Meeting Summary – October 10, 2007
Winston-Salem / Forsyth County
Tree Ordinance Committee
Meeting Summary

October 10, 2007
City Hall South, Winston-Salem, NC

☐ DRAFT (Do not circulate) ☑ APPROVED (For general distribution)
Draft Date: 10/24/07 Approval Date: October 24, 2007

Attendance
Glenn Cobb Winston-Salem Regional Association of Realtors
Melynda Dunigan Winston-Salem Neighborhood Alliance
Glynis Jordan City-County Planning Board
Evie Katsoudas Winston-Salem Chamber of Commerce
James Mitchell City of Winston-Salem, Vegetation Management
Jamie Moore Community Appearance Commission
Bob Ragland Forsyth County Environmental Affairs
Keith Rogers Keith Rogers Homes
Linda Schwan City-County Planning Board
Tamieka White Neighbors for Better Neighborhoods

Alternates
Gayle Anderson Winston-Salem Chamber of Commerce
Malcolm Brown Sierra Club
Kaila Hires Winston-Salem Neighborhood Alliance

Meeting Agenda
1. Agenda review; approval of meeting summary, information sharing
2. Review and discussion of Decision Points document and decisions made to date
3. Review revised quality incentive coefficients
4. Discussion of riparian buffers and tree configuration in TSA incentives
5. Discussion of mitigation requirements for removing heritage trees
6. Discussion of tree planting to meet TSA requirements
7. Discussion of TSA maintenance period
8. Next steps and agenda for next meeting

Handouts Provided
1. Key Decision Points, Updated draft 10/08/07.
2. Recommended Tree Planting List (James Mitchell)

Actions and Future Tasks
1. Agreements reached by the committee are documented in the updated Decision Points document (dated 10/18/07)
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 September 26, 2007 meeting summary.

II. Review & Discussion of Decision Points Document and Decisions to Date

A. Melynda Dunigan stated that the definition and purpose of Tree Save Areas described in the Decision Points document did not adequately communicate the priority of a TSA is to preserve trees. She offered the following substitute language for the committee to consider:

1. A Tree Save Area (TSA) shall be defined as any tree cover on the tract left undisturbed or planted to meet the minimum described for the major land uses in #2 below. TSA requirements must be met by preserving existing trees on the site whenever the existing tree cover is equal to or greater than the required TSA percentage of the property area. If the existing tree canopy of a site is less than the required TSA percentage of the property area, a tree save area must be achieved by saving the entire existing tree canopy and planting new trees to reach the required percentage area as described in the replanting statement on page 2 (1)a.-f. The TSA is a weighted measure of the square footage encompassed by the exterior boundary of a tree or contiguous stand of trees.

B. The committee discussed this substitute language and agreed that a simpler definition contained in Section 3.13.1.B.15 of the original City/County Tree Ordinance proposal would be used as a way to move the discussion forward. This is stated as:

1. A Tree Save Area (TSA) shall be defined as one or more areas on a development tract where existing trees will be preserved and maintained.

III. Review and Discussion of Quality Incentive Coefficients

A. James Mitchell reported that he needed additional input from the committee on the question of connectivity (this led to a discussion of riparian buffers).

B. Connectivity. The committee agree that they were not interested in small groups of trees, but looking for internal connections as well as the possibility for external connections. The reason for connectivity should be to provide benefits such as wildlife habitat and water quality protection. Connectivity should be expressed as the percent of the TSA that is internally connected or contiguous. Contiguous trees will most likely be found in riparian buffers. James Mitchell suggested an incentive should be offered for making 50% or more of the TSA contiguous.

C. Riparian Buffers. The committee discussed the issue of whether to automatically include storm water protection buffers in the TSA calculation on parcels where they exist. The committee agreed to include the trees in the riparian buffer as part of the TSA calculation. They also agreed to the following incentive mechanism for expanding riparian buffers on a development site:

1. Provide a density bonus of one unit per developed acre for each 4,000 square feet of riparian buffer added. The bonus caps at 2 units per acre.

D. Need for registered forester or certified arborist. The committee agreed that a registered forester or certified arborist must certify applications for quality incentives.

IV. Mitigation for Removal of Heritage Trees

A. The committee discussed a variety of mitigation schemes for removal of heritage trees.
trees including replanting requirement, purchase of tree conservation areas, or monetary payment.

B. The question of a tree's health was also considered. Mitigation should be required for healthy trees, in contrast to trees that will not live much longer.

C. The issue of basing mitigation on the size and value of the tree was discussed.

D. The committee agreed that replanting is the most direct means for mitigating a tree's loss. The committee also agreed that the mitigation requirement should be sufficiently significant to be an effective disincentive for removal.

1. Heritage trees certified to be in good condition and expected to live for some time beyond the time of inspection must be retained on the development tract. In cases where keeping the tree on the development tract is not feasible then the TSA on the tract must be increased by three times the coverage area of the removed heritage tree.

V. Planting Trees to Meet TSA Requirements

A. The committee discussed the following items related to planting:

1. Coverage of planted trees. The committee agreed that coverage by planted trees would be determined by expected size at maturity.

2. Planting density. After a lengthy discussion the committee agreed that a planting rate, i.e., trees per acre, would be used but could not settle on a single figure. At issue was the number of trees needed to reach a targeted coverage at maturity and the cost of planting. The committee was split between the planting at a rate of 18 per acre and 35 per acre. The committee tabled further discussion on this topic until they could do more research.

3. Street trees. The committee discussed whether street trees should be included in the total planting requirement. The current landscape requirements call for planting one tree per 75 linear feet. The committee tabled discussion on this topic and will take it up again with planting density.

4. Planting mix. The committee agreed that a mix of overstory and understory trees as well as a mix of species should be planted to meet TSA requirements. James Mitchell handed out a list of recommended tree species. The list is divided into three sub-lists: (A) large variety trees, average coverage = 707 ft$^2$; (B) medium variety trees, average coverage = 177 ft$^2$; (C) small variety trees, average coverage = 113 ft$^2$.

5. Planting size. The committee agreed to the following planting sizes based on size class:
   - Trees on sub-lists A & B: no smaller than 2-inch caliper
   - Trees on sub-list C: James Mitchell to provide recommended size.

6. Location of planting. The committee agreed that a TSA and associated planting for TSA requirements would not be eligible within a utility right of way, a construction easement, within 50 ft of the centerline of any overhead electrical transmission line, or within 20 ft of the centerline of any overhead electrical distribution line (language contained in Charlotte review committee document dated 8/9/07).

VI. TSA Maintenance Period

A. The committee began a discussion on whether there should be a period of time in which trees included in a TSA – preserved trees and planted trees – should be 'guaranteed.' Most committee members agreed that a maintenance requirement is easier to achieve on a nonresidential site and that there are challenges for such a plan on a residential site. Options discussed were:
1. Insure that trees are adequately protected and properly planted. No further maintenance period required.

2. Developer should pay for removal of dead trees.

3. Developer should be required to replace dead trees for up to:
   - one year for planted trees
   - three years for existing trees
   - or until conveyance of the title

4. Enforcement should be complaint-based.

5. Buyers should know that they are taking ownership of protected trees (trees included in the TSA). Location of protected trees should be noted on the plat.

6. Buyers should receive instruction on how to care for their trees.

VII. Next Steps

A. Items to be discussed at the next meeting:
   1. Maintenance
   2. Tree planting density
   3. Tree surveys and protection plans
   4. Exemptions

Meeting was adjourned at 7:05 p.m.