

TPO CHANGES AT A GLANCE

HOW THE TREE PROTECTION ORDINANCE PHASE I UPDATES AFFECT YOU

SECTION	CHANGES TO TPO	WHAT THE CHANGES MEAN FOR YOU
Definitions		
158-26	<p>The role of the Arborist Division in the Department of City Planning defined.</p> <p><i>The Arborist Division resides in the Office of Buildings in the Department of City Planning.</i></p>	<p>Contact the Arborist Division for tree permits on private property and for questions pertaining to those permits.</p> <p>Contact the Department of Parks and Recreation about trees on City of Atlanta public property.</p>
158-26	<p>Business Day defined as related to sign postings.</p> <p><i>Business Day is a weekday that is not a government holiday and in which the arborist division is open for a full day of business.</i></p>	<p>Only business days count toward the required minimum days for the first (orange) and the second (yellow) sign postings to notify the public that plans to remove healthy trees have been submitted to the Office of Buildings for a construction permit.</p>
158-26	<p>Root chase defined as related to construction plans and arborist review of those plans.</p> <p><i>Root chase is a continuous soil trench created with culvert or piping material under pavement that allows tree roots to connect with nearby open space.</i></p>	<p>A root chase is a way to create more rooting area for trees and is typically used in parking lots. The lifespan of a tree is longer with more available root soil. Construction details will be required to include root chase in plans that are submitted to the Arborist Plan Reviewer.</p>
158-26	<p>Soil cells defined as related to supporting the weight of paved surfaces.</p> <p><i>Soil cells are manufactured structures that can support the weight of a paved surface for sidewalks and driveways while preventing soil, meant for roots, to remain uncompacted.</i></p>	<p>Soil cells provide uncompacted soil beneath paved areas to support the growth and long-term health of urban trees. Trees in compacted urban soils grow smaller and live shorter lives. Soil cells are a type of Suspended Paving.</p>
158-26	<p>Streetscape defined as related to zoning requirements.</p> <p><i>Streetscape refers to zoning requirements for sidewalks such as; width of sidewalk, street lights, trees, and street furniture.</i></p>	<p>This definition helps distinguish between tree planting requirements defined in the zoning code and in the Tree Protection Ordinance.</p>



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158-26	<p>Suspended Paving/Suspended Pavement defined.</p> <p><i>Suspended Paving/Pavement is any technology that supports the weight of paving and associated pedestrian or vehicle loads over a void space filled with uncompacted soil that allows for trees surrounded by concrete or asphalt.</i></p>	<p>Suspended Pavement provides uncompacted soil for root growth under pavement. When Suspended Paving is used, minimum soil volumes for tree planting apply rather than minimum soil surface areas. See changes to Section 158-103 (j) for more information.</p>
158-26	<p>Undesirable Tree Species defined.</p> <p><i>Undesirable Tree Species that have negative qualities which could include weak branch structure, chronic pest and disease problems, and invasive tendencies.</i></p>	<p>Removal of Undesirable Trees requires a permit but is exempt from posting and recompense. The list of Undesirable Tree Species is available on the Arborist Division's website.</p> <p>See changes to Section 158-101 (2) for more information.</p>
Arborist Plan Review		
158-30	<p>This section describes updated tree planting requirements for new and renovated parking lots with 16 or more parking spaces. Renovated parking lots are those undergoing removal of paving, excavation, or alteration of grade.</p> <p>Other changes include spacing trees across the entire parking lot, category of species to use, as well as planting soil area or soil volume. For planting soil area or soil volume see 158-103 (j).</p>	<p>There must be one tree for every eight parking spaces. All parking spaces must be within 45 feet of a tree.</p> <p>All newly planted trees must come from the overstory or midstory category (see Recommended Tree List), with at least 50% overstory species planted in the interior of the parking lot.</p> <p>Overstory trees are those that can grow to 60' or more at maturity. Mid-canopy trees are those that can grow to 40' - 60' at maturity, and mature understory trees reach up to 30'.</p> <p>Understory trees may be approved for use in certain circumstances (such as beneath overhead power lines) or after the minimum planting requirements in 158-30 (b) (1) and (2) are satisfied.</p> <p>The two feet between the wheel stop and barrier curb of the landscape area may be made of a pervious material.</p> <p>The barrier curb or wheel stop must be made of durable material for example; concrete or stone or another material approved by the City Arborist.</p>



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158-34 (a)	<p>There is new language that allows City Arborists to make minor variations in the Tree Protection Ordinance.</p>	<p>Variations or exceptions that are granted will have a written reason and explanation for granting them included in the project record. Variations may be necessary to accommodate unusual site conditions or project types.</p>



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158-36	Site selection for new City facilities will require consultation with the City Arborist to gauge the likely tree impacts and consider alternative sites if necessary.	The City of Atlanta Department of Enterprise Asset Management must consult with the City Arborist during site selection for new City of Atlanta facilities.
158-65 (a)(2)	Posting length is the number of minimum number of days required to fulfill the posting requirements. The minimum number of days has changed.	The tree sign postings are to notify the public that healthy trees may be removed due to proposed construction. The first sign (orange) must be posted for a minimum of 10 business days. The second sign (yellow) must be posted for a minimum of 7 business days.
158-101 (2)	The Undesirable Tree Species list has been divided into two categories - Undesirable and Invasive Trees lists. Trees in these categories may be approved to be removed through the dead, dying or hazardous (DDH) permit process.	<p>Species in both categories are exempt from posting and appeals, and may NOT be planted for replacement credit. Any number of trees in the invasive species categories may be removed. If five or more trees in the undesirable category are removed and that removal is not associated with a building permit, a replacement plan is required. The plan must demonstrate that the site meets afforestation requirements or propose additional tree planting.</p> <p>The Invasive and Undesirable Tree Species Lists are available on the Arborist Division website.</p>
158-102 (a)(1)	Language has been added to give the City Arborist the ability to deny unnecessary tree removal wherever the tree is located on the property including the buildable area.	<p>Potential reasons for denying the removal of a tree(s):</p> <ul style="list-style-type: none"> • The proposed improvements aren't reasonably designed or positioned to maximize protection of existing trees. • Construction or demolition methods and activities have not been planned to prioritize tree protection and avoid unnecessary tree removals. <p>Examples of construction methods that may be required: reuse of cleared, paved, or previously developed areas such as driveways, parking lots, former building footprints, and lawns; directional boring instead of open trenching to install underground utilities; root bridging for sidewalks, driveways, and other hardscapes; retaining walls, pier and beam foundations; use of mulch, plywood, geotextiles, and swamp mats; and temporary decking during the construction phase to avoid soil compaction. Other methods, materials, or techniques may be used if approved by the City Arborist.</p>



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158-103 (a)	The minimum spacings for new tree plantings have been reduced.	Minimum spacing for tree planting has changed: <ul style="list-style-type: none"> • Overstory tree spacing changes from minimum 35 feet apart to minimum 25 feet apart when planted in a single row; 30 feet apart when planted en masse. • Mid-canopy tree spacing changes from minimum 25 feet apart to minimum 20 feet apart. • Understory tree spacings do not change: minimum 15 feet apart.
158-103 (c)	Use of narrow, upright trees (columnar shaped) is restricted.	Columnar shaped trees (view example images here) may not be planted to meet the requirements of the ordinance without approval by the City Arborist. If approved, these trees only receive half credit.
158-103 (i)(2)	The City Arborist Division has a Recommended Tree List to include trees that reflect the diversity of species as seen in forested areas. Trees on this list are approved to be planted to meet the requirements of the ordinance.	One species of tree may not make up more than: <ul style="list-style-type: none"> • 50% of required plantings when 4 to 10 trees are to be planted. • 33% of required plantings when 11 to 20 trees are to be planted. • 20% of required plantings when 21 to 50 trees are to be planted, and no more than 50% shall be of the same genus. • 20% of required plantings when 51 are to be planted; no more than 30% may be of the same genus, except oak species, which may make up 50% of the planted trees. • 75% of replacement trees shall be native to the Piedmont region of Georgia. <p>Where appropriate site conditions exist, overstory and mid-canopy species must be planted before considering understory species. Understory species should generally not make up more than 25% of the required plantings.</p>



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158-103 (j)	<p>The requirement for open soil area for trees planted in parking lots and other areas where trees are surrounded by concrete is increasing, depending on the mature size of the tree. This requirement will allow trees to grow larger and live longer.</p> <p>Where Soil Cells or other Suspended Pavement techniques are used, minimum uncompacted soil volumes, rather than open soil areas, are used.</p>	<ul style="list-style-type: none"> • Trees in the overstory category must have at least 400 square feet of open soil per tree. • Trees in the mid-canopy category must have at least 250 square feet of open soil area per tree. • Trees in the understory category must have at least 100 square feet of open soil area per tree. • When trees are planted in the same constrained area, the open soil area may be reduced by 25%. <p>Minimum widths for tree islands are as follows: eight feet for islands with overstory species and five feet for mid-canopy and understory species. Variations may be allowed, but must be approved by the City Arborist.</p> <p>Root channels, root chases, or other engineered channels to connect trees to an open space may be allowed.</p> <p>Minimum soil volumes for Suspended Pavement planting are:</p> <ul style="list-style-type: none"> • Overstory trees: 800 cubic feet of soil • Mid-canopy trees: 500 cubic feet of soil • Understory trees: 200 cubic feet of soil
158-103 (k) (1-2)	<p>New requirements for planting street trees for new projects.</p>	<p>Overstory or mid-canopy species must be planted at a maximum of 40 feet spacing, with allowances for driveways. Where they apply, zoning requirements for street tree plantings take precedent over the 40-foot maximum.</p>
158-103 (k)(3)	<p>Tree plantings proposed during the infrastructure construction phase of residential subdivisions have two options for the applicant to receive dollar credit against the recompense fee, the cost for removing healthy trees.</p>	<p>Option 1: If trees are planted at the end of infrastructure construction (the land disturbance phase) the City Arborist must inspect them prior to final plat approval, and replacement credit will be given to that applicant.</p> <p>Option 2: If the trees are planted during subsequent building construction, they must be planted according to the final approved subdivision plat. Dollar credit shall be given to the builder who planted the trees.</p>



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158-108	Commercial, multi-family residential, or mixed-use properties must maintain the trees on their sites for the life of the development.	Should any tree die that is planted as a requirement of this ordinance on commercial, multi-family residential, and mixed-use properties, the current property owner must replace the tree for the life of the development.
Field Arborist Inspections		
158-35 (d)	Clarifies language about issuing violations or stop work orders when the approved tree protection plan for the site is not being followed.	The clarity in this update allows the City Arborist to issue a fine if corrections aren't made after being notified twice. The first fine is \$500, which increases to \$1,000 for all subsequent violations.
158-35 (c)	The update outlines when a chain link fence or substantial tree protection fence must be used during construction projects and under what circumstances.	Temporary chain link or substantial tree protection fence is required in these circumstances: <ul style="list-style-type: none"> • All commercial, multi-family residential, and mixed-use developments. • Trees in the front yard of single-family residential properties, during construction. • Trees whose critical root zone will be or has been impacted between 20% - 33%. • Trees which have been appealed to the Tree Conservation Commission and upheld. • Any other situation as called for by the City Arborist.
158-101 (e)(5)	New fee assessed on projects with two or more City of Atlanta conducted inspections.	A fee of \$50 will be assessed if a City of Atlanta Field Arborist denies the yellow sign posting twice due to applicant errors either on the plan or in the field.
158-103 (h)	Trees that count towards the afforestation requirement (minimum required trees) must be free of invasive vines. Invasive exotic vines cause damage to trees by blocking light to the tree's leaves, adding weight to the tree, and acting like a sail which may cause the tree to break or fail completely.	Trees that count towards site density must have invasive exotic vines cut at the base of the tree to pass the arborist final inspection for a Certificate of Occupancy. These vines include English Ivy, Kudzu, Chinese and Japanese Wisteria. There is an Invasive Woody Vines guide available on the Arborist Division website that explains how to make the cuts and how to identify the vines by leaves, flowers, etc.



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Tree Trust Funds		
158-66 (c)	<p>A new provision has been created to set aside \$200,000.00 to assist low-income homeowners with pruning of dead, dying, or hazardous branches or removal of dead, dying, or hazardous trees.</p>	<p>Eligibility for the initial phase of this program will be limited to senior citizens who have been granted a City of Atlanta Senior Homestead Exemption by Fulton or DeKalb Counties. The City of Atlanta Senior Homestead Exemption is available to homeowners who are 65 and older with an income of \$40,000 or less.</p> <p>An application is required for this assistance program. The application will be available on the City of Atlanta website and from the Arborist Division office.</p> <p>When a homeowner’s application is approved, the City of Atlanta will coordinate the pruning or tree removal at no cost to the homeowner. If a tree is removed under this program, the City requires a new tree to be planted on site, also at the City’s expense.</p>

