



CITY COUNCIL CONSIDERATION ITEM CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Consideration and possible action approving the Oak Bend Subdivision Phase 1 Tree Preservation Plan.

DATE: October 3, 2024

DEPARTMENT: Public Works

PRESENTED BY: Kelsey Delgado, Environmental Program Manager

INTRODUCTION/BACKGROUND:

On August 15, 2024, a preliminary plat establishing Oak Bend Subdivision Phase I was submitted to the Public Works Department by Colliers Engineering & Design. This preliminary plat consists of 55 single family residential lots generally located north of the intersection of Ralph Fair Road and Honeycomb Rock.

On September 12, 2024, the Planning and Zoning Commission approved a recommendation to City Council in support of the Oak Bend Subdivision Phase I Tree Preservation Plan.

Oak Bend is vested under the City's previous subdivision ordinance. Article III, Section 6 Tree and Habitat Protection states: "It shall be unlawful for any person to remove, destroy, or cause the removal or destruction of any tree which is nine inches (9") caliper in size or larger (protected tree) and which is located on an undeveloped tract of land within the city limits or extraterritorial jurisdiction (ETJ) without submitting a Tree Removal and Preservation Plan with the preliminary plat." Additionally, "For new construction on a [an] undeveloped tract, a Tree Removal and Preservation Plan identifying the location, species, caliper and approximate canopy coverage of all healthy trees which are nine-inch caliper in size or larger when measured at 4-½ feet above the ground shall be submitted with the preliminary plat."

City Council approval is required prior to removal of any tree which is 24-inches caliper in size or larger (heritage tree).

The submitted Tree Plan shows the following healthy heritage trees:

- #2661 – 24" Live Oak – To Be Removed
- #2667 – 24" Live Oak – To Be Removed
- #2699 – 24" Live Oak – To Be Removed
- #2744 – 24" Ashe Juniper – To Be Preserved
- #2754 – 26.5" Ashe Juniper – To Be Removed
- #2756 – 25.1" Ashe Juniper – To Be Preserved
- #2758 – 26" Ashe Juniper – To Be Preserved
- #2818 – 25" Ashe Juniper – To Be Removed

#6489 – 24” Ashe Juniper – To Be Removed

#6514 – 28” Ashe Juniper – To Be Removed

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Article III Section 6(D) of the previous subdivision ordinance states:

“The Public Works Department shall review and recommend approval of the Plan if:

1. The tree(s) is located within ten feet of the perimeter of the proposed building footprint, the area over a septic tank, areas necessary for site access, or within areas designated for the construction or installation of public facilities such as streets or utilities; or
2. The application demonstrates that the denial of the request for tree removal will affect a hardship prohibiting the development of the property in otherwise compliance with the regulations of the City of Fair Oaks Ranch; and
3. The application demonstrates that three (3) trees with a caliper of at least two and one half – inches (2.5”) will be planted on the site or at another approved location for each tree removed that has a caliper of twenty-four - inches (24”) or larger (heritage tree).”

Seven (7) heritage trees are marked to be removed; therefore, twenty-one (21) 2.5” trees are to be planted to meet mitigation requirements. Mitigation trees will be planted along either side of the entrance to the site.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

Staff has reviewed the Oak Bend Subdivision Phase I Tree Preservation Plan and recommends approval based on conformance with the City’s previous subdivision ordinance Article III, Section 6.

Motion: I move to approve the Oak Bend Subdivision Phase I Tree Preservation Plan.