

ORDINANCE NO. 2025-

AN ORDINANCE AMENDING CHAPTER 125, ARTICLE VII OF THE CODE OF ORDINANCES OF THE CITY OF LEAGUE CITY, TEXAS, RELATED TO TREE PRESERVATION, MITIGATION, AND MAINTENANCE; AMENDING SECTIONS 125-7.1 THROUGH 125-7.11; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, PUBLICATION, AND AN EFFECTIVE DATE

WHEREAS, Article VII of Chapter 125 of the Code of Ordinances governs tree preservation, mitigation, removal, replacement, and maintenance within the City of League City; and

WHEREAS, the City has conducted a comprehensive review of the Article to improve clarity, administration, enforcement, and alignment with current arboricultural standards; and

WHEREAS, the proposed amendments modernize tree preservation regulations by updating permit processes, mitigation standards, in-lieu fee calculations, removal allowances, approval thresholds, appeals procedures, and maintenance requirements; and

WHEREAS, the Strategic Plan Advisory Committee reviewed the proposed amendments and expressed support, and staff outreach to several developers operating within the City resulted in favorable feedback regarding the clarity and predictability of the proposed changes; and

WHEREAS, the Planning and Zoning Commission unanimously recommended approval of the amendments on October 20, 2025; and

WHEREAS, the amendments improve consistency, strengthen protections for significant trees, enhance conservation incentives, and clarify field enforcement standards; and

WHEREAS, the City Council finds that the amendments promote public health, safety, and welfare by supporting the community's tree canopy, increasing regulatory certainty, and ensuring predictable and transparent implementation of the Unified Development Code; and

WHEREAS, the City Council finds the amendments to be reasonable, necessary, and in the best interest of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. Section 125-7.1 (Permit Required) of the Code of Ordinances of the City of League City, Texas, is hereby amended to read in its entirety as follows:

Sec. 125-7.1. Permit required.

125-7.1.1. *Permit.* Except as otherwise provided in this article, a tree disposition permit shall be obtained by a responsible person prior to authorizing or subjecting a protected tree to any tree impact activity or tree removal.

125-7.1.2. *Permit valid.* A tree disposition permit is valid for a period of six months from the date of issuance.

125-7.1.3. *Significant trees.* No tree disposition permit may be issued to allow the removal, cutting down, or other activity intended to kill or destroy a healthy significant tree (Oak or Pecan ≥ 38 " caliper), unless the Planning Director determines that the failure to grant such a permit would result in violation of state or federal law. After submission of a written appeal is made to the Planning Department that conforms to Section 125-7.6.3:

(a) The Planning Director may grant an administrative authorization to permit removal of 1 significant tree or up to 10 percent of the total caliper inches of significant trees on the property, or;

(b) City Council may grant authorization to permit removal exceeding 10 percent up to 25 percent of total caliper inches of significant trees on the property.

Section 2. Section 125-7.2. (Permit application requirements) of the Code of Ordinances of the City of League City, Texas, is hereby amended to read in its entirety as follows:

Sec. 125-7.2. Permit application requirements.

125-7.2.1. A tree disposition permit may be issued by the city arborist only upon the submission and approval of the following:

125-7.2.2. An application that includes the following:

- (a) The applicant's name, address, and phone number;
- (b) The address of the property at which a tree impact activity or tree removal is sought;
- (c) The name, address, and phone number of the person or entity that will actually perform the tree impact activity or tree removal, if not the applicant; and
- (d) The name, address, and phone number of the owner of record of the property at which a tree impact activity or tree removal is sought, if not the applicant.
- (e) A tree disposition plan certified by a licensed surveyor, a certified arborist or registered landscape architect, that:
 - (1) Identifies:
 - a. The protected trees sought to be subjected to a tree impact activity or tree removal at the site, according to location, type and size;

- b. Location and total caliper inches of invasive species to be removed, if seeking credit for elimination of invasive species;
 - c. Areas of construction or other activities to be performed within the critical root zone of a protected tree, including site plans documenting measures to be taken for protection of each impacted critical root zone;
- (2) Includes tables summarizing the total caliper inches of protected trees to be removed in size categories as follows:
 - a. For small trees (See Section 125-7.11.4 for tree list):
 - 1. Six-inch to nine-inch caliper;
 - 2. Greater than nine-inch to 12-inch caliper; and
 - 3. Greater than 12-inch caliper.
 - b. For large trees (See Section 125-7.11.4 for tree list):
 - 1. Twelve-inch to 15-inch caliper;
 - 2. Greater than 15-inch to 18-inch caliper; and
 - 3. Greater than 18-inch caliper; and
- (3) States the total number of caliper inches to be replaced, calculated using the tree replacement calculation set forth below, and how replacement will be achieved, whether by on-site replacement or off-site replacement, or payment in lieu of replacement; and
- (4) Includes the proposed plan for tree replacement by location, type and size, if applicable;
- (f) An application fee in an amount as set by the city council; and
- (g) One of the following:
 - (1) A cashier's check or money order for the full amount of the payment in lieu of replacement; or
 - (2) A cash escrow, bond, letter of credit, or other acceptable security instrument securing an amount equal to a full payment in lieu of replacement, which by its terms:
 - a. Can be redeemed or called by the city one year from the date the tree disposition permit is issued, if not earlier released; and
 - b. Can only be released upon the city's approval, which approval the applicant may request only after completion of all replacement planting.

Section 3. Section 125-7.3.3 of the Code of Ordinances of the City of League City, Texas, is hereby amended to read in its entirety as follows:

Sec. 125-7.3. Tree replacement calculation.

125-7.3.1. Tree replacement calculations are based upon the following guiding principles:

- (a) Greater value is placed on protected trees of greater size, therefore caliper inch replacement is increased as the size of each tree increases;
- (b) Greater value is placed on maintaining trees on-site, therefore caliper inch replacement is increased if replacement occurs off-site or through payment in lieu of replacement;
- (c) Greater value is placed on maintaining large or interconnected conservation areas, therefore exceptions and incentives are available to maintain these areas;
- (d) Invasive tree species harm the native tree canopy, therefore incentives are available for elimination of species shown in the invasive tree list in this article; and
- (e) Protection and maintenance of the community's tree canopy is more critical than equal replacement of individual trees, therefore replacement calculations result in a total number of caliper inches to be replaced as measured following application of the above principles.

125-7.3.2. The diameter at breast height of each protected tree to be removed from the site shall be measured to determine size in caliper inches.

125-7.3.3. Replacement of removed trees shall be achieved utilizing one of the following three methods, in accordance with the applicant's written election:

- (a) On-site replacement in accordance with all the standards and requirements of the City of League City;
- (b) Off-site replacement in parks, dedicated conservation areas or selected rights-of-way at the direction of the city planner or city arborist; or
- (c) Payment in lieu of replacement to the city reforestation and tree management fund to be used for public reforestation and maintenance of protected trees on public property or significant trees on public or private property.

Base Removal Allowance of up to 10% of the total protected caliper inches on a site may be removed without replacement.

125-7.3.4. Caliper inch replacement of each protected tree (See Section 125-7.11.4 for tree list) shall be calculated in accordance with the following table:

Caliper Inch Replacement of a Protected Tree		
	On Site Replacement	Off Site Replacement or Payment in Lieu
Small Trees		
6" to 9"	100 percent	120 percent
9.1" to 12"	100 percent	120 percent
Greater than 12"	100 percent	140 percent
Large Trees		

12" to 15"	100 percent	120 percent
15.1" to 18"	100 percent	120 percent
Greater than 18"	100 percent	140 percent

125-7.3.5. Payment in lieu shall be calculated at a tiered rate per caliper inch of required replacement

tree(s):

- 6" – 12": \$100/inch x Replacement Percentage from Sec. 125-7.3.4
- 12.1" – 18": \$150/inch x Replacement Percentage from Sec. 125-7.3.4
- 18" - 37.9": \$200/inch x Replacement Percentage from Sec. 125-7.3.4.
- Significant Trees (>38"): \$250/inch x Replacement Percentage from Sec. 125.7.3.4

125-7.3.6. The city planner or city arborist shall have the discretion to reduce tree replacement requirements by the removal of invasive trees on-site or off-site in accordance with standards established by the city arborist. Reduction of caliper inch replacement if granted shall be calculated in accordance with the following table:

Reduction of Caliper Inch Replacement for Removal of Invasive Trees	
Caliper Inches of Invasive Trees Removed	Percent Reduction in Total Caliper Inches
50" to 150"	10 percent
150.1" to 500"	15 percent
Greater than 500"	20 percent

Section 4. Section 125-7. (Appeals) of the Code of Ordinances of the City of League City, Texas, is hereby amended to read in its entirety as follows:

Sec. 125-7.6 Appeals.

125-7.6.1. An applicant may appeal the Planning Director's decision to deny a tree disposition permit for the removal of a significant tree to the city council by filing the following with the City Planning Department:

- a) Notice of Appeal. A written notice of appeal within ten (10) business days from notification of the Planning Director's decision.
- b) Supporting Materials (due within 30 days of notice). The applicant must submit either:
 1. A written legal opinion from an attorney licensed in Texas that details how the failure to grant the permit would violate state or federal law, within 30 days of the filing of the notice of appeal; or
 2. A site plan for the subject property showing the location of the significant tree and

explaining why retaining it makes the proposed improvement unfeasible.

- c) Council Agenda Placement. Once the notice of appeal and one of the supporting materials are filed, the planning director shall place the appeal on a City Council agenda within 30 days of receiving those documents.

125-7.6.2. An applicant may appeal to the city manager the calculation of the total caliper inches of replacement trees required by filing with the city secretary's office a written notice of appeal within ten business days from notification by the city arborist of the tree replacement calculation, setting forth the reason(s) and including the documentation for any contention that the calculation of caliper inches of replacement trees is too high. The City Manager shall issue a decision within 45 days of a formal appeal filing.

125-7.6.3 For appeals under Section 125-7.1.3 requesting authorization to remove significant trees, the Planning Director may authorize removal of 1 significant tree or up to 10 percent of total significant-tree caliper inches if any one of the following applies:

- a) Site Constraint Hardship
 - 1. Trees lie within the only feasible buildable envelope, with no practical alternative layout.
 - 2. Removal does not reduce overall canopy (existing + proposed) below 75 percent of predevelopment levels.
 - 3. A mitigation plan provides at least 1.5" new caliper planting for each 1" removed the minimum size tree that can be planted is 3" in diameter.
- b) Public Safety & Infrastructure
 - 1. Trees pose a documented hazard to public health, safety, or utilities.
 - 2. Trees conflict with mandated infrastructure improvements (e.g., roadway widening) where rerouting is impracticable.
 - 3. Trees are certified dying, diseased, or structurally unsound by a qualified, certified arborist.
- c) Public Benefit / Community Amenities
 - 1. Dedication of at least 10 percent of the site as public green space (minimum size of 15 acres).
 - 2. Installation of enhanced landscaping, such as tree-lined promenades or pocket parks.
- d) Administrative Exception with Council Oversight
 - 1. Director may administratively approve up to 10 percent removal of total significant-tree caliper inches for a given site.
 - 2. Requests beyond 10 percent (up to 25 percent) require City Council approval.

Section 5. Section 125-7.7 (Offense Restitution) of the Code of Ordinances of the City of League City, Texas, is hereby amended to read in its entirety as follows:

Sec. 125-7.7. Offense; restitution.

125-7.7.1. Any person who recklessly removes or subjects a protected tree to a tree impact

activity without a valid tree disposition permit authorizing such action shall be guilty of a misdemeanor, which shall be punishable by a fine not to exceed \$500.00. Each subsequent day that elapses without the person obtaining a tree disposition permit shall constitute a separate offense.

125-7.7.2. In any prosecution under this section, the prosecuting attorney shall seek and the judge is authorized to award restitution to be paid into the city reforestation and tree management fund, in an amount calculated by the city arborist pursuant to the provisions below:

- a) Restitution for removal of trees without an approved tree permit:
 1. Assume that each tree on site is a large protected tree measured at 18 caliper inches with an individual tree canopy of 2,200 square feet;
 2. Determine total caliper inches to be replaced by measuring the total tree canopy covering the site prior to removal of trees using aerial imagery acceptable to the City of League City; and
 3. Calculate base in-lieu payment under Section 125-7.3.5
 4. Apply additional penalty of 100% of base (max restitution = 2 x base).
 5. If the site has been cleared in whole or in substantial part without obtaining a tree disposition permit or prior authorization under this article, the total in-lieu fees and restitution applicable to that site may not exceed 50% of the unimproved land value (per appraisal). In all other cases, the general cost-cap safeguard in Section 125-7.7.3 shall apply.
- b) Restitution for removal of a significant tree:
 1. Calculate base in-lieu payment under Section 125-7.3.5.
 2. Apply additional penalty of 100% of base (max restitution = 2x base)
- c) For subjecting a protected tree to a tree impact activity, the city arborist shall:
 1. Same method as (a) and (b) depending on size classification
 2. Total restitution capped at 2 x base in-lieu amount.

125-7.7.3. Cost-cap safeguard. Total in-lieu fees plus restitution for any site may not exceed 30% of the unimproved land value (per appraisal).

Section 6. Section 125-7.11 (City-maintained trees) of the Code of Ordinances of the City of League City, Texas, is hereby amended to update the following charts as follows:

125-7.11.4 Protected tree list.

Large Trees	
Common Name	Botanical Name
American Sycamore	Platanus occidentalis
Bald Cypress	Taxodium distichum
Bur Oak	Quercus macrocarpa

Chinquapin Oak	Quercus muehlenbergii
Live Oak	Quercus virginiana
Loblolly Pine	Pinus taeda
Longleaf Pine	Pinus palustris
Mexican Sycamore	Platanus mexicana
Nuttall Oak	Quercus Texana
Overcup Oak	Quercus lyrata
Pecan	Carya illinoenses
Post Oak	Quercus stellata
Red Bay	Persea borbonia
Red Maple	Acer rubrum
River Birch	Betula nigra
Sawtooth Oak	Quercus acutissima
Shumard Oak	Quercus shumardii
Southern Magnolia	Magnolia grandiflora
Southern Red Oak	Quercus falcate
Swamp Chestnut Oak	Quercus michauxii
Sweet Bay Magnolia	Magnolia virginiana
Trident Red Maple	Acer Rubrum 'tridens'
Water Oak	Quercus nigra
White Oak	Quercus alba

Small Trees	
Common Name	Botanical Name
Chinese Pistache	Pistacia chinensis
Eastern Redbud	Cercis canadensis
Little Gem Magnolia	Magnolia grandiflor 'little gem'
Mexican Buckeye	Ungnadia speciosa
Mexican Redbud	Cercis canadensis 'mexicana'

Mexican Plum	Prunus mexicana
Texas Mountain Laurel	Sephora secundiflora
Texas Pistache	Pistacia texana
Texas Persimmon	Diospyros texana
Texas Redbud	Cercis canadensis 'texensis'

125-7.11.5. *Invasive tree list.*

Invasive Tree List	
Common Name	Botanical Name
Chinaberry	Melia azedarach
Chinese Parasol tree	Firmiana simplex
Chinese Tallow	Triadica sebifera
Glossy Privet	Ligustrum lucidum
Golden Rain Tree	Koelreuteria paniculata
Lead Tree	Leucaena leucocephala
Mimosa/Silk Tree	Albizia julibrissin
Princess Tree	Paulownia tomentosa
Russian Olive	Elaeagnus angustifolia
Saltcedar	Tamarix spp.
Tree of Heaven	Ailanthus altissima

Section 7. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 8. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 9. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 10. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 11. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. This Ordinance shall become effective upon passage.

PASSED first reading the ____ day of _____, 2025.

PASSED AND ADOPTED the ____ day of _____, 2025.

NICK LONG
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

MICHELLE L. VILLARREAL
City Attorney (mv)