



## ATTACHMENT G:

### PLANNING COMMISSION COMMENTS FEBRUARY 12, 2019

#### Case TC1800005 (Landscape and Tree Revisions)

**AL-TURK** – I hesitatingly voted to recommend approval. I think the proposed text amendment is a step in the right direction, but my main concern, as other commissioners and advocates at the public hearing pointed out, is that we are still not allowing street trees to be located in the right-of-way (unless authorization is granted). Given that other towns and cities in North Carolina allow trees to be in the right-of-way unless public officials ask for an exemption, I think that should be the approach we take here in Durham. Having said that, Planning staff noted the logistical and financial challenges of making this change, but I hope that the Planning department, along with other relevant departments, will look into this soon. I am also not convinced that the minimum preserved tree coverage in residential districts in the Urban tier needs to be as low as seven percent (again, because some nearby cities, according to the Trees Durham document, require a minimum of ten percent without regard to development tier).

**BRINE** – I reluctantly voted to recommend approval of this text amendment. It is a step in the right direction. My reluctance stems from the fact that additional change is needed. In particular, two shortcomings stand out:

- 1) Street trees in the ROW are not required. Unless exempted for some reason, street trees in the ROW should be required. It should also be required that street trees in the ROW be replaced if they are removed to accommodate street widening.
- 2) Compact neighborhoods are ignored. I think that this is an environmental shortcoming, especially for suburban compact neighborhoods. Although compact neighborhoods will differ from each other, I believe that two things should be required. First, each compact neighborhood should be surveyed for tree coverage. Second, if tree coverage is found which is environmentally significant, a mechanism needs to be in place to preserve it. (Patterson Place contains tree coverage areas where preservation is environmentally important.)

**BUZBY** – While I wish we were considering even stronger changes, this proposal begins to move us in the right direction.

In particular, I would like to see two additions to strengthen this proposal to require that trees be planted in the right of way (to require an opt-out, rather than the proposed opt-in option, which won't lead to many trees in the right of way), and 2) to require these requirements be required for 2 acres or more (as opposed to this proposal, which requires only 4 acres or more).

I hope the stronger provisions will be considered by the governing bodies when they review this proposal. If this is approved as currently drafted, I hope we will plan to revisit this policy again soon since we are missing significant opportunities to ensure Durham meets its goals for tree coverage.

**DURKIN** – I voted for this text amendment as a vote in support of increasing the current tree preservation and planting requirements, however, this text amendment could go much further in achieving this goal by requiring these standards for properties greater than two (2) acres, rather than four (4), and by requiring trees be planted in the right-of-way and allow for an opt-out to tree right-of-way requirement.

**HORNBUCKLE** – I feel this places more of an unnecessary burden on property owners and developers.

I also feel the right of way planting issue needs more discussion.

**HYMAN** – Although I voted yes, moving this item forward I strongly recommend modifying the amendments to require street trees in the right-of-way and establish an exemption for Public Works in consultation with Transportation and other entities to opt-out in case of conflict.

**JOHNSON** – I vote in favor of the recommended text amendment with two issues raised:

I think the requirement to plant trees in the public ROW should be a default. If stakeholders/entities would like to not have to meet this requirement, they should be required to secure an exemption. This approach rather than the current process, having to get permission to plant trees in ROW, seems to be more forward-looking.

- Minimum acreage should be reduced to 2 acres from recommended 4 acres in order to trigger requirement for tree planting.

**MILLER** – The City Council and Board of County Commissioners should approve this change to the UDO. While I might have made even stronger changes to some of these rules, especially as they relate to their involvement with buffers between incompatible uses and to the planting of street trees in the right of way, I view these revisions as generally a step in the right direction.

**MORGAN** – My belief is that we need to continue to make revisions to improve trees canopies and right of way plantings. These take years to develop and we need more in place.

But, these revisions are good steps forward.