



Tree Removal REVISED 02/2020



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Tree Removal

Important Permit Considerations

- A tree is defined as a self-supporting woody plant with a single trunk, un-branched for several feet above the ground, supporting a definitely formed crown, with a minimum 5 inch diameter DBH and having a height of at least 12 feet.
- A permit is required **BEFORE ANY TREE IS REMOVED, DEAD OR ALIVE.** Removal of a tree without the prior issuance of a permit could result in a citation with a penalty of up to \$2,000 per tree.
- There are two forms for tree removal:
 - The first is for property owners to request a permit for tree removal for any reason stated in the City's ordinance. [Click Here for Resident Non Construction Tree Removal Form](#)
 - The second is for tree removal related to construction. On www.bunkerhilltx.gov, go to the "Contractors/Development" Menu option, choose "Permits and Regulations" and then click the "Project Spreadsheets" button. An Excel spreadsheet will open with the forms needed for your project including the necessary form for tree removal.
- **Click here to download and view the permit forms**
- A permit is not required for trees less than five (5) inches in diameter as measured 4.5 feet above the ground (DBH)
- A permit is not required for tree trimming.
- A permit is not required for a tree which has fallen.
- A permit is not required for Palms as they are considered to be a grass.
- Trees removed in violation of the city ordinance may result in the issuance of a citation and possible municipal fines of up to \$2,000.00 per day per tree removed.
- There is no cost for a tree removal permit.



Ordinance

Section 4-181. Purpose.

It is the purpose of this ordinance to preserve and enhance the desirability of our city by requiring careful site planning; the protection of trees during new construction and remodeling; careful tree removal including removal of sick or dead trees; tree replacement; prohibiting indiscriminate cutting or clearing of trees; and encouraging the increase of our canopy cover while preserving the owners' rights to utilize and enjoy their property. The City has continued to emphasize the importance of our tree canopy since the first Tree Ordinance was adopted on February 20, 1996.

Section 4-182. Definitions

Tree shall mean a self-supporting woody plant with a single trunk, unbranched for several feet above the ground, supporting a definitely formed crown, with a minimum 5 inch diameter DBH and having a height of at least 12 feet.

Multiple-Trunk Tree shall mean a tree with two or more trunks visibly connected above the ground with a height greater than 15 feet (measurement of multi-trunk trees will be as follows; the diameter of the largest trunk added to .50% of total diameter of remaining trunks with total no less than 8 inches DBH).

Qualified Tree shall mean tree which species is included on the City's approved planting tree list with a diameter between 15 and 20 inches DBH.

Protected Tree shall mean a tree which species is included on the City's approved planting tree list with a diameter over 20 inches DBH.

Healthy Tree shall mean a living, thriving tree, as defined above and confirmed with the City's Arborist or Forrester.

Replacement Tree shall mean a tree, which is a minimum of 3 inches in caliper (measured at 6 inches from the base of the tree) and at least 12 feet in height of a species included on the City's approved planting tree list

Tree Diameter shall mean the measurement used to determine the size of a tree; the tree diameter is measure in two ways as either DBH or caliper.

DBH shall mean the measurement used for planted trees, "Diameter at Breast Height", measured 4 feet, 6 inches from the ground level.

Caliper shall mean the measurement used for all trees to be planted: measured at 6 inches from the base of the tree.



Tree Ratio shall mean the expected minimum number of trees or tree trunks on a lot.

Tree Site Plan shall mean a plan indicating: 1) existing and proposed improvements/structure; 2) location of new tree plantings; 3) indicate all trees and/or multiple trees that are to be removed.

Tree Survey shall mean a plan indicating the following: 1) location of all existing trees and multiple trunk trees on a lot; 2) the diameter of each tree; 3) tree type; 4) the tree site plan should note all protected tree(s) and qualified tree(s).”

Section 3. The Code of Ordinances of the City of Bunker Hill Village, Texas is further amended by amending Section 4-183, Minimum Tree Requirement, of Article VI, Tree Preservation, of Chapter 4, Development, Building, and Construction, to delete the language struck through below and to add the language underscored, Section 4-183 to read as follows:

“Section 4-183. Minimum Tree Requirement

The minimum number of trees on each lot shall be one (1) tree for each one thousand (1,000) sq. ft. of lot area roundup to the nearest 1,000 square feet. Trees located on the public right of way that are adjacent to a lot or parcel shall **not** be considered as part of the required number. For new construction, a minimum of 25% of the minimum number of trees shall be in the front yard of the property.”

Section 4. The Code of Ordinances of the City of Bunker Hill Village, Texas is further amended by amending Section 4-184, Tree Permit Requirements, of Article VI, Tree Preservation, of Chapter 4, Development, Building, and Construction, to add the language underscored below and delete the language struck through, Section 4-184 to read as follows:

“Section 4-184. Tree Permit Requirements

A tree permit is required for the removal of any and all trees greater than 5 inches in diameter, for any reason.

Exceptions for when a tree permit is not required.

- a) Any utility installation or maintenance by a public utility or their authorized contractor on utility easements or public right-of-way;



- b) Removal of all or part of a tree(s) that has disrupted public utility service, roadway, or is imminent danger of causing harm to people or property;
- c) Removal of any tree under 5” in diameter; ~~or~~
- d) Any tree, which has fallen; or
- e) If the City becomes aware that the removal of any tree is in violation of any State or Federal law or regulation, a permit for the removal of that tree will not be issued.

Removal of trees due to infestation, dead, or storm damaged trees is not an exception and does require a tree permit.

A tree permit for new construction, reconstruction, and expansion/additions is issued as part of the construction permit.”

Section 5. The Code of Ordinances of the City of Bunker Hill Village, Texas is further amended by amending Section 4-185, Tree Preservation, Removal, and Replacement, of Article VI, Tree Preservation, of Chapter 4, Development, Building, and Construction, to delete the language struck through below and to add the language underscored, Section 4-185 to read as follows:

“Section 4-185. Tree Preservation, Removal and Replacement.

In order to preserve existing healthy, mature trees, the following table is provided to meet the minimum required tree count per lot.

Tree Classification and Size	Tree Count	Equivalent Tree Count
Qualified Tree 10-15 inch diameter	1 Trees	2
Protected Tree > 15 inch diameter	1 Trees	3

Should qualified and protected trees be preserved as indicated above, the following tables are provided for determining the minimum required tree and trunk count.

District A – Requirements



The following Table is provided to determine the tree ratio for District A

A minimum number of trees/trunks	Tree Count	Minimum Trunk Count
Up to and including 30,000 sq ft	1 per 1,000 SF	12
> 30,001 sq. ft.	1 per 1,000 SF	17

District B – Requirements

The following Table is provided to determine the tree ratio for District B

A minimum number of trees/trunks	Tree Count	Minimum Trunk Count
Up to 12,999 sq ft	1 per 1,000 SF	5
13,000 – 14,999 sq. ft	1 per 1,000 SF	8
15, 000 - 19,999 sq ft	1 per 1,000 SF	10
Over 20,000 sq. ft	Same Criteria as District A	

The following apply for removal and replacement of specified trees for both Districts

Tree(s) Proposed for Removal On the Approved Tree Planting List	Required Replacement	Replacement Number & Size Replacement Tree Must be on the Approved Tree Planting List
Any Tree (Healthy or Diseased) 5 - 10 inch diameter DBH	Must be replaced if the lot tree count does not meet minimum requirement; Does not need to be replaced if tree count is met	1 Tree per every 1 removed Must be 3" or greater caliper
Over 5 Healthy Qualified Trees (10-15 inch diameter)	Must be replaced regardless of meeting minimum tree requirement; <u>or participate in the Offsite Tree Replacement Program</u>	1 Tree per every 5 removed Must be 5" caliper and least 15' feet tall
Healthy Protected Tree > 15 inch diameter	Must be replaced regardless of meeting minimum tree requirement; <u>or participate in the Offsite Tree Replacement Program</u>	2 Trees per every 1 removed Must be 5" caliper and least 15' feet tall



These requirements apply to all situations including planning for new construction and exterior remodeling/expansion/additions. Existing property owners requesting a tree removal permit without an active construction permit are required to meet minimum tree count requirements. Replacement trees above the minimum requirements do not apply. Each property owner shall verify that their property is currently in compliance with this ordinance.

Any homeowner in continuous ownership of their home since before February 20, 1996 can remove a tree, remodel or expand without meeting the provisions of this section. However, all new construction and reconstruction must meet these requirements.

Any tree removed must not allow any portion of the tree to extend above six (6) inches of the surrounding soil. Any previously removed tree is required to meet this requirement.

Offsite Tree Replacement Program – If replacement trees are required for a lot as detailed in this ordinance and the minimum required number of trees for the lot both in terms of minimum trunk count and equivalent tree count is met, replacement trees may be purchased from the City to be planted in alternative locations around the city. The cost for each tree purchased is listed in the currently adopted fee schedule for the city. For each tree required, one offsite tree is required to be purchased. A combination of onsite and offsite replacement trees is allowed to meet the required tree count. Location of planting for any offsite tree purchased will be determined by the City.”

Section 6. The Code of Ordinances of the City of Bunker Hill Village, Texas is further amended by amending Section 4-186, New Construction, Reconstruction and Expansion/Additions, of Article VI, Tree Preservation, of Chapter 4, Development, Building, and Construction, to add the language underscored below and delete the language struck through, Section 4-186 to read as follows:

“Section 4-186. New Construction, Reconstruction and Expansion/Additions.

(1) Pre-Development Planning.

A pre-development meeting is required for all new construction and remodeling/expansion/additions as noted in Article 1, Section 4-4. New construction and remodeling/expansion/additions add to the building footprint of the site and will be required to meet the minimum tree requirements as defined per the Zoning District.



(2) Tree Survey.

A tree survey is required for new construction and remodeling/expansion/additions.

The tree survey needs to indicate the following:

- a) Existing trees and multiple trunk trees by location, species, and size;
- b) Condition of all existing and multiple trunk trees; and
- c) Calculation showing the minimum tree requirement and how the tree requirement will be met in coordination with the improvements.

(3) Tree Site Plan.

A tree site plan which depicts all proposed improvements and all trees preserved or planned to meet the minimum tree requirement is required for new construction and remodeling/expansion/additions. This site plan shall contain a statement that the applicant is not aware that the removal of any of the trees shown on the tree site plan to be removed would impact any endangered species as defined by the Endangered Species Act, as amended.

Upon approval of the tree site plan and construction plans, a construction permit will be issued and includes the permitting of all trees to be removed or planted.

Any plantings within a CenterPoint Energy Utility Easement must meet CenterPoint Energy's "Right Tree-Right Place" Program.

(4) One-year Inspection

The City will complete a one-year inspection within 11-15 months after a final certificate of occupancy permit has been issued. A one-year review of the minimum tree requirement will be conducted to ensure the required healthy tree count for new construction or remodeling. The inspection will include the following:

- (a) City will evaluate and count all trees to meet minimum tree requirement per Zoning District;
- (b) The City will inspect trees on adjacent/neighborhood property that were within 10 feet of the construction and requested tree protection;
- (c) All stakes that were necessary for installation shall be removed; and



- (d) Should the lot no longer meet the minimum tree requirement as shown on the approved site plan; the owner will have 14 days to ensure the minimum tree requirement is met and to avoid any fees and penalties.”

Section 9. Repeal. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 10. Penalty. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 11. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bunker Hill Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this the 21st day of January, 2020.



Section 4-188. Approved Tree Planting List.

The following trees are acceptable trees that can be planted and will count towards the minimum tree requirement per Zoning District.

Large Trees

- | | |
|-------------------|-------------------------|
| Acacia | Ironwood |
| Green Ash | Japanese Magnolia |
| White Ash | Red Drummond Maple |
| Bald Cypress | Trident Maple |
| Montezuma Cypress | Any Oak |
| American Elm | Pecan |
| Cedar Elm | Loblolly Pine |
| Eastern Red Cedar | Yellow Poplar |
| Lacebark Elm | Sycamore |
| Winged Elm | Sweetgum |
| Ginko | Tulip Tree Black Walnut |
| Any Hickory | Walnut |

Medium Trees

- Anacua
- River Birch
- Fringe Tree
- American Holly
- Burford Holly
- East Palatka Holly (single item)
- Savannah Holly (single stem)
- Cherry Laurel
- Chinese Pistache
- Mexican Plum
- Eastern Redbud
- Japanese Yew

Section 4-189. Tree Requirement List.

The following trees are acceptable trees that will count towards the minimum tree requirement per Zoning District. In order to count toward the minimum tree requirement, trees must be a minimum of 3” in Diameter and 12” in height.

Large Trees

- | | |
|-------------------|-------------------------|
| Acacia | Youpon Holly |
| Arizona Ash | Ironwood |
| Green Ash | Any Magnolia |
| White Ash | Japanese Magnolia |
| Camphor | Red Drummond Maple |
| Catalpa | Trident Maple |
| Eastern Red Cedar | Any Oak |
| Bald Cypress | Pecan |
| Montezuma Cypress | Loblolly Pine |
| American Elm | Slash Pine |
| Cedar Elm | Yellow Poplar |
| Chinese Elm | Chinese Tallow |
| Lacebark Elm | Sweetgum |
| Winged Elm | Sycamore |
| Ginko | Walnut |
| Hackberry | Tulip Tree Black Walnut |
| Any Hickory | Willow |

Medium Trees

- Anacua
- Crape Myrtles (multi-stem or single with 8” total diameter)
- River Birch
- Fringe Tree
- American Holly
- Burford Holly
- East Palatka Holly (single stem)
- Savannah Holly (single stem)
- Cherry Laurel
- Bradford Pear
- Chinese Pistache
- Mexican Plum Eastern Redbud
- Japanese Yew

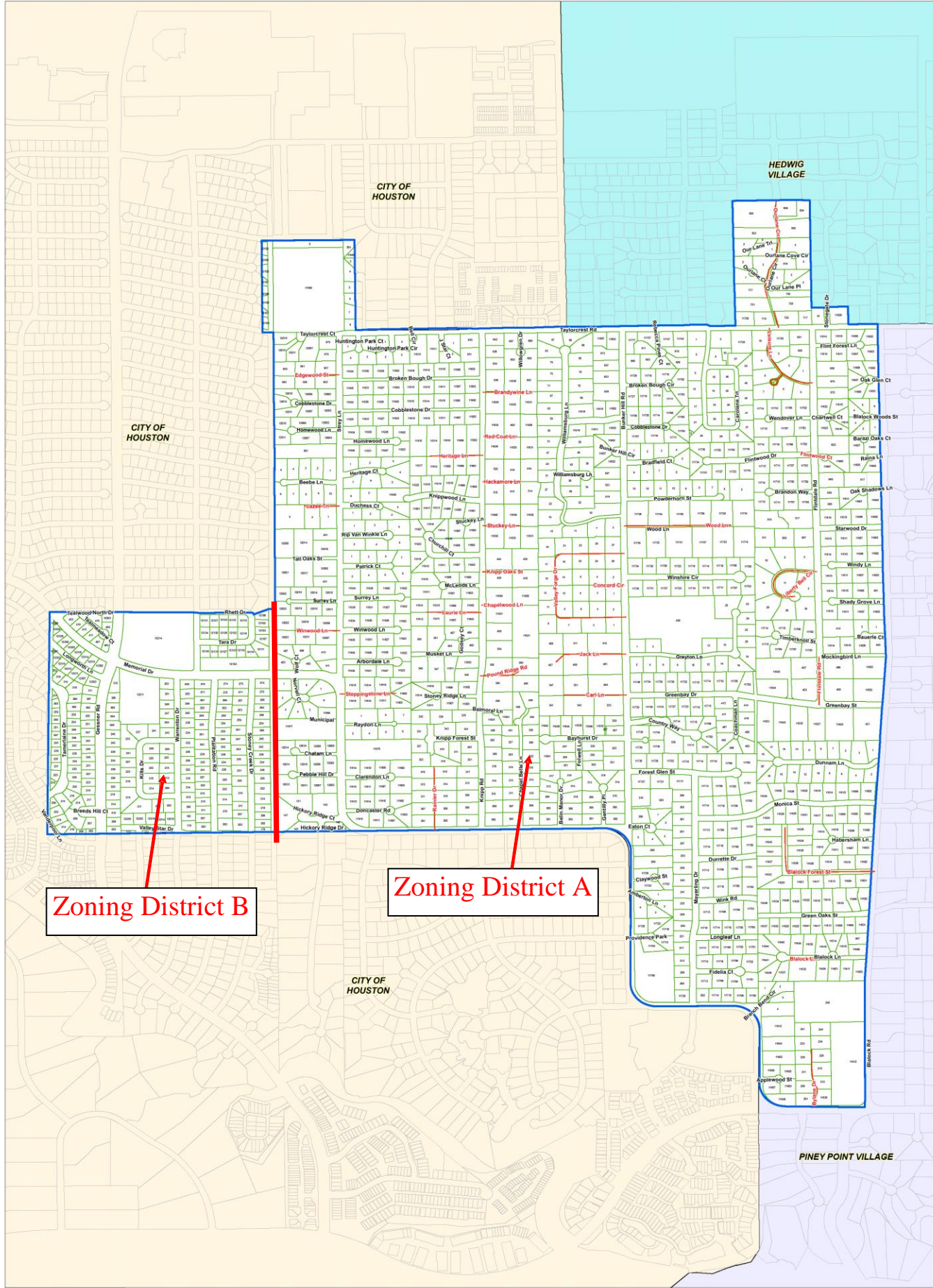
Running Bamboo is not allowed to be planted in the City of Bunker Hill Village.

Section 4-190. Enforcement and Penalties and Fines.

- (1) The city building official can charge a fee in an amount equal to twice the applicable permit fee for not getting a tree permit, failure to submit a tree survey and tree site plan, or failure to follow any aspect of the tree ordinance; and
- (2) The Building Official may deem it necessary to issue a temporary occupancy permit, after completion of new construction, remodels, additions, an increase of the existing concrete footprint, driveways, pools, outdoor patio and/or kitchen or any change to the building plat. This temporary permit cannot exceed 3 months without fines and/or penalties.

Section 4-191. Appeals/reviews.


- (1) Any property owner, whose property does not comply with the Tree Ordinance and wants to appeal their situation, can file a written request to the City Secretary for City Council to review.
- (2) City Council may make a decision as deemed necessary and appropriate regarding any variance to Tree Ordinance.”

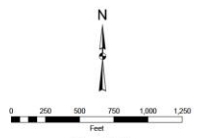


Zoning District B

Zoning District A

- Legend**
- PRIVATE STREETS
 - PUBLIC STREETS
 - CITY LIMITS
 - Parcel (HCAD)

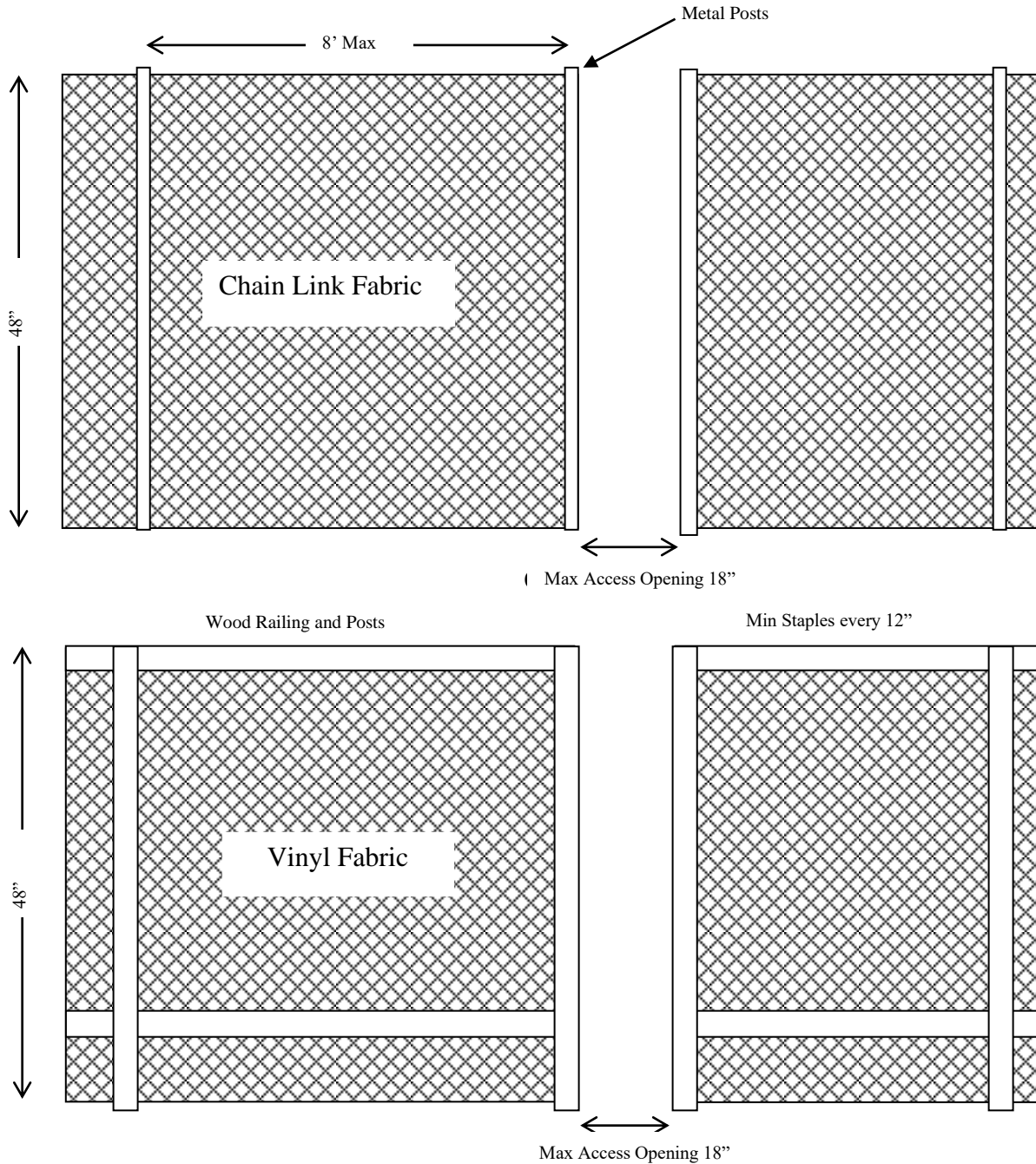

**CITY OF
BUNKER HILL VILLAGE**





Types of Allowable Tree Protection Fencing

Tree protection shall consist of fencing, at least forty-eight (48) inches in height, which shall be placed at the drip line of the canopy of each tree to be preserved. Fencing shall be of either metal hurricane variety with steel posts no greater than eight (8) feet apart, or a wooden rail fence with vinyl construction fencing attached, with staples every twelve (12) inches. An opening shall be left in each fence enclosure of not more than eighteen (18) inches to allow access for maintenance of grass and vegetation. No such tree protection area shall be used to store materials or equipment.





WORKING HOURS

**MONDAY – FRIDAY
7:00 A.M. TO 6:00 P.M.**

**SATURDAY
8:00 A.M. TO 5:00 P.M.**

**SUNDAY
HOLIDAY (NO WORK ALLOWED)**



LAS HORAS DE TRABAJO

LUNES – VIERNES

7:00 A.M. HASTA LAS 6:00 P.M.

SABADO

8:00 A.M. HASTA LAS 5:00 P.M.

DOMINGO

**DIA DE DESCANSO (NO SE PERMITE
TRABAJAR)**