Planning and Zoning Commission

AGENDA ITEM REPORT

D.1

To: Planning and Zoning Commission

Subject: Hold a public hearing, discuss, and consider making a recommendation to Town Council regarding an amendment to the Unified Development Ordinance (UDO), including but not limited to amending **Section 3.06.03 – Tree Protection Standards**. **Case 1829-Z UDO Amendment – Tree Protection Standards**.

Meeting: Planning and Zoning Commission - December 18, 2024

Department: Development Services

Staff Contact: Surupa Sen

SUGGESTED ACTION:

Staff recommends approval of the proposed UDO amendment.

BACKGROUND INFORMATION:

This is a town-initiated Unified Development Ordinance (UDO) amendment as it relates to tree protection standards for all properties. UDO Tree Protection requirements are aimed at preserving and protecting natural, mature tree canopies within the city. Overall philosophy and approach in detailing the tree protection and mitigation standards are to preserve trees as an important resource that enhances the quality of life and to preserve environmentally sensitive areas, such as natural areas, floodplains, and open spaces.

The UDO exempts any “property being actively used for agricultural purposes” from compliance with the tree protection requirements. Additionally, Cedar trees (less than 11 caliper inches) and certain other trees, such as, mesquite, hackberry, honey locust, cottonwood, that are commonly referred to as “trash trees” are exempt.

There are no monetary penalties for removing protected trees without first obtaining a tree removal permit. These listed issues and lack of organizational clarity of the ordinance, makes enforcement and effective implementation of tree protection standards difficult. As a result, staff has initiated a thorough review of the ordinance and comparison with other municipalities

tree protection regulations as well.

PUBLIC NOTICE:

Texas State Legislature S.B. 929, passed into law last year, requires municipalities to mail out individual notices to property owners within affected zoning districts, if any zoning ordinance text amendment is proposed by the municipality. The Town is proposing amendments to the UDO-Tree Protection Standards to better enforce the regulations and improve quality and retention of the town's existing and future tree canopy.

As a result, 3,110 letters of notification were mailed to all the property owners within the Town on December 6, 2024. As of writing of this report, the town has not received any written response regarding the UDO Text Amendment request.

ATTACHMENTS:

Staff Report
UDO Excerpt - Section 3.06.03 Tree Protection Standards
DRAFT Tree Protection Standards
DRAFT Tree Protection Standards - with annotations