

## **SIGNIFICANT CHANGES IN THE PROPOSED UPDATE TO CHAPTER 91: TREE ORDINANCE:**

- Applies to ALL property under the jurisdiction of the City and not just new construction, development or subdivision. This includes residential, commercial, and recreational lands within the city limits and ETJ.
- Bans the controversial and undesirable pruning practice of “lion tailing” and “topping” and established regulatory consequences for the use of this practice if it can be proven that the tree failed because of the practice.
- Enhances the Tree Board guidelines for that governing body
- Creates an incentive program to help residents replace trees lost to Oak Wilt
- Adds penalties for responsible parties not cleaning their tools between trees and not painting live wounds/cuts on Oak trees
- Defines and designates Protect and Heritage Trees, establishing rules for their preservation.
  - Residents and developers MUST use a certified arborist to work on Heritage trees and Protected trees of the oak species except in the case of a full removal. Although a trained arborist is recommended in this case because the removal of large trees can pose a significant hazard to life and property.
  - Removal of a Protected Tree is discouraged and the property owner or developer must replace it or provide a cash-in-lieu payment.
  - Removal of a Heritage Tree is prohibited and the property owner or developer must go through the variance process in order to request permission to remove. If removal is granted a replacement or cash-in-lieu payment must be made.
  - Certified arborist required for trenching around trees designated Protected or Heritage during construction.
- Creates a separate permit process for removal versus just trimming for all trees.
- Increased payments for removing Protected and Heritage Trees.
- Moved “Cedar Stands” to Protected Tree status from Heritage.
- Improved guidelines for trees infected with things other than Oak Wilt and bug infestations
- Strengthens guidelines and tree protections for new development and in the construction process.