

## **MAYOR AND COUNCIL COMMUNICATION**

**DATE:** January 17, 2023  
**TO:** Mayor and Council  
**FROM:** Melinda Moritz, Public Works Director  
**THROUGH:** Crystal Caldera, City Manager

**SUBJECT:** Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 13 Tree Preservation, Article 13.02 Tree Preservation Ordinance to Remove Some Definitions and Add a Definition, Direct the Park Commission to Assume the Duties of the Tree Advisory Board, Correct the Responsible Department References, and Give Variance Hearing Duties Directly to the City Council (1st Read as Required by City Charter)

**SPONSOR(S):** Mayor and City Council

### **PURPOSE**

This item is to consider amending Article 13.02 Tree Preservation Ordinance to remove unnecessary definitions, move a definition from the body to the definitions section, direct the Park Commission to perform duties such as educating the public on trees, remove references to the Community Development Director, and assign variance requests directly to the City Council.

At the December 6, 2022 City Council meeting, the Council approved an Ordinance dissolving the Tree Advisory Board and reassigning those duties to the Park Commission. The Council also expressed a desire to remove the duty of hearing tree variance requests and assign this directly to the City Council. Because of these changes, the Tree Preservation Code also needs to be amended, as it directly refers to the Tree Advisory Board as being responsible for these items and not the Park Commission.

While reviewing the code, Staff noted several other miscellaneous revisions that, if made, would make the code faster and easier to read/interpret for both staff and the public. These include:

- Removing definitions that are not referenced in any part of this code
- Moving the definition of oak wilt disease from the Oak Wilt Prevention section to the Definitions section
- Changing the name of the responsible city department from Community Development to the Planning and Zoning Department
- Removing references to small sized trees in certain sections, as those had been previously removed from preservation requirements

- Removing application review from the City Manager, as this action can be undertaken by the City Manager at any time and does not need to be referenced in this code

### **SEE LEON VALLEY**

Social Equity – Reducing the number of boards, commissions, and committees reduces the possibility of not having enough volunteers and assures all citizens that city business continues smoothly and efficiently.

Economic Development – The efficient management of city business assures the development community that their requests for variances will be heard and decided timely, which may result in more economic development.

Environmental Stewardship – Having a committee that supports the El Verde by 2025 tree planting challenge will assure the city's goal is met on time and continues to improve the environment.

### **FISCAL IMPACT**

This will reduce staff time and preparations, from two meetings to one.

### **STRATEGIC GOALS**

N/A.

### **RECOMMENDATION**

Staff recommends approval of the amendments to this code.

ATTEST :

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary