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New tree law just a start

City says ordinance is as far as it can go for now

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By **DEBERA CARLTON HARRELL**
P-I REPORTER

The Seattle City Council expects to vote Monday on a new tree ordinance, but acknowledges the new law does not go far enough to protect city trees.

"It's a step in the right direction," said council President Richard Conlin. The "interim tree grove ordinance," or Council Bill 116404, strengthens protections against development for stands of trees -- 20 or more contiguous trees; trees with trunks more than 6 inches in diameter; and those deemed "exceptional."

"Most tree supporters don't think it goes far enough, but the council feels this is as far as we can reasonably (legally) go at this time," Conlin said. "The ordinance does stop the clearcutting of properties and gives us a little bit better handle on that."

Conlin said the council is waiting for more information from the Mayor's Office before fine-tuning the ordinance and combining it with an incentive package for developers and property owners by the end of summer.

Rapid population growth, development and the need to balance tree protection with private property rights have made the issue touchy.

"The mayor has been remarkably quiet on this," Conlin said.

Tree-protection and tree-growth advocates support the interim action, but want more.

"The ordinance is a good first step ... the community is really supportive of this," said David Miller, a recently announced candidate for the City Council. Miller spent several years fighting a proposal to clearcut a grove of trees at Waldo Woods in the Maple Leaf neighborhood.

"The interim ordinance gets rid of the loophole that Seattle School District used (to cut trees to make space for classrooms), but it doesn't address the loss of trees to development," Miller said.

A 2007 Seattle Public Utilities study showed conifers can help prevent stormwater runoff by trapping and slowly releasing rainwater. A recent King County Health Impact Study found that providing and protecting trees and other forms of nature in urban environments bolsters mental and physical well-being.

FOR MORE INFORMATION

The Seattle City Council will vote on an interim tree-protection ordinance Monday. The council meets at City Hall at 2 p.m.

- Seattle City Council:
seattle.gov/council

- City of Seattle Office of Sustainability and Environment:

seattle.gov/trees

The benefits of trees in urban environments have driven tree-protection measures in the city's comprehensive plan, the 2007 Urban Forest Management Plan, and carbon footprint-reduction goals. Mayor Greg Nickels has called for a 30-year tree-planting strategy aimed at planting 649,000 trees. Nickels said the goal was to prevent Seattle from becoming "the city formerly known as emerald."

But while many citizens and local nonprofit groups, such as the Seattle Urban Forest Stakeholders and Urban Wilderness Project, support planting more trees, they say the type of tree is critical. Deciduous trees, which lose leaves in winter, are not the eco-equivalent of a more mature fir or cedar tree, they say.

Some are calling for a detailed tree inventory, which would identify not just every tree, but distinguish between deciduous trees and those trees considered of much greater environmental benefit, such as cedars, firs and other large trees.

Too often, tree advocates say, trees are cut simply because builders regard them as a nuisance. But some researchers, such as Greg McPherson of the Center for Urban Forest Research at the University of California-Davis, say keeping trees actually enhances and adds value to a development.

A case in point, some say, is a contested Western Red Cedar in the Roosevelt neighborhood. The tree, the subject of a legal appeal, is designated an "exceptional tree" and therefore subject to greater protection. Neighbors say the city's Department of Planning and Development should not have given the green light to cut the tree to developers, who should -- and could -- develop around it, adding value to the project and the community.

Developers, well under way with their plans before community backlash, cite property rights and costly changes.

The appeal, to be heard by the city's Hearing Examiner, was recently rescheduled to March 27.

"I support the new ordinance as only a baby step in changing the tree protection policy in Seattle," said Paul Weiser, one of the appellants. "At least it now prohibits someone from making a development application but retracting the application once a sensitive tree is discovered, then stepping back to cut the tree down, and then reapplying for a permit.

"But we still need stricter ordinances and better enforcement of existing laws to protect trees," Weiser said.

Conlin said he is hopeful both will happen.

"We absolutely believe that with the right kind of legislation, the right system, you can get good development and a great tree canopy," Conlin said. "Other cities are doing that, and if we're going to remain the Emerald City, we need to, too."

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