusion of above points verbalized during today's public comment:

Is the City entitled to make such drastic tree-removal provisions at any time without due process? The SMC 3.72.010 [Seattle Municipal Code has clearly defined the role of the Urban Forestry Commission](#) in these matters. The City Attorney must be consulted relative to the Mayor's office and City Council's over-extended authority to impose such drastic tree removal revisions without going through proper investigation of the

environmental impacts of such tree removal policies, and the impact to the Seattle Comprehensive Plan which defines a 30-percent citywide average canopy by 2037.

2021 Tree Assessment Data suggests significant tree canopy reduction in redeveloped parcels:

	Neighborhood Residential		Multifamily	
	Redeveloped Parcels	All Parcels	Redeveloped Parcels	All Parcels
Total land area in 2021 (acres)	142	20,841	149	4,074
Canopy present in these parcels – 2016 (acres)	50	7,121	28	951
Canopy present in these parcels – 2021 (acres)	33	7,035	14	933
Relative % change in canopy 2016-2021	-33.6%	-1.2%	-49.5%	-1.9%
Net change in canopy in these parcels 2016-2021 (acres)	-17	-87	-14	-18

Kind regards,

David Moehring AIA

312-965-0634

=====

References to proposed tree removal ordinance

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"Tier 1 tree" means a heritage tree. A heritage tree is a tree or group of trees as defined in Title 15.***
 Note, these types are [Street Trees](#) only. There are just over [170 Heritage trees](#).

"Tier 2 tree" means any tree that is 24 inches in diameter at standard height or greater, includes tree groves as well as specific tree species as deemed as such by the Director pursuant to standards promulgated by the Seattle Department of Construction and Inspections.

"Tier 3 tree" means any tree that is 12 inches in diameter at standard height or greater but less than 24 inches in diameter at standard height and is not defined as a Tier 1 or Tier 2 tree.

"Tier 4 tree" means any tree that is 6 inches or greater in diameter at standard height but less than 12 inches in diameter at standard height and is not defined as a Tier 1 or Tier 2 tree.

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EIS required for proposed new tree removal provision:

"SMC 25.11.070 Tree removal is necessary for development to achieve permitted lot coverage that includes but is not limited to the construction of new structures, vehicle and pedestrian access, utilities, retaining wall, or other similar improvement;"

EIS required for proposed new tree removal provision:

"4. If the applicant proposes development that disturbs less of the site than permitted by subsections 25.11.070.A.1.a and 25.11.070.A.1.b, then allowed tree removal shall be limited to that necessary to build the proposed development."

EIS required for proposed new tree removal provision:

"B. Lowrise, Midrise, commercial and Seattle Mixed zones.

1. Tier 2 trees may be removed if an otherwise **allowable development area of 85 percent** cannot be achieved without extending into tree protection areas more than allowed pursuant to subsection 25.11.060.A, as follows:

a. Calculate the tree protection area on the lot;

b. Subtract the tree protection area and the area of any portions of the lot between a property line and tree protection area when the portion of the lot is 15 feet or less measured from a lot line to a tree protection area from the lot area. If this **number is less than 85 percent of the total lot area, Tier 2 trees may be removed.**

c. When multiple Tier 2 trees are located on a lot, the minimum number of trees needed to reach percent may be removed in accordance with subsection 25.11.060.C.

d. When the tree protection area of an off-site Tier 2 tree is located on the lot, this area may be included in accordance with subsection 25.11.070.B."

Page 30

EIS required for proposed removal of existing SMC 25.11.080 "Tree protection on sites undergoing development in Midrise and Commercial zones"

Page 44

Maintain struck definitions for Exceptional trees within existing SMC 25.11.130 Definitions.

Existing code suggested to be removed...recommend maintain to avoid EIS and more complicated Tier1, Tier 2, Tier 3, Tier 4 system.

Maintain SMC 25.11.060 Tree protection on sites undergoing development in neighborhood residential zones

A. Exceptional trees

1. The Director may permit a tree to be removed only if:

a. The maximum lot coverage permitted on the site according to Title 23 cannot be achieved without extending into the tree protection area or into a required front and/or rear yard to an extent greater than provided for in subsection 25.11.060A.2; or

b. Avoiding development in the tree protection area would result in a portion of the house being less than 15 feet in width.

--

Woody Wheeler

Conservation Catalyst

P.O. Box 51151

Seattle, WA 98115

206-498-3553

www.conservationcatalyst.org

From: morrisondeb6452@gmail.com <info@email.actionnetwork.org>

Sent: Sunday, March 19, 2023 3:50 PM

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

Subject: Please Update Seattle's Tree Ordinance

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

Please act to update Seattle's Tree Protection Ordinance. It's been 13 years since the Seattle City Council first urged the Seattle Department of Construction and Inspections (SDCI) to update the ordinance. We appreciate the recent enactment by the Seattle City Council and Mayor to adopt registration of Tree Service Providers in the city as a first step. We also appreciate action finally by SDCI to release a more complete draft of an updated Tree Protection Ordinance.

We believe that Seattle needs to protect its existing trees while planting more trees in underserved areas with low tree canopy to address adverse climate impacts while also increasing affordable housing. It is not a question of one or the other. We need to do both.

Trees and the urban forest comprise vital green infrastructure needed to keep our city and people livable and 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 environmental equity.

Seattle's rapid growth and increased density combined with an outdated tree ordinance are reducing these beneficial effects as trees are removed without serious consideration of ways to incorporate more of them in the development. Unless exceptional there is no real effort to save them. And what replacement requirements were in the ordinance since 2001 appears to have seldom been enforced. It is urgent to act now to reduce 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 for climate resiliency.

We support the following provisions in SDCI's draft ordinance.

1. Lowering the upper limit for exceptional trees to 24" Diameter at Breast Height (DBH) from 30" DBH.
2. Continuing protection for exceptional trees less than 24" DBH and tree groves and heritage trees
3. Defining any tree 6" DBH and larger that is not exceptional as a significant tree
4. Continuing prohibition on removal of trees 6" DBH and larger on undeveloped lots.
5. Requiring replacement of 12" DBH and larger trees removed by developers
6. Creating an in-lieu fee for developers to replace trees 12" DBH and larger that cannot be replaced on the development site.
7. Requiring in lieu fees be used to replace and maintain newly planted trees
8. Limiting removal of significant trees outside development to those less than 12" DBH
9. Protected trees and replaced trees are covered by a covenant for life of project

Here are key provisions that need to be added to the draft ordinance

1. 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.
2. Require SDCI submit quarterly reports to the Office of Sustainability and Environment on tree removal and replacement as required by other City Departments
3. Require 2-week public notice posting, as SDOT does on-site, and add online, of any 6" DBH and larger tree removal and replacement permit requests and keep posted on a lot for 1 week after removal
4. Require that tree replacement numbers increase with the size of the removed tree such that in 25 years or less they will reach equivalent canopy volume lost – either on site or pay a replacement fee that

also increases with the size of the tree removed

5. All replacement in lieu fees and fines should go into a dedicated Tree Replacement and Preservation Fund (not SDCI budget or city general fund), that yearly reports on their budget to the City Council and Mayor.
6. Allow the Tree Replacement and Preservation Fund to also accept fines, donations, grants, purchase land, set up covenants and for educational purposes.
7. Require 5-year maintenance of replanted trees
8. Allow removal of no more than 2 Significant non-exceptional trees in 3 years per lot outside development
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10. Require a Tree Inventory of all trees 6" DBH and larger and a Tree Landscaping Plan prior to any building permits being approved.
11. Extend ordinance to cover all land use zones, including Industrial, Downtown and Institutions
12. Keep requirement that all 6" DBH and larger trees be on site plans
13. Require tree replacement or in lieu fees by developers for trees removed 1 year prior to property purchase
14. Allow city certified inspectors to enter property if necessary to ascertain any illegal tree activity
15. Provide adequate funding in the budget to implement and enforce the updated ordinance
16. All trees related are protected trees and not subject to removal
17. Require removal of invasive plants, like ivy, from development sites

morrisondeb6452@gmail.com

2021 NE 75th St
Seattle, Washington 98115

From: Liann Sundquist <liann@oz.net>
Sent: Monday, March 20, 2023 5:53 PM
To: Bakker, Patricia <Patricia.Bakker@seattle.gov>
Subject: Keep Seattle Livable!

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

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Liann Sundquist
liann@oz.net
7211-36th Avenue SW
Seattle, Washington 98126-3218

From: Bonita Marques <b@marques42.org>
Sent: Monday, March 27, 2023 10:16 AM
To: Bakker, Patricia <Patricia.Bakker@seattle.gov>
Subject: Please Update Seattle's Tree Ordinance

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

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Bonita Marques
b@marques42.org
701 N 61st St.
Seattle, Washington 98103

From: Tracy Tardiff <info@email.actionnetwork.org>
Sent: Monday, March 27, 2023 10:40 PM
To: Bakker, Patricia <Patricia.Bakker@seattle.gov>
Subject: Please Save Meadowbrook's Iconic True-Love Trees

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

New housing is important, but so is preserving Seattle's trees.

I am writing to ask you to support preservation of the Meadowbrook True-Love trees, an exceptional cedar-fir pair in Meadowbrook, and their nearby grove. Because of the True-Love trees' remarkable union and visibility on a busy street, they are well-known and beloved by the community, with over 500 signatures on a recent petition to save them. Together with the adjacent grove, they shelter the north fork of Thornton Creek's and form a vibrant urban forest.

Development plans have been filed for this project on SDCI's portal under 004386-22PA. The plans call for the removal of the trees to achieve maximum development potential. Yet, a respected local architect has drawn plans which would include the trees in the development, a win-win for the homes' future residents, the community, and the environment!

These huge native conifers are our last link to the vast, ancient coastal forest which covered this land before settlement. Now, we benefit from the seedlings of that time, which have grown and reached the size and grandeur of their ancestors. They cool us in our increasingly hot summers, provide habitat for

native birds and wildlife, filter pollutants from the air and stormwater, and provide amazing public health benefits.

With thoughtful planning, Seattle can preserve its forest and build new homes. Please use your authority to ask the developer to include these trees on the development plan, instead of cutting them down.

Tracy Tardiff
tctardiff@icloud.com
2603 NE 137th St
Seattle, Washington 98125

From: Lois Martin <lamartin1@me.com>
Sent: Wednesday, March 29, 2023 11:04 AM
To: Strauss, Dan <Dan.Strauss@seattle.gov>
Cc: Nelson, Sara <Sara.Nelson@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Mosqueda, Teresa <Teresa.Mosqueda@seattle.gov>; Morales, Tammy <Tammy.Morales@seattle.gov>; Thaler, Toby <Toby.Thaler@seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>; Mohn, Jeremy <Jeremy.Mohn@seattle.gov>; House, Erin <Erin.House@seattle.gov>; Bakker, Patricia <Patricia.Bakker@seattle.gov>; Lewis, Naomi <Naomi.Lewis@seattle.gov>
Subject: Land Use Committee Mtg 3/29/23

CAUTION: External Email

Councilmembers,

As an early learning provider, I am constantly seeking ways to provide a quality environment for my students. Part of that is working to ensure our communities remain sustainable and that all children have equitable access to neighborhoods that provide them with clean air, cool homes and the ability to explore. Trees provide all three of those things. Street trees are wonderful, and we should add more, but retaining our mature trees, that already help with carbon dioxide sequestration, is vital.

One of our hummingbird feeders fell down outside our center and a three year old student refused to let his mother pick it up. I watched on in amusement as he shared, "I want Ms Lois to fix it, she can fix anything". As much as I wish that were true :), I can advocate to "fix" things such as this ordinance by requesting amendments. Please consider the following:

1—Require a Tree Inventory of all 6" DSH and larger trees and a Landscape Plan prior to any Building Permit being issued. As Councilmember Nelson shared today, it is important to ensure densely forested lots are not wiped clean which results in neighborhood temperatures rising and impacting wildlife. Having a tree inventory assists SDCI in making a real assessment of the number of onsite trees.

2—Require "maximizing the retention of existing trees 6" DSH and larger" throughout the entire development process. Urban forests need a diversity of tree ages and species to be healthy and sustainable. There are also trees whose diameter doesn't specifically equate to the amount of canopy a slimmer tree may provide (black walnut is a great example).

3—Require all in-lieu fees for trees that can't be replaced on site to be based on the square inches of trunk starting at 6" DSH to equalize their value based on size. Larger fees can both serve as a disincentive to remove trees and also more fairly compensate for the increasing value as trees get larger.

4--Require for replacement 2 trees for 6-12", 3 trees for 12-24" DSH trees removed, 4 trees for 24 - 36" DSH and 5 trees for above 36" DSH for more equivalency of the increasing value of services trees provide as they increase in size. One for one replacement is no equivalency for what is lost as trees increase in size.

5—Retain current lot coverage rules for multifamily zones--remove proposed 85% lot coverage guarantee. It will leave no space for trees. City planners need flexibility to save trees. Revisit this issue if proposed middle housing legislation passes in Olympia that would basically convert the Neighborhood Residential zone to a multifamily zone. Allowing developers to preserve a tree, but then increasing building height that shades/stresses the “saved” tree, equates to a win for developers and a loss to the existing tree. At today’s hearing Chanda shared that amenities are required to be benches, but trees also fit this requirement. If an exceptional tree is in the “way” of a proposed project, our city has many talented architects who can design to accommodate.

6—Keep the long standing and widely used exceptional tree and significant tree nomenclature. Remove the term "tiers" and give trees their dignified names back, like exceptional and significant, so the community can continue its relationship with trees, rather than thinking of them only as numbers.

7—Provide protections for trees on neighboring properties whose roots may extend between properties. It is not just for a neighbor to lose their tree because a developer wants to build to the property line. There should be setbacks in place for developers to design/build around the roots to protect trees on adjacent sites. This could apply to trees over a certain diameter, height or age.

8—Activate the [heritage tree program](#) and make it more accessible for community members to apply for this status. Currently, the form is not available online and the number is not working to reach Plant Amnesty. This program should be moved back to the City of Seattle.

Portland recently updated their [tree density program](#). Please review it and consider adding the pieces that will assist Seattle to retain and increase our urban tree canopy in a real way. Thank you for your consideration, and I would like to receive a response to this email.

Best,
Lois A. Martin
lamartin1@me.com

Change is movement away from the present. And change is movement toward a future that promises not just something different but, hopefully, something better.
.....Roger D. Duncan

From: Karen Bishop <karinbishop@comcast.net>
Sent: Friday, March 31, 2023 10:49 AM
To: Bakker, Patricia <Patricia.Bakker@seattle.gov>
Subject: I moved to Seattle for the trees!

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

Please act to update Seattle’s Tree Protection Ordinance. It’s been 13 years since the Seattle City Council first urged the Seattle Department of Construction and Inspections (SDCI) to update the ordinance. We appreciate the recent enactment by the Seattle City Council and Mayor to adopt registration of Tree Service Providers in the city as a first step. We also appreciate action finally by SDCI to release a more complete draft of an updated Tree Protection Ordinance.

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Karen Bishop
karinbishop@comcast.net
23903 se 241
Maple Valley , Washington 98038

From: Karen Bishop <karinbishop@comcast.net>
Sent: Friday, March 31, 2023 10:51 AM
To: Bakker, Patricia <Patricia.Bakker@seattle.gov>
Subject: I moved to MV for TREES not CLEARCUTTING

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

One of the Maple Leaf Mother Groves, at 1211 NE 104th St, is at risk due to arborist report errors, poor site design, and lack of protection during construction. With thoughtful planning, the developer of this property can achieve maximum density while retaining these groves, a win-win for people and nature.

The Maple Leaf Mother Groves are 22 "super-groves" which span entire city blocks in the Maple Leaf neighborhood. The City defines "groves" as eight or more large (12 inch dbh or larger) trees whose canopies touch. In contrast, Mother Groves span most of the properties on their blocks, and function as intact native PNW ecosystems. Because trees in groves cool each other and share defense from disease through their root network, we can count on them to be the most resilient part of our entire urban forest! They are also reservoirs of biodiversity for iconic native species which rely on forests to survive, rather than single trees along streets or in front yards.

The two groves at 1211 NE 104th St form an important part of a Mother Grove. Their removal or damage could launch a cycle of decline leading to the loss of the entire block's grove. To preserve this amazing community resource, please ensure the following:

1. Require a new arborist report. The arborist report submitted by the developer lists only 13 trees, yet 20 trees grow on this site. The report also omits an entire grove of 13 western red cedars, which are shared with adjacent properties.
2. Request that the Detached Accessory Dwelling Unit (DADU) be built on the generous amount of land available near the proposed new home, rather than where it is currently planned in the cedar grove. Both tree groves are conveniently located on the periphery and small panhandle of the site, leaving a large buildable expanse!
3. Protect the groves during construction with rigid fencing. Currently only vinyl netting is required, which provides little protection for trees and is often moved. Construction damage to roots could send these verdant groves into a cycle of decline. If trees at the edge of the grove die, others within the grove often follow.

Climate change has brought Seattle hotter, dryer summers and stronger winter storms. The Maple Leaf Mother Groves provide the community with resilient reservoirs of cooling nature, benefitting both the community and our larger ecosystem. Please ensure they are protected and continue to thrive for the health and safety of future generations.

Karen Bishop
karinbishop@comcast.net
22903 se 241
Maple Valley , Washington 98038