

AN ORDINANCE AMENDING PARKVILLE MUNICIPAL CODE SECTION 404.020 ESTABLISHING STANDARDS FOR TREE COVER TO HELP PREVENT URBAN HEAT ISLAND EFFECT, PROVIDE NATURAL AIR CONDITIONING VIA SHADE COVER, CONTRIBUTE TO BIRD AND WILDLIFE HABITAT, REDUCE STORMWATER RUNOFF, PROVIDE SCENIC AMENITIES AND INCREASE PROPERTY VALUES

WHEREAS, On May 11, 2021, the Planning and Zoning Commission adopted the *Parkville 2040 Master Plan* as the official public policy and comprehensive plan for the City of Parkville, which serves as the official public policy and comprehensive plan for the physical development and redevelopment of a community; and assists in decision-making as it relates to issues such as land use and zoning, housing, commercial and industrial development, sustainability and the environment, transportation and mobility, parks and recreation, and community facilities and services; and

WHEREAS, Section 5. Implementation of the *Parkville 2040 Master Plan* incorporates these goals and action items together into a specific recommendation for which the City should pursue in the future; one of which is adoption of a tree cover preservation; and

WHEREAS, trees contain a multitude of benefits for the environments and the community, ranging from environmental to aesthetic to economic to societal; this includes prevent urban heat island effect, provide oxygen and absorb carbon dioxide, provide shade cover / natural air conditioner, bird and wildlife habitat, reduce stormwater runoff, and scenic / increase property values; and

WHEREAS, it's important for communities to have protections for trees, especially older and larger trees; and one way to accomplish this is by enacting a tree cover preservation ordinance, the intention of which is to preserve and advance the environmental, aesthetic, economic and societal benefits of mature, riparian trees; as well as mitigate the unnecessary removal of trees; and

WHEREAS, on March 14, 2023, a public hearing was held at the regular meeting of the Planning and Zoning Commission where staff presented information to the Commission and members of the Commission provided comments and questions to staff; the Commission then recommended (by a vote of 6-0) to approve the text amendment; and

WHEREAS, the Board of Aldermen concurs with the conclusions of the Planning and Zoning Commission and accepts their recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. Parkville Municipal Code Section 404.020 *Civic and Open Space System* is hereby amended to create Subsection E.3. *Tree Preservation* to read as follows:

3. Tree Preservation. Existing, mature tree canopy shall be protected, preserved and prioritized when considering the location of civic and open space systems.
 - A. At least 50% of the required area for open and civic space systems shall consist of mature trees.

- 1) If the applicant is unable to meet this requirement, the applicant may submit a landscape mitigation plan to the Director — prepared by a landscape architect certified in the State of Missouri — indicating the location of all replacement trees, shrubs and other vegetation to be planted elsewhere on the property in order to meet this requirement.
 - 2) Exceptions may be allowed by the Director due to a lack of existing trees, topographical constraints, or if such action places an undue financial burden on the applicant.
- B. All trees to be preserved or to be removed shall be indicated on development plans. This includes the location, quantity and types of trees.

SECTION 2. Parkville Municipal Code, Title V, Section 520.060 *Standards* is hereby amended to create subsections C-E to read as follows:

- C. Protected Trees. The following trees shall be protected and not removed unless authorized by the Director of Public Works:
1. All trees greater than 4" caliper within the public right-of-way.
 2. All trees greater than 12" caliper on private property (but located outside of the buildable area established by building setbacks)
 3. All trees greater than 24" caliper (but located within the buildable area established by building setbacks)
- D. Mitigation. The Director of Public Works may authorize the removal of protected trees listed above if one (1) tree (at least 1½" caliper) is planted elsewhere on the property as a "replacement tree" for each tree removed.
1. Said replacement trees shall be selected for their native characteristics or survival in the climate for the Kansas City region, and shall be planted and maintained per American Standards for Nursery Stock (ASNS) specifications.
 2. In lieu of these requirements, the Director of Public Works may authorize payment from the applicant of \$200 per protected tree removed.
 3. Areas cleared of trees prior to the issuance of a Grading & Land Disturbance Permit will be calculated at \$200 for every 2,000 square feet of land clearance performed without a permit.
- E. Exceptions. The Director of Public Works may grant an exception to these standards for the following reasons:
4. The tree is dead, diseased or dying trees and constitutes a threat to healthy trees, property or public safety.
 5. The removal of the tree is necessary for the construction, development or redevelopment (including utility work); and reasonable efforts have been made to avoid removing the tree through alternate designs; the presence of the tree places

an undue financial burden on the applicant; or no other reasonable accommodations can be made to preserve the tree.

6. Emergency situations such as storm damage, emergency access or other safety measures make it necessary to remove or alter the tree.

SECTION 3. This ordinance shall be effective immediately upon its passage and approval.

PASSED and APPROVED this 2nd day of May 2023.



Mayor Dean Katerndahl

ATTESTED:


City Clerk Melissa McChesney