

Title 33: River and Waters

Part 211: Tree Preservation Ordinance

Introduction. It shall be unlawful for any person, firm or corporation to cut or remove any tree within the Reservoir Project Area without first complying with the following requirements:

Part 211 Chapter 1: Removal and Preservation Plan.

Rule 1.1 Removal and Preservation Plan. A tree removal and preservation plan along with a comprehensive landscape plan must be submitted to the District Building Inspector prior to commencement of tree removal, dirt work or clearing of underbrush. A tree removal and preservation plan shall be prepared by a Registered Forester or Certified Landscape Architect. No building permits will be issued until the plan is submitted to and approved by the District Building Inspector.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

Part 211 Chapter 2: Removal and Preservation Plan Requirements.

Rule 2.1 Plan Requirements. The plan must contain the following information:

- (a) Project name and address.
- (b) Forester or Landscape Architect name, address, registration number and phone number.
- (c) Scale, north arrow, property lines.
- (d) All existing trees on the site, or where there are groups of trees, stands may be outlined.
- (e) All trees desired to be removed and appraised timber value.
- (f) All trees and/or groups of trees to be preserved.
- (g) Details showing the method of protecting trees to be preserved:
- (h) Tree fences;
- (i) Slit fences; or,
- (j) Tree protection signs.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

Part 211 Chapter 3: Minimum Tree Saving Requirements/Protected Zone.

Rule 3.1 Activities Excluded Within Tree Protective Zones. The "protective zone" of tree(s) to be preserved shall include no less than the total area beneath the canopy of the tree(s) as defined by the farthest canopy dripline of the tree(s) (referenced herein as "Tree Protective Zone"). The following activities must be excluded within Tree Protective Zones:

(a) Construction site activities such as parking, materials storage, concrete washout, chemical spills, or similar activities which would compact or contaminate the area.

(b) In the event of cut or fill, excavation or the laying of utility lines within the protected zone, the method of preservation for trees that are to be preserved shall be consistent with accepted landscape industry practices. Trees to be preserved must be protected from the following damage which may occur from the development and construction process:

(i) Direct physical root damage;

(ii) Indirect physical root damage (soil compaction, sedimentation of erosion material, etc.); and,

(iii) Trunk and crown disturbances.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

Part 211 Chapter 4: Credit Units.

Rule 4.1 The lessee or assignee of the property affected shall provide and maintain the necessary protection and preserve a minimum of fifteen (15) credit units (determined in accordance with Table A and Table B attached) of existing trees per acre (or pro-rata portion of an acre) excluding the acreage in any building's foot print. In the event existing trees do not meet the minimum credit units or existing trees were removed during the construction process, additional trees must be planted until a minimum of 15 credit units is met. The tree density shall be calculated by multiplying the number of trees of each diameter by the unit credits. This calculation shall be made for both trees saved (Table A) and trees planted (Table B).

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

Part 211 Chapter 5: Tree Removal Permit.

Rule 5.1 Tree Removal Permit. Trees in the following areas may not be removed without a Tree Removal Permit from the employee designed by the General Manager as the District's Forester:

(a) A minimum of sixty (60) feet on each side of a stream - a well-defined natural channel that may or may not have flow, depending on the season of the year.

(b) Areas that are set aside by special design of the Board of Directors of the District and buffer areas between adjoining developments or commercial developments.

This provision shall not, however, prevent the lessee or assignee of a single-family lot, after a final subdivision plat has been filed, from removing any tree within 30 feet from a dwelling or up to 30% of existing trees on a lot without a tree removal permit.

Source: *Miss. Code Ann.* § 51-9-127 (Rev. 2000)

Part 211 Chapter 6: Inspection.

Rule 6.1 Inspection. The District's General Manager, Forester, Environmental System Planner or Building Inspector shall have the right to inspect and stop all construction within a disputed area if any tree removal is not in compliance with this Tree Preservation Policy or if minimum standards are not being met. If deemed necessary in the sole opinion of the District's General Manager, Forester, Environmental System Planner or Building Inspector, all construction and/or development activity on the entire leased premises shall cease until acceptable safeguards are in place to insure compliance with this Tree Preservation Policy.

TABLE A
TREES SAVED CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS FOR TREES REMAINING ON SITE.

<u>Diameter</u>	<u>Units</u>	<u>Diameter</u>	<u>Units</u>	<u>Diameter</u>	<u>Units</u>
4	.75	20	3.75	36	6.75
5	.90	21	3.90	37	6.90
6	1.10	22	4.10	38	7.10
7	1.30	23	4.30	39	7.30
8	1.50	24	4.50	40	7.50
9	1.70	25	4.70	41	7.70
10	1.90	26	4.90	42	7.90
11	2.10	27	5.10	43	8.00
12	2.25	28	5.25	44	8.25
13	2.40	29	5.40	45	8.40
14	2.60	30	5.60	46	8.60
15	2.80	31	5.80	47	8.80
16	3.00	32	6.00	48	9.00
17	3.20	33	6.20	49	9.20
18	3.40	34	6.40	50	9.40
19	3.60	35	6.60		

TABLE B

TREES PLANTED CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS FOR PROPOSED NEW TREES.

<u>Diameter</u>	<u>Units</u>	<u>Diameter</u>	<u>Units</u>
2	.75	9	2.25
3	.90	10	2.50
4	1.10	11	2.80
5	1.40	12	3.10
6	1.50	13	3.40
7	1.80	14	3.70
8	2.00		

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)