

Veramendi Development & Design Control Document (DDCD). The DDCD was adopted in 2013 and has received several updates since. Chapter 34 only applies to the Veramendi WCID area. The DDCD requires that a preliminary tree survey, a tree replacement plan, and a tree protection plan be submitted at the time of a Veramendi Sector Plan or when a building permit is submitted. Chapter 34 includes a program for off-site replacement of protected trees, and a payment in lieu of replacement should replanting not be possible.

The proposed amendment to Chapter 66 would create a series of standards and protection measures for trees found within historic districts and on historic properties. Unlike Chapter 144, the amendment would apply to residential properties with historic zoning overlay. Like Chapter 34 of the Veramendi DDCD, the amendment includes the option for the replating of trees offsite and the option for a payment in lieu of replacement should replanting not be possible. The proposed amendment does not add new protected trees, but instead uses existing Appendix A from Chapter 144, which lists protected trees within City Limits. Similarly, the amendment to Chapter 66 uses existing Appendix B of Chapter 144, which lists undesirable trees that would not require a tree removal permit and not be subject to the ordinance. These two existing ordinance appendices are included as attachments in this agenda packet for your reference.

After receiving feedback from residents and industry experts, staff has revised several sections of the proposed ordinance to be more consistent with the City's existing tree preservation ordinance.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Action 1.11: Update policies and codes to achieve development patterns that implement the goals of this plan. Action 1.2: Create plans for neighborhoods and transitional areas to maintain quality of life. Action 2.2: Prioritize areas that are best suited for conservation and preservation. Action 2.25: Increase resources for historic preservation. Action 5.17: Review and update Tree and Landscape ordinances to ensure New Braunfels remains a green city and expands its tree canopy. Action 7.14: Increase tree canopy for increased shade to encourage walking
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FISCAL IMPACT:

The proposed draft includes a tree mitigation fund as an option which can be used to plant and maintain trees within historic districts, historic landmarks, open spaces, and city parks.

COMMITTEE RECOMMENDATION:

The draft ordinance amendments were reviewed and recommended for approval by the Historic Landmark Commission at their November meeting.

The draft ordinance amendments were also reviewed and recommended for approval by the Parks Board (which also serves as the City's Tree Board) at their December meeting.

The Planning Commission was briefed on the amendment at their regular January meeting, though no action was taken at that time.

STAFF RECOMMENDATION:

Staff recommends approval of the amendment to Chapter 66 Historic Preservation. The proposed

amendments were drafted using best practices from other tree preservation ordinances in Texas. The natural landscape, like the built environment, is a character defining feature of many historic neighborhoods and should not be viewed as an independent entity separate from the overall character of New Braunfels' historic neighborhoods. Additionally, the proposed amendment aligns with the City's goal of maintaining its status as a recognized Tree City by the Arbor Day Foundation, and would implement several Actions in Envision New Braunfels.

Public Notice

Though mailed public notice is not required for amendments to ordinances, city staff mailed 332 drafts of the proposed amendment to owners of historic properties within City Limits. Staff has received one written response in favor, and two written responses in objection.

ATTACHMENTS:

1. Draft Ordinance
2. Appendix A - Approved Plant List
3. Appendix B - Undesirable Trees