

Case No. 14AMEND1003

LDC Text Amendments – Round Two



Louisville Metro Ad Hoc Committee on LDC

July 25, 2016

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*

Tree Ordinance and Urban Heat Island Study

- Tree Ordinance Draft
 - Applicability: Mostly public lands but also some private, such as easements
 - Tree Planting Provisions: spacing of street trees, separation from utilities, tree types
 - Tree Maintenance and Removal
 - Permitting
 - Tree Commission
 - Enforcement & Penalties
 - Appeals

Tree Ordinance and Urban Heat Island Study

- Urban Heat Island Study
 - Cool Roofs that reflect heat
 - Green roofs that include plants and grasses
 - Plant and preserve trees and grass
 - Lighter paving products, where appropriate



Progress

- Previous meeting, Items 1-5 and 7
- Today, Items 9 through 14
- Planning Commission did not act on Item 6 and recommended denial on Item 8

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- 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.

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- 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.

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- LAND ITEM #11 - Tree Canopy Coverage Ground Checking, New Dripline Option (Linked to Item #12) Sec. 10.1.5
- 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.

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- LAND ITEM #11 (cont) - Tree Canopy Coverage Ground Checking, New Dripline Option (Linked to Item #12) Sec. 10.1.5
- 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

Section 10.1.5 Calculation

1. Any development site greater than two acres in size shall be permitted to determine the area of existing tree canopy coverage to be preserved by ground checking, aerial analysis, or any other method determined to be accurate by DPDS staff. If ground checking is utilized, **credit for existing trees intended to be retained may be calculated in either of two ways: 1) Measurement of the trunk of** ~~then~~ each individual tree (i.e. a tree not grouped with other trees or a part of a tree stand) ~~intended to be retained and used to meet the tree canopy requirements herein shall be measured 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 square footage of the site within the dripline.**

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- 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.

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- 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

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- LAND ITEM #14 - Tree Preservation Plan Requirement Section 10.1.6
 - 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.

- 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 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 Canopy Preservation protection plan. ~~All tree preservation, tree canopy protection and woodland protection areas shall be in accordance with the Tree Preservation Policies of Louisville Metro Planning and Design Services.~~
1. The content of such a plan is dependent upon the means by which the existing tree canopy is to be calculated. ~~as follows:~~
 1. ~~A tree inventory will be required for plans that show Tree Canopy Preservation Areas. The tree inventory shall be submitted as part of the tree preservation plan review process and shall be only for the trees shown in the TCPA. The tree inventory shall include but not be limited to the following information: Date of inventory, person(s) preparing the inventory, location of trunk and drip line, size, CRZ, health, and species of all existing trees on the property for all trees 4" diameter and greater. A completed tree inventory list shall accompany the plan documenting all existing trees located on the inventory.~~
 2. ~~Sites that are preserving more than one acre of continuous TCPA shall inventory a 50' X 50' sample area or 2,500 sf area. The applicant shall work with staff on choosing a sample area representative of the species distribution found in the TCPA. Dead, diseased, or dying trees may not be included as part of the inventory. For enforcement purposes the sample area will be used to determine tree replacement regardless of where the tree removal actually occurred.~~
 2. Any modification of the tree preservation plan requested by the applicant may be approved by the Planning Director, or designee, if the changes are in keeping with the intent of the approved development plan.

Conclusion for 07/25/16

- Next meeting, Items 15 through 25