

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, NOVEMBER 19, 2014

Present: Ald. Sangiolo (Chairman), Rice, Blazar, Kalis, Leary, Norton, and Baker

Absent: Ald. Hess-Mahan

Also Present: Ald. Danberg

City Staff Present: David Olson (City Clerk/Clerk of the Board), Marc Welch (Director, Urban Forestry), Nancy Hyde (Director, Economic Development), Karyn Dean (Committee Clerk)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#454-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one hundred fifty thousand dollars (\$150,000) from Free Cash to the Elections/ISD Archival Move and Scanning Project for the purpose of funding a temporary full-time Scanning Coordinator position, purchasing and installing new shelving in the City Clerk's and Elections vaults, scanning equipment, and outside scanning/microfilming costs. [11/10/14 @ 6:20 PM]

ACTION: **APPROVED 6-0 (Ald. Baker not voting)**

NOTE: David Olson, City Clerk/Clerk of the Board joined the Committee. He explained that in order to complete the installation of the elevator in the War Memorial, the Elections and Inspectional Services (ISD) vaults in the basement of City Hall must be emptied. The foundation of the elevator is planned to be in the middle of the ISD archives in the basement. There are about a million pages of plans that date back to the early 1900s for every building in the City of Newton. The requested money would purchase shelving and scanning equipment in order to store, scan, preserve and make accessible the archival materials. A Scanning Coordinator position would also be included in this scope.

Shelving Project

The first phase is to move the materials which would require shifting a number of archival spaces in City Hall. Currently, the ISD and Election vaults are in the War Memorial wing. The plan is to move the Elections vault closer to the basement Elections offices, add new shelving, and move the ISD material into that vault. This will clear the area for the construction of the elevator. The cost of the new shelving will be \$17K. New archival shelving is needed in the City Clerk's vault as well to house the Elections materials appropriately, including oversized ledgers and voters lists. The cost of that shelving will be \$28K.

Scanning/Microfilming Project

After the move is made and the shelving installed, the materials will begin to be scanned/microfilmed. The more fragile material will be sent out to a scanning service at a cost of \$50K. A full-time, temporary Scanning Coordinator would be hired, at a salary of \$42K, to scan the more recent ISD materials and plans that are in better condition. This person will work with ISD to get property files scanned and into Community Plus, the program ISD uses to issue

permits. This will make the material accessible to inspectors who are out in the field or working with customers at the ISD counter. This position would also assist in scanning special permits into Community Plus. The building permits can be attached to an address in Community Plus, however, the building plans need to be attached to a building permit. As the Coordinator is scanning the property files, the ISD staff will be creating building permits in Community Plus for the older files. An overtime allowance for ISD staff of \$20K will be necessary to accomplish this more specialized task. Mr. Olson explained that he would be overseeing the overtime scheduling and funds. As the scanned plans come back from the outside service, the Coordinator can then attach them to the appropriate building permits to make complete files.

Mr. Olson stated that ISD has required digital plans to be submitted since 2009, therefore, only files prior to that need to be scanned. The Engineering department is also working more towards digital-only files, but there is a large backlog of older files. Some of the physical files have retention requirements, but they can be scanned and moved into the archival space for reference if needed, and out of the working files.

It was noted that Community Plus is not compatible with the Assessor's Database. ISD and Assessing have been discussing the possibility of finding a system that can link and share the data.

Equipment

A computer, as well as a high-speed document scanner for smaller-sized documents, and a large-format scanner for building plans will be purchased. The equipment will be located in the basement Election offices. The desk for the Coordinator will be in the City Clerk's office in the Elections space.

Timeframe

Mr. Olson expects the project to take 2-3 years, but it would be possible to keep the Scanning Coordinator position in place for an extra 2-3 years to take on other scanning projects such as Engineering plans, Board of Aldermen documents and Treasury department documents. Once that is accomplished, there will be no further need for this position.

Ald. Blazar moved approval and the Committee voted in favor.

Appointment by His Honor the Mayor

#380-14 SAM FIGLER, 63 Sumner Street, Newton Centre, appointed as an *at-large alternate member* of the PARKS & RECREATION COMMISSION for a term to expire October 31, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **APPROVED 6-0 (Ald. Baker not voting)**

NOTE: Mr. Figler joined the Committee at the last Programs & Services meeting. His appointment was held as the request of Ald. Blazar who was unable to attend that meeting. Mr. Figler was told at the time that Ald. Blazar would be in touch with him to discuss any concerns and that he would not be required to return to Committee. Ald. Blazar explained that he, Ald. Danberg and Ald. Schwartz met with Mr. Figler and that they are satisfied and support his appointment. The Committee voted to approve this appointment.

Re-appointment by His Honor the Mayor

#381-14 BETHEL CHARKOUDIAN, 18 Maple Avenue, Newton, re-appointed as the *Ward 1 member* of the PARKS & RECREATION COMMISSION for a term to expire April 20, 2016 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **APPROVED 6-0 (Ald. Baker not voting)**

NOTE: Ms. Charkoudian joined the Committee. She explained that she enjoys serving on the Parks & Recreation and often supplies alternative views on issues. She also noted that she is on the only woman serving on the Commission. Keeping parks as open spaces is very important to her, as well as keeping areas where dogs roam and children play separate for sanitary reasons, and she will be bringing that up at the next meeting. She started a plant exchange last year and hopes to make it an annual event in order to bring people together. Her feeling is that “swim at your own risk” at Crystal Lake is not a smart policy and puts the City in a position of liability should anyone get hurt or die. The noise pollution problem caused by leafblowers, snowblowers and lawnmowers is getting worse and she would like to see something done to mitigate this problem.

The Committee asked her opinion relative to artificial turf on fields in the City. She said she does not like them and is against them in general. She is also against using pesticides on fields. She feels these are both unhealthy for residents, but the Commission is not consulted on everything. There was also a question about the Integrated Pest Management program (IPM). Last year, the Board was told on a Friday that fields were being sprayed on that Monday. Ms. Charkoudian said those decisions are in the Parks & Recreation Department and not with the Commission. Ald. Leary noted that a member of the Commission is supposed to be on that team and it’s also her understand that the IPM team has not met in years.

Ald. Rice asked her opinion on lights at night on the fields at the two high schools. The lights are brought in and they generate quite a bit of noise in the neighborhood. Ms. Charkoudian does not like any extra lights and feels they generate too much light pollution and it detracts from the neighbor’s enjoyment of their homes. In addition, she wondered if football should be eliminated due to the risk of head and brain injury, which would eliminate some of the need for lights at night.

Ald. Leary moved to approve Ms. Charkoudian’s appointment and the Committee voted in favor.

Re-appointment by His Honor the Mayor

#382-14 ARTHUR MAGNI, 107 Mt. Vernon Street, West Newton, re-appointed as the *Ward 2 member* of the PARKS & RECREATION COMMISSION for a term to expire January 1, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **APPROVED 6-0 (Ald. Baker not voting)**

NOTE: Mr. Magni addressed the Committee. He said he didn’t know when he first joined the Commission how many perspectives and elements go into community issues. He explained that the Commission has looked at, among other things, historic areas and their value, Crystal Lake

and the dog parks. These are all interesting community issues and he enjoys having a small part in helping the City develop and grow. He has found it very rewarding and interesting.

Mr. Magni said he joined the Commission from an athletic standpoint having played Little League and using the fields around the City. As far as artificial turf is concerned, he feels the natural fields get overused and the turf fields do not get muddy or get ripped up. He understands they are extremely expensive and there are some concerns but he would vote for them. He has seen some wonderful turf areas in Cambridge and Waltham that can be used year-round.

Ald. Kalis asked about the park project in Newton Highlands. Ald. Rice explained that the Parks & Recreation Commission voted on the Newton Highlands park project in 2005, but Commissioner DeRubeis wanted the Commission to vote again because it has been so long. The project planning is well underway and has been a long time coming. Funding has been approved for construction documents. There are some private athletic groups funding part of the turf fields and the rest would have to come from the City or CPA funds making many of the components of this project a public-private partnership. There was concern about crumb rubber infill being used in the turf fields but Commissioner DeRubeis stated previously that alternatives would be looked into.

Ald. Sangiolo asked about canoe rentals at the Cove and if the Commission had discussed that yet. There are parking and traffic impacts to consider. Mr. Magni said it was discussed at the last meeting. There is some support for it but they want to be sensitive to the neighborhood so if it happened at all, it would be a very small rollout of perhaps 20 canoes. Apparently the Cove is the one park where a one-day alcohol license is permitted, but the Commission just voted to prohibit alcohol there.

Ald. Leary noted that part of the park at Lincoln Eliot is in Watertown. She was hoping there could be some collaboration with Watertown on maintaining the field along with Newton and the schools. Mr. Magni said they have collaborated with other communities for ideas on issues, such as dog parks so he feels they could do some outreach. The Parks & Recreation Department tend to start those kinds of conversations then the Commission is brought in on that. He suggested she contact Commissioner DeRubeis, as they are not involved in the day-to-day turf maintenance issues.

Ald. Norton moved to approve Mr. Magni's re-appointment and the Committee voted in favor.

Re-appointment by His Honor the Mayor

#384-14 RICHARD TUCKER, 23 Woodman Road, Chestnut Hill, re-appointed as the
Ward 7 member of the PARKS & RECREATION COMMISSION for a term to
expire April 20, 2016 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **APPROVED 6-0 (Ald. Baker not voting)**

NOTE: Mr. Tucker was unable to attend this meeting due a death in the family. The Committee offered their condolences. Ald. Blazar moved his re-appointment and the Committee voted in favor.

Re-appointment by His Honor the Mayor

#385-14 JACK NEVILLE, 68 High Street, Newton Upper Falls, re-appointed as an *at-large alternate member* of the PARKS & RECREATION COMMISSION for a term to expire April 1, 2015 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **APPROVED 6-0 (Ald. Baker not voting)**

NOTE: Mr. Neville did not attend the meeting. Ald. Blazar explained that he spoke to Mr. Neville earlier in the day and moved his appointment. Ald. Kalis expressed that he was interested in speaking to those who have been long-standing members in order to understand their passion and motivation to continue serving. Ald. Rice said that Mr. Neville is very passionate about this work and puts in a great deal of time and Ald. Yates had expressed as much at an earlier meeting as well. The Committee voted to approve Mr. Neville's re-appointment.

Re-appointment by His Honor the Mayor

#386-14 MICHAEL CLARKE, 1115 Beacon Street #9, Newton, re-appointed as an *at-large alternate member* of the PARKS & RECREATION COMMISSION for a term to expire January 1, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **APPROVED 6-0 (Ald. Baker not voting)**

NOTE: Mr. Clarke was not in attendance. Ald. Blazar noted that he and Ald. Danberg met with Mr. Clarke and learned he has been on the Commission since 1995. He is incredibly knowledgeable about parks and recreation issues. He is also on the Newton Conservators. Ald. Blazar moved to approve the appointment and the Committee voted in favor.

REFERRED TO ZAP, PROG & SERV AND FINANCE COMMITTEE

#397-13(3) ALD. SANGIOLO AND DANBERG requesting creation of an ordinance to protect trees deemed ~~historic~~ significant by the ~~Historical Commission and the~~ City's Tree Warden with the advice and counsel of the Urban Tree Commission. [05-05-14 @ 4:32 PM]

ACTION: **HELD 6-0 (Ald. Baker not voting)**

NOTE: Ald. Sangiolo explained that she and Ald. Danberg were approached by a few members of the Urban Tree Commission relative to protecting a certain class of older or significant trees in the City. She would like to amend the language of the docket item to better reflect the intent as noted above. The Committee voted to approve the amendment 6-0.

Julia Malakie, a member of the Urban Tree Commission, sent Ald. Sangiolo a document detailing several ordinances in place in other communities. It was distributed to the Committee and is **attached to this report**. Ald. Sangiolo introduced Katherine Howard, Barbara Darnell, and Marc Welch, Director of Urban Forestry, who are also members of the Urban Tree Commission.

Ms. Howard explained that they have not fully explored this concept but they have been looking at some models around the country, including Springfield, MA. There are many variables and criteria to consider and decide upon and this is a preliminary conversation. An inventory of some sort would need to be done on both public and private properties to determine which trees would be included. Mr. Welch said this could be a complicated and time-consuming process. In

order to determine what is significant they would need to look at size, age and other factors as well – it would likely be on a case-by-case basis, with criteria, of course.

The Committee asked how this ordinance would further protect trees above and beyond the City's current tree preservation ordinance. Mr. Welch said it would depend on what criteria they end up adopting, but there could be level designations. Springfield MA has an age limit of 75 years and anything 36 inches in diameter or more cannot be removed. They don't have replacement criteria – it just can't be removed. They also do not have the resources and funds for enforcement. A Springfield model for Newton would then dictate that certain trees remain intact and cannot be removed at all. Newton's current ordinance does not prohibit removal just puts parameters around replacement. There are also certain exemptions for residential property owners who intend to stay in their home - they may remove a large tree with no requirement for replacement. That could possibly change with the proposed ordinance so some property rights would be more limited.

The Urban Tree Commission would like to get a sense from the Committee if they would be in favor of hearing more about this and support an ordinance. If so, Mr. Welch said they would welcome some direction, feedback and suggestions. There was strong sentiment in Committee that the Urban Tree Commission should do some research and work on developing this concept more as they are very supportive. Mr. Welch said they are in the most preliminary discussions of this and would continue to do some work and come back to Committee when they have developed this a bit more. In return, they would like to hear from the Committee about what kinds of trees in terms of species, size and age they would like to see protected. They could be specific by letting them know a particular tree on a particular street is something they are interested in protecting. This too will help guide the discussion.

Ald. Sangiolo noted that the Programs & Services Committee will be very supportive of this ordinance, but perhaps other members of the Board may be concerned with property rights and development and how this could affect both. Committee members wondered if there could be legal issues by limiting property rights. Mr. Welch said the Law Dept. would have to comment on that, but he feels it will be very similar to the current tree protection ordinance in that there would be an appeal process to the Mayor.

Ald. Sangiolo asked Committee members to report any examples of significant trees to Marc Welch as well as any model ordinances from other communities. The Committee voted to hold this item.

REFERRED TO PROG & SERV, PUB. FAC., ZAP, AND FINANCE COMMITTEES

#256-12 ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing an ordinance promoting economic development and the mobile food truck industry in the City of Newton. [08/06/12 @4:46 PM]

ACTION: **NO ACTION NECESSARY 6-0 (Ald. Baker not voting)**

NOTE: Ald. Sangiolo explained that she wanted to follow up on this item to determine whether or not there is a desire in Committee to promote mobile food truck activity in the City. The last time the Committee discussed this, Dori Zaleznik and Candace Havens informed them that they

were looking into one-day events with food trucks to get an idea of how they would be received. There were also a number of restaurant owners who attended the meeting to voice their opposition to food trucks as they would take business away from their bricks and mortar businesses. They felt the food trucks would have an unfair advantage due to their lack of overhead costs including rent, insurance, and taxes. The bricks and mortar businesses were also supporters of community activities by sponsoring events and sports teams, giving gift certificates to schools, etc. and generally being a fabric of City and contributing to economic activity.

City's Response

Nancy Hyde, Director of Economic Development addressed the Committee. She noted that there has not been much in depth study of this issue. The concerns expressed in the last meeting still exist and the administration is very sensitive to the existing businesses and having them do well. Even though the economy is recovering, the restaurant business is very difficult. On the Economic Development Commission level, it might be appropriate at some point to consider places like Wells Avenue where there is an absence of food options. However, she heard that a restaurant in that area relies upon the business from Wells Avenue. A policy that could be in the City's interest but would not hurt the bricks and mortar businesses would be considered, but she's not sure what that would be.

Restaurant Owners Comments

Joel Kadis, co-owner of the Panera and Craft Beer Cellar sites; Karen Masters, owner of Johnny's Luncheonette; the owner of Mango Tango; and the owner of Terry O'Reilly's shared their comments. They all felt the food truck idea was a far-reaching very bad idea. The Newton concept of villages gives the City its vitality and community-oriented feel. The deterioration of the bricks and mortar restaurants result in the introduction of food trucks. There are only so many generic food dollars that people will spend, and if they spend them at a food truck, they will not spend additional dollars at a restaurant. The playing field is completely unfair because a restaurant site will pay about \$150K a year just in rent, taxes and insurances and that does not include operating expenses. Bricks and mortar establishments are getting decimated by the internet and this would be a decisive step that would materially hurt restaurants, and restaurants draw people to the villages which stimulate other businesses as well. If the restaurants go, then banks and nail salons come in to take their place. Ms. Masters said she saw Lexington Center lose its vitality as it got taken over by 14 bank sites. Food and service establishments are what can endure these days.

EDC

Chris Steele, Chairman of the Economic Development Commission (EDC) explained that the EDC does not have a unified point of view at this time. There have been discussions about the innovation of food trucks and how they can possibly be incubators for some food businesses. But the greater weight of the debate has related to the more negative side. For example, the Panera site took considerable time and money to get their use approved and no food truck would have to go through that. It was pointed out that as the price of food goes up, the margin of profit goes down for restaurants because there is only so much they can reasonably charge.

Committee Comments and Questions

Committee members noted that they have seen “canteen” trucks and ice cream trucks around the City. It was thought the difference is that food trucks cook and prepare food and the canteen/ice cream trucks simply deliver prepared food and are not a restaurant on wheels as food trucks are. Ald. Norton explained that there are food trucks at various events such as back-to-school events. This was really convenient for families since most are not going to walk from a school to a village center to get food from a restaurant. One-day licenses might seem like a good idea, but in the end, it still takes business away from the restaurants.

Some restaurant owners suggested that schools and other groups should reach out to the restaurants first to see if they have the capability to serve food at the kinds of events that may currently use food trucks. One restaurant owner said he has been approached for a couple of events and they worked out well, even donating a portion of the food.

Follow Up

Ald. Norton suggested that the restaurants be proactive because these events are on a calendar and are predictable. They could put packages together to make the choice easier for these groups to support the local restaurants and give them the business. Perhaps the EDC should work with the businesses to assist in making those connections. Chris Steele said he and the Chamber of Commerce could work with local businesses and reach out to PTOs and other school groups. Ald. Rice suggested speaking with Linda Plaut as well because she organizes many City events as well. Ms. Hyde said she would reach out to Ms. Plaut and coordinate information. Ald. Sangiolo also had the idea of reaching out to the Wells Avenue office park to promote a little more vitality there.

Resolution

Ald. Sangiolo suggested crafting a resolution to promote development of a program with the existing food establishments in the city to serve food at events with the help of the EDC, the Chamber of Commerce and the Director of Economic Development. She will work on the language for the Resolution and docket it with the Programs & Services Committee.

The Committee voted No Action Necessary for this item and to docket a Resolution as stated.

Respectfully Submitted,

Amy Mah Sangiolo

Springfield, MA

<http://www3.springfield-ma.gov/park/significant.0.html>

Entire ordinance:

Chapter 8.20.070 Significant Trees

A: *Except as provided by Chapter 87 of General Laws, it is unlawful for any person other than the city forester, or his designees, to cut, trim or remove, in whole or in part, any significant tree, even if such person is the owner of the fee in the land on which such tree is situated, except upon a permit in writing from the city forester, and only to the extent of the terms and condition of such permit.*

B: *The city forester shall grant such permit only upon a showing by preponderance of the evidence that the continued present state of such tree endangers person, or, in his discretion, if such tree is diseased or damaged.*

C: *For purposes of this section, a “significant tree” is any tree which is seventy-five (75) years or older, or which is three (3) feet in diameter or more.*

D: *Each person is held responsible for ascertaining the age and diameter of any tree prior to such person cutting, trimming, or remove same, in whole or in part.*

E: *A person who is aggrieved by the provisions of this section and for cause shown may apply directly to the Board of Park Commissioners for a permit to cut, trim, or remove in whole or in part, any significant tree, which is otherwise protected under this section so long as such commission in the exercise of its discretion is satisfied that such applicant would sustain a hardship, financial or otherwise, which outweighs any detriment to public interest that would result in the application of this section. For purposes of this section, “hardship” is the loss of an advantage. It may include, but not be limited to, a monetary advantage or the advantage to put property to particular use. (Prior code § 13-25).*

My notes from talking to Springfield asst tree warden back when we were revising main ordinance:

History of ordinance

Only “Significant Trees” are covered by Chapter 8.20.070. Asst city forester Alex Sherman thinks they’ve had it since the 1970s.

Private trees covered?

Any tree 75 years or older, or 3ft in diameter or more.

Where in structure of city government?

<http://www3.springfield-ma.gov/park/significant.0.html>

Who is responsible?

Forestry Division, part of Parks & Recreation Division. Per Alex Sherman, most homeowners not even aware of Significant Tree ordinance. They mostly rely on tree companies to know about it, and not all of them follow. Sometimes when tree company tells homeowner they need a permit, HO gets another tree company. Had recent case where neighbor called to report significant tree being cut, cutting was stopped in process, eventually tree stayed.

Permits, fees, revenue generated

No fee to get a permit. No revenue generated. Either someone gets permission to remove if tree is decayed, or they don't get permission.

Expenses, FTEs

Sherman says Ed Casey (head of Forestry) does most of permits. Sherman thinks there are 4-5 per month, about 50/year.

Penalties, issues

Sherman not sure they've ever imposed a fine, and can't remember what it is. Said they've never had success collecting reimbursement from people who remove significant tree without permission.

Sherman would like to see trees included in what city's Flex Squad enforces Flex Squad is 1-2 detectives who deal with or

Historic/exceptional trees

"Significant trees" is only provision.

Seattle, WA

Exceptional Tree section of ordinance:

<http://clerk.ci.seattle.wa.us/~scripts/nph-brs.exe?d=CODE&s1=25.11.050.snum.&Sect5=CODE1&Sect6=HITOFF&l=20&p=1&u=/~public/code1.htm&r=1&f=G>

Tip summary of ordinance:

<http://www.seattle.gov/DPD/Publications/CAM/cam242.pdf>

Relevant portion:

Undeveloped Land

No trees six inches in diameter or greater may be removed on undeveloped lots unless they are found to be hazardous (see Hazardous Tree section of this Tip) or where tree removal is proposed as part of a development (see Tree Protections During Development section of this Tip).

Developed Land

Tree removal on developed land is limited in all lowrise, midrise, and commercial zones and on single-family lots 5,000 square feet in area or larger as follows unless they are found to be hazardous (see Hazardous Tree section) or where tree removal is proposed as part of a development (see Tree Protections During Development section).

*n **No exceptional trees may be removed.***

n No more than three non-exceptional trees six inches in diameter or greater may be removed on a lot in any one-year period.

Determining what's an exceptional tree:

<http://www.seattle.gov/dpd/codes/dr/DR2008-16x.pdf>

San Mateo, CA

Heritage Tree Ordinance

<http://www.cityofsanmateo.org/index.aspx?NID=650>

(has a link to their Heritage Tree Application form which covers extensive pruning as well as removal)

What trees are covered:

(a) Heritage tree is any of the following:

- (1) Any bay (*Umbellularia californica*), buckeye (*Aesculus spp.*), oak (*Quercus spp.*), cedar (*Cedrus*) or redwood (*Sequoia*) tree that has a diameter of ten (10) inches or more measured at forty-eight (48) inches above natural grade;
- (2) Any tree or stand of trees designated by resolution of the City Council to be of special historical value or of significant community benefit;
- (3) A stand of trees, the nature of which makes each dependent on the others for survival;
- (4) Any other tree with a trunk diameter of sixteen (16) inches or more, measured at forty-eight (48) inches above natural grade.

Redmond, WA

redmond.gov/common/pages/UserFile.aspx?fileId=59639

(downloads PDF)

Redmond uses “significant tree” like we used “protected”; it’s anything over 6”.
“Landmark tree” is any tree over 30” DBH.

Relevant parts:

Landmark trees, Protected trees, and trees within Critical Areas cannot be removed, unless they are determined to be hazardous, dead, diseased, dying, or structurally unsound by a certified arborist.

If the tree is determined to be hazardous, dead, diseased, dying, or structurally unsound by a Certified arborist, then a Tree Removal permit can be issued to remove the tree. A completed ISA Tree Evaluation Form must be submitted for each tree proposed to be removed. If the tree or trees is/are healthy, a Tree Removal Exception Request is required...

Each Landmark tree removed with Exception approval requires three (3) replacement trees.

Fort Worth, TX

Their whole ordinance looks good, although they must have large lots because residential lots with 1- or 2-family dwellings of 1 acre or greater, are exempt from Urban Forestry requirements.

http://fortworthtexas.gov/uploadedFiles/City_Secretary/City_Council/Official_Documents/2009_Ordinances/18615-05-2009.pdf

Significant or Large Tree key points:

Significant or Large Trees twenty-seven (27) inches in diameter (84.82 inches in circumference) for the entire city or eighteen (18) inches in diameter (56.55 inches in circumference) for Post Oaks and Blackjack Oaks east Interstate Highway 35W can only be removed by permit the City Forester.

Significant or Large Trees may be removed one the following conditions is met:

i. An area one and times the area the canopy the tree identified for removal is retained on the same site. The one and one-half (1 retention existing trees shall be the same species as the tree being removed in the Post Oak Savanna as indicated on Exhibit “A” or from the protected list not in the Post Oak Savanna and be in excess the required tree coverage on the

or

ii. Planting new trees from the preferred list (see Table Section 6.302.L.) at five (5) times greater in canopy area than the removed specific tree canopy. The additional planting five to one (5 to will be in excess the required tree coverage on the site: or

iii. Payment into the tree fund based upon the total diameter the specific tree times two hundred dollars (\$200.00) per inch, or four and 94/100 dollars (\$4.94) per square foot canopy: or

iv. Urban Design Commission approves plan that mitigates the removal Significant or Large Trees.

San Antonio, TX

Similar to Redmond, WA, they use the term “significant” to cover what we call “protected,” with threshold sizes that vary around 6-10”

“Heritage” trees have higher threshold sizes, have more protection in that 100% must be preserved unless mitigated, and require mitigation at a higher rate when removed. (3:1 ratio instead of 1:1)

Entire ordinance very long:

http://www.sanantonio.gov/dsd/pdf/R_4298_20100518110056.pdf

pp15-16 define what’s heritage.

pp 20-21 shows mitigation requirements

Salem, OR

Has both Heritage and Significant trees:

<http://www.cityofsalem.net/Departments/CommunityDevelopment/Planning/Documents/Land%20Use%20App%20process%20packets/Tree%20Preservation%20Ordinance%20-%20Resource%20Guide.pdf>

Heritage trees (designated by City Council) – Cannot be removed unless City Council has rescinded the heritage tree designation

Significant Trees (Oregon White Oak over 24 inches in dbh) – Cannot be removed unless it meets an exception of SRC 808.030(a)(2)1, a Tree Removal Permit is issued, a Tree Conservation Plan has been approved, or a Variance has been approved.