

1176.04 TREE REPLACEMENT MITIGATION PLAN.

(a) During the course of development of a single lot or a subdivision the developer or owner shall be required to replace major trees removed pursuant to Section 1176.03 (Preservation of Trees and Wooded Areas) on a one-for-one basis. ~~with trees having a trunk diameter of at least two and one-half (2-1/2) inches measured twenty-four (24) inches above the ground level.~~ When it is impractical or not feasible to replace all of the trees on the affected lot or within the affected subdivision, staff may approve one, or any combination of the following alternatives as a means of meeting the tree replacement requirements.

(1) Replace as many trees as the Municipality deems is practical on the affected lot;

(2) Replace as many trees as the Municipality deems is practical within this affected subdivision phase;

(3) Replace as many trees as the Municipality deems is practical within the affected subdivision;

(4) When the Municipality determines that trees cannot be replaced through steps one through three above, the developer/owner shall be required to replace the trees elsewhere in the Municipality; or

(5) Pay a four hundred dollars (\$400.00) fee per tree to support the Municipality's effort to replace the trees.

(b) Failure to replace a major tree as required by subsection (a) hereof within one (1) year of the approval of the application referred to in Section 1176.03 (Preservation of Trees and Wooded Areas) is a violation of the Zoning Ordinance, subject to Chapter 1133 (Enforcement Measures; Penalties).

(c) Trees shall meet the minimum tree standard immediately after planting ~~with a minimum planting area of sixty-four (64) square feet around the trunk of the tree maintained in either vegetative landscape material or previous surface cover.~~

(d) Species prohibited by Section 911.08 of Part Nine: Streets, Utilities, and Public Services Code may not be used as replacement trees.

(Ord. 19-011. Passed 4-22-19.)

1191.17 TREE FUND FEES. – DELETED: SEE 911 TREES AND SHRUBS

~~—(a) Upon approval of the final plat, or any new street developed in a subdivision by a private developer and dedicated to the City, the owner/developer shall pay the sum of four dollars (\$4.00) per linear foot of street frontage and linear footage around all islands to the City. This sum shall be deposited into the "Tree Fund."~~

~~—(b) This Tree Fund shall be used for the purpose of planting approved trees in tree lawns and for accessory materials to be utilized in the planting of such trees. Interest earned on the investment of said funds shall be deposited in the Tree Fund. Said interest and all surplus funds from planting shall be used for the maintenance, removal and protection of trees planted from Tree Fund monies.~~

~~—(c) Said Tree Fund shall be established as a special revenue fund and shall be maintained in accordance with regulations of the Auditor of State and will be administered solely by the City Finance Director.~~

~~—(d) Approved trees shall be those trees authorized by the City Trees and Decorations Committee. (Ord. 19-011. Passed 4-22-19.)~~