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## AGENDA

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PLANNING AND ZONING COMMISSION FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON THURSDAY, JULY 1, 2021, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

This meeting will also be live-streamed:  
City's website at <https://angleton.tx.us/445/Meeting-Videos>  
Facebook at <https://www.facebook.com/cityofangleton/>

## DECLARATION OF A QUORUM AND CALL TO ORDER

### PUBLIC HEARINGS AND ACTION ITEMS

1. Conduct a public hearing, discussion, and possible action on a request for approval of an ordinance rezoning 1.6871 acres from the Commercial-General District to the Single-Family Attached Residential District (Townhomes). The subject property is located on the south side of Clements Street and consists of Lots F & G, approximately 275 feet west of N. Velasco Street.
2. Conduct a public hearing, discussion, and possible action on a request for approval of the Hancock Subdivision Consolidation Replat with a variance of Section 23.12 requiring a right-of-way dedication. The subject property is a replat of Lots 1, 2 and 3, Block 42 of Angleton Townsite and consists of an approximate 0.314 acres in the Single Family Residential 6.3 (SF-6.3) District. The subject property is located on the southwest corner of Orange Street and Hancock Street.

### REGULAR AGENDA

3. Discuss and provide comment on the draft Capital Improvements Plan (CIP)
4. Discuss, consider and act on a recommendation regarding the Heritage Tree Survey/Tree Preservation Plan (TPP) for Anderson Place

## ADJOURNMENT

### CERTIFICATION

I, Walter Reeves, Development Services Director, do hereby certify that this Notice of a Meeting was posted on the City Hall bulletin board, a place convenient and readily accessible to the general

public at all times and to the City's website, [www.angleton.tx.us](http://www.angleton.tx.us), in compliance with Chapter 551, Texas Government Code. The said Notice was posted on the following date and time: Monday, June 28, 2021 by 12:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

/S/ Walter Reeves

Walter Reeves

Development Services Director

*In compliance with the Americans with Disabilities Act, the City of Angleton will provide reasonable accommodations for persons attending City Council meetings. The facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary at 979-849-4364, extension 2115 or email [faguilar@angleton.tx.us](mailto:faguilar@angleton.tx.us).*



*Goal One: A community in which quality housing is attractive available and affordable to all residents.*

*Goal Two: A variety of housing options that meets the needs of an increasingly diverse population.*

### **Existing Land Use and Zoning**

**North:** Undeveloped land.

**East:** Westport Apartments in the zoning district MFR-29, Multi-Family Residential.

**South:** Drainage easement and undeveloped tract in the C-G, Commercial-General zoning district.

**West:** Guadalajara Grill restaurant and TitleMax Title Loans in the zoning district C-G, Commercial-General.

The subject property is located on Clements Street to the west of the Business 288, also known as North Valderas Street. Clements Street is not designated in the Mobility Plan for any future use as a proposed arterial or major or minor collector. Clements Street terminates to the west with a cul-de-sac, and the property at the end of the Clements Street is occupied by the Westport Apartment complex. Therefore, there is no future plan to extend the roadway. Business 288 is designated as an existing arterial.

The maximum possibly density that could be achieved by re-zoning this area will not have a significant effect on the traffic impact to Business 288. Furthermore, there is a median cut along Business 288 at the intersection of Clements Street and Business 288, therefore drivers entering Business 288 from Clements Street have access to north and south bound directions of Business 288.

The proposed rezoning, while inconsistent with the Future Land Use Plan, is supported by Chapter 8 Housing, Goals 1 & 2 and adheres to the existing development pattern in the area. The proposed rezoning and any subsequent development of the property will have little impact upon the City's infrastructure.

### **RECOMMENDATION:**

Staff recommends approval of the request to rezone the approximate 1.6871 acres from the C-G district to SFA district.

### **SUGGESTED MOTION:**

I move we recommend approval of the request to rezone the approximate 1.6871 acres from the C-G district to SFA district.

**ORDINANCE NO. 20210701-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS REZONING 1.6871 ACRES FROM ARTICLE III ZONING DISTRICTS SECTION 28-57 C-G - COMMERCIAL-GENERAL DISTRICT TO ARTICLE III ZONING DISTRICTS SECTION 28-50 SFA-SINGLE-FAMILY ATTACHED RESIDENTIAL DISTRICT (TOWNHOMES) OF THE CODE OF ORDINANCES CITY OF ANGLETON, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR REPEAL AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is authorized by Chapter 211 of the Texas Local Government Code to promulgate rules and regulations governing regulation of land use, structures, businesses, and related activities; and

**WHEREAS**, the City Council further finds that the rules and regulations governing land use, structures, and related activities within the territorial limits of the City promote the safe, orderly, and healthful development of the City; and

**WHEREAS**, on July 1, 2021 the Angleton Planning and Zoning Commission conducted a public hearing regarding a request by Dewey Duane Lindsey to rezone 1.6871 acres from Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Article III Zoning Districts Section 28-50 SFA Single-Family Attached Residential District (Townhomes) of the Code of Ordinances City of Angleton, Texas following lawful publication of the notice of said public hearing; and

**WHEREAS**, on July 1, 2021 after considering the public testimony received at such hearing, if any, the Planning and Zoning Commission has recommended that the request by Dewey Duane Lindsey, to rezone 1.6871 acres from Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Article III Zoning Districts Section 28-50 SFA Single-Family Attached Residential District (Townhomes) be approved; and

**WHEREAS**, on July 27, 2021 the City Council of the City of Angleton conducted a public hearing regarding a request by Dewey Duane Lindsey, to rezone 1.6871 acres from Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Article III Zoning Districts Section 28-50 SFA Single-Family Attached Residential District (Townhomes) of the Code of Ordinances City of Angleton, Texas; and

**WHEREAS**, on July 27, 2021 the City Council of the City of Angleton, Texas approved the request by Dewey Duane Lindsey, to rezone 1.6871 acres from Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Article III Zoning Districts Section 28-50 SFA Single-Family Attached Residential District (Townhomes) of the Code of Ordinances City of Angleton, Texas; and

**WHEREAS**, each and every applicable requirement set forth in Chapter 211, Subchapter A, Texas Local Government Code and the Code of Ordinance of the City of Angleton, Texas, concerning public notices, hearings and other procedural matters have been fully met; and

**WHEREAS**, the City Council desires to rezone 1.6871 acres from Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Article III Zoning Districts Section 28-50 SFA Single-Family Attached Residential District (Townhomes) of the Code of Ordinances, City of Angleton, Texas;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS;**

**SECTION 1.** All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof as if copied herein verbatim.

**SECTION 2.** The request by Dewey Duane Lindsey, to rezone 1.6871 acres, as described in Exhibit “A,” from Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Article III Zoning Districts Section 28-50 SFA Single-Family Attached Residential District (Townhomes) of the Code of Ordinances, City of Angleton, Texas be approved.

**SECTION 3.** Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of the Ordinance occurs shall constitute a separate offense.

**SECTION 4.** All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**SECTION 5.** In the event any clause, phrase provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be on or more parts.

**SECTION 6.** This ordinance shall be effective and in full force immediately upon its adoption.

**SECTION 7.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code

**PASSED AND APPROVED THIS THE 27<sup>TH</sup> DAY OF JULY 2021.**

CITY OF ANGLETON, TEXAS

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Jason Perez  
Mayor

ATTEST:

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Frances Aguilar, TRMC, CMC  
City Secretary





Item 1.

SUBJECT PROPERTY

**Legend**

 City Limits

*Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.*

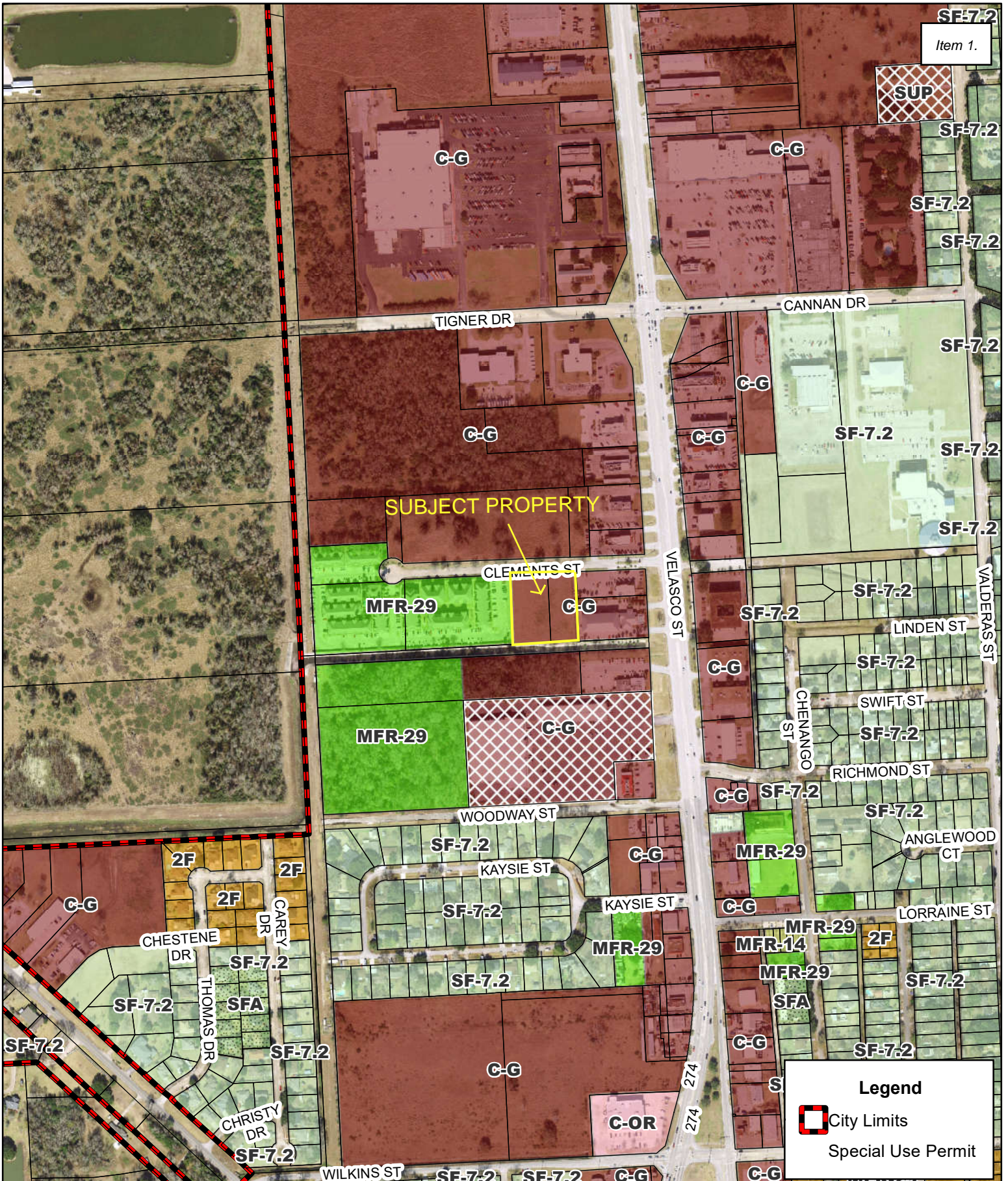


Operated by:  
 City of Angleton  
 121 S. Velasco St.  
 Angleton, TX 77515  
 979-849-4364

# City of Angleton GIS Mapping

1" = 247'





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# City of Angleton GIS Mapping

1" = 494'

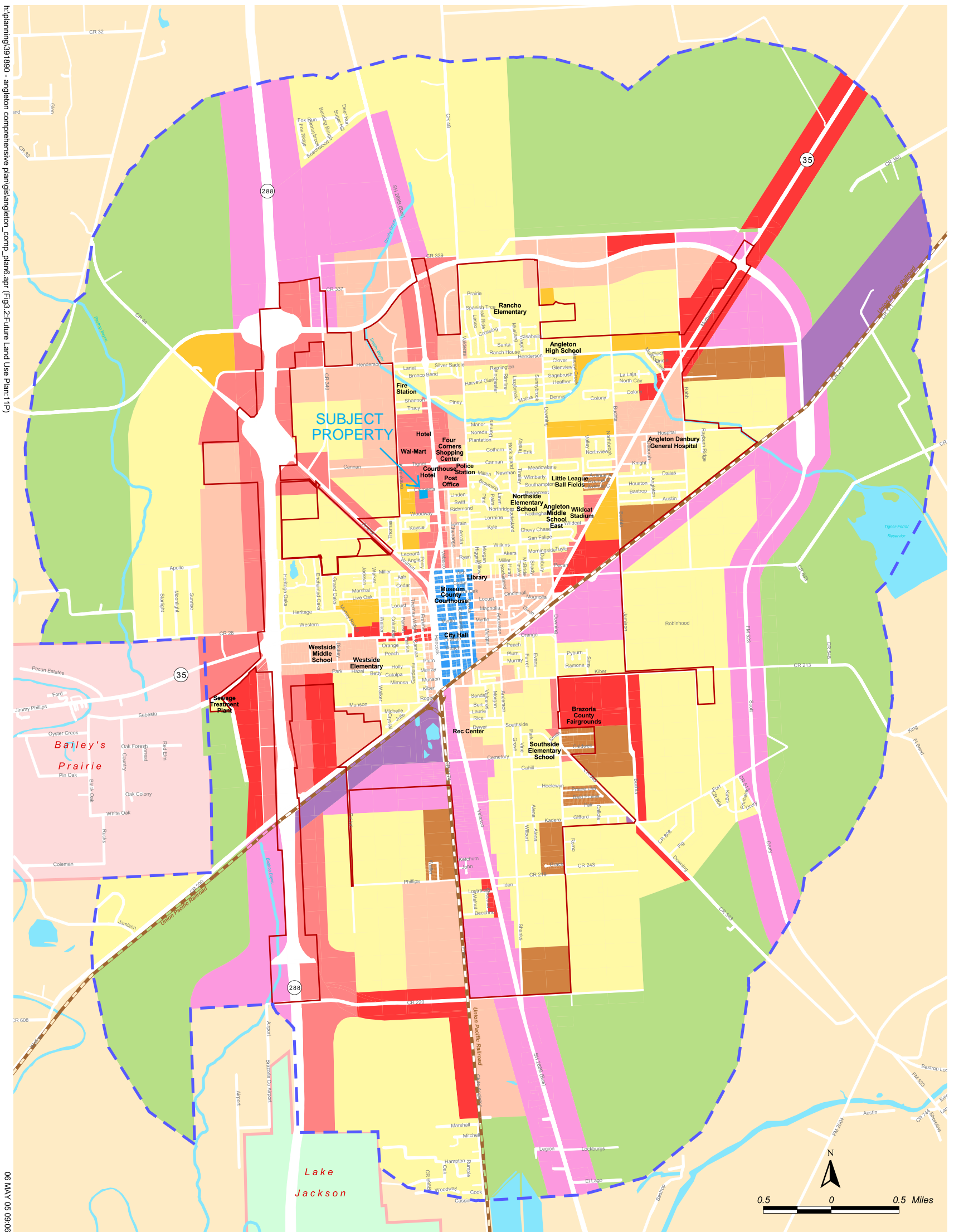


Figure 3.2  
Future Land Use Plan

- |  |                       |
|--|-----------------------|
| Agricultural                           | Industrial/Commercial |
| Single Family Residential              | Industrial            |
| Multi-Family Residential               | Downtown              |
| Manufactured Housing                   | Right Of Way          |
| Office/Retail/Multi-Family Residential | Angleton Study Area   |
| Office/Retail                          | Angleton City Limits  |
| Commercial                             |                       |

NOTE: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



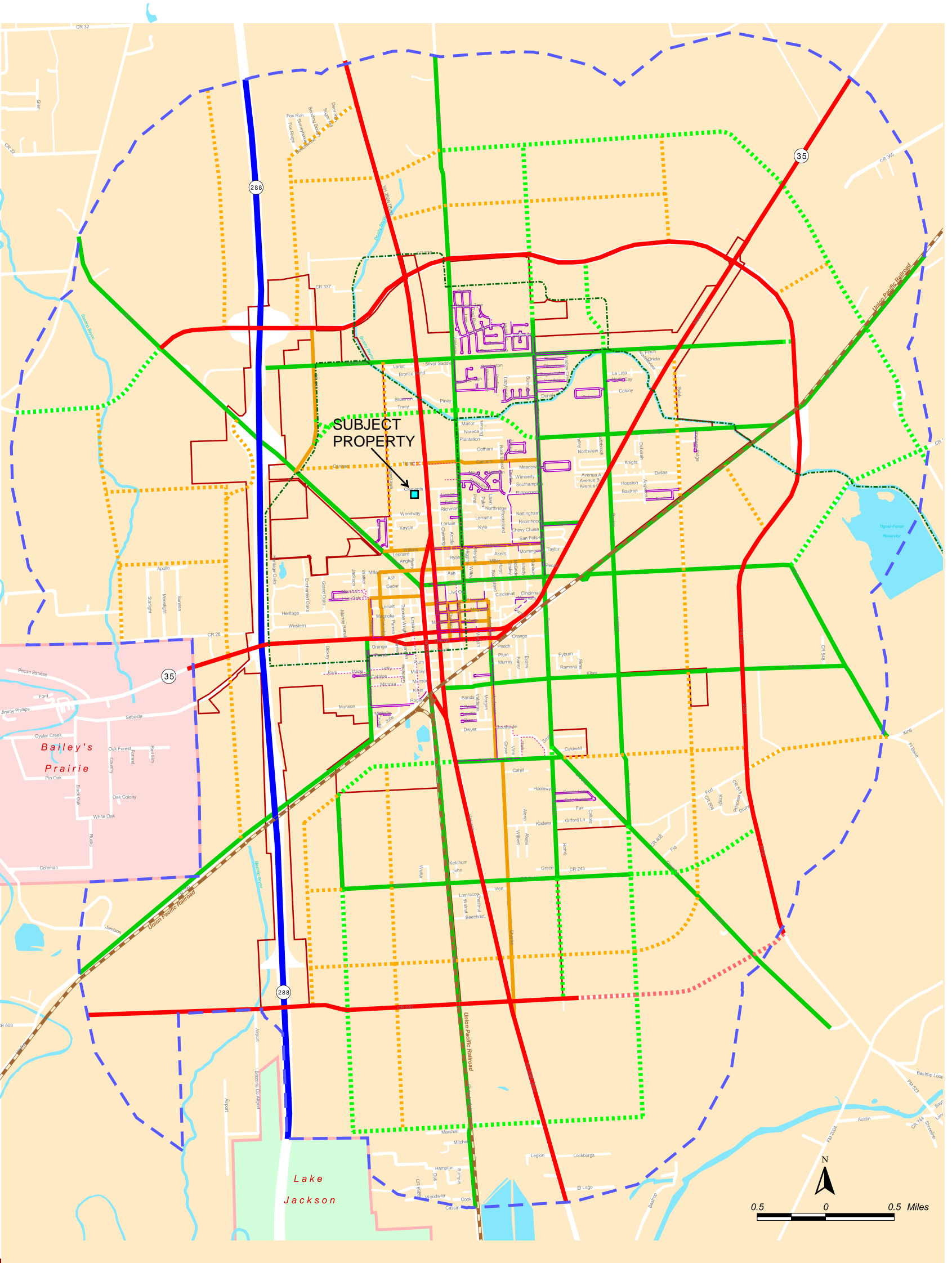


Figure 4.1  
Mobility Plan

- |  |                          |  |                      |
|--|--------------------------|--|----------------------|
|  | Existing Freeway         |  | Rail                 |
|  | Existing Arterial        |  | Existing Sidewalk    |
|  | Existing Major Collector |  | Proposed Sidewalk    |
|  | Existing Minor Collector |  | Proposed Trail       |
|  | Proposed Arterial        |  | Angleton Study Area  |
|  | Proposed Major Collector |  | Angleton City Limits |
|  | Proposed Minor Collector |  |                      |



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** July 1, 2021

**PREPARED BY:** Walter E. Reeves Jr., AICP, Development Services Director

**AGENDA CONTENT:** Conduct a public hearing, discussion, and possible action on a request for approval of the Hancock Subdivision Consolidation Replat with a variance of Section 23.12 requiring a right-of-way dedication. The subject property is a replat of Lots 1, 2 and 3, Block 42 of Angleton Townsite and consists of an approximate 0.314 acres in the Single Family Residential 6.3 (SF-6.3) District. The subject property is located on the southwest corner of Orange Street and Hancock Street.

**AGENDA ITEM SECTION:** Public Hearing

**BUDGETED AMOUNT:** None

**FUNDS REQUESTED:** None

**FUND:** None

### EXECUTIVE SUMMARY:

The subject property is located on the southwest corner of Orange Street and Hancock Street and is in the SF 6.3 District. The SF-6.3 District requires a minimum of; 60 ft. of lot width, 100 ft. of depth, and 6,300 sq. ft. of lot area. This is a proposed replat (Attachment 1) to combine Lots 1, 2, and 3, Block 42 of Angleton Townsite into two lots. Originally, the replat would orient the two lots towards Hancock Street, but neither proposed new lot would meet the minimum requirements of the SF-6.3 district either before, or after, required right-of-way (ROW) dedications along both Orange Street and Hancock Street and would have required a rezoning to the SF-5 District to meet minimum requirements. Staff recommended that the lots be reoriented to Orange Street and that variances be requested of the respective required ROW dedications.

Both Hancock and Orange Streets are designated as Arterial level streets on the City's adopted Mobility Plan (Attachment 2). Section 23-24 requires dedication of additional right-of-way for both streets (half of the 80 ft. minor arterial level standard - 40 ft from the centerline of the street) to the arterial standard designated on the Mobility Plan. The required ROW dedication, based on the submitted replat would be approximately 20 ft. along the Hancock Street frontage and approximately 5 feet along the Orange Street frontage. Unfortunately, even if the lots are reoriented to face Orange Street with both dedications neither the minimum lot depth (100 ft) nor the minimum lot area can then be met. Section 23-23.E.2 (Attachment 3) describes the avenue of relief for the dedication requirement. The applicant has provided reasoning addressing this criterion.

Attachment 4 is an aerial photo of the area. Hancock Street runs parallel to Business 288 on the west side and Orange Street runs approximately two blocks between Wright Street and Hancock Street. Both Street are designated as arterial level streets on the Mobility Plan. The Mobility Plan shows Mulberry and Orange Streets functioning as parallel arterial streets through downtown Angleton, probably intended as a one-way pair. Unfortunately, this part of the Mobility Plan has never come to fruition and is unlikely to ever be developed in this manner.

Dedicating 20 feet of additional ROW is not necessary as Hancock Street does not serve an arterial street function, which is served by Business 288. Additional ROW for Orange Street is also unnecessary as the creation of paired arterial streets through downtown Angleton is not likely to ever happen and Orange Street already has 70 feet of ROW over its two-block length between Hancock and Wright Streets, serving primarily residential uses.

**RECOMMENDATION:**

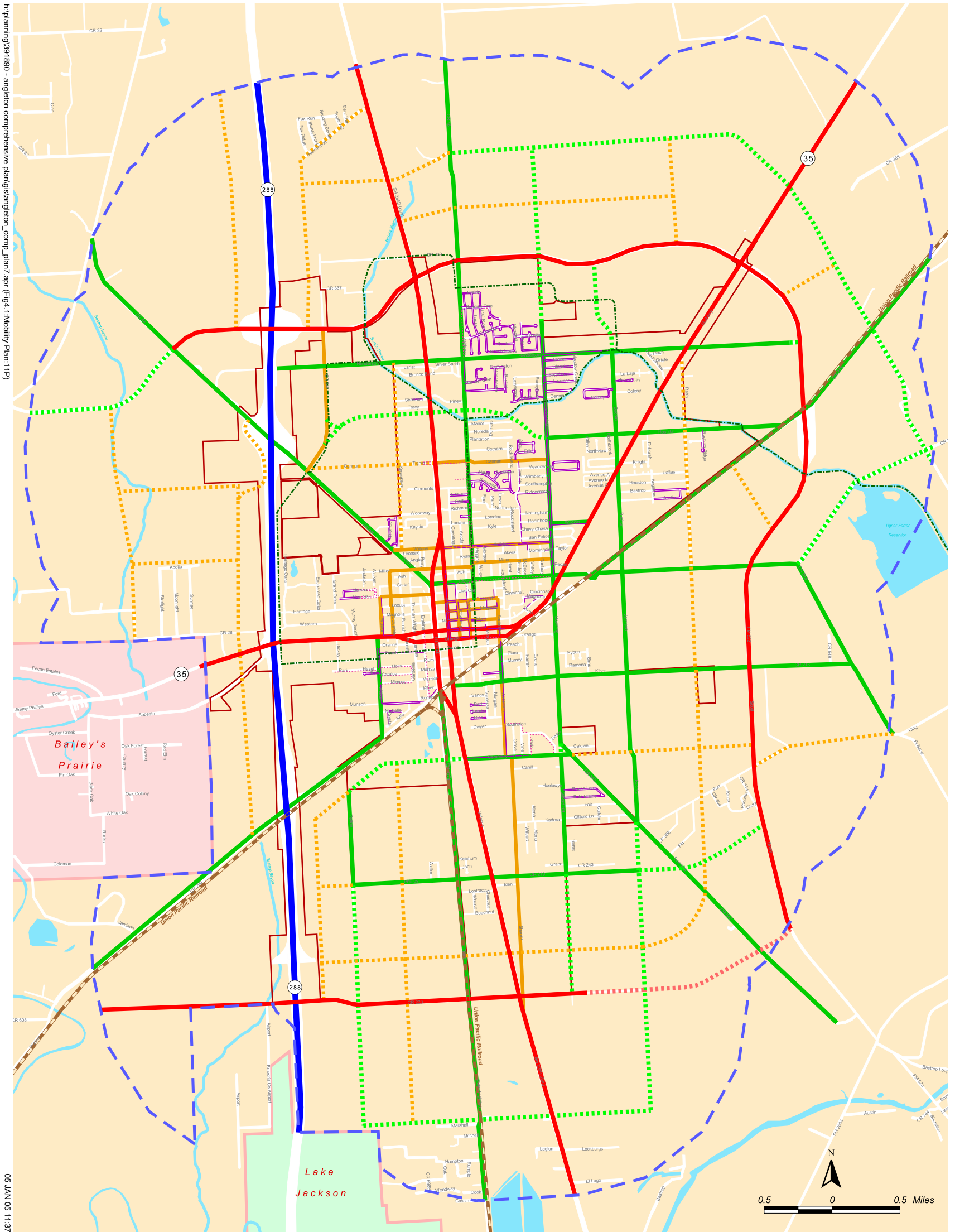
Staff recommends approval of the Hancock Subdivision Replat without dedication of right-of-way for Orange Street and Hancock Street.

**SUGGESTED MOTION:**

I move we recommend approval of the Hancock Subdivision Replat without dedication of right-of-way for Orange Street and Hancock Street.
















ATTACHMENT 2



h:\planning\391890 - angleton comprehensive plan\angleton\_comp\_plan\apr (Fig4.1\Mobility Plan.11P)

05 JAN 05 11:37

Figure 4.1  
Mobility Plan

- |  |  |
|--|--|
|  Existing Freeway         |  Rail                 |
|  Existing Arterial        |  Existing Sidewalk    |
|  Existing Major Collector |  Proposed Sidewalk    |
|  Existing Minor Collector |  Proposed Trail       |
|  Proposed Arterial        |  Angleton Study Area  |
|  Proposed Major Collector |  Angleton City Limits |
|  Proposed Minor Collector |  |





May 21, 2021

Walter Reeves  
City Planner  
City of Angleton  
121 S Velasco Street  
Angleton, Texas 77515

Re: Letter of Relief from ROW takings along Orange Street and Hancock Street  
Hancock Subdivision  
Angleton, Brazoria County, Texas

Mr. William Bye, owner, intends to consolidate a 3 lot subdivision into a two lot subdivision along Orange Street. The tract is zoned SF-6.3 and is bound by Orange Street, Hancock Street, a 20' alley, and Lot 4 of the Angleton Townsite Subdivision.

The owner is proposing a two lot subdivision with the following dimensions.

LOT DIMENSIONS			
LOT #	Width (ft)	Depth (ft)	Area (SF)
1A	65	100	6500
2A	75	100	7500

The proposed layout meets the requirements of the current zoning, SF-6.3 which calls for minimum 60' width, 100' depth, and 6,300 SF. However, the city's mobility plan requires that the owner dedicate 5' of frontage along Orange Street and 20' of frontage along Hancock Street. This will result in the following dimensions.

LOT DIMENSIONS W/ ROW TAKING			
LOT #	Width (ft)	Depth (ft)	Area (SF)
1A	65	95	6175
2A	55	95	5225

We ask the city consider relief from the ROW taking for both Hancock and Orange Street under the following section.

- *Section 23-23.E.2 At the discretion of the Council, the City may agree to relieve the developer of some portion of the obligations of improving the substandard boundary street in response to a*


DOUGLAS B. ROESLER, P.E. - Principal Engineer  
300 EAST CEDAR, ANGLETON, TEXAS 77515  
(979) 849-6681 • Fax (979) 849-4689

*petition for relief from a dedication or construction requirements by the subdivider or developer, as set out in Sec.23-24, Improvements Required.*

This relief will allow the owner to consolidate his tract and still meet the city zoning requirement. The owner will propose larger setbacks on the property. The front setback will be increased to 30' on both Lots 1A and 2A. The corner side setback on Lot 2A will be increased to 35 ft. The larger setbacks will assist City's mobility plan.

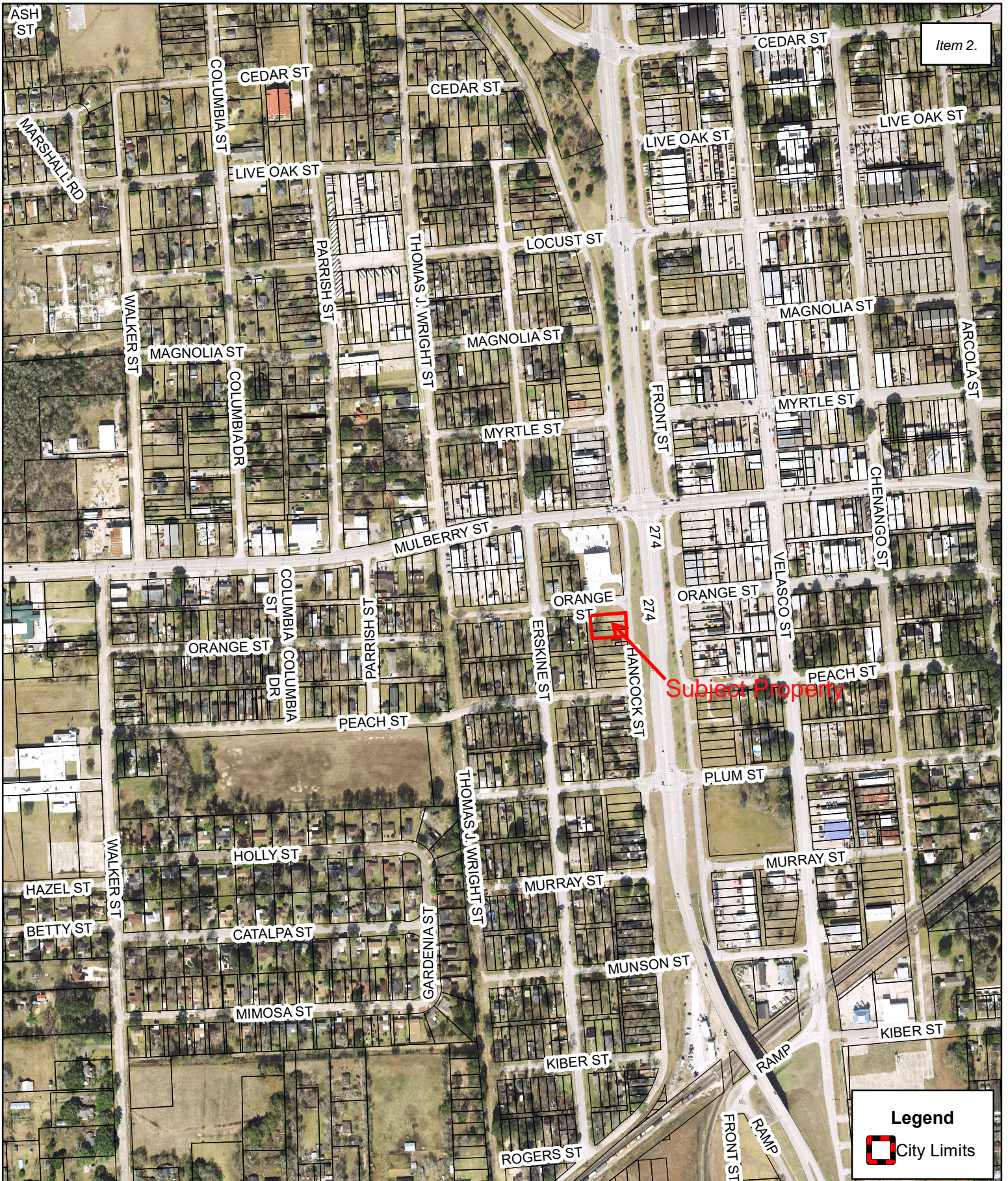
Thank you for your consideration.

Sincerely,



Miguel Saucedo, PE  
Project Engineer

(File: J; \ 14521\Letter of Relief)



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# City of Angleton GIS Mapping

1" = 507'



DEPARTMENT	PROJECT NAME	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	PROJECT TOTAL:	FUTURE YEARS
POLICE	APD DISPATCH CONSOLE UPGRADE PROJECT	\$ 70,000.00						\$ -	Item 3.
FIRE	6 AIR PACK REPLACEMENTS	\$ 38,000.00						\$ -	
PARKS	FREEDOM PARK BLEACHER SHADES	\$ 59,392.00						\$ -	
PARKS	ADA TRANSITION PLAN & CONSTRUCTION	\$ 44,440.00						\$ -	
PARKS	LAKESIDE PARK DESIGN & CONSTRUCTION	\$ 500,000.00	\$ 3,150,000.00					\$ 3,150,000.00	
I.T.	WWTP FIBER- BATES PARK TO WWTP	\$ 142,000.00						\$ -	
STREETS	SOLAR LIGHTS	\$ 75,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 500,000.00	
STREETS	ANNUAL SIDEWALK PROJECTS	\$ 80,000.00	\$ 80,000.00	\$ 80,000.00	\$ 80,000.00	\$ 80,000.00	\$ 80,000.00	\$ 400,000.00	
PUB WRKS	WASTEWATER TREATMENT PLANT LAB	\$ 124,000.00						\$ -	
PUB WRKS	TRANSITION PLAN & CONSTRUCTION FOR SIDEWALKS	\$ 42,960.00						\$ -	
KAB	GATEWAY MASTER PLAN & IMPLEMENTATION	\$ 75,000.00	\$ 750,000.00					\$ 750,000.00	
ABLC	BACKUP GENERATOR CONNECTION FOR REC CENTER	\$ 44,586.87						\$ -	
								\$ -	
POLICE	DIGITAL MEDIA EVIDENCE SYSTEM/BODY CAMERAS		\$ 400,000.00					\$ 400,000.00	
POLICE	COMMUNICATIONS RADIO PROJECT		\$ 120,000.00					\$ 120,000.00	
POLICE	CELLBRITE PHONE DUMP		\$ 40,000.00					\$ 40,000.00	
BLDG DVLP	SUBSTANDARD BUILDING DEMO		\$ 108,000.00	\$ 66,000.00	\$ 34,500.00	\$ 34,500.00		\$ 243,000.00	
BLDG DVLP	COMPREHENSIVE MASTER PLAN		\$ 165,000.00	\$ 165,000.00				\$ 330,000.00	
PARKS	MUNICIPAL PARK DESIGN & CONSTRUCTION		\$ 30,000.00	\$ 200,000.00	\$ 2,000,000.00			\$ 2,230,000.00	
PARKS	VETERANS PARK DESIGN & CONSTRUCTION		\$ 75,000.00	\$ 750,000.00				\$ 825,000.00	
I.T.	NETWORK INFRASTRUCTURE (HARDWARE ONLY)		\$65,253					\$ 65,253.00	
I.T.	SERVER AND STORAGE REPLACEMENT		\$110,000					\$ 110,000.00	
PUB WRKS	NORTHSIDE WWTP		\$ 243,000.00					\$ 243,000.00	
PUB WRKS	LIFT STATION REHABILITATION		\$ 73,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00		\$ 673,000.00	
PUB WRKS	FIRE HYDRANT REPLACEMENTS		\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 125,000.00	
PUB WRKS	WATER TREATMENT MEMBRANE		\$ 150,000.00	\$ -	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 450,000.00	
PUB WRKS	WATER LINE PROJECT		\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 1,250,000.00	
PUB WRKS	SEWER LINE PROJECT		\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 1,250,000.00	
KAB	LOOP 274 MEDIAN LANDSCAPE		\$ 230,000.00					\$ 230,000.00	
ABLC	FREEDOM PARK MASTER PLAN		\$ 400,000.00		\$ 3,000,000.00			\$ 3,400,000.00	
POLICE	DISPATCH 3RD CONSOLE PROJECT			\$ 95,000.00				\$ 95,000.00	
POLICE	TEN HAND-HELD TICKET WRITERS			\$ 65,187.00				\$ 65,187.00	
POLICE	APD 4 PATROL CAR REPLACEMENT			\$ 200,462.00				\$ 200,462.00	
FIRE	STATION 1 UPGRADE/EXTENSION			\$ 50,000.00	\$ 50,000.00		\$ 1,000,000.00	\$ 1,100,000.00	
FIRE	STATION 1 OVERFLOW ADD ON			\$ 160,000.00				\$ 160,000.00	
PARKS	DOG PARK DESIGN & CONSTRUCTION			\$ 60,000.00	\$ 600,000.00			\$ 660,000.00	
PARKS	RUEBEN WELCH PLAN, DESIGN & CONSTRUCTION			\$ 25,000.00	\$ 200,000.00	\$ 2,000,000.00		\$ 2,225,000.00	
PUB WRKS	SANITARY SEWER (HERITAGE OAKS)			\$ 300,000.00	\$ 300,000.00	\$ 300,000.00		\$ 900,000.00	
PUB WRKS	CHENANGO WATER PLANT #2			\$ 4,500,000.00				\$ 4,500,000.00	
PUB WRKS	OYSTER CREEK WWTP IMPROVEMENTS			\$ 12,000,000.00				\$ 12,000,000.00	
PUB WRKS	TEXIAN TRAIL STORM SEWER			\$ 300,000.00				\$ 300,000.00	
PUB WRKS	RIDGECREST (BOND)			\$ 1,500,000.00				\$ 1,500,000.00	
PUB WRKS	HENDERSON TRANSMISSION MAIN LINE TRANSFER			\$ 1,500,000.00				\$ 1,500,000.00	
POLICE	APD 4 PATROL CAR REPLACEMENT				\$ 202,467.00			\$ 202,467.00	
POLICE	RECORDS MANAGEMENT PROJECT				\$ 500,000.00			\$ 500,000.00	
FIRE	ENGINE 2 REPLACEMENT				\$ 110,000.00	\$ 75,000.00	\$ 75,000.00	\$ 260,000.00	
PARKS	DICKEY & BATES PARK MASTER P,D, & CONSTRUCTION				\$ 70,000.00	\$ 300,000.00	\$ 3,000,000.00	\$ 3,370,000.00	
PARKS	TRAILS MASTER PLAN, DESIGN & CONSTRUCTION				\$ 50,000.00	\$ 200,000.00	\$ 2,000,000.00	\$ 2,250,000.00	
PARKS	MASTERTSON DESIGN & CONSTRUCTION				\$ 50,000.00	\$ 1,000,000.00		\$ 1,050,000.00	
PUB WRKS	NEW WATER TOWER				\$ 3,500,000.00			\$ 3,500,000.00	
PUB WRKS	SAN FELIPE (BOND)				\$ 1,500,000.00			\$ 1,500,000.00	
PUB WRKS	CITY WIDE PIPE UPGRADES				\$ 57,810,480.00			\$ 57,810,480.00	



<u>DEPARTMENT</u>	<u>PROJECT NAME</u>	<u>FY 21-22</u>	<u>DEPT TOTALS</u>
	<b>General Fund</b>		<b>\$ 4,263,253.00</b>
<b>POLICE</b>	DIGITAL MEDIA EVIDENCE SYSTEM/BODY CAMERAS	\$ 400,000.00	
	COMMUNICATIONS RADIO PROJECT	\$ 120,000.00	
	CELLBRITE PHONE DUMP	\$ 40,000.00	
		<b>POLICE DEPT TOTAL:</b>	<b>\$ 560,000.00</b>
<b>DVLPMNT SRVCS</b>	SUBSTANDARD BUILDING DEMO	\$ 108,000.00	
	COMPREHENSIVE MASTER PLAN	\$ 165,000.00	
		<b>DEVELOPMENT SERVICES TOTAL:</b>	<b>\$ 273,000.00</b>
<b>PARKS</b>	LAKESIDE PARK DESIGN & CONSTRUCTION	\$ 3,150,000.00	
	MUNICIPAL PARK DESIGN & CONSTRUCTION	\$ 30,000.00	
	VETERANS PARK DESIGN & CONSTRUCTION	\$ 75,000.00	
		<b>PARKS TOTAL:</b>	<b>\$ 3,255,000.00</b>
<b>I.T.</b>	NETWORK INFRASTRUCTURE (HARDWARE ONLY)	\$ 65,253	
	SERVER AND STORAGE REPLACEMENT	\$ 110,000	
		<b>I.T. TOTAL:</b>	<b>\$ 175,253.00</b>
	<b>Street Fund</b>		<b>\$ 180,000.00</b>
<b>STREETS</b>	SOLAR LIGHTS	\$ 100,000.00	
	ANNUAL SIDEWALK PROJECTS	\$ 80,000.00	
		<b>STREETS TOTAL:</b>	<b>\$ 180,000.00</b>
	<b>Water Fund</b>		<b>\$ 991,000.00</b>
<b>WATER</b>	NORTHSIDE WWTP	\$ 243,000.00	
	LIFT STATION REHABILITATION	\$ 73,000.00	
	FIRE HYDRANT REPLACEMENTS	\$ 25,000.00	
	WATER TREATMENT MEMBRANE	\$ 150,000.00	
	WATER LINE PROJECT	\$ 250,000.00	
	SEWER LINE PROJECT	\$ 250,000.00	
		<b>WATER DEPARTMENT TOTAL:</b>	<b>\$ 991,000.00</b>
	<b>KAB Fund</b>		<b>\$ 980,000.00</b>
<b>KAB</b>	GATEWAY MASTER PLAN & IMPLEMENTATION	\$ 750,000.00	
	LOOP 274 MEDIAN LANDSCAPE	\$ 230,000.00	
		<b>KEEP ANGLETON BEAUTIFUL/PARKS TOTAL:</b>	<b>\$ 980,000.00</b>
	<b>ABLC Fund</b>		<b>\$ 400,000.00</b>
<b>ABLC/REC</b>	FREEDOM PARK MASTER PLAN	\$ 400,000.00	
		<b>ABLC/REC CENTER TOTAL:</b>	<b>\$ 400,000.00</b>
		<b>TOTAL CIP EXPENSES FOR FY 22</b>	<b>\$ 6,814,253.00</b>

<u>DEPARTMENT</u>	<u>PROJECT NAME</u>	<u>FY 22-23</u>	<u>DEPT TOTALS</u>
	<b><u>General Fund</u></b>		<b><u>\$ 1,836,649.00</u></b>
<b>POLICE</b>	DISPATCH 3RD CONSOLE PROJECT	\$ 95,000.00	
	TEN HAND-HELD TICKET WRITERS	\$ 65,187.00	
	APD 4 PATROL CAR REPLACEMENT	\$ 200,462.00	
		<b>POLICE DEPT TOTAL:</b>	<b>\$ 360,649.00</b>
<b>FIRE</b>	STATION 1 UPGRADE/EXTENSION	\$ 50,000.00	
	STATION 1 OVERFLOW ADD ON	\$ 160,000.00	
		<b>FIRE DEPT TOTAL:</b>	<b>\$ 210,000.00</b>
<b>DVLPMT SRVCS</b>	SUBSTANDARD BUILDING DEMO	\$ 66,000.00	
	COMPREHENSIVE MASTER PLAN	\$ 165,000.00	
		<b>DEVELOPMENT SERVICES TOTAL:</b>	<b>\$ 231,000.00</b>
<b>PARKS</b>	MUNICIPAL PARK DESIGN & CONSTRUCTION	\$ 200,000.00	
	VETERANS PARK DESIGN & CONSTRUCTION	\$ 750,000.00	
	DOG PARK DESIGN & CONSTRUCTION	\$ 60,000.00	
	RUEBEN WELCH PLAN, DESIGN & CONSTRUCTION	\$ 25,000.00	
		<b>PARKS TOTAL:</b>	<b>\$ 1,035,000.00</b>
	<b><u>Street Fund</u></b>		<b><u>\$ 180,000.00</u></b>
<b>STREETS</b>	SOLAR LIGHTS	\$ 100,000.00	
	ANNUAL SIDEWALK PROJECTS	\$ 80,000.00	
		<b>STREETS TOTAL:</b>	<b>\$ 180,000.00</b>
	<b><u>Water Fund</u></b>		<b><u>\$ 20,825,000.00</u></b>
<b>WATER</b>	LIFT STATION REHABILITATION	\$ 200,000.00	
	FIRE HYDRANT REPLACEMENTS	\$ 25,000.00	
	WATER LINE PROJECT	\$ 250,000.00	
	SEWER LINE PROJECT	\$ 250,000.00	
	SANITARY SEWER (HERITAGE OAKS)	\$ 300,000.00	
	CHENANGO WATER PLANT #2	\$ 4,500,000.00	
	OYSTER CREEK WWTP IMPROVEMENTS	\$ 12,000,000.00	
	TEXIAN TRAIL STORM SEWER	\$ 300,000.00	
	RIDGECREST (BOND)	\$ 1,500,000.00	
	HENDERSON TRANSMISSION MAIN LINE TRANSFER	\$ 1,500,000.00	
		<b>WATER DEPARTMENT TOTAL:</b>	<b>\$ 20,825,000.00</b>
		<b>TOTAL CIP EXPENSES FOR FY 23</b>	<b><u>\$ 22,841,649.00</u></b>

<u>DEPARTMENT</u>	<u>PROJECT NAME</u>	<u>FY 23-24</u>	<u>DEPT TOTALS</u>
	<b>General Fund</b>		<b>\$ 3,866,967.00</b>
<b>POLICE</b>	APD 4 PATROL CAR REPLACEMENT	\$ 202,467.00	
	RECORDS MANAGEMENT PROJECT	\$ 500,000.00	
		<b>POLICE DEPT TOTAL:</b>	<b>\$ 702,467.00</b>
<b>FIRE</b>	LAKESIDE PARK DESIGN & CONSTRUCTION	\$ 50,000.00	
	WWTP FIBER- BATES PARK TO WWTP	\$ 110,000.00	
		<b>FIRE DEPT TOTAL:</b>	<b>\$ 160,000.00</b>
<b>DVLPMNT SRVCS</b>	SUBSTANDARD BUILDING DEMO	\$ 34,500.00	
		<b>DEVELOPMENT SERVICES TOTAL:</b>	<b>\$ 34,500.00</b>
<b>PARKS</b>	MUNICIPAL PARK DESIGN & CONSTRUCTION	\$ 2,000,000.00	
	DOG PARK DESIGN & CONSTRUCTION	\$ 600,000.00	
	RUEBEN WELCH PLAN, DESIGN & CONSTRUCTION	\$ 200,000.00	
	DICKEY & BATES PARK MASTER PLAN, DESIGN & CONSTRUCTION	\$ 70,000.00	
	TRAILS MASTER PLAN, DESIGN & CONSTRUCTION	\$ 50,000.00	
	MASTERTSON DESIGN & CONSTRUCTION	\$ 50,000.00	
		<b>PARKS TOTAL:</b>	<b>\$ 2,970,000.00</b>
	<b>Street Fund</b>		<b>\$ 180,000.00</b>
<b>STREETS</b>	SOLAR LIGHTS	\$ 100,000.00	
	ANNUAL SIDEWALK PROJECTS	\$ 80,000.00	
		<b>STREETS TOTAL:</b>	<b>\$ 180,000.00</b>
	<b>Water Fund</b>		<b>\$ 63,985,480.00</b>
<b>WATER</b>	LIFT STATION REHABILITATION	\$ 200,000.00	
	FIRE HYDRANT REPLACEMENTS	\$ 25,000.00	
	WATER TREATMENT MEMBRANE	\$ 150,000.00	
	WATER LINE PROJECT	\$ 250,000.00	
	SEWER LINE PROJECT	\$ 250,000.00	
	SANITARY SEWER (HERITAGE OAKS)	\$ 300,000.00	
	NEW WATER TOWER	\$ 3,500,000.00	
	SAN FELIPE (BOND)	\$ 1,500,000.00	
	CITY WIDE PIPE UPGRADES	\$ 57,810,480.00	
		<b>WATER DEPARTMENT TOTAL:</b>	<b>\$ 63,985,480.00</b>
	<b>ABLC Fund</b>		<b>\$ 3,000,000.00</b>
<b>ABLC</b>	FREEDOM PARK MASTER PLAN	\$ 3,000,000.00	
		<b>ABLC TOTAL:</b>	<b>\$ 3,000,000.00</b>
		<b>TOTAL CIP EXPENSES FOR FY 24</b>	<b>\$ 71,032,447.00</b>

<u>DEPARTMENT</u>	<u>PROJECT NAME</u>	<u>FY 24-25</u>	<u>DEPT TOTALS</u>
	<b><u>General Fund</u></b>		<b>\$ 3,963,992.00</b>
<b>POLICE</b>	APD 4 PATROL CAR REPLACEMENT	\$ 204,492.00	
			<b>POLICE DEPT TOTAL: \$ 204,492.00</b>
<b>FIRE</b>	ENGINE 2 REPLACEMENT	\$ 75,000.00	
			<b>FIRE DEPT TOTAL: \$ 75,000.00</b>
<b>DVLPMNT SRVCS</b>	SUBSTANDARD BUILDING DEMO	\$ 34,500.00	
			<b>DEVELOPMENT SERVICES TOTAL: \$ 34,500.00</b>
<b>PARKS</b>	RUEBEN WELCH PLAN, DESIGN & CONSTRUCTION	\$ 2,000,000.00	
	DICKEY & BATES PARK MASTER P,D, & CONSTRUCTION	\$ 300,000.00	
	TRAILS MASTER PLAN, DESIGN & CONSTRUCTION	\$ 200,000.00	
	MASTERTON DESIGN & CONSTRUCTION	\$ 1,000,000.00	
	BG PECK DESIGN & CONSTRUCTION	\$ 50,000.00	
	BRUSHY BAYOU DESIGN & CONSTRUCTION	\$ 100,000.00	
			<b>PARKS TOTAL: \$ 3,650,000.00</b>
	<b><u>Street Fund</u></b>		<b>\$ 180,000.00</b>
<b>STREETS</b>	SOLAR LIGHTS	\$ 100,000.00	
	ANNUAL SIDEWALK PROJECTS	\$ 80,000.00	
			<b>\$ 180,000.00</b>
	<b><u>Water Fund</u></b>		<b>\$ 1,025,000.00</b>
<b>WATER</b>	LIFT STATION REHABILITATION	\$ 200,000.00	
	FIRE HYDRANT REPLACEMENTS	\$ 25,000.00	
	WATER LINE PROJECT	\$ 250,000.00	
	SEWER LINE PROJECT	\$ 250,000.00	
	SANITARY SEWER (HERITAGE OAKS)	\$ 300,000.00	
			<b>WATER DEPARTMENT TOTAL: \$ 1,025,000.00</b>
		<b>TOTAL CIP EXPENSES FOR FY 25</b>	<b>\$ 5,168,992.00</b>

<u>DEPARTMENT</u>	<u>PROJECT NAME</u>	<u>FY 25-26</u>	<u>DEPT TOTALS</u>
	<b><u>General Fund</u></b>		<b><u>\$ 14,251,537.00</u></b>
<b>POLICE</b>	APD 4 PATROL CAR REPLACEMENT	\$ 206,537.00	
	APD/MUNICAL COURT BUILDING CONSTRUCTION	\$ 5,000,000.00	
		<b>POLICE DEPT TOTAL:</b>	<b>\$ 5,206,537.00</b>
<b>FIRE</b>	STATION 1 UPGRADE/EXTENSION	\$ 1,000,000.00	
	ENGINE 2 REPLACEMENT	\$ 75,000.00	
	REPLACE BRUSH 3	\$ 210,000.00	
	FIRE DEPT RESCUE TRUCK REPLACEMENT	\$ 760,000.00	
		<b>FIRE DEPT TOTAL:</b>	<b>\$ 2,045,000.00</b>
<b>PARKS</b>	DICKEY & BATES PARK MASTER P,D, & CONSTRUCTION	\$ 3,000,000.00	
	TRAILS MASTER PLAN, DESIGN & CONSTRUCTION	\$ 2,000,000.00	
	BG PECK DESIGN & CONSTRUCTION	\$ 1,000,000.00	
	BRUSHY BAYOU DESIGN & CONSTRUCTION	\$ 1,000,000.00	
		<b>PARKS TOTAL:</b>	<b>\$ 7,000,000.00</b>
	<b><u>Street Fund</u></b>		<b><u>\$ 180,000.00</u></b>
<b>STREETS</b>	SOLAR LIGHTS	\$ 100,000.00	
	ANNUAL SIDEWALK PROJECTS	\$ 80,000.00	
			<b>\$ 180,000.00</b>
	<b><u>Water Fund</u></b>		<b><u>\$ 675,000.00</u></b>
<b>WATER</b>	FIRE HYDRANT REPLACEMENTS	\$ 25,000.00	
	WATER TREATMENT MEMBRANE	\$ 150,000.00	
	WATER LINE PROJECT	\$ 250,000.00	
	SEWER LINE PROJECT	\$ 250,000.00	
		<b>WATER TOTAL:</b>	<b>\$ 675,000.00</b>
		<b>TOTAL CIP EXPENSES FOR FY 26</b>	<b><u>\$ 15,106,537.00</u></b>

<u>DEPARTMENT</u>	<u>PROJECT NAME</u>	<u>FUTURE YEARS</u>	<u>DEPT TOTALS</u>
	<u>General Fund</u>		<b>\$ 11,650,000.00</b>
<b>PARKS</b>	REC CENTER EXPANSION CONCEPT, DESIGN, & CONSTRUCTION	\$ 11,100,000.00	
	SKATE PARK DESIGN & CONSTRUCTION	\$ 550,000.00	
		<b>PARKS TOTAL:</b>	<b>\$ 11,650,000.00</b>
		<b>FUTURE YEARS TTL CIP EXPENSES:</b>	<b>\$ 11,650,000.00</b>

<u>DEPARTMENT</u>	<u>PROJECT NAME</u>	<u>FY 2020-2021</u>	<u>DEPT TOTALS</u>
	<b><u>General Fund</u></b>		<b>\$ 853,832.00</b>
<b>POLICE</b>	APD DISPATCH CONSOLE UPGRADE PROJECT	\$ 70,000.00	
		<b>POLICE TOTAL:</b>	<b>\$ 70,000.00</b>
<b>FIRE</b>	6 AIR PACK REPLACEMENTS	\$ 38,000.00	
		<b>FIRE DEPT TOTAL:</b>	<b>\$ 38,000.00</b>
<b>PARKS</b>	FREEDOM PARK BLEACHER SHADES	\$ 59,392.00	
	ADA TRANSITION PLAN & CONSTRUCTION	\$ 44,440.00	
	LAKESIDE PARK DESIGN & CONSTRUCTION	\$ 500,000.00	
		<b>PARKS TOTAL:</b>	<b>\$ 603,832.00</b>
<b>I.T.</b>	WWTP FIBER- BATES PARK TO WWTP	\$ 142,000.00	
		<b>I.T. TOTAL:</b>	<b>\$ 142,000.00</b>
	<b><u>Street Fund</u></b>		<b>\$ 197,960.00</b>
<b>STREETS</b>	SOLAR LIGHTS	\$ 75,000.00	
	ANNUAL SIDEWALK PROJECTS	\$ 80,000.00	
	TRANSITION PLAN & CONSTRUCTION FOR SIDEWALKS	\$ 42,960.00	
		<b>STREETS TOTAL:</b>	<b>\$ 197,960.00</b>
	<b><u>Water Fund</u></b>		<b>\$ 124,000.00</b>
<b>PUB WRKS</b>	WASTEWATER TREATMENT PLANT LAB	\$ 124,000.00	
		<b>WATER DEPARTMENT TOTAL:</b>	<b>\$ 124,000.00</b>
	<b><u>KAB Fund</u></b>		<b>\$ 75,000.00</b>
<b>KAB/PARKS</b>	GATEWAY MASTER PLAN & IMPLEMENTATION	\$ 75,000.00	
		<b>KEEP ANGLETON BEAUTIFUL/PARKS TOTAL:</b>	<b>\$ 75,000.00</b>
	<b><u>ABLC Fund</u></b>		<b>\$ 44,586.87</b>
<b>ABLC/REC</b>	BACKUP GENERATOR CONNECTION FOR REC CENTER	\$ 44,586.87	
		<b>ABLC/REC CENTER TOTAL:</b>	<b>\$ 44,586.87</b>
		<b>TOTAL CIP EXPENSES FOR FY 21</b>	<b>\$ 1,295,378.87</b>



caliper inches of trees for this project are calculated as:  $((1,300 \text{ cal. Inches removed} - 248 \text{ cal. Inches preserved/credited}) \times 3 = 3,156 \text{ cal. Inches of replacement trees})$ .

Section 23-60.J.2 requires new single-family residential lots to have two (2) trees per lot.

The TPP states that the owner cannot meet the requirements of the Heritage Tree Ordinance and the plan is to preserve 15 existing heritage/significant trees and meet the required two (2) trees per lot using heritage trees. This leaves 3,156 cal. Inches of tree replacement outstanding.

While staff agrees that a number of the trees are in the building envelope of the various lots, staff does not agree that the owner cannot meet the requirements of Section 23-60. For example, more trees than proposed could either be preserved (through a staff relaxation of development standards as allowed by Section 23-60.H.3) or more replacement caliper inches could be planted on each lot. Further, Section 23-60 does not mandate where the replacement caliper inches shall be planted or the timeline for planting of the trees. Which opens up the possibility of alternate solutions. In this case, planting of the replacement caliper inches in City of Angleton parks and/or as part of the City's street beautification plan.

#### **RECOMMENDATION:**

Staff recommends approval of the proposed Heritage Tree Survey/Tree Preservation Plan subject to the condition that the developer works with staff to develop a plan for the replacement caliper inches to be planted in City of Angleton parks and/or as part of the City's street beautification plan.

#### **SUGGESTED MOTION**

I move we recommend approval of the proposed Heritage Tree Survey/Tree Preservation Plan subject to the condition that the developer works with staff to develop a plan for the replacement caliper inches to be planted in City of Angleton parks and/or as part of the City's street beautification plan.

## Sec. 23-60. - Heritage tree protection.

Item 4.

- A. *Authority.* Based on the authority of TLGC Ch. 212, the requirements of this section shall apply to all plats and site plans proposing new development in the corporate limits of the city and the ETJ.
- B. *Purpose and intent.* The purpose of this section is to require subdividers and developers identify and document the location of heritage trees on properties where development for the following purposes:
- Promote responsible design decisions that will preserve as many heritage trees as possible;
  - Prohibit the indiscriminate clearing of property;
  - Preserve protected trees during construction;
  - Protect and increase the value of properties by preserving those trees that help to define the character of the city and region;
  - Maintain a positive image of the city as a place to live and locate a business;
  - Protect the natural ecological environmental and aesthetic qualities of the city; and
  - Provide shade to provide relief from the heat by reducing the ambient temperature.
- C. *Heritage trees classified.* The following tree species shall be designated as heritage trees:
- Live oak - *Quercus virginiana*;
  - Pecan - *Carya illinoensis*.
- D. *Significant tree species classified.* In the event that all heritage trees cannot be preserved, the following tree species, if present on a property, may be preserved and credits awarded, as specified in this section, to mitigate the loss of any heritage trees:
- Shumard Red Oak - *Quercus shumardii*;
  - Burr Oak - *Quercus macrocarpa*;
  - Chinquapin Oak - *Quercus muehlenbergii*;
  - Post Oak - *Quercus stellata*;
  - Water Oak - *Quercus nigra*;
  - Willow Oak - *Quercus phellos*;
  - Bald Cypress - *Taxodium distichum*;
  - Tulip Tree (Yellow Poplar) - *Liriodendron tulipifera*;
  - American Elm - *Ulmus americana*;
  - Redbud - *Cercis canadensis*;
  - Dogwood - *Cornus florida*.
- E. *Exceptions.* The requirements of this section shall not be applicable when:
1. Plans or plats approved prior to the adoption of the LDC;
  2. Property is zoned or used for agricultural purposes, which includes the harvesting of timber;
  3. The owner of any residence used as a homestead;
  4. Damaged or diseased trees that are beyond the point of recovery, in danger of falling, or endangering public health, welfare, property, or safety;
  5. Trees damaged from an act of nature that interrupts utility service. Removal shall be limited, if possible, to the portion of the tree reasonably necessary to re-establish utility service; and

6. Golf courses to the extent necessary to accommodate the golf course improvements.

F. *Deferral*. The development administrator, or upon appeal the planning and zoning commission, may:

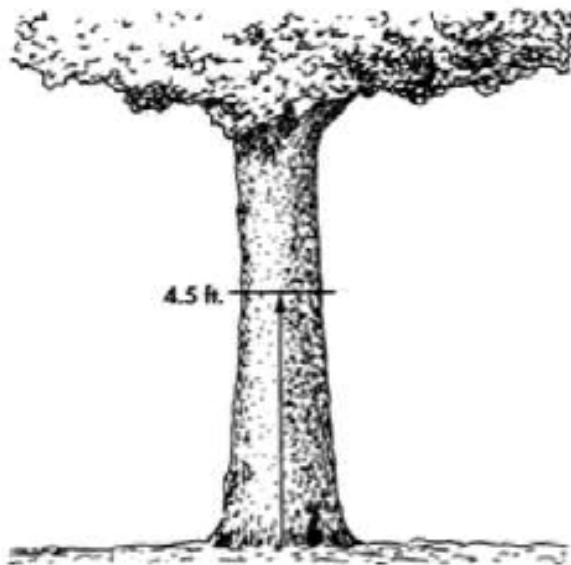
1. Consider a deferral request to maintain a heritage tree when the literal enforcement of this requirement would result in the creation of an unnecessary hardship on impractical application of the plan considering the physical characteristics of the lot or parcel of land in question; and
2. Consider a waiver or a deviation from any other development requirements in order to preserve a heritage tree.

G. Tree trunk measurement. When documenting existing heritage trees, or existing protected trees that may be used to mitigate the loss of heritage trees, the following criteria shall be applied:

1. *Straight trunk*: Trees with fairly straight, upright trunks shall be measured 4.5 feet above the ground, as shown below:

Figure 23-60.1

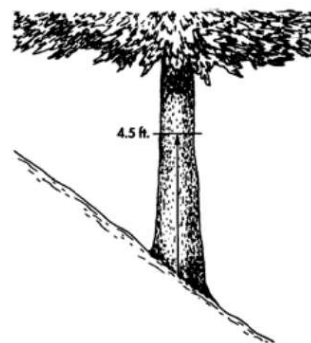
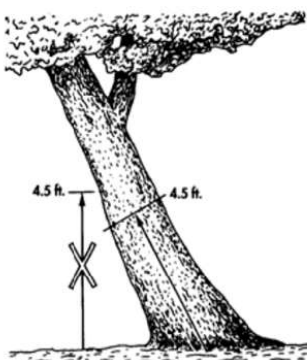
### Straight Tree Trunk Measurement



2. *Trunk on an angle or slope*: The trunk is measured at a right angle to the trunk 4.5 feet along the center of the trunk axis, so the height is the average of the shortest and the longest sides of the trunk, as shown below:

Figure 23-60.2

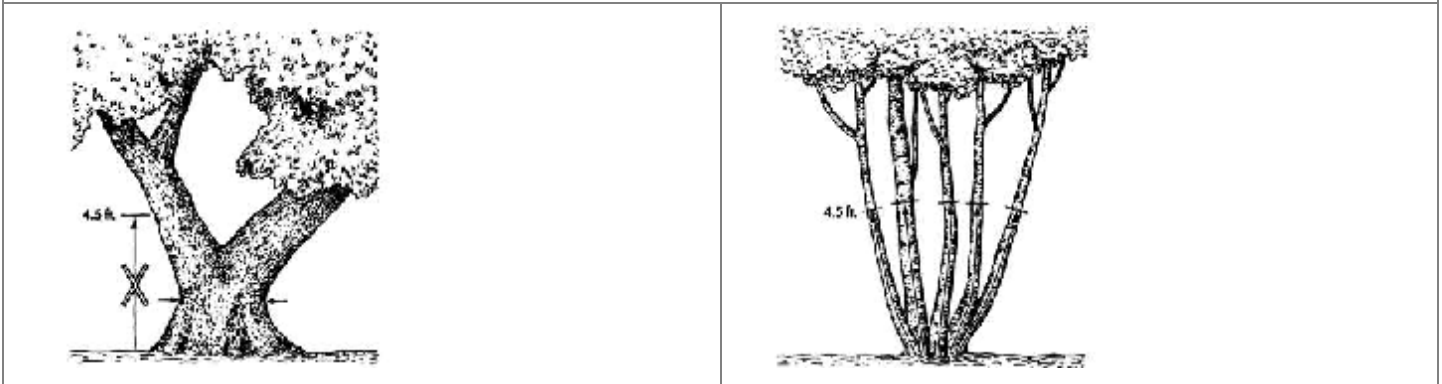
### Angular and Slope Tree Measurement



3. *Multi-trunk trees.* To determine the diameter of a multi-trunk tree, measure each tree trunk larger than one inch. Determine the diameter of the largest tree trunk. The diameter of the multi-trunk tree is then computed as the diameter of the largest tree trunk plus one-half of the composite diameters of each smaller tree trunk greater than one inch. A multi-trunked tree is differentiated from individual trees growing from a common root stock if there is a visible connection between the trunks above ground.

Figure 23-60.3

## Multi-Trunk Tree Measurement

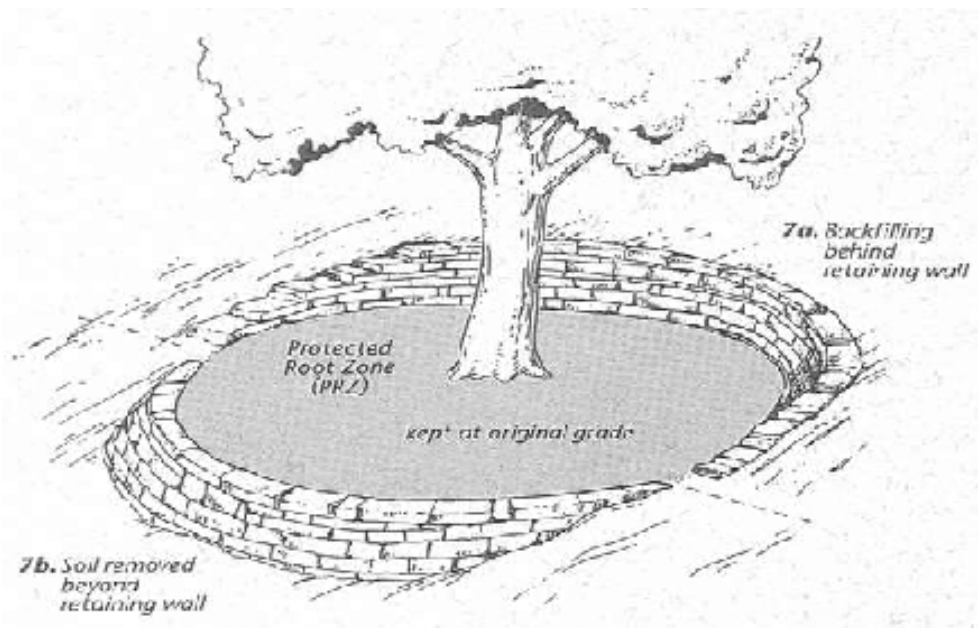
H. *Replacement and protection of heritage trees.*

1. Developers and subdividers shall submit a tree preservation plan with plats and site plans that identifies the name, location, DBH at 4.5 feet above the natural grade of heritage trees, and any significant tree species that will be preserved for credits against lost heritage trees.
2. The developer or subdivider must identify the heritage trees to be preserved or removed, and which existing significant tree species will be retained for credit for removed heritage trees.
3. When a heritage tree is proposed to be removed, staff may relax any development requirement to preserve the tree. Staff reserves the right to refer a relaxed design solution to the planning and zoning commission for approval. Relaxed design solutions may only be approved by staff or the commission upon finding that the preservation of the tree is in the public interest and that the relaxed standard would not result in any health or safety issues.
4. If design solutions are not available to preserve heritage trees, the developer shall be required to determine the collective caliper of the heritage trees proposed to be removed and multiply that figure by three, to determine the aggregate amount of tree caliper that must be provided to replace removed heritage trees. Heritage trees may be replaced with another heritage tree or a tree on the significant tree species classified list. This requirement can be satisfied with the planting of many trees, a few trees, or one tree; provided that the aggregate replacement caliper is equal the existing aggregate proposed to be replaced times three.
5. In lieu of planting young trees to mitigate lost heritage trees, the applicant may also propose to preserve existing mature healthy trees not listed in significant tree species classified list, but that are listed in the large tree section of "Recommended Ornamental Plants for Southeast Texas Including Houston and

Beaumont", by the Texas A&M Agri-Life Extension Service, with the exception of hackberry and Arizona ash trees. Item 4.

6. For site plans, the aggregate caliper for replacement trees shall be in addition to the normal landscaping requirements of the zoning ordinance.
  7. For residential subdivisions, the aggregate caliper of replacement protected trees shall be in addition to the normal requirement of this ordinance, which is two trees per residential lot. The locations of where replacement trees will be planted shall be identified in a tree replacement plan filed with the preliminary plat, final plat or site plan, with trees identified as an existing heritage/significant tree species.
  8. No person, directly or indirectly, shall cut down, destroy, remove or move, or effectively destroy through damaging, any heritage tree located on property regulated by this section unless such removal is expressly "excepted" by this section.
  9. When using a retaining wall where the natural grade must be raised or lowered, the tree well shall be designed in accordance with the design concepts depicted in Figure 23-60.4, Retaining Wall and Tree RPZ Protection.
- I. *Tree preservation plan required.* When heritage trees are located on a property for which development is proposed, which shall include site clearing, grubbing, earth movement, or the removal of any vegetation, a tree preservation plan shall be submitted that demonstrates compliance with the all of the requirements set out in this section.
- J. Tree protection and planting.
1. Tree protection will be installed before any site work is initiated and maintained for the duration of the construction work. Tree protection will consist of the following:
    - a. It will consist of fencing (orange mesh or chain link) placed around the RPZ.
    - b. No vehicles or construction materials/debris will be allowed in the RPZ.
    - c. No equipment shall be cleaned or other liquids deposited within the limits of the dripline of any protected tree. This includes, but is not limited to, paint, oil, solvents, asphalt, concrete, mortar, or other materials;
    - d. No signs, wires, or other attachments, other than those of a protective nature, which have been approved in the tree disposition plan, shall be attached to any protected tree;
    - e. Trespassing or throwing trash into a protective fence area is prohibited.

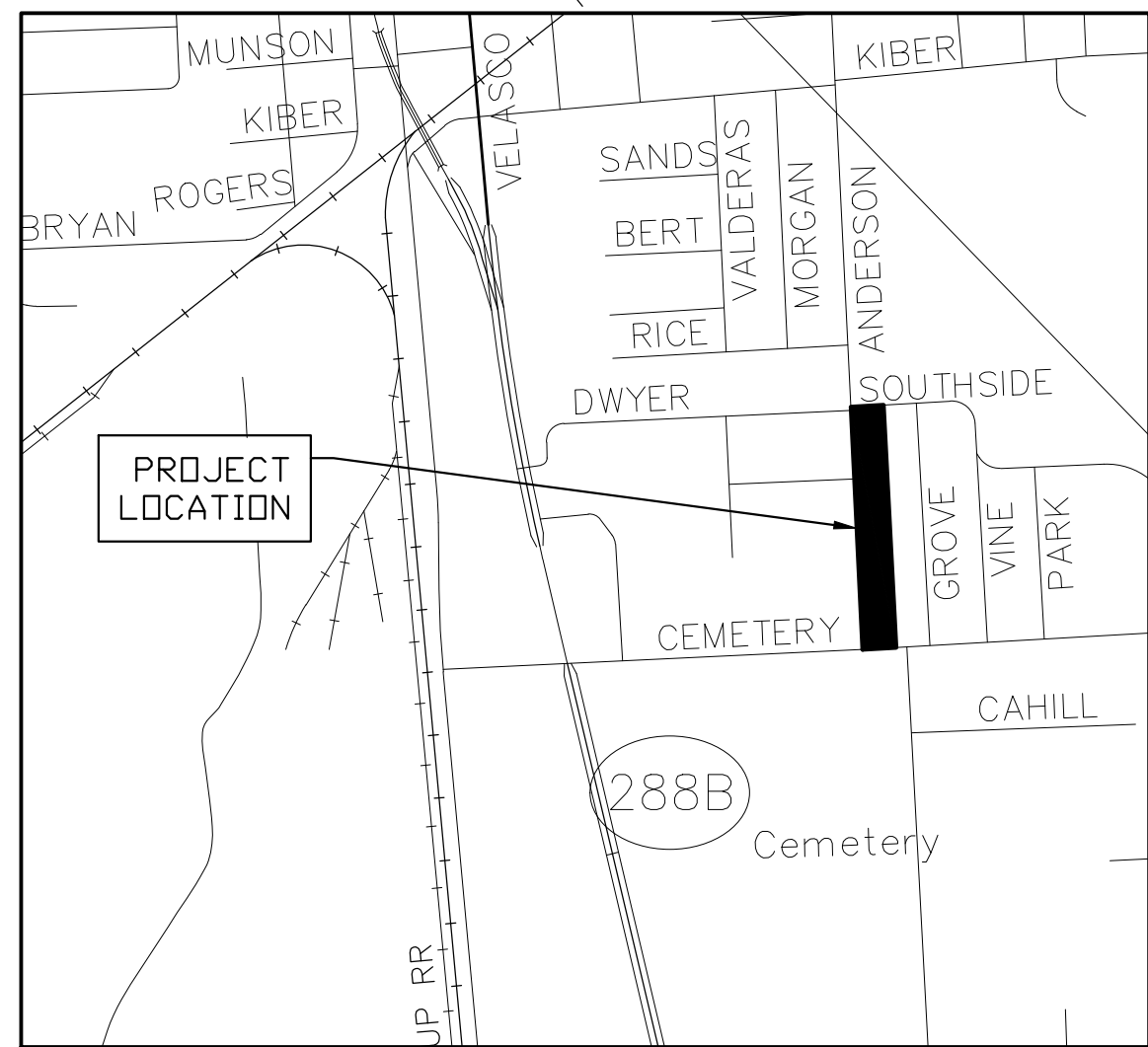
**Figure 23-60.4**  
**Retaining Walls and Tree RPZ Protection**



- f. Any damage done to tree crowns or roots will be repaired immediately and any wounds on live oaks will be painted with pruning paint within 60 minutes to prevent oak wilt.
  - g. Wells or retaining walls around the RPZ will be used if proposed finished grades will raise or lower the natural RPZ grade by more than six inches.
  - h. The finished RPZ will be pervious.
  - i. For commercial, multifamily and other developments; a minimum of 25 percent of the total DBH must be preserved.
  - j. For single-family residential development of single or contiguous lots; contiguous lots include three or more lots, a minimum of 50 percent of total DBH must be preserved.
  - k. For individual lots, 45 percent of total DBH must be preserved.
  - l. Utility and flatwork per the original builder's plan are exempt for up to 45 percent of the RPZ.
2. New single-family residential lots shall have two trees per lot. These trees may be:
    - a. A preserved heritage tree;
    - b. A tree on the specific trees species list that is replacing a heritage tree that was removed; or
    - c. A tree listed in the "Recommended Ornamental Plants for Southeast Texas Including Houston and Beaumont", by the Texas A&M Agri-Life Extension Service, with the exception of hackberry and Arizona ash trees, provided that the tree, when mature, will have an average crown greater than 15 feet in diameter, have a three-inch DBH and height of ten feet at the time of planting;
    - d. If an existing heritage tree or a specific trees species that was preserved to comply with this section is located on a residential building lot, it shall be designated on the plat, or another suitable document, to ensure that it is properly protected during construction and is not removed by the property owner, unless an exception listed in the section becomes applicable.
    - e. Existing heritage trees preserved specific trees species may be located in the public right-of-way and may not be removed by the property owner.
  3. New single-family residential lots shall have two trees per lot. These trees may be:
    - a. A preserved heritage tree;

- b. A tree on the specific trees species List that is replacing a heritage tree that was removed; or
- c. A tree listed in the "Recommended Ornamental Plants for Southeast Texas Including Houston and Beaumont", by the Texas A&M Agri-Life Extension Service, with the exception of hackberry and Arizona ash trees, provided that the tree, when mature, will have an average crown greater than 15 feet in diameter, have a three-inch DBH and height of ten feet at the time of planting;
- d. If an existing heritage tree or a specific trees species that was preserved to comply with this section is located on a residential building lot. It shall be designated as such to ensure that it is properly protected during construction and is not removed by the property owner, unless one of the exceptions listed in the section should become applicable.
- e. Existing heritage trees preserved specific trees species may be located in the public right-of-way and may not be removed by the property owner.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)



VICINITY MAP

Point Table			Point Table			Point Table			Point Table			Point Table		
POINT No.	TYPE	SIZE	POINT No.	TYPE	SIZE	POINT No.	TYPE	SIZE	POINT No.	TYPE	SIZE	POINT No.	TYPE	SIZE
601	PECAN	8"	624	PECAN	18"	U.E. 644	PECAN	10"	U.E. 664	PECAN	24"	684	OAK	18"
602	PECAN	6"	625	OAK	72"	U.E. 645	PECAN	22"	U.E. 665	TALLOW	11"	685	PECAN	30"
603	PECAN	8"	626	PECAN	14"	U.E. 646	SYCAMORE	30"	U.E. 666	OAK	11"	686	PECAN	28"
604	PECAN	10"	627	OAK	20"	U.E. 647	PECAN	14"	U.E. 667	PECAN	10"	687	PECAN	14"
605	PECAN	4"	U.E. 628	ASH	18"	648	LIVE-OAK	48"	U.E. 668	PECAN	16"	688	PECAN	30"
606	PECAN	4"	629	PECAN	12"	649	ORNAMENTAL	24"	669	SYCAMORE	30"	689	PECAN	30"
607	PECAN	24"	630	PECAN	12"	650	OAK	22"	670	PECAN	11"	690	PECAN	24"
608	PECAN	15"	U.E. 631	HACKBERRY	12"	651	PECAN	20"	671	PECAN	25"	691	PECAN	32"
609	PECAN	12"	632	TALLOW	20"	652	PECAN	22"	672	PECAN	24"	692	PECAN	28"
610	LIVE-OAK	30"	633	PECAN	12"	U.E. 653	PECAN	20"	673	PECAN	32"	693	PECAN	26"
611	PECAN	12"	634	PECAN	10"	U.E. 654	PECAN	16"	674	PECAN	28"	694	OAK	12"
612	PECAN	10"	635	PECAN	10"	U.E. 655	PECAN	22"	675	PECAN	32"			
613	PECAN	6"	636	PECAN	11"	656	PECAN	16"	676	PECAN	30"			
614	PECAN	14"	637	PECAN	11"	657	PECAN	20"	677	PECAN	30"			
618	PECAN	22"	638	PECAN	10"	658	PECAN	28"	678	OAK	28"			
619	PECAN	24"	639	PECAN	10"	659	PECAN	24"	679	PECAN	30"			
620	PECAN	22"	640	PECAN	14"	660	PECAN	22"	680	PECAN	22"			
U.E. 621	PECAN	26"	641	PECAN	10"	661	PECAN	10"	681	PECAN	36"			
U.E. 622	PECAN	24"	642	LIVE-OAK	36"	662	PECAN	24"	682	PECAN	30"			
623	PECAN	5"	U.E. 643	PECAN	10"	663	PECAN	12"	683	ORNAMENTAL	20"			

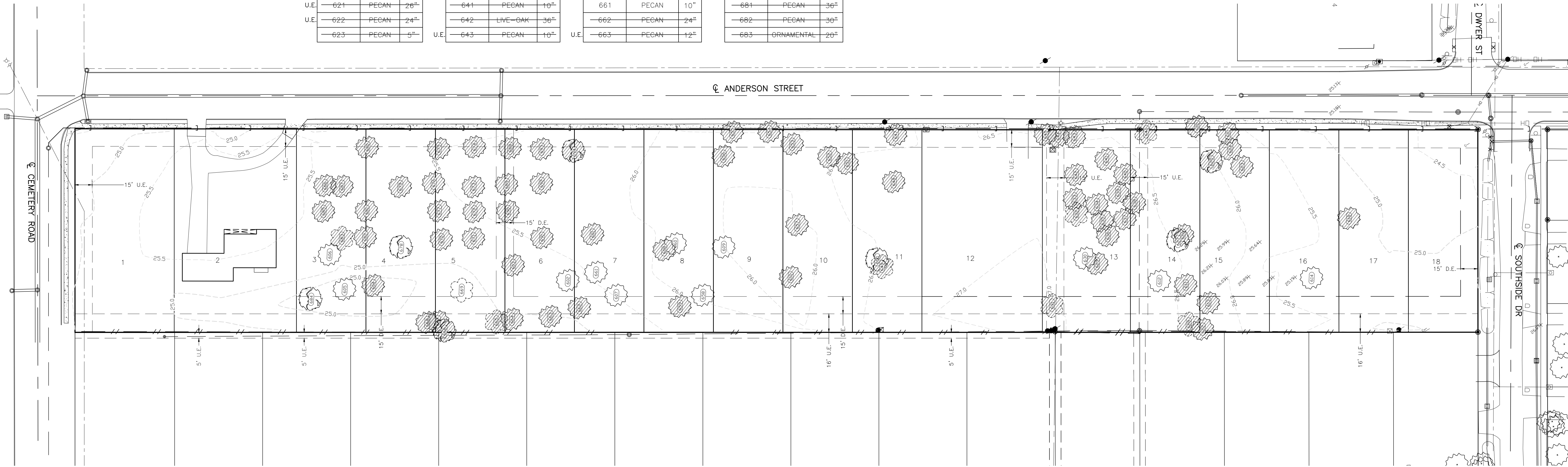
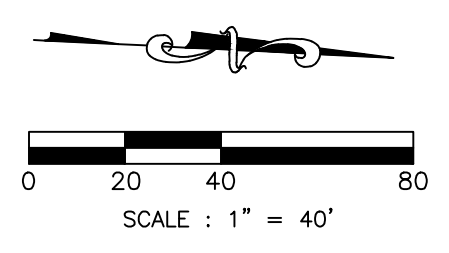
# ATTACHMENT 2

**TREE LEGEND**

- HERITAGE TREE (PECAN & LIVE OAK)
- SIGNIFICANT TREE (OAK & ELM)
- INSIGNIFICANT TREE (ALL OTHER TYPES)

**LEGEND**

- = FND IMPLEMENT AS NOTED
- = SET 5/8" IRON ROD
- = BENCHMARK
- = GAS VALVE
- = GAS METER
- = IRRIGATION CONTROL
- = WATER VALVE
- = WATER METER
- = FIRE HYDRANT
- = GUY WIRE
- = POWER POLE
- = SIGNAL POLE
- = LIGHT POLE
- = LIGHT BOLLARD
- = BOLLARD
- = MONITOR WELL
- = CLEANOUT
- = SIGN
- = TELE PEDESTAL
- = MANHOLE
- = INLET
- = FENCE LINE
- = EXIST FLOW PATH
- = SURFACE ELEVATION
- = 32 LF CURB REMOVAL AND 20 LF SIDEWALK REMOVAL FOR DRIVEWAY (SEE SHEET 8C)



TOTAL NUMBER OF HERITAGE TREES = 76  
 TOTAL CALIPER OF HERITAGE TREES = 1460 IN

HERITAGE TREES TO BE REMOVED\* = 65  
 CALIPER OF REMOVED HERITAGE TREES = 1300 IN

HERITAGE & SIGNIFICANT TREES TO BE PRESERVED = 15  
 CALIPER OF HERITAGE/SIGNIFICANT TREES TO BE PRESERVED = 248 IN

REQUIRED REPLACEMENT CALIPER = (1300 - 248) X 3 = 3,156 IN

APPROXIMATELY 1,052 3" DIAMETER TREES WOULD BE REQUIRED TO MEET THE PRESERVATION REQUIREMENTS OF THE LDC SECTION 23-60. THE PRESERVATION CRITERIA CAN NOT BE MET.

\*TREES PROPOSED FOR REMOVAL WERE DONE SO UNDER THE FOLLOWING CRITERIA.

- THE TREE IS LOCATED IN AN EXISTING U.E.
- THE TREE IS LOCATED ON THE PROPERTY LINE.
- THE TREE IS LOCATED IN THE VICINITY OF A PROPOSED HOUSE, APPROXIMATELY 25'-110' FROM FRONT PROPERTY LINE.
- THE TREE IS LOCATED WITHIN 5' OF ANOTHER TREE TO BE PRESERVED.

THE PROPOSED PRESERVATION PLAN IS PROVIDED ONLY FOR LOTS OWNED BY THE DEVELOPER (LOTS 1, 3-11, 13-18)

**NOTE:**  
 BECAUSE THE EXISTING SUBDIVISION HAD BEEN AN OLD PECAN ORCHARD, THE OWNER CANNOT MEET THE REQUIREMENTS OF THE HERITAGE TREE ORDINANCE. OF THE EXISTING 84 HERITAGE TREES, THE OWNER CAN PRESERVE 15 OF THEM. THE LDC REQUIRES 2 TREES PER LOT, AND THE OWNER WILL ENSURE TO PLANT UP TO 2 TREES PER LOT TO MEET THE REQUIREMENT. THE OWNER REQUEST A VARIANCE OF THE HERITAGE TREE ORDINANCE BY ALLOWING THE PRESERVATION THE 18 HERITAGE TREES OBSERVED ON THE 16 LOTS TO BE DEVELOPED (LOTS 1, 3-11, 13-18). ANY LOTS THAT DO NOT HAVE THE REQUIRED TWO HERITAGE TREES, THE OWNER WILL PLANT UP TO TWO TO MEET THE CITY HERITAGE TREE ORDINANCE.

NO.	DATE	DESCRIPTION	APPROVED

DESIGNED MS  
 DRAWN  
 CHECKED  
 DATE

The seal appearing on this document was authorized by Miguel Saucedo P.E. 121992  
 Date: \_\_\_\_\_

OWNER:  
**JOHN WEAVER**  
**HERITAGE RESIDENTIAL SOLUTIONS, LLC**  
**JOHNWEAVER62@GMAIL.COM**  
**979-236-4393**

PLAN: \_\_\_\_\_ 1" = 40'  
 PROFILE: \_\_\_\_\_  
 HORIZONTAL: \_\_\_\_\_  
 VERTICAL: \_\_\_\_\_

**ANDERSON PLACE**  
**A 4.46 AC, 18-LOT SUBDIVISION**  
**ANGLETON, TEXAS 77515**

HERITAGE TREE  
 PRESERVATION PLAN

PROJECT NO. 14287