

City of Milton Tree Ordinance

TREE PROTECTION

Standards For Specimen And Heritage Trees And Stands of Trees

Specimen and Heritage Tree: Any tree in fair or better condition which equals or exceeds the following diameter sizes.

Tree Type	Tree Diameter Size	Examples
Large hardwoods	27" d.b.h.	Oak, Hickory, Yellow Poplar, Sweetgum, etc.
Large hardwood	24" d.b.h.	Beech
Large softwoods	24" d.b.h.	Pine, Deodar Cedar
Small Native Flowering	10" d.b.h.	Dogwood, Redbud, Sourwood

A tree in fair or better condition must meet the following minimum standards:

- a. A life expectancy of greater than 10 years.
- b. A relatively sound and solid trunk with no extensive decay or hollow, and less than 20 percent radial trunk dieback.
- c. No more than one major and several minor dead limbs (hardwoods only).
- d. No major insect or pathological problem.
- e. A lesser sized tree can be considered a specimen if it is a rare or unusual species, of exceptional quality, or of historical significance.
- f. A lesser size tree can be considered a specimen if it is specifically used by a builder, developer, or design professional as a focal point in a project or landscape.

Specimen Tree Stands:

A contiguous grouping of trees which has been determined to be of value by the Director of Environment & Community Development or Authorized designee(s). Determination is based upon any one or more of the following criteria:

- a. A relatively mature even-aged stand.
- b. A stand with purity of species composition or of a rare or unusual nature.
- c. A stand of historical significance.
- d. A stand with exceptional aesthetic quality.

REVEGETATION

Tree Replacement

- a. The replacement of trees to satisfy the conditions of zoning, requirements of the Milton Zoning Resolution or the Tree Preservation Ordinance and Administrative Guidelines, may occur under the following situations:
 - To establish the minimum tree density requirements for the site, where grading occurs outside the buildable area of the lot.
 - If the lot's buildable area leaves no protected zone.
 - If no trees are present within an existing protected zone.
 - Where specimen trees or stands of trees and trees within otherwise designated tree protection zones have been irreparably damaged or removed through land disturbance or construction activities.

NOTE: Unless enough existing trees are saved on site to satisfy density requirements, proposed replacement trees will have to be bonded off prior to issuance of the Land Disturbance Permit.

- b. The quantity of replacement trees into a site must be sufficient so as to produce a total site tree density factor of no less than 20 units per acre. If it has been determined by the City Arborist or designated agent(s) during the initial site visit that the property in question is completely barren of trees and has been for a long time (i.e., pasture land), then the units for replacement trees will be doubled. (For example, a 1-inch replacement tree is currently equivalent to 0.7 units; at a site determined to be barren of trees, the replacement units will be equivalent to 1.4 instead of 0.7 units.) The site will still be required to meet the 20 unit per acre site tree density requirement.

Note—The terms unit and tree are not interchangeable. Procedures for determining the site density requirements and the subsequent tree replacement requirements are provided in Table 1.0 and Table 2.0 in the next section. No more than 30 percent of replacement trees can be pines. At least 70 percent of replacement trees must be hardwoods of at least four different species.

- c. The spacing of replacement trees must be compatible with spatial limitations and with responsible consideration towards potential species size.
- d. Where the City Arborist or designated agent(s) has determined that site spatial constraints result in the inability to provide for all the required trees, as many trees as possible must be planted on site. The remaining balance of required trees must be planted on public properties using the **Tree Bank** alternative or the installed cost of the remaining balance of required trees must be contributed to the **Tree Replacement Fund** in the form of a certified check. A **Conservation Easement** on a greenspace can also be deeded to the City as compensation for specimen trees removed or to meet site tree density. (Contact senior arborist for details on conservation easement.)

Specimen Tree Recompense

A. Required; calculations. Any and all healthy specimen trees that the city arborist allows a developer/builder/homeowner to remove must be compensated for.

- (1) Specimen hardwood trees have to be compensated for with either two-inch or four-inch caliper hardwood trees.
- (2) Specimen evergreen trees have to be compensated for with either two-inch or four-inch caliper:
 - a. Southern magnolias;
 - b. Deodar cedars;
 - c. Canadian hemlocks; or
 - d. Cryptomerias.
- (3) Specimen native flowering trees have to be compensated for with either two-inch or four-inch caliper hardwood trees.
- (4) Four different species (minimum) of recompense trees must be used if the number of recompense trees required is 40 or greater.
- (5) For purposes of recompense trees only, the unit value of a two-inch caliper recompense tree will be 0.35 units, not its usual 0.5 unit value.
- (6) Any and all specimen trees that are slated for removal must have their recompense trees bonded off prior to issuance of the land disturbance permit.

(b) Violation; penalty calculations. If a specimen tree or trees are removed or have their root protection zones disturbed without permission, the unit value of the specimen tree is doubled and that becomes the unit value that must be compensated for. For example: A 30-inch DBH tree is normally worth 14.7 units. If it is removed or its root protection zone disturbed without permission its unit value will double to 29.4 units. Thus 29.4 units of two-inch or four-inch caliper trees will have to be replaced at the project site.

(1) Recompense trees cannot be used to satisfy any other landscape requirement, such as:

- a. Parking lot shade trees;
- b. Landscape strip;
- c. Undisturbed buffer; or
- d. Detention pond buffer trees.

(2) Recompense trees can, however, count toward the required tree density for the site. Two-inch caliper recompense trees that are counted for density will be worth 0.35 units per tree.

(c) *Tree bank.* Arrangements will be made through the city arborist. If the tree bank is an alternative for your development, then the following criteria must be observed:

- (1) The tree bank site location must be in the same planning area of the city (defined in the Comprehensive Plan) as the project site. (North, Sandy Springs, South, SW).
- (2) Four different species needed if total quantity of trees to be banked is 40 or greater.
- (3) Each tree bank tree must be two-inch caliper size at a minimum; two-inch or four-inch caliper required for recompense trees.
- (4) All tree bank trees must be grade "A" quality trees with straight trunks and dense foliage and free from injury, pests, disease or nutritional disorders.
- (5) All tree bank trees are to be guaranteed for one full year after planting by the developer. Any trees that die within this time period must be replaced by the developer.
- (6) The following notes must be shown on the approved tree protection plan:
 - a. When the owner/developer/contractor calls the city arborist's office for a final inspection, the owner/developer/contractor shall inform the arborist that the site visit includes a site visit to a public property to inspect trees that have been tree banked.
 - b. Any changes in tree variety must be approved in writing by the city arborist's office.
 - c. Planting must be completed by the owner/developer and the planting must be inspected and approved by the city arborist or senior arborist prior to the arborist's or senior arborist's sign-off on the certificate of occupancy or final plat recording for the project.

(d) *Tree replacement fund.* Arrangements will be made through the city arborist. If the tree banking alternative is not desirable, then the tree replacement fund is another alternative to help your development meet its tree density or recompense tree requirements. If the tree replacement fund is an alternative for your development, then the following criteria must be observed:

(1) Tree replacement cost estimates obtained from three landscape contractors must be provided to the city's arborist for approval and the trees replacement cost will be based on an average of the three estimates.

DBH	Units		No. of Trees		
12"	3.2	×	2	=	6.4
14"	3.6	×	2	=	7.2
18"	4.0	×	2	=	8.0
20"	4.0	×	1	=	4.0
30"	14.7	×	1	=	14.7
			EDF total		40.3

(2) The required replacement fee will be 100 percent of the total cost to plant the balance of trees that were unable to be planted to satisfy the site density requirement or recompense tree requirements.

(3) Species selected for replacement must be grade "A" quality, healthy trees and must be ecologically compatible with the specifically intended growing site. Standards for transplanting and selecting quality replacement stock are provided in transplanting standards section. A site specific tree list will be provided by the city arborist upon request.