

8) Preservation of Significant Trees.

(i) Existing landscape features such as escarpments, large trees or stands, heavy vegetative cover, ponds and bluffs shall be identified by the applicant as part of the development review process. This identification shall include a surveyed inventory of significant trees to be produced with a landscaping plan. Any significant tree to be preserved during development shall be identified on the proposed landscaping plan.

(ii) All trees identified as included on the suitable plants list that have a diameter exceeding 15 caliper inches, in fair or better condition, free from irreparable structural defects, and is not infested with a disease or pestilence that threatens the good health of other trees as determined by a certified arborist shall be considered significant.

(iii) Where significant trees exist on a property, no fewer than 30 percent of significant trees shall be preserved during development. Significant trees that are removed shall be replaced at a rate of one caliper inch of tree per three inches in diameter at breast height of the significant tree to be removed, in addition to new tree plantings otherwise required by this code. See subsection (i)(5) of this section for credit applied to preserved trees.

(iv) Significant trees to be preserved shall be visibly healthy and free from disease or parasite infection.

(v) If the 30 percent minimum preservation requirement impedes the proposed primary development of a site, then the Director may grant a 10 percent adjustment of the minimum setbacks, lot size, parking lot interior landscaping, and parking count requirements. Furthermore, the City Forester may adjust the drip line protection standards described in subsection (c)(8)(vi)(A) of this section so to allow for additional flexibility for the development to occur around the identified significant trees. If these adjustments do not provide a viable means of developing the site with the preservation of the minimum required significant trees then, at the developer's discretion, the developer may:

(A) Replace the required significant trees on-site at a ratio of three caliper inches per five inches in diameter at breast height of significant tree removed with trees identified as preferred trees on the suitable plants list; and/or

(B) Pay a fee in lieu of replanting the required on-site replacement trees. The developer shall pay to the City the value of the required replacement tree(s) not planted on site, along with the total cost of installation. The City shall use this payment to purchase the required replacement trees not planted on site and plant them on public property.

(vi) Features to be preserved shall be protected throughout site development. No person shall kill or damage a landscape feature required to be preserved by this section. The developer shall protect trees from compaction.

(A) During construction, existing plant material to be preserved shall be enclosed by a temporary fence at least five feet outside the canopy dripline. In no case shall vehicles be parked, or materials or equipment be stored or stockpiled within the enclosed area.

(B) Irrigation shall be provided to trees preserved during construction of sufficient quantity to ensure their health and survival.

(C) If a significant tree which was to be preserved dies or is substantially damaged, the developer shall replace it at the rate of three caliper inches of new tree per five caliper inches of damaged or destroyed tree.