

§59-126 Denver's Tree Preservation Ordinance

Sec. 59-126. Preservation of certain trees during demolition or new construction.

(a) Duty to preserve established trees in front setback. As a condition of any permit to demolish or construct any single unit dwelling or multiple unit dwelling in the R-0, R-1, R-2 or R-2-B district, the owner of the zone lot shall be required to preserve any established tree within the front setback area of the zone lot as determined according to section 59-120(b)(1)a.

(b) Preservation measures required. In order to protect an established tree from damage or destruction and to enhance the tree's chance of survival after construction activities on the zone lot are completed, the owner shall take and maintain throughout the course of demolition or construction the following measures:

(1) Erect and maintain temporary fencing surrounding the area beneath the tree in order to mitigate the chance of impact injuries to the tree during demolition or construction;

(2) Refrain from operating construction equipment or storing construction materials beneath the canopy of the tree or engaging in other activities that would cause the undue compaction of the soil in the tree's root zone; and

(3) Refrain from any excavation beneath the canopy of the tree that would cause undue destruction of the tree's roots.

(c) Permit for tree removal. The owner may be relieved from the requirements of this section only upon obtaining a permit for tree removal from the city forester according to the provisions of sections 57-20(b) and 57-25.

(d) Definition of "established tree." For purposes of this section, "established tree" shall mean any live, self-supporting woody perennial plant which has a trunk diameter of six (6) inches or more measured at a point four and one half (4 1/2) feet above ground level and which normally obtains a height of at least ten (10) feet at maturity, usually with one main stem or trunk and many branches.

(Ord. No. 361-03, § 3, eff. 5-23-03)