



Evaluating Atlanta's Proposed Tree Protection Ordinance (TPO)

Session 3 of 4

April 1, 2021

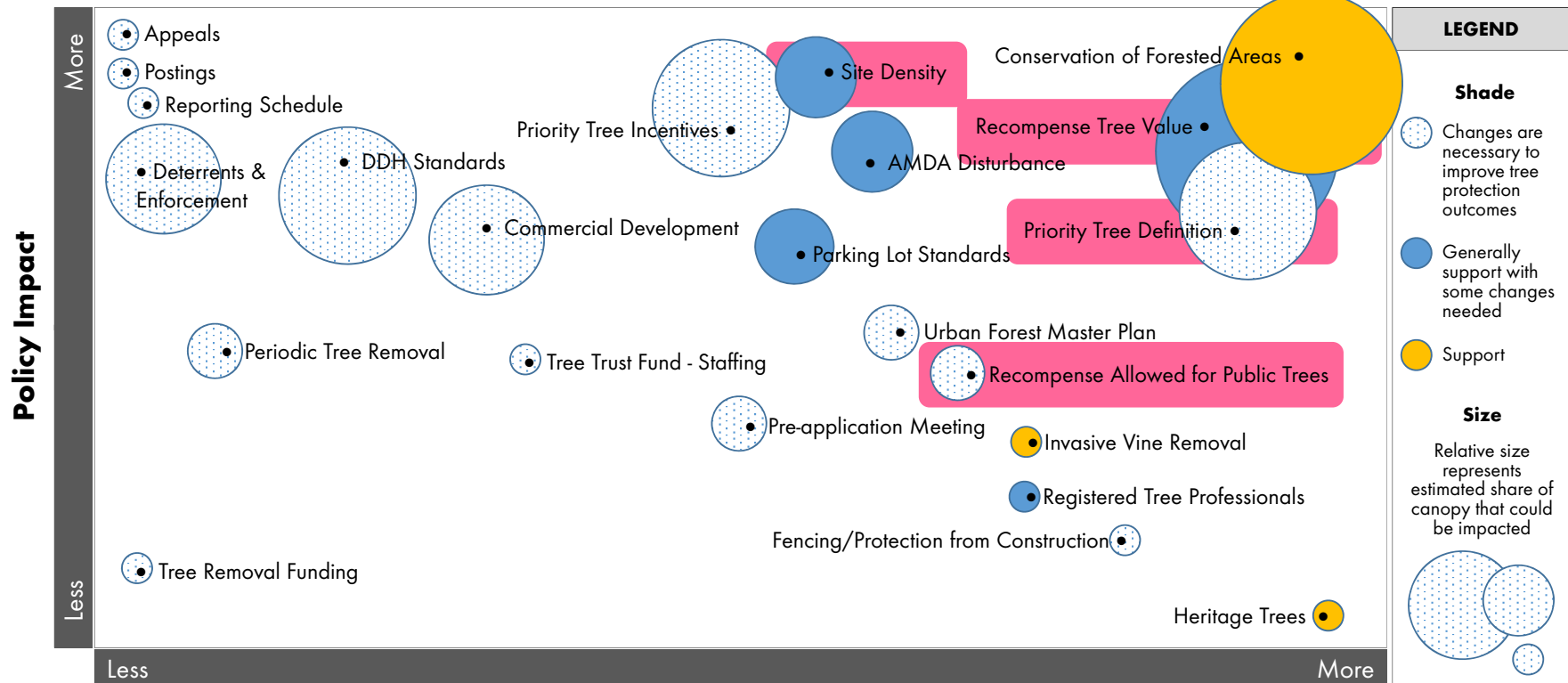
Agenda



- Fast recap of Session 1 & 2
 - Video & Slides
 - Progress
- Criteria for evaluation
- Discussion Framework: “Impact Chart”
- Specific standards and recommended changes – Session 3

Session 1 Topics

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.

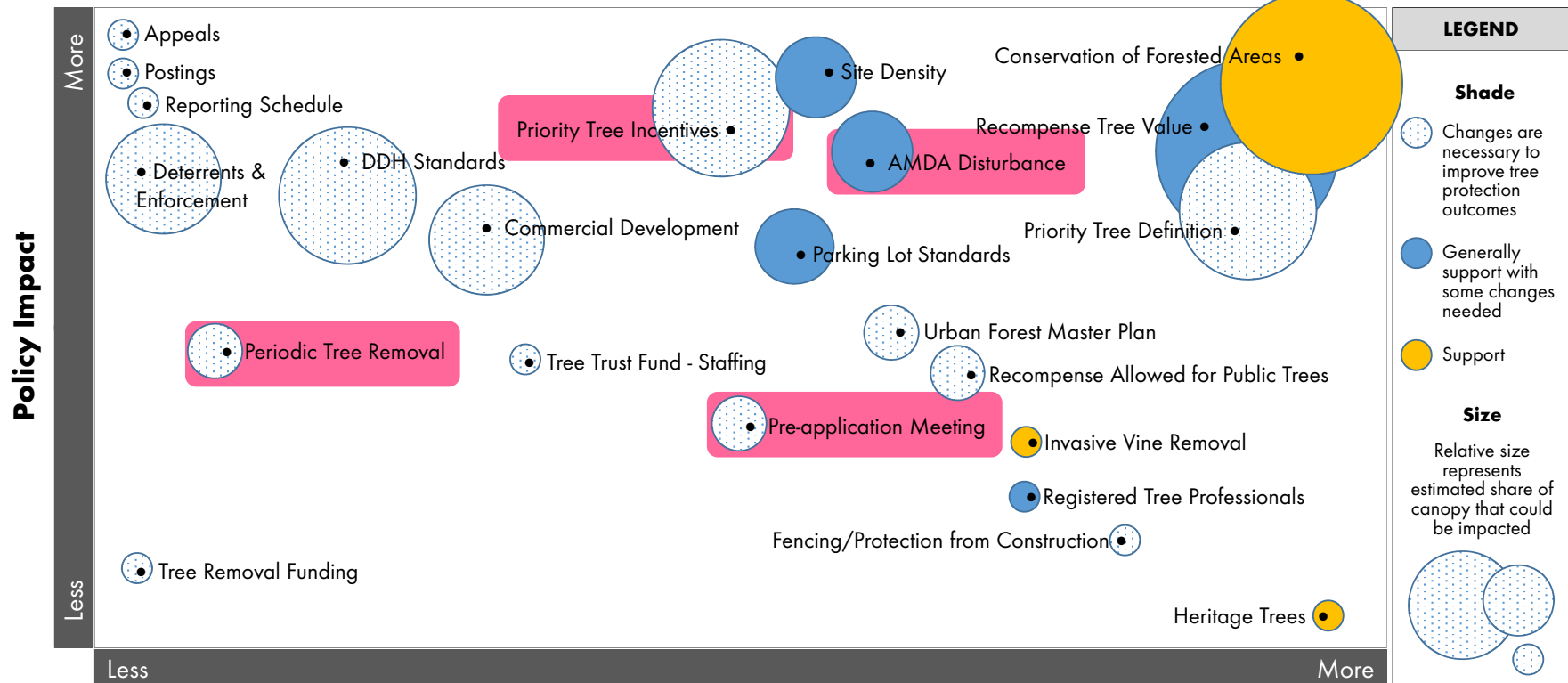
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Session 2 Topics

Impact Chart of the City's Proposed TPO



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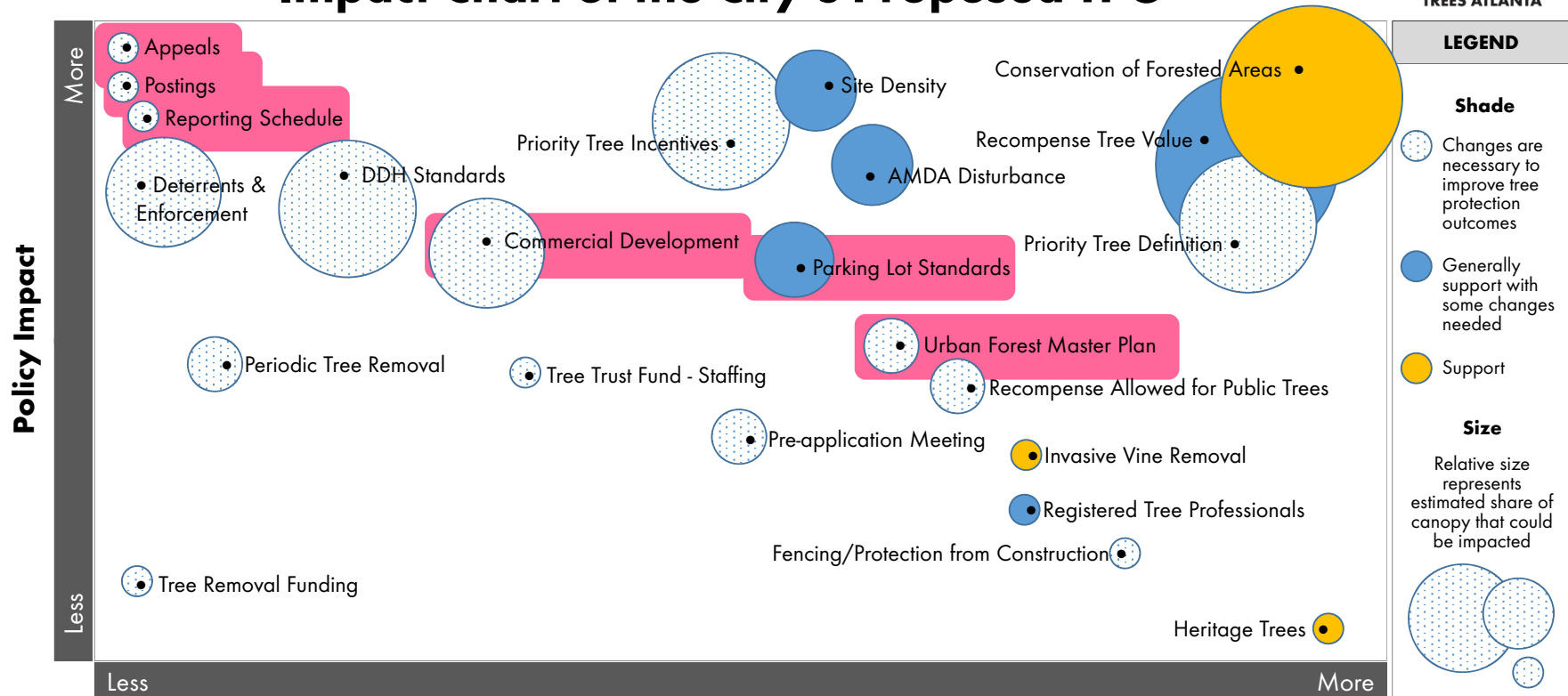
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Session 3 Topics

Impact Chart of the City's Proposed TPO



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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

During today's call we were notified the City Council vote has been rescheduled for May 17. Please verify by checking city website.

- 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



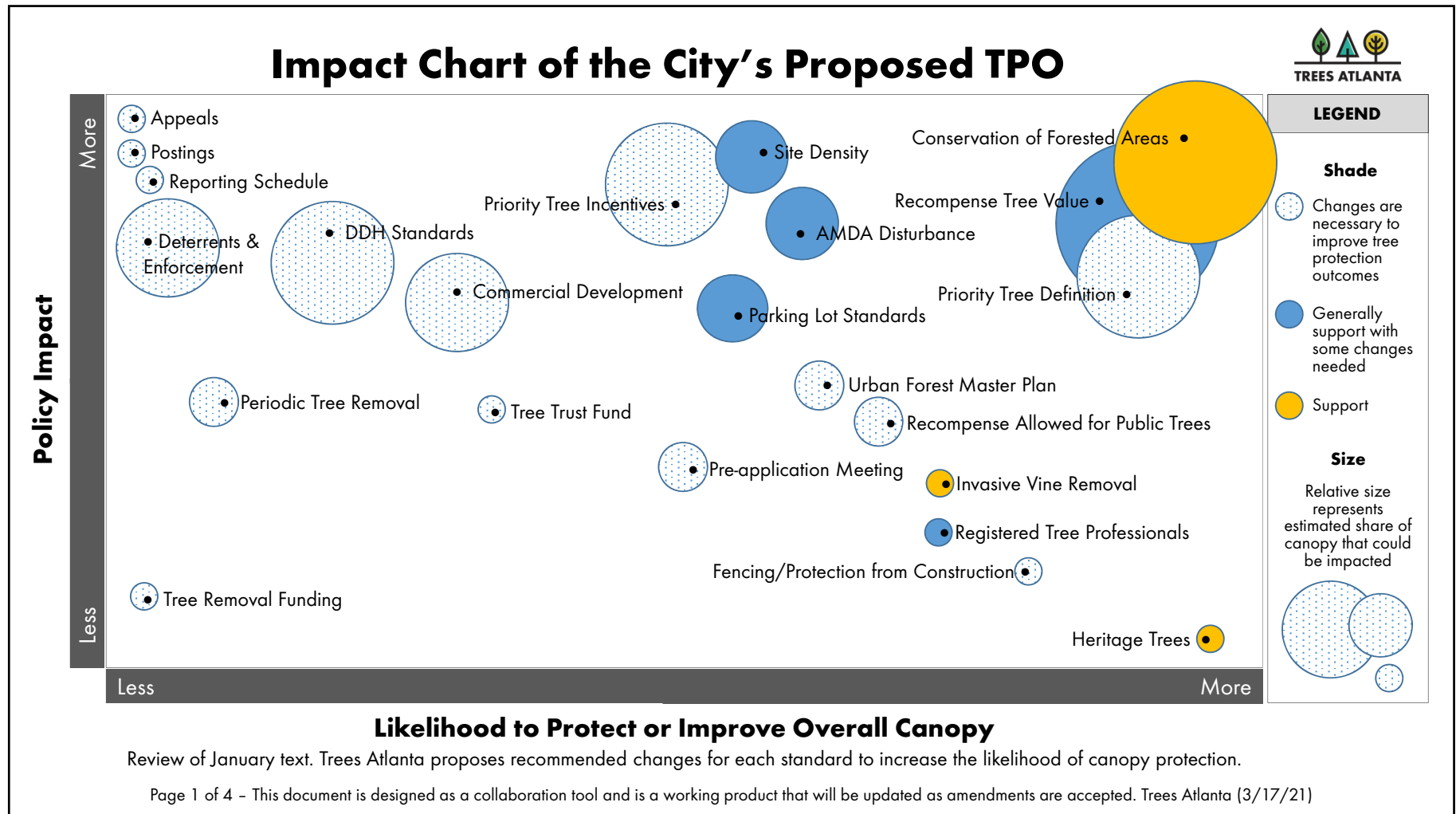
- Approach
 - Balances guidelines with incentives
- Standards
 - Needs more field-testing and supporting data to verify
 - Needs numerous amendments in order for Trees Atlanta support for approval
- Organization
 - Complex and difficult to follow
 - Needs companion user guides with rollout
- **Next steps**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

Postings
 Appeals
 Reporting Schedule
 Urban Forest Master Plan

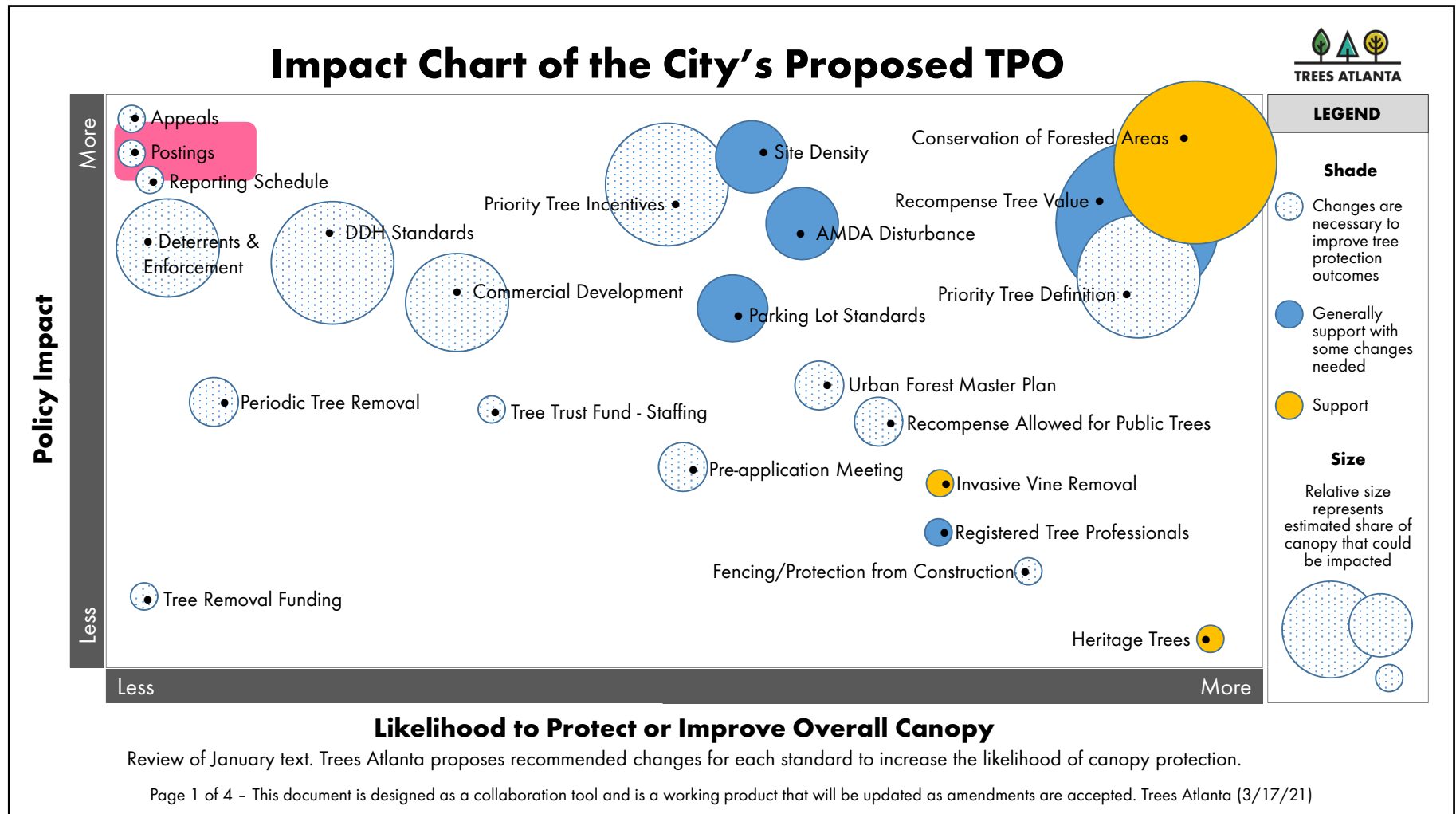
 Commercial Development
[Parking Lot Standards](#)

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](#)



Tree Permit Signs - Current



Postings



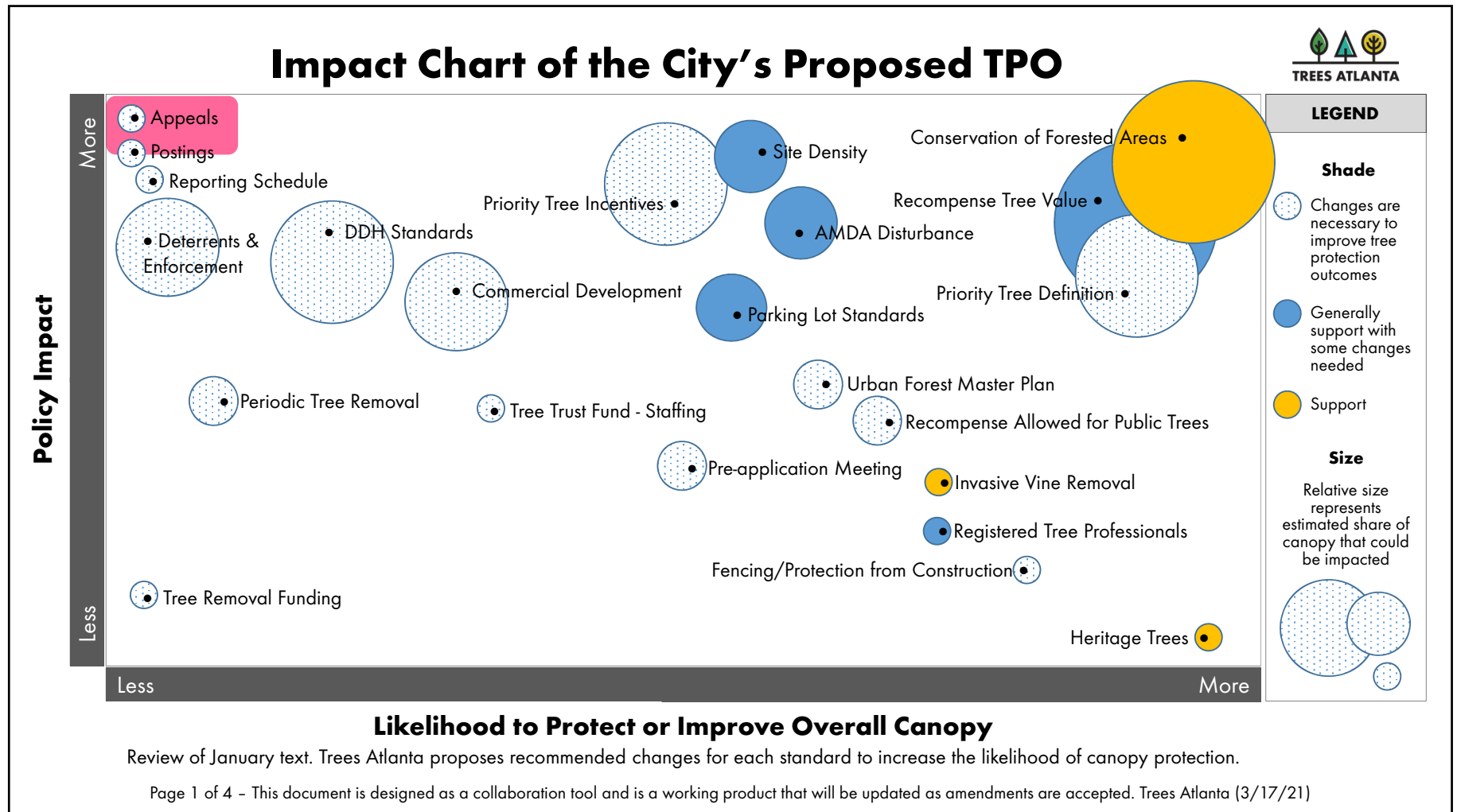
- Proposed Ordinance
 - “Orange Sign” - physical posting is not required for any project
 - Permit Applied - electronic notification on city website when permit application is submitted – online for minimum 10 days.
 - “Yellow Sign” Changes (Preliminary Approval)
 - Physical post on-site AND electronic notification on city website.
 - Posted for 5 days (appeals can be submitted).
 - Yellow sign is not required if Priority Tree Preservation Standard is met.
 - Appeals may be filed by resident or business owner within the NPU
 - Plus, extended to 1 mile radius from the site.

Postings



- Recommended Amendments

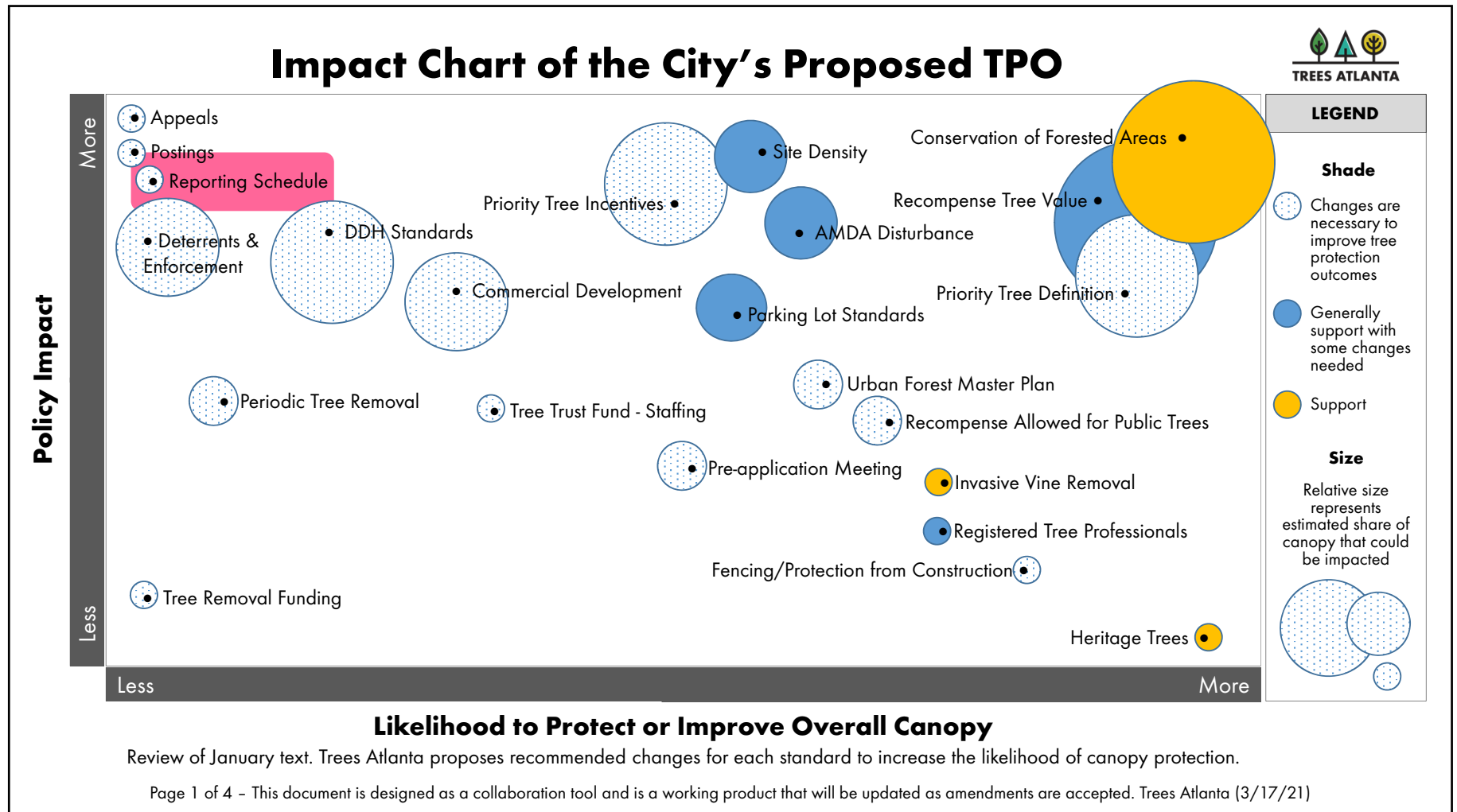
- Increase Yellow Sign posting to 15 days
- Require Yellow Signs for all preliminary approvals when any healthy regulated tree is being removed (i.e., no Priority Tree Preservation Standard exception).
- Require Self-posted Notice with permit number to be displayed on frontage with visibility from the street on the day of work. *Informational notice.*
- *Administrative:* Electronic notifications must be posted day of approval.



Appeals



- Proposed Ordinance
 - Public right to appeal remains at 5 days.
 - Appeals allowed after Preliminary Approval and while “Yellow Sign” is posted.
 - Excludes “Yellow Sign” posting and appeals if Priority Tree Preservation Standard is met on Single Family lot.
 - Abutting neighbors must be sent certified notice of tree removals.
 - Only allows neighbors to appeal accuracy within 15 days of notification.
 - All other projects are subject to standard appeal rights (e.g., errors in fact, incorrect assessment of Priority Tree ID or calculations, etc.)
- Recommended Amendments
 - Keep Yellow Sign public posting for all
 - Increase appeal period to 15 days.
 - Use a standardized form for notifying abutting neighbors, include potential impacts caused by removal and benefits of trees information.
 - Remove fees for filing appeal.



Data & Reporting Schedule

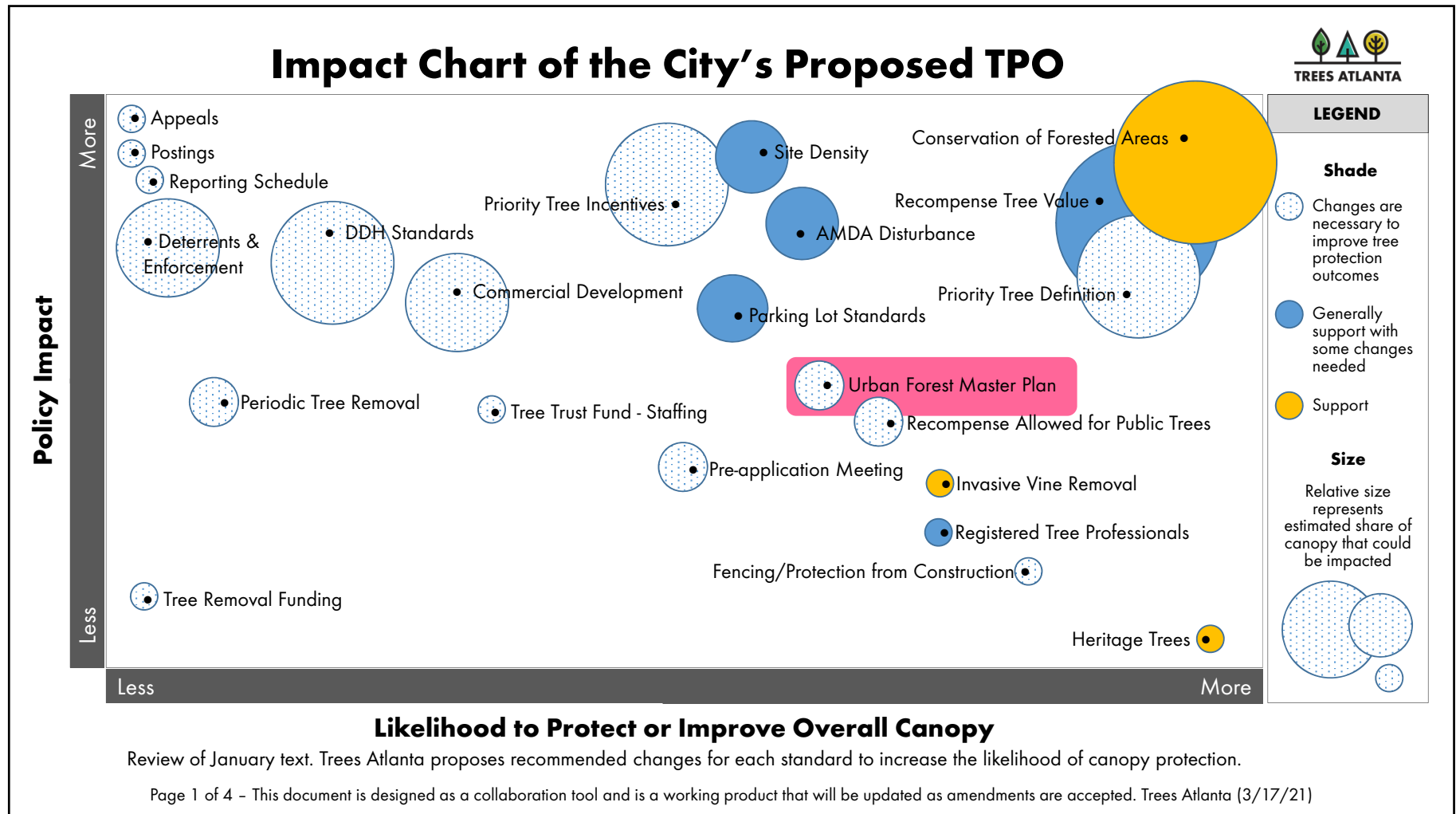


- Proposed Ordinance
 - Reporting periods have been changed to Annually from Quarterly.
 - Tracking requirements for the City are extensive:
 - Online posting of permits at two stages of approval (Preliminary and Appeal)
 - ALL Priority Trees removed for SFR – 10 years
 - Commercial Development's replanted trees – perpetual
 - Homeowner Allowance for Tree Removal – 3 years
 - Compliance with Affordable Housing requirements - 10 years
 - Registered Tree Professional database and violations – annual
 - Surety bonds stays with developer to terms

Data & Reporting Schedule



- Recommended Amendments
 - Post permit data Quarterly for public access
 - Enforce timely posting online with set schedule.
 - Post reports submitted to the TCC (e.g., Tree Trust Fund financial reports, arborists' variances, suspensions from the Registered Tree Professional list, etc.).
 - Improve report formats to be clear to understand.
 - Standardized to include key permit and removal data and clear legends/explanations, and allow comparison over time.
 - Design easy-to-use tools for public use
 - Make it easy for people to look up:
 - Registered Tree Professionals and individuals/companies with violations.
 - Homeowner lookup for existing bonds or tree removal histories.
 - Any histories required for enforcement.
 - Improve user guides for Accela.
 - Open source data is suggested



Urban Forestry Master Plan



- Proposed Ordinance
 - Funded by the Tree Trust Fund
 - To be created within 1 year and updated every 3 years
 - To be aligned with the standards of the TPO
 - Specific goals, purpose, and requirements not yet defined
- Recommended Amendments
 - Establish specific measurable goal for Urban Tree Canopy (UTC): suggest 50%
 - Align and forecast the how master plan strategies can achieve the UTC goal.
 - Permitting data should be used to perform continuous analysis of activities toward goal and the Master Plan – conducted annually, at minimum.
 - Estimate of canopy changes based on permitting data should be published at year end.
 - Create actionable plan with strategies and specific recommendations.

Urban Forestry Master Plan

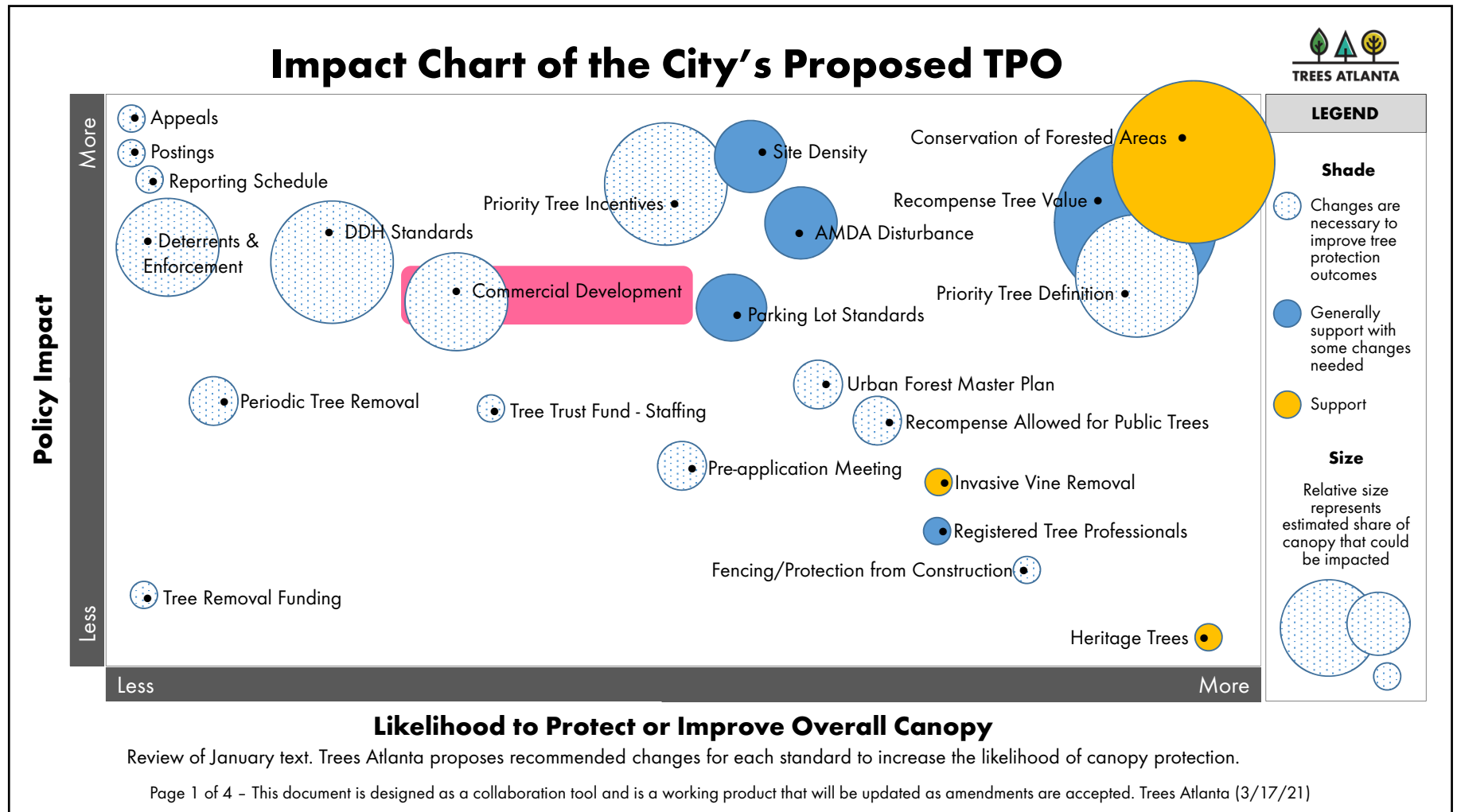


- Recommended Amendments (continued)
 - Canopy analysis by neighborhood, NPU, and City Council Districts.
 - Identify priority districts and communities for protection and/or (re)planting to achieve canopy equity.
 - Prioritize hot zones / urban heat islands.
 - Flag communities with rapid canopy loss.
 - Create tree planting plans for every City property, especially City Parks.
 - Identify locations for invasive removal and forest restoration.
 - Create tree inventory.
 - Planting locations, count of future tree plantings, including additional specifications that will require funding (e.g., concrete cutting, wells, etc.) to inform future budgets.
 - Develop a maintenance and management plan for city trees (funded by the general city budget like other city infrastructure).

Urban Forestry Master Plan



- Recommended Amendments (continued)
 - Timelines and budgets required for long-term progress toward UTC goals.
 - Explore and identify innovative solutions to improve Atlanta's tree canopy.
 - Guidance on changing city codes to help protect canopy (e.g., zoning and building codes).
 - Recommendations for greater alignment and collaborations across City Departments to protect tree canopy.
 - Best practices for underground utilities (e.g., powerlines) to improve tree planting.
 - Urban Forestry Master Plan must be complete within 2 years after TPO approval.



Commercial Developments



- Proposed Ordinance
 - Commercial Development is any lot that is not a single family lot.
 - Includes Single Family Subdivision projects during construction of infrastructure (e.g. roads).
 - Removes recompense cap (standard recompense formula).
 - No Priority Tree Preservation Standard is required.
 - Each Priority Tree preserved is counted as 2 trees for Site Density.
 - Site Density is 12 trees per acre is required.
 - Plus one tree for every 3000 square feet of site area that is not occupied by structure, etc.
 - Can count parking lot and ROW street trees existing or planted as part of improved Streetscape required by the property's zoning is counted toward Site Density
 - Green Roofs counts as one tree per 800 square feet of Green Roof (and meets DWM standards for green roofs)
 - Small projects do not need to meet Site Density requirement.
 - Where no Priority Trees are removed, or less than 20% of land is disturbed (up to .25 acre)
 - Perpetual survival of all replacement trees is required.
 - If any tree replacement dies, it must be replaced.

Commercial Developments



- Proposed Ordinance (continued)
 - Subdivision Developments
 - Considered commercial development for the building of infrastructure (e.g., streets, utility, etc.).
 - Individual home sites are still required to meet Single Family Priority Tree Preservation Standard and Site Density requirements.
 - Conservation Credits to Reduce Replacement and Recompense
 - “Conservation Area” is undisturbed on site and protected in perpetuity through a conservation easement or deed restriction.
 - Qualifying size standards are specified.
 - No more than 50% may be in stream buffer.
 - Incentive for trees in Conservation Area.
 - Priority Trees – count as 1.5 times for DBH removed
 - Non-Priority Trees – count as 1.0 times actual DBH

Commercial Developments



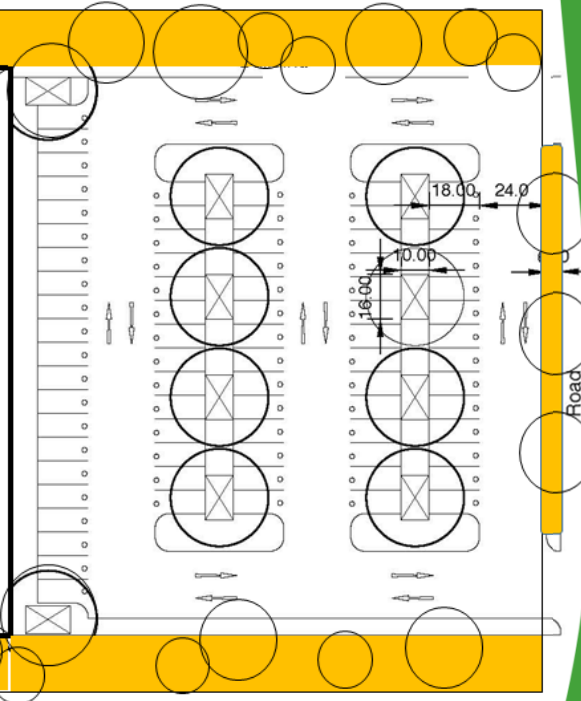
- Recommended Amendments
 - Create a middle category for Multi-unit housing and Institutional projects (e.g., parks, fire station, museums, etc., for example).
 - Has Priority Tree Preservation Standard.
 - Has Site Density requirement that is greater than Commercial Developments requirement.
 - Buffer area of trees preserved or replanted between properties should be required for commercial developments that are not in the urban core.
 - Reduces “internal heat islands”.
 - Allows pedestrian trails and wildlife connectivity.

Commercial Lot Example: 3 Acre (Office/Retail)

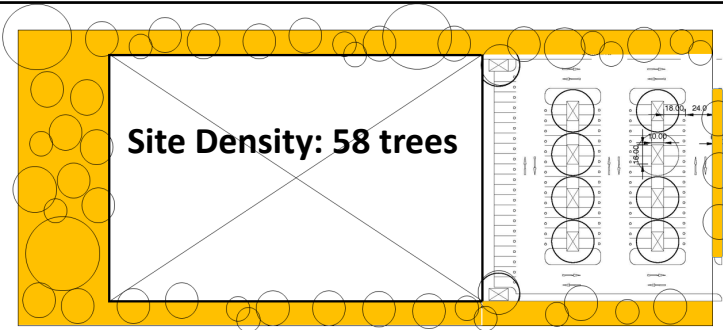
- 1.5 acre structure
- 1.0 acre parking lot
- 0.5 acre pervious area



- **Trees Per Acre:** 12 per acre x 3 acres = **36 trees**
- **Plus:** 1.5 acres non-structure space requires addition 1 tree per 3000 square fee = **22 trees**
- **Site Density Required:** 36 + 22 = **58 trees**
- Can include Parking Lot & ROW trees in count



Option for Smaller Planting Area for Same # of Trees

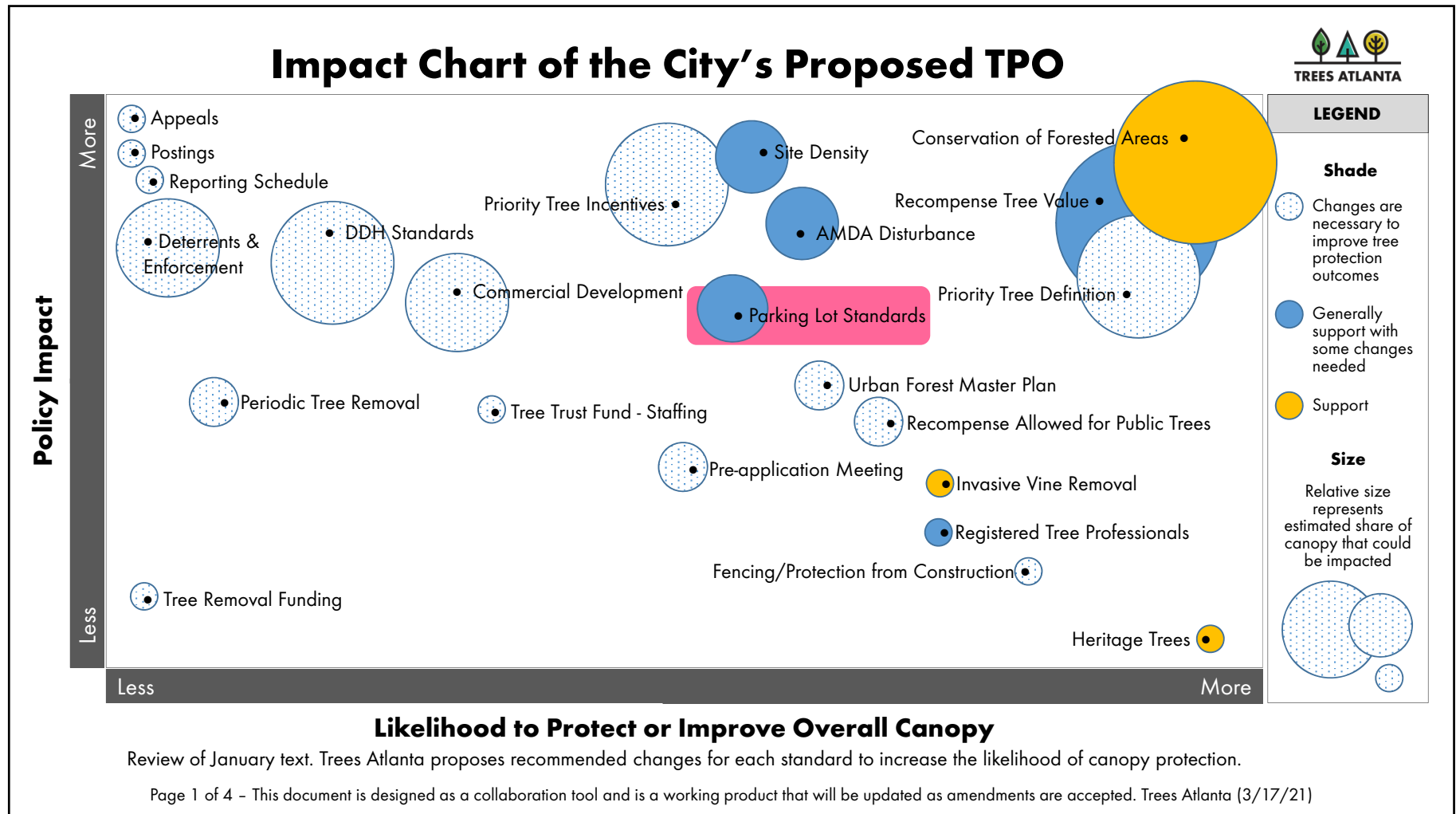


- This example uses all overstory trees
 - Requires 400 square feet of soil area per tree
- 23,200 square feet soil area needed*
 - $400 \text{ sq ft} \times 58 \text{ trees} = 23,200 \text{ sq ft}$
- *Use of continuous landscape areas allows 25% reduction in soil area per tree
 - 48 trees on this site are in continuous landscape areas
 - 19,200 sq ft reduced to 14,400 square feet
- 10 trees in parking lot require full 400 sq ft
 - $400 \times 10 = 4,000 \text{ square feet}$

Ungrouped Trees:
23,200 sq ft

Grouped Trees:
14,400
4,000

18,400 sq ft



Parking Lots



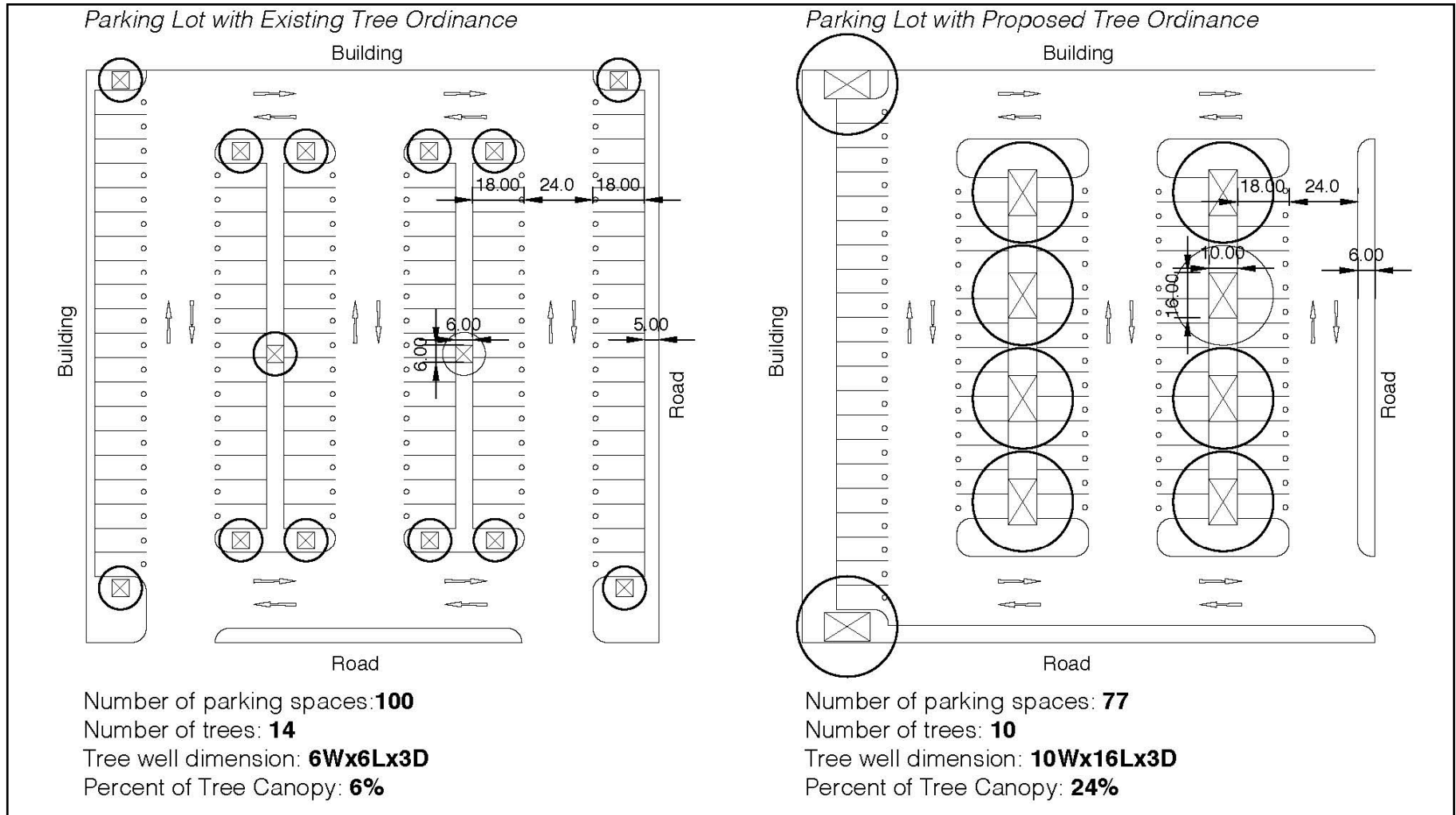
- Proposed Ordinance
 - Parking lots with 16 or more spaces must meet the parking lot standards.
 - Trees must over-story or mid-story tree within 40' feet of any parking space and perimeter trees must be within 10' of parking lot.
 - Planting specification increased to:
 - Overstory Trees: 800 cubic feet of soil (and 400 square feet in planting area)*
 - Mid-story Trees: 500 cubic feet of soil (250 square feet in planting area)*
 - Understory Trees: 200 cubic feet of soil (100 square feet in planting area)*
 - *Minimum 5 feet width
 - When trees are planted together in a single planting area, soil areas and soil volume can be reduced by 25% per tree.
 - Perpetual survival of all parking lot trees will be enforced; if any tree dies, it must be replaced.

Parking Lots



- Recommended Amendments
 - There must be a minimum of 1 tree per 8 spaces.
 - Only over-story trees are allowed unless prevented by existing structure or overhead utility lines.
 - Smallest dimension of planting area is 10 feet
 - When landscape strips are used 6 feet that separate parking lot from sidewalks or the entire length separating rows of parking spaces.
 - 20% more cubic feet of soil volume and planting area per tree.
 - When 2 trees are together, soil volume can be reduced by 10% per tree.
 - When 3 or more trees are together, soil volume can be reduced by 20% per tree.





Four Session Topics



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Thank You

Comments regarding the
TPO can be emailed to:

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