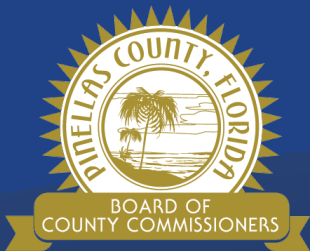


Land Development Code – Tree Regulation Updates

Building and Development Review Services

Staci Tippins

DRS Environmental Manager



Our Vision: To Be the Standard for Public Service in America



Key Focus Areas



- **Formulating a practical methodology to tree removal mitigation that incentivizes compliance and use of the code**
- **Recalibrating required trees on residential lots**
- **Providing flexibility with landscape compliance**

Overarching goal is getting to the desired outcome of preserving tree canopy, native vegetative habitat and incentivizing the planting of trees with a simpler and more flexible ordinance.

Current Examples

Project:

5,500 SF lot, driveway addition, two trees removed

A. Mitigation

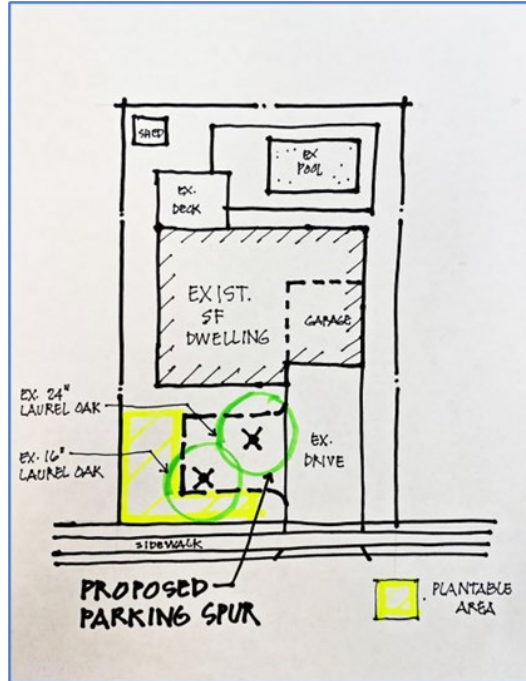
Required:

27 shade trees OR
\$10,233 tree bank fund

B. Landscaping

Requirement:

2 shade trees



Project:

2-acre wooded lot, play area, one tree removed

A. Mitigation

Required:

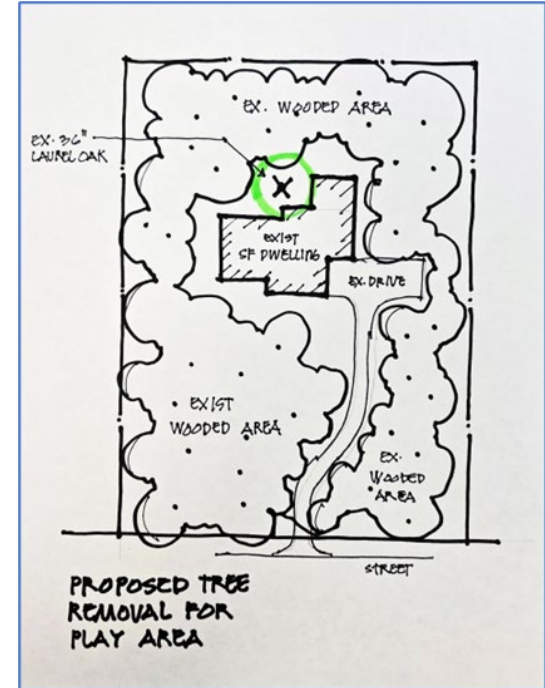
24 shade trees OR
\$9,096 tree bank fund

B. Landscaping

Requirement:



44 shade trees

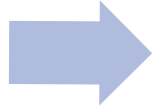


Key Drivers



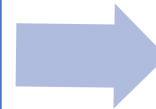
Challenges

- **Mitigation** formula for tree removals
- Tree requirements for **residential sites**



Paths

- Tree requirement changes only
- Payment-in-lieu changes only
- Comprehensive revision



Goals

- **Preserve** urban tree canopy and native vegetative communities
- **Promote** compliance

LDC Chapter 166 and Chapter 138, Article X, Division 3

- Key Changes
 - Tree Rating System
 - Tree Mitigation Calculations
 - Residential Landscape Requirements – minimum trees per lot
 - Commercial Landscape Requirements – Existing Development
- Other changes:
 - Update species lists
 - Set payment-in-lieu rates

Tree Rating System

Key Change	Existing	Proposed
Number of Ratings	7	4
Grades	Ratings difficult to use resulting in arbitrary "lumping"; Same compensation for G3-G5; Some ratings rarely used.	Simple rating categories; Compensation varies with tree grade.
Dead/dying, undesirable trees	No Fee Permit Landscaping req's apply	No Fee Permit Landscaping req's <u>do not apply</u>
Specimen/Historic Trees	Defined separately in Ch. 166; subjective and rarely used.	Key aspects incorporated into G3 rating.

Proposed Tree Mitigation Requirements



Table 138-3654(b) – Tree Mitigation Requirements

Size of tree removed (DBH)	Number of replants required			Payment in lieu (Staff Recommendation)
	Grade 1 "Fair"	Grade 2 "Good"	Grade 3 "Excellent"	
4" – 14"	1	2	3	\$500 per unplanted tree
14.1" – 24 "	2	4	6	Reduced amount for existing residential* properties: \$300 per tree
24.1" – 34"	3	6	9	
>34"	4	8	12	

Mitigation options:

1. Replant trees per table.
2. Payment in lieu of replanting – amount determined by BCC.
3. Combination.

*Residential = single-family, duplex and triplex.
Subdivisions greater than 4 lots utilize the \$500
per unplanted tree.

Tree Mitigation Examples



Size (DBH)	Grade	Replants Required		Payment-in-lieu		
		Existing Code	Proposed Code	Existing Code	Proposed Code for Existing Residential Lots	Proposed Code for All Other Lots
6"	1	4	1	\$1,516	\$300	\$500
22"	2	15	4	\$5,685	\$1,200	\$2,000
31"	2	21	6	\$7,959	\$1,800	\$3,000
42"	3	56	12	\$21,224	\$3,600	\$6,000

Additional mitigation options:

- Credit for undesirable species removal at Grade 1 rate
- Double credit for replacement of native vegetative communities (tree + understory + ground cover)
- Tree preservation – G3 removal only when lot access or development prevented by tree

Residential Landscaping



Minimum Trees Per Developed Lot:

- $\leq 2,500$ SF: 1 tree
- 2,500 – 5,000 SF: 2 trees
- 5,001 – 7,500 SF: 3 trees
- 7,501 – 10,000 SF: 4 trees
- $> 10,001$ SF: 4 trees + 1 tree per 3,000 SF, max 15

Examples:

Lot Size	Current	Proposed
2,500 SF	1	1
4,600 SF	2	2
6,500 SF	4	3
$\frac{3}{4}$ acre	16	12
2 acre	44	15

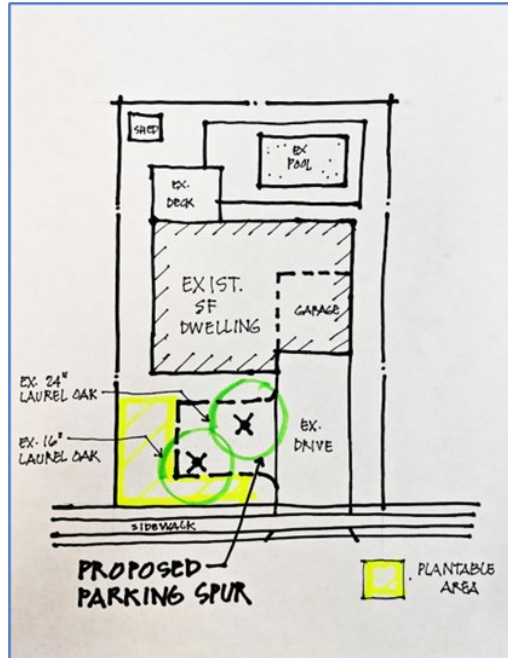
Revised Examples

Project:

5,500 SF lot,
driveway addition,
two trees removed

- A. Mitigation
Required:**
6 trees (27)
OR **\$1,800**
tree bank
fund
(\$10,233)


- B. Landscaping
Requirement:**
2 trees

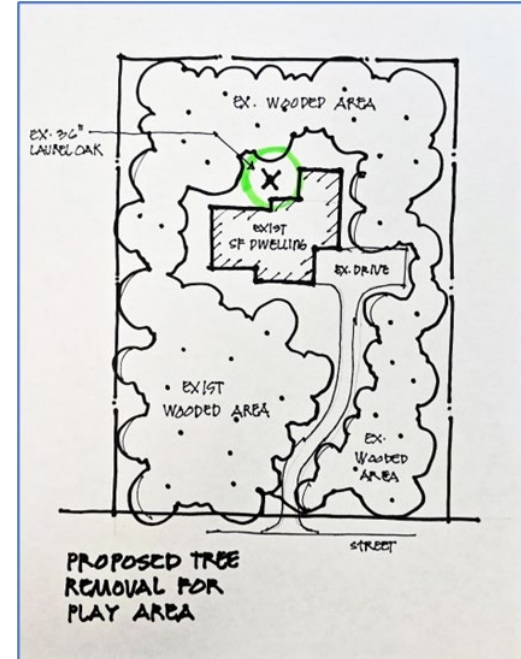


Project:

2-acre wooded lot,
play area, one tree
removed

- A. Mitigation
Required:**
8 trees (24)
OR **\$2,400**
tree bank
fund (\$9,096)

- B. Landscaping
Requirement:**
 **15 trees** (44)



Commercial Landscaping



Existing Development

Added flexibility for compliance with previous site plan landscape requirements when:

- Existing landscaping meets the purpose and intent of the code.
- Site conditions do not support additional plantings (e.g., established canopy).
- Existing landscaping meets current landscaping requirements.
- Scope of redevelopment is limited (e.g., change of use).

Other Changes

- Updates to Approved Species List and Undesirable Species List:
 - “Right tree, right place” approach.
 - More tree options to choose from.
 - Guide property owners to make informed decisions.
 - Prevent use of problematic species and provide credit for voluntary removals.

Summary/Next Steps



- **Ordinance update timeline**
 - DRC, LPA, BCC (2 readings)
 - Projected Adoption by end of 2025

Questions?