

Carol Lumb

From: G Zap <zzzapspeed@hotmail.com>
Sent: Wednesday, January 10, 2018 8:17 PM
To: Carol Lumb
Subject: Re: Public Hearing on Revisions to Tree Regulations
Attachments: Tukwila Tree Code Proposal 1-10-18 Zaputil Letter.docx

Please find attached our comments to be added to the record for the 1/11/18 Tukwila Planning Commission Meeting.

Sincerely,
Greg & Vanessa Zaputil

From: Carol Lumb <Carol.Lumb@TukwilaWA.gov>
Sent: Friday, January 5, 2018 9:56 AM
To: Andy Padvorac; bmarie2@earthlink.net; Dana Ramsey; Daryl Tapio; David Bayard; David Mutchler; Eli Brocker; Glen Allen; Greg Allwine, AIA; Heather McLeland-Wiser; Heidi Narte; Hung van Pham; jeff.beckwith@pse.com; John Rucker; Kathy Graff; Kelli Turner (greenrose10@msn.com); Kerrt Kriner; 'Liliana Cardenas'; meayotte@comcast.net; Nathan Elliott; Paula Williams; pslinder@comcast.net; Rev. Allen Mosley; Roger; Sunny Mulholland; Thelma Gustafson; Vanessa Zaputil; Vicki Lockwood; Wayne Werle
Subject: Public Hearing on Revisions to Tree Regulations

Dear Interested Party,

Materials for the Tukwila Planning Commission's public hearing on proposed revisions to the City's tree regulations and Zoning Code definitions have been posted on the City's web site here: <http://records.tukwilawa.gov/WebLink/1/fol/300177/Row1.aspx>.

The public hearing will begin at 6:30 p.m. in the Tukwila City Council chambers, 6200 Southcenter Blvd., Tukwila, WA 98188. If you want to comment, but cannot attend the hearing, you may send comments to me at the address below by 5:00 p.m., January 11, 2018.

Please let me know if you have any questions.

Sincerely,

Carol Lumb

*Carol Lumb, AICP, Senior Planner
Department of Community Development
City of Tukwila
6300 Southcenter Blvd., Suite 100
Tukwila, WA 98188
206-431-3661*

Attachment J

Greg & Vanessa Zaputil
15171 52nd Ave. S. #5
Tukwila, 98188
(206) 242-9945

01/10/18

City of Tukwila
Planning Commission
6300 Southcenter Blvd.
Tukwila, WA 98188

After reviewing the 12/14/ 17 Planning Commission Work Session recording, staff did not accurately represent current TMC code with respect to tree removal permit exemptions. TMC 18.54.050 is very clearly written.

This is a Major Change to TMC 18.54. Currently, under this chapter, Tukwila **only** requires permits for tree removal in sensitive areas. Non-sensitive areas are exempt. Under the new proposal **all** trees in Tukwila will be regulated.

Current Code and Tree Removal Permit (highlighted for emphasis):

18.54.050 Permit - Exempt Activities

The following activities are exempt from the application of this chapter and do not require a Tree Clearing Permit:

1. Clearing of any vegetation; UNLESS the site on which clearing is to occur is located in a sensitive area, sensitive area buffer, or shoreline zone.

2. On sites within a sensitive area, or sensitive area buffer, or shoreline zone:

a. Clearing of up to 4 significant trees on a site currently zoned and developed for single-family residential use within any 36-month period; UNLESS the significant trees to be removed are located within a wetland, watercourse and their associated buffers or within the shoreline zone.

b. Clearing of any vegetation located outside a sensitive area, sensitive area buffer or outside the shoreline zone.

c. Removal of hazardous trees.

d. Routine maintenance of vegetation necessary to maintain the health of cultivated plants, to contain noxious weeds, or to remedy a potential fire or health hazard or threat to public safety per TMC Commercial parking subject to TMC Chapter 18.56, "Off-Street Parking and Loading Regulations." 8.28, Nuisances.

e. Vegetation removal necessary to the operation of an established Christmas tree farm or commercial plant nursery.

f. Construction and maintenance of streets and utilities within City-approved rights-of-way and easements.

(Ord. 1758 §1 (part), 1995)



CITY OF TUKWILA
Department of Community Development
6300 Southcenter Boulevard, Tukwila, WA 98188
Telephone: (206) 431-3670 FAX: (206) 431-3665

TREE REMOVAL AND LANDSCAPE MODIFICATION PERMIT

INFORMATION

Tukwila's Tree Regulations (TMC 18.54) regulate the clearing of trees and understory vegetation in environmentally sensitive areas (wetlands, watercourses, and steep slopes, including their buffers). The City's Sensitive Areas Regulations also regulate vegetation removal within sensitive areas and their buffers. Generally, when significant (4 inches or more in diameter) trees are removed from sensitive areas, tree replacement is required. This permit should be used for tree removal in sensitive areas, when it does not involve significant vegetation clearing, i.e., when one or two trees are being removed. Trees must be replaced according to the replacement ratios established in the Tree Regulations (and presented below). Trees to be removed must be identified as to species and diameter at 4 feet above the ground (dba). A plan must be submitted detailing the number of replacement trees required, the proposed species and the proposed locations. Removal of trees that are hazardous do not require a tree removal permit, but the property owner must be able to document that the tree is hazardous¹ (if the hazard is not obvious, a risk assessment by a certified tree risk assessor² may be required, and if in a wetland or water course or their buffer, replanting is required. Replacement trees in wetlands, watercourses and their buffers must be species native to the Puget Sound region and appropriate for the site (taking into account shade, moisture, and space requirements).

New Impacts of concern:

1. Single family home property owners will now be required to buy a permit for all trees larger than 8" in both sensitive areas and non-sensitive areas. – Typically trees being removed fall into this size category.
2. All non single family home property owners will have to buy permits and arborist reports for all tree removal greater than 4" – in both sensitive areas and non-sensitive areas. This has a regressive impact on small businesses.

Further Concerns/Questions (Under proposal)

1. 18.54.040 (B) (5)— identify contractor – what if property owner wants to remove themselves? (Example removing a 4" tree- rights and liability should be that of the property owner.)
2. 18.54.040 (B) Table A- removal of a tree greater than 8" for a single family home requires a Permit, but does not require an arborist report. However, Tree Removal Permit application itself is burdensome and will most likely require a landscape architect, (Site Plan required, Landscape Plan required, and specifies a professional (arborist) recommendation/ report) – 18.54.040 (A) 1,2&3
3. No provision or accommodation based on lot size. Small, zero lot line, single family home property can remove up to 4 trees, and the same for a large 1 acre single family home property- Not equitable.
4. 18.54.160 (C) (1) Tree Maintenance and Pruning "...all pruning must be done in accordance with ...ANSI 300- A specification, as it now reads and as it is hereafter amended..."- Likelihood of compliance for homeowners and small businesses/ small landscapers will be very low.
5. Can a tree removal permit application be denied for a healthy tree that an owner simply wants removed? Not a required landscape plan tree, but for example, a property owner wanting to change personal or business preferences for landscape, or wants a less nuisance tree- pitch over driveways, allergic to pollen, etc.

We respectfully request that the above concerns be mitigated and any new regulations be implemented for new development and all existing developed properties grandfathered, with an educational focus.

Greg & Vanessa Zaputil
Party of Record