

TREE PRESERVATION & REMOVAL CHECK LIST



CITY OF ROANOKE
500 S. OAK STREET
ROANOKE, TEXAS 76262
(817) 491-2411 FAX (817) 491-2242

Submission Requirements

- Completed Tree Preservation Application Form
- Completed Tree Removal Permit (if necessary)
- Transmittal Letter

Requirements for Tree Preservation

- One copy for staff review in pdf format.

Requirements for Tree Removal Permits

Development Committee Review

- One copy for staff review in pdf format.

Appeal Process Print Requirements

Park Board

- One copy in pdf format.
Meetings are held the 4th Thursday of each month

City Council

- An Electronic copy in a pdf format of the complete site package with and revisions made by the Development Review Committee and/or Park Board.

Meetings are held on the 2nd and 4th Tuesday at 7:00 p.m. of each month. All information must be received one week prior to the meeting date.

Tree Preservation Plan and Protection

No clear-cutting of land is allowed. Prior to construction or development on a site that contains one (1) or more protected trees, a tree preservation plan must be approved by the City Council. If the site does not contain any protected trees, as defined herein, a letter, prepared by a registered surveyor, engineer, architect, registered arborist or landscape architect, shall be submitted to the City, which verifies that protected trees are not on the subject site. In the event ten (10) or more protected trees are removed from a site without a tree removal permit, the zoning classification on such site may not be changed for thirty-six (36) months thereafter, nor can an application for approval of a preliminary plat, final plat, site plan, planned development relative to such site be made or accepted by the City for such period, calculated from the date of discovery of such removal.

The application for a tree preservation plan shall be submitted on a form provided by the City and accompanied by a site plan by a registered surveyor, engineer, architect, registered arborist or landscape architect that includes, but is not limited to the following:

- Delineation of site boundaries;
- Location of all existing or proposed structures and improvements including but not limited to streets, alleys and easements;
- A tree survey depicting the species, location and caliper of all protected trees to be preserved, with a numerical reference for each tree to be preserved;
- A tree survey depicting the species, location and caliper of all protected trees to be removed, with a numerical reference for each tree to be removed;
- Proposed and existing contours; and
- Tree protection measures.

Protected trees that are not removed, or have been identified and designated on the tree preservation plan to be preserved, must be protected under the following conditions:

- No materials intended for the use in construction or waste materials accumulated due to excavations or demolition shall be placed within the limits of the critical root zone.
- No equipment shall be cleaned or other foreign materials deposited or allowed to flow overland within the critical root zone of a protected tree. This includes without limitation, paint, oil, solvents, asphalt, concrete, mortar or similar materials.
- No signs, wires or other objects, other than those of a protective nature, shall be attached to any protected tree; however, lighting of a decorative nature may be attached to a protected tree. The lighting shall be attached in a manner as not to damage the protected tree.
- No vehicular and/or construction traffic or parking shall take place within the limits of the critical root zone of any protected tree other than on a pre-existing paved surface. This restriction does not apply to 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.
- Grade changes shall be allowed within the limits of the critical root zone of any protected tree only upon approval by the City.
- No paving with asphalt, concrete or other impervious materials shall be placed within the critical root zone of a protected tree; however, paving may encroach up to five feet (5') from the trunk, upon approval by the City.
- In those situations where a protected tree is within fifty feet (50') of a construction area, a protective fence, a minimum of four feet (4') feet in height, shall be erected and maintained outside of the critical root zone of each protected tree or tree group. If the critical root zone extends onto adjacent property, the protective fencing shall be only required on the subject site.
- No person, directly or indirectly, shall critically alter, prune, cut down, destroy, remove or move, or effectively destroy through damaging, any protected tree on City-owned property unless otherwise authorized by the City.

Boring of utilities under protected trees shall be required in those circumstances where it is not possible to trench around the critical root zone of a protected 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. All trenching shall be designed to avoid trenching across the critical root zone of any protected tree, unless otherwise approved by the Development Review Committee. Mechanical trenching within the critical root zone shall not be allowed. Trenching by hand shall not critically alter the root system. The placement of irrigation systems and underground utility lines shall be located outside of the critical root zone of protected trees.

The City has the right to plant, prune and maintain any tree located on a right-of-way, easement, public park land or any other municipally-owned property as may be necessary to ensure 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. Tree removal by the City may be undertaken without a tree removal permit.

Tree Removal

No person, directly or indirectly, shall critically alter, cut down, destroy, remove or move, or effectively destroy through damaging, any protected tree without first obtaining a tree removal permit, unless otherwise specified in this Section. The application for a tree removal permit shall be submitted on a form provided by the City. Permits may be issued with verification that the protected tree is damaged or diseased.

An application for a tree removal permit may be submitted in conjunction with the following:

- a. An application for a Development Permit to fill or grade property;
- b. An application for a preliminary plat, including the development of new internal streets, final plat or replat; or
- c. If the property is platted, an application for a tree removal permit shall be submitted in advance of or in conjunction with a permit application for new construction.
- d. A tree removal permit application also may be submitted in conjunction with a tree preservation plan.

A tree removal permit is not required for any tree located within the Buildable Area of a lot or site and a tree in the Buildable Area may be removed without such permit.

An application for a tree removal permit shall be accompanied by a site plan by a registered surveyor, engineer, architect, registered arborist or landscape architect that includes, but is not limited to, the following:

- a. Delineation of site boundaries;
- b. Location of all existing or proposed structures in conjunction with a building permit application, or improvements or facilities such as streets, alleys and easements in conjunction with a plat application;
- c. A survey depicting the location, species and dbh of all protected trees to be removed; and
- d. A statement of the reason(s) for the proposed tree removal shall be summarized in legend form on the plan.

Upon receipt of a complete application for a tree removal permit, the city's Development Review Committee shall be responsible for the review and approval, where applicable, of all requests submitted in accordance with the requirements specified herein.

Any decision of the Development Review Committee relative to a tree removal permit may be appealed to the Park Board which shall provide a recommendation to the City Council. Action upon an appeal by the City Council shall be final.

Consideration for the approval of a tree removal permit shall be based upon the following guidelines:

- Whether the removal of the protected tree is permitted by any of the exemptions of this Section;
- Whether a reasonable accommodation or alternative solution is available to accomplish the desired activity without the removal of the protected tree;
- The effect of the removal of the protected tree on erosion, soil moisture, retention, flow of surface waters and drainage systems;
- The need for buffering of residential areas from the noise, glare and the visual effects of nonresidential uses;
- Whether the removal of the protected tree affects the public health, safety or welfare of the City and its residents; and
- Whether the application and related submittals reflect an attempt to preserve existing trees on the site.

An approved Tree Removal Permit shall expire six (6) months from the date it was issued, as reflected on the Tree Removal Permit.

In the event any protected tree is removed from property without a tree removal permit, or any protected tree is injured or critically altered because of failure to follow required tree protection measures such that the tree dies or may reasonably be expected to die, the City Manager or his designee shall have the authority to impose one or more of the following administrative or civil penalties on the developer and/or owner of the property:

- A monetary penalty of two hundred fifty dollars (\$250.00) per caliper inch of width of the protected tree(s) removed, payable to the City. All funds so received shall be deposited in the Tree Restoration Fund.
- Replacement with new trees having a total caliper width equivalent to five (5) times that of the removed tree(s). Such replacement trees shall be container-grown and have a minimum caliper width of two and one-half to three inches (2½" to 3"), measured at six inches (6") above ground level. Alternatively, container-grown replacement trees may have a minimum caliper width of four inches (4") measured at twelve inches (12") above ground level. In either event, replacement trees shall have a minimum height of at least seven feet (7') and shall be planted in a location(s) as approved by the City Manager or his designee.

Tree Replacement Requirements can be located online in Chapter 9 of the Code of Ordinances

This checklist is provided as a supplement only. It is the applicant's responsibility to review and comply with the requirements of the Zoning Ordinance, Subdivision regulations and Constructions specifications.