



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 18, 2019

Re: Street Trees – UDC Text Amendment (Report)

Executive Summary

In the course of implementing the provisions of Section 29-4.4(d)(2) of the Unified Development Code (UDC), which requires street trees within new public streets, it has become apparent that there are several potential technical as well as practical difficulties in effectively administering the street tree provisions. Issues such as conflicts with other City regulatory standards, existing utility placement practices, and maintenance of trees on private property have convinced staff to recommend that the Code be amended to require street trees only within rights of way characteristic of major streets (60 feet and greater width).

If the City Council agrees that these issues warrant additional review and potential revision of the existing UDC text, this matter should be referred to the Planning and Zoning Commission for its review and recommendation in accordance with provisions of Section 29-6.4(n) of the UDC.

Discussion

The Unified Development Code added a street tree requirement. Section 29-4.4(d)(2) requires that all new subdivision developments install street trees within either the public right of way or a 6-foot private landscape strip. The intent of the provisions was to ensure that new subdivision developments were created with residential street tree characteristics similar to those in existing neighborhoods. The provisions apply to all street types defined within Appendix A of the UDC.

Currently Section 29-4.4(d)(2) requires that street tree landscaping be installed, at a rate of one tree per forty (40) feet of street frontage in the public right of way, in accordance with Chapter 24, Article V of the City Code. Section 24-92(b) of the City Code reads as follows:

“No tree shall be placed within four (4) feet, measured horizontally, of any underground utility.”

Ameren Missouri, as a matter of practice, places their gas lines between the curb and sidewalk within the grass parkway. Ameren Missouri states that they prefer this location so as to ensure their facilities are easily accessible and, for safety reasons, as far away from structures as possible. A letter from Ameren Missouri is attached for more information.

On a 50-foot wide residential street, improved with 28 feet of pavement, a grass parkway of five (5) feet in width is retained. Public sidewalk occupies an additional five feet of the right-



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of-way and is located one foot inside the right-of-way line. On a 50-foot wide residential-feeder street, improved with 32-feet of pavement, the grass parkway is reduced to three (3) feet in width. Given the tree placement restrictions of Section 24-92(b) and since the gas line is installed in advance of the street trees, strict application of City ordinance would require that the street trees be moved to the private landscaping buffer per Section 29-4.4(d) (2) (vi).

Figure 4.44-1 of the UDC delineates the private landscaping buffer as the six (6) feet immediately behind the public right of way. This area; however, coincidentally overlaps with the required ten (10) foot utility easement which is where the remainder of the buried public utilities within a subdivision are located.

While the issues of tree placement within the right of way is problematic for residential and residential-feeder streets, the grass parkways associated with collectors and arterial roadways vary from seven (7) to twelve (12) feet in width. Therefore, a potential solution to implementing the provisions of Section 29-4.4(d)(2) would be to modify the provisions to require placement of street trees along collectors and arterials. Doing so would allow for street trees and the gas line to both be installed within the public right of way in compliance with the provisions of Section 24-92(b) in most situations.

Staff further believes, in an effort to limit damage to street trees during home construction, it would be appropriate to revise Section 29-4.4(d)(2) to allow tree installation to be deferred until the house is complete similar to how sidewalk construction is handled today. This would result in the tree installation to be delegated to the home builder. Such delegation may address concerns expressed by The Columbia HBA regarding sight distances when backing out of residential driveways. Placement of trees prior to home and driveway construction may create unintended consequences. While mature trees may have a canopy height outside of sight lines, newly installed trees may not.

Additionally, staff has concerns regarding the future maintenance of street trees in the right of way, long term enforcement of the current provisions of Section 29-4.4(d)(2), and the viability of trees with so little root space within which to grow if they would be required to planted along residential and residential-feeder streets. Given these concerns, staff desires to work with the Planning Commission to identify appropriate revisions to the requirements of Section 29-4.4(d)(2) and provide revised text to the Council its consideration.

A copy of a letter from Ameren Missouri relating to this matter is attached for review.

Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A



Strategic & Comprehensive Plan Impacts

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Environmental Management, Tertiary Impact: Not Applicable

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

If Council find that a text amendment is desired, this matter should be referred to the Planning and Zoning Commission for review and recommendation as required by Section 29-6.4(n) of the Unified Development Code.