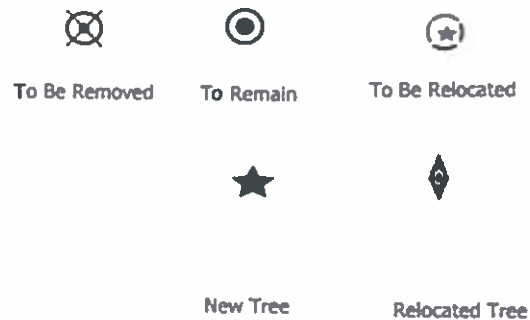


ARTICLE IV. - CONSTRUCTION PROVISIONS

Sec. 118-13. - Tree location survey.

All tree location surveys and tree protection plans submitted as part of a site plan shall apply to city-owned trees in the adjacent public right-of-way and to all privately owned trees that encroach onto a construction site. Prior to development or construction, a tree survey and protection plan shall be submitted together or separately, and shall meet the following requirements:

- (1) Indicate the location of all city-owned trees located on public property within 25 feet of abutting property lines including the entire right-of-way. Identify the species, size and dripline area;
- (2) Indicate the location of privately owned trees on adjacent property within 25 feet of the property line;
- (3) Tree location surveys shall be of the same scale (1"=20') as regular submitted site plans and meet the same requirements; and,
- (4) Clearly denote trees proposed to be planted, removed or relocated with a unique symbol in the site plan. Any relocated tree shall identify the new location. Required symbols for denoting trees are:



(Ord. No. 1806, 4-28-03)

Sec. 118-14. - Tree protection plan; city and privately owned trees.

The tree protection standards established by the International Society of Arboriculture shall be used as a guideline. The tree protection plan shall identify at a minimum:

- (1) An indication of the size and type of fencing to be used during construction for any city-owned trees;
- (2) Clearly describe how city and privately owned trees on adjacent property are to be protected during demolition and construction. Privately owned trees are limited to those that encroach within the open space of the construction site as required by the current set back regulations of the city, unless the developer or owner has been granted a variance by the board of zoning appeals. No protection is required for portions whose limbs or roots exceed the open space of the adjacent property where construction activities are proposed;

- (3) Clearly describe how city-owned trees are to be relocated on a permanent basis, including the proposed use of tree wells, protective barriers, tunneling or retaining walls;
- (4) Clearly describe how the mitigation of removed city-owned trees would be accomplished, including the proposed location and care of replacement trees; and,
- (5) Indicate how privately owned trees on adjacent property within 25 feet of the property line will be protected during demolition and construction. Protection afforded privately owned trees is for the construction period only. All disputes regarding privately owned trees between property owners after the certificate of occupancy is issued shall be a civil matter between those private property owners and not subject to the regulations of this article.

(Ord. No. 1806, 4-28-03)

**Sec. 118-15. - Tree protection measures.**

- (a) Prior to development activities adjacent to publicly owned trees, the developer or contractor shall erect barriers as approved by the staff arborist for the protection of those city-owned trees. Barriers shall remain until all site activities have been completed. Barriers may not be relocated or removed without prior approval of the staff arborist. Barriers shall be freestanding and in no way adhered to or attached to the city-owned tree. Barriers shall be visible and strong enough to withstand pressure from anything piled against it.
- (b) The following activities are prohibited in regards to activity within the root protection zone of city-owned trees: changing grade, stripping topsoil, dumping or placing of solvents, building materials, construction equipment or soil deposits. Additional pruning of any portions of city-owned trees required for clearance during construction must be performed by an arborist registered with the city and requires prior approval from the staff arborist.
- (c) If a city-owned tree is damaged during construction, it shall be reported immediately by the developer or property owner and evaluated by the staff arborist for recommended treatments to be applied. Any roots damaged during grading or development shall be exposed to sound tissue and cut cleanly with a saw. If temporary haul or access roads are required over root areas of city-owned trees, a roadbed of six inches of mulch shall be created to protect the roots. Maintenance of the six-inch depth is required during the time needed for such use.
- (d) When barriers may be ineffectual in protecting roots in the root protection zone, the developer or contractor shall provide temporary buffers to prevent root damage as approved by the staff arborist. The developer or contractor shall maintain a 4—6" thickness for coverage by material for protecting roots until final grading has been completed.

(Ord. No. 1806, 4-28-03)

**Sec. 118-16. - Excavations and driveways near trees**

Excavations, driveways and driveway approaches shall not be placed within six feet of any city-owned tree without prior approval of the staff arborist. Anyone making such excavation or construction shall guard city-owned trees with a quality wooden-frame box as prior approved by the staff arborist. Building material or other debris must be at least four feet from city-owned trees.

(Ord. No. 1806, 4-28-03)

**Sec. 118-17. - Tree removal/relocation from public property.**

If a private property owner requests the removal or relocation of a city-owned tree on adjacent public property, and only if the staff arborist determines such removal or relocation is not contrary to the intent of this chapter or the public interest, the staff arborist is authorized to require said property owner to assume all or any part of the costs of removing or relocating the city-owned tree. The staff arborist shall require said property owner to assume all or any part of the costs of tree replacement or relocation, which shall be in accordance with sections 118-20 and 118-21.

Prior to removal or relocation of the city-owned tree, the private property owner making the request shall file an application with the city department of public services.

(Ord. No. 1806, 4-28-03)