

GUIDE TO NEW STANDARDS & SUBMITTAL REQUIREMENTS

TREE ORDINANCE ADOPTION

City Council passed a series of ordinances affecting trees and landscaping on May 5, 2020, set to become effective on June 5, 2020. The ordinances adopted a number of new provisions into the Oxford Zoning Code, including a new Chapter (1148) entitled Landscaping and Tree Preservation; these provisions are collectively referred to as the “Tree Ordinance.” This guide summarizes the Tree Ordinance and does not in any way replace or supersede the prevailing language found in the Zoning Code.

APPLICABILITY

The Tree Ordinance applies to all new construction, reconstruction, and substantial expansions of existing buildings. Modifications to existing single-family, two-family, and three-family dwellings are exempt. Also exempt are developments or modifications taking place in the UP Uptown District. Any project that is not expressly exempted is subject to the Tree Ordinance – see Section 1148.02 for a complete list of exemptions.

SUBMITTAL REQUIREMENTS

Single-, Two-, and Three-Family Dwellings. Existing trees with a diameter at breast height (DBH) of ten (10) inches or greater must be labeled on the applicable required site plan as either “To Be Removed” or “To Be Saved.” The actual DBH of each tree does not need to be noted, only the location. Trees that are labeled “To Be Saved” must be protected from construction activities.

Nonresidential, Multi-Family, and Major Subdivisions. A Tree Survey must be provided as part of the applicable application. The survey must document the location, DBH, and species for each individual tree, though sampling techniques may be employed for larger areas. The following areas are exempted from surveying:

1. Areas more than 100 feet away from the nearest proposed structure/improvement (does not apply to Major Subdivisions); or
2. Areas covered by a conservation easement or protective covenant (only applies to Major Subdivisions).

STANDARDS

Specific to Land Use. One (1) tree per unit is required to be planted or preserved in the front yard for Single- and Two-Family Dwellings. Three-Family Dwellings require a total of two (2) trees in the front yard. Nonresidential and Multi-Family developments must adhere to specified planting requirements for the overall site, front yard, and any parking areas to be constructed. Street trees may also be required.

Tree Qualities. Each tree counting as a required planting (either existing or new) must be a minimum 2-inch caliper and ideally a species that appears on the City’s [Tree List](#). Trees greater than 10 inches DBH may be counted as 2 required trees.

Tree Replanting. All existing trees 10 inches DBH or greater must be replaced at a rate of 1 inch caliper for every 2 inches caliper removed, except when reasonably associated with development of a site per the Code – see Section 1148.05(a)(2) for a complete list of provisions.

REVIEW PROCEDURES

Administrative Review. When the proposed land use is permitted by the underlying zoning district, the Tree Ordinance is enforced administratively during review of a Building/Zoning Permit.

Discretionary Review. When an applicant requests approval of a Major Subdivision, Planned Development or Conditional Use, Tree Ordinance compliance is observed during the normally applicable procedure by City staff, the Planning Commission, and City Council.

Landscape Plan Review. The Tree Ordinance provides an alternate review process to achieve compliance. This option is available to all projects that would normally undergo Administrative Review. The applicant may request waivers to standards of the Code by electing to use this option. The Planning Commission is the approving authority for all Landscape Plan Reviews; Council approval is not required. Staff may also choose to defer a proposal to the Planning Commission for a determination on compliance.