

**Trustee of TreePAC**

**2019 Comprehensive Plan Amendment Application - Res 31807**

**Questionnaire Responses**

**City of Seattle**

**COMPREHENSIVE PLAN AMENDMENT APPLICATION**

Use this application to propose an amendment to the goals, policies, Future Land Use Map, appendices, or other components of the adopted City of Seattle Comprehensive Plan.

**Applications are due to the Seattle City Council (sent electronically to: compplan@seattle.gov) no later than 5:00 p.m. on May 15th for consideration in the next annual review cycle.** Any proposals received after May 15th will be considered in the review process for the following year. *(Please Print or Type)*

Applicant: **David Moehring**  
Date: **May 15, 2019**  
Email: **dmoehring@consultant.com**

Street Address: **3444 23<sup>rd</sup> Ave West, #B,**

City: State: Zip: **Seattle WA 98199**

Phone: **312-965-0634**

Contact person (if not the applicant): **same**

Email:

Street Address:

City: State: Zip: Phone:

Name of general area, location, or site that would be affected by this proposed amendment (attach additional sheets if necessary):

**Seattle Citywide**

*If the application is approved for further consideration by the City Council, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist.*

*Acceptance of this application does not guarantee final approval*

Applicant Signature:  \_\_\_\_\_ Date: 15 May 2019

## Trustee of TreePAC

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##### **REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application**

Please answer the following questions. Attach any additional sheets, supporting maps or graphics. If you use separate sheets to provide your answers, then answer each question separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

1. Provide a *detailed description of the proposed amendment* and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc.), maps, goals and/or policies you propose to amend.

##### **RESPONSE:**

**THIS IS A PROPOSED AMENDMENT TO THE 2019 COMPREHENIVE PLAN TO FACILITATE BOTH GOALS the OF RESIDENTIAL DENSITY WHILE PROVIDING STRATEGIES OF RETAINING AND EXPANDING THE URBAN FOREST AND TREE CANOPY COVER.**

- **Reference Seattle's 2035 Comprehensive Plan mandate with the Land section "E1.2. Strive to increase the citywide tree canopy coverage to 40 percent over time." And**
- **"E1.7 Promote the care and retention of trees and groups of trees that enhance Seattle's historical, cultural, recreational, environmental, and aesthetic character." And**
- **"Environmental Stewardship. Even as the city becomes increasingly urban, Seattle is committed to protecting and restoring the natural environment. By taking on a significant share of the region's growth, Seattle helps protect rural farmed and forested areas from development. And by concentrating growth in urban villages, we help preserve the existing green areas in the city, including the areas that now contain low-density development."**

**To the contrary of the above Comp Plan stipulations, current Seattle development practices are not succeeding relative to the preservation and growth of the urban forest practices. Per the 2016 LiDAR study, Seattle's tree canopy is reducing citywide rather than increasing (Figures 1 and 2 for residential properties, following page).**

**Recent MHA and ADU FEIS deemed tree loss as being insignificant to the environment. Seattle is currently the 10<sup>th</sup> worst in the nation impacted by the urban heat island effect. To support this concern, the LiDAR study shows a direct correlation with the increased surface temperature in areas with reduced canopy cover (Figure 3).**

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Using the recent 2016 LiDAR dataset, we compared average tree canopy coverage on study area lots with DADUs and the average for other study area lots. Exhibit 4.2-9 summarizes this analysis.<sup>2</sup>

New in the FEIS	
Exhibit 4.2-9 and Exhibit 4.2-10 are new exhibits in the Final EIS.	
<b>Exhibit 4.2-9</b>	<b>Average Tree Canopy Cover on Study Area Parcels in Single-Family Residential Use</b>
	Average percentage tree canopy cover
Study area lots without a DADU	30.8%
Study area lots with a DADU	28.6%
Study area lots with new single-family houses constructed since 2010	22.7%

Figure 1- Seattle ADU FEIS exhibit 4.2-9

#### THE ELEMENTS OF THE COMPREHENSIVE PAN INCLUDE THAT MUST BE REINFORCED ARE:

- ENVIRONMENT.
- LAND-USE.
- MAINTAINING PARK FACILITIES. And
- Other sections- including the introduction - that may include consideration for tree canopy and Seattle’s urban forest.

From Exhibit 37 "2016 0000 Seattle Tree Canopy Assessment Report" page 13.

Figure 18. Percent tree canopy cover for each UFSP Management Unit in 2007, 2010 and 2015. The gray area represents the standard error.

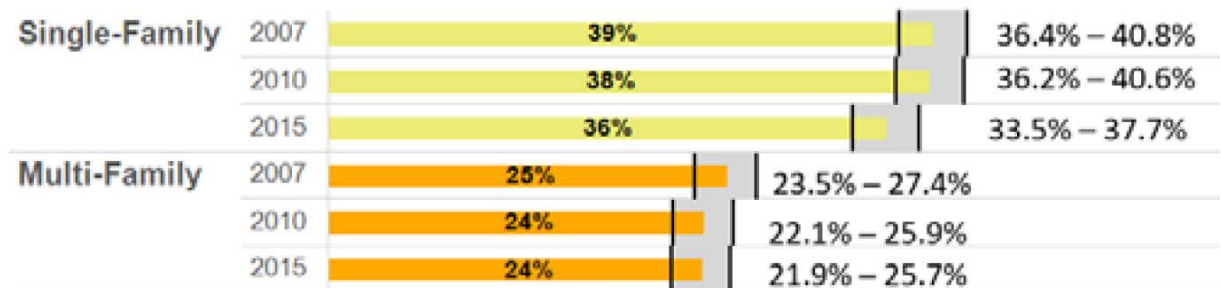


Figure 2- Figure 18 of the 2016 LiDAR study showing a steady decline in tree canopies of Seattle's residential properties.

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FOR ILLUSTRATIVE PURPOSES: F.E.I.S. REQUIRES MODELING 'HEAT ISLAND EFFECT' (WITH REDUCED TREE CANOPY)

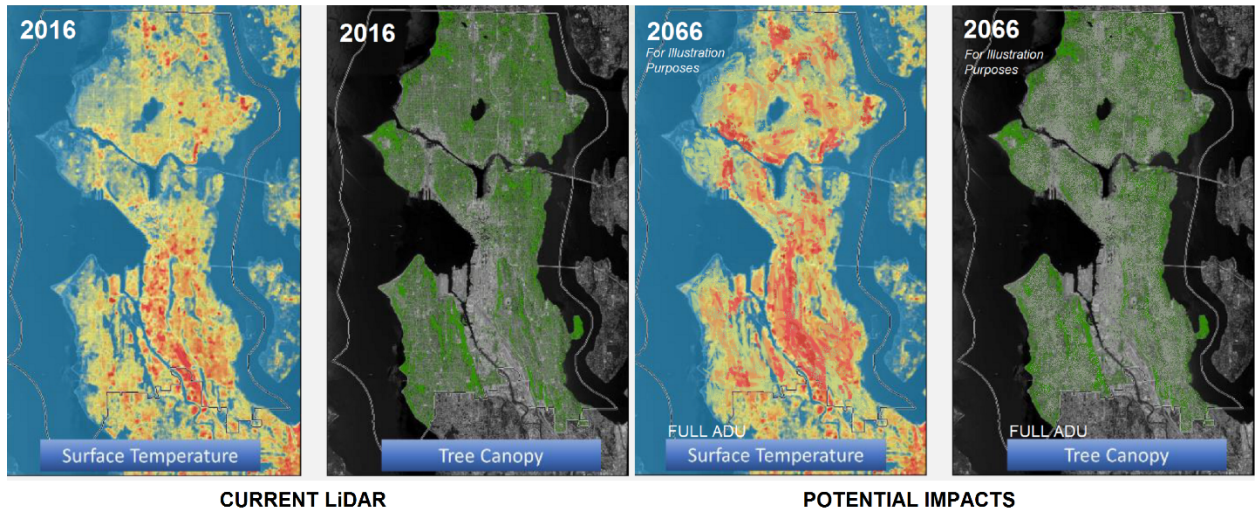


Figure 3- (left two) 2016 LiDAR study exhibits; (right two) artist rendering of potential impacts to the future Seattle given current trend in tree canopy loss

a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with strikeouts.

b. If you anticipate that the proposed Comprehensive Plan amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) that would need to be changed. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.

#### THE ELEMENTS OF THE COMPREHENSIVE PLAN to be AMENDED INCLUDE:

- ENVIRONMENT (PAGE 84)
  - Amend policy T.4.5 to state: “Enhance the public street tree canopy and landscaping in the street right-of-way. Similarly, require citywide environmental accountability of the owners and developers of private property to enhance the yards with tree canopy and landscaping facing the street.”

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- Amend Seattle’s Title 23 and Title 25 codes to require for new property developments “at least a 400 square foot contiguous planting area of at least 10 feet in any direction for which to plant one or more drought-resistant trees considered native to Washington.”
  
- **LAND-USE.**
  - Amend Policy E1.2 to “Strive to increase citywide tree canopy coverage to 40% over time following 2018 recommendations in policy and codes made by Seattle’s Urban Forestry Commission.”
  
- **MAINTAINING PARK FACILITIES**
  - Amend Policy P3.3 to “Enhance wildlife habitats by restoring urban forests and expanding the tree canopy on City-owned and privately-owned land.”
  - Amend on page 158 the Glossary for “urban forest” to state: “The trees and lower-growing plants (of at least 8-feet in mature growth height) that are found on public and private property within the city. This includes developed parks and natural areas, as well as the trees along streets and within yards of privately-owned properties.”
  
- **INTRODUCTION**

Within the section: “*What Drives This Plan*” is ‘King County Countywide Planning Policies’ (page 9). It states that “GMA requires that counties adopt policies that will guide the plans for all the jurisdictions in the county. In King County, the Growth Management Planning Council is a body of elected officials representing all the jurisdictions who develop the Countywide Planning Policies (CPPs). The CPPs contain the urban growth boundary for the county, which separates areas designated for more or less development and density. These planning policies also contain twenty-year housing and job-growth targets for all the jurisdictions. These policies address the need for affordable housing in the county, for local action to address climate change, and for growing in ways that will contribute to positive health impacts for residents.”

Accordingly, the Seattle Municipal code must be modified to avoid the practice of lot subdivision and historical lot boundary adjustments that seek to circumvent land-use zoning density limits.

- Specifically, the SMC shall be modified for all residential zones to prohibit lot segregation for the purpose of increasing the allowable

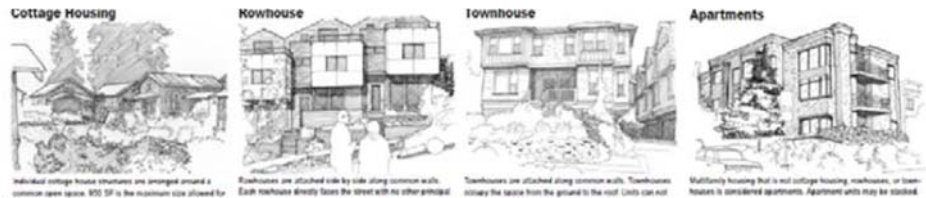
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density within functionally-related developments and parent lots sold as one property.

- The SMC Title 23 should be explicit in requiring that any functionally-related development to comply with applicable townhouse and rowhouses development rules enforcing the existing code provisions of SMC 23.84a.032(20).
- Suggested code language in avoiding the circumvention of density limits through the use of short plat subdivisions or Lot Boundary Adjustments may be taken directly from King County Code KCC 19A.08.180.
- The SMC Title 23 should be amended to prohibit the use of Historical Parcels as a means of creating one or more lots from a parent lot. A parent lot may be divided with Short Plat Subdivisions.
- Refer to the SDCI publication in Figure 4 and 5.

**Housing Types:**  
Development standards apply according to the following housing types: cottage housing, rowhouses, townhouses or apartments.  
*See SMC 23.84.032 for complete housing type definitions.*



**LR1 - Lowrise 1**

The LR1 zone provides a transition between single family zoned areas and more intense multifamily and commercial areas. LR1 is most appropriate for areas outside of Growth Areas<sup>\*\*\*</sup>. A mix of housing types similar in scale to single family homes such as cottages, rowhouses and townhouses are encouraged.

	1.1	1.2 or 1.3	1.4 or 1.5	1.6
<b>Floor Area Ratio (FAR)**</b>	1.1	1.2 or 1.3	1.4 or 1.5	1.6
<b>Density Limit**</b>	1 unit/1,800 SF lot area	1 unit/1,800 SF lot area or less than 3,000 SF. All others: No Limit	1 unit/2,200 SF or 1 unit/1,800 SF lot area	1 unit/2,200 SF lot area (duplexes and triplexes only)
<b>Building Height</b>	10' + 7' for a roof with maximum 8:12 pitch	30' + 9' for roof with maximum 8:12 pitch	30' + 9' for roof with maximum 8:12 pitch	30' + 9' for roof with maximum 8:12 pitch
<b>Building Setbacks</b>	Front: 7' Average, 0' minimum Rear: 0' with Alley, 7' no Alley Side: 0' minimum	Front: 0' minimum Rear: 0' with Alley, 7' average, 0' minimum Side: 1'	Front: 7' Average, 0' minimum Rear: 7' Average, 0' minimum Side: 0' if building is 42' or less in length, or 7' Average 0' min.	Front: 0' minimum Rear: 10' minimum with Alley, 10' minimum no Alley Side: 0' if building is 42' or less in length, or 7' Average 0' min.
<b>Building Width Limit</b>	60'	60'	60'	60'
<b>Max. Facade Length</b>	Applies to all: 85% of lot depth for portions within 10' of a side lot line that is not a street or alley lot line, and 40' for a rowhouse unit located within 10' of a lot line that abuts a lot in a single family zone.			
<b>ISB</b>	Optional	Optional	Required for 3 or more units	Optional

**LR2 - Lowrise 2**

The LR2 zone provides for a variety of multifamily housing types in existing multifamily neighborhoods and along arterial streets. LR2 is most appropriate for areas within Growth Areas<sup>\*\*\*</sup>. A mix of small scale to multifamily housing such as townhouses, rowhouses and apartments are encouraged.

	1.1	1.2 or 1.3	1.4 or 1.5	1.6 or 1.7
<b>Floor Area Ratio (FAR)**</b>	1.1	1.2 or 1.3	1.4 or 1.5	1.6 or 1.7
<b>Density Limit**</b>	1 unit/1,800 SF lot area	No Limit	1 unit/1,800 SF lot area or No Limit	1 unit/1,200 SF or No Limit
<b>Building Height</b>	10' + 7' for a roof with maximum 8:12 pitch	30' + 9' for roof with maximum 8:12 pitch	30' + 9' for roof with maximum 8:12 pitch	30' + 9' for roof with maximum 8:12 pitch or 30' + 8' for partially below grade floor
<b>Building Setbacks</b>	Same as LR1	Same as LR1	Same as LR1	Same as LR1
<b>Building Width Limit</b>	Not applicable	No Limit	No Limit	90'
<b>Max. Facade Length</b>	Applies to all: 85% of lot length for portions of facades within 10' of a lot line that is not a rear, street or alley lot line, and 40' for a rowhouse unit located within 10' of a lot line that abuts a lot in a single family zone.			
<b>ISB</b>	Optional	Optional	Required for 3 or more units	Optional

**LR3 - Lowrise 3**

The LR3 zone provides for a variety of multifamily housing types in existing multifamily neighborhoods of moderate scale. LR3 accommodates residential growth primarily within Growth Areas<sup>\*\*\*</sup>. A mix of small to moderate scale multifamily housing is encouraged including apartments, townhouses and rowhouses.

	1.1	1.2 or 1.4	1.3 or 1.4	1.5 or 1.6	1.7 or 1.8
<b>Floor Area Ratio (FAR)**</b>	1.1	1.2 or 1.4	1.3 or 1.4	1.5 or 1.6	1.7 or 1.8
<b>Building Height</b>	10' + 7' for a roof with maximum 8:12 pitch	Rowhouses and Townhouses: 30' + 9' for roof with min. 8:12 pitch and +8' for partially below grade floor, or +10' for roof with min. 8:12 pitch (no height added for below-grade floor). Note: In some cases development is limited to 3 or 4 stories above grade in addition to the height limit (also applies to apartments).	40'	40'	+8' for roof with min. 8:12 pitch, or +8' for partially below-grade floor, 30' limit if within 50' of a single family zone.
<b>Density Limit**</b>	1 unit/1,800 SF lot area	No Limit	1 unit/1,800 SF lot area or No Limit	1 unit/900 SF lot area or No Limit	1 unit/900 SF lot area or No Limit
<b>Building Setbacks</b>	Same as LR1	Same as LR1	Same as LR1	Same as LR1	Same as LR1
<b>Building Width Limit</b>	No Limit	No Limit	120' Outside growth areas, 150' inside growth areas	120' Outside growth areas, 150' inside growth areas	120' Outside growth areas, 150' inside growth areas
<b>Max. Facade Length</b>	Applies to all: 85% of lot depth for portions within 10' of a side lot line that is not a rear, street or alley lot line, and 40' for a rowhouse unit located within 10' of a lot line that abuts a lot in a single family zone.				
<b>ISB</b>	Optional	Optional	Required for 3 or more units	Optional	Optional

\*\*Accessory Dwelling Units (ADUs) are allowed and don't count against the density limit that applies to these housing types.  
\*\*The higher FAR and density limits apply if the project meets additional standards regarding parking location and access, alley paving, and green building performance (SMC 23.45.010 C).  
\*\*\*Growth Areas include urban centers, urban villages, and station area nearby districts.

Figure 2 – Lowrise Zoning Summary table from SDCI website on Zoning Codes and Rules (above).

Figure 4- Lowrise zoning summary table from SDCI on codes and rules.



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**Housing Types:**

Development standards apply according to the following housing types: cottage housing, rowhouses, townhouses or apartments.

See SMC 23.84.032 for complete housing type definitions.

**Rowhouse**



Rowhouses are attached side by side along common walls. Each rowhouse directly faces the street with no other principal housing units behind the rowhouses. Rowhouses occupy the space from the ground to the roof. Units can not be stacked.\*

**LR1 - Lowrise 1**

Figure 5- Enlarged portion of figure 4 that states "Each rowhouse directly faces the street with no other principal housing units behind the rowhouses."

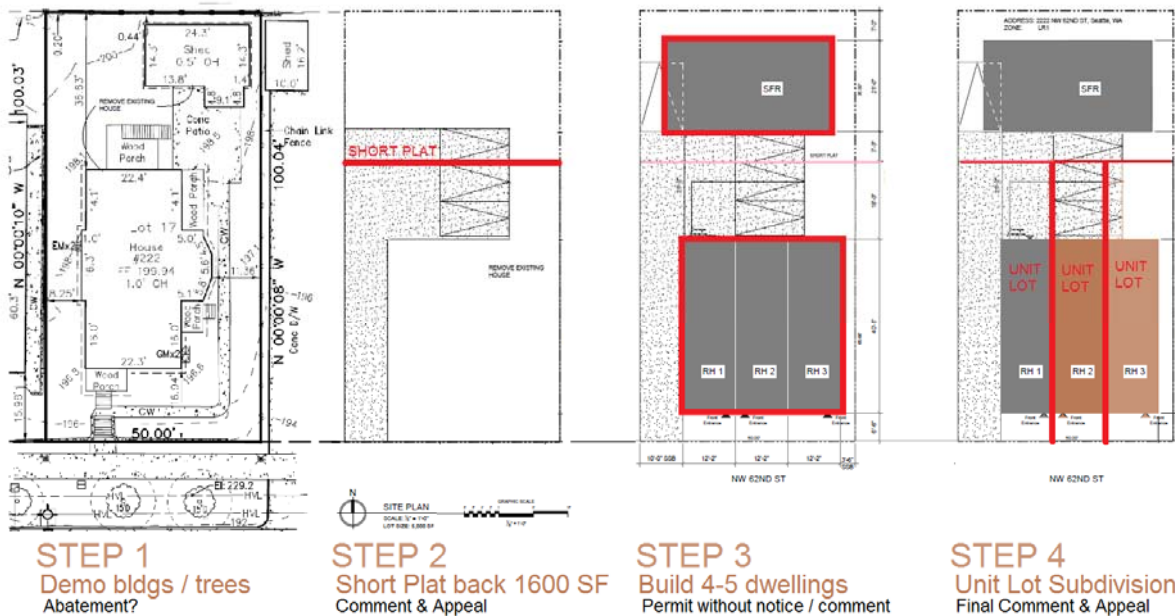


Figure 6- Very commonly practiced example of where the Department is allowing by policy the circumvention of SMC 23.84A row-house development rules through the intentional use of short plats (Type II decision) or lot boundary adjustments (Type I decision).

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c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area(s) proposed to be changed. List the address(es) for each property, the current land use category as shown on the Future Land Use Map and the proposed new land use category for each property in the area to be changed. Identify your relationship to the owner(s) of the property. Describe how the change is consistent with Policy LU1.5, which states "Require Future Land Use Map amendments only when needed to achieve a significant change to the intended function of a large area."

**These amendments apply to all areas of Seattle.**

2. For amendments to goals and policies only: Describe how the issue is currently addressed in the Comprehensive Plan. Why is a change needed?

**As described above, these enhancements are required to correct practices that are contrary to the Comprehensive Plan, and that the Department of Construction and Planning has been using policy to accept rather than the explicit intent of the code.**

3. Describe why the proposed change meets each of the criteria established in [Resolution31807](#) which sets criteria for Council to consider an amendment to the Comprehensive Plan.

- A. The proposed amendments are legal under state and local law.
- B. The proposed amendments are appropriate for the Comprehensive Plan because they are consistent with the role of the Comprehensive Plan under the State Growth Management Act;
- C. The proposed amendments are consistent with the Countywide Planning Policies and with the multi-county policies contained in the Puget Sound Regional Council's regional growth strategy Vision 2040 strategy;
- D. The proposed content intent cannot be accomplished by a change in regulations alone;
- E. The proposed may not be addressed as a budgetary or programmatic decisions;
- F. The proposed amendments may not be better addressed through another process, such as neighborhood planning, as they are citywide issues.
- G. The proposed amendments are practical to consider because the timing of the amendment is appropriate and Council has sufficient information to make an informed decision since the Mayor's Executive Order for greater Tree Protection in 2017.
- H. The amendments are straightforward and city staff will be able to develop within the time available the text for the Comprehensive Plan and, if necessary, amendments to the Municipal Code, and to conduct sufficient analysis and public review.
- I. The proposed amendments are consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy as described above; and
- J. Neither of these amendments have not been recently proposed or rejected by the City Council.



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- K. **The amendment will make a material difference in a future City regulatory decisions.**
- L. **This proposal would not require a change the boundary of an urban center, urban village, or manufacturing/industrial center.**

4. What other options are there for meeting the goal or objectives of the amendment? Why is a Comprehensive Plan amendment needed to meet the goals or objectives?

**There are no other options to implement the proposed amendments to express the intent of the Comprehensive Plan under state and local law.**

5. What do you anticipate will be the impacts of the proposed amendment, including impacts to the geographic area affected? Why will the proposed amendment result in a net benefit to the community? Please include any data, research, or analysis that supports the proposed amendments.

**There will only be positive impacts with the proposed amendment as it does not change the code allowed density limits within each zone. Nor does it increase or decrease the required open space or required exterior amenity areas within residential properties under redevelopment.**

6. How does the proposed amendment support the existing goals and policies of the Comprehensive Plan? If the proposal would change existing goals and policies or add new goals and policies to the Comprehensive Plan, describe how the proposed amendment is consistent with the Washington State Growth Management Act (<http://apps.leg.wa.gov/rcw/default.aspx?cite=36.70A>), the Puget Sound Regional Council's Vision 2040 (<http://www.psrc.org/growth/vision2040/>), and the King County Countywide Planning Policies (<http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/CPPs.aspx>).

**The amendment supports the goals of environmental stewardship increasing the tree canopy within Seattle's urban forest and the goal allowing King County to apply their Countywide Planning Policies that should guide the plans for all the jurisdictions within the county.**

7. Is there public support for this proposed amendment? If the amendment would change the Future Land Use Map or a Neighborhood Plan, please list any meetings that you have held or other communication you have had with the community about the amendment. If the amendment would have a citywide impact, please list any organizations that you have discussed the amendment with.

*Notes: You may attach letters of support for the amendment or other documentation. The City will provide public notice and opportunity for public comment, and environmental review for all applications.*

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**The amendment does not change future land use map or Neighborhood Plans. TreePAC has conducted an online survey of residents throughout Seattle identifying the importance of retaining large and mature trees when possible.**

8. Has the proposed amendment been considered before by the Council? If so, when was it considered and what was the outcome? If the amendment has been previously rejected, please explain either:

- How the proposal has changed since it was last rejected, or
- Changed circumstances since the proposal was last considered that support reconsideration of the proposal.

**Although the City Council has considered other Tree Ordinance changes, those are not related or should be misconstrued to correspond to the content of these amendments.**

Application electronically submitted via email at [compplan@seattle.gov](mailto:compplan@seattle.gov)

David Moehring AIA NCARB

3444 23<sup>rd</sup> Ave West, #B

Seattle WA 98199

Member of TreePAC



A RESOLUTION relating to the Seattle Comprehensive Plan; revising the procedures and the criteria for consideration of proposed amendments to the Comprehensive Plan as part of the annual "docket," and repealing Resolutions 31402 and 31117.

<http://seattle.legistar.com/LegislationDetail.aspx?ID=3466708&GUID=8A45CEAF-BBEC-4797-AD41-53D223CA4D32&Options=Advanced&Search=>