



Article X



Single Family and Duplex Uses



January 21, 2016 and September 1, 2016



LANDSCAPING

Single Family and Duplex Developments

Current:

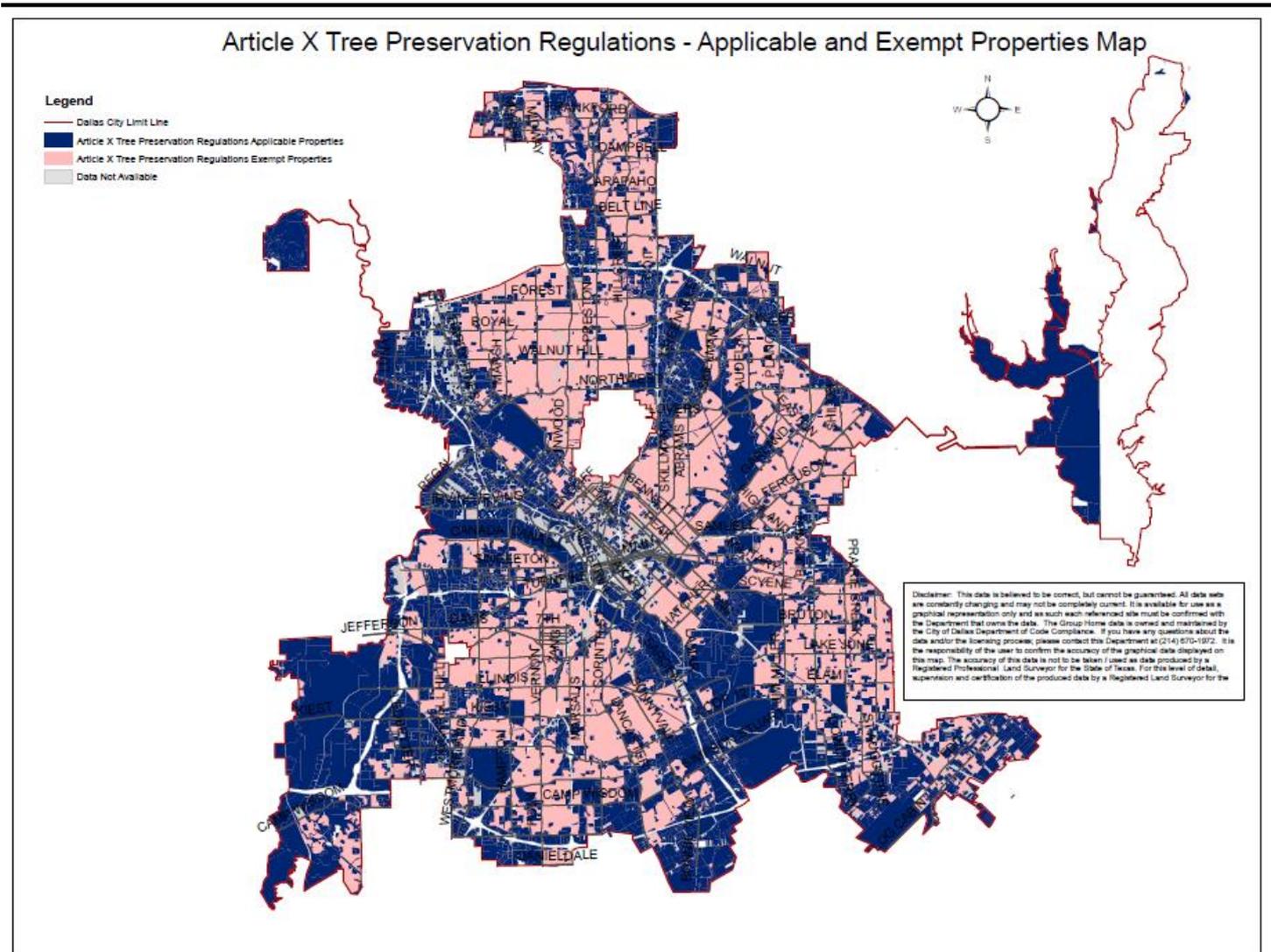
- Minimum 3 trees per lot
- Minimum of 2 trees in front yard (*ALL SF/D PROPERTIES*)
- Trees a minimum 2" caliper
- Trees from approved list

Proposed:

- Lots 7,500 sf and greater: Minimum 3 trees per lot with minimum 2 trees in front
- Lots greater than 4,000 sf to 7,499 sf : Minimum 2 trees per lot with minimum 1 tree in front
- Lots 4,000 sf or less: Minimum 1 tree per lot in front
- Trees from approved list
- Trees a minimum of 2" cal.

TREE CONSERVATION ORDINANCE

SF/D less than 2 acres



TREE CONSERVATION ORDINANCE

SF/D applicability in other cities

City	Applicable to Existing SF	Notes
Houston*, TX	No	unless a "Designated Tree ¹ " on site
San Antonio, TX	No	on property on which construction of single-family, two family or three-family residential dwelling units has been completed
Fort Worth*, TX	No	any single residential lot with a one or two-family dwelling that is one acre or less in size.
Arlington, TX	No	unless the property is vacant, undeveloped, or property to be redeveloped that is over one acre in size.
Carrollton, TX	No	to single-family, duplex, and single-family attached lots after initial development and final inspection of the dwelling, nor to any expansion, addition or alteration to any existing single-family dwelling, duplex and single-family attached dwelling
Atlanta*, GA	Yes	trees protected on SF lots. Permit is required for trees within distance of house.
Austin*, TX	Yes	requires a permit for "Protected Tree ² " (19" or greater) removal and a variance for "Heritage Tree ² " (24" or greater) removal.
Cedar Hill, TX	No	to single-family or duplex dwelling unit owners
Plano, TX	No	to individual single-family, duplex, and single-family attached lots after initial development and final inspection.
Frisco, TX	No	single-family or two-family lots contained within a plat of record and having a CO.
Athens Clarke Co., GA	No	existing SF lots are exempt. New developments must attain a tree canopy cover requirement.
Little Elm, TX	No	residential uses used as a homestead are exempted from the protection and replacement tree requirements until such time 'the property is no longer used as a single family residence.'
Falls Church, VA	No	tree removal permit is required for new development or vacant lots, but does not apply to existing SF uses other than for "Historic or Specimen Trees ³ ."
Decatur, GA	Yes	applies to any and all real property. Tree removal permit or tree disturbance permit is required on all SF uses depending on level of tree canopy and alteration.

* Index Cities

1. **Designated Tree** is defined by City of Houston as a tree designated based on: (a) historical significance; (b) arboricultural significance; and (c) an agreement between the owner of the tree and the City.
2. **Heritage Tree** means a tree that has a diameter of 24 inches or more, measured four and one-half feet above natural grade, and is part of the City of Austin, heritage tree list; **Protected Tree** means a tree with a diameter of 19 inches or more, measured four and one-half feet above natural grade
3. **Historic Tree** means a tree which has been determined by the city council to be of notable historic interest because of its age, size or historic association and has been so designated in the official records of the city. **Specimen Tree** means a tree which has been determined by the city council to be notable by virtue of its outstanding size and quality for its particular species and of high value because of its type, size, age or other professional criteria and has been so designated in the official records of the city.

TREE CONSERVATION ORDINANCE

SF/D applicability recommendations

- Retain current exemption to the single family or duplex use and add demolition permits.
 - The demolition permit will be a declaration of an ‘intent to remove a structure.’ The DATE (12:01am) of the issued permit will indicate when the tree ordinance is applicable to the property with, or without, the full physical removal of the structure. Applicability of the tree ordinance remains until either 1) a new certificate of completion is approved for a new dwelling, or 2) an occupant of the existing dwelling (not removed) proves occupancy on the property to the building official, and the property has a closed (not expired) demolition permit.
- Increase applicable tree mitigation incentives to builder for retaining large canopy trees
 - Bonus mitigation credits for retaining X% of existing tree canopy coverage per lot
- Detail the requirements to “Tree protection plan” and “Implementation of the tree protection plan” when applicable to new construction of Single Family or Duplex uses - to include whole tree protection standards and penalties for non-compliance.
- Neighborhood Forest Overlays.

TREE CONSERVATION ORDINANCE

NEIGHBORHOOD FOREST OVERLAY (NFO)

- The NFO would be an elective overlay for a whole or portion of, any residential neighborhood
- A ‘Neighborhood Forest Plan’ must be generated for management of the overlay.
- NFO conditions and boundaries would be decided by the neighborhood through the process and parameters set in place by council (similar to process for setting up and forming a Conservation District).
- Permits and review for all tree removal in the NFO would be administered through the city arborist’s office.