

New bill will require homebuilders to plant trees

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Months of negotiations finally yielded a compromise on a new piece of Metro Council legislation that would require Nashville's homebuilders to plant a certain number of trees on each open lot.

The bill, pushed by at-large Councilwoman Megan Barry and District 6 Councilman Mike Jameson, would require homebuilders to plant one tree for every 30-linear feet of street front in residential areas. Residential developers would be required to maintain seven trees per acre.



There has been a compromise on a new piece of Metro Council legislation that would require Nashville's homebuilders to plant a certain number of trees on each open lot. *Matthew Williams/The City Paper*

If a homebuilder or developer doesn't comply with the potential new tree requirement, then Metro may seize their bonds for the project.

Despite the harsh repercussions, the president of the Nashville Homebuilders Association John Sheely said the final agreement was a palatable one.

"I think it's an unnecessary ordinance, but I think it's the least obtrusive and it's going to cost the city the least amount possible to enforce it," Sheely said. "If we have to pass something, this has been the least obtrusive proposal so far."

When Barry and Jameson first introduced their legislation in October, it seemed unlikely the homebuilders would ever sign off on the deal. Sheely said the initial flaw of the bill was that it took the current tree density requirements for commercial developments and merely applied it to residential areas.

Besides imposing an undue cost on homebuilders, Sheely said the proposal was unnecessary because homeowners generally plant trees on their property anyway.

"Basically, you look at a residential area and over a 10-year span, without any ordinance from Metro, there are going to be more trees in a residential area anyway," Sheely said.

But, Barry insisted the new ordinance, an amended version of which will likely be filed today, is important

for Nashville. Besides instituting the new density requirements for residential developments, it also gives homebuilders extra points for maintaining existing trees.

“The current tree ordinance, unfortunately, encouraged the planting of new trees more than the preservation of established trees,” Barry said. “This revised ordinance corrects that shortcoming and provides greater incentives to preserve old growth trees. Now, more than ever, developers will be inclined to preserve and protect the mature trees on their developments.”

Barry said the bill broke new ground on improving Nashville’s urban forestry, which has declined steadily over the years. Developers already face tree density requirements, enforced by the Codes Department, for commercial developments. When those requirements aren’t met, fines are assessed.

The ordinance never touched into residential developments, however.

“For the first time, minimum tree standards will be applied to residential developments, and Nashville can look forward to greener healthier neighborhoods,” Barry said.

Jameson encourages private, public partnerships

Besides the tree ordinance update, Jameson has also pushed private-public partnerships to improve Nashville’s thinning urban forest. In East Nashville, Jameson helped coordinate a comprehensive landscaping project, which included more than \$10,000 in private funds raised to plant 220 trees along the green space boxed in by the interstate cloverleaves on Shelby Avenue and on Woodland Street.

The project, which also included the Tennessee Department of Transportation contributing funds for planning, came to fruition this week with volunteers helping the landscape architect Ragan-Smith with planting.

“This is when the job is fun,” said Brett Smith, vice president for Ragan-Smith. “You hope other neighborhoods will look at this and projects like this will spring up all over the city.”

Unlikely peacekeeper

Ironically, the agreement between green-friendly Barry and Jameson and the homebuilders was made possible by an unlikely source.

Both Council members and Sheely said the compromise wouldn’t have happened had it not been for District 12 Councilman Jim Gotto. It was Gotto who kept both sides at the bargaining table and ultimately engineered an agreement.

Gotto has earned a pro-development reputation over the years, but on the issue of improving the city’s tree density, he saw both sides.

“I was just the facilitator,” Gotto said. “I personally appreciate everyone coming to the table and being willing to negotiate this and not taking a hard stance. This is good for the city. It’s simple for the homebuilders to follow and it’s simple for our Codes Department to enforce. This is good for everybody.”

Gotto said the agreement makes clear the separate responsibility of the developer and the homebuilder on meeting the tree density requirement.

The amended bill will be filed today and will be on second reading at the first meeting in February.