



Evaluating Atlanta's Proposed Tree Protection Ordinance (TPO)

Session 2 of 4

March 25, 2021

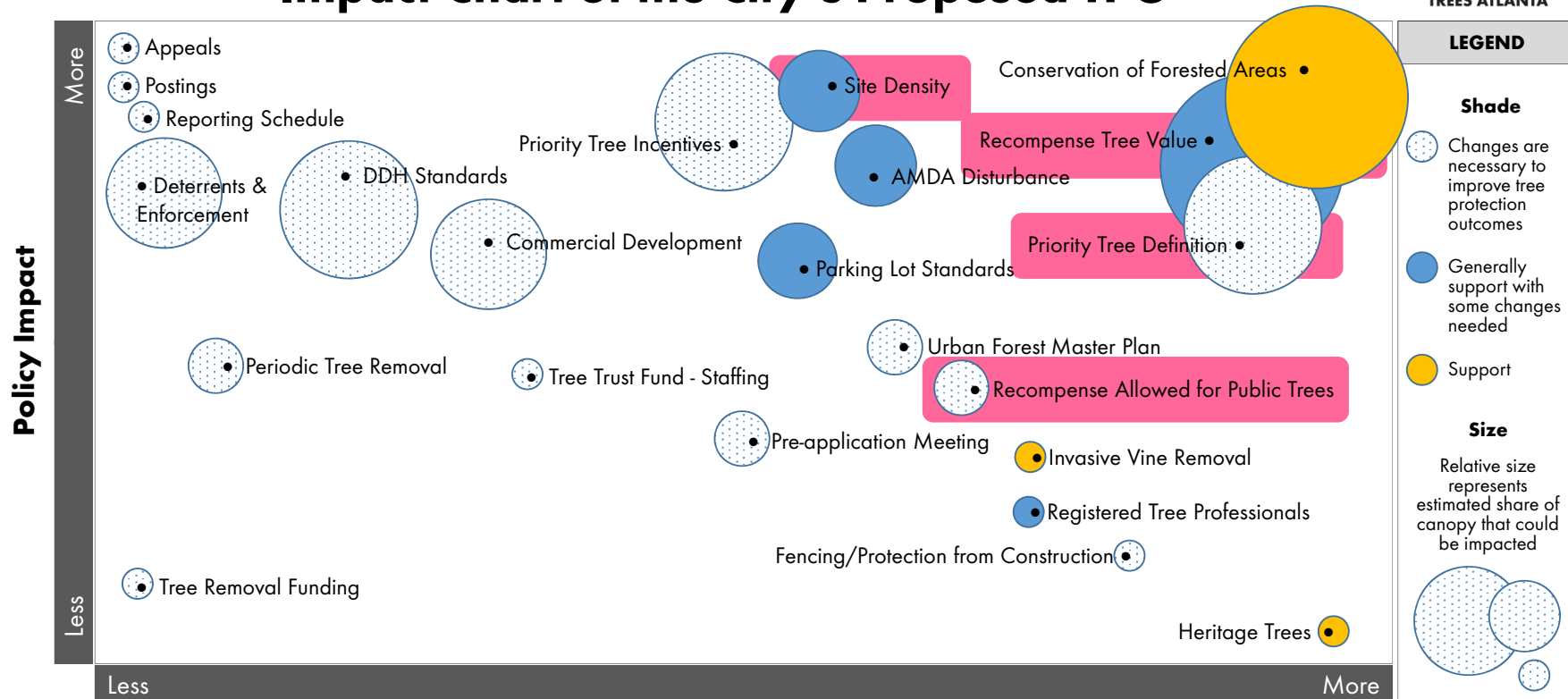
Agenda



- Fast recap of Session 1
 - Video & Slides
 - Progress
- Criteria for evaluation
- Discussion Framework: “Impact Chart”
- Specific standards and recommended changes – Session 2

Session 1

Impact Chart of the City's Proposed TPO



Likelihood to Protect or Improve Overall Canopy

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

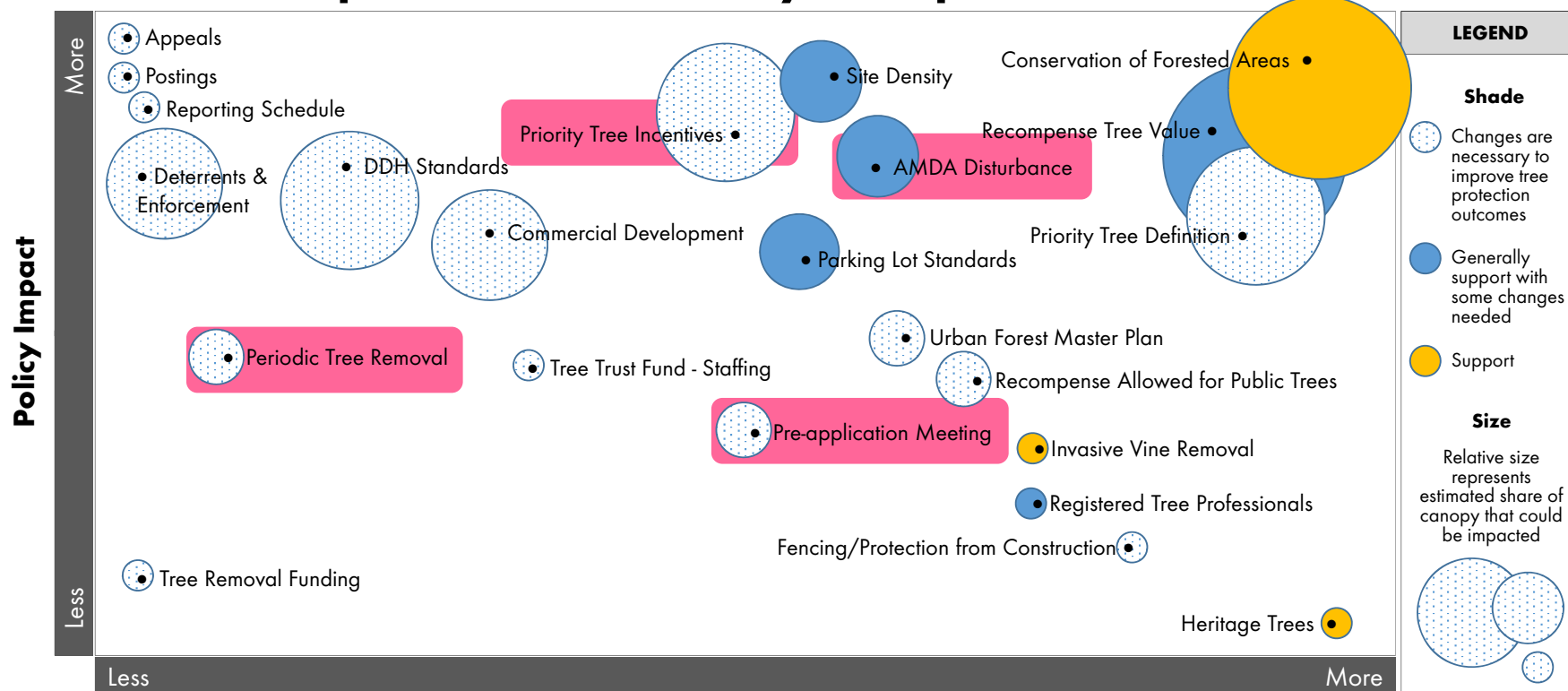
Page 1 of 4 - This document is designed as a collaboration tool and is a working product that will be updated as amendments are accepted. Trees Atlanta (3/17/21)



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Session 2 Topics

Impact Chart of the City's Proposed TPO



Likelihood to Protect or Improve Overall Canopy

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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)
 - Greg Levine (greg@treesatlanta.org)

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



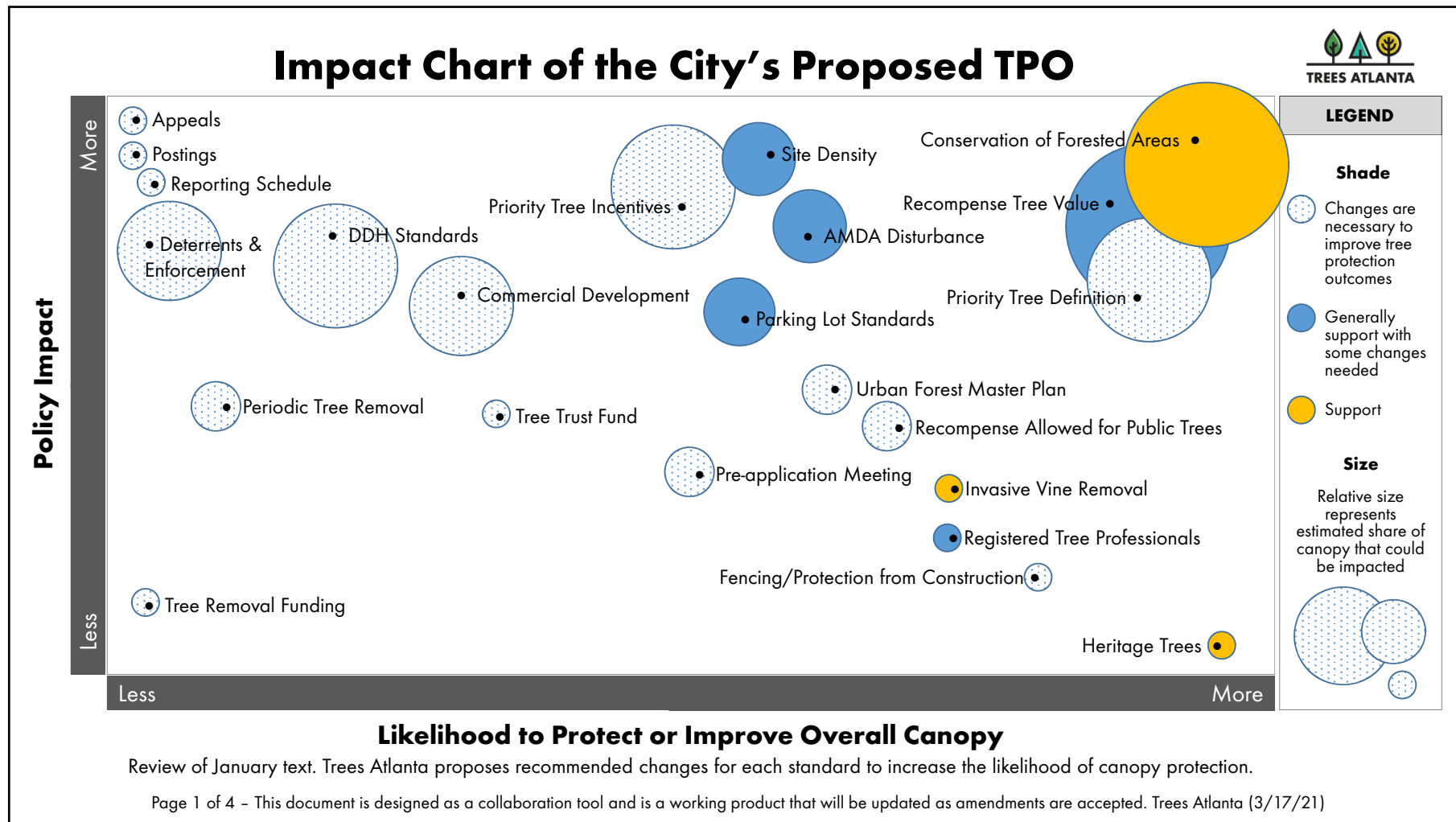
- Approach
 - Balances guidelines with incentives
- Standards
 - Needs more field-testing and supporting data to verify
 - Needs numerous amendments in order for Trees Atlanta support for approval
- Organization
 - Complex and difficult to follow
 - Needs companion user guides with rollout
- **Next steps**
 - **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



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

Four Session Topics



Session 1

Priority Tree Definition
 Recompense Allowed for Public Trees
[Recompense Tree Value](#)
[Site Density](#)

Session 2

Pre-application Meeting

Priority Tree Incentives
 (Priority Tree Preservation Standard)

[AMDAs Disturbance](#)

Allowance for Periodic Tree Removal by Homeowners

Session 3

Appeals
 Postings
 Reporting Schedule
 Urban Forest Master Plan

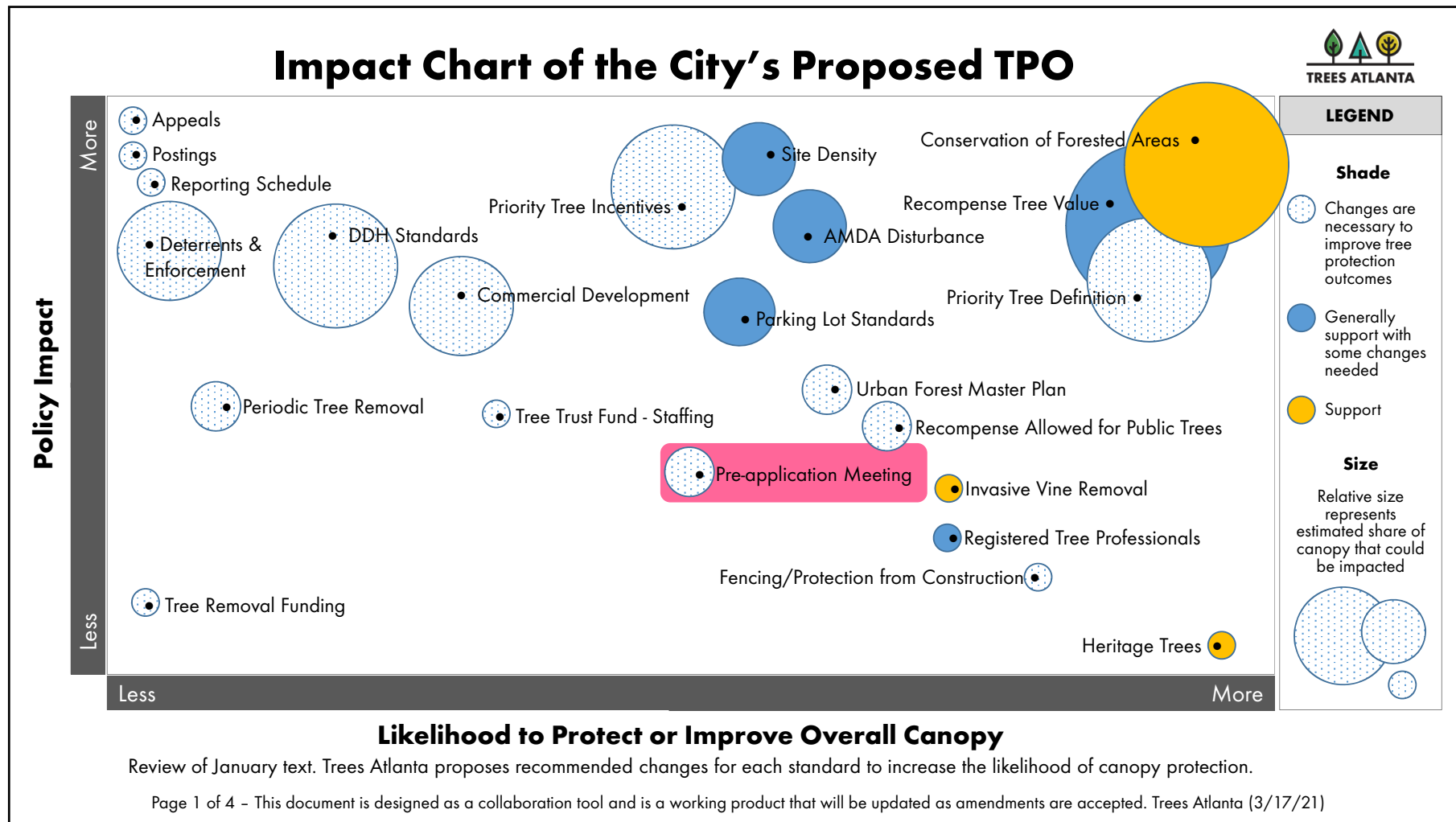
Commercial Development
[Parking Lot Standards](#)

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](#)

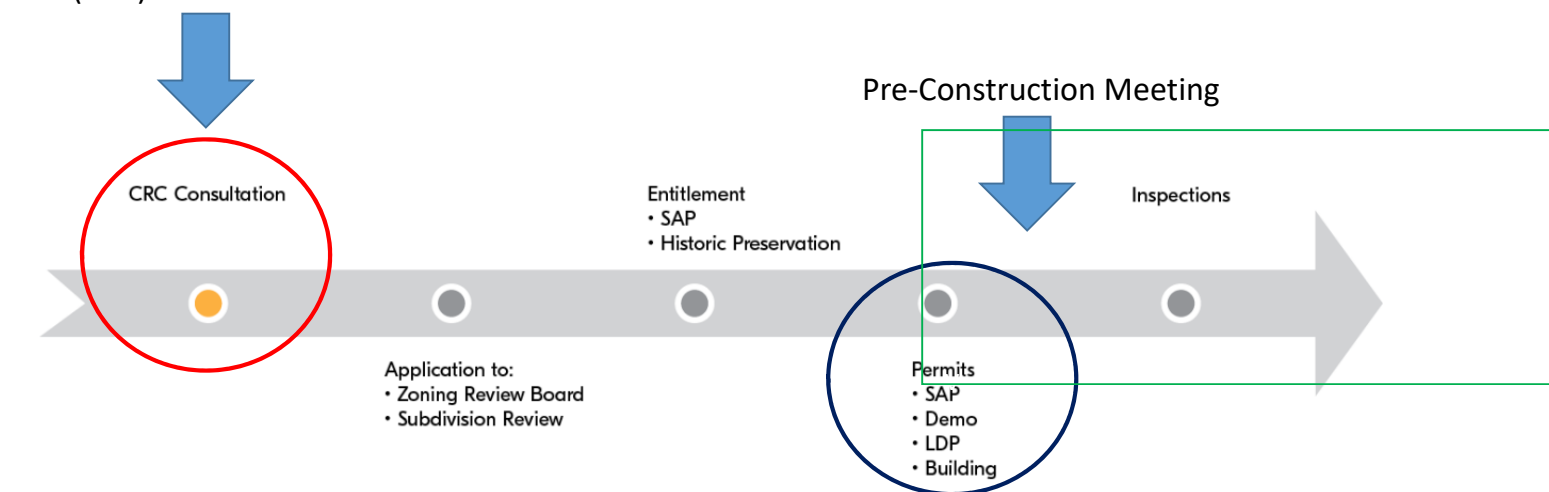


Pre-application Meeting



Current Process Flow

Concept Review Committee
(CRC) Consultation



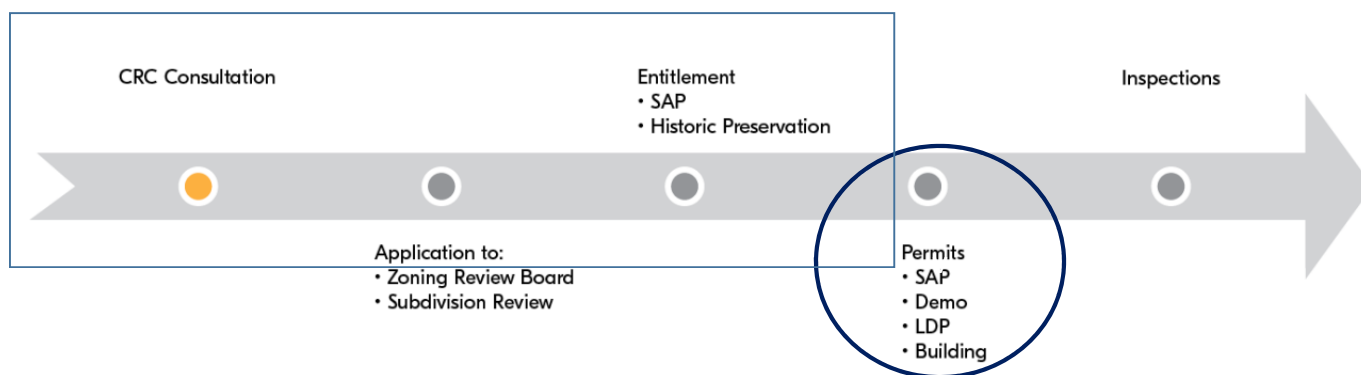
Source: City of Atlanta. Prior to any land entitlement reviews and respective submittals to the Department of City Planning, a CRC consultation should occur for the below:

- Subdivisions, Re-zonings, or Projects tagged by DCP staff or as requested by applicants

Pre-application Meeting



- Proposed Ordinance
 - Not mandatory; it's "highly recommended"
 - Guidance and alternatives - intended to identify issues early
 - Occurs prior to permit application



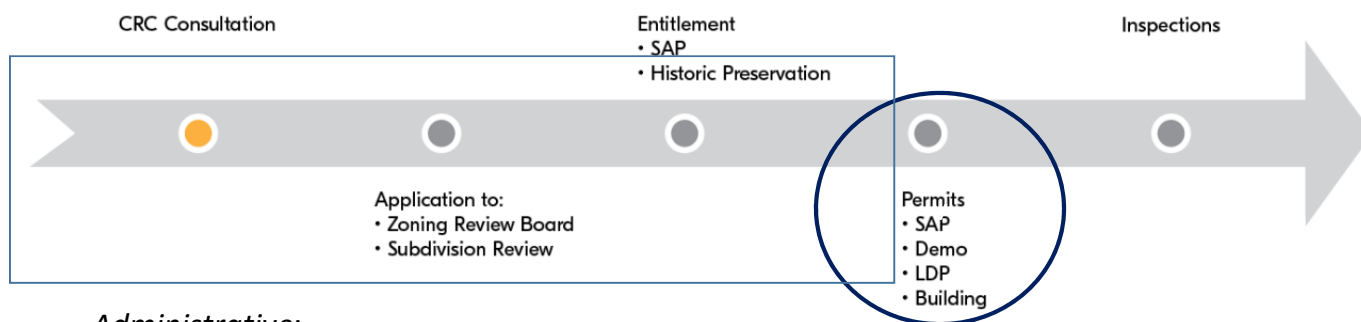
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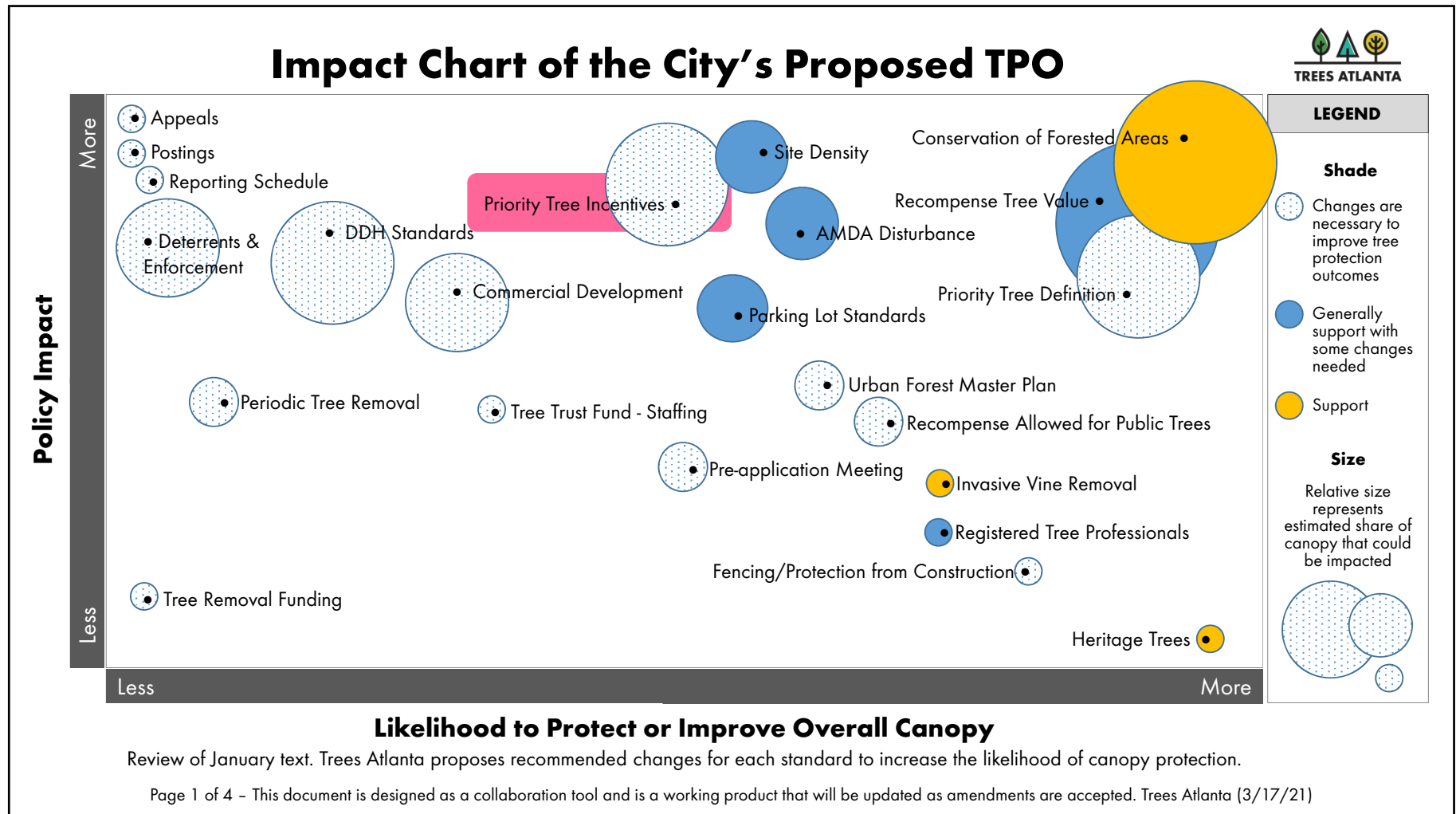


- Recommended Amendments
 - Align with existing Concept Review Conference (CRC)
 - Opportunity to review the “concept site plan” for working around and saving trees.
 - Attest to awareness of the TPO, options, and requirements.
 - Record suggestions to increase tree saving and communicate to other city staff reviewing permits; allows for follow up as necessary
 - Make mandatory for all new construction projects



Administrative:

Tree Permit should be stamped for approval at the head of the line.
Allows posting and appeals much earlier in the process.



Incentives for Single Family Lots When Priority Tree Preservation Standard is Met

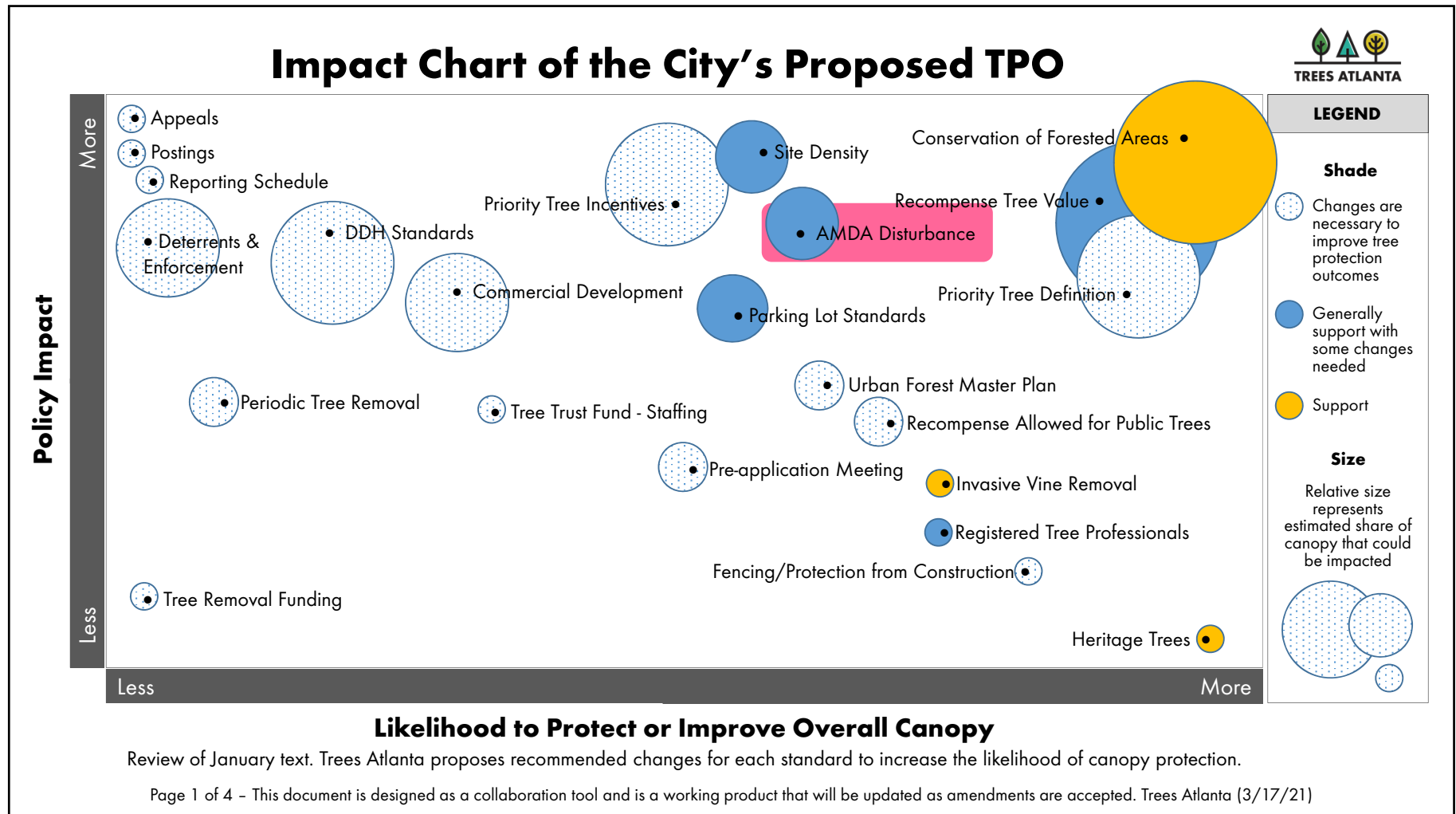


- Proposed Ordinance
 - *Unearned benefit: all regulated trees removed start with a reduction in DBH removed that require recompense*
 - 75% (Priority)
 - 50% (Non-Priority)
 - 50% additional reduction of recompense if the standard is met
 - No public posting required (Orange sign)
 - Only abutting neighbors are required to be notified
 - Only abutting neighbors can appeal for permit accuracy or impact to boundary tree in neighbor's lot
 - Permit and plans will be available online

Incentives for Single Family Lots When Priority Tree Preservation Standard is Met



- Recommended Amendments
 - Eliminate automatic reduction in tree valuation (75% and 50%)
 - Replace with “impervious surface incentive” for smaller lot cover and land disturbance
 - Rewards smaller structures
 - More room to grow and plant
 - Protects waterways
 - Retain posting requirements and appeal rights to NPU



AMDA: Alternative Maximum Disturbance Area

- Proposed Ordinance
 - Enforced when you do NOT meet the Priority Tree Preservation Standard

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.*

| Single Family Residential Tree Preservation standards, Alternate Maximum Disturbance Areas, and Site Density | |
|--|-----------------------|
| Very Small Lots (<5000 sf) | |
| Priority Tree Preservation standard | 50% of Priority trees |
| Alternate Maximum Disturbance Area | 80% of site area |
| Site Density | 2 trees per lot |
| Small Lots (5001-8500sf) | |
| Priority Tree Preservation standard | 60% of Priority trees |
| Alternate Maximum Disturbance Area | 55% of of site area |
| Site Density | 20 trees/acre |
| Med Lots (8501- 15000 sf) | |
| Priority Tree Preservation standard | 60% of Priority trees |
| Alternate Maximum Disturbance Area | 50% of of site area |
| Site Density | 21 trees/acre |
| Large Lots (15001- 30,000 sf) | |
| Priority Tree Preservation standard | 75% of Priority trees |
| Alternate Maximum Disturbance Area | 40% of of site area |
| Site Density | 22 trees/acre |
| Large Lots (30,001- 50,000 sf) | |
| Priority Tree Preservation standard | 75% of Priority trees |
| Alternate Maximum Disturbance Area | 35% of of site area |
| Site Density | 25 trees/acre |
| Very Large Lots (>50,000 sf) | |
| Priority Tree Preservation standard | 75% of Priority trees |
| Alternate Maximum Disturbance Area | 25% of of site area |
| Site Density | 28 trees/acre |

~ R-4



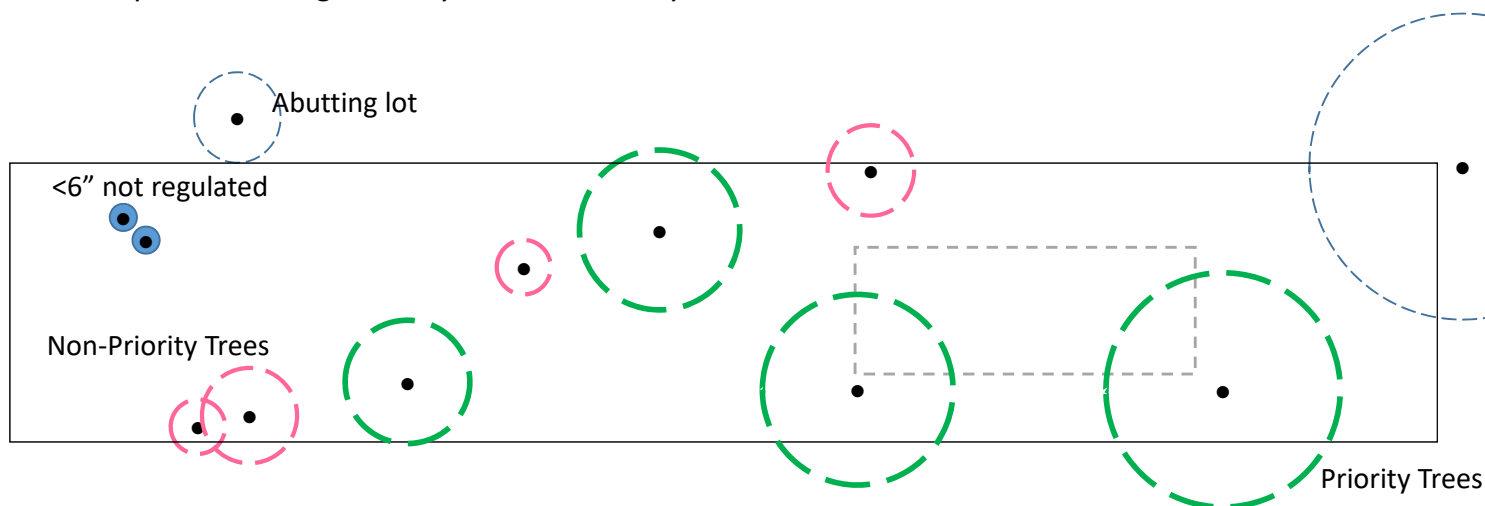
Alternative Maximum Disturbance Area (AMDA)



- Proposed Ordinance (continued)
 - When the Priority Tree Preservation Standard is not met, AMDA is enforced.
 - Alternative Maximum Disturbance Area (AMDA)
 - Limits percent of lot that can be graded/land disturbance
 - Similar area to current Lot Cover maximums for R-zone lots
 - Fencing must be installed at the limits of AMDA
- Recommended Amendments
 - Limit a minimum width of land to be included as part of the preserved area
 - Require use of chain link fencing to separate AMDA from preserved area

Medium Lot AMDA Example

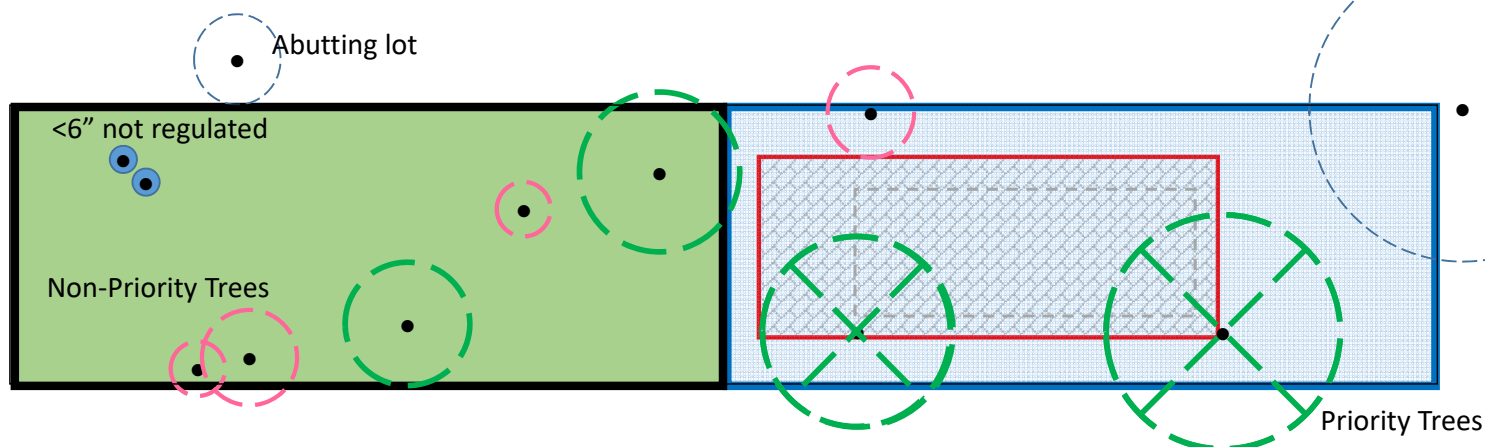
10,000 square feet Single Family lot. 60% Priority Tree Preservation Standard



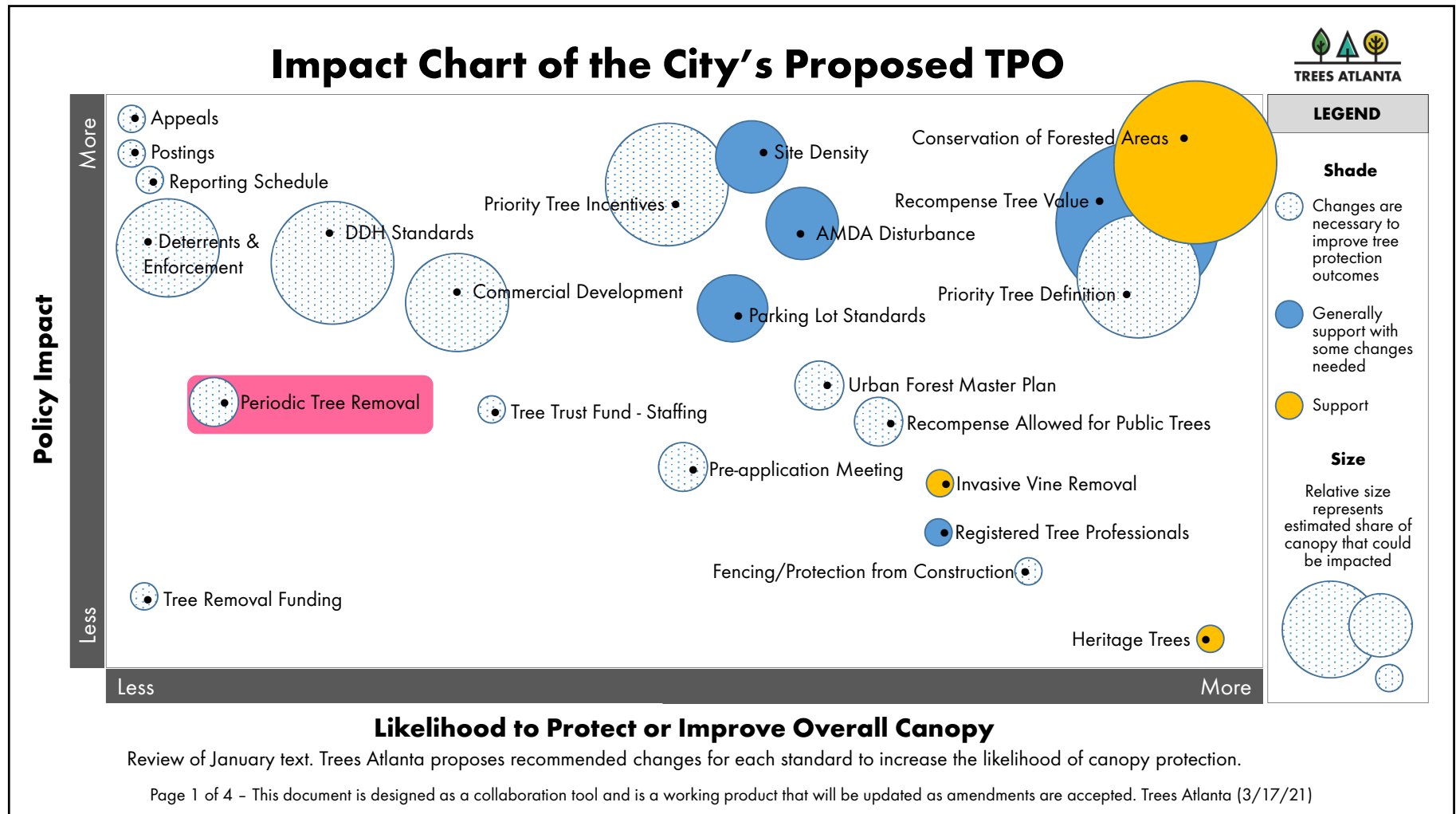
- AMDA option reduces “land disturbance” in Medium Lots to 50%
- Remainder of lot must be undisturbed
 - Soil and remaining trees are given room to grow
 - Preserves land for potential new trees to be planted

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Allowance for Periodic Tree Removal by Homeowners



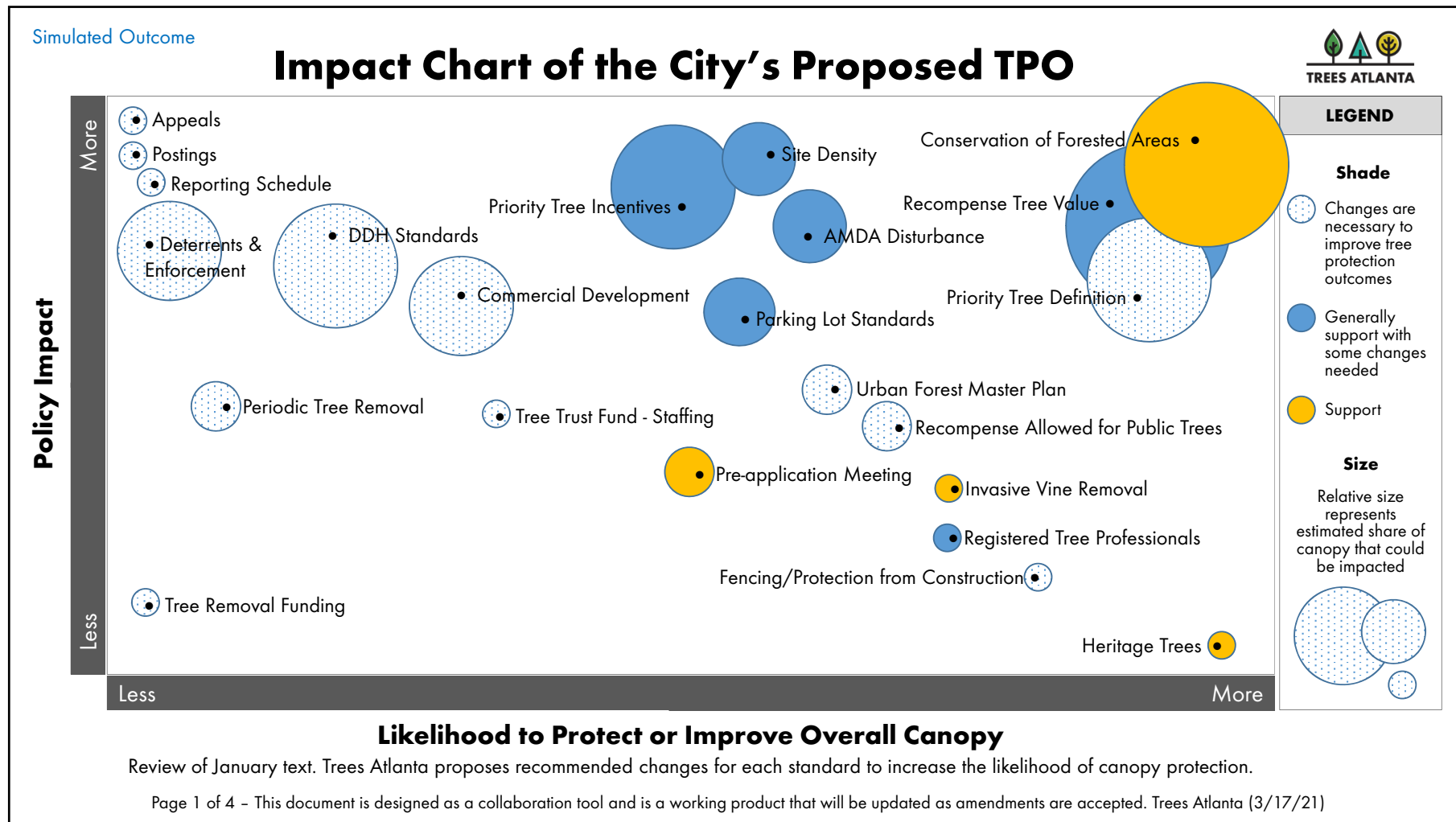
- Proposed Ordinance
 - Allows removal for any reason of 1 **Non-Priority Tree** or 2 Non-Priority Trees that total no more than 18" DBH)
 - Submitted as a Landscaping Permit
 - Allowed once every three years
 - *No Priority Tree may be removed by this standard.*
 - Site must meet Site Density requirement after any removal without replanting.
 - Permit required, but no recompense and no replanting required.
 - Only properties with Homestead Exemption are allowed this removal.

Allowance for Periodic Tree Removal by Homeowners



- Recommended Amendments
 - No trees in Group 1 can be removed
 - Remove allowance for 2 “small” non-priority trees (i.e., only 1 NPT removed)
 - *Administrative:* As part of landscaping application, require applicants to review and acknowledge impacts of removing trees and encourage or incentivize homeowners to replant a stem for each removed

| Group 1: 18 inches DBH and greater | |
|---|--|
| Common Name | Botanica Name |
| American Holly | <i>Ilex opaca</i> |
| Basswood | <i>Tilia spp.</i> |
| Beech | <i>Fagus grandifolia</i> |
| Black Gum | <i>Nyssa sylvatica</i> |
| Cypress, Bald and Pond | <i>Taxodium distichum and ascendens</i> |
| Elms, American, Slippery, and Winged | <i>Ulmus americana, rubra, and alata</i> |
| Hickories (<i>Carya</i>) other than pecan | <i>Carya spp.</i> |
| Maples - Box Elder (<i>Acer saccharinum</i> and <i>negundo</i>) | <i>Acer negundo</i> |
| Oaks (all native oaks other than <i>Q. nigra</i> , <i>Q. phellos</i> , and non-native oaks such as Chinese Evergreen) | <i>Quercus spp.</i> |
| Red Mulberry | <i>Morus rubra</i> |
| Virginia Red Cedar | <i>Juniperus virginiana</i> |
| Walnut | <i>Juglans nigra</i> |
| All midstory native species not listed elsewhere | |
| All street trees (other than undesirable and invasive species) | |



Edited to include notes on some questions asked in live session

Q&A



- Administrative variance Z-21-27 Will appear on NPU agendas for a VOTE in April. The item will be heard by the ZRB either May 6 or May 13, 2021.
 - Z-21-27 AN ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, TO AMEND SECTION 16-26.003, ENTITLED “CONDITIONS OF GRANTING A VARIANCE” AND TO CREATE A NEW SECTION 16-26.008 ENTITLED “ADMINISTRATIVE ZONING SETBACK VARIANCES FOR THE PRESERVATION OF TREES”; AND FOR OTHER PURPOSES.
(Submitted by Councilmember J.P. Matzigkeit - jpmatzigkeit@atlantaga.gov)
- If you have questions please contact Andrew Walter awalter@atlantaga.gov

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Q&A



- City Council - Community Development/Human Services (CD/HS)
 - Matt Westmoreland - Chair
 - Natalyn Mosby Archibong
 - Michael Julian Bond
 - Antonio Brown
 - Dustin Hillis
 - Joyce M. Sheperd
 - Carla Smith
- Video recordings of the 4-part webinar series have been posted to our website under News (link on header when you visit [treesatlanta.org](https://www.treesatlanta.org) (or <https://www.treesatlanta.org/news/is-the-new-draft-tree-protection-ordinance-good/>). Slides used in each session is also posted.

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Thank You

Comments regarding the
TPO can be emailed to:

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greg@treesatlanta.org



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