

Williams, Julia

From: OBrien, Jeff
Sent: Thursday, June 13, 2019 2:45 PM
To: Liu, Emily
Cc: Williams, Julia
Subject: FW: The 20% set aside rule for Tree Canopy proposal

This is the issue Bill B raised to me yesterday. Given we are passing like ships in the night, I wanted to give you all a chance to think about how/if we can address this.

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

From: Robert Marrett <rhmarrett@gmail.com>
Sent: Wednesday, June 12, 2019 4:00 PM
To: Barber Juva <Juva@bialouisville.com>; Annie Fultz Dutton <annie@bialouisville.com>; Billy Doelker <Billy@keyhomesllc.com>; OBrien, Jeff <Jeff.OBrien@louisvilleky.gov>
Subject: The 20% set aside rule for Tree Canopy proposal

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Good afternoon all. In today's Land Development meeting, David Mendel made a brilliant point when he stated there is no need for the 20% rule on 50% to 100% wooded sites because we will be required to meet a 40% canopy for the overall proposed development. In a sense, this is almost "double jeopardy" on this subject. Contrary to popular belief among persons interested in this new requirement, there are many sites in Jefferson County, not just in So. Floyd's Fork, where there may be as many as 50% to 100% trees.

I encourage this matter to be given much more consideration because it is impinging of well established property rights of landowners. I fully expect this requirement, if left in the proposal on tree canopy, will result in unnecessary litigation which could delay the entire tree canopy matter for years in court.

I sincerely request this matter be given the important consideration that it deserves for such an impactful new requirement.

Bob Marrett

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Bob Marrett

CMB Development Company, LLC
rhmarrett@gmail.com

Williams, Julia

From: Harrell Hurst <harrell.hurst@gmail.com>
Sent: Thursday, June 13, 2019 2:10 PM
To: Williams, Julia; Milliken, Gretchen P
Cc: King, Michael M; Liu, Emily; OBrien, Jeff; Webster, Angela; Benson, Stuart
Subject: Tree Canopy Regulations and South Floyds Fork Plan
Attachments: 20190613_Tree_Canopy_Letter.pdf

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Dear Julia and Gretchen,

Please find the attached letter for consideration at the June 20 Planning Commission meeting, as well as comments regarding SFF Vision draft plan currently under consideration.

Thank you for your diligent efforts to complete plans for our area.

Sincerely,
Harrell Hurst

June 13, 2019

Ms. Julia Williams, AICP
Planning and Design Supervisor
Office of Planning and Design Services

Ms. Gretchen Milliken, Director,
Office of Advanced Planning
Department of Develop Louisville
Louisville Metro Government

Dear Julia and Gretchen,

I request that this letter be entered into the record for consideration at the Planning Commission hearing slated June 20, 2019, specifically for the proposed Land Development Code Amendment pertaining to Tree Canopy. Additionally, I request that it be considered as comments regarding the Draft South Floyds Fork Vision Plan.

As a SFF Vision Advisory Group member, I have attended nearly all meetings considering this Vision Plan, and I have attended almost all of the neighborhood meetings as well as Metro Planning Committee meetings considering Tree Canopy regulations. Given this perspective I wish to note an important gap in the proposed LDC changes regarding the Metro Council charge to reduce tree canopy loss. In particular the proposed amendments omit specific consideration of the abundant extant tree canopy in the South Floyds Fork watershed. As you know this undeveloped area retains an estimated canopy of some 50%, and is now being considered for residential and commercial development.

I raise this issue because I have heard mixed messages for tree preservation at Tree Canopy meetings, as well at the SFF Vision Advisory Group meetings. The leadership in the Tree Canopy meetings has stated that SFF tree canopy will be protected by the Vision Plan, while the leadership of the latter has referred this issue to the Tree Canopy deliberations and anticipated changes to LDC Chapter 10. It is important to recognize that neither group is currently acting adequately to protect the vital tree canopy in this area that supports the health of Floyds Fork, its natural environment, and its residents.

Draft SFF Vision Plan Recommendation 21.A states that "Maintaining and protecting a minimum of 50% tree canopy within the planning area protects the numerous benefits that trees provide." However no imperatives are proposed in this recommendation. Rather, this recommendation states that "Private developments and public projects **should** preserve trees wherever possible." It further refers to "Chapter 10 of the LDC for specific regulations."

Most consideration during Tree Canopy meetings has dealt with specifications for the built environment. Rather little consideration has been offered toward preservation of existing forested land. The only specific proposed LDC amendment offered is in

Chapter 10.1.4.A. which states that “development sites that have 50 percent to 100 percent existing tree canopy shall be required to preserve 20 percent of that existing tree canopy coverage.”

Various attendees have noted during Tree Canopy meetings that required plantings of street and development trees, which are offered credit of 1200 sq. ft. per tree, do not approach the canopy offered in existing wooded areas. There, multiple large trees exist within each 100 sq. ft. area. Also, plantings of 1 ¾” diameter saplings will not offer the credited canopy for many years.

I urge the Planning Commission, as well as the Metro Council if there is no earlier action, to increase the requirement in LDC 10.1.4.A. to 50% for the South Floyds Fork watershed as suggested by the SFF Vision Recommendation. Preservation and retention of existing tree canopy in this area is vital to the health of Floyds Fork, the lifeblood for the beautiful new park system in this area. Further, this preservation requirement for other Metro wooded areas should be increased to a minimum of 30% to encourage use of conservation subdivision development.

I ask you to consider this information during preparation of staff comments and SFF Vision recommendations. Thank you.

Sincerely,

Harrell Hurst, Ph.D.
Member, South Floyds Fork Vision Advisory Group
Chair, Fisherville Area Neighborhood Association