



PLANNING BOARD RECOMMENDATION

Project #: P24-08-ZTA

Meeting Date: February 8th, 2024

PETITION REQUEST: Tree Canopy Preservation & Enhancement Ordinance

APPLICANT/PETITIONER: City-Initiated

PLANNING BOARD ACTION SUMMARY:

Staff gave a presentation, including a review by Daniel Heyman of the Tree Ordinance Review Committee (established by City Council in the late winter/early spring of 2023) and a review by Lew Holloway of the proposed Ordinance's Comprehensive Plan consistency and some suggested staff clarifications and recommendations. The staff presentation consisted of an approximately 35 minutes worth of staff presentation and a total discussion which extended for little over an hour and a half. The board heard from the public, including members of the Tree Ordinance Review Committee and had questions about the staff recommendations, the nature of the review and ordinance drafting process, the administrative review process and other implications of the proposed ordinance.

Overall there was a desire amongst the Planning Board to support the adoption of a new Tree Ordinance. The Board supported the two staff recommendations for the renaming of the "Recommended Planting List" to "Approved Planting List" and to align the exemption standard for canopy preservation with Stormwater and Erosion and Sediment Control Plans at less than an acre of disturbance or 30,000 square feet or less total on-site canopy.

Public Speakers Included: Ken Fitch, Lynne Williams, Glenn Lange, Susan Frady, Mary Davis and Janet Thew

MOTION:

Ms. Peacock made a motion to approve the petition. The motion was amended by Mr. Robertson and seconded by Mr. Hanley. The motion passed unanimously.

COMPREHENSIVE PLAN CONSISTENCY AND REASONABLENESS STATEMENT:

The petition is found to be [consistent] with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition aligns with the Comprehensive Plan's Strategies; NR-2.3. Promote preservation of woodlands. Mature trees and wooded areas are significant community-defining natural features that contribute to Hendersonville's identity, LU-3.5. Minimize negative impacts from growth and land use changes on existing land uses and LU-3.6. Update the Zoning Code to ensure conformance with the Comprehensive Plan

We [find] this proposed zoning text amendment petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

REASONABLENESS STATEMENT

We find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

[Rationale for Approval]

- *The proposed text amendment seeks to promote compatibility between new development on sites with surrounding existing development, by reducing the removal of existing site vegetation and tree canopy and enhancing the integration of new plantings in required open space.*
- *The proposed text amendment aligns with the public interest in that it seeks to offset some of the impacts of large scale development on adjacent properties and on existing natural resources.*
- *The proposed text amendment will offset a portion of the ongoing impacts of new development on the natural environment within the City.*

BOARD ACTION

- **Motion/Second:** Peacock / Hanley
- **Yeas:** J. Robertson, Hanley, Peacock, B. Robertson, Flores, Waters, Robinson.
- **Nays:** N/A
- **Absent:** Cromar
- **Recused:** N/A