

PURPOSE AND AUTHORITY

30-1-3.11 PLANTING YARD PURPOSES:

The planting yard regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Create a better quality of life for the community by encouraging preservation of existing trees and vegetation;
- (B) Provide visual buffering and enhance beautification;
- (C) Establish appropriate separation between land uses;
- (D) Provide the separation necessary to permit certain land uses to coexist harmoniously which might not do otherwise;
- (E) Safeguard and enhance property values and protect public and private investment;
- (F) Enhance the community's competitive position in economic development and tourism by improving views, particularly along streets.

30-1-3.18 TREE PRESERVATION PURPOSES:

The Tree Preservation regulations, adopted and prescribed in this ordinance, are found by the city council to be necessary and appropriate to:

- (A) Assure the appearance of Greensboro contributes ecologically and aesthetically to the growth and economic prosperity of the city.
- (B) Assure the integrity of the urban forest is preserved and maintained during and after the development process.
- (C) Provide a flexible, realistic, effective ordinance that is viewed as an asset to the community.

PERMITS AND PROCEDURES

30-3-3.6 TREE DISTURBANCE PERMIT

A tree Disturbance permit is an official authorization which shall be issued by the city prior to any land disturbing activities, including the cutting of live trees four (4) inches DBH or greater on sites not being accompanied by a development plan, except as stated in 30-5-4.1(A) (Exemptions).

30-3-2.5 TREE DISTURBANCE PERMIT EXEMPTIONS

Tree Disturbance Permits are not required for any of the following land disturbing activities:

- (A) Existing or proposed single family detached dwellings on residentially zoned lots or two-family dwellings on their own lots;
- (B) Multifamily developments containing eight (8) or fewer dwelling units on a single zone (building) lot;
- (C) Properties within or surrounded by the Central Business (CB) District;
- (D) Property lines abutting utility easements in excess of sixty (60) feet in width and all railroad rights-of-way;
- (E) Property lines abutting dedicated street right-of-way, which has remained unopened for a period of at least fifteen (15) years;
- (F) Tree removal on three thousand (3,000) square feet or less, after the City Urban Forester or Enforcement Officer has determined that such removal is not associated with a forthcoming development proposal and will not be inconsistent with any plan previously approved by the City or County;
- (G) Property covered by an active forestry management plan written by a North Carolina Registered Forester, provided documentation has been furnished to the City Urban Forester.

30-3-4.1 ORDER OF ISSUANCE

- (C) Tree Disturbance Permits: Tree disturbance permits shall be issued in advance or simultaneous to other permits and approvals including watershed development plans and grading permits.

30-3-5.3 TREE DISTURBANCE PERMIT EXPIRATION.

- (A) Expiration: If the work authorized by a Tree Disturbance Permit has not been completed within (1) year from the date of issuance, the permit shall become null and void unless renewed pursuant to section 30-3-5.3(B).
- (B) Renewal: The Tree Disturbance Permit may be renewed for an additional one hundred eighty (180) days by making a written request to the enforcement officer justifying the need for the permit renewal. No fee will be required for the renewal of the Tree Disturbance Permit.

ADVISORY COMMISSION ON TREES

30-9-13 ADVISORY COMMISSION ON TREES (ACT)

30-9-13.1 AUTHORITY.

An Advisory Commission on Trees (ACT) is hereby established pursuant to NCGS 160A-174.

30-9-13.2 MEMBERSHIP.

- (A) Number of Members: The ACT shall be composed of nine (9) members who shall be appointed by the City Council for terms to expire as of August 15.
- (B) Qualification for Membership: Members shall be residents of the City.
- (C) Composition: Members shall be composed of one (1) certified arborist, one (1) landscape architect or landscape designer, one (1) horticulturist or botanist, two (2) members of the builder/contractor/developer community, one (1) civil engineer, two (2) active members of a recognized environmental group, and one (1) individual who has demonstrated an interest in conservation and natural resources.

30-9-13.3 QUORUM.

Five (5) members of the Advisory Commission on Trees shall constitute a quorum. The concurrence of at least a majority of those members present will be required before any recommendation or action is made on any matter considered.

30-9-13.4 POWERS AND DUTIES.

The Advisory Commission on Trees shall have the following powers and duties:

- (A) To provide professional expertise for developing program goals and policy;
- (B) To evaluate and monitor current regulations for effectiveness, and recommend appropriate changes regarding the Tree Preservation Ordinance to the City Council;
- (C) To conduct educational programs with respect to tree preservation within its jurisdiction;
- (D) To review and provide recommendations for the long term tree management and maintenance plan for the City;
- (E) To gather information from the public, development and business communities with respect to the Tree Preservation Ordinance;
- (F) To review appeals, orders, requirements, decisions, determinations, or interpretations made by an administrative official charged with enforcing the Tree Preservation Ordinance;
- (G) To make recommendations to the BOA with reference to variances with relation to the provisions of the Tree Preservation Ordinance;
- (H) Approve minor variations to the Tree Preservation Ordinance that provide equal or better compliance.

DEFINITIONS

ANSI STANDARDS: American National Standards Institute (ANSI) is a private, non-profit organization (501(c)3) that administers and coordinates the U.S. voluntary standardization and conformity assessment system. This includes tree care operations for trees, shrubs and other woody plant maintenance. www.ansi.org

ADVISORY COMMISSION ON TREES (ACT): A board of nine members made up of members of the builder/developer and environmental community and appointed by City Council. Their responsibilities include reviewing appeals of the Tree Preservation Ordinance and helping to direct the urban forestry program.

ALTERNATE METHODS OF COMPLIANCE: Alternate landscaping plans, plant materials, planting methods, or reforestation may be used where unreasonable or impractical situations would result from application of the landscaping and tree preservation requirements. Alternate plans may be approved provided that the quality, effectiveness, durability and performance are equivalent to that required by the Landscaping and Tree Preservation requirements.

BOARD OF ADJUSTMENT: A board of seven members appointed by the City Council. Their responsibilities include hearing and deciding appeals and reviewing any zoning order made by an administrative official, to hear and decide requests for any special exception and to hear and decide requests for variances from the zoning provisions of the Development Ordinance.

BUFFER: See Planting Yards.

BUILDING SETBACK: The line at which construction of a building is to occur on a lot. A building setback line runs parallel to the front property line and is established to create a consistent building façade line on a street.

CALIPER: American Association of Nurserymen standard for trunk measurement of nursery stock. Caliper of the trunk shall be taken six inches above the ground for up to and including four-inch caliper size, and 12 inches above the ground for larger sizes.

CERTIFICATE OF COMPLIANCE: An official document signed by the Inspections Director, or his designee, stating that a building or structure complies with the provisions of the NC Building Code and of the Unified Development Ordinance.

CERTIFIED ARBORIST: Certified Arborist is a title given by the International Society of Arboriculture to experienced professionals who have passed an extensive examination covering all aspects of tree care. A Certified Arborist is a specialist in the care of individual trees. Certified Arborists are knowledgeable about the needs of trees, and are trained and equipped to provide proper care.

CIRCUMFERENCE: The external, circular measurement of the tree trunk as measured in inches at 4 inches above the ground (often used in the nursery industry).

CRITICAL ROOT ZONE: The critical root zone includes all the area within a radius equal to one foot for every one inch diameter of the tree trunk (as measured at breast height). The radius is measured outward from the root flare at ground level. NOTE: This is not the same as drip line.

CROWN CANOPY: The cover formed by the top branches of trees.

DBH (DIAMETER AT BREAST HEIGHT): A standard measure of tree size, and is a tree trunk diameter measured in inches at a height of 4 ½ feet above the ground. If a tree splits into multiple trunks below 4 ½ feet, then the trunk is measured at its most narrow point beneath the split.

DRIP LINE: A vertical line extending from the outermost portion of a tree's canopy to the ground.

ENFORCEMENT OFFICER: A person who is a sworn officer charged with the enforcement of the Greensboro Development Ordinance.

FEEDER ROOTS: A system of small annual roots growing outward usually from the transport roots. These roots make a complex branching pattern. These roots make up the major function of a tree's root system surface area, and are the primary sites of absorption of water and nutrients. These roots are normally found within the top six inches of soil.

GRADING PERMIT: A permit issued after the approval of a soil erosion and sedimentation control plan. A soil erosion and sedimentation control plan shall be prepared for all land-disturbing activities whenever the proposed activity is on a tract of land of more than one acre. If the tract of land is less than one acre a grading permit is not required, however a Land Disturbance Permit may be required. Contact the Urban Forester at 373-2150. See also land disturbance permit.

GROUND COVER: A species of plant which is normally below one foot in height.

LAND DISTURBANCE: The use of the land by any person or persons in residential, industrial, educational, institutional, or commercial development, highway or road construction or maintenance, that results in a change in the natural cover or topography that may cause or contribute to sedimentation.

NATIVE: Refers to a plant species whose geographic range during pre-colonial times included the Piedmont of North Carolina.

PLANTING YARD:

A YARD: A high-density screen intended to substantially block visual contact between adjacent uses and create spatial separation. A Type A planting yard reduces lighting and noise, which would otherwise intrude upon adjacent uses.

B YARD: A medium-density screen intended to partially block visual contact between uses and create spatial separation.

C YARD: A low-density screen intended to partially block visual contact between uses and create spatial separation.

D YARD: A peripheral planting strip intended to separate uses, provide vegetation in densely developed areas, and enhance the appearance of individual properties.

PROTECTIVE FENCING: A physical and visual barrier installed around the critical root zone of a tree to prevent damage to the tree and its root system. At a minimum this would include three to four foot tall orange safety fencing.

REFORESTATION: The creation of a diverse biological community dominated by trees and other woody plants containing at least 100 trees per acre with at least 50 of those trees having the potential of attaining a 2 inch or greater diameter measured at 4.5 feet above ground, within 7 years.

ROOT FLARE: The part of the tree trunk near the base of the tree that tapers outward into the ground.

ROOTS: The underground part of the tree that functions as an organ of absorption, food storage and aeration and as a support system.

SCREENING: The use of plant material to visually control or block out objectionable views, define and create outdoor space, provide a sense of privacy, reduce glare and reflection, direct views and control noise and wind.

SEEDLING: An unbranched woody plant, less than 24 inches in height and having a diameter of less than ½ inch caliper measured at 2 inches above the root collar.

SHRUB: A low, usually several-stemmed, woody plant. Per the tree preservation and landscape ordinance, a shrub must be a minimum height of 18 inches at planting and reach a minimum height of 36 inches within 3 years of planting.

DECIDUOUS SHRUB: A low usually several-stemmed, woody plant that has leaves that fall off or shed seasonally at a certain stage of development in the life cycle.

EVERGREEN SHRUB: A low usually several-stemmed, woody plant that has leaves that remain green throughout the entire year.

SIGHT TRIANGLE: An area on either side of street intersections, street corners or vehicular access points which allows for sufficient sight distance to allow drivers approaching simultaneously to see each other in time to prevent a traffic accident. The size of the sight triangle is governed by space, time and traffic volume of the subject intersection.

SOIL COMPACTION: An increase in the dry soil weight per unit volume. Compacted soil causes a decrease in the availability of oxygen in the soil and an increase in toxic gases and physical root damage.

STREAM BUFFER: A natural or vegetated area through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering out of pollutants.

STREET PLANTING YARD: A planting area parallel to a public street designed to provide continuity of vegetation along the right-of-way and a pleasing view from the road. No more than fifteen percent (15%) of the street planting yard may be used for walkways or signs. Parking, merchandise display, and off-street loading are prohibited in the street planting yard.

TECHNICAL REVIEW COMMITTEE: A committee comprised of City staff, including the Landscape Planner and the Urban Forester, that meets weekly, charged with reviewing site development plans to assure they comply with the Greensboro Development Ordinance.

TRANSPORT ROOTS: The system of tree roots comprised of major woody roots and rope roots.

TREE: A large, woody plant having one or several self supporting stems or trunks and numerous branches that reach a height of at least 20 feet at maturity.

CANOPY TREE: A species of tree which normally grows to a mature height of 40 feet or more. Canopy trees are typically shade producing trees.

UNDERSTORY TREE: A species of tree which normally grows to a mature height of 25 to 40 feet. Understory trees often grow beneath canopy trees.

SPECIMEN TREE: A tree that is a particularly impressive or unusual example of a species due to size, shape, age or any other trait that epitomizes the character of that species.

TREE CONSERVATION AREA: A Tree Conservation Area (TCA) is one or more areas of a site which includes existing trees and their critical root zones. The purpose of the TCA is to

encourage the preservation of healthy trees that are four (4) inches or greater in diameter at breast height (DBH).

TREE DISTURBANCE PERMIT: A land disturbance permit is an official authorization given by the Urban Forester which shall be issued by the City prior to any land disturbing activities, including cutting of live trees four (4) inches DBH or greater on sites not accompanied by a development plan, except as stated in 30-5-4.1(A) (Exemptions). This may be required in addition to a grading permit. Contact the Urban Forester at 373-2150. See also grading permit.

TREE PROTECTION MEASURES: Physical and visual barriers used to prevent damage to trees and their root systems.

TRUNK: The main stem of a tree apart from limbs and roots.

UNIFIED DEVELOPMENT ORDINANCE (UDO): A document that contains all of the land development regulations for the City of Greensboro, including all zoning, subdivision and environmental regulations.

VINE: A species of plant which has a spreading pattern of growth.

WHIP: An unbranched woody plant greater than 24 inches in height and having a diameter of less than 1 inch caliper measured at 2 inches above the root collar.