

# CODE SOLUTION

## ZONING

### Cutting of Trees on Steep Slopes

#### Issue:

The Zoning Code establishes specific sections of the City as “Steep Slope Protection Areas” and regulates activities on lots or portions of lots with slopes of 15% or greater. The Code regulates ground disturbance on such lots as follows:

*“site clearing or earth moving activities shall be permitted only in conformance with an earth moving plan.”*

Is the clearing of trees on steep slopes considered “site clearing” pursuant to this section, and therefore does it require a zoning permit?

#### Solution:

The Zoning Code states that the earth moving plan required for obtaining a permit for site clearing on steep slopes “must set forth the measures by which erosion and sedimentation are to be controlled during the earth moving and construction process.”

Cutting trees is not considered “site clearing or earth moving” until grubbing of the roots takes place. A tree may be cut without disturbing the ground or causing accelerated erosion. Once grubbing occurs however the earth is clearly disturbed and the root system will no longer retain soil. At that point the slope is disturbed and rapid soil loss can be expected.

Therefore, pruning or cutting down trees (except heritage trees) to a stump does not require a zoning permit. Grubbing the roots however is site clearing and would require a zoning permit on a steep slope.

A heritage tree is a tree that has a diameter breast height of 24 in. or more and is of a species listed on the Department of Parks and Recreation Heritage Tree Species List. Cutting down heritage trees requires a zoning permit unless a certified arborist has determined that the tree is dead, damaged, diseased, or a threat to public health or safety.



### Code Sections:

Philadelphia Zoning Code  
§ 14-704(2) Steep Slope Protection  
§ 14-705 Landscape and Trees

### Issued by:

Michael Fink, Chief Code Official

### Date:

April 27, 2018

### Disclaimer:

This interpretation, policy or code application is intended to provide guidance to staff for consistency of review and is subject to change without notice. Application of this interpretation, policy or code application to specific projects may vary. There may be other ways to comply with the Code. If so, you are not required to use this method. You may want to investigate other options, or consult with a professional identifying an equally code compliant solution.