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DRAFT

January 9, 2019.

MHA Council Committee
City Hall

RE: Amendments to MHA Ordinance

Dear Councilmembers,

The Urban Forestry Commission would like to provide additional input as you undertake amendments for the Mandatory Housing Affordability Ordinance.

The UFC is concerned about the feedback loop between all the different pieces of tree protection legislation currently being considered. The Tree Protection Ordinance (currently on hold) affects both Green Factor, its Director's Rule, and the MHA Ordinance.

The UFC still feels that mitigation measures proposed on the MHA EIS are not enough, especially being that the Tree Protection Ordinance is on hold. Available space for trees is being significantly reduced as part of MHA. The UFC believes the City needs to be more intent in protecting existing trees and requiring tree replacement. Other efforts that would support successful tree protection would include:

1. Clearly defining what a tree is (as done in version [D7](#) of the Draft Tree Protection Ordinance).
2. Set a minimum canopy cover requirement per property, including Residential Small Lots.
3. Establishing a fee-in-lieu option to fund tree replacement when it's not possible to do on site.
4. All data on significant tree retention, loss and replacement should be captured into the City's database.
5. Establish the tree replacement requirement to be calculated based on canopy volume lost and tree species and size at maturity (in 20 years).
6. Include protection for all significant trees, 6" in diameter and larger (not just exceptional trees), removed during development in all zones shall be either replaced on site or an in-lieu fee paid to the City to cover replacement and maintenance costs in the neighborhood or elsewhere in the city as needed (SMC 25.11.090).
7. Enforcement should be properly funded to be effective.

8. Consider previous input provided by the UFC on the Green Factor Director's Rule [letter of recommendation](#) and Draft MHA Ordinance [recommendations](#), which was based on the current draft DR and additional changes might be warranted.

The UFC would like to propose specific language changes to SMC 25.11.090 as follows:
Each ~~exceptional~~ significant tree (six inches DBH and larger) and tree over two (2) feet that is removed in association with development in all zones shall be replaced by one or more new trees, the size and species of which shall be determined by the Director; the tree replacement required shall be designed to result, ~~upon maturity,~~ in 20 years in a canopy cover volume that is at least equal to the canopy cover volume prior to tree removal. Preference shall be given to on-site replacement. When on-site replacement cannot be achieved, or is not appropriate as determined by the Director, ~~preference for off-site replacement shall be on public property,~~ a fee-in-lieu shall be paid to the City to replace and maintain the tree or trees in the neighborhood where they were removed or elsewhere as needed in the city. The City shall enter all significant trees on site, trees removed, and trees replaced into SDCI's current database system; noting tree species, common name, DBH, height, condition and location,

The UFC would be happy to work with Council to help explore creative ideas and solutions to support Seattle's urban trees as our city grows and gets denser as well as coordinating the different elements to tree protection regulation currently being considered by the City.

Sincerely,