



Trees in the Right-of-Way Municipal Code Update

City of Tacoma | Environmental Services Department
Infrastructure, Planning, and Sustainability
November 10, 2021
ITEM #1



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OVERVIEW



- Background & context for proposed TMC update
- TMC Title 9 Right-of-Way Code amendments
 - 9.18: Trees and Shrubs – Trimming and Removal (c.1927)
 - 9.19: Trees and Shrubs – Planting (c.1960)
 - 9.20: Trees and Shrubs – View Blockage (c.1990)
 - *NEW 9.21: Heritage Tree Program
- Discussion of main issues & request for feedback

State Champion Elm
Tree in Wright Park



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●●● BACKGROUND: POLICY REVIEW

One Tacoma: Comprehensive Plan

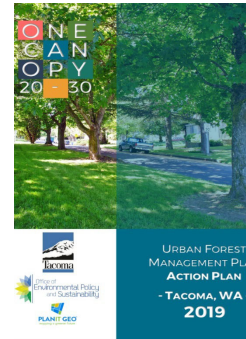
- "Require BMPs in the siting, design, planting, maintenance and removal of trees and vegetation in public ROW"
- "Retain as many mature trees as practicable and appropriate during development of City owned land and street ROW"

2016 Environmental Action Plan:

- Improve tree regulations for the ROW and private property

2019 Urban Forest Management Plan:

- Update TMC to align with Comp. Plan urban forest policy in 2021
- "Improve regulations and procedures to encourage tree preservation and protection on private property and in the City ROW"
- Adopt Heritage Tree Ordinance



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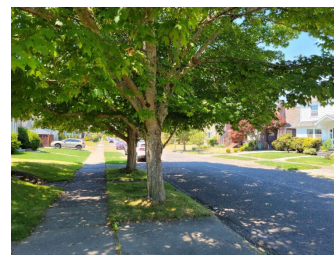
●●● BACKGROUND: PURPOSE

Big Picture:

1. Fix outdated & unclear requirements for planting, pruning, and removal
2. Remove inconsistencies & update with industry BMPs, adopted City policies, & tech. manuals

Specific Issues:

1. Remove prohibition on food-producing trees in the ROW
2. Clarify permitting & protections for trees in the ROW
3. Update antiquated violations & penalty structure for illegal pruning and removal



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●●● ISSUE #1: FOOD PRODUCING TREES

Background:

- Food insecurity is an ongoing issue, exacerbated during COVID-19
- Numerous City Council- and community-supported policy initiatives emphasize the importance of increasing access to local food
- Under TMC 9.19.030, food producing trees are currently prohibited from the ROW

Adopted Policy:

UFMP Target:
Approve Fruit Trees
and Gleaning in the
ROW in 2021

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●●● ISSUE #1: FOOD PRODUCING TREES

Recommendation:

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

Harvest Pierce County
Plum Harvest



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ISSUE #2: ROW TREE PROTECTIONS

Background:

- Comp. Plan goal of 30% tree canopy by 2030
- Tacoma (20% canopy), the lowest in Puget Sound
- TMC 9.18 Trees & Shrubs – Trimming & Removal (c.1927) was adopted for the purpose of:
 - protecting trees within the ROW from illegal removal, destruction, and cutting;
 - guarding trees against damage from construction work; and,
 - addressing public safety through requiring removal of trees and shrubs obstructing the sidewalk or street (nuisances).

Adopted Policy:

Comp. Plan; EN-3.13:

Require BMPs in the siting, design, planting, maintenance and removal of trees and vegetation in public ROW

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ISSUE #2: ROW TREE PROTECTIONS

Recommendation:

- Reference existing adopted standards and BMPs such as the Urban Forest Manual & ROW Design Manual
- Update permit approval conditions based on tree health and public safety, not aesthetics
- Explicit prohibition of “tree topping”
- Create Heritage Tree Program for the public to identify invaluable trees in our community on both public and private property

“Topped” Mature Right-of-Way Trees



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●●● ISSUE #3: ROW TREE VIOLATIONS

Background:

- Penalties for illegal tree pruning & removal (TMC 9.18; circa 1927) are not enough to deter illegal tree pruning/ removal, nor commensurate to staff time to pursue violation
- Illegal tree pruning & removals for view enhancement (TMC 9.20; circa 1990) includes a penalty fee structure for “the value of the vegetation pruned or removed plus \$1,000”

Adopted Policy:

Comp. Plan; EN-3.14:

Retain as many mature trees as practicable and appropriate during development of City owned land and street rights-of-way

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●●● ISSUE #3: ROW TREE VIOLATIONS

Recommendation:

- Standardize penalty structure and update authority 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” similar to Title 13.05.150 to allow for flexibility

“Lions Tailed” Right-of-Way Trees



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ISSUE #4: CODE CLEANUP



Background:

- There are numerous inconsistencies and contradictions in the current TMC Chapters 9.18, 9.19, and 9.20.
- Many of the inconsistencies relate to irrelevant authority structures, non-existent review committees, or derelict permitting processed dating to the 1930s.

Adopted Policy:

Comp. Plan; EN-1:
Ensure that Tacoma's built and natural environments function in complementary ways and are resilient to climate change and natural hazards

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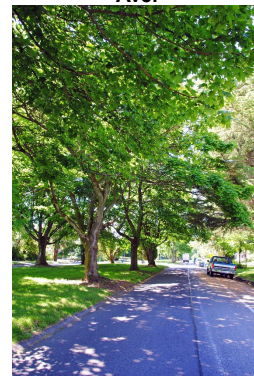
ISSUE #4: CODE CLEANUP



Recommendation:

- Include "intent" & "applicability" sections in TMC Chapters with language from the Comp Plan.
- Recommend updating the approval authority to the Director of Public Works, consistent with other ROW TMC authority
- Clearly define and mirror the permit processes to be consistent with the adopted ROW Design Manual

Tree-lined North Union Ave.



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NEXT STEPS



- IPS Committee Review – November 10, 2021
- Additional IPS Meeting to review FINAL draft code – early 2022
- City Council Consideration – early, 2022

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