

MEMORANDUM

Date: October 5, 2015

To: Tree Code Oversight Advisory Committee

From: Stephanie Beckman, Senior Planner
Bureau of Development Services

Re: Feedback from Tree Code Oversight Advisory Committee

Below is a summary of responses received from Tree Code OAC members to an email sent on 9/23/15, focusing on areas of agreement. 11 out of 12 members responded. This feedback will be used as a starting point for discussion at the 10/12/15 committee meeting on the topics of preserving large trees and the fee in lieu of preservation.

Question 1: Should there be different regulations for very large trees in development situations? (i.e. those over 30, 40 or 50 inches diameter at breast height (DBH), etc.).

Response: Most members indicated they would support changes to the regulations that encourage the preservation of large trees. Some members said different regulations are not needed for large trees.

a. Should there continue to be an allowance to remove 2/3 of the trees on a development site over this threshold?

Response: Most members agreed there should be some allowance to remove trees on a site for development. However, there were several members that would like to see changes to the current standard. Suggestions included:

- Preserve 1/3 of trees over 12 inches and 50% of total tree diameter on site to encourage larger trees to be preserved.
- Vary allowance to remove trees based on the tree size and/or species (i.e. natives).

b. Should removal of these trees under a development permit trigger a land use review in certain situations?

Response: Members were evenly split on this question. A number of members indicated that there should be some sort of review of alternatives to determine whether certain trees can be preserved. This would most likely need to occur through a land use review. Others indicated that the current practice of using prescriptive standards (preserve or pay) should be retained because it provides certainty and eliminates complexity, which was one of the goals of the original Citywide Tree Project.

Question 2: Should the \$1,200 fee in lieu of preservation be increased?

Response: Most members indicated that the current fee in lieu preservation should be increased in some manner (or that they would support an increase as a compromise). Some indicated that it should be updated to account for the actual current costs to plant and maintain replacement trees. Others said the original amount was based on a thorough review by the stakeholder committee and does not need to be changed at this time.

a. Should it be increased for all trees 12 inches and greater?

Response: The response to this question was mixed, but the majority of members indicated that the current fee is appropriate for smaller trees.

b. Should it be increased based on the size of trees removed (i.e. higher fee for removal of larger trees)?

Response: Many indicated that a graduated replacement or fee schedule should be developed. Basing the fee on the ecological value of trees was also suggested. There were several specific suggestions for a tiered approach, including:

Suggestion #1

12"=1 tree; 20"=2 trees; 30"=4 trees; 40"=6 trees; 50"=8 trees; +2 trees for each additional 10"

Suggestion #2

1 tree per 6 inches of caliper removed

Suggestion #3

- Trees < 30" \$1,200 (2 replacement trees)
 - Trees 31" – 60" \$2,400 (4 replacement trees)
 - Trees 61" – 90" \$3,600 (6 replacement trees)
 - Trees > 90" \$3,600 (6 replacement trees)
- * Plus 35 day delay notification (like demo)

Suggestion #4

\$300 per inch removed; \$500 per inch for very large trees

Question 3: Should there be more flexibility or incentives in the zoning code to preserve trees? Examples could include: allowances for smaller building setbacks, increased building height, increased density or alternative housing types on single dwelling sites, or transfer of development rights to another site.

Response: Almost all members supported more flexibility and incentives in the zoning code to help preserve trees. Specific comments included:

- Support for reduced setbacks and parking.
- Concerns about allowances to increase height and transfer development to other sites.
- Use Environmental Zones as model allowing clustered development.
- Need to coordinate any added flexibility with the Residential Infill Project just getting underway (BPS legislative project addressing concerns about the scale of homes and narrow lot development in Single Dwelling areas).
- Consider System Development Charge (SDC) credits (Parks and Stormwater).

Other Comments

- Consistency of development and non-development regulations should be considered with any changes made, including fees, potential loopholes and review triggers.
- Tree preservation is one of many City goals that must be balanced with other goals such as density and infill development.
- It is too soon to make drastic changes to the tree code. The committee should focus on making changes that are keeping with original framework established in the code.