

ORDINANCE NO. 2036

**AN ORDINANCE AMENDING CHAPTER 5, BUILDINGS AND BUILDING REGULATIONS, ARTICLE X, TREE PRESERVATION, OF THE CODE OF ORDINANCES, BY ADOPTING PROVISIONS PERTAINING TO SIGNIFICANT TREES AND FEES IN LIEU OF MITIGATION**

WHEREAS, the City Council, in order to protect the health, safety and welfare of the community, desires to amend the tree preservation article of Chapter 5 of the Code of Ordinances to address significant trees and fees in lieu of mitigation.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS that Chapter 5, Buildings and Building Regulations, Article X, Tree Preservation, of the Code of Ordinances, is hereby amended in the following particulars:

1. Sec. 5-156(a)(3) is amended by repealing (b) and (c)
2. Sec. 5-156(a) is amended by repealing (4) and by adopting a new subsection (4) as follows:

“(4) Fees in Lieu of Mitigation

A property owner or authorized agent required to provide mitigation shall plant additional trees on the property for which mitigation is required in accordance with Sec. 5-156(a), or shall pay a fee in lieu of planting additional trees in accordance with the following:

- a. A fee of three hundred dollars (\$300.00) shall be paid per inch of required mitigation for each heritage tree removed.
- b. For residentially zoned properties (SF-A, SF-B, 2F-C, and MF-D districts) a cap for mitigation fees shall be two thousand dollars (\$2,000.000) per each heritage tree removed.

This ordinance shall take effect five (5) days after its publication.

**PASSED AND APPROVED** this 26<sup>th</sup> day of October, 2015.

  
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MAYOR

ATTEST:

  
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CITY SECRETARY

APPROVED AS TO FORM:

  
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CITY ATTORNEY