

9AM - 11AM

**TREE  
PROTECTION  
CODE**

**S E A T T L E HOME FAIR**



# Tree Protection Code Overview (SMC 25.11)

Ordinance 126821 -- Effective July 30, 2023

Photo by John Skelton



**Seattle** Department of  
Construction & Inspections

October 2023

# TODAY'S PRESENTATION

- **Tree Regulations for Homeowners and Tree Service Providers**
- **Parameters for discussion**
- **What is New**
  - Tree Tiers
  - Tree Replacement Requirements
  - Can I Remove a Tree? -- Types of Removal Requests
- **How to Apply for a Tree Removal Request**
- **Tree Service Provider Registry and Noticing Requirements**
- **Where to go for Help/How to Contact SDCI**
- **Q&A-Chat questions first, then take questions from attendees**

# Introductions

- Deb McGarry-Arborist
- With SDCI since 2019
- Tree review for construction projects
- Tree removal applications
- Heather Hirschy-Land Use planner
- With SDCI since 2015
- ECA revegetation and tree review for construction projects
- Virtual counter

## New Tree Categories

Seattle's tree protection regulations categorize trees into 4 different tier groups:

**Tier 1 Trees** -- all Heritage Trees

**Tier 2 Trees** -- 24" or greater DSH, tree groves and specific tree species below 24" DSH noted in (Director's Rule) DR 7-2023

**Tier 3 Trees** -- 12" or greater DSH but less than 24" DSH

**Tier 4 Trees** -- 6" or greater DSH but less than 12" DSH

*These are regulated trees. In most cases, you must get SDCI review and approval before removing them.*

## New Tree Categories

“**Tier 2 tree**” means any tree that is **24 inches** in diameter at standard height or greater, tree groves, each tree comprising a tree grove, and specific tree species below 24 inches in diameter at standard height as provided by **Director’s Rule 7-2023**.

### What’s New

- This is the new term for “exceptional tree”
- Tier 2 trees are listed in **Director’s Rule 7-2023**
- For trees not on the list, a tree of any species is a Tier 2 tree at 24 inches and greater (**was 30 inches**)
- There are exceptions – e.g., red alder – that are not Tier 2 at any size (listed in Director’s Rule)
- There are still tree groves. They are now described in the code (under definitions) instead of in the Director’s Rule.
- Any tree in a grove is a Tier 2 tree.
- Invasive trees listed on the King County list are not Tier 2 trees with some exceptions

# New Tree Replacement Requirements

- **Most** Tier 1, Tier 2, and Tier 3 trees removed require replacement
  - Dead trees don't require replacement
- Replacement tree/s must achieve upon maturity a **canopy cover that is at least roughly proportional** to the canopy cover prior to tree removal.
- Replacement tree/s must be native and/or culturally significant and resilient to climate change
- Replacement can be on-site, off-site, or via a voluntary payment in-lieu fee
- See DR 8-2023 for how to calculate payment in-lieu amount; based on tree tier and size
- See DR 12-2023 for other tree replacement requirements



# Can I Remove a Tree? – Types of Tree Requests

The tree code includes a number of tree removal request types:

- Removal allowed within specific **timeframe**
- **Emergency** action
- To comply with **ADA requirements** or for **elderly access**
- Dead tree removal
- To **thin trees** that were initially overplanted resulting in 40% or higher canopy cover on the property
- **Hazard** tree removal
- For an **insect, pest, or pathogen** infestation
- Any **invasive or nuisance** tree
- If needed because the tree is causing **obvious physical damage** to building foundations or utility infrastructure



## Can I Remove a Tree? – Required Information

The removal request types apply to certain trees on certain properties. Things you need to know about the tree and the property include:

- Tree
  - Size
  - Species
  - Health
- Property
  - Zone
  - Developed/Vacant



## Can I Remove a Tree? – Types of Tree Requests: Outside ECA

- 1 No SDCI review or approval needed; no replacement required**

**Removal allowed on developed property without SDCI review and approval:**

Zone	Tree Removal Allowed
Neighborhood residential, low rise, and most zones	Removal of no more than two Tier 4 trees in any 3-year period is allowed <i>**Note: Trees 12" or greater DSH now require SDCI review and approval to remove.</i>

## Can I Remove a Tree? – Types of Tree Requests

### **2** SDCI review and approval needed; no replacement required

Removal allowed with SDCI review and approval on undeveloped and developed property:

Any tree if an emergency action

Any tree to comply with ADA requirements or for elderly access

Any dead tree

Removal allowed with SDCI review and approval on only developed property:

In all zones, Tier 3 and Tier 4 trees may be removed to thin trees that were initially overplanted resulting in 40% or higher canopy cover on the property.

## Can I Remove a Tree? – Types of Tree Requests

### **3** SDCI review and approval needed; replacement required

**Removal allowed with SDCI review and approval on undeveloped and developed property:**

**Any tree if hazardous**

**Any tree for an insect, pest, and/or pathogen infestation**

**Any invasive or nuisance tree**

**Removal allowed with SDCI review and approval on only developed property:**

**In NR, RSL, LR, MR, NC, C, and Seattle Mixed zones, Tier 3 and 4 trees may be removed if needed because the tree is causing obvious physical damage to building foundations or utility infrastructure\*\***

**\*\*Replacement required only for Tier 3 trees.**

# How to Apply for a Tree Removal Request – Where to Apply

When SDCI review and approval is required to remove a tree, you can request approval using the Tree Removal and Vegetation Restoration application through the Seattle Services Portal.

Either login to your existing account or create a new account if necessary. Instructions for submitting this application are at: [How to Apply for SDCI Approval for Tree Removal and Vegetation Restoration](#).

## Articles in this section

[How to Purchase Seattle Code Books From SDCI](#)

[Renewal Process for SDCI Permits](#)

## How to Apply for SDCI Approval for Tree Removal and Vegetation Restoration



City of Seattle

7 days ago · Updated

# How to Apply for a Tree Removal Request – What do I Need?

Required submittal documents for a Tree Removal Request vary depending on the type of tree removal. You will need to provide one or more of these documents specific to the removal request type:

## **Arborist Report:**

- Condition
- Health
- Targets
- Tree Risk Assessment form
- For emergency actions: tree status and emergency.
- Dead trees: photos only
- Other tree removal request type: document reason for removal

# How to Apply for a Tree Removal Request – What do I Need?

**Required submittal documents for a Tree Removal Request vary depending on the type of tree removal. You will need to provide one or more of these documents specific to the removal request type:**

- **Photos** that document the tree location and status. Photos need to be clear and detailed enough to determine the tree species and proximity to any other site features. Photos need to clearly show the reason for the tree removal request; i.e., signs of pest infestation, obvious damage to building foundations or utilities, or location of the target contributing to the risk.
- **Site Plan** that is legible and scaled showing the site address, site tax parcel number, site configuration, location of existing structures or other potential targets, and location of the tree.
- **Statement of Financial Responsibility** form available from: [www.seattle.gov/documents/Departments/SDCI/Forms/StmntFinancialResponsibilityAgentAuth.pdf](http://www.seattle.gov/documents/Departments/SDCI/Forms/StmntFinancialResponsibilityAgentAuth.pdf)

# How to Apply for a Tree Removal Request – What does it Cost?

Fees for tree removal requests vary on the request type. The current LU hourly rate is \$430. Additional fees may apply if the tree is located within an environmentally critical area or the shoreline district.

Minimum Fee Calculation for Tree Removal Requests by Type	
Request Type	Minimum Fee Calculation
ADA/Elderly Access	No LU fee
Dead	No LU fee
Emergency	0.5 x LU hourly rate
Hazard Tree Removal	1 x LU hourly rate
Insect/Pest/Pathogen	0.5 x LU hourly rate
Invasive/Nuisance	No LU fee
Obvious Damage to building foundations or utility infrastructure	0.5 x LU hourly rate
Response to Tree Code Violation (25.11)	0.5 x LU hourly rate
Thinning Tier 3 and Tier 4 trees that were initially overplanted resulting in 40% or higher canopy cover	0.5 x LU hourly rate



# New Tree Categories – Protection Requirements during Development

Tree protection during development varies based on tree tier:

“Tier 1 tree” may not be removed unless hazardous or an emergency

“Tier 2 tree” may not be removed unless hazardous, an emergency, or permitted to achieve allowed development capacity

These trees will need to be **retained and protected** on most sites.

“Tier 3 tree” may be removed as part of a development permit

“Tier 4 tree” may be removed as part of a development permit

These trees will need to be **protected if they are retained**.

# Who can remove a tree?

## -- Tree Service Providers

- **Commercial tree work**-exchange for financial compensation:
  - Removal of any Tier 1, Tier 2, Tier 3, or Tier 4 tree.
  - Reportable work: removal of live branches 4 inches in diameter or greater, pruning or removal of live roots 2 inches in diameter or greater, or removal of live branches constituting 25 percent or more of a tree's foliage-bearing area. Pruning of trees cultivated for fruit production and maintenance of hedges is not reportable work.
  - Consultation on the health of trees
- All commercial tree work on private property must be conducted by a registered tree service provider.
- Any person or company you hire must be registered to complete commercial tree work here [Tree Service Provider Directory](#).



# Who can remove a tree? -- Tree Service Providers

Any person or company you hire must be registered to complete commercial tree work. You can locate a registered tree service provider on SDCI's [Tree Service Provider Directory](#).

The screenshot shows the top navigation bar of the Seattle Department of Construction & Inspections website. It features the Seattle logo on the left, a language selector for English, a search bar, and buttons for 'Pay or Apply' and 'Menu'. Below the navigation bar is the main header 'Seattle Department of Construction & Inspections' and a 'Seattle Services Portal' button. A secondary navigation menu includes links for 'About Us', 'Permits', 'Codes', 'Renting', 'Inspections', and 'Resources', with 'Codes' currently selected.

[Home](#) > [Codes](#) > [Codes We Enforce \(A-Z\)](#) > [Trees & Codes](#) ▾

## Tree Service Provider Directory

SDCI's Tree Service Provider Directory is a list of providers who have met SDCI's registration requirements. Below you will find each provider's business name, services, registration number, and application status. If the business name is in blue text, you can click on the name to visit their website. Click the blue circle to the left of the business name to see the business contact information. You may also use the search box to find specific providers or service types. You can sort each column by alphabetical order by clicking on the grey arrow icon on the right-hand side of the column heading.

### What Do You Want To Do?

[Apply for a Permit](#)

[Pay Permit Fees Online](#)

[Report Illegal Tree Cutting](#)

[Search Tree Public Notices](#)

### Check Status

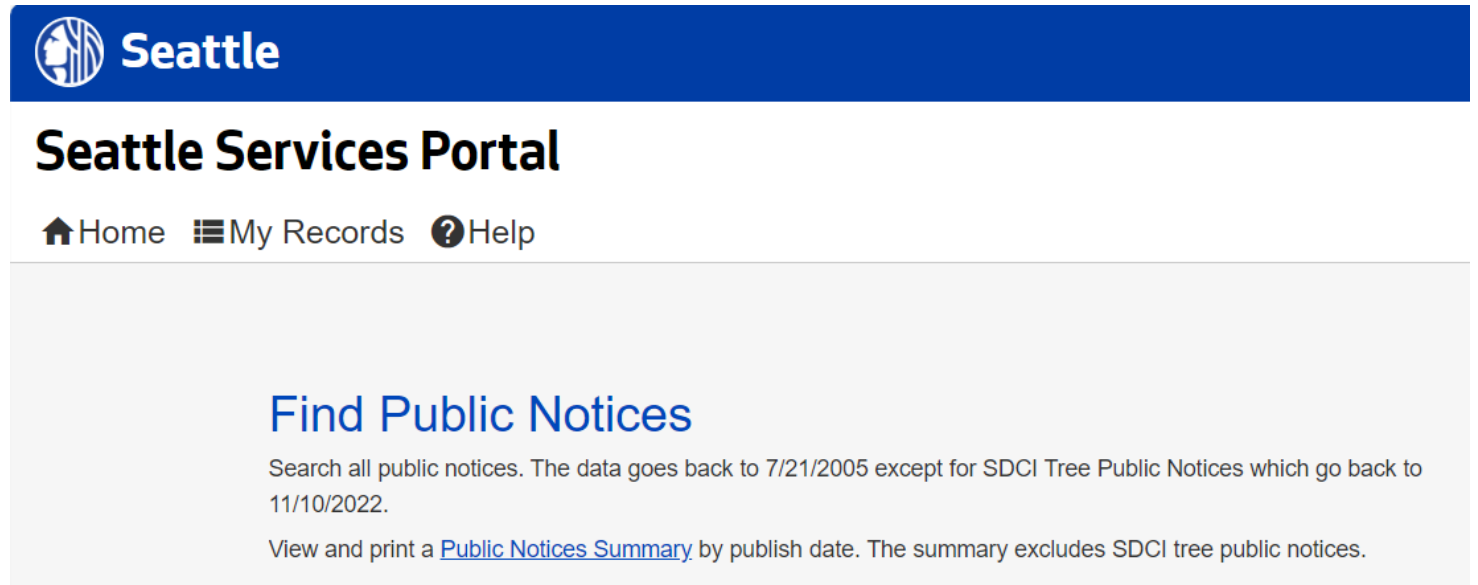
# Public Notice Requirements

- All commercial tree work must have a tree public notice posted per code
- **Online** posting requirements
  - Post online 6 full business days before tree removal
  - Post online 3 full business days before reportable work
- **On-site** posting requirements during work
  - Must be posted in a visible location and should remain for 5 days following
  - Display tree service provider information on vehicle



# Public Notice Requirements

Online public notices are posted to the Seattle Services Portal:



Once in the portal, select "SDCI Tree Public Notice as notice type

This screenshot shows the search filter section of the portal. A black rectangular box highlights the "Notice Type:" dropdown menu, which is currently set to "SDCI Tree Public Notice". Below this, there are several other search criteria: "Address Range:" with "From" and "To" input fields; "Prefix:" with a "--Select--" dropdown; "Street Name:" with an empty text input field; "Type:" with a "--Select--" dropdown; and "Suffix:" with a "--Select--" dropdown. At the bottom, there is a "Notice Number:" label with an empty text input field. Each of these labels has a small blue question mark icon to its right.

You can search by address or notice number

## Resources – Where do I go for Help?

- **SMC CHAPTER 25.11 – KNOW THE CODE!!**
- **TIPS**
  - See 242A through 242D for tree information
- **ADOPTED DIRECTOR'S RULES**
  - DR 7-2023, Designation of Tier 2 Trees
  - DR 8-2023, Payment in lieu of tree replacement pursuant to the Tree Protection Code
  - DR 10-2023, Administration of Tree Service Provider Registry
  - DR 13-2023, Tree Replacement Requirements
  - DR 17-2018, Clarifying Tree Valuations & Civic Penalties for Tree Protection Code Violation
- **DRAFT DIRECTOR'S RULES (anticipated early November 2023)**
  - DDR 12-2023, Tree Measurements (including basic tree protection area)

# Resources – Online Resources

SDCI WEBSITE	HOW TO GET HELP?
<a href="http://www.seattle.gov/sdci/codes/codes-we-enforce-(a-z)/trees-and-codes">www.seattle.gov/sdci/codes/codes-we-enforce-(a-z)/trees-and-codes</a>	Questions? Email us <a href="mailto:SDCI-trees@seattle.gov">SDCI-trees@seattle.gov</a>
<a href="#">Chapter 25.11 - TREE PROTECTION   Municipal Code   Seattle, WA   Municode Library</a> OR <a href="#">City Clerk website</a>	Visit website and search for “ <b>Chapter 25.11</b> ” for Ordinance 126821
<a href="#">Director's Rules - Seattle Department of Construction and Inspections</a>	Visit website and search “ <b>Tree Protection</b> ” for new Rules
Tip 242A <a href="#">Tree Requirements Associated with Development</a> Tip 242B <a href="#">Tree Removal on Private Property</a> Tip 242C <a href="#">SDCI Tree Service Provider Registry</a> Tip 242D <a href="#">Tree Public Notice</a>	Visit website and search for Tip series “ <b>242</b> ” which include all tree-related topics  Questions? Email us <a href="mailto:SDCI-trees@seattle.gov">SDCI-trees@seattle.gov</a>

**Thank you for joining**

Raise your hand or post questions in chat



Our live presentation has ended

The recording will be available on SDCI's website