

**MINUTES OF A PUBLIC MEETING
OF THE CITY OF BUNKER HILL VILLAGE
PLANNING AND ZONING COMMISSION
TUESDAY, MAY 28, 2024**

I. CALL TO ORDER

Chair Bill Going called the Planning and Zoning Commission Meeting to order at 11:35 a.m. based on a quorum of members present:

Present

Bill Going, Chair
John Gillette, Vice-Chair
Jack Christiansen, Commissioner
Billy Murphy, Commissioner
Catherine Wile, Commissioner
Paul Reinbolt, Commissioner (via Zoom)

Staff in Attendance

Gerardo Barrera, City Administrator
Elvin Hernandez, Director of Public Works
Loren Smith, City Attorney
Keith Brown, City Council Liaison
Mallory Pack, Management Analyst

Absent

Monica Muschalik, Commissioner

II. PUBLIC COMMENTS

There were no public comments.

III. CONSIDERATION AND POSSIBLE ACTION REGARDING APPROVAL OF THE APRIL 23, 2024, MEETING MINUTES

There was a discussion to add a comment under Agenda Item IV, last sentence of paragraph 3 to read: After variance approval, the final plat has satisfied all requirements of the City's ordinances.

A motion was made by Commissioner Wile and seconded by Commissioner Christiansen to approve the April 23, 2024, meeting minutes with revised comment.

The motion carried 4 - 0

IV. REVIEW, DISCUSSION, AND DIRECTION ON AMENDING THE CITY'S TREE ORDINANCE

The purpose of the City's tree ordinance is to preserve and enhance the desirability of the city by requiring careful site planning; the protection of trees during construction to contribute to the long-term viability of existing trees; prohibiting indiscriminate cutting or clearing of trees; and encouraging the increase of the urban canopy.

During the January 2024 meeting, in response to feedback received from the Planning and Zoning Commission, residents, and building developers, staff presented a preliminary review of the City's tree ordinance to identify areas that may benefit from updates and eliminate any ambiguity in the language. Staff recommended addressing and clarifying discrepancies in section 4-183 – minimum tree requirement and section 4-185 – tree preservation, removal and replacement to ensure the code is clear, concise, and effective.

The Commission discussed the following:

- Incorporate provisions imposing a penalty/ punitive actions (ex. include penalty if a tree was removed that was not approved in the tree survey/ include penalty for failure to follow tree survey as approved) to deter contractors from having to pay low fines for failure to comply with ordinance requirements.
- Require proof from a qualified Urban Forester to remove dead and/or diseased tree.
- Revise procedure for minimum tree count and tree placement (ex. Off-Site Tree Fund) to ensure best canopy coverage.
- Suspension or revocation of contractor to build in City.

Based on this feedback, staff and the City Forester identified additional sections for review and developed proposed revisions to Chapter 4, Article VI of the Code of Ordinances. Staff presented proposed revisions to the following sections at the May 2024 meeting:

- Section 4-182 Definitions
- Section 4-183 Minimum tree requirements
- Sec. 4-185. Tree preservation, removal, and replacement
- Sec. 4-186. New construction, reconstruction, and expansion/additions
- Sec. 4-188. Approved tree planting list
- Sec. 4-189. Tree requirement list
- Sec. 4-190. Enforcement and penalties and fines

Commission discussion included the following:

- Noted concerns about increasing the minimum 1,000 sq. ft. requirement to 2,000 sq. ft. (in consideration of drainage and setback requirements for construction), and suggested an increase to 1,200 sq. ft. instead, if necessary. Commissioner Going spoke that many residents choose to live in the City because of the number of trees. There was no further interest from the Commission to change the minimum requirement.
- Review language and requirements for the removal of healthy trees versus unhealthy/damaged trees and the replacement requirement depending on if lot meets the minimum tree requirement.
- Incorporate suspending work and/ or contractor registration as a more punitive measure to deter contractors from having to pay low fines for failure to comply with ordinance requirements (ex. if tree was removed without a permit).


The Commission directed staff to continue to work with the City Forester to create a “redline” document with proposed amendments addressing topics discussed.

No action was taken on this item.


V. ADJOURN

Chair Going adjourned the meeting at 12:54 p.m.

Approved and accepted on August 27, 2024



William Going, Chair

ATTEST:


Gerardo Barrera, City Administrator/ Acting City Secretary