

EXHIBIT A

Sec. 117-326. Landscaping and Screening

This section sets out the minimum landscaping and screening and tree preservation requirements for new development in the city as follows:

1. *Purpose:*
 - a. To mitigate the reduction of vegetative cover from the urban landscape.
 - b. To mitigate the heat generated by the densely built urban landscape, known as the heat island effect.
 - c. To mitigate the loss of aesthetics associated with the loss of vegetation.
 - d. To mitigate the increase in the area of impervious surfaces in the urban landscape.
 - e. To improve the appearance of buildings.
 - f. To improve the appearance of vehicle use areas.
 - g. To encourage the preservation of existing trees.
2. Applicability exemptions. The following shall be exempt from the standards of this section:
 - a. The AG, RR, R-O, R-1, RS-1, RS-2, RS-3, RS-4, RS-5, RS-6, RS-7, RS-8, R-1, R-1A, RU-I, TC-O, VR-O, and PD districts shall be exempt from all standards of this section.
 - b. The three existing Industrial development parks listed: **Craighead Technology Park** north of Highland Drive, east of Barnhill Road, south of Deer Lake Road to Trinity Drive and over to Nestle Road, and west of Nestle Road and Nestle Way. **Jonesboro Industrial Park** north of Highland Drive, east of Commerce Road, south of C. W. Post Road to Nettleton Ave., west of Nettleton Avenue to Sarah street to Industrial Drive to Highland Dr. **Henry P. Jones III Business Park** north of Parker Road, east of CWL Wastewater Treatment, south of Longcrest Drive, west of Willow Road. Development in these listed parks shall only be required to landscape in the parking lots and front of their buildings and plant street trees along the road frontage of the building development. Trees must be installed on 40' centers along the main building area of the complex.
 - c. Existing development. Improvements or repairs to existing development that do not result in an increase in floor area of 20% or more in any one expansion, or changes in use that do not result in an increase in floor area and do not result in an increase in intensity, shall also be exempt from all the standards of this section. If an existing Industrial or Commercial Building is renovated or expanded to increase its total building square footage by 20% or more in any one expansion you are required to go by this Ordinance.
 - d. 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, the City of Jonesboro, the Arkansas Department of Transportation, and Federal Highway Department 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.

3. General Landscaping requirements. All new development and redevelopment must provide a landscape plan meeting the requirements below.
4. A percentage of the total land area currently under development will be devoted to landscaping:
 - a. If the total land area is two acres or more, the developer must provide either a minimum of 20 percent green space with at least one new tree or shrub meeting the plant criteria herein for each 2,000 square feet of the total land area; or, a minimum of 15 percent green space with one tree or shrub for every 1,000 square feet of total land area. If the developer opts to use the 15 percent green space option, tree size must be increase from two and one-half inch ball and burlap to four-inch ball and burlap. Detention/Retention areas may count up to one half of the greenspace requirements.
 - b. If the development is less than two acres, at least one new tree or shrub meeting the plant criteria herein must be provided for each 1,000 square feet of the total land area for developments up to two acres.
 - c. Public rights of way, private utility easements, and Protected Utility Areas (as defined below) within platted utility easements shall not be included in the computation of minimum green space under this Section 3.
5. Criteria for plant materials:
 - a. A minimum of 25% of the plant materials required under this code shall consist of trees of which 40% shall be native species.
 - b. Parking lots containing ten (10) or more spaces shall be landscaped with one of the following options:

Option 1. Narrow tree lawn. A continuous landscape strip between rows of parking. The minimum width of a tree lawn shall be ten feet (10'); the minimum area shall be 300 square feet. One tree every 15 parking spaces or one tree every thirty linear

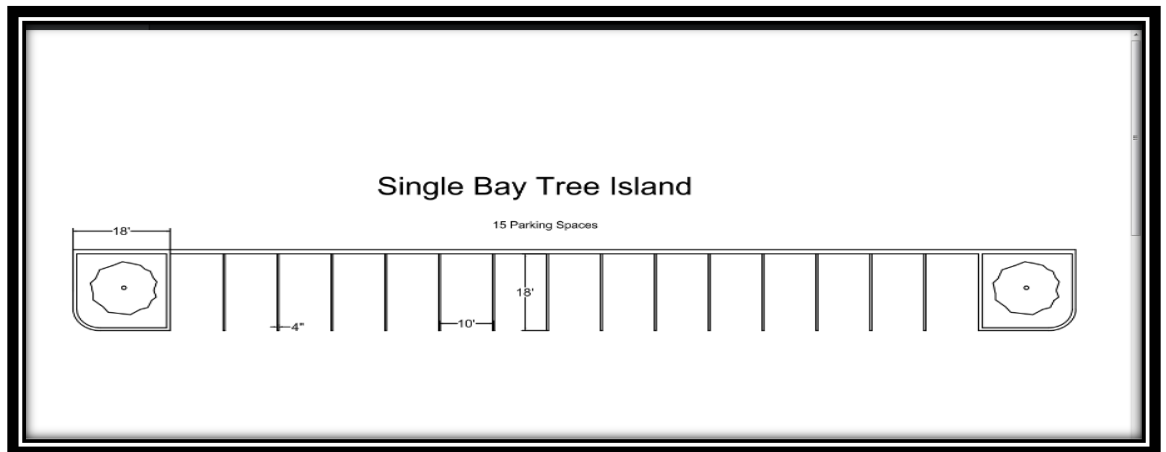
feet, whichever provides more canopy, shall be planted with this option. Trees may be grouped or spaced within the lawn area.

Option 2. Tree Island. If the parking area is single bay parking area, the tree island shall be a minimum width of eighteen feet (18') and a minimum length of eighteen feet (18'), or an area of not less than three hundred twenty-four square feet (324 s.f.), If the parking area is a double bay parking area, the tree island shall be a minimum width of eighteen feet (18') and a

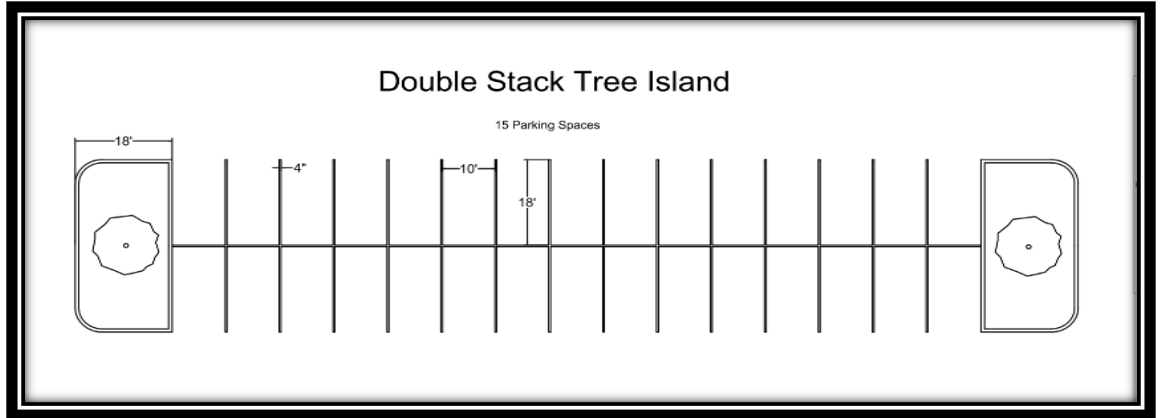
minimum length of thirty six feet (36') or an area of not less than six hundred forty-eight square feet (648 s.f.) One tree shall be planted for every 15 parking spaces with this option, with a maximum run of 15 parking spaces permitted without a tree island. Interior trees shall be placed on either side of points of access (entrance drives, exit drives) within tree islands. In addition, all street trees must be spaced at a minimum of forty feet (40'). All tree planted to meet these requirements shall be deciduous shade trees.

EXHIBITS

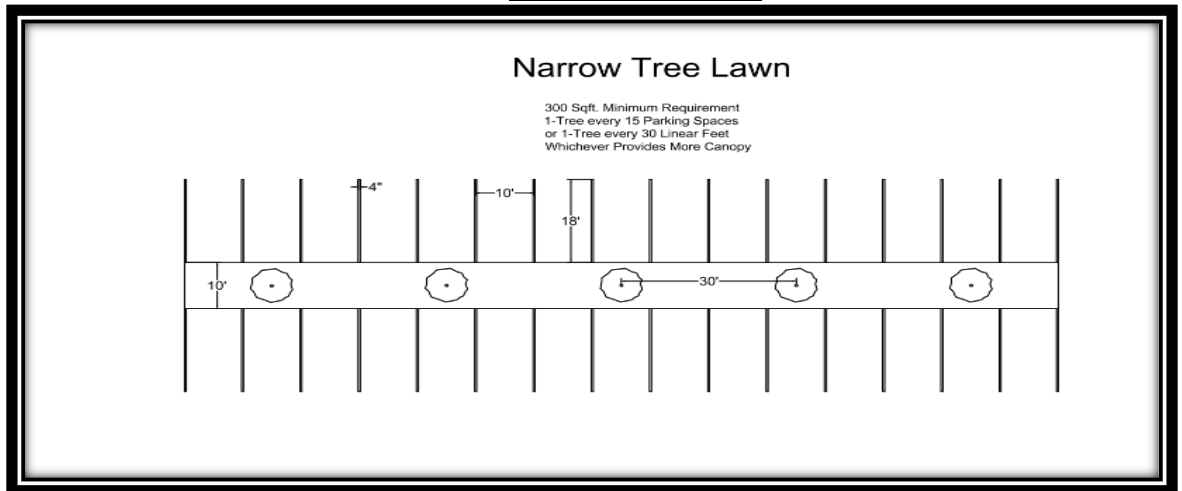
Single Bay Tree Island



Double Stack Tree Island



Narrow Tree Lawn



- c. New plants may be selected from the recommended plants list provided by the Planning and Zoning Department. Plants should be selected for hardiness in local zones. Plants should be arranged to facilitate growth and avoid damage by development. The following trees shall not be used in a landscape plan:
1. Black locust (*Robinia Pseudacacia*)
 2. Cottonwood (*Populus Trichocarpa*)
 3. Bradford pear (*Pyrus Calleryana* "Bradford")
 4. Southern live oak (*Quercus Virginiana*)

5. Mimosa (Albizia Julibirssin)

6. Privet (Ligstrum Sinese)

- d. Deciduous ornamental trees must be balled and burlapped, have at least two and one-half inch caliper, and be at least eight (8) feet tall. Deciduous shade trees must be balled and burlapped, have at least two and one-half inch caliper by at least eight (8) feet tall. Evergreen trees must be balled and burlapped and be at least ten (10) feet in height above natural grade. No more than 25% of the total number of trees may be ornamental trees, and at least 10% of the trees shall be evergreen. Shrubs are to be five-gallon size, minimum.
- e. Perennials from the recommended plants list qualify as a plant selection to meet minimum requirements in the ratio of 20:1. Twenty perennials, six inch pot size, equal one shrub. Perennials qualify as shrub selections to a maximum of 15% of the required number of shrubs.
- f. Credit to the plant requirement will be considered for existing trees, provided: they are of a desirable type, are healthy specimens, they contribute to the compatibility of the development, and they are not threatened by the construction or placement of the proposed development. Existing trees may not have a change in grade under the tree canopy greater than ± 4 . In addition, the health of existing trees must be certified by a licensed arborist or other tree professional agreed upon by the developer and the Planning and Zoning Department.

Qualification or placement of the proposed plant material must be verified with the Planning and Zoning Department. Trees to be counted for tree credits must be protected during construction by protective fencing and shall not be used for material storage or for any other purpose. Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Planning and Zoning Department. "Tree Protection Area" signs shall be posted visibly on all sides of the fenced areas.

<i>Preserved Tree Diameter at Breast Height</i>	<i>Credits Toward</i>
4 – 5 inches	2 required trees
6-12 inches	3 required trees
13-18 inches	4 required trees
19-24 inches	6 required trees
25-32 inches	8 required trees
33-48 inches	10 required trees
Above 48 inches	12 required trees

6. Landscape buffer zones, screening fences, or walls will be required where

nonresidential zones abut residential zones. Landscape buffer zones, screening fences, or screening walls may also be required where multi-family zones abut low-density residential zones. The width of the required buffer shall be verified with the Planning and Zoning Department. No public rights of way or private utility easements shall be included in any buffer zone. If plants or trees are to be used for screening, they must be evergreen and planted to provide a solid screen within three (3) years. If any of such plants or trees are to be planted in a platted utility easement (excluding, however, Protected Utility Areas), they must be of a species included in recommended plant list, "Utility Easements" or otherwise approved in writing by CWL and any other affected utility. Any objections thereto shall be resolved in accordance with Section 7 below. No plants or trees, however, may be planted in any Protected Utility Area within a platted utility easement that are a part of any buffer zone.

7. Installation, maintenance, and replacement:

- a. Installation. All landscaping shall be installed according to sound nursery practices and in a manner designed to encourage vigorous growth. All landscape material, both living and nonliving, shall be in place prior to issuance of a certificate of occupancy or letter of credit for the full amount of the landscaping provided to the Planning and Zoning Department.
- b. Maintenance and replacement. Trees, shrubs, fences, walls and other landscape features, which includes screening depicted on plans approved by the city, shall be considered as elements of the project in the same manner as parking, building materials, and other details are elements of the plan. The landowner, or successors in interest, or agent, if any, shall be jointly and severally responsible for the following:
 1. Regular maintenance of all landscaping must be kept in good condition and in a way, that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, as needed and in accordance with acceptable horticultural practices;
 2. The repair or replacement of required landscape structures e.g., fences and walls, to a structurally sound condition;
 3. The regular maintenance, repair, or replacement, where necessary, or any landscaping required by the section; and
 4. Continuous maintenance of the site.
- c. Nothing contained in this ordinance shall be construed to prohibit CWL or any other utility from cutting, pruning, trimming or removing trees and other plant materials

that encroach or interfere with any electric, gas, water, sewer or other utility lines and pipes, equipment, or infrastructure or access thereto.

8. Utility Easements. No tree or plant material shall be located within a proposed or existing platted utility easement unless it meets the following requirements:
 - a. For purposes of satisfying the requirements of Section 3, there shall be excluded from the calculation of the minimum green space that portion of the platted utility easement that constitutes or will constitute a “Protected Utility Area”. A “Protected Utility Area” shall mean the area that includes the physical location of any utility pole, junction box, transformer, water valve, manhole, water meter, fire hydrant, other related equipment, appurtenances or infrastructure along with an accompanying protected work and safety zone or radius as required or recommended by any applicable federal, state, or local law, electrical, plumbing or other building or safety code, or utility industry best practice.
 - b. No plant materials or trees shall be planted in any Protected Utility Area.
 - c. Unless otherwise approved by CWL or any other affected utility, only plant materials or trees contained on the recommended plant list under the category, “Utility Easements”, shall be planted in a platted utility easement (not, including, however, a Protected Utility Area located within the platted utility easement).
 - d. The proposed developer is responsible for identifying existing and proposed platted utility easements within the area to be developed and to be included within the landscape plan for the development.
 - e. Any landscape plan, which includes any portion of an existing or proposed platted utility easement, shall be subject to approval of the City of Jonesboro Planning and Zoning Department and CWL and/or any other affected utility. Any landscape plan which includes any portion of an existing or proposed utility easement shall be submitted by the developer to the City of Jonesboro Planning and Zoning Department. Following submission of the proposed plans by the developer, the City of Jonesboro Planning and Zoning Department shall provide a copy of the proposed landscape plans to CWL and/or any other affected utility for their approval or objection to the proposed plans. CWL and/or any other affected utility shall have a period of ten (10) business days following receipt of a copy of the proposed landscape plans from the City of Jonesboro Planning and Zoning Department to either approve or make written objection to the proposed plans. If no written objections are made within the applicable ten (10) day period, CWL and/or any other affected utility shall be deemed to have approved the proposed plans. If written objections are timely made, any objections shall be resolved by the Planning and Zoning Department, subject, however, to all rights of appeal as provided in these Code of Ordinances.

Trees and Shrubs marked with * represent a native species plant

RECOMMENDED PLANT LIST

Large Shrubs/small trees appropriate for platted utility easements (other than Protected Utility Areas).

	Scientific Name	Common Name
{	Guide lines: Keep maximum height 15' or lower -	Avoid trees with long running root systems.
1	Acer Ginnala	Amur Maple
2	Acer Palmatum	Japanese Maple
3	*Amelanchier Stolonifera	Running Service Berry
4	Magnolia Stellate	Star Magnolia
5	*Magnolia Virginia	Sweetbay Magnolia
6	Cornus Kousa	Kousa Dogwood
7	*Cercis Canadensis	Eastern Redbud
8	*Cercis Reuiformis	Oaklahoma Redbud
9	Crape Myrtle	Varieties a-----f
<i>a</i>	<i>Lagerstromia indica 'Natchez'</i>	<i>Natchez Crape Myrtle</i>
<i>b</i>	<i>Lagerstromia indica 'Tuscarora'</i>	<i>Tuscarora Crape Myrtle</i>
<i>c</i>	<i>Lagerstromia indica 'Whit III'</i>	<i>Pink Velour Crape Myrtle</i>
<i>d</i>	<i>Lagerstromia indica fauriei 'Tonto'</i>	<i>Tonto Crape Myrtle</i>
<i>e</i>	<i>Lagerstromia indica fauriei 'Sioux'</i>	<i>Sioux Crape Myrtle</i>
<i>f</i>	<i>Lagerstromia indica fauriei 'Acoma'</i>	<i>Acoma Crape Myrtle</i>
10	Malus Sp.	Crabapple
11	Morus Alba Pendula	Weeping White Mulberry
12	Prunus Serrulate Kwanzan	Yoshino Cherry

13	Cotinus Coggygria	Smoketree
14	*Hamamelis Vernalis	Vernal Witchazel
15	Chionanthus Retusus	Chinese Fringetree
16	Pistacia Chinensis	Chinese Pistache
17	*Thuja Occidentalis	Emerald Arborvitae - Evergreen
18	Ilex X Nellie R. Stevens	Nellie Stevens Holly - Evergreen
19	*Juniperus Communis	Dwarf Juniper - Evergreen

FOCAL TREES (NOT TO BE USED AS A SUBSTITUTE FOR STREET TREES)

<i>*Amelanchier Arborea</i>	Downy Serviceberry	30' x 30'
<i>*Carpinus Caroliniana</i>	American Hornbeam	30' x 25'
<i>*Hamamelis Virginiana</i>	Common Witchhazel	20' x 20'
<i>Lagerstroemia Indica</i>	Crape Myrtle	30' x 20'

TREES APPROPRIATE IN URBAN SETTINGS AS STREET TREES.

Scientific Name	Common Name	Landscape Size: H x W	Remarks
<i>*Acer Rubrum</i>	Red Maple	65 x 60	Red fall color
<i>Carpinus Betulus "Fastigiata"</i>	European Hornbeam	25' x 15'	Yellowish fall color
<i>*Carpinus Caroliniana</i>	American Hornbeam	30' x 25'	
<i>Ginkgo Biloba (male)</i>	Ginkgo	70' x 55'	Butter yellow fall color
<i>*Gleditsia Triacanthos</i>	Thornless Honeylocust	45' x 45'	Small leaf litter
<i>*Gymnocladus Dioicus (male)</i>	Kentucky Coffeetree	60' x 60'	
<i>*Liquidambar Styraciflua</i>	Sweetgum	55' x 35'	Fruitless only
<i>*Ostrya Virginiana</i>	American Hophornbeam	40' x 25'	
<i>Pistacia Chinensis</i>	Chinese Pistache	25' x 25'	Fall color variable
<i>*Taxodium Distichum</i>	Baldcypress	60' x 35'	
<i>Tilia Cordata "Greenspire"</i>	Littleleaf Linden	45' x 30'	
<i>*Ulmus Americana</i>	American Elm	65' x 50'	DED resistant variety

<i>Ulmus Parvifolia</i>	Chinese/Lacebark Elm	40' x 35'	
<i>Zelkova Serrata</i>	Zelkova	35' x 35'	Vase Shaped

NARROW OR COLUMNAR TREES

Scientific Name	Common Name	Landscape Height x width	Remarks
* <i>Acer Sacchuram "Reba"</i>	Belle Tower Sugar Maple	35' x 10'	
<i>Carpinus Betulus "Fastigiata"</i>	European Hornbeam	25' x 15'	
<i>Ginko Biloba</i>	Ginko	55' x 15'	
* <i>Liquidambar Styraciflua</i>	Sweetgum	65' x 35'	Bears fruit
<i>Quercus Robur</i>	English Oak	50' x 50"	
* <i>Quercus X Crimson Spire</i>	Oak	45' x 15'	
* <i>Taxodium Ascendens</i>	Pondcypress	45' x 15'	
<i>Zeldova Serrata</i>	Zelkova	75' x 55'	

SHADE OR LAWN TREES

Scientific Name	Common Name	Landscape Height x width	Remarks
* <i>Acer Rubrum</i>	Red Maple	65' x 60'	Red fall color
* <i>Acer Saccharum</i>	Sugar Maple	65' x 60'	Flame fall color
<i>Acer X Freemanii</i>	Freeman Maple	60' x 50'	Very fast growing
* <i>Gymnocladus Dioicus male</i>	Kentucky Cofftree	60' x 60'	
* <i>Liquidambar Styraciflua</i> only	Sweetgum	55' x 45'	Fruitless varieties
* <i>Liriodendron Tulipifera</i>	Tuliptree	80' x 50'	Soft yellow fall color
* <i>Magnolia Grandiflora</i>	Southern Magnolia	75' x 65'	
<i>Metasequoia Glyptostroboides</i>	Dawn Redwood	55' x 30'	Cooper brown fall color
* <i>Nyssa Sylvatica</i>	Black Tupelo	50' x 50'	True Red fall color
* <i>Quercus Alba</i>	White Oak	75' x 65'	Maroon fall color
* <i>Quercus Michauxii</i>	Swamp Oak	70' x 70'	Fall color not significant

<i>*Quercus Coccinea</i>	Scarlet Oak	70' x 70'	Maroon fall color
<i>*Quercus Falcate</i>	S. Red Oak	75' x 75'	Fall color not significant
<i>*Quercus Imbricaria</i> color	Shingle Oak	60' x 60'	Yellow-brown fall
<i>*Quercus Muehlenbergii</i> significant	Chinkapin Oak	50' x 50'	Fall color not
<i>*Quercus Nigra</i>	Water Oak	75' x 75'	No fall color
<i>*Quercus Palustris</i>	Pin Oak	65' x 50'	Maroon fall color
<i>*Quercus Phellos</i> color	Willow Oak	60' x 40'	Muted orange fall
<i>*Quercus Rubra</i>	N. Red Oak	70' x 70'	Maroon fall color
<i>*Quercus Shumardii</i>	Shumard Oak	70' x 70'	Orange red fall color
<i>*Taxodium Distichum</i> color	Bald Cypress	60' x 35'	Cooper brown fall
<i>Tilia Cordata</i> June	Littleleaf Linden	45' x 30'	Fragrant flowers in
<i>*Ulmus Americana</i> variety	American Elm	70' x 55'	Select DED resistant
<i>Ulmus Parvifolia</i>	Chinese/Lacebark Elm	40' x 30'	
<i>Zelkova Serrata</i>	Zelkova	35' x 35'	Vase shaped

SHRUBS

Scientific Name	Common Name	Size	Remarks
<i>*Ilex Glabra</i>	Inkberry	Large	Evergreen
<i>*Aesculus Parviflora</i>	Bottlebrush Buckeye	Large	Deciduous
<i>*Euonymus Americanus</i>	Strawberrybush	Large	Deciduous
<i>*Fothergilla Major</i>	Fothergilla	Large	Deciduous
<i>*Hydrangea Quercifolia</i>	Oakleaf Hydrangea	Large	Deciduous
<i>*Lindera Benzoin</i>	Spicebush	Large	Deciduous
<i>*Styrax Americana</i>	American Snowbell	Large	Deciduous
<i>*Viburnum Dentatum</i>	Arrowwood	Large	Deciduous
<i>*Leucothoe Axillaris</i>	Leucothoe	Medium	Deciduous

<i>*Hydrangea Arborescens</i>	Wild Hydrangea	Medium	Deciduous
<i>*Itea Virginica</i>	Virginia Sweetspire	Medium	Deciduous
<i>Forsythia x Intermedia</i>	Forsythia	Med/Large	Deciduous
<i>*Rhododendron Catawbiense</i>	Catawba Rhododendron	Medium	Deciduous
<i>Rhododendron x Gable</i>	Stewartstonian Azalea	Medium	Deciduous
	“Stewartstonian”		
<i>Rhododendron “Gibraltar”</i>	Gibraltar Azalea	Medium	Deciduous
<i>Rhododendron “Golden Oriole”</i>	Golden Oriole Azalea	Medium	Deciduous
<i>*Kalmia Latifolia</i>	Mountain Laurels	Medium	Deciduous
<i>Hibiscus Syriacus</i>	Rose of Sharon	Med/Large	Deciduous
<i>Spiraea Japonica</i>	Goldenflame	Small	Deciduous
<i>*Viburnum Dentatum</i>	Arrowwood Viburnum	Small	Deciduous
<i>*Hamamelis x Intermedia</i>	Witch Hazel	Large	Deciduous
<i>Viburnum Prunifolium</i>	Korean Spice Viburnum	Small/Medium	Deciduous
<i>*Aronia Melanocarpa</i>	Viking Black Chokeberry	Medium	Deciduous
<i>Ilex Crenata</i>	Sky Pencil Holly	Medium	Deciduous
<i>*Ilex Verticillata</i>	Winterberry Holly	Medium	Deciduous
<i>Corylus Avellana</i>	Harry Lauder’s Walking Stick		Deciduous
<i>*Aronia Arbutifolia</i>	Red Chokeberry	Medium	Deciduous
<i>*Amelanchier Stolonifera</i>	Running Serviceberry	Small	Deciduous
<i>*Calycanthus Occidentalis</i>	Spice Bush	Small	Deciduous
<i>*Ilex Vomitoria</i>	Yaupon Holly	Medium/Large	Evergreen

PERENNIALS

Common Name

Rose Sensation False Hydrangea Vine

Prairie Glow Black Eyed Susan

Forever Pink Phlox

Josephine Clematis Vine

Pillow Talk Sedum

Border Music Reblooming Daylily
Allium Millenium
Mariachi Sombrero Helenium
Allium Summer Beauty
Gracillimus Miscanthus Grass
All Gold Japanese Forest Grass
Vera English Lavender
Balmy Beebop Bee Balm
Tuff Stuff Red Reblooming Hydrangea
Sapphire Blue Oat Grass
Black Sea Coral Bells
Green Twister Echinacea
Invicibelle Wee White Hydrangea
Snowflake Creeping Phlox
Lavance Deep Purple English Lavender
Big Blue Liriope Grass
Hot Lips Sage
Goldfinch Shasta Daisy
Pumila Dwarf Pampas Grass
Arizona Apricot Gaillardia
Luna Rose Hibiscus
Home Fires Creeping Phlox
EverColor Everillo Sedge Grass
Showtime Ruffles Helleborus
Little Goldstar Black Eyed Susan
Junior Walker Nepeta
Harvest Moon Sedum
Champagne Coral Bells
Giles Van Hees Veronica

Let's Dance Rave Reblooming Hydrangea

Amazing Grace Creeping Phlox

Pastor's Pride English Lavender

Bronze Beauty Ajuga

Tiny Tuff Stuff Reblooming Hydrangea

Black Mondo Grass

Rainbow Marcella Echinacea

Korean Feather Reed Grass

Wedding Party Helleborus Mix

Double Scoop Orangeberry Echinacea

Mary Reed Daylily

PowWow White Echinacea

Blue Moon Woodland Phlox

Blue Paradise Phlox

Monch Frikart's Aster

Silvery Sunproof Liriope Grass

Emerald Pink creeping Phlox

Aureola Japanese Forest Grass

Matrona Desum

Mayflower

Raspberry Ruffles Daylily

Siloam Double Classic Daylily

Stella'd Oro Daylily

Little Blue Stem Grass

Dwarf fountain Grass

Purple Coneflower

Goldstem Blackeyed Susan

Variegated Liriope

NATIVE PERENNIALS

Common Name

Butterfly Weed

Dense Blazing Star

Wild Bergamot

Rose Mallow

Swamp Coneflower

Swamp Milkweed

Gray Headed Coneflower

Purple Coneflower

Rattlesnake Master

Soft Rush

Carex Spp.

NATIVE GRASSES

Common Name

Little Bluestem

Indian Grass

Switch Grass

Prairie Dropseed

Gulf Muhly Grass

Blue Lovegrass

Sand Lovegrass

SECTION 117-326(a) TREE PRESERVATION REMOVAL PERMIT

Any person proposing to engage in clearing, filling, cutting, quarrying, construction, or similar activities that would result (a) a disturbed area of one acre or larger, and (b) the removal of more than seven (7) significant trees from the disturbed area within a twelve (12) month period shall apply to the Planning Department for a tree removal permit as specified in this article. A site development plan shall be submitted to the City before removal of more than seven significant trees from a site within a twelve (12) month period without first obtaining a permit. The City official may exempt the need for the permit on a limited case-by-case basis. No land shall be cleared to the extent regulated in this article, unless approved by a permit.

If more than seven significant trees are to be removed by the owner/developer he or she must submit a tree protection or replacement plan to the Planning and Zoning Department. This plan must show all significant trees on site. This list shall include size and species of the trees. The plan shall show all roads, utilities, building footprints, driveways, and areas to be disturbed. If significant trees are in the disturbed area they are to be replaced at a rate of one to five (one tree to be planted for every five trees removed). If the drip line of the significant tree is adjacent to a construction area, measures must be made to protect the tree with fencing and other protective measures.

If a significant tree is removed from a nonconstruction area it must be replaced at a replacement rate of five to one.

If the owner/developer is unable to put replacement trees on the property they have the option to provide the same number of trees to the City of Jonesboro to be installed in area parks, along greenways, or trail and bike paths as approved by the City of Jonesboro. The owner/developer also has the option to pay a fee in lieu to be placed in a tree preservation account of the City of Jonesboro. The fee will be the cost of the trees as determined by a landscape professional and approved by the City of Jonesboro.

Replacement trees shall be replanted with trees that meet the following specifications:

- (1) Deciduous: At least two and a half inches in diameter and at least eight feet in height above natural grade;
- (2) Evergreen: At least ten feet in height above natural grade; and
- (3) Ornamental: At least two and a half inches in diameter and at least eight feet in height above natural grade.

A tree is significant, if it is a tree and it is:

- (a) At least eighteen inches in diameter at the height of four and a half feet above natural grade;
- (b) Growing with multiple stems and at least one of the stems measured at a point six inches from the point where the stems digress from the main trunk is at least six inches in diameter;
- (c) An ornamental tree with a diameter in excess of six inches at the height eight inches above natural grade; or planted to meet the requirements of the current landscape ordinance.

A tree is not significant if it is less than eighteen (18) inches in diameter at four and a half feet above natural grade, unhealthy, or dead, or those included on the following list, regardless of size:

- (a) Black locust (*Robinia Pseudacacia*);
- (b) Cottonwood (*Populus Trichocarps*); and
- (c) Bradford pear (*Pyrus Calleryana "Bradford"*);

Groups of trees and individual trees that are not to be removed and required undisturbed buffer areas shall be protected during construction by protective fencing and shall not be used for material storage or for any other purpose. Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar

material, subject to approval by the Planning and Zoning Department. "Tree Protection Area" signs shall be posted visibly on all sides of the fenced areas. On large or multiple project sites, the Planning and Zoning Department may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances. The tree protection barrier must be placed at the outside edge of the drip line of the existing trees.

The provisions of this Section 117-326(a) shall not apply to any persons or locations exempt under Section {2} (d) of 117-326.

Fees

A fee for each tree removal permit shall be paid to the City as currently established or as hereafter adopted by resolution of the City Council.

Fines

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. Each day that a violation of the ordinance continues without being remedied may be considered a separate offense and fined separately.