

**65A-8-304 Guidelines and standards for granting or denying applications to alter or remove trees.**

- (1) The committee shall develop published guidelines and standards to be used by the board in granting or denying applications for the alteration or removal of heritage trees.
- (2) In addition to the guidelines and standards developed by the committee, the division shall consider the following criteria in granting or denying an application:
  - (a) the physical condition of the heritage tree or trees with respect to:
    - (i) insect infestation;
    - (ii) disease;
    - (iii) danger of falling;
    - (iv) proximity to existing or proposed structures; and
    - (v) interference with utility services;
  - (b) the necessity of alteration or removal of the heritage tree or trees in order to construct proposed improvements and allow economic enjoyment of property;
  - (c) the topography of the land and the effect of removal of the heritage tree or trees on:
    - (i) erosion;
    - (ii) soil retention; and
    - (iii) the diversion or increased flow of surface waters resultant upon alteration or removal;
  - (d) the number of heritage trees existing in the neighborhood on improved property;
  - (e) the effect alteration or removal would have on established standards and property values in the area; and
  - (f) the number of heritage trees the particular parcel can support according to good forestry practices.

Renumbered and Amended by Chapter 136, 2007 General Session