

Tree Regulations Research Project

Phase II

Final Report

March 31, 2017

Introduction:

The City has a long-standing commitment to its urban trees and the multiple benefits they provide. The fast-paced growth Seattle is experiencing has brought renewed attention to tree protection. The community and the Urban Forestry Commission have been encouraging the City to resume work on updating the Tree Protection Ordinance.

SDCI and OSE launched a joint research project to determine how effective current tree regulations are and to produce recommendations for the Executive.

Background:

Upon completion of a 12-week Tree Regulations Analysis effort (Phase I), one of the project team's recommendations was to continue the work as Phase II, and apply the research methodology/protocol to Lowrise Multifamily and Single-family zones, and examine the development permit and standalone hazard tree removal application approval processes.

Tree Regulations Research

The objective of Phase II was to broaden the research of the tree protection regulations and to make recommendations to the Executive on the update of the Tree Protection Ordinance. For SDCI, OPCD, and OSE to be able to make a recommendation to the Executive on the update of the Tree Protection Ordinance and in order to provide recommendations, it was necessary to have an understanding of the following:

1. How effective are current tree regulations in Lowrise Multifamily and Single-family zones? (TES/SDCI/OSE)
2. What are the best examples of urban tree protection regulations in cities similar in size to Seattle? Research BMPs and approaches from other regional cities to protect trees on private property. (OSE/SDCI).
3. What does the 2016 urban canopy cover assessment suggest regarding tree protection regulations on private property? (OSE/Consultant)
4. What changes in tree loss, if any, do we anticipate from planned zoning changes? (OPCD)

Additionally, we had three main research questions:

1. Under SMC 25.11 (Tree Protection) and SMC 23.44 (Tree planting requirements for development in Single-family zones), what has been the outcome of tree protection regulations outside of development and during development?
2. Are current tree regulations providing the necessary protections to accomplish 30% tree canopy coverage goals?

3. Is tree loss being mitigated?

Methodology

The project used mixed methods analysis to assess land use code impacts on tree canopy 2008-2016.

Identify land use codes under Title 23 and Title 25 that impact tree canopy in Lowrise Multifamily and Single-Family zones: 1) landscaping development standards (tree planting and preservation), and 2) tree protection and tree removal. The team assessed the following land use code chapters, code sections, Director's Rules and Tips: 23.24.040; 23.28.030; 23.40.002; 23.40.004; 23.41.004; 23.41.012; 23.41.018; 23.44.008; 23.44.024; 23.45.524; 23.60A.156; 23.60A.185; 23.60A.190; 23.76.010; 23.90.018; 25.09.015; 25.09.017; 25.09.040; 25.09.045; 25.09.055; 25.09.060; 25.09.080; 25.09.180; 25.09.200; 25.09.320; 25.09.330; Chapter 25.11; Table C-1 (B.15) for 22.900C.010. Director's Rules: DR 10-2006; DR 16-2008; DR 30-2015, DR 6-2016. Tips: 100, 103, 103A, 103B, 104, 106, 120, 201, 213A, 213B, 224B, 238, 238B, 242, 309, 316, 327A, 330, 331, 331A, and 331B.

Developed SQL queries to select all land use and construction decisions and permits in Lowrise Multifamily and Single-Family zones. Ran a random number generator and selected simple random sample sets for trend analysis. Pivot tables and charts were implemented to assess outcomes and activity trends over time.

Reviewed SDCI-issued development and site work permits/decisions stored in EDMS and Hansen 7.7, including:

- 1) Public Resource Center/Over-the-counter standalone tree removal approvals (outside development)
- 2) Type I, construction permits
- 3) Type II, land use permits
- 4) Site Plans
- 5) Landscaping Plans
- 6) Correction Notices
- 7) Tree cutting complaint service requests and cases
- 8) Inspection site photos

Historical aerial photos (2007-2016) were assessed using ArcGIS 10.3.1, Geocortex, Google Earth, and Google Street.

Met with technical and subject matter experts to review analysis. Hosted an inter-departmental tree protection brainstorming session with 22 participants from SDCI, OSE, OPCD, Parks, SPU and SDOT. Their top ideas are included in the recommendations incentives section.

The following pages contain meeting minutes from the final project presentation including the team's project findings, final recommendations, and next steps. Appendices include meeting notes from the Phase II reporting meetings.

Progress reporting:

The project team delivered two monthly progress reports and a final report/presentation. On March 27, the project team delivered final findings and recommendations. The team walked through current tree protection legislation clarifying what trees are protected:

- Title 25 (Tree Protection) protects exceptional trees and groves. Code allows protected tree removal when trees prevent full development potential or are hazardous. If found hazardous, no replacement is required. Exceptional trees and those larger than 24" need to be replaced unless they are hazardous.
- Title 23 (Development Standards) states:
 - Single Family requires trees and provides preservation and planting options. For lots greater than 3,000 sqft, there is a 2" diameter requirement per 1,000 sqft; for lots smaller than 3,000 sqft the requirement is 3" per lot. Requirement may be met by planting/preserving street trees.
 - Lowrise Multifamily requires street trees. Exceptional Trees: If exceptional trees are preserved on a LR MF lot, Design Review for Tree Protection is not required. If exceptional trees are not preserved, then Streamlined Designed Review is required to allow exceptions.

Findings:

In general

- Current code is not supporting tree protection.

Public Resource Center / Over-the-Counter approvals

- We are losing exceptional trees (and groves) in general. Most in Environmental Critical Areas with most tree loss in landslide-prone areas.
- When trees come out as hazardous there is no replacement required.
- There were 725 hazard tree removal approvals between 2008- and 2016. 59% of those were in steep slopes.
- Approvals often include more than one tree.

Type I and II permits (land use and construction permits)

- Development and hardscape increase result in tree loss.
- Conifers and large tree species are coming out with deciduous and dwarf species are coming in.
- Landscaping Standards final inspection is not consistently applied.
- Design Review and code-required tree protection are being avoided.
 - 0.3% Design Review projects cited Tree Protection
- Landscaping standards inconsistently inspected/enforced.
 - Infrequent use of final inspection form - DR 30-2015, Attachment A.

Other findings

Landscaping Standards are required for the life of the project in Single Family and Multifamily zones.

- Director's Rule 30-2015 establishes:

- Installation and maintenance for life of project is required.
- Allows for “legal action” for non-compliance (SMC 23.40.002).
- 23.40.002 - Conformity with regulations is required:
 - Change of use of any premises or any part thereof requires approval per 23.76.
 - Owners are responsible for any failure of such premises to conform to regulations of Title 23.
- 23.40.004 Reduction of Required Spaces
 - No minimum landscaping shall be reduced below minimum development standards

Findings from complaints

The research found instances where trees were removed prior to development without approval.

- Tree cutting complaints resolved as “Non-violation” showed an upward trend, going from 27% in 2008 to 75% in 2015.
- There were several instances where tree cutting complaints were resolved as “no violation” and allowed for retroactive hazardous tree removal approval.
- Residents providing public comment at Urban Forestry Commission meetings have expressed a perceived lack of responsiveness from the City regarding tree removal complaints.

Final Recommendations:

Project final recommendations included three levels:

- I. Existing regulations with improvements
 - Code improvements
 - Process improvements
 - Other opportunities
- II. Permit system and protect additional trees
 - All of 1, and 2
- III. Permit system “Plus” and protect more trees
 - All of 1, 2, and 3

Incentives proposed are intended to be considered in all three options.

Recommendations Options I, II, III

I. Existing regulations with improvements

Code improvement:

1. Revise definition for ‘hazard’ conditions.
2. Require replacement/mitigation for hazardous tree removal.
3. Remove process uncertainty by including required documentation for tree removal applications (including site plan standards).
 - a. Include exceptions for undue hardship
4. Require like-for-like replacement for trees removed
5. Add tree survivability language
6. Update list of exceptional trees (add species)
7. Protect/preserve large trees and groves for public benefit
8. Fee-in-lieu and performance bond. Address potential equity concerns

Process improvement:

1. Record tree counts throughout development process, from pre-application site visit to final inspection.
2. Require use of Hansen/Accela monitoring tools
 - a. Monitor tree-related site work
 - i. Hazardous tree removals
 - ii. Tree preservation, tree planting, tree replacement
 - iii. Code-required street trees
 - b. Add survivability monitoring
 - i. Post Certificate of Occupancy
 - ii. Five years to tree establishment
3. Add dedicated urban forester to oversee all tree and landscape regulations.
4. Remove Vine Maple from ECA revegetation list and general tree list to improve size class distribution.

Other improvements:

1. Implement training program
 - A. Internal
 - Tree Protection/Preservation/Planting
 - Code enforcement
 - B. External
 - Training requirement for tree service companies
 - Hold tree service companies accountable for illegal removals
2. Develop tree loss mitigation tools
 - A. Permit and incentives
 - B. Subsidies for tree maintenance
 - C. Tree receiving zones

Incentives:

1. Citywide
 - Subsidized trees. Tree giveaways and planting programs.
 - Partnerships: with nurseries, non-profits.
 - Tree expertise/advice for private tree owners. Leaf management assistance. Reduced costs for yard waste bags. Annual Day of Tree Care – volunteer ISA Arborists.
 - Property tax incentive for protected groves.
 - Allowances for construction staging in ROW to allow preservation of large trees during construction (in partnership with SDOT).
 - Public education about importance of trees to increase private tree stewardship.
 - Good inventory system.
2. SDCI
 - Development bonuses (setbacks, lot coverage, density limits, parking, height, Floor Area Ratio).
 - Payment/more credit for tree retention.
 - Expedited permit.
 - Technical assistance on tree retention.
 - Use fee-in-lieu to remove barriers to large tree ownership.

- Maintenance assistance with equity focus (elderly, etc.).
- Make tree cutting penalty more onerous than permit.
- Performance bond linked to final inspection and Certificate of Occupancy.
- Obtain valuation of mature trees to be preserved and include that amount in landscape plan to be covered by bond.

3. Other departments

- Stormwater incentive (beyond just allowing it as option)
- Drainage rate incentive
- Stop tree topping for views
- Increased City management of street trees (SDOT to manage all street trees)

Regional cities and cities similar in size – Intro to permits

The top examples are Portland, Lake Forest Park, and Sammamish. Permit highlights are below:

- Tree Permits for tree removal on private property are implemented during and outside development
- There are options for tiered permit types associated with/without development
- Code establishes categories of trees: exceptional, heritage, grove, and significant (6 – 12 inches)
- There are allowances for tree removal based on zone and lot size per/year and over “X” years
- Emphasize retaining with hierarchy
- Replacement required when trees are allowed to be removed.
- Emphasize planting native conifers close to other trees so that it enhances environment
- Define potential receiving sites - one being Environmentally Critical Areas
- Large penalties for removal without approval
- Exceptions for emergencies, like Seattle regulations
- Fee-in-lieu
- Protection standards for trees that remain on site.
- On site density requirements Portland
- Exempt areas based on zone or land use type

II. Option II - Permit system and protect additional trees

This option would include the improvements and incentives included in Option I.

1. Private property tree removal permit
 - a. Track allowance for annual removal of three trees >6”
 - b. Remove allowance for unlimited tree removal in SF<5,000
 - c. Require mitigation
2. Create tree injury/removal violation penalties
 - a. Hold tree service company accountable
 - b. Administrative appeal of penalties

III. Option III - Permit system “Plus” and protect more trees

This option would include the improvements and incentives from Option I, and the proposed permit, mitigation and penalties in Option II.

1. Protect tree groves through covenants. Provide support to home owners (from fee-in-lieu).
2. Explore transfer of development rights (within Seattle).

Project support

These findings are the result of quantitative and qualitative analyses, and a generous, collaborative effort from a team of City of Seattle technical and policy subject matter experts.

Sincere thanks and recognition to the following:

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Nolan Rundquist

Brennon Staley

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Appendices – Phase II Meeting Notes

Tree Regulation Research Project

Phase II

January 18, 2017 meeting notes

Background:

Upon completion of the 12-week Tree Regulations Analysis effort, the project team made recommendations that included undertaking Phase II to apply the research methodology/protocol to Lowrise multifamily and Single-family zones and examine the development permit and standalone hazard tree removal application approval processes.

For SDCI, OPCD, and OSE to be able to make a recommendation to the Executive on the update of the Tree Protection Ordinance, it will be necessary to know the following:

1. How effective are current tree regulations in Lowrise Multifamily and Single-family zones? (TES/SDCI/OSE)
2. What are the best examples of urban tree protection regulations in cities similar to Seattle in size? Research BMPs and approaches from other cities to protect trees on private property. (OSE/SDCI).
3. What does the 2016 urban canopy cover assessment suggest regarding tree protection regulations on private property? (OSE/Consultant)
4. What changes in tree loss, if any, do we anticipate from planned zoning changes? (OPCD)

January Project Update Meeting:

On January 18, the project team delivered a project update to the SDCI and OSE Directors. The Subject Matter Expert team supporting the project team attended the meeting and provided input.

Below are meeting takeaways, next steps and project timeline.

Meeting takeaways

- a. Brennon is analyzing planned zoning changes effect on tree loss.
- b. Nathan suggested adding commercial zones to Tree Regulations research. (NOTE: This is not a part of the original Phase II scope. Commercial relies on Green Factor versus Tree Protection. Phase II scope selected Single Family and Multifamily LR zones due to highest counts of decision and permitting activity in those zones.
- c. Group decided identifying overall trends is preferable to larger sample sizes given the project timeline. (Final presentation is March 27.)

- d. Roberta stated that it would be interesting to have tree tallies (existing, removed, preserved, planted) but the current system does not allow for these details to be captured. This information should be included on the project plans and the tree tallies can occur on the subset of projects that are being reviewed.
- e. SDOT Darren Morgan stated street trees are typically LU code-required as part of redevelopment. This information will be reviewed as part of the Phase II work.
- f. Group ideas/comments
 - i. It will be helpful to create urban forestry talking points with project results
 - ii. It will be good to highlight SDCI early process improvements, i.e. code enforcement changes.
 - iii. Nathan and Jessica will schedule time to meet jointly with Councilmember Rob Johnson.
 - iv. Another element that will likely inform SDCI/OSE recommendation to the Mayor is the need for a citywide legal framework for tree risk liability.
 - v. It will be important to determine whether a permit system for tree removal will be included as part of the project's final recommendations.
 - vi. The project will inform the development of tree loss mitigation strategies (both regulations and incentives)

Trends and recommendations

Preliminary analysis results and recommendations will be provided at the February 15 reporting meeting.

Next steps

- a. Analyze sample from 2008-2016 aggregate in Single Family and Lowrise multifamily zones.
 - i. Goal of assessing 45 cases over next two weeks (this is a deviation from the originally planned goal to review a statistically significant sample for each year covered in the project and instead, have a statistically significant sample of an aggregate of all years)
 - 1. Pull plans and count 'stems' (existing, removed, preserved, and planted)
 - 2. Capture 'before and after' aerals for a sample of project sites/parcels to illustrate findings and possible trends.
- b. Analyze Design Review decisions from Single Family and Lowrise multifamily zones.
 - i. 3498 project sites

Timeline

- We are working on performing the body of work described in '3. Next Steps' above and will present preliminary analysis results and initial recommendations at the February 15 meeting.
- We will analyze Design Review data, incorporate feedback from the 2/15 meeting, and present final recommendations by 3/27.

Tree Regulation Research Project

Phase II

February 15, 2017 meeting notes

Background

The project team presented preliminary analysis findings and recommendations. The body of work for the second month of the project included:

- c. Analyze sample from 2008-2016 aggregate in Lowrise multifamily and Single-Family zones (45 cases).
 - i. Pull plans and count 'stems' (existing, removed, preserved, and planted)
 - ii. Capture 'before and after' aerials for a sample of project sites/parcels to illustrate findings and possible trends.
- d. Analyze Design Review decisions from Single Family and Lowrise multifamily zones.
 - i. Universe size: 3,498 project sites.

February Project Update Meeting:

On February 15, the project team delivered preliminary findings and recommendations for the Tree Regulations analysis portion of the project; presented 2016 Canopy Cover Assessment results; initial findings from the BMPs research of nine cities similar in size to Seattle; and an update to planned zoning changes potential impacts.

I. Tree Regulations Research: Single-family and Lowrise Multifamily progress

Findings:

What the Code allows:

1. **Finding 1:** Exceptional trees are protected unless they prevent development potential or are deemed hazardous. No replacement is required for hazardous tree removals.
2. **Finding 2:** Exceptional trees and trees larger than 24" in diameter that are removed for development in all zones require replacement, unless they are hazardous.
3. **Finding 3:** Trees are required for new development in Single Family zones. Lots >3000sqft require min 2" per 1000sqft. Lots <3000sqft require min 3" per lot. Planting option and/or Preservation option. This requirement can be met by planting or preserving street trees.
4. **Finding 4:** If exceptional trees are preserved in Lowrise multifamily zones, Design Review for tree protection is not required. If exceptional trees are not preserved, Streamlined Design Review is required to allow for exceptions. Street trees are required.

Code application:

5. **Finding 5:** 57% of decisions in Single Family zones approved removal of exceptional trees (deemed hazardous) in Environmentally Critical Areas, most of which were landslide-prone areas. These decisions included removals of groves and multiple exceptional trees.

6. **Finding 6:** Of the decisions above, 50% of the decisions for exceptional tree removals in ECAs were missing submittal documents required by ECA code and Tip 331B (Hazard Trees).
7. **Finding 7:** Development and hardscape increase resulted in tree loss in all instances.
8. **Finding 8:** Conifers and large tree species are being removed and deciduous and dwarf species are being planted.
9. **Finding 9:** Of the projects reviewed for exceptional tree protection, one exceptional tree was preserved (2.2 % of the projects sampled).

Initial recommendations:

Code improvement:

1. Revise definition for 'hazard' conditions (Finding 1 and Finding 2)
2. Require replacement/mitigation for hazardous tree removal (F1, F2)
3. Include required documentation for hazardous tree removal applications (F2, F5, F6).
Include exceptions for undue hardship
4. Require like-for-like replacement for tree removal. Conifer = Conifer, Deciduous = Deciduous. Canopy replaced = canopy removed (at maturity) (F7, F8)
5. Add tree survivability language (F3, F4, F7)
6. Issue a Director's Rule for documentation requirements for complete application submittals (F1 – F6, F9)

Process improvement:

5. Site plan standards requirement for hazardous tree removal applications (F1, F2, F5, F6)
6. Record tree counts throughout process (PASV – Certificate of Occupancy) (F3, F4, F7, F8)
7. Require use of Hansen/Accela monitoring tools (F3-F5, F7-F9)
 - a. Monitor tree-related site work
 - i. Hazardous tree removals
 - ii. Tree preservation, tree planting, tree replacement
 - iii. Code-required street trees
 - b. Add survivability monitoring
 - i. Post Certificate of Occupancy
 - ii. Five years to tree establishment

Other:

1. Implement training programs (F1-F4, F6, F9)
 - a. Internal
 - i. Spot checks after SDCI training shows gaps on code application
 - b. External
 - i. Develop certification for third party providers for hazardous tree risk assessment and removal work (modeled after SDOT's successful model)
2. Develop tree loss mitigation tools (F3-F5, F7-F9)
 - a. Permit and incentives
 - b. Subsidies for tree maintenance
 - c. Tree receiving zones
 - d. Protect/preserve large trees and groves for public benefit
 - i. Fee-in-lieu. Address potential equity concerns

II. 2016 Canopy Cover Assessment

Main points shared with the group

- The results of the 2016 canopy cover assessment show Seattle has 28% canopy cover.
 - This is the most accurate assessment to date with a +/- 1% margin of error.
 - We are closer to our goal than previous studies suggest. However, this difference is likely the result of improved data quality and analysis rather than tree canopy cover gain.
 - A separate sample-based satellite trend analysis in 2015 examined canopy at three time periods (2007, 2010, and 2015). This analysis suggests a downward trend in canopy cover of around 2% since 2010. This analysis has a margin of error of +/- 3%.
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- The 2016 findings suggest that while development may lead to canopy cover loss, natural growth of mature trees and tree plantings offset some of this loss.

III. Research on BMPs and approaches from other cities (similar in size to Seattle)

- Staff reviewed tree protection in Baltimore, Boston, Columbus, Denver, Indianapolis, Memphis, Nashville, Portland, and Washington, DC.
- Three cities protect trees outside of development
- Five cities protect trees during development
- Seven cities require tree replacement
- Five cities have a permit system

IV. Planned zoning changes potential impacts

V. Next steps

1. Multifamily – canopy cover increase or decrease?
2. Tree cutting violations
3. Potential impacts from planned zoning changes (OPCD)
4. Regional cities practices
5. Final recommendations

Outstanding Issue: Tree canopy loss outside of development

VI. Timeline

Present final recommendations on March 27 and final report by March 31.

Participants' comments:

Tree Regulations:

- Revisit the recommendation of like-for-like replacement for tree removal because setbacks in current development standards for many of the zones, lowrise in particular, wouldn't allow for tree planting.
- Clearly state who would be responsible for monitoring tree survivability.
- Glad to hear that the team is including equity considerations.
- Will be interesting to determine where fee-in-lieu funds would go and where receiving sites would be.
- Current development standards setbacks don't provide enough space for tree planting.
- Might be more effective to look at existing canopy cover on site and compare to projected canopy cover at maturity for new trees planted. This would help better determine the replacement value of trees being removed.
- We are seeing significant increase in foot print for houses being remodeled. Almost every developer is building out to the max.
- Construction staging activities also impact trees that are being preserved.
- All the space demands on a lot (35% for buildings, side yards, utilities, overhead wires, etc.) make it hard to get to the 33% canopy cover goal for single family areas.

Tree Regulation Research Project

Phase II

March 27, 2017 meeting notes

In attendance:

Directors: Jessica Finn Coven (OSE), Nathan Torgelson (SDCI)

Managers: Michelle Caulfield (OSE), Rodney Maxie (SDOT), Robert Stowers (Parks), Faith Lumsden (SDCI)

Supervisors: Jerry Suder (SDCI), Jon Jainga (Parks)

Staff: Jana Dilley (SPU), Bill Ames and Joshua Erickson (SDOT), Shauna Larsen, Seth Amrhein, Darren Wilson, Art Pederson, Maggie Glowacki (SDCI), Sandra Pinto de Bader (OSE), Faith Ramos (SDCI/OSE)

Background

The project team reminded the group of the project scope, including the main objective to provide tree protection recommendations; answer three research questions: 1) is the current code protecting trees? 2) are we mitigating for tree loss? and 3) is current code helping us achieve our canopy cover goals?; and provided preliminary analysis findings and recommendations.

The project scope of work included:

- Tree regulations effectiveness in Multifamily Lowrise and Single-family

- Tree protection regulations in regional cities and those similar in size
- 2016 canopy cover assessment results
- Planned zoning changes effect on tree loss

March Project Update Meeting:

On March 27, the project team delivered final findings and recommendations. The team walked through current tree protection legislation clarifying what trees are protected:

- Title 25 (Tree Protection) protects exceptional trees, heritage trees, and groves. Code allows protected tree removal when trees prevent full development potential or are hazardous. If found hazardous, no replacement is required. Exceptional trees and those larger than 24" need to be replaced unless they are hazardous.
- Title 23 (Development Standards) requires trees in Single Family and provides preservation and planting options. For lots greater than 3,000 sqft, there is a 2" diameter requirement per 1,000 sqft; for lots smaller than 3,000 sqft the requirement is 3" per lot. Requirement may be met by planting/preserving street trees.
- For Multifamily Lowrise, street trees are required. If exceptional trees on a MF LR lot are preserved, Design Review for Tree Protection is not required. If exceptional trees on a MF LR lot are not preserved, then Streamlined Designed Review is required to allow exceptions.
- The complete list of findings and recommendations shared during the presentation will be included in the final report on March 31.

Planned zoning changes potential impacts

OPCD is currently working with a consultant on the Mandatory Housing Affordability EIS. They will incorporate the 2016 LiDAR Canopy Cover assessment findings.

Next steps:

- Final report and research wrap up by March 31
 - Jessica and Nathan decision
 - E-team briefing memo
 - CM Bagshaw and CM Johnson conversation
- Beyond this project's scope:
- Robust outreach and engagement if moving forward a new ordinance
 - Determine implementation costs of recommendations

Related happenings:

- TreePAC (political action committee) will host working session to provide recommendations to the City RE: tree ordinance update (April)
- Urban Forestry Commission interested in pushing for Tree Protection Ordinance update
- CM Harrell and CM Bagshaw expressed interest in the Tree Regulations update at last week's Council's HSPH Committee meeting during Urban Forestry Commission member appointments discussions.

Participants' comments:

- SDOT reviews arborist reports they receive for accuracy. They have seen too much of a pattern of arborist reports stating that trees are hazardous to be used as a loophole.
- Nathan asked whether reviewers look at aerials or do they take the applicants information provided as accurate. The response was that SDCI assumes they are interacting with professionals that provide accurate information. They do some checking.
- SDOT works with SPU to clean leaves in the fall to avoid blockage of SPU drainage systems.
- OSE is issuing the Moving the Needle report that will include canopy cover assessment results and that will likely re-ignite the community's interest in tree protection.
- An E-Team briefing memo on the Canopy Cover assessment results is being submitted today.
- In response to the question of how does this project's findings interact with HALA. Michelle shared that the it's going to be important to separate HALA and MHA affordable housing requirements from current development standards. People are doing redevelopment within current zoning and that is impacting trees. This is not an issue of our housing affordability proposal but something we are trying to address in our current zoning. We should not pit housing affordability against trees.
- Fee in lieu could be really attractive for SF homeowners but just want to make sure that if we put in place a program like that that the City can accommodate that and we will need more capacity to implement this.
- We can ramp up these changes to the code but we'll need really knowledgeable staff to preserve our tree canopy.
- Parks would like to go a step further and include excessive pruning and removal because they are starting to see that. They also wondered if there would be a way to enhance the Environmental Critical Areas and create easements to protect trees adjacent to natural areas. On April 6, Parks is going to meet with CM Bagshaw and residents who are interested in getting their views. Parks stated that they are seeing cases where the community observes their behaviors and hears the language they are using to remove hazardous trees, and then the community is mimicking that language to pursue removal of other healthy trees as hazardous even though Parks has already inspected those trees and determined they are healthy.
- If we are going to include a permit for private trees, we will need to coordinate on permits and fees for trees in the ROW. We need to take consistent actions Citywide.
- We are at a point where we are ready to have consistent messaging, including a consistent definition of what makes a tree hazardous
- If we have trees that are causing sidewalk hazards then we need to look at the liability for the City. If healthy trees are being removed as hazardous due to concerns around potential lawsuits, then we need to examine further.