

## AGENDA



Thursday, February 4, 2010

**Public Hearings and Possible Actions  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 38**

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**Subject:** Conduct a public hearing and consider an ordinance amending Chapter 25-8, Subchapter B, Article 1, and Section 6-3-48 of the City Code relating to tree protection.

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

**Boards and Commission Action:** Recommended by Environmental Board, Electric Utility Commission, Urban Forestry Board, and Planning Commission.

**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. November 19, 2009 - Council set a public hearing for February 4, 2010.

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This action will 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.