



Tree Permit Application

Application No. TP - _____ - _____

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(PLEASE PRINT OR TYPE ALL INFORMATION)

PROPERTY OWNER INFORMATION:

Property Owner: _____

Address of property: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: () _____ Email: _____

I am applying for a Tree Permit from the City of Dallas and I do attest by my signature that all of the above statements are true to the best of my knowledge. I, the undersigned, hereby make application to perform the work specified below, and if same is granted, agree to conform to the current City of Dallas Tree Ordinance and Arboricultural Specifications and Standards of practice.

Property Owner Signature

Notary Signature

My commission expires the _____ day of _____, 20____.
(Seal)

REQUIRED INFORMATION:

- ☐ A site plan showing the following:
- | | |
|--|---|
| ☐ Location of the tree(s) to remain on site | ☐ Location of tree(s) to be removed |
| ☐ Location of the tree(s) required to be planted | ☐ Building, parking, entrance layout |
| ☐ Buffers | ☐ Landscape strips |
| ☐ Parking lot trees | ☐ Tree Density Units |
| ☐ Tree Save Areas | ☐ Species of tree |
| ☐ Photos of tree | |
| ☐ Diameter of tree (measured 4-feet above ground level) | |
- ☐ Report from arborist or landscape architect documenting Specimen Tree(s), Specimen Tree Stand, Tree Unit Values, Tree Density Standards, Tree Density Standard Calculation, Qualified Tree and Bush Species Table(s), Permeable Surfaces Under Tree Driplines, Tree Protection, Seasonal Planting, and Health of tree(s) to be removed.
- ☐ Tree Bank Report (Required and may be used only in the event the site tree density or recompense tree requirement cannot be met on-site due to hardship.)
- ☐ Tree Preservation and Tree Replacement Plan

Tax Parcel I.D. No.: _____, _____, _____

Land Lots(s) _____, _____, _____; District: _____; Section: _____

CITY STAFF ONLY:

FILED WITH COMMUNITY DEVELOPMENT: _____, 202____

APPLICATION ACCEPTANCE DATE: _____, 202____

APPROVED ☐ DENIED ☐ RESUBMITTAL REQUIRED ☐

DIRECTOR: _____
(SIGNATURE) (DATE)

TIME/DATE STAMP:



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ARBORIST INFORMATION:

Arborist Name: _____

Company Name: _____

ISA Certification #: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: () _____ Email: _____

I, _____, an ISA Certified Arborist; Certification #: _____; have inspected the site and reviewed the work to be performed under the authority of the tree removal permit listed above.

Arborist Signature

Notary Signature

My commission expires the _____ day of _____, 20____.

(Seal)

TREE SERVICE AND/OR CONSTRUCTION COMPANY INFORMATION:

Company Name: _____

Business License #: _____ County or City of Origin: _____

State Contracting License #: _____ (If required)

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: () _____ Email: _____

We, _____, hereby certify that we have been contracted to perform tree removal services at the above-referenced property. We have inspected the site and reviewed the work to be performed under the authority of the tree removal permit listed above. We understand that no work will commence until the tree removal permit has been approved and issued by the authority having jurisdiction.

Authorized Signature

Notary Signature

My commission expires the _____ day of _____, 20____.

(Seal)

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Sec. 7.06 – TREE CONSERVATION

1) TREE DENSITY REQUIREMENTS

- a) *Use of tree units. The landscaping requirements of this Article regarding the preservation or planting of trees is expressed in terms of "tree units" rather than the number of trees or tree canopy. This approach provides the applicant with wide latitude of choice as to the number and sizes of trees to be planted, and their distribution following aesthetic landscaping practices, while achieving a common standard on all properties.*
- b) *Establishment of tree unit values. The diameter of a tree's trunk establishes the "tree unit" value of an existing tree, as shown on Table 7.11: Tree Units for Existing Trees, or for a newly planted tree as shown on Table 7.12: Unit Value of Landscape Material.*
 - i) *The values assigned to trees of the same size are different for existing and new trees, as indicated in the table. One "unit" is not the same as one "tree."*
 - ii) *Actual tree diameters or calipers are to be rounded to the nearest whole number for the calculation of tree unit values (e.g., 4.5 inches in diameter = 5 inches).*

Table 7.11: Tree Units for Existing Trees			
Tree Diameter	Tree Units	Tree Diameter	Tree Units
2	0.0	21	4.8
3	0.0	22	5.0
4	0.6	23	5.2
5	0.8	24	5.4
6	1.0	25	5.6
7	1.2	26	5.8
8	1.3	27	6.0
9	1.5	28	6.2
10	1.7	29	6.4
11	1.9	30	6.6
12	2.1	31	7.2
13	2.3	32	7.8
14	3.0	33	8.4
15	3.3	34	9.0
18	4.2	37 or greater	12.0 + 1.0 each inch
Note: Minimum DBH to receive credit for existing tree is 4 inches.			

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Table 7.12: Tree Units for New (Replacement) Trees			
Tree Diameter	Tree Units	Tree Diameter	Tree Units
Seedlings	0.0	9	1.3
1	0.0	10	1.5
2	0.3	11	1.7
3	0.4	12	1.9
4	0.5	13	2.2
5	0.6	14	2.5
6	0.7	15	2.8
7	0.9	16	3.1
8	1.1	17+	3.5 + 0.5 for each

c) Tree unit values for specimen trees or tree stands.

i) *Specimen trees and specimen tree stands; defined.*

Specimen Tree means any tree which qualifies for special consideration for preservation due to size, type and condition, as follows:

- 1) Any tree in fair or better condition which equals or exceeds the following Diameter at Breast Height (DBH) sizes:
 - a. 28-inch DBH—Overstory hardwoods such as oaks, hickories, yellow poplars, sweetgums, etc.
 - b. 12inch DBH—Understory small trees such as dogwoods, redbuds, sourwoods, etc.
 - c. 30-inch DBH - Pine trees (all species)
- 2) A tree in fair or better condition must meet the following minimum standards:
 - a. A life expectancy of greater than fifteen (15) years.
 - b. A structurally sound trunk, not hollow and having no extensive decay, and less than 20 percent radial trunk dieback.
 - c. No more than one major and several minor dead limbs (hardwoods only).
 - d. No major insect or pathological problem.
- 3) A lesser sized tree can be considered a specimen tree if it is a rare or unusual species, of exceptional or unique quality, or of historical significance, subject to approval of the Community Development Director or their designee.
- 4) A lesser size tree can be considered a specimen tree if it is specifically used by a builder, developer, or design professional as a focal point in a landscape project, subject to approval of the Community Development Director or their designee.

ii) **Specimen Tree Stand** means a contiguous grouping of trees which has been determined to be of high value in the opinion of the Community Development Director or their designee. Determination is based upon the following criteria:

- 1) A relatively mature, even-aged stand.
- 2) A stand with purity of species composition or of a rare or unusual nature.

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- 3) *A stand of historical significance.*
- 4) *A stand with exceptional aesthetic quality.*
- iii) *The tree unit values shown in Table 7.12: Tree Units for Existing Trees, may be increased by 100% for an existing tree that meets the definition of a "specimen tree" or for a "specimen tree stand" as defined herein, provided that extraordinary measures as needed are taken to protect the tree and assure its survival. Such measures may include but are not limited to the provision of tree wells, retaining walls, aeration, or supplementary irrigation, as applicable to the site of the tree and as approved by the Director.*

2) TREE DENSITY STANDARDS

- a) Tree Retention. *On each property for which a Tree Preservation and/or Replacement Plan is required, existing trees shall be retained and new trees shall be planted such that the property shall attain or exceed a Tree Density Standard as follows:*
 - i) *Residential – Sixteen (16) Tree Density Units per acre,*
 - ii) *Office/Commercial/Mixed-use – Sixteen (16) Tree Density Units per acre,*
 - iii) *Industrial – Sixteen (16) Tree Density Units per acre.*
- b) Distribution. *Trees, both existing and new, shall be reasonably distributed throughout the site, with emphasis on tree groupings to achieve aesthetic results following professional landscaping standards. Trees, including street trees, may be retained or planted for credit within a public street right-of-way.*
- c) Trees in Stream Buffer. *Trees located in a stream buffer may be counted toward fulfilling the Tree Density Standard provided the acreage within the stream buffer is included in the calculations used to fulfill the Tree Density Standard.*
- d) Easement Exclusion. *Properties possessing natural gas, petroleum or electric power transmission easements, or major sanitary sewer main (greater than 8 inches in diameter) or water main (greater than 16 inches in diameter) distribution easements, may exclude the land area contained in the easement from the total acreage of the property in fulfilling the Tree Density Standard provided that no improvements (e.g. parking lots, tennis courts, driveways, greenways, storm water detention facilities, etc.) are proposed within the easement. If any improvements are proposed within the easement, then the land area so used within the easement for the improvements, plus an additional 10-feet of land area surrounding the improvements, shall be included in the total acreage of the property to fulfill the Tree Density Standard.*
- e) Lake and Pond Exclusion. *Properties with a lake or pond may exclude the land area contained in the lake or pond from the total acreage of the property in fulfilling the Tree Density Standard.*

3) TREE DENSITY STANDARD CALCULATION

The Tree Density Standard shall be calculated by summing the credits and dividing the sum by the total acreage of the project included within the limits of the permit application. For parcels larger than ten (10) acres, where more than sixty (60%) percent of the total lot area is being disturbed, the Community Development Director can authorize a collection of sample areas to assess the tree density threshold for a particular development or parcel. One 50'x50' sample area may be required for every three (3) acres of disturbed land, and must be demarcated, inspected, and approved by the Director as being a representative sample.

4) QUALIFIED TREE AND BUSH SPECIES TABLES

- a) *The City Council shall maintain a list of tree species approved for conservation and planting within the city as well as those not recommended. The list shall be known as the city's Community Tree Species list, included as Tables 7.13 through 7.20 of this chapter. The tree species list includes the mature size category of each species, notations on which species may be planted beneath utility lines, and other species characteristics.*

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- b) *The list is maintained by the City Council and may change without notice to incorporate results of research and experience with individual species and is available from the Community Development Department.*

5) PERMEABLE SURFACES UNDER TREE DRIPLINES

The minimum permeable surface area requirements under tree driplines are as follows.

- a) *For conserved trees in residential zones no more than twenty (20%) percent of the dripline can be encroached upon by impermeable surfaces provided the remaining area is mulched.*
- b) *For planted trees in all zones the amount of permeable surface area required shall be based upon the mature tree size category on the Community Tree Species List, found in Tables 7.13 to 7.20, as follows:*
- i) *Large trees: 640 square feet;*
 - ii) *Medium trees: 360 square feet;*
 - iii) *Small trees: 160 square feet.*
- c) *For planted trees the dripline shall be mulched.*

6) TREE PROTECTION

- a) Conserved trees. *All conserved trees shall be actively protected during the development process and passively protected throughout the life of the development. The entire tree, including the crown, trunk, and roots, and the critical root zone, shall be protected.*
- b) Minimum tree protection measures. *Active tree protection shall consist of, at a minimum, establishing a tree protection zone around each tree or grouping of trees by the installation of fencing at the outer edge of the dripline or Critical root zone, whichever is greater. Minimum tree protection measures for boundary trees, existing on adjacent properties, whose critical root zones extend onto the project site is mandatory.*
- i) *No more than twenty-five (25) percent of a boundary tree's mature crown or one-third (1/3rd) of a young tree's canopy shall be removed in one season.*
 - ii) *Pruning of conserved trees should only be done by an ISA (International Society of Arboriculture) certified arborist.*
 - iii) *Tree protection fencing and tree protection area signs shall be installed after the issuance of a disturbance Permit and prior to any land disturbance activity or building activity.*
 - (1) *Tree protection fencing shall be four feet high, made of orange high-visibility polypropylene, and erected with sturdy wooden or metal posts around the tree protection zone. A heritage tree, or a significant species tree, as determined by the Director, may require increased protection. Methods and extent of increased protection will be as directed by the Director.*
 - (2) *Signs shall be fabricated out of a sturdy material, shall be waterproof, and contain the following legible text in English and Spanish: "TREE PROTECTION AREA, ENTRY PROHIBITED." The signs shall be a minimum of 8.5 × 11 inches, shall be placed on a sturdy post a minimum of thirty (30) inches off the ground, and shall be spaced a maximum of 50 feet apart.*
 - (3) *Tree protection fencing and signage shall remain in good condition throughout the development and construction processes, and shall only be removed after the final plat approval or a certificate of occupancy has been issued.*
 - iv) *Encroachment into the tree protection area shall result in the loss of Tree Density Unit credit for preserved trees.*
 - v) *The critical root zone within the tree protection area shall be mulched with a minimum of three inches and not more than five inches of organic mulch such as pine straw, wood chips, tree leaves, or compost, for a minimum of three years, or prior to issuance of the final certificate of occupancy for the project, whichever occurs last.*
 - vi) *The Community Development Director or their designee may require the installation of additional tree protection measures to insure survivability of conserved trees.*

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- c) *Prohibited activities. Within the tree protection areas, without proper authorization or permit the following activities shall be prohibited:*
- i) *Vehicle traffic or parking;*
 - ii) *Materials or equipment storage;*
 - iii) *Soil disturbance;*
 - iv) *Soil excavation;*
 - v) *Removal of topsoil;*
 - vi) *Trenching;*
 - vii) *Soil fill;*
 - viii) *Change in soil pH;*
 - ix) *Change in soil drainage;*
 - x) *Equipment washouts or disposal (including concrete);*
 - xi) *Fires;*
 - xii) *Chemical or trash disposal;*
 - xiii) *Other activities harmful to the trees as determined by the Community Development Director or their designee;*
 - xiv) *Encroachment into tree save area; and*
 - xv) *Destruction or removal of trees.*
- d) *Planted trees. All planted trees shall be actively protected during the development process and passively protected throughout the life of the development. The entire tree, including the crown, trunk, and roots, and the critical root zone, shall be protected.*
- e) *Existing trees in construction zones. All trees that are outside the formal tree protection zone(s) as outlined in the Tree Protection and Replacement Plan and are equal to or greater than twelve (12) inches DBH, and are in areas where construction will occur inside the crown of the tree shall be required to have an enhanced protection program. In order to maximize the ability of the selected trees to survive construction the proposed program will include the following steps.*
- i) *The tree will be surveyed and located with the species and DBH noted and approximate crown diameter shown.*
 - ii) *Prior to the beginning of construction activities, the trees shall be inspected by a City Approved Arborist to determine their overall condition and ability to withstand construction activity around them.*
 - iii) *Should the City Approved Arborist determine that with a proper protection plan the tree would survive the construction activity the Arborist shall prepare a care plan for the tree. The plan may involve elements such as crown pruning, fertilization, irrigation, root pruning or other activities.*
 - iv) *The Contractor will be required to implement the Arborist's protection plan and to maintain the necessary activities to protect the tree until such time as the site construction is completed and accepted for maintenance by the property owner. The City Approved Arborist shall submit bi-weekly reports to the Contractor and the Department of Community Development during the construction process.*
 - v) *The owner of the property shall receive a twenty (20%) percent bonus credit for canopy coverage for all trees that are under the enhanced protection program.*
 - vi) *No land disturbing activity or construction activity, including, but not limited to, grading, digging, soil disturbance or other activity within the critical root zone of any boundary tree, is permitted that will deprive the boundary tree of continued viability as determined by a certified arborist.*
 - vii) *The following parameters shall be followed when determining boundary tree viability interference:*

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- (1) CRZ/TPZ nineteen (19%) percent or less impact and protected by tree protection, no arboricultural prescription required.
 - (2) CRZ/TPZ twenty (20%) percent — thirty-three (33%) percent impact but protected by tree protection (no structural root plate impact) provide arboricultural prescription with a plan for review by the city.
 - (3) CRZ/TPZ twenty (20%) percent — thirty-three (33%) percent impact and structural root plate has impact/not protected.
- viii) *The builder/developer/construction site property owner must submit a boundary tree agreement signed by the tree owner/co-owner and notarized giving permission for the tree that has construction impact to be treated or removed (see Community Development*

Department for the city boundary tree agreement). The minimum time length of the boundary tree agreement shall be three (3) years. The receipt for the paid arboricultural prescription and signed agreement will need to be submitted with the plans for review.

- 1) *The builder/developer/construction site owner must make at least three attempts to contact the owner of the boundary tree to enact a boundary tree agreement. The first two attempts may be in person or via telephone. The third attempt must be in the form of a written letter sent certified, return receipt requested to the property owner's address of record in the Paulding Tax Database. If there is no response to any of the attempts, the builder/developer/construction site owner shall provide evidence to the city of the attempts at contact in addition to the arboriculture prescription for the affected tree.*
- 2) *If no boundary tree agreement is reached, the affected tree shall not be removed but shall be protected during development based on this chapter and in accordance with the arboriculture prescription.*
- 3) *A boundary tree bond or escrow account may be required based on the arboricultural prescription depending on the impact to a boundary tree covered under a boundary tree agreement.*
- 4) *A boundary tree bond or escrow account shall be required where a boundary tree agreement cannot be reached.*
- 5) *A boundary tree bond or escrow shall be one-hundred and twenty-five (125%) percent of the cost of removal and replacement of the tree(s) affected and will be held for three years by the city. The property owner of the affected tree(s) may apply to the city for the escrow funds to remove and replace the tree(s) during the three-year escrow period. If the boundary tree(s) is/are deemed healthy at the end of the three-year period by an Arborist, the developer may apply to the City for a refund of the original amount of escrow.*
- 6) *The site/landscape plans cannot be approved without signed boundary tree agreement(s) or proof of attempts to contact the boundary tree owner in an attempt to reach a boundary tree agreement in addition to an arboriculture prescription where needed.*

e) **SEASONAL PLANTING.**

Final plat approval or a certificate of occupancy may be issued prior to the establishment of trees planned to meet the tree canopy cover requirements, if the Community Development Director or their designee determines that the season is inappropriate for planting. In such cases the trees shall be planted by the last day of February following the date of issuance of the certificate of occupancy or final plat approval. If they have not been planted by the last day of February following the issuance of the certificate of occupancy or final plat approval, the permit holder shall be considered to be in violation of the provisions of this article.

f) **TREE BANK**

The intent of the requirements of this Section is to ensure that a minimum number of trees are replaced and/or preserved on newly developed or redeveloped sites. The Tree Bank is an alternative option and may be used only in the event the site tree density or recompense tree requirement cannot be met on-site due to hardship. Hardship must be documented by the developer and presented to the Director before the Tree Bank may be used. The Tree Bank provides two options, which are described in full below.

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a. *Option One, Planting Trees Off-site.*

- i. *Install an equal amount of required Tree Density Units in the form of an approved number of trees on an alternate site. In this case the following criteria shall be observed:*

The technical Advisory Committee has identified alternate "Option One" sites. The Community Development Department has contacted the owners of these sites and these owners have expressed an interest in receiving trees from the Tree Bank. Persons wishing to use Option One should consult with the Zoning Administrator to see if their required tree density units can be located on one of these alternate sites. The developer may present the Community Development Director with alternate sites. Planting on individual residential lots is prohibited.

- ii. *The developer shall submit a Tree Preservation and/or Tree Replacement Plan showing a location for the planted trees on the proposed site. The developer shall also provide calculations on the plan for tree density or recompense trees from the developed site. The site plan shall state the size, genus, species, and quantity of trees to be planted. Each tree must be two (2) caliper inches at a minimum. For trees in which double recompense is required each tree must be three (3) caliper inches at a minimum. Recompense calculations must be shown on plan.*

- iii. *If the proposed site is not one of the alternate sites, discussed above, an authorization from the title holder of the site indicating that the owner agrees to the planting of trees by the developer upon the site shall also be submitted along with the Tree Preservation and/or Tree Replacement Plan.*

- iv. *Trees are to be maintained and guaranteed for one full year after planting by the developer. Any trees that die during the one-year time period must be replaced by the developer. Standards for transplanting shall be in keeping with those established by the International Society of Arboriculture, as included in the "Tree and Shrub Transplanting Manual," latest edition.*

b. *Option Two, Monetary Compensation for Trees.*

- i. *A developer may choose to provide the City with monetary compensation for trees. If this alternative for the development is chosen, then the following criteria shall be observed:*

- ii. *Provide tree density calculations on the Tree Preservation and/or Tree Replacement Plan. Show the total amount of Tree Density Units that cannot be met on-site.*

Multiply the Tree Density Units that cannot be met on-site by the Monetary Compensation Value. The product of those two numbers shall be provided on the Tree Preservation and/or Tree Replacement Plan. Contact City approved certified arborist or landscape architect for the current Monetary Compensation Value.

- iii. *Provide a certified check made payable to the City of Dallas in the amount of the product as listed in item ii. above and as provided on the Tree Preservation and/or Tree Replacement Plan. Submit the certified check to a Community Development Director or designee along with a copy of the approved Tree Preservation and/or Tree Replacement Plan.*

- iv. *The monies collected for the Tree Bank Option Two may be used by the City for the planting of trees at parks, greenways, fire stations, libraries, and other similar community facilities. Alternate planting locations may be approved by the Director.*

c. *Standards for Administering these Alternative Compliance Methods.*

- i. *The Director must review and approve all requests for alternative compliance. In no instance shall the alternative compliance options be used to comply with any other ordinance requirement than the tree density or specimen tree requirement. The site development permit shall be issued after the Director has approved the request for either compliance option and received the necessary documentation and funds.*

d. *Exclusions.*

- i. *Trees used to meet requirements for parking lots, landscape strips, street frontage buffers, or buffer replanting must be planted on site and are excluded from the Tree Bank procedures. Trees that are required to meet minimum Tree Density Units and/or recompense requirements can be contributed toward the Tree Bank in accordance with Option One or Option Two above.*

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Sec. 7.07 – REDEVELOPMENT SITES

- 1) *For redeveloped sites the Department of Planning and Development strongly recommends the developer, authorized registered professionals, design professionals and staff schedule a pre-submittal meeting with the department to discuss the potential of the site and any issues that may be present on the site. For the purposes of this chapter, a redeveloped site shall be considered any site that is not considered “developed” as defined within this ordinance.*
- 2) *Redeveloped sites shall comply with the buffer and specimen tree requirements as set forth in this ordinance and provide compliance with parking lot, landscape strip and Tree Density Unit requirements.*
- 3) *Where the scope of a project results in disturbance, removal, and replacement of twenty-five percent (<25%) percent or greater of the site area, a Tree Preservation and/or Tree Replacement Plan is required. The plan shall include the existing and proposed landscape conditions that verify compliance with this ordinance.*
 - a) *At a minimum the plan must show the following existing and proposed elements with intent to comply:*
 - i) *Buffers.*
 - ii) *Landscape strips.*
 - iii) *Parking lot trees.*
 - iv) *Tree Density Units.*
 - v) *Tree Save Areas.*
 - b) *Director shall review the proposed Tree Preservation and/or Tree Replacement Plan.*
- 4) *Disturbance on a redevelopment site shall include a building replacement where the footprint of the building counts toward the site disturbance.*

Sec. 7.08 – TREE CONSERVATION, BUFFERS, AND LANDSCAPING COMPLIANCE

1) Tree Removal.

- a) *An application for a tree removal permit when land disturbing activity is involved shall comply with the following requirements.*
 - i) *Site inspections*
 - 1) *Authority.*
 - a) *The Community Development Director or their designee has the authority to perform site inspections and enforce the provisions of this chapter.*
 - 2) *Visits to site for discussions regarding regulations.*
 - a) *Prior to the issuance of a tree removal permit or right-of-way encroachment permit, a visit shall be made to the proposed site by the Community Development Director or their designee and the applicant for the purpose of discussing the provisions of this chapter.*
 - b) *After a permit is issued and tree protection measures have been installed, and prior to any land disturbance, another site inspection shall be made by the Community Development Director or their designee.*
 - c) *Another site inspection shall occur prior to the issuance of final plat approval or a certificate of occupancy. All provisions of this chapter shall be met before final plat approval or a certificate of occupancy can be issued.*
 - e) *Other site inspections may take place without notice at any time prior to or after the issuance of a certificate of occupancy or final plat approval to ensure continuing compliance with the provisions of this chapter.*
 - 3) *Access by authorized representatives.*

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a) *No person, corporation or association shall refuse entry or access to any authorized representative or agent of the Community Development Director or their designee who requests entry for the purposes of inspection and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out their official duties.*

2) *Tree maintenance*

a) *The owner shall be responsible for maintaining the health of all conserved and new trees. The owner shall replace any new tree that dies within three years, or prior to issuance of the final certificate of occupancy for the project, whichever occurs last.*

3) *Penalties*

a) *Failure to obtain permit*

i. *If any person commences any land disturbing activity, tree destruction, tree cutting, tree removal or building activity requiring a tree removal permit without first obtaining said permit, the person shall be deemed to be in violation of the provisions of this chapter.*

b) *Violations*

i. *The owner of any property wherein a violation exists, and any builder, contractor, or agent who may have assisted in the commission of any such violation, may be chargeable with separate*

offenses for each such violation. Any person violating any of the provisions of this chapter other than as hereinabove provided shall, upon conviction, be punished as prescribed in subsection of this section. Each day during which such violation occurs or continues shall constitute and be punishable as a separate offense.

c) *Stop work orders*

i. *A stop work order may be issued by the Community Development Director or their designee for violation of any provision of this chapter. All stop work orders shall be effective immediately upon issuance and shall remain in effect until the necessary corrective action or mitigation has occurred and permission has been granted by the city to resume work. No certificate of occupancy or final plat approval shall be issued while a stop work order is in effect or until an assessed fine has been paid and permission has been granted by the city in writing for a certificate of occupancy or final plat approval.*

d) *Responsibility*

i. *The Community Development Director, or their designee is responsible for determining whether a violation has occurred. Violations may include, but are not limited to: failure to obtain a tree removal permit; deviation from the approved plan; failure to properly install tree protection structures; failure to maintain tree protection structures in effective condition; evidence of harmful activities occurring within the tree protection zone; improper planting; failure to conserve or establish the required tree canopy cover; unauthorized delay in tree planting; damage to a conserved or established tree's crown, trunk, roots, or critical root zone; and damage to a city tree's crown, trunk, roots, or critical root zone.*

e) *Monetary penalties*

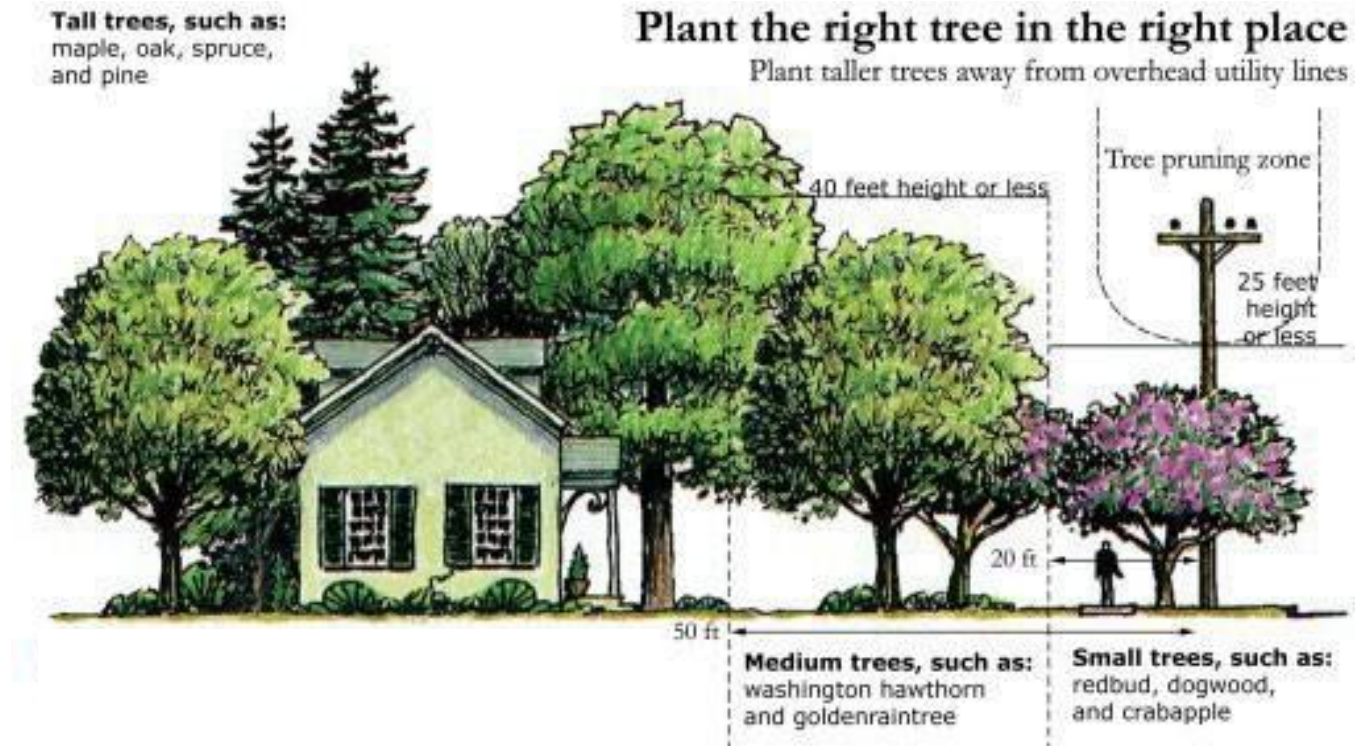
i. *Any person who violates any provision of this chapter, any permit condition, or who negligently or intentionally fails or refuses to comply with any order, notice of code violation or formal charge of violation which the Community Development Director or their designee issues as provided in this chapter shall be liable for a penalty of up to one-thousand(\$1,000.00) dollars per day for each violation of the provisions of this chapter. Each day that such failure or refusal continues shall constitute a separate violation.*

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Figure 7.3: Recommended Tree Type and Placement



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**Table 7.13: Trees for Planting on Streets, Highways, and Parking Lots
(generally with high canopies, shade producing, hardy)**

Botanic Name	Common Name	Type	Mature Height	Tree Category
<i>Acer campestre</i>	Hedge Maple	D	30'-40'	Ornamental
<i>Acer Freemanii</i>	Freeman Maple	D	50'-60'	Shade
<i>Acer rubrum</i>	Red Maple	D	40'-60'	Shade
<i>Acer saccharum</i>	Sugar Maple	D	50'-70'	Shade
<i>Carpinus betulas 'Fastigiata'</i>	Upright European Hornbeam	D	30'-40'	Shade
<i>Carpinus caroliniana</i>	American Hornbeam	D	25'-30'	Ornamental
<i>Crataegus phaenopyrum</i>	Washington Hawthorn	D	25'-30'	Ornamental
<i>Ginkgo biloba</i> (male only)	Ginkgo	D	40'-60'	Ornamental
<i>Gleditsia triacanthos inermis</i>	Thornless Honeylocust	D	30'-60'	Shade
<i>Gleditsia triacanthos 'Imperial'</i>	Imperial Honeylocust	D	30'-60'	Shade
<i>Koelreuteria paniculata</i>	Golden Rain Tree	D	30'-40'	Shade
<i>Liquidambar styraciflua</i>	American Sweet Gum	D	40'-60'	Ornamental
<i>Liriodendron tulipifera</i>	Tulip Tree	D	70'-80'	Shade
<i>Platanus x acerifolia 'Bloodgood'</i>	Bloodgood London Planetree	D	70-85'	Shade
<i>Pyrus calleryana 'Aristocrat'</i>	Aristocrat Pear	D	35'-45'	Shade
<i>Quercus alba</i>	White Oak D 60'-80' Shade	D	60'-80'	Shade
<i>Quercus bicolor</i>	Swamp White Oak	D	40'-50'	Shade
<i>Quercus coccinea</i>	Scarlet Oak	D	60'-80'	Shade
<i>Quercus palustris</i>	Pin Oak	D	50'-80'	Shade
<i>Quercus phellos</i>	Willow Oak	D	50'-70'	Shade
<i>Quercus robur</i>	English Oak	D	50'-70'	Shade
<i>Quercus rubra</i>	Red Oak	D	40'-60'	Shade
<i>Sorbus alnifolia</i>	Korean Mountain Ash	D	20'-30'	Ornamental
<i>Sorbus 'Aria'</i>	White Beam Mountain Ash	D	25'-40'	Ornamental
<i>Taxodium distichum</i>	Bald Cypress	D	50'-100'	Shade
<i>Tillia americana</i> Basswood	Basswood Linden	D	40'-60'	Shade
<i>Tillia cordata 'Green Spine'</i>	Little-Leaf Linden	D	40'-50'	Shade
<i>Tillia tomentosa</i>	Silver Linden	D	40'-50'	Shade
<i>Zelkova serrata 'Village Green'</i>	Village Green Zelkova	D	40'-60'	Shade

D = Deciduous E = Evergreen

Note: Several varieties of each species may be available and may substituted upon approval by the Director.

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Table 7.14: Trees for Planting on Streets and Highways that Minimize Conflict with Overhead Utilities

Botanic Name	Common Name	Type	Mature Height	Tree Category
Acer campestre	Hedge Maple	D	30'-40'	Ornamental
Carpinus caroliniana	American Hornbeam	D	25'-30'	Ornamental
Cercis canadensis	Eastern Redbud	D	20'-25'	Ornamental
Crataegus crus-galli	Cockspur Hawthorn	D	15'-25'	Ornamental
Crataegus phaenopyrum	Washington Hawthorn	D	20'-25'	Ornamental
Malus hybrids	Flowering Crabapple	D	15'-30'	Ornamental
Prunus 'Newport'	Newport Plum	D	15'-20'	Ornamental
Prunus maackii	Amur Chokecherry	D	25'-30'	Ornamental
Prunus virginiana	Chokecherry	D	20'-25'	Ornamental
Sorbus alnifolia	Korean Mountain Ash	D	20'-30'	Ornamental
Sorbus "Aria"	White Beam Mountain Ash	D	25'-40'	Ornamental
D = Deciduous E = Evergreen				

Table 7.15: Ornamental Trees for Use in Site Interior or Buffer

Botanic Name	Common Name	Type	Mature Height	Tree Category
Acer ginnala	Amur Maple	D	15'-20'	Ornamental
Acer griseum	Paperbark Maple	D	20'-30'	Ornamental
Acer palmatum	Japanese Maple	D	15'-20'	Ornamental
Amelanchier canadensis	Juneberry	D	30'-35'	Ornamental
Amelanchier grandiflora	Apple Serviceberry	D	25'-30'	Ornamental
Amelanchier laevis	Allegheny Serviceberry	D	25'-30'	Ornamental
Betula nigra	River Birch	D	40'-60'	Ornamental
Betula papyrifera	Paper Birch	D	40'-60'	Ornamental
Cercidiphyllum japonicum	Katsura Tree	D	25'-40'	Ornamental
Cercis Canadensis	Eastern Redbud	D	20'-30'	Ornamental
Cornus kousa	Japanese Dogwood	D	20'-25'	Ornamental
Cotinus coggyria	Smoke Tree	D	15'-20'	Ornamental
Magnolia loebneri	Magnolia	D	12'-15'	Ornamental
Magnolia soulangiana	Saucer Magnolia	D	15'-20'	Ornamental
Magnolia stellata	Star Magnolia	D	10'-15'	Ornamental
Prunus sargentii 'Columnaris'	Columnar Sargent Cherry	D	25'-30'	Ornamental
Prunus serrulata	Oriental Cherry	D	15'-25'	Ornamental
Prunus virginiana	Canada Red Select Cherry	D	20'-25'	Ornamental
Salix matsudana 'Tortuosa'	Corkscrew Willow	D	25'-30'	Ornamental
D = Deciduous E = Evergreen				

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Table 7.16: Evergreen Trees for Use in Site Interior or Buffer

Botanic Name	Common Name	Type	Mature Height	Tree Category
Abies Concolor	White Fir	E	30'-50'	Evergreen
Picea abies	Norway Spruce	E	50'-60'	Evergreen
Picea glauca densata	Black Hills Spruce	E	50'-60'	Evergreen
Picea omorika	Serbian Spruce	E	50'-60'	Evergreen
Picea pungens	Colorado Spruce	E	60'-75'	Evergreen
Picea pungens 'Glauca'	Colorada Blue Spruce	E	60'-75'	Evergreen
Pinus nigra	Austrian Pine	E	30'-60'	Evergreen
Pinus ponderosa	Ponderosa Pine	E	40'-50'	Evergreen
Pinus strobus	Eastern White Pine	E	50'-100'	Evergreen
Tsuga canadensis	Canada Hemlock	E	60'-75'	Evergreen
D = Deciduous E = Evergreen				

Table 7.17: Vines for Walls and Fences

Botanic Name	Common Name	Type
Aristolochia durior	Dutchmans's Pipe	D
Campsis radicans	Trumpetvine	D
Celastrus scandens	American Bittersweet	D
Clematis jackmanii	Clematis Hybrids	D
Clematis laguninos	Clematis Hybrids	D
Lonicera brownii	Dropmore Scarlet Honeysuckle	D
Lonicera hechtrotte	Everblooming Honeysuckle	D
Parthenocissus quinquefolia	Virginia Creeper	D
Parthenocissus tricuspidata	Boston Ivy	D
D = Deciduous E = Evergreen		

Table 7.18: Small Shrubs Approved for Screens, Hedges, and Specimen Planting

Botanic Name	Common Name	Type	Mature Height
Aronia melanocarpa	Black Chokeberry	D	4'-6'
Berberis thunbergii	Japanese Barberry	D	3'-5'
Buxus microphylla 'Koreana'	Korean Boxwood	E	2'-3'
Chaenomeles species	Flowering Quince	D	2'-6'
Cotoneaster divaricata	Spreading Cotoneaster	D	5'-6'
Euonymus fortunei	Euonymous	E	4'-6'
Hydrangea macrophylla	Nikko blue Hydrangea	D	3'-4'
Ilex crenata	Japanese Holly	E	3'-5'
Mahonia aquifolium	Oregon Grape	E	3'-6'
Physocarpus opulifolius intermedius	Dwarf Ninebark	D	4'-5'
Prunus glandulosa	Dwarf Flowering Almond	D	4'-6'
Rhus aromatica	Fragment Sumac	D	4'-6'
Symphoricarpos alba	White Snowberry	D	5'-6'
Weigela florida	Flowering Weigela	D	4'-5'
Weigela vaniceki	Cardinal Shrub	D	4'-5'
D = Deciduous E = Evergreen			

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Table 7.19: Large Shrubs Approved for Screens, Hedges, and Specimen Planting

Botanic Name	Common Name	Type	Mature Height
Caragana arborescens	Siberian Peashrub	D	12'-15'
Cornus alba, 'Elegantissima'	Variegated Dogwood	D	6'-10'
Cornus alternifolia	Pagoda Dogwood	D	15'-20'
Cornus sericea baileyi	Redtwig Dogwood	D	8'-10'
Cotinus coggygia	Smoke Tree	D	8'-10'
Cotoneaster acutifolius	Peking Cotoneaster	D	4'-8'
Euonymus alatus 'compactus'	Burning Bush	D	7'-10'
Forsythia intermedia Hybrids	Hybrid Forsythia	D	7'-10'
Forsythia suspensa	Weeping Forsythia	D	8'-10'
Hamamelis virginiana	Common Witch Hazel	D	10'-15'
Hibiscus syriacus	Rose of Sharon	D	4'-12'
Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	D	4'-15'
Hydrangea paniculata 'Grandiflora'	Peegee Hydrangea	D	6'-10'
Ilex meserveae	Blue Holly	E	6'-8'
Ilex opaca	American Holly	E	8'-15'
Juniperus chinensis	Chinese Juniper	E	6'-15'
Juniperus scopulorum	Rocky Mountain Juniper	E	6'-15'
Ligustrum amurense	Amur Privet	D	4'-8'
Ligustrum 'Vicaryi'	Golden Vicary Privet	D	4'-12'
Myrica pennsylvanica	Northern Bayberry	D	5'-10'
Philadelphus coronarius	Sweet Mockorange	D	8'-10'
Philadelphus virginialis	Minnesota Snowflake	D	6'-8'
Picea glauca 'Conica'	Dwarf Alberta Spruce	E	6'-10'
Prunus cistena	Cistena Plum	D	6'-8'
Prunus triloba	Flowering Almond	D	8'-10'
Rhamnus frangula	Alder Buckthorn	D	12'-15'
Rhus glabra	Smooth Sumac	D	8'-10'
Rhus typhina	Staghorn Sumac	D	8'-12'
Salix caprea	French Pussy Willow	D	15'-20'
Sambucus canadensis	American Elderberry	D	6'-8'
Shepherdia argentea	Silver Buffaloberry	D	5'-8'
Sorbaria sorbifolia	Flase Spiraea	D	6'-8'
Syringa chinensis	Chinese Lilac	D	6'-8'
Syringa hyacinthiflora Hybrids	Hybrid Canadian Lilac	D	8'-12'
Syringa vulgaris	Common Lilac	D	8'-12'
Syringa vulgaris Hybrids	Hybrids Hybrid French Lilac	D	8'-12'
Taxus cuspidata 'Capitata'	Upright Japanese Yew	E	10'-25'
Taxus 'Hicksi'	Hick's Yew	E	10'-12'
Viburnum dentatum	Arrowwood Viburnum	D	0'-15'
Viburnum lantana	Wayfaring Tree	D	8'-15'
Viburnum lantago	Nannyberry	D	8'-15'
Viburnum opulus	European Cranberry Bush	D	10'-12'
Viburnum placatum tomentosum	Doublefile Viburnum	D	8'-10'
Viburnum prunifolium	Black Haw Viburnum	D	10'-12'
Viburnum rhytidophyllum	Leatherleaf Viburnum	D	6'-15'
Viburnum trilobum	American Cranberry Bush	D	8'-12'

D = Deciduous E = Evergreen

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Table 7.20: Low Spreading Shrubs Approved for Borders, Parking Islands, and Groundcover			
Botanic Name	Common Name	Type	Mature Height
Berberis mentorensis	Mentor Barberry	E	3'-4'
Berberis thunbergii Hybrids	Japanese Barberry	D	2'-4'
Berberis verruculosa	Warty Barberry	E	2'-3'
Buxus sempervirens	Boxwood	E	2'-3'
Cotoneaster apiculata	Cranberry Cotoneaster	D	2'-3'
Cotoneaster horizontalis	Rockspray Cotoneaster	D	1'-3'
Daphne burkwoodii	Burkwood Daphne	D	3'-4'
Duetzia gracilis	Slender Duetzia	D	2'-3'
Euonymus fortunei 'Sarcoxie'	Sarcoxie Euonymus	E	3'-4'
Forsythia viridissima 'Bronxensis'	Dwarf Forsythia	D	1'-2'
Hypericon patulum	St. John's Wort	D	2'-3'
Juniperus (spreading varieties)	Juniper	E	1'-3'
Mahonia aquifolium 'Compacta'	Dwarf Oregon Grape	E	2'
Microbiota decussata	Siberian Cypress	E	1'
Philadelphus virginialis	Miniature Snowflake	D	2'-3'
Picea abies 'Nidiformis'	Birdnest Spruce	E	2'
Picea abies 'Pumila'	Dwarf Norway Spruce	E	2'-3'
Picea pungens 'Globosa'	Blue Globe Spruce	E	3'-4'
Pinus mugo	Mugho Pine	D	3'-4'
Potentilla fruticosa Hybrids	Bush Cinqufoil	D	2'-3'
Rhus aromatica 'Low Grow'	Low Grow Fragrant Sumac	D	1'-2'
Ribes alpinum	Alpine Currant	D	3'-5'
Spirea bumalda	Spirea	D	2'-3'
Spirea japonica	Japanese Spirea	D	2'-3'
Spirea nipponica	Nippon Spirea	D	2'-3'
Symphoricarpos orbiculatus	Coral Berry	D	3'-4'
Syringa patula 'Miss Kim'	Dwarf Korean Lilac	D	3'-5'
Taxus cupidata 'Nana'	Dwarf Japanese Yew	E	2'-3'
Taxus media	Spreading Yew	E	2'-4'
Viburnum opulus 'Nana'	European Cranberry Bush	D	1'-2'
D = Deciduous E = Evergreen			

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Table 7.21: Non-Qualifying Trees		
Common Name	Botanical Name	Negative Feature(s)
Boxelder	Acer negundo	Aggressive, Shallow roots, Weak wood
Norway Maple	Acer platanoides	Invasive
Silver Maple	Acer saccharinum	Aggressive, Shallow roots, Weak wood
Tree of Heaven	Ailanthus altissima	Seeds, Suckers, Weak wood, Invasive
Mimosa	Albizia julibrissin	Invasive
European White Birch	Betula pendula	Insect prone, Invasive
Hackberry	Celtis occidentalis	Disease prone
Camphor Tree	Cinnamomum camphora	Invasive
Russian Olive	Elaeagnus angustifolia	Poor form, Disease prone, Invasive
Ash	Fraxinus	Disease prone
Ginkgo (Female)	Ginkgo biloba	Female Fruits
White Lead Tree	Leucaena leucocephala	Invasive
Chinaberry Tree	Melia azedarach	Invasive
Mulberry	Morus species	Fruits, Shallow roots, Invasive
Princess Tree	Paulownia tomentosa	Invasive
Senegal Date Palm	Phoenix reclinata	Invasive
White Poplar	Populus alba	Suckers, Shallow roots, Weak wood, Invasive
Cottonwood	Populus deltoides	Weak wood, Shallow roots, Seeds
Lombardy Poplar	Populus nigra 'Italica'	Insects, Disease, Short-lived
(Wild) Black Cherry	Prunus serotina	Disease prone
Bradford Pear	Pyrus calleryana 'Bradford'	Weak branching, Low branches
Brazilian Pepper Tree	Schinus terebinthifolius	Invasive
Tallow Tree	Triadica sebifera	Invasive
American Elm*	Ulmus americana*	Insects, Disease
Siberian Elm	Ulmus pumila	Weak wood, Seeds
* Note that suitable disease resistant cultivars and hybrids exist as substitutes for this species		

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