



## *UDC Amendment Request Application for Internal Parties*

*(City of San Antonio Departments)*

### **Part 1. Applicant Information**

Name: \_\_\_\_\_ Organization (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: Home Dev Inc Date: \_\_\_\_\_  
*(Include title if representing a governmental agency or public/private organization)*

### **Part 2. Basis for Update (check only one)**

- Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC  
(Note: Clarification amendments should not change or alter the intent or meaning of existing UDC provisions)
- Editing change that does not alter the impact of the provisions being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law
- Completed Rule Interpretation Determination (RID)
- Requested by the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, resolution or signature of the chairperson is required)
- City of San Antonio Staff Amendment

### **Part 3. Reason(s) for Update (check all that apply)**

- Modify procedures and standards for workability and administrative efficiency
- Eliminate unnecessary development costs
- Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design
- See Part 4 (*if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4*)

### **Part 4. Summary of Proposed Update with Suggested Text (see application instructions)**

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## *UDC 2021 Proposed Amendment*

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**Amendment 7-2****Applicant:** Parks and Recreation**Amendment Title** – ‘Sec. 35-523 – Tree Preservation**Amendment Language:****(o) Tree Mitigation Fund.**

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- (3) **Use of Funds.** The funds collected from civil penalties and mitigation fees in the fund shall be utilized to pay for the planting of trees, and to include a maintenance period not to exceed three (3) years. Generated funds may be used by Parks and Recreation or designee the city forester to plant trees on public or private properties and purchase park property(ies) to plant new trees. Trees planted with mitigation funds shall not be used to meet any municipal code requirements including but not limited to for preservation, mitigation, landscaping, buffers, streetscape or other requirements. Trees planted with tree mitigation funds are considered mitigation trees as defined in appendix A of the UDC. ~~The funding of tree preservation including the yearly digital imagery and planting programs shall be administered by the parks and recreation department and city forester.~~ The director of the parks and recreation department or staff shall present a plan to seek the advice of the parks and recreation board in regard to the selection of projects to be funded. A portion of the fund may be used, on an annual basis, to fund activities directed towards staff education, educating the public on the importance of trees in the environment, ecological issues, invasive species control, disease management and pollution prevention.
- (4) **Funds to be Kept Separate.** The balance within the fund shall be recorded and accounted for in a manner that distinguishes them from other general funds of the city and shall be disbursed in a manner consistent with the purposes for which this fund has been established. The balance of this fund shall not be transferred to the general fund at the end of each budget year, but rather, the balance remaining in the fund at the close of the city's fiscal year shall roll over into the and become the beginning balance for the next fiscal year.

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**(q) Tree Canopy Investment Fund.**

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- (3) **Use of Funds.** The funds collected shall be utilized to pay for the planting and maintenance of trees to include a maintenance period ~~not to exceed three (3) years.~~ Generated funds may be used by the city forester to plant trees on public or private properties, purchase additional park property(ies) to plant new trees ~~and the yearly digital imagery to proactively enhance the city's tree canopy area.~~ Trees planted utilizing funds from the tree canopy fund are protected trees, and if approved to be removed, shall be mitigated at 1:1 unless heritage size which are mitigated at 3:1 (with the exception of species listed in table 523-2, column B, row 1 which will be mitigated at 1:1) and are to be maintained by the project applicant. ~~In addition, ten (10) percent of the funds collected will be kept in a separate budget line to be used for any litigation necessary in the enforcement of this section.~~ The program is to be administered by the parks and recreation department. The director of the parks and recreation department ~~and the city or staff forester~~ shall present to seek the advice of the parks and recreation board on the selection of projects to be funded.

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