



LEGISLATIVE COMMITTEE REVIEW

PROJECT #: P24-08-ZTA

MEETING DATE: January 16, 2024

PROJECT/AMENDMENT: Tree Canopy Preservation & Enhancement Ordinance

APPLICANT/PETITIONER: City-Initiated

COMMITTEE SUMMARY:

Planning Staff (Matt Manley) met with the Planning Board's Legislative Committee, including Peter Hanley (in-person), Donna Waters (in-person) and Jim Robertson (Zoom), to review the draft ordinance language as prepared on behalf of the Tree Ordinance Committee. This was the only item on the agenda. The committee discussed the item for approximately 1 hour.

QUESTIONS:

The following questions were posed by members of the Legislative Committee:

- If it is intended that future growth should occur within the existing city limits to limit pressure on surrounding environments, what effect will tree canopy preservation standards have on the City's ability to house that growth?
- What expertise (model policies, resources, experts, etc.) was used to develop the policies in the ordinance?
- What was the impetus for creating Tree Canopy protection standards? Is it tied to the results of the Tree Canopy Study?
- Will the Species List be updated?
- In calculating the 20%/10% tree preservation areas, are only the trees within that area that qualify as "canopy trees" counted? Are invasive species counted? How will the area be determined? From analysis of aerial views, data from Canopy Study or from field surveys?

RECOMMENDATIONS:

The following recommendations were made by members of the Legislative Committee:

- Species list should be referred to as "Required Landscape Species Lists for Street, Tree and Land Development Projects 2022" or just "Landscape Species Lists for Street, Tree and Land Development Projects 2022".
- 3-Year Hold is not long enough to deter clear-cutting sites in advance of development. This position is based on the length of time it takes to go through the development process including entitlement approvals, financing, final site plan approvals, etc. A more prohibitive penalty should be considered such as 5-10 year Hold plus standards for immediate mitigation (silt fencing, seed cover, tree plantings, etc.)

RECOMMENDATIONS (cont.):

- Clarify language for newly planted “canopy trees” - that they will be 50’ [at maturity].
- Include illustrations for Street Tree so that recommendations are clearly understood.
- Require street trees between street and sidewalks. Require that trees adjacent to sidewalks have a minimum ground clearance of 7-8’.
- For Sec 15-9, consider allowing for/requiring rain gardens or some form of water infiltration into Planting Islands in parking lots. Current planting requirements limits the amount of water getting to tree roots (planting space has curb and gutter and drip line of trees eventually exceeds the planting space). This burdens tree growth and/or causes trees to die.

DISCUSSION ONLY - NO ACTION TAKEN