Evaluating Atlanta's Proposed Tree Protection Ordinance (TPO)

**Session 1 of 4**

**March 18, 2021**

This PDF includes the slides shown during the live webinar on 3/18/21. A footnote has been added to the Example scenario slides to reflect a comment made during the webinar regarding replaced inches for replanted trees.
Agenda

• Trees Atlanta’s evaluation of the ordinance & next step
• Criteria for evaluation
• Discussion Framework: “Impact Chart”
• 23 standards evaluated
• Specific standards and recommended changes
Logistics

• Timeline
  • March & April: fee assessment notification at NPUs (non-voting item/comment only)
  • April 27: CDHS (Community Development/Human Services) committee makes recommendations to full City Council
  • May 3: City Council vote

• Today’s Q&A will be monitored
  • If not answered live today, we will follow up with an answer to all questions
  • Please do not use CHAT

• Contacts
  • Judy Yi ([judy@treesatlanta.org](mailto:judy@treesatlanta.org))
  • Greg Levine ([greg@treesatlanta.org](mailto:greg@treesatlanta.org))
Four Session Topics

Session 1
- Priority Tree Definition
- Recompense Allowed for Public Trees
- Recompense Tree Value
- Site Density

Session 2
- Priority Tree Incentives (Priority Tree Preservation Standard)
- AMDA Disturbance
- Allowance for Periodic Tree Removal by Homeowners

Session 3
- Pre-application Meeting
- Appeals
- Postings
- Reporting Schedule
- Urban Forest Master Plan
- Commercial Development
- Parking Lot Standards

Session 4
- DDH Standards
- Registered Tree Professionals
- Deterrents & Enforcement
- Fencing/Protection from Construction
- Tree Trust Fund - Staffing
- Tree Removal Funding
- Conservation of Forested Areas
- Heritage Trees
- Invasive Vine Removal

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We believe there is a path forward ... with changes

• Approach
  • Balances guidelines with incentives

• Standards
  • Needs more field-testing and supporting data to verify
  • Needs numerous amendments in order for Trees Atlanta support for approval

• Organization
  • Complex and difficult to follow
  • Needs companion user guides with rollout

• Next steps
  • Writing specific amendments for City Council consideration
  • 23 standards
Criteria for Evaluation

- Preservation
- Replanting
- Recompense

- Comparison of current versus proposed
- Collaboration and discussions with community, professionals, advocacy groups, and city staff
- Field-testing evaluations
  - Single Family Housing
  - Commercial Development
Impact Chart of the City’s Proposed TPO

Review of January text. Trees Atlanta proposes recommended changes for each standard to increase the likelihood of canopy protection.

Page 1 of 4 – This document is designed as a collaboration tool and is a working product that will be updated as amendments are accepted. Trees Atlanta (3/17/21)
Explanation of the Impact Chart

- Likelihood to Protect or Improve Overall Canopy (x-axis)
- Policy Impact (y-axis)
- Scale of Canopy affected (size)
- Status (color)

- Priority is to comment on the standards with highest Policy Impact and Scale of Canopy affected
- With amendments, the standard can be re-evaluated to the right and status
Session 1.

- Recompense Allowed for Public Trees
- Priority Tree Definition
- Recompense Tree Value
- Site Density - Single Family Development Projects
Impact Chart of the City’s Proposed TPO

Review of January text. Trees Atlanta proposes recommended changes for each standard to increase the likelihood of canopy protection.

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Recompense Allowed for Public Trees

• Proposed Ordinance
  • Consolidates permitting role under City Planning (Parks still plants and maintains trees). Treated like “Private Trees” (mostly).
  • Removes “inch-per-inch” replacement requirement for Public Trees.
  • Eliminates duplicated permit management by 2 departments.
  • Trees impacted by linear infrastructure projects are discounted for recompense.

• Recommended Amendment
  • Trees in linear infrastructure projects are all considered Non-Priority trees (e.g., sewer lines, parks, public projects, etc.), and evaluate city trees in same manner in all formulas as private trees.
  • Trees in Right-of-Way (ROW) trees should be considered more like Priority trees (38% discount) to reflect limited alternatives for removal.
Impact Chart of the City’s Proposed TPO

Review of January text. Trees Atlanta proposes recommended changes for each standard to increase the likelihood of canopy protection.

Page 1 of 4 – This document is designed as a collaboration tool and is a working product that will be updated as amendments are accepted. Trees Atlanta (3/17/21)
Priority Tree Definition

- Species & minimum DBH (Size)

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Botanica Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Holly</td>
<td>Ilex opaca</td>
</tr>
<tr>
<td>Basswood</td>
<td>Tilia spp.</td>
</tr>
<tr>
<td>Beech</td>
<td>Fagus grandifolia</td>
</tr>
<tr>
<td>Black Gum</td>
<td>Nyssa sylvatica</td>
</tr>
<tr>
<td>Cypress, Bald and Pond</td>
<td>Taxodium distichum and ascendens</td>
</tr>
<tr>
<td>Elms, American, Slippery, and Winged</td>
<td>Ulmus americana, rubra, and alata</td>
</tr>
<tr>
<td>Hickories ( Carya) other than pecan</td>
<td>Carya spp.</td>
</tr>
<tr>
<td>Maples - Box Elder (Acer saccharinum and negundo)</td>
<td>Acer negundo</td>
</tr>
<tr>
<td>Oaks (all native oaks other than Q. nigra, Q. phellos, and non-native oaks such as Chinese Evergreen)</td>
<td>Quercus spp.</td>
</tr>
<tr>
<td>Red Mulberry</td>
<td>Morus rubra</td>
</tr>
<tr>
<td>Virginia Red Cedar</td>
<td>Juniperus virginiana</td>
</tr>
<tr>
<td>Walnut</td>
<td>Juglans nigra</td>
</tr>
<tr>
<td>All midstory native species not listed elsewhere</td>
<td></td>
</tr>
<tr>
<td>All street trees (other than undesirable and invasive species)</td>
<td></td>
</tr>
</tbody>
</table>

Table TPO-1
Division 6 - Tree Valuation and Plan Submittals

Group 2: 24 inches DBH and greater

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Botanica Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ash</td>
<td>Fraxinus spp.</td>
</tr>
<tr>
<td>Black Cherry</td>
<td>Prunus serotina</td>
</tr>
<tr>
<td>Catalpa</td>
<td>Catalpa bignonioides</td>
</tr>
<tr>
<td>Hackberry/Sugarberry</td>
<td>Celtis spp.</td>
</tr>
<tr>
<td>Maples, Silver, and Box Elder</td>
<td>Acer saccharinum and negundo</td>
</tr>
<tr>
<td>Oaks, Water, Willow, and *English</td>
<td>Quercus nigra, phellos, *robur</td>
</tr>
<tr>
<td>Pecan</td>
<td>Carya illinoiensis</td>
</tr>
<tr>
<td>Pines</td>
<td>Pinus spp.</td>
</tr>
<tr>
<td>River Birch</td>
<td>Betula nigra</td>
</tr>
<tr>
<td>Sweetgum</td>
<td>Liquidambar</td>
</tr>
<tr>
<td>Sycamore</td>
<td>Platanus occidentalis</td>
</tr>
<tr>
<td>Tulip Poplar</td>
<td>Liriodendron tulipifera</td>
</tr>
<tr>
<td>*Cypress, Bald</td>
<td>*Taxodium distichum</td>
</tr>
<tr>
<td>*Cypress, Pond</td>
<td>*Taxodium ascendens</td>
</tr>
<tr>
<td>*Dawn Redwood</td>
<td>*Metasequoia glyptostroboides</td>
</tr>
<tr>
<td>*Magnolia, Sweetbay</td>
<td>*Magnolia virginiana</td>
</tr>
<tr>
<td>*October Grape</td>
<td>*Vitis labruscana</td>
</tr>
</tbody>
</table>

*All overstory native species not listed elsewhere
*species not Native to Georgia piedmont

Group 3: (only when no other Priority trees present): 10" DBH and greater

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Botanica Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dogwood</td>
<td>Cornus florida</td>
</tr>
<tr>
<td>Hophornbeam</td>
<td>Ostrya virginiana</td>
</tr>
<tr>
<td>Magnolia, native, deciduous</td>
<td>Magnolia acuminata, macrophylla, tripetala</td>
</tr>
<tr>
<td>Musclewood</td>
<td>Carpinus caroliniana</td>
</tr>
<tr>
<td>Persimmon</td>
<td>Diospyros virginiana</td>
</tr>
<tr>
<td>Redbud</td>
<td>Cercis canadensis</td>
</tr>
<tr>
<td>Serviceberry</td>
<td>Amelanchier spp.</td>
</tr>
<tr>
<td>Sourwood</td>
<td>Oxypetalum arboreum</td>
</tr>
</tbody>
</table>

*All understory native species not listed elsewhere

Group 4: 32 inches DBH and greater

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Botanica Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Decidor Cedar</td>
<td>*Cedrus deodora</td>
</tr>
<tr>
<td>*Gingko</td>
<td>*Gingko biloba</td>
</tr>
<tr>
<td>*Magnolia, Southern</td>
<td>*Magnolia grandiflora</td>
</tr>
</tbody>
</table>

*species not Native to Georgia piedmont
Priority Trees Definition

• Proposed Ordinance
  • Regulated Trees are same: 12” pines and 6” hardwoods
  • Priority Trees are grouped by species and by size (DBH)
  • Non-Priority Trees are regulated but do not meet the species / size requirement
  • All regulated trees are subject to recompense and/or replanting inches

• Recommended Amendment
  • Reduce size threshold to 14” for Group 1 species
  • Correct and continue to review size requirements for some species to be included as Priority Tree; e.g., bald cypress, maples, etc.
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Recompense Tree Value:
$240 per inch DBH

### Current Formula
- **20-inch Beech or Tulip Poplar**
  - $100 per stem + ($30 x inches DBH)
  - $100 + ($30 x 20) = $700
- **15-inch Beech**
  - $100 per stem + ($30 x inches DBH)
  - $100 + ($30 x 15) = $550

### Proposed Formula*
- **20-inch Beech (Priority Tree = 0.75)**
  - $240 x inches DBH x 0.75 for Priority Trees
  - $240 x 20 x .75 = $3,600
- **20-inch Tulip Poplar (Non-Priority = 0.50)**
  - $240 x inches DBH x 0.50
  - $240 x 20 x .50 = $2,400
- **15-inch Beech (Non-Priority Tree)**
  - $240 x inches DBH x 0.50
  - $240 x 15 x .50 = $1,800

* Additional discount incentives are available if you meet Priority Tree Preservation Standard
Recompense with Priority Tree Preservation Standard Incentive (50% reduction)

<table>
<thead>
<tr>
<th>Current Formula</th>
<th>Proposed Formula without Preservation Incentive</th>
<th>Proposed Formula with Preservation Incentive</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 20-inch Beech or Tulip Poplar</td>
<td>• 20-inch Beech (Priority Tree = 0.75)</td>
<td>• 20-inch Beech</td>
</tr>
<tr>
<td>• $100 per stem + ($30 x inches DBH)</td>
<td>• $240 x inches DBH x 0.75 for Priority Trees</td>
<td>• $240 x inches DBH x 0.75 x 0.50</td>
</tr>
<tr>
<td>• $100 + ($30 x 20) = $700</td>
<td>• $240 x 20 x .75 = $3,600</td>
<td>• $240 x 20 x .75 x .50 = $1,800</td>
</tr>
<tr>
<td>• 20-inch Tulip Poplar (Non-Priority = 0.50)</td>
<td>• 20-inch Tulip Poplar</td>
<td>• 20-inch Tulip Poplar</td>
</tr>
<tr>
<td>• $240 x inches DBH x 0.50</td>
<td>• $240 x inches DBH x 0.50 x 0.50</td>
<td>• $240 x inches DBH x 0.50 x 0.50</td>
</tr>
<tr>
<td>• $240 x 20 x .50 = $2,400</td>
<td>• $240 x 20 x .50 x .50 = $1,200</td>
<td>• $240 x 20 x .50 x .50 = $1,200</td>
</tr>
</tbody>
</table>

Priority Tree Preservation Standard Incentives will be discussed more fully in Week 2.
Recompense Tree Value

• Proposed Ordinance
  • Increases fee to $240 per inch (from $30 per inch + $100) DBH
  • Replacement and recompense inches calculated at 75% or 50% of removed tree DBH
  • Includes several opportunities to discount recompense and replanting requirements

• Recommended Amendment
  • Adjust replacement and recompense reduction ratios to only apply when standards are exceeded
  • Suggestions for impervious surface incentives for smaller lot cover and land disturbance (more economically accessible housing)
Review of January text. Trees Atlanta proposes recommended changes for each standard to increase the likelihood of canopy protection.

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Site Density - Single Family

- Proposed Ordinance
  - Depends on lot size
  - Required number of trees on lot AFTER construction
  - Count only trees 6/12” +
  - Preserved and/or Replanted
  - Stems (not DBH)

Table TPO-2
Division 7- Tree Preservation and Planting Standards for Single Family Residential Development
- Discount incentives apply once Priority Tree Preservation Standard is achieved.
- AMDA enforced if standard is not achieved.

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>Priority Tree Preservation Standard</th>
<th>Alternate Maximum Disturbance Area</th>
<th>Site Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Small Lots (&lt;5000 sf)</td>
<td>50% of Priority trees</td>
<td>80% of site area</td>
<td>2 trees/lot</td>
</tr>
<tr>
<td>Small Lots (5001-8500 sf)</td>
<td>60% of Priority trees</td>
<td>55% of site area</td>
<td>20 trees/acre</td>
</tr>
<tr>
<td>Med Lots (8501-15000 sf)</td>
<td>60% of Priority trees</td>
<td>50% of site area</td>
<td>21 trees/acre</td>
</tr>
<tr>
<td>Large Lots (15001-30,000 sf)</td>
<td>75% of Priority trees</td>
<td>40% of site area</td>
<td>22 trees/acre</td>
</tr>
<tr>
<td>Large Lots (30,001-50,000 sf)</td>
<td>75% of Priority trees</td>
<td>35% of site area</td>
<td>25 trees/acre</td>
</tr>
<tr>
<td>Very Large Lots (&gt;50,000 sf)</td>
<td>75% of Priority trees</td>
<td>25% of site area</td>
<td>28 trees/acre</td>
</tr>
</tbody>
</table>
Site Density – Single Family

- Proposed Ordinance (continued)
  - Replacement trees to meet Site Density must be mid- or over-story trees (see: *Species of Replacement Trees*) with minimum soil volumes and areas
  - Invasive vines must be removed to count
  - Does not apply to small renovation that do not remove Priority Trees
    - Land disturbance less than 1000 square feet

- Recommended Amendment
  - Slightly increase minimum number of trees required
SFH Example: 3 Scenarios

**Med Lots (8501-15000 sf)**

<table>
<thead>
<tr>
<th>Priority Tree Preservation standard</th>
<th>60% of Priority trees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternate Maximum Disturbance Area</td>
<td>50% of site area</td>
</tr>
<tr>
<td>Site Density</td>
<td>21 trees/acre</td>
</tr>
</tbody>
</table>

- Sample lot size: 10,300 sq ft (~1/4 acre)
- Site Density: 21 per acre x 23.7% = 4.9 (5 trees)
- Trees: 5 exists then 2 removed = 3 stems
- Need to replant 2 trees to meet minimum Site Density

**Current Formula for Recompense**

$100 per stem + ($30 x inches DBH)

- 34” pecan & 12” hackberry
  - Pecan: $100 + ($30 x 34) = $1,120
  - Hackberry: $100 + ($30 x 12) = $460

**Current Recompense: $1,580**
### Scenario A

<table>
<thead>
<tr>
<th>EXISTING TREES</th>
<th>REMOVED</th>
<th>PRESERVED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Priority</strong></td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td><strong>Non-Priority</strong></td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

**Achieved Priority Tree Preservation Standard**

**Current Recompense: $1,580**

**Scenario A Recompense: $3,780**

This example demonstrates recompense calculation of trees removed. Please note, it does NOT reflect any inches offset for trees replanted.

**Proposed Formula with Preservation Incentive**

- **34-inch Pecan (Priority)**
  - $240 \times \text{inches DBH} \times 0.75 \times 0.50$
  - $240 \times 34 \times 0.75 \times 0.50 = $3,060$

- **12-inch Hackberry (Non-Priority)**
  - $240 \times \text{inches DBH} \times 0.50 \times 0.50$
  - $240 \times 12 \times 0.50 \times 0.50 = $720$
### Scenario B

<table>
<thead>
<tr>
<th>EXISTING TREES</th>
<th>REMOVED</th>
<th>PRESERVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Priority</td>
<td>3</td>
<td><strong>2</strong></td>
</tr>
<tr>
<td>Non-Priority</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

#### Proposed Formula without Preservation Incentive

- **34-inch Pecan x 2 (Priority)**
  - $240 \times \text{inches DBH} \times 0.75$
  - $240 \times 34 \times 0.75 = 6,120 \times 2 = 12,240$

- **12-inch Hackberry (Non-Priority)**
  - $240 \times \text{inches DBH} \times 0.50$
  - $240 \times 12 \times 0.50 = 1,440$

**DOES NOT Achieve Priority Tree Preservation Standard**

**Current Recompense: $2,700**

**Scenario B Recompense: $13,680**

*This example demonstrates recompense calculation of trees removed. Please note, it does NOT reflect any inches offset for trees replanted.*
### Scenario C

<table>
<thead>
<tr>
<th></th>
<th>EXISTING TREES</th>
<th>REMOVED</th>
<th>PRESERVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Priority</td>
<td>3</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Non-Priority</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>

**Achieved Priority Tree Preservation Standard**

**Current Recompense:** $2,040  
**Scenario C Recompense:** $4,500

### Proposed Formula with Preservation Incentive

- **34-inch Pecan**
  - $240 \times \text{inches DBH} \times 0.75 \times 0.50$  
  - $240 \times 34 \times 0.75 \times 0.50 = $3,060$

- **12-inch Hackberry x 2**
  - $240 \times \text{inches DBH} \times 0.50 \times 0.50$  
  - $240 \times 12 \times 0.50 \times 0.50 = $720 \times 2 = $1,440$

This example demonstrates recompense calculation of trees removed. Please note, it does NOT reflect any inches offset for trees replanted.
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Register to join us on the remaining 3 Sessions

• Visit our calendar to register: treesatlanta.org/calendar
• Once registered for one session, you are automatically registered for all.

  **Session 2**
  Thursday, 3/25
  noon – 1 pm

  **Session 3**
  Thursday, 4/1
  noon – 1 pm

  **Session 4**
  Thursday, 4/8
  noon – 1 pm

• View recorded sessions and presentation slides on our website News article “Is the New Draft Tree Protection Ordinance Good?”
Thank You

Comments regarding the TPO can be emailed to:

judy@treesatlanta.org
greg@treesatlanta.org

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www.treesatlanta.org

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