



City of Seattle

Office of the Mayor
City of Seattle
Tim Burgess, Mayor

Executive Order 2017-11: Tree Protection

An Executive Order directing City Departments to improve departmental coordination, strengthen enforcement, and adopt new rules and regulations to improve and expand protections for Seattle's urban trees and canopy coverage.

WHEREAS, urban trees provide many social, environmental, and economic benefits, and are essential to quality of a life and a livable city; and

WHEREAS, maintaining a healthy urban forest therefore requires active stewardship and management of trees; and

WHEREAS, urban trees face a variety of threats, including drier summers, increasing storms and pests, invasive species, development pressure, and competition with views, desire for light, solar power, and gardens; and

WHEREAS, the City's Urban Forest Stewardship Plan, first adopted by the City in 2007 and updated in 2013, sets forth a goal of 30 percent canopy cover by 2037; and

WHEREAS, the 2016 Seattle Tree Canopy Assessment, the most thorough and comprehensive assessment of Seattle's canopy cover to date, shows that the City currently has a 28 percent canopy cover; and

WHEREAS, canopy coverage exceeds current targets set in the Urban Forest Stewardship Plan in developed parks, natural areas, multi-family, and institutional areas; but is at or below target in single-family, downtown, industrial, and commercial areas; and

WHEREAS, census tracts where the population tends to be residents of color and people with lower than average income also have lower amounts of tree canopy; and

WHEREAS, the City is proposing to implement Mandatory Housing Affordability (MHA) requirements, which would require new multifamily and commercial development to contribute to affordable housing and provide additional development capacity in the form of an increase in the amount of height or floor area in zones where MHA would apply, in order to create new rent- and income-restricted housing and increase the supply of new market-rate housing, both of which will

help address housing affordability; and

WHEREAS, MHA implementation must work in partnership with the livability promises of the Housing Affordability and Livability Agenda, including urban forestry efforts to preserve and enhance access to urban trees; and

WHEREAS, recent research showed that existing urban tree protections and enforcement practices related to trees must be strengthened in order to protect Seattle's canopy coverage; and

WHEREAS, the City has already begun implementing strict tree replacement policies for public property and tree loss resulting from necessary City government functions.

NOW, THEREFORE, I, Tim Burgess, Mayor of Seattle, hereby order the following to advance the protection of Seattle's urban trees and canopy coverage:

Section 1. *Enforcement Adjustment and Procedural Improvements*

(A) The Seattle Department of Construction and Inspections (SDCI) will partner with the City's Urban Forestry Core Team to include certified arborist support from other departments to advise on tree-related permits, including hazardous tree removal.

(B) SDCI will require consistent documentation for required tree removal review on private property including mitigating canopy cover loss of trees removed, and monitoring of planted trees for survival. Informational materials and resources for developers, property owners, and the public related to trees and vegetation management shall be updated to reflect this emphasis.

(C) The Urban Forestry Core Team, in consultation with the Urban Forestry Commission, will recommend necessary improvements to Seattle's urban forestry leadership structure to ensure implementation of urban forestry goals, address policy conflicts and gaps, and build community partnerships.

Section 2. *Tree Protection*

(A) SDCI, in consultation with other City departments and the Urban Forestry Commission, is directed to update the SDCI Director's Rule regarding Exceptional Trees to include additional tree protection, as appropriate;

(B) Create an SDCI Director's Rule to better manage the determination and allowed removal of Hazardous Trees to encourage remediation of hazardous conditions such as falling fruit or raised pavement, which are not related to the actual health and structural integrity of the trees, and require remediation of those hazard conditions rather than tree removal wherever possible;

(C) Create an SDCI Director's Rule establishing how to determine penalties for trees that are removed illegally; and

(D) Update the Environmental Critical Areas re-vegetation list and general tree list to improve Seattle's canopy coverage that results from mitigation and re-vegetation efforts.

Section 3. *Expanding Compliance Options*

SDCI will develop a new Director's Rule or propose legislation establishing a fee-in-lieu option for required tree replacement. The in-lieu payment options may apply to cases where tree mitigation is required. Fees from any-in-lieu payment will be used for mitigating the loss of canopy cover through replanting and reforestation while prioritizing addressing racial and economic disparities in accessing and enjoying the benefits of urban trees.

Section 4. *Tree and landscaping requirements*

The Office of Planning and Community Development (OPCD) will collaborate with the Urban Forestry Core Team to explore how tree requirements and development standards can be updated as part of MHA to support advancing the City's urban forestry goals as we grow.

Inquiries regarding this Executive Order may be directed to Fred Podesta, Director of Finance and Administrative Services.

Dated this 13th day of October, 2017.

Tim Burgess
Mayor, City of Seattle