

Sent from my iPhone

Begin forwarded message:

From: Matt & Tracey Parker <mattandtraceyparker@hotmail.com>
Date: December 3, 2018 at 1:09:29 PM CST
To: Derrel Smith <derrel.smith@jonesboro.org>
Cc: Harold Perrin <HPerrin@jonesboro.org>, Gene Vance <GVance@jonesboro.org>, Bill Reznicek <BReznicek@jonesboro.org>, Carol Duncan <CDuncan@jonesboro.org>, "blongjcc@gmail.com" <blongjcc@gmail.com>, "david.mcclain@jonesboro.org" <david.mcclain@jonesboro.org>
Subject: Re: Tree Preservation Removal Permit

Darrel,

Thank-you for taking the time to reply to my questions and comments. The clarifications were helpful to me and I appreciate you taking the time.

Attached please find my final follow-up questions / comments. Again, I appreciate the members of the administration, city council, and you considering my input and requests for clarifications.

Thank-you and Best Regards,

Matt.

From: Derrel Smith <derrel.smith@jonesboro.org>
Sent: Tuesday, November 27, 2018 10:50 AM
To: 'Matt & Tracey Parker'
Cc: Harold Perrin; Gene Vance; Bill Reznicek; Carol Duncan
Subject: Tree Preservation Removal Permit

Matt,

Below are your questions on the tree preservation removal permit that you provided me last Tuesday at City Council. I will try to answer each question in red.

Is a tree removal permit required if the disturbed area is one acre or larger, but no significant trees (or less than 7 significant trees) are to be removed? **No.**

I do not understand the preceding sentence starting with "without". What is required content in a site development plan." **A site development plan should include the disturbed areas. It should show where grading is taking place, it should have the location of any roads, utility easements, drainage easements, building footprints, parking areas, and any areas of disturbance.**

Is the exemption by "The City Official" purely arbitrary, or should the ordinance state the reasons for which "The City Official" should grant an exemption? **This is left vague because you can never include everything to exempt in a list. Exemptions could include, but not be limited to. Utilities other than CWL, ArDOT and street departments, natural disasters.**

No land shall be cleared to the extent regulated in the article, unless approved by a permit. **If it meets the criteria above it will require a permit.**

What is the definition of “on site”? If a homeowner is going to build his or her home on 10-40 acres or subdivide the 10 -40 acres owned by him or her, is he or she required to incur the cost to report to the government the size and species of every tree with a diameter in excess of three inches at the height eight inches above the natural grade on the entire 10 -40 acre property? **On Site is the property that is being developed. If a homeowner is going to build a single home on the property then as long as they do not remove more than seven significant trees they will not be required to obtain a permit. If they are moving more than seven trees we will require a plan to show the areas the trees are being removed. If the areas are for a driveway, building area or utilities they may remove the trees and replace at a ratio of 1 tree for every 5 removed. If they are being taken down outside these areas they must be replaced at a ratio of 5 to 1. If the property is being subdivided it must follow the subdivision regulations and would be required to obtain a permit and the tree plan would be part of the subdivision submittal.**

What is an “ornamental” tree? **An ornamental tree is a tree that has been planted as part of a development plan, or a tree that is smaller in size and used for landscaping around a home or development and are considered decorative.**

“A tree is significant, if it is a tree” – Really? **Yes. Many people try to use plants as trees. A prime example. Crape Myrtles.**

This regulation conflicts with the above regulation which states “ A tree is significant, if ‘it is a tree’ and it is (c) An ornamental tree with a diameter in excess of three inches at the height eight inches above natural grade; **This section shows 4 types of trees which are considered significant.**

What is a required undisturbed buffer area? Do all trees in a 40 acres area that are not to be removed have to be “protected”? **Undisturbed buffer area is the area around the tree or trees away from the drip line of the tree where protective fencing is placed to keep vehicles and equipment away from the area. If trees are not removed and the area is undisturbed then signage will be sufficient to meet this requirement.**

Please clarify what locations this exemption applies to? **Construction, Installation and Maintenance by City Water and Light Plant of the City of Jonesboro, Arkansas (CWL) and Other Utilities. The following activities shall be exempt from all the standards of this section: (i) the construction and installation by CWL or other utilities of electric, gas, water, sewer or other utility lines, equipment, accessories and infrastructure in public rights of way and platted or private utility easements; and (ii) the cutting, pruning, trimming, or removing by CWL or other utilities of any plant material or trees that encroach or interfere with electric, gas, water, sewer or other utility lines, piping, equipment, appurtenances and other infrastructure located within any public right of way or platted or private utility easement or which are located outside the public right of way or platted or private utility easement but which encroach or interfere with utilities located within the public right of way or platted or private utility easement.**

So, a tree removal permit required to be purchased, if the disturbed area is one acre or larger, even if no significant trees (or less than 7 significant trees) are to be removed? **As stated in the first question. No.**

What does this mean? Any person or persons who violates the provisions of this ordinance shall be fined a minimum of two hundred and fifty (\$250) dollars per day and up to a maximum of five hundred (\$500) dollars per day with each day being a separate offence. This is the general fine clause of the ordinance section.

If I have any additional questions, please let me know.

Derrel Smith

Director of Planning and Zoning

City of Jonesboro

300 S. Church

Jonesboro, AR 72401

derrel.smith@jonesboro.org

870-932-0406