



Legislation Details (With Text)

File #: 18-0261 **Version:** 1 **Name:** Ordinance amending Chapter 102, "Subdivisions"
Type: Agenda Item **Status:** Approved
File created: 5/8/2018 **In control:** Development Services
On agenda: 9/11/2018 **Final action:** 9/11/2018

Title: Consider and take action on an ordinance amending Chapter 102 of the Code of Ordinances of the City of League City, entitled "Subdivisions", deleting Section 102-12 and adopting a new Article III to contain regulations for tree preservation and maintenance (Director of Planning and Development)

Planning and Zoning Commission recommended approval, 6-0-0 with two absent, on August 6, 2018.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Data Sheet, 2. Proposed Ordinance

Date	Ver.	Action By	Action	Result
9/11/2018	1	City Council	Approved	Pass

Consider and take action on an ordinance amending Chapter 102 of the Code of Ordinances of the City of League City, entitled "Subdivisions", deleting Section 102-12 and adopting a new Article III to contain regulations for tree preservation and maintenance (Director of Planning and Development)

Planning and Zoning Commission recommended approval, 6-0-0 with two absent, on August 6, 2018.

Approval of this ordinance will amend Chapter 102 of the Code of Ordinances of the City of League City, entitled "Subdivisions", regarding regulations for tree preservation and maintenance.

Project Timeline:

- February 2007 - The current ordinance, Section 102-12, Tree Preservation and Provisions Ordinance, was amended.
- May 3, 2018 - City Arborist gave a presentation to the Parks Board about the amendments to the Tree Preservation and Provision Ordinance.
- May 14, 2018 - The Director of Planning and Development is scheduled to give a presentation to the Planning and Zoning Commission about the amendments to the Tree Preservation and Provisions Ordinance.
- July 16, 2018 - Tree Ordinance heard by Planning and Zoning Commission. Item postponed to allow City Arborist to measure trees maintained by the city by vote of 7-1-0.
- August 6, 2018 - Planning and Zoning Commission voted to recommend approval by vote of 6-0-0 with two members absent.
- September 11, 2018 - City Council is scheduled to hold a public hearing and hear the item on first reading.
- September 25, 2018- Subject to approval on first reading, City Council is scheduled to consider the request on second reading.

Project Summary:

The current tree ordinance, Section 102-12, Tree Preservation and Provisions Ordinance, addresses existing "Protected Trees" on commercial/residential property, public/private property and developed/undeveloped land. The proposed ordinance will organize and update the current regulations and provide new guidelines for street trees, tree maintenance, and mitigation options. The proposed ordinance will contain the following regulations:

- Revised definition of “Protected Tree” - divides trees into two categories (“Small” and “Large,” according to species) and reduces minimum size that is considered “Protected;” includes an expanded list of “Protected” species
- New definitions - “Significant Tree,” “Park Tree,” “Street Tree”
- Revised mitigation requirements and options (including a table for calculating mitigation)
- Create exceptions to permit and mitigation requirements for homeowners and other circumstances
- Invasive species removal credit (including a table for calculation reduction of replacement caliper inches); includes an invasive species list
- Tree maintenance standards section to include:
 - Maintenance of trees within the right-of-way
 - Topping, pruning, clearance
 - Removal of dead/diseased trees on private property, emergency removal provision, removal of stumps
 - Public tree care for a specific group of “Significant” oaks downtown
- Refine the street tree planting requirements to include:
 - Location of trees in relation to sidewalks and curbs
 - Planting clearance chart
 - Minimum distance from buried utility lines
 - Use of tree root barriers
 - Linear tree spacing
 - Minimum 10 ft median width
 - Limits of mature tree height under overhead utility lines

On May 3, 2018, the Parks Board made comments on the proposed changes to the Tree Preservation and Provisions Ordinance. The Parks Board was supportive of the amendments, but suggested the following changes to the Ordinance:

1. “Significant Trees” should be renamed “Heritage Trees.”
2. Any Significant Tree that is proposed to be removed should be required to have City Council approval prior to removal.
3. The diameter threshold to become a significant tree should be reduced from 38” to 36”.

On July 16, 2018 the Tree Ordinance was presented to the Planning and Zoning Commission. Voting on the item was postponed to allow the City Arborist to measure trees maintained by the City by a vote of 7-1-0.

On August 6, 2018 the Planning and Zoning Commission voted to recommend approval by vote of 6-0-0 with two members absent.

Staff Recommendation: Staff recommends approval of the proposed text amendments.

Attachments:

1. Data Sheet
2. Proposed Ordinance

FUNDING

{x} NOT APPLICABLE

STRATEGIC PLANNING

{ x } Addresses Strategic Planning Action Plan Critical Success Factor #8, Initiative #11, Action Item #D