



## Legislation Details (With Text)

**File #:** 22-00894 **Version:** 1 **Name:**  
**Type:** Public Hearing **Status:** Passed  
**File created:** 8/30/2022 **In control:** City Council  
**On agenda:** 9/15/2022 **Final action:** 9/15/2022  
**Enactment date:** **Enactment #:**  
**Title:** PUBLIC HEARING -- PROPOSED AMENDMENT TO SECTION 12-6-4(4) OF THE CITY CODE-  
LANDSCAPE AND TREE PROTECTION PLAN OF THE LAND DEVELOPMENT CODE.  
**Sponsors:** Sherri Myers  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Proposed Ord 42-22 - Amendment to Section 12-6-4 Landscape and tree protection plan, 2. Planning Board Minutes 6.14.22, 3. PROOF OF PUBLICATION PUBLIC HEARING

Date	Ver.	Action By	Action	Result
9/15/2022	1	City Council	Approved	Pass
9/12/2022	1	Agenda Conference	Placed on Regular Agenda	Pass

### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Sherri Myers

### **SUBJECT:**

PUBLIC HEARING -- PROPOSED AMENDMENT TO SECTION 12-6-4(4) OF THE CITY CODE-  
LANDSCAPE AND TREE PROTECTION PLAN OF THE LAND DEVELOPMENT CODE.

### **RECOMMENDATION:**

That City Council conduct a public hearing regarding the proposed amendment to Section 12-6-4(4) of the City Code - Landscape and Tree Protection Plan of the Land Development Code.

**HEARING REQUIRED:** Public

### **SUMMARY:**

Recently a situation occurred wherein landscape plans for a project were approved prior to a permit being issued. Signs were posted, as required by the code, however there was some confusion about the process of approving landscape plans prior to the two-week required posting of signs requesting tree removal. The project was the Caliber Carwash on Creighton Road.

This item was referred to the Planning Board for review and recommendation.

The language proposed stated:

“Prior to the final approval of any landscape or tree protection plan where a protected species and/or heritage tree removal is requested and prior to the requisite building, site work or tree removal permit being issued....”

At their June 14, 2022, meeting of the Planning Board, this issue was discussed with the following recommendations being made by the Board:

1. Including the language: At such time a tree or landscape plan has been deemed compliant by the designated city arborist, staff shall notify the City Council member for that district.
2. Every sign shall be black lettering on a white background
3. The sign shall be posted thirty (30) days prior to permit issuance

These recommendations are included within the proposed ordinance amendment.

**PRIOR ACTION:**

May 12, 2022 - City Council referred this item to the Planning Board

June 14, 2022 - Planning Board met, reviewed and made recommendations regarding this item

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

- 1) Proposed Ord. No. 42-22 - Amendment to Section 12-6-4(4) of the LDC
- 2) Planning Board Meeting Minutes 6.14.22

**PRESENTATION:** No