

## AGENDA



Thursday, November 19, 2009

**Item(s) to Set Public Hearing(s)**  
**RECOMMENDATION FOR COUNCIL ACTION****Item No. 76**

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**Subject:** Set a public hearing to consider an ordinance amending Chapter 25-8, Subchapter B, Article 1, of the City Code relating to tree protection. (Suggested date and time: December 17, 2009, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

**For More Information:** Michael Embesi, 974-1876; Sylvia Arzola, 947-6448

**Prior Council Action:** June 9, 2005 - Council directed the City Manager to initiate an amendment to Chapter 25-8, Subchapter B, Article 1, Divisions 1 and 2 of the City Code (tree preservation) to incorporate the recommendations of the Heat Island Mitigation Working Group.

June 22, 2009 - Council directed the City Manager to convene a group of stakeholders to resolve outstanding issues.

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This action will set a public hearing to consider approval of an ordinance to amend the City Code to (1) add a classification of protected trees called Heritage Trees, removal of which is prohibited without a variance; and (2) make changes to strengthen and clarify existing protected trees provisions.

The proposed amendment creates a new classification of protected trees within the zoning jurisdiction of the City and provides additional strength and clarification to existing tree protection requirements. Trees of superior species that are at least 24 inches in diameter at four and one-half feet above the ground will be classified as Heritage Trees. Removal of a Heritage Tree is prohibited unless the owner of the property is granted a variance to allow removal. The amendment will provide a higher level of protection for the most significant trees in the community and will require a higher level of justification for their removal.