

STAFF REPORT

TO: Planning & Economic Development Committee **DATE:** 10/18/16

FROM: Todd Okolichany, Planning and Urban Design Director

PREPARED BY: Shannon Tuch, Principal Planner

SUBJECT: Tree Preservation

Summary

The current UDO provides limited controls and incentives for tree preservation. The following report provides options for additional controls.

Background

The preservation of existing trees on private property is addressed in two sections of the current UDO: Sec. 7-11-3. Landscape and buffering standards, and Sec. 7-12-4. Steep slope and ridgetop development. These two sections currently provide the following:

- New tree and shrub plantings for any project over 500 s.f. or 2 units. Depending on the scope of the project and the site context the different landscape requirements could include all or some of the following:
 - Street Trees
 - Property Line Buffers
 - Street Buffers
 - Tree Save Areas
 - Building Impact Landscaping
 - Parking lot landscaping
 - Screening
- An incentive to preserve existing trees by providing tree credits that may be applied to a project's planting requirement. The caliper size of the tree determines the amount of credit with larger, mature trees providing significant credits (i.e. a 20" caliper tree is equal to 4 new trees)
- The option for any landscape area to be applied toward required open space, provided certain standards are met
- A requirement that all landscaping must be maintained in good health
- Minimum plant specifications for all required plant material
- Specified tree pruning standards with the topping of trees being prohibited
- Significant fines for unpermitted tree removal
- A prohibition on speculative grading in residential districts and the River district
- An option for alternative compliance (reviewed and approved by the Asheville Tree Commission)
- A limit on grading or other ground disturbing activity in steep slope zones A and B
- A prohibition on tree removal in steep slope zone B

Review:

Recognizing the interest in strengthening tree preservation there are a number of different strategies that could be considered. Ease of implementation including the time and resources needed to effect the change, along with balancing competing stakeholder interests, may vary significantly. For simplification, two categories of change are identified below.

Category A - More easily implemented:

- A requirement for a tree survey for projects of a certain size and/or context (i.e. within a certain distance of a regulatory flood hazard area or designated steep slope area, etc.)
- A prohibition on speculative grading in more, or all, zoning districts.
- A prohibition on tree removal in steep slope zone A (in addition to B).
- Expand stream buffer requirements to prohibit tree removal.
- An education program offering CE credits to landscape contractors with specific instruction on planting standards and maintenance.

Category B - More challenging to implement (requiring stakeholder input and participation):

- Require the preservation of trees of a certain caliper size, or the payment of a fee in lieu.
- Re-examine and benchmark Asheville's landscape ordinance, including tree preservation standards.
- Consider stronger requirements for pervious pavements and/or green roofs (i.e. parking lots over x spaces, building roofs over y square feet).
- Develop an outreach and education program for contractors, designers and residents regarding requirements for trees and tree health.
- Map tree canopy coverage in Asheville, monitor loss/increase over time. Set goals.
- Explore pervious paving and other tree sensitive construction materials/methods for public infrastructure (to be managed by DPW).

Other considerations:

- Requiring a tree survey contributes to project costs.
- Requiring tree preservation can result in increased project costs.
- Requiring tree preservation can limit design options.
- Very large and mature trees may be near the end of their life span and can be more sensitive to construction activity.
- Some trees are valued more highly than others for their contribution to the natural and built environment.
- Municipalities are more limited in their authority to regulate single family home properties than commercial properties.

Financial Impact/Resources:

Staff resources are required. Given the scope and complexity of the different options, financial impact can vary widely.

Goal Alignment:

Implementing strategies to help with the preservation of existing trees is most directly aligned with the Council goal for High Quality of Life by supporting standards that contribute to a healthy natural environment.

Recommendation:

This report is informational and is being provided at Council's request.