Petition to Improve Tree Preservation Practices in the City of Delaware

In light of the 2019 iTree study regarding Delaware's tree canopy, we need an immediate change in regards to how we protect our trees in order to stop the rapid decline of our tree canopy. Therefore, we ask the Shade Tree Commission and City Council to do the following:

1. Support an Ordinance or Resolution by Council to require adherence to the Codified Ordinances of Delaware, Ohio, Chapter 1168 in all development, including Planned Mixed Use developments (PMUs). This Chapter should be observed in its entirety. You will note that those who wrote and adopted this code established the inclusion of tree preservation in all zoning text via section 1168.02(a): "**This chapter shall apply to trees** that have a minimum six-inch diameter at breast height (DBH), also known as major trees, on all public and private properties, **in all zoning districts**, unless exempted below."[1] In addition to 1168.02(a) that is quoted above, the Delaware City Code sections in 1168.01(c) and 1168.02(b)(3) further underscore the importance of tree preservation as it relates to all new development and construction in the City of Delaware. By practice, PMUs have been exempted from following this ordinance; such exemption should end immediately, and all development that has not completed its final approvals from the date of this petition henceforth shall once again be held to the standards found in Chapter 1168 of the Codified Ordinances of Delaware, Ohio.
2. Require an iTree study of all future developments be completed by the applicant, for review by the Shade Tree Commission to make suggestions for tree preservation using data from the iTree study as well as the required tree surveys, and such suggestions shall be reviewed by Council in a stated public meeting before they approve the related development plan. This will bring our practices more in alignment with the stated tree preservation goals of the City of Delaware, including the Shade Tree Commission's stated goal of increasing the City's tree canopy to 30-40% as well as Delaware's status as a Tree City USA.
3. Change the City's requirements for tree replacement as found in Code 1168 to better capture the total tree canopy lost. Create new requirements that would acknowledge the value of slow-growing trees and typical layers of tree growth in forests that also contribute to our tree canopy; such trees may be smaller than the currently required 6 caliper inches diameter at breast height, but they play a vital role in a healthy tree canopy. Reduce the required tree replacement size to 1.75 caliper inches. Request an annual study of best practices in tree preservation and assessment for replacement, and prepare new guidance according to what is learned in this annual review.
4. Support the City's immediate attention to the *Delaware Together* comprehensive plan goals noted below. Specifically, make goal E3.5 "Consider a natural resources zoning overlay district" a high priority item. Additionally, until such time as all of these goals can be fully implemented by our City and documented into our official planning documents and codes, all applicants for development should be required to provide statements explaining how their development plan supports these stated goals for the City of Delaware:
    a. E2.4 "Revise and improve open space / parkland dedication requirements for new development";
    b. E2.9 "Identify new urban natural area opportunities."
    c. E3.3 "Ensure species habitat protection measures";
    d. E3.4 "Prepare a detailed inventory and analysis of natural resources";
    e. E3.5 "Consider a natural resources zoning overlay district";
    f. E4.1 "Maintain and adjust standards for the city's tree canopy";
    g. E4.2 "Prepare an urban forest plan";
    h. E5.1 "Maintain forest buffers along identified streams and tributaries" including a better definition of what constitutes maintaining a buffer; and
    i. E5.2 "Adopt stronger standards to minimize impervious surfaces."

Our continued growth as a city cannot be at the expense of all of our natural resources. We need swift action to preserve our tree canopy. As it says in Code 1168.01(a): "The benefits derived from tree preservation and replacement include: (1) Energy conservation; (2) Improved air quality; (3) Reduced noise pollution and light glare; (4) Enhanced habitat for birds and other desirable wildlife; (5) Improved control of soil erosion and moderation of water runoff; (6) Enhanced visual and aesthetic qualities; and (7) Increased property value."

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[1] Emphasis added. Available at https://library.municode.com/oh/delaware/codes/code_of_ordinances?nodeId=PTELEVENPLZOCO_TITELEVENPLZOCO_CH1168TRPRRE. Exemptions are listed in 1168.08: "(a) The tree is dead, damaged, or diseased. (b) The tree is an undesirable species in its present location, as determined by the Director of Grounds and Facilities (or designee). [or] (c) The tree poses potential danger to life or property."

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Date	Signature	Street address	Zip
10/10/21	David W. Carpenter	932 Executive Blvd	43015
10/10/21	Lindsey [illegible]	419 Taylor Ave	43015
10/10/2021	[illegible]	321 KENSINGTON DR.	43015
10/10/21	[illegible]	285 KENSINGTON DR.	43015
10/10/21	[illegible]	210 Pinecrest Dr.	43015
10/10/21	[illegible]	210 Pinecrest Dr.	43015
10.10.21	[illegible]	841 EXECUTIVE BLVD. DELAWARE	43015
10-10-21	[illegible]	829 Executive Blvd Del.	43015
10-10-21	Carrie Tackett	829 Executive Blvd. Delaware	43015
10-10-21	[illegible]	937 Executive Blvd. Delaware	43015
10-10-21	Juliana Briggs	919 Executive Blvd. Delaware	43015
10-10-21	Warner B Harris	538 Rutherford Ave Del.	43015
10/10/21	Debra L Harris	538 Rutherford Ave Del. Oh	43015
10/10/21	Stacy Chaney-Blankenship	943 Executive Blvd	43015

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Date	Signature	Street address	Zip
10/17/21	[illegible]	566 Rutherford	43015
10/17/21	Jerrel Blankenship	943 Executive Blvd	43015