

TITLE SIX--Accessory Use and Structural Requirements
Chap. 1158. Tree Regulations.
Chap. 1161. Performance Standards.

CHAPTER 1158
Tree Regulations

1158.01 General.

1158.02 Specific requirements.

1158.01 GENERAL.

(a) **Purpose.** The purpose of these regulations is to assure that trees are planted and/or preserved with the development or redevelopment of buildings and parking areas and with the establishment or conversion of uses according to the best ecological concepts, environmental objectives, and site planning principles.

(b) **General applicability.** No certificate of occupancy shall be issued for the establishment or conversion of any use nor shall any parking area be constructed or reconstructed without conformity with the provisions of this chapter. However, the following shall be exempt from this chapter:

- (1) Property in the CB-10 and ID districts.
- (2) Property developed according to the yard requirements of the district in such a manner that insufficient area is available to achieve compliance with the tree regulations; however, all trees that can be in compliance with these requirements shall be provided.
- (3) Any lot occupied by a single-family dwelling, except a townhouse.
- (4) Parking ramps, covered parking spaces and parking areas that are structurally an integral part of a building shall be exempt from the requirements of this section.

(c) **Recommended species of trees.** The varieties and sizes of trees permitted

by this code for the use indicated are specified in the list of *Recommended Street Trees for Springfield, Ohio* (to be adopted by reference as a supplement to this code). Trees not included on the list may be used to fulfill the requirements of this chapter upon approval of the City Forestry Division.

(d) **Installation.** All tree plantings required by this chapter shall be installed before occupancy or commencement of a use. If because of weather conditions the plantings cannot be installed before occupancy or commencement of a use, the Director of Planning and Development or his designee may issue a temporary zoning certificate and grant a delay of tree installation until the seasonal calendar dates of March 15 or September 1, whichever occurs first. Tree installation shall then occur within 60 days after the calendar date.

(e) **Planting sizes.** The following specifications shall be met at the time of planting:

- (1) **Large deciduous trees.** This type of tree shall have a minimum trunk diameter of two (2) inches when measured six (6) inches above established grade and show the growth capabilities, branch formation and crown balance that is indigenous to the particular variety. This type of tree is regarded as a "large" tree in this chapter and will attain a height of 45 feet or more.
- (2) **Medium deciduous trees.** This type of tree shall have a single stem and a minimum trunk diameter of two (2) inches when measured six (6) inches above established grade and show the growth capabilities, branch formation and crown balance that is indigenous to the particular variety. This type of tree is regarded as a "medium" tree in this chapter and will attain a height of 30 to 45 feet.
- (3) **Small deciduous trees.** This type of tree shall have a single stem and a minimum trunk diameter of two (2) inches when measured six (6) inches above grade and show the growth capabilities, branch formation and crown balance that is indigenous to the particular variety. This type of tree is regarded as a "small" tree in this chapter and will attain a height of 20 to 30 feet.
- (4) **Coniferous trees.** This type of tree shall have a minimum height of five (5) feet when measured from the planted level to the top of the tree. This height may be reduced to three (3) feet when it is required to be used for screening purposes. The needle color and branching habits shall be normal for the species and the appearance shall be indicative of previous care in pruning and development.

(f) **Maintenance.** It shall be the responsibility of the owner of a lot to maintain and replace, if necessary, trees required by these provisions after their planting. Any trees on the public right-of-way or on private property that overhang the public right-of-way shall be maintained according to the provisions of Chapter 907 of the *Codified*

Ordinances of Springfield, Ohio, as amended. All plantings shall be properly weeded, mulched, and kept free of trash and other unsightly material.

(g) **General provisions.**

- (1) The required distance for the location of a tree shall mean the distance to the center of the trunk.
- (2) Where fractional numbers of trees result, the number of trees required shall be rounded to the closest whole number. If the fractional amount is one half (1/2), the next lowest whole number shall be applied.
- (3) Existing trees may be used to satisfy the requirements of the tree regulations, provided they are larger than the minimum size requirements for trees at initial planting and they are in a location that would impair the normal growth of a tree that is planted to meet the location standards of this chapter. Normal growth is assumed to be impaired if a tree's spacing is less than required for the spacing of trees in subparagraph 1158.02(a)(2)D below.

(h) **Site plan.** When provisions of the tree regulations are applicable, a plot plan shall be submitted with the request for a zoning certificate and shall include:

- (1) The size and location of required planting areas; and
- (2) The mature height (small, medium, or large), location and type (evergreen or deciduous) of existing and proposed tree plantings within and adjacent to the street right-of-way.

1158.02 SPECIFIC REQUIREMENTS.

(a) **Trees adjacent to and within street rights-of-way.** The following provisions shall regulate the planting of trees adjacent to and within street rights-of-way.

(1) **Applicability.**

- A. Whenever a new use is established or the conversion of a use occurs, the requirements of this subsection shall be applicable to the entire lot.
- B. Whenever a principal building is constructed, reconstructed or structurally altered by one or more additions, the total of which increases the floor area by more than 10 percent, the requirements of this subsection shall be applicable to the entire lot on which the building is located. If there is more than one building on a lot, this provision shall apply when the total floor area for all the buildings is increased by more than 10 percent.
- C. If any provision of this chapter would preclude the planting of one or more trees adjacent to the right-of-way, the trees that cannot be planted adjacent to the right-of-way shall be planted within the right-of-way according to the provisions of paragraph 1158.02(a)(3), Placement of trees within street rights-of-way. Trees which cannot then be planted in conformity with the

provisions of that paragraph, may be omitted.

- (2) **Required tree planting adjacent to street rights-of-way.**
 - A. Large and medium trees shall be planted at a minimum ratio of one tree for every 40 feet of lot frontage, or for small trees, every 30 feet of lot frontage.
 - B. Trees shall be planted adjacent to street rights-of-way. (Ord. 03-244. Passed 7-8-03.)
 - C. Large and medium trees shall not be spaced closer than 30 feet apart nor closer than 14 feet of a building. Small trees shall not be spaced closer than 16 feet apart nor closer than (8) feet of a building. Where screening is appropriate or required, this spacing may be reduced, provided the trees are planted according to the provisions of Subsection 1161.01(h), Screening, and are of a variety suitable for screening.
 - D. Trees shall be located within planting areas and separated from parking areas pursuant to the requirements of Paragraph 1158.02(b)(2), Required tree planting for parking areas.
 - E. At street intersections, trees shall not be located within 70 feet of the intersection of curb lines (or pavement edge where curbs do not exist) when planted along arterial streets, within 50 feet when planted along collector streets, nor within 30 feet of the intersection of local streets. (City Engineer is to calculate distances.)
 - F. Trees shall be placed to avoid interference with the construction, maintenance and operation of public and private utilities and services above or below ground as determined by the utility companies and the City Engineer.
- (3) **Placement of trees within street rights-of- way.**
 - A. A tree planting permit shall be obtained from the City Forestry Division.
 - B. No trees shall be planted where the width of the area between a curb and a sidewalk is less than four (4) feet. If no sidewalk exists, the width between a curb and a right-of-way line shall be at least nine (9) feet. Trees shall not be located within two (2) feet of a street curb or edge of pavement where a curb does not exist, within two (2) feet of a sidewalk, nor within six (6) feet of a right-of-way line where a sidewalk does not exist. (City Engineer is to determine how close a tree should be to the street pavement where a curb does not exist.)
 - C. At street intersections, trees shall not be located within 70 feet of the intersection of curb lines (or pavement edge where curbs do not exist) when planted along arterial streets, within 50 feet when planted along collector streets, nor within 30 feet of the intersection of local streets. (City Engineer is to calculate

distances.)

- D. At the intersection of a street and a drive or at the intersection of a street and an alley, trees shall not be located within 15 feet of the edge of the drive or the right-of-way line of the alley.
- E. Large and medium trees shall not be spaced closer than 30 feet apart nor closer than 14 feet of a building. Small trees shall not be spaced closer than 16 feet apart nor closer than eight (8) feet of a building.
- F. Trees shall be placed to avoid interference with the construction, maintenance and operation of public and private utilities and services above or below ground as determined by the utility companies and the City Engineer.
- G. No tree shall be planted within 10 feet of a utility pole.

(b) **Trees on private property for parking areas.** The following provisions shall regulate the planting of trees for parking areas on private property:

(1) **Applicability.**

- A. **New parking areas.** Whenever the total number of parking spaces required or provided on a lot exceeds 15 parking spaces, the requirements of this section shall be applicable. Screening provided for a parking area as required in Section 1153.08, Screening Requirements for Parking Areas, may be used to satisfy the requirements of this chapter.
- B. **Existing parking areas.** This subsection shall apply to an existing parking area under the following conditions:
 - i. If an existing parking area has less than 15 parking spaces but is increased in size to more than 15 spaces, only the new parking spaces in excess of 15 must comply with the requirements of this section.
 - ii. If an existing parking area has more than 15 parking spaces and is increased in size, only the added parking spaces must comply with the requirements of this section.
 - iii. If an existing parking area does not have a permanent dust-free surface of asphalt or concrete but is provided with such a surface, the provisions of this section shall apply as if the parking area did not previously exist. 4. If an existing parking area is provided with over an inch of asphalt overlay or at least 25 percent of the surface area is removed and replaced, the provisions of this section shall apply as if the parking area did not previously exist.

(2) **Required tree planting for parking areas.**

- A. Trees shall be located so every parking space or portion of a parking space is not more than 40 feet from a small tree, 50 feet from a medium tree, or 60 feet from a large tree.
- B. All trees shall be placed within planting areas of pervious

material suitable for growth of a tree and separated from parking spaces, drives and aisles by a continuous curb or barrier a minimum of five (5) inches in height. The curb or barrier shall be constructed in such a manner that it will prevent saltwater runoff from damaging the tree.

C. Planting areas shall have a minimum area of 120 square feet for each small tree and 160 square feet for each medium and large tree.

(Ord. 03-244. Passed 7-8-03.)

D. Small trees shall be located a minimum of four (4) feet from the edge of a planting area or right-of-way line and medium and large trees shall be located a minimum of six (6) feet from the edge of a planting area or right-of-way line.

(c) **Trees on private property for residential uses.**

(1) **Applicability.** Whenever a building containing a duplex or multi-family residential use is constructed, reconstructed or structurally altered by one or more additions, the total of which increases the floor area by more than 10 percent, the requirements of paragraph (2) shall be applied to the entire lot on which the building is located. If there is more than one (1) building on a lot, this provision shall apply when the total floor area for all the buildings is increased by more than 10 percent.

(2) **Required tree planting for residential uses.**

A. Trees shall be planted at the minimum ratio of one (1) tree for every 500 square feet of total building coverage of the lot. Existing trees with a minimum trunk diameter of six (6) inches measured six (6) inches above established grade may be substituted for new trees at the ratio of one (1) existing tree for every two (2) new trees. Where residential uses are combined with other uses, the building coverage shall be determined on the basis of the greatest amount of residential floor area of any floor that is wholly or partially devoted to a residential use. Except for trees planted for screening purposes, trees planted to fulfill the requirements of Subsection 1158.02(a), Trees adjacent to and within street rights-of-way, and Subsection 1158.02(b), Trees on private property for parking areas, may be used to fulfill the requirements of this subsection.

B. Large and medium trees shall not be located closer than 14 feet to a building. Small trees shall not be located closer than eight (8) feet to a building.

C. Trees shall not be located within four (4) feet of a right-of-way-line.

D. At street intersections within the right-of-way or within eight (8) feet of the right-of-way, trees shall not be located within 70 feet

of the intersection of curb lines (or pavement edge where curbs do not exist) along arterial streets, within 50 feet along collector streets, or within 30 feet along local streets. In instances where two different types of streets intersect, the location of the tree shall be determined by the type of street adjacent to the proposed tree. (City Engineer is to calculate distances.)

- E. Trees shall be planted in planting areas meeting the requirements of Paragraph 1158.02(b)(2), Required tree planting for parking areas.