

## **City of Marshall Tree Policy**

### **A guide to vegetation on, and adjacent to, the public right of way and easements**

#### **A. PURPOSE**

The purpose of this guide is:

1. Enhancing traffic safety by regulating vegetation on the right of way and at intersections.
2. Increasing attractiveness of the City of Marshall by helping people select suitable trees for planting in the public the right of way.
3. Improving the environment by encouraging the planting of trees along the streets.

#### **B. BENEFITS OF TREES**

##### **1. Social Benefits**

We like trees around us because they make life more pleasant. Most of us respond to the presence of trees beyond simply observing their beauty. We feel serene, peaceful, restful, and tranquil in a grove of trees. We are “at home” there. Hospital patients, for example, have been shown to recover from surgery more quickly when their hospital room offered a view of trees.

##### **2. Communal Benefits**

Even though trees may be private property, their size often makes them part of the community as well. Because trees occupy considerable space, planning is required if both you and your neighbors are to benefit. With proper selection and maintenance, trees can enhance and function on one property without infringing on the rights and privileges of neighbors.

City trees often serve several planning functions. They provide privacy and screen out objectionable views. They reduce glare and reflection. They direct pedestrian traffic. And they may soften, complement, or enhance architecture.

##### **3. Environmental Benefits**

Trees positively alter the environment in which we live by moderating climate, improving air quality, conserving water, and harboring wildlife. Climate control is obtained by moderating the effects of sun, wind, and rain. Energy from the sun is absorbed or deflected by leaves on deciduous trees in the summer. Temperature in the vicinity of trees is lower than that away from trees so we feel cooler when we stand in the shade of trees and are not exposed to direct sunlight. The larger the tree, the greater the cooling. By using trees in cities, we are able to moderate the heat-island effect caused by pavement and buildings in commercial areas

Wind speed and direction can be affected by trees. The more compact the foliage on the tree or group of trees, the greater the influence of the windbreak. The downward fall of rain, sleet, and hail is initially absorbed or deflected by trees, which provides some protection for people, pets, and buildings (in fact, trees significantly reduced siding and roof damage from the 2011 hail storm). Trees intercept water, store some of it, and reduce storm water runoff.

Air quality can be improved through the use of trees, shrubs, and turf. Leaves filter the air we breathe by removing dust and other particulates. Rain then washes the pollutants to the ground. Leaves absorb carbon dioxide from the air to form carbohydrates that are used in the plant's structure and function. In this process, leaves also absorb other air pollutants—such as ozone, carbon monoxide, and sulfur dioxide—and give off oxygen.

By planting trees and shrubs, we return to a more natural, less artificial environment. Birds and other wildlife are attracted to the area. The natural cycles of plant growth, reproduction, and decomposition are again present, both above and below ground. Natural harmony is restored to the urban environment.

#### **4. Economic Benefits**

The economic benefits of trees can be both direct and indirect. Direct economic benefits are usually associated with energy costs. Air-conditioning costs are lower in a tree-shaded home. Heating costs are reduced when a home has a windbreak. Trees are also a wise investment because landscaped homes are more valuable than non-landscaped homes. The savings in energy costs and the increase in property value directly benefit each home owner.

The indirect economic benefits of trees are even greater. These benefits are available to the community or region. Lowered electric City bills are paid by customers when power companies are able to use less water in their cooling towers, build fewer new facilities to meet peak demands, use reduced amounts of fossil fuel in their furnaces, and use fewer measures to control air pollution. Communities also can save money if fewer facilities must be built to control storm water in the region. To the individual, these savings are small, but to the community, reductions in these expenses are often substantial.

#### **5. Tree City USA**

The City of Marshall appreciates the value and benefits of trees. In recognition of Marshall's commitment to promoting and supporting tree planting and protection, it has been designated a Tree City USA by the Arbor Day Foundation and the National Association of State Foresters.

### **C. DEFINITIONS**

*Boulevard* means that portion of a right-of-way, such as street or highway, located between the roadway and private property. A boulevard, as a portion of the right-of-way, is considered a public property and is regulated by the City, which has full jurisdiction over it.

*Roadway* means the improved portion of a right-of-way, designed or ordinarily used for

vehicular travel.

*Right-of-way* means a publicly owned strip of land legally dedicated to and occupied, or intended to be occupied, at least partially, by a roadway or alley and extending between property lines of adjacent parcels of land.

*Utility easement* means a grant by a property owner for the use of a strip of land for the purpose of constructing and maintaining public or private utilities including, but not limited to, sanitary sewers, water mains, electric lines, telephone lines, storm sewer or storm drainage courses, and gas lines. An easement is a private land where the owner granted some rights for specific use to the City or utility company.

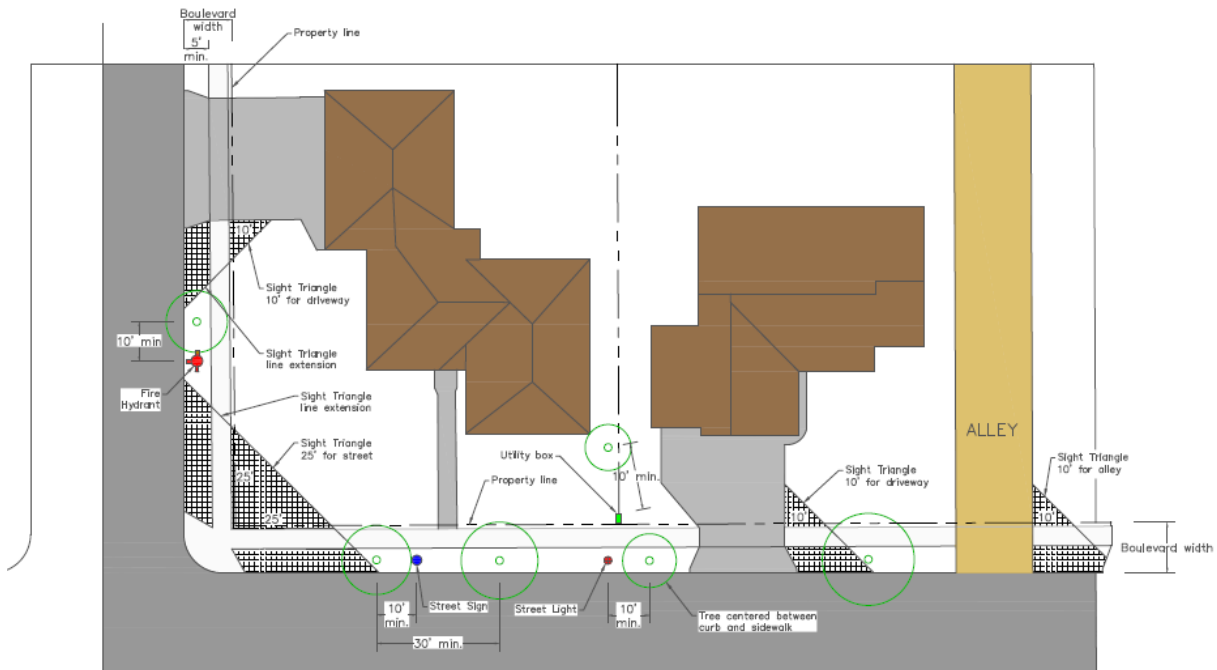
#### **D. PLANTING AND LOCATION REQUIREMENTS**

1. All trees, shrubs, and other plants located within a boulevard are subject to this policy and may be trimmed or removed by the City if found in violation of this policy or for other reasonable causes.
2. No existing tree located within a boulevard may be removed without the City's authorization in a form of an excavation permit. All stumps remaining after tree removal shall be grinded and removed.
3. No bushes, shrubs or hedges may be planted within a boulevard. Bushes or shrubs planted along sidewalk outside of boulevards shall not project onto sidewalks.
4. An excavation permit shall be required for all trees planted on boulevards by a non-city entity. No fee will be charged for such permit for tree planting.
5. All trees shall be planted at least 3 feet from the curb and sidewalks and, if planted in the space between the curb and sidewalk, shall be centered in that space. Planting trees between the curb and sidewalk where this space is less than 6 feet may be allowed under certain conditions after staff review, provided the space is at least 5 feet wide.
6. Minimum tree size shall be 1-inch caliper. Trees shall not be planted less than 30 feet apart.
7. Trees shall not be planted within 10 feet of fire hydrants, utility boxes/cabinets, and within 15 feet of street signs, street lights, and power poles.
8. No trees shall be planted under overhead power lines.
9. When matured, trees shall allow for 8-foot clear space above public sidewalks and easements and 12-foot clear space above roadway. If required clearance is not provided, the City reserves the right to trim trees to achieve required clearances.
10. The following trees are permitted to be planted within boulevards:

- a. Linden (except major streets due to low salt tolerance).
- b. Locust.
- c. Elm (disease resistant varieties only).
- d. Kentucky Coffee tree.
- e. Hackberry (except major streets due to low salt tolerance).
- f. Oak (Bur, Heritage, and Northern Red varieties).
- g. Crabapple (minor streets only).

Other trees may be allowed under certain conditions after staff review.

- 11. No trees, shrubs, or bushes higher than 3 feet shall be planted within visibility (sight) triangles at street intersections, alleys, and driveways. A visibility triangle at a street intersection is defined by measuring 25 feet in each direction from a property corner point and then extending a diagonal line to the street curb (see illustration). A visibility triangle at alleys and driveways is defined by measuring 10 feet in both directions from a property corner point and from a point of intersection of property line and driveway respectively.
- 12. Boulevard maintenance is the responsibility of the adjacent property owner including, but not limited to, fall tree leaves removal and grass mowing.
- 13. All trees and other vegetation within easements are the responsibility of the land owner. However, if need arises, a utility company may remove them without compensation at any time to gain access to their utilities and equipment; additionally some utility lines may be located as shallow as 6" underground. Therefore, planting trees on easements is strongly discouraged.



Required planting distances diagram