Winston-Salem / Forsyth County Tree Ordinance Committee Meeting Summary

June 13, 2007
City Hall South, Winston-Salem, NC

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Draft Date: 7/10/07 Approval Date: 08/01/07

Attendance
Glenn Cobb Winston-Salem Regional Association of Realtors
Melynda Dunigan Winston-Salem Neighborhood Alliance
Keith Huff City of Winston-Salem, Stormwater
Glynis Jordan City-County Planning Board
Evie Katsoudas Winston-Salem Chamber of Commerce
Paul McGill McGill Realty
Elizabeth O’Meara Sierra Club
Bob Ragland Forsyth County Environmental Affairs

Alternates
Nancy Gould Winston-Salem Homebuilders Association
Kaila Hires Winston-Salem Neighborhood Alliance
Robert Vorsteg Winston-Salem Neighborhood Alliance

Others
Ryan Swaim NC Division of Forest Resources, Forsyth County Office

Meeting Agenda
1. Agenda review; approval of meeting summary, information sharing
2. Review, evaluate, and prioritize options under Objective #2
3. Next steps and agenda for next meeting

Handouts Provided
2. City of Charlotte “UDO Chapter 21 (Tree Ordinance)” Section 21-91 (Tree Survey) and Section 21-92 (Tree Protection Plan)
3. City of Greensboro “UDO Chapter 30-5-4 Landscaping and Tree Preservation Requirements” Section 30-5-4.2 Tree Conservation Plan Procedures
4. Winston-Salem / Forsyth County Tree Ordinance Committee Evaluation of Objective 3.

Actions and Future Tasks
1. Agreed to organize a subcommittee to develop a purpose statement as a preface to the ordinance.
2. Established a partial list of objectives that should define and characterize Tree Save Areas
3. Identified information to be mapped and presented at the next meeting.
I. Introductions, Agenda Review, Information Sharing

A. The facilitator, Steve Smutko, welcomed the committee members and reviewed the day’s agenda.

B. The committee approved the May 2, 2007 meeting summary with no changes.

C. Glynnis Jordan delivered a message from the Winston-Salem City Manager, Lee Garrity. Keeping in mind the implementation date of July 1, 2008, which has always been the target for this ordinance, Mr. Garrity feels that the committee needs a time certain. In consideration of summer schedules he has suggested a drop dead date of October 1. Whatever the committee has generated by that time staff will take and put into ordinance form, bring it back to the group to make sure that it is consistent with the committee’s recommendations, and then get public feedback and comment through the public hearing process. If the committee has not completed its task, staff will take what they have and finish it. Staff is here in an advisory role, not here to influence the discussions, but to provide technical guidance. It is the desire of the administration and staff that this be an ordinance whose content comes from the agreement of the various groups.

II. Review & Discussion of Objective 2 Options

A. Smutko reminded the committee that they have made substantial progress to date. The number of ordinance options that the group has come up with that are generally acceptable by all members far outnumber those that still need resolution. He stated that he wanted the group to continue its work from the last meeting, and focus on the remaining ‘red’ issues on the discussion agenda. To start off, he reviewed the discussion, and resulting changes to the discussion agenda, from the last meeting.

B. Discussion of 2.4.1, establishment of tree canopy policy and goals.

1. Smutko stated that this option was dropped from the discussion agenda because the committee decided that tree canopy policy would be contained in the overall recommendations made by the committee. He also reminded the group that they had tentatively agreed to the overall goal of: Protect the tree canopy in ways that are compatible with continued growth.

2. It was proposed that the group consider including an overall policy statement regarding preservation of the tree canopy. This would serve as a preface to the ordinance and coincide with the purpose of the ordinance.

3. It was also suggested that an oversight committee be established to monitor progress to ensure that the goals are being met.

4. After further discussion the committee concurred with the removal of 2.4.1 from the discussion agenda, with the understanding that a purpose statement will be drafted and inserted at the front of the ordinance. Elizabeth O’Meara volunteered to organize that task.

C. Discussion of new language in 2.4.2., 2.4.3 and 2.4.5

1. There was considerable discussion about what proportion of a lot or subdivision project should be identified as a Tree Save Area. The figure of 10% was identified from the discussion last month.

2. One committee member cited the tree protection ordinance recently adopted by Forsyth County, Georgia. They took a different approach to establishing canopy density requirements. They use a measurement of ‘site density.’ They set a minimum tree density for each land use type (residential, commercial,
The density may be achieved by counting existing trees to be preserved, planting new trees, or some combination of the two calculated by a formula that gives greater weight to preserving trees than planning new ones. Facilitator’s note: the Forsyth County, GA Tree Protection Ordinance can be found at: http://www.forsythco.com/pdf/files/Tree_Ordinance_16Nov06.pdf.

3. The committee continued to discuss the relative merits of establishing a Tree Save Area, and how it should be specified.

4. Question to Keith Huff: Is there any relationship between the calculations used in the city/county Phase II stormwater regulations and vegetation conservation?

Response: Although vegetated areas, particularly tree stands, can significantly mitigate stormwater runoff, this criterion is not used in calculating post-development stormwater mitigation requirements. You lower your stormwater maintenance obligations by lowering your development density, but there is no direct relationship between the number of trees saved and the design of stormwater mitigation facilities.

5. Question to Keith Huff: If you build at a specific density, whether you clear trees out, or left trees, you would not get any credit for saving trees?

Response: The closer you can make your post-development conditions to your pre-development conditions, the smaller your ponds will need to be. How you engineer the particular site will make a difference in how large your stormwater ponds need to be. But whether you leave ten trees here, or ten trees there, the builder will not be credited and allowed to build smaller or fewer ponds. You do take into consideration the connectivity of the impervious surfaces. The hydrologic analysis will tell you how much volume you need to capture, but the relationship between trees remaining on site and the stormwater mitigation needs is very indirect.

6. Question to Ryan Swaim, NCDF Forester: Is there a minimum size of forest stand to maintain stand viability?

Response: It depends on species. Pines need to be surrounded by other trees to protect them from wind and ice damage. Hardwood species on the other hand don’t have such needs. You can have a single oak survive quite well. However, other things could certainly cause damage, especially encroachment by pavement and other hard surfaces.

7. After further discussion, the committee identified several objectives that a Tree Save Area should fulfill, which may be useful in defining its size and scope on a piece of property:

- Mitigate stormwater runoff
- Enhance rainwater infiltration
- Enhance viability of remaining tree stands
- Maintain development viability –
- Keep it simple, make it easy to calculate a TSA
- Maintain trees for their aesthetic properties
- Maintain trees for their cooling ability
- TSAs must be able to be protected by a governing group
- TSAs should include stream buffers and other required protected areas in the calculation

8. The committee discussed the need for a map that provides information on places where trees are already protected because they are located in flood zones, are in conservation areas, etc. It was agreed that the Planning Department will provide a map at the next meeting containing the following:

- Water supply watersheds
- Streams – floodways and 100 year floodplain
• Public lands – parks and greenways
• Farmland preservation areas
• Lands in conservation easement
• ‘High-value’ tree stands (data to be provided by NC Forest Service)

Maps will be created showing county and city boundaries at a resolution that will be most useful.

9. Question to Ryan Swaim: Are there any ‘virgin’ forest stands in Forsyth County?

Response: There is no ‘virgin’ forest in Forsyth County. There are some very old stands in the county that may have been cut only once. Our best stands are located on private lands scattered throughout the county.

The overall health of the forests in the county is pretty good. We don’t have significant pest and disease problems. Although we have found some gypsy moths in the county, we haven’t seen signs of invasion.

III. Next Steps

A. Smutko asked the committee to prepare for the next meeting.

1. Be familiar with the options listed in objective 2, and be prepared to discuss them.

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2. Review other ordinances to see what others have done to protect and restore the tree canopy and preserve and protect high value trees.

3. Bring specific, concrete proposals to the next meeting so that committee members can evaluate them and make choices about how to achieve the objectives you’ve established so far.

B. Next meeting dates are:

July 11, 2007
August 1
August 22
September 5
September 26

Meeting was adjourned at 6:00 p.m.