

STREET TREES UPDATE

Environmental Quality & Public Works Committee

November 15, 2016



LEXINGTON



Topics

- Background on Street Trees in Lexington
- Overview of Street Tree Requirements
 - Article 6-10, Land Subdivision Regulations, Zoning Ordinance
 - Chapter 17B, Code of Ordinances, Street Tree Ordinance
 - Div. of Planning Planting Manual
- Ordinance enforcement
- Path Forward
- Questions?

Background on Street Trees in Lexington

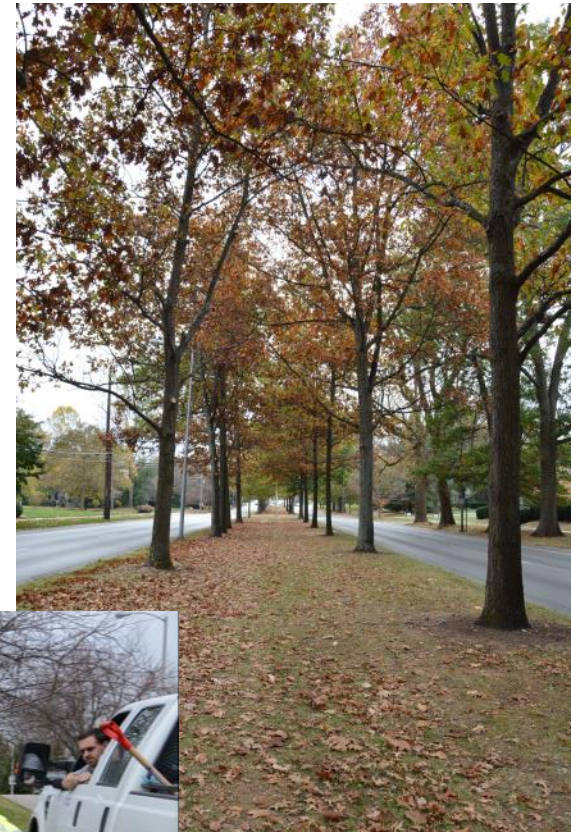
- Definition of a Street Tree: “any tree within the urban county government right-of-way or designated tree planting easement, except those trees regulated pursuant to Article 18 of the Zoning Ordinance or the Downtown Street Tree Ordinance”.
- Street Trees have been planted in Lexington since the 1920s.
- Since 1978 required to be planted as part of residential new development.
- New Development regulations require street trees be installed either in the utility strip or in a street tree easement behind the sidewalk.



Background on Street Trees in Lexington

- Estimate of +/- 55,000 street trees in Lexington
- Approximately 10% are publicly maintained
 - Division of Environmental Services City Arborist leads management of city's street trees
 - Locations
 - Majority are median trees
 - Trees planted in some rights-of-way on major corridors such as Alumni Drive, Man O' War Blvd.
 - Downtown streetscapes (in partnership with Parks staff)
 - Funding
 - Environmental Services' budget
 - Corridors Commission for trees on corridors
 - Council member fund balance projects

Background on Street Trees in Lexington





Background on Street Trees in Lexington

- Estimate 50,000 street trees in front of private property
- Example of Street Trees planted in the 1930-40s



Catalpa

2016/10/26

Background on Street Trees in Lexington

- Example of Street Trees planted in the 2000s



Background on Street Trees in Lexington

- Example of Street Trees planted in a Street Tree Easement



Background on Street Trees in Lexington

- Benefits of Street Trees
 - Beautification
 - Traffic Calming
 - Crime Reduction
 - Increased Property Values
 - Stormwater Runoff Reduction
 - Cleaner Air
 - Wildlife Habitat
 - Reduced Heat Island



Background on Street Trees in Lexington

- Challenges with Street Trees
 - Road and sidewalk clearance
 - Large tree roots impacting sidewalks
 - Overhead and underground utility conflicts in utility strips
 - Leaf collection
 - Ice storms



Background on Street Trees in Lexington

- Challenges with Street Trees
 - “Wrong Tree – Wrong Place” vs. “Right Tree – Right Place”
 - Sightline at intersections
 - Distances to street lights and signs, fire hydrants, driveways
 - Allowable Tree Species vs. Prohibited Tree Species
 - Appropriate tree size (full-grown) for planting area available
 - Trees planted prior to current requirements or incorrectly





Overview of Street Tree Requirements

- Article 6-10 of the Land Subdivision Regulations, Zoning Ordinance
 - Regulates planting of new street trees as part of new residential development
 - Developer selects tree locations and tree species following regulations and Planting Manual
 - Utility strip or street tree easement
 - Maintain 50 ft. gap from intersections
 - Large tree species
 - » In 7 ft. width or greater utility strip - 1 tree every 45 feet
 - Medium trees
 - » 5 ft. width or greater utility strip - 1 tree every 35 feet
 - Small trees
 - » 7 ft. width or greater utility strip - 1 tree every 25 feet
 - Developer installs trees and maintains through 1-year warranty
 - Recorded on subdivision final record plat
 - Once installed, HOAs often enforce deed restrictions related to street trees that are more stringent than city ordinances.



Overview of Street Tree Requirements

- 17B – Street Tree Ordinance
 - Regulates maintenance, removal, and planting of street trees (outside of new development areas)
 - Establishes abutting property owner as responsible party
 - Establishes permit approval requirements for tree planting and removal by Urban Forester
 - Establishes prohibited distances from fire hydrants, stop signs, etc.
 - Establishes pruning clearance heights
 - 7' on sidewalk side
 - 12' on road side
 - 14' for truck routes
 - References Planting Manual for allowable species, specifications
 - Prohibits Street Tree topping
 - Establishes penalties for violations
 - Establishes Tree Board as Appeals Board for Urban Forester decisions and Infrastructure Hearing Board for citation appeals

Overview of Street Tree Requirements

- Planting Manual
 - Acceptable and Prohibited Species
 - Proper Planting and Maintenance Techniques





Ordinance Enforcement

- Compliance & Enforcement Lead – Urban Forester
- Citizen requests (e.g. Lexcall, website), staff identified
- Education and assistance first
- Addressing violations:
 1. Hazardous Street Tree Removals
 2. Traffic Sign Blockages, Public Safety, Emergencies
 3. Pruning for Clearance
 4. Tree Replacements and/or Working without a Permit



Ordinance Enforcement

1. Hazardous Street Tree Removals – Owner Occupied
 - a) Initial contact about Street Tree Cost Share Program – Owner occupied urban residential properties only
 - b) Provides 50/50 cost share for hazardous tree removal and replacement (funded at \$95,000 in FY2017)
 - c) Low income assistance available
 - d) Property owner obtains quotes from City pre-qualified certified arborist vendors
 - e) Requires removal and replacement with acceptable tree in a suitable location (flexibility provided)
 - o HOAs often enforce deed restrictions related to street tree replacements that are more stringent than city requirements.
 - f) Follow-up inspection by city arborist prior to reimbursement

Ordinance Enforcement

1. Hazardous Street Tree Removals –Rental

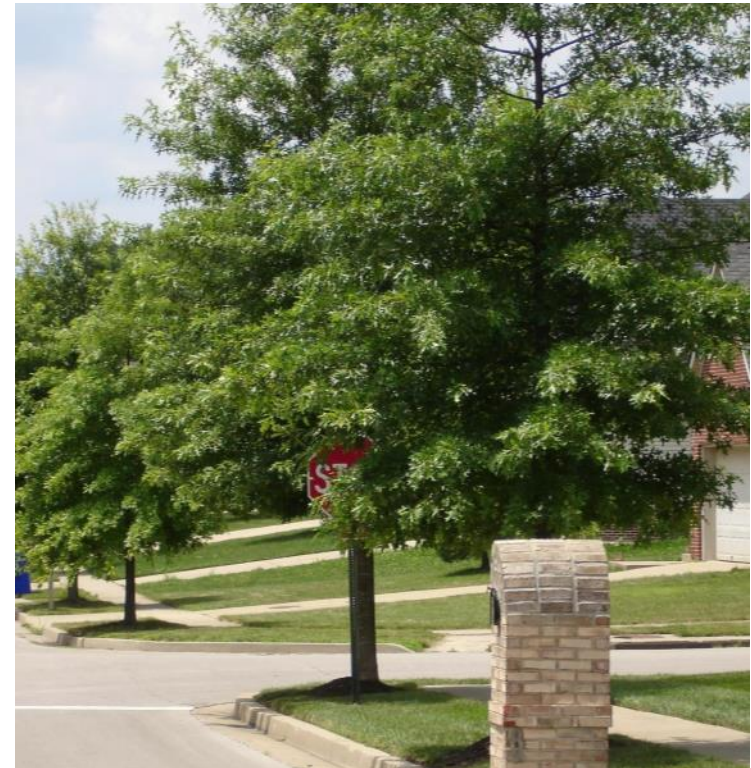
- a) Notice(s) of Violation
- b) Citations
 - 1st Citation with fine between \$75 - \$200
 - 2nd Citation with fine between \$150 - \$300
 - 3rd Citation with fine between \$225 - \$450
 - 4th Citation with fine between \$300 - \$500
- c) Abatement



Ordinance Enforcement

2. Traffic Sign Blockages, Public Safety, Emergencies

- a) Resolved by city staff at inspection
- b) Property owner informed of work via doorhanger



Ordinance Enforcement

3. Pruning for Clearance

- a) Standard approach
 - Compliance doorhanger
 - Follow-up inspection
 - NOV
 - Follow-up inspection...

- b) Revised approach
 - Compliance doorhanger with information about assistance
 - Follow-up courtesy pruning by city staff or contractor using Env. Services funds if required





Ordinance Enforcement

4. Tree Replacements and/or Working Without a Permit
 - a) Full compliance built into Street Tree Cost Share Program
 - b) HOAs take lead in their areas



Path Forward

- Maintain current urban forestry resources.
- Work to increase education and reduce enforcement issues.
- Review of ordinances and regulations:
 - Address conflicting or unclear language.
 - Review Article 6-10 of the Land Subdivision Regulations related to where and how many street trees are required.
 - Review process for layout of new development tree placement.
 - Tree Board recommends review of minimum utility strip width to 7 ft.
 - Consider revising pruning clearance requirements to 14' on more streets in addition to truck routes.
 - Review Street Tree Cost Share Program.
- Environmental Services will continue implementing pro-active compliance programs – goal for all backlog completed within 3 years.
- Complete street tree inventory and identify promising areas for street tree plantings and enhancements.

Questions?

