

Tree Protection In Henderson County

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Tree Protection Ordinances: Key Tenants



Protects existing trees –
stands or individuals



Reduces non-native
invasive species



Promote right-sized
protections and
regulations



Promotes the
preservation of open
space, existing tree
canopy and vegetation,
and natural
diversity/wildlife habitat



Safeguards and
enhances property
values and protects
public/private
investments



Guides future plantings
and management

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Tree Protection Ordinances Regulate...

- The Removal of trees:
 - Without permission
 - Over a stated DBH or acreage threshold
 - That are larger than a stated DBH depending on location (e.g., within some footage of a highway thoroughfare or vacant property)
- The protection of trees:
 - That are culturally and scientifically significant (heritage trees, specimen trees, historic, champion, etc.)
 - That are providing habitat for listed and/or imperiled species

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Henderson County Existing Requirements

- Land Development Code – Article V
 - Outlines landscape design standards for all developments
 - Includes specifications for buffer zones, parking lots, street trees, screening/fencing, and list of recommended species

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Land Development Challenges

- Wetlands – Pollution, sediment/silt, degradation
- Slopes – Erosion and landslides
- Deforestation
- Habitat and species richness loss

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What are the typical requirements?

- Stated canopy coverage goals
- Stated tree density goals
- Specify species composition and age classes

NC State Cooperative Extension provides extensive guidance that can be tailored to fit needs of local governments

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Guidance from NC State Extension



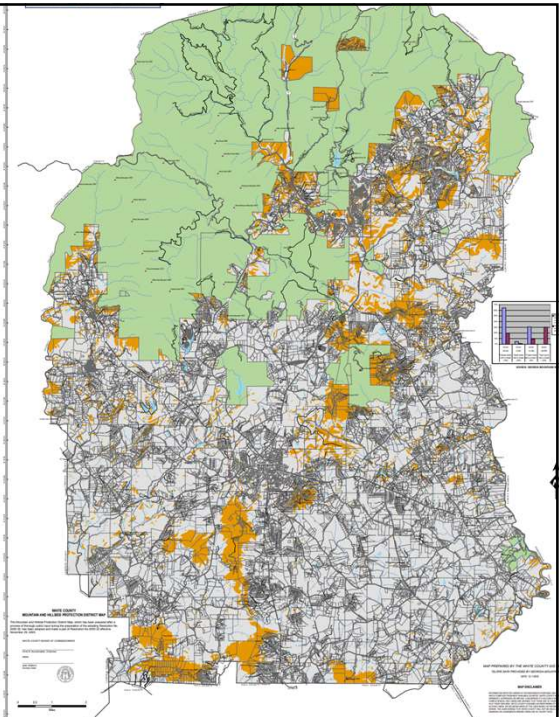
Key considerations from NC State Cooperative Extension:

- Tree surveys and site planning
- Develop regulations/requirements
- Tree replacement and incentives
- Post-construction enforcement

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Case Study Insights: White Co, GA

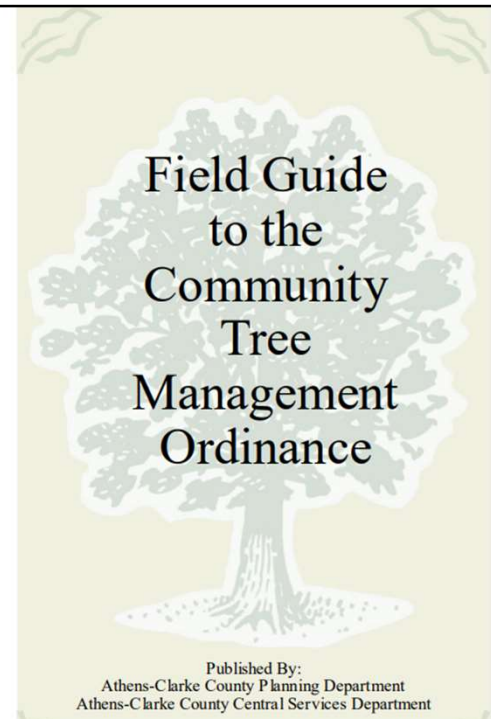
- Quality Growth Recommendations:
 - Protect slope and erosion-prone zones (>25%)
 - “Build With Trees” to retain native trees on site
 - Preserve native species



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Case Study Insights: Athens-Clarke Co, GA

- >45% canopy goal – 58% as of 2021
- Tree Management Plans required
- Penalties for unlawful timber removal



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Key Insights from Case Studies



Encourage development models that integrate existing tree cover with emphasis on native species



Use tree protection as a visual and ecological asset, preserving the county's rural character and fragile natural communities



Establish quantitative canopy targets (e.g., >45%)



Require tree management plans for large projects

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Regulatory Foundation – NC State Law

- N.C.G.S. § 160D-920
 - Local authority to establish environmental ordinances (including tree ordinances)
 - County ordinance does supersede state and federally managed land regulations
 - Forestry exemptions
 - Sedimentation and Pollution Control Act: Protecting trees in erosion-sensitive/riparian areas

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Questions – Discussions – Feedback



NC State Extension Guidance

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