



## **Top Ten Things That Must Be Fixed** **in the City of Atlanta Planning Department's** **January 2020 Proposed Tree Ordinance**

1. **Greater simplification.** The entire City ordinance needs to be shortened and simplified to be more readily understood by the public and easier to implement. Numerous caveats and exceptions in this ordinance make it ripe for abuse and gamesmanship.
2. **A measurable goal for saving tree canopy.** The City ordinance needs to define the percentage of the existing tree canopy that the City intends to preserve and provide for an urban forest master plan that outlines how that percentage goal will be accomplished.
3. **Meaningful enforcement procedures.** There needs to be enforcement procedures that deter illegal activity, such as requiring court appearances, imposing lengthy stop work orders, and/or suspending future permitting activity. Losing one's "tree professional registration" is not enough deterrent as one incurs only a misdemeanor penalty if caught working without being registered.
4. **Trees preserved for all zoning categories.** Tree preservation standards need to be specified for commercial, multi-family, and sub-divisions, not just single-family residential lots only.
5. **Right to be notified of preliminary approvals and to appeal.** Onsite notification of a tree removal request (orange sign) has been eliminated in the City ordinance as well as almost all rights to appeal on single-family residential lots. Notification that a preliminary approval has been given for tree removal (yellow sign) must be onsite for at least 10 business days during which anyone who lives in or owns a business in the city may appeal the property regardless of zoning category.
6. **Mandatory pre-construction conferences.** The City ordinance eliminates the current requirement for pre-construction conferences which is the only way to ensure that tree fencing has been installed correctly. The new tree ordinance needs to keep the mandatory pre-construction conference.
7. **Setback and boundary trees protected.** The City ordinance does not provide any protection for setback trees and allows boundary trees to be removed (not just impacted) with adjacent neighbor approval. Protection for setback and boundary trees should not be reduced from what is provided in the current ordinance.

8. **Tree replanting prioritized.** The City ordinance raises the recompense fee per inch to \$240 but significantly reduces that amount by up to 50%, and then provides additional recompense discount “incentives” to accomplish other city goals. To retain tree canopy, recompense fees must be collected in full and used primarily to replace trees, not to buy land or pay salaries.
9. **End the “DDH Tree” loophole.** Better safeguards in terms of online inspection reports and physical sign postings need to be established to prevent healthy trees from being removed as DDH (dead, dying, and hazardous). Neither the current nor the new City tree ordinance have enough provisions to prevent healthy trees from being removed as DDH.
10. **Strengthen reporting of tree loss and recompense collected/spent.** The City ordinance reduces current quarterly reporting to annual and ignores recommendations of last year’s City Audit of the Tree Trust Fund. To assure accountability, tree loss reports must continue every quarter and new reporting for recompense fees collected and spent must be initiated.

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