

# Case No. 14AMEND1003

LDC Text Amendments – Round Two



Louisville Metro Ad Hoc Committee on LDC

July 11, 2016

# Landscaping Sub-Committee

- Sherie Long - PDS
- Amy Cooksey - Mindel Scott
- Bradley Coomes - APCD
- James Bruggers - Courier Journal
- Kelli Jones - Sabak Wilson
- Ivonye Kelachukwu - UL Student
- Steve Rusie - Dunaway Engineering
- Tony Gauntner
- Barbara Sinai - Crescent Hill C. C.
- Kathy Linares - Mindel Scott
- Jon Henney - Gresham Smith
- Kevin Rich
- Mike Jones - Signature Green Properties
- Young - Land Design & Development
- Milana Boz - Metro Parks
- Mike Farmer
- Gabe Fritz - The Housing Partnership,
- Franny Aprile
- Scott Hannah - Heritage Engineering
- John Addington - BTM Engineering, Inc.
- Katy Schneider
- Erin Thompson
- Cory Petry - Limbwalker Tree Service
- Andrea Webster

# Landscaping Sub-Committee

- Samantha Yung
- Teena Halbig - Floyds Fork
- Peter Bodnar
- Ann Richard - Land Design & Development
- Todd Eberle
- Michelle King - APCD
- Byron Chapman - Mayor of Middletown
- Cassandra Culin - Clifton
- David Kaelin
- Steve Porter - OPEN Louisville
- Gina Yunker
- Dustin Wallen - Metro Econ. Dev.
- Laura Humphrey - PDS
- John Swintosky - Metro Parks
- April Jones - Metro Econ. Dev.
- Maria Koetter - Metro Sustainability
- Jim Mims - Codes & Regulations
- Michael Hayman - City of Audubon Park
- Emily Liu - Planning & Design Services
- Kent Gootee - Mindel Scott
- Mike Wright - Land Design & Development
- Chuck Kavanaugh - Homebuilders Assoc.
- Kate Cunningham
- Tara Brinkmoeller - Homebuilders Assoc.

# LDC Main Committee

- Jim King - Metro Councilperson District 10
- James Peden - Metro Councilperson District 23
- Donnie Blake - Planning Commission Chairman
- David Proffitt - Planning Commission & Board of Zoning Adjustments Member
- Chuck Kavanaugh - Building Industry Association of Greater Louisville
- Pat Dominik - Sabak, Wilson & Lingo
- Kathy Linares - Mindel Scott & Associates
- Deborah Bilitski - Wyatt Tarrant & Combs
- Barbara Sinai - Crescent Hill Community Council
- Steve Porter - Attorney, OPEN Louisville
- Tom FitzGerald - Kentucky Resources Council
- Teena Halbig - Floyds Fork Environmental Association
- Kevin Dunlap - Louisville Urban League
- Chris Raque/Matt Meunier - City of Jeffersontown
- Gabe Fritz - The Housing Partnership, Inc.

# Summary of Recommendations

- 57 items were discussed and received a positive recommendation from the Planning Commission in February and March 2015.
- 1 item received a denial recommendation from the Planning Commission: LAND #8

# Landscaping Overview

- Sub-committee charged with reviewing Chapter 10 (Tree Canopy, Landscaping, and Open Space) of the LDC with the objective of making suggestions to improve various regulations and polices related to the items covered in the Chapter.
- Between June 7, 2012 and December 9, 2013 the Landscaping Sub-committee met 27 times. The meetings averaged 10 participants per meeting.
- Items mostly relate to landscaping on private property
- Request approval after all Landscaping items have been presented

# Chapter 10 Content

- Part 1 Tree Canopy - *Tree Canopy Classes and % coverage*
- Part 2 Landscape Design - *Buffers based on land use and adjacent uses; VUA buffers; ILAs based on parking area size*
- Part 3 Parkway and Scenic Corridor Development Standards - *Parkways, Olmsted Parkways, Scenic Corridors and the Gene Snyder Freeway*
- Part 4 Implementation Standards - *Species, Sizes, Spacing, Walls and Fences*
- Part 5 Open Space Standards - *Active and passive space; Transfer of space*
- Part 6 Streetscape Master Plan - *Area-Wide approval for coordinated sidewalk widths, street trees, etc that each new development must comply with*

# Landscaping

## LAND ITEM #1 & #2 - Tree Canopy Applicability

- Threshold for compliance with Landscaping standards (Sec. 10.1.2)
  - Development with an increase in building area-footprint or impervious surface area by more than 50% shall fully comply (Item #1)
  - Development site on which there is an increase in building area-footprint or impervious surface area by more than 20% and less than 50% shall provide 1/2 the tree canopy required (Item #1)
  - Increase in building area-footprint by 20% or less requires no compliance (Item #2)
- Rationale was to not penalize taller buildings



# Landscaping

## LAND ITEM #3 - Tree Canopy Compliance Options

1. Change title of Section 10.1.3 from “Alternatives for Compliance” to “Methods of Compliance”.
2. Allow Planning Director or designee to approve an alternative planting site, rather than the Planning Commission, unless criteria cannot be met.
3. Order of Preference established:
  - Preservation
  - If preservation is not feasible, then plant new trees on-site
  - If on-site planting is not feasible, then new plantings may take place on an alternative site
4. Fee-in-lieu of planting if none of the above are feasible
  - In the amount determined by the Planning Director & Urban Forester, per 1 3/4" caliper tree required to meet a site's tree canopy requirement.

# Landscaping

- LAND ITEM #4 - Tree Canopy Standards
- Clarification in 10.1.4 on which types of tree protection areas may count toward the required tree canopy requirements
- 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
- Linked to LAND ITEM#14 where Tree Preservation Areas (TPA) changed to Temporary Tree Protection Areas (TTPA) throughout LDC, among other changes

# Landscaping

- LAND ITEM #5 - Tree Canopy Category Table

**Table 10.1.1 Tree Canopy Categories by Form District**

Land Use	Form District			
	Downtown, Traditional Marketplace Corridor, Traditional Workplace, <u>Town Center</u>	Traditional Neighborhood	Regional Center, Town Center, Suburban Marketplace Corridor, Neighborhood, Suburban Workplace, Campus	Village
<b>Single-Family Residential</b>	Class A	Class B	Class C*	Class D
<b>Multi-Family and Office</b>	Class A	Class B	Class C	Class D
<b>Institutional</b>	Class A	Class B	Class C	Class D
<b>Commercial</b>	Class A	Class A	Class C	Class C
<b>Industrial</b>	Class A	Class A	Class C	Class C

# Landscaping

- LAND ITEM #7 - Tree Canopy Reductions
- Currently, in Downtown, Traditional Marketplace Corridor, Traditional Workplace and Traditional Neighborhood Form Districts, 100% tree canopy reduction is allowed based on increased FAR or density
- Proposal allows 100% tree canopy reduction only in Downtown and only

# Landscaping

- LAND ITEM #9 - Add Cross-Reference

## Section 10.1.4

- D. As required by Section 10.4.13 any tree preserved or planted to meet the minimum requirements of this Part shall be maintained in healthy condition and shall be replaced if it becomes diseased or dies.

# Landscaping

- LAND ITEM #10 – Add Cross-Reference

## Section 10.1.4

- E. The Planning Director may require that any trees and/or tree stands preserved to meet the requirements of this Part be inspected and found to be healthy and free of disease by a certified arborist or registered landscape architect if, upon inspection of the site, ~~he/she~~ **the Planning Director** or his/her designee sees evidence that indicates that some or all of said trees may be unhealthy and may not be appropriate for preservation.

# Landscaping

- LAND ITEM #11 - Tree Canopy Coverage Ground Checking, New Dripline Option (Linked to Item #12)
- Currently, tree canopy credit is only calculated by measuring the trunk caliper and then relying on a table that gives square footage credit based on trunk caliper, as below

Caliper	Tree Type**	Amount of Credit (per tree)
10 inches or greater	Type A	1,200 sq. ft. (100% mature canopy size)
	Type B	720 sq. ft. (100% mature canopy size)
	Type C	177 sq. ft. (100% mature canopy size)
Greater than or equal to 3 inches and less than 10 inches	Type A	960 sq. ft. (80% mature canopy size)
	Type B	576 sq. ft. (80% mature canopy size)
	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 size)
	Type B	432 sq. ft. (60% mature canopy size)
	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 size)
	Type B	360 sq. ft. (50% mature canopy size)
	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.		

# Landscaping

- LAND ITEM #11 (cont) – Tree Canopy Coverage Ground Checking, New Dripline Option
- Proposal allows designer to plot the dripline on the site plan and tree canopy credit can be given for the square footage of the area within the dripline



# Landscaping

- LAND ITEM #12 - Tree Canopy Calculation, Change Percentage to Square Footage (Linked to Item #11)

## Section 10.1.5 Calculation

1. For any development site two acres or less in size the area of tree canopy coverage for any group of trees to be retained in order to meet the tree canopy requirements of this Part shall be determined by ground checking. Credit for existing trees intended to be retained may be calculated in either of two ways:
  1. Measurement of the trunk to determine its caliper and the credit given for that tree shall be in accordance with Table 10.1.3, below; or
  2. The dripline may be plotted on the site plan and tree canopy credit given for the percentage **square footage** of the site within the dripline.

# Landscaping

- LAND ITEM #13 – Deciduous & Evergreen Tree Canopy Credit Tables
- Proposal adds a note to tree canopy table referencing other reputable tree information sources
- Proposal adds a note to tree canopy table related to ground checking (measuring trunk caliper) for mature trees
- Proposal eliminates evergreen tree canopy table and adds a note saying that credit for evergreen trees is to be determined by the Planning Director, or designee, in working with the applicant, using a reputable tree information source

# Landscaping

- LAND ITEM #14 - Tree Preservation Plan Requirement Section
- Change “Preservation” to “Protection” in title
- Rename Tree Canopy Protection Areas (TCPA) as Tree Canopy Credit Areas (TCCA) throughout LDC
- Rename Tree Preservation Areas (TPA) as Temporary Tree Protection Areas (TTPA) throughout LDC
- Rename Woodland Protection Areas (WPA) as Woodland Preserved Areas (WPA) throughout LDC
- Change language in section A to be consistent with Chapter 10 Part 4.
- The tree inventory is no longer required.
- Remove Section A.2.
- Add new Section A.2.