

Williams, Julia

From: Kelli Jones <kelli.jones@swlinc.com>
Sent: Wednesday, July 17, 2019 2:19 PM
To: Williams, Julia
Cc: Liu, Emily
Subject: Tree Canopy

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Julia,

Thanks for sending the revised language for Chapter 10. I have a couple of questions/comments:

1. Page 4/5 – Should a note be added clarifying that Traditional Form Districts do not have 10.1 requirements...even if it is just some kind of note in the margin? I see this being confusing for folks that aren't as familiar with the LDC.
2. Page 7 - Am I reading item A.2 right? Do we get 200% credit for preserved tree masses on large sites when plotting by the drip line? If that is the case, do we also get the additional 10% credit for WPA? One of my previous concerns was lack of incentive for tree preservation, but this would eliminate that concern.
3. Page 8 - Should graduated credits for larger type B & C trees be added to table 10.1.3?
4. Page 10/11 - I'm still struggling with this 30' equivalency vs 30' spacing for street trees. On page 10 (equivalency) are you talking 1/30 LF of center line length or 1/30 LF of curb length? If you are talking about curb length, I don't see any way we can meet 1/30 equivalency with a min 1/30 spacing. That leaves no margin for error.
5. Page 11 - I still don't like including the loading VUA for industrial uses in the ILA calculation. That is not how it has been applied at the Renaissance Zone. We were only required to calculate ILA based on passenger VUA. Why is this changing?
6. Page 12 – In item C.1.b, will this be a comment during review? Logistically, how will this get policed to make sure it gets addressed during the preliminary plan stage? What happens if it isn't addressed at preliminary approval? Would we have to go back to the Planning Commission?

Feel free to give me a call to discuss.

Thanks!

Kelli Jones, RLA
Sabak, Wilson & Lingo, Inc.
608 S. 3rd Street
Louisville, KY 40202
(502) 584-6271 ext. 237

Williams, Julia

From: OBrien, Jeff
Sent: Tuesday, July 16, 2019 5:37 PM
To: Williams, Julia; Liu, Emily
Subject: FW: Updated DRAFT Ordinance
Attachments: 19amend1003_DRAFT Ordinance_071519.pdf

Note comment about the conflict between provisions.

Jeff O'Brien, AICP
Director, Develop Louisville
LOUISVILLE FORWARD
Ph. 502-574-1354/502-434-9985

From: Juva Barber <jbarber@bialouisville.com>
Sent: Tuesday, July 16, 2019 4:10 PM
To: OBrien, Jeff <Jeff.OBrien@louisvilleky.gov>
Subject: FW: Updated DRAFT Ordinance

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

I interpret these changes to allow more street trees at closer spacing to help reach canopy % required. Appreciate this if its purpose is to keep tree obligations off private lot owners.

Only change to suggest is to have affidavit from property owner recognize 20% limit to clearing in prior 24 months rather than NO clearing in prior 24 months. Otherwise sections 7.2.20.A.4, 11.4.4.C and 11.5A.4.A.3 seem to contradict the paragraph before each that allows application of sites with less than 20% clearing in prior 24 months to be application eligible.

Please contact back with questions.

Thanks,

Rocco

Rocco Pigneri
Louisville Operations Manager

Ball Homes
13301 Magisterial Drive
Louisville, KY 40223
Office - 502-429-6898
Direct - 502-315-4826
Mobile - 502-639-7301
Fax - 502-429-6226
rpigneri@ballhomes.com

Williams, Julia

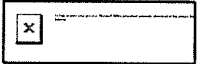
From: Liliias Pettit-Scott <urbanagconservationist@gmail.com>
Sent: Monday, July 15, 2019 11:20 AM
To: Williams, Julia
Subject: Re: Tree Canopy Community Meeting notes

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Thank you!

Cheers,

Liliias Pettit-Scott
Urban Agriculture Conservationist



www.jeffcd.org

www.foodinneighborhoods.org/grow

cell: (415) 595-5809

On Mon, Jul 15, 2019 at 11:15 AM Williams, Julia <Julia.Williams@louisvilleky.gov> wrote:

Below are the crude meeting notes from the 4 community meetings that were held.

November 13, 2018 meeting notes:

Tree canopy required on private lots- get 50% 45% can work- have to be able to count private trees, Where else to put trees in examples. Especially in areas where there is little to no open space

Commercial and industrial- permit to do tree cutting on sites Permit on private sites Can only cut what percentage is above the required canopy

Maybe able to increase MF in TN

Enforcement

Bert Stocker- Biomass, too much credit for the area of a mature tree. Net benefit.

Scientific analysis of planting trees and how many years it will take to get back the canopy, impact assessment

Preservation is important- increase all percentages

More canopy percentage- quality as a way to meet canopy, SF residential went down, land percentage loss, Quality, con subs min 0% preservation not an option Visual trees more credit

MSD needs to allow planting in detention maybe over detain if concerned Detailed aerial. More credit for large existing trees, planting timing requirements. Credits for LEAD sites, How do we quantify with quality

Look at fast growing trees, slow growers get more credit. Grading and how sites work together, Dearing and development near existing trees

SF needs tree requirements on private lots.

Downtown and traditional- percentages looked good as proposed. Could be more opportunity to go bigger but generally there is less space.

Permit for tree removal?

Give options for tree removal

Percentages were met easily, how can we do it give examples to show how things can be met.

Mechanism for incentives.

How does this affect everyone

Address sites built before chapter 10, old shopping centers, how can those sites be readapted and provide canopy

Maybe plant smaller trees

Who is going to maintain

Next time:

Finish tree canopy planting discussion

Preservation: come with ideas.

Planting whips in detention basins

Tiering system to plant smaller trees, maintenance plan

Long term maintenance agreement for wet/dry basins per green design manual. Can plant top of bank

Can plant in drainage swales as long as they are bio swales?

What are current incentives for preservation?

November 27, 2018 meeting notes:

Placing trees on individual home lots
Possible permitting for tree removal
HOA to control enforcement

Still having conversations with MSD

Boring under the tree roots with LG&E

Do we have enforcement data on tree removal and replacement

"Tree company not be able to start a job without a permit posted"
Permit has to be posted before removal. Even if the tree is to be removed by homeowner

Fines for not having a permit

Public education on tree ordinances and Code requirements

Site disturbance permit is different from logging and clear cutting

****look at subdivisions and what can be met on those sites especially if they don't have trees

Ideas on preservation:

Commercial or industrial-

Promote fee in lieu- to allow trees to be planted in other areas make this more usable allow developers to plant those trees for cheaper

Existing trees permitted in detention basins in low areas has been permitted on a couple of sites con subs

Land character used in development area and approval process. Slopes and hill side should not be considered the same as fields and flatter land. Thorough site visit before development review

Floyds fork may have some tools for developing areas that are heavily wooded

Preservation of trees compared to the number of lots. Elevate the reservation of trees based on the number of lots.

Trees have value, increased property values

Economic consequence of tree removal.

Penalties come from money- replace more than what was taken away Development could be different and preserve a lot more trees

Are larger trees more valuable worth more than planting 10 new trees to replace it. Enough credit for preservation that makes it worth it for developers or owners.

Preservation has to be worth more than to have less lots

Special trees are not worth enough to preserve

Incentives for redeveloping previously developed sites,

Reduce the amount of parking required for sites

Other cities charge for removal of trees- Making it harder to remove trees disincentivize tree removal.
Easier to promote infill than to cause

Add tree preservation to green site design criteria

Require developers that are building a subdivision to only clear for the roadway and infrastructure

Preserving the lots until there is an owner

If there is preservation can they provide a less amount of tree canopy overall????

Trees preserved on unbuildable areas slopes, doesn't address preservation because of the terrain

Usable open space

Land banks- incentive for traditional and downtown land bank in suburban areas permanent preservation and allow for additional heights in traditional May promote density and infill

Preserve suburb trees and allow traditional to have more height and density

Table that requires trees preservation on site especially if they are 100% trees

December 4, 2018 meeting notes:

Tree risk assessment qualification ISA

Risk of a tree and health- criteria creating and assessing the value of a tree. More value in keeping big older trees.
These trees should be preserved. Using that tool to evaluate the value of trees Keep old trees in place

Maintaining a biomass and what is the goal, 45% is unrealistic. Low impact subdivisions, low impact and subdivisions

Incentives and disincentives for preservation, Change how we are looking at developing lots, Storm drainage

Saving trees is not a priority on subdivisions maximizing lots is the priority

Atlanta-

Incentive- Equations for trees removed for trees trees preserved is not to exceed acreage removed. Money goes into tree fund and for tree education.

Con subs- No protection for older wood stands, preservation area with a required setback 20-40"+ requiring a tree preservation.

Trees on private property are a community resource. Big profits for cheap land

StLouis codes

Property scores- city assesses your score score properties, dismissing community value by taking down a tree, calculating balance between Acknowledge

Use urban tree assessment for tree value.

Tree canopy increased all over community but also need preservation

Something dramatic has to happen every site has to provide 45%

People paving their whole lot

Reduce parking

Heat island

Impervious surfaces are too much

Wildlife- saving trees for wildlife, keep natural environment Good for mental health and water quality

MSD-

Combined sewer MSD talks about urban tree benefits, Preservation of trees with value Disincentive tree clearing

****Tree plan for development that stays with land- if 20% expansion then tree canopy on site remains the same, if expanded again then the 20% has to remain. Landscape plan

Density in urban areas, keep trees in suburbs and redevelop urban

Clearcutting-

Wetland mitigation- tree bank per council district, pay into bank Areas of less desirable development, Sell land to tree bank

Tree bank- lose benefit of trees of the development if trees are provided offsite- would benefit be lost.

Old developments- providing trees in areas of decline- tree banks providing trees for those sites.

Tree bank would be good for subdivisions if they cannot be provided on a site. Developer may need options

December 11, 2018 meeting notes:

Tree canopy

Jody Dahmer- fisherville-

Clear cutting for subdivisions- R-3/R-4

No reason for 5 acre lots to have just grass, needs something more to protect waterways. Honeysuckle in forest is outgrowing larger species, when a tree falls and it replaced by invasive species. Deer are using main roads instead of forest land. Need wildlife corridors to be built within subdivisions. Public safety issue. We need to deal with invasive species, forest should not be replaced with grass.

Teena Halbig-

Single family homes being built on creek bank, 9-10" trees being cut down along stream bank

Homeowner needs educational guide and having to plant more in riparian areas.

Individual homeowners-

Bert Stocker- Dave's tree study- data from 2012, 37%, guess below 35% now, goal of 45% is harder now because we are losing. Difference between woodland in urban areas than in suburban

54000 trees lost, in Floyd's fork area could be more than that. Biomass is important. 4 acres wooded on his lot. 40 trees in a 50 by 50 area. A mature forest is different than a maintained area in urban area and lawn. Difference in how many trees are on a given parcel.

What is the definition of when development occurs on a site????
Is it preliminary surveying on the site.

Look at plans

Cautioned to not do any extensive removal, ask for permission to review.

Most developers don't clear cut prior to development. Most developers want to save trees. Most of the time tree clearing is left to the builders

Bob Marret-Most developers don't go in and clear, most try to preserve trees.

Rocky Pusateri- Builder is developer and develops all the houses. Easy to say but that's not how people develop now. Not economical. Now they clear 60' from building limit. Where the building pad goes.

83000 acres are sf residential, 4000 acres are heat islands Commercial and industrial are the problem.

Cannot burden single family residential. Cannot be all on developers.

Rocco Pigneri-

Ball Homes- trees sell lots. Builds smaller homes. Trees will not make it when building the home and compacting the soil.

Buyers want smaller lots.

Bert- more than the cost of a home.

Franny- 35% want to get to 45%. How do we get to 40%

Jeff Frank-

Losing 70000 trees in one subdivision, 4 subs mentioned, lots of trees where our LDC says its okay to remove.

Consistency in all development, when does development start on sites and all uses. Where are the trees that need to be preserved.

Consistencies in all developments R-4 con subs and slope transfers

Taking 80% canopy and taking it down to 20-30% on a site.

Franny April- need to get serious about preservation

Nathan Wright- have to plant trees, developers will preserve trees if they can. New trees planted are 75% native. Where there are some trees cut are not natives and are invasive.

Review process where there are triggers and there is certainty in the development review

Cindi- need arborist to go in and identify trees, need to be innovative and creative, that we move forward not as we are

Bob Thieneman -Incentives instead of more requirements. Have developers and designers show citizens what 50% tree canopy on a site would look like

Alice Gunnison- develop to

Juva- incentives more than mandates

BIA is doing as much as they can right now. Can't develop affordably with so many restrictions

Cathy Stick- 3 issues, sold to tract builders that cut treed, tree canopy lost, no enforcement, replacement of 10" tree with 1 13/4" caliper trees, no enforcement, sold off a section and repurchased and revised it. Took down 50-60 year old trees and replaced those trees with traffic island. To make up for existing trees that were demolished. Landscape requirement to plant 3" trees. Planted tiny trees to replace those.

Cindi- to Juva what are incentives to plant in urban areas.

Bob Lyons- plants trees on his property.

How do we repair the urban areas?

We are not doing anything downtown.

Incentives- federal grant dollars,

Development community pays for everything, then we give it MSD and Water CO.

Money needs to be made with development

Derek Triplett- Always best interest of developer to save trees. Clearing should happen all at once because its cheaper- Indiana Bat. One effort to clear.

Percentages- 100% treed then 25% tree canopy required. Trees on individual lots. Up to homeowner. New trees, better focused on street trees. 1 per 50' requirement. Private homeowner cannot tear those down and mitigating heat island.

Education- to the public

Teena- streams on property additional trees planted along stream. More trees be planted along streams, improve water quality. Trees can grow. Plant more trees not a fan of incentives More trees less to cut down. More trees on lots. Focus on streams.

Lee Pulliam- arborist used to work for metro, planting trees need care. Need to be planted correctly. Need to be nurtured, need water. Don't want issues later on if not maintained early on.

7-10 years before issues appear.

Brian Glanz- Middletown

Commercial Development- lots of existing trees, now there are small trees could more trees be planted Need enforcement. KTC trees along the interstate

Needs enforcement so there are less dead trees. Need maintenance

Bert- East county has little top soil. Thin soil. Trees don't have much of chance and use subsoil. Trees don't like the subsoil

Alice- tree canopy waiver-
Salt and brining

Jeff Frank- we need a surplus of canopy

Take 80% existing and transfer development to areas that need trees. If 25% is required.

Offset should be made in areas of need but also an argument to plant in area where it was taken. Changing dynamic of site.

What are the most important trees to protect and what are priorities of preservation and what trees to protect.
Sent from my iPad

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

Williams, Julia

From: OBrien, Jeff
Sent: Wednesday, July 10, 2019 5:56 PM
To: Bill Bardenwerper; Liu, Emily; Williams, Julia
Cc: jbarber@bialouisville.com; David Mindel; 'Kent Gootee (kgootee@mindelscott.com)'; bigmikelou@yahoo.com; Jim Mims; Scott Hagan; John Hollenbach; 'Greg Oakley (greg@hollenbach-oakley.com)'; Kevin Cogan; John Pacyga; dnicklies@nicklies.com; jcalvary@nicklies.com; Nick Pregliasco; John Talbott
Subject: RE: Recommended revisions to PDS' preliminary draft proposed Tree Canopy regulation

Thanks for sending Bill. We are continuing to refine the language of the proposed revisions.

Jeff

Jeff O'Brien, AICP
Director, Develop Louisville
LOUISVILLE FORWARD
Ph. 502-574-1354/502-434-9985

From: Bill Bardenwerper <wbb@bardlaw.net>
Sent: Wednesday, July 10, 2019 5:34 PM
To: OBrien, Jeff <Jeff.OBrien@louisvilleky.gov>; Liu, Emily <emily.liu@louisvilleky.gov>; Williams, Julia <Julia.Williams@louisvilleky.gov>
Cc: jbarber@bialouisville.com; David Mindel <dmindel@mindelscott.com>; 'Kent Gootee (kgootee@mindelscott.com)' <kgootee@mindelscott.com>; bigmikelou@yahoo.com; Jim Mims <JMims@elitebult homes.com>; Scott Hagan <scott@haganmail.com>; John Hollenbach <john@hollenbach-oakley.com>; 'Greg Oakley (greg@hollenbach-oakley.com)' <greg@hollenbach-oakley.com>; Kevin Cogan <kcogan@JeffersonDevelopmentGroup.com>; John Pacyga <jpacyga@jeffersondevelopmentgroup.com>; dnicklies@nicklies.com; jcalvary@nicklies.com; Nick Pregliasco <npr@bardlaw.net>; John Talbott <John@bardlaw.net>
Subject: Recommended revisions to PDS' preliminary draft proposed Tree Canopy regulation

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Jeff, Emily and Julia: Per your request that all comments be received by today relative to the Planning Commission's scheduled July 25 continuation public hearing on this, I don't know how I can say anything else on behalf our clients other than to reiterate the below, which I submitted at the hearing held on June 20. That's because, although there have been discussions about possible changes to the draft reg, we have yet to receive a revised draft to comment upon. As soon as we see a revised draft reg, if there is one, I will immediately comment. The sooner we receive that the better, of course, for all concerned.

Many thanks for your attention to this matter in that specific regard. BB

Bill Bardenwerper
BARDENWERPER, TALBOTT & ROBERTS, PLLC
(Firm Celebration of 32 Years in 2019)

BIA of Greater Louisville Bldg, 2d Fl
1000 N. Hurstbourne Pkwy
Louisville, KY 40223
502-419-7333m
bardlaw.net

Begin forwarded message:

From: Bill Bardenwerper <wbb@bardlaw.net>
Date: June 20, 2019 at 2:53PM EDT
To: Bill Bardenwerper <wbb@bardlaw.net>
Subject: Recommended revisions to PDS' preliminary draft proposed Tree Canopy regulation

First, wherever “tree removal” is referenced within the revised draft regulations (i.e., Sections 7.2.20.A.3&4, 11.4.4.B&C, 11.5A.4.A.2&3, 11.6.3.A.2&3 and 11.6.4.B.2&3), there need to be “tree removal” exceptions (in addition to the stated ones as set forth in Chapter 102.02 of the Metro Code of Ordinances, for required geotechnical work, and as set forth in LDC Definitions Section 1.2.2 for removal of trees that “do not include shrubs, ground cover or containerized trees and nursery stock trees for resale in licensed nurseries”) for the following: “what are commonly accepted as dead, dying diseased and invasive species trees; what are ordinarily known as Christmas tree farms; what are removed for the purposes of boundary surveys, topo checks and rock soundings; utilities, including drainage, installation and maintenance; and what is commonly known and defined by state statute (KRS 100.111) and the LDC as “agricultural use”.

Second, these same referenced LDC sections need to be amended, instead of stating that “a site shall be ineligible for filing an application for [a major subdivision, a rezone, a conditional use permit, a Category 2 review or a Category 3 review] . . .” to state that “a site application [for any of these] may be denied at time of final review and decision by the ultimate application decision-maker if any tree removal has taken place on the site at any time within twenty-four (24) months prior to application submittal and approval of the Planning Director or designee. This accomplishes much the same thing as PDS staff have intended, except that (a) an application is allowed to proceed to the applicant’s demonstrated proof of LDC (and, where applicable, Comprehensive Plan) compliance and the ultimate decision-maker’s ruling thereon; (b) an applicant is provided due process of law which the revised draft regulations, as presently written, otherwise fail to afford; and (c) the appeal opportunities of application opponents remain as they presently exist, at time of final decision on an application, instead of a second appeal opportunity being offered at the very outset of an application process as the revised draft regulations currently provide “upon consultation and approval of the Planning Director or designee” of a tree removal decision (this initial step in the application process being eliminated). I call this the “red-light/green-light” decision, and all we’re recommending is a change in when this occurs and who does it.

Third, as noted above, Section 11.4.7.E.1 needs to be amended to add language at the end thereof to state “and except that the tree removal provisions of Section 11.6.4.B.2&3 shall not apply to existing plan certain development plans”. Further in this regard, Section 10.1.4 needs to be amended to add language at the last sentence thereof to state that “except that the requirements of this sentence and of Table 10.1.1 shall not apply to Plan Certain sites existing as of the effective date of this regulation and instead Table 10.1.2 shall apply”. Also, Section 7.2.20 needs to be

amended to add language to state that “the tree removal provisions hereof shall not apply to previously approved major subdivision plans”, and further in this regard, Section 10.1.4 needs to be further amended to add language at the last sentence thereof to also state that “except that the requirements of this sentence and of Table 10.1.1 shall not apply to sites on which major subdivision plans were approved prior to the effective date of this regulation, and instead Table 10.1.2 shall apply”. This takes into account the Constitutionally protected notion of “investment-backed expectations” that purchasers/investors/lenders of, in or to these sites have made and that are disrupted often only at great financial cost. Remember that, despite these proposed exceptions, all future new major subdivisions, re-zonings (and thereby future Plan Certain sites), CUPs and Cat 2 and 3 pre-Plan Certain sites will still be subject to your proposed new regulations, which alone is a great big deal.

Fourth, the proposed new Section 10.1.8 Tree Removal Permit requirement of the revised draft regulations needs to be eliminated, especially in light of all of the foregoing, as it is an unnecessary requirement subject to potential abuse. Plus, PDS is already burdened with too much workload for an ever-shrinking staff; thus who is going to take on this added burden which truly accomplishes nothing that isn’t already covered by the regs and landscape/tree preservation plan notes as exist today.

Fifth, because the numbers as presently recommended simply do not practically work, proposed new Table 10.1.1 needs to be changed such that single-family residential (except “conservation”), office, commercial and industrial is 30%, not 40%. Our group has scrutinized dozens of previously approved plans of this kind, and the 35-40% numbers practically do not work. The 30% number will, and it’s a greater requirement than at present; thus it’s a change that makes sense because it “works”. The 35% number can still apply to conservation subdivisions and apartments.

Sixth, a new section should be added to Chapter 10 as the building and development industry’s offer to address an actual real problem — i.e., the fact that required and approved landscape (including tree canopy) plans are sometimes not implemented (fully or at all) in accordance with prior approvals. Our recommendation is that, not unlike the bond release processes for roads and other public improvements, an inspection and certification be required by a date certain of a registered landscape architect (either the one who prepared the landscape plan or a different one of applicant’s choice, as who does it makes no difference) that the submitted and approved landscape plan has been implemented. If the approved landscape plan has not been implemented substantially in accordance with the prior approval, the landscape architect must recommend and obtain PDS approval of a regulatorily compliant alternative plan, or else the property owner/applicant is in violation of the landscape plan approval and subject to regulatory penalties. Timing of these proposed landscape plan inspections and certifications is something that needs to be addressed. For subdivision plans, which are often implemented over many years, timing probably ought to relate to times of bond release. For other plans, C.O. probably isn’t always the perfect time, because the C.O. doesn’t necessarily match the best time of year to plant. Thus, some defined period of time (say 6 months) after C.O. probably works.

Respectfully submitted on behalf of the Building Industry,

Bill Bardenwerper

BARDENWERPER, TALBOTT & ROBERTS, PLLC

Firm Celebration of 32 years in 2019

BIA of Greater Louisville Bldg, 2d Floor

1000 N. Hurstbourne Pkwy

Louisville, KY 40223
502-419-7333m



Ms. Emily Liu
Planning and Design Services
Develop Louisville
444 South Fifth Street, Suite 300
Louisville, KY 40202

July 10, 2019

Dear Emily,

On behalf of the Building Industry Association of Greater Louisville (BIA), thank you for working with us to find solutions to the concerns we have with the ordinance as it is currently drafted.

During a recent meeting, Metro staff asked that the BIA prioritize our major issues with the amendments proposed to the current tree canopy requirements. While we have brought forth many suggestions over the past several months, four major remaining issues with this proposal are listed below. We feel these issues are all equally important and should all be addressed in order to develop an ordinance that is achievable and does not force the majority of new developments into a waiver or in lieu situation.

Proposed Tree Canopy Percentage Requirements Per Land Use

Tree Canopy Table 10.1.1 – As we have stated previously, we are concerned that the proposed tree canopy percentages will be impossible to achieve in many developments. Our members, along with the planning staff, have spent countless hours reviewing previously approved plans in an effort to determine if we can achieve the percentages proposed in this regulation in its current form. This review has been time consuming and made even more difficult due to the fact that the proposed canopy percentages per land use have fluctuated throughout this process. As of this time, we do not support the current proposed canopy requirement of 40% for single family residential.

We are increasingly concerned that the majority of basic R-4 and R-5 subdivisions will not meet the proposed canopy requirement of 40%. We are also concerned that the proposed canopy requirement of 35% for commercial and industrial cannot be met, forcing these developments into an in lieu or waiver situation.

In order to ensure this is a reasonable regulation that allows for species diversity and a healthy canopy we support a Single Family Residential tree canopy requirement of no more than 30%.

For commercial and industrial uses, we encourage metro staff to review the canopy requirements and revise accordingly.

Private Property Rights and Preservation Requirements

The BIA remains opposed to the provision that requires 20% of the tree canopy on a 50-100% treed piece of property be preserved. The language, as written, requires a private property owner to set aside a portion of their property without compensation in an attempt to preserve trees, diminishing the value of the entire property.

We feel this language must be removed in order to preserve the private property rights and the property values of Jefferson County's landowners.

We appreciate the language included in this proposed ordinance that provides increased credit for preservation. However, we feel developing an even more robust incentive program for preservation will provide the flexibility needed by the development community while still encouraging tree preservation where possible.

The proposed ordinance increases the canopy requirements across most uses. Since the increased canopy requirements must be met for new developments it is unnecessary to mandate the preservation of any trees, especially if the new plan provides a better, healthier, longer-lasting canopy.

Tree Removal

The BIA strongly believes that the language that states "sites are ineligible for filing an application if **any** tree removal has taken place on the site at any time within twenty-four (24) months prior to application" should be removed.

The broad use of the word "any" will cause confusion for many landowners and provides an opportunity for costly delays for property developers.

This language is an effort to curb what the public views as clear cutting. However, there are regulations and permit requirements in place that limit this practice.

This proposed language will do little to increase or maintain the tree canopy in Metro, but will cause numerous issues with misunderstandings of the requirement by private property owners.

Plan Certain and Previously Approved Preliminary Subdivision Plans

We strongly believe that any development that is plan certain or is a subdivision plan that has received preliminary plan approval should be allowed to operate under the current tree canopy requirements and regulations that were in place at the time of approval. These developments have already applied for and received approval and have made agreements with financial institutions and other entities. Any variance in the preservation or canopy requirements puts all of these developments in jeopardy.

These new regulations should apply only to new developments approved after the effective date of the ordinance.

Additional Comments

We appreciate the hard work of Metro staff throughout this entire process. Many improvements have been made to our existing tree canopy requirements that will help improve Louisville's tree canopy. This proposed ordinance contains many positive changes including the proposed 100% credit for all new plantings and a higher credit for preserving existing canopy, modernization of the fee in lieu program, and we support amending other sections to clarify the equivalencies, allow for smaller trees, and to clarify that invasive species are permitted, not required, to be removed.

We also support adding language that clarifies that multi-phased developments should be reviewed based on the overall plan and not individual sections.

As we have stated many times, the BIA recognizes the importance of Louisville's tree canopy. However, like you, we feel that amending Chapter 10 of the Land Development Code cannot solve this issue. This community-wide problem requires a community-wide solution. Involvement from existing communities, Louisville Metro, private citizens, and other organizations is key to a long-term, achievable and sustainable solution.

Again, thank you for the opportunity to share our comments and concerns on the proposed tree canopy amendments.

Sincerely,

A handwritten signature in black ink that reads "Juva".

Juva Barber
Executive Vice President

CC: Jeff O'Brien, Develop Louisville
Julia Williams, Planning and Design Services

Williams, Julia

From: Mike Jones <mike.jones@signaturegreenproperties.com>
Sent: Wednesday, July 10, 2019 1:44 PM
To: Williams, Julia
Cc: Juva Barber; Liu, Emily
Subject: type c trees
Attachments: Scan1502.pdf

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Julia,

Please see the attached list of nearly 20 type C trees that are on our list as type C and are commercially available and most widely used. All of them are listed as having a spread of 15-20'. I know that some actually get bigger than that. If I use 17.5' as an average spread and 8.75' as the radius of the canopy, I come up with 240 sq ft of canopy per type C tree. While we are doing these changes and trying to get this right, can't we please look at least at getting the number up to 240'? I love the diversity of our urban tree canopy and would hate to see it suffer because we don't get the numbers right. It isn't much of an increase but I think it will make a difference in what we see on our plans.

Please consider this a formal comment. I appreciate your consideration of same and won't bother you again,,,,,on this subject!

Thanks,

Mike Jones, Partner
Signature Green Properties, LLC
Suite 108
303 N. Hurstbourne Parkway
Louisville, Ky., 40222
502-777-9805 cell
Mike.jones@signaturegreenproperties.com

Type C Trees

Commercially Available, often used, on.

type	Tree Name	Height	Notes
C	Acer Ginnala	15-20'	
C	" Ginnala	15-20'	
C	Acer Palmatum	15-20'	
C	Ameiurus Arbores	15-20'	
C	Cercis Canadensis	varies 15-20'	
C	Chionodoxa Virginiana	10-15'	
C	Cornus Florida	15-20'	
C	Cornus Kousa	15-20'	
C	Crataegus Viridis (W.King)	15-20'	
C	Crataegus Phacopyrum (Wash)	15-20'	
C	Halesia Carolina	15-20'	Not on list
C	Lagerstromia Indica	15-20'	
C	Magnolia Jane	15-20'	
B	Magnolia Soulangeana	15-20'	
C	Malus Coralburst	15-20'	
C	Malus Robinson	15-20'	
C	Prunus Species Kwang	15-20'	
B	Magnolia Virginiana	15-20'	
B	Prunus Yoshino	15-20'	

OC

Williams, Julia

From: Juva Barber <jbarber@bialouisville.com>
Sent: Wednesday, July 10, 2019 5:24 PM
To: Liu, Emily
Cc: OBrien, Jeff; Williams, Julia
Subject: Tree Canopy Ordinance Comments
Attachments: BIA Comments July 10 2019.pdf

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Good Afternoon,

Attached please find the BIA's comments on the most recently proposed amendments to the tree canopy requirements.

Please let me know if you have any questions.

Thank you

Juva

Juva S Barber
Executive Vice President
Building Industry Association of Greater Louisville
1000 N Hurstbourne Pkwy
Louisville KY 40223

Main: 502 429 6000
Cell: 502 458 0032

Check out our NAHB Member Advantage Program at www.nahb.org/ma

Williams, Julia

From: Kelli Jones <kelli.jones@swlinc.com>
Sent: Friday, June 7, 2019 9:52 AM
To: Williams, Julia; Liu, Emily
Subject: RE: Tree Canopy Text Amendment

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Thank you for your quick response! I have more questions below:

Kelli Jones, RLA
(502) 584-6271 ext. 237

From: Williams, Julia <Julia.Williams@louisvilleky.gov>
Sent: Friday, June 7, 2019 9:34 AM
To: Kelli Jones <kelli.jones@swlinc.com>; Liu, Emily <emily.liu@louisvilleky.gov>
Subject: RE: Tree Canopy Text Amendment

1. Traditional and downtown will only require street trees, LBA trees, and ILA trees Should a note be added to clarify this? "Traditional and Downtown Form Districts don't have a specific tree canopy requirement but will need to meet all applicable requirements of Chapter 10.2."
2. We probably need to flush that out prior to PC. The intent is using green tech to reduce heat island.
3. We didn't discuss changing that. It seemed that since 1-1/2" caliper trees will now be permitted (except street trees) that this should be changed to match.
4. 10.2.8 refers to a ratio not a spacing. Same as it applies now. It's an equivalent. Commercial has a wider equivalent. I didn't see anything about a difference between residential and commercial. I also am having trouble distinguishing between ratio and spacing. Do you have an example you can show? I am a visual person! LOL
5. That change is based on a directors interpretation. It is my understanding that as long as the VUA is fenced on industrial sites then those sites do not have to provide ILA, if they are not then the area is required to be counted as VUA but that area does not have to provide ILA so the loading areas do not have to provide ILA but the VUA SF is counted in the overall ILA requirement. The interpretation is based on how we have been applying the regulation in hopes to clarify the requirement, but not making it a new requirement. That is not how the new language reads. The fence language was removed so that all loading and maneuvering in the specific zones and commercial/office doesn't have to provide ILA...whether it is fenced or not. I am just looking at some of these large industrial developments like Grainger or UPS Centennial Hub. That would require a disproportionate increase in ILA within the passenger parking areas if the VUA for the loading is included in the calculation, but no loading areas have ILA. I just don't see the math working.

From: Kelli Jones <kelli.jones@swlinc.com>
Sent: Friday, June 7, 2019 9:15 AM
To: Williams, Julia <Julia.Williams@louisvilleky.gov>; Liu, Emily <emily.liu@louisvilleky.gov>
Subject: Tree Canopy Text Amendment

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Julia,

Thanks for sending along the proposed text amendment for review. I have a few questions and comments:

1. I didn't see anything that talks about traditional or downtown form districts. It only refers to Suburban Form Districts. What will the requirements be in Downtown and Traditional FDs?
2. In Table 10.1.1, does the 5% industrial reduction apply when any LEED standard is used, or do you have to be LEED certified? If it is for any standard, should it be clear that it is a site standard? I don't think we want this applied if they install a LEED HVAC system or low flush toilet. Also, I assume "green development" refers to that section in chapter 5. Should that be referenced for people that aren't as familiar with the rest of the LDC?
3. In Table 10.1.3* should it be 1-1/2" caliper, rather than 1-3/4"?
4. In 10.2.8 I am concerned about the street tree spacing. 20' for a large tree is really close, especially in single family subdivisions where we have a lot of driveways. We would have to space the trees more like 10' on center to get the quantity required while accommodating driveways. Take a look at the landscape plan we submitted for Bellingham Park under case number 19LSCAPE1051. (It should be in Sherie's office.) The Conservation Subdivision Regulations require 1 tree per 40 LF. Even with type B & C trees in the mix, we had to pack them in between driveways with little room to spare. I am also concerned about what this does to the visibility of commercial buildings from the street.
5. In 10.2.12 I am concerned that the loading and maneuvering areas are going to be included in the ILA calculations. That is not how it is currently applied and it will be extremely detrimental to the warehouse developments. This will greatly increase the amount of ILA they are required to provide and could limit maneuverability within the loading areas.

Otherwise, everything seems to be in line with what we were presented. Again, THANK YOU for all your hard work on this! Please let me know if you have any questions.

Kelli Jones, RLA
Sabak, Wilson & Lingo, Inc.
608 S. 3rd Street
Louisville, KY 40202
(502) 584-6271 ext. 237

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

Williams, Julia

From: Mike Jones <mike.jones@signaturegreenproperties.com>
Sent: Wednesday, July 10, 2019 4:48 PM
To: Williams, Julia; Liu, Emily
Cc: Juva Barber
Subject: tree canopy comments

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Hi Julia,

My comments are as follows;

Existing Approved Preliminary Plans should be reviewed based on the Chapter 10 ordinance that existed at the time of approval.

Multi phased neighborhoods should continue to be reviewed based on the overall plan and not individual sections.

Canopy sq footage allowed per tree type should be, 1200 sqft for type A, 720 sq ft for type B and 240 sq ft for type C. These numbers are actual canopy sq footage at maturity per Dirrs.

The language requiring removal of invasives should be deleted.

Spacing for street trees should be between 30 and 40' for type A trees, to provide room for canopy to grow and for root zone growth.

The option to deed restrict future trees on lots installed by the builder or homeowners should continue to be allowed to achieve total canopy percentages. There should be a 2 year time period from date of occupancy for homeowners to complete installation.

The language re the 2 year moratorium on building if ANY trees are cut, may just exact the opposite effect intended and should be eliminated.

Thank you for your consideration and your hard work.

Mike

Mike Jones, Partner

Signature Green Properties, LLC

Suite 108

303 N. Hurstbourne Parkway

Louisville, Ky., 40222

502-777-9805 cell

Mike.jones@signaturegreenproperties.com

Williams, Julia

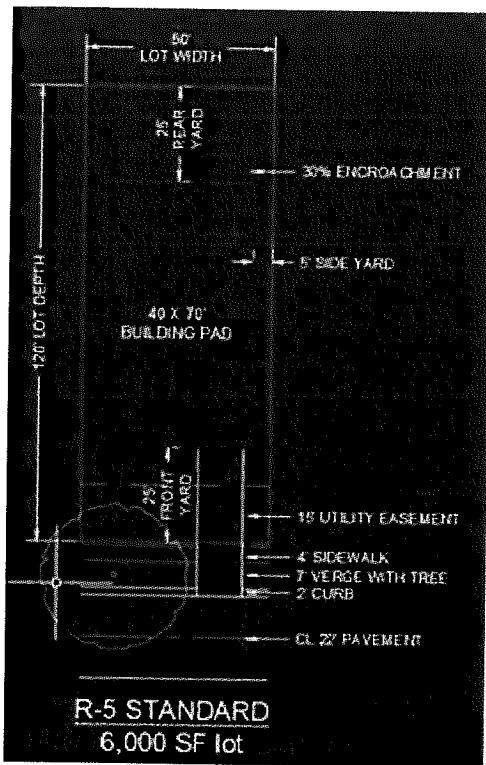
From: Kelli Jones <kelli.jones@swlinc.com>
Sent: Tuesday, July 9, 2019 3:15 PM
To: Liu, Emily; Williams, Julia
Subject: Tree Canopy Comments

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Emily & Julia,

Thank you for taking the time to attend yesterday. I think it helped to have everyone in the same room. I agree with many of the concerns that the folks at the BIA raised, but I am picking my battles here. My main concerns continue to be:

1. The industrial numbers are currently too high. I appreciate your willingness to meet on this and refine the white roof credit numbers. Please let me know how I can assist on this matter. It sounds like we are headed in a good direction based on our phone conversation the other day.
2. Will ILA calculations still include loading VUA? It is not being applied that way today? I just want to make sure this is clear in the wording.
3. I am still uncertain where we landed on street tree spacing. I don't have an issue with the minimum spacing requirements from part 4 as they are today. I am concerned about the maximum spacing or equivalency number. As I stated yesterday, 1 per 40 LF seems to be a number that will work within the space we have available. I referenced Bellingham Park yesterday which has a case number of 19LSCAPE1051. This is a conservation subdivision with 50 to 60' wide lots. As you know, the conservation subdivision regs require street trees at 1/40 LF. We took into consideration driveway locations when we laid this planting plan out and I think it would be difficult to fit many more street trees on the plan.
4. I am concerned about the 40% requirement for subdivisions...especially for developments with small lots such as standard R5 subdivisions and PRD. There just isn't much yard space within which we can plant a tree. See the exhibit below for an illustration.



5. And, finally just to keep it in the record...Enforcement. No amount of rules and regulations will fix the perceived problem if they aren't enforced.

Again, thank you for your time on this. We really appreciate you both!

Kelli Jones, RLA
 Sabak, Wilson & Lingo, Inc.
 608 S. 3rd Street
 Louisville, KY 40202
 (502) 584-6271 ext. 237

Williams, Julia

From: Cindi Sullivan <cindi@treesloouisville.org>
Sent: Friday, June 28, 2019 1:53 PM
To: Liu, Emily; Williams, Julia; OBrien, Jeff; Thompson, Erin; Sarah Sammons
Subject: LDC Revisions 10.1.6 B. 3.

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Comments in reference to Mike Jones's objection to invasive removal.

The reason for requiring invasive removal is that the invasive shrubs and vines will inevitably outcompete the trees in the TCCA/WPA. We see it time and again. Drive I64 between Cannons and Grinstead for a great example, or along Lexington Road across from Cave Hill.

Mike Jones greatly exaggerated the cost of removal in his comments. The text below is from Major Waltman at Olmsted Parks:

The average cost per acre for removing invasive shrubs from an acre of woodlands is approximately \$2,000. However, this number can vary from \$1,000/acre to \$4,000/acre depending on factors such as density of vegetation, slope of terrain, technique of removal (mechanical vs. hand labor), and sensitivity of native plants.

OPC has removed approximately 250 acres of high to medium density woody invasive shrubs (mostly *Lonicera maackii*) in Cherokee and Seneca and approximately 300 acres of low to medium density invasive woody shrubs in Iroquois, Shawnee, Chickasaw and other small Olmsted Parks.

In addition, we have also treated approximately 100 acres of invasive ground covers such as Vinca, *Euonymus fortunei*, English Ivy, Five-leaved Akebia and Porcelain Berry.

Best,

Cindi

PS

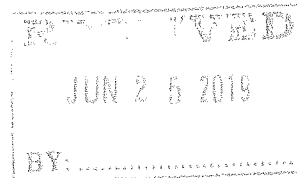
Anything we can help you guys with?

--

Cindi Sullivan
Executive Director, TreesLouisville
P. O. Box 5816
Louisville, KY 40255
502.208.8746
www.TreesLouisville.org

June 21, 2019

Mayor Greg Fisher
527 W. Jefferson Street, 4th Floor
Louisville, Kentucky 40202



Mayor Fisher,

In accordance with Ordinance Number 221, Series 2017, Section 3.B.6 (LMCO 102.03, B.6):

To provide recommendations to the Mayor and Metro Council as to needed amendments to this ordinance (Tree Ordinance), the Louisville Metro Land Development Code, and the Comprehensive Plan;

The Louisville Metro Tree Advisory Committee (TAC) would like to voice its support for the proposed Fee in Lieu for off-site tree mitigation, as proposed in 19AMEND1003, Land Development Code Chapter 10, Part 1, Section 3 Methods of Compliance.

The Tree Advisory Committee stresses the importance of an independent fund dedicated to the planting, maintenance, and monitoring of trees to be used for off-site mitigation for development sites. An independent fund would ensure the 'Tree in Lieu' fees received could not be allocated into a general fund for infrastructure other than tree canopy. The new 'Tree in Lieu fee' funds should bolster and not replace existing tree planting efforts funding from Louisville Metro in order to further mitigate tree canopy loss across Louisville Metro helping bring our community closer to the 40% canopy coverage goal.

The Tree Advisory Committee also strongly supports the location and coordination of tree mitigation planting efforts being based on the Community Forestry Management Plan, currently being discussed in the TAC, and the future Community Forestry Master Plan. Both documents integrate the Davey Tree 2015 Louisville Urban Tree Canopy Assessment's recommendations.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in cursive script that reads "Sarah Beth Sammons".

Sarah Beth Sammons, RLA, ASLA
Tree Advisory Committee Chair

CC: President David James, Louisville Metro Council
Councilman Bill Hollander, Louisville Metro Council District 6
Jeff O'Brien, Director of Develop Louisville
Emily Liu, Director of Planning and Design Services

Williams, Julia

From: steven skaggs <sxskag01@louisville.edu>
Sent: Saturday, June 22, 2019 5:33 PM
To: Williams, Julia
Subject: Tree Ordinance

Follow Up Flag: Flag for follow up
Flag Status: Flagged

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Dear Julia,

I attended the hearing yesterday and I would like to submit the following comments...

Thank you,

Steven Skaggs
8116 Wolf Pen Branch Road
40059

—

Here is a brief overview of what I see to be the major points after the tree meeting.

1. If you think of a map of Jefferson County where every road and building is plotted and all other space is left completely blank, BIA wants to fill in all the blank parts with buildings and roads. They call that "development."
2. The city is often inclined to go along with "development" because the city cannot pay for infrastructure repairs on the last round of "development" and needs the tax revenues.
3. Against this situation is aesthetics (which we all feel which is why every single builder started off his statement by saying "I love trees").
4. Aesthetics is not easily measured and doesn't have financial backers making money on it.
5. Of course there's also health—trees purify the air, act as carbon sinks, and reduce heat islands— but this relationship is indirect and also difficult to measure.
6. There is a quantitative measure that would show, indirectly, the aesthetic value of massed trees: property values in and near parkland. Every Olmstead Park has increased the value of the land nearby.
7. The long term value of the lands near massed trees seems not to be important to members of BIA. Their business model is to "develop" and sell. So the long term sustained value in the land is not relevant to them.
8. Long term sustained value is, however, important to the city as it increases property taxes over time, and makes the city as a whole desirable.

9. In view of these points, in which the political structure and economic structure of our city is unable to include subtle, though universally felt, dynamics of qualitative markers, what is to be done?

Conclusions

10. The current amended plan needs to be substantially strengthened, not weakened as BIA wishes. The proposed revised plan will make no improvement to our tree canopy because it calls for “goals” of 40% residential and 35% for everything else: Louisville is currently sitting at 37.5%, which is precisely what the “goal” calls for!

11. We should be aiming for at least 50% canopy. That’s the level Nashville and Charlotte are at and they are pulling in the tech-heavy high-paying jobs we need to be competing for.

12. Developers threaten to go to Oldham County and Southern Indiana. I say “Great.” Cities such as Boulder, Colorado which have limited development in their communities to ensure aesthetics and environmental protection have seen their property values rise exponentially. That’s good for us who own something in Jefferson County.

13. Trees should be treated as a public utility. They benefit all our citizens just like sewers do. Yes, the developers will need to change the way they do business. Yes the costs will be passed along and buildings will be come more expensive. But the benefits far outweigh those factors. If the concern is low-cost housing, incentives can be increased. If the concern is lower density projects or projects that are less efficient arrangements of structures, that is actually a net good. Look at how Olmstead threaded his avenues and park roads through forests in serpentine fashion. Less efficient, but more experientially involving. Experience will be enhanced by areas broken up by copses of trees. Louisville and Jefferson County will become more valuable for it.

14. I made this point to the Planning Commission: In the 1800s when treatment and sewers were debated for “The Bottoms” near Butchertown, the butchers who had always thrown their rendered fat and entrails in Beargrass Creek were similarly resistant. It would cost them money. Cost of sausage would increase. They’d move their businesses to Southern Indiana. It was really “gonna hurt.” But can you even imagine today keeping the old practices? Louisville is better for adopting policies that secure aesthetic, healthful, — and long-term profitable — practices. I think in 50 years, when half the county flourishes under sycamores, ginkgos and maples, we will look back at the current practice of making barrens across the county as similar to throwing innards in the river.

Steven Skaggs
8116 Wolf Pen Branch Road
40059

Williams, Julia

From: Nathan Wright <nwright@mindelscott.com>
Sent: Thursday, June 20, 2019 1:43 PM
To: Williams, Julia
Cc: Kent Gootee; David Mindel
Subject: Tree Canopy Amendment Presentation
Attachments: 3599-Planning Commission PowerPoint.pdf

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Julia-

For your files, attached please find a copy of our presentation for today.

Thanks-
Nathan

Nathan Wright, PLA, ASLA

Landscape Architect

NWright@MindelScott.com

5151 Jefferson Boulevard

Louisville, KY 40219

502-485-1508 | Ext: 123



MINDEL SCOTT

www.MindelScott.com

Amended Tree Canopy Ordinance

Case No. 19AMEND1003

(Julia Williams, Planning & Design Supervisor | Case Manager)

PLANNING COMMISSION | JUNE 20, 2019



MINDEL SCOTT

Comparison Chart | Multi-Family

AP#	Project Name	ASITE (SF)	Ex. Tree Canopy (SF)	Ex. to Remain (SF)	Add. Tree Canopy Planned/Provided (SF)	Tree Canopy (PRESERVED + PROPOSED) (SF)	Prop. Tree Canopy @ 100% Maturity (SF)	Mature TC + Preserved TOTAL (SF)	TOTAL - EX. TC (SF)	Percentage @ Maturity	Additional Trees	Additional Trees
Multi-Family												
18LSCAPE 1000	SILVER CREEK APARTMENTS	80,300	96,379	0	19,659	19,659	32,502	32,502	-3,827	40%	30%	35%
18LSCAPE 1089	THE SPRINGS AT LA GRANGE	701,189	27,676	0	142,018	142,018	236,709	236,709	209,033	34%	0	0
17LSCAPE 1143	VININGS @ CLAREBOURNE	427,337	0	0	152,860	152,860	187,200	187,200	187,200	44%	0	8
18LSCAPE 1119	AVOCA RIDGE	1,239,282	1,014,908	160,377	109,048	269,425	200,860	367,257	-652,951	29%	9	60
18LSCAPE 1134	ARTIS SENIOR LIVING CENTER	219,278	76,747	19,873	51,453	71,226	90,015	109,888	33,141	50%	0	0
18LSCAPE 1184	DOMINION NORTHFIELD IND. LIVING	138,211	55,284	1,052	28,611	30,673	75,120	76,182	20,898	55%	0	0
18LSCAPE 1189	STEWART CONDOS	55,984	5,920	0	11,420	11,420	26,478	26,478	20,858	47%	0	0
18LSCAPE 1050	HAVEN ON TUCKER	1,720,588	1,540,490	540,397	72,690	613,027	189,600	729,997	-8,10493	42%	0	0
17LSCAPE 1037	WILLOW GREEN/WILLOWOOD	2,100,028	649,633	258,041	131,506	389,647	218,577	476,618	-173,215	23%	0	213
18LSCAPE 1032	MENDAL ON TAYLORSVILLE	1,160,874	53,520	53,520	185,740	241,112	365,000	418,520	865,000	36%	0	0
17LSCAPE 1059	BRISTOL BLUFF	550,163	25,366	0	202,322	202,322	337,221	337,221	311,855	61%	0	0
18LSCAPE 1058	JEFFERSON GREEN APARTMENTS	2,284,305	1,396,459	171,351	356,820	527,971	594,414	765,765	-630,684	33%	0	31
18LSCAPE 1188	LODGES ON ENGLISH STATION	727,452	44,839	0	153,152	153,152	293,284	293,284	255,264	35%	0	0
13DEVLPLAN1075	APEX ON PRESTON HOMES	663,400	44,839	0	157,794	157,794	186,189	186,189	141,329	28%	8	35
16LSCAPE 1052	WILARD @ PRESTON CROSSINGS	411,206	133,736	20,377	69,840	90,217	116,400	136,777	2,969	33%	0	6
15DEVLPLAN1073	8910 SAWYER APARTMENTS	1,060,228	336,230	0	231,840	231,840	386,400	386,400	176,955	36%	0	0
18LSCAPE 1160	VICTORY PINNACLE	1,324,600	846,237	80,393	264,524	344,917	432,792	513,185	282,843	33%	0	17
18LSCAPE 1133	SPRINGS AT HURSTBOURNE	846,237	0	0	169,706	169,706	262,843	262,843	171,585	33%	0	31
		15,931,692					5,518,574	5,518,574	2,793,805		17	384
							216,700	216,700				



Comparison Chart | Subdivisions

A/P#	Project Name	ASITE (SF)	Ex. Tree Canopy (SF)	Ex. to Remain (SF)	Add. Tree Canopy Planted/Provided (SF)	Tree Canopy (PRESERVED + PROPOSED) (SF)	Prop. Tree Canopy @ 100% Maturity (SF)	Mature TC + Preserved TOTAL (SF)	TOTAL In-Ex. TC (SF)	Percentage @ Maturity	Additional Trees	Additional Trees
Subdivisions												
18LSCAPE1006	VISTA HILLS SUBDIVISION	759,906	363,727	81,767	63,000	144,767	84,000	165,767	-197,960	22%	35	115
18LSCAPE1026	O'RELL STATION SEC. 1B & 1C	627,260	48,404	0	200,024	200,024	138,860	138,860	90,568	22%	67	18
18LSCAPE1031	GLENMARY COMMONS SEC. 2	205,006.36	0	0	45,900	45,900	66,960	66,960	66,960	33%	4	13
18LSCAPE1036	THE WOODS OF FARNISLEY MOORMAN	574,373	8,102	10,832	102,870	118,217	125,349	135,981	127,879	24%	54	78
18LSCAPE1037	GRAND LAKES SEC. 4 & 5	510,955	33,096	0	87,752	87,752	105,800	105,800	72,514	21%	61	82
18LSCAPE1046	FERNDALE PLACE	232,600	30,000	0	47,679	47,679	54,393	54,393	24,393	23%	23	32
18LSCAPE1056	CASHMILL SPRINGS/SCHAEFFER	814,217	307,932	39,607	115,094	154,701	150,000	189,607	-113,335	23%	79	113
18LSCAPE1066	LONE OAK VILLAGE	479,609	177,160	0	98,164	98,164	139,200	139,200	112,669	26%	24	44
18LSCAPE1099	TUSCANY RIDGE	1,287,433	177,160	0	253,440	253,440	372,000	372,000	194,840	33%	60	112
17LSCAPE1048	MANOR AT FLOYDS FORK SEC. 1 & 2	1,253,422	66,077	0	250,664	250,664	380,000	380,000	284,923	30%	49	101
18LSCAPE1138	WYNDOVER HILLS	1,540,599	230,850	104,682	190,624	285,316	339,440	342,972	112,122	26%	106	161
18LSCAPE1172	VILAS AT FLOYDS FORK SEC. 1	616,374	82,945	68,945	31,028	18,925	209,600	208,085	175,140	34%	6	32
18LSCAPE1099	PARKSIDE AT MT WASHINGTON *	101,040.7	27,811	4,792	14,504	19,796	20,860	25,675	12,814	25%	86	128
18LSCAPE1099	WOODS OF FERN RUN SEC. 1, 2, 3*	159,720	79,906	21,094	27,998	40,192	31,888	52,372	-210,674	33%	24	91
18LSCAPE1104	WOODS OF FERN SEC. 6, 8, 9*	134,431.1	72,592	28,801	16,000	4,012	31,860	62,645	-333,131	30%	34	30
18LSCAPE1110	COUNTRYBROS AT CORBY FARMS SEC. 1*	106,702.1	106,864	92,859	152,944	246,213	222,200	316,485	285,885	36%	47	92
18LSCAPE1095	HANOVER TRACE SEC. 1, 2, 3 & 4*	238,763	45,963	17,435	34,627	57,862	65,802	62,000	87,706	29%	26	48
18LSCAPE1065	PLAT ROCK SEC. 4*	374,056	74,794	17,406	12,150	12,150	162,000	404,256	-342,698	29%	53	120
		17,961.26	748,954	174,086	16,924	34,000	230,000	5,222,696	673,987		897	1,635
								119,89	15,47			
		412.33	Acres									



Comparison Chart | Commercial, Warehouse, Office, Retail

AP#	Project Name	ASITE (SF)	Ex. Tree Canopy (SF)	Ex. to Remain (SF)	Add. Tree Canopy Planted/Provided (SF)	Tree Canopy (PRESERVED + PROPOSED) (SF)	Prop. Tree Canopy @ 100% Maturity (SF)	Mature TC + Preserved TOTAL (SF)	TOTALm - EX. TC (SF)	Percentage @ Maturity	Additional Trees	Additional Trees
Commercial/Warehouse												
18LSCAPE1004	UPS FLIGHT SIMULATOR FACILITY	240,295	0	0	48,624	48,624	81,108	81,108	81,108	34%	30%	35%
18LSCAPE1013	BLAKENBAKER STATION #1 LOT 8	199,360	95,209	13,716	28,388	42,104	44,228	57,944	-37,265	29%	2	2
18LSCAPE1042	YOKOMORI MANUFACTURING FACILITY	75,580	12,000	0	15,504	15,504	28,800	28,800	16,800	39%	0	10
18LSCAPE1047	CANDLEWOOD SUITES	31,494	31,494	16,436	10,682	27,352	20,871	37,807	-5,813	41%	0	0
18LSCAPE1055	MERCEDES BENZ TERRA CROSSING	450,410	25,234	0	118,674	118,674	170,000	170,000	144,765	38%	0	0
18LSCAPE1077	CARDINAL TRANSPORTATION	87,333	640	840	12,170	13,010	28,800	30,360	29,520	35%	0	0
18LSCAPE1084	KENWOOD BUSINESS CENTER LOT 4	220,286	20,181	20,181	17,280	37,461	48,981	48,981	28,800	22%	14	23
18LSCAPE1090	FEDEX GLOBAL PORT LOT C	2,241,918	203,879	203,879	99,652	313,131	188,400	392,279	168,400	17%	258	356
18LSCAPE1097	GLENVIEW TRUST OFFICE BLDG	165,092	122,168	53,098	32,518	91,919	62,400	115,438	-6,670	70%	0	0
18LSCAPE1105	WAFFLE HOUSE @ S 1ST ST	9,179	0	0	3,960	3,960	6,000	6,000	6,000	65%	0	0
18LSCAPE1116	OLYMPIA PARK PLAZA TR 2	293,488	12,000	9,500	52,166	51,666	121,300	130,700	118,700	43%	0	0
18LSCAPE1125	LAGUNTA DEL SOL-EAST HOTEL	86,248	0	0	19,884	19,884	36,888	36,888	36,888	43%	0	0
18LSCAPE1140	NOTTING HILLS COMMUNITY CENTER	173,185	52,000	20,400	9,504	29,504	15,940	38,240	-15,760	21%	13	20
18LSCAPE1141	HARBOR FREIGHT	94,897	0	0	25,778	25,778	42,960	42,960	42,960	45%	0	0
18LSCAPE1147	YMCA REVISED LANDSCAPE	514,444	7,200	3,600	55,745	55,745	67,768	71,366	64,166	14%	69	91
18LSCAPE1153	COPPER CHASE BUSINESS PARK	344,124	240,958	59,372	19,444	78,716	30,360	98,632	-142,327	29%	4	16
18LSCAPE1185	GREENWOOD RD. STORAGE	399,672	129,626	53,497	25,328	78,954	42,240	95,807	-33,719	24%	20	37
18LSCAPE1014	BARDSTON RD STORAGE	139,137	0	0	28,178	28,178	45,800	45,800	45,800	33%	0	2
18LSCAPE1118	FERN VALLEY COMMERCE CENTER	747,849	0	0	189,216	189,216	236,520	236,520	236,520	37%	0	21
18LSCAPE1191	AIRTECH II	466,807	221,896	0	116,705	116,705	194,508	194,508	-27,368	47%	0	0
		2,140,596					184,308	1,957,885	762,299		381	581
		353.97 Acres					44.95	1,997,885	17.98 Acres			



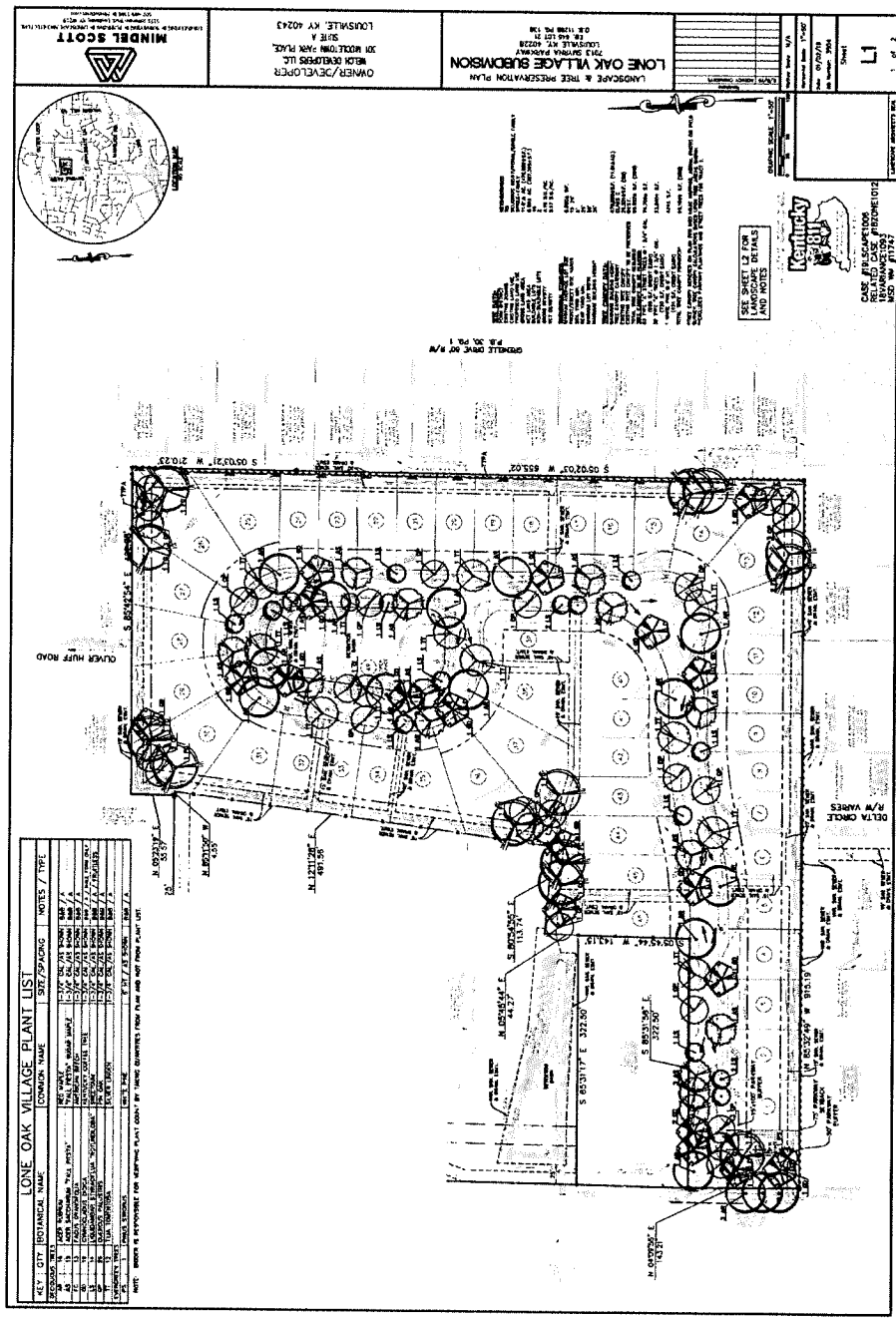
Comparison Chart

- ▶ Grand Total:
 - ▶ 57 Projects Studied
 - ▶ Site Area = 41,033,324 S.F. or 942 Acres
 - ▶ Existing Tree Canopy = 11,120,593 or 255.29 Acres
 - ▶ Trees Planted (at Maturity) + Trees Preserved = 12,699,464 S.F. or 291.54 Acres
 - ▶ Total Increase of Tree Canopy is 1,578,871 S.F. or 36.25 Acres
 - ▶ 3.85% Increase in Tree Canopy



Lone Oak Village Subdivision

58 Additional Trees
to Reach 40%



MINDEL SCOTT
 1111 GARDEN LANE, SUITE 100
 LOUISVILLE, KY 40203
 (502) 261-1111
 WWW.MINDELSCOTT.COM

OWNER/DEVELOPER
 301 WOODLAWN PARK PLACE
 WILSON, KY 40399

LANDSCAPE & TREE PRESERVATION PLAN
 LONE OAK VILLAGE SUBDIVISION
 2913 SHAWNEE PARKWAY
 LOUISVILLE, KY 40228
 08.10.2018 PER 108

DATE: 07/20/18
SCALE: AS SHOWN
SHEET: L1

PROJECT: LONE OAK VILLAGE SUBDIVISION
DATE: 07/20/18
SCALE: AS SHOWN
SHEET: L1

SEE SHEET L2 FOR DETAILS AND NOTES

DELTA CREST P/W WAY

OVER HILL ROAD

PROJ. NO. 18-011

DATE: 07/20/18

SCALE: AS SHOWN

SHEET: L1

PROJECT: LONE OAK VILLAGE SUBDIVISION

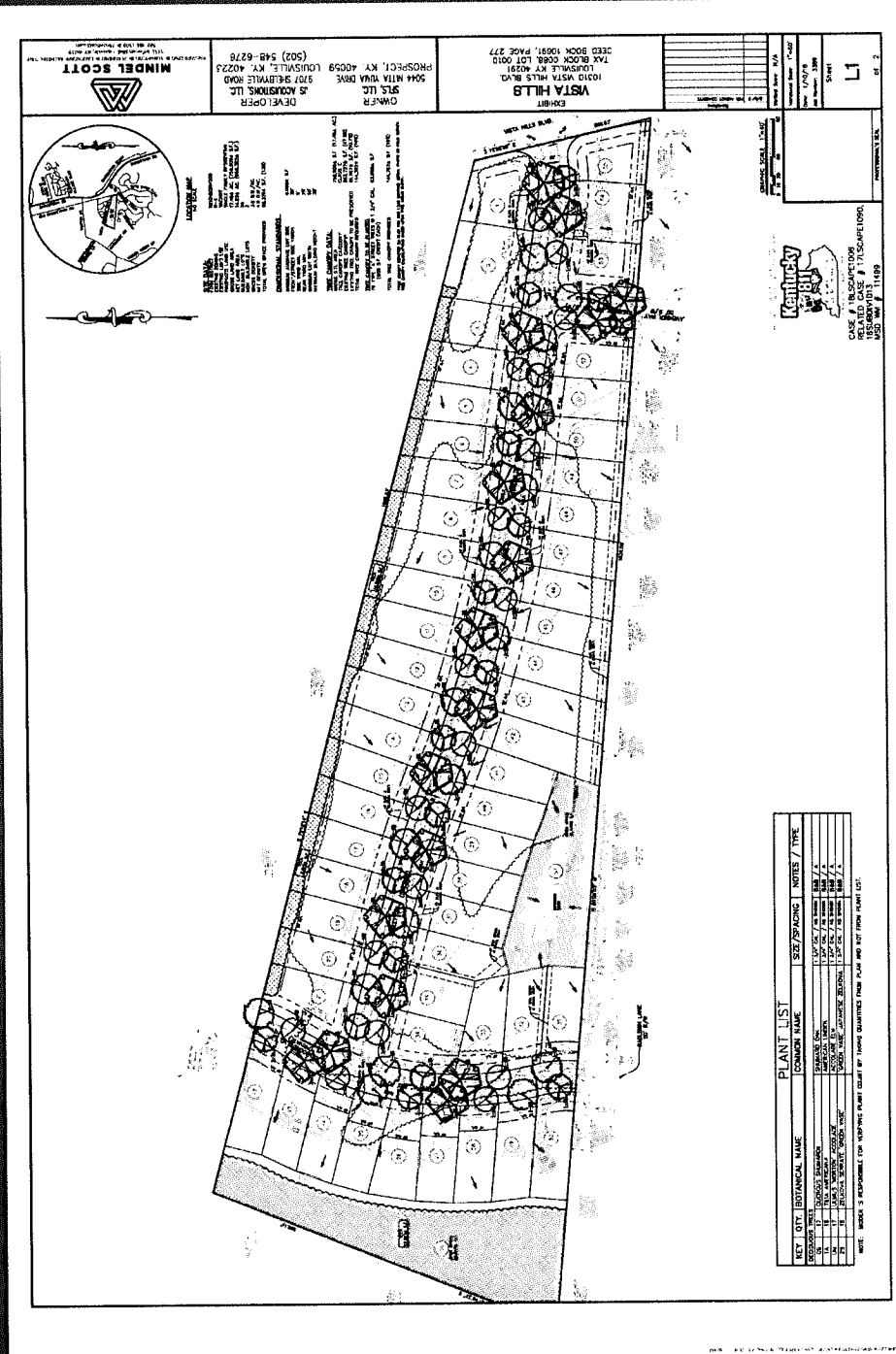
DATE: 07/20/18

SCALE: AS SHOWN

SHEET: L1

Vista Hills Subdivision

▲ 116 Additional Trees to Reach 40%



MINDEL SCOTT
 REGISTERED PROFESSIONAL ENGINEER
 5044 MITA TRAIL DRIVE
 LOUISVILLE, KY 40223
 (502) 548-6276

EXHIBIT
VISTA HILLS
 3252 BUCKWOOD, PAGE 277
 1745 BUCKWOOD, LOT 2001D
 LOUISVILLE, KY 40291

Sheet No. 17 of 2
 Date: 11/14/99
 Scale: AS SHOWN
 Project: VISTA HILLS
 Job No. 99-11499

KEY	CITY	IDENTICAL NAME	PLANT LIST	COMMODITY NAME	SIZE/SPACING	NOTES / TYPE
1		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
2		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
3		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
4		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
5		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
6		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
7		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
8		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
9		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
10		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
11		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
12		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
13		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
14		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
15		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
16		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
17		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
18		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
19		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
20		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
21		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
22		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
23		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
24		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
25		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
26		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
27		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
28		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
29		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
30		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
31		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
32		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
33		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
34		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
35		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
36		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
37		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
38		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
39		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
40		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
41		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
42		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
43		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
44		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
45		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
46		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
47		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
48		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
49		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
50		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
51		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
52		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
53		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
54		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
55		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
56		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
57		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
58		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
59		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
60		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
61		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
62		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
63		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
64		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
65		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
66		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
67		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
68		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
69		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
70		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
71		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
72		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
73		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
74		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
75		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
76		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
77		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
78		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
79		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
80		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
81		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
82		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
83		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
84		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
85		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
86		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
87		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
88		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
89		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
90		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
91		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
92		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
93		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
94		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
95		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
96		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
97		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
98		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
99		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4
100		DOGWOOD	DOGWOOD	DOGWOOD	4" DBH	MIN 7.4

NOTE: ARCHITECT IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES FROM PLAN AND NOT FROM PLANT LIST.



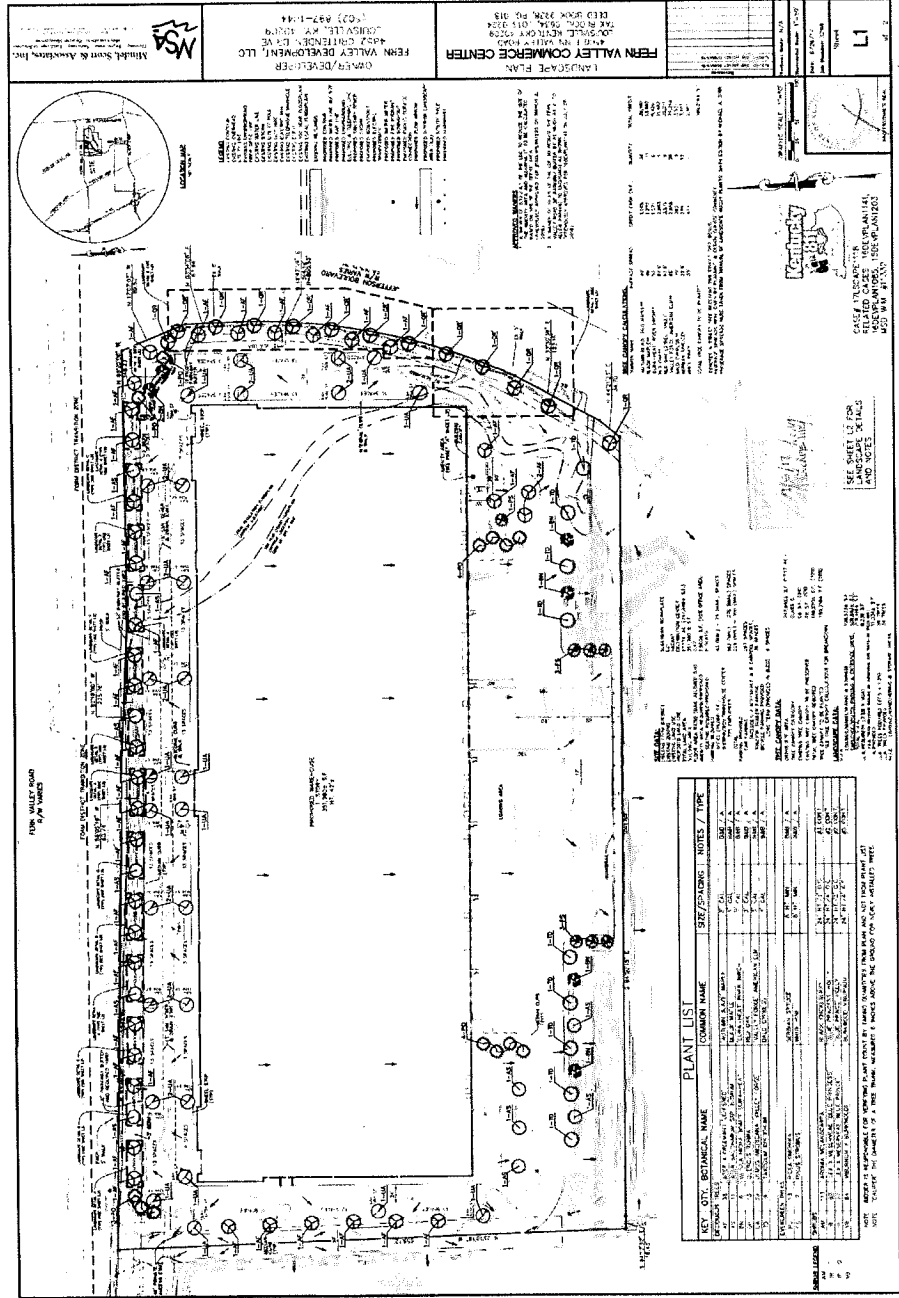
Case # 11499-00000000
 RELATED CASE # 11499-00000000
 JOB NO. 11499



MINDEL SCOTT

Fern Valley Commerce Center

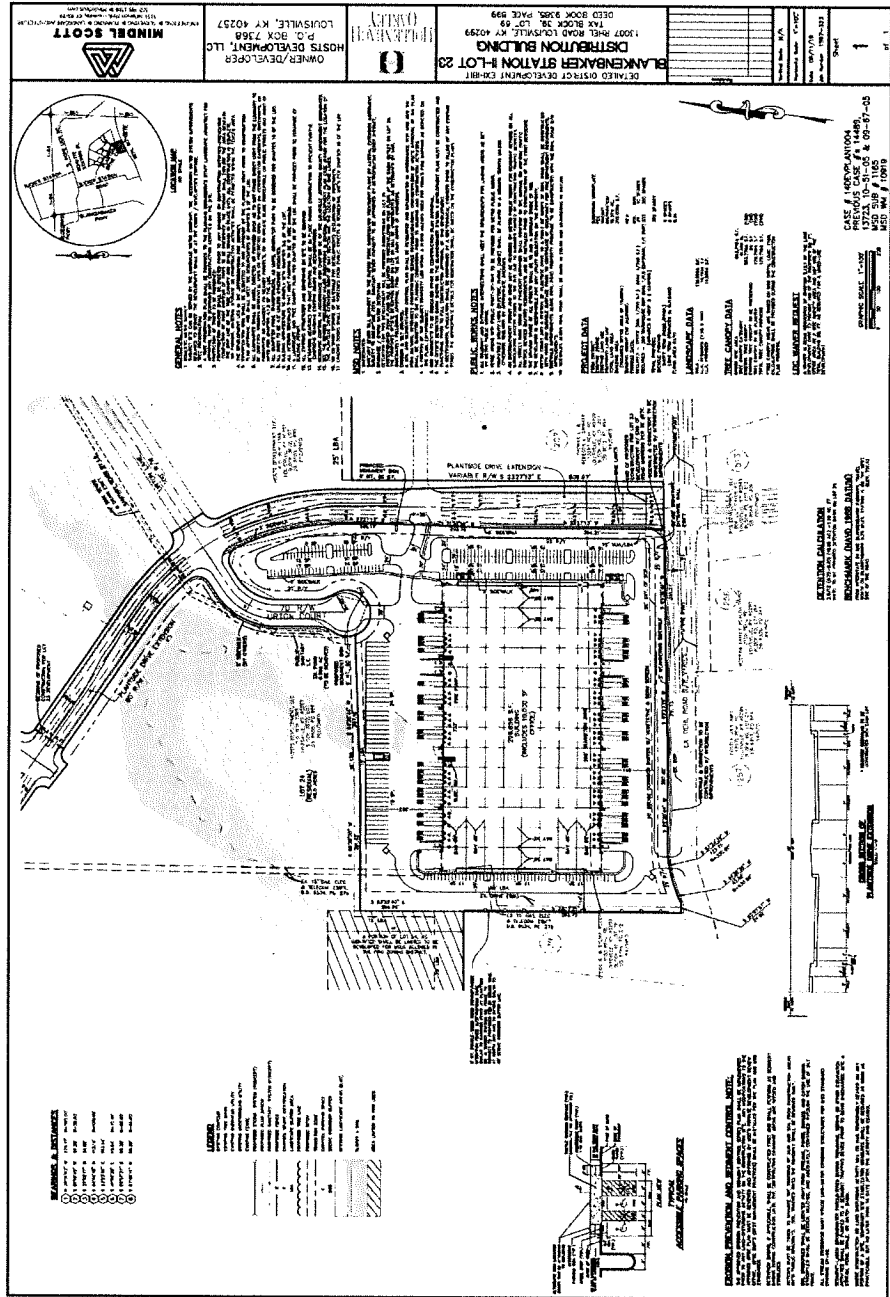
- Utilizes Individual Calculations for Mature Tree Canopy
- 21 Additional Trees to Reach 35%



Mindel, Scott & Associates, Inc.

Blankenbaker Station II - Lot 23

250 Trees Required
Under Proposed
Code (35%)



LOT 23

LDC: 10.2.8 (Draft)

10.2.8 Street Trees

- A. **Mandatory:** ~~Street trees are required for all land uses along all public rights of way (excluding alleys). Street trees are required for residentially-zoned property along collector and arterial level roadways. Street trees shall be provided in the public right-of-way, with permission of the agency having jurisdiction over the right-of-way. Street trees are required along all streets and for all uses within the Downtown Form District. If the Public Works Department or Kentucky Transportation Cabinet refuses to allow plantings in the right-of-way, street trees shall be provided adjacent to the right-of-way, in a minimum 6 foot wide planting area (Suburban Forms only). All street trees shall conform to the minimum requirements of the Streetscape Master Plan Manual. If a streetscape master plan has been approved for a specific street, all street trees shall be planted in accordance with the approved master plan. Street trees shall be planted at a 1 3/4" minimum caliper. Street trees shall be regularly spaced and planted at a ratio of no less than 1 Large (Type A) tree per 50 25 lineal feet of right-of-way, or 1 Medium (Type B) tree per 40 20 lineal feet, or 1 Small (Type C) tree per 30 15 lineal feet. Small trees are permitted only where utility lines or other site constraints will not allow installation of Large or Medium trees. (EXCEPTION: Refer to Chapter 3 for Floyds Fork Overlay information). In the event that an MSD approved Green Management Practice (GMP) is being proposed within the right of way or along the edge of the property, the street tree(s) shall be chosen from Chapter 13: Native Revegetation from the MSD Design Manual (a link to document found in Appendix 10A).~~



Sight Triangle Diagram

LDC

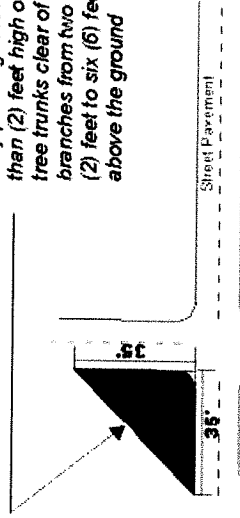
Chapter 10 Part 4

Implementation Standards

Figure 10.4.1

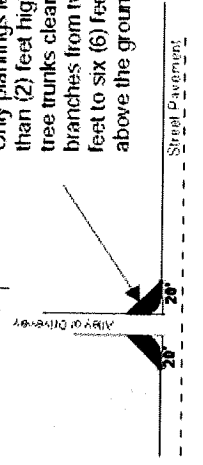
Chapter 2 Sight Triangle at Intersecting Streets

Only plantings less than (2) feet high or free trunks clear of (2) feet to six (6) feet above the ground



Sight Triangle at Intersection of Alley or Driveway with Street

Only plantings less than (2) feet high or tree trunks clear of (2) feet to six (6) feet above the ground

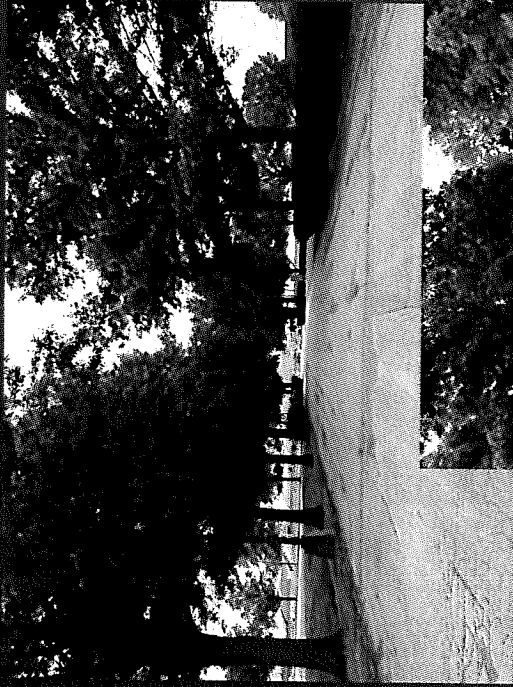


SCOTTSDALE

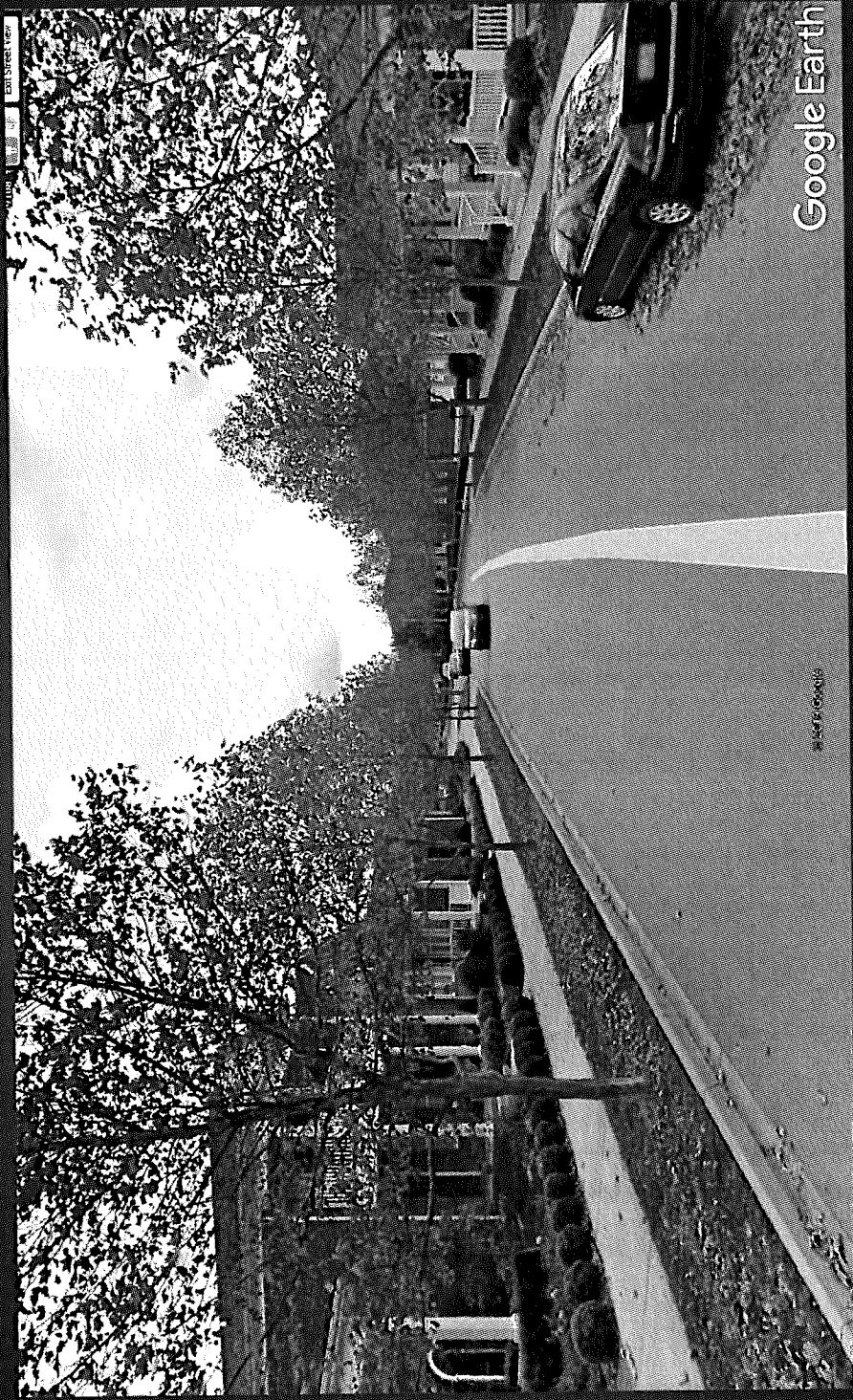
50' Street Tree Spacing



40' Street Tree Spacing



35' Street Tree Spacing



35' – 50' Street Tree Spacing



Thank you!



MINDEL SCOTT

Planning Commission Hearing

6-20-19

on

Changes in LDC Chapter 10

Case No: 19AMEND1003

**Bert Stocker
6-20-19**

Effects of Deforestation of 4 Subdivisions in the S. Floyds Fork Area

- 84,900 trees will be removed and killed by construction --- Covington by the Park
- 31,400 trees will be removed and killed by construction --- South English Station
- 75,400 trees will be removed and killed by construction --- Echo Trail
- 193,255 trees will be removed and killed by construction --- Oakland Hills

Assumptions:

- 2 trees/100 sq. ft.
- Based on conservative sampling of my property (see later slides)
- 20% additional lost due to construction

384,955 trees lost in just 4 subdivisions

185,000,000 lbs. less Carbon sequestered in 10 years

Equivalent to CO2 produced per year by 675 cars

• Per Davey Urban Tree Canopy Assessment of 2015

- During the summer District 20 temperatures are 2-7 degrees cooler than surrounding Districts 19,17,22,11
- Tree canopy is valued at \$111,156,504 in District 20 alone

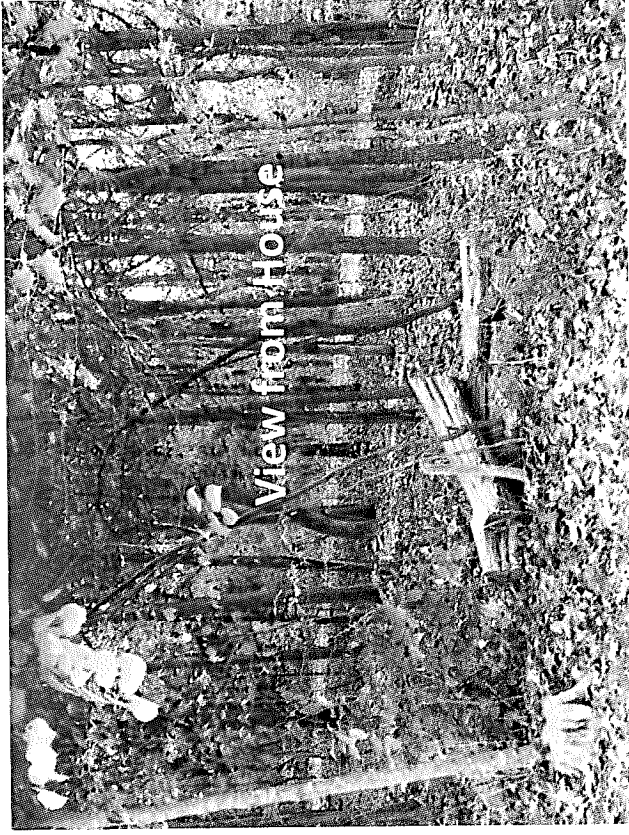
The next 2 slides are photos of

Bert Stocker's Property at
16313 Crooked Lane, less than
2 miles from Covington by the

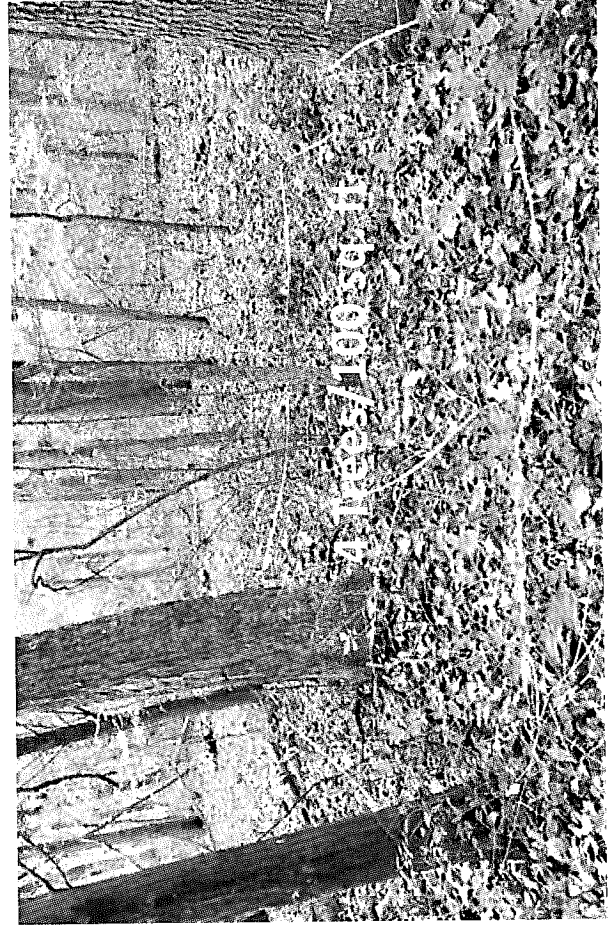
Park Subdivision, which is
typical of the forested area in
the rolling hills near Fisherville
in the South Floyds Fork Area



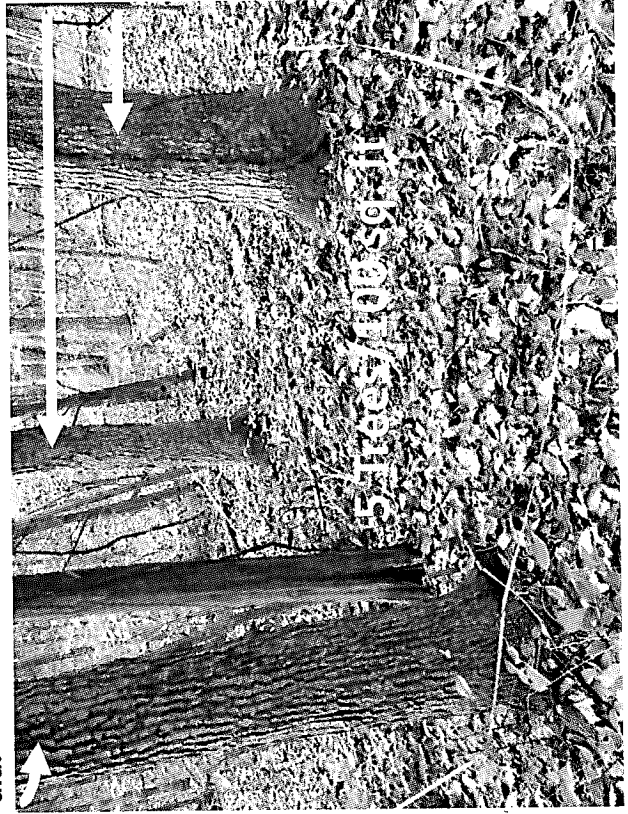
Stocker Property less than 2 miles from Covington by the Park



Most trees are 40-50 ft high



16" dia.

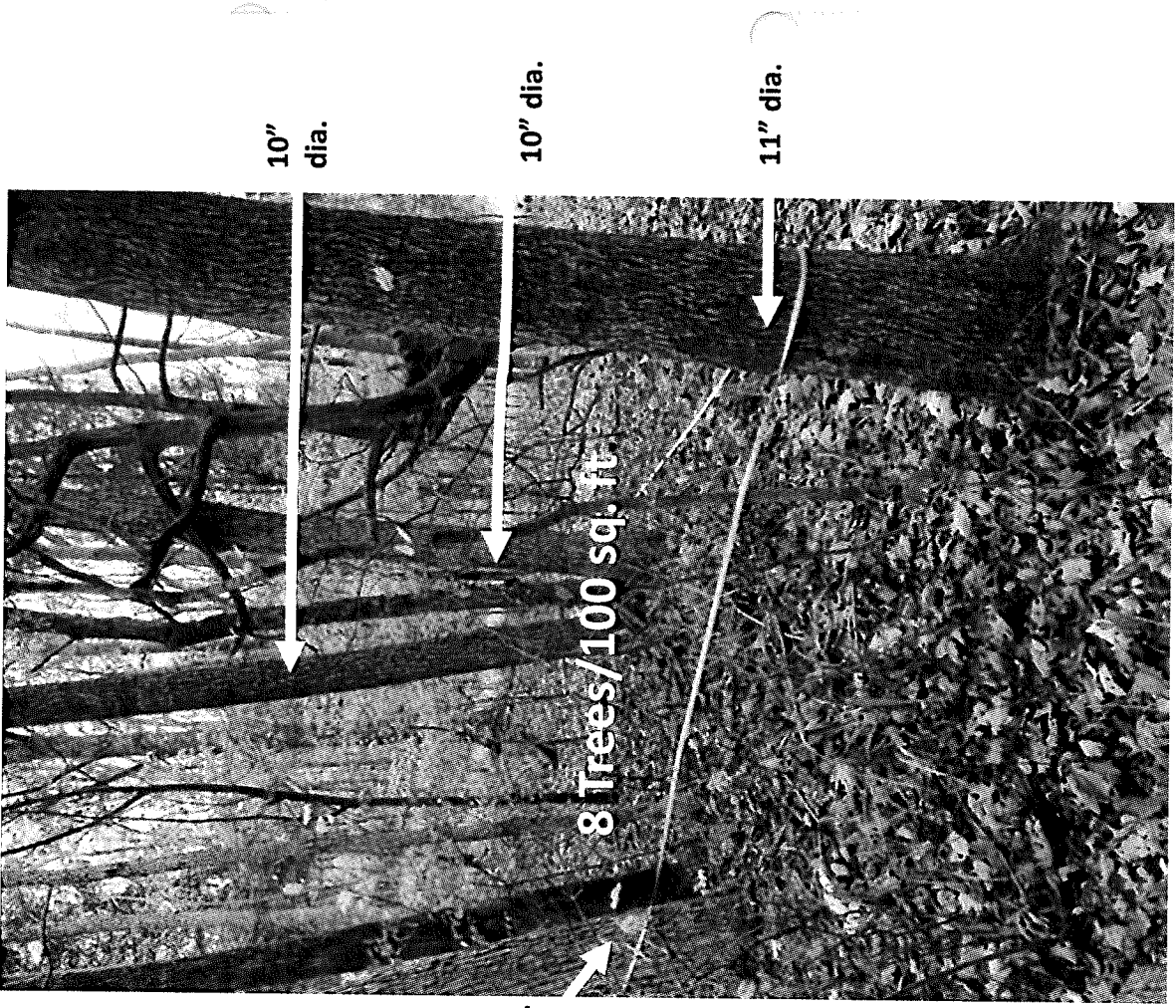


15" dia.

18" dia.

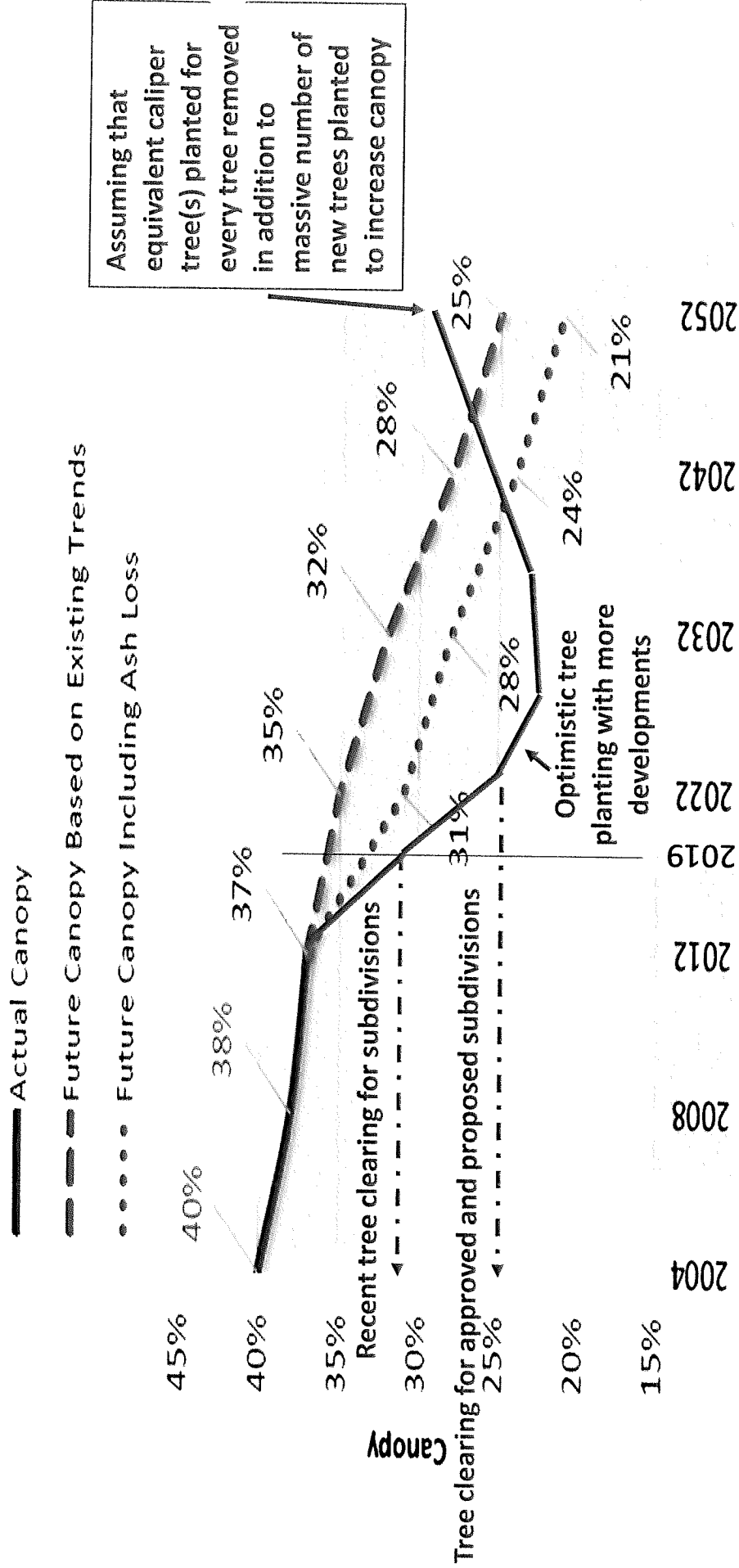
Typical Tree Size and Density on Stocker Property

> 10% are from 18-30" in Diameter



Possible Scenario with Metro Proposed Tree Canopy Preservation

Figure 2. Louisville's Estimated Future Canopy (No Action Taken)



Base chart from Davey 2015 Study

Conclusion: It's impossible to reach the equivalent biomass of a mature tree canopy equal to 45% by 2052 unless something dramatically is changed in tree clearing for subdivisions.

CONCLUSIONS:

1. P&D's Tree Preservation Proposal of 4/8/19 is woefully inadequate
 - A. More densely forested sites require innovative development schemes
2. Deforestation in South Floyds Fork Area will be dramatic
 - A. Millions of trees are at risk with proposed and future developments in this area
 - B. Just 4 approved subdivisions will cut/kill 385,000 trees per the approved plans
 - C. Floyds Fork Creek is at great risk with runoff and pollution
3. Density of trees in heavily forested South Floyds Fork Area is not represented in the proposed LDC regulations
 - A. Additional Major Changes needed in LDC
 - B. Green Space ≠ Tree Canopy Biomass
 - C. Widely Spaced Saplings ≠ Mature Tree Canopy Biomass of Forested Areas
 - D. Widely Spaced Trees ≠ Natural Succession Forest Tree Spacing
4. **My projection of the Tree Canopy in the Metro Area is ~30% by 2052**

**Proposed Change better
than before, but barely !**

June 20, 2019

Mr Jeff O'Brien
Director, Louisville Metro Develop Louisville
444 S. Fifth Street
Louisville, KY 40202

RE: Proposed Louisville Metro Land Development Code Tree Canopy Revisions

Dear Director O'Brien, LM Planning Commission Members and Staff,

Greater Louisville Inc. (GLI), the Metro Chamber of Commerce, appreciates the opportunity to provide comment and input on the proposed Louisville Metro Land Development Code (LDC) Tree Canopy Revisions. GLI has reviewed the proposed revisions and respectfully submits these comments below to outline the major issues that have come up in our discussions:

- GLI agrees that our tree canopy is vital to the economic, environmental, and business vitality, and quality of place of our community.
- GLI's members understand the importance of air and water quality and the effect on energy consumption and efficiency that increased tree canopies have on a community.
- The Davey Tree Assessment shows that recent tree loss is concentrated in the Urban Service District and the more densely populated areas of the county. GLI believes that a long-term strategy including all stakeholders to help increase the tree canopy in these areas should be a priority since that study lays out in very clear terms the issue and provides for a prioritization on where to place the trees for the most positive impact on the community. GLI agrees with this approach and appreciates that it is backed up with data that supports maximum positive impact.
- GLI understands that the proposed LDC changes are dealing with new developments and makes the following comments:
 - GLI appreciates all the work that Planning and Design staff and stakeholders have put into the proposed changes looking at all of the various development scenarios—particularly when dealing with the Tree Canopy Table and percentages.
 - Regarding proposed changes in Sec. 7.2.20, 3-4; Sec. 11.4.4, B-C; 11.5A.4, 2-3; Sec. 11.6.3, 2-3; and Sec 11.6.4, 2-3 — the proposed ineligibility of filing applications for developments if there has been tree removal on the site up to two years prior to application submittal look back provisions, GLI has the following comments:
 - GLI believes that these proposed changes offer no waiver, off ramp, or means for flexibility in the process. If these provisions stay in the LDC, there needs to be flexibility for sites that have had some tree removal in the past two years to be able to be developed.

- Also, there are no definitions and criteria as to what is determined to be tree removal. For example, does removal of one tree on a site make that site ineligible to be developed for two years after that tree removal? GLI appreciates the intent of these provisions but believes that one size does not fit all, and these provisions need to be clearly defined.
- Regarding the 20 percent preservation requirement for sites that have at least 50 percent tree canopy, GLI has the following comments:
 - GLI believes this requirement does not have the needed flexibility or waiver provisions. Not all sites are the same, and a blanket 20 percent preservation requirement does not take this into account.
 - This requirement could limit economic development projects on some sites if a project needs more land than is available after the requirement is met.
- Since trees are so important to the community for a variety of reasons, participation should be encouraged, incentivized, and any regulatory approaches should be limited and only used as a last resort.

Representing more than 1,600 small, medium, and large businesses in the Greater Louisville region, GLI looks forward to working with Louisville Metro to implement sustainable, long-term recommendations to increase our tree canopy in Louisville Metro. GLI appreciates the opportunity to submit comments on these proposed LDC Tree Canopy revisions.

Sincerely,



Jennifer J. Cave, Esq.
Chair,
Greater Louisville Inc.
Environment and Energy Committee



June 19, 2019

Mr. Jeff O'Brien
Develop Louisville
444 South Fifth Street
Louisville, KY. 40204

Dear Mr. O'Brien,

The Greater Louisville Association of Realtors® is writing to provide comments related to the proposed changes to the Land Development Code regarding trees that is being discussed at the Planning Commission.

We have concern that the proposed requirement to preserve at least 20% of the wooded area of a development site, if the parcel is 50% to 100% wooded, creates an impediment to development and limits the owner's private property rights. Developers, when considering communities for future growth and investment could seek opportunities outside of Louisville Metro. If the property is developed under this new requirement, the result could be an increase in development cost. These increased costs would be passed on to home buyers thus making housing less affordable.

Regarding the two year look back provision on removing trees, we also have questions regarding the liability of the real estate professional and their buyers when purchasing land. There is a concern since buyers could be purchasing land not knowing if removal of trees would limit their ability to redevelop the property. This requirement does not have the needed flexibility in it in order to deal with the potential consequences. Would there be a mechanism in place so that all parties are made aware of the prior removal of trees, specifically in the previous 24 months?

We appreciate the time and effort that has obviously been spent on these proposed changes, but strongly believe that more discussion, definition, and flexibility is necessary. Not all sites are the same, and we encourage you to consider adding flexibility to address those variations. We would also encourage the addition of a waiver process or an appeals process to address unintended consequences.


Thank you for the opportunity to express our comments. We appreciate the work that has been done thus far, but we do believe the proposal, as it stands now, needs more discussion, definition, and flexibility in order to achieve the intended outcome.


Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Stephenson".

Lisa Stephenson, CEO

 6300 Dutchmans Pkwy
Louisville, KY 40205

 502.894.9860

 louisvillerealtors.com

Williams, Julia

From: agunnison@aol.com
Sent: Wednesday, June 19, 2019 8:03 PM
To: Williams, Julia
Subject: 19amend1003 Tree Canopy

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

I appreciate all the work that so many people have done on this over many months and realize that this is a very contentious issue. However, the Louisville area simply does not have anywhere near enough trees to ensure a healthy environment. According to the statistics quoted in one of the area meetings I attended last year, even a robust plan to replace and enhance the canopy will take decades! I am sorry if the developers feel that new rules might constrict them too much, but this is where we are and we will all have to make a lot of compromises and sacrifices.

Having read the 18 pages of proposed changes, I still have some specific concerns:

- 1) That an area with an existing 50-100% tree canopy could be reduced to 20% seems woefully inadequate to me.
- 2) I note a lot of use of the word 'encourage' but almost no use of 'require' or 'ensure.' That leaves a lot of wiggle room for the developers to skirt some of the new requirements.
- 3) Some decisions could be made by the Planning Director OR his 'designee.' I hope the designee is someone with trees and landscape experience but maybe that was specified somewhere and I missed it.
- 4) There was a statement to the effect that "as trees are lost, more shall be planted." Who would monitor that?
- 5) Temporary Tree Protection Area seems to only protect trees while infrastructure is going in, so it sounds like those trees may be removed when houses are built. This is confusing to me.
- 6) I didn't see a tree removal permit needed to remove trees in residential/single family neighborhoods. Tree removal permits, especially for larger, healthy trees seems like a good idea.

On the plus side, I was delighted to see that there would be "required removal of invasives."

Alice Gunnison
7849 Wolf Pen Branch Rd
Prospect, KY 40059

TO: Planning Comm. members

6-19-19

FROM: Floyd's Fork Enviro. Assn., Planning Chair Teena Halbig, 6505 Echo Tr. 502 267-6883 40299

Re: Tree Canopy hearing - see handwritten notes.

Teena Halbig

2. Proposed LDC Text Amendment for

Added Text
Deleted text

LOUISVILLE METRO LAND DEVELOPMENT CODE

1.2.2 Definitions

* * * *

Tree Canopy - The area directly beneath the branches of a tree and within its dripline.

Tree Canopy Protection Credit Area (TCPCA) - An area of tree canopy preserved to meet the requirements of Chapter 10, Part 1 Tree Canopy.

* * * *

Temporary Tree Preservation Protection Areas (TTPAs) - represent those portions of the development site to be left undisturbed during development of roadways, utilities and similar infrastructure. TPAs are not permanent preservation areas; clearing, grading and/or removal of trees in TPAs is allowed at the time of individual building or home construction.

no protection

can be removed later on when property or use by another - Just say Temporary Tree Area.

5.8.3 Streetscape

* * * *

C. Downtown Form District

1. Streetscape standards have been established to create an attractive and animated sidewalk environment and to permit safe and efficient pedestrian movement. Planning and installation of improvements shall be coordinated to ensure a well-designed and unified streetscape treatment within the Downtown Form District. Streetscape elements provided as part of the development shall conform to those specified in the master plan along those corridors for which a plan has been adopted. All other streetscape elements shall conform to the following standards:

a. Street Trees

- i. Street trees shall be selected and placed with the approval of Planning and Design Services the Works Department urban forestry staff. If the sidewalk width, utility locations or similar conditions make it impractical to install street trees, the Director of Works may waive the requirement for street tree planting or unobstructed sidewalk width.

* * * *

Appendix 5A Green Development Design Criteria

Site Criteria:

* * * *

within 1/2 mile

one large tree removal with its tree canopy is not replaced by several small trees since the tree canopy will not be replaced for decades hence! ①

to 50% (i.e. 50% in the FF watershed and SFFV Plan.

4. Maintain 20% of the site areas as vegetated open space or tree canopy credit area (TCCA) using existing trees. A green roof shall count as vegetated open space.

* * * *

7.2.20 Preliminary Plan Approval Process

* * * *

A. Formal Application and Submission

1. The subdivider shall file an application for preliminary plan approval on a form supplied by the Division, signed by the property owner or his/her agent, and shall submit therewith a preliminary plan prepared in conformance with the requirements of Part 5 hereof.

2. No application shall be accepted unless it is complete and accompanied by the appropriate review fee.

3. A site shall be ineligible for filing an application for a major subdivision if any tree removal has taken place on the site at any time within twenty four (24) months prior to application submittal without consultation and approval of the Planning Director or designee. In addition, no such tree removal shall take place in the time between application submittal and final approval. This requirement shall not prohibit tree removal per Chapter 102.02 of the Metro Code of Ordinances or for required geotechnical work.

dated and in a written agreement.

4. An affidavit by the land owner shall be filed at time of major subdivision application submittal indicating no tree removal took place two (2) years prior to development submittal.

5. Applications shall be accompanied by supporting material determined appropriate by the Planning Director. The list of required supporting materials shall be available from the offices of the Commission. In addition, technical studies required by other applicable sections of this Land Development Code, including traffic, air quality, and hydro-geologic analyses shall be submitted. Failure to submit all required material may result in delay of the application review. Staff of the Division may require submission of information, material and documents beyond that required Procedures for Major Subdivisions in this section as necessary to determine compliance with these regulations.

and available to the public.

* * *

9.1.3 Calculating Parking Requirements/Allowances

* * * *

F. Off-street Parking Reductions (see Table 9.1.1 for applicable reductions by form district/planned development districts)

* * * *

9. A twenty (20) percent reduction in the minimum number of parking spaces required shall apply to any development that meets two of the design criteria listed under Site Design Criteria in Appendix 5A of the LDC.

10. A twenty (20) percent reduction in the minimum number of parking spaces required shall apply to any development that exceeds the minimum tree canopy required by (5) percent.

* * * *

10.1.3 Methods of Compliance

A. The tree canopy requirements of this Part may be satisfied in the following order of preference:

* * * *

3. If a development site cannot meet the tree canopy requirements through preservation or the planting of new trees, then the applicant may come into compliance by planting new trees on an alternative site, under the following requirements:

←
within
1/2 mile
radius

* * * *

c. The Planning Director or designee may determine an alternative site for the planting of an equivalent number/amount of trees that meets any one of the following criteria:

* * * *

6. ~~If one of the above methods of compliance cannot be met for the development site then~~ The applicant may pay a fee in lieu in an amount as determined by the Planning Director or designee and Urban Forestry Coordinator (or comparable position), to a designated tree account per 1 3/4" caliper tree required to meet a sites tree canopy requirement. These tree funds will be administered and tracked by the Urban Forestry Coordinator for the planting and maintenance of trees pursuant to the City's most recent tree canopy study or at sites determined by the Planning Director or designee and the Urban Forestry Coordinator.

→ within
1/2 mile
radius

is this
one 3/4" caliper?
or 1 3/4" caliper?

10.1.4 Tree Canopy Standards

A. The tree canopy on a development site shall meet the applicable standards according to the site's form district, and proposed land use and the amount of tree preservation, as set forth in Tables 10.1.1 and 10.1.2, below. (Percentages refer to the relation of tree canopy to gross site area in square feet.) Section 10.1.2, paragraph C (10-1-2, C) allows residential subdivisions and multi-lot commercial developments to group trees in clusters throughout the development rather than meeting the canopy requirements on a lot-by-lot basis. In addition to the standards referenced above, development sites that have 50 percent to 100

percent existing tree canopy coverage shall be required to preserve 20 percent of that existing tree canopy coverage. + 50% in the Flays Fork Watershed + SFFV Plan area.

Table 10.1.4 -- Tree Canopy Form

Land-Use	Form			
	Downtown, Traditional Marketplace Corridor,	Traditional Neighborhood	Regional Center, Suburban Marketplace Corridor, Neighborhood, Suburban	Village
Single-Family Residential	Class A	Class E	Class C*	Class D
Multi-Family and Office	Class A	Class E	Class C	Class D
Institutional	Class A	Class B	Class C	Class D
Commercial	Class A	Class A	Class C	Class C
Industrial	Class A	Class A	Class C	Class C

* Docket No. 0-26-03; see website for adoption status outside

Table 10.1.1 Tree Canopy

Land Use	Suburban Form Districts
Single-Family Residential	40%
Multi-Family and Office	35%
Institutional	35%
Commercial	35%
Industrial*	35%

*Industrial land uses are eligible for a 5% reduction in required tree canopy when a green development or LEED standard is identified on a site.

R-R and SFFV Plan area and Flays Fork Watershed 50% @ Rural

Class Canopy Requirement per Table 10.1.1	Preserved Tree Canopy Coverage Area	New Tree Canopy Coverage Area	Total Tree Canopy Coverage Area
Class F	5%	0%	5%
	4%	2%	6%
	3%	4%	7%
	2%	6%	8%
	1%	8%	9%
	0%	10%	10%
Class E	10%	0%	10%
	8%	3%	11%
	6%	6%	12%
	4%	9%	13%
	2%	12%	14%

Class Canopy Requirement per Table 10.1.1	Preserved Tree Canopy Coverage Area	New Tree Canopy Coverage Area	Total Tree Canopy Coverage Area
	0%	15%	15%
Class C If site is 76%-100% covered in existing tree canopy	15%	0%	15%
	12%	6%	18%
	9%	12%	21%
	6%	18%	24%
	3%	24%	27%
Class C If site is 41%-75% covered in existing tree canopy	0%	30%	30%
	15%	0%	15%
	12%	5%	17%
	9%	10%	19%
	6%	15%	21%
Class C If site is 0%-40% covered in existing tree canopy	3%	20%	23%
	0%	25%	25%
	15%	0%	15%
	12%	4%	16%
	9%	8%	17%
Class D	6%	12%	18%
	3%	16%	19%
	0%	20%	20%
	20%	0%	20%
	15%	6%	21%
	40%	12%	22%
	5%	18%	23%
	0%	24%	24%

B. Tree Canopy Credit Areas (TCCA) and Woodland Preserved Areas (WPA) can be used to satisfy tree canopy requirements while Temporary Tree Protection Areas (TTPA) may not be used to satisfy tree canopy requirements. Developments shall be entitled to a reduction in the tree canopy requirement prescribed in Tables 10.1.1 and 10.1.2 as follows:—

1. Any residential subdivision receiving at least 3.5 points for the provision of diversity housing in accordance with Chapter 4 Part 5 (Alternative Development Incentives) of the Land Development Code shall receive a 33% reduction.
2. Any development located in the Downtown, Traditional Marketplace Corridor, Traditional Workplace and Traditional Neighborhood Form Districts shall receive reductions as follows:
 - a. Tree Canopy Reduction for Nonresidential Development:

Development Floor Area Ratio (FAR)	Total Tree Canopy Reduction
FAR 0.20 or Less	No Reduction
FAR 0.30 to 0.49	33% Reduction
FAR 0.50 and Greater	66% Reduction
FAR 1.0 and Greater in Downtown Form District only	100% Reduction

NOTE: All reductions shall be based on the total square feet of tree canopy needed on a site to meet the requirements of Tables 10.1.1 and 10.1.2. Total Tree Canopy

~~b. Tree Canopy Reduction for Multi-Family Residential Development:~~

Development Density (Dwelling Units per Acre)	Total Tree Canopy Reduction
12.00 Du/Acre or Less	No Reduction
12.01 to 16.00 Du/Acre	33% Reduction
16.01 Du/Acre and Greater	66% Reduction
22.01 Du/Acre and Greater in Downtown Form District Only	100% Reduction

~~NOTE: These reductions in the tree canopy requirements have been created in an effort to support a more compact and efficient urban form and to support infill development opportunities~~

~~c. Tree Canopy Reductions for Single Family Residential Developments:~~

Development Density (Dwelling Units per Acre)	Total Tree Canopy Reduction
4.4 Du/Acre or Less	No Reduction
4.41 to 5.5 Du/Acre	33% Reduction
5.51 Du/Acre and Greater	66% Reduction

* * * *

F. When trees are planted off-site or on private property to meet the requirements of this Part, the applicant shall provide the Planning Director with documentation that sufficient measures have been taken to ensure the preservation and, when necessary, the replacement of said trees. Examples of such measures would include, but not be limited to, including preservation and replacement provisions in a subdivision's deed of restrictions or within a development's binding elements or by placing all of the required trees within a conservation easement or a Woodland ~~Protection~~ Preserved Area (WPA).

→ trees should be planted within 1/2 mile radius

* * * *

10.1.5 Calculation

* * * *

~~D. Street trees planted in accordance with Section 10.2.8 shall qualify for a 25% bonus in the amount of credit listed in Table 10.1.3. This credit shall apply to street trees that are mandated as well as those planted on a voluntary basis.~~

E. D. All approved WPAs shall qualify for a 10% bonus in the amount of credit listed in Table 10.1.3.

~~NOTE: Street tree bonus: for example a development that provides three Type A trees two inches in caliper shall receive credit for 2,250 sq ft of tree canopy.~~

(6)

When is it urged to retain mature and/or heritage trees?

E E In calculating the required number of trees, fractions less than .5 shall be dropped and greater than or equal to .5 shall be rounded up. Table 10.1.3 Deciduous Tree Canopy Credit

NOTE: "Caliper" The diameter of a tree trunk, measured 6 inches above the ground for newly installed trees and at 4 feet 6 inches above the ground (breast height) for existing trees.

7

Caliper	Tree Type**	Amount of Credit (per tree)
10 inches or greater	Type A	1,200 sq. ft. (100% mature canopy)
	Type B	720 sq. ft. (100% mature canopy)
	Type C	177 sq. ft. (100% mature canopy)
Greater than or equal to 3 inches and less than 10 inches	Type A	960 sq. ft. (80% mature canopy)
	Type B	676 sq. ft. (80% mature canopy)
	Type C	142 sq. ft. (80% mature canopy size)
Greater than or equal to 1 3/4 inches and less than 3 inches	Type A	720 sq. ft. (60% mature canopy)
	Type B	432 sq. ft. (60% mature canopy)
	Type C	106 sq. ft. (60% mature canopy size)
Greater than or equal to 1 inch and less than 1 3/4 inches*	Type A	600 sq. ft. (50% mature canopy)
	Type B	360 sq. ft. (50% mature canopy)
	Type C	89 sq. ft. (50% mature canopy size)

* See Chapter 10, Part 4 for criteria to plant trees less than 1 3/4 inch caliper.
 ** Trees are categorized as A, B and C—Large, Medium and Small; refer to Appendix 10A for species that fall within each category.
 NOTE: Table 10.1.3 gives credit for 50% of the mature canopy size when a 1 3/4"–3" caliper tree is planted.
 NOTE: Upon approval by the Planning Director, or designee, other reputable tree information sources, such as the Manual of Wood Landscape by Michael Dirr, may be used in lieu of or in addition to Table 10.1.3.
 NOTE: For particularly mature trees, ground checking may yield larger credits than those based on this table.
 NOTE: Canopy credit for evergreen trees to be determined by the Planning Director, or designee, in working with the applicant, using a reputable tree information such as the Manual of Woody Landscape Plants by Michael Dirr or other similar publication.

Caliper	Tree Type**	Amount of Credit (per tree)
1 1/2" to less than 6" caliper	Type A	1,200 sq. ft.

(1)

6" to less than 12"	Type A	1,500 sq. ft.
12" to less than 24"	Type A	1,800 sq. ft.
24" and over	Type A	2,100 sq. ft.
1 ½" to less than 6" caliper	Type B	720 sq. ft.
1 ½" to less than 6" caliper	Type C	177 sq. ft.
* See Chapter 10, Part 4 for criteria to plant trees less than 1 ¼ inch caliper.		
** Trees are categorized as A, B and C—Large, Medium and Small refer to Appendix 10A for species that fall within each category.		
NOTE: Upon approval by the Planning Director, or designee, other reputable tree information sources, such as the Manual of Wood Landscape by Michael Dirr, may be used in lieu of or in addition to Table 10.1.3.		
NOTE: Canopy credit for evergreen trees to be determined by the Planning Director, or designee, in working with the applicant, using a reputable tree information such as the Manual of Woody Landscape Plants by Michael Dirr or other similar publication.		

10.1.6 Tree Preservation Plan Requirement

- A. All Temporary Tree Protection, Tree Canopy Credit, and Woodland Preserved areas shall be identified, protected, and/or preserved in accordance with Chapter 10 Part 4 and the Tree Preservation ~~Politics~~ Policies of Louisville Metro Planning and Design Services (Appendix 10D). All applicants for development proposals which seek credit for existing tree canopy to attain the minimum canopy coverage specified in this Part shall submit a Tree ~~protection~~ preservation plan.

* * * *

NOTE:

Example of an area inventory:

4 9' ht Cedar @ 576 sf of credit each = 2,304 sf

3 4" caliper Hackberry @ 960 sf of credit each = 2,880 sf

3 24" caliper Maple @ 1,200 sf of credit each = 3,600 sf

5 10" caliper Hackberry/Maple @ 1,200 sf of credit each = 6,000 sf

1 8" caliper Oak @ 960 sf of credit each = 960 sf

Total square footage = 15,744 sf

TCPA on plan is 2.68 acres or 116,957 sf

116,957 sf - 2,500 sf (sample area) = 114,457 sf

114,457 sf + 15,744 sf (total sample area credit) = 130,201 sf

Total preserved tree canopy = 130,201 sf

The tree canopy calculations could appear as follows: Gross site area: 1,086,008 sf

Total tree canopy preserved: 130,201 sf (12% of total site)

Total tree canopy required: 173,601 sf (16% of total site on a site that has 0-10% existing canopy coverage)

Total required new canopy: 43,400 sf (4% of total site)

Total canopy provided: 174,421 sf (16%)

8

if preserved trees are removed from the TCCA, the total number of trees to be replaced would be 58 minimum 3" caliper trees.

Tree Canopy Calculation Example	
Total site area	251,785 SF
Existing tree canopy area	24,477 (10%)
Total tree canopy required	88,125 (35%)
Existing tree canopy to be preserved	(0%) ←
Proposed tree canopy to be planted	88,800 (35%)

why 0%?

Not good example

* * * *

B. Standards for Tree Canopy Credit Areas

3. No clearing, grading, construction or other land disturbing activity shall take place within the TCCA/WPA beyond pruning to improve the general health of the tree or to remove dead or declining trees that may pose a public health and safety threat. As trees are lost through natural causes, new trees shall be planted in order to maintain minimum tree canopy as specified in this part. Underbrush is permitted to be removed in the TCCA. Invasives are required to be removed.

Spelling brush

Should not require but can be removed.

* * * *

6. Modification of Woodland Preserved Areas shown on approved development plans shall require the approval of the Planning Commission or ~~authorized committee~~ designee after the notification requirements as listed for detailed district development plans in Section 11.4.7.F.1 have been fulfilled.

No - must be done at the beginning

* * * *

10.1.7 Landscape/Buffer Credit

* * * *

10.1.8 Tree Removal Permit

A tree removal permit is required for the removal of existing trees on non-residential and multi-family development sites where landscaping and tree canopy were/are required. (see Appendix 10E)

* * * *

10.1.89 Waivers

* * * *

10.2.4 Property Perimeter Landscape Buffer Areas

* * * *

9

B. Explanatory Text and Exceptions

* * * *

- 6. Sites with a Conditional Use Permit that are located in a residential zoning district shall be considered the same as a C-1 Commercial use for the purposes of application of Chapter 10, sites located in non-residential districts will follow the landscaping requirements for the zoning district that they are in, unless the Board of Zoning Adjustment deems a different classification is appropriate. Exception: Private schools and churches shall follow paragraph 5 above.

* * * *

10.2.8 Street Trees

- A. **Mandatory:** ~~Street trees are required for all land uses along all public rights of way (excluding alleys) Street trees are required for residentially-zoned property along collector and arterial level roadways~~ Street trees shall be provided in the public right-of-way with permission of the agency having jurisdiction over the right-of-way. ~~Street trees are required along all streets and for all uses within the Downtown Form District.~~ If the Public Works Department or Kentucky Transportation Cabinet refuses to allow plantings in the right-of-way, street trees shall be provided adjacent to the right-of-way, in a minimum 6 foot wide planting area (Suburban Forms only). ~~All street trees shall conform to the minimum requirements of the Streetscape Master Plan Manual.~~ If a streetscape master plan has been approved for a specific street, all street trees shall be planted in accordance with the approved master plan. Street trees shall be planted at a 1 3/4" minimum caliber. Street trees shall be regularly spaced and planted at a ratio of no less than 1 Large (Type A) tree per 50 25 lineal feet of right- of-way, or 1 Medium (Type B) tree per 40 20 lineal feet, or 1 Small (Type C) tree per 30 15 lineal feet. Small trees are permitted only where utility lines or other site constraints will not allow installation of Large or Medium trees. (EXCEPTION: Refer to Chapter 3 for Floyds Fork Overlay information). In the event that an MSD approved Green Management Practice (GMP) is being proposed within the right of way or along the edge of the property, the street tree(s) shall be chosen from Chapter 13: Native Revegetation from the MSD Design Manual (a link to document found in Appendix 10A).

but do not have to be in a row in the Floyds Fork watershed.

FFPR03

NOTE: See Appendix 10A for listing of Type A, B and C trees.

- ~~B. Voluntary: Street trees may be provided adjacent to non-residentially zoned property, as well as residential sites abutting local streets or private access easements providing the principal means of access.~~

- ~~C. Tree Canopy Bonus: Street tree plantings shall qualify for a 25% bonus in calculating compliance with tree canopy requirements refer to 10.1.5.D.~~

- DD. Please refer to Chapter 10, Part 6, for Streetscape Master Plans.

* * * *

10.2.12 Vehicular Use Area Interior Landscape Areas

Landscape areas shall be provided within all Vehicular Use Areas to break up large impervious areas and allow for a greater distribution of tree canopy coverage and to provide the opportunity: to capture parking lot stormwater runoff, thus increasing water quality: and

retaining greater amounts of storm water on site through infiltration. Dimensional requirements have been established to insure that interior landscape areas serve the intended goals and provide enough ground area to support required plant material. Interior landscape areas shall not be required for enclosed VUAs that are secured from access by a fence, wall or similar barrier at least 3.5 feet in height and used for storage, loading docks or their associated maneuvering areas, or for loading, unloading, and storage areas in an industrial zone, PD (industrial uses), C-M, M-1, M-2, M-3, PEC & EZ-1 or in loading dock & truck maneuvering areas in Commercial and Office zones. These VUA areas shall still count toward the overall ILA requirement for the development site.

* * * * *
10.4.3 Plant Sizes
 * * * * *

Size criteria for deciduous tree species shall be determined based on its Size Type as described in Chapter 1 Part 2 (Definitions) of the Land Development Code. Installation criteria for each Size Type is as follows:

Small Tree (under 25 feet in height at maturity)	6 feet high
Medium Tree (25 feet-50 feet in height at maturity)	1 ¾ ½ inch caliper*
Large Tree (over 50 feet in height at maturity)	1 ¾ ½ inch caliper*
* Medium and large street trees are required to be planted at 1 ¾ inch caliper	

* * * * *
10.4.4 Spacing
 * * * * *

No newly planted trees may be planted closer together than 10 feet for small trees, 25 feet for medium trees, and 30 feet for large trees, unless specifically approved by the Planning Director or designee. When planting new trees near existing mature trees, leave a minimum distance of half of the new trees mature spread between the new tree and the existing trees. The Planning Director or designee can authorize a closer spacing of trees in special circumstances. When GMP planting areas are used with perimeter buffer area, the screening intent of this part should still be met.

Table 10.4.12	
TREE SPACING AGAINST BUILDINGS	
Tree Height	Minimum Spacing from Building Edge
Up to 25 feet (small tree)	10 feet
25 feet-50 feet (medium tree)	15 feet
50 feet + (large tree)	15 feet
No tree shall be planted in a space less than 3 feet in width. Only small trees shall be planted in spaces less than 4 feet in width.	

* * * * *
11.4.4 Application

- * * * * *
- A. A "Demonstration of Appropriateness" document which addresses as applicable:
- * * * *
3. The anticipated time period in which implementation of the proposed uses will be initiated provided the amendment is approved.

B. A site shall be ineligible for filing an application for a rezone if any tree removal has taken place on the site at any time within twenty-four (24) months prior to application submittal (without consultation and approval of the Planning Director or designee) in addition, no such tree removal shall take place in the time between application submittal and final approval. This requirement shall not prohibit tree removal per Chapter 102.02 of the Metro Code of Ordinances or for required geotechnical work.

a signed agreement & kept in the case file.

C. An affidavit by the land owner shall be filed at time of rezone application submittal indicating no tree removal took place two (2) years prior to application submittal.

BD. A development plan of sufficient detail to demonstrate to the Planning Commission the character and objectives of the proposed development and the potential impacts of the development on the community and its environs. In instances where a general development plan is submitted, the Planning Commission may require submission of a detailed development plan prior to issuance of site disturbance and building permits. In certain instances, a preliminary subdivision plan will satisfy the requirements for a general or detailed development plan. These circumstances are identified in Part 2 of this Chapter. In addition, staff shall endeavor to assure that notice is given to all neighborhood groups who have registered to receive notice of development applications.

CE. Technical studies or reports required by this Land Development Code including but not limited to air quality, traffic, historic and cultural resource, geologic, hydrologic, and hydro-geologic.

DE. Upon receipt of a complete application, as determined by the Planning Director, staff of Planning and Design Services shall cause notice of the application to be given. Not less than ten (10) calendar days prior to initial consideration of an application by either the Commission or a Committee thereof, notice of the

7

application shall be given to first and second tier adjoining property owners. In addition, staff shall endeavor to assure that notice is given to all neighborhood groups who have registered to receive notice of development applications.

* * * * *
11.5A.4 Application

* * * * *
A. Applications for Conditional Use Permit shall be submitted on forms supplied by the department. Applications shall be signed by the property owner or his/her agent and filed with Planning and Design Services in accordance with these regulations and the Board of Zoning Adjustment By-Laws and Rules of Procedure. Applications shall be accompanied by supporting material determined appropriate by the Planning Director and by the appropriate fee. The list of required supporting materials shall be available from the offices of Planning and Design Services. Failure to submit all required material may result in delay of the application review. At a minimum, the following materials shall be submitted with all applications for Conditional Use Permit:

- * * * * *
2. A site shall be ineligible for filing an application for a conditional use permit if any tree removal has taken place on the site at any time within twenty-four (24) months prior to application submittal without consultation and approval of the Planning Director or designee. In addition, no such tree removal shall take place in the time between application submittal and final approval. This requirement shall not prohibit tree removal per Chapter 102.02 of the Metro Code of Ordinances or for required geotechnical work.
 3. An affidavit by the land owner shall be filed at time of major subdivision application submittal indicating no tree removal took place two (2) years prior to development submittal.
 24. A development plan of sufficient detail to demonstrate to the Board the character and objectives of the proposed development and the potential impacts of the development on the community and its environs.
 35. Not all Waivers, Variances and Conditional Use Permits require engineered surveys. However, where dimensional information is determined to be essential for consideration of such waivers, variances or

Conditional Use Permits by staff, the applicant shall provide a survey prepared by a licensed Land Surveyor in the Commonwealth of KY. Only those property boundaries that are contiguous with the dimension(s) in question need to be provided. The cost of the required survey shall be borne by the applicant. In cases where staff determines a survey is not required the applicant shall not be responsible for the cost of any survey submitted by any party.

11.6.3 Category 2 Review Procedure

A. Application for Planning Director Approval

1. Applications for Category 2 development approval shall be submitted on forms supplied by the department. Applications shall be signed by the property owner or his/her agent and filed with Planning and Design Services.
2. A site shall be ineligible for filing an application for a Category 2 review for approval by the Planning Director or designee if any tree removal has taken place on the site at any time within twenty-four (24) months prior to application submittal without consultation and approval of the Planning Director or designee. In addition, no such tree removal shall take place in the time between application submittal and final approval. This requirement shall not prohibit tree removal per Chapter 102.02 of the Metro Code of Ordinances or for required geotechnical work.
3. An affidavit by the land owner shall be filed at time of major subdivision application submittal indicating no tree removal took place two (2) years prior to development submittal.
4. Applications shall be accompanied by supporting material determined appropriate by the Planning Director and by the appropriate fee. The list of required supporting materials shall be available from the offices of Planning and Design Services. Failure to submit all required material may result in delay of the application review.
5. At a minimum, the application shall be accompanied by a development plan of sufficient detail to demonstrate to the Planning Director that the proposed development is in compliance with the applicable requirements of these regulations and any applicable binding elements or conditions of approval.

too much
power

6. The Planning Director shall approve the proposed development if it complies with the requirements of this code; associated binding elements, if any; and other applicable law. In cases in which the Planning Director has reason to question the development plan's compliance with any provision of the Land Development Code, applicable binding elements and conditions of approval, the Director may forward the development plan to the Planning Commission, or designated committee thereof, for review and action on the plan.

11.6.4 Category 3 Review Procedure

B. Community Design Review Process

1. Application Required - Applications for development plan approval shall be submitted on forms supplied by the department. Applications shall be signed by the property owner or his/her agent and filed with Planning and Design Services in accordance with these regulations and the Planning Commission By-Laws and Rules of Procedure. Applications shall be accompanied by supporting material determined appropriate by the Planning Director and by the appropriate fee. The list of required supporting materials shall be available from the offices of the Commission. Failure to submit all required material may result in delay of the application review.

2. A site shall be ineligible for filing an application for a Category 3 review for approval by the Planning Director or designee if any tree removal has taken place on the site at any time within twenty-four (24) months prior to application submittal without consultation and approval of the Planning Director or designee. In addition, no such tree removal shall take place in the time between application submittal and final approval. This requirement shall not prohibit tree removal per Chapter 102.02 of the Metro Code of Ordinances or for required geotechnical work.

3. An affidavit by the land owner shall be filed at time of major subdivision application submittal indicating no tree removal took place two (2) years prior to development submittal.

24. Notice - Not less than 10 calendar days prior to the proposed review session, notice of the proposed development and its scheduled review shall be given to adjoining property owners. In addition, staff shall endeavor to assure that notice is given to all neighborhood groups who have registered to receive notice of development applications.

which shall be a signed document agreement in the case file + part of the record.

*is this
DPC?
to 3 people (plan
com)
you make
power.*

35. Review Session – Review of and action on the proposal shall take place in a public meeting before the Planning Commission (or Committee) thereof. No less than ten (10) calendar days prior to an original or continued review session date, the applicant shall submit original or revised development plans, studies, reports, etc. which have been prepared in response to comments received during the review process. This section does not preclude the applicant from presenting, at the review session, changes to the plan in response to concerns of the neighbors, agency review staff or the Planning Commission. The Planning Commission (or designated Committee) shall approve the proposed development if it complies with the requirements of this code; associated binding elements, if any; and other applicable law.

Williams, Julia

From: Nathan Wright <nwright@mindelscott.com>
Sent: Wednesday, June 5, 2019 9:17 AM
To: Williams, Julia
Subject: RE: Tree Canopy DRAFT

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Thanks for the quick response and clarification! I misunderstood about the 20% preservation. That is a bit of a concern, but agree with everything else except I still think an evergreen incentive should be considered in future revisions. I know this revision is about Tree Canopy which is dictated by deciduous trees. Just food for thought.

Thanks again!

-Nathan

Nathan Wright, PLA, ASLA

Landscape Architect

NWright@MindelScott.com

5151 Jefferson Boulevard

Louisville, KY 40219

502-485-1508 | Ext: 123



MINDEL SCOTT

www.MindelScott.com

From: Williams, Julia <Julia.Williams@louisvilleky.gov>
Sent: Wednesday, June 5, 2019 9:12 AM
To: Nathan Wright <nwright@mindelscott.com>
Subject: RE: Tree Canopy DRAFT

1. I did not state that the preservation requirement was removed. It was just not part of the presentation and the slide referring to it was removed. The requirement remains.
2. There is not an incentive for planting evergreens. Evergreens can still be used for screening along property lines.
3. The key word in 10.2.8 is "ratio". Ratio doesn't dictate spacing.
4. Thanks for pointing that out. I will make the change for the Planning Commission draft.
5. Requiring an LA stamp for all plans is not equitable.

From: Nathan Wright <nwright@mindelscott.com>
Sent: Wednesday, June 5, 2019 9:00 AM
To: Williams, Julia <Julia.Williams@louisvilleky.gov>
Subject: RE: Tree Canopy DRAFT

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Julia-

Just a few concerns and comments:

1. During the last Planning Committee meeting, I thought you said the part about preserving 20% of a site that is 50%-100% covered was removed. It is in this draft in section 10.1.4?
2. Is there any incentive for planting evergreens besides parkway and scenic corridor requirements? Currently it is not cost effective for the client to plant evergreens because of the little canopy credit received. So, our plans are ALL deciduous trees, unless required. That hinders diversity, winter interest, etc.
3. In section 10.2.8 Street Trees, it says "Street trees shall be regularly spaced and planted at a ratio of no less than 1 large tree per 25 lineal feet of right-of-way..." At the planning committee meeting, you said that the 25' would just dictate the number of trees required. But the way that sentence reads, they would HAVE to be planted every 25' for a type A tree. It would be extremely difficult to regularly space trees every 25' in a subdivision because of PSCs, Fire Hydrants, Driveways, etc. Can that be reworded? If it is written that way, I know we will have to show the trees regularly spaced in 25' intervals on landscape plans to obtain approval.
4. At the planning committee meeting you also said that commercial use street tree requirements for Type A, B & C trees would be 30', 25', and 20' respectively. I did not see that in this draft.
5. Because of the new requirements, the close proximity of trees and the sensitivity of the tree canopy issue, I think a Landscape Architects seal should be required for all Landscape & Tree Preservation plans required by chapter 10, regardless of VUA size or project size. If the development is substantial enough to require a plan, it is substantial enough to require a landscape architect.

I apologize for the numbered listing, it just helps with organization.

Please let me know your thoughts.

Thanks-
Nathan

Nathan Wright, PLA, ASLA

Landscape Architect

NWright@MindelScott.com

5151 Jefferson Boulevard

Louisville, KY 40219

502-485-1508 | Ext: 123



MINDEL SCOTT

www.MindelScott.com

From: Williams, Julia <Julia.Williams@louisvilleky.gov>

Sent: Tuesday, June 4, 2019 5:30 PM

To: jva@bialouisville.com; jaydh@bellsouth.net; orionbell3@att.net; Spencer@actionlandscape.com; sammons@ldd-inc.com; clairekelly555@gmail.com; rpigneri@ballhomes.com; King, Michelle <Michelle.King@louisvilleky.gov>; bob@rjthieneman.com; triplett@ldd-inc.com; Curtis Mucci <cmucci@mindelscott.com>; jeffreyericfrank@gmail.com;

rocky@elitebulthomes.com; adam@buildlouisville.com; jodydahmer@gmail.com; perry@buildlouisville.com; bianglanz16@gmail.com; John@bardlaw.net; urbanagconservationist@gmail.com; Nathan Wright <nwright@mindelscott.com>; Amy Cooksey <acooksey@mindelscott.com>; barbaraberman2@gmail.com; mark@simpsonbuilders.com; leahland22@yahoo.com; harrell.hurst@gmail.com; Garton, Michael J. <Michael.Garton@louisvilleky.gov>; jamiefriedman@mac.com; joshuaiwhite1@gmail.com; james.bruggers@insideclimatenews.org; annie@bialouisville.com; jbarber@bialouisville.com; ckeys@keyesarchitects.com; jimar6547@msn.com; Ashley, Steven W. <Steven.Ashley@louisvilleky.gov>; abartley@qk4.com; trevesr@yahoo.com; programs@louisvillegrows.org; abfuller@gmail.com; jbushong@cornerstone.org; ashleylbohn@gmail.com; brundige@iglou.com; alison.cromer@ymail.com; kyspring@bellsouth.net; stpinlou@aol.com; Koetter, Maria C <Maria.Koetter@louisvilleky.gov>; farmaid@bellsouth.net; mhayman@iglou.com; Kent Gootee <kgootee@mindelscott.com>; shannah@heritageeng.com; teenahal@aol.com; katyschneider1228@gmail.com; corypetry@limbwalkertree.com; agauntner@aol.com; Kathy Linares <klinares@mindelscott.com>; kevin@richdesignstudios.com; byron@chapmanengineering.net; kaelinfarms@bellsouth.net; gina.yunker@louisville.edu; JMims@elitebulthomes.com; kate.cunningham9@gmail.com; frances@littledovefarm.com; jaddington@btmeng.com; Thompson, Erin <Erin.Thompson@louisvilleky.gov>; young@ldd-inc.com; Canuel, Jason T <Jason.Canuel@louisvilleky.gov>; Tim@therotundagroup.com; cindi@treeslouisville.org; aomidy@tswdesigngroup.com; patrick_henry@gspnet.com; mike.jones@signaturegreenproperties.com; BertStocker@hotmail.com; naturesm6@gmail.com; Webster, Angela <Angela.Webster@louisvilleky.gov>; Benson, Stuart <Stuart.Benson@louisvilleky.gov>; Harrington, Scott <Scott.Harrington@louisvilleky.gov>; Coomes, Bradley <Bradley.Coomes@louisvilleky.gov>; Kelli Jones <Kelli.Jones@swlinc.com>; srusie@jeffersonstownky.gov; Jjsina01@hotmail.com; Jon_henney@gspnet.com; richard@ldd-inc.com
Cc: Liu, Emily <emily.liu@louisvilleky.gov>; Reverman, Joe <Joe.Reverman@louisvilleky.gov>; Davis, Brian <Brian.Davis@louisvilleky.gov>; French, Christopher S. <Christopher.French@louisvilleky.gov>
Subject: Tree Canopy DRAFT

Attached is a DRAFT of the proposed tree canopy amendments that we have been discussing over the past months. The proposed amendments will be reviewed at the Planning Commission hearing on June 20th but will not be heard before 3pm that day.

The Planning Commission meets at the Old Jail Auditorium, 514 W. Liberty Street 40202.

I believe everything is now in the portal under case number 19amend1003
<http://portal.louisvilleky.gov/codesandregs/mainsearch>

Prior to the Planning Commission the staff report will be available at the following link:
<https://louisville.legistar.com/Calendar.aspx>

Please let me know if you have any questions.
Thank you all for your involvement the past several months!

Julia

Julia Williams, AICP
Planning Supervisor
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202

502.574.6942

<https://louisvilleky.gov/government/planning-design>



**DEVELOP
LOUISVILLE**
LOUISVILLE FORWARD



Useful Links:

[Click Here to take our Customer Satisfaction Survey](#)

Sign up to receive notices of developments in your Metro Council District:

<https://public.govdelivery.com/accounts/KYLOUISVILLE/subscriber/new>

Review staff reports and supporting documents for a case: <https://louisville.legistar.com/Calendar.aspx>

Look up case specific information by case number: <http://portal.louisvilleky.gov/codesandregs/mainsearch>



Please consider the environment before printing this email

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

Williams, Julia

From: Liu, Emily
Sent: Thursday, April 18, 2019 5:29 PM
To: Cindi Sullivan
Cc: Williams, Julia; OBrien, Jeff; sarah.sammons@metroboards.org; Thompson, Erin
Subject: RE: LDC

Hi Cindi, I was trying to talk to you one more time before the last Planning Committee meeting but ended up leaving a message with you.

The numbers that have been throwing around are not consistent. They are “apples” and “oranges” and cannot be used for comparison. You have been involved from the very beginning and it seems that you have a different understanding with the tree canopy percentage than PDS staff. That is exactly the reason I wanted to have a pause so we all understand the numbers the same way and be consistent.

The feedback I received from the March Planning Committee meeting and elsewhere is that many people thought the tree canopy numbers of 40 to 50 percent represent the tree canopy at maturity (not at planting). From consistency perspective, if we convert these tree canopy percentage from maturity to planting (at 60%), we are getting 24 to 30 percent. We have to use the tree canopy at planting (even though they look lower than maturity canopy) for analysis so we will know whether our recommendation represent an increase in canopy or not and by how much.

Based on the data I reviewed for the last 4 years, the great majority of tree canopy requirements in single family subdivisions in suburban form districts is under 20%. So 24%, 30% or 35% (using the same standards) all represent an increase in tree canopy.

Our job as staff is trying our best to present consistent information and facts to the Committee, Commission and ultimately legislative bodies so they can make informed decisions.

Julia and I will review the list of changes you recommended and can meet with you to discuss if you would like.

Thanks!
Emily

Yu “Emily” Liu, AICP
Director
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
(502) 574-6678
<https://louisvilleky.gov/government/planning-design>

From: Cindi Sullivan <cindi@treeslouisville.org>
Sent: Thursday, April 18, 2019 12:50 PM
To: Liu, Emily <emily.liu@louisvilleky.gov>
Cc: Williams, Julia <Julia.Williams@louisvilleky.gov>; OBrien, Jeff <Jeff.OBrien@louisvilleky.gov>;

sarah.sammons@metroboards.org; Thompson, Erin <Erin.Thompson@louisvilleky.gov>

Subject: LDC

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Hi, Emily,

Apologies if I seemed a little angry with my outburst at the last planning committee meeting, but I was completely blindsided by the 35% number after all the meetings that we had where we were at 40%+. It would have been nice to have had a heads up before the meeting so that I would have had some time to digest it...

Moving forward, a couple of other things that I have been ruminating about:

10.1.2

A. We have to look at Chapter 5 and 11[and others] while we are at it.

B. Let's eliminate 2. and 3. [If a building makes improvements to get "up to code" the entire building has to get up to code. Same should apply to the landscape.]

10.1.6

B.

3. Instead of "Underbrush is permitted to be removed in the TCCA" make it "Invasives are required to be removed in the TCCA" [Otherwise, the canopy in the TCCA declines quickly...]

Table 10.2.4

Increase Planting Density Requirements

10.2.4

8. Decrease 1 tree/75 lineal feet to 1 tree/35 lineal feet

Just some random thoughts that I wanted to get on the record.

Let's talk soon.

Best,

Cindi

--

Cindi Sullivan
Executive Director, TreesLouisville
P. O. Box 5816
Louisville, KY 40255
502.208.8746
www.TreesLouisville.org