TOP TEN QUESTIONS ABOUT THE TREE PRESERVATION ORDINANCE

1. CAN I CUT DOWN A TREE ON THE LOT WHERE MY HOUSE IS?

Yes. The Tree Preservation Ordinance does not apply to existing single-family detached, single-family attached ("town house") or duplex lots unless the property is being redeveloped for non-residential uses or to build an apartment complex. [Section 155.05(A)]

2. How big does a tree have to be before it is covered by the Tree Preservation Ordinance and does the ordinance cover all types of trees?

For a tree to be a protected, it must be listed on the Approved Plant List [Section 155.11, Figure 1] and it must be at least four (4) inches in diameter (measured 4 ½ feet above the ground). If the tree is a multi-trunk tree, the diameter is the total of the largest trunk plus one-half of the diameter of each additional trunk. [Section 155.03]

3. What do I have to do if am going to develop property that <u>does not</u> have any protected trees on it?

If there are no protected trees on the property, submit a letter signed and sealed by a registered surveyor, engineer, architect or landscape architect to the city, stating that there are no protected trees on the site. [Section 155.06(A)]

4. WHAT DO I HAVE TO DO IF THERE ARE PROTECTED TREES ON PROPERTY I WANT TO DEVELOP?

Before a grading permit or building permit can be issued, or a plat can be approved, a Tree Preservation Plan must be submitted to and approved by the city. An application for a Tree Preservation Plan can be obtained from the Planning Department.

5. What is a Tree Preservation Plan and what does it need to have on it if I <u>am not</u> removing any protected trees?

A Tree Preservation Plan is a site plan of the property that shows, at a minimum:

- a. Site boundaries:
- b. Location of all existing and proposed structures, streets, alleys, easements, etc.;
- c. Location of all existing trees and the caliper of all protected trees;
- d. Information on how the trees will be protected during the construction process.

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6. What additional information is needed on the tree preservation plan if I <u>am</u> removing protected trees during development?

- a. Location, species and size (diameter at breast height, or "dbh") of all protected trees to be removed:
- b. Reason for removal of the protected trees;
- c. Location and size of all replacement trees to be installed.

7. HOW MANY TREES DO I NEED TO PLANT TO REPLACE THE PROTECTED TREES I AM GOING TO REMOVE?

You must plant enough trees to replace the <u>total</u> dbh of <u>all</u> the protected trees you remove, according to the following schedule:

Size of individual tree removed	Required size of replacement trees
4-inch dbh to 12-inch dbh	Minimum 3-inch dbh
12-inch dbh to 30-inch dbh	Minimum 4-inch dbh
Greater than 30-inch dbh	Minimum 6-inch dbh

8. CAN I USE REPLACEMENT TREES TO MEET SOME OF THE TREE REQUIREMENTS OF ARTICLE XXV (LANDSCAPING AND BUFFERING SECTION) OF THE ZONING ORDINANCE?

Replacement trees can count towards required landscaping <u>within</u> the site, but not to meet any of the requirements of the landscape buffer.

9. How long does it take to get a Tree Preservation Plan approved, and who approves it?

The Development Review Committee (DRC) typically approves a Tree Preservation Plan within one (1) month of the application. The City Arborist will then send a letter to the applicant stating the conditions, if any, of the approval. Any decision by the DRC can be appealed to the Tree Board, which would then make a recommendation to the City Council, which makes the final decision.

10. WHAT IF I CAN'T FIT ENOUGH TREES ON MY PROPERTY TO REPLACE THE ONES I REMOVE?

If there is not enough room on the site to accommodate all the replacement trees, then the case would be reviewed by the Tree Board which would make a recommendation to the City Council. One or more of the following actions might then be approved:

- a. The planting of replacement trees within public right-of-way, in a public park, at a municipal facility or on other publicly owned property.
- b. The planting of replacement trees within private open space.
- c. The payment of a fee into the Tree Restoration Fund.

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