

MANDATORY REFERRAL REPORT NO. 15-51
Proposed Acquisition of Property in Mecklenburg County for Tree Canopy Preservation

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Engineering and Property Management Department (E&PM) proposes to acquire a 20.49 acre parcel (031-216-02), zoned R-3 Residential, Lake Wylie Critical Area per the Charlotte Zoning Ordinance, in Charlotte's Extraterritorial Jurisdiction for tree canopy preservation. The property is located on Hart Road off Rozzelles Ferry Road, and is adjacent to the Catawba Wildflower Glen and the Smawley Tract, owned by the Catawba Lands Conservancy (the "Conservancy").

The goal is for the Conservancy to first acquire the property from the current owner, and then convey the property to the City while the Conservancy will retain a conservation easement in order to ensure that perpetual stewardship of the tree canopy is provided. The property is proposed to remain in a natural state following acquisition, and may be used for low-intensity recreational purposes, such as a natural surface trail.

PROJECT JUSTIFICATION:

The acquisition of these properties will enable the City to work toward reaching Charlotte City Council's goal of attaining fifty percent tree canopy coverage city-wide by 2050 through the preservation of forested properties in developing areas. This acquisition allows the City, as required by the Charlotte Tree Ordinance, to fulfill its role as administrator of a Tree Ordinance Mitigation Fund and to meet the greater intent of the tree ordinance to preserve and protect tree canopy and promote the benefits trees provide to the Charlotte community (Charlotte, North Carolina, City Code, §21).

Approximately nineteen contiguous acres of existing forest will be protected as part of this acquisition.

In cooperation with the Catawba Lands Conservancy, this property was identified and considered under the City's scoring model for tree canopy preservation. This model uses criteria including acreage, current vegetative cover, potential for connectivity to greenways, partnering opportunities, and the level of development in the general geographic area.

Since the City lacks the capacity for property stewardship following acquisition, the Catawba Lands Conservancy is a key stewardship partner to maintain properties through conservation easements. This property is adjacent to existing conserved areas and shares with them biodiversity and habitat characteristics important for conservation.

Finally, it was determined that this property is located within a geographic area in which tree save payment in lieu funds (mitigation) have been collected as part of the land development review process, so funding was potentially available for purchase.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The acquisition of this property is consistent with the tree canopy goals established in the Environmental Focus Area Plan, adopted by City Council on June 28, 2011. The goal is to increase Charlotte's tree canopy cover from its present 47 percent to 50 percent by 2050.

In order to complete the acquisition, the City will utilize tree ordinance mitigation funds collected by Land Development through developer payment in lieu of on-site tree preservation to acquire these properties for conservation purposes, as established in the City's tree ordinance.

The acquisition of this property is consistent with the general environmental goals associated with the Charlotte Post Construction Stormwater Ordinance, the Westside Strategic Plan, and the Lake Wylie Watershed Overlay District (Charlotte, North Carolina, City Code, §18).

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The site's adopted land use is for single family up to 4 dwelling units per acre (DUA), as per the *Northwest District Plan* (1990). The site is also located within the Lake Wylie Critical Area Watershed Overlay zoning district, which among other regulations, restricts the amount of impervious surfaces allowed to be developed on the site. The proposed use for tree canopy preservation would be classified as park/open space as per the future land use categories, and is compatible with the adopted single family land use for this site.

PROJECT IMPACT:

Acquisition will enable to the City to work toward reaching the goal of attaining fifty percent tree canopy coverage city-wide by 2050 through the preservation of forested properties in developing areas.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

This property is adjacent to the Catawba Lands Conservancy's Catawba Wildflower Glen and the Smawley Tract and could provide connectivity for future trail plans.

ESTIMATED PROJECT COMPLETION DATE:

Staff has been in communication with the Catawba Lands Conservancy, and plans to move forward with obtaining City Council approval at the December 14, 2015, Council meeting. The property owner and the Catawba Lands Conservancy have requested closing occur by the end of the year, if possible.

JOINT USE TASK FORCE REVIEW COMMENTS:

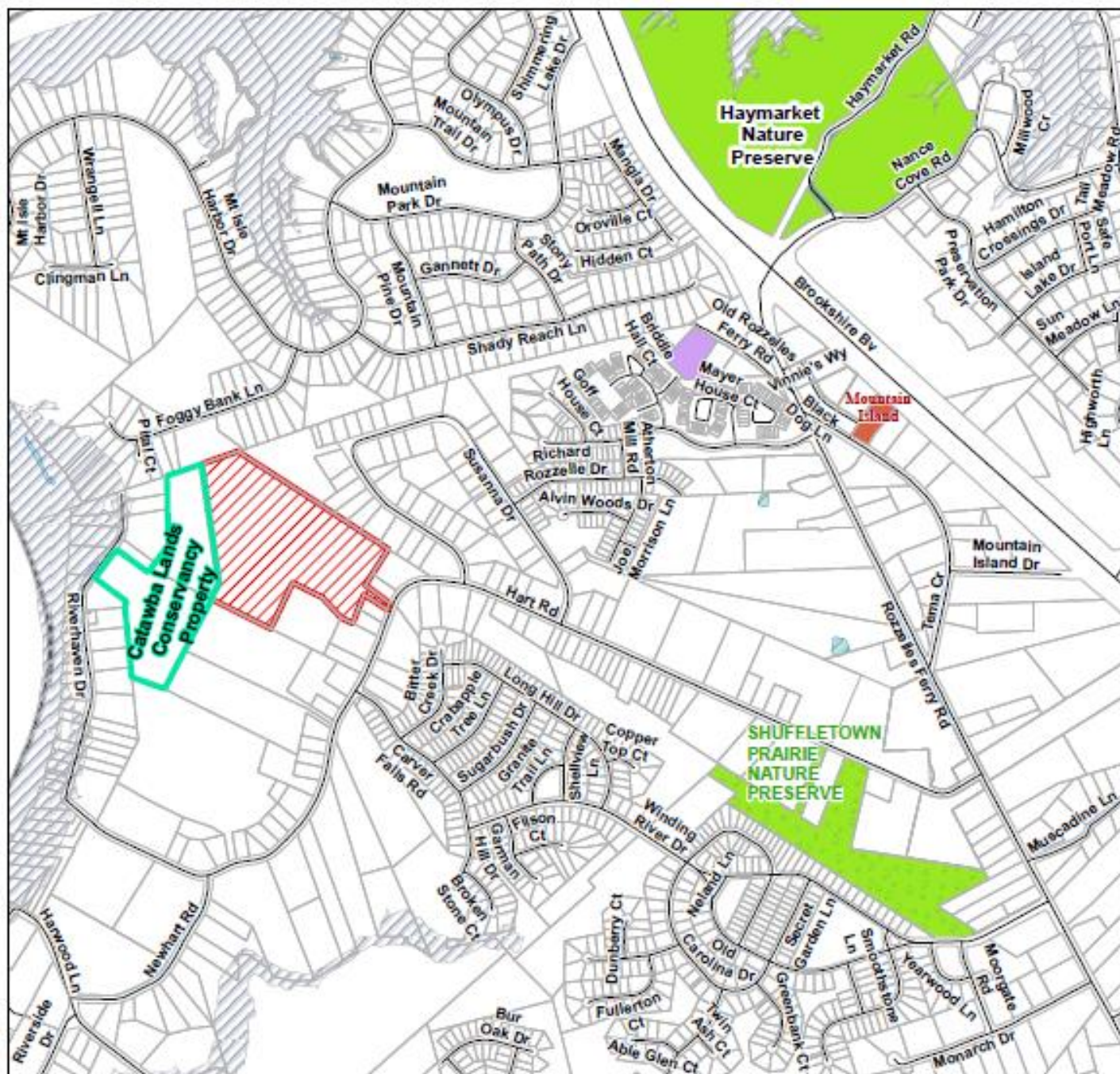
The Joint Use Task Force discussed this matter at their November 4, 2015, meeting, and offered no comments.

PLANNING STAFF RECOMMENDATION:

Planning Department staff recommends approval of the proposed acquisition for tree canopy preservation.

CMPC PLANNING COMMITTEE RECOMMENDATION:

At their November 17, 2015 meeting the Planning Committee recommended approval by a 5-0 vote.



Mandatory Referral 15-51

Initiated by: E&PM, Landscape Management

Submitted by: E&PM, Real Estate

-  Mandatory Referral
-  Local Historic Landmark
-  Wetland
-  Libraries
-  County Property
-  FEMA 100 Year Floodplain

Produced by the Charlotte-Mecklenburg Planning Department

