



DPO 9 TEXT AMENDMENTS

TREE CANOPY, LANDSCAPING, & SCREENING

Public Hearing: July 23, 2019



PURPOSE

Healthy, Mature Canopy

Preserve, Protect, Enhance

Improve/Calibrate Standards

Enduring Compliance

OVERVIEW OF CHANGES

- **Highlights**

- » Informed by Local Canopy Data & Science
- » Integrates Education & Regulation
- » Adds Features: Arborist, Tree Fund
- » Adds Rigor & Prescriptive Requirements
- » Retains Flexibility
- » Reorganized/Reformatted for Clarity
- » **Results = Greater Tree Canopy Coverage**

CHANGES BY SECTION

- **9.1 Purpose & Intention:** Aspirations, Goals
- **9.2 Applicability & Administration:** Doc. Reqs., Processes
- **9.3 Tree Coverage & Preservation:** Coverage Requirements, Processes
- **9.4 Street Tree Plantings:** Flexibility, Planting Strip Width
- **9.5 Site Landscaping:** Reformatted
- **9.6 Parking Area Landscaping:** Reformatted
- **9.7 Screening:** Discrepancies Reconciled
- **9.8 Installation & Maintenance Standards:** Third-Party References
- **9.9 Alt. Methods of Compliance:** Relocated/Reformatted
- **9.10 Planting Specifications & Appendices:** Consolidated Info.
- **15.3 Landscaping Violations, Civil Penalties:** Violation Types, Procedures

PROPOSED CHANGES SUMMARY

■ Master Plans/Permits:

- » *Arborist Involvement**
- » Increases Coverage & Preservation
- » Payment-In-Lieu Option
- » Enhances Street Trees: Wider Planting Strips; Count Towards Coverage
- » Larger Planted Trees
- » Increases Penalties

■ Individual Lots:

- » *Arborist Involvement**
- » Retains No Fee for Tree Removal
- » Regulates Entire Lot
- » Increases Penalties with Flexible Application

****Education is Foundational
Principle of Amendments***

9.3 TREE COVERAGE

- **Tree Canopy Requirements (Minimum):**
 - » Must Preserve and/or Plant
 - » Specific Planning Area Thresholds
 - Based on Canopy Study [Planning Areas]
 - Max. Preservation Contribution [50%]
 - » Min. Tree Size for Plantings
- **Flexibility:**
 - » New Trees
 - » PIL Select Areas (\$8/SF) [Street/Parking Trees Still Req'd.]

9.3 COVERAGE COMPARISON

■ Current Ordinance:

- » Targets/Not Binding
- » Unclear, Inconsistent

Table 9-1: Tree Planting Requirement		
Planning Area	Tree Planting Requirement	Approx. Canopy Coverage**
Rural	2 large maturing trees per 5,000 square feet of parcel area, OR 1 large maturing tree and 1 small maturing tree per 3,000 square feet of parcel area	30% - 50%
NE/NG/VI/ EC1/EC2/CC	2 large maturing trees per 7,000 square feet of parcel area, OR 1 large maturing tree and 1 small maturing tree per 4,500 square feet of parcel area	20% - 40 %
LK/VC/VE/ VCom/NC1/ NC2/CBD/ NS	2 Large maturing trees per 9,000 square feet of parcel area, OR 1 large maturing tree and 1 small maturing tree per 6,000 square feet of parcel area	15%

■ Proposed Ordinance:

- » Prescriptive/Binding
- » Simplified

TABLE 9-1: TREE COVERAGE REQUIREMENT	
PLANNING AREA	MINIMUM PROJECT CANOPY COVERAGE
RPA	60%
NE	50%
EC1/EC2/CC	40%
NG	30%
VI	20%
LK/VC/VE/ VCOM/NC1/ NC2/CBD/NS	15% *

**Payment-in-lieu permitted in select areas.*

***Note: The Min. Project Canopy Coverage is the coverage at maturity.*

9.3 COVERAGE COMPARISON

TABLE 9-1 CANOPY COVERAGE COMPARISON

1. Planning Area	2. Current Coverage Req.	3. Area Covered (Ac.)	4. Proposed Coverage Req.	5. Area Covered (Ac.)	6. Difference
RPA	30%	566	60%	1,132	566
NE	20%	279	50%	697	418
EC1/EC2/CC	20%	180	40%	361	180
NG	20%	159	30%	239	80
VI	20%	203	20%	203	0
LK/VC/VE/ VCOM/NC1/ NC2/CBD/NS	15%	56	15%	56	0
Total Canopy Difference (Acres of Canopy)					+ 1,245 Ac.
Total Canopy (% Increase)					+ 18%

9.3 PRESERVATION COMPARISON

TABLE 9-2 PRESERVATION COMPARISON

1. Planning Area	2. Current DPO Pres. Req.	3. Area Preserved (Ac.)	4. Future DPO Pres. Req.	5. Area Preserved (Ac.)	6. Difference (Ac.)
RPA/NE	20%	656	40%	1,313	657
EC1/EC2/CC	20%	181	30%	270	89
NG/VI	20%	362	20%	362	0
LK/VC/VE/ VCOM/NC1/ NC2/CBD/NS	20%	75	10%	37	-38
Total Preserved Difference (Acres of Canopy)					+ 708 Ac.
Total Preserved Canopy (% Increase)					+ 10%

FEES & PENALTIES

- **Permit Fees:**
 - » Master Plans & Building Permits: Covered in Base Fee
 - » Individual Lots: No Fee (Permit Triggers Arborist Consultation)
- **15.3.1 Landscaping Violations & Civil Penalties**
 - » Reorganized: Clarity of Process, Standards
 - » Responsible Parties: Each Potentially Liable
 - » Replacement Criteria: Updated, Contextualized
 - » Total/Partial Loss: Calibrated Penalties
 - Appeals + Non-Monetary Penalties Included

FEES & PENALTIES

	Approved Plans/Permits	Individual Lots
Total Loss	<ul style="list-style-type: none">▪ Tree: \$500/Caliper Inch▪ Specimen Tree: \$500/Caliper Inch up to 24 Inches; \$800/Caliper Inch over 24 Inches (\$25,000 Max.)	<ul style="list-style-type: none">▪ Tree: \$500/Tree▪ Specimen Tree: \$1,000/Tree
Partial Loss	<ul style="list-style-type: none">▪ Tree: \$500/Tree▪ Specimen Tree: \$1,000/Tree	N/A

**Additional shrub and vegetative cover penalties may apply.*

***Alternative non-monetary penalties or replanting strategies may be pursued in select cases.*

NEXT STEPS

Public Hearing
Planning Board Recommendation
Livability Board Recommendation
Additional Modifications
BOC Consideration of Approval