COMMUNITY INPUT
Urban Ecology Framework & Tree Protection Ordinance
August 2019

The Department of City Planning received input from a diverse set of audiences ranging from advocacy groups (Tree Next Door, City in the Forest), environmental based non-profits (South River Watershed Alliance, Trees Atlanta), engaged residents, the Development Industry (Council for Quality Growth, Greater Home Builders Association of Atlanta), and more.

Over 150 emails received
Over 250 letters received
4 city-wide meetings held early June on the TPO Outline with over 240 attendees
- Invited to participate in a site planning exercise
- Comment forms submitted to project staff
- Sticky notes posted on informational boards
- Over 50 worksheets completed

We agree. Atlanta's tree canopy is special
Trees and canopy are a well-recognized, integral part of Atlanta's character.
- It's why you live here
- It's why you stay
- It provides the physical fabric of the city you want to live in
- It's important for future generations
    - To battle climate change
    - To leave it better than we got it
    - A part of your family legacy, what you want for your children
- It increases property value and economic development
    - Decreases money spent on stormwater infrastructure
    - Reduces heat/air costs
- It's a source of pride
    - ***"We are the City in the forest"***
    - Defend our title
    - We have an opportunity to lead the way
- It provides benefits beyond our human doing or capability
    - Ecological
        - Wildlife
    - Environmental
        - Stormwater, Air quality, Flooding, Heat island, etc.
    - Health
        - Emotional
            - Enjoyment of being in and surrounded by nature
            - Provides childhood memories of play in nature
        - Mental/Physical
            - Depression, Anxiety/Calm/Stress
            - Asthma
            - Encourages outdoor exercise and activities for all ages
    - Equity/Social
        - Crime reduction
        - Reduced suicide, violence
        - Provides a gathering spot, social cohesion, eyes on the street, community

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Important or essential to you in a new ordinance

- Preservation over replanting
- Protection of trees based on environmental contribution
- Stronger penalties to discourage bad behavior or for repeat violators
- Stronger enforcement (fines/fees) for illegal tree removal
- Trees should be considered upfront in the development process to encourage better site design, i.e., reduce grading and impervious surfaces, consider alternative construction techniques
- Consideration of tree environmental benefits (Stormwater, etc.) built into standards
    - Limit removal within buffers, for installation of stormwater management devices
    - Credits where possible
- Better alignment with other ordinances and agencies
- Strategic replanting (native, preferred species)
- Built in provision to evaluate performance of the ordinance and allow for revisions as necessary
- Consideration of ordinance language for stormwater, invasive species, and undisturbed soils

Items that need clarification/increase hesitancy/give you pause or concern

- Need for informed data
    - Canopy studies
    - Where do we stand now?
    - How will we measure?
- Should increase education to aid the rewrite process
    - Benefits of trees
    - UEF findings
    - Current process
    - Other cities
- New ordinance would be allowing transfer of costs – higher fines built into construction and resale costs affecting affordability
    - Less expensive to cut down and replant trees than to save (desired design, weak recompense, benefits to sell wood, etc.)
- Pace of development and removal of trees (too much, too fast and clear-cutting)
- Concerns developers are knowingly evading tree protection (quick money vs producing something beneficial to the community)
- Concerns developers consider fines or other penalties as a cost of doing business.
- Tree protection during construction not enough to protect trees or stable enough to keep activity out, thereby tree removal is
- imminent.
- Address the 5' exemption rule. See this as a loophole for unoccupied buildings with intent to remodel in the future
- Staffing, resources and level of effort to successfully implement and enforce a new ordinance as well as plant and maintain
- Mistrust in Arborist staff judgement or assessment of trees.
- Tree care is too expensive for homeowners

On the components presented in the June forums

Intent & Purpose:

- Too many buzzwords
- Be transparent and accountable with consequences beyond money
- Transparent and enforceable
- Include as goals to educate and incentivize protection, planting and/or preservation
- Clearly tie to the benefits of trees; measurable, accountable, etc.

Tree Assessment:

- Need more definition on what this looks like for Atlanta
- Should recognize and appropriately value trees that are ill-suited or improperly placed on site
- Differing opinions on value for old, large trees vs small, regeneration
- Link tree assessment to benefits in the Intent & Purpose for accountability and measurability

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- Assess the surrounding areas to evaluate impact to environment with any potential removals (heat island, air filtration, stormwater, property value, equity and access)
- Other factors:
  - Cultural value; neighborhood significance
  - Dollar value of tree
  - Trees on published lists (champion trees, etc.)
  - Worth to wildlife and habitats
  - Structure of tree (weak-limbed, etc.)
  - Value of forest or groups of trees

Development Standards:
- Establish credits for those contributing to existing canopy. I.e., why penalize those supporting/contributing to healthy canopy?
- Protect within a certain perimeter around the property and allow for flexibility on the interior
- Higher preservation standards in high impact areas or areas of vulnerability
- Implement minimum canopy coverages for individual sites
- Ensure value of protection and/or removal matches value of existing tree
- Recompense tied to land value
- Recompense tied to size of tree (value)
- Encourage better site design:
  - Smaller, reduced or reused footprints; less impervious surfaces or increased use of permeable surfaces
  - Water retention, run-off abatement
  - Minimized soil disturbance or remediation
  - Open space requirements
  - Encourage true density growth, not just larger buildings
  - Strengthen parking lot standards
  - Encourage green and living walls
- Technical guides
  - Coordinate with Stormwater to ensure work hand in hand
- Credits
  - Reward those developing a site well
  - For tree species contributing to climate change impacts, clean water, regional ecology and habitat
  - Replanting credits to recompense for younger shade trees and/or large shrubs planted under large overstory
- Exemptions
  - Acceptable for low-income residents
  - Provide in historic districts and infill
  - Concerns about abuse
- Incentives
  - Education for non-industry individuals (potential to have required courses for bad actors)
  - To build on previously developed lots v. greenfields
  - To build on abandoned sites or parking lots
  - Only offered in high need or impaired areas
  - To plant in desirable areas, needed areas
  - For property owners to maintain, prevent tree destruction due to neglect
  - For property owners to keep specimen trees
- Process
  - Build in step on application for accountability of reading the TPO (I have read and understood…)
  - Build in a process to ensure accuracy of what is submitted to Arborist staff
  - Identify projects that impact trees or the environment as soon as possible in the process
  - Appeals and postings are important to the community.
    - Don't eliminate but can support streamlining for applicants.
    - Consider extending the posting timelines.
    - Public display of all tree removal submissions on city website or other media

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- City assistance
  - Supplement with consultants, contracts to expand city capacity
- Penalties
  - Increase penalties to deter non-compliance
  - Repeat offender system
  - Ban building permit issuance for those violating (illegal removals)
  - Moratorium on submitting plans for a timeframe
  - Required education courses for those who are repeat offenders or bad actors

Protection zones:
- Concerns that zones didn't cover some forested areas valued by residents
- Concerns it could negatively affect property value
- Great, but need more understanding of areas selected and how they'll be treated differently
- Standards established as a baseline for the entire city then built out for special zones where needed.
- Keep protection standards consistent
- Offer mitigation when trees must be removed in higher density areas (potential to conserve land elsewhere)

Doing everything right
- Limit removal of trees for projects proposing construction of 2 car garages within a mile of MARTA, Beltline, Streetcar or other major transit line
- More emphasis on opportunities to develop affordable housing incorporating green infrastructure
- Allow no appeals for certain projects, but ensure we understand and agree the project meets the standards set forth

Due Diligence
- Implement as soon as possible

Non-construction related:
- Like*:
  - Don't allow high value removal, but allow others with replacement of equal value tree
  - Increase the allowed time period
  - Allow with replacement of equal value on property
  - Allows for freedom to manage private property
  - Consider adding other variables such as acreage (x trees per y year per z acres), or up to a certain size.
  - Allowances for trees that threaten homeowner private property (site infrastructure)
  - Ensure value is measured by enough appropriate factors
  - Tie to overall canopy trend (if healthy or not much happening, allow removal. If seeing major changes, do not allow)
  - Allow removal if poor tree siting or planting (ill-suited, improperly placed, too close together, etc.)
  - Allow removal of low-moderate if property meets density with good quality trees, not a set timeline.
- Don't like/Uncomfortable*
  - Concerns about abuse or potential loophole
  - Don't allow, but provide expedited support for homeowners
  - Uncomfortable, but understand where may be necessary
  - Counterintuitive to the 50% canopy goal
- Agree process should be fast and easy for the homeowner
- Track for sale of property
- Voice of the opposition is stronger than the support lending the City to a losing battle

Other
- Encourage more residents and private companies to come to meetings; share information on website
- Educate new residents (at closings) of City ordinances and/or key policies
- Tree trust fund shouldn't be a revenue tool

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Other urban ecology focuses:

- Forest management including invasive removal, etc.
- Acquisition/Conservation
- Species diversity in future tree plantings
- Importance of natives
- Education on benefits for trees; Education in general
- Continual study and canopy assessment to evaluate efficacy of ordinance
- Community or citizen teams to support city staff; crowdsourcing for planting, review, inspections, etc.
- Training on best practices

Comments related to the zoning ordinance

- Propose ecological updates to the ordinance; introduce an Environmental Sustainability Policy
- Rezone churches and schools to public/religious to distinguish between commercial. Avoid future and major impact to trees
- Assess the building footprint as max buildout line.
- Concerns about negative impacts of allowed lot coverages per zoning ordinance.
- Need to ensure smarter development vs. appeared clear cutting, grading and max buildout with no true density addition or elevating design
- Require a rezoning for any change of use
- Cap & Trade for greenspace and conservation easements