

Tree Protection Plan Overview

Arborist Division – Office of Buildings

Affordable Housing Week
February 12 – 16, 2024

Welcome H.O.M.E. - Housing Opportunity Moves Everyone



- A transparent and streamlined approach to permitting affordable housing (AH) developments.
- A pre-submission program along with a dedicated coordination team to assist customers through all processes for approval and permitting, including entitlement (pre-permit).
- The AH project workflow can take one of two routes depending on the project's scope: Conventional Path or Entitlement Path.

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What is an affordable housing project?



An affordable housing project is defined as... a development with income-restricted units that are reserved, via deed restriction, Land Use Restriction Agreement (LURA), or similar legally binding mechanism, for households with an annual income of up to 120% of Area Median Income (AMI) for homeownership units – or up to 80% of AMI for rental units – as set by HUD for the Atlanta-Sandy Springs-Roswell MSA.

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Conventional projects entail scopes of work in zoning districts where the following applies:

- The zoning category has no conditional requirements i.e., the district name is followed by -C (O-I-C or MRC-1-C, for example) indicating a conditional zoning with requirements elaborated in a specific ordinance passed by City Council;
- The proposed project conforms to the zoning district use and standards as specified in the ordinance;
- The proposed project is not seeking any variances or special exception; finally,
- The proposed project is not located in an overlay district.
- Conventional projects will be required to attend a pre-submission meeting before submitting for permits

The conventional path for affordable housing developments include the following steps:

- Applicant completes and submits AH Form and schedules pre-submission meeting.
- AH Coordination staff receives pre-submission meeting request and form.
- AH Coordination staff confirms applicant agenda for pre-submission meeting.
- Pre-submission meeting held.
- AH Coordination staff will summarize the pre-submission meeting in a shared database that details expectations, requirements, deliverables, etc.
- A pre-submittal meeting summary will be provided to the applicant.
- The applicant submits application for review following the permitting process.

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Entitlement is the legal right to use a property in accordance with the zoning code, land use, and other regulations. Projects seeking a rezoning, a special use permit, a special administrative permit, subdivision, a variance, exception, and/or historic preservation approval must first determine entitlement.

Both the scope of work and the zoning district and/or overlay where the project is located will determine whether entitlement is required from the Office of Zoning and Development (OZD) or the Office of Design (OOD).

Entitlement projects will be required to appear before the Concept Review Committee for the pre-submission discussion prior to submitting for entitlement reviews. The entitlement path for affordable housing developments includes the following steps:

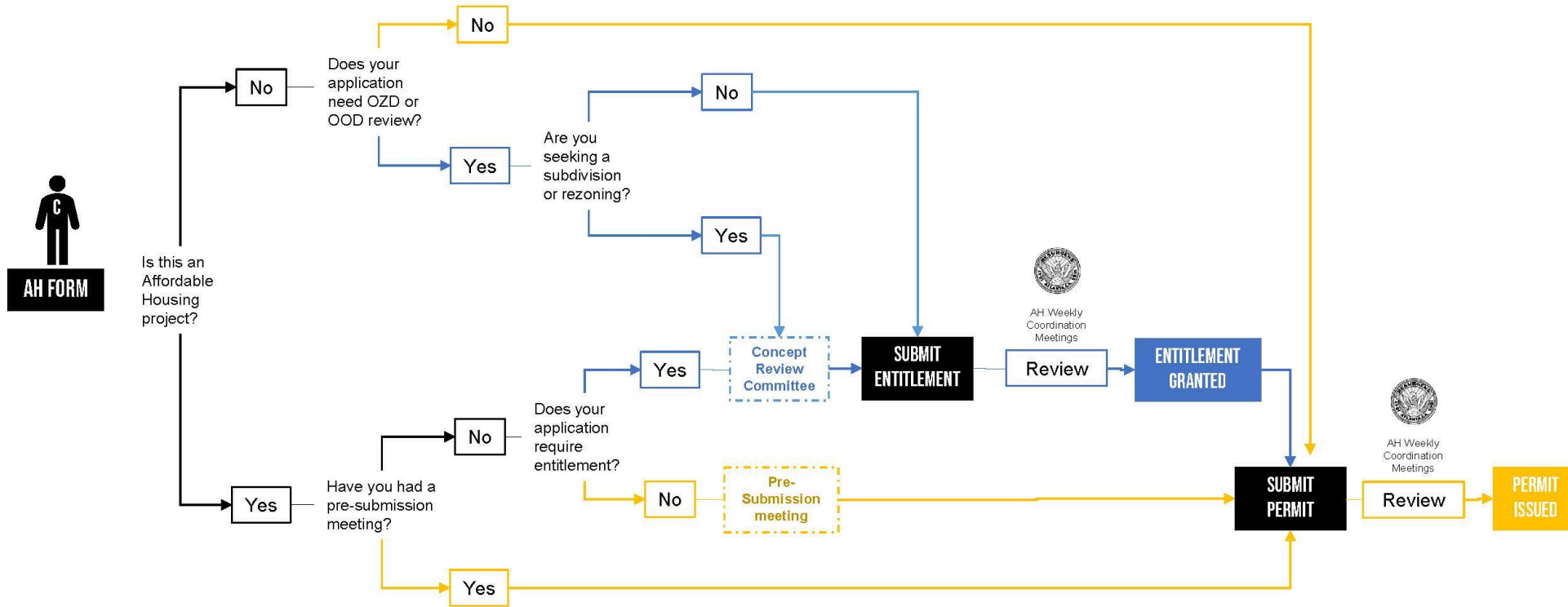
- OZD staff receives Concept Review Committee (CRC) request and materials. The AH Coordination Team is notified of CRC submission and will attend meeting.
- CRC staff confirm applicant's agenda.
- CRC meeting held with applicant.
- CRC staff provides meeting notes and deliverables to the customer detailing pathway, expectations, requirements, and timeline.
- Applicant submits application for review following the entitlement process.

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AFFORDABLE HOUSING (AH) PROJECT WORKFLOW

ENTITLEMENT
CONVENTIONAL



Site Plan requirements

- Show and label all existing and proposed conditions.
 - Structures, Utilities, Grades, Material storage, Dumpster, Porta-potty, Construction entrance and route to disturbed area
- Provide a tree survey, including boundary trees.
 - If no trees exist, then complete a Tree Impact Statement and include pictures.
- Show and label DBH (diameter at breast height) of trees.
 - Label the trees according to their species, or at the very least, if they are pine or hardwood.
- Provide recompense calculations
 - Standard, maximum, or infrastructure recompense

Tree Protection Fencing

- The Tree Protection Fence should be located outside the limit of disturbance (LOD). The sequence should be as follows:
 1. Disturbed area
 2. Silt fence
 3. Tree protection fence
 4. Tree preservation area
- Ensure that a chain link fence is provided for all trees in the front yard and on all commercial properties.
 - Chain link may be required in the rear yard of residential properties on a case-by-case basis either by the arborist plan reviewer or field arborist.
 - Protection of trees that have been approved for CRZ impacts greater than 20%
 - Protection of trees for which an appeal of the tree's destruction was appealed to, and upheld by, the Tree Conservation Commission.
- Ensure that the Structural Root Plate is fully protected.
 - Haybales and other alternatives that don't require digging can be used, but Site Development must provide prior approval.
- Include tree protection details for chain link and orange mesh fences.
 - Both details are available on www.atlantaga.gov

Critical Root Zone (CRZ) and Structural Root Plate (SRP)

- Display and label Critical Root Zones that extend into the limit of disturbance.
- If a tree is 13' or closer to the limit of disturbance, the structural root plate must be displayed and labeled.
- Ensure that the CRZ impact is calculated correctly.
 - Net CRZ may need to be calculated.
 - ✓ Impediments to root growth are roads, foundations of structures, and 2' + tall retaining walls.
- Boundary agreements are required for impacts to SRP and CRZ over 20%
- Prescriptions must be approved by a City arborist before making payment.
 - Prescriptions are required when the impact to the Critical Root Zone is between 20 – 30%
 - Obtaining a prescription moves the tree from the lost category to the saved category which means that no recompense is required.

Setback and boundary trees



- Setback and boundary trees should be preserved per Section 158-104 with the exceptions listed in Section 158-102(a)(3)
- Section 158-102 (a) (3) – One of the following conditions exists
 - The tree is located within the buildable area of the lot and the applicant has been granted a building, landscaping, or the permit to make improvements otherwise permissible under all applicable ordinances of the city.
 - The tree is located in that portion of the setback or required yard area of the lot that must be used for vehicular ingress and egress or for the installation of utilities that cannot be accomplished in a manner allowing preservation of the tree(s).
 - The tree is of an undesirable species.
 - The tree removal qualifies for a permit pursuant to section 158-101(i) 5' rule or (j) federal consent decree.
- Section 158-104 – “It is the specific intent of this section to require that damage to trees located within the setback and required yard areas and to trees located on abutting property owned by others be minimized to the greatest degree possible under the particular circumstances, as determined by the City Arborist...”

Replacement/Proposed trees

- Section 158-103 (a) - The quantity of proposed trees should be equal to the number of trees removed, if space allows.
 - Trees are labeled as to species
 - 2.5” caliper, is the minimum size required to be planted for credit.
- Section 158-103 (i) – Species diversity
 - 4 – 10 proposed trees, no more than 50% shall come from a single species
 - 11 – 20 proposed trees, no more than 33% shall come from a single species
 - 21 – 50 proposed trees, no more than 20% of overall trees planted shall be of the same species, no more than 50% shall be of the same genus.
 - 51 or more proposed trees, no more than 20% shall be of the same species, and no more than 30% shall be of the same genus, with the exception that Quercus (Oaks) species may make up 50% of the trees planted.
- Approximately 75% of replacement trees planted should be native to the Piedmont region of Georgia.
- All sites must have trees planted along any public or private road at a maximum spacing of 40 feet with allowances for driveways, and within 10 feet of the back of curb or back of sidewalk.

Dead, Dying, or Hazardous (DDH) permit

- If a tree is shown on the tree protection plan and has been approved as DDH then;
 - Provide the DDH permit number
 - DDH status may only be determined by a City of Atlanta arborist.
 - If the tree(s) haven't been assessed or yet determined as DDH, label the tree as "DDH application submitted" or "DDH application will be submitted".

Stormwater Management Solution

- Show and label water quality measures required by Site Development.
- Locate them away from trees.
- Choose one of the multiple stormwater solutions that best fits the site to save trees.

Demolition Plans

- Demolition plans must show all trees to be protected and saved.
 - Exception: if the demolition plan is going to be issued at the same time as the build-back plan then the tree protection plan for the demo and build-back may be the same.

Posting Process

- When healthy trees are to be destroyed the property must go through a posting process to notify the neighbors.
 - The first sign is an orange sign and it is to be posted for ten business days. This sign gives neighbors a heads up that trees may be destroyed.
 - The second sign is yellow and it is to be posted for seven business days. This sign is the window of opportunity for an appeal to be filed.

Forms and checklists

These are available on the City of Atlanta's website at

<https://www.atlantaga.gov/government/departments/city-planning/zoning-development-and-permitting-services/applications-forms-and-checklists>

End of presentation