

★ Roll Call Number

Agenda Item Number

18

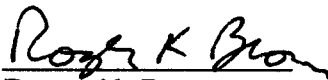
October 22, 2007

Date

WHEREAS, the City Plan and Zoning Commission has advised in the attached letter that at a public hearing held October 4, 2007, the members voted 10-0 in support of a motion to express their concern with the removal of existing mature trees on private and public property within the City of Des Moines and to request that the City Council initiate actions authorizing the Planning Commission and City staff to prepare a Tree Preservation/Management Ordinance.

MOVED by \_\_\_\_\_ to receive and file.

FORM APPROVED:



Roger K. Brown  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Date October 22, 2007

Agenda Item 18

Roll Call # \_\_\_\_\_

October 22, 2007

Honorable Mayor and Members of the City Council  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309

The presence of an existing, mature tree canopy distinguishes Des Moines from other parts of the Des Moines' metropolitan area.

The Des Moines Plan and Zoning Commission is concerned about the removal of existing mature trees on private and public property within the City of Des Moines and requests that the City Council initiate actions authorizing the Planning Commission and City staff to prepare a Tree Preservation/Management Ordinance.

The Plan and Zoning Commission believes that the ordinance should achieve the following goals / objectives:

1. The ordinance / regulations must be simple and effective.
2. The ordinance must be implemented within existing financial and staff resources.
3. The ordinance should be implemented through existing development review and enforcement processes and new or duplicate processes should be avoided.
4. The ordinance should prevent land disturbance and tree removal on private and public property prior to receipt of development approvals under zoning, subdivision / development review, site plan review, and public improvement design and review processes.
5. The ordinance should ensure that existing mature trees are protected during construction.
6. The ordinance should preserve the right of the individual property owner to remove hazardous, diseased or damaged trees on lots smaller than the minimum size set by the ordinance.

Primary implementation steps could include the following:

1. Regulate any grading or tree removal on parcels or properties that are 20,000 square feet in size or greater.
2. Require a tree survey during the subdivision, site plan review, or permitting processes. The tree survey should identify all the species and diameter of all trees 6 caliper inches or greater in size.



CITY PLAN AND ZONING COMMISSION  
ARMORY BUILDING  
602 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309-1881  
(515) 283-4182

ALL-AMERICA CITY  
1949, 1976, 1981  
2003

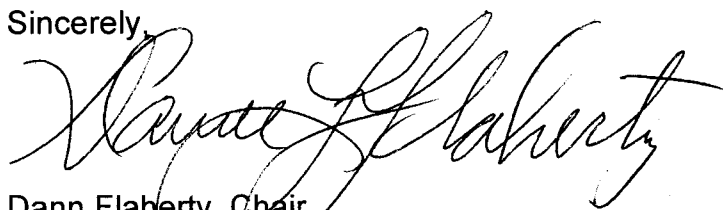
3. Allow removal of trees over 6 caliper inches or greater in size only per an approved tree removal and mitigation plan or with documentation from a certified arborist that the tree is hazardous, diseased or damaged.
4. Codify a replacement / mitigation-planting schedule commensurate with the tree(s) to be removed.
5. Codify tree protection requirements to be implemented during the construction of a project.
6. Require a licensed engineer, landscape architect, or certified arborist for the project to verify that protection measures are installed and maintained.
7. Provide incentives for extraordinary tree preservation such as tax abatement, allowing preserved trees to count towards new landscaping requirements, etc.
8. Provide penalties for non-compliance such as loss of tax abatement, fines, loss of construction bonds, etc.

While the above items will require significant discussion by committees and stakeholders, the Plan and Zoning Commission believes that it is imperative for the City Council to adopt an ordinance that addresses basic tree conservation and protection elements and that prevents removal of trees prior to the submittal, review and approval of plans or issuance of permits.

Prior to preparing the actual ordinance, the Plan and Zoning Commission would like to know if the Council considers this as an activity that is needed in the community.

We thank you for your consideration and look forward to your direction.

Sincerely,

A handwritten signature in black ink, appearing to read "Dann Flaherty". The signature is fluid and cursive, written over the typed name and title below.

Dann Flaherty, Chair  
Des Moines Plan and Zoning Commission

cc: Des Moines Plan and Zoning Commission  
Richard A. Clark, City Manager  
Larry Hulse, Community Development Director  
Bill Stowe, Public Works Director