



ORDINANCE NO. 130219-B

AN ORDINANCE AMENDING SECTIONS 3.201e(8)C, 4.105b(1)E(iv), 4.105b(1)I, 4.107b(4)C, 4.107b(6), 4.401e(2), and 4.404a, TO PROVIDE CONSISTENCY BETWEEN THESE SECTIONS AND CHAPTER 16 OF THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, Section 3.201 of the City's Land Development Code provides requirements for preliminary plats and accompanying data regarding Subdivision;

WHEREAS, Chapter 4 of the Land Development Code provides requirements for watershed development and site plan submittals;

WHEREAS, on March 20, 2012 the City of Council made changes to Chapter 16 that changed requirements for tree surveys, tree protection, and tree replacement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNSET VALLEY:

Section 1. Section 3.201e(8)C of the Land Development Code is amended to provide as follows:

Location of all trees having a diameter of four (4) inches measured four and one half (4 ½) feet above the natural grade.

Section 2. Section 4.105 b(1)E(iv) of the Land Development Code is amended to provide as follows:

Location of all trees having a trunk of four (4) inch diameter or greater as measured four and one half feet above ground.

Section 3. Section 4.105 b(1)I of the Land Development Code is amended to provide as follows:

Tree protection and tree replacement plans as required by Chapter 16 of this code.

Section 4. Section 4.107 b(4)C of the Land Development Code is amended as follows:

Location of all trees having a trunk of four (4) inch diameter or greater as measured four and one half feet above ground.

Section 5. Section 4.107 b(6) of the Land Development Code is amended to provide as follows:

Tree protection and tree replacement plans as required by Chapter 16 of this code.

Section 6. Section 4.401e(2) of the Land Development Code is amended to provide as follows:

Limited clearing of existing vegetation or other specified development activities necessary for surveying or geological testing is authorized before release of a site plan or subdivision construction plans to the minimum extent necessary to survey or conduct geological tests. Areas cleared for surveying or testing purposes shall not exceed a width of fifteen (15) feet. No tree with a diameter greater than four (4) inches shall be removed in connection with surveying or testing.

Section 7. Section 4.404a of the Land Development Code is amended to provide as follows:

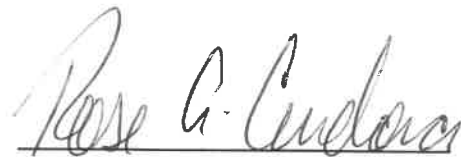
Landscape shall be preserved in its natural state to the greatest extent feasible and shall comply with the requirements of this Code, including compliance with Chapter 16 regarding natural area protection.

Section 8. Publication. A caption that summarizes the purpose of this Ordinance and the penalty for violating this Ordinance shall be published as provided by Tex. Loc. Gov't Code §52.011.

Section 9. Effective Date. This Ordinance shall be effective February 19, 2013.

Section 10. Severability. If any provision of this Ordinance is found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed as though it never formed a part of this Ordinance, and all other provisions hereof shall remain in full force and effect.

PASSED AND APPROVED BY THE CITY COUNCIL OF SUNSET VALLEY, TEXAS, on the 19th day of February, 2013.



Rose Cardona, Mayor

ATTEST:

Rae Gene Greenough, City Secretary