

MANDATORY REFERRAL REPORT NO. 16-39

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 one parcel of approximately 23.194 acres (108-071-15), zoned R-3 (single family residential) per the Charlotte Zoning Ordinance, in the Hickory Grove area of Charlotte for tree canopy preservation. The property is located near Robinson Church Road and Plott Road, as shown on the location map below, and is adjacent to Reedy Creek Greenway.

Following acquisition of this property 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. This 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 this property 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 two contiguous acres of existing mature forest and twenty-two acres of early successional forest will be protected as part of this acquisition.

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 features biodiversity and habitat characteristics important for conservation.

Finally, it was determined that the conservation of twenty-two acres of early successional forest existing on this property 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:

This property is subject to the policies within the *Rocky River Road Area Plan* (2006). A portion of the subject property is recommended for greenway uses, while the remainder is recommended for single family uses up to 4 dwelling units per acre. The prescribed land use of "tree canopy preservation" aligns most closely with the land use categories of open space and greenways used in the District and Area Plans. Typically, these plans do not specifically prescribe open space or greenway as land uses unless the property is already in that use, or unless parks or greenway master plans specifically designate parcels for future open space or greenway use.

In general, open space is considered to be compatible with residential land uses; therefore, the prescribed use, although somewhat inconsistent with the adopted plan, is considered to be compatible with the vision and policies in the *Rocky River Road Area Plan*.

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. This site is also adjacent to properties acquired through the Mandatory Referral 16-01 in which Planning Department staff recommended approval of the acquisition of approximately 74 acres immediately east of the subject property and are in the process of being purchased by the City. Mecklenburg County currently owns PID 10804101 (west of the parcel) as well.

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:

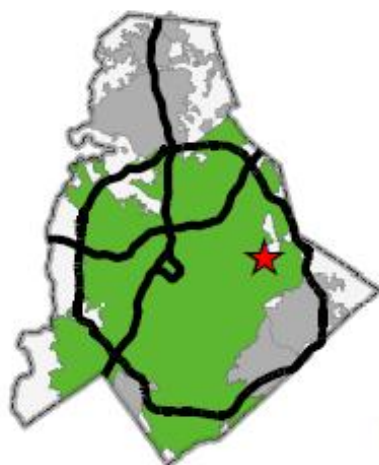
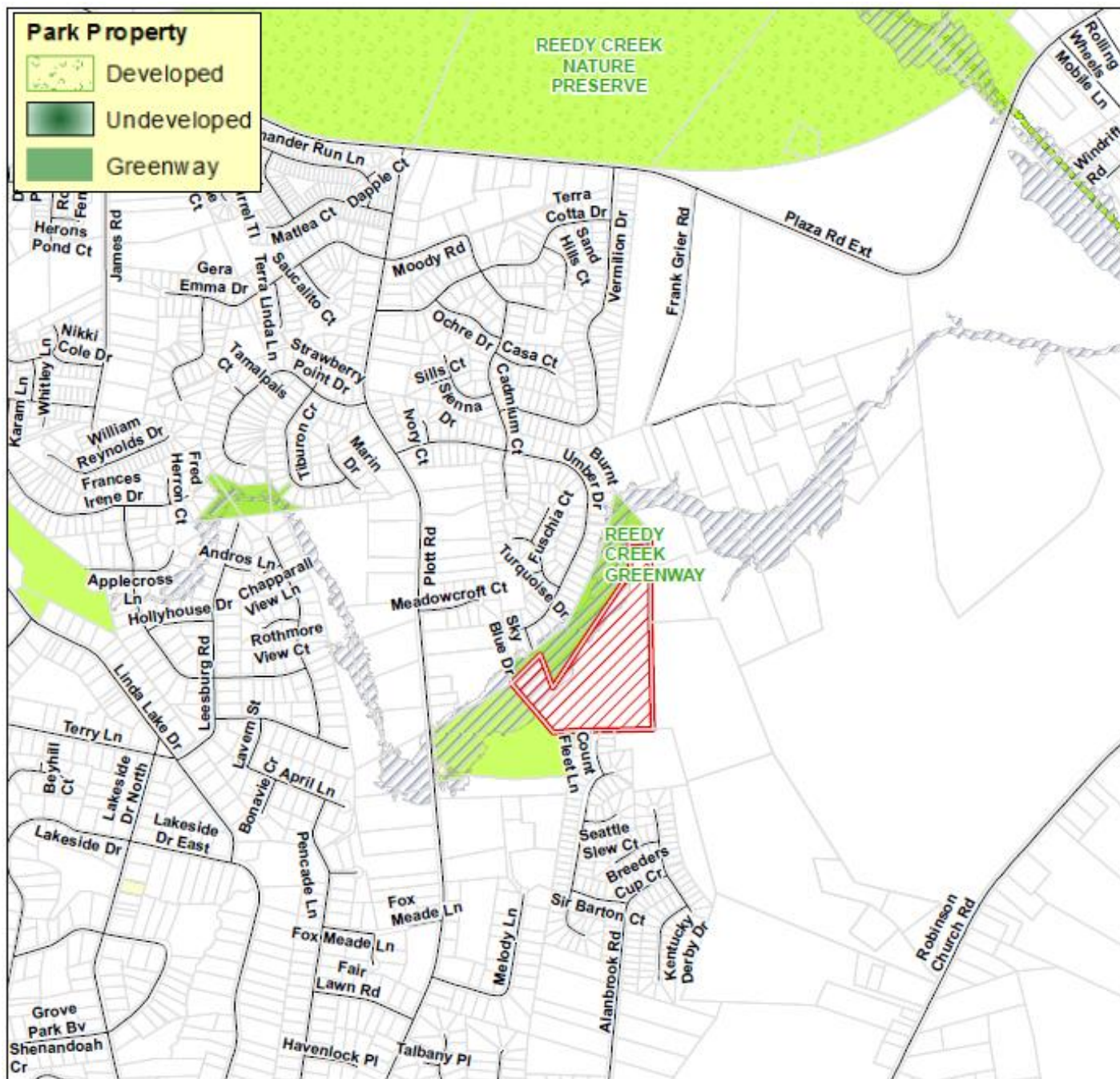
The Joint Use Task Force discussed this matter at their September 7, 2016, meeting, and City Real Estate staff reported that adjoining parcels to the east are in process of being acquired for tree canopy preservation. This eliminated a concern previously expressed by CDOT about connectivity though the subject site related to develop-ability of adjacent parcels however left unresolved is the issue of the future street network. It was also stated that this property is proposed for acquisition while contemplating a greenway extension across the property.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the acquisition of the property and continued coordination by Landscape Management to accommodate space for a future street between Sky Blue Drive and Count Fleet Lane.

CMPC PLANNING COMMITTEE RECOMMENDATION:




At their September 20, 2016 meeting the Planning Committee recommended approval by a 6-0 vote.



Mandatory Referral 16-39

Initiated by: E&PM, Real Estate

Submitted by: E&PM, Landscape Management

-  Mandatory Referral
-  County Property
-  FEMA 100 Year Floodplain

