



City of Seattle

Michael McGinn, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

MEMORANDUM

DATE: August 17, 2010
TO: Councilmember Richard Conlin, Chair
Regional Development and Sustainability Committee
FROM: Brennon Staley, Senior Land Use Planner
RE: Tree Regulations Proposal

The Department of Planning and Development (DPD) is proposing to revise Seattle’s regulations governing trees on private property. These revisions are intended to advance the goals of the City’s Urban Forest Management Plan (UFMP), established in April 2007 to maintain and enhance a thriving and diverse urban forest.

DPD’s proposes to apply more rigorous landscaping standards and expand the scope of existing regulations to include institutions, street trees in single family zones, and large retail and commercial uses in industrial zones. Additionally, DPD is proposing to repeal provisions that are not achieving their intent and to streamline others to support voluntary retention of trees. Overall, key aspects of the proposal are as follows:

- Implement a tree credit requirement in Single-family zones, rather than retaining existing “exceptional tree” provisions. A tree credit standard would require applicants proposing new or replaced homes to replace trees according to the following table. A 25% bonus would be given for native or evergreen trees.

Type of Tree	Tree Credits
New small species tree	1
New small/medium species tree	2
New medium/large species tree	3
New large species tree	4
Preserved tree 6-9"	6
Preserved tree 9-12"	7
Preserved tree 12-15"	8
Preserved tree 15-18"	9
Preserved tree 18-21"	10
Preserved tree 21-24"	11
Preserved tree 24-28"	12
Preserved tree 28-32"	13
Preserved tree 32-36"	14
Preserved tree 36" and greater	15

Example Case:
 Lot size = 6000 sq ft
 Minimum Tree Credit =
 $(6000-1500)/200 = 23$

Sample Planting Plan
 Preserve one 23" tree = 11 credits
 Preserve one 6" tree = 6 credits
 Plant one native large tree = 5 credits
 Plant 1 small trees = 1 credits

- Apply tree credit requirement for institutions in single-family zones.
- Require street trees during development of new or replaced homes in single-family zones.

- Repeal “exceptional tree” regulations in Lowrise, Midrise, and Commercial zones and expand application of Seattle’s Green Factor as an incentive-based approach to tree retention during development
- Apply Green Factor to commercial uses over 4,000 sq. ft. in Industrial areas.
- Simplify process for allowing code departures to preserve large trees.

During the public review process, people are asked to comment on the following ideas under consideration:

1. *Require a maintenance bond to ensure establishment of new plantings in Multi-family and Commercial zones.*

A maintenance bond would require project applicants to set aside funds to ensure that trees and landscaping are maintained after initial planting for a specified period of time (likely 2-3 years). After which applicants would be required to schedule an inspection to demonstrate that required landscaping has been established.

2. *Allow payment in lieu of planting trees in Single Family zones.*

As an alternative to meeting the proposed new tree credit requirement entirely through planting and retention on-site, this option would allow a homeowner to pay into a fund to meet part or all of their obligation through off-site planting undertaken by the City.

In Resolution 31138, approved by Council in November 2009, the Council specifically requested DPD to consider the following:

Establishing a permit requirement for removal of trees outside of development

DPD analyzed multiple options for implementing a permit requirement outside of development. Overall, DPD has concluded that implementing a tree removal permit requirement would have limited effectiveness due to issues related to limited effectiveness, enforcement, inflexibility and burden on property owners, cost, and analysis of other alternatives for meeting City goals.

Prohibiting removal of trees in required yards or required setbacks during construction

Regulations that prohibit the removal of trees during development but not outside of development simply provide an incentive to remove trees prior to submission of a permit. The proposed tree credit system provides an incentive not to clear prior to submission of an application.

Tree Planting Requirements

Green Factor requirements were updated in 2009 to increase credit for preserved trees and expand the size of trees that could be included. DPD is also proposing to increase the credit for trees generally as part of the ongoing Multi-family code update.

Standards for Surface Parking Lots

DPD analyzed existing surface parking landscaping standards and found that existing standards, in conjunction with new stormwater and Green Factor requirements, provide substantial ecological function. Minimum canopy cover measurements are not believed to be a satisfactory alternative as these measurement techniques as they are complex and focus on tree size at planting rather than future potential.

Definitions & Exemptions

DPD will revisit definitions and exemptions before finalizing a proposal.

Providing Land Use Code modifications to retain existing trees and plant new trees

The current proposal improves existing modification allowances by streamlining the process. DPD is also evaluating expanding the existing allowance for parking reduction and options for providing additional height or floor area in exchange for preservation of large trees.

Using Transfer of Development Rights to provide incentives to protect groves

A transfer of development rights provision was not recommended as we believe it is not the most effective tool for tree preservation.

Modeling Expected Results

DPD had developed models of likely tree credit and green factor scenarios to understand potential outcomes of this approach. Outside of parcel-specific analysis we know of no useful modeling tools available that could model city-wide outcomes.