



**DATE:** January 12, 2016

**TO:** Michael G. Herring, ICMA-CM  
City Administrator

**FROM:** James A. Eckrich, P.E. *JAE*  
Public Works Director / City Engineer

**RE:** Street Tree Policy - Replanting

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As you know, on November 16, 2015 the City Council approved a Preparedness Plan and Action Strategy (Plan) for the removal of Ash Trees which will be impacted by the Emerald Ash Borer (EAB). That Plan included a reforestation component within which the City will reimburse residents up to \$200 to plant a replacement Street Tree. In accordance with the Plan, as modified by the Planning and Public Works Committee, residents will have the option to plant replacement trees at approved locations within the public right of way OR on private property within eight feet of the back of sidewalk. This modification was approved for many reasons, including reduced future liability to the City and to provide additional options for residents in cases where the physical limitations of the right of way are too restrictive to allow a tree to thrive. As recommended by the Planning and Public Works Committee in December of 2015, street trees in all future subdivisions will be located within the public right of way in accordance with the approved development plans for the subdivision.

In order to enact the Street Tree Policy change, Staff has drafted a revised Street Tree Policy (Public Works Policy #5 - attached). I recommend approval of the new Policy, which will provide up to a \$200 reimbursement for qualifying replacement trees. Please note that this new Policy will have no impact to the Nuisance Tree removal program (Public Works Policy #51 – attached). Residents desiring removal of a nuisance tree will still qualify for a replacement tree under the provisions of revised Public Works Policy #5.

#### **Action Recommended**

This matter should be forwarded to Planning and Public Works Committee for consideration. Should PPW concur with Staff's recommendation, it should vote to recommend approval to the full City Council.

Cc: Michael O. Geisel, Director of Public Services

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**CITY OF CHESTERFIELD  
POLICY STATEMENT**

<b>PUBLIC WORKS</b>		<b>NO.</b>	5
<b>SUBJECT</b>	Street Trees	<b>INDEX</b>	PW
<b>DATE ISSUED</b>	11/19/1990	<b>DATE REVISED</b>	12/4/2006 1/12/2016

**Section 1- General**

The owner of a residential property that abuts a public street controlled by the City of Chesterfield may be eligible for funding for a Street Tree through the City of Chesterfield’s Residential Street Tree Program (Program). Due to the impacts of the Emerald Ash Borer (EAB), the Program currently only allows for the replacement of Street Trees on a “one-for-one” basis where a tree has been removed. In these cases, the Program provides a maximum \$200 per tree reimbursement for the planting of trees (that meet the requirements herein) within or near City right of way within residential subdivisions. Commercial and industrial properties are not eligible for the Program. Further, the Program is contingent upon annual funding by the City of Chesterfield City Council. The existence of the Program in no way obligates annual funding.

**Section 2 – Location**

Within new subdivisions (those platted after the effective date of this Policy) Street Trees will be installed within the public right of way, in accordance with development plans submitted by the developer and approved by City Council.

Within existing subdivisions (those platted prior to the effective date of this Policy) Street Trees exist within the public right of way. In instances when the City has to remove a tree within the public right of way, residents will have the option to replace that right of way tree on a one-for-one basis. Residents desiring a replacement tree have the option of placing the new tree in another location within the public right of way, or placing the tree on private property. Trees planted on private property must conform to the following requirements:

- No Sidewalk – The tree must be located on private property within eight feet of the right of way / property line.
- Sidewalk within Right of Way – The tree must be located on private property within eight feet of the right of way / property line, but not within four feet of the edge of sidewalk.
- Sidewalk outside Right of Way but within Easement – The tree must be located on private property, no less than four feet, but not greater than eight feet, from the edge of sidewalk.

Should the resident desire to locate a replacement tree in the public right of way, the following requirements shall be adhered to:

- The tree planting area must be a minimum of five feet wide.
- Trees cannot be closer than three feet from the back of curb.

Regardless of whether a replacement tree is located on private property or within the public right of way, the following criteria shall also be met:

- Trees cannot be planted within 25 feet from any streetlight.
- Trees cannot be planted within ten feet of any manholes or storm water facilities.
- Trees cannot be planted directly beneath overhead utility lines.
- Trees cannot be planted within thirty feet of the intersection between two existing public rights of way (sight distance triangle).

Exceptions can be made to this provision when trees, at maturity, will have no branches within seven feet of the adjacent grade and pavement elevation.

### Section 3 – Tree Selection

Residents desiring a tree can choose a tree species from the table below. It is recommended that residents choose a tree with a minimum caliper of 2.5 inches. It is also recommended that residents help increase tree diversity by choosing a type of tree which is not overplanted in the area. The City Arborist is available to assist any resident in choosing the tree type and size.

Latin Name	Common Name
<i>Acer platanoides</i>	Maple, Norway
<i>Acer saccharum</i> Varieties	Maple, Sugar and Varieties
<i>Alnus glutinosa</i>	Alder, European
<i>Carpinus betulus</i>	Hornbeam, European
<i>Carpinus caroliniana</i>	Hornbeam, American
<i>Celtis laevigata</i>	Sugarberry
<i>Celtis occidentalis</i>	Hackberry
<i>Cladrastis kentukea</i>	Yellowwood
<i>Crataegus laevigata</i> 'Superba'	Hawthorn, Crimson Cloud
<i>Eucommia ulmoides</i>	Hardy Rubbertree
<i>Fagus grandiflora</i>	Beech, American
<i>Ginkgo biloba</i> - Male	Ginkgo (male)
<i>Gleditsia triacanthos</i> <i>inermis</i> - Thornless, Podless Varieties	Honeylocust - Varieties that are Thornless & Podless

Latin Name	Common Name
<i>Koelreuteria</i> <i>paniculata</i>	Goldenraintree
<i>Platanus x acerifolia</i>	Planetree, London
<i>Ostrya virginiana</i>	Hophornbeam
<i>Quercus accutissima</i>	Oak, Sawtooth
<i>Quercus bicolor</i>	Oak, Swamp White
<i>Quercus coccinea</i>	Oak, Scarlet
<i>Quercus imbricaria</i>	Oak, Shingle
<i>Quercus michauxii</i>	Oak, Swamp Chestnut
<i>Quercus muehlenbergii</i>	Oak, Chinkapin
<i>Quercus robur</i>	Oak, English
<i>Quercus rubra</i>	Oak, Red
<i>Quercus shumardii</i>	Oak, Shumard
<i>Tilia cordata</i> Varieties	Linden, Littleleaf and Varieties
<i>Ulmus americana</i> Varieties	Elm, American and Varieties
<i>Ulmus parvifolia</i>	Elm, Chinese (Lacebark)
<i>Zelkova serrata</i> Varieties	Zelcova and Varieties

**Section 4 – Application and Reimbursement**

During the EAB crisis, which is expected to last from 2016 through 2022, only those residents who have Street Trees removed will be eligible for replacement trees. Residents will be notified of tree removal via letter from the City’s Arborist. That letter will contain information on how residents can apply for a replacement tree.

Generally the owner, not tenant, must submit an application for a Street Tree Reimbursement. The application packet can be found on the City of Chesterfield’s website at [www.chesterfield.mo.us](http://www.chesterfield.mo.us). Applications can also be obtained at Chesterfield City Hall during regular business hours. The application will be reviewed by the City Arborist to determine eligibility for a replacement tree.

If the resident is eligible for a replacement tree(s), a list of licensed and bonded tree companies is available on the City website. The resident may choose to use one of these companies, or another company of his/her choosing. Whichever company is chosen, the contract for service will be exclusively between the resident and the contractor, including specification, scheduling, and payment. Please be advised that all contractors must call for utility locates prior to planting a tree within or near the public right of way. No Special Use Permit will be necessary from the City

Once the tree has been installed, the resident must notify the City and submit a receipt in order to request reimbursement. The City’s Arborist will determine whether the location of the tree conforms to Section 2, and whether the type of tree conforms to Section 3. If the requirements are met, the City will submit a reimbursement to the resident for actual costs incurred in an amount not to exceed \$200.

Regardless of whether the tree is planted on public right of way or private property, the City of Chesterfield will not water, maintain, or replant the new tree. The tree must be maintained by the resident. Should the tree die, it will be the resident’s responsibility to remove the tree. There will be no additional tree reimbursements.

**Section 5**

This Policy is intended to comprehensively cover Street Trees. Any questions regarding the Policy should be directed to the City Arborist. Interpretations or exceptions to the Policy should be submitted to the Public Works Director / City Engineer.

**RECOMMENDED BY:**

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**Department Head/Council Committee (if applicable)**

\_\_\_\_\_  
**Date**

**APPROVED BY:**

\_\_\_\_\_  
**City Administrator**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**City Council (if applicable)**

\_\_\_\_\_  
**Date**

Existing Policy

CITY OF CHESTERFIELD  
POLICY STATEMENT

PUBLIC WORKS

NO. 5

SUBJECT Street Trees

INDEX PW

DATE 11/19/1990

DATE 12/4/2006

ISSUED

REVISED

**POLICY**

Street tree selection criteria should include tree height and form, adaptation to soils and climate, moisture requirements, disease and insect susceptibility, size of flowers, fruit, nut or seed pod, root characteristics, and susceptibility to calcium chloride and sodium chloride.

The following trees are approved for use as Street Trees:

Latin Name	Common Name
<i>Acer platanoides</i>	Maple, Norway
<i>Acer rubrum</i> Varieties	Maple, Red and Varieties
<i>Acer saccharum</i> Varieties	Maple, Sugar and Varieties
<i>Alnus glutinosa</i>	Alder, European
<i>Carpinus betulus</i>	Hornbeam, European
<i>Carpinus caroliniana</i>	Hornbeam, American
<i>Celtis laevigata</i>	Sugarberry
<i>Celtis occidentalis</i>	Hackberry
<i>Cladrastis kentukea</i>	Yellowwood
<i>Crataegus laevigata</i> 'Superba'	Hawthorn, Crimson Cloud
<i>Eucommia ulmoides</i>	Hardy Rubbertree
<i>Fagus grandiflora</i>	Beech, American
<i>Fraxinus americana</i> Varieties	Ash, White and Varieties
<i>Ginkgo biloba</i> - Male	Ginkgo (male)
<i>Gleditsia triacanthos</i> <i>inermis</i> - Thornless, Podless Varieties	Honeylocust - Varieties that are Thornless & Podless

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<i>Quercus coccinea</i>	Oak, Scarlet
<i>Quercus imbricaria</i>	Oak, Shingle
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<i>Quercus muehlenbergii</i>	Oak, Chinkapin
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<i>Ulmus parvifolia</i>	Elm, Chinese (Lacebark)
<i>Zelkova serrata</i> Varieties	Zelcova and Varieties

RECOMMENDED BY:

Department Head/Council Committee (if applicable)

Date

12/5/06

APPROVED BY:

City Administrator

City Council (if applicable)

Date

Date

12/4/06

Existing Policy

**CITY OF CHESTERFIELD  
POLICY STATEMENT**

<b>PUBLIC WORKS</b>		<b>NO.</b>	<b>51</b>
<b>SUBJECT</b>	<b>Street Tree Removals</b>	<b>INDEX</b>	<b>PW</b>
<b>DATE ISSUED</b>	<b>6/1/2009</b>	<b>DATE REVISED</b>	<b>5/5/2014</b>

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**POLICY**

The Department of Public Services is responsible for identifying trees within the right of way which are to be removed. Department personnel shall determine the condition of a street tree by visual inspection. If Department Staff determines that a street tree is hazardous, dead, dying or diseased, Staff shall prioritize and schedule the removal of the street trees to the extent that funding permits.

Priority for removal shall be given to those street trees that pose an immediate, imminent or potential danger to the safety and welfare of the general public.

In general, the City does not permit the removal of an otherwise healthy tree within the right of way. If a property owner desires to remove a healthy tree within the right of way, adjacent to his\her property, the Public Works Director MAY authorize a no cost special use permit for the property owner to remove the tree at no cost to the City. All other permit conditions and insurance requirements will be as required by the Public Works Director.

In some instances, otherwise healthy trees may become a nuisance. The Public Works Director may remove trees which, in his opinion, are detrimental to the public interests. Examples of such potential nuisances include but are not limited to: obstructing sight distance, shielding street lights, damaging sidewalks or sewers, low hanging branches which provide inadequate sidewalk or street clearance, deposition of pods, fruit or seeds, and trees with thorns.

Although not an approved species for new street trees within the City of Chesterfield, there exist a substantial number of Sweetgum trees throughout the City. Due to problems related to the prickly fruit which are unique to this tree species, some residents desire their removal. When a resident requests

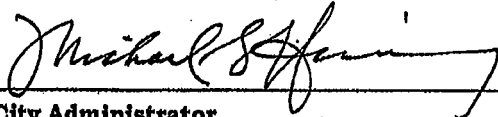
removal of an otherwise healthy Sweetgum tree located within the City's public right of way, The Public Works Director may consider its removal under the following conditions:

- 1) The resident participates in the street tree replacement program. A replacement tree must be selected and the appropriate fee paid for each tree requested to be removed.
- 2) The Public Works Director, or his designee shall attempt to communicate with the Subdivision trustees and advise them of the requested removal. While the ultimate authority and decision to remove the tree rests with the Public Works Director, the trustees may provide additional information, awareness and assistance for the Director to make an appropriate decision.
- 3) The City of Chesterfield takes pride in its tree lined streets and is desirous of maintaining the character of neighborhoods. Whenever possible, the Public Works Director should consider recent removals of street trees in the immediate vicinity and attempt to minimize the impact of the tree(s) removal on the overall character of the community.

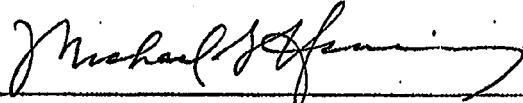
**RECOMMENDED BY:**

  
PPW Committee  
Department Head/Council Committee (if applicable)

5/5/2014  
Date

  
City Administrator

5/5/2014  
Date

  
City Council (if applicable)

5/5/2014  
Date