Legislation Text

File #: 20-238, **Version:** 1

TO: **Mayor Bien-Willner and Town Council Members**

FROM: **Jill Keimach, Town Manager**
Jeremy Knapp, Community Development Director

DATE: **June 11, 2020**

DEPARTMENT: Community Development

AGENDA TITLE:
Discussion of Ordinance No. 2020-08; Amending Article 5-8-4 Native Plant Preservation and Article 5-10-5 Grading And Dust Control Regulations
15 Minutes

SUMMARY STATEMENT:
In January and May of 2020 the Town Council discussed in a Work Study Session the Town's regulations regarding Native Plant Preservation. In 2006 the Town adopted Ordinance 577 introducing a new Town Code Section 5-8-4 Native Plant Preservation.

This code section outlines the requirements for preservation of Native Plants when constructing a new home or completing a remodel or addition more than $500,000. This section is applicable to single-family residential development during the construction process. The protected plans include certain trees and cacti and require an inventory be submitted with the permit application. Failure to comply with the requirements include penalties up to a Class 1 Misdemeanor and fine up to $2,500.

During the previous Study Session Town Council directed staff to proceed with a proposed code change incorporating the list of protected plants that are found in Maricopa County and clarifying the need for a Native Plant Preservation Plan for any grading work. The list of protected plants within Maricopa County is established by the Arizona Department of Agriculture and was most recently updated in 2016. The additional trees and cactus being added to the Town Code are identified in the State of Arizona Administrative Code.

The proposed Ordinance 2020-08 (Attachment C) incorporates both of the previously discussed changes. It adds 6 trees and 1 cactus to the Town's Native Plant List as well as clarifies that a Native Plant Preservation in accordance with Town Code Section 5-8-4 is required to secure a grading permit from the Town.

BUDGETARY IMPACT:
No budgetary impact anticipated.

ATTACHMENT(S):

A - Town Code Section 5-8-4
B - Town Code Section 5-10-5
C - Draft Ordinance 2020-08
D - PowerPoint Presentation

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