

**City of
Mansfield**

CHAPTER 99: NATURAL RESOURCES MANAGEMENT

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GENERAL PROVISIONS

§ 99.01 TITLE.

This chapter shall be known as and may be referred to as the *Natural Resources Management Ordinance*.

(Ord. 1220, passed 7-27-98)

§ 99.02 PURPOSE AND INTENT.

The purpose of this chapter is to promote site planning which furthers the preservation of mature trees and natural areas, to protect trees during construction, to facilitate site design and construction which contribute to the long term viability of existing trees and to control the removal of trees when necessary. It is the further purpose of this chapter to achieve the following broader objectives:

- (A) Prohibit the indiscriminate clearing of property.
- (B) Protect and increase the value of residential and commercial properties within the city.
- (C) Maintain and enhance a positive image for the attraction of new business enterprises to the city.
- (D) Protect healthy quality trees and promote the natural ecological environmental and aesthetic qualities of the city.

(Ord. 1220, passed 7-27-98)

§ 99.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words and terms used in this chapter, but not defined in this chapter shall have the meanings ascribed thereto in the zoning ordinance or other ordinances of the city. Words and terms defined in two ordinances shall be read in harmony unless there exists an irreconcilable conflict in which case the definition contained in this chapter shall control.

AGRICULTURAL USE. The use of land to produce plant or animal products, such as the growing of crops, raising and pasturing of livestock or farming. It does not include the processing of plant or animal products after harvesting or the production of timber or forest products.

BUILDABLE AREA. That portion of a building site exclusive of the required yard areas on which a structure or building improvements may be erected and including the actual structure, driveway, parking lot, pool and other construction as shown on a site plan.

BUILDING PAD. The actual foundation area of a building and the area within six feet of the foundation that is used for construction and grade transition.

CLEAR CUTTING. The removal of all of the trees or a significant majority of the trees within an area.

CRITICAL ROOT ZONE (CRZ). The area of undisturbed natural soil around a tree defined by a concentric circle with a radius equal to the distance from the trunk to the outermost portion of the dripline. (See Appendix A.)

CUT/FILL. Areas where the natural ground level has been excavated (cut) or fill brought in.

DIAMETER AT BREAST HEIGHT (DBH). The diameter of a tree trunk, or, in the case of a multi-trunk tree, the total of the diameter of the largest trunk and one-half of the diameter of each additional trunk, measured at a height of four and one-half feet above the ground.

DRIP LINE. A vertical line run through the outermost portion of the canopy of a tree and extending to the ground. (See Appendix A.)

LIMITS OF CONSTRUCTION. A delineation on the graphic exhibit which shows the boundary of the area within which all construction activity will occur.

MUNICIPAL/PUBLIC DOMAIN PROPERTY. Examples of this would include City Hall, public parks, county property, Corps of Engineers property, State of Texas R.O.W., library, fire stations, water tower sites or similar properties.

PROTECTIVE FENCING. A physical and visual barrier installed around the critical root zone of a protected tree as required by this chapter in order to prevent damage to the tree and its root system.

SELECTIVE THINNING. The process by which noncontiguous protected trees are identified and removed within a heavily wooded area to provide the maximum benefit to the remaining protected trees.

TREE. Any self-supporting, woody, perennial plant which will attain a trunk diameter of two inches or more when measured at a point four and one-half feet above ground level and normally an overall height of at least 15 feet at maturity, usually with one main stem or trunk and many branches. It may appear to have several stems or trunks as in several varieties of oaks.

TREE BOARD. There is hereby created and established a City Tree Board. This Board shall be the Planning and Zoning Commission unless otherwise appointed by City Council.

TREE, PARK. Trees in public parks and all areas owned by the city to which the public has free access to as a park.

TREE, PROTECTED. Any canopy tree that has a diameter at breast height of six inches or greater; any understory tree that has a diameter at breast height of two inches or greater; any specimen tree which is determined by the Landscape Administrator to be of unique and intrinsic value to the general public because of its size, age, historic association or ecological value; or any tree listed in the most current edition of the Big Tree Registry, as amended, published by the Texas Forest Service.

TREE, STREET. Trees on land lying between property lines on either side of all streets, alleys, avenues, lanes or ways within the city.

TREE TOPPING. The severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

(Ord. 1220, passed 7-27-98; Am. Ord. OR-1785-10, passed 9-13-10)

PERMITS

§ 99.15 TREE REMOVAL PERMIT REQUIRED.

No person, directly or indirectly, shall cut down, destroy, remove or move or effectively destroy through damaging any protected tree situated on property regulated by this chapter without first obtaining a tree removal permit unless otherwise specified in this chapter.

(Ord. 1220, passed 7-27-98) Penalty, see § 99.99

§ 99.16 AUTHORITY FOR REVIEW.

The Landscape Administrator shall be responsible for the review and approval of all requests for tree removal permits submitted in accordance with the requirements specified herein.

(A) *Deferrals.* The Landscape Administrator may defer the approval of a tree removal permit to the Tree Board for any reason. All decisions made by the Tree Board shall be final.

(B) *Appeals.* Any decision made by the Landscape Administrator may be appealed to the Tree Board. All decisions made by the Tree Board shall be final.

(Ord. 1220, passed 7-27-98)

§ 99.17 SUBMITTAL REQUIREMENTS.

The Landscape Administrator shall establish administrative procedures necessary to facilitate the implementation and enforcement of this chapter.

(A) *Tree removal permit.* A request for a tree removal permit must be submitted and approved prior to the removal of any protected tree in the city unless the tree is exempt under a provision of this chapter.

(B) *Fees.* All tree removal permits shall be accompanied by a payment made to the city in the amount specified by City Council.

(C) *Required documents.* Either a transparency or tree survey shall be required as determined by the Landscape Administrator and must include the items referenced in this chapter and its appendices.

(D) *Permit expiration.* Permits for tree removal issued in connection with a building permit or site plan shall be valid for the period of that building permit's or site plan's validity. Permit(s) for tree removal not issued in connection with a building permit or a site plan shall become void 180 days after the issue date on the permit.

(Ord. 1220, passed 7-27-98)

§ 99.18 ACTION ON PERMIT APPLICATION.

The Landscape Administrator or the Tree Board shall grant a tree removal permit based on the following criteria:

(A) Whether or not a reasonable accommodation or alternative solution can be made to accomplish the desired activity without the removal of the tree.

(B) The cost of preserving the tree.

(C) Whether the tree is worthy of preservation depending on the individual characteristics of the tree.

(D) The effect of the removal on erosion, soil moisture, retention, flow of surface waters and drainage systems.

(E) The need for buffering of residential areas from the noise, glare and visual effects of nonresidential uses.

(F) Whether the tree interferes with a utility service.

(G) Whether the proposed tree replacement pursuant to the tree replacement requirements hereof adequately mitigates the removal of the tree.

(H) Whether the removal affects the public health, safety or welfare.

(Ord. 1220, passed 7-27-98; Am. Ord. OR-1785-10, passed 9-13-10)

REGULATIONS

§ 99.30 CLEAR CUTTING.

The clear cutting of land as defined in this chapter is prohibited.

(Ord. 1220, passed 7-27-98) Penalty, see § 99.99

§ 99.31 SELECTIVE THINNING.

The removal of selected trees from within a densely forested area when done in a professionally accepted manner shall be allowed as a single permit upon approval by the Landscape Administrator. Approval will only be granted when the Landscape Administrator determines that the selective thinning is being done in a manner that would enhance the environment and likelihood of survival for the remaining trees.

(Ord. 1220, passed 7-27-98) Penalty, see § 99.99

§ 99.32 GROUND LEVEL CUTS.

Where protected tree removal is allowed through exemption or by tree removal permit and the root system is intertwined with protected trees which are intended to be saved, the tree shall be removed by flush cutting with the natural level of the surrounding ground. Where stump removal is also desired, stump grinding shall be allowed, or upon approval of the Landscape Administrator, a trench may be cut between the two trees sufficient to cut the roots near the tree to be removed, thereby allowing removal of the remaining stump without destruction of the root system of the saved tree.

(Ord. 1220, passed 7-27-98)

§ 99.33 NEW DEVELOPMENTS.

All developments which have not submitted final construction plans as of the effective date of this chapter shall be subject to the requirements for tree protection and replacement specified as follows.

(A) *Residential developments.* All areas within street right-of-ways, utility or drainage easements as shown on an approved final plat and areas designated as cut/fill on the master construction plan approved by the Landscape Administrator shall be exempt from the tree protection and replacement requirements specified herein. The developer may request the Landscape Administrator to allow trees within potential building pad areas be included in the exemption described herein. All other area shall be subject to these requirements.

(B) *Non-residential development.* All area within street right-of-ways, public utility or drainage easements as shown on an approved final plat, area designated as cut/fill on the master construction plan approved by the Landscape Administrator, plus fire lanes, parking areas and building pad as shown on an approved construction plan shall be exempt from the tree protection and replacement requirements specified herein.

(C) *Gas well drilling and production facilities/natural gas pipelines.* Facilities constructed for gas well drilling and production, such as drill sites, operation sites, compressor stations, frac ponds and access roads, and natural gas pipelines and their related surface appertances, shall not be exempt from the tree protection and replacement requirements of this chapter.

(D) *Permit requirements.* A tree-removal permit shall not be required for removal of a protected tree within an area noted in divisions (E)(1) and (E)(2) below, however a permit must be obtained prior to the removal of any other protected tree on the property.

(E) *Landscape Administrator review.*

(1) *Residential development.* A developer shall be required to furnish a digital copy of the proposed development showing all proposed improvements (e.g. right-of-ways, easements, lot patterns, cut/fill, etc.) with the submittal of a site plan, development plan, preliminary plat, or final plat, whichever occurs first. The digital copy shall use the North American Datum 1983 (NAD 83), Texas State Plane - North Central Zone (4202), United States, and providing a scale factor if a surface survey is used. The Landscape Administrator is authorized to require a tree survey meeting the requirements of Appendix D herein when determined to be needed to fully evaluate the impact on trees.

(2) *Non-residential development.* A developer shall be required to furnish a digital copy of the proposed development showing all proposed improvements (e.g. right-of-ways, easements, lot patterns, cut/fill, fire lanes, parking areas and building pads, etc.) with the submittal of a site plan, development plan, construction plan, plot plan or building permit application, whichever occurs first. The digital copy shall use the North American Datum 1983 (NAD 83), Texas State Plane - North Central Zone (4202), United States, and providing a scale factor if a surface survey is used. The Landscape Administrator is authorized to require a tree survey meeting the requirements of Appendix D herein when determined to be needed to fully evaluate the impact on trees.

(3) It is highly recommended that the developer consult with the Landscape Administrator and submit the required transparency or survey for review as early as possible so as to minimize changes in preliminary or final plats and to determine that there is adequate area for the proposed improvements after tree protection and replacement have been taken into consideration.

(4) The Landscape Administrator will evaluate the required transparency, survey or plan to determine that the developer has made a best good-faith effort at saving as many protected trees as possible. The Administrator will forward review comments to the Planning and Zoning Commission for consideration regarding denial or approval of the development. If the review involves a document that normally does not require the approval of the Planning & Zoning Commission, the Administrator will follow the procedures in division (E)(1) herein.

(F) *Parking area.* When a non-residential development consists of extra parking spaces beyond 110% of the minimum parking spaces required by the Zoning Ordinance, the developer shall be required to replace a percentage of the trees removed or make a payment into the Tree Restoration Fund. The replacement trees shall be calculated by multiplying the total diameter of trees removed in all parking spaces by the percentage of said extra parking spaces to the total number of parking spaces (i.e. total diameter of trees removed x extra parking spaces ÷ total parking spaces). The replacement trees shall be provided in accordance with § 99.37.

(Ord. 1220, passed 7-27-98; Am. Ord. OR-1785-10, passed 9-13-10)

§ 99.34 PRIVATE PROPERTY.

(A) *Homestead.* The owner of property which is used for an individual residence or homestead shall be exempt from the tree protection and replacement requirements specified herein.

(B) *Property owned by home builder.* All areas within the building pad, driveway, sidewalks, patios, septic tank and lateral lines, parking area, pool and associated deck area as shown on a plot plan approved by the Landscape Administrator shall be exempt from the tree protection and replacement requirements specified herein. All other area of the lot shall be subject to these requirements.

(1) *Permit requirements.* A tree removal permit shall not be required for removal of a protected tree within an area noted above; however a permit must be obtained prior to the removal of any other protected tree on the property.

(2) *Landscape Administrator review.* A transparency showing all proposed improvements shall be required with the submittal of a building permit application. The transparency shall be on a sheet drawn to a scale as required by the Landscape Administrator or on a computer disk in the format of a commonly used Computer-Aided Design (CAD) program. The Landscape Administrator is authorized to require a tree survey meeting the requirements of Appendix D herein when determined to be needed to fully evaluate the impact on trees.

(C) *Agricultural property.* The owner of property being actively used for agricultural purposes shall be permitted to remove up to seven protected trees per calendar year without obtaining a permit. Protected trees removed in excess of seven will require permits. It is not the intent of this chapter to prohibit the clearing of land for legitimate, agricultural use. The property owner shall request the Landscape Administrator to make an on-site inspection of the property to be cleared and provide the Landscape Administrator the purpose and reason for the clearing. If the Landscape Administrator determines the clearing of land to be for a legitimate, agricultural reason, he/she will issue a tree removal permit.

(Ord. 1220, passed 7-27-98) Penalty, see § 99.99

§ 99.35 MUNICIPAL/PUBLIC DOMAIN PROPERTY, RIGHTS-OF-WAY AND EASEMENTS.

All construction and maintenance activities within municipal/public domain property, public right-of-ways or public easements by the city or franchise utility companies shall be subject to the requirements for tree protection and replacement specified herein.

(A) *Removal of protected trees.* A tree removal permit shall not be required for removal of a protected tree. Pruning activities by a utility shall be governed by the provisions of § 99.39.

(B) *Tree Board responsibilities.* The Tree Board is authorized to study, investigate, counsel and develop and/or update periodically, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees in parks, along streets and in other public areas. When adopted by the City Council, such plan shall represent the comprehensive tree plan for the city.

(C) *Acceptable trees.* The Landscape Administrator shall maintain a list of trees acceptable for planting along streets, within parks or other public areas. Trees other than those listed as acceptable may only be planted upon approval of the Landscape Administrator.

(D) *Street tree spacing.* The spacing of street trees shall be in accordance with recommendations of the Landscape Administrator. Closer spacings or group plantings may be approved by the Landscape Administrator in unique situations and when recommended by a registered landscape architect.

(E) *Public tree care.* The city shall have the right to plant, prune, and maintain street trees and park trees within the lines of all streets, alleys, avenues, lanes, squares, and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public properties. The city may remove or cause or order to be removed any tree or part thereof, which is in an unsafe condition, or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or which is affected with any injurious fungus, insect or other pest.

(Ord. 1220, passed 7-27-98; Am. Ord. OR-1785-10, passed 9-13-10) Penalty, see § 99.99

§ 99.36 EXCEPTIONS.

A tree removal permit and tree protection and replacement requirements shall not be required under any of the following circumstances. The burden of proof as a qualified exemption is upon the remover of a tree. It is highly recommended that qualification as an exemption be determined with the Landscape Administrator prior to removal of any tree.

(A) *Preexisting conditions.* All construction activities for which final construction plans and building permit applications have been submitted prior to the effective date of this chapter shall be exempt.

(B) *Diseased trees.* The tree is diseased, damaged beyond the point of recovery or in danger of falling as determined by the Landscape Administrator prior to the removal of the tree. The removal of a diseased tree by the city or an individual is required to reduce the chance of spreading the disease to adjacent healthy trees.

(C) *Public safety.* The tree endangers the public health, welfare or safety and immediate removal is required.

(D) *Utility service interruption.* The tree has disrupted a public utility service due to a tornado, storm, flood or other act of God. Removal shall be limited to the portion of the tree reasonably necessary to reestablish and maintain reliable utility service.

(E) *Landscape nursery.* All licensed plant or tree nurseries shall be exempt from the requirements of this chapter as they pertain to those trees planted and growing on the premises of the licensee that are so planted and growing for the sale or intended sale to the general public in the ordinary course of the licensee's business.

(Ord. 1220, passed 7-27-98)

§ 99.37 TREE REPLACEMENT REQUIREMENTS.

(A) *Tree replacement.* In the event that it is necessary to remove a protected tree as specified in §§99.33 through 99.35, the party (other than franchise utility companies) removing the tree shall be required to replace the protected trees being removed with quality trees approved by the Landscape Administrator. A sufficient number of trees shall be planted to equal or exceed the diameter (measured at four and one-half inches above ground level) of each tree removed. This mitigative measure is not meant to supplant good site planning. Tree replacement will be considered only after all design alternatives which could save more existing trees have been evaluated and reasonably rejected. Said replacement trees shall be a minimum of three-and-a-half inch diameter (measured at one foot above ground) and seven feet in height when planted.

(B) *Replacement procedures.* At the time of review, the agent responsible for replacement, the time of replacement and the location of the new trees will be determined by the Landscape Administrator. The replacement trees shall be located on the subject site whenever possible. However if this is not feasible, the Landscape Administrator has the authority to allow the planting to take place on another property, including public property. Franchise utility companies shall be exempt from this requirement. If the Landscape Administrator approves the planting of replacement trees more than 30 days after the removal of protected trees, the applicant shall provide the Landscape Administrator with an affidavit that all replacement trees will be planted within six months. Any replacement tree required by this chapter must be covered by a one-year warranty that is acceptable to the Landscape Administrator.

(C) *Tree Reforestation Fund.* In a densely forested area, the applicant, upon approval of the Landscape Administrator, may make a payment into the Tree Reforestation Fund in lieu of planting the replacement tree on the subject site. The funds shall be used for: purchasing and planting trees on

public property; acquiring wooded property which shall remain in a naturalistic state in perpetuity; and any irrigation, administrative and other costs incurred by the city while pursuing the activities described herein and other activities in support of tree planting, preservation and maintenance, and the general purpose and intent of this chapter. The amount of the payment required for each replacement tree shall be calculated based on a schedule published periodically by the Landscape Administrator which sets forth the average cost of a quality tree added to the average cost of planting a tree.

(Ord. 1220, passed 7-27-98; Am. Ord. OR-1785-10, passed 9-13-10) Penalty, see § 99.99

§ 99.38 TREE PROTECTION.

A major purpose of this chapter is to protect all protected trees which are not required to be removed to allow approved construction to occur. The following procedures are required.

(A) *Construction plan requirements.* All construction plans shall include the requirements noted in Appendix E.

(B) *Prohibited activities.* The following activities shall be prohibited within the limits of the critical root zone of any protected tree subject to the requirements of this chapter.

(1) *Material storage.* No materials intended for use in construction or waste materials accumulated due to excavation or demolition shall be placed within the limits of the critical root zone of any protected tree. However, this restriction shall not apply to material storage in areas exempt from the tree protection and replacement requirements (for example, building pad, driveway, patio, parking lot and the like.)

(2) *Equipment cleaning/liquid disposal.* No equipment shall be cleaned or other liquids deposited or allowed to flow overland within the limits of the critical root zone of a protected tree. This includes, without limitation, paint, oil, solvents, asphalt, concrete, mortar or similar materials.

(3) *Tree attachments.* No signs, wires or other attachments, other than those of a protective nature shall be attached to any protected tree.

(4) *Vehicular traffic.* No vehicular and/or construction equipment traffic or parking shall take place within the limits of the critical root zone of any protected tree other than on an existing street pavement. This restriction does not apply to single incident access within the critical root zone for purposes of clearing underbrush, establishing the building pad and associated lot grading, vehicular traffic necessary for routine utility maintenance or emergency restoration of utility service or routine mowing operations.

(5) *Grade changes.* No grade changes shall be allowed within the limits of the critical root zone of any protected tree unless adequate construction methods are approved by the Landscape Administrator or if grading is as directed by the city's drainage inspector.

(6) *Impervious paving.* No paving with asphalt, concrete or other impervious materials in a manner which may reasonably be expected to kill a tree shall be placed within the limits of the critical root zone of a protected tree except as otherwise allowed in this chapter.

(C) *Preserved tree.* A protected tree shall be considered to be preserved only if a minimum of 75% of the critical root zone is maintained at undisturbed natural grade and no more than 25% of the canopy is removed due to building encroachment.

(D) *Prior to construction.* The following procedures shall be followed on all types of construction projects (including residential subdivisions, commercial, multi family, industrial developments, residential builders and municipal/public).

(1) *Tree flagging or marking.* Trees that are approved by the Landscape Administrator for removal shall be flagged with bright fluorescent orange vinyl tape wrapped around the main trunk or marked with bright fluorescent orange paint at a height of four feet or more such that it is very visible to workers operating construction equipment. This shall not include the flagging or marking of all protected trees adjacent to right-of-ways within approved residential subdivisions during the construction of the roadway. Trees that are not flagged or marked shall be saved and protected by fencing in accordance with the requirements in division (D)(2).

(2) *Protective fencing.* In those situations where a protected tree is so close to the construction area that construction equipment might infringe on the root system or is within 20 feet of the construction area, a protective fencing shall be required between the outer limits of the critical root zone of the tree and the construction activity area. Four feet high protective fencing shall be supported at a maximum of ten feet intervals by approved methods. All protective fencing shall be in place prior to commencement of any site work and remain in place until all exterior work has been completed.

(3) *Bark protection.* In situations where a protected tree remains in the immediate area of intended construction, the tree shall be protected by enclosing the entire circumference of the tree with 2" x 4" lumber encircled with wire or other means that do not damage the tree. The intent here is to protect the bark of the tree against incidental contact by construction equipment.

(E) *Permanent construction methods.*

(1) *Boring.* Where it is not possible to trench around the critical root zone of a protected tree, boring of utilities under the protected tree shall be required. The length of the bore shall at least be the width of the critical root zone and the depth of the bore shall at least be 24 inches.

(2) *Grade change.* In situations where the grade change within the critical root zone of a protected tree exceeds the limits noted in division (B) of this section, the procedures noted in the city standard detail sheet shall be required.

(3) *Trenching.* All trenching shall be designed to avoid trenching across the critical root zone of any protected tree. Although this section is not intended to prohibit the placement of underground services such as electric, phone, gas and the like, the placement of these utilities is encouraged to be located outside of the critical root zone of protected trees. Irrigation system trenching shall be placed outside of the critical root zone with only the minimum required single head supply line allowed within that area placed radially to the tree trunk.

(4) *Root pruning.* All roots two inches or larger in diameter which are exposed as a result of trenching or other excavation shall be cut off square with a sharp medium tooth saw and covered with pruning compound within two hours of initial exposure.

(Ord. 1220, passed 7-27-98) Penalty, see § 99.99

§ 99.39 TREE PRUNING RESTRICTIONS.

(A) *General.* No protected tree should be pruned in a manner which significantly disfigures the tree without proper cause or in a manner which would reasonably lead to the death of the tree. All pruning shall be conducted in accordance with universally accepted arboricultural standards and the regulations contained in this chapter.

(B) *Permit requirements.* All franchise utility companies shall be required to maintain at the city a set of pruning specifications (updated annually) to be followed by all pruning contractors working for the company within the city. Prior to beginning any pruning not requested by the owner of the tree, the contractor for a non-franchise entity shall submit to the city an application for a pruning permit for approval. Utility companies may prune trees as necessary to maintain safe and reliable service or to re-establish disrupted electric service without obtaining a permit. Prior notification of any pruning activity shall be given to the city within 72 hours of work commencing.

(C) *Allowed pruning.* The Landscape Administrator may approve pruning of a protected tree in cases where protected trees must be strategically pruned to allow construction or demolition of a structure. When allowed, all pruning shall be in accordance with § 99.38(C), approved Arboricultural techniques and the recommendations of Appendix F. This section is not intended to require a tree permit for reasonable pruning performed or contracted to be performed by the owner of the tree when unrelated to construction activity.

(D) *Required pruning.* The owners of all trees adjacent to public right-of-way shall be required to maintain a minimum clearance of 14 feet above the traveled pavement or curb of a public street. Said owners shall also remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall also have the right to prune trees overhanging within public right-of-way which interfere with the proper spread of light along the street from a street light or interfere with visibility of any traffic control device or sign or as necessary to preserve the public safety.

(E) *Tree topping.* It shall be unlawful as a normal practice for any person, firm or city department to top any street tree, park tree or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this chapter at the determination of the Landscape Administrator.

(Ord. 1220, passed 7-27-98; Am. Ord. OR-1785-10, passed 9-13-10) Penalty, see § 99.99

§ 99.40 TREE PLANTING RESTRICTIONS.

(A) *Overhead lines.* Any required replacement trees shall not be planted within an area such that the mature canopy of the tree will be within ten feet of overhead utility lines.

(B) *Proximity to utilities.* Any required replacement trees or street trees shall not be planted within five feet of electrical facilities (underground or surface), public utility lines, including water lines, sewer lines, transmission lines or other utilities. No trees shall be planted within ten feet of a fire hydrant. Shrubs will be permitted outside of the minimum clearance of surface electrical facilities established by the franchise electrical company.

(C) *Street corners.* No street tree shall be planted closer than 25 feet of any street corner, measured from the point of nearest intersecting curbs or curblines.

(Ord. 1220, passed 7-27-98) Penalty, see § 99.99

ADMINISTRATION AND ENFORCEMENT

§ 99.50 ADDITIONAL DUTIES AND AUTHORITIES OF THE TREE BOARD.

The Tree Board shall have the responsibility to review and grant a tree removal permit for the following land use:

(A) Any public or recreational use that is deemed acceptable to the Tree Board.

(B) Any private use that is deemed acceptable to the Tree Board that usually requires large areas of open space.

(C) In granting the tree removal permit, the Tree Board is authorized to impose whatever conditions of approval that is deemed necessary by the Tree Board.

(Ord. 1220, passed 7-27-98)

§ 99.51 BUILDING PERMIT.

No building permit shall be issued unless the applicant signs an application or permit request which states that all construction activities shall meet the requirements of this chapter. The Building Official shall make available to the applicant a copy of this chapter or a condensed summary of the relevant aspects pertaining to the type of permit requested.

(Ord. 1220, passed 7-27-98)

§ 99.52 ACCEPTANCE OF IMPROVEMENTS.

No acceptance of public improvements shall be authorized until all fines for violations of this chapter have been paid to the city or otherwise disposed of through the Municipal Court. No acceptance of public improvements shall be authorized until all replacement trees have been planted or appropriate payments have been made to the Tree Reforestation Fund.

(Ord. 1220, passed 7-27-98)

§ 99.53 CERTIFICATE OF OCCUPANCY.

No certificate of occupancy shall be issued until all fines for violations of this chapter have been paid to the city or otherwise disposed of through the Municipal Court. No certificate of occupancy shall be issued until all replacement trees have been planted or appropriate payments have been made to the Tree Reforestation Fund.

(Ord. 1220, passed 7-27-98)

§ 99.54 FISCAL SECURITY.

Notwithstanding the provisions of §§ 99.51 through 99.53, public improvements may be accepted and certificate of occupancy may be issued before all trees have been replaced if a fiscal security is posted in an amount equal to the prevailing rate for installed trees with a one year guarantee, plus 15% to cover administrative costs.

(Ord. 1220, passed 7-27-98)

§ 99.98 VIOLATIONS.

It shall be deemed a violation of this chapter for any person or firm to engage in the business or occupation of pruning, treating or removing street or park trees within the city without first procuring approval from the Landscape Administrator.

(Ord. 1220, passed 7-27-98) Penalty, see § 99.99

§ 99.99 PENALTY.

(A) Any person, firm, corporation, agent or employee thereof who violates the provisions of §§ 99.15 and 99.33 through 99.36 this chapter shall be guilty of a misdemeanor and upon conviction hereof shall be fined not to exceed \$300 per diameter inch of the tree(s) removed or damaged.

(B) Any person, firm, corporation, agent or employee thereof who violates any other provisions of this chapter shall be guilty of a misdemeanor and upon conviction hereof shall be fined not to exceed \$500 for each incident. The unlawful injury, destruction or removal of each protected tree shall be considered a separate incident and each incident subjects the violator to the maximum penalty set forth herein per tree.

(Ord. 1220, passed 7-27-98; Am. Ord. OR-1785-10, passed 9-13-10)

APPENDIX A

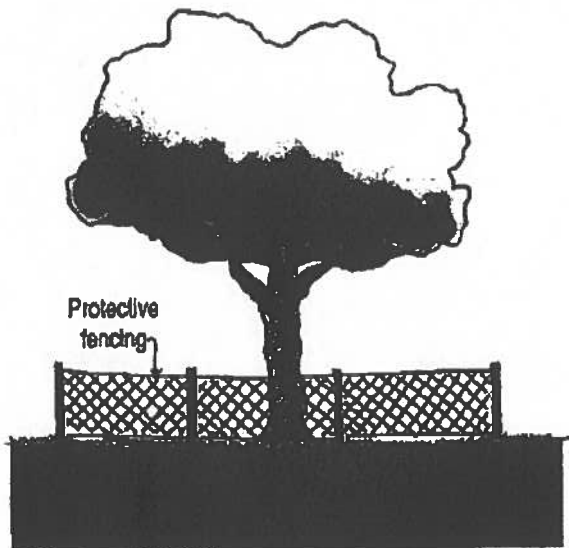
[\[Click here to view appendix.\]](#)

APPENDIX B

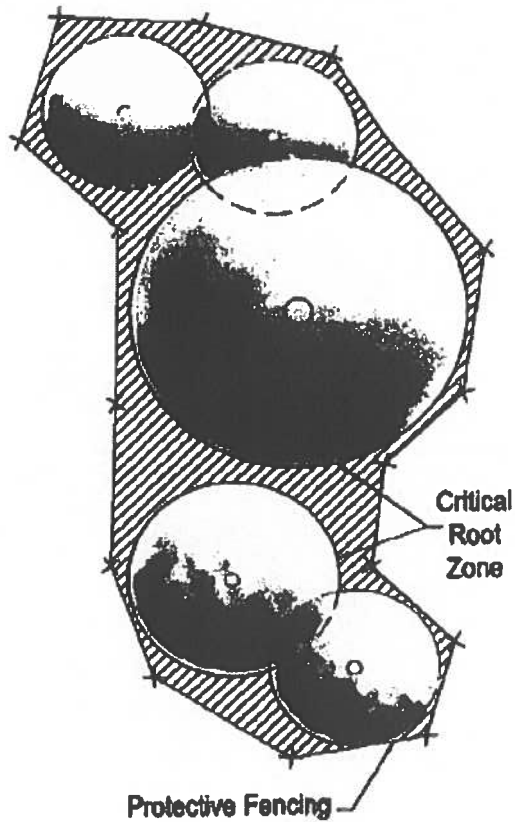
[\[Click here to view appendix.\]](#)

APPENDIX C

Tree Protection Detail



Protection Detail for a single tree



Protection Detail for multiple trees

(Ord. 1220, passed 7-27-98; Am. Ord. OR-1785-10, passed 9-13-10)

APPENDIX D

List of Items Required on Tree Survey

1. Appropriate title (for example, Tree Removal Exhibit or Tree Survey)
2. Title block which includes street address, lot and block, subdivision name, city and date of preparation.
3. North arrow, graphic and written scale in close proximity.
4. Scale at a size no larger than 1"=100' for residential development; scale to be determined by the Landscape Administrator for nonresidential and home building activities.
5. Name, address and phone of owner and person preparing the document.
6. Location of all right-of-way lines and public easements.
7. Location of all buildings, structures, pools, parking and other improvements which are existing or intended on the lot.
8. Areas of cut/fill with amount of each shown and flow lines shown.
9. Existing and proposed spot elevations, grades and major contours, along with existing landscaping, streams, ponds and major natural features.
10. Areas of no disturbance labeled as "No Disturbance Area." This area must be clearly marked on the plan and surrounded with protective fencing on the ground. A single incidence removal of underbrush and vines is allowed.¹
11. All protected trees shown individually on the plan.² Canopy Trees six inches or greater in size and Understory Trees two inches or greater in size. Trees in close proximity that all have a caliper of less than four inches may be designated as a group of trees with quantity of quality, marginal and understory trees shown. (See Appendix C)
12. The location of protected trees must be tied by horizontal control (including dimensions from lot lines or placed through coordinates determined via survey.)
13. All protected trees shown with diameter (four and one-half feet from the ground), common name and condition.
14. Any proposed replacement trees shown with caliper size, common name of tree and mature size.
15. Graphic representations distinguishing protected trees that will be saved versus those that will be removed.
16. Phasing of tree survey along with phasing of the development is permitted.

Notes:

- ¹ The Landscape Administrator shall have the authority to designate areas as "no disturbance" areas where a survey would not be required due to no intended construction.
- ² An area may be designated as a "No Disturbance Zone" on the plan when approved by the Landscape Administrator and trees within that zone are not required to be individually identified on the plan.
- ³ The Landscape Administrator shall have the authority to exempt any of the above items that he/she deems to be not applicable.

(Ord. 1220, passed 7-27-98)

APPENDIX E

Construction Plan Requirements

The following shall be required as a part of all construction plans submitted to the city when tree removal or tree protection is required during any phase of site work or construction.

1. A Tree Preservation Detail Sheet shall include the following at a minimum.
 - a. The requirements of § 99.38 (B) through (D) shall be noted.
 - b. A graphics legend to be used throughout the plans for the purposes of showing the following: trees to be flagged, protective fencing, trees requiring bark protection, boring, areas of cut and fill impacting protected trees.
 - c. Graphic tree exhibit showing the features of a tree to include the critical root zone, trunk, canopy, drip line and method of diameter measurement (per Appendices A & B).
 - d. Graphic exhibits showing methods of protection to include snow fences, boarded skirts and the like.
 - e. Graphic exhibits showing construction methods to include grade changes, boring, trenching and the like.
 - f. Graphic exhibit showing appropriate pruning practices (per Appendix F).
2. All practices which will be employed in meeting the requirements of this chapter shall be shown graphically on all applicable sheets within the construction plans.
3. Documents as required in Appendix D herein.

(Ord. 1220, passed 7-27-98)

APPENDIX F

[\[Click here to view appendix.\]](#)



CITY OF
Savannah

LANDSCAPE AND TREE PROTECTION ORDINANCE

March 16, 2017

Savannah, Georgia, Code of Ordinances

DIVISION II - CODE OF GENERAL ORDINANCES

Part 8 – PLANNING AND REGULATION OF DEVELOPMENT

CHAPTER 11. - LANDSCAPE AND TREE PROTECTION ORDINANCE

8-11001. - Title.

8-11002. - Jurisdiction.

8-11003. - Purpose.

8-11004. - Definitions.

8-11005. - General Provisions.

8-11006. - Permit Application Requirements.

8-11007. - Tree Protection Requirements.

8-11008. - Design Requirements.

8-11009. - Requirements for Certificate of Occupancy, Maintenance and Perpetual Compliance.

8-11010. - Variance and Appeal Procedures.

8-11011. - Notice of Violation; Remediation and Stop Work.

8-11012. - Penalties for Violation.

8-11013. - Abrogation and Greater Restrictions; Severability.

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Sec. 8-11001. - Title.

This chapter shall be known and cited as the "Landscape and Tree Protection Ordinance for the City of Savannah, Georgia."

(Ord. of 3-16-2017)

Sec. 8-11002. - Jurisdiction.

The provisions of this chapter shall apply to all lands within the city.

(Ord. of 3-16-2017)

Sec. 8-11003. - Purpose.

The purposes of this chapter are to:

- (1) Protect and maintain the urban forest by managing the impact of development.
- (2) Preserve the environmental and aesthetic assets of the community by requiring tree planting and landscaping for development.
- (3) Provide protection from removal for all trees, without a permit, within the city unless exempted.

(Ord. of 3-16-2017)

Sec. 8-11004. - Definitions.

For the purposes of this chapter, certain words or terms shall be defined as follows. Words not defined in this section shall be interpreted so as to give them the meaning they have in common usage and to give these regulations their most reasonable application. Words used in the singular shall include the plural, and the plural the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," and "occupied for."

Administrator. The City Manager for the City of Savannah or designee.

Arboriculture – The cultivation, management, and study of individual trees, shrubs, vines and other perennial woody plant material. The science of arboriculture studies how these plants grow and respond to cultural practices and to their environment. The practice of arboriculture includes cultural techniques such as selection, planting, training, fertilization, pest and pathogen control, pruning, shaping, and removal.

Arborist. An individual trained in the art and science of planting, caring for, and maintaining individual trees.

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Buffer. Any visual buffer or screening required by section 8-3066 or any other pertinent section of the city zoning regulations.

Caliper. The diameter or thickness of the main stem of a young tree or sapling as measured at six inches above ground level. This measurement is used for nursery-grown trees having a diameter of four inches or less.

Canopy Tree. A tree that will grow to a mature height of at least 40 feet with a spread of at least 30 feet. The park and tree department will maintain a list of acceptable canopy trees.

Clearing. The removal of trees or other vegetation of two inches dbh or greater.

Critical Root Zone. The minimum area surrounding a tree that is considered essential to support the viability of the tree and is equal to a radius of one foot per inch of trunk diameter (dbh).

Development. The act, process or state of erecting buildings or structures, or making improvements to a parcel or tract of land.

Diameter at Breast Height (dbh). The diameter or width of the main stem of a tree as measured 4.5 feet above the natural grade at its base. Whenever a branch, limb, defect or abnormal swelling of the trunk occurs at this height, the diameter at breast height (dbh) shall be measured at the nearest point above or below 4.5 feet at which a normal diameter occurs.

Exceptional Tree. Any hardwood canopy tree over thirty six (36) inches in diameter, softwood tree species over thirty (30) inches in diameter or understory tree species over 8 inch diameter designated, as provided for in this chapter, to be of notable historic interest, high aesthetic value, or of unique character because of species, type, age, or size.

Greenspace. Any area retained as permeable unpaved ground and dedicated on the site plan to supporting or preserving vegetation.

Greenspace Plan. A map and/or supporting documentation which describes for a particular site where vegetation (greenspace) is to be retained or planted in compliance with these regulations. The greenspace plan shall include a tree establishment plan, or a tree protection plan, and a landscape plan.

International Society of Arboriculture (ISA). An international organization which promotes the professional practice of arboriculture and fosters a greater worldwide awareness of the benefits of trees through research, technology, and education.

City of Savannah Landscape and Tree Protection Ordinance

Landscape Plan. A map and supporting documentation which describes for a particular site where vegetation is to be retained or provided in compliance with the requirements of this chapter. The landscape plan shall include any required buffer elements.

Landscape Quality Point. A unit of measurement which quantifies the relative value of small trees, shrubs and ground cover which are planted or retained on a given site.

Native Tree. Any tree species which occurs naturally and is indigenous within the region.

Plot Plan. A map and supporting documentation which describes for a particular site where the building(s), driveway, utility corridors and easements are to be located and where greenspace is to be retained or planted in compliance with these regulations.

Preliminary Plan. A plan which shows the proposed design for a commercial project or subdivision as specified in the city subdivision regulations.

Protected Tree. Any tree within the City of Savannah in which a permit is required for removal.

Quality Points Factor. A decimal fraction that is assigned to each tree species in the tree lists and is used as a multiplier in calculating the tree quality points for any tree retained on a site.

Set-asides. A piece of land dedicated to greenspace space by the developer or owner. Examples of set-asides include wetlands, parkland, recreation areas, medians of boulevards, etc.

Shrub. Any self-supporting, woody, perennial plant that usually produces several branches without any distinct head and usually does not exceed ten to fifteen feet in height at maturity.

Sketch Plan. A conceptual layout for a subdivision as specified in the city subdivision regulations.

Species Diversity. A planting or retention of diverse tree species on a site or within the community to prevent dominance by any single type of tree. The purpose of this diversity is to prevent the destruction of the entire urban forest in the event of disease or pestilence.

Specimen Tree. Any preferred large canopy tree species, as outlined in the Landscape and Tree Protection Ordinance Manual, that is over twenty four (24) inches in diameter at breast height (dbh).

Tree. A self-supporting, woody, perennial plant that usually produces a main stem or trunk with a definitely formed crown of foliage and a minimum height of ten (10) feet at maturity.

Tree Easement. An easement not less than ten (10) feet in width and not in conflict with any other planning requirements under the zoning and subdivision regulations for the planting and

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establishment of canopy trees within single-family subdivisions, exclusive of utility, drainage or other easements. Administrative approval is required for easements greater than ten feet in width.

Tree Establishment Plan. A map and supporting documentation which describes, for a particular site where existing trees are to be planted in compliance with the requirements of these regulations, the types of trees and their corresponding tree quality points.

Tree Fund. The city tree protection escrow fund, established to receive funds paid in lieu of required tree quality points, or for compensation for damage or removal of city-owned trees.

Tree Lawn. The linear space between the back of curb and sidewalk for planting trees, flowers, grass and shrubs. Tree lawns may be existing, reclaimed or newly developed. Because they are set aside for landscaping, tree lawns shall not be used for ornaments, fencing, lighting, artwork, or parking.

Tree Protection Plan. A map and supporting documentation which describes, for a particular site, where existing trees are to be retained in compliance with the requirements of these regulations, the types of trees and their corresponding tree quality points.

Tree Protection Zone. The area surrounding a preserved or planted tree that is essential to that tree's health and survival, and is protected within the guidelines of these regulations.

Tree Quality Point (TQP) A unit of measurement which quantifies the relative value of trees that are planted or retained on a given site. Tree quality points quantitatively express the desirable qualities of the species with regards to size for each tree that is retained on a site. For planted trees, tree quality points are an expression of species desirability and the expected mature size of each tree.

Tree Well. The opening in the sidewalk used for tree planting. It is usually smaller than a tree lawn, and is often used when the physical space between a building façade or the stoop of a building and the back of the curb remains after incorporating an ADA-compliant sidewalk does not allow sufficient space for a tree lawn. Like tree lawns, tree wells may either be existing, reclaimed or newly developed. Because they are set aside for landscaping, tree wells shall be used only for trees and no other objects, or parking.

(Ord. of 3-16-2017)

Sec. 8-11005. - General Provisions.

- (1) *Chapter Administration.* The City Manager or designee shall administer the provisions of this chapter.

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- (2) *General Protection of Trees on City Rights-of-Way*
- (a) Unless otherwise permitted by an applicable city permit or license, no person shall trim, prune, or remove any tree on public property without procuring the written approval of the administrator.
 - (b) No person shall plant any tree or shrub on the right-of-way without written approval, or without meeting the requirements for such planting published by the administrator.
 - (c) No person shall cause damage to trees on rights-of-way or other public property. Damage is defined as cutting, carving, attaching any rope, wires, nails, signs, or other object to any such tree; or allowing any harmful gas, liquid, or solid substance to contact any tree; or to set fire or permit any fire to burn which may injure any portion of any tree; or causing unnecessary harm to tree roots through construction activities, vehicle parking, or material storage.
 - (d) Any removal or damage to trees on rights-of-way is subject to compensation to the city as provided in section 8-11007 or section 8-11012.
- (3) *Permit Required for Tree Removal.* Except as provided in this chapter, a property owner shall not clear (as defined in section 8-11004) or permit the clearing of property or the removal of any tree without first obtaining a clearing permit as provided for in section 8-11006.
- (4) *Protected Trees.* The following trees are protected within the City of Savannah and shall not be removed unless a permit has been approved or the requirement waived.
- (a) On undeveloped property, any tree greater than two inches diameter at breast height (dbh).
 - (b) On developed property, any tree equal to or greater than 12 inches diameter at breast height (dbh), except for single-family residential lots.
 - (c) Any tree retained for the purpose of Tree Quality Points or greenspace requirements.
 - (d) Any tree planted for the purpose of Tree Quality Points.
 - (e) Any tree in a wetland.
 - (f) Any tree designated as a "Specimen Tree" or an "Exceptional Tree."

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- (5) *Exemptions.* The following are exempted from compliance with the permitting requirements of this chapter:
- (a) Utility easements for power lines, pipelines, or similar facilities, except where such utilities cross tree easements, set-asides or natural buffers.
 - (b) Those portions of airports and heliports which require clear areas for safety purposes, including runways and taxiways, approach and departure clear zones.
 - (c) Land currently zoned and used for agricultural purposes for the duration of such use, provided that property rezoned for purposes other than agriculture shall be subject to the requirements in section 8-11007.
 - (d) Residential Lots with an existing single family or duplex until such time it is converted to a non-residential or multi-family use.
 - (e) Any tree determined by an ISA Certified Arborist to be hazardous or an imminent threat to public safety. A tree assessment must be submitted in writing to the administrator for approval prior to removal.
- (6) *Tree/Landscape Quality Points Required.*
- (a) A total of not less than 1,600 Tree Quality Points per acre is required for any parcel of land developed and may include existing trees retained and new trees planted.
 - (b) A total of 400 Landscape Quality Points per acre is required for commercial, industrial, institutional and multifamily developments.
 - (c) A total of 1200 Tree Quality Points per acre is required to be located within any parking area included in a commercial, industrial or multifamily development. The trees planted to meet these Tree Quality Points may also be used toward meeting the overall 1,600 Tree Quality Points per acre.
 - (d) Any site that is proposing a building addition or other improvements over existing developed, non-vegetated, impervious area, requiring submittal of a site plan, shall comply with the Tree and Landscape Quality Point requirements for only the portion of the site affected by the addition or improvement.
- (7) *Landscape and Tree Protection Ordinance Manual.* The city Landscape and Tree Protection Ordinance Manual is hereby adopted by reference. All land clearing, tree protection, tree

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establishment and landscaping shall be done in a manner consistent with the provisions contained in said manual.

- (8) *Establishment of a Tree Fund.* There is hereby created a city tree escrow fund for the purpose of receiving money paid to the city in lieu of required Tree and Landscape Quality Points, or for compensation for damage or removal of city-owned trees. The fund will be used by the city to purchase, plant, and maintain trees or landscaping on public rights-of-way, easements, or other public property.
- (9) *Designation of a Specimen Tree.* A tree located on commercial, industrial, institutional or multifamily property may be designated as a "Specimen Tree" if it is found by the administrator to meet the following criteria: preferred large canopy tree species, as outlined in the Landscape and Tree Protection Ordinance Manual; over twenty four (24) inches in diameter at breast height (dbh); normal proportion, characteristics and attributes for its size and species; free of disease, pest or injury; and has a life expectancy of at least 10 years. Any tree designated as a "Specimen Tree" shall be deemed desirous of preservation by the City of Savannah and given a quality points factor of two (2.0) when calculating its preserved Tree Quality Points. If a Specimen Tree cannot be properly preserved and must be removed then an additional amount of large preferred trees at the rate of one (1) tree per inch diameter over twenty four (24) will be required of the developer. These additional trees shall be planted on site as space allows and are to be in addition to the trees necessary to meet the required Tree Quality Points. Any remaining trees which cannot be located on site may either be planted off site or met through a payment to the Tree Fund, as approved by the administrator
- (10) *Designation of an Exceptional Tree.* Any hardwood canopy tree over thirty six (36) inches in diameter, softwood tree species over thirty (30) inches in diameter or understory tree species over 8 inch diameter at breast height (dbh) located on commercial, industrial, institutional or multifamily property may be designated as an "Exceptional Tree" and will thereafter be considered a public landmark and shall not be destroyed or endangered.
 - (a) *Procedure.* A tree may be nominated by written request to the Park and Tree Director, or may be nominated by the Director. The nomination will be reviewed by the Park and Tree Commission, in conjunction with a representative of the Neighborhood Association the tree lies within, and confirmed or denied by the City Manager.
 - (b) *Criteria.* The designation of an exceptional tree shall be based upon an evaluation of the tree in relation to one or more of the following criteria:

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- i. The tree is demonstrated to have an association with a documented historical event, or is located on an historic site.
 - ii. The tree has unusually high aesthetic value.
 - iii. The tree is of unique character because of its age, species, variety, location, or because of the size and development of its crown, trunk, or main stem.
 - iv. The designation of an exceptional tree shall also meet all of the following criteria:
 - a. The tree is free of disease, pests and other serious injury.
 - b. The tree has a life expectancy of more than ten years.
 - c. The tree is free from structural defects which would present a hazard to the public.
- (c) *After Designation.* Any tree designated as an "Exceptional Tree" shall be protected from removal or encroachment on the critical root zone, and may be credited toward Tree Quality Points required by this chapter based on quality points factor of three (3.0). If any Exceptional Tree no longer meets the above criteria then a property owner may request a permit for removal from the administrator. Replacement for the loss of this tree will be based on one of the following: an approved contingency plan; additional planting of large preferred trees on site; contribution to the Tree Fund; or through other means of remediation approved by the administrator.

(Ord. of 3-16-2017)

Sec. 8-11006. - Permit Application Requirements.

- (1) *Application for Land Disturbance Activities Permits.*
 - (a) *Submission Requirements.*
 - i. *Application.* Applications for permits for land disturbance activities shall be submitted by the landowner or an authorized agent on a form provided for this purpose. Such application shall be submitted to the development services department along with all required attachments. Each land disturbance activities permit application shall include the data items, plans, and other pertinent documents. Complete applications shall be transmitted to the administrator for review. The administrator shall certify approved

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applications to the Director of Development Services for the issuance of permits.

ii. *Project Description and Plans.* Such description shall include:

- a. Purpose of the requested permit;
- b. Plan showing: existing and proposed land uses, buildings, parking, utilities, and light poles; specimen trees, exceptional trees, and existing trees over 6 inch diameter at breast height (dbh) to be preserved; landscaping to be used toward the required Tree and Landscape Quality Points, and other pertinent elements of development. Required plans are specified in sections 8-11008 and 8-11009.
- c. A boundary survey which shall include the location of all easements, building setback lines, nearby zoning district boundaries;
- d. A location map at a scale of one inch equals 1,500 feet or larger, showing the location of the property within the city.

- (b) If a permit is denied, the reason for denial shall be furnished to the applicant in writing, either electronically or by mail.
- (c) The administrator may waive the requirement for one or more of the plans listed in subsection (a), upon finding that three or fewer trees are being proposed for removal, no grading is to occur, and such removal will not be contrary to the purpose of these regulations.

(2) *Procedures for Land Disturbance Permit for Non-Residential and Multi-Family Developments.*

- (a) A predevelopment site visit shall be scheduled between the owner/agent and the administrator. This meeting may be waived by the administrator at the request of the owner.
- (b) The owner or developer shall submit the tree protection, tree establishment and the landscape plans, together with other required drawings, to the development services department for review by the administrator.

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- (c) All landscape and tree planting plans for sites over one acre shall be prepared by a registered landscape architect. Plans for sites of less than one acre may be prepared by other registered professionals with competency in landscape design.
 - (d) A preconstruction meeting shall be scheduled among the owner, agent, contractors, appropriate city staff and the administrator prior to issuance of land disturbance permits. This meeting shall establish the location of temporary buildings or trailers, temporary utilities, installation of tree protection and erosion control devices, storage of materials, etc. Forty-eight hours' notice shall be given to schedule the site visit.
 - (e) Tree protection shall be installed by the owner/agent and inspected by the administrator immediately after the issuance of a land disturbance permit.
- (3) *Procedures for Land Disturbance Permit for Street Right-of-Way, Utility and Drainage Easements in New Single-Family Residential Subdivision Development*
- (a) A land disturbance permit is required as a prerequisite for clearing rights-of-way and drainage and utility easements in a new residential subdivision.
 - (b) A predevelopment site visit shall be scheduled between the owner/agent and the administrator. This meeting may be waived by the administrator at the request of the owner.
 - (c) After approval of the sketch plan, the centerlines and rights-of-way of the proposed roadways shall be staked at 100-foot stations to enable field review by the administrator.
 - (d) The developer shall show how required tree quality points are to be met in the subdivision or phase of subdivision for which the land clearing permit is sought. This may be shown on a separate greenspace plan or on one of the other construction drawings and shall be submitted to the administrator for review. The greenspace plan shall show the total tree quality points for the site, any set-aside areas and trees to be protected and the number of required canopy trees to be provided.
 - (e) Tree protection for set-asides and/or for any existing tree proposed for tree quality points within the rights-of-way or easements where clearing is to occur shall be installed by the developer and inspected by the administrator prior to issuance of a land disturbance permit.

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- (4) *Procedures for Obtaining Land Disturbance Permit for Lots.* A land disturbance permit is required as a prerequisite for acquiring a building permit on a lot in a new residential subdivision.
- (a) A plot plan shall be submitted to the Development Services department by the building permit applicant. The plot plan shall show lot dimensions, buildings, driveways, easements, utility corridors and the location of trees to be protected and/or planted. The plot plan shall also include the species and diameter at breast height (dbh) for preserved trees, and caliper for planted trees, and a Tree Quality Point summary for all preserved and/or planted trees. The plot plan shall also show where tree protection devices are to be located with respect to trees to be preserved.
 - (b) The permit center shall forward a copy of the plot plan to the administrator for review and approval.
 - (c) A building permit applicant who owns more than one lot in the same phase of a new subdivision may aggregate or average tree quality points as long as the total tree quality points for all of the lots equals or exceeds the minimum required Tree Quality Points for the combined lots. Where the amount of required Tree Quality Points varies from the approved greenspace plan, the building permit applicant shall show how the required points shall be met on the plot plans.
 - (d) Tree protection devices around trees to be preserved, as shown on the plot plan, shall be installed by the building permit applicant and inspected by the administrator immediately after the issuance of a land disturbance permit.
- (5) *Procedures for Approval of Underbrushing.* The administrator may approve underbrushing and removal of trees or other vegetation up to four inches in diameter upon finding that:
- (a) Sufficient tree cover exists such that the removal of such trees will limit or prevent compliance with other requirements of this chapter.
 - (b) The removal of such trees is not in conflict with the purpose and intent of these regulations.
- (6) *Timber Harvesting Requirements for Property Not Zoned for Agricultural Purposes.*
- (a) *Applicability.* All properties, other than those zoned and used for agricultural activities, which propose timber harvesting or clear cutting shall comply with the following provisions.

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(b) *Procedures.*

- i. *Permits Required for Timber Harvest.* A land disturbance permit is required prior to the timber harvest.
- ii. *Plans Required for Timber Harvest.* A plan for development of the land and a harvest plan shall be submitted to the Development Services department for review and approval prior to the issuance of a land disturbance permit.
- iii. *Timber Harvest and Reforestation Plan.* The timber harvest and reforestation plan shall identify areas where trees are to be retained or planted on site, along with the density, species and Tree Quality Point value. All required buffers shall be retained or installed as per the buffer requirements in the city zoning regulations and/or any additional buffers required by the Metropolitan Planning Commission. The reforestation plan shall be prepared by a registered forester and shall be reviewed by the administrator.
- iv. *Reforestation and Tree Protection Standards.* A minimum of 1,600 Tree Quality Points per acre shall exist on the parcel after the timber harvest, utilizing one or more of the following methods:
 - a. *Residual Stands of Trees.* Tree Quality Points may be given to residual stands of trees which are existing on the site and are protected during the harvesting process.
 - b. *Buffer Areas.* Tree Quality Points may be given to trees located within buffer areas.
 - c. *Reforestation Areas.* Where the site is to be used for continual timber growth or silviculture, such land shall be considered a reforestation area. In order to comply with the provisions of this section, a tree establishment plan shall be submitted. This shall consist of the establishment of native tree seedlings using traditional forestry methods and best management practices. A minimum of 600 seedlings per acre shall be planted on the site by the end of the first planting season following the timber harvest. A minimum survival rate of 350 trees per acre will be maintained after the first complete growing season.

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- d. *Tree Establishment Plan.* If an insufficient number of Tree Quality Points are left on the site following the timber harvest, a tree establishment plan shall be submitted to the administrator showing the location of the trees to be planted, their species, size and tree quality point listing.

(Ord. of 3-16-2017)

Sec. 8-11007. - Tree Protection Requirements.

- (1) *Protection of Preserved or Planted Trees.* Tree protection zones shall be established and maintained on a site for all trees, preserved or planted, for which tree quality points are to be claimed. The following provisions apply to such zones and the trees within them:
 - (a) A tree protection plan and details shall accompany all applications for land-clearing and/or land-disturbing activities identifying where and how existing trees are to be protected during clearing and construction of the project. Such plan and details shall be approved by the administrator upon a finding that the plan adequately addresses the criteria set forth in the Landscape and Tree Protection Ordinance Activities Manual.
 - (b) The minimum dimension of the tree protection zone shall be one foot of radius per inch diameter breast height, measured from the center point of the trunk, provided that in no case shall the protection zone be less than a radius of 2.5 feet. The tree protection zone shall be surrounded, at minimum, by a four-foot temporary chain link fencing as illustrated in the city's specifications and standards and in the Landscape and Tree Protection Ordinance Activities Manual.
 - (c) If a determination is made by the administrator that 75 percent of the Tree Quality Points for a site are to be provided by one or more mature trees of greater than 30-inch diameter at breast height (dbh), a contingency planting plan shall be required. The contingency plan will indicate locations where trees can be planted for Tree Quality Point credits in the event of loss of retained trees.
 - (d) The area within any tree protection zone must remain open and unpaved. The use of perforated pavers or other surface allowing water infiltration may be allowed subject to the approval of the administrator.
 - (e) No root raking shall be allowed within any tree protection zone at any time during clearing, grading or construction of the project.
 - (f) No trenching shall be allowed within any tree protection zone at any time during clearing, grading or construction of the project.

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- (g) No vehicles shall be parked, or construction material stored or substances poured or disposed of or placed within any tree protection zone at any time during clearing or construction of the project.
- (h) No change in grade within the tree protection zone shall be allowed around existing trees except for a maximum addition of two inches of mulch unless approved by the Administrator.
- (i) To the extent possible all site work shall be planned and conducted in a manner that will minimize damage to protected trees from environmental changes such as lowered water table, altered site drainage, or any other land disturbance within or immediately adjacent to the critical root zones of the trees.
- (j) Tree wells or tree walls (islands) shall be constructed as needed to protect preserved trees from grade changes which result in changes of water supply to the tree protection zone. Adequate means for drainage of excess moisture from the tree protection zone shall be provided if tree wells or tree walls are constructed.
- (k) Any required remediation for preserved trees which have been impacted by development shall be based upon a recommendation from an International Society of Arboriculture Certified Arborist and approved by the administrator. A monitoring period of five (5) years shall be required to ensure proper treatment is being performed and that the health of the tree is recovering.

(2) *Protection of Public Trees.*

- (a) A property owner responsible for any land-disturbing activity within proximity to the critical root zone of a tree located on city property shall provide for the protection of such tree to the standards described in these regulations. All work on city rights-of-way requires a permit from the city.
- (b) A property owner responsible for a land-disturbing activity that causes damage to a tree which affects the health or growth of such tree, or requires removal of a tree, shall compensate the city for such tree loss or damage as set forth below.
 - 1. The administrator shall establish the Tree Quality Points for the removed or damaged tree. The property owner responsible for the land-disturbing activity which caused the removal or damage to such tree shall compensate the city for such tree loss or damage under one of the following options, subject to the approval of the administrator.

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- a. Plant or preserve additional trees on the development site that equals or exceeds the value of the Tree Quality Points that were assessed for the removed or damaged tree.
- b. Plant trees on adjacent city rights-of-way to equal or exceed the value of the Tree Quality Points that were assessed for the removed or damaged tree.
- c. Make payment to the tree fund assessed for the removed or damaged tree in accordance with section 8-110012.
- d. Meet any equivalent combination of the above as approved by the administrator.

2. Upon approval by the administrator of the method for compensating the city for the subject tree loss, the owner shall submit a revised tree protection and tree establishment plan which incorporates the approved tree compensation plan to the administrator for approval.

(Ord. of 3-16-2017)

Sec. 8-11008. - Design Requirements.

(1) *Non-Residential and Multi-Family Development.*

- (a) *Applicability.* Except as provided in this chapter, a greenspace plan shall be submitted for all proposed commercial, industrial or multifamily development. Such plan shall include a tree protection, tree establishment and landscape plan. Such plans shall conform to the standards and requirements of these regulations.
- (b) *Greenspace Standards.*
 - i. A minimum of 20 percent of the total land area of the development shall be devoted to greenspace.
 - ii. Sidewalks, curbing, or any other paved or impermeable surfaces within the greenspace area shall not count towards the 20 percent minimum greenspace requirement.
 - iii. For all sites of one acre or larger no more than 50 percent of trees planted shall be of the same species in order to increase species diversity.

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- iv. Existing groups of trees shall be retained wherever possible.
 - v. Show all specimen trees within the property to be developed and how they will either be preserved or mitigated.
- (c) *Parking Areas.*
- i. A minimum of 1,200 Tree Quality Points per acre in canopy trees shall be planted and/or preserved within landscaped islands and medians located between parking bays. Landscape Quality Points may also be planted in these areas.
 - ii. Canopy trees planted in parking islands shall have 400 square feet of unpaved soil for root development. The standard tree island shall be 20 feet by 20 feet; provided, however, that where the islands are an extension of a ten-foot-wide landscape median, the islands may be reduced in width to 16 feet.
 - iii. Islands shall not be separated by more than 12 parking spaces, including the landscaped ends of drive aisles, and shall be designed so as to minimize foot traffic across them.
 - iv. Light poles, power poles, utility boxes or utility vaults shall be located such that they do not interfere with the planting and growth of large canopy trees in and around parking lots. This includes, but is not limited to, the restriction of said utility poles and vaults from being located within tree islands or within 20 feet of any such trees along the perimeter of parking areas. All proposed lighting must be shown on the Landscape Plan submitted for review in order to verify no such conflicts exist prior to the final acceptance of a development plan.
 - v. The use of porous paving within parking lots to provide root space for planted and preserved trees to meet the necessary rooting space requirement may be allowed at the discretion of the administrator.
- (d) *Buffers.* Existing and/or planted canopy, understory trees, and planted evergreen shrubs may be incorporated into buffer areas as defined by the city zoning ordinance. Such planting shall be credited for quality points provided that other standards and requirements of the chapter are met.

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(e) Tree Lawns.

- i. The construction of a tree lawn is required when a property is developed, rehabilitated, or improved for non-residential or multifamily purposes. Tree lawns shall be new when established or restored as new when they existed historically or exist within the current nearby context in accordance with the Tree Lawn Policy Section of the Landscape and Tree Protection Ordinance Compliance Manual (Manual) and other applicable laws, codes, ordinances, and policies.
- ii. When historic items or materials exist within a tree lawn, such as curbs, markers, monuments, and other objects, these items shall be preserved and remain in situ. If temporary removal or relocation of historic materials is necessary, this shall be noted on the development plans for review and approval by the appropriate City Department.
- iii. The requirement of a tree lawn will depend on the available sidewalk space and accessibility for the disabled, as described in the Manual, and all applicable laws and policies. Depending on conditions described in the Manual, a tree well may be established in place of a tree lawn.
- iv. Tree lawns are for the planting of trees, shrubs, grass, and flowers as outlined in the Manual. The addition of any structure or item within the right-of-way will require an Encroachment Permit, with the exception of city maintained structures, such as fire hydrants, parking meters, and other structures.
- v. The construction of a tree lawn or tree well will require a Right-of-Way Permit.
- vi. If space or other restrictions, as discussed in the Manual, do not permit either tree lawns or tree wells, the development is exempt from these provisions.

(f) *Landscaping Standards.*

- i. *Landscape Quality Points Requirement.* The required 400 Landscape Quality Points per acre shall be provided through the planting of small trees, shrubs, vines and/or ground cover.
- ii. *Locations for Landscape Quality Points.* Such plantings may be located in the following areas:

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- a. Front yard development setback.
- b. Parking areas: islands and medians.
- c. Buffers.
- d. Areas adjacent to buildings.

(g) *Special Cases.*

- i. *Insufficient Space for Trees on Site.* If the required Tree Quality Points cannot be met on site due to lot size and allowable lot coverage, trees shall be planted off site or payment made to the tree fund. Off-site planting location or payment must be approved by the administrator.
- ii. *Insufficient Space for Landscaping on Site.* If the required Landscape Quality Points cannot be met on site due to lot size and allowable lot coverage, payment shall be made to the tree fund.
- iii. *Car/Boat/Trailer Sales Lots.* The requirement of canopy cover in the outdoor display, sales and storage areas may be waived for such uses only if the requirements have been met elsewhere on the site. The required 400 Landscape Quality Points per acre, however, shall be provided in this area to break up large expanses of pavement.
 - a. Employee and customer parking areas shall be clearly delineated to separate them from outdoor display, sales, and storage areas. Such parking areas shall provide 1,200 Tree Quality Points per acre in canopy trees and 400 Landscape Quality Points per acre in landscaping.

(2) *Single-Family Residential Subdivisions.*

- (a) *Tree Quality Points Required.* One thousand six hundred Tree Quality Points per acre shall be provided within the subdivision. The total Tree Quality Points shall be achieved through the required planting of canopy trees within tree easements, protecting existing trees, planting within set-asides established and maintained by the developer or successor, or as provided in this section for special cases.
- (b) *Plans Required.*

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- i. *For Rights-of-Way and Drainage and Utility Easements.* Except as provided in this section, in order to obtain a land disturbance permit for rights-of-way and easements, a greenspace plan shall accompany each preliminary plan for review. Such plan shall conform to the standards and requirements of these regulations.
 - ii. *For Individual Lots.* A plot plan which includes greenspace information from the approved subdivision development plan for the individual lot shall be submitted as part of the building permit application and reviewed by the administrator.
- (c) *Requirements for Utilities Crossing the Tree Easement.* Utilities crossing the tree easement shall be located outside of the critical root zone of trees, unless otherwise approved by the administrator. Utility locations shall allow for the unobstructed planting of street trees at an average of 50 feet apart.
- (d) *Tree Requirements within New Single-Family Subdivisions.*
- i. *Planted Street Trees.*
 - a. Canopy street trees shall be planted within the right-of-way or in tree easements if sufficient right-of-way space is not available. Such trees shall be no less than two and one-half inches in caliper at time of installation. Trees shall be planted an average of 50 feet apart, along all street frontages within the subdivision. Each planted street tree shall have a value of 90 tree quality points.
 - b. The tree species for each street must be approved by the administrator.
 - c. Upon approval, the developer may pay to the tree fund an amount equal to the cost of purchase and installation of the required trees and the trees will be planted by the city after completion of the subdivision.
 - ii. *Existing Trees.* Existing trees for which tree quality points are sought may be protected within tree easements as street trees (and counted for Tree Quality Points), within set-aside areas, in buffers or elsewhere as approved by the administrator, provided that they be protected prior to clearing.

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- iii. *Trees within Set-aside Areas.* Existing and/or planted trees within set-aside areas, as defined by this chapter, may count towards the 1,600 Tree Quality Point requirement if they meet all other requirements of this section.
 - iv. *Special Cases.* Where circumstances prevent locating the required 1,600 Tree Quality Points per acre on a site, one of the following shall apply, subject to approval by the administrator:
 - a. *Tree Fund.* The owner/developer shall contribute to the tree fund, based on the number and species of trees needed to meet the required tree quality points, the commercial price and installation cost for such trees.
 - b. The owner/developer shall establish a set-aside on property owned by the owner/developer. Such property shall be located within the city limits. The set-aside shall be a permanent, recorded conservation easement, and shall have sufficient Tree Quality Points to meet the requirements of these regulations.
- (e) *Arterial and Collector Streets*
- i. For new arterial and collector streets a plan must be submitted providing for planting of canopy trees on both sides of the street spaced at an average of 75 feet.
 - ii. Tree species must be approved by the Park and Tree Department.
 - iii. Upon approval, the developer may pay to the Tree Fund an amount equal to the cost of purchase and installation of the required trees and the trees will be planted by the city after completion of the subdivision.
- (3) *General Standards.*
- (a) *Planted Trees.*
 - i. All large trees, as defined in the Landscape and Tree Protection Ordinance Compliance Manual, except for conifers, must be of at least two-and-one-half-inch caliper to qualify for Tree Quality Points when planted on the site.
 - ii. All coniferous trees and all medium trees, as defined in the Landscape and Tree Protection Ordinance Compliance Manual, must be a minimum of two-inch caliper to qualify for Tree Quality Points when planted on the site.

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- iii. All small trees, as defined in the Landscape and Tree Protection Ordinance Compliance Manual, must be a minimum of one-inch caliper to qualify for Landscape Quality Points when planted on the site.
 - iv. If multitrunk trees are planted or preserved the largest trunk only shall qualify for Tree Quality Points.
 - v. For palms, two Landscape Quality Points will be assigned per foot of stem height up to ten feet, regardless of whether the tree is preserved or planted on the site.
 - vi. All planting of new trees shall be done in accordance with ANSI A-300-1995 or most recent edition.
 - vii. All trees and plant materials shall conform to the most recent edition of the American Standard for Nursery Stock by the American Association Nurserymen.
 - viii. A detailed list of qualifying species and their points is provided in Landscape and Tree Protection Ordinance Manual.
- (b) *Retained Trees.*
- i. All individual preserved trees must be at least four inches dbh, and have a form and structure that will support a viable mature tree, to qualify for Tree Quality Points. The health, integrity and viability of any tree preserved for Tree Quality Points must be verified in writing by an ISA Certified Arborist, Georgia Licensed Forester or Georgia Licensed Landscape Architect and noted on the plans. The Tree Quality Point credit will at a minimum be equal to the points for a planted tree of the same species.
 - ii. Quality points for trees retained on the site are directly related to the tree species quality and the tree protection zone that must be provided for the tree. Tree Quality Points are calculated by the formula:
$$(\text{dbh})^2 \times (\text{Retention Points Factor}) = \text{Tree Quality Points}$$
 - iii. The retention factor for each tree species can be found in the Landscape and Tree Protection Ordinance Manual.

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- iv. Trees located on public rights-of-way which have a significant portion of canopy extending over a commercial property can be applied toward Tree Quality Points as follows: $TQP \text{ value of public tree} \times \text{percentage of canopy encroachment} = \text{point value}$.
 - v. Tree Quality Points and Landscape Quality Points for retained stands of trees: The preservation of mature native stands of trees and understory vegetation shall have the value of 0.25 Tree Quality Points and 0.10 Landscape Quality Points per square foot of preserved area, minus the 10 feet adjacent to disturbance.
 - a. The area proposed for preservation must be approved by the administrator and must have sufficient quantity, size and quality of mature trees to warrant preservation.
 - b. All existing vegetation shall be left within the preserved stand with the exception of hazardous trees. Thinning of tree stands will be allowed pursuant to an approved plan created under the supervision of a registered forester or Certified Arborist. No mechanical clearing of underbrush shall be allowed unless authorized by the Administrator.
 - c. The area shall be protected during the construction period using the same standards and specifications as required for a tree protection zone.
 - d. The tree retention area shall be considered a set-aside and shall be shown within a permanent, recorded tree conservation easement.
- (c) *Landscape Material.*
- i. Woody ornamental or native shrubs shall be a minimum of three-gallon container size, fully rooted and appropriately sized to the container per the American Standards for Nursery Stock. Vines and ground cover material may be full one-gallon size per the American Standards for Nursery Stock.
 - ii. Small trees used for Landscape Quality Points shall be a minimum of one-inch caliper.
 - ii. Qualified species and Landscape Quality Points values are listed in the Landscape and Tree Protection Ordinance Manual.

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(d) *Planting Restrictions.*

- i. No tree shall be planted closer to an overhead or underground utility line, or storm drain than as follows:
 - a. Five feet for a mature small tree.
 - b. Ten feet for a mature medium or large tree.
- ii. No tree shall be planted closer to a building foundation than as follows:
 - a. Five feet for a mature small tree.
 - b. Ten feet for a mature medium tree.
 - c. Fifteen feet for a mature large tree.
- iii. No large or medium tree species shall be planted within any power or utility easements or under overhead utility distribution lines if the average mature height of the tree is greater than the lowest overhead wire.
- iv. No shrub which can reach over three (3) feet in height may be located within a sight line triangle that has been determined by the City of Savannah Traffic Engineering Department.
- v. Irrigation. All trees and landscaped areas shall be provided with a means for delivery of water in a quantity that is sufficient to establish and maintain the viability of the plants. This source shall be within 100 feet of all proposed plantings. Trees within parking lot islands may use watering bags and an administrator approved watering schedule for their establishment if desired.
- vi. A water supply is not required for areas of established trees and other vegetation that are retained for greenspace requirements or tree quality points, provided that site grading or development activities will not result in damage to said areas.

(Ord. of 3-16-2017)

Sec. 8-11009. - Requirements for Certificate of Occupancy, Maintenance and Perpetual Compliance.

City of Savannah Landscape and Tree Protection Ordinance

(1) *Requirements for Certificate of Occupancy.*

(a) *Final Inspection.* The administrator shall make a final inspection of trees and landscaping for completeness prior to issuance of the certificate of occupancy; forty-eight hours' notice shall be given to schedule the site visit. The total required Tree Quality Points and Landscape Quality Points shall match the approved plan. Any changes must be shown on an as-built plan.

(b) *Temporary Tree and Landscape Bond*

i. The owner shall post a temporary tree and landscape bond for tree and/or landscape installation which cannot be planted because of continued construction, weather, plant availability or other approved delay. The bond shall be posted with the city Development Services Department. A deadline for completion of work shall be scheduled with the administrator and the Development Services Department.

ii. The administrator shall make a final inspection of the trees and landscaping at the scheduled completion of work. If work has been completed, the temporary tree and landscape bond shall be refunded. If the landscaping is not complete at the scheduled deadline, the temporary tree and landscape bond shall be withheld based upon the amount of work incomplete.

(c) *Two-Year Tree and Landscape Establishment Bond*

i. A two-year tree and landscape establishment bond shall be posted with the Development Services Department after the administrator gives an approval of the trees and landscaping at the final inspection and prior to issuance of the certificate of occupancy.

ii. Twelve months and twenty four months after the date of the bond, the administrator will inspect the site to check the conditions of the required trees and landscaping. Any items which may affect the future viability of the required trees and landscaping discovered at the twelve month inspection will be noted and relayed to the owner. If after twenty four months the trees and landscaping are found viable, the bond will be released. If deficiencies are found, the owner of the property shall be notified to correct the deficiencies within 90 days. If the deficiencies are not corrected in 90 days, the city shall use the bond to the extent necessary to bring the property into compliance with the provisions of this chapter.

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- (d) *Maintenance.* All trees and landscaping credited toward Tree Quality Points or Landscape Quality Points shall be maintained according to industry standards. All staking and guying must be removed upon establishment of tree and within six months of installation and any necessary pruning of young trees shall conform to American National Standards Institute A-300 standards.
- (e) *Perpetual Compliance.* All sites are required to remain in compliance with the total Tree and Landscape Quality Points required for the development, and are subject to inspection by the city for this purpose. If deficiencies are found, the owner of the property shall be notified to correct the deficiencies within 30 days. If the deficiencies are not corrected in 30 days, the city will seek administrative or judicial relief, as appropriate. Each deficiency item will be viewed as a separate violation as will each day past the allowed 30 days, outside of any agreement made with the administrator regarding time to remedy the situation.

(Ord. of 3-16-2017)

Sec. 8-11010. - Variance and Appeal Procedures.

- (1) Request for variance from the provisions of this chapter shall be submitted in writing to the director of the Park and Tree Department, stating the specific variance requested and reasons why a variance should be granted. The director will review the request and render a decision within ten working days of the request.
- (2) A variance will be granted only upon a determination that the request is the minimum necessary to afford relief, and that the overall intent of this chapter will be implemented.
- (3) Any person aggrieved by a decision in administration of this chapter may appeal to the city manager and request a hearing. The hearing shall be held within 30 days after receipt or on a date mutually agreed upon by the appellant and the city manager. The city manager shall then make his findings in writing within ten working days of the appeal hearing.

(Ord. of 3-16-2017)

Sec. 8-11011. - Notice of Violation; Remediation and Stop Work.

- (1) *Notice of Violation.* Whenever it is determined that a violation of this chapter has occurred, the director shall immediately issue written or oral notice to the person in violation, identifying the nature and location of the violation and specifying that remedial action is necessary to bring the violation into compliance. The person in violation shall immediately, conditions permitting, commence remedial action and shall have seven calendar days after the receipt of the notice, or such longer time as may be specified in the notice, to complete the remedial actions required to bring the activity into compliance with this chapter.

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- (2) *Stop-Work Order.* The director shall have the authority to immediately issue a stop-work order in any of the following circumstances:
 - (a) When clearing or other development of land is being implemented without an approved permit.
 - (b) When ongoing non complying work is not immediately and permanently stopped upon receipt of a written or oral notice of violation.
 - (c) When tree protection measures have not been implemented or maintained and danger to protected trees exists or appears imminent.
 - (d) When remedial work required by notice of violation pursuant to subsection (1) is not completed in the time period specified.

(Ord. of 3-16-2017)

Sec. 8-11012. - Penalties for Violation.

- (1) Violation of the provisions of this chapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance, shall constitute a violation of this chapter. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be punished in accordance with the City Code. Tree damage fees and tree planting/replacement fees shall be specified in the City of Savannah annual Revenue Ordinance.
- (2) Any person who damages a tree on City property will be required to pay the City:
 - (a) the difference in value of the tree before and after the pruning, removal or other damage;
 - (b) all costs of tree evaluation and corrective tree maintenance or removal, if required, as the result of unauthorized pruning, removal or other damage;
 - (c) all costs of stump removal and tree replacement, if tree removal is required;
 - (d) all other costs and expenses involved in the case.
- (3) Each day such violation continues shall be considered a separate offense. Nothing contained in this chapter shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. of 3-16-2017)

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Sec. 8-11013. - Abrogation and greater restrictions; severability.

- (a) This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

- (b) If any provision of this ordinance is declared to be invalid, such declaration shall not affect, impair, or invalidate the remaining provisions of this ordinance.

(Ord. of 3-16-2017)

City of Stephenville

Landscaping and tree preservation.

- (a) *Purpose.* The purposes of the landscaping regulations, tree preservation regulations, and of the administrative rules adopted for their implementation are to:
- (1) Enhance quality of life and community character within Glen Rose neighborhoods and built environment, especially through the preservation and addition of pleasant streetscapes;
 - (2) Facilitate site design and construction such that they preserve mature trees and natural areas;
 - (3) Maximize the aesthetic, environmental, and economic value of development;
 - (4) Mitigate the impacts of development on air quality, groundwater recharge, storm water runoff, noise, and glare;
 - (5) Protect healthy, quality trees and promote the natural ecological environment of the city;
 - (6) Regulate the removal of trees when necessary; and
 - (7) Enable administrative rulemaking pursuant to title I, chapter 8 of the Official City Code of the City of Glen Rose to adopt and amend landscape and tree preservation related administrative rules located in the Landscape and Tree Manual.
- (b) *Applicability.*
- (1) Landscaping requirements apply to all new and existing development within the City of Glen Rose and shall be met according to the following schedule:
 - a. *Full compliance.* All quantitative standards shall be met at 100 percent whenever any of the following occurs:
 1. Construction of any new primary structure.
 2. Expansion of a primary structure, where such expansion increases the floor area by 50 percent or greater or adds an additional story.
 3. Increase in the number of off-street parking spaces by five spaces or 50 percent, whichever is greater.
 4. Ground disturbance greater than or equal to 10,000 square feet.
 - b. *Incremental compliance.* All quantitative standards shall be met proportionally whenever any of the following occurs. The requirements for incremental compliance shall apply to each successive instance until all quantitative requirements are met at 100 percent.
 1. Expansion of a primary structure, where such expansion increases the floor area by less than 50 percent, in which case requirements shall be applied to the new floor area only. For example, an increase in floor area of ten percent requires that a minimum of ten percent of the planting quantities specified herein shall be provided.
 2. Increase in the number of off-street parking spaces by fewer than five spaces or 50 percent, whichever is greater.
 3. Ground disturbance less than 10,000 square feet, when such disturbance exceeds 1,000 square feet or results in the removal of existing landscaping.
 - c. *Exceptions.* Landscaping standards shall not be applied to the following:
 1. Expansion of a one-family or two-family dwelling.
 2. Ground disturbances on property with a one-family or two-family dwelling.
 3. Renovations or repairs which do not increase floor area.

4. Accessory structures.
 5. Properties within the AG Agricultural District.
 6. Properties within the B-3 Central Business District, upon a determination by the Historic Preservation Officer that the purposes of this section and of historic preservation are met by existing conditions or proposed exterior treatments that are compatible with the character of adjacent structures or properties.
- (2) Tree preservation regulations apply to all trees and all land within the City of Glen Rose and shall be met whenever any of the following occurs:
- a. A tree is planted.
 - b. A tree is pruned.
 - c. A tree is removed.
 - d. A tree is within the development impact area of a project site.
 - e. Exceptions. Tree permits are not required to remove trees in any of the following situations:
 1. Any tree which is located on property less than one acre on which there is an occupied one-family or two-family residence, or is located within 100 feet of an occupied one-family residence on property larger than one acre, and which is neither a heritage tree nor a floodplain tree as defined by this title.
 2. Any tree which is located on the property of a commercial plant or tree nursery and which has been planted for the purpose of sale to the public in the ordinary course of the nursery's business.
 3. Any tree which, due to some catastrophe, is disrupting or will disrupt a public utility service, or which presents a danger to the public. Pruning or removal shall be performed by the city or utility, or agent thereof, and shall be limited to the extent necessary to restore and maintain reliable service or public safety.
 4. Park trees, as defined by this title, when the City of Glen Rose or its agent is performing maintenance of the city's parks or making improvements to the city's parks for enhanced landscaping, habitat or native species restoration, or pathways.
 5. Trees within the public right-of-way, when the City of Glen Rose or its agent is improving a public street to implement the City of Glen Rose Thoroughfare Plan or when removal is necessary to complete repairs or improvements in accordance with the city's Engineering Design and Construction Manual (EDCM).

(c) *Landscape quantity standards.*

- (1) Landscape is required to be installed in the quantities and locations specified in the following tables, when full or incremental compliance is required as indicated above.
- (2) The landscape types - L1, L2, L3 - refer to the plants and other treatments detailed in the Landscape and Tree Manual.

Table 2. Landscape Requirements.

Landscape Requirements		
	Total Landscape Area (L1+L2+L3)	L2: Shrubs and Groundcovers
		L3: Trees
		A minimum of 50% of all required L2 and L3 must be planted in the streetscape area (defined as the area between the building and the street)
Land Use		

Commercial	25% of lot area	250 plants per acre	6 trees per acre (first 10 acres) 1 tree each additional acre
Industrial	15% of lot area	150 plants per acre	6 trees per acre (first 5 acres) 1 tree each additional acre
One or two-family residential	10% of lot area	20 plants per dwelling	10 caliper inches OR 1 6" tree
Multifamily residential	20% of lot area	250 plants per acre	6 trees per acre (first 10 acres) 1 tree each additional acre
Accessory parking: multifamily and non-residential	648 square feet per required parking island	N/A	2 canopy, 2 ornamental trees per island; 1 tree per 12 spaces total

(d) *Landscape quality standards.*

- (1) All landscaping shall be designed, planted or otherwise installed, irrigated where required, and maintained according to the standards provided herein and, in the Landscape, and Tree Manual.
- (2) Plant materials shall be selected and planted in accordance with nursery industry standards.
- (3) Applicable landscape plans shall be provided and approved prior to issuance of construction permits. Plans shall be prepared in accordance with the standards provided in the Landscape and Tree Manual.
 - a. A landscape plan is required when multifamily or nonresidential landscape standards apply, when a buffer yard is required, or when alternatives to landscape standards are proposed.
 - b. A tree protection plan is required whenever trees are preserved during development.
 - c. A tree removal plan is required whenever a tree permit is required as provided below.
- (4) L2 and L3 landscape preserved or planted to meet the requirements of this section shall be chosen from the Preferred Plant List provided in the Landscape and Tree Manual unless another species included in the Texas Smart Scape plant database is approved by the planning director. L3 trees planted to meet the requirements in Table 2 above shall be selected from the canopy trees in the Preferred Plant List, except for ornamental parking lot trees, which are to be selected from the ornamental trees list. Nuisance species identified on the Nuisance Tree List in the Landscape and Tree Manual shall not be preserved or planted in any required landscape area.
- (5) L1 treatments may include approved L2 ground cover or shrubs, lawn, mulch, bark, decorative rock, outdoor furniture, art installations, and other landscape or hardscape features, and shall present a finished, orderly appearance and reasonably complete coverage of the landscape area. Creativity in combining multiple, complementary elements is encouraged.
- (6) No required landscape may be removed from multifamily or nonresidential development without an approved landscape plan, which provides for replacement conforming to all provisions of this section. Replacement of individual shrubs or small areas of living ground cover which have become damaged or diseased, or are dead, with identical materials which meet all specifications and planting requirements in the Landscape and Tree Manual is exempted from the landscape plan requirement.
- (7) Required landscaping shall be installed and shall pass inspection by the director prior to the issuance of a certificate of occupancy (CO), unless seasonal limitations or other special circumstances prevent planting. In such circumstances, a schedule for completion and security in the form of cash, performance bond, cashier's check, or irrevocable letter of credit equal to the cost of the landscaping and installation costs shall be provided. Any such deferral shall be limited to the minimum extent necessary and shall be at the discretion of the director. Should the permittee fail to complete the required landscaping as

required by the plan submitted and approved, the city shall use the security to complete the landscaping as required by the plan.

- (8) Plant materials which exhibit evidence of insects, pests, disease, and/or damage shall be appropriately treated.
- (9) Plant materials which die shall be replaced with healthy plant material meeting all specifications and planting requirements provided herein and in the Landscape and Tree Manual within six months.
- (10) The owner of the property shall be responsible to maintain all required landscaping. The maintenance requirement runs with the land over the life of the development until such time as new development occurs which is subject to review under these requirements.

(e) *Tree preservation.*

- (1) *Tree permit process.* Except as otherwise exempted above, a person must obtain a tree permit from the director before removing or altering any tree in the City of Glen Rose.

- a. *Administrative review procedures.* The director shall be responsible for reviewing all requests for tree permits submitted in accordance with the requirements specified herein and, in the Landscape, and Tree Manual.

1. *Submittal requirements.* Any person applying for an administrative tree permit shall provide sufficient information to demonstrate that one or more of the relevant approval criteria is met. The director may require additional documentation, including the report of a tree care professional, in order to determine that a criterion is met. At a minimum, administrative tree permit applications shall:

- (i) A complete application form.
- (ii) Include a Tree Removal Plan prepared in accordance with the standards in the Landscape and Tree Manual.
- (iii) Include a Tree Mitigation Plan prepared in accordance with the standards herein and in the Landscape and Tree Manual.
- (iv) Address the relevant approval criteria in sufficient detail for review.

2. *Approval criteria.* The director shall approve an application for a tree permit to remove a tree if any one of the following criteria is met:

- (i) The tree is dead.
- (ii) The tree is in an advanced state of decline with insufficient live foliage, branches, roots, or other tissue to sustain life.
- (iii) The tree is infested with pests or disease that if left untreated will cause the tree to die or enter an advanced state of decline or will cause other trees to die or enter an advanced state of decline.
- (iv) The tree is a hazard tree as defined by this title and presents a credible hazard to persons or property requiring immediate removal to abate.
- (v) The tree is listed on the Nuisance Tree List in the Landscape and Tree Manual.
- (vi) The tree roots are causing verifiable damage to buildings, utilities, or pavement, and a tree care professional certifies that root pruning or other mitigation will not prevent further damage or will cause the tree to die or enter an advanced state of decline.
- (vii) The tree location conflicts with areas of public street widening or extension as shown in the City of Glen Rose Thoroughfare Plan.

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- (viii) The tree presents a significant fire risk to a dwelling or limits emergency access for rescue workers, and the risk or access issue cannot be abated through pruning or other means that results in tree retention.
 - (ix) The tree is a stand-grown tree and is not a heritage tree, and an arborist or forester determines that selective thinning will promote overall stand health.
 - (x) The tree is located on a property zoned AG Agricultural and must be removed as part of an agricultural use.
 - (xi) The tree must be removed for new development, and a Tree Mitigation Plan which satisfies all mitigation requirements has been submitted.
3. *Director's determination.* The director's determination shall address the relevant approval criteria. The director shall approve, approve with conditions, or deny the requested tree permit in writing based on the relevant approval criteria.
4. *Emergency tree permit.* If a hazard tree presents such a clear and present danger to persons, structures, infrastructure, or utilities that there is insufficient time to obtain a permit, a person may remove such a tree prior to obtaining a tree permit. The person completing the removal shall submit a retroactive permit application, including documentation of the hazard, no later than five days after commencing such removal. If the emergency is found not to be credible, the permit shall be denied and the person who removed the tree shall be found in violation of this title.
- b. *Discretionary review procedures.* An applicant may request discretionary review either upon initial application or on appeal to the director's determination on an administrative tree removal permit. The planning and zoning commission shall be responsible for reviewing all requests for a discretionary tree permit. The decision of the planning and zoning commission shall be final.
1. *Submittal requirements.* All discretionary tree permit review applications shall:
- (i) Include a complete application form.
 - (ii) Include a Tree Removal Plan prepared in accordance with the standards in the Landscape and Tree Manual.
 - (iii) Include a Tree Mitigation Plan prepared in accordance with the standards in the Landscape and Tree Manual.
 - (iv) Include a narrative addressing the approval criteria for discretionary tree permit approval or the administrative approval criteria.
 - (v) Be accompanied by the required fee.
2. *Approval criteria.* The planning and zoning commission shall approve, approve with conditions, or deny the requested tree permit based upon a determination of whether or not the proposal satisfies the purposes of this section. Relevant considerations for the commission's findings may include but are not limited to:
- (i) The quality of trees proposed for removal.
 - (ii) Solar access to the subject property.
 - (iii) Views from or within the subject property.
 - (iv) Contributions to the natural environment and community amenities.
 - (v) Overall project aesthetics.
3. *Approval.* If the planning and zoning commission approves or approves with conditions a proposal through discretionary review, the director shall issue a tree permit in accordance with the planning and zoning commission's determination.

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4. *Expiration.* An approved tree permit issued in connection with a building permit or site development permit shall be valid for the period of that permit's validity (i.e., until the permit expires, the improvements are accepted, or a certificate of occupancy is issued). All other tree permits shall expire one year after issuance. Nothing shall prevent a person from submitting another application for a tree permit if the conditions or circumstances have changed, if a new plan is proposed, or if discretionary review or appeal of the director's determination is sought.
- (2) *Mitigation.* It is a condition of all approved tree permits that removal shall be mitigated in accordance with the mitigation schedule below and the applicable planting standards in the Landscape and Tree Manual. The planning and zoning commission may condition the approval of a discretionary tree permit on alternative mitigation measures.
- a. Removal and mitigation standards.
 1. Tree removal shall be conducted in a manner consistent with tree care industry standards.
 2. When removing required landscape trees, stumps shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.
 - b. Mitigation schedule. The removal of trees under permit shall be mitigated as follows:
 1. Heritage trees as defined by this title shall be mitigated by planting replacement trees with a total number of caliper inches at the time of planting equal to the total number of caliper inches removed.
 2. Streetscape trees as defined by this title, which are not heritage trees and which are greater than or equal to six-inch caliper, shall be mitigated by planting one replacement tree (minimum three-inch caliper) for each such tree removed.
 3. Unless exempted below, all trees, which are not heritage trees or streetscape trees, and which are greater than or equal to six-inch caliper, shall be mitigated by planting one inch for each 20 caliper inches removed.
 - c. Exemptions. No mitigation is required for the following:
 1. Any tree that is dead, diseased, or in an advanced state of decline.
 2. Any tree listed on the Nuisance Tree List in the Landscape and Tree Manual.
 3. Any tree removed for selective thinning within a stand of trees, as proposed by an arborist or forester.
 4. Any tree removed for agricultural use. However, if the agricultural use is discontinued within three years following issuance, the owner of the land shall be required to provide mitigation in accordance with the schedule above. This requirement runs with the land.
 5. Any tree, which is not a heritage tree, located within a proposed building pad associated with new development.
 - d. Replacement trees shall be selected from the canopy trees on the Preferred Species List and shall be planted and maintained in accordance with all applicable standards in the Landscape and Tree Manual.
 - e. Replacement trees required as mitigation shall be planted in the same or nearby location. If the planting standards in the Landscape and Tree Manual preclude planting a replacement tree within the same or nearby location as the tree that was removed, the director or the planning and zoning commission may require the applicant to plant a replacement tree in another location on the property or plant a replacement tree on public property.

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- f. Replacement trees required as mitigation for removal associated with new development shall be planted prior to issuance of a certificate of occupancy. All other replacement trees shall be planted within one year following issuance of a tree permit.
 - g. If the planning and zoning commission approves an alternative plan for mitigation under a discretionary tree permit, the alternative plan for mitigation shall specify whether and how any mitigation requirements herein apply.
 - h. Mitigation requirements shall remain with the land regardless of ownership.

(3) *Tree protection.*

- a. When any permit is requested which includes ground disturbance in its scope of work, and any trees within 25 feet of the development impact area are to be preserved, the application shall be accompanied by a tree protection plan satisfying the standards in the Landscape and Tree Manual.
- b. Tree protection measures satisfying the standards in the Landscape and Tree Manual shall be in place prior to and throughout all construction activities for all trees to be preserved within 25 feet of the development impact area.

(4) *Violations.*

- a. Violations of any these provisions or failure to comply with their requirements shall constitute a class C misdemeanor. Violations may include, but are not limited to:
 - 1. Removal or alteration of a tree without an approved tree permit, unless exempted.
 - 2. Failure to plant a replacement as required for mitigation.
 - 3. Failure to establish and maintain tree protection measures as required.
 - 4. Failure to plant or maintain any tree subject to the planting and maintenance standards specified in the Landscape and Tree Manual according to such standards.
 - 5. Committing an act or omission resulting in a hazard tree or allowing a hazard tree to exist on a property for which the person is owner or a responsible party.
- b. Each calendar day a violation persists shall be considered a separate offense.
- c. Each removal or alteration of a tree in violation of this section, and each hazard tree caused, shall be considered a separate offense.

(f) *Landscape and tree manual.*

- (1) The city manager is authorized to adopt and amend administrative rules to implement the details of landscape and tree related regulations in this section. These administrative rules shall be adopted by the city council pursuant to title I, chapter 8 and may be amended by the city manager without further action by the city council.
- (2) The administrative rules shall be known collectively as the Landscape and Tree Manual.
- (3) The Landscape and Tree Manual shall include the following:
 - a. Specifications for all types of required landscape.
 - b. A preferred plant list to incentivize the preservation and planting of desirable species suitable for flourishing in Glen Rose.
 - c. A nuisance tree list to establish tree species which are undesirable or harmful to desirable tree species and should therefore be exempt from the protections provided herein.
 - d. Landscape and tree protection, planting, and maintenance standards based on sound scientific principles to ensure plants are provided adequate spacing, soil volume, and protection during

development to grow to maturity and thrive, and to ensure trees do not disrupt other vegetation, the built environment, or functioning streets and pathways.

- e. Landscape and tree plan standards so that submittal requirements, measurements, calculations, and other requirements are clearly explained.
- f. Heritage tree designation standards for the identification of valuable trees.



Landscape
and
Tree Manual

Adopted August 25, 2020

City of Weatherford

Landscape and Tree Manual

First version adopted August 25, 2020.

Developed with the participation and review of the following:

City Council – Paul Paschall, Mayor

Planning and Zoning Commission – Rachel Pattillo, Chair

Pacheco Koch – Nicholas Nelson, Eric Wilhite, Tricia Woliver, Dorothy Witmeyer

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Section 1: Introduction

The Landscape and Tree Manual provides a general overview of requirements for the installation and maintenance of landscaping and trees. The purpose of this document is to help property owners, developers, and contractors understand and adhere to all requirements to maximize the benefits of all plantings to the quality of life and character of the community.

This Landscape and Tree Manual combines landscape, screening, buffering, and tree related regulations from Title XII, Zoning Regulations, along with administrative rules for implementing such regulations, in one cohesive guide. Provisions contained within the Official City Code of the City of Weatherford shall override any conflicting policies found herein.

The City Manager has the authority to amend the administrative rules adopted in this Landscape and Tree Manual pursuant to Title I, Chapter 8 of the Official City Code of the City of Weatherford without further action by the City Council. The Planning and Zoning Commission shall complete an annual review of the Landscape and Tree Manual and administrative procedures and may recommend changes to this manual. The Planning Director has the authority to administer the Landscape and Tree Manual. Upon request of the Planning Director, the Planning and Zoning Commission may offer clarification of ambiguities, resolve conflicting requirements, or apply standards to novel situations or other matters requiring interpretation.

Unless stated otherwise, terms in the Landscape and Tree Manual are defined in the Definitions section of Title XII.

Section 2: Landscape Plan Standards

A landscape plan prepared in accordance with the following standards is required when multifamily (5 or more dwellings) or nonresidential landscape requirements apply, when a buffer yard is required, or when alternatives to landscape standards are proposed. For residential development (1-4 dwellings), landscape may be shown on a general site plan or on a separate landscape plan.

Except where otherwise indicated, the following standards apply to all landscape plans. **Refer to Exhibits 3-6 for examples.** An approved landscape plan is required prior to issuance of construction permits. A landscape plan shall include the following minimum information to determine compliance with all applicable landscape and screening requirements:

1. Plans shall be provided at a standard scale on 8.5" x 11", 11" x 17", or 24" x 36" paper.
2. Electronic copies of all plans shall also be provided in a format acceptable to the Planning Director.
3. Plans shall be drawn at a standard engineering scale and include a bar scale and numerical scale and include a directional north arrow.
4. When necessary for clarity, the plans shall be detailed separately on multiple sheets.
5. Plans shall include the following information:
 - Site address or other identifying location information.
 - Location of existing and proposed property lines.
 - Name and phone number of the person who prepared the plan.
 - The date on which the plan was prepared.
 - Label and show all existing and proposed structures and other permanent features
 - Label all existing and proposed utilities and easements.
 - Label and locate all proposed plants and other treatments.
 - Label and show existing trees to be preserved or removed. (Separate plans may be required for tree removal and tree protection; see Section 6 of this manual.)
6. Provide a plant schedule with all proposed plant materials (common and scientific name), size at time of planting, spacing, and quantities.
7. Provide a master materials schedule for any proposed hardscape elements (including but not limited to paving, outdoor furniture, water features, art, or other features).
8. Provide a Landscape Calculation Chart to document how the total landscape requirements (L1, L2, L3) are achieved. **Refer to Exhibit 1.**
9. If applicable, provide a Screening Calculation Chart to document how required screening (S1, S2, S3) is achieved. **Refer to Exhibit 2.**
10. Provide a note referencing the requirement for an irrigation system including rain, moisture, and freeze sensor controls to be installed in all landscaped areas.

Exhibit 1. Landscape Calculation Charts

Exhibit 1A. Landscape Tabulation Chart: Commercial

LANDSCAPE REQUIREMENTS TABULATION CHART		
COMMERCIAL USE		
SITE DATA		
SITE AREA: _____ ACRES (1 acre = 43,560 SF) _____ SQUARE FEET		
PARKING AREA: _____ SQUARE FEET DEPTH: _____ LINEAR FEET		
PARKING QUANTITIES: _____ ROWS _____ SPACES		
LANDSCAPE AREA (L1, L2, L3)	REQUIRED	PROVIDED (UNIT)
25% OF SITE IS REQUIRED TO BE LANDSCAPE AREA		
LANDSCAPE AREA (_____ SF SITE AREA x .25 = _____ SF)	_____ SF (MIN.)	_____ SF
CREDIT FOR TREE PRESERVATION: _____ TREES 6-23" DBH x (_____ SF REQUIRED X .05) = _____ CREDIT	CREDITS	
_____ TREES >23" DBH x (_____ SF REQUIRED X .10) = _____ CREDIT	_____ SF (50% MAX)	
LANDSCAPE PLANTINGS: L2 & L3**	REQUIRED	PROVIDED
L2 : MINIMUM SHRUBS/GROUNDCOVER: 250 PLANTS / ACRE		
(Provide calculations here)		
L3: MINIMUM TREES PRESERVED OR PLANTED: 6 TREES / ACRE (for the first 10 acres; add 1 tree for each additional acre)		
(Provide calculations here)		
**50% of all required L2 and L3 MUST be in Streetscape area (between the building and street)		
(Provide calculations here)	50%	
PARKING LOT LANDSCAPE: L1, L2 & L3	REQUIRED	PROVIDED
PARKING LOT ISLANDS: 1 ISLAND IN EACH PARKING ROW PER 150' OF PARKING AREA DEPTH		
(Calculate island requirements here)	__ (MIN.)	__
L3: MINIMUM PARKING LOT TREES: 1 PER EVERY 12 PARKING SPACES (INCLUDES 2 CANOPY, 2 ORNAMENTAL TREES PER ISLAND)		
PARKING LOT TREES (# OF SPACES / 12 = __)	__ (MIN.)	__

Exhibit 1B. Landscape Tabulation Chart: Industrial

LANDSCAPE REQUIREMENTS TABULATION CHART		
INDUSTRIAL USE		
SITE DATA		
SITE AREA: _____ ACRES (1 acre = 43,560 SF) _____ SQUARE FEET		
PARKING AREA: _____ SQUARE FEET DEPTH: _____ LINEAR FEET		
PARKING QUANTITIES: _____ ROWS _____ SPACES		
LANDSCAPE AREA (L1, L2, L3)	REQUIRED	PROVIDED (UNIT)
15% OF SITE IS REQUIRED TO BE LANDSCAPE AREA		
LANDSCAPE AREA (_____ SF SITE AREA x .15 = _____ SF)	_____ SF (MIN.)	_____ SF
CREDIT FOR TREE PRESERVATION: _____ TREES 6-23" DBH x (_____ SF REQUIRED X .05) = _____ CREDIT	CREDITS	
_____ TREES >23" DBH x (_____ SF REQUIRED X .10) = _____ CREDIT	_____ SF (50% MAX)	
LANDSCAPE PLANTINGS: L2 & L3**	REQUIRED	PROVIDED
L2 : MINIMUM SHRUBS/GROUNDCOVER: 150 PLANTS / ACRE		
(Provide calculations here)		
L3: MINIMUM TREES PRESERVED OR PLANTED: 6 TREES / ACRE (for the first 5 acres; add 1 tree for each additional acre)		
(Provide calculations here)		
**50% of all required L2 and L3 MUST be in Streetscape area (between the building and street)		
(Provide calculations here)	50%	
PARKING LOT LANDSCAPE: L1, L2 & L3	REQUIRED	PROVIDED
PARKING LOT ISLANDS: 1 ISLAND IN EACH PARKING ROW PER 150' OF PARKING AREA DEPTH		
(Calculate island requirements here)	__ (MIN.)	__
L3: MINIMUM PARKING LOT TREES: 1 PER EVERY 12 PARKING SPACES (INCLUDES 2 CANOPY, 2 ORNAMENTAL TREES PER ISLAND)		
PARKING LOT TREES (# OF SPACES / 12 = __)	__ (MIN.)	__

Exhibit 1C. Landscape Tabulation Chart: One and Two-Family Residential

LANDSCAPE REQUIREMENTS TABULATION CHART		
ONE OR TWO-FAMILY RESIDENTIAL USE		
SITE DATA		
LOT AREA: _____ SF		
LANDSCAPE AREA (L1, L2, L3)	REQUIRED	PROVIDED (UNIT)
10% OF SITE IS REQUIRED TO BE LANDSCAPE AREA		
LANDSCAPE AREA (_____ SF SITE AREA x .10 = _____ SF)	_____ SF (MIN.)	_____ SF
LANDSCAPE PLANTINGS: L2 & L3**	REQUIRED	PROVIDED
L2 : MINIMUM SHRUBS/GROUNDCOVER: 20 PLANTS PER DWELLING		
(Provide calculations here)		
L3: MINIMUM TREES PRESERVED OR PLANTED: 10 CALIPER INCHES OR 1 - 6' TREE		
**50% of all required L2 and L3 MUST be in Streetscape area (between the building and street)		
(Provide)	50%	

Exhibit 1D. Landscape Tabulation Chart: Multifamily Residential

LANDSCAPE REQUIREMENTS TABULATION CHART		
MULTIFAMILY RESIDENTIAL USE		
SITE DATA		
SITE AREA: _____ ACRES (1 acre = 43,560 SF) _____ SQUARE FEET		
PARKING AREA: _____ SQUARE FEET DEPTH: _____ LINEAR FEET		
PARKING QUANTITIES: _____ ROWS _____ SPACES		
LANDSCAPE AREA (L1, L2, L3)	REQUIRED	PROVIDED (UNIT)
20% OF SITE IS REQUIRED TO BE LANDSCAPE AREA		
LANDSCAPE AREA (_____ SF SITE AREA x .25 = _____ SF)	_____ SF (MIN.)	_____ SF
CREDIT FOR TREE PRESERVATION: _____ TREES 6-23" DBH x (_____ SF REQUIRED X .05) = _____ CREDIT	CREDITS	
_____ TREES >23" DBH x (_____ SF REQUIRED X .10) = _____ CREDIT	_____ SF (50% MAX)	
LANDSCAPE PLANTINGS: L2 & L3**	REQUIRED	PROVIDED
L2 : MINIMUM SHRUBS/GROUNDCOVER: 200 PLANTS / ACRE		
(Provide calculations here)		
L3: MINIMUM TREES PRESERVED OR PLANTED: 6 TREES / ACRE (for the first 10 acres; add 1 tree for each additional acre)		
(Provide calculations here)		
**50% of all required L2 and L3 MUST be in Streetscape area (between the building and street)		
(Provide calculations here)	50%	
PARKING LOT LANDSCAPE: L1, L2 & L3	REQUIRED	PROVIDED
PARKING LOT ISLANDS: 1 ISLAND IN EACH PARKING ROW PER 150' OF PARKING AREA DEPTH		
(Calculate island requirements here)	__ (MIN.)	__
L3: MINIMUM PARKING LOT TREES: 1 PER EVERY 12 PARKING SPACES (INCLUDES 2 CANOPY, 2 ORNAMENTAL TREES PER ISLAND)		
PARKING LOT TREES (# OF SPACES / 12 = __)	__ (MIN.)	__

Exhibit 2. Screening and Buffering Tabulation Charts

Exhibit 2A. Screening and Buffering Tabulation Chart: Commercial

SCREENING AND BUFFERING TABULATION CHART		
COMMERCIAL USE		
SITE DATA		
ADJACENT USES: (PROVIDE INFO)		
LOADING AREA: (YES / NO) OUTSIDE/ROOFTOP EQUIPMENT: (PROVIDE INFO)		
PARKING LOT, LOADING AREA, AND EQUIPMENT SCREENING	REQUIRED	MATERIALS PROVIDED
PARKING LOT SCREENING ADJACENT TO STREET	S1	
LOADING AREA SCREENING	S2 / S3	
OUTSIDE/ROOFTOP EQUIPMENT SCREENING	S3	
SITE SCREENING	TYPE REQUIRED	MATERIALS PROVIDED
REFER TO SCREENING TABLE FOR REQUIREMENTS BY ADJACENT LAND USE		
SIDE YARD 1 SCREENING		
SIDE YARD 2 SCREENING		
REAR YARD SCREENING		
BUFFER YARD WIDTHS	REQUIRED	PROVIDED
SIDE YARD 1 BUFFER WIDTH (PROVIDE ADJACENT USE HERE)	___ FT (MIN.)	___ FT
SIDE YARD 2 BUFFER WIDTH (PROVIDE ADJACENT USE HERE)	___ FT (MIN.)	___ FT
REAR YARD BUFFER WIDTH (PROVIDE ADJACENT USE HERE)	___ FT (MIN.)	___ FT

Exhibit 2B. Screening and Buffering Tabulation Chart: Industrial

SCREENING AND BUFFERING TABULATION CHART		
INDUSTRIAL USE		
SITE DATA		
ADJACENT USES: (PROVIDE INFO)		
LOADING AREA: (YES / NO) OUTSIDE/ROOFTOP EQUIPMENT: (PROVIDE INFO)		
PARKING LOT, LOADING AREA, AND EQUIPMENT SCREENING	REQUIRED	MATERIALS PROVIDED
PARKING LOT SCREENING ADJACENT TO STREET	S1	
LOADING AREA SCREENING	S2 / S3	
OUTSIDE/ROOFTOP EQUIPMENT SCREENING	S3	
SITE SCREENING	TYPE REQUIRED	MATERIALS PROVIDED
REFER TO SCREENING TABLE FOR REQUIREMENTS BY ADJACENT LAND USE		
SIDE YARD 1 SCREENING (PROVIDE ADJACENT USE HERE)		
SIDE YARD 2 SCREENING (PROVIDE ADJACENT USE HERE)		
REAR YARD SCREENING (PROVIDE ADJACENT USE HERE)		
BUFFER YARD WIDTHS	REQUIRED	PROVIDED
SIDE YARD 1 BUFFER WIDTH (PROVIDE ADJACENT USE HERE)	___ FT (MIN.)	___ FT
SIDE YARD 2 BUFFER WIDTH (PROVIDE ADJACENT USE HERE)	___ FT (MIN.)	___ FT
REAR YARD BUFFER WIDTH (PROVIDE ADJACENT USE HERE)	___ FT (MIN.)	___ FT

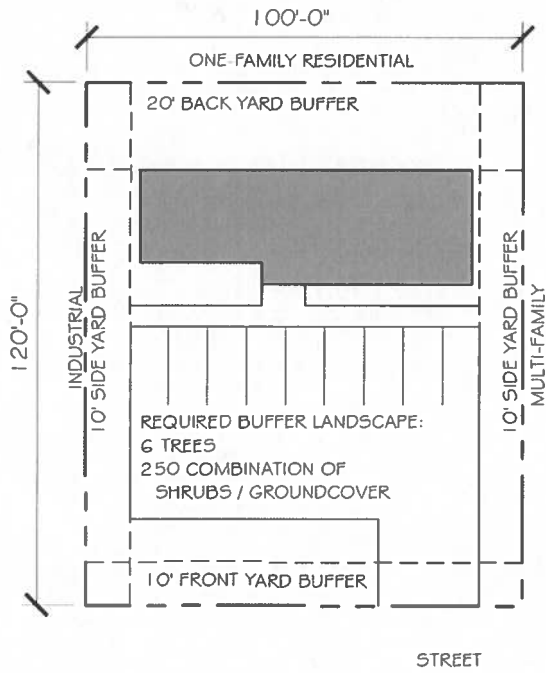
Exhibit 2A. Screening and Buffering Tabulation Chart: One and Two-Family Residential

SCREENING AND BUFFERING TABULATION CHART		
ONE AND TWO-FAMILY RESIDENTIAL USE		
SITE DATA		
OUTSIDE/ROOFTOP EQUIPMENT: (PROVIDE INFO)		
PARKING LOT, LOADING AREA, AND EQUIPMENT SCREENING	REQUIRED	MATERIALS PROVIDED
OUTSIDE EQUIPMENT SCREENING	S1 / S2 / S3	

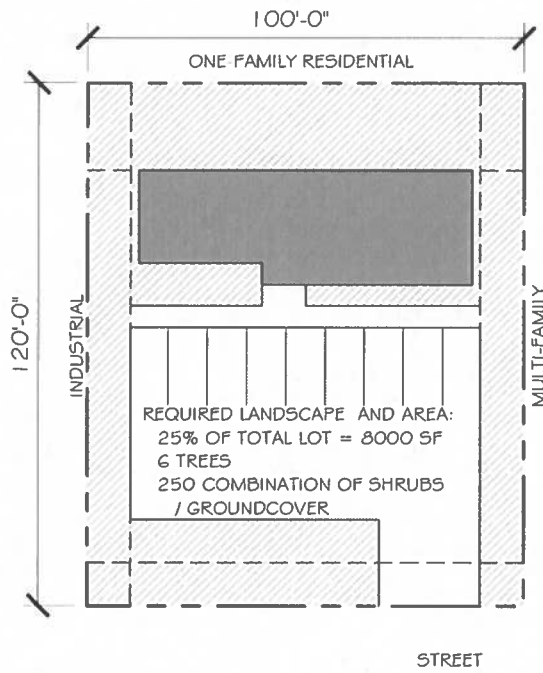
Exhibit 2A. Screening and Buffering Tabulation Chart: Multifamily Residential

SCREENING AND BUFFERING TABULATION CHART		
MULTIFAMILY RESIDENTIAL USE		
SITE DATA		
ADJACENT USES: (PROVIDE INFO)		
LOADING AREA: YES / NO OUTSIDE/ROOFTOP EQUIPMENT: (PROVIDE INFO)		
PARKING LOT, LOADING AREA, AND EQUIPMENT SCREENING	REQUIRED	MATERIALS PROVIDED
PARKING LOT SCREENING ADJACENT TO STREET	S1	
LOADING AREA SCREENING	S2 / S3	
OUTSIDE/ROOFTOP EQUIPMENT SCREENING	S3	
SITE SCREENING	TYPE REQUIRED	MATERIALS PROVIDED
REFER TO SCREENING TABLE FOR REQUIREMENTS BY ADJACENT LAND USE		
SIDE YARD 1 SCREENING (PROVIDE ADJACENT USE HERE)		
SIDE YARD 2 SCREENING (PROVIDE ADJACENT USE HERE)		
REAR YARD SCREENING (PROVIDE ADJACENT USE HERE)		
BUFFER YARD WIDTHS	REQUIRED	PROVIDED
SIDE YARD 1 BUFFER WIDTH (PROVIDE ADJACENT USE HERE)	___ FT (MIN.)	___ FT
SIDE YARD 2 BUFFER WIDTH (PROVIDE ADJACENT USE HERE)	___ FT (MIN.)	___ FT
REAR YARD BUFFER WIDTH (PROVIDE ADJACENT USE HERE)	___ FT (MIN.)	___ FT

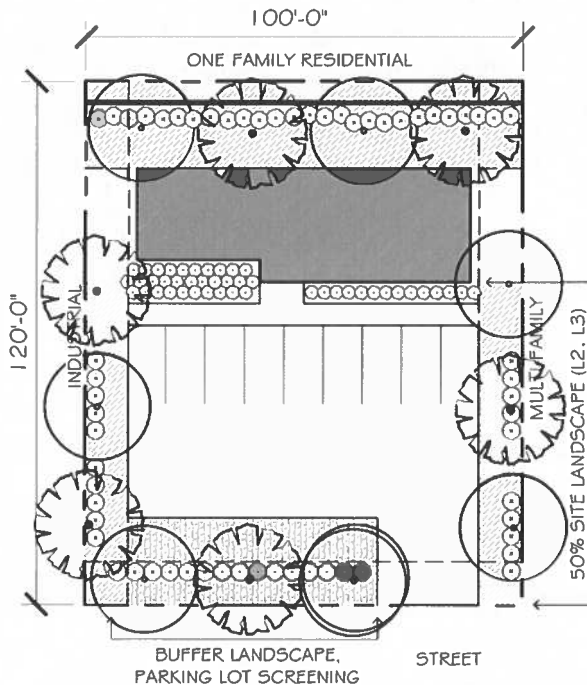
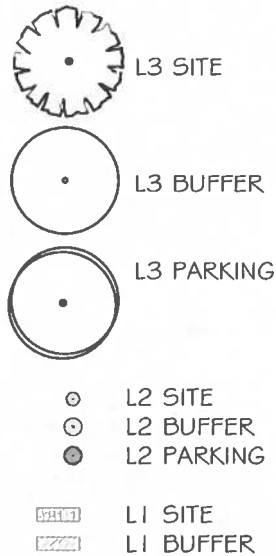
Exhibit 3: Example Landscape Plan – Commercial



CI (COMMERCIAL): BUFFER

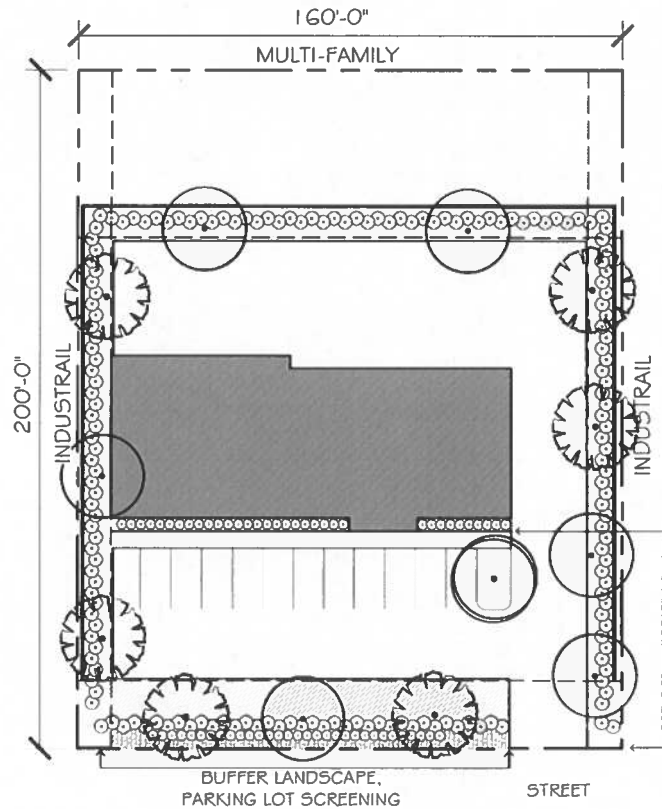
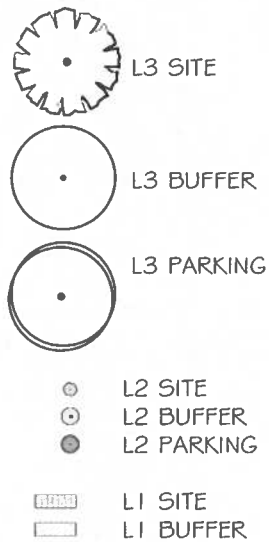
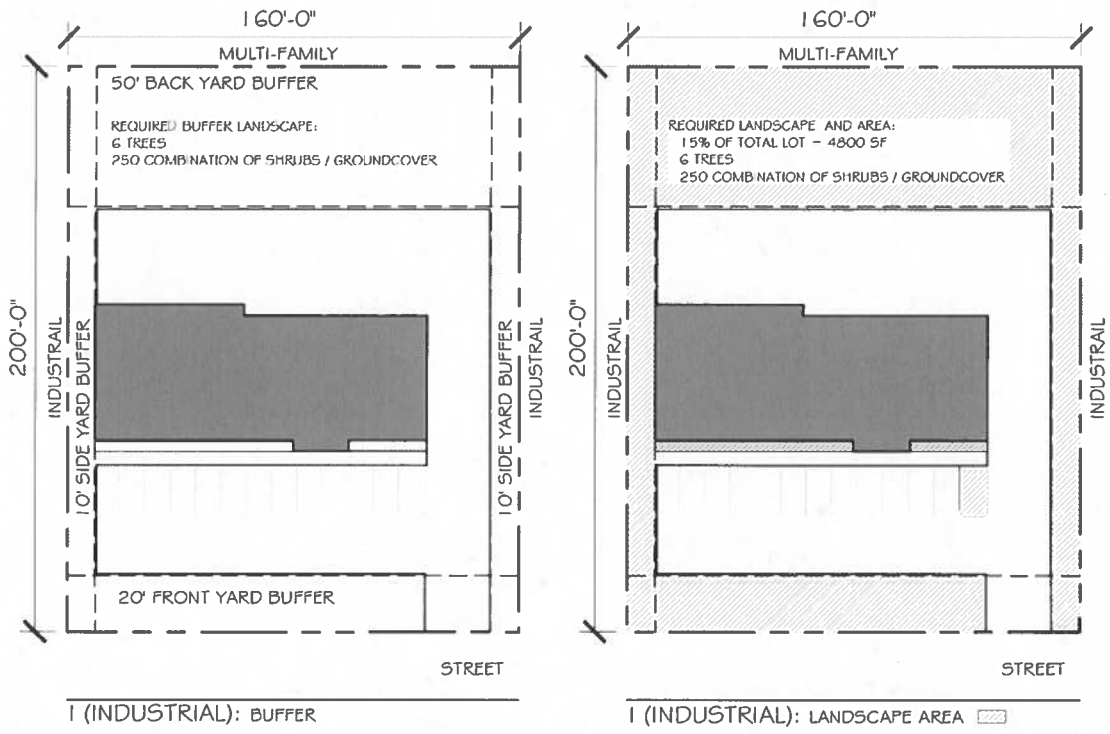


CI (COMMERCIAL): LANDSCAPE AREA



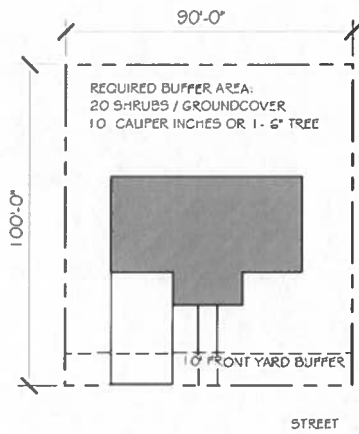
CI (COMMERCIAL): PLANTING REQUIREMENTS FOR SITE, BUFFER, PARKING

Exhibit 4: Example Landscape Plan – Industrial

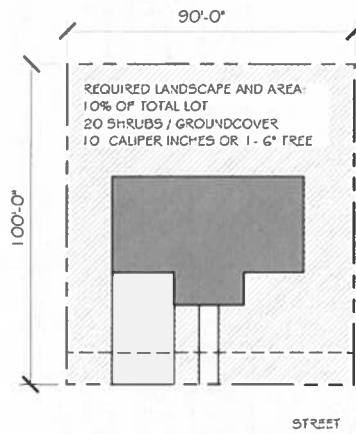


I (INDUSTRIAL): PLANTING REQUIREMENTS FOR SITE BUFFER PARKING

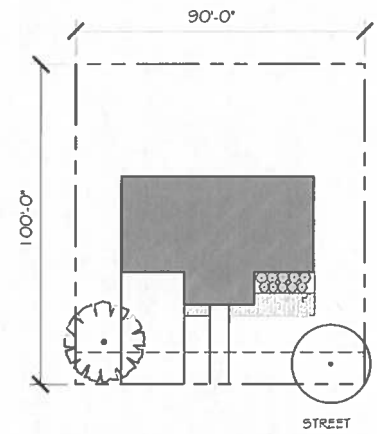
Exhibit 5: Example Landscape Plan – One-Family and Two-Family Residential



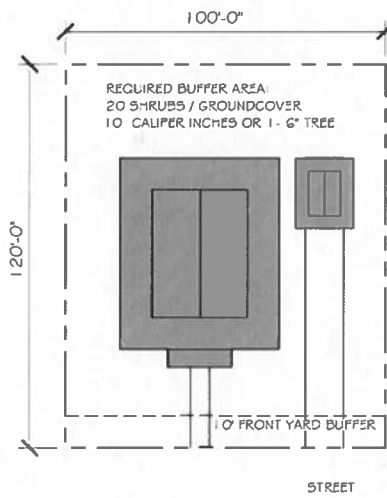
R1 (ONE-FAMILY): BUFFER



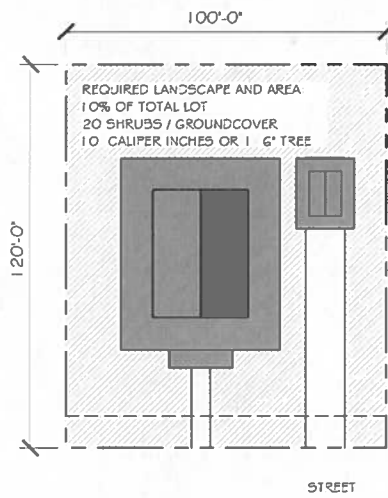
R1 (ONE-FAMILY): LANDSCAPE AREA



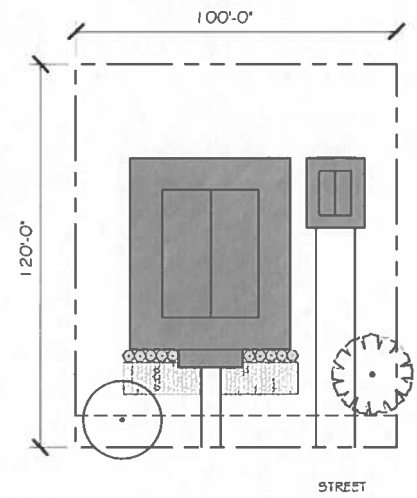
R1 (ONE-FAMILY): PLANTING REQUIREMENTS FOR SITE, BUFFER, PARKING



R2 (TWO-FAMILY): BUFFER

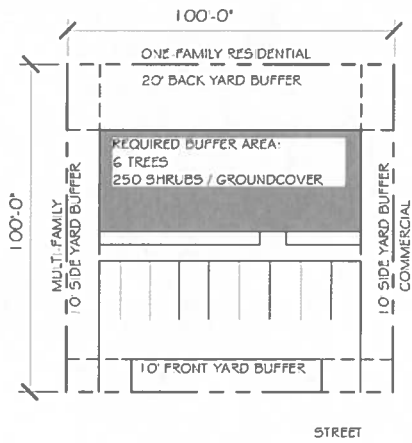


R2 (TWO-FAMILY): LANDSCAPE AREA

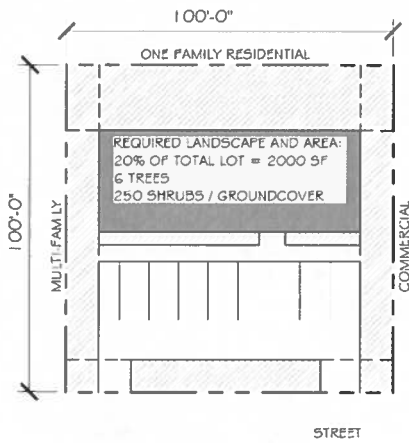


R2 (TWO-FAMILY): PLANTING REQUIREMENTS FOR SITE, BUFFER, PARKING

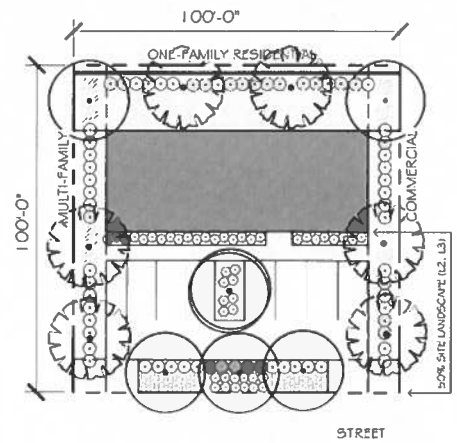
Exhibit 6: Example Landscape Plan – Multifamily Residential



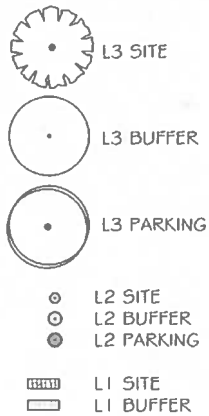
R3 (MULTI-FAMILY): BUFFER



R3 (MULTI-FAMILY):
LANDSCAPE AREA



R3 (MULTI-FAMILY): PLANTING
REQUIREMENTS FOR SITE, BUFFER, PARKING



Section 3: Landscape and Screening Requirements

Development shall be landscaped, screened, and buffered in accordance with **Tables 1-3** on the following page.

The planting and buffer yard requirements are applied to new development and multifamily and nonresidential expansions. In some instances, partial compliance is acceptable. Consult the Zoning Ordinance or contact Development and Neighborhood Services to determine whether and to what extent these requirements must be met for a specific project.

The screening requirements must be met for all multifamily and nonresidential new construction, expansions, or changes in use, as well as whenever new trash receptacles or mechanical equipment is installed outside.

Trees used to satisfy parking lot landscape requirements do not count toward other requirements.

All plantings shall meet the planting standards and landscape specifications in **Section 4**.

Table 1: Planting Requirements

LANDSCAPE REQUIREMENTS			
	TOTAL LANDSCAPE AREA (L1+L2+L3)	L2: SHRUBS & GROUNDCOVERS	L3: TREES
		A MINIMUM OF 50% OF ALL REQUIRED L2 AND L3 MUST BE PLANTED IN THE STREETScape AREA (defined as the area between the building and the street)	
LAND USE			
COMMERCIAL	25% of lot area	250 plants per acre	6 trees per acre (first 10 acres) 1 tree each additional acre
INDUSTRIAL	15% of lot area	150 plants per acre	6 trees per acre (first 5 acres) 1 tree each additional acre
ONE OR TWO-FAMILY RESIDENTIAL	10% of lot area	20 plants per dwelling	10 caliper inches OR 1 6" tree
MULTIFAMILY RESIDENTIAL	20% of lot area	250 plants per acre	6 trees per acre (first 10 acres) 1 tree each additional acre
ACCESSORY PARKING: MULTIFAMILY AND NON-RESIDENTIAL	648 square feet per required parking island	N / A	2 canopy, 2 ornamental trees per island; 1 tree per 12 spaces total

Table 2: Screening Requirements

SCREENING REQUIREMENTS			
	PARKING AREAS	LOADING AREAS	OUTSIDE EQUIPMENT
	LAND USE		
COMMERCIAL	S1 adjacent to street	S2 or S3	S3
INDUSTRIAL	S1 adjacent to street	S2 or S3	S3
ONE OR TWO-FAMILY RESIDENTIAL	N / A	N / A	S1, S2, or S3
MULTIFAMILY RESIDENTIAL	S1 adjacent to street	S2 or S3	S3

Table 3: Buffer Yard Requirements

	SUBJECT LAND USE							
	COMMERCIAL		INDUSTRIAL		ONE OR TWO-FAMILY RESIDENTIAL		MULTIFAMILY RESIDENTIAL	
	BUFFER YARD	SCREENING	BUFFER YARD	SCREENING	BUFFER YARD	SCREENING	BUFFER YARD	SCREENING
ADJACENT LAND USE:								
COMMERCIAL	N / A	N / A	30'	S2	N / A	N / A	10'	S1
INDUSTRIAL	10'	N / A	10'	S2	N / A	N / A	10'	S1
ONE OR TWO-FAMILY RESIDENTIAL	20'	S2	50'	S2	N / A	N / A	20'	S2
MULTIFAMILY RESIDENTIAL	10'	S1	50'	S2	N / A	N / A	10'	S1
PUBLIC RIGHT-OF-WAY	10'	S1	20'	S1	10'	N / A	10'	S1

Section 4: Landscape and Screening Specifications

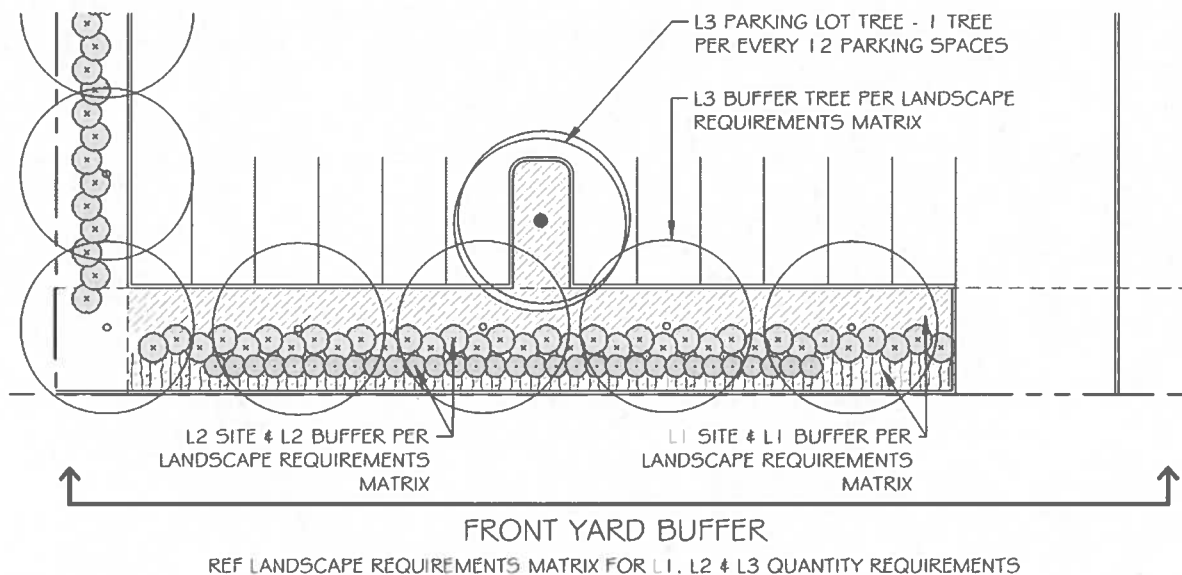
Landscaping and screening shall be designed, installed, and maintained according to the guidelines provided herein. Minimum requirements are determined by land use and zoning district as specified in Section 3 above.

Where possible, applicants shall satisfy all requirements with native and adaptive plant material.

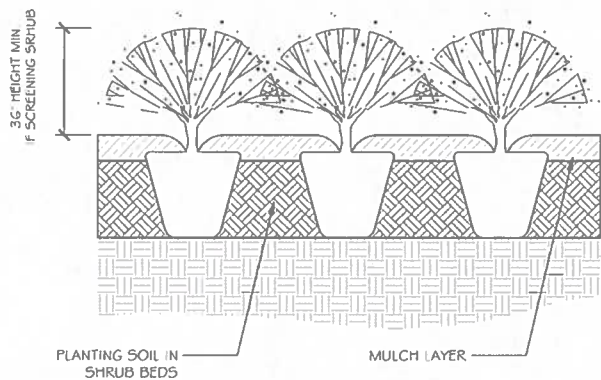
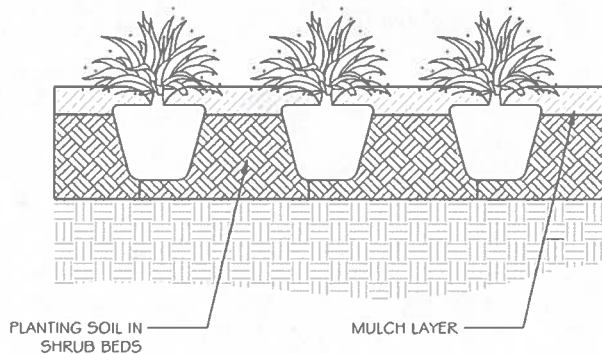
Refer to Section 8 of this manual for Preferred Native and Adaptive Plant Materials.

Part 1. Landscape Specifications

L3: Trees - woody perennial plants, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance above the ground. Installed for shade, buffering, aesthetic, or other purposes. To be provided in appropriate quantity and proportion as described herein. Required trees shall be selected from the Preferred Plant List in this manual and shall be no less than three-inch caliper at the time of planting. Refer to Landscape Requirements table for specific requirements and Preferred Native and Adaptive Plant Materials for approved plant materials.



L2: Shrubs and Ornamental Ground Covers – L2 landscape shall be selected from the evergreen shrub, perennial or seasonal flowering plant, or ornamental grass species on the Preferred Plant List in this manual. Shrubs include woody plant material smaller than a tree with several stems rising at or near the ground, installed for buffering, aesthetic, or other purposes. Ornamental ground covers include low growing, spreading plants, ornamental grasses covering open soil for aesthetic, storm water management, or other purposes. At least two species shall be selected for each 20 plants required. Refer to Landscape Requirements table for specific requirements and Preferred Plant List for approved plant materials.

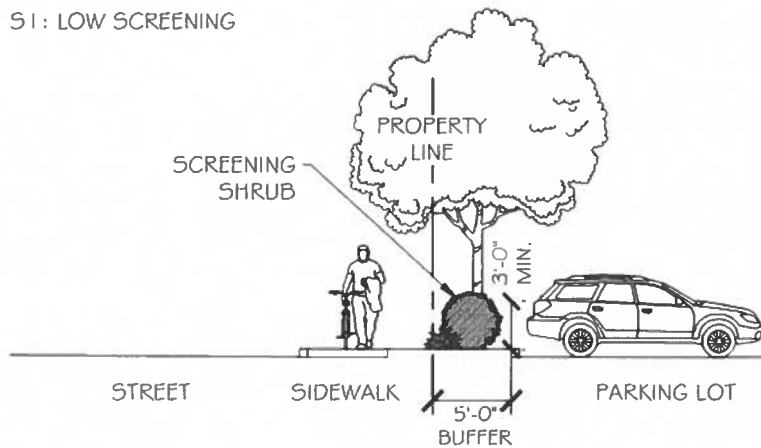


L1: Supplemental Landscape – L1 treatments may include approved L2 ground cover or shrubs, lawn, mulch, bark, decorative rock, outdoor furniture, art installations, and other landscape or hardscape features, and shall present a finished, orderly appearance and reasonably complete coverage of the landscape area. Creativity in combining multiple, complementary elements is encouraged. Except as approved by the Planning Director all landscape areas shall have a minimum area of 200 square feet with a minimum horizontal dimension of 7 feet, measured in any direction.

Part 2. Screening Specifications

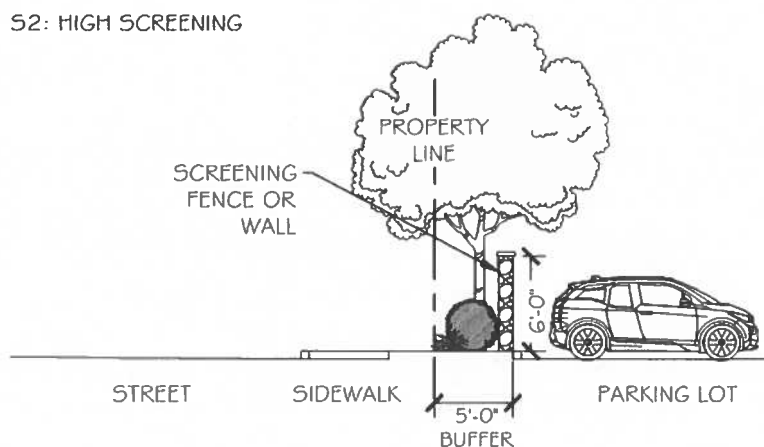
Applies to all new multifamily and nonresidential construction and expansions, change in use on property zoned for nonresidential uses, installation of exterior mechanical equipment. See Section 12-5-5(b)(2).

S1: Low Screening - A screen installed for limited sight-obstruction or access control purposes. S1 shall be shrubs, landscape berm, or other plants with minimum height of 3'-0", except that screening around parking lots in streetscape areas may be a masonry wall with a height of 3'-0" to 4'-0" in height consistent with the architecture of the main building or within a coherent hardscape theme.



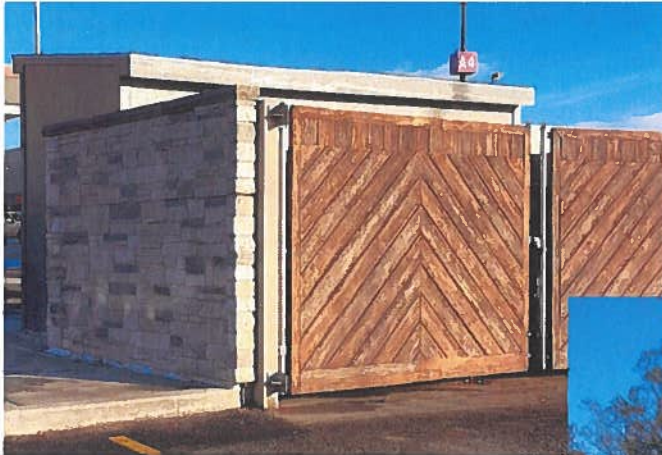
S2: High Screening - A screen installed to eliminate clear sight lines between areas with minimal breaks where necessary for controlled access and to maintain required visibility triangles.

S2 screening shall include a berm or fencing such as wood, masonry, or other materials as approved by the Planning Director, along with evergreen shrubs densely planted so as to form a solid hedge or living wall.



S3: Equipment Screening – A screen installed to eliminate clear sight lines to any mechanical equipment, trash bins, loading areas, or storage areas on all sides. Screening shall be a solid plane which is architecturally consistent with the structure on or adjacent to which it is installed. Screening materials at ground level shall be masonry wall or wood fence material or a combination of the two in keeping with the architectural style of the development.

Screening of rooftop equipment shall be sufficient to conceal all such equipment entirely when viewed from any vantage point at the same or lower elevation and shall be provided with a parapet wall for new construction. A parapet wall or architecturally compatible solid materials will be considered for the addition of new equipment on existing rooftops.



Dumpster or Storage Screening Sample



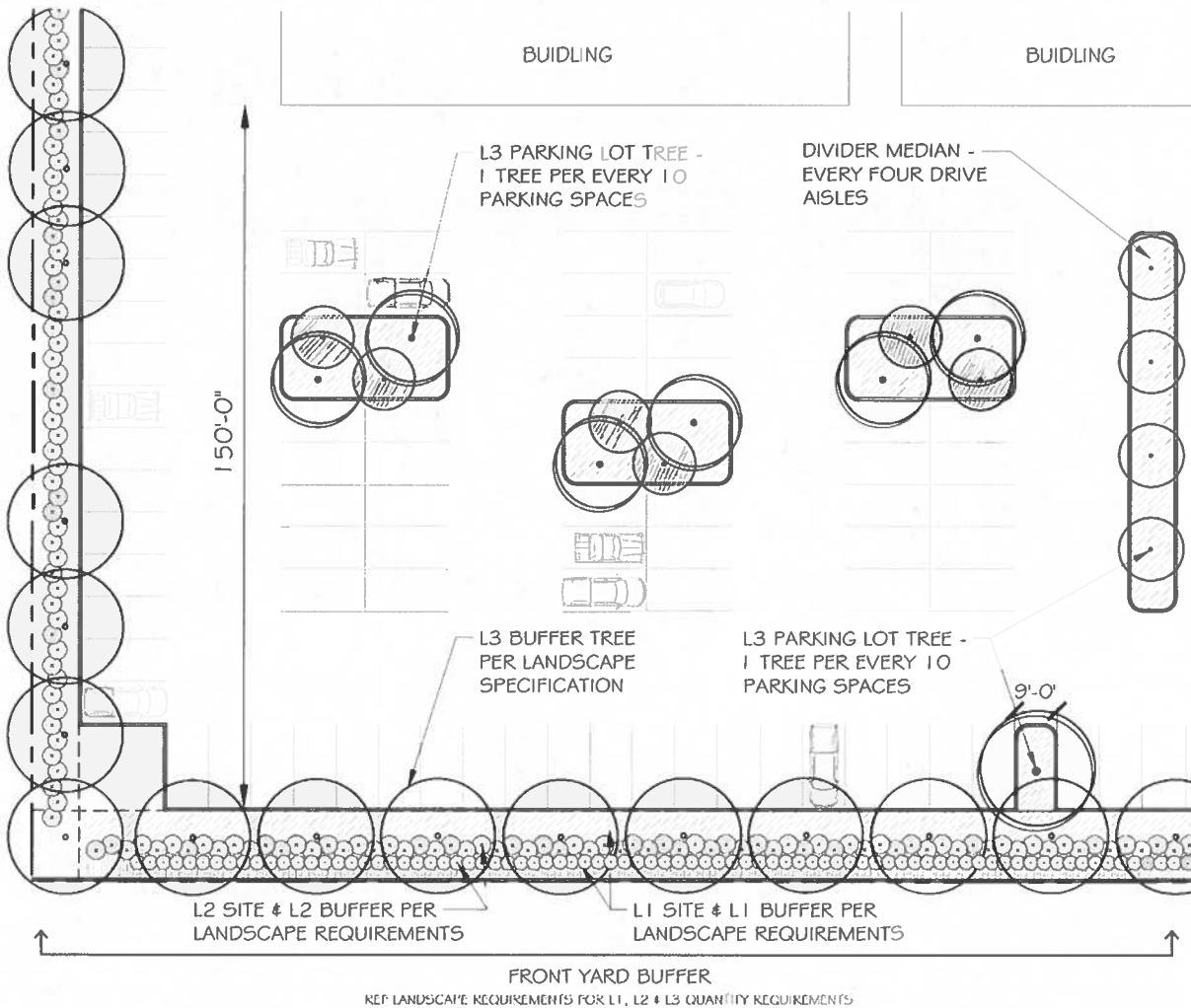
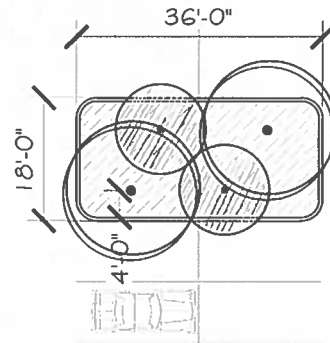
Rooftop Equipment Screening Sample

Part 3. Parking Lot Landscape Specifications

Canopy trees shall be preserved or planted according to the schedule in **Section 3** using a combination of interior or endcap islands or divider medians depending on lot dimensions, number of spaces, other site considerations, and the following parking lot landscape specifications.

Islands with two canopy trees and two ornamental trees shall be provided every 150 linear feet of parking area, including any combination of parking stalls, rows, and drive aisles. Island dimensions shall equal four parking spaces. For example, an island adjacent to 90-degree parking spaces will measure 18 feet wide, 36 feet long, and 648 square feet, as shown at right.

Divider medians shall be provided every four drive aisles, have a minimum width of 10 feet, and provide canopy trees every 20 feet on center.



Part 4. Credits and Substitutions

The Planning Director may approve credits against the requirements above or allow substitutions for certain plantings to incentivize preservation of existing trees or to facilitate creativity or flexibility on challenging or unique sites. A landscape plan is required whenever credits or substitutions are applied.

The preservation of healthy, mature trees is strongly encouraged. Qualifying trees preserved during development will receive credit against L3 tree planting requirements and, for multifamily and nonresidential uses, against total landscape area requirements. In order to qualify, trees shall meet all of the following criteria:

1. The tree is not a nuisance species.
2. The tree is a minimum 6-inch DBH.
3. The tree is located on the subject property, within 75 feet of the public right-of-way.
4. The tree meets all planting requirements of this manual.
5. The tree is healthy and protected from direct and indirect root damage and truck and crown disturbance prior to, during, and following development.

Table 4: Credit for Preservation of Existing Trees

Tree Preserved (DBH)	L3 Tree Credit	Total Landscape Area Credit
UNDER 6"	0	0
6-8"	1	5%
9-23"	2	5%
24-30"	3	10%
31"+	4	10%

Minimum parking requirements for multifamily and nonresidential uses may be reduced by 10% when the minimum L2 and L3 planting requirements are exceeded by at least 15%. This may include the preservation of native or adapted ground covers on unimproved (prairie) portions of lots when an inventory of the plants is provided on the landscape plan.

Substitutions are subject to approval by the Planning Director and may only be applied in the specific situations described:

1. Canopy trees may be substituted for shrubs at the rate of one canopy tree for five L2 plants when a cohesive landscape design provides trees exceeding the L3 requirements.
2. Ornamental trees may be substituted for shrubs at the rate of one ornamental tree for three L2 plants when a cohesive landscape design provides trees exceeding the L3 requirements.
3. Ornamental trees may be substituted for canopy trees at the rate of two ornamental trees for every canopy tree when an overhead utility line prevents planting a canopy tree within a required buffer yard or area where S2 screening is required.

Section 5: Tree Plan Standards

Applies to any site development permit or building permit which includes ground disturbance in its scope of work, or when a tree permit for the removal of two or more trees is requested. All such applications shall be accompanied by tree plans which satisfy all the following requirements.

Part 1. General Standards

Except where otherwise indicated, the following standards apply to all tree removal plans and tree protection plans.

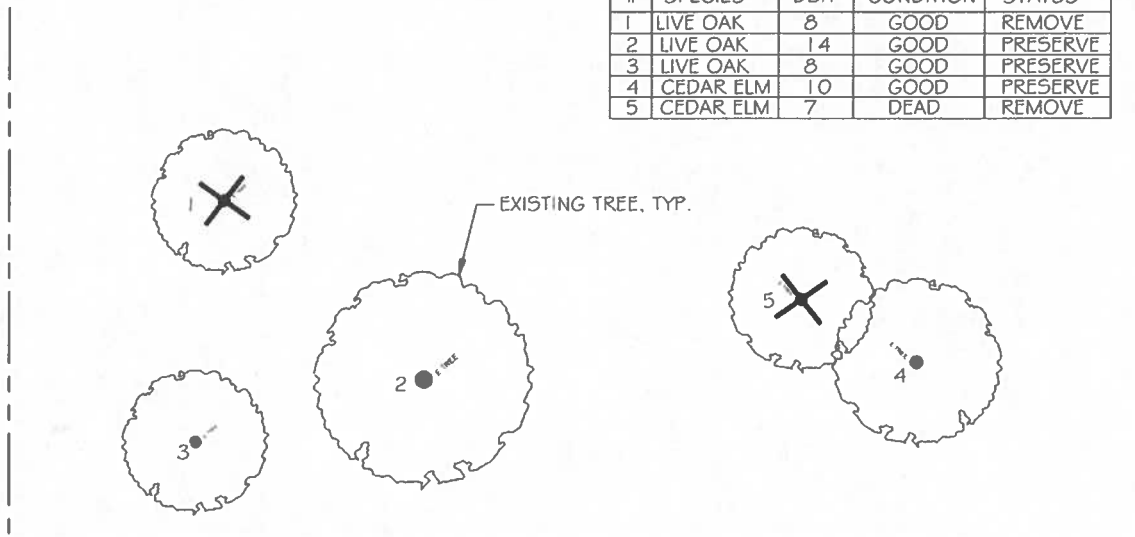
1. All plans shall be provided at a standard scale on 8.5" x 11", 11" x 17", or 24" x 36" paper.
2. Electronic copies of all plans shall also be provided in a format acceptable to the Planning Director.
3. All plans shall be drawn at a standard engineering scale and include a bar scale and numerical scale and include a directional north arrow.
4. All plans shall include the following information:
 - a. Site address or other identifying location information.
 - b. Location of existing and proposed property lines.
 - c. Name and phone number of the person who prepared the plan
 - d. The date on which the plan was prepared.
5. When necessary for clarity, the applicable required plans shall be detailed separately on multiple sheets. When few trees are present, the information may be on a single sheet.
6. At the discretion of the Planning Director, aerial photography, with trees proposed for removal marked with an "X" and proposed replacements clearly indicated, may be substituted for plans meeting the requirements in Parts 1-3 when any of the following applies to a tree permit application:
 - a. No ground disturbance is proposed except for the removal of trees under permit.
 - b. All trees will be preserved and are located more than 25 feet outside of the development impact area.
 - c. Trees are to be removed for agricultural purpose on property zoned AG Agricultural.

Part 2. Tree Removal Plan

Applies to any tree permit for which the removal of two or more trees is requested. All such applications shall be accompanied by a tree removal plan which includes:

1. The subject site and adjacent public rights-of-way.
2. All trees proposed for removal (excluding trees which are exempted from permit requirements) marked with an "X" and indicating species and caliper size.
3. A table indicating each tree proposed for removal under permit, including species, caliper, condition, and whether mitigation is required. The sum total number of trees and caliper-inches requiring mitigation shall also be shown.
4. All tree removal plans associated with new development shall include the location of existing and proposed buildings, utilities, pavement, and other site features.
5. Plan and table shall provide sufficient information to determine whether developer has made all reasonable effort to preserve, protect and maintain existing trees and whether all proposed removal meets the approval criteria.

#	SPECIES	DBH	CONDITION	STATUS
1	LIVE OAK	8	GOOD	REMOVE
2	LIVE OAK	14	GOOD	PRESERVE
3	LIVE OAK	8	GOOD	PRESERVE
4	CEDAR ELM	10	GOOD	PRESERVE
5	CEDAR ELM	7	DEAD	REMOVE



Part 3. Tree Mitigation Plan

Applies to any tree removal for which mitigation is required. All such applications shall be accompanied by a tree mitigation plan which includes:

1. The subject site and adjacent public rights-of-way.
2. All required mitigation trees proposed, including species and size in caliper at time of planting. For proposed streetscape or parking lot trees, distances to existing trees, buildings, hardscape, and utilities shall be shown.
3. A table indicating each proposed mitigation tree, including species and caliper at time of planting, along with a schedule for completion of all plantings required. The sum total number of trees and caliper-inches proposed shall also be shown.

Part 4. Tree Protection Plan

Applies to any grading permit, site development permit, or building permit for which any trees within the development impact area will be preserved. All such applications shall be accompanied by a tree protection plan which includes:

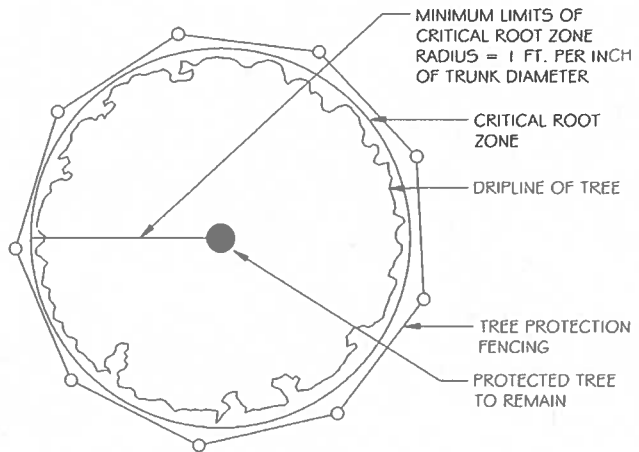
1. The subject site and adjacent public rights-of-way.
2. The location of existing and proposed buildings, utilities, and hardscape.
3. The extent of the development impact area and, specifically, the locations of:
 - a. Construction or demolition of structures and walls.
 - b. Grading and filling.
 - c. Paving.
 - d. Utility and irrigation installation.
 - e. Construction parking.

- f. Materials and equipment storage.
- g. Trenching and boring.
- h. Any other activities requiring excavation or soil disturbance.

4. The trunk locations, driplines, and critical root zones for all trees within the development impact area and within 25 feet of the development impact area, except for any trees proposed for removal, which shall be marked with an "X" indicating removal. The **critical root zone** includes all the area within a radius equal to one foot for every one inch diameter of the tree trunk (as measured at breast height) and is not the same as the dripline. The critical root zone radius is measured outward from the root flare at ground level.

5. The location and type of tree protection fencing compliant with the requirements in this manual and the figure at right, along with any additional preservation measures determined to be necessary for the continued viability of the trees to be preserved.

6. Non-disturbance areas containing trees to be preserved, indicated by shading, and labeling as off-limits to all grading and construction activity.



Section 6: Tree Protection Measures

Applies to any permit which includes ground disturbance in its scope of work, or when a tree permit for the removal of two or more trees is requested, on any site which has existing trees which are not proposed for removal within 25 feet of any proposed ground disturbance or tree removal.

Prior to any ground disturbance other than what is necessary for the installation of tree protection measures and erosion, sediment, and pollutant control measures, the applicant shall:

1. Mark all trees to be preserved with brightly colored vinyl tape or other uniformly brightly colored marking at a height of approximately four feet, such that the marking is visible to workers on foot or driving equipment.
2. Install tree protection fencing such as chain linking fencing, vinyl construction fencing, or other similar fencing, at least four feet in height and supported at intervals of no greater than ten feet, at approximately the drip line around all trees to be preserved within the development impact area or within 25 feet of the development impact area (where tree stands are to be preserved, the fencing shall surround the entire stand), and to remain in place throughout all ground disturbance and construction activities; and
3. Perform a site inspection and document compliance or non-compliance with the tree plan and the tree protection measures described herein and send verification to the Planning Director within one week of the inspection.

Following the completion of items above and throughout all construction activities involving ground disturbance, the following protection measures shall be observed:

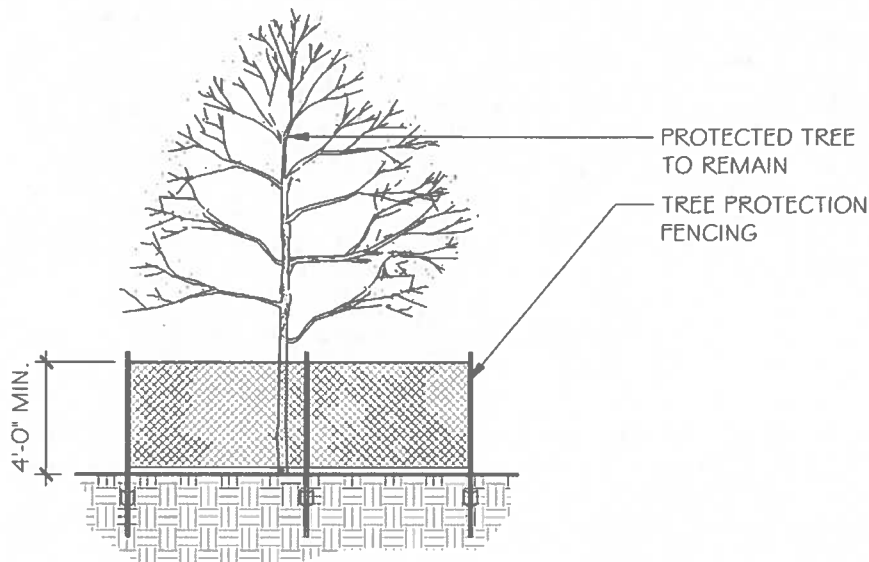
1. The applicant shall perform a monthly (except as otherwise approved by the Planning Director) site inspection and document compliance or non-compliance with the tree plan and the tree protection measures described herein and send verification to the Planning Director within one week of the inspection;
2. No materials intended for use in construction or waste materials accumulated due to excavation or demolition shall be placed within the limits of the critical root zone of any tree which is to be preserved.
3. No equipment shall be cleaned or other liquids (including, but not limited to paint, oil, solvents, asphalt, concrete, mortar or similar materials) deposited or allowed to flow overland within the limits of the critical root zone of any trees to be preserved;
4. No signs, wires or other attachments, other than fencing attachments, shall be placed on trees to be preserved.
5. No vehicular and/or construction equipment traffic or parking shall take place within the limits of the critical root zone of any tree to be preserved other than on existing street pavement, except for purposes of clearing underbrush, establishing the building pad and associated lot grading, vehicular traffic necessary for routine utility maintenance, emergency restoration of utility service, and routine mowing operations;
6. No grade changes shall be allowed within the limits of the critical root zone of any tree to be preserved unless adequate construction methods are approved by the landscape administrator.
7. No paving with asphalt, concrete or other impervious materials that may reasonably be expected to kill a tree shall be placed within the limits of the critical root zone of any tree to be preserved.
8. No heavy equipment, including but not limited to trucks, tractors, trailers, bulldozers, bobcat tractors, trenchers, compressors, and hoists, shall be allowed inside the drip-line

of any tree to be preserved without the specific approval of the Planning Director for limited, incidental access.

For all underground utilities, the following construction methods shall be observed:

1. Boring of utilities under trees to be preserved shall be required in those circumstances where it is not possible to trench around the critical root zone of the tree. When required, the length of the bore shall be the width of the critical root zone at a minimum and shall be a minimum depth of 48 inches.
2. All trenching shall be designed to avoid trenching across the critical root zone of any tree, unless otherwise approved. The placement of underground utility lines such as electric, telecommunications, gas, etc., shall be located outside of the critical root zone of trees to the extent possible. Trenching for an irrigation system shall be placed outside of the critical root zone, except the minimum required single head supply line as allowed to extend into the critical root zone perpendicular to the tree trunk and in the manner that has the least possible encroachment into the critical root zone.
3. All roots two inches or larger in diameter which are exposed because of trenching or other excavation shall be cut off square with a sharp medium tooth saw and covered with pruning compound within two hours of initial exposure.

Upon completion of all construction activities and/or site work, the applicant shall perform a final site inspection and document that all trees subject to the tree protection requirements described herein remained protected throughout construction activities and/or site work and remain unaffected by all such work at the time of its completion. Prior to issuance of a certificate of occupancy for a building permit or acceptance of improvements for a site development permit, the applicant shall send verification of the final inspection to the Planning Director.



NOTE: TREE PROTECTION FENCING SHALL BE PLACED AT OR BEYOND THE DRIP LINE OR CRITICAL ROOT ZONE, WHICHEVER IS GREATER.

Section 7: Planting and Maintenance Standards

Applies to all trees, shrubs, living groundcover, or other materials planted to meet the requirements of this manual and the Weatherford Municipal Code.

The quality and quantity of soil, spacing between plants and other features in or on the ground, and adequate maintenance are integral to the long-term life of all planted materials. The following are minimum guidelines to ensure newly planted landscape and trees are successfully established and maintained to meet the intent of all tree and landscape requirements adopted by ordinance.

Part 1. Landscape Planting Standards

1. All landscape preserved or planted to meet the requirements of this chapter shall be chosen from the Preferred Plant List provided in this manual unless another species included in the Texas SmartScape plant database is approved by the Planning Director.
2. All trees and shrubs preserved or planted to meet the requirements of this chapter shall have well developed leaders and tops and roots characteristic of the species and shall show evidence of proper nursery pruning. All plant materials shall be free of insects, diseases, mechanical injuries, and other objectionable features at the time of planting.
3. Soil for all L2 landscape areas shall be tilled to a depth of 8-12" prior to installation of landscape. All plantings therein shall be mulched to a depth of 2". Trees planted within these areas shall additionally meet the tree planting standards in Part 3 below.
4. Grasses may be sodded, plugged, sprigged, or seeded. In swales, berms, or other areas subject to erosion, solid sod shall be used.
5. Shrubs preserved or planted to meet L2 landscape requirements shall be a minimum of 18" in height. Shrubs preserved or planted to meet S1 or S2 screening requirements shall achieve the applicable sight obstruction within one year of planting.
5. Parking lot landscape areas and any other landscape adjacent to parking or driving surfaces shall be protected from vehicle encroachment by curb or other approved stopping devices.
6. All required landscape areas, including landscape islands or tree wells within parking areas, shall be irrigated with an automatic conventional irrigation system equipped with rain and freeze sensor controls. The irrigation system shall be installed by a licensed irrigator or master plumber.
7. Irrigation of all landscaped area adjacent to any parking and/or driving surfaces shall be installed such that a minimum amount of water is applied to parking and/or driving spaces.

Part 2. Landscape Maintenance Standards

All landscaping and related maintenance shall be the responsibility of the property owner. The following minimum standards shall be required:

1. Landscape areas shall be kept free of trash, litter, weeds, and other such material or plants that are not a part of the landscape.
2. All required plant materials shall be watered by an automatic irrigation system with moisture and rain sensors to ensure minimal water waste and runoff. Alternative irrigation methods consistent with nursery industry standards and verified by a landscape professional may be approved by the Planning Director.

3. All plant materials shall be maintained in a healthy and growing condition as appropriate for the season of the year. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, and other maintenance of all plantings as needed.
4. Landscape, including landscape installed to meet S1 or S2 screening requirements, shall not encroach on the sight visibility triangle at intersecting streets or preclude visibility during ingress or egress of driveways and parking lots. The standard clear sight triangle for private drives will normally be 15 feet and the standard clear sight triangle for intersection of streets is 25 feet.
5. Plant materials which exhibit evidence of insects, pests, disease, and/or damage shall be appropriately treated.
6. Plant materials which die shall be replaced with healthy plant material meeting all specifications and planting requirements provided herein within six months.

Part 3. Tree Planting Standards

Trees planted to meet any landscape or tree mitigation requirement shall be chosen from the Preferred Plant List in this manual unless another native or adapted species included in the Texas SmartScape plant database is approved by the Planning Director. Nuisance species identified on the Nuisance Tree List in this manual shall not be preserved or planted in any required landscape area.

Required canopy trees, including any tree required to be planted for mitigation, shall have a minimum height of 10 feet and minimum caliper of 3 inches at the time of planting. Ornamental trees must have a minimum caliper of 2 inches or 65 gal. container size and 8 feet at time of planting.

Trees shall be provided adequate soil volumes to ensure their successful establishment and growth to maturity:

1. Canopy trees shall have a soil volume of at least 600 cubic feet.
2. Ornamental trees shall have a soil volume of at least 400 cubic feet.
3. Topsoil (2 inches) shall have 4%-6% organic matter by weight.
4. To avoid settling issues, no soil mix shall contain more than 15% compost by volume.

Trees shall be provided adequate spacing from new and existing trees, structures, hardscape, and utility infrastructure according to the following standards wherever possible:

1. Ornamental trees shall be spaced not closer than 15 feet on center from other newly planted trees or any existing tree that has been in the ground for over three years.
2. Canopy trees shall be spaced not closer than 30 feet on center from other newly planted canopy trees or any existing tree that has been in the ground for over three years, and not closer than 15 feet of center from other newly planted ornamental trees;
3. Trees shall be planted with the center of their trunks not closer than 2.5 feet from any hard surface paving.
4. Trees shall be planted with the center of their trunks not closer than 4 feet from any underground utility, utility box, or utility pole.
5. Trees shall be planted with the center of their trunks not closer than 15 feet from existing or planned overhead utility lines.
6. Trees shall be planted with the center of their trunks not closer than 10 feet from any fire hydrant or streetlight.
7. Trees shall be planted with the center of their trunks not closer than 10 feet from the furthest protrusion (e.g. roof overhang, wall-mounted equipment) of an existing or

- proposed single-story building and not closer than 15 feet from the furthest protrusion of any existing or proposed multistory building; and
8. Trees shall be planted with the center of their trunks not closer than 35 feet from the intersection of two streets or other rights-of-way.

Where trees are planted within 5 feet of any hard surface paving or utility box, root barriers extending a minimum of 6" below depth of pavement or utility box shall be installed according to the manufacturer's specifications.

Part 4. Tree Maintenance Standards

Trees shall be maintained so as not to become hazard trees as defined in the Tree Preservation chapter.

Trees shall be maintained such that their canopies do not impede the safe use of public streets, sidewalks, paths, or parking areas and shall meet the following minimum clearance standards:

1. 8 feet above a sidewalk or other pedestrian or multiuse path.
2. 13 feet above any travel lane or curb of a local street or any parking space or drive aisle.
3. 15 feet above any travel lane or curb of a collector street; and
4. 18 feet above any travel lane or curb of an arterial street.

Section 8: Preferred Native and Adaptive Plant Materials

Table 5a: Preferred Native and Adaptive Canopy and Ornamental Tree List

CANOPY TREES - DECIDUOUS				
COMMON NAME	SCIENTIFIC NAME	MIN. SPACING	CANOPY SPREAD AT MATURITY	REMARKS
Bald Cypress	<i>Taxodium distichum</i> var. <i>distichum</i>	40' o.c.	70'	Fall Red-brown foliage
Bur Oak	<i>Quercus macrocarpa</i>	40' o.c.	60'	Fall Color
Cedar Elm	<i>Ulmus crassifolia</i>	40' o.c.	70'	Fall Color
Chinquapin Oak	<i>Quercus muehlenbergii</i>	40' o.c.	60'	Native, Fall Color
Eve's Necklace	<i>Sophora affinis</i>	25' o.c.	15'	Spring Pink flowers, Partial Shade
Goldenrain Tree	<i>Koeleruteria paniculate</i>	30' o.c.	30'	Spring Flowers, Fall Color
Lacebark Elm	<i>Ulmus parvifolia</i>	30' o.c.	40'	Lacey bark, Summer Fall color
Pecan	<i>Carya illinoensis</i>	40' o.c.	60'	Native, State Tree of Texas, Nut
Texas Red Oak	<i>Quercus buckleyi</i>	30' o.c.	50'	Fall Red foliage

CANOPY TREES - EVERGREEN				
COMMON NAME	SCIENTIFIC NAME	MIN. SPACING	CANOPY SPREAD AT MATURITY	REMARKS
Afghan Pine	<i>Pinus eldarica</i>	20' o.c.	20'	Fast grower
Arizona Cypress	<i>Cupressus arizonica</i>	20' o.c.	20'	Good Screening
Eastern Redcedar	<i>Juniperus virginiana</i>	20' o.c.	12'	Screening, Spring Blue berries
Japanese Black Pine	<i>Pinus thunbergiana</i> Deodar	25' o.c.	30'	Dark green needles
Southern Live Oak	<i>Quercus virginiana</i>	45' o.c.	70'	Deep green leaves

ORNAMENTAL TREES - DECIDUOUS				
COMMON NAME	SCIENTIFIC NAME	MIN. SPACING	CANOPY SPREAD AT MATURITY	REMARKS
Crape Myrtle	<i>Lagerstroemia indica</i> (cultivars)	12' o.c.	20'	Spring, Summer Spikes of Flowers
Desert Willow	<i>Chilopsis linearis</i>	12' o.c.	20'	Spring, Summer, Fall Flowers
Flowering Crabapple	<i>Malus</i> spp	12' o.c.	30'	Fall color, Spring White, Pink or Red Flower
Japanese Maple	<i>Acer palmatum</i> (cultivars)	12' o.c.	15'	Fall foliage, Shade
Mexican Plum	<i>Prunus Mexicana</i>	12' o.c.	25'	Fall Color, Spring White Flowers, Fruits
Mexican Redbud	<i>Cercis canadensis</i> var. <i>mexicana</i>	12' o.c.	15'	Spring Deep Purple flowers
Prairie Flameleaf Sumac	<i>Rhus lanceolata</i>	12' o.c.	15'	Fall Red Foliage
Redbud	<i>Cercis canadensis</i> var. <i>texensis</i>	12' o.c.	20'	Spring Flowers
Vitex	<i>Vitex agnus-castus</i>	15' o.c.	15'	Spring, Summer, Fall Purple Flowers

ORNAMENTAL TREES - EVERGREEN				
COMMON NAME	SCIENTIFIC NAME	MIN. SPACING	CANOPY SPREAD AT MATURITY	REMARKS
Texas Mountain Laurel	<i>Sophora secundiflora</i>	12' o.c.	8'	Spring - Summer Drooping Flowers
Yaupon Holly	<i>Ilex vomitoria</i> Eldarica	12' o.c.	15'	Summer Red Berries

Table 5b: Preferred Native and Adaptive Shrubs, Grasses, Perennials, and Groundcover List

SHRUB - EVERGREEN			
COMMON NAME	SCIENTIFIC NAME	MIN. SPACING	REMARKS
Barberry	<i>Berberis thunbergii</i>	4' o.c.	Red foliage year round
Compact Burning Bush Hedge	<i>Euonymus alatus 'Compactus'</i>	6' o.c.	Red Fall Color
Chinese Fringe Flower	<i>Loropetalum chinensis</i>	4' o.c.	Winter, Spring Pink Flowers
Indian Hawthorne	<i>Raphiolepis indica</i>	4' o.c.	Spring white flowers
Red Yucca	<i>Hesperaloe parviflora</i>	3' o.c.	Spring, Summer flower spikes
Dwarf Yaupon Holly	<i>Ilex vomitoria 'Nana'</i>	2' o.c.	Summer Red Berries

ORNAMENTAL GRASS			
COMMON NAME	SCIENTIFIC NAME	MIN. SPACING	REMARKS
Chinese Silver Grass	<i>Miscanthus sinensis</i>	24" o.c.	Variegated leaves
Inland Sea oats	<i>Chasmanthium latifolium</i>	3' o.c.	Sun or Shade, Seed spikelets
Little Bluestem	<i>Schizachrium scoparium</i>	3' o.c.	Blue grey stalks to Bronze in Fall
Mexican Feather Grass	<i>Stipa (Nasella) teniusissima</i>	18" o.c.	Foxlike showy plumes
Muhly Grass	<i>Muhlenbergia linheimeri</i>	4' o.c.	Purple/White panicles of seeds

PERENNIALS			
COMMON NAME	SCIENTIFIC NAME	MIN. SPACING	REMARKS
Autumn Sage	<i>Salvia greggii</i>	24" o.c.	Perennial, Spring, Summer Flower
Blackfoot Daisy	<i>Melampodium leucanthum</i>	12" o.c.	Perennial, Summer Yellow Flowers
Mountain Sage	<i>Salvia regia</i>	24" o.c.	Perennial, Spring, Summer Flower
Texas Lantana	<i>Lantana horrida</i>	12" o.c.	Spring, summer, fall yellow flowers, Perennial
Verbena	<i>Verbena canadensis</i>	12" o.c.	Perennial, Summer Purple Flowers

GROUNDCOVER / VINES			
COMMON NAME	SCIENTIFIC NAME	MIN. SPACING	REMARKS
Asian Jasmine	<i>Trachelospermum asiaticum</i>	12" o.c.	Evergreen, Glossy green groundcover
Carolina Jasmine	<i>Gelsemium sempervirens</i>	18" o.c.	Spring yellow flowers, climber
Creeping Fig	<i>Ficus pumila</i>	12" o.c.	Perennial,
Liriope	<i>Liriope muscari</i>	18" o.c.	Evergreen, Groundcover, Summer Purple flowers
Winter Creeper	<i>Evonymus fortune 'Colorata'</i>	12" o.c.	Perennial, Shade tolerant, Groundcover, climber

Section 9: Nuisance Tree List

The following species have been selected as nuisance trees for their undesirable characteristics, shall not be planted in the City of Weatherford or counted towards any tree or landscape requirements, and are exempt from replacement requirements when removed under an approved tree permit:

Table 6: Nuisance Tree List

NUISANCE PLANT LIST	
COMMON NAME	SCIENTIFIC NAME
African Tamarisk	<i>Tamarix Africana</i>
Alamo Blanco	<i>Populus Alba</i>
Athel Tamarisk	<i>Tamarix Aphylla</i>
Beach Sheoak	<i>Causuarina Equisetifolia</i>
Brazilian Peppertree	<i>Schinus Terebinthifolius</i>
Callery (Bradford) Pear	<i>Pyrus Calleryana</i>
Camphor Tree	<i>Cinnamomum Camphora</i>
Carrotwood Tree	<i>Cupaniopsis Anacardioides</i>
Chinaberry Tree	<i>Melia Azedarach</i>
Chinese Parasoltree	<i>Firmiana Simplex</i>
Chinese Tallow Tree	<i>Triadica Sebifera</i>
Fivestamen Tamarisk	<i>Tamarix Chinensis</i>
French Tamarisk	<i>Tamarix Gallica</i>
Japanese Raisin Tree	<i>Hovenia Dulcis</i>
Melaleuca	<i>Melaleuca Quinquenervia</i>
Paper Mulberry	<i>Broussonetia Papyrifera</i>
Peepul Tree	<i>Ficus Religiosa</i>
Popinac	<i>Leucaena Leucocephala</i>
Princess Tree	<i>Paulownia Tomentosa</i>
Salt Cedar	<i>Tamarix Ramosissima</i>
Siberian Elm	<i>Ulmus Pumila</i>
Smallflower Tamarisk	<i>Tamarix Parviflora</i>
Tree of Heaven	<i>Ailanthus Altissima</i>
White Mulberry	<i>Morus Alba</i>

Section 10: Heritage Tree Designation Procedure

Part 1. Heritage Tree Designation

A tree or stand of trees not already designated as a heritage tree by the definition in the Tree Preservation chapter may be nominated for heritage tree designation by the property owner. The nomination shall be submitted to the Planning Director and shall include the following:

1. Letter addressed to the Planning and Zoning Commission providing reasons why the tree or stand of trees merit heritage tree designation and describing how such designation may affect proposed or future development of the subject site.
2. Site plan showing the location of the tree or trees nominated for heritage tree designation; and
3. Any documentation which supports the special significance of the tree or trees.

The Planning Director shall review the complete nomination submittal and present the provided materials and any appropriate supplemental information to the Planning and Zoning Commission with a recommendation to approve or deny the heritage tree designation.

The Planning and Zoning Commission shall review the nomination and the Planning Director's recommendation and determine whether the tree or stand of trees are of landmark importance due to age, size, species, horticultural quality, or historic significance.

Any tree determined by the Planning and Zoning Commission to be of landmark importance following the above procedure shall be designated as a heritage tree.

Part 2. Removal of Heritage Tree Designation

Heritage tree designation shall be removed if a tree permit is approved for the removal of the subject tree or trees.

A tree which is designated as a heritage tree following the procedure in Part 1 above may have such designation removed by the Planning and Zoning Commission. The property owner shall petition the Planning and Zoning Commission to remove heritage designation and shall submit the following to the Planning Director:

1. Letter addressed to the Planning and Zoning Commission providing reasons why heritage tree designation is no longer appropriate, describing the circumstances for bringing the petition to remove heritage tree designation, and disclosing any proposed or future development plans for the site.
2. Site plan showing the location of the heritage tree or trees; and
3. Any documentation which supports the petition to remove heritage tree designation.

The Planning Director shall review the petition and present the provided materials and any appropriate supplemental information to the Planning and Zoning Commission with a recommendation to approve or deny the removal of heritage tree designation.

The Planning and Zoning Commission shall review the petition and the Planning Director's recommendation and determine whether removal of heritage tree designation is warranted.