

**MANDATORY REFERRAL REPORT NO. 16-01**

**Proposed Acquisition of Property in Hickory Grove area of Charlotte for Tree Canopy Preservation**

**PROJECT PROPOSAL AND LOCATION:**

The City of Charlotte's Engineering and Property Management Department (E&PM) proposes to acquire four parcels cumulatively measuring approximately 74.08 acres (108-071-13, 108-112-03, 108-112-04, 108-042-10A), all zoned R-3 single family residential per the Charlotte Zoning Ordinance, in the City of Charlotte for tree canopy preservation. The properties which are all vacant are located near Robinson Church Road and Plott Road, as shown on the location map below, and are adjacent to Reedy Creek Greenway. The area to the west of these parcels is developed with single family residential subdivisions while the area to the east is largely undeveloped.

Following acquisition of these properties by the City, the City will donate a conservation easement to the Catawba Lands Conservancy in order to ensure that perpetual stewardship of the tree canopy is provided. The properties are 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 twenty-two contiguous acres of existing mature forest and fifty two acres of early successional forest will be protected as part of this acquisition.

These properties were 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 the conservation of fifty-two acres of early successional forest existing on these properties provided a rare opportunity to obtain protect a significant one-time net gain in tree canopy. This area was completely devoid of tree canopy per the City's 2012 Urban Tree Canopy Analysis.

**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.

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 Rocky River Road Area Plan and, North Carolina, City Code, §18).

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The *Rocky River Area Plan* (adopted 2006) recommends single family land uses up to 4 dwelling units per acre and a greenway (Reedy Creek Greenway) along the northern portions of the property. Open space uses are not always identified for a specific location in an area plan and are considered compatible with single family land uses and consistent with adopted policy.

**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 Reedy Creek Greenway and could provide connectivity for future trail plans.

**ESTIMATED PROJECT COMPLETION DATE:**

Staff has been in communication with the respective property owners and Catawba Lands Conservancy, and plan to move forward with obtaining City Council approval pending completion of preliminary due diligence work.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their January 6, 2016 meeting and it was discussed that exploration should be made as to ability to add a future trail extension from Reedy Creek greenway to the north to Robinson Church Road to the south. A representative from City Urban Forestry committed to ensure that the easement to be dedicated to the Conservancy will not prohibit future trail development. No other comments were offered.

**PLANNING STAFF RECOMMENDATION:**

The proposed use of the property as open space and a nature preserve is compatible with adopted land use policies. Departments seeking acquisition of the land should work with Mecklenburg County Parks and Recreation to ensure land required for Reedy Creek Greenway is sufficiently allocated. Staff recommends approval of the land acquisition.

**CMPC PLANNING COMMITTEE RECOMMENDATION:**

At their January 19, 2016 meeting the Planning Committee recommended approval by a 7-0 vote.

