



ATLANTA'S TREE PROTECTION ORDINANCE

DCP POSITION PAPER

TO PRESERVE OUR CANOPY, WE NEED A NEW TREE PROTECTION ORDINANCE

The City of Atlanta is growing and changing. Our City has just under 500,000 residents now, but we anticipate a population nearly triple the current number over the next generation of growth. We face the challenge, as a City and a Department, to protect and expand the ecological value of our watersheds, forests and habitats while guiding and accommodating the desired growth anticipated in the [Atlanta City Design](#). Not changing is not an option, but by intentionally guiding growth we can include everyone towards a future city we are all in love with. The Atlanta City Design vision requires a new and stronger tree protection ordinance, one rooted in the ecology of and character of Atlanta. Atlanta is at its best when we celebrate our unique identity, the juxtaposition of a vibrant city and a verdant forest. Our Tree Protection Ordinance should be an instrument to reinforce this logic.

BACKGROUND

In May of 2018, The City of Atlanta's Department of City Planning (DCP) initiated a study of Atlanta's urban ecology to best understand where we can preserve, restore, and accentuate our unique ecological identity—of which the tree canopy is a major component. This study was a direct extension of the Atlanta City Design in which nature is a core value of our planning philosophy. We must design for people, for nature, and for people in nature. The information deduced from the Urban Ecology Study, as well as Atlanta City Design, has provided a strong scientific base for the development of a Tree Protection Ordinance. It is with that in mind that we approached a rewrite of Atlanta's Tree Protection Ordinance, one of the first significant policy changes to arise from the Atlanta City Design.

OUR APPROACH FOR RESPONSIBLE GROWTH

When we set out to update the Tree Protection Ordinance, we sought to follow a fair, balanced process that protects the city's tree canopy while supporting the necessary infrastructure required for a growing population. Additionally, it is critical the Tree Protection Ordinance enables other important development considerations for Atlanta—particularly affordability, mobility, and well-placed density.

GOALS AND THE NEED FOR PUBLIC DISCUSSION

The benefits of Atlanta's urban forest are numerous. Trees improve physical and mental health and create settings that help strengthen social connections. They help clean air and water, sequester carbon, cool urban heat islands, create habitat for wildlife and insects, and provide a host of other important environmental services. A new tree ordinance must maintain and enhance those benefits for everyone, prioritize protection of the tree canopy, and promote better design in development projects as we plan for future growth, all while using the framework of the Atlanta City Design. We believe those goals can be achieved through this Tree Protection Ordinance. However, we need your help to have this discussion, as some of the questions and issues posed can be challenging to navigate, involve opposing interests, and may have tough answers that compel community agreement.

TWO SCALES USED TO EVALUATE INDIVIDUAL TREES

Most trees lost in Atlanta are removed during development. The updated tree ordinance will address tree protection during development at two scales: citywide and the individual site.

Citywide: As described in the Atlanta City Design, the city is made up of Growth and Conservation areas. We know that much of the densest development to support growth will be steered towards the dense cores of Downtown, Midtown, and Buckhead as well as identified Growth Corridors. These areas have fewer trees and account for around 11% of the total tree canopy. Density will increase in these areas, as it should, therefore the focus will be on protecting the most valuable trees and replanting healthy trees along the streets and sidewalks, in plazas and pocket parks. This strategic growth planning will allow Atlanta to improve upon its public realm, intertwining



nature into its design for people. In Conservation areas, there will be a more moderate level of growth. Therefore, the focus here will be on preserving the most trees possible and replanting to match the character of the area.

Individual site: We are striving to greatly increase tree protection, both to preserve the ecosystem benefits as well as the neighborhood character that our urban forest provides. The best way to preserve trees in the development process is through better design. The design for buildings needs to be done sensitively, with the buildings designed to accommodate the natural features of the site—including its trees.

The draft ordinance also recognizes that some trees provide more benefit than others. By employing a valuation system for individual trees, we are able to enact higher protections to larger native trees, trees shading our streets, and trees growing in stream buffers and floodplains, thus preserving the greatest benefit of our urban forest. This valuation system was derived from the Urban Ecology Study in conjunction with scientific input from our consultants and technical experts. We believe this is an important discussion point as it is a basis of the ordinance components.

CLEAR, LEGIBLE, IMPLEMENTABLE

The need for clear regulation and effective implementation also guided the draft Tree Protection Ordinance—and we made every effort to propose an ordinance that lays out standards and processes that can be uniformly and consistently enforced. Consideration of personnel and resource budgeting was top of mind and we anticipate needing to increase current levels. Additionally, the Tree Protection Ordinance cannot conflict with other existing ordinances whether at city, state, or federal level. The City Planning rewrite team is working within DCP and with other departments to align existing ordinances where possible and eliminate conflicts between regulations. Some of this can be accomplished through administrative procedures (e.g. better plan review coordination between departments, earlier arborist reviews) and some will require a change in other ordinances through a separate process. We've included what we could and hope to develop more ideas through further public discussions.

WHAT THIS TPO CAN'T ACCOMPLISH

We've seen the discussion around a new Tree Protection Ordinance raise other related issues that will impact Atlanta's growth, including housing affordability, transportation and infrastructure. But no tree protection ordinance can —or should—be the vehicle to solve zoning, housing, equity, density, and other quality-of-life challenges. We have considered these issues where possible, but to fully address them requires major changes to other City programs and codes.

NEXT STEPS FOR REFINING THIS DRAFT

The Urban Ecology Project consultant and City Planning rewrite teams [released the draft](#) of the proposed Tree Protection Ordinance knowing it needs further refinement. We aim to strike a balance between protecting the urban forest with the needs of a growing city. We welcome input on some of the bigger changes to the ordinance, such as the following:

- Valuing trees based on environmental measures
- Allowing more design flexibility through proposed administrative variances to zoning setbacks. This allows development to avoid damaging trees without needing to go through the lengthy zoning process
- Prohibiting clear-cutting without prior approval of the Tree Conservation Commission
- Raising recompense values to reflect current tree-planting costs
- Allowing property owners with well-forested lots to remove one lower value tree every three years without replanting or recompense
- Ensuring the TPO in no way harms the City's affordable housing and equity initiatives

Our work continues with City Council, community stakeholders, and the public to develop further drafts and ultimately submit legislation to City Council for adoption as soon as possible. The current health crisis has impacted our original schedule. Any updates will be communicated accordingly. [Comments and feedback on the draft Tree Protection Ordinance can be sent to the project team at \[treeordinance@atlantaga.gov\]\(mailto:treeordinance@atlantaga.gov\).](#)