

## Legislation Text

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**File #:** 20-256, **Version:** 1

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Presenter

*Christopher J. Looney, Planning & Development Services Director*  
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**SUBJECT:**

Public hearing and first reading of an ordinance amending Chapter 144, Zoning, Section 5.3 Landscaping, tree preservation, public trees and screening.

**BACKGROUND / RATIONALE:**

**Council District:** All

**Staff Contact:** Jean Drew, Senior Planner  
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The landscaping section of New Braunfels' Zoning Ordinance includes provisions for tree plantings for residential buffering between uses, landscaping along street frontages, and parking lot shading. These requirements are intended to benefit the property and public, buffer incompatible uses, and integrate with the preservation of existing vegetation where possible.

Development triggers certain landscaping/tree planting requirements. However, particularly with redevelopment in areas with existing mature tree canopy, the required new landscaping can conflict with the existing trees. For example, certain new trees may require full sun, but existing, healthy native trees on the site would prevent sun exposure for the new trees. The ordinance should not inadvertently require the removal of existing, healthy large trees simply to accommodate a code-required new tree. Therefore, City Council directed staff to bring forward amendments to clarify when conflicts arise, existing tree canopy takes precedence over the requirements to plant new landscaping, and to add measures to reduce the potential for conflict.

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

<p><b>City Plan/Council Priority:</b> Envision New Braunfels Comprehensive Plan</p>	<p><b>Action 1.11:</b> Update policies and codes to achieve development patterns that implement the goals of Envision New Braunfels. <b>Action 2.1:</b> Sustain community livability for all ages and economic backgrounds. <b>Action 3.2:</b> Consider multiple factors for guiding community growth, such as our downtown and the natural environment. <b>Action 3.6:</b> Proactively provide a regulatory environment that remains business and resident friendly. <b>Action 3.10:</b> Change zoning/land use and platting rules and create tax and permit fee incentives in underutilized neighborhoods, nodes and corridors to encourage redevelopment. <b>Action 4.26:</b> Enhance community sense of place by creating spaces and facilities that reflect the community. <b>Action 5.17</b> Review and update the tree and landscape ordinances to ensure New Braunfels remains a green city and expands its tree canopy.</p>
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**FISCAL IMPACT:**

N/A

**COMMITTEE RECOMMENDATION:**

The Planning Commission held a public hearing on April 7, 2020 and recommended approval unanimously, with a recommendation to edit references to planning director/planning and development services department responsibilities, to the planning and development services director or his/her designee. Staff concurs with Planning Commission’s recommendation and has made those edits to the draft ordinance attached.

**STAFF RECOMMENDATION:**

Staff recommends approval. This proposed new language will add clarity to the landscaping and tree planting requirements and will prioritize helping preserve existing healthy tree canopy over requirements for new plantings where applicable.

**ATTACHMENTS**

Draft Ordinance