



Right-of-Way Trees: Municipal Code Update

Tacoma Permit Advisory Group
August 16, 2023

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Overview

- Context for Proposed TMC update
- TMC Title 9 Right-of-Way Code Proposed to be Amended
 - 9.18: Trees and Shrubs – Trimming and Removal (1927)
 - 9.19: Trees and Shrubs – Planting (1960)
 - 9.20: Trees and Shrubs – View Blockage (1990)
- Specific Issues Addressed

Applicability

This TMC update only applies to PUBLIC TREES

1. Trees located within the public right-of-way
2. Trees located on City-owned real property

This TMC update DOES NOT apply to trees on private property

1. Not a development regulation
2. Not associated with Home in Tacoma or missing middle housing



WHY: Title 9 Code Updates

Big Picture

1. Fix outdated and unclear requirements for planting, pruning, and removal
2. Remove inconsistencies with industry standards and adopted City policies

Specific Issues

1. Remove prohibition on food-producing trees in the ROW
2. Clarify protections for trees in the ROW
3. Update antiquated penalty structure for illegal pruning and removal
4. Provide clarity on pruning trees for views



Adopted Policy Direction

(2010) Urban Forest Policy Element

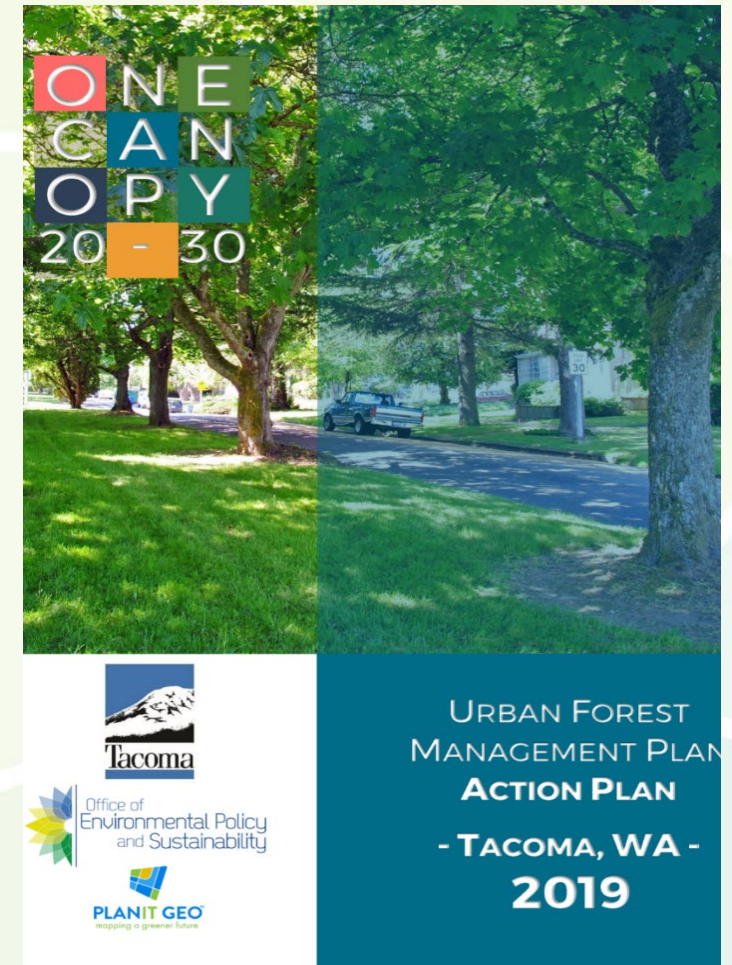
- 30% Tree Canopy Goal

(2016) Environmental Action Plan

- Improve tree regulations for the ROW and private property

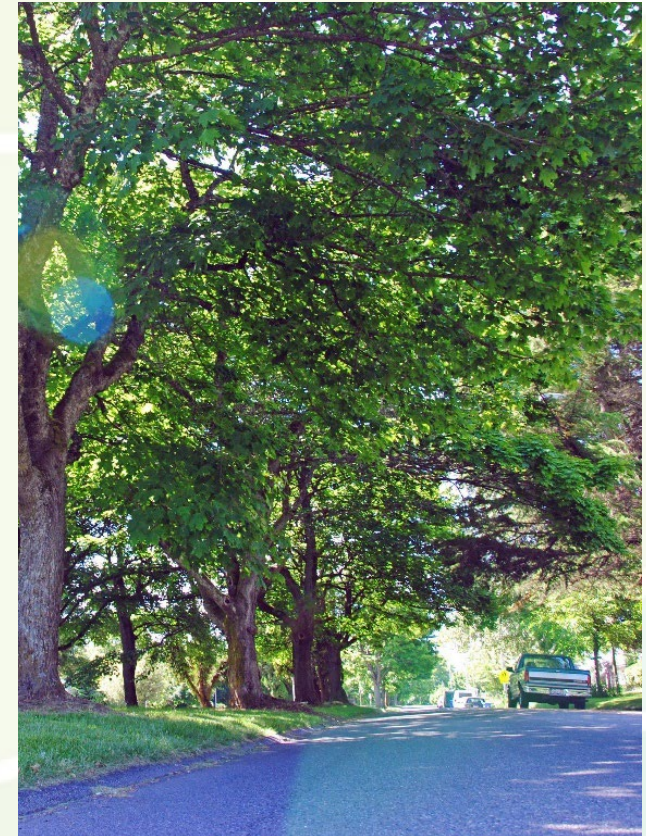
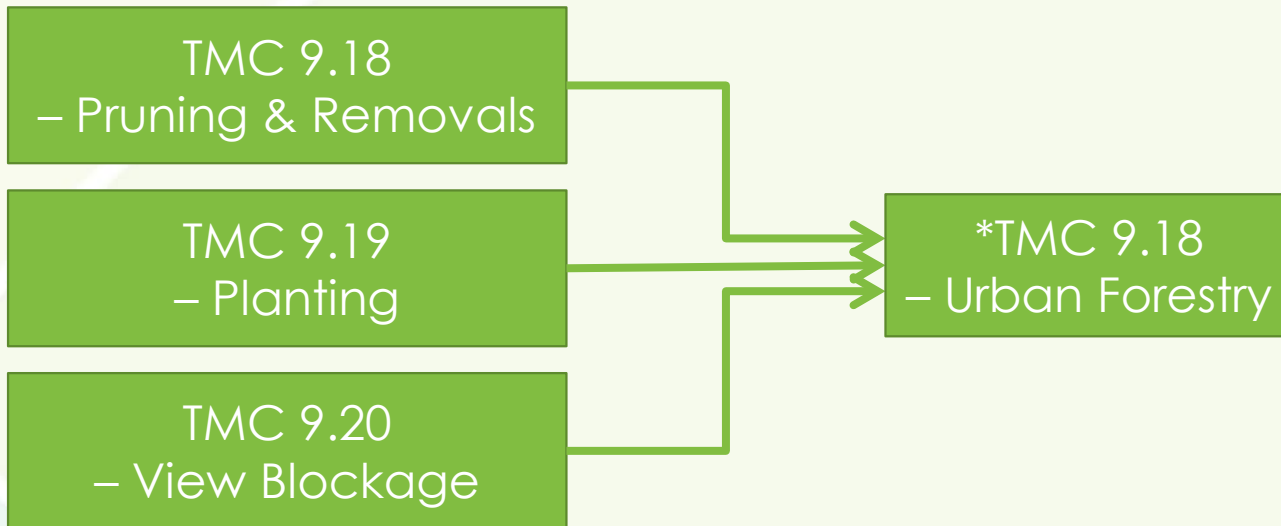
(2019) Urban Forest Management Plan

- Adopted “Pre-prospectus” based on BMPs, internal and external outreach, and Committee and Commission feedback, to include recommendations for specific TMC updates



New Structure of TMC

Proposed Structure for *new TMC 9.18 – Urban Forestry



Tree Lined North Union Ave

ISSUE #1 - Food Producing Trees

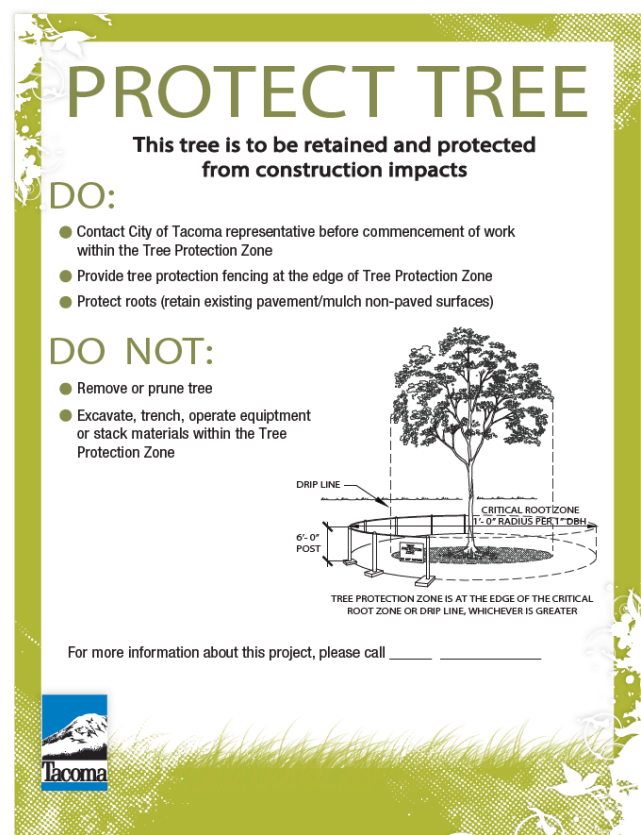
Recommendation:

- Update TMC 9.19.030 to remove fruit and nut trees from Prohibited Trees list
- Regulate the planting of fruit and nut trees in ROW through the same process used for street trees
- Develop “right tree” standards, and facilitate connections to Harvest Pierce County Gleaning program



Harvest Pierce Co. fruit gleaning

ISSUE #2 – ROW Tree Protections



Tacoma Tree Protection Signage

Recommendation

- Explicit prohibition of “tree topping”
- Update permit approval conditions based on tree health and public safety, not aesthetics.
- Clarify protection of trees during construction and infrastructure repair, replacement, and installation
- Create Heritage Tree Program for the public to identify invaluable trees in our community on both public and private property

ISSUE #2 – ROW Tree Protections



Dead tree removal Osprey Drive NE

Recommendation:

- ROW trees are protected unless they are:
 - hazard trees (professionally assessed);
 - conflict trees (in conflict with utility or ROW construction or maintenance, development of real property, or damaging existing infrastructure);
 - prohibited trees (per prohibited tree list);
 - nuisance trees (nuisance code); or,
 - significantly damaged trees (e.g. topped trees).

ISSUE #3 – ROW Tree Violations

Recommendation:

- Standardize penalty structure for ROW tree infractions.
- Adopt industry standard plant appraisal methods from ISA Guide for Plant Appraisal
- Use appraisal value, cost of assessment, and staff time for enforcement to determine penalty amount
- Adopt “Violation Review Criteria” which allows for flexibility based on the severity of infraction



Tree Assessment, Sonshine Tree Care

ISSUE #3 – ROW Tree Violations

Penalties for Violations

1. Max. monetary \leq \$10k per day
2. Min. monetary penalty (removal) is the greater of ISA Guide for Tree Appraisal or \$500
3. Abatement required



ROW Tree Violation

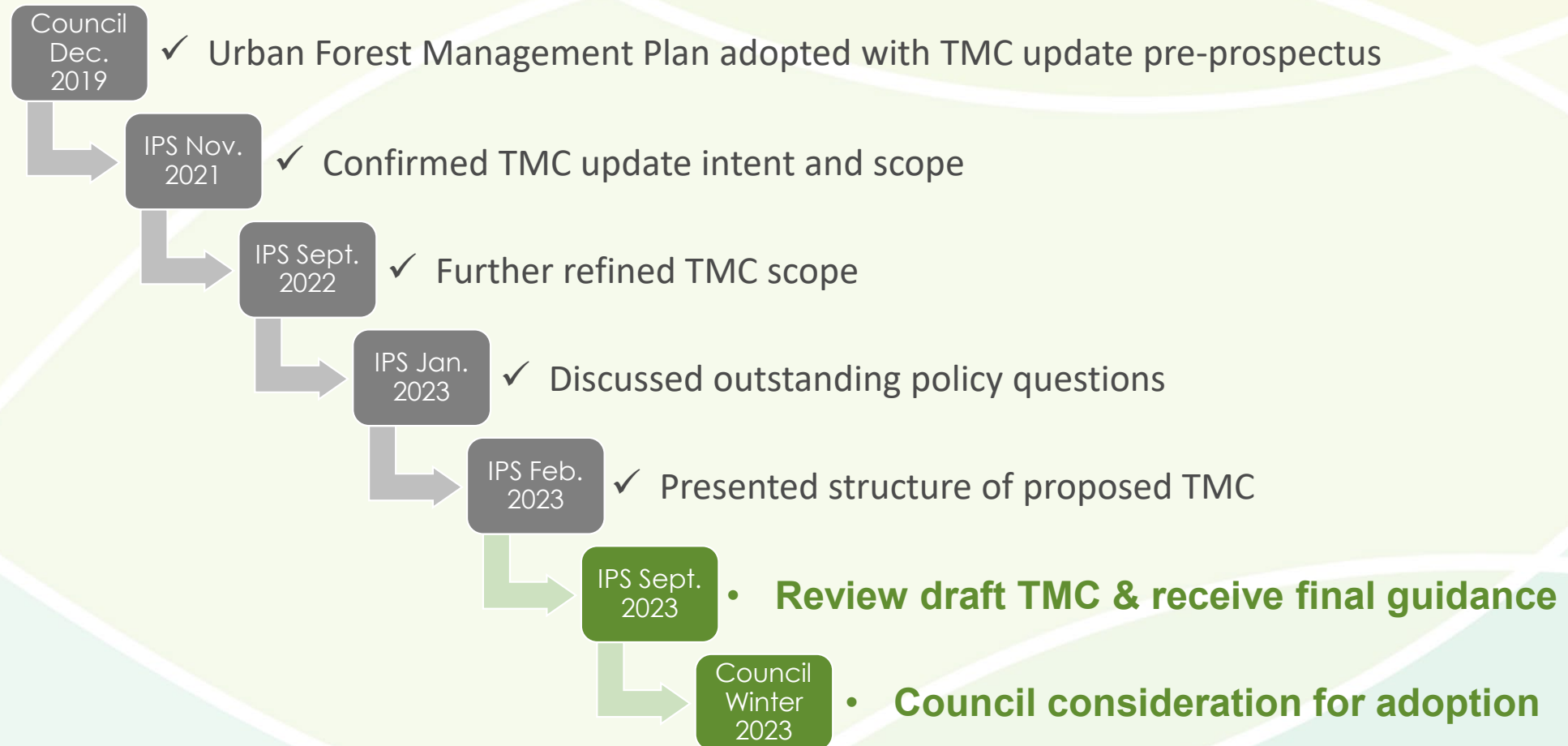


Issue #4 – Pruning Trees for Views

Tree Pruning on Public Property for View Enhancement

1. Members of the public can request trees to be pruned (not removed) on public property for the purpose of scenic view enhancement.
2. Costs shall be paid by the entity requesting tree pruning, including:
 - City's administrative costs to review the request and to manage, administer and inspect the work;
 - preparing a tree pruning plan;
 - applying for and obtaining required permits; and,
 - planning for and performing tree pruning work.

TMC Update Schedule





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