Tree Conservation Commission
Business Meeting Minutes

City of Atlanta
City Hall
Arborist Division, Suite 3800
August 21, 2019
4pm - 6pm

Commissioners present: Sarah Boles, Jack Cebe, Nabil Hammam, Marvin Lampkin, Bruce Morton, Elizabeth Ward, Susanne Blam, Chet Tisdale, Lawrence Richardson, Stephanie Stuckey (by phone)
Staff present: Kathy Evans, TCC staff

1. **Minutes.** Review June 19, 2019 business meeting minutes (no business meeting in July). Minutes approved by those present.

2. **Membership.**
    - The Commission welcomes:
        - Chet Tisdale, retired environmental attorney, serving in Lay Citizen position.
        - Jack Cebe, landscape architect. Serving in botanist/forester, horticulturalist position. (TCC recommends for landscape architect position and will appoint to that position in January 2020 if that position remains vacant).
        - Susanne Blam, architect. (Appointed by City Council, Districts 5-8; Post 2 At-Large).

3. **Arborist Division update.**
    - Will work with TCC to develop SOP for citations and cases with multiple responsible parties.

4. **Projects.**
    - **Tree Canopy analysis for 2018.** Imagery collected in Sept/Oct 2018 is now being analyzed. Contract is for one year. TCC suggests neighborhood discussions of results.
    - **Water bill** inserts about the requirement of tree permit was in June water bill and online. Another planned for October.

5. **Urban Ecology Framework/Tree Ordinance Update.**
    - **City Council Work Session (CDHR Committee).** The work session will be held August 22, 11am (rescheduled from, June 19).
    - **Tree Ordinance Team** (Elizabeth Johnson, Andrew Walter, David Zaparanick) will meet with Tree Conservation Commission, Wednesday, August 28, 5pm – 6pm, to discuss the TCC's recommendations for the ordinance.
    - **Ordinance discussion.** Wide-ranging discussion of recommendations for improving tree ordinance. Included review of lists of previously developed "Guiding Principles for Tree Protection Ordinance" previously adopted by TCC (attached) and draft of more specific recommendations. Recs will be summarized and expanded for the Aug 28 meeting. Discussion topics included:
        - Is an escrow to ensure survival of saved/planted trees is possible?
          We have been advised in past that this is not possible to administer.
        - Can we require larger replants? Better species and care of replants?
          Larger not typically recommended bc survivability diminishes. Better conditions and guarantees typically more successful.
        - We should recommend align Zoning Code with Tree Code in new ordinance, especially if goal is to achieve greater density.

- Potential tree loss should be evaluated as part of variance considerations. Variances that result in tree loss should not be granted if goal is to preserve trees. Early review would ensure this type of loss would not occur. BZA does not take potential tree impact and loss into consideration when evaluating variance requests. Sometimes trees and root zone impact are not shown on plans submitted for variances.
- "Densifying sites" should be part of the consideration when making decisions about tree preservation and approval of removals.
- "Dirt matters" City must create guidelines for where to plant, and planting specs, so that trees can survive and grow to maturity.
- Can right-of-way be wider by Code? Jack Cebe will send paper he co-authored on soil volume specs.
- Early Review is important. Is pre-application review happening now? Concept Review Committee is happening when a *rezoning* is requested and when a *subdivision* is requested. (KE will distribute City Council Resolution and fact sheet)
- Concept Review meeting should include site conditions and all tree sizes and species so that it is possible to assess impact to trees.
- Need better options for enforcement.

6. **New Business.**
    - **One hearing** this month: This evening, Wednesday, August 21, 6:30 pm.
    - Everyone plans to attend August 28 meeting with ordinance team, 5 pm.

Guiding Principles for Tree Protection Ordinance Update
By City of Atlanta Tree Conservation Commission *5/18; rev.1/19 and 8/21/19*

1. **New paradigm:** Primary goal should be to maintain a *functioning urban forest* with all the associated ecological, environmental, and economic benefits, not simply more trees. The benefit of a thriving forest is greater than the sum of its parts. While individual urban trees are important for softening the urban landscape, shading hardscapes, and slowing storm water, forests provide greater ecosystem benefits such as watershed and riparian protection, air quality, health benefits for children and adults, habitat for native wildlife and migratory birds, heat island reduction, and opportunities for human recreation and renewal.
2. **Build on Recommendations of City Design and Urban Ecology Framework.**
    - ***Conservation Areas*** as identified by *City Design* and mapped by the *Urban Ecology Framework*, contain many large, mature trees which function as continuous -- or nearly continuous -- canopy across many neighborhoods and along Atlanta's many stream corridors, creating an urban forest network that offers the high ecological benefits of a fully functioning urban forest. The tree ordinance should support City Design's "overarching goal" to protect these areas and to favor goals such as improved ecology. Ordinance goals in the Conservation Areas should focus on preservation of existing canopy, protection of trees on stream banks and along stream corridors, protection zones for natural forest regeneration, and planting of native species in canopy gaps.
    - ***Growth Areas*** as identified by *City Design*, refer to the city's core and major thoroughfares. These areas (such as Downtown, Midtown, West End, Castleberry, and Greenbriar), according to *City Design,* "represent an enormous capacity that, if property designed, can easily accommodate Atlanta's expanding population." Because many of these areas will be dedicated to denser housing and the built environment, tree cover will be limited primarily to street trees, park land, and smaller private lots. These urban trees are important for softening the urban landscape and shading streets and sidewalks, but generally, individual trees offer more limited environmental services than forested areas and stands of trees. Ordinance goals for these areas should include improved street tree planting standards, minimum standards for soil volume/open space/planting areas in commercial and mixed-use developments, parking lot planting standards, and planting in public spaces.
3. **Preservation of high-quality trees first, replacement second.** Some trees and forests cannot be replaced – or recreated – with replanting, and certainly not in a human lifespan.
4. **Adapt the plan to the site, not the site to the plan.** Build around trees whenever possible, making it a priority to build around the highest quality trees. This requires identifying high value trees and other natural environmental assets first and designing the built environment accordingly.
5. **Brownfields before green fields.** Re-development before development. Previously developed sites should be developed before more pristine (less disturbed) sites. Even on small lots with tear-downs, structures should utilize the footprint of previous structures to the greatest extent possible. Driveways, parking areas, and disturbed areas should be reused. Ordinance goals should include incentives for development of brownfields and other disturbed sites as well as incentives for preservation of higher quality forests and trees (such as adjusting the "maximum recompense" structure to require greater preservation, and allowing design flexibility to cluster buildings, etc.).
6. **It's not about the trees,** it's about the forest and ecological health. In the Piedmont region, trees are just markers for intact ecological systems.
7. **Trees are not forests** (or, trees need friends).
    - Communities of trees provide more ecosystem services than isolated trees.
    - Forests (and stands of trees) are more self-sustaining than isolated individual trees.
    - Large trees typically provide many more ecosystem services than small trees (mature size is determined by age and species, of course).

8. **Not all trees are the same**. You must know what you have to know how to manage it.
    - It should be easier to remove a tree with low ecological value in our region, the Southern Piedmont, (e.g. crape myrtle or cryptomeria) than one with high ecological value (e.g. white oak or hickory).
    - It is more important to avoid destruction of a quality tree or stand of trees (e.g. a stand of hickories and oaks are more important to protect than a Burford holly or Japanese maple).
    - Plant the best trees in the best conditions. Also, don't plant lower quality trees in high quality conditions.
    - Parking lot species should be different from trees in parks and yards with more space and greater soil volume.
    - Quality matters. When trees must be removed, replace them with trees of equal or better quality (in terms of ecosystem services).
9. **Dirt matters.** Soil volume and quality are critically important.
    - Leave enough space for trees to mature. Guidelines, such as limits to the "disturbed area" of sites which currently do not exist should be developed in the new ordinance.
    - If there's not enough space for preserving trees, and planting trees, require mitigation by creating a means of saving the space to plant trees on site -- or elsewhere (e.g. conservation easements, nature preserves, open space requirements within developments, linear planting strips, and other innovations can be used to increase ecological benefits in all land use areas). Consider ideas such as contribution to a forest fund (such as Charlotte, NC's program) or a transfer of tree rights (TTR, modeled on transfer of development rights).
    - Leave soil undisturbed when possible, even if not doing so to protect a tree. This allows forest regeneration and increases stormwater management capacity. This could be accomplished be defining "limits of disturbance" and could be enforced in the same manner as stream buffers and silt fencing, etc.
    - Planting specifications need to be adjusted for surface parking lots to allow space for trees to grow to maturity. Incentives can include a reduced number of trees if planting islands are larger and shade more than one row of parking spaces. Credit should also be offered for preserving existing trees adjacent to parking area.
10. **Tree removal should not be (only) transactional.**
    - Plan preparation and review should be modeled around the need to justify removal, not the need to justify preservation. Removing any tree should require a good reason.
    - Collect recompense as a last resort. It should never be the first option.
    - Fines for non-compliance should be used to incentivize compliance with tree protection requirements, and never as a "cost of doing business" that could provide builders dis-incentives for carefully complying with approved tree protection plans during construction. Since fines have caps, recompense may need to be adjusted for higher value trees and alternative means for seeking compliance may need to be developed (such as stop work with required training class on tree protection, such as the DUI/safe driver training model).
11. **Trees are community assets.** Trees/forests are not just personal assets but are environmental, ecological, and cultural assets.
12. **Guiding questions aim to benefit forest.** When considering a change to the ordinance, always consider whether the change is for the benefit of the urban forest. If it is not, why not? Is the provision necessary? Is the change the most efficient and cost effective?
13. **Keep it simple.** Whenever possible, make requirements simple and easy to follow from the beginning to the conclusion of every project.

A BETTER MODEL FOR URBAN FORESTRY

GA Forestry Commission

EXISTING DEVELOPMENT MODEL	URBAN FOREST MODEL
Trees have low priority	Trees have equal priority
Trees as ornament	Trees as infrastructure
Individual trees	Forest
Small and ornamental trees	Large canopy trees
Lawn and paving	Vegetative ground cover
Tree maintenance	Forest management
Aesthetics-based design	Soil/Ecological-based design

Principles to Improve the Urban Forest

1. Preserve existing trees and forests.
2. Increase space for tree planting.
3. Preserve and improve the quality of the tree-growing environment.
4. Select trees for diversity and suitability.
5. Select efficient planting locations.
6. Manage the urban forest as a continuous resource regardless of ownership boundaries.

Source: The Georgia Forestry Commission, in its Model Urban Forest Handbook, a document created to help communities better understand, preserve, plant, and maintain trees and forests as an important community resource.