

Current Proposal:

- Division does not apply to lots smaller than 2 acres that contain single-family or duplex uses
- A demolition permit is a declaration of intent to remove the single family or duplex use on the property.
- The tree removal property is considered to be vacant when a demolition permit is issued for the single family or duplex structure.
- The tree removal property is considered to be vacant until:
 - the demolition permit is closed (not expired) by the building inspector (being proof of the return of the single family or duplex use); or
 - a certificate of completion is provided to the tree removal property owner for a new single family or duplex structure for occupancy is completed on the property.

Urban Forest means any publicly or privately owned trees and other vegetation across an urban area which sustains the interaction of people and active biological ecosystems in the community, providing green infrastructure services for water conservation and flood control, air quality improvement, heat abatement and energy use reduction, and improving urban social networks and economies.

Option #1

All trees are protected - some may be unrestricted (by species, invasives, defense to prosecution)

- No approval of a tree removal permit is required, and no replacement is required, for the removal of a protected tree on a lot less than 2 acres with a single family or duplex use **except when** a protected tree is removed on the property within twelve months prior to the issuance of a demolition permit for the dwelling structure.
- If trees are removed from the property within the specified period prior to demolition, standard mitigation requirements apply (protected trees measured at 8-inches diameter)
- But if trees are removed under a tree removal/demolition permit or a building permit, incentive mitigation reductions are granted the property

Incentive mitigation reduction:

- All trees are protected at **16-inch** diameter or greater (not at 8" or greater), except for post oak which will be protected at a minimum of **12 inches**.
- On a lot 1 acre or less, an **unrestricted zone** is applied – no mitigation required for trees removed within this zone. The unrestricted zone does not include the front yard setback, or 15', whichever is greater; the rear area equal to the front yard; and the side yard setback, or 5', whichever is greater. All trees within the interior zone are unrestricted.
- The "Tree Canopy Cover Credit for Single-Family and Duplex Construction" additional method of replacement is applicable. In this option, if a property retains 40% of canopy cover over the property, no further tree planting is required unless necessary to comply with landscape requirements.

Encourages Builder to develop under city permits, thereby following the tree mitigation regulations, to the completion of the project because of incentives to offset and calculate mitigation.

Option #2

All trees are protected - some may be unrestricted (by species, invasives, or location)

- No approval of a tree removal permit is required, and no replacement is required, for the removal of a protected tree on a lot less than 2 acres with a single family or duplex use **except when** located in the front yard setback or 15' whichever is greater.

Incentive mitigation reduction:

- All trees are protected at **16-inch** diameter or greater (not at 8" or greater), except for post oak which will be protected at a minimum of **12 inches**.

Neighborhood Forest Overlay (NFO)

An NFO would apply to specific neighborhoods by their choice. Process would be similar to the process for neighborhoods electing to be a Conservation District and ultimately approved by Council.