

Proposed Code Amendments Update

January 5, 2023

Conformance to Texas Local Government Code

Application Process Improvement

User-Friendly Format

Improvements to Code Content

Creation and Adoption of Standards Specific to Angleton

Conformance to Comprehensive Plan Objectives

Consistency of all Development Related Codes - LDC, Zoning Codes, Others

CONSIDERATIONS

Recommendations

Prioritized recommendations

Short term

Future/long term

Short term

Work sessions to review and get input from all the stakeholders

Prepare a draft of final amendments.

Assist with adoption at public hearing and meetings as directed by staff and finalize the document after adoption.

Future/long term recommendations

Future review and implementation

Proposed Amendments

Short term (LDC)

- * Consolidation of type of plats, clarify sequencing, public improvements construction, expiration
- * Performance bond and surety amount
- * Acceptance of public improvements and maintenance bond
- * Public improvements - color of street signs; provision of fiber in new subdivisions, etc.
- * Heritage Tree Revision

Current

- i. Administrative Approval:
 - 1. Minor Consolidation Plat or Replat
 - 2. Administrative Plats
 - 3. Amending Plat
 - 4. Minor Plat
 - 5. Development Plat
- ii. Planning & Zoning Commission and City Council Approval:
 - 1. Preliminary Plat
 - 2. Final Plat
 - 3. Major Amending Plat
 - 4. Major Consolidation Plat or Replat

b. Proposed

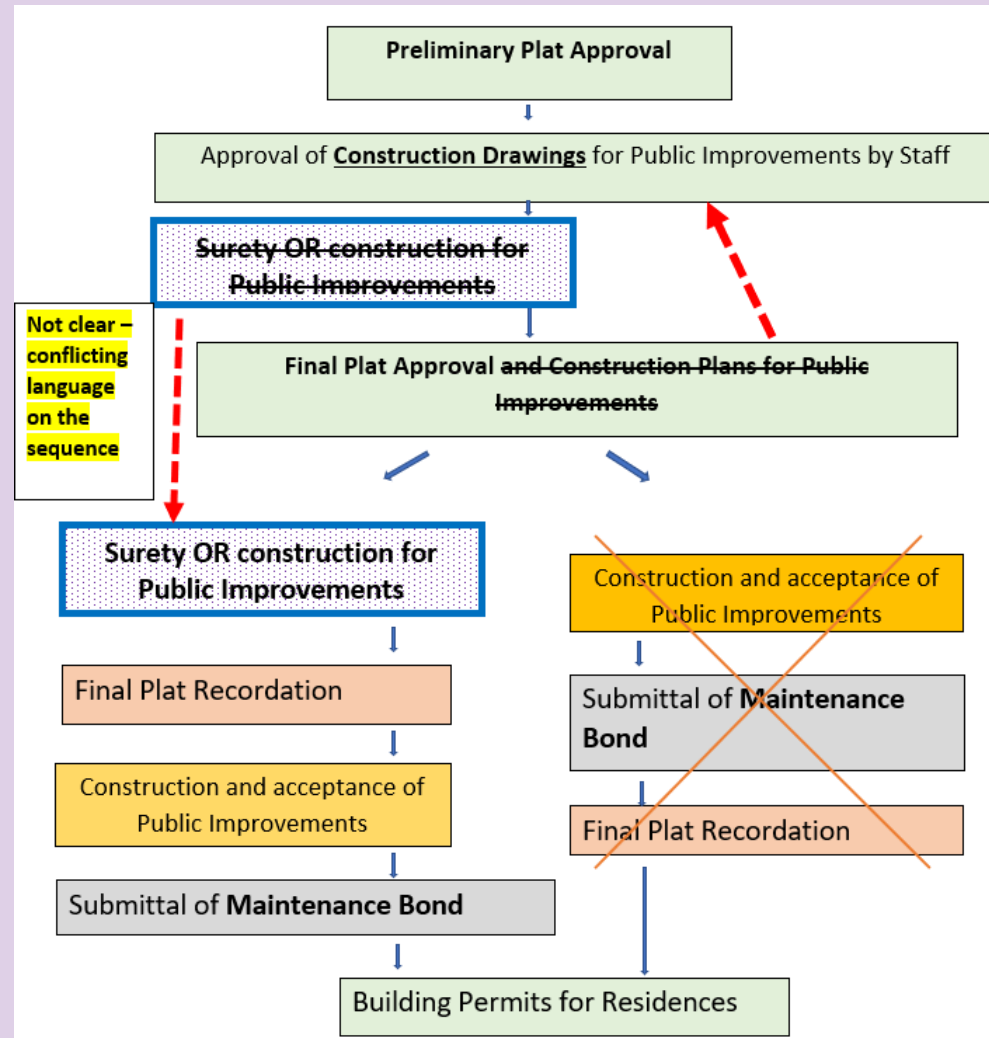
- i. Administrative Approval:
 - 1. Minor Plat
 - 2. Amending Plat
 - 3. Development Plat
- ii. Planning & Zoning Commission and City Council Approval:
 - 1. Preliminary Plat
 - 2. Final Plat
 - 3. Replat

Proposed Amendments

Short term
Consolidation of
type of plats

Subdivision Process

- Step 1 – Preliminary Plat approval
- Step 2 – Approval of Construction Plans for public improvements
- Step 3 – Construction and acceptance of public improvements OR Performance Bond
- Step 4 – Final Plat approval
- Step 6 – Construction and acceptance of public improvements (with Performance Bond)
- Step 7 – Plat recordation
- Step 8 – Building permit issuance



Proposed Amendments

Short term
Clarify sequencing,
public improvements
construction, acceptance
of public improvements,
and maintenance bond

Proposed Amendments

Performance bond (% of cost of pending public improvements)

Current - 100%

Proposed - 125% (city policy)

Maintenance bond (% of cost of pending public improvements)

Current - 25%

Proposed - 125%

Short term
Performance bond
and surety amount

Proposed Amendments

Short term Expiration Dates

All plats except Final Plat	- 1 yr. with an additional 1 yr. of extension.
Final Plat	- 1 yr. with an additional 6 months of extension.
Construction Drawings	- 1 yr. with an additional 6 months of extension.
Completion of public improvements and acceptance	- 1 yr. with an additional 1 yr. of extension.

Proposed Amendments

Short term Public improvements

Create and adopt public improvement standards specific for Angleton - color of street signs; provision of fiber in new subdivisions.

(Sec. 23-10.C). To be developed.

Issues:

No limit on minimum diameter; heritage tree not defined; mitigation too stringent (3:1 for all trees currently, tree replacement lacks diversity of species; protection of significant trees not required

Recommendations:

- * 2 classifications - Heritage and Significant (protected species)
- *Mitigation proportionate to the classification
- * Diversity on replacement trees

Protected Species List (Combined):

Live Oak, Pecan, Shumard Red Oak, Burr Oak, Chinquapin Oak, Post Oak, Water Oak, Willow Oak, Bald Cypress, Tulip Tree (Yellow Poplar), American Elm, Redbud, Dogwood.

Exemptions: Land being used for harvesting of timber and orchards; damaged and diseased trees

Determination on damaged and diseased trees–
Certified arborist

PROPOSED	Heritage Trees	Significant Trees
Size	Greater than 24"*	10"- 23.9"*
% of total caliper inches to be preserved on site (removal not allowed)	50%	35%
Mitigation	3:1*	1.5:1
Replacement planting	Min. 2.5 caliper inch tree from the Protected Species List	Min. 2.5 caliper inch tree from the Protected Species List
Species	Protected Species List	
Fee in lieu (for 50% removal)	\$200 per caliper inch removed	\$100 per caliper inch removed

Proposed Amendments

Short term Heritage Tree Revision

	New Braunfels	Helotes	Alvin	Lake Jackson
Tree Plan	Required if non-exempt species are removed; one or two family and agricultural zones exempt	Required; exempt for non contiguous single family lots of less than three acres in the residential zone	Required for all trees greater than 6" caliper listed on the tree list	If removing one or more protected trees
Types of Protected Trees	Not found	Protected (6"-24") Heritage (>24")	All l trees greater than 19" listed on the tree list	> 6" -developed property >12" undeveloped property
Tree Planting Requirements (Replacement)	Heritage or Protected Trees- 1.5:1 Caliper Inches	Heritage - 3:1 Caliper Inches Protected Trees-1:1 Caliper Inches	1:1 Caliper Inches	1:1 Caliper Inches
Minimum Preservation Required. These cannot be removed.	No preservation	Protected Tree-40% Heritage-60% 100 year floodplain- all Protected and Heritage	None	None
Mitigation Onsite replacement <i>minimum caliper reqd. and species</i>	1.5 inch diameter; not more than 25% of the same species	2 inch; no more than 35% of the same species	3'	6"-12"- min. 3" caliper 12"-29"-min. 4" caliper >30" - min. 6" caliper No more than 35% of the same species
Offsite Replacement <i>minimum caliper reqd. and amount</i>	Not allowed; planning director may reduce the requirement	Not allowed?	Not allowed	6"-12"- min. 3" caliper 12"-29"-min. 4" caliper >30" - min. 6" caliper Not more than 35% of the same species
Fee in lieu of	Not found	\$150.00 per caliper inch (For a maximum of 50% of the replacement)	\$250 per tree. \$2,500.00) per acre (or fraction thereof) with a maximum total payment of One hundred thousand dollars (\$100,000.00) per development	Not found
Credit towards required landscaping	Yes. Based on the diameter, tree preservation credit is calculated	Yes		Yes

Proposed Amendments

Short Term Comparison of Tree Ordinances

	Recommendation	Sections of the Code to be amended	Chapter of the ADPM	Comments
Consolidation	Consolidation of all development codes in one chapter	Sec. 23-1 to Sec. 23-122 (Chapter 23)		Refer to the Diagnostic Report (Appendix). New format.
Applicability	Clarify the applicability of the LDC in the ETJ and private development, in conformance to TXLGC	Sec. 23-5 (Chapter 23)	ADPM - Appendices D and E	
Standards & Requirements	Create and adopt standards and design criteria specific for Angleton.	Sec. 23.10.C (Chapter 23)		
	Clarify ALL current applicable standards and requirements adopted by the City, county, and other pertinent agencies and prepare a comprehensive list	Sec. 23.6 (Chapter 23)	ADPM - Appendices D and E	

Proposed Amendments

Future