

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT DEPARTMENT

### MEMORANDUM

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To: Mayor and Council

From: Rusty Martin, AICP, Community Development Director  
Joey Staubes, AICP, Planner II  
Caitlin Crowe, Planner - I

Date: October 10, 2019

CC: Planning and Zoning Board  
Tammi Saddler-Jones – City Administrator

**RE: Tree Ordinance Revisions - 2019**

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#### **Background**

Over the past several years, the Smyrna Tree Board, the development community and the city's professional staff have expressed concerns over the effectiveness of the City's current Tree Ordinance. City staff reviewed the current ordinance and determined that the document was due for revision as the last update was in 2008. Mayor and Council charged city staff with the task of revising the ordinance to address the issues and concerns raised by the Smyrna Tree Board and the development community.

The development of the revised tree ordinance occurred with a three-step process, which included the following: (1) The collection of concerns and comments from stakeholders; (2) The establishment of the Tree Ordinance Revision Committee; and (3) The revision of the Tree Ordinance. These three steps were vital in the development of the revision to the ordinance.

The first step in the process was the collection of the concerns and comments from stakeholders within the City of Smyrna. This process consisted of meetings with three stakeholder groups. First, staff held a roundtable meeting with the Tree Board to collect their concerns and thoughts on the current tree ordinance. A second meeting was held with staff and representatives from the development community to discuss their issues and concerns with the Tree Ordinance. Finally, staff met with the Mayor and Council to discuss the issues and concerns presented by the Tree Board and the development community, as well as to collect additional thoughts from the Mayor and Council.

A Tree Ordinance Revision Committee was established and organized to help with the development of the revisions to the ordinance. The Committee consisted of three representatives from the Smyrna Tree Board (Kate Conner, Harrison Aiken, and Jean Manki), two representatives from the development community (Chris Poston and Brad Thompson), the city's professional staff (Ken Suddreth, and Rusty Martin). Other contributors included city staff (Joey Staubes, and Caitlin Crowe), the city's arborist (Robert Brettschneider). Additionally, a

consultant landscape architect (Bill Caldwell) was contracted to assist in the revision process. This committee convened every other week from September 2018 to September 2019 to discuss the issues and concerns identified by the stakeholder groups and to revise the current ordinance.

The Smyrna Tree Board identified six main issues and concerns that they wanted to be addressed by the Committee. These issues and concerns included the following:

- (1) The preservation of trees on single family and duplex lots;
- (2) Boundary tree definitions;
- (3) Specimen tree requirements;
- (4) Minimum tree density requirements;
- (5) Maximum specimen tree recompense requirements; and
- (6) Fees related to tree removal.

In addition to the issues and concerns of the Tree Board, city staff identified six issues and concerns that they wanted to be addressed by the Committee. These issues and concerns included the following:

- (1) Maximum specimen tree requirements;
- (2) Require single-family building permits to meet requirements of the Tree Ordinance;
- (3) Reduction of the critical root zone (CRZ) requirement to preserve specimen trees;
- (4) Improve tree care and maintenance prescriptions for trees with CRZ encroachments;
- (5) Improve tree planting requirements for residential lots and buffers; and
- (6) Update Technical Standards for the Tree Ordinance.

Additionally, the Committee reviewed tree ordinances of similar cities to compare the effectiveness of the city's ordinance. After review of the main issues and concerns from the development community, Tree Board, and city staff; all groups were very similar in their objectives that they wanted to see addressed during the revision of the Tree Ordinance.

The changes to the ordinance include the following major categories:

- (1) Permit for residential tree removal for trees larger than 24";
- (2) Changes to definitions;
- (3) Changes to specimen tree requirements;
- (4) Changes to specimen tree recompense;
- (5) Penalties for tree removal;
- (6) Tree planting requirements; and
- (7) Improved Technical Standards.

The Committee revised the ordinance by addressing these issues and concerns where applicable in the ordinance or the Technical Standards. After countless meetings and hours of work, the Committee developed a revised Tree Ordinance that all supported. The proposed revised Tree Ordinance is a well-rounded document that accomplishes all the goals established by Committee. The ordinance will promote a healthy viable community forest that will be shared by the citizens of Smyrna.

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**Recommendation**

The City of Smyrna has been working on the proposed revisions to the Tree Ordinance since September 2018. The proposed revisions address issues and concerns that were identified by the Tree Board, development community and city staff. The proposed Tree Ordinance is a well-rounded document that will promote a healthy viable community forest that will be shared by the citizens of Smyrna. Therefore, staff recommends **approval** of the attached revisions the City's Tree Ordinance.