



MEMORANDUM

TO: Tree Ordinance Review Applicants

FROM: Keith Mars, City Arborist
Development Services Department

DATE: May 20, 2016

SUBJECT: Tree Permitting Instructions for Non-Development Related Requests

Overview of Non-Development Tree Permitting

In the case of dead, diseased, or imminent hazard trees a Tree Ordinance Review Application (TORA) is needed to permit regulated tree removal. The City of Austin's code regulates trees that are 19" or larger in diameter on single-family property and 8" and greater on commercial property, thus a permit is required for removal. Per the Land Development Code, a regulated tree, regardless of size or species, can be permitted for removal if deemed dead, diseased, or an imminent hazard. Below are definitions for these criteria:

1. Dead- biological death of vascular tissue to the extent that recovery of the tree is not possible.
2. Diseased- sustained and progressive impairment of the structure or function of any part of a living tree that is not recoverable and/or is communicable that results in tree mortality.
3. Imminent hazard - Failure has started or is most likely to occur in the near future, even if there is no significant wind or increased loading, and cannot be reasonably mitigated with appropriate arboricultural techniques (e.g. pruning).

How do I submit a TORA?

Complete application and: (1) **E-mail:** cityarborist@austintexas.gov (most expedient and preferred method for permit receipt and review) or (2) **Fax:** 512-974-3010 or (3) **Hand deliver or mail:** address at the top of the application. The application is located on our website here:

http://austintexas.gov/sites/default/files/files/Planning/Applications_Forms/tree_permit_digital.pdf

Is there a fee?

There are no fees for trees that staff have determined are dead, diseased, or an imminent hazard. Please note that review fees are required if the tree does not meet the above criteria.

What is the review timeline?

TORAs will be reviewed within 10 business days. If the tree(s) is an imminent hazard please indicate this on the application so we can prioritize the review.

What needs to be included on the application?

All data entry blanks above the Application Determination box need to be completed. Be sure the application is signed, dated, and all of the information is accurate before submittal. The “General tree condition” box needs to be checked for “poor” or “dead” to review for the dead, diseased, or imminent hazard criteria.

Reason for request: If you check the “Tree condition” box in the “reason for request” section of the application, you are not required to pay an application fee, but you will need to provide ample documentation to justify the condition. Please note that if the request is associated with a pending development, and the tree is not a imminent hazard, then “development” should be checked rather than “tree condition” on the application. These trees will be assessed as part of the development review process.

In addition to the TORA what supplemental information is needed?

Tree Species, Diameter, and Documenting Condition: Submit at least 3 photos to assist staff in validating proper tree identification and the health/structure defect. If possible, include an object to show scale in all photos. If the photographs don’t clearly identify the tree being dead, diseased, or an imminent hazard a tree condition report shall be documented by an ISA certified arborist or a registered consulting arborist. This report is most commonly submitted in the form of the ISA Tree Risk Assessment form or a report containing similar content per the *ANSI A300 Part 9 Tree Risk Assessment* publication. The report should be written in a professional manner on letterhead and shall be no older than six months prior to the date of submittal.

What if my tree does not meet the criteria of being dead, diseased, or an imminent hazard but I am building a new house and do not think the tree will survive?

If this scenario occurs please indicate yes to development for the reason for request. The review criteria changes from a health/structure determination to a reasonable use determination. In this case, we will determine if it is not reasonable to protect a tree due to its alleged biological and/or structural defects. If the tree is not worthy of being preserved, mitigation, such as planting trees and/or caring for preserved trees, is a common mitigation requirement. Photographs and the ISA Tree Risk Assessment or similar report are also required to assist staff in reviewing the application.

How do I check on the status of the review?

Please use the following website to check on the review status:

https://www.austintexas.gov/devreview/a_queryfolder_permits.jsp

What if I have additional questions?

Please send an e-mail to cityarborist@austintexas.gov