

# Memo

To: Interested Public

From: Craig Minor, AICP  
Director of Planning and Development

Date: January 29, 2007

Re: **Application #07-09: Amendment of Sections 300 and 400 of the Subdivision Regulations Pertaining to Street Trees and Documents to be Submitted with a Subdivision Application. Planning and Zoning Commission, applicant.**

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The Planning and Zoning Commission is considering an amendment to the Subdivision Regulations which, if approved, would require subdivision developers to plant street trees within a "street tree easement" area along new streets. The proposed amendment would also make technical revisions regarding the submission of legal documents pertaining to a proposed subdivision. A public hearing on this proposed amendment has been scheduled for February 6, 2007.

A copy of the proposed amendment is attached.

cc:  
file

**PROPOSED "STREET TREE" AMENDMENT TO THE  
SUBDIVISION REGULATIONS**

[text to be deleted is shown in ~~strike through~~; new text is shown in **bold**]

300. REGULATIONS

- 312 ~~Trees, provided by the record owner, shall be of desirable species and size and planted between the building line and the street line. Street trees shall be planted between the building line and the street line. Their location shall be subject to approval of the Commission in order to assure safe motoring and unobstructed vision. A minimum of two (2) such trees shall be provided for each lot which, due to development, would contain no natural tree growth.~~

Street Trees

- a. **Deciduous shade trees at least 2.5" in caliper at planting with a mature height of at least 35 feet shall be planted by the applicant on both sides of all new streets. One tree for every 75' of frontage or fraction thereof shall be provided. Trees shall be spaced evenly along the street and shall be located not less than five feet nor more than ten feet from the street line.**
- b. **The applicant shall coordinate street tree location with utilities companies to ensure that no trees are planted above underground utility lines nor below overhead utility lines.**
- c. **A street tree easement shall be provided along the frontage of all new streets for the planting of required street trees. Such easement shall be fifteen feet deep.**
- d. **Where the topography or other conditions make a lot unsuitable or inappropriate for street trees, this requirement may be waived or modified at the Commission's discretion.**
- e. **Rear lots, open space parcels and lots with frontage subject to conservation easements shall be exempt from this regulation.**

400. DOCUMENTS TO BE SUBMITTED FOR SUBDIVISION APPROVAL

The following items must be filed with the application form. Incomplete applications will not be reviewed by the staff, nor will they be placed on the next Commission meeting agenda for action other than to be denied without prejudice.

403 Site Development Plan

The Site Development Plan shall consist of the following:

- a. Twenty (20) copies of the below-described plan prepared by a licensed surveyor or professional engineer with A-2 accuracy. Such plan shall be drawn at a scale where one (1) inch represents no more than 40 feet on sheets 24 inches wide by 36 inches long. Fifteen (15) copies of this plan shall be in a reduced size format (11" x 17").

The plan shall show the proposed subdivision name or identifying title and location, the scale of the drawing, a north arrow, and the date. It shall also contain the following information relative to existing conditions and proposed elements:

12. Location of all existing and/or proposed drainage or other easements or rights to drain on the subject property or on adjacent parcels which will service the subject property. ~~All legal instruments related to the easements shown shall be submitted to the Commission.~~
13. ~~Where temporary road cut or construction easements are required, they shall be shown on the Site Development Plan and legal instruments related to the temporary easements shall be submitted to the Commission.~~ Temporary road cuts or construction easements.
14. ~~A plan showing~~ The general location of existing tree species, their approximate height, diameter and age; and a description of the cutting or removal activities to be undertaken.
15. If the application submitted covers only a part of the applicant's entire holding, a map drawn at a scale in which one (1) inch represents not more than 400 feet showing an outline of the plotted area with its proposed street system and an indication of the probable future street system of the remaining portion of the tract. Such plan will not be reason for changing the assessed value.
16. ~~A copy of such private deed restrictions, conditions and covenants running with the land intended to cover part of or all of the tract.~~

404 Subdivision Plat Plan:

The Subdivision Plat Plan shall consist of:

- b. ~~Three (3) copies of all agreements or other documents showing the manner in which spaces other than lots not dedicated to public use are to be maintained and the provisions made therefore.~~

405 Easements and Other Legal Documents:

**A copy of all proposed easements or other legal documents indicated on the Site Development Plan shall be submitted with the application. A copy of all proposed private deed restrictions, conditions or covenants shall also be submitted with the application.**