

**MEMORANDUM**

TO: Chapel Hill Planning Board

FROM: Gene Poveromo, Development Manager  
Curtis Brooks, Urban Forester  
Emily Cameron, Landscape Architect  
Mary Jane Nirdlinger, Special Projects Coordinator

SUBJECT: Update on Tree Ordinance Process

DATE: February 2, 2010

**PURPOSE**

The purpose of this update is to provide a draft Tree Protection Ordinance to the Planning Board for their review and recommendation to the Council.

**DISCUSSION**

The Town hosted two public information meetings on this topic on October 26, 2009 and January 19, 2010. During each session, attendees asked about the draft language, process, goals of the ordinance, specific pieces of the language and the relationship between this effort and other goals of the Town. Town staff collected comments which generally fall into the following main categories:

- Difference in standards and penalties for residential versus nonresidential lots may be unfair (cost of replacement trees, level of detail required on applications)
- General opposition to additional regulation (homeowners and developers)
- Balancing tree protection with other environmental/community development goals may require some relief from stricter standards
- Use of mitigation funds needs to be clear
- Implementation/administration of proposed ordinance needs to be considered for applicants and staff
- Methodology for measuring canopy cover needs to be clear

A summary of the January 19, 2010 meeting is attached. Information from and a recording of both sessions is posted on the Town's website: [www.townofchapelhill.org/trees](http://www.townofchapelhill.org/trees), along with copies of the emails received on this topic. The attached draft ordinance reflects the input received at both public meetings and via email.

### **NEXT STEPS**

The attached draft Council memorandum outlines the main points of the ordinance. We are asking the Planning Board to make a recommendation to Council on the revised ordinance before the Public Hearing scheduled for February 22, 2010.

### **RECOMMENDATION**

Staff Preliminary Recommendation: That the Planning Board recommend that the Council open the public hearing and receive comment regarding the proposed Tree Protection Ordinance text amendment.

### **ATTACHMENTS**

1. Draft Council Memorandum for February 22, 2010
2. Draft Tree Protection Ordinance
3. Summary of January 19, 2010 public information meeting