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1 the responsibility of the owner of the lot ~~abutting to~~ or on which the tree is  
2 located.

3 (d) The Parks and Recreation Department shall maintain a list of trees, as part of  
4 the Official Albuquerque Plant Palette and Sizing List, generally suitable for use  
5 as street trees in Albuquerque. This Street Tree List shall include a description  
6 of the physical characteristics and cultural requirements of each species.

7 (e) City Staff, in coordination with appropriate private sector input, shall develop  
8 and make available information regarding the required soil volume for trees of a  
9 given mature size, the Planning Director shall make this available. This soil  
10 volume consists of un-compacted and irrigated soil. The root space may be  
11 long and linear, to match a parkway size, and/or the space may be created  
12 through mechanical de-compaction, or the use of either structural soils under  
13 pavements, or soil vault systems under pavements.

14 (f) Conflicts can occur with large trees near overhead electric utility lines. The  
15 larger the tree, the farther it should be located from an electric utility line. Small  
16 growth trees (those under 25 feet high at maturity) can be near the electric  
17 utility lines. If possible, locate medium growth trees at least 15 feet away from  
18 the electric utility lines and locate large growth trees at least 25 feet from  
19 electric utility lines. Trees that grow into or near electric lines may be trimmed  
20 back to prevent any growth into the lines.

21 **§ 6-6-2-5 STREET TREE POLICIES.**

22 The following city policies govern the placement of all street trees which are planted  
23 on private property, abutting to the public right-of-way, or which are required to be  
24 planted near streets pursuant to city plans, policies and ordinances; the policies are  
25 ~~recommended~~ applicable for all street trees:

26 (1) Size of the trees at maturity should be in proportion to the planting space provided  
27 for them. Spacing between evenly spaced street trees should be no greater than  
28 the diameter of the tree canopy at maturity, per the Official Albuquerque Plant  
29 Palette and Sizing List. ~~For most typical street trees, the spacing should be about~~  
30 ~~30 feet.~~ Smaller species of trees will require closer spacing, and larger trees will  
31 require greater spacing. Spacing shall be approved as part of the plan approval  
32 process. ~~A tree well shall be a minimum of one and one half times as deep as the~~  
33 ~~root ball and twice as wide as the root ball. The bottom of the tree well should be~~

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- 1 ~~convex and a minimum of four inches of mulch should be placed on the top of the~~  
2 ~~well.~~
- 3 a. Adequate room and spacing for Street Trees (subsection citation) shall be  
4 accommodated/provided: minimum ~~400~~-80 sq. ft. planting area for each tree;  
5 and maximum of 25 feet spacing on-center. For planting areas with over ~~4,000~~  
6 800CF of un-compacted soil, tree spacing may be increased to up to 35 feet  
7 on-center.
- 8 b. The planting hole shall be twice as wide as the root ball of the tree being  
9 planted, but only as deep as the distance from the bottom of the root ball to the  
10 top of the highest first-order root in the root ball. Details and specifications for  
11 planting holes shall be developed by the City Forester.
- 12 c. On sites where evenly-spaced street trees are not possible or do not conform  
13 to the overall design objectives of the site, random clustering of street trees  
14 may be acceptable, provided that the number of trees planted equals or  
15 exceeds the number that would be required if the trees were evenly-spaced.  
16 ~~Every lot over 20 feet wide shall have at least one street tree.~~
- 17 (a) Street trees shall be placed between the curb and the public sidewalk and in  
18 the parkway, unless traffic safety requires different locations of trees, as  
19 specified in division (2) of this division (b).
- 20 1. The standard setback of trees located between the curb and the public  
21 sidewalk depends on the relationship of the sidewalk to the curb.
- 22 a. Where more than four feet of space exists between the back of  
23 curb and the sidewalk, street trees shall be planted with their  
24 centerline two feet from the sidewalk.
- 25 ~~b. Where three to four feet of space exists between the back of curb~~  
26 ~~and the sidewalk, street trees shall be planted two feet from tree~~  
27 ~~centerline to back of curb.~~
- 28 ~~bc. Where some space but less than three feet of space exists~~  
29 ~~between the back of curb and the sidewalk, street tree placement~~  
30 ~~will vary depending on the space available. A solution shall be~~  
31 ~~selected which meets the following criteria: Where less than three~~  
32 ~~feet of space exists, street trees shall not be planted into the~~  
33 ~~parkway strip. Any street trees required by the City shall be~~

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planted within 20-feet of the back of curb of the abutting street. In addition to fulfilling the street tree requirement, such trees can be included in the calculation described in 14-16-3-10.E.2. Furthermore, if an off-street parking area is located along the frontage of the site, these trees could be simultaneously may also be used to fulfill the landscaping regulations for these areas, in possible addition to the street tree and coverage requirements.

- ~~1. The minimum distance between the back of curb and centerline of the tree shall be two feet;~~
- ~~2. The minimum distance between the centerline of the tree and the property-side edge of the sidewalk shall be four feet;~~
- ~~3. If divisions (a) and (b) of this division (B)(1) cannot be met simultaneously, then street trees shall be planted at least two feet beyond the property-side edge of the sidewalk.~~

cd. Where the sidewalk is at the curb, two planting schemes are possible:

- i. ~~If the sidewalk is less than six feet wide~~ Preferably, the tree shall be planted at least two feet beyond the property-side edge of the sidewalk; or
- ii. If the sidewalk is six feet wide or wider, street trees ~~shall~~ may be planted in cutouts in the sidewalk, and ~~the sidewalk shall be laid over structural soils or soil vault systems which provide the minimum soil volume requirement per the City Forester. The centerline of the tree shall be at least two feet from the back of curb, and at least four feet from the property-side edge of the sidewalk. If the remaining clear sidewalk space between the tree well and the property-side edge of the sidewalk is less than four feet, a grate shall be used to cover the planting hole. The grate shall be of a size and design approved by the City Forester. In all cases, the minimum effective clear sidewalk width (including grate overlap) shall be four feet to allow for wheelchair access.~~

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- 1                   d. Conflicts can occur with large trees near overhead electric utility  
2                   lines. The larger the tree, the farther it should be located from an  
3                   electric utility line. Small growth trees (those under 25 feet high at  
4                   maturity) can be near the electric utility lines. If possible, locate  
5                   medium growth trees at least 15 feet away from the electric utility  
6                   lines and locate large growth trees at least 25 feet from electric  
7                   utility lines. Trees that grow into or near electric lines may be  
8                   trimmed back to prevent any growth into the lines.
- 9                   2. Notwithstanding the standards in division (1) above, the location of  
10                   street trees shall be determined by the Development Review Board if  
11                   the standards of division (1) above would result in a tree being located  
12                   less than eight feet from the face of the street curb. In making  
13                   decisions on tree location, the Development Review Board shall  
14                   balance traffic safety with the appearance of the streetscape. The  
15                   Board shall consider the purposes of §6-6-2-1 et seq as well as traffic  
16                   speed and other relevant traffic aspects which may impact public  
17                   safety.
- 18                   (a) Street trees shall be selected from the species in the Official  
19                   Albuquerque Plant Palette and Sizing List maintained by the City  
20                   Forester. The most appropriate species will depend upon the conditions  
21                   of the particular site.
- 22                   (b) Street trees shall be at 2.0 inches in caliper at the time of planting.
- 23                   (c) Notwithstanding the other provisions of this section, trees planted in  
24                   abutting to the public right-of-way or in easements for underground  
25                   utilities should be located so as not to interfere, either at the time of  
26                   installation or later, with the function of overhead and underground utility  
27                   lines. Where this is not ~~feasible in an acceptable place on the public~~  
28                   ~~right-of-way~~, street trees shall normally be planted near but off the public  
29                   right-of-way. Reasonable location is the responsibility of the person  
30                   preparing the street tree plan and the person planting the tree. The City  
31                   Forester Per criteria that is acceptable to the City Forester, the Planning  
32                   Director or his/her designee may approve alternative planting schemes if

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1           it can be shown that the resulting tree canopies will still provide adequate  
2           shading for the sidewalk.

3           (d) Street trees should normally be deciduous. Adequate vertical  
4           clearance below the branches must be maintained for pedestrians, cars,  
5           and bicyclists. The minimum height to the lowest permanent branch  
6           overhanging a sidewalk shall be seven (7) feet; the lowest height of a  
7           permanent branch overhanging a street shall be 14 feet. Coniferous  
8           trees may be used as street trees only when the minimum required  
9           vertical clearance over streets and sidewalks can be maintained  
10          throughout the life of the tree and only where they will not at maturity  
11          block solar access to abutting buildings.

12          (e) As it is desirable to have a mix of species and genera represented in the  
13          urban forest in order to protect against the loss of trees due to disease,  
14          insects or environmental conditions, the following guidelines shall be  
15          used:

- 16                 1. Plantings of five (5) or fewer trees may all be of the same genus;  
17                 2. Plantings of six (6) to ten (10) trees must use at least two different  
18                 genera, with roughly equal numbers of each;  
19                 3. Plantings of more than ten (10) trees shall use no more than 30% of  
20                 trees in any one genus.

21          (f) One of every three street trees planted may be an accent tree per the  
22          Official Albuquerque Plant Palette and Sizing List, provided the guidelines  
23          in (G) 1, above, are met.

24          § 6-6-2-6 STREET TREE PROGRAMS.

25                 (a) The Mayor shall prepare, distribute, and continue to keep available to the  
26                 public a booklet or other printed material encouraging street trees,  
27                 indicating recommended species, city regulations, appropriate street tree  
28                 locations, and tree care.

29                 (b) The Mayor shall, through the Capital Improvements Program, cause  
30                 street trees to be planted near the street frontages of all city-owned lots,  
31                 at least meeting the requirements of §6-6-2-1 et seq.

32                 (c) The Mayor shall propose to the City Council appropriate major streets for  
33                 special assessment districts for the planting and maintenance of street

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1 trees. The Mayor shall designate appropriate city staff to administer such  
2 supports.

3 (d) Whenever a city project on the public right of way removes or kills one or  
4 more street trees, the Mayor shall replace each such tree with one of the  
5 same species in approximately the same location, unless the species  
6 or location is contrary to §6-6-2-1 et seq or to related regulations or plans,  
7 in which event each such tree shall be replaced with a tree of conforming  
8 species and location.

9 § 6-6-2-7 MORE DETAILED REGULATIONS.

10 Regulations detailing the provisions of §6-6-2-1 et seq should be enacted in  
11 coordination with and through the Parks and Recreation Department, and be amended  
12 by the Environmental Planning Commission at an advertised public hearing.

13 § 6-6-2-8 WAIVERS AND VARIANCES.

14 The Mayor, upon application of land owners, may waive or modify requirements§6-6-  
15 2-1 et seq, if it is found that:

- 16 (a) Street trees would necessarily contribute to unsafe conditions on the  
17 public right-of-way;
- 18 (b) The lot frontage is sufficiently forested to be in general compliance with  
19 the intent of §6-6-2-1 et seq or
- 20 (c) Alternative landscaping plans, in harmony with the surroundings and  
21 meeting the intent of §6-6-2-1 et seq are proposed.

22 (6) Appeals.  
23 Appeals from the decision of the Mayor on requests for waivers or variances may  
24 be taken to the Environmental Planning Commission by filing written notice with  
25 the Planning Division within 15 days after the request for variance has been  
26 denied.

27 SECTION 2. EFFECTIVE DATE AND PUBLICATION. This legislation shall take  
28 effect five days after publication by title and general summary.

29 SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
30 clause, word or phrase of this ordinance is for any reason held to be invalid or  
31 unenforceable by any court of competent jurisdiction, such decision shall not affect  
32 the validity of the remaining provisions of this ordinance. The Council hereby  
33 declares that it would have passed this ordinance and each section, paragraph,

1 sentence, clause, word or phrase thereof irrespective of any provisions being  
2 declared unconstitutional or otherwise invalid.

3 Section 4. COMPILATION. Section 1 of this ordinance shall be incorporated in  
4 and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

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