



**TOWN OF DAVIDSON
LIVABILITY BOARD
TOWN HALL - 216 S. MAIN ST
7:00 P.M.
AUGUST 20, 2019**

I. CALL TO ORDER

II. WELCOME AND RECOGNIZE NEW MEMBERS AND GUESTS

III. CHANGES TO THE AGENDA

IV. ADOPT MINUTES

- (a) June Livability Board Minutes

V. OLD BUSINESS

- (a) Tree ordinance amendment
- (b) Armour St Pier

VI. NEW BUSINESS

- (a) 100 ft Buffer



Agenda Title: June Livability Board Minutes

Summary:

ATTACHMENTS:

Description	Upload Date	Type
☐ June Livability Board Minutes	8/15/2019	Cover Memo

Davidson Livability Board

Meeting Minutes, Tuesday, June 18, 2019

Members Present

Resai Bengur, Dave Cable, Jane Cacchione, John Cock, Patrick Coleman, Cheri Foreman, Amy Hartz, Deborah Keenan, Steedman Lyles, Martin Metzker, Jason Parker

Members Absent

George Berger, Jim Dumser, Chloe deBeus,

Parks & Recreation Staff Present

Kathryn Spatz, Leslie Willis

No Guests Present

Meeting called to order at 7:00 PM with 11 members present

Chair Steedman Lyles called the meeting to order and welcomed guests and members of the Livability Board.

A motion to approve the May 2019 Meeting Minutes, with no changes, was approved by a vote of 10–0 with one abstention.

Town of Davidson Senior Planner Travis Johnson updated the Livability Board on the latest draft of the Town of Davidson Mobility Plan, a comprehensive transportation plan that evaluates all forms of transportation and how they work together, through our entire community. The plan covers all modes of transportation, including bicycle lanes, greenways, parking, walkability, public transportation, mobile technology, and vehicular transportation.

The plan calls for an annual joint Town of Davidson Livability Board and Town of Davidson Planning Board meeting to review the implementation of the Town of Davidson Mobility Plan at which point future potential projects and policies would be discussed and determined.

A motion to endorse the Town of Davidson Mobility Plan, specifically as it aligns with the Town's core value that its citizens need to move easily throughout the town and the region and recommend the adoption of the plan by the Town of Davidson to the Town of Davidson Board of Commissioners, was approved 10-0 with one abstention.

A motion to approve the naming of the Park at Beaty Street as "Beaty Park" was approved 11-0.

Dave Cable provided an update from the Park at Beaty Street Task Force, including the current status of the conservation easement for the Park at Beaty Street. Cable presents the easement to the Town of Davidson Board of Commissioners in August or September of 2019.

Subcommittee Chair Dave Cable provided an update from the Trees & Natural Assets Subcommittee regarding the current status of the so-called tree ordinance.

Director Kathryn Spatz provided an update from the Town of Davidson Board of Commissioners. Applications are open for the Town of Davidson Non-Profit Grant Program until July 19, 2019.

The Livability Board will not meet in July 2019.

No further updates from staff or Subcommittees occurred.

The meeting adjourned at 9:01 PM with a unanimous vote, 11–0.



Agenda Title: Tree ordinance amendment

Summary:

ATTACHMENTS:

Description	Upload Date	Type
❏ Tree Amdendment Deck	8/16/2019	Cover Memo



DPO 9 TEXT AMENDMENTS

TREE CANOPY, LANDSCAPING, & SCREENING

Livability Board: August 20, 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 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 (\$8/SF, street/parking trees required). Nor more than ½ from required preservation areas.

**Note: The Min. Project Canopy Coverage is the coverage at maturity. 6

9.3 COVERAGE COMPARISON

TABLE 9-1 CANOPY COVERAGE COMPARISON

1. Planning Area	2. Current Coverage Req.	3. Current Area Covered (Ac.)	4. Proposed Coverage Req.	5. Proposed 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. Current Area Preserved (Ac.)	4. Future DPO Pres. Req.	5. Future 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
 - Tiered for Initial Offense
 - 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: <ul style="list-style-type: none"> - 1st Citation: Warning + \$50 - 2nd & Subsequent Citation for Same Offense: \$500 per Tree ▪ Specimen Tree: <ul style="list-style-type: none"> - 1st Citation: Warning + \$100 - 2nd & Subsequent Citation for Same Offense: \$1,000 per 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

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



Agenda Title: Armour St Pier

Summary:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		



Agenda Title: 100 ft Buffer

Summary:

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Description	Upload Date	Type
No Attachments Available		