



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL: PLANNING DEPARTMENT

DELIVERED VIA: ☒ HAND ☐ MAIL ☐ FAX ☒ EMAIL

To: Advisory Boards
From: Christina Moon, Planning Administrator
 Randy Dodd, Environmental Planner
Date: October 27, 2017
Subject: Draft Tree Ordinance Text Amendment

Summary

The purpose of this memo is to provide a quick summary of draft LUO text amendments related to tree protection, shading, canopy, and landscaping provisions in the LUO. The draft amendments have been developed in response to: a) feedback from the Board of Aldermen; b) staff experience since the most recent amendments in 2014 in implementing the provisions; and c) ongoing/continuous review of the LUO by staff. They represent a mixture of policy related, technical, and editorial revisions.

Information

A draft ordinance has been prepared that is designed to create an opportunity for minor deviations from the provisions in Article XIX, Screening and Trees, for certain situations while retaining the overall intent to retain and protect trees, and to plant new trees for improved shading and canopy cover (Attachment B). It includes language to allow the planting of trees and shrubs in tighter urban conditions if accompanied by a recommendation/guarantee of an certified arborist or other tree specialist of the tree's survival, until maturity. The draft ordinance also includes new language to allow a payment in lieu of tree replacement, in certain situations. In the short term, staff could identify a few possible locations on Town-owned property that could be used as receiving areas for trees, but in the long term, such a mitigation program would necessitate the adoption of a more comprehensive tree planting program and plan to guide the collection of payment for this specific purpose. Other changes—a new calculation worksheet in the appendices, updated plant lists reorganized into a single table, and other minor formatting improvements—are included primarily to make these provisions clearer and more straightforward in their implementation. The table on the next pages summarizes the draft amendments and rationale for pursuing these changes.

Recommendation

It is recommended that the Advisory Boards consider this information as part of reviewing the draft text amendment.

| Draft Revision | Rationale for Draft Amendment |
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| LUO Section | |
| 15-314: Findings and Declaration of Policy | Additions to clarify and emphasize several Town policy priorities |
| 15-315: Definitions | Added definitions for habitat and tree stand per BoA feedback. |
| 15-317: Protection of Specimen and Rare Trees | Edits for clarity and to include arborists as qualified professionals to evaluate tree retention. |
| 15-318: Parking Lot Shading | Modifications to offer additional flexibility for downtown/infill/redevelopment properties based on experience with development applications. |
| 15-319: Tree Canopy Coverage | Edits to provide additional clarity, specificity, and flexibility on the implementation and modification of standards based on experience with development applications. |
| 15-321.1 Payment in Lieu | Sets up a payment in lieu ability/mechanism for downtown/infill/redevelopment projects that have difficulty complying with shading and/or canopy provisions |
| Appendix A: Information Required with Application | Minor wording changes for clarity. |
| Appendix E: Technical Guide for Landscaping | <ol style="list-style-type: none"> 1) Minor wording changes for clarity 2) Added formula for calculating number of replacement trees 3) Rewording of introduction to recommended plant list to emphasize native plants and making explicit that Administrator has the discretion to not approve of landscaping/planting plans that deviate from list. 4) Restructuring of recommended plant lists for both planting and protection into a table to make information easier to navigate and convey helpful information about plant species characteristics. 5) Removal of 14 non native plant species from the recommended plant list and addition of 9 plant species (8 natives) from a list of 97 species 6) Expansion of list of invasive plant species that are prohibited from planting to include all invasive plants identified by NC Native Plant Society (rather than a fixed list of highest priority invasive plants). |