

Keeping the GREEN in GREENville

January 15, 2008

TREE ORDINANCE REVIVED BUT DECIMATED

In the course of just a few minutes on January 8, Greenville County Council discarded more than two years of research, debate, and compromise on how best to conserve our county's tree cover while promoting a healthy business climate. Yes, a tree ordinance did pass second reading that night. But what was approved on January 8th bears scant resemblance to the ordinance that was recommended by a citizen committee, approved at first reading, and addressed at a public hearing. In fact, it would be better to have no ordinance at all than the one Council passed at second reading.

First, Council agreed to reconsider the ordinance, which had been killed at the previous meeting in November. After a heated discussion, they voted 7-5 to accept Fred Payne's amendments (which used some of *Upstate Forever's* input), which clarified some provisions, weakened some, and strengthened others. Voting against the amendments were Council members Dill, Trout, Cates, Meadows, and Gibson.

Some Council members had complained that the ordinance was too complicated, used too many unfamiliar words, and would be expensive to administer. Willis Meadows surprised many by handing out a much shorter amendment that would replace all previous text of the ordinance. Disappointingly, after a short discussion County Council voted 7-5 to accept this new amendment. Voting in favor of this change were Council members Dill, Trout, Cates, Meadows, Norris, Gibson, and Taylor. Unfortunately, by adopting this amendment, Council members did not merely simplify the ordinance; they oversimplified it to the point of irrelevance. Here are just a few of the resulting problems:

- The ordinance applies only to residential development. It will therefore be impossible to meet its stated goal to "maintain the County tree canopy cover at or above its current level" since much of the development in Greenville County is commercial, retail, industrial, and institutional. Under existing regulations, any parking lots need to meet landscaping requirements, but no trees would be required on the remainder of non-residential developments.
- Where trees are required, no spacing, maintenance, or root protection is specified. If trees are planted improperly or too closely together, or if construction equipment compacts the soil above their roots they are unlikely to survive.
- No distinctions are made among tree species. A Bradford pear, which is cheap, grows quickly, is prone to splitting, and has a short lifespan, would be equivalent in the eyes of the law to a willow oak, which has vastly superior long-term environmental and aesthetic benefits.
- The ordinance contains a perverse incentive favoring newly planted 1.5-inch trees over existing 5-inch trees.
- Multiple-family dwellings are required to have only two trees on site, no matter how large the development. So a 100-unit apartment building could meet the requirements of the law by planting two 1.5-inch trees.
- Density bonuses—a subject not addressed by the citizen committee or even mentioned in the debate—are provided for developers exceeding these meager tree requirements. By planting ten small trees instead of two, that same 100-unit building would be allowed an additional ten apartments!

Council then voted 9-3 to pass this lame ordinance at second reading. The "no" votes came as a protest by the Council members most dedicated to the passage of a strong tree ordinance: Burns, Flint, and Kirven.

Was the tree ordinance perfect in its original form? Absolutely not. But what County Council did was—to use a timber analogy—a slash-and-burn where only a pruning was needed. Tossing out a compromise bill that was based on sound scientific and business practices after five minutes of discussion is a disservice to our citizenry. Greenville County deserves better. Let's urge our Council members to amend and then pass the tree conservation ordinance that was recommended by the citizen committee and was approved by Council at first reading.

GREENVILLE COUNTY
COUNCIL

TUESDAY, JANUARY 22
6:30 P.M.

Council Chambers
Greenville County Square
301 University Ridge

[CLICK HERE](#) TO READ THE TREE CONSERVATION ORDINANCE AS AMENDED I-8

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