



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE:  02/04/2021	REFERENCE NUMBER:  G-2501	SUBJECT:  Adopt Ordinance amending Title 16-Subdivisions of the Benbrook Municipal Code (1985), as amended, by amending Section 16.28.010.E-Exemptions by adding "city incentivized development activities" to the list of items exempt from the requirements of Section 16.28.010-Preservation of Trees and Native Vegetation.	PAGE:  1 of 1
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Section 16.28.010 – Preservation of Trees and Native Vegetation of the Benbrook Municipal Code, initially codified in June 2002 and as amended over the years, provides for the preservation and mitigation of trees, tree stands and existing tree canopies. While this section exempts a number of municipal related development activities (e.g. removal of trees within rights-of-way, utility and drainage easements, capital improvement projects, or situations deemed hazardous), the exemption provisions do not extend to City incentivized development.

Under current tree mitigation regulations, the City, via the Benbrook Economic Development Corporation, is essentially required to pay itself for the removal of any protected tree. The proposed amendment will eliminate this constraint but require approval from both the Benbrook Economic Development Corporation and City Council via an approved development agreement that may incorporate tree preservation/mitigation criteria specific to the proposed development.

Staff recommends that the following underlined language be added to Section 16.28.010.E. No language is proposed to be removed.

E. Exemptions. The following activities are exempt from the regulations of this chapter.

- 16. Incentivized development activities pursuant to a Benbrook Economic Development Corporation and City Council approved development agreement.

### **RECOMMENDATION**

Staff recommends that the City Council adopt the proposed amendment to the Subdivision Ordinance.

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY:  CITY SECRETARY
CITY MANAGER		DATE: