



**CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST**

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TO: Mayor & City Council

FROM: Councilwoman Diane G. Cibrian

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Edward Benavides, Executive Assistant to the City Manager; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; Catherine J. Hernandez, Special Projects Manager; Ramiro Gonzales, Senior Management Analyst

SUBJECT: Tree Preservation Amendment

DATE: October 15, 2008

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

I respectfully ask you to join me in requesting City Staff to explore the feasibility of amending the Chapter 35 of the Unified Development Code, relating to tree preservation.

Brief Background

This proposed amendment is designed to protect trees and ensure the accountability of developers and the responsibilities associated. The regulations in this amendment shall apply to property on which a "change of use" has occurred on land exempt from the provisions of Chapter 35, Article 5, Section 35-523(a) and 35-523(e), regarding the removal of protected trees within the five years preceeding the "change of use" one or more protected trees have been removed from the property, provided that the new use would otherwise require a tree permit for the removal of protected trees. If the "change of use" applies to only one portion of the property, this section applies only to the property for which the "change of use" has occurred.

Currently, tree removal on land designated for agricultural purposes is exempt from tree mitigation payments. Should the proposed usage of the land shift from agricultural to any type of development, the acreage would then be subject to taxable mitigation fees upon the change of designation. At this time, the City has no actionable restriction to prevent landowners from clearing trees on agricultural properties prior to declaring their intent to develop the land.

Submitted for Council consideration  
by:

  
Councilwoman Diane Cibrian, District 8

Supporting Councilmembers' Signatures (4 only)

District No.

1.	<u><i>Steve Gardner</i></u>	<u><i>Mason</i></u>
2.	<u><i>Lee A. [unclear]</i></u>	<u><i>4</i></u>
3.	<u><i>Quentin Johnson</i></u>	<u><i>5</i></u>
4.	<u><i>Maryann Cisneros</i></u>	<u><i>1</i></u>