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## PLANNING & ZONING CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

March 10, 2022

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AGENDA TOPIC: Consideration and possible action recommending the approval of the Stone Creek Ranch Unit 2C Tree Plan

DATE: March 10, 2022

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Katherine Schweitzer, P.E., Manager of Engineering Services

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#### **INTRODUCTION/BACKGROUND:**

On February 7, 2022, a preliminary plat establishing Stone Creek Ranch Unit 2C was submitted to the Public Works Department by Jones & Carter Inc. This preliminary plat consists of 63.276 acres of residential development.

Regarding the submission of a preliminary plat, currently vested under the City's previous subdivision ordinance, Article II, Section 1 (C, 13) of said ordinance states, "The submittal shall conform to the requirements of Article III, Section 6 of this ordinance." This section contains a requirement by the Tree and Habitat Protection which states: "City Council approval is required prior to removal of any tree which is twenty-four inches (24") caliper in size or larger (heritage tree). The tree caliper is to be measured at 4-1/2 feet above the ground."

The submitted Tree Plan shows the following heritage trees:

- Tree #8158 – 27" Oak – To Be Removed
- Tree #8171 – 24" Oak – To Be Removed
- Tree #8182 – 24" Oak – To Be Removed
- Tree #8191 – 25" Oak – To Be Removed
- Tree #8195 – 27" Oak – To Be Removed
- Tree #8198 – 32" Oak – To Be Removed
- Tree #8219 – 28" Oak – To Be Removed
- Tree #8232 – 24" Oak – To Be Removed

To mitigate, twenty-four (24) trees with a caliper of at least two and one half - inches (2.5") will be planted. The applicant has been informed that the heritage trees will require City Council approval prior to removal.

#### **POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

Article III Section 6(A) of the previous subdivision ordinance 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. City Council approval is required prior to removal of any tree which is twenty-four inches (24") caliper in size or larger (heritage tree). The tree caliper is to be measured at 4-1/2 feet above the ground."

Furthermore, item "D" of the same section 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)."

Staff has reviewed the Stone Creek Ranch Unit 2C Tree Plan (**Exhibit A**) and recommends approval based on conformance with the City's previous subdivision ordinance Article III, Section 6.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

None

**LEGAL ANALYSIS:**

Not Applicable

**RECOMMENDATION/PROPOSED MOTION:**

I move to recommend approval of the Stone Creek Ranch Unit 2C Tree Plan.