

## TOWN OF OAK ISLAND TREE PROTECTION ORDINANCE DEVELOPMENT

*April 6, 2016 – Consultant's Notes from Meetings with Jake Vares, Senior Planner, Chad Staradumpsky, Code Enforcement Manager, and Public Meeting*

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These are notes that I took during my day-long visit with the Town of Oak Island staff and citizens. These notes are not to be considered a complete list of all issues and comments that will be addressed in the development of a new tree ordinance, but are just a starting point. If you have corrections or additional comments, please send them to Jake Vares at [planner@ci.oak-island.nc.us](mailto:planner@ci.oak-island.nc.us) or to me at [tfshead@aol.com](mailto:tfshead@aol.com).

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### OAK ISLAND INFORMATION

- 1996 Yaupon Beach and Long Beach were consolidated to form the Town of Oak Island
- Largest beach municipality in the state
- Storm damage occurred during Bertha and Fran in 1996, and Floyd in 1999
- Nor'easters cause significant flooding
- Tourism is a main contributor to the economic health of Oak Island
- High water table and regular flooding
- Island is 80 percent built out
- Most lots are 55 feet by 120 feet (6,600 square feet)
- Tree City USA Advisory working group of the Environmental Committee; regular meeting is the second Wednesday of each month at 9:00 a.m.
- A lot of open planting sites on commercial properties; some open planting sites on relatively new residential properties

### GROUPS WITH AN INTEREST IN OR IMPACT ON TREES IN OAK ISLAND

- Citizens of Oak Island
- Community Development Department
- Planning Committee
- Public Works Department
- Environmental Committee
  - Tree City USA Working Group
- Oak Island Beautification Club
- Development community
- NC Forest Service

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- NC Extension Service (Sam Marshall, Horticultural Extension Agent for Brunswick County)
- Coastal Federation

TREES AND BUILDING REQUIREMENTS/CONSTRAINTS

- 8 foot clear path is required for utility installation
- Lots sizes are small and tree conservation and protection are difficult
- Property owners often do not want trees

SPECIES INFORMATION

- Tree species observed growing in Oak Island:
  - Bradford pear
  - Common crapemyrtle
  - Lorapetalum
  - Live oak
  - Laurel oak
  - Turkey oak
  - Sabal palm
  - Pindo palm
  - Waxmyrtle
  - Black willow
  - Loblolly pine
  - Slash pine
  - Longleaf pine
  - Hickory
- Desirable species characteristics:
  - Storm tolerant
  - Disease resistant
  - Salt tolerant
  - Native
  - Provide significant canopy cover
  - Tolerant of coastal conditions
- Mature tree size; standards for placement by size
- What contribution do palms make to canopy cover and improving environmental conditions?

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PROFESSIONAL TREE CARE

- There is no arborist on staff or on contract with the Town to provide professional community forest management, arboricultural services or technical expertise

EDUCATION/INFORMATION NEEDS

- Value of trees; value of small trees where larger trees are not feasible
- Tree biology
- Tree protection
- Standards for tree care operations

IMPACTS ON TREES AND TREE CANOPY

- Development: tree removal, construction damage to retained trees, replacement trees that will not replicate tree canopy removed
- Storms
- Flooding
- Tree removal on residential properties

UPCOMING DEVELOPMENT SITES

- Williamson tract
- The Charles, 55+ Active Community
- Residential site development is ongoing

QUESTIONS

- Are forest canopy/tree conservation areas required for approval of PUDs?

INFORMATION/DOCUMENTS TO BE REVIEWED

- *Trees for Oak Island* (from Oak Island Tree City USA Advisory Board)
- *Tree Protection Ordinance Questions* (from Jake Vares; to be updated as more questions are submitted to Jake by the public)
- *Stormwater Runoff Mitigation* article (from Oak Island Public Works website)
- **TOWN OF OAK ISLAND CODE OF ORDINANCES**
  - *Chapter 8 – Buildings and Building Regulations*
  - *Chapter 12 – Emergency Management*
  - *Chapter 14 – Environment*

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- *Chapter 18. Land Use Development*
  - *Article V. Stormwater Management*
- *Chapter 22 – Parks and Recreation*
- *Chapter 26 – Streets, Sidewalks and Other Public Places*
- *Chapter 28 – Traffic*
- *Chapter 30 – Utilities*
- *Chapter 32 – Vegetation* (current tree ordinance last revised in 2014)
- *Table 12-2 BIORTENTION PLANTS—TREES*, (from the NCDENR Stormwater BMP Manual, chapter revised 09-28-07)
- *Tree Protection Ordinance, Town of Oak Island* (presentation at April 6, 2016 public meeting in Oak Island)
- *Preferred Tree List for Oak Island, NC*
- *Town of Oak Island, Comprehensive Land Use Plan* (2015 draft)
- *Unified Development Ordinance* (currently in draft form, November 19, 2015)
- Tree City USA reports (2009 through 2014)
- 2009 Oak Island Tree Inventory
- *Developing Tree Protection Ordinances in North Carolina, A Guide to Local Ordinance Creation* (developed by the Nicholas Institute for Environmental Policy Solutions for the Urban and Community Forestry Program of the North Carolina Forest Service and the North Carolina Wildlife Resources Commission)

### TO BE DONE

- Identify barriers to enforcement of the current ordinance
- Identify resources required to implement a tree removal permit
- Estimate the time/funding required to enforce the new ordinance
- Provide regular communication to builders regarding the tree ordinance development process and progress

### TECHNICAL QUESTIONS

- What is the proper/adequate size of tree planting islands in parking lots?
- Standards for mature size of tree to be planted

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ISSUES/COMPONENTS TO ADDRESS OR POTENTIALLY INCLUDE IN THE TREE  
ORDINANCE

- Tree bank
- Tree removal permit for all properties
- Enforcement
- Support from staff
- Bushhogging without a site permit
- Private property rights
- Retrofit parking lots when commercial sites are being renovated and building permits is required
- Conservation areas required for coastal properties where individual tree preservation is not feasible due to growth habit of vegetation in the areas closest to the beach
- Diagrams for determining the critical root zone, location of tree protection fencing, tree planting, tree mulching, etc.

OTHER COMMENTS/NOTES

- A strong tree ordinance is good for the community